

Important Numbers

Jefferson County Health Department
(205) 930-1230

Saint Clair County Health Department
(205) 338-3357

Shelby County Health Department
(205) 620-1650

Jefferson County Environmental Services
(205) 325-5390

Leeds Water Works Board
(205) 699-5151

Birmingham Water Works
(205) 251-3261

Alabama Power
1-800-245-2244

Algasco
1-800-292-4008

Charter Cable
1-877-304-2363



CITY OF LEEDS

**How to Obtain
A Zoning Variance**



Inspection Services

**1040 Park Drive
Leeds, AL 35094
(205) 699-2585**

www.leedsalabama.gov

Hours: 7AM - 4PM, Monday through Friday

Question: What is a variance and why would I need one?

Answer: A variance is a request for relief from some of the requirements of the zoning regulations that is granted by the Board of Zoning Adjustments. Generally you don't need one, but in exceptional cases, they may be appropriate.

Zoning regulations apply to all property in the City of Leeds, but there are unusual circumstances where the strict enforcement of these regulations may not be appropriate. For example, if due to some particular reasons of location or topography it is not possible to use a property for any purpose under the zoning regulations, you can petition for relief from some of those requirements in order to have a legitimate use of the property. Or if your house has been correctly constructed with setbacks from the road, but the road is later widened, you may not be able to add on to your house under the regulations. You may petition for relief by requesting a variance from the setback regulations so that you may construct an addition.

The Board of Zoning Adjustments has the authority to grant variances from the terms of the Zoning Regulations that will not be contrary to the public interest; and where, owing to special conditions or circumstances unique to a specific property, a literal enforcement of the provisions would result in unnecessary hardship.

For most types of variances, the property owner must prove that the regulations impose a hardship due to a unique situation of the land. *Hardships may not be self-imposed.*

The Board of Zoning Adjustments meets the fourth Monday of every month unless a holiday prevents it.

Filing a Case

Before you file your case you will need to meet with an Inspection Services staff member to discuss the particular problem you have. Cases must be filed in person at the Inspection Services Department located in City Hall (1040 Park Drive, (205) 699-2585). When you file, you will be given a hearing date, and you will also receive a certified letter as a reminder of the hearing date. At the hearing you will be given a chance to present your request, and anyone in opposition to your request will also be allowed to speak.

The Board of Zoning Adjustments members will make a decision at the time of the hearing. If the request is approved, you may return on the Wednesday following the hearing to obtain a permit, if needed.

Please note that failure to appear at the hearing could result in the denial of your request.

Information Required to File a Case

1. To apply, you will need a recorded deed of ownership that includes a legal description of the property. If the deed does not include a legal description, then a signed/sealed survey prepared by a registered Alabama Land Surveyor will be required.

2. You will also need a **Plot Plan**. For a residence, the plot plan may be hand drawn, however it should clearly indicate what you intend to do with the property. Staff can assist

you, however they are not permitted to draw a plot plan for you.

3. The application will need to be signed by the Owner of the property, but an agent may be given the authority to represent the Owner by submitting an *Agent Authorization* form that has been notarized with a raised seal.

Example of a Plot Plan

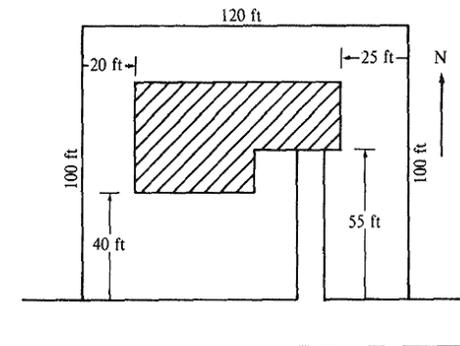


FIG. 146. PLOT PLAN

In the example a 25' side setback is required but the applicant is requesting a 20' setback on one side.

Fees

For petitions involving an existing owner-occupied single-family residence (including mobile homes) - \$120.00

Notification

Petitioners are required to send (by certified mail) notice to adjoining property owners no less than 15 days prior to the meeting date. Proof of certified mailing must be submitted to the city no later than 10 days prior to the meeting

Note: If a petition is denied, a new request for the same variance cannot be submitted for a period of 6 months.