



# ZONING BOARD OF ADJUSTMENT AGENDA

## CITY OF BIRMINGHAM

Randall L. Woodfin  
Mayor

Edwin Revell  
Director

Meeting Date: Thursday, July 11, 2019  
Location: City Council Chambers, Third Floor, City Hall  
Time: 2:00PM  
Pre-Meeting: 1:00PM  
Pre-Meeting Location: Department of Planning Engineering & Permits  
Conference Room, Fifth Floor

### Graymont

ZBA2018-00075

**Request:** Variance  
**Applicant:** CHRISTOPHER SWAIN  
**Owner:** TABERNACLE BAPTIST CHURCH  
**Site Address:** 600 CENTER ST N 35204  
**Zip Code:** 35204  
**Legal Description:** LOT 11-A SO SMITHFIELD RESUR LOTS 11 THRU 16 BLK 1  
**Premises/Geographic:** 600 Center St N  
**Description:** Variance to allow an approximately 36 SF digital monument sign, illuminated and animated with intermittent light, instead of one name plate, to be lighted with only indirect non-intermittent light, not exceeding 6 SF in area attached to the wall at an entrance pursuant to Title 2, Chapter 1, Article I, Section 7, Subsection 2.10; Variance to allow a sign to be placed in the required front yard with an 18.5 FT front setback instead of the required 25 FT pursuant to Title 2, Chapter 1, Article I, Section 1, Subsection 2.5  
**Property Zoned:** CR5 Contingency Multiple Dwelling District  
**Parcel Information:** Parcel #: 012200344005014000, SE1 of Section 34 , Township 17 S, Range 3 W

### Eastwood

ZBA2019-00027

**Request:** Variance  
**Applicant:** KELLEY SMITH  
**Owner:** WARDEN STORAGE MADRID LLC  
**Site Address:** 5600 OPORTO-MADRID BLVD 35210  
**Zip Code:** 35210  
**Legal Description:** LOT 3-A EAST RIDGE RESUR OF LOT 3  
**Premises/Geographic:** 5600 Oporto Madrid Blvd  
**Description:** Variance to allow a 6 FT fence in a front yard of a commercially zoned property abutting a residential district pursuant to Title 1, Chapter 4, Article V, Section 5, Subsection 4.A.2; Variance to allow a chain link fence in a yard other than a rear or side yard pursuant to Title 1, Chapter 4, Article V, Section 5, Subsection 7.D.3, Variance to allow a fence to be topped with barbed wire in a yard other than a rear yard only pursuant to Title 1, Chapter 4, Article V, Section 5, Subsection 7.D.4  
**Property Zoned:** CB2 Contingency General Business District  
**Parcel Information:** Parcel #: 012300233002003000, SW1 of Section 23 , Township 17 S, Range 2 W

### Southside

ZBA2019-00028

**Request:** Modification  
**Applicant:** DAVID KRAXBERGER  
**Owner:** SOUTHTRUST CORPORATE REALTY C/O THO  
**Site Address:** 2401 6TH AVE S 35233  
**Zip Code:** 35233  
**Legal Description:** LOTS 6 THRU 12 BLK 192 BHAM  
**Premises/Geographic:** 2401 6th Ave S  
**Description:** Modification to allow 29 off street parking spaces instead of the required 50 off street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3  
**Property Zoned:** M1 Light Industrial District  
**Parcel Information:** Parcel #: 012300313030003000, SW1 of Section 31 , Township 17 S, Range 2 W

### Southside

ZBA2019-00032

**Request:** Modification  
**Applicant:** RANDALL MINOR  
**Owner:** BIZMARK LLC  
**Site Address:** 2400 7TH AVE S 35233  
**Zip Code:** 35233  
**Legal Description:** LOTS 15 & 16 BLK 192 BHAM  
**Premises/Geographic:** 2400 7th Ave S  
**Description:** Modification to allow 0 off street parking spaces instead of the required 59 off street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3  
**Property Zoned:** M1 Light Industrial District  
**Parcel Information:** Parcel #: 012300313030005000, SW1 of Section 31 , Township 17 S, Range 2 W

