

**CITY OF VESTAVIA HILLS**  
**BOARD OF ZONING ADJUSTMENT**

**AGENDA**

**March 17, 2022**

**6:00 P.M.**

Roll Call.

Approval of Minutes: February 17, 2022.

- (1) **BZA-0322-07** Hallie Weaver is requesting a **Front Setback Variance** for the property located at 2012 Hickory Road. The purpose of this request is to reduce the front setback to 47' in lieu of the required 50' to rebuild front porch. The property is owned by Hallie Weaver and is zoned Vestavia Hills R-3.
- (2) **BZA-0322-08** William Watson is requesting a **Front and Side Setback Variance** for the property located 2117 Shades Ave. The purpose of this request is to reduce the front setback to 38' in lieu of the required 50' & to reduce the side setback to 5' in lieu of the required 15' to build a new home. The property is owned by William Watson and is zoned Vestavia Hills R-3.
- (3) **BZA-0322-09** Stuart and Emily Rein are requesting a **Side Setback Variance** for the property located at 1812 Post Oak Road. The purpose of this request is to reduce the side setback to 10' in lieu of the required 15' to a home addition. The property is owned by Stuart and Emily Rein and is zoned Vestavia Hills R-2.

Time of Adjournment.

**CITY OF VESTAVIA HILLS  
BOARD OF ZONING ADJUSTMENT**

**MINUTES**

**February 17, 2022**

The Board of Zoning Adjustment of the City of Vestavia Hills met in regular session on this date at 6:00 PM. The roll was called with the following:

**MEMBERS PRESENT:**

Rick Rice, Chairman  
Stephen Greer  
Loring Jones, III  
Thomas Parchman, Alt

**MEMBERS ABSENT:**

Robert Gower  
Tony Renta  
Ryan Rummage, Alt

**OTHER OFFICIALS PRESENT:**

Jack Wakefield, Planner/GIS

\*The start of the public hearing was delayed until after 6pm, due to a tornado warning for the area. \*

**APPROVAL OF MINUTES**

The minutes of January 20, 2022 were presented for approval.

**MOTION** Motion to dispense with the reading of the minutes of December 16, 2021 was made by Mr. Jones and 2<sup>nd</sup> was by Mr. Greer. Motion as carried on a voice vote as follows:

Mr. Greer – yes      Mr. Jones – yes  
Mr. Parchman – yes      Chairman Rice – yes  
Motion carried

**FRONT SETBACK VARIANCE**

**BZA-0122-01** Henry M. Clark is requesting a **Front Setback Variance** for the property located at 1997 Rocky Brook Drive. The purpose of this request is to reduce the front setback to 30’ in lieu of the required 40’ to build a new house. The property is owned by Henry M. Clark and is zoned Vestavia Hills R-1.

Mr. Wakefield described the area where the property is located and read the review which included the purpose of the request, comprehensive plan and staff review.

Henry Clark was present for the case and stated that the corner lot caused a hardship.

Chairman Rice asked about the construction closer to Rock Brook Drive.

Mt. Clark stated that there is a sewer line near the Rocky Ridge side of the lot and there is added room needed on that end. Also, impervious surfaces is limited with the 10’ move closer to Rocky Brook.

Chairman Rice opened the floor for a public hearing. There being no one present in regard to the request, Mr. Rice closed the public hearing and opened the floor for a motion.

**MOTION** Motion to approve a 10’ front setback variance to reduce the setback to 30’ in lieu of the recorded 40’, for the property located at 1997 Rocky Brook Drive, was made by Mr. Jones and 2nd was by Mr. Greer. Motion was carried on a roll call vote as follows:

Mr. Greer – yes            Mr. Jones – yes  
Mr. Parchman – yes    Chairman Rice – yes  
Motion carried

**SIDE SETBACK VARIANCE**

**BZA-0222-04** Lee and Jaime McClure are requesting a **Side Setback Variance** for the property located 3877 Timberline Way. The purpose of this request is to reduce the side setback to 11’ in lieu of the required 15’ to build an addition. The property is owned by Lee and Jaime McClure and is zoned Vestavia Hills RC-1.

Mr. Wakefield described the area where the property is located and read the review which included the purpose of the request, comprehensive plan and staff review.

Richard Long, 1825 29<sup>th</sup> Ave South, was present for this case. Mr. Long stated that the hardship was an odd-shaped lot. Also, the orientation of the home on the lot limits buildable area with the required setbacks and the odd shape of the lot.

Mr. Greer asked if this was just a single-story addition.

Mr. Long stated that it was a single-story addition.

Chairman Rice opened the floor for a public hearing. There being no one present in regard to the request, Mr. Rice closed the public hearing and opened the floor for a motion.

**MOTION** Motion to approve a 4' side setback variance to reduce the setback to 11' in lieu of the required 15', for the property located at 3877 Timberline Way, was made by Mr. Jones and 2nd was by Mr. Greer. Motion was carried on a roll call vote as follows:

Mr. Greer – yes            Mr. Jones – yes  
Mr. Parchman – yes    Chairman Rice – yes  
Motion carried

**SIDE & REAR SETBACK VARIANCE**

**BZA-0222-05** Laura C Woodard is requesting a **Side and Rear Setback Variance** for the property located at 4224 White Oak Drive. The purpose of this request is to build a storage structure. The property is owned by Laura C. Woodard and is zoned Vestavia Hills R-4.

Mr. Wakefield described the area where the property is located and read the review which included the purpose of the request, comprehensive plan and staff review.

Laura Woodard, 4224 White Oak Drive, was present for the case and stated that the hardship was an abnormal lot.

Chairman Rice asked for the height of the shed.

Mrs. Woodard stated that she didn't know and that it was not labeled on the drawing.

Mr. Wakefield stated that based on the dimensions of the drawing submitted, it looks like the height is less than 16' (which is the requirement).

Mr. Greer asked if this is the same location as the last variance that was approved.

Mr. Wakefield said the setback parameters are the same.

Chairman Rice opened the floor for a public hearing. There being no one present in regard to the request, Mr. Rice closed the public hearing and opened the floor for a motion.

**MOTION** Motion to approve a 8' side setback variance to reduce the setback to 2' in lieu of the required 10' & 10' rear setback variance to reduce the setback to 5' in lieu of the required 15', for the property located at 4224 White Oak Drive, was made by Mr. Jones and 2nd was by Mr. Greer. Motion was carried on a roll call vote as follows:

Mr. Greer – yes      Mr. Jones – yes  
Mr. Parchman – yes    Chairman Rice – yes  
Motion carried

At 6:33 PM, Mr. Jones made a motion to adjourn. The meeting adjourned at 6:33 PM.

Jack Wakefield,  
Planner/GIS

**CITY OF VESTAVIA HILLS**  
**SYNOPSIS AND STAFF RECOMMENDATION CONCERNING**  
**APPLICATION BEFORE THE BOARD OF ZONING ADJUSTMENT**

Date: March 17, 2022

- **CASE: BZA-0322-07**
- **REQUESTED ACTION:** 3' Front Setback Variance to reduce the setback to 47' in lieu of the required 50'.
- **ADDRESS/LOCATION:** 2012 Hickory Road
- **APPLICANT/OWNER:** Hallie Weaver
- **REPRESENTING AGENT:** NA
- **GENERAL DISCUSSION:** The applicant is seeking a front setback variance to rebuild front porch. The applicant contends the odd-shaped lot causes a hardship. The lot is larger in the front than in the rear. The front porch was already non-conforming and the current front porch is old and beginning to rot. It must be rebuilt with new materials to keep the porch safe and stable. The original porch extends further in the front than what is being proposed, so as to limit the amount of space encroached. The current porch sits 5' over the setback and the applicant is proposing moving the setback to 3' over the requirement. The applicant's property is zoned Vestavia Hills R-3.
- **STAFF REVIEW AND RECOMMENDATION:**
  1. **City Planner Review:** No problems noted.
  2. **City Engineer Review:** No problems noted.
  3. **City Fire Marshal Review:** No problems noted.
  4. **Building Safety Review:** No problems noted.

# CITY OF VESTAVIA HILLS BOARD OF ZONING ADJUSTMENT APPLICATION

The owner of the property understands that the Board of Zoning Adjustment only has jurisdiction to grant variances from the Vestavia Hills Zoning Code in cases of undue hardship only. Variances cannot be considered or granted on any kind of private covenants as covenants are restrictions between property owners.

EXAMPLE: If you are asking for a variance from a building setback line and the building setback line is recorded on the plat and matches the Zoning Code, then the Board of Zoning Adjustment would only hear the case based on the Zoning Code requirements, not what is on the recorded plat. The recorded plat is a covenant between property owners of the subdivision. You must have signatures of every property owner on the recorded plat map to change the covenant portion of the setback. The letter of signatures approving the amendment of the covenants must be filed with the Office of the Probate Court. Again, the BZA can only grant a variance based on the Zoning Code and that is the only portion of the building setback changes that the BZA can vote upon. Once a waiver is filed with the Office of the Probate, please include a copy of the recorded amendment with the application to the Office of the City Clerk.

Please note: Only completed applications will be accepted by this office. The applicant is responsible for the Application Fee as well as all postage fees incurred by this request.

