

**CITY OF VESTAVIA HILLS  
BOARD OF ZONING ADJUSTMENT  
AGENDA  
January 19, 2023  
6:00 P.M.**

- (1) **Roll Call**
- (2) **Approval of Minutes: December 15, 2022**
- (3) **BZA-22-27**     **Drew and Sara Gunnells** are requesting a **Lot Area Variance, Lot Width Variance, Front Setback Variance, & a Side Setback Variance** for the property located at **2104 Chestnut Road**. The purpose of this request is to reduce the lot area and lot width of to allow for a resurvey of the lot. Also, to reduce the front setback to 45' in lieu of the required 50' & to reduce the side setback to 11' in lieu of the required 15'. The property is owned by the Drew and Sara Gunnells and is zoned **Vestavia Hills R-3**.
- (4) **BZA-22-28**     **Nancy Zito** is requesting a **Variance for Location of Fence in the Front Setback** for the property located at **1401 Holly Oak Drive**. The purpose of this request is to build a privacy fence in the front setback. The property is owned by Nancy Zito and is zoned **Vestavia Hills R-2**.
- (5) **Time of Adjournment**

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

**December 15, 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  
Michael Fliegel, Alt  
Stephen Greer  
Loring Jones, III  
Thomas Parchman  
Ryan Rummage, Alt

**MEMBERS ABSENT:**

Tony Renta

**OTHER OFFICIALS PRESENT:**

Jack Wakefield, Planner/GIS

**APPROVAL OF MINUTES**

The minutes of November 17, 2022 were presented for approval.

**MOTION** Motion to dispense with the reading of the minutes of November 17, 2022 was made by Mr. Jones and 2<sup>nd</sup> was by Mr. Rummage. Motion as carried on a voice vote as follows:

Mr. Fliegel – yes	Mr. Parchman – yes
Mr. Greer - yes	Mr. Rummage – yes
Mr. Jones – yes	Chairman Rice – yes

Motion carried.

**FRONT SETBACK VARIANCE**

**BZA-22-26** **Sheilah Nelson** is requesting a **Front Setback Variance** for the property located at **3941 Knollwood Trace**. The purpose of this request is to reduce the front setback to 8’ in lieu of the required 12’, to cover existing patio. The property is owned by Sheilah Nelson and is zoned **Vestavia Hills R-6**.

Mr. Wakefield explained that the request was to build a covered structure over the existing patio, and the corner lot caused a hardship.

Sheilah Nelson, 3941 Knollwood Trace, was present for the case and stated that the corner lot caused her a hardship. She also stated that this was previously approved, but issues getting her builder to complete the work caused the variance to lapse.

Chairman Rice opened the floor for a public hearing.

A neighbor in support of the variance was present in the room, but didn’t speak before the Board.

There being no one else 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’ front setback variance to reduce the setback to 8’ in lieu of the required 12’, for the property located at 3941 Knollwood Trace was made by Mr. Jones and 2nd was by Mr. Parchman. Motion was carried on a roll call vote as follows:

Mr. Fliegel – yes	Mr. Parchman – yes
Mr. Greer - yes	Mr. Rummage – yes
Mr. Jones – yes	Chairman Rice – yes
Motion carried.	

At 6:30 PM, Mr. Jones made a motion to adjourn. The meeting adjourned at 6:30 PM.

Jack Wakefield,  
Planner/GIS

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

Date: **January 19, 2023**

- **CASE: BZA-22-27**
- **REQUESTED ACTION:** 3,675 sq. ft. Lot Area Variance to reduce the Lot Area to 11,325 sq. ft. in lieu of the required 15,000 sq. ft., & a 25' Lot Width Variance to reduce the Lot Width to 75' in lieu of the required 100', & a 4' Side Setback Variance to reduce the setback to 11' in lieu of the required 15'. 5' Front Setback Variance to Reduce the setback to 45' in Lieu of the Required 50'.
- **ADDRESS/LOCATION:** 2104 Chestnut Road
- **APPLICANT/OWNER:** Drew and Sara Gunnells
- **REPRESENTING AGENT:** Twin Construction
- **GENERAL DISCUSSION:** The applicants are seeking multiple variances to resurvey lot and build a rear addition. The rear addition is not a part of the request, as it is within the setbacks. The rear addition will be flush with the current side of the house and will not jut out any further. The current house sits on 2 lots, so a resurvey is needed to make the property a legal lot of record. That was approved by P&Z last week and is in the process of recordation. The lot area and width variances are needed as the newly combined lot is undersized per the zoning. The current house is also out of compliance in the front and side. The applicant's property is zoned Vestavia Hills R-3.
- **STAFF REVIEW AND RECOMMENDATION:**
  1. **Zoning Review:** See attached.
  2. **City Engineer Review:** See attached.
  3. **City Fire Marshal Review:** No problems noted.
  4. **Building Safety Review:** No problems noted.