**Glen Iris****ZBA2019-00035**

**Request:** Variance  
**Applicant:** KEE TAN  
**Owner:** TAN KEE MING &  
**Site Address:** 617 19TH CT S 35205  
**Zip Code:** 35205  
**Legal Description:** LOT 5 BLK 2-A GLEN IRIS HGLDS 2 ADD  
**Premises/Geographic:** 617 19th Ct S  
**Description:** Variance to allow an accessory structure in a yard other than the required rear yard pursuant to Title 1, Chapter 3, Article 1, Section 6.A.  
**Property Zoned:** R3 Single Family District  
**Parcel Information:** Parcel #: 012900111006006000, NE1 of Section 11 , Township 18 S, Range 3 W

**Woodlawn****ZBA2019-00036**

**Request:** Modification  
**Applicant:** WILL MASON  
**Owner:** SILVERTRON ONE PROPERTIES LLC  
**Site Address:** 5503 1ST AVE N 35212  
**Zip Code:** 35212  
**Legal Description:** LOT 3 BLK 6 A B JOHNSON RESUR EXC RD RW  
**Premises/Geographic:** 5503 1st Ave N  
**Description:** Modification to allow 0 off street parking spaces instead of the required 32 off street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3  
**Property Zoned:** CB2 Contingency General Business District  
**Parcel Information:** Parcel #: 012300213015001000, SW1 of Section 21 , Township 17 S, Range 2 W

**Crestwood North****ZBA2019-00037**

**Request:** Special Exception  
**Applicant:** WILLIE OLIVER  
**Owner:** GROVELAND BAPTIST CHURCH ETC  
**Site Address:** 5437 5TH AVE S 35212  
**Zip Code:** 35212  
**Legal Description:** LOT 20-A BLK 12 GROVELAND BAPTIST CHURCH SURVEY PB 213 PG 33  
**Premises/Geographic:** 5437 5th Ave S  
**Description:** Special exception to allow off-site parking for a place of worship Title 1, Chapter 4, Article III, Section 4.E.3  
**Property Zoned:** CR4A Contingency Medium Density Residential District  
 R3 Single Family District  
**Parcel Information:** Parcel #: 012300214012001000, SE1 of Section 21 , Township 17 S, Range 2 W

**Central Park****ZBA2019-00038**

**Request:** Variance  
**Applicant:** DYNAMIC CIVIL SOLUTIONS  
**Owner:** CENTRAL PARK BAPTIST CHURCH C/O BIR  
**Site Address:** 1919 43RD ST EN 35208  
**Zip Code:** 35208  
**Legal Description:** LOTS 9 THRU 12 BLK 3 CENTRAL PARK HIGHLANDS  
**Premises/Geographic:** 1919 & 1920 43rd St  
**Description:** Special exception to allow off-site parking for a place of worship Title 1, Chapter 4, Article III, Section 4.E.3  
**Property Zoned:** R3 Single Family District  
**Parcel Information:** Parcel #: 012900071009001000, NE1 of Section 07 , Township 18 S, Range 3 W

**Southside****ZBA2019-00039**

**Request:** Special Exception  
**Applicant:** CHRIS CLAYTON  
**Owner:** ELITE INVESTMENT LLC  
**Site Address:** 301 24TH ST S 35233  
**Zip Code:** 35203  
**Legal Description:** N 90 FT OF LOTS 8 & 9 BLK 143 BHAM  
**Premises/Geographic:** 301, 311, 327, 331 24th St S & 2411 3rd Ave S  
**Description:** Special Exception to allow remote parking for 5 off-street parking spaces for a restaurant pursuant to Title 1, Chapter 5, Article I, Section 8  
**Property Zoned:** M1 Light Industrial District  
**Parcel Information:** Parcel #: 012200364001003000, SE1 of Section 36 , Township 17 S, Range 3 W

**Forest Park**

**ZBA2019-00040**

**Request:** Variance  
**Applicant:** LBYD INC  
**Owner:** R & F PROPERTIES LLC  
**Site Address:** 4241 3RD AVE S 35222  
**Zip Code:** 35222  
**Legal Description:** POB 215 FT SW OF INTER SE/L OF 3RD AVE S & E/L SW 1/4 SEC 29 TP 17S R 2W TH SW 33.3 FT ALG 3RD AVE S TH SE 140 FT TH NE 33.3 FT TH NW 140 FT TO POB LYING IN TH NE 1/4 OF SW 1/4 SECT 29 TWSP 17S RANGE 2W  
**Premises/Geographic:** 4241 3rd Ave S  
**Description:** Variance to allow a multi-family dwelling development to have approximately 731 SF of lot area per family (48 units) instead of the minimum required lot area per family of 1,000 SF (35 unit max for site area) pursuant to Title 2, Chapter 1, Article II, Section 2, Subsection 3  
**Property Zoned:** B2 General Business District  
**Parcel Information:** Parcel #: 012300293003007000, SW1 of Section 29 , Township 17 S, Range 2 W