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## **I. APPLICANT INFORMATION:**

### **Owner of Property (This Section Must Be Completed)**

Name: Hallie Weaver

Address: 2012 Hickory Road  
2012 Hickory Road

Phone #: 205-427-7364 Other #: \_\_\_\_\_

E-Mail: hallielweaver@gmail.com

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### **Billing/Responsible Party**

Name: Hallie Weaver

Address: 2012 Hickory Road

Phone #: 205-427-7364 Other #: — Z0322-07//28-00-19-4-007-008.000

E-Mail: hallielweaver@gmail.com **2012 Hickory Rd.**  
**Front Setback to rebuild front porch**  
**Hallie Weaver**

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**Representing Attorney/Other Agent**

Name: \_\_\_\_\_  
Address: 2012 Hickory Road \_\_\_\_\_  
2012 Hickory Road \_\_\_\_\_  
Phone #: 205-427-7364 \_\_\_\_\_ Other #: \_\_\_\_\_  
E-Mail: hallielweaver@gmail.com \_\_\_\_\_

*\*This section must be completed in order for a representative to represent the owner.*

**II. DESCRIPTION OF SUBJECT PROPERTY:**

LOCATION: 2012 Hickory Road \_\_\_\_\_  
*Street Address*  
Biltmore, Lot #6 \_\_\_\_\_  
*Subdivision name, Lot #, Block #, etc.*

**III. REASONS FOR REQUEST (PLEASE FILL IN APPLICABLE STATEMENTS):**

1.  A request to vary:  
\_\_\_\_\_ ' variance to reduce the lot width to \_\_\_\_\_ ' in lieu of the required  
\_\_\_\_\_.  
\_\_\_\_\_ square foot variance to reduce the lot area to \_\_\_\_\_ square feet in lieu  
of the required \_\_\_\_\_ square feet.  
3 ~~40~~ ' front (circled) /side/rear (circle one) setback variance to reduce the setback to  
47 ' in lieu of the required 50 ' .  
\_\_\_\_\_ ' front/side/rear (circle one) setback variance to reduce the setback to  
\_\_\_\_\_ ' in lieu of the required \_\_\_\_\_ ' .  
\_\_\_\_\_ ' front/side/rear (circle one) setback variance to reduce the setback to  
\_\_\_\_\_ ' in lieu of the required \_\_\_\_\_ ' .
2.  A decision of the Zoning Official which the applicant believes to be  
contrary to the meaning of the Zoning Ordinance.
3.  An application to establish a use which must be approved by the Board of  
Zoning Adjustment (See Section \_\_\_\_\_).
4.  A request for extension of non-conforming use (See Section \_\_\_\_\_).
5.  Variance for location of a fence.
6.  Sign Code Variance (See Section \_\_\_\_\_).
7.  Other - Explain (See Section \_\_\_\_\_).

\_\_\_\_\_  
Z0322-07//28-00-19-4-007-008.000  
2012 Hickory Rd.  
Front Setback to rebuild front porch  
Hallie Weaver



**IV. ZONING**

Vestavia Hills Zoning for the subject property is R-3.

**V. HARDSHIP**

**Describe those things which you feel justify the action requested. An Undue Hardship is required in order to seek a variance.** List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. *(Use additional space on separate page if necessary).*

We currently have a nonconforming front porch that existed when house was originally built. We need to rebuild it with our renovation to make it more functional. Additionally, the wood on the current front porch is old and beginning to rot, so it is necessary to rebuild it with new material. However, location of the porch will not be changing.

**VI. PROJECT:**

**Describe the scope of the project and/or the reason for requesting this variance.**

Approval is needed to allow us to rebuild the front porch. The current front porch is in the same location as the porch we are requesting approval for.

**VII. OWNER AFFIDAVIT:**

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. I, also, understand that I am asking for a variance based on the Zoning Code only and not on any or all covenants that are on the subject property. **\*Note, this application must be signed by the owner of the property before a notary. The original application shall be submitted, no copies shall be accepted\***

Hallie Weaver 2-14-22  
Owner Signature/Date

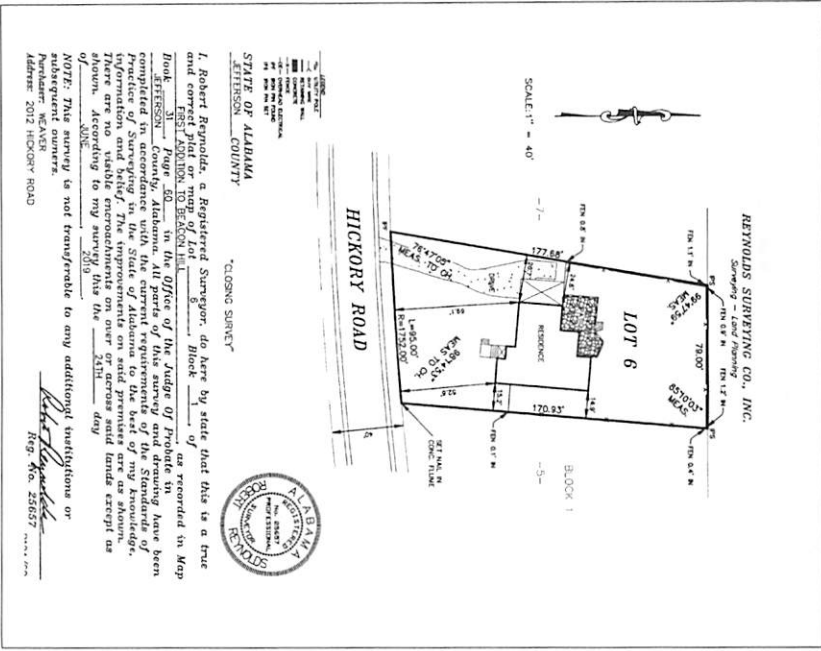
\_\_\_\_\_  
Representing Agent (if any)/date

Given under my hand and seal  
this 14 day of FEB, 20 22.

J. L. Whitt  
Notary Public  
My commission expires 30<sup>th</sup>  
day of October, 20 23.



My Commission Expires  
October 30, 2023



**STATE OF ALABAMA**  
**ROBERT B. ROBERTS**  
 REGISTERED SURVEYOR  
 No. 25667

**STATE OF ALABAMA**  
**ROBERT B. ROBERTS**  
 REGISTERED SURVEYOR  
 No. 25667

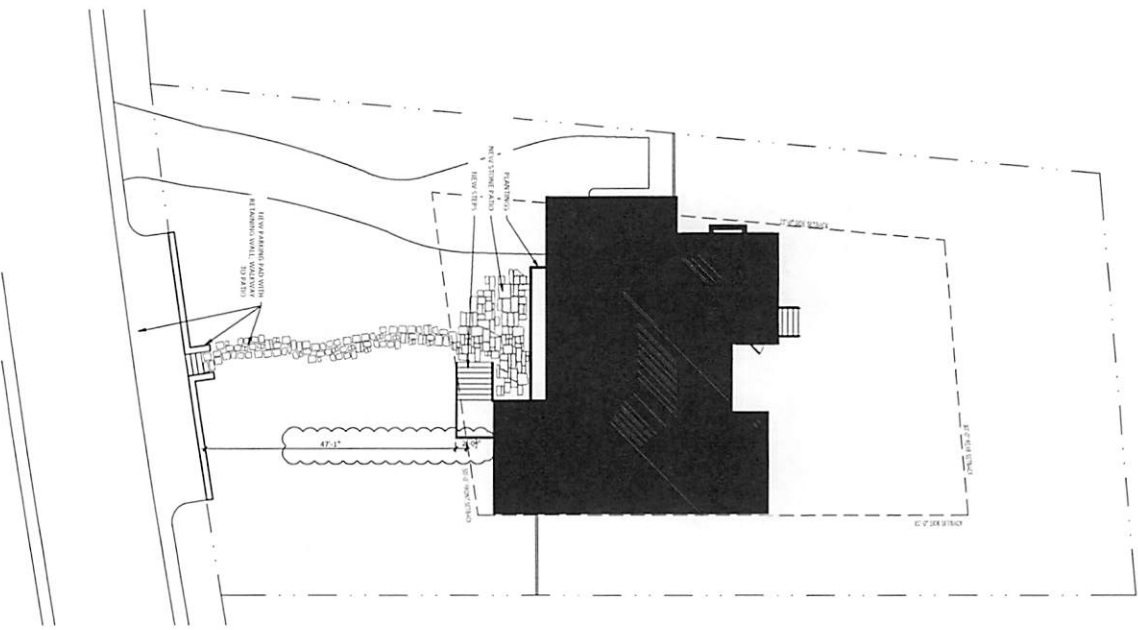
I, Robert Roberts, a Registered Surveyor, do hereby state that this is a true and correct plat or map of Lot 6, Block 1, as recorded in Map Book 100, Page 204, in the office of the Judge of Probate in the County of Jefferson, Alabama, and that the same have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown on this plat, and are not shown on any other plat or map of record in the public records of the State of Alabama, according to my survey this the 23rd day of \_\_\_\_\_, 2019.

**NOTE:** This survey is not transferable to any additional subdivisions or subsequent owners.

Surveyor: **ROBERT B. ROBERTS**  
 Address: 2012 HICKORY ROAD  
 REG. NO. 25667

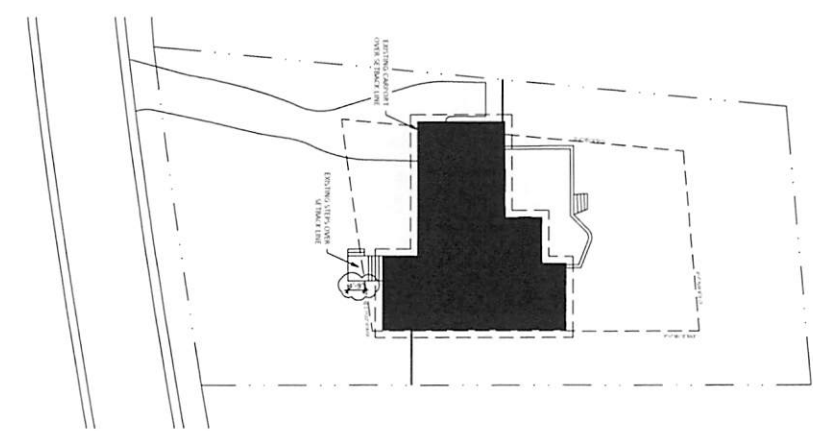
03 | Property Survey

SCALE: 1"=100'-0"



