



APPLICATION TO THE BOARD OF ZONING ADJUSTMENT

Hearing Date: 5/11/26

Case BZA A2026-05-01

Hearing Time: 6:00 Pm

Under the provisions of Act 344, 1947 Legislature, the Board of Zoning Adjustment of the City of Clay, Alabama is hereby requested to:

- Hear an appeal from a decision of the Zoning Administrator.
- Authorize a variance from the terms of the Zoning Regulations.
- Cause a permit to be issued for a special exception.

Granting of this application will permit me to Reduce the required minium setback from 35' to 20. See attached letter for more details

If I need the hearing rescheduled, I will call City Hall at 305-680-1323 and let them know of the change.

Parcel Identification Number: See attachment

Lot (s) See attachment Block _____ Survey See attached plat

Receipt No _____ Section _____ Township _____ Range _____

(See Metes and Bounds Description Attached) Received by _____ Date _____

Zoned _____ General Area Steeplechase Subdivision

Site Location:

I hereby certify that I am owner/authorized agent of above described property.

[Signature]
(Owner's Signature)

Also Notify:

5930 Oak Hill St. Suite 120
(Address)

Lawrence GA 30040
(City, State and Zip Code)

Telephone: 620-755-6513

Action of Board: Approved _____ Denied _____ Continued _____

Reason (Denied Cases Only) _____

General Information _____ Legal Description And Maps _____

Notification Letter Mailed: _____
(date)

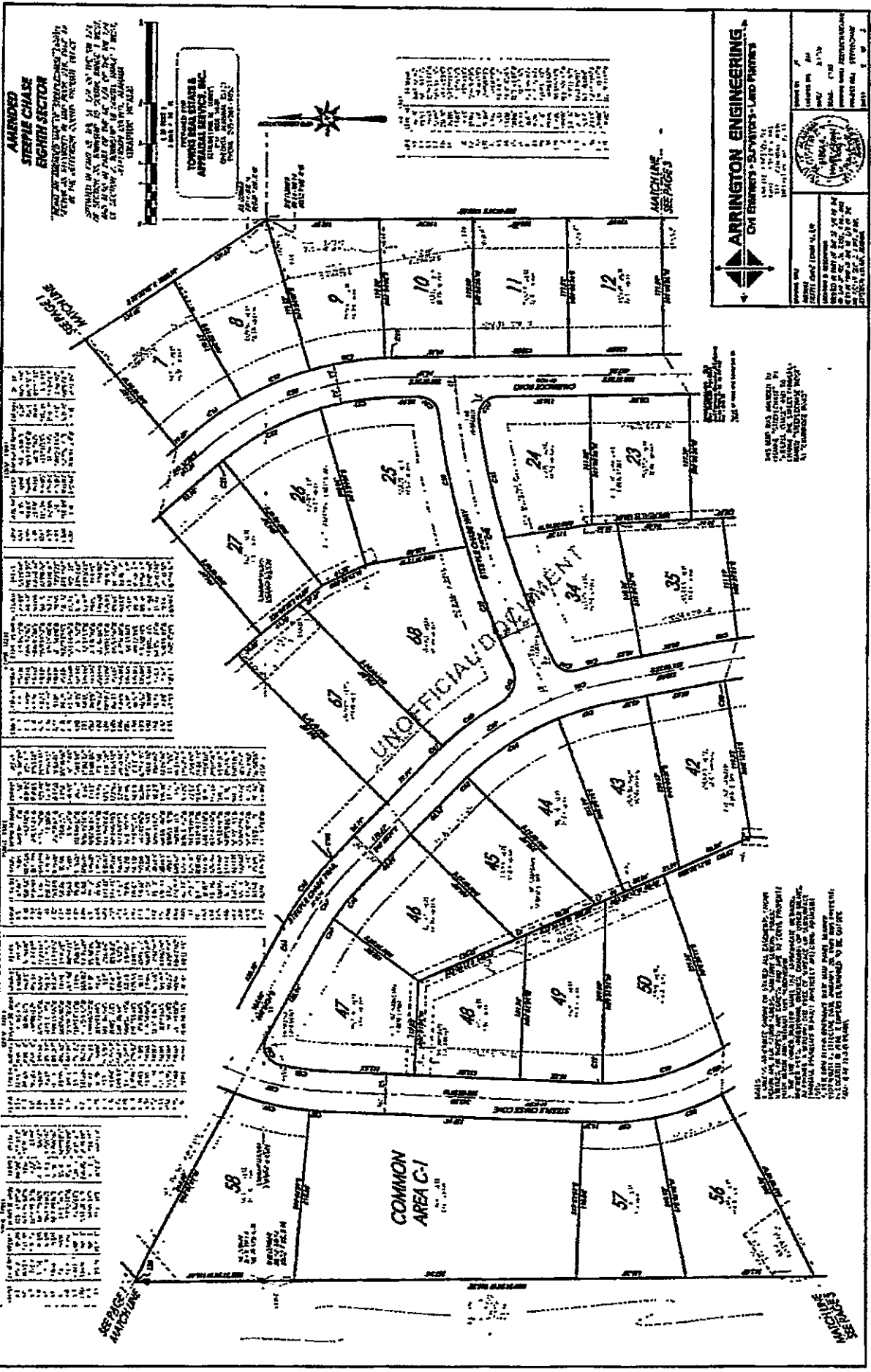
Valor Communities respectfully requests a setback variance for the remaining fifteen lots it owns in the Steeplechase Subdivision in the City of Clay. The current front setback, as recorded on the plat, is 35 feet. Valor is requesting a reduction to 20 feet which combined with the Right-of-Way provides for at least 30' length of driveway measured from the curb to the gutter.

