

CITY OF VESTAVIA HILLS BOARD OF ZONING ADJUSTMENT PREPARATION CHECKLIST

Section I. Instructions, Information and Checklist:

Below is a checklist detailing the actions in the processing of the above referenced application before the Vestavia Hills Board of Zoning Adjustment. These are outlined in detail in the Vestavia Hills Zoning Code (approved December 13, 2010 as amended).

The Board of Zoning Adjustment meets the 3rd Thursday of every month. Applications must be received in the Office a minimum 30 days prior to the meeting. **Please note, these application dates are prescribed by law and cannot be amended by staff. There are no exceptions.** Application deadlines are outlined as follows:

Below is a checklist of all information needed in order to process your request. This information must be supplied in its entirety or the item will not be properly filed and will (a) not be accepted by the Office; or (b) not be presented to the Commission. Acceptance by the Clerk does not constitute acceptance of complete and proper filing. **Please submit this checklist with your application.**

Applicant must submit all documentation designed by an “*”. The remaining information is supplied by staff.

*	\$50 Application Fee
*	Application (original) completed with owner’s signature notarized and representing agent designated (if applicable)
*	One (1) vicinity sketch
*	One (1) set <i>folded</i> to a size of 8 ½” X 11”. Complete sets including but not limited to: application, color rendering, drawings, renderings, survey, etc. <u>ALL SETS MUST INCLUDE A COPY OF THE APPLICATION. SETS ARE TO BE COALATED IN THE MANNER YOU WOULD LIKE THE BOARD TO RECEIVE THEM.</u>
*	One (1) electronic copy (.pdf format) save to jump drive or CD
*	Applicant must pay all fees, including but not limited to the application fee and postage fees associated with this request.
-	Assign Case Number
-	Label File contents and folder
-	Insert Staff Feedback form in folder

-	Process Notification Labels
-	Process Notification
-	Mail Notifications to property owners located adjacent to subject property
-	Process and mail notice to owner
-	Process invoice for reimbursement of postage and mail to owner/applicant
-	Deposit application fee
-	Received payment for postage reimbursement
-	Deposited payment for postage reimbursement
+	Obtain Staff feedback from Engineer
+	Obtain Staff feedback from Fire Marshal
+	Obtain Staff feedback from Building Safety
+	Obtain Staff feedback from Clerk/DRB
+	Schedule case for presentation to Board
+	Place request on agenda
+	Request is presented to Board
+	Request is Approved
+	Request is not approved

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: _____

Address: _____

Phone #: _____ Other #: _____

E-Mail: _____

Billing/Responsible Party

Name: _____

Address: _____

Phone #: _____ Other #: _____

E-Mail: _____

Representing Attorney/Other Agent

Name: _____

Address: _____

Phone #: _____ Other #: _____

E-Mail: _____

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

II. DESCRIPTION OF SUBJECT PROPERTY:

LOCATION: _____
Street Address

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/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 _____’.
_____’ 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 _____.

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).*

VI. PROJECT:

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

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****

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this _____ day of _____, 20_____.

Notary Public
My commission expires _____
day of _____, 20_____.