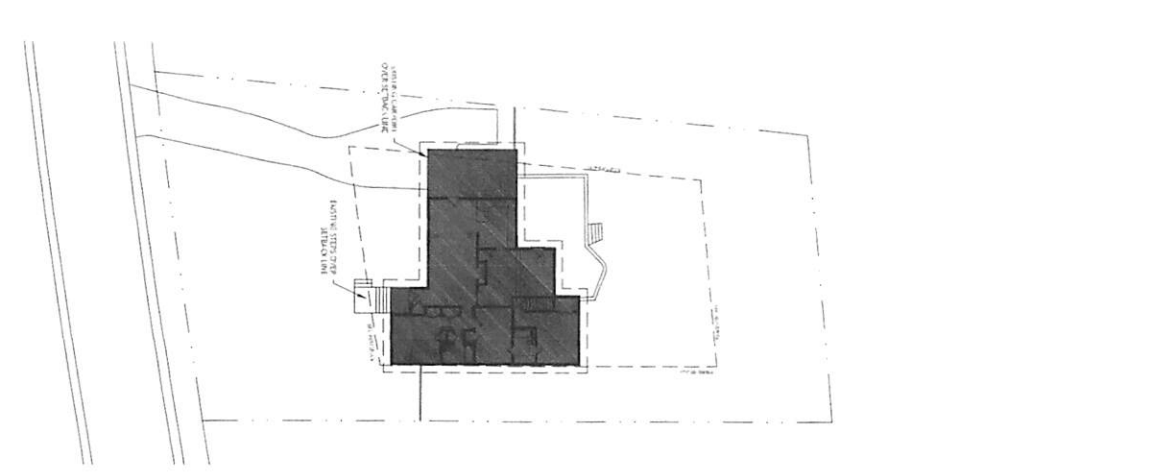
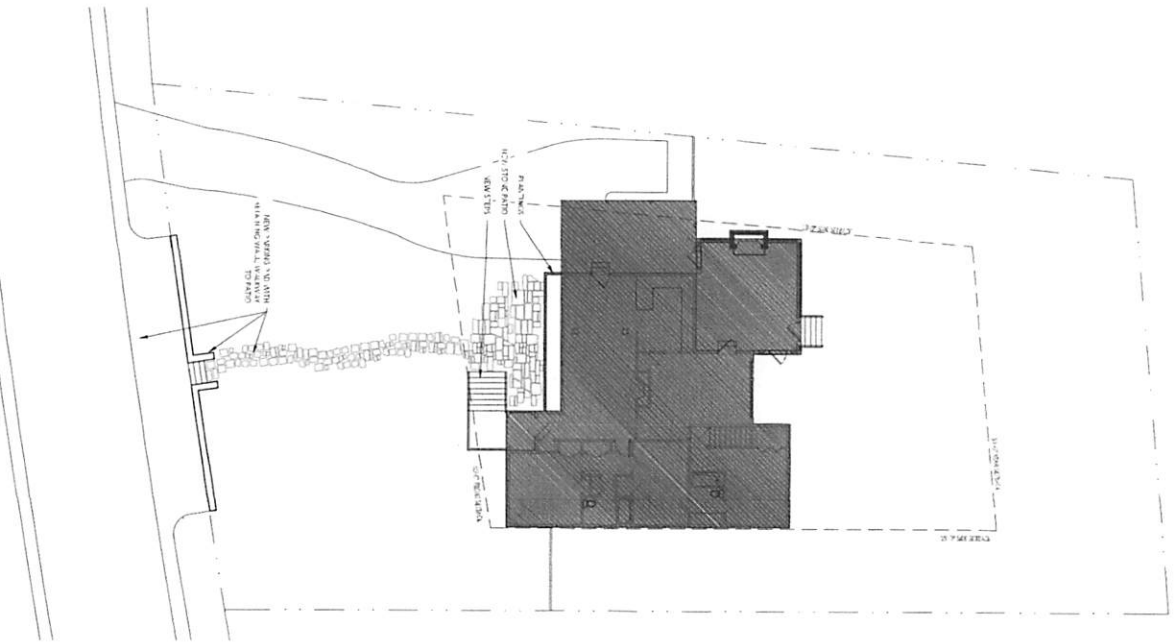
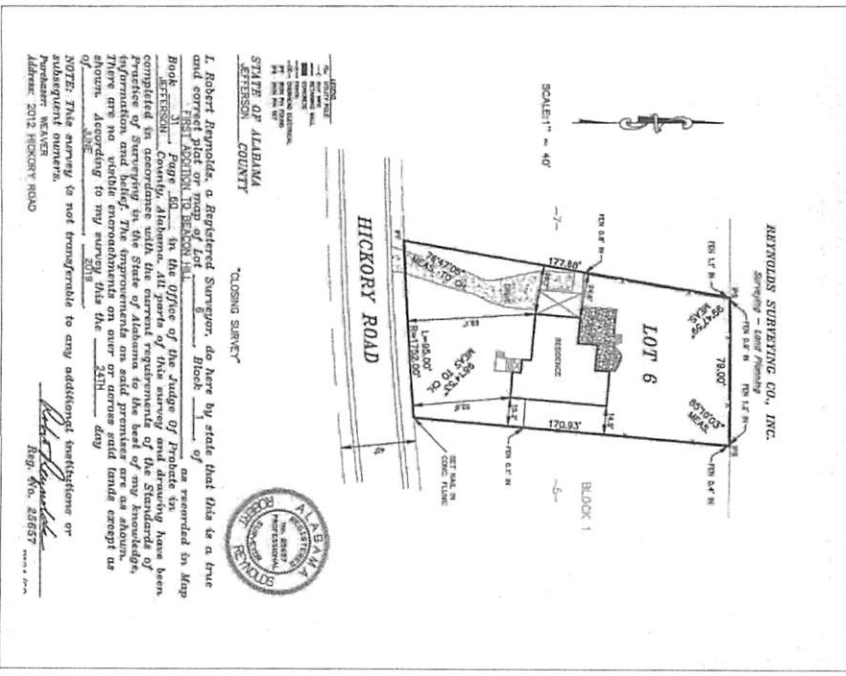
02 | New Site Plan

SCALE: 1/8"=1'-0"



01 | Existing Site Plan

SCALE: 1/8"=1'-0"