## BZA-22-27

### Variance and Special Exception Application

**Status:** Active

**Date Created:** Dec 19, 2022

#### **Applicant**

Twin Construction  
summer@twincompanies.com  
2907 Central Avenue  
Suite 105  
Birmingham, AL 35209  
205-802-3920

#### **Primary Location**

2104 CHESTNUT RD  
VESTAVIA HILLS, AL 35216

#### **Owner:**

Drew and Sara Gunnells  
2104 Chestnut Road Vestavia, AL 35216

#### **Agenda Information**

##### **Agenda Scheduling**

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##### **Comments/Delay/Explanation**

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#### **Applicant Information**

##### **I am filling this out as the**

Representative Agent

#### **Billing/Responsible Party**

##### **Name**

Twin Construction, Inc

##### **Phone #**

2058023920

##### **Address**

2907 Central Avenue, Ste 105

##### **City/State/Zip**

Birmingham, AL 35209

##### **Email**

summer@twincompanies.com

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### Representing Attorney/Other Agent

**Name**

Twin Construction

**Phone #**

2058023920

**Address**

2907 Central Ave, Ste 105

**City/State/Zip**

Birmingham, AL 35209

**Email**

summer@twincompanies.com

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### Subject Property Information

**Subject Property Address**

2104 Chestnut Road

**Legal Description of Subject Property**

The West 1/2 of Lot 15 and Lot 16, Block 8, of Biltmore Estates

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### REASONS FOR REQUEST

**Front Setback Variance**



**Setback Required**

50'

**Setback Requested**

45' (existing frontage)

**Rear Setback Variance**



**Side Setback Variance**



**Setback Required**

15'

**Setback Requested**

11' (existing house setback)

**Other Setback Variance**



**Lot Area Variance**



**Area Required**

15000

**Area Requested**

11325

**Lot Width Variance**



**Width Required**

100

**Width Requested**

75

**Variance for location of a fence.**

**Sign Code Variance**

**A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.**

**Other**

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## ZONING

**Vestavia Hills Zoning for the subject property is**

R-3

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## PROJECT

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

Rear screened porch addition to existing home. The lot and 1/2 lot will be resurveyed into one lot as soon as possible.

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## HARDSHIP

**Please answer the following questions regarding hardship and briefly summarize and describe those things which you feel justify the action requested in the box below. 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 property at 2104 Chestnut Road is situated on a lot and a half. The owners are in the process of resurveying the property to combine the lot and a half. However, even after the resurvey the lot width will be 75' and the lot area will be 11,325 square feet. The minimum width required is 100' and the minimum area required is 15,000 square feet. We are seeking a variance to bring the existing property into compliance with the R-3 requirements.

Before any variance is granted, the BZA must find that ALL of the following conditions exist. Please describe each of the following details in order for the BZA to determine if these warrants the described hardship.

**1. There are extraordinary and exceptional conditions, which are peculiar to the piece of property in question because of its size, shape or topography, that are not applicable to the other lands or structures in the same district. Please explain:**

This is an already undersized parcel spanning two lots. Variance is needed to bring lot into compliance.

**2. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other owners of property in the District in which the property is located. Please explain:**

This replatting and subsequent variance is necessary to use the property within the bounds of the Zoning Code.

**3. All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by others of property in the district in which the property is located. Please explain:**

True

**4. The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare. Please explain:**

This action will make the lot situation better (2 small lots to one larger lot)

**5. The special circumstances are not the intended result of the actions of the applicant (i.e., self-imposed hardship). Please explain:**

This action only brings the existing lot and house into compliance.

**6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Please explain:**

Property cannot be used with it spanning 2 separate lots.

7. The no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or building in other districts shall be considered grounds for the issuance of a variance.

**8. That a variance will not allow the permanent establishment of a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.**

It will not

NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase the financial return from land; or (2) personal or economic hardship; or (3) self-imposed hardship. In other words, hardship alone is not sufficient to permit a variance. It must be an "unnecessary hardship." Mere financial loss of a kind, which might be common to all of the property owners in a district, is not an "unnecessary hardship."



