

**RECOMMENDATIONS**  
**ZONING ADVISORY COMMITTEE**  
**Birmingham Planning Commission**  
**Meeting Date:** March 19, 2019  
**Time:** 6:00 P.M.  
**Place:** City Council Chambers  
710 19<sup>th</sup> Street, North

**ZAC2019-00002.....Fairview**  
**Application for a change in zone district boundaries from D-3, Single Family District to D-4, Medium Density Residential District, filed by the owner, Nancy Calloway, for the property located at 1501 4<sup>th</sup> Avenue West situated in the NW ¼ of Section 04, Township 18-S; 3-W.**  
**Proposed Use: *Communal Living Facility (35208), (Council District 8)***

***Property and Abutting Land Uses:***

The subject 0.14 acre property consist of a single family residential structure that is located in the Central Park Neighborhood. North of the subject property are single family homes all of which are zoned D-3, Single Family District; while south of the subject property consists of several businesses that fronts Bessemer Super Highway which are zoned C-2, General Commercial District.

***Applicant's Proposal:***

The applicant's proposal is to use the existing 5 bedroom home as a communal living facility for single men. The 5 bedroom home consists of 1 bathroom as well as 2 half baths which would be shared. The applicant is currently renting the 3 bedrooms on the main level of the home and wishes to rent the two bedrooms located on the upper level of the home. Applicant wishes to provide single men a clean and safe place to call home. The applicant proposes that each roommate would have their own room.

***Zoning Ordinance:***

The applicant's proposal complies with the D-4 zoning district regulations for communal living facility; however, in order to operate a Communal Living Facility, a Special Exception must be granted by the Zoning Board of Adjustment. The parking requirement for a communal living facility is one parking space for every 2 sleeping rooms; there are 5 sleeping rooms which requires 3 parking spaces. The site plan shows 1 legal parking space on site; therefore the applicant **is not** meeting the parking requirements. The applicant can add 2 parking spaces or go to the Zoning Board of Adjustment and request a variance to allow one parking space instead of the required 3 parking spaces or request a parking modification by identifying additional surplus parking within walking distance. The applicant also shows parking in the required front yard; which is not allowed; therefore, the applicant needs to remove that parking space or go to the Zoning Board of Adjustment for a variance to allow parking in the required front yard.

The City's ***Long Range Land Use Plan*** identifies the property for ***Residential Low***; a designation applied to Single Family Homes therefore, the proposed rezoning ***is not consistent*** with the Plan.

***Neighborhood Recommendation:***

***The Fairview Neighborhood Association*** met at its regularly scheduled meeting on **March 5, 2019** to review the proposed project and voted to approve it. The vote was **6 approved**, **1 denied** and **1 abstention**.

As a courtesy, the applicant presented the proposed redevelopment to the neighboring ***The Bush Hills Neighborhood Association*** at its regularly scheduled meeting on **February 26, 2019**. The Bush Hills Neighborhood Association did not support the rezoning request. The vote was **1 approved** and **30 denied**.

***Staff's Recommendation to ZAC:***

The applicant's proposal ***is not consistent*** with the future land use plan and it is therefore the recommendation of Staff that this application ***does not have merit*** for approval.