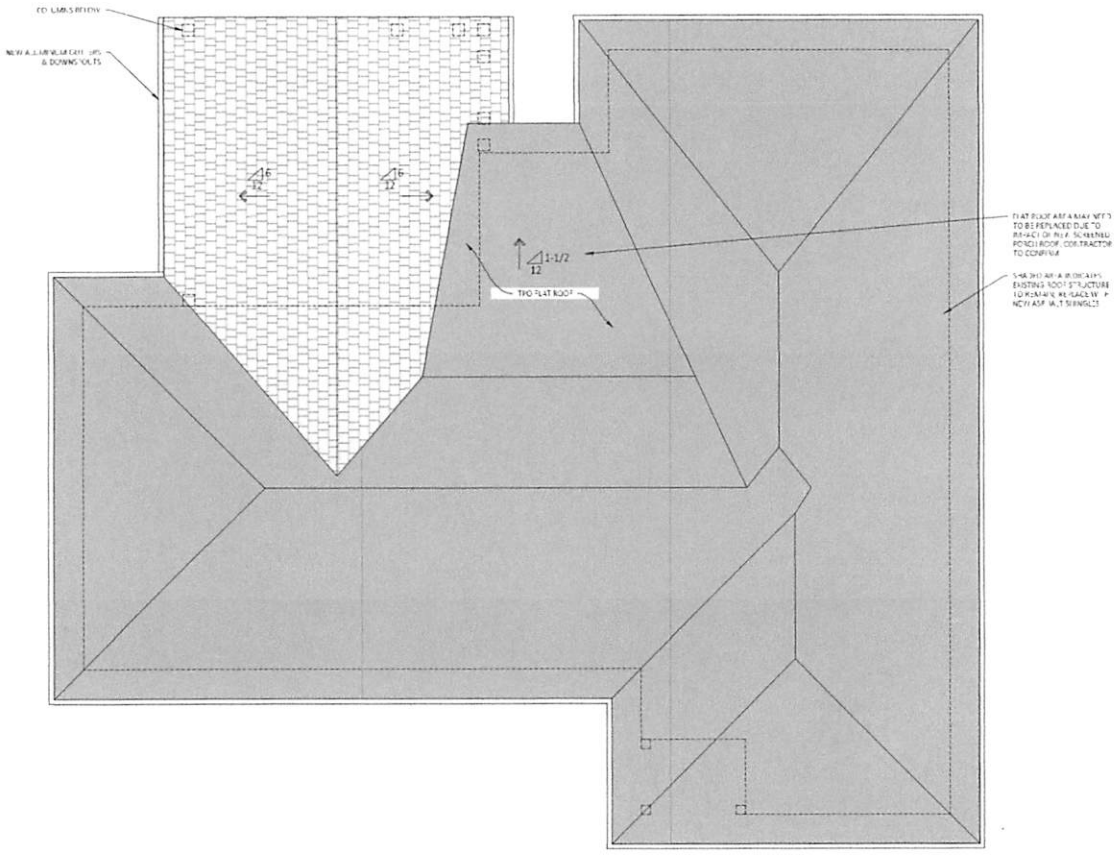
03 | Property Survey

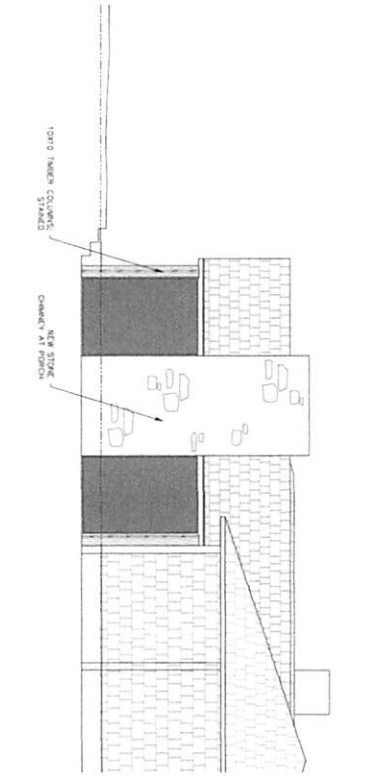
02 | New Site Plan

01 | Existing Site Plan

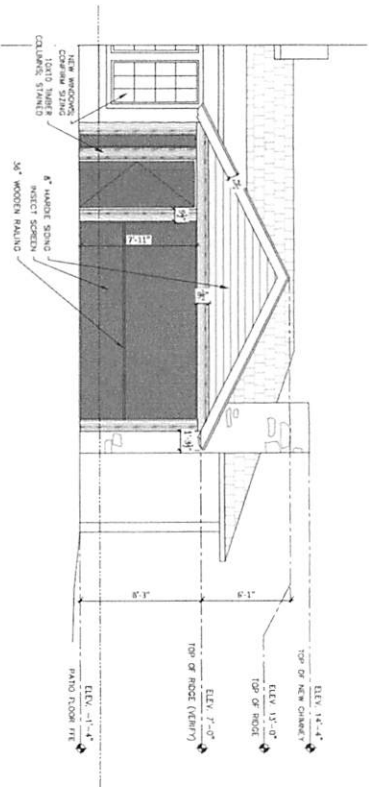
**A1**

**Weaver**  
 Resident  
 2012 Hickory /  
 Vestavia Hills,  
 AL 36116  
 01/26/2022

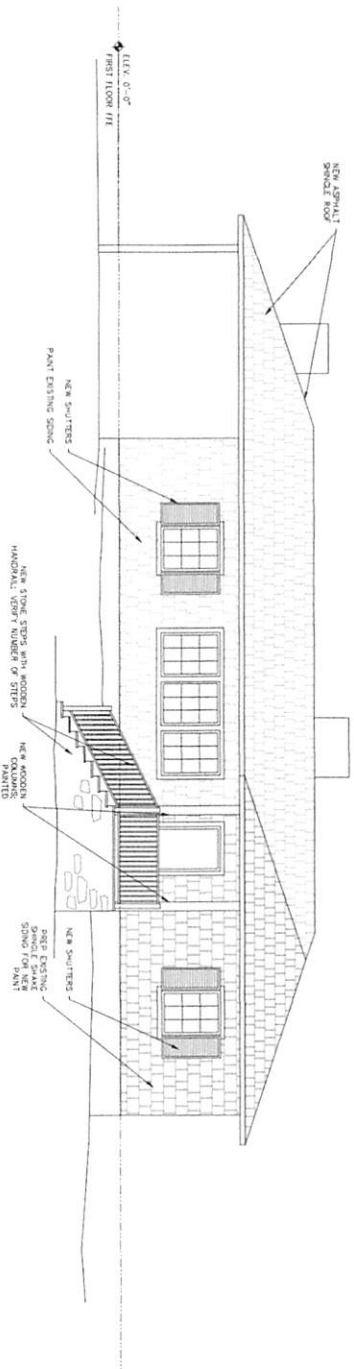




03 | Left Elevation  
SCALE: 1/8"=1'-0"



02 | Rear Elevation  
SCALE: 1/8"=1'-0"



01 | Front Elevation  
SCALE: 1/8"=1'-0"



BZA

CITY OF VESTAVIA H 2012 Hickory Rd.  
Department Review of Appl Front Setback to rebuild front porch  
(To be completed by City Hallie Weaver

The following application and case file has been reviewed and the following comments submitted as follows:

Location: 2012 Hickory Rd, Weaver Case No.: BZA0322-07

**Engineering:**

Date: 2/22/22 Initials: CB  
Comments: will need ENGINEERING approval for on street parking

Recommended  Not Recommended  No Recommendation

**Planning/DRB:**

Date: \_\_\_\_\_ Initials: \_\_\_\_\_  
Comments: \_\_\_\_\_

Recommended  Not Recommended  No Recommendation

**GIS/Mapping:**

Date: \_\_\_\_\_ Initials: \_\_\_\_\_  
Comments: \_\_\_\_\_

Recommended  Not Recommended  No Recommendation

**Fire Department:**

Date: 2/22/22 Initials: ZF  
Comments: \_\_\_\_\_

Recommended  Not Recommended  No Recommendation

**Building Department:**

Date: 2/22/22 Initials: KB  
Comments: \_\_\_\_\_

Recommended  Not Recommended  No Recommendation

**City Clerk:**

Date: \_\_\_\_\_ Initials: \_\_\_\_\_  
Comments: \_\_\_\_\_

Recommended  Not Recommended  No Recommendation

**CITY OF VESTAVIA HILLS**  
**SYNOPSIS AND STAFF RECOMMENDATION CONCERNING**  
**APPLICATION BEFORE THE BOARD OF ZONING ADJUSTMENT**

Date: March 17, 2022

- **CASE: BZA-0322-08**
- **REQUESTED ACTION:** 12' Front Setback Variance to reduce the setback to 38' in lieu of the required 50' & 5' Side Setback Variance to reduce the setback to 10' in lieu of the required 15'.
- **ADDRESS/LOCATION:** 2117 Shades Ave
- **APPLICANT/OWNER:** William Watson
- **REPRESENTING AGENT:** NA
- **GENERAL DISCUSSION:** The applicant is seeking a front and side setback variance to build a house. The applicant contends the location of the septic tank creates a hardship. The existing septic field and tank have been deemed inadequate and Jefferson County is requiring the installation of a new septic system. The current house was built to past septic standards, but the County is requiring the applicants to leave even more room than what is existing between the house and tank. The septic tank is in the rear and the house cannot be pushed further back. The only area that is available is if the house is pushed into the front setback, but there are limitations to the front as well. The County has required the applicants to establish an REDF zone in the front. The applicant's property is zoned Vestavia Hills R-3.
- **STAFF REVIEW AND RECOMMENDATION:**
  1. **City Planner Review:** No problems noted.
  2. **City Engineer Review:** No problems noted.
  3. **City Fire Marshal Review:** No problems noted.
  4. **Building Safety Review:** No problems noted.



# CITY OF VESTAVIA HILLS BOARD OF ZONING ADJUSTMENT APPLICATION

The owner of the property understands that the Board of Zoning Adjustment only has jurisdiction to grant variances from the Vestavia Hills Zoning Code in cases of undue hardship only. Variances cannot be considered or granted on any kind of private covenants as covenants are restrictions between property owners.

EXAMPLE: If you are asking for a variance from a building setback line and the building setback line is recorded on the plat and matches the Zoning Code, then the Board of Zoning Adjustment would only hear the case based on the Zoning Code requirements, not what is on the recorded plat. The recorded plat is a covenant between property owners of the subdivision. You must have signatures of every property owner on the recorded plat map to change the covenant portion of the setback. The letter of signatures approving the amendment of the covenants must be filed with the Office of the Probate Court. Again, the BZA can only grant a variance based on the Zoning Code and that is the only portion of the building setback changes that the BZA can vote upon. Once a waiver is filed with the Office of the Probate, please include a copy of the recorded amendment with the application to the Office of the City Clerk.

Please note: Only completed applications will be accepted by this office. The applicant is responsible for the Application Fee as well as all postage fees incurred by this request.

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## **I. APPLICANT INFORMATION:**

### **Owner of Property (This Section Must Be Completed)**

Name: William Watson

Address: N/A

N/A

Phone #: N/A Other #: N/

E-Mail: N/A

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### **Billing/Responsible Party**

Name: William Watson

Address: N/A

Phone #: N/A Other #: N/

E-Mail: N/A

**Z0322-08//28-00-19-4-009-002.001**

**2117 Shades Ave.**

Front & Side Setback for a new  
home

William Watson

**Representing Attorney/Other Agent**

Name: N/A  
Address: N/A  
N/A  
Phone #: N/A Other #: N/  
E-Mail: N/A

*\*This section must be completed in order for a representative to represent the owner.*

**II. DESCRIPTION OF SUBJECT PROPERTY:**

LOCATION: 2117 Shades Avenue, Vestavia Hills, AL 35216  
*Street Address*  
Biltmore Estates, Lot 4A  
*Subdivision name, Lot #, Block #, etc.*

**III. REASONS FOR REQUEST (PLEASE FILL IN APPLICABLE STATEMENTS):**

1.  A request to vary:  
          ' variance to reduce the lot width to           ' in lieu of the required  
          '.  
           square foot variance to reduce the lot area to            square feet in lieu  
of the required            square feet.  
front ' front/side/rear (circle one) setback variance to reduce the setback to  
38 ' in lieu of the required 50 '.  
side ' front/side/rear (circle one) setback variance to reduce the setback to  
10 ' in lieu of the required 15 '.  
           ' front/side/rear (circle one) setback variance to reduce the setback to  
           ' in lieu of the required            '.
2.  A decision of the Zoning Official which the applicant believes to be  
contrary to the meaning of the Zoning Ordinance.
3.  An application to establish a use which must be approved by the Board of  
Zoning Adjustment (See Section           ).
4.  A request for extension of non-conforming use (See Section           ).
5.  Variance for location of a fence.
6.  Sign Code Variance (See Section           ).
7.  Other - Explain (See Section           ).

N/

**Z0322-08//28-00-19-4-009-002.001**

**2117 Shades Ave.**  
Front & Side Setback for a new  
home  
William Watson

**IV. ZONING**

Vestavia Hills Zoning for the subject property is \_\_\_\_\_.

**V. HARDSHIP**

**Describe those things which you feel justify the action requested. An Undue Hardship is required in order to seek a variance.** List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. *(Use additional space on separate page if necessary).*

The existing septic field and tank have been deemed inadequate to support the construction of a new home by the Jefferson County Health Department. The county's requirements for a new, engineered septic system will require the planned project to encroach into the front and side setback of the property. The county septic field requirement requires that the house be shifted to the front of the property to accommodate the septic field size. The county also requires that a redundant EDF zone be established in the front yard. To county requirement can only be achieved

**VI. PROJECT:**

**Describe the scope of the project and/or the reason for requesting this variance.**

The project includes the construction of a new home located generally near the location of the previous home that was located on the lot. A variance to the setbacks is requested to accommodate the sizing of the county required septic field and associated redundant EDF.

**VII. OWNER AFFIDAVIT:**

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. I, also, understand that I am asking for a variance based on the Zoning Code only and not on any or all covenants that are on the subject property. **\*Note, this application must be signed by the owner of the property before a notary. The original application shall be submitted, no copies shall be accepted\***

*William Watson, 2/15/22*

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal  
this 15<sup>th</sup> day of February, 2022.

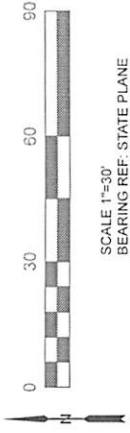


Notary Public  
My commission expires APR - 9 2023, 20    .

