

JEFFERSON COUNTY, ALABAMA

How to get a Zoning Variance



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

When you might need a Variance

Zoning regulations apply to all property in Unincorporated Jefferson County. In unusual circumstances where the strict enforcement of these regulations may not be appropriate **the BZA 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.**

The BZA meets the fourth Monday of every month unless a holiday prevents it.

Filing a Case

Before you file a case you will need to meet with a staff member to discuss the situation. **Cases must be filed in person at the Land Planning office**(Ste. 260 of the Jefferson County Courthouse in downtown Birmingham, 205-325-5638).

- 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 BZA 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.

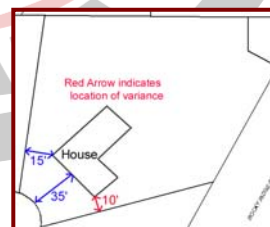
Please note that failure to appear at the hearing could result in the denial of your request.

Information Required to File a Case

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.

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.

Signature of the owner or a designated agent. An agent will need a notarized (with a raised seal) Agent Authorization Form.



Example of a Plot Plan
In this example a 15' side setback is required but the applicant is requesting a 10' setback on one side.

Variance fees

- \$75 For an existing mobile home or residence
- \$200 To establish a new mobile home or residence
- \$300 For all others

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