Steeplechase was originally developed in 2006, with a limited number of homes constructed before development stalled during the Great Recession. No additional homes were built in this portion of the neighborhood until Valor acquired the remaining lots in 2020. Since then, Valor has successfully built and sold 26 homes in the community with an average sales price of \$463,000 and is now seeking to complete the buildout.

Due to the steep topography of the remaining lots, development is both challenging and cost-prohibitive under the current setback requirements. Granting the variance would allow for construction on the remaining lots. New homes would continue to support current market values established by Valor and would primarily feature two-story designs with basements.

The reduced setback would also allow for improved backyard usability while still accommodating standard parking, including two vehicles in the driveway and additional parking within garages. In addition to maintaining driveway lengths that exceed lengths needed to accommodate full size trucks and SUV's, approval of the variance would not cause infringements or encroachments to any utility or drainage easements.

A plat identifying the subject lots is attached for your review. Please let this letter also serve as authorization to allow Rhett Loveman and/or Matthew Deason to be the authorized agent on behalf of Valor Communities for the purpose of this setback variance request.



**AMENDED
STERLING CHASE
EIGHTH SECTOR**

THIS PLAN IS A REVISION OF THE PLAN FOR THE EIGHTH SECTOR OF THE SUNSHINE CHASE SUBDIVISION, AS SHOWN ON THE PLAN DATED 10/15/68, AND IS SUBJECT TO THE APPROVAL OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, CALIFORNIA.

PREPARED BY:
ARRINGTON ENGINEERING
CITY ENGINEERS - SURVEYORS - LAND PLANNERS
1000 WEST 10TH STREET
LOS ANGELES, CALIFORNIA 90057
PHONE: 552-2821

ARRINGTON ENGINEERING
CITY ENGINEERS - SURVEYORS - LAND PLANNERS
1000 WEST 10TH STREET
LOS ANGELES, CALIFORNIA 90057
PHONE: 552-2821

1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32	33	34	35	36
37	38	39	40	41	42	43	44	45	46	47	48
49	50	51	52	53	54	55	56	57	58	59	60

ARRINGTON ENGINEERING
CITY ENGINEERS - SURVEYORS - LAND PLANNERS

1000 WEST 10TH STREET
LOS ANGELES, CALIFORNIA 90057
PHONE: 552-2821

DATE: 10/15/68
SCALE: AS SHOWN
PROJECT NO.: 552-2821

ARRINGTON ENGINEERING
CITY ENGINEERS - SURVEYORS - LAND PLANNERS
1000 WEST 10TH STREET
LOS ANGELES, CALIFORNIA 90057
PHONE: 552-2821

