

Meeting – January 24, 2019
Location - City Council Chambers, Third Floor, City Hall
Time - 2:00PM
Pre-Meeting - 1:00PM
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
Zip Code: 35204
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 monument sign in the required front yard with a setback of 18.5 FT pursuant to Title 2, Chapter 1, Article I, Section 7, Subsection 3; 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, SE ¼ of Section 34, Township 17 S, Range 3 W

Variations

The applicant is requesting variations to allow a digital monument sign illuminated and illuminated with intermittent light to be placed in the required front yard with an 18.5 FT setback.

Neighborhood

The applicant was scheduled to attend the Graymont NA meeting on January 16th. Staff has yet to receive any feedback from the neighborhood.

Applicant's Justification

The applicant stated that the sign was permitted and installed in the current location. The applicant also stated that the operation of the sign can be altered to not allow animation or illumination with intermittent light.

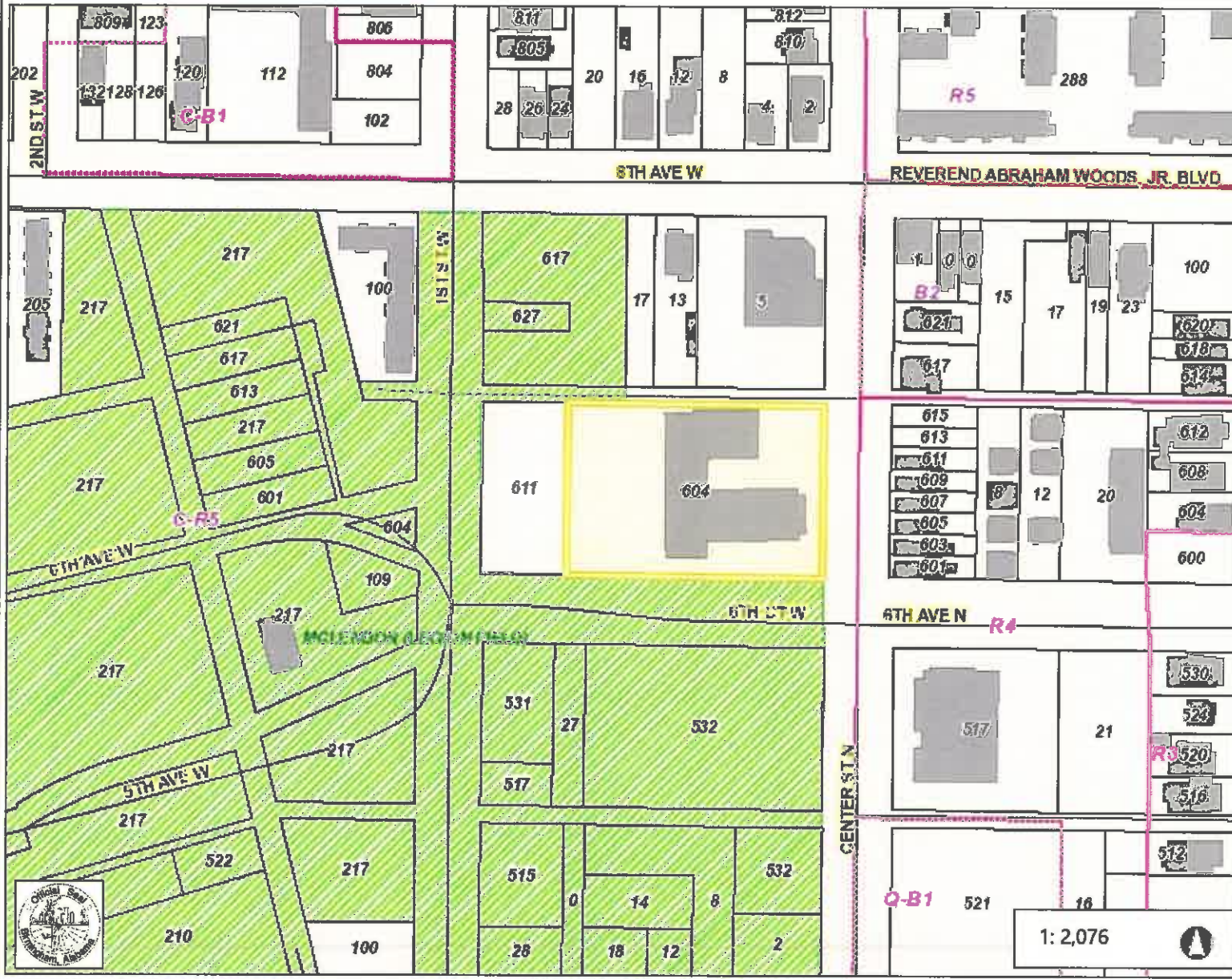
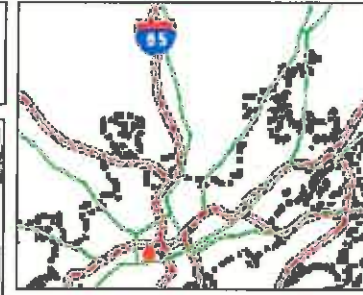
Staff Recommendation