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## OWNER AFFIDAVIT

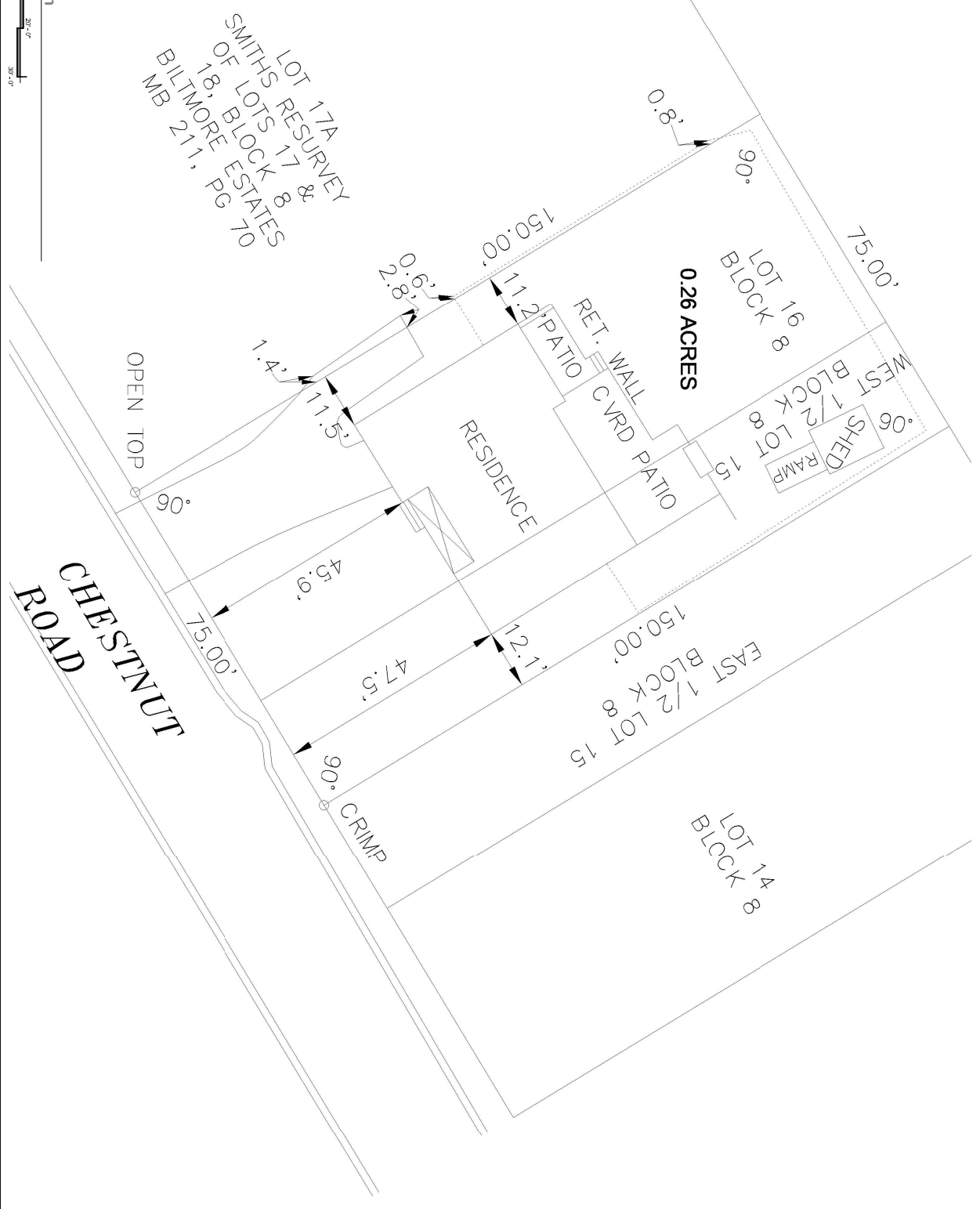
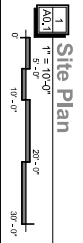
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments section of this application. NOTE: Applications cannot be processed without the notarized owners affidavit. Owners authorization may be found on our main page.

## Representing Agent Signature

David Siegel

12/19/2022

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CHANGE LOG:	
Date	Description
11/22/22	Walkthrough Revisions
12/2/22	Design Revisions
-	-
-	-
-	-

PLAN CONTACT: Crystal Tucker  
PHONE: 205.832.3920



Twin Companies  
2907 Central Ave.  
Suite 105  
Homewood, AL 35209

Gunnells  
PROJECT ADDRESS  
2104 Chestnut Road  
Vestavia Hills, AL 35216

A0.1  
Site Plan

**General Construction Notes**

1. All framing dimensions are to outside face of stud on exterior walls & center line of interior walls, windows, & doors, unless noted otherwise.
2. All slab dimensions are to outside edge of slab (not brick pocket) or to centerline of footing, plumbing or electrical, unless noted otherwise.
3. Stair riser heights shall not exceed 7-3/4".
4. Return air and attic access locations to be verified in field.
5. Double up floor joists under walls that run parallel floor joists.
6. All wood framing in contact with concrete or masonry shall be pressure-treated.
7. Install insulation baffles at eave vents between rafters.
8. All shingled roofs with a pitch of less than 4:12 shall be installed with ice & water barrier.
9. Exterior sill plates to be anchored to foundation @ 6" o.c. And within 1'-0" of ends and corners.
10. Provide floored pathway in attic to HVAC unit & Water Heater.
11. See builder for any deck stair location & design if applicable.
12. Slope shower floor 1/4" per foot.
13. Verify final location of mechanical equipment.
14. Dimensions shall take precedent over scale drawings.

