

**HUNTSVILLE BOARD OF ZONING ADJUSTMENT
HUNTSVILLE, ALABAMA**

INSTRUCTION GUIDE

The following actions shall be accomplished before an "Appeal Under the Zoning Ordinance" will be heard by the Huntsville Board of Zoning Adjustment:

- A. An application for a license or building permit must be completed and disapproved by the Zoning Administrator. Please redact any and all personal information from your disapproved license as the Board of Zoning Adjustment cases are open to public view.
- B. Complete and have notarized an application of "Appeal Under the Zoning Ordinance" form.
- C. Obtain a list of all property owners within 500 feet of subject property from the Madison County Tax Assessor's Office in the Madison County Courthouse. Send written notification to all property owners listed informing them of your variance request and provide the meeting date, time, and place of the Board of Zoning Adjustment meeting. It is not mandatory that property owners attend the meeting, however, they must be informed of your request and invited to attend the public meeting should they have questions or concerns. Letters to property owners must be sent at least 7 days prior to the Board of Zoning Adjustment Meeting. Attach 1 copy of the written notification letter in your variance package submittal along with the list of property owners and the plot plan. Written notification letters must be approved by the Zoning Administrator prior to being mailed.
- D. If the "Appeal Under the Zoning Ordinance" is regarding a denied building permit application, two (2) site plans, drawn to scale, are required.
- E. A hardship letter addressed to the Board of Zoning Adjustment explaining the physical hardship that exists on your property (why you are requesting the variance). Your hardship cannot be based on economic reasons. If you are requesting a special exception, a hardship letter is not required.
- F. If the appellant is the owner of the subject property, you must provide a copy of the recorded deed. If the appellant has a purchase agreement with the owner of the subject property, you must provide a copy of the purchase agreement and the recorded deed. Also, the purchase agreement must not expire prior to the Board of Zoning Adjustment Meeting and must be contingent upon receiving approval by the Board of Zoning Adjustment. Please redact any and all personal information from the purchase agreement as Board of Zoning Adjustment cases are open to public view. If the appellant has a lease agreement for two (2) years or more, the lessee has legal standing to request a variance as owner of the property. In this case, a copy of the lease agreement and a copy of the recorded deed must be submitted. Please redact any and all personal information from the lease agreement as Board of Zoning Adjustment cases are open to public view.
- G. Power of attorney. (When applicable)
- H. A copy of the applicable page from the Official Zoning Map of the City of Huntsville. The Zoning Map of your property is found in the City of Huntsville Planning Department (2nd Floor) of the Municipal Building.
- I. Photos of subject property relating to your variance request.
- J. A \$25.00 Application Fee made payable to the City of Huntsville.

Requests for a SPECIAL EXCEPTION do not require a hardship letter.