

HUNTSVILLE BOARD OF ZONING ADJUSTMENT  
HUNTSVILLE, ALABAMA

APPEAL UNDER THE ZONING ORDINANCE

(Instruction Guide on back)

The undersigned hereby appeals the decision of the Zoning Administrator of Huntsville, Alabama, wherein a  building permit / sign permit  use and occupancy permit is denied at \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

The above referenced property is located in a(n) \_\_\_\_\_ Zoning District.

In accordance with plans, application, and all data heretofore filed with the Zoning Administrator all of which are hereto attached and made part of this appeal.

The application for a  building permit / sign permit  use and occupancy permit is denied due to the following: \_\_\_\_\_

and a  variance  special exception is requested in this requirement as applied to the above referenced property.

I attest that the attached list of property owners will be notified of the Board of Zoning Adjustment meeting held in the Council Chambers of the Administration Building at 308 Fountain Circle on \_\_\_\_\_ at 6:00pm where they shall be invited to express their opinion of said  variance  special exception request.

Appellant:  is owner of subject property / has lease agreement for 2 years or more  
 has purchase agreement that is contingent upon variance approval  
 has power of attorney

Application  does  does not include a variance/special exception request for signage.

If a variance/special exception is requested for signage, please include:

Number of signs \_\_\_\_\_

Type of signs \_\_\_\_\_

Location of signs \_\_\_\_\_

I hereby depose and say that all of the above statements contained in the exhibits transmitted herewith are true.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Appellant

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State and Zip Code

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

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

**INSTRUCTION GUIDE**

**The following actions must be accomplished before an “Appeal Under the Zoning Ordinance” will be heard by the Huntsville Board of Zoning Adjustment:**

- A. Complete and have notarized an application of “Appeal Under the Zoning Ordinance” form.**
- B. If the appellant is the owner of the subject property, you must provide a copy of the recorded deed. If the appellant has a lease agreement for 2 years or more, the lessee has legal standing to request a variance/special exception as owner of the subject property. In this case, a full copy of the signed 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. If the appellant has a purchase agreement with the owner of the subject property, you must provide a copy of the purchase agreement and a copy of the recorded deed. Also, the purchase agreement must not expire prior to the Board of Zoning Adjustment Meeting and must be contingent upon Board of Zoning Adjustment approval. Please redact any and all personal information from the purchase agreement as Board of Zoning Adjustment cases are open to public view.**
- C. Power of attorney (if applicable). If the appellant has power of attorney to apply and appear on behalf of the owner, lessee, or purchaser of the property, the appellant must also submit a copy of the recorded deed, a copy of the lease agreement and recorded deed, or a copy of the purchase agreement and recorded deed in conjunction with the power of attorney document.**
- D. An application for a business license, building permit, or sign permit must be completed and denied by a zoning official. This document does not have to be denied prior to obtaining all other documents for the variance/special exception submittal package.**
- E. A hardship letter addressed to the Board of Zoning Adjustment explaining the physical hardship that exists on the property. A hardship letter must explain the special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. Zoning officials cannot assist the appellant with his/her hardship letter. Requests for a special exception do not require a hardship letter. Please see a zoning official and/or refer to Article 92.5.3 of the City of Huntsville Zoning Ordinance for Permitted Uses as Special Exceptions.**
- F. Obtain the official list of all property owners within 500 feet of the subject property and the plot plan from the Geographic Information Systems (GIS) Department in the Annex Building. Written notification letters must be sent to all property owners listed informing them of your variance/special exception request and the date, time, and place of the Board of Zoning Adjustment meeting. The Board of Zoning Adjustment Meeting is held in the Council Chambers of the Administration Building at 308 Fountain Circle, Huntsville, Alabama, 35801. It is not mandatory that surrounding property owners attend the meeting; however, they must be notified of the request and invited to attend the public meeting should they have questions or concerns. Written notification letters must be reviewed and approved by a zoning official prior to being mailed. Attach a copy of the written notification letter in your submittal package along with the official list of property owners and the plot plan. After receiving approval from a zoning official, letters to property owners should be mailed immediately, but no later than 10 days prior to the Board of Zoning Adjustment Meeting.**
- G. If the “Appeal Under the Zoning Ordinance” is regarding a denied building permit application, 2 site plans, drawn to scale by a reputable surveyor or architect, are required. House plans are requested for new construction residential properties and additions.**
- H. Photos of subject property pertaining to your variance/special exception request.**
- I. A copy of the applicable page of the Official Zoning Map of the City of Huntsville. The Zoning Map of your property is obtained at the Geographic Information Systems (GIS) Department in the Annex Building. The zoning map is \$15.00 (cash or check only).**
- J. A \$25.00 Application Fee (cash or check only) made payable to the City of Huntsville.**