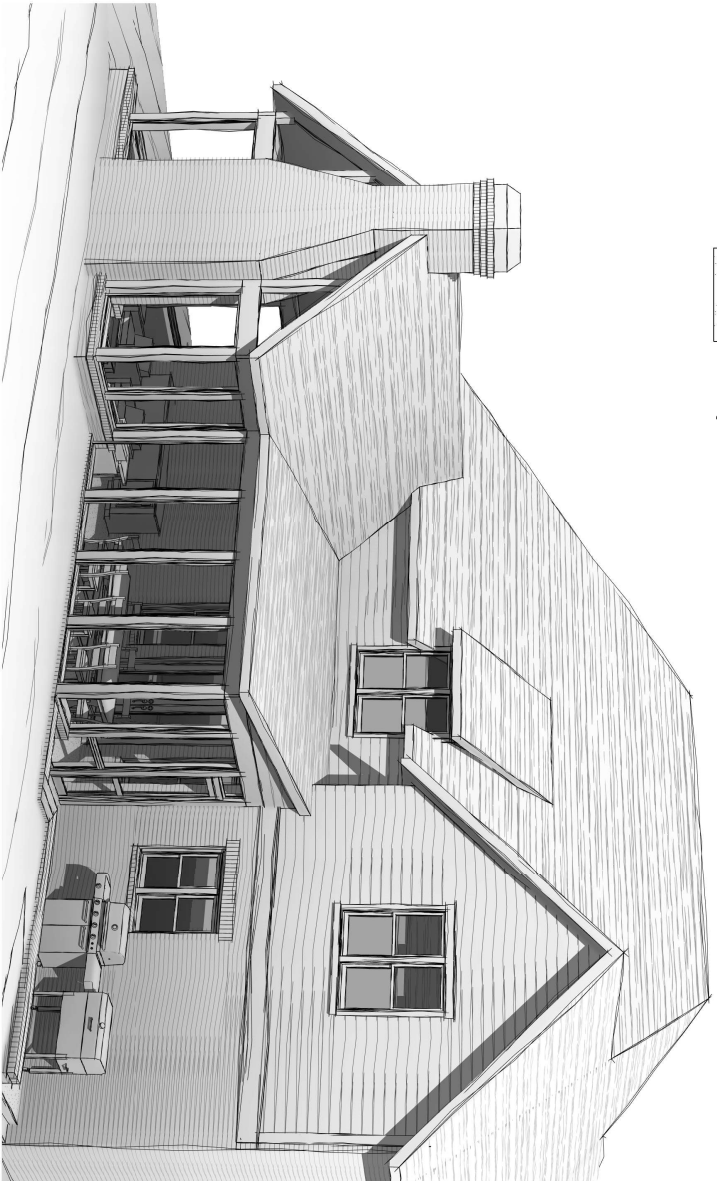
**Common Abbreviations**

+	approximately
@	at
AFF	above finished floor
B.O.	bottom of...
bd.	board
CL	centerline
CMU	concrete masonry unit
D/W	dishwasher
dbl	double
eq.	equal
FC	flex conduit
HB	hose bibb
K/S	knee space
KP	keypad
M/W	microwave oven
max.	maximum
min.	minimum
N/A	not applicable
NTS	not to scale
OC	on center
PH	telephone jack
PT	pressure treated
R/A	return air
REF.	refrigerator
req'd	required
SD	smoke detector
sim.	similar
soft	square feet
T&G	lounge and groove
T.O.	top of...
TV	cable television
typ.	typical
w/	with
W/C	wine cooler
W/H	water heater
W/P	waterproof

**Wall Material Key**

	8" Brick		4" Stud Wall
	12" Block		6" Stud Wall
	8" Brick with Brick Ledger		8" Stud Wall
	10" Formed Concrete		4" Stud Wall w/ Cladding
	10" Formed Concrete w/ Brick Ledger		4" Stud Wall w/ Brick Veneer
	12" Formed Concrete		6" Stud Wall w/ Brick Veneer
	12" Formed Concrete w/ Brick Ledger		

Sheet Index	
A0	Title Sheet
A2.1	1st Floor Plan
A3.1	Exterior Elevations



**GUNNELLS**

Gunnells
PROJECT ADDRESS
2104 Chesnut Road Vestavia Hills, AL 35216

Twin Companies 2907 Central Ave. Suite 105 Homewood, AL 35209
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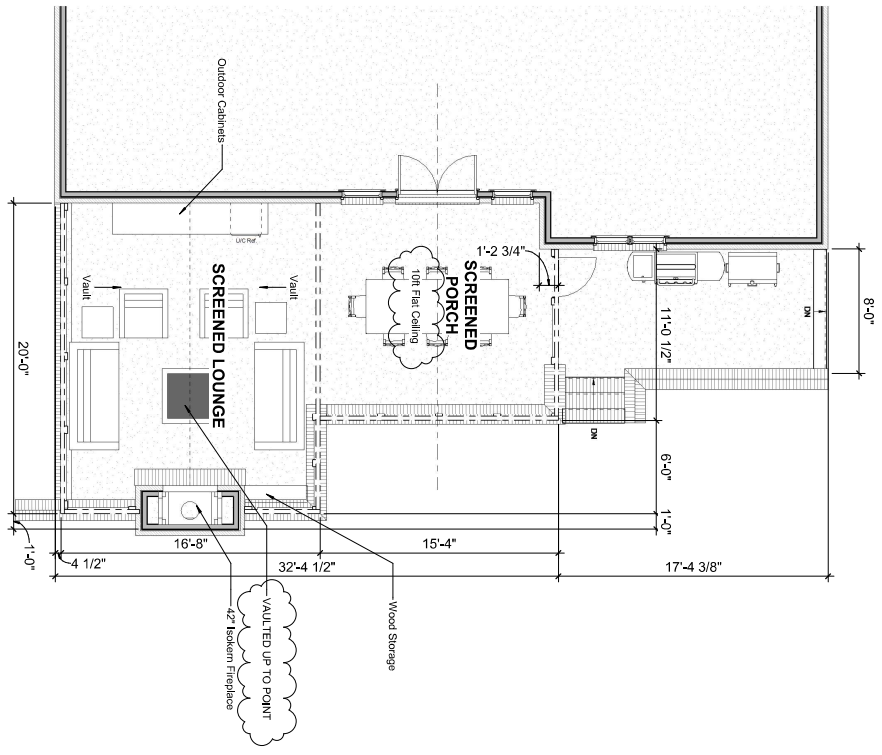


CHANGE LOG:	
Date	Description
11/22/22	Walkthrough Revisions
12/2/22	Design Revisions