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

THIS PLAN WAS PREPARED BY
ARRINGTON ENGINEERING
CITY ENGINEERS - SURVEYORS - LAND PLANNERS
1000 WEST 10TH STREET
LOS ANGELES, CALIFORNIA 90057
PHONE: 552-2821

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

ALL LOTS ARE TO BE CONVEYED TO THE COMMON AREA C-1 UNLESS OTHERWISE SPECIFIED.

Steeplechase Lot Numbers

Lot Number	Address	Parcel ID
57	6270 STEEPLE CHASE CV	12 00 02 2 000 064.000
56	6266 STEEPLE CHASE CV	12 00 02 2 000 063.000
55	6262 STEEPLE CHASE CV	12 00 02 2 000 062.000
54	6258 STEEPLE CHASE CV	12 00 02 2 000 061.000
53	6254 STEEPLE CHASE CV	12 00 02 2 000 060.000
52	6250 STEEPLE CHASE CV	12 00 02 2 000 059.000
51	6255 STEEPLE CHASE CV	12 00 02 2 000 058.000
50	6267 STEEPLE CHASE CV	12 00 02 2 000 057.000
39	6334 STEEPLE CHASE TRL	12 00 02 2 000 046.000
19	6380 CAMBRIDGE RD	12 00 02 2 000 030.000
21	6390 CAMBRIDGE RD	12 00 02 2 000 032.000
16	6385 CAMBRIDGE RD	12 00 02 2 000 027.000
10	6409 CAMBRIDGE RD	12 00 02 2 000 021.000
8	6417 CAMBRIDGE RD	09 00 35 3 000 217.000
1	6330 STEEPLE CHASE LN	09 00 35 3 000 224.000

City of Clay, Alabama

Board of Zoning Adjustment Staff Report

Case No.: BZA A2026-05-01

Hearing Date/Time: May 1, 2026, 6:00 p.m.

Applicant/Owner: Valor Communities

Authorized Agents Identified in Application Materials: Rhett Loverman and/or Matthew Deason

General Location: Steeplechase Subdivision

Zoning: R-M, Medium Density Single Family District

Request: Variance to reduce the front yard setback for the fifteen remaining lots in the Steeplechase Subdivision to **20 feet**. For zoning purposes, the R-M District requires a **30-foot front yard setback**. The application materials also refer to a **35-foot front setback shown on the recorded plat**.

Subject Properties

The application materials identify the following fifteen lots:

Lot	Address	Parcel ID
57	6270 Steeple Chase Cv	12 00 02 2 000 064.000
56	6266 Steeple Chase Cv	12 00 02 2 000 063.000
55	6262 Steeple Chase Cv	12 00 02 2 000 062.000
54	6258 Steeple Chase Cv	12 00 02 2 000 061.000
53	6254 Steeple Chase Cv	12 00 02 2 000 060.000
52	6250 Steeple Chase Cv	12 00 02 2 000 059.000
51	6255 Steeple Chase Cv	12 00 02 2 000 058.000
50	6267 Steeple Chase Cv	12 00 02 2 000 057.000
39	6334 Steeple Chase Trl	12 00 02 2 000 046.000
19	6380 Cambridge Rd	12 00 02 2 000 030.000
21	6390 Cambridge Rd	12 00 02 2 000 032.000
16	6385 Cambridge Rd	12 00 02 2 000 027.000
10	6409 Cambridge Rd	12 00 02 2 000 021.000
8	6417 Cambridge Rd	09 00 35 3 000 217.000
1	6330 Steeplechase Ln	09 00 35 3 000 224.000

Background

Valor Communities requests setback relief for fifteen remaining lots within the Steeplechase Subdivision. The application materials state that the current front setback shown on the recorded plat is 35 feet and that the applicant seeks a reduction to 20 feet. The applicant states that, when combined with the right-of-way, the proposed 20-foot setback would allow approximately 30 feet of driveway length measured from the curb to the garage.