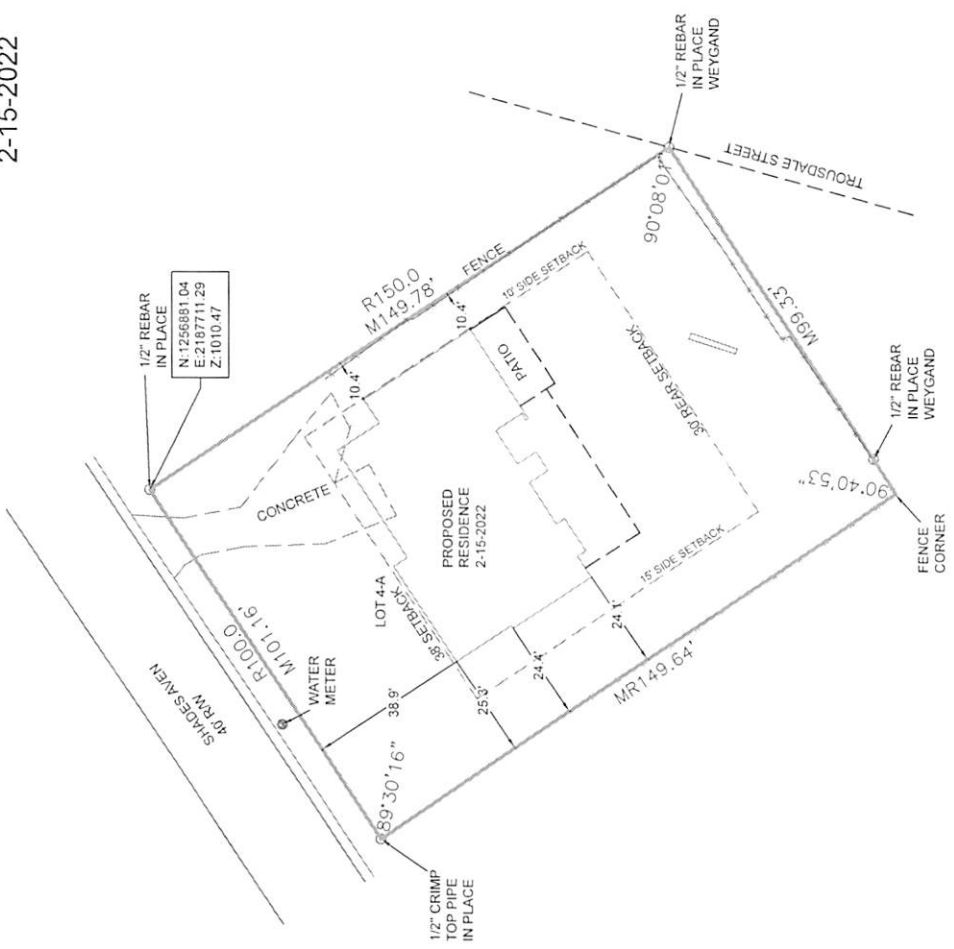
**Z0322-08//28-00-19-4-009-002.001**  
**2117 Shades Ave.**  
Front & Side Setback for a new home  
William Watson

**PLOT PLAN**  
2-15-2022

PREPARED FOR  
GIBSON CONSTRUCTION  
SITE ADDRESS  
2117 SHADES AVENUE



SCALE 1"=30'  
BEARING REF: STATE PLANE  
ELEVATIONS ARE NAVD 88  
FIELD WORK 2-2-2022  
BOUNDARY/TOPOGRAPHIC  
M-MEASURED BY SURVEY  
R-PER A RECORD DOCUMENT



STATE OF ALABAMA  
JEFFERSON COUNTY

I, James M. Ray, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and plat (or drawing) have been completed in accordance with the requirements of the Standards for the Practice of Surveying in the State of Alabama, being more particularly described as follows, to-wit: Lot 4-A WATSON'S RESURVEY OF BILTMORE ESTATES Subdivision as shown in the office of the Judge of Probate of JEFFERSON County, Alabama in map book 255 page 23

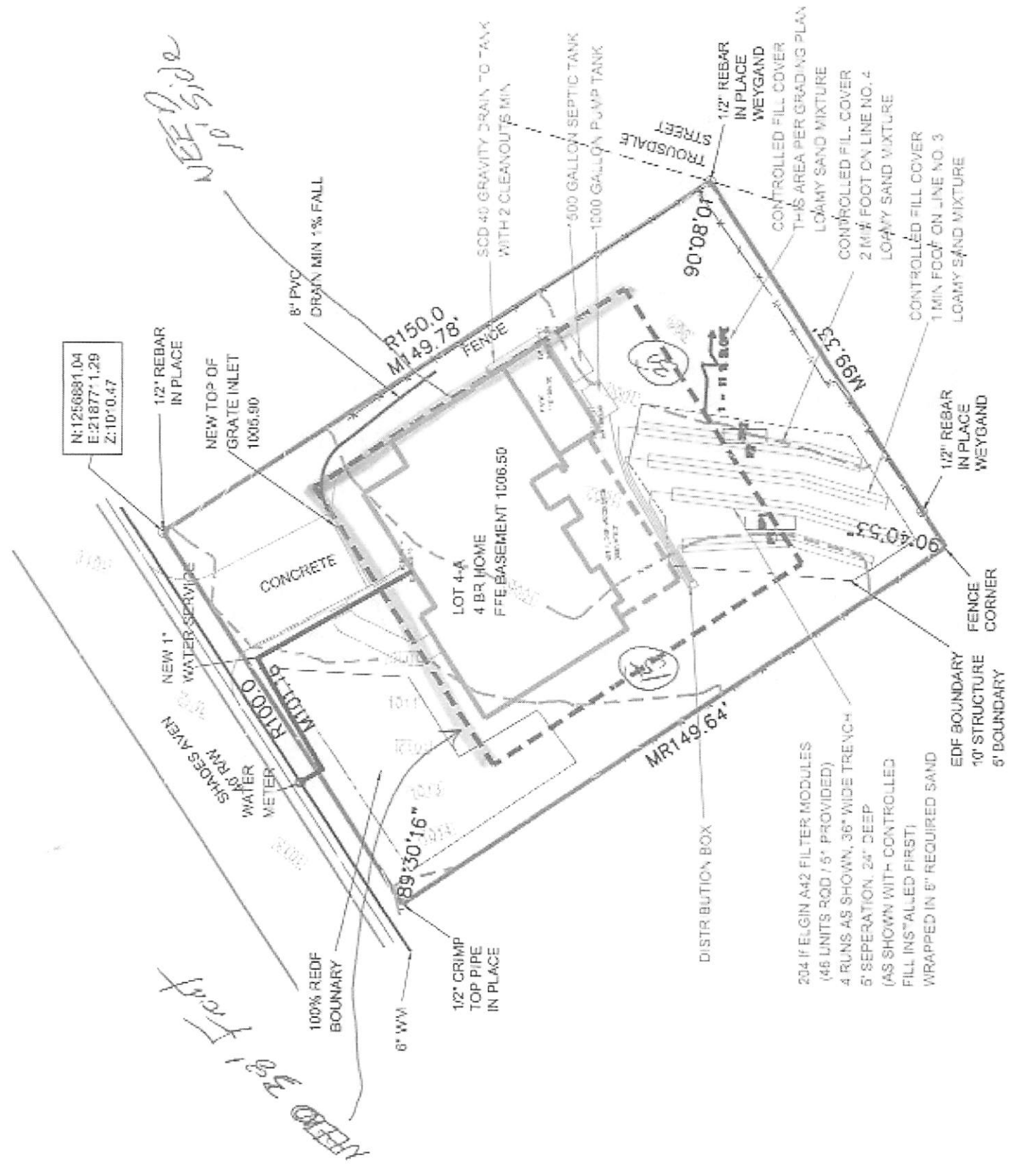
According to my survey this the 2ND day of FEBRUARY 2022.

James M. Ray, Ala. Reg. No. 18383  
Ray and Gilliland, P. C., Ala. Board Cert. No. CA-0114-L5



Note: No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and /or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city.  
Underground portions of foundations and footings and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. We do not look for underground sewer or flip manhole covers.  
This survey is not transferable and may only be used by the person/company that pays for it at time of survey.

<b>RAY &amp; GILLILAND, P. C.</b>	
122 NORTH CALHOUN STREET PO BOX 1183 SYLACAUGA, ALABAMA 35160	TEL NO (256) 245-3243 FAX NO (256) 245-3202
DRAWN BY: JMR	FILE
BOUNDARY SURVEY	SCALE: 1" = 30'



N: 1256881.04  
 E: 21877.129  
 Z: 10' 0.47

*NEE Side*

*NEED 381 FEET GREEN*

1/2" REBAR IN PLACE  
 NEW TOP OF GRATE INLET  
 1006.90

8" PVC DRAIN MIN 1% FALL

R150.0 M149.78'

SCD 40 GRAVITY DRAIN TO TANK WITH 2 CLEANOUTS MIN

500 GALLON SEPTIC TANK  
 1500 GALLON PUMP TANK

1/2" REBAR IN PLACE WEYGAND

TROUSDALE STREET

90' 08" 01'

CONTROLLED FILL COVER  
 THIS AREA PER GRADING PLAN  
 LOAMY SAND MIXTURE

CONTROLLED FILL COVER  
 2 MIN FOOT ON LINE NO. 4  
 LOAMY SAND MIXTURE

CONTROLLED FILL COVER  
 1 MIN FOOT ON LINE NO. 3  
 LOAMY SAND MIXTURE

1/2" REBAR IN PLACE WEYGAND

M139.33'

90' 40" 53"

LOT 4-A  
 4 BR HOME  
 FFE BASEMENT 1006.50

CONCRETE

NEW 1" WATER SERVICE

M101.19  
 R100.0

SHAGES AVEN  
 WATER METER

FENCE CORNER

MR149.64'

EDF BOUNDARY  
 10' STRUCTURE BOUNDARY  
 5' BOUNDARY

DISTRIBUTION BOX

204 IF ELGIN A42 FILTER MODULES (46 UNITS ROD 1.5" PROVIDED)  
 4 RUNS AS SHOWN, 36" WIDE TRENCH  
 6" SEPERATION, 24" DEEP  
 (AS SHOWN WITH CONTROLLED FILL INSTALLED FIRST)  
 WRAPPED IN 6" REQUIRED SAND