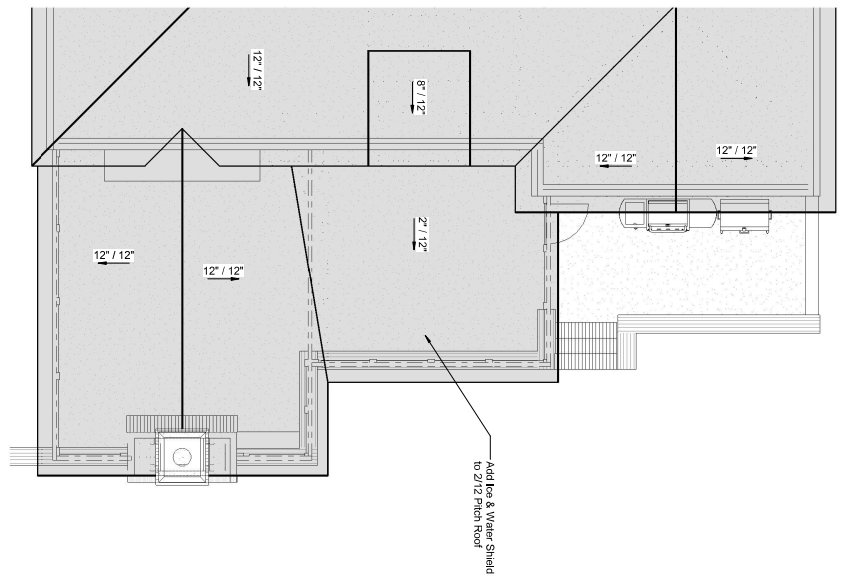
Sheet Information
A0
Title Sheet

PLAN CONTACT: Crystal Tucker  
PHONE: 205.832.3920

**1**  
A2.1  
1/4" = 1'-0"  
2'-0" 4'-0" 8'-0" 12'-0"



**2**  
A2.1  
1/4" = 1'-0"  
2'-0" 4'-0" 8'-0" 12'-0"



**A2.1**  
1st Floor Plan

CHANGE LOG:	
Date	Description
11/22/22	Walkthrough Revisions
12/2/22	Design Revisions