The applicant's narrative states that Steeplechase was originally developed in 2006, that only a limited number of homes were constructed before development stalled during the Great Recession, and that Valor Communities acquired the remaining lots in 2020. The applicant further states that Valor has developed and sold 26 homes in the community and now seeks to complete the remaining buildout.

The applicant identifies steep topography on the remaining lots as the basis for the request, stating that development under the current setback is challenging and cost prohibitive. The applicant also states that the reduced setback would improve backyard usability, allow standard parking, maintain driveway lengths for full-size trucks and SUVs, and avoid encroachments into utility or drainage easements.

Applicable Zoning

The subject properties are zoned **R-M, Medium-Density Single-Family District**. The Clay Zoning Ordinance describes the R-M District as intended for single-family residential neighborhoods of a slightly more compact and interactive nature, characterized by a moderate density of approximately three dwellings per acre. Permitted uses include single-family dwellings, customary accessory buildings or structures, and home occupations.

For the R-M District, the Ordinance establishes the following dimensional requirements:

Standard	R-M Requirement
Minimum lot area	13,500 sq. ft.
Minimum lot width	85 ft.
Front yard setback	30 ft.
Rear yard setback	35 ft.
Side yard setbacks	10 ft.

Because the R-M zoning district requires a **30-foot front yard setback**, staff have analyzed the zoning variance request to reduce the required setback from **30 feet to 20 feet**. Staff notes, however, that the application materials reference a **35-foot setback shown on the recorded plat**. The Board may wish to clarify during the hearing whether the requested relief is intended to address only the zoning setback, the recorded plat building line, or both, as applicable.

Applicable Variance Standards

The Zoning Ordinance defines a variance as a modification or relaxation of the strict application of the terms and provisions of the Ordinance, where, because of special conditions or circumstances, literal enforcement would result in unnecessary hardship. The Ordinance further states that the Board of Zoning Adjustment has the power to grant variances to alleviate a recognized hardship on individual parcels where unusual or unique circumstances deny reasonable use under the Zoning Ordinance.

The ordinance defines hardship as a situation were, because of special conditions, literal enforcement would deprive a person of rights commonly enjoyed by others in the same district. The Ordinance distinguishes that from personal or self-imposed hardship, which is not an appropriate basis for compelling issuance of a variance.

Under Alabama Code § 11-52-80, a board of adjustment may authorize a variance “from the terms of the ordinance” in specific cases when the variance is not contrary to the public interest, literal enforcement would result in unnecessary hardship owing to special conditions, and the spirit of the ordinance is observed with substantial justice done

Recorded Plat Setback / Scope of BZA Action

Staff notes an important distinction between the **zoning setback** and any **recorded plat building line**. The Board of Zoning Adjustment may consider relief from the City’s zoning setback requirement under the variance standards. However, a zoning variance should not be treated as automatically amending, vacating, releasing, or superseding a recorded plat restriction, covenant, easement, deed restriction, or other private property restriction unless the City Attorney confirms that such action is legally authorized and procedurally proper.

Alabama Code § 11-52-32 provides that approved plats become part of the municipal plan, and further provides that use, height, area, or bulk requirements or restrictions stated on an approved and recorded plat have the same force of law and are enforceable in the same manner as if set out as part of the zoning ordinance or map.

Accordingly, staff recommends that any Board action be worded as relief from the **City of Clay Zoning Ordinance front yard setback requirement** only, unless otherwise advised by the City Attorney. Approval of a zoning variance would not, by itself, amend or extinguish any recorded plat restriction, covenant, deed restriction, easement, or other private restriction that may apply to the subject lots.

Staff Analysis

This request is for a dimensional variance affecting the front building setback on fifteen lots within an existing platted residential subdivision. The properties are zoned R-M, which requires a 30-foot front yard setback. The applicant seeks a 20-foot front setback. The application materials also reference a 35-foot setback shown on the recorded plat, which may be a separate consideration from the zoning requirement.