Staff does not feel that the applicant provided evidence that meets the variance standards of review demonstrating a hardship and as such these requests should be **DENIED**. If the Board chooses to grant the requests it should be subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



600 Center St N Zoning Map CR5



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
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- Interstates
- Limited Access
- Ramp
- Buildings
- Hydrology Lines
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- Parcels
- City Parks
- Airport
- City Limits (solid)



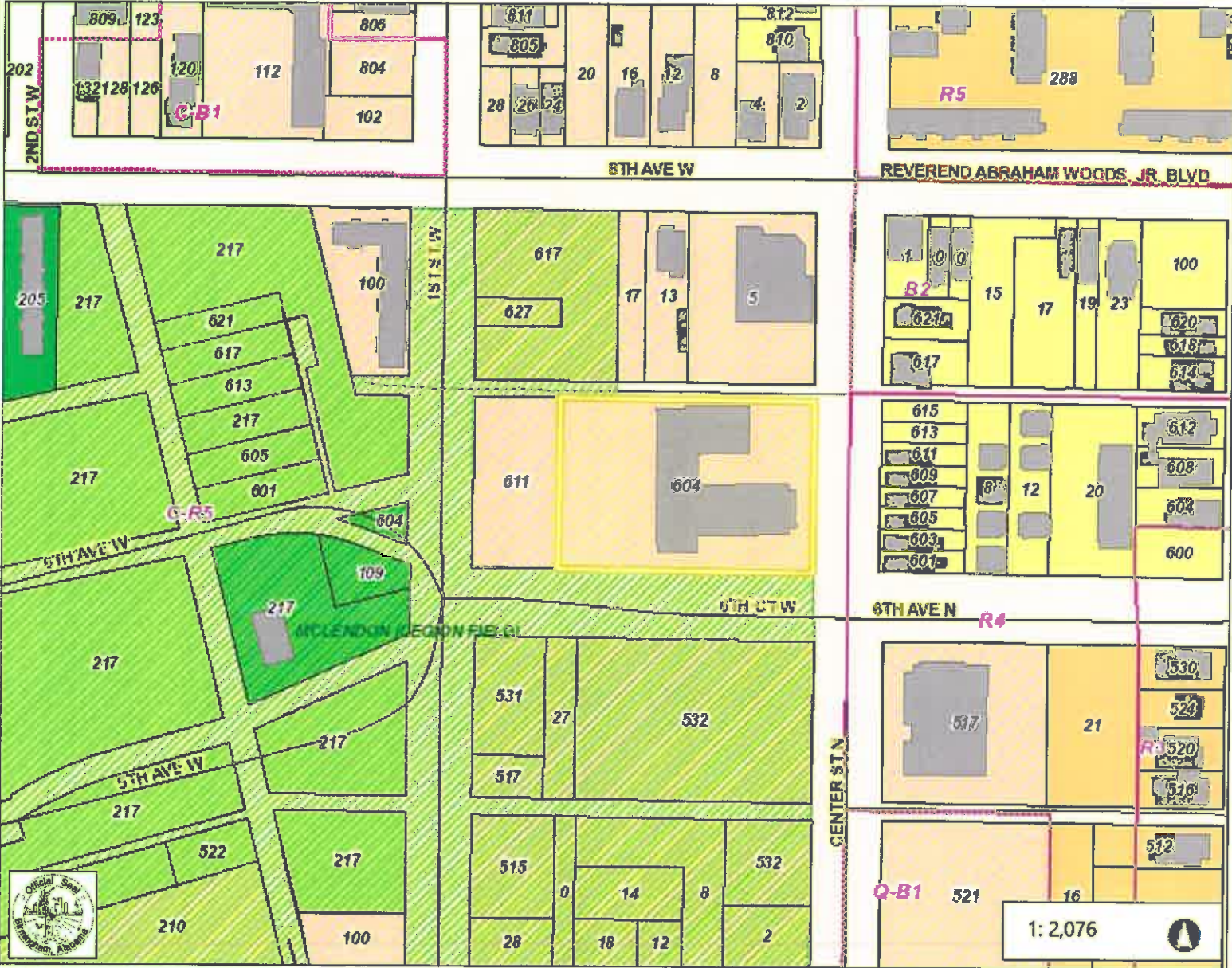
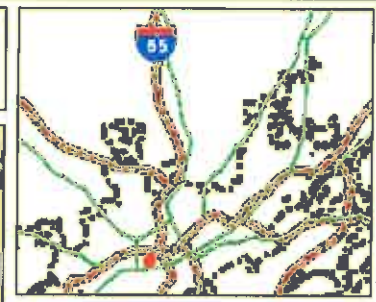
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Notes

1: 2,076



600 Center St N ALU