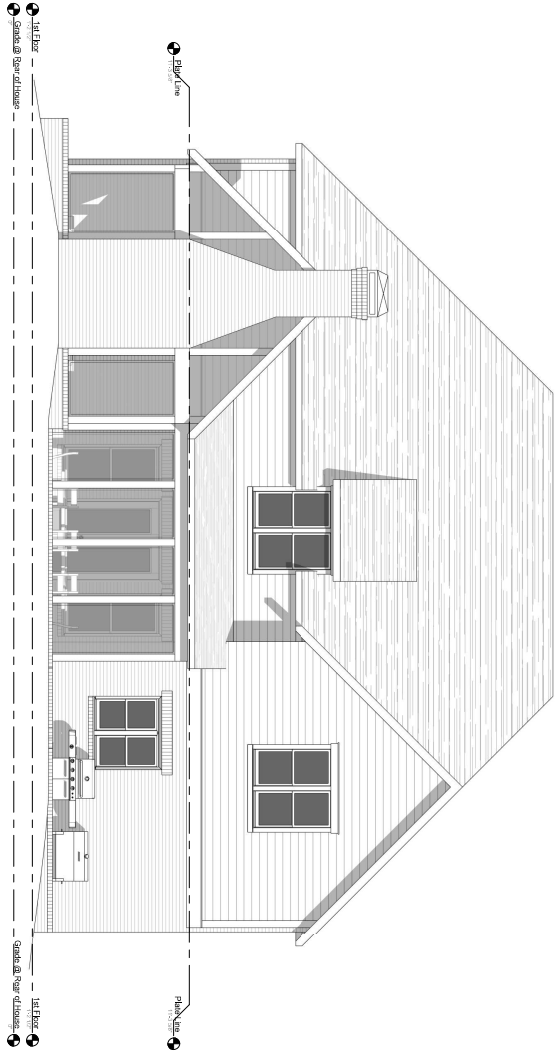
Sheet Information

PLAN CONTACT: Crystal Tucker  
PHONE: 205.832.3920

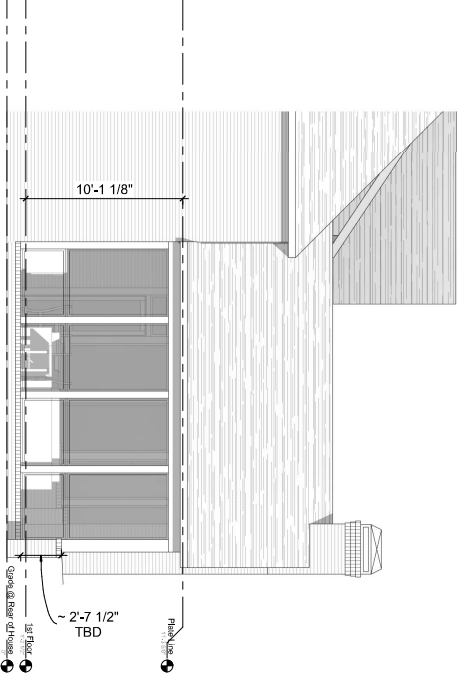


Twin Companies  
2907 Central Ave.  
Suite 105  
Homewood, AL 35209

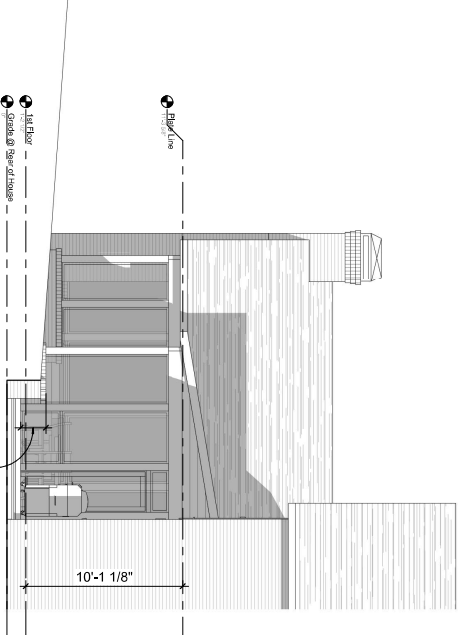
Gunnells  
PROJECT ADDRESS  
2104 Chesnut Road  
Westvau Hills, AL 35216



**A3.1**  
 Rear Elevation



**A3.2**  
 Side 2 Elevation



**A3.3**  
 Side 1 Elevation

Gunnells

PROJECT ADDRESS

2104 Chestnut Road  
 Vestavia Hills, AL 35216

Twin Companies  
 2907 Central Ave.  
 Suite 105  
 Homewood, AL 35209



**CHANGE LOG:**

Date	Description
11/22/22	Walkthrough Revisions
12/2/22	Design Revisions
-	-
-	-
-	-

PLAN CONTACT: Crystal Tucker  
 PHONE: 205.832.3920

Sheet Information

**A3.1**

Exterior Elevations



BZA-22-27

## Zoning Official Review

Variance and Special Exception Application

**Status:** Complete

**Became Active:** 12/27/2022

**Assignee:** Rebecca Leavings

**Completed:** 12/27/2022

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### Applicant

Twin Construction  
summer@twincompanies.com  
2907 Central Avenue  
Suite 105  
Birmingham, AL 35209  
205-802-3920

### Primary Location

2104 CHESTNUT RD  
VESTAVIA HILLS, AL 35216

### Owner:

Drew and Sara Gunnells  
2104 Chestnut Road Vestavia, AL 35216

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### Comments

**Rebecca Leavings, Dec 27, 2022 at 11:04am**

Resurvey has been applied for. Variance approval should be conditioned upon approval and recordation of final plat. Variances should be noted on the plat.



BZA-22-27

## Engineering Review

Variance and Special Exception Application

**Status:** Complete

**Became Active:** 12/27/2022

**Assignee:** Christopher Brady

**Completed:** 01/03/2023

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### Applicant

Twin Construction  
summer@twincompanies.com  
2907 Central Avenue  
Suite 105  
Birmingham, AL 35209  
205-802-3920

### Primary Location

2104 CHESTNUT RD  
VESTAVIA HILLS, AL 35216

### Owner:

Drew and Sara Gunnells  
2104 Chestnut Road Vestavia, AL 35216

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### Comments

**Christopher Brady, Jan 3, 2023 at 2:00pm**

Final permit request is subject to engineering review of impervious area. Total lot coverage cannot exceed 30%. Existing impervious area may need to be removed or modified to offset new addition. Please discuss with engineering prior to submitting for building permit.

**Twin Construction , Jan 9, 2023 at 12:09pm**

Hi Christopher, does Vestavia have a list of approved permeable materials if we would like to modify areas of the exterior addition?

**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).

The property at 2104 Chestnut Rd is situated on a lot and a half. The owners are in the process of resurveying the property to combine the lot and a half. However, even after the resurvey, the lot width will be 75' and the lot area will be 11,325 square feet. The minimum width required is 100' and minimum area required is 15,000. We are seeking a variance to bring the existing property into compliance with R-3 requirements.


**VI. PROJECT:**

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

Adding screened porch to existing home

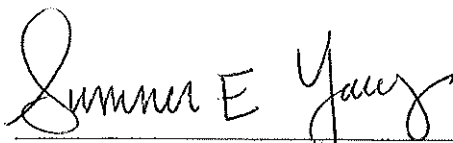
**VII. OWNER AFFIDAVIT:**

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\**

 12/19/2022 | 9:56 AM CST  
Owner Signature/Date

David Siegel 12/19/2022 | 11:18 AM CST  
Representing Agent (if any)/date

Given under my hand and seal  
this 19<sup>th</sup> day of December, 2022.

  
Notary Public

SUMMER E YOUNG  
Notary Public, Alabama State At Large  
My Commission Expires Sep. 11, 2024

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



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

Date: **January 19, 2023**

- **CASE: BZA-22-28**
- **REQUESTED ACTION:** Variance for Location of Fence in the Front Setback.
- **ADDRESS/LOCATION:** 1401 Holly Oak Drive
- **APPLICANT/OWNER:** Nancy Zito
- **REPRESENTING AGENT:** Danielle Zito
- **GENERAL DISCUSSION:** The applicant is seeking a variance for the location of a fence in the front setback. The property sits on a corner lot and the fence would go on the side of the house, but in that second frontage. The new fence is just a replacement of an existing, and will stay at the same location. 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:** See attached.
  3. **City Fire Marshal Review:** No problems noted.
  4. **Building Safety Review:** No problems noted.