**Forest Park**

**ZBA2019-00041**

**Request:** Variance  
**Applicant:** LBYD INC  
**Owner:** A B R PROPERTIES LLC C/O AXEL R BAR  
**Site Address:** 4211 3RD AVE S 35222  
**Zip Code:** 35222  
**Legal Description:** W 1/2 OF LOT 2 BLK 12 AVONDALE  
**Premises/Geographic:** 4211 3rd Ave S  
**Description:** Variance to allow a multi-family dwelling development to have approximately 840 SF of lot area per family (48 units) instead of the minimum required lot area per family of 1,000 SF (40 unit max for site area) pursuant to Title 2, Chapter 1, Article II, Section 2, Subsection 3; Variance to allow a 3 FT front yard setback instead of the required 25 FT front yard setback pursuant to Title 2, Chapter 1, Article II, Section 2, Subsection 3  
**Property Zoned:** B2 General Business District  
**Parcel Information:** Parcel #: 012300293003012000, SW1 of Section 29 , Township 17 S, Range 2 W

**Crestwood South**

**ZBA2019-00044**

**Request:** Variance  
**Applicant:** LISA GRUPE  
**Owner:** AWS 5901 LLC  
**Site Address:** 5901 CRESTWOOD BLVD 35212  
**Zip Code:** 35212  
**Legal Description:** LOT 1 CRESTWOOD MANOR  
**Premises/Geographic:** 5901 Crestwood Blvd  
**Description:** Variance to allow a 6 FT fence in the required front yard instead of the 4 FT maximum front yard fence height pursuant to Title 1, Chapter 4, Article V, Section 5, Subsection 3.A.1; Variance to allow a chain link fence in the required front yard instead of the side or rear yard only pursuant to title 1, Chapter 4, Article V, Section 5, Subsection 7.D.3  
**Property Zoned:** R2 Single Family District  
**Parcel Information:** Parcel #: 012300272010002000, NW1 of Section 27 , Township 17 S, Range 2 W

**Harriman Park**

**ZBA2019-00045**

**Request:** Special Exception  
**Applicant:** WILLIAM AND LINDA PATRICK  
**Owner:** WILLIAM AND LINDA PATRICK  
**Site Address:** 3635 42ND AVE N 35207  
**Zip Code:** 35207  
**Legal Description:** LOT 2 & 3 BLK 6 HARRIMAN PK  
**Premises/Geographic:** 3635 42nd Ave  
**Description:** Special exception to allow the transfer of ownership of a Communal Living Facility pursuant to Title 1, Chapter 4, Article III, Section 3.C; Modification to allow 0 off street parking spaces instead of the required 7 off street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3  
**Property Zoned:** D3 Unknown  
**Parcel Information:** Parcel #: 012300073014012001, SW1 of Section 07 , Township 17 S, Range 2 W

**Request:** Variance  
**Applicant:** JESSICA FAGAN  
**Owner:** DEJONGE LANEY F &  
**Site Address:** 1120 28TH PL S 35205  
**Zip Code:** 35205  
**Legal Description:** P O B INTER OF S W COR LOT 1 BLK 888 BHAM & 11TH CT S TH N E 113 FT S  
ALG CT TH NLY 64 FT S AROUND CURVE TO 11TH AVE S TH NWLY 61 FT S  
ALG AVE TH S W 177.3 FT TO ALLEY TH S E 100 FT S TO P O B BEING LOT 1  
& PT OF LOT 2 BLK 888 BHAM  
**Premises/Geographic:** 1120 28th Place S  
**Description:** Variance to allow parking in the required front yard pursuant to Title 1, Chapter 5,  
Article I, Section 7.A.6; Variance to allow off-street parking area to be surfaced with  
gravel instead of the required parking area permanently surfaced with hard and dust  
free materials pursuant to Title 1, Chapter 5, Article I, Section 7.C.  
**Property Zoned:** R3 Single Family District  
**Parcel Information:** Parcel #: 012300314024003000, SE1 of Section 31 , Township 17 S, Range 2 W