The applicant's stated basis for the request is the steep topography of the remaining lots and the effect of the existing setback on house placement, driveway layout, backyard usability, and completion of the subdivision buildout. The Board's review should focus on the variance criteria, including whether the topography constitutes an extraordinary or exceptional condition peculiar to the subject lots, whether the requested 20-foot zoning setback is the minimum variance necessary to allow reasonable use, and whether the variance would remain compatible with the neighborhood and general welfare.

Because the request applies to multiple lots, the Board may wish to consider whether the circumstances identified by the applicant apply similarly to all 15 lots or vary by lot. If approved, any motion should clearly identify the lots included in the approval and should clarify that the relief applies only to the zoning setback requirement unless the City Attorney advises otherwise.

The applicant has stated that the reduced setback would not result in encroachments on utility or drainage easements and would preserve adequate driveway parking. If the Board considers approval, it may wish to condition approval on compliance with all drainage, utility, driveway, sight-distance, building-code, subdivision, recorded plat, and permitting requirements.

Items for Board Consideration

The Board may wish to discuss the following:

1. Whether the topography of the subject lots constitutes an extraordinary or exceptional condition under the variance standards.
2. Whether the hardship, if any, is peculiar to the subject lots and not generally applicable to other properties in the R-M District.
3. Whether reducing the zoning front setback from 30 feet to 20 feet is the minimum variance necessary.
4. Whether the 35-foot setback referenced in the application materials is a recorded plat building line and, if so, whether any separate plat-related process or legal review is required.
5. Whether the proposed setback would be compatible with existing homes and front-yard patterns in Steeplechase.
6. Whether the reduced setback would affect driveway parking, emergency access, drainage, utilities, sidewalks, or sight visibility.
7. Whether approval, if granted, should be limited to the fifteen lots listed in the application materials.
8. Whether the Board's motion should expressly state that the variance applies only to the City's zoning setback requirement and does not amend or supersede any recorded plat restriction, covenant, easement, or deed restriction.

Possible Conditions, If Approved

If the Board votes to approve the variance, staff suggests the Board consider conditions substantially similar to the following:

1. The variance shall apply only to the fifteen lots identified in the application materials for Case BZA A2026-05-01.
2. The minimum front yard setback for zoning purposes shall be 20 feet.
3. Approval of this variance shall apply only to the front yard setback requirement under the City of Clay Zoning Ordinance and shall not be construed to amend, vacate, release, or supersede any recorded plat restriction, covenant, deed restriction, easement, or other private property restriction applicable to the subject lots.
4. All other applicable zoning, subdivision, building, drainage, utility, recorded plat, and permitting requirements shall remain in effect.
5. No structure shall encroach into any recorded utility, drainage, access, or other easement.
6. Driveways shall be reviewed during permitting for adequate length, grade, drainage, and safe access.
7. Approval of this variance shall not authorize any use other than a use permitted in the R-M District.

Possible Motion — Approval

“I move to approve Case BZA A2026-05-01, a variance reducing the required front yard setback for zoning purposes for the fifteen lots identified in the application materials from the R-M District requirement of 30 feet to 20 feet, based on the Board’s finding that the applicable variance criteria have been satisfied, including the presence of special conditions related to the subject properties, and subject to the conditions stated by the Board. Approval of this variance shall apply only to the City of Clay Zoning Ordinance setback requirement and shall not be construed to amend, vacate, release, or supersede any recorded plat restriction, covenant, deed restriction, easement, or other private property restriction applicable to the subject lots.”

Possible Motion — Denial

“I move to deny Case BZA A2026-05-01, based on the Board’s finding that the applicant has not demonstrated that the applicable variance criteria have been satisfied for reduction of the R-M District front yard setback from 30 feet to 20 feet.”

Staff Position

Staff provide this report for the Board’s review and does not make a recommendation for approval or denial. The Board should evaluate the request based on the evidence presented at the public hearing and the variance standards contained in the Clay Zoning Ordinance. Staff further

recommends that the Board distinguish between zoning setback relief and any recorded plat building line, and that the City Attorney be consulted as needed regarding the effect of any recorded plat restriction.