## BZA-22-28

### Variance and Special Exception Application

**Status:** Active

**Date Created:** Dec 19, 2022

#### Applicant

Danielle Zito  
danielle.mmbuilders@gmail.com  
1401 Holly Oak Drive  
Vestavia Hills, Alabama 35226  
2057461024

#### Primary Location

1401 HOLLY OAK DR  
VESTAVIA HILLS, AL 35226

#### Owner:

Nancy T. Zito  
1401 Holly Oak Drive Vestavia Hills, Alabama  
35226

#### Agenda Information

##### Agenda Scheduling

January 2023

##### Comments/Delay/Explanation

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#### Applicant Information

**I am filling this out as the**  
Representative Agent

#### Billing/Responsible Party

##### Name

Nancy T. Zito

##### Phone #

205-613-1531

##### Address

1401 Holly Oak Drive

##### City/State/Zip

Vestavia Hills, AL 35226

**Email**

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**Representing Attorney/Other Agent**

**Name**

Tommy Zito

**Phone #**

205-229-7813

**Address**

1401 Holly Oak Drive

**City/State/Zip**

Vestavia Hills AL 35226

**Email**

Tommyzito44@gmail.com

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**Subject Property Information**

**Subject Property Address**

1401 Holly Oak Drive

**Legal Description of Subject Property**

Lot 5 Block 8 Map Volume 54 page 73

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**REASONS FOR REQUEST**

**Front Setback Variance**

**Rear Setback Variance**

**Side Setback Variance**

**Other Setback Variance**

**Lot Area Variance**

**Lot Width Variance**

**Variance for location of a fence.**

**Details**

Corner Lot- requesting for fence in "Front Yard"

**Sign Code Variance**

**A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.**

**Other**

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## ZONING

**Vestavia Hills Zoning for the subject property is**

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## PROJECT

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

Replacing old fence with new fence in corner lot

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## HARDSHIP

**Please answer the following questions regarding hardship and briefly summarize and describe those things which you feel justify the action requested in the box below. 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).**

Two front yards

Before any variance is granted, the BZA must find that ALL of the following conditions exist. Please describe each of the following details in order for the BZA to determine if these warrants the described hardship.

**1. There are extraordinary and exceptional conditions, which are peculiar to the piece of property in question because of its size, shape or topography, that are not applicable to the other lands or structures in the same district. Please explain:**

Shape: this property is a corner lot with 2 front yards, most residential properties have only 1 front yard

**2. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other owners of property in the District in which the property is located. Please explain:**

This is not requesting any special privileges, there are other corner lots with fences in both front yards

**3. All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by others of property in the district in which the property is located. Please explain:**

Would not be able to have a privacy fence that most other neighbors have

**4. The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare. Please explain:**

True, the fence would not hinder the sight or safety of the public

**5. The special circumstances are not the intended result of the actions of the applicant (i.e., self-imposed hardship). Please explain:**

True, this is not a self-imposed hardship

**6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Please explain:**

True, we are not requesting to expand the fence, only to replace a dilapidated fence.

7. The no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or building in other districts shall be considered grounds for the issuance of a variance.

**8. That a variance will not allow the permanent establishment of a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.**

True

NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase the financial return from land; or (2) personal or economic hardship; or (3) self-imposed hardship. In other words, hardship alone is not sufficient to permit a variance. It must be an "unnecessary hardship." Mere financial loss of a kind, which might be common to all of the property owners in a district, is not an "unnecessary hardship."