89' 30" 16"

1/2" CRIMP TOP PIPE IN PLACE

100% REDF BOUNDARY

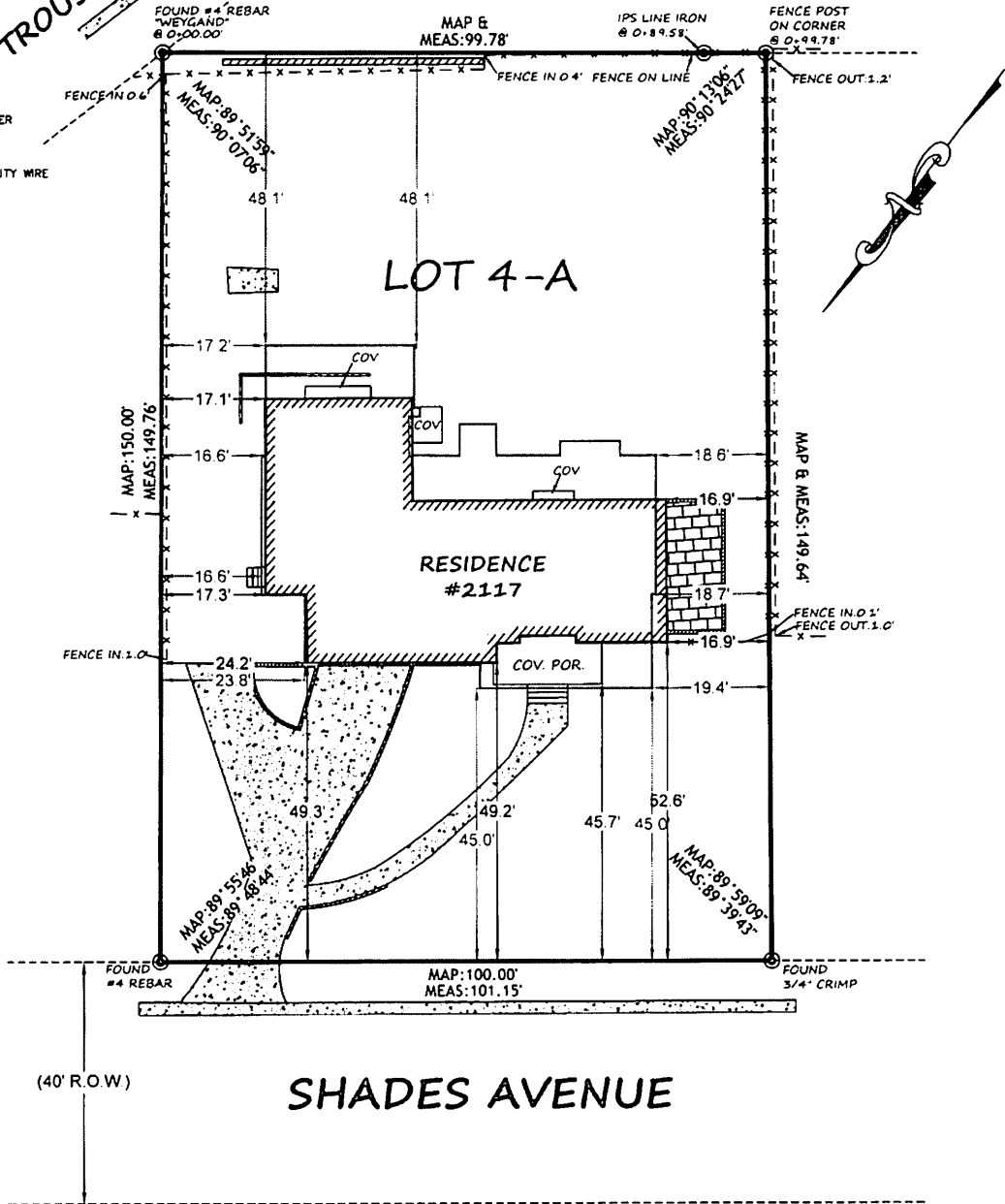
6" WWP

**LEGEND**

- ASP ASPHALT
- BLDG BUILDING
- CALC CALCULATED
- MEAS MEASURED
- CH CHORD
- LNG LONG CHORD
- Δ DEFLECTION
- Δ DELTA
- ESMT EASEMENT
- HW HEADWALL
- MIN MINIMUM
- MH MANHOLE
- OH OVERHANG
- POR PORCH
- R RADIUS
- R.O.W. RIGHT OF WAY
- SAN SANITARY
- STM STORM
- UTIL UTILITY
- AC ACRES
- S.F. SQUARE FEET
- CL CENTERLINE
- A/C AIR CONDITIONER
- POLE
- ANCHOR
- FENCE
- OVERHEAD UTILITY WIRE
- PVMT PAVEMENT
- W/ WITH
- TAN TANGENT
- RES RESIDENCE
- o LGT LIGHT
- COV COVERED
- DECK DECK
- CONCRETE CONCRETE
- WALL WALL
- COLUMN COLUMN
- IPS SET #4 REBAR



**TROUSDALE STREET**



**SHADES AVENUE**



STATE OF ALABAMA)  
JEFFERSON COUNTY)

**"PLOT PLAN"**

I, Roy Weygard, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 4-A, WATSON'S RESURVEY OF BILTMORE ESTATES, as recorded in Map Volume 255, Page 3, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of SEPTEMBER 3, 2021. Survey invalid if not sealed in red

Order No 20211604  
Purchaser  
Address 2117 SHADES AVENUE

*Roy Weygard*  
\_\_\_\_\_  
Roy Weygard, Reg. L.S. #24973  
169 Oxmoor Road, Homewood, AL 35209  
Phone (205) 942-0086 Fax (205) 942-0387  
Copyright ©



Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are dead/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above.

# WATSON'S RESURVEY OF BILTMORE ESTATES

BEING A RESURVEY OF LOT 4 AND LOT 5, BLOCK 15, BILTMORE ESTATES AS RECORDED IN DEED BOOK 13, PAGE 107, OF THE PUBLIC OFFICE OF THE JUDGE OF PROBATE, JEFFERSON COUNTY, ALABAMA.

BEING SITUATED IN THE SE 1/4 OF SECTION 15, TOWNSHIP 13 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA.

WETGARD SURVEYORS, INC.  
 10000 W. WOODBRIDGE AVENUE  
 SUITE 100  
 WOODBRIDGE, ALABAMA 36890  
 PHONE: (205) 833-8888 FAX: (205) 833-8889



SCALE: 1"=20'

DATE: NOVEMBER 2020



STATE OF ALABAMA  
 JEFFERSON COUNTY  
 I, William Watson, Surveyor,  
 do hereby certify that the foregoing is a true and correct copy of the original plat as the same appears on file in my office, and that the same was duly recorded in my office on the day the same were filed.

STATE OF ALABAMA  
 JEFFERSON COUNTY  
 I, William Watson, Surveyor,  
 do hereby certify that the foregoing is a true and correct copy of the original plat as the same appears on file in my office, and that the same was duly recorded in my office on the day the same were filed.



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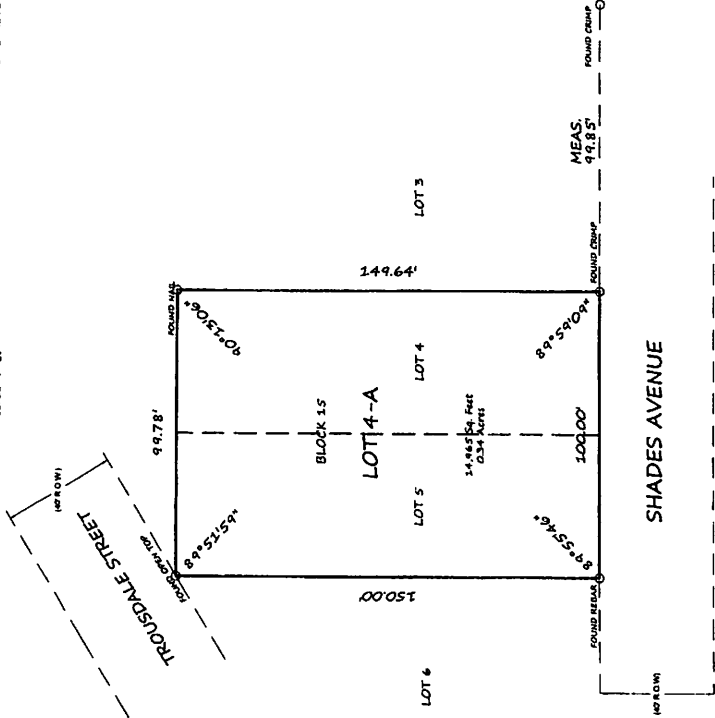
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 JEFFERSON COUNTY  
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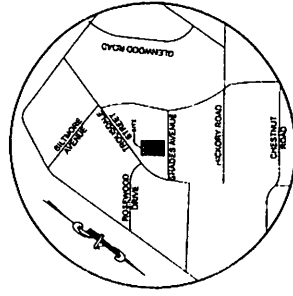
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STATE OF ALABAMA  
 JEFFERSON COUNTY  
 I, William Watson, Surveyor,  
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COMPILED BY  
 WETGARD SURVEYORS, INC.  
 10000 W. WOODBRIDGE AVENUE  
 SUITE 100  
 WOODBRIDGE, ALABAMA 36890  
 PHONE: (205) 833-8888 FAX: (205) 833-8889



NOTE:  
 THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON FEMA FLOOD INSURANCE RATE MAPS. THE FLOOD HAZARD MAP IS AVAILABLE AT THE ALABAMA DEPARTMENT OF REVENUE.