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## OWNER AFFIDAVIT

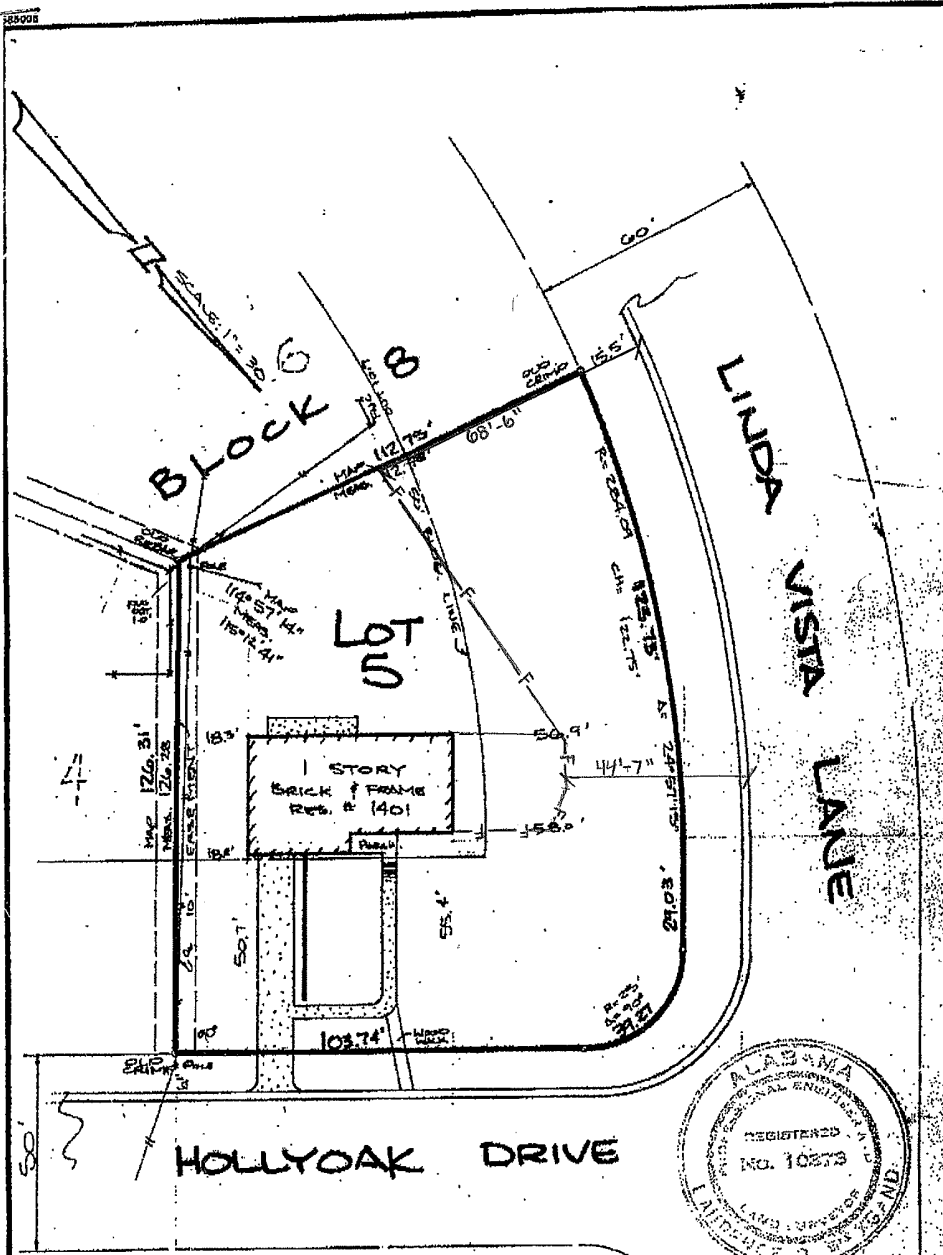
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the

## Representing Agent Signature

Tommy Vincent Zito  
12/19/2022

submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments section of this application. NOTE: Applications cannot be processed without the notarized owners affidavit. Owners authorization may be found on our main page.

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STATE OF ALABAMA  
JEFFERSON COUNTY

AS-BUILT SURVEY

I, Laurence D. Weygand, a registered Engineer-Land Surveyor, certify that I have surveyed Lot 5, Block 8, in the office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements, or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve premises only), or structures or supports therefor, including poles, anchors and guy wires, on or over said premises except as shown; that I have consulted the Federal Insurance Administration "Flood Hazard" Boundary Map and found that this property is not located in a special flood hazard area; that there are no encroachments on said lot except as shown; that improvements are located as shown above; that this survey meets the minimum technical standards for surveys as required by the State of Alabama (using 14" long #5 iron rebar); and that the correct address is as follows:

1401 HOLLYOAK DRIVE according to my survey of AUGUST 24, 1986  
 Survey invalid if not sealed in red.  
 Flood Zone "C"  
 Community Panel No. 010132-00055  
 Order No. 16332

Laurence D. Weygand  
 Laurence D. Weygand, Reg. PE. & L.S. #10873  
 189 Oxmoor Road, Birmingham, AL 35209  
 PH: 942-0088 FAX: 942-0087



BZA-22-28

## Engineering Review

Variance and Special Exception Application

**Status:** Complete

**Became Active:** 12/20/2022

**Assignee:** Christopher Brady

**Completed:** 01/03/2023

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### Applicant

Danielle Zito  
danielle.mmbuilders@gmail.com  
1401 Holly Oak Drive  
Vestavia Hills, Alabama 35226  
2057461024

### Primary Location

1401 HOLLY OAK DR  
VESTAVIA HILLS, AL 35226

### Owner:

Nancy T. Zito  
1401 Holly Oak Drive Vestavia Hills, Alabama  
35226

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### Comments

**Christopher Brady, Jan 3, 2023 at 1:57pm**

As long as new fence is no closer to the roadway than existing fence, I am ok.





City of Vestavia Hills  
Office of the City Clerk

**OWNER AFFIDAVIT (This form must be notarized):**

I do hereby declare that the following statements are correct concerning the subject property located at: 1401 Holly Oak Drive, Vestavia Hills, Alabama and that statements submitted in my application are true and that I am: *(please check all that apply)*.

the Property Owner and representing myself in said request.

the Property Owner, but I am authorizing a Representing Agent by the name of: Tommy Zito to represent me in the following request:

And am requesting: (please check)

- |  |  |
|--|--|
| <input type="checkbox"/> Rezoning Request          | <input checked="" type="checkbox"/> Request for Variance |
| <input type="checkbox"/> Preliminary Plat Approval | <input type="checkbox"/> Special Exception               |
| <input type="checkbox"/> Final Plat Approval       | <input type="checkbox"/> Design Review Approval          |
| <input type="checkbox"/> Conditional Use Approval  |  |

Signed: Nancy V. Zito 12/19/2022  
Owner Signature/Date

STATE OF ALABAMA  
COUNTY OF Jefferson

Given under my hand and seal  
this 19 day of December, 2022.

Danielle Zito  
Notary Public

My commission expires 4 day of May, 2025.