**WETGARD**  
 SURVEYORS, INC.

NOTES:  
 ALL EASEMENTS ON THIS MAP ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, STORM DITCHES, AND WATER SUPPLY LINES. THESE EASEMENTS ARE TO BE USED FOR SUCH PURPOSES TO SERVE PROPERTY BOTH WITHIN AND WITHOUT THE BILTMORE ESTATES. NO OTHER EASEMENTS OR ENCUMBRANCES OF ANY KIND OR CHARACTER OR OBSTRUCTION SHALL BE LOCATED WITHIN THE LIMITS OF A DESIGNATED EASEMENT.  
 BUILDER IS RESPONSIBLE FOR THE DRAINAGE ON EACH LOT AND IN AND AROUND EACH BUILDING.  
 THE LOT OWNER/BUILDER SHALL USE APPROPRIATE METHODS, WHETHER PAVED UNDERDRAIN, DITCHES, GRADING OR OTHER MEANS, TO MAINTAIN THE LOT FREE OF SURFACE OR SUBSURFACE DRAINAGE PROBLEMS WITHOUT ADVERSELY AFFECTING ADJACENT LOTS.  
 THE LOT OWNER/BUILDER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF SANITARY SEWER SERVICE LINE ON SEPTIC TANK LOCATION PRIOR TO CONSTRUCTION OF BUILDING FOUNDATION.  
 WETGARD SURVEYORS, INC. IS NOT RESPONSIBLE FOR SOIL COMPACTORS AND DO NOT CONDUCT ANY SURFACE OR SUBSURFACE INVESTIGATIONS.  
 NORTH ARROW SHOWN ON THIS MAP IS NOT TRUE NORTH AND SHOULD ONLY BE CONSIDERED AS APPROXIMATE.

BZA

Z0322-08//28-00-19-4-009-002.001

CITY OF VESTAVIA HD 2117 Shades Ave.  
Department Review of Applic Front & Side Setback for a new  
(To be completed by City St home

William Watson

The following application and case file has been reviewed and the following comments have been submitted as follows:

Location: 2117 Shades Ave. Case No.: BZA0322-08  
Watson

**Engineering:** Date: 2/22/22 Initials: CB  
Comments: will need to comply w/ 30% maximum developable area.  
 Recommended  Not Recommended  No Recommendation

**Planning/DRB:** Date: \_\_\_\_\_ Initials: \_\_\_\_\_  
Comments: \_\_\_\_\_  
 Recommended  Not Recommended  No Recommendation

**GIS/Mapping:** Date: \_\_\_\_\_ Initials: \_\_\_\_\_  
Comments: \_\_\_\_\_  
 Recommended  Not Recommended  No Recommendation

**Fire Department:** Date: 2/22/22 Initials: RT  
Comments: \_\_\_\_\_  
 Recommended  Not Recommended  No Recommendation

**Building Department:** Date: 2/22/22 Initials: KB  
Comments: \_\_\_\_\_  
 Recommended  Not Recommended  No Recommendation

**City Clerk:** Date: \_\_\_\_\_ Initials: \_\_\_\_\_  
Comments: \_\_\_\_\_  
 Recommended  Not Recommended  No Recommendation



**CITY OF VESTAVIA HILLS**  
**SYNOPSIS AND STAFF RECOMMENDATION CONCERNING**  
**APPLICATION BEFORE THE BOARD OF ZONING ADJUSTMENT**

Date: March 17, 2022

- **CASE: BZA-0322-09**
- **REQUESTED ACTION:** 5' Side Setback Variance to reduce the setback to 10' in lieu of the required 15'.
- **ADDRESS/LOCATION:** 1812 Post Oak Road
- **APPLICANT/OWNER:** Stuart & Emily Rein
- **REPRESENTING AGENT:** Joe Ellis
- **GENERAL DISCUSSION:** The applicants are seeking a side setback variance to build a home addition. The applicants contend the odd-shaped lot causes a hardship, along with the angle the house sits on the odd-shaped lot. The property line is slightly slanted on the side of the addition, limiting space on that side of the lot. The topography limits the buildable area in the rear. The applicant's property is zoned Vestavia Hills R-2.
- **STAFF REVIEW AND RECOMMENDATION:**
  1. **City Planner Review:** No problems noted.
  2. **City Engineer Review:** No problems noted.
  3. **City Fire Marshal Review:** No problems noted.
  4. **Building Safety Review:** No problems noted.

# CITY OF VESTAVIA HILLS BOARD OF ZONING ADJUSTMENT APPLICATION

The owner of the property understands that the Board of Zoning Adjustment only has jurisdiction to grant variances from the Vestavia Hills Zoning Code in cases of undue hardship only. Variances cannot be considered or granted on any kind of private covenants as covenants are restrictions between property owners.

**EXAMPLE:** If you are asking for a variance from a building setback line and the building setback line is recorded on the plat and matches the Zoning Code, then the Board of Zoning Adjustment would only hear the case based on the Zoning Code requirements, not what is on the recorded plat. The recorded plat is a covenant between property owners of the subdivision. You must have signatures of every property owner on the recorded plat map to change the covenant portion of the setback. The letter of signatures approving the amendment of the covenants must be filed with the Office of the Probate Court. Again, the BZA can only grant a variance based on the Zoning Code and that is the only portion of the building setback changes that the BZA can vote upon. Once a waiver is filed with the Office of the Probate, please include a copy of the recorded amendment with the application to the Office of the City Clerk.

Please note: Only completed applications will be accepted by this office. The applicant is responsible for the Application Fee as well as all postage fees incurred by this request.

---

---

## I. APPLICANT INFORMATION:

### **Owner of Property (This Section Must Be Completed)**

Name: STUART AND EMILY REIN  
Address: 1812 POST OAK ROAD  
VESTAVIA HILLS ALABAMA  
Phone #: 1-205-821-6757 Other #: \_\_\_\_\_  
E-Mail: stuart.rein@gmail.com

---

### **Billing/Responsible Party**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_ Other #: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**Z0322-09//28-00-30-3-011-004.001**  
**1812 Post Oak Rd.**  
Side Setback for an addition  
Stuart & Emily Rein

**Representing Attorney/Other Agent**

Name: JOE ELLIS / ARCHITECT  
Address: 1625 VINDA VISTA LANE  
BIRMINGHAM AL 35226  
Phone #: 205 790 1389 Other #: \_\_\_\_\_  
E-Mail: jellis@dwellingarchitecture.com

*\*This section must be completed in order for a representative to represent the owner.*

**II. DESCRIPTION OF SUBJECT PROPERTY:**

LOCATION: 1812 POST OAK ROAD  
*Street Address*  
WALDFRIDGE TERRACE LOT 8A BLOCK 1  
*Subdivision name, Lot #, Block #, etc.*

**III. REASONS FOR REQUEST (PLEASE FILL IN APPLICABLE STATEMENTS):**

1.  A request to vary:  
\_\_\_\_\_' variance to reduce the lot width to \_\_\_\_\_' in lieu of the required \_\_\_\_\_'.  
\_\_\_\_\_' square foot variance to reduce the lot area to \_\_\_\_\_ square feet in lieu of the required \_\_\_\_\_ square feet.  
4.5' front/side/rear (circle one) setback variance to reduce the setback to 10.5' in lieu of the required 15'.  
\_\_\_\_\_' front/side/rear (circle one) setback variance to reduce the setback to \_\_\_\_\_' in lieu of the required \_\_\_\_\_'.  
\_\_\_\_\_' front/side/rear (circle one) setback variance to reduce the setback to \_\_\_\_\_' in lieu of the required \_\_\_\_\_'.
2.  A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.
3.  An application to establish a use which must be approved by the Board of Zoning Adjustment (See Section \_\_\_\_\_).
4.  A request for extension of non-conforming use (See Section \_\_\_\_\_).
5.  Variance for location of a fence.
6.  Sign Code Variance (See Section \_\_\_\_\_).
7.  Other - Explain (See Section \_\_\_\_\_).

**IV. ZONING**

Vestavia Hills Zoning for the subject property is R-2.

**V. HARDSHIP**

**Describe those things which you feel justify the action requested. An Undue Hardship is required in order to seek a variance.** List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. (Use additional space on separate page if necessary).

GIVEN THE LOCATION OF THE EXISTING HOUSE ON THE LOT, AND THE ANGLE OF THE EXISTING STRUCTURE TO THE SIDE PROPERTY LINES, WE ARE RESPECTFULLY REQUESTING A VARIANCE TO THE REQUIRED SIDE SETBACK.

**VI. PROJECT:**

**Describe the scope of the project and/or the reason for requesting this variance.**

FAMILY ROOM AND SCREEN PORCH ADDITION / LAUNDRY ROOM AND ENLARGED MASTER BATH.

**VII. OWNER AFFIDAVIT:**

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. I, also, understand that I am asking for a variance based on the Zoning Code only and not on any or all covenants that are on the subject property. **\*Note, this application must be signed by the owner of the property before a notary. The original application shall be submitted, no copies shall be accepted\***

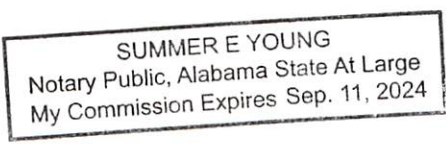
[Signature] 2/15/22  
Owner Signature/Date

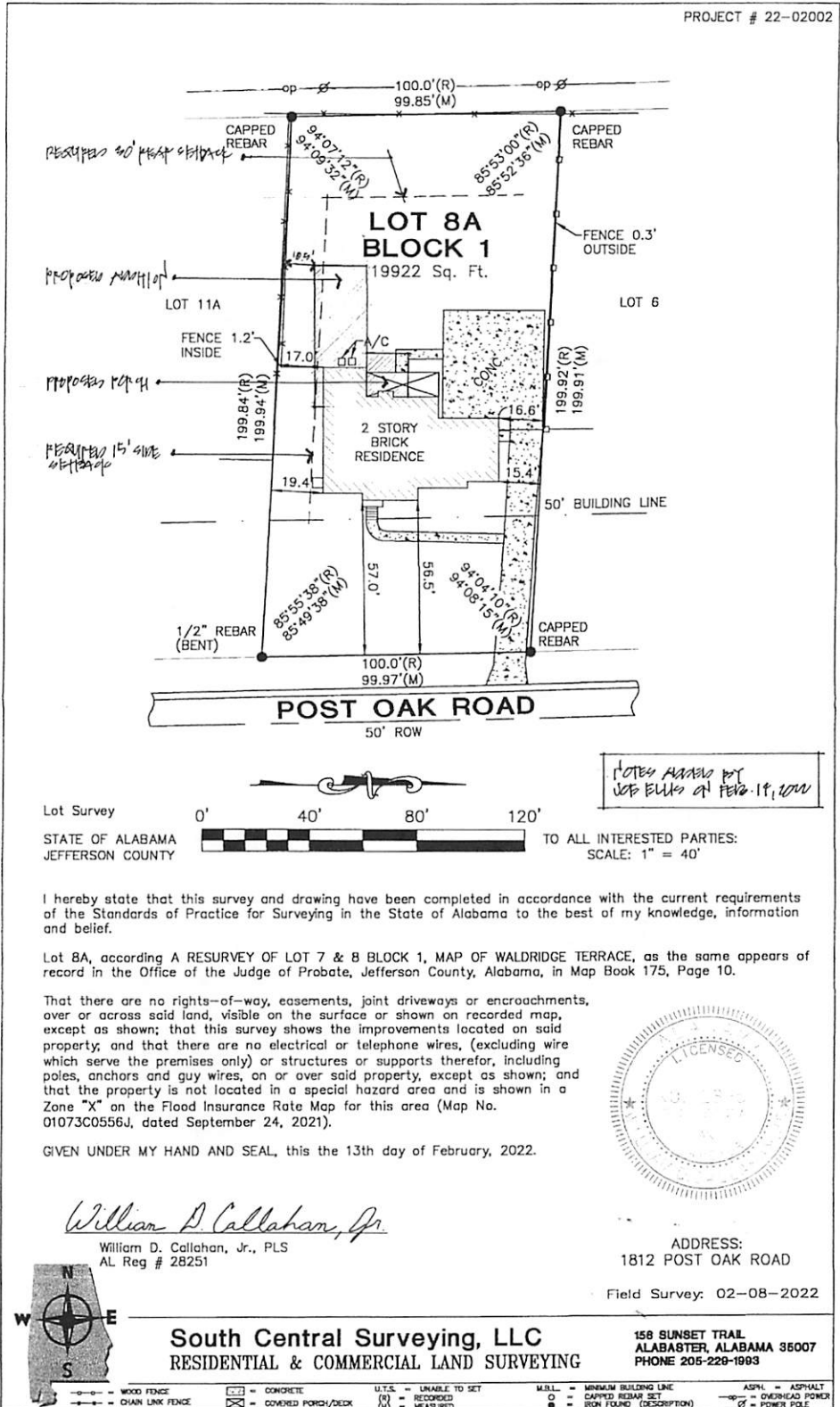
[Signature] 2/15/22  
Representing Agent (if any)/date

Given under my hand and seal  
this 15<sup>th</sup> day of February, 2022.

[Signature]  
Notary Public

My commission expires 11<sup>th</sup>  
day of September, 2024.





NOTES ADDED BY  
JCF ELKS AT FEB. 14, 2022



Lot Survey

STATE OF ALABAMA  
JEFFERSON COUNTY

TO ALL INTERESTED PARTIES:  
SCALE: 1" = 40'

I hereby state that this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

Lot 8A, according A RESURVEY OF LOT 7 & 8 BLOCK 1, MAP OF WALDRIDGE TERRACE, as the same appears of record in the Office of the Judge of Probate, Jefferson County, Alabama, in Map Book 175, Page 10.

That there are no rights-of-way, easements, joint driveways or encroachments, over or across said land, visible on the surface or shown on recorded map, except as shown; that this survey shows the improvements located on said property, and that there are no electrical or telephone wires, (excluding wire which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said property, except as shown; and that the property is not located in a special hazard area and is shown in a Zone "X" on the Flood Insurance Rate Map for this area (Map No. 01073C0556J, dated September 24, 2021).

GIVEN UNDER MY HAND AND SEAL, this the 13th day of February, 2022.

*William D. Callahan, Jr.*

William D. Callahan, Jr., PLS  
AL Reg # 28251

ADDRESS:  
1812 POST OAK ROAD

Field Survey: 02-08-2022



**South Central Surveying, LLC**  
RESIDENTIAL & COMMERCIAL LAND SURVEYING

158 SUNSET TRAIL  
ALABASTER, ALABAMA 35007  
PHONE 205-229-1993

- WOOD FENCE
- CHAIN LINK FENCE
- ▭ CONCRETE
- ▨ COVERED PORCH/DECK
- U.S. = UNABLE TO SET
- (R) = RECORDED
- (M) = MEASURED
- M.B.L. = MINIMUM BUILDING LINE
- = CAPPED REBAR SET
- = IRON FOUND (DESCRIPTION)
- ASPHL. = ASPHALT
- OVERHEAD POWER
- = POWER POLE

Preliminary Design  
Not For Construction

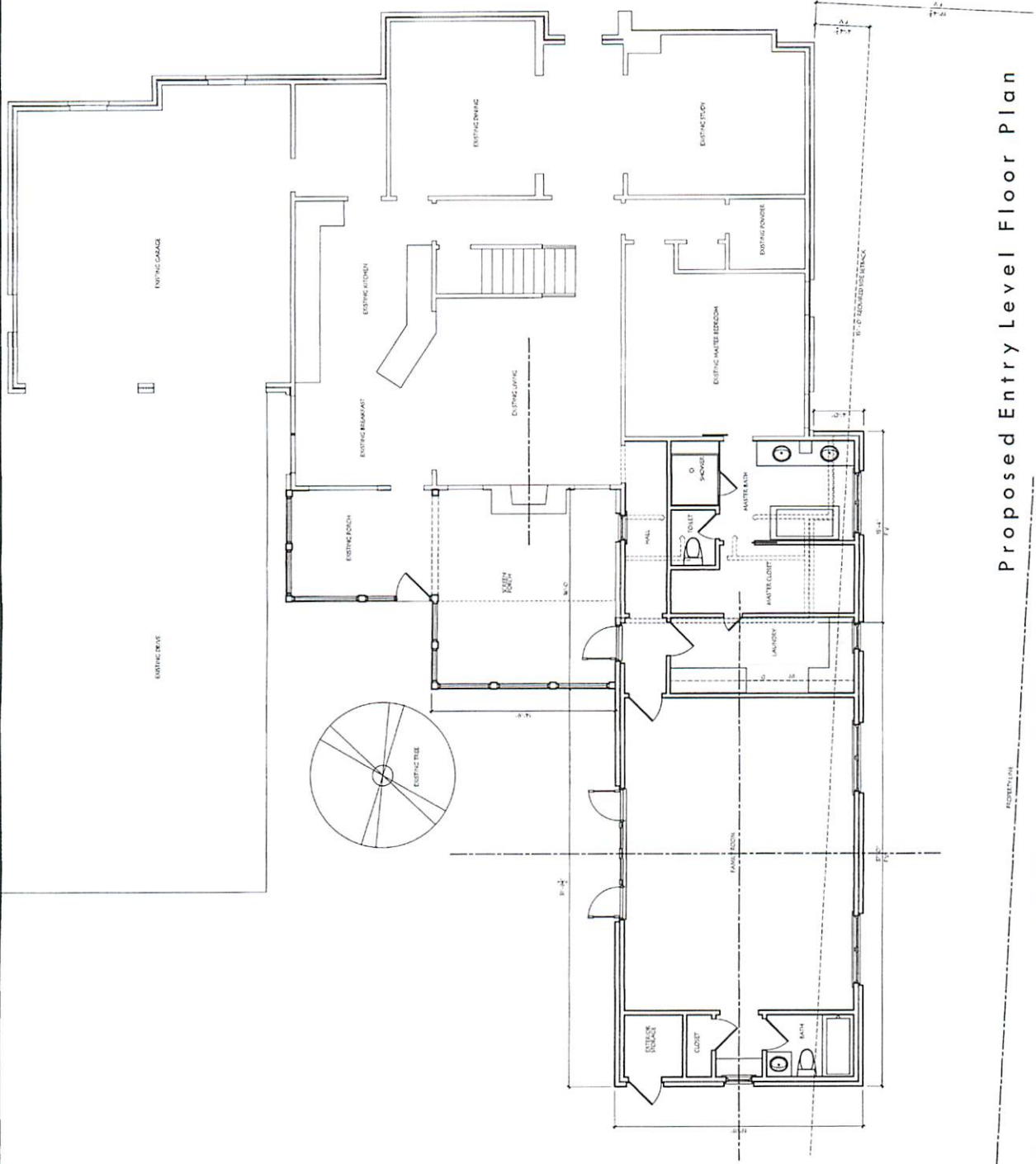
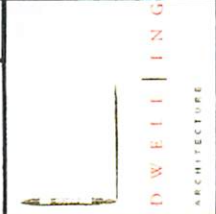
# Rein Residence

1812 Post Oak Road  
Vestavia

February 14, 2022

1/8" = 1'-0"

1



Proposed Entry Level Floor Plan

PROFESSIONAL

BZA

Z0322-09//28-00-30-3-011-004.001

**CITY OF VESTAVIA HILL**  
Department Review of Applicati  
(To be completed by City Staff,

1812 Post Oak Rd.  
Side Setback for an addition  
Stuart & Emily Rein

The following application and case file has been reviewed and the following comments have been submitted as follows:

Location: 1812 Post Oak Rd Case No.: BZA0322-09  
Rein

**Engineering:** Date: 2/22/22 Initials: CB  
Comments: will need to comply 30% developable area.  
 Recommended  Not Recommended  No Recommendation

**Planning/DRB:** Date: \_\_\_\_\_ Initials: \_\_\_\_\_  
Comments: \_\_\_\_\_  
 Recommended  Not Recommended  No Recommendation

**GIS/Mapping:** Date: \_\_\_\_\_ Initials: \_\_\_\_\_  
Comments: \_\_\_\_\_  
 Recommended  Not Recommended  No Recommendation

**Fire Department:** Date: 2/22/22 Initials: EF  
Comments: \_\_\_\_\_  
 Recommended  Not Recommended  No Recommendation

**Building Department:** Date: 2/22/22 Initials: (KB)  
Comments: \_\_\_\_\_  
 Recommended  Not Recommended  No Recommendation

**City Clerk:** Date: \_\_\_\_\_ Initials: \_\_\_\_\_  
Comments: \_\_\_\_\_  
 Recommended  Not Recommended  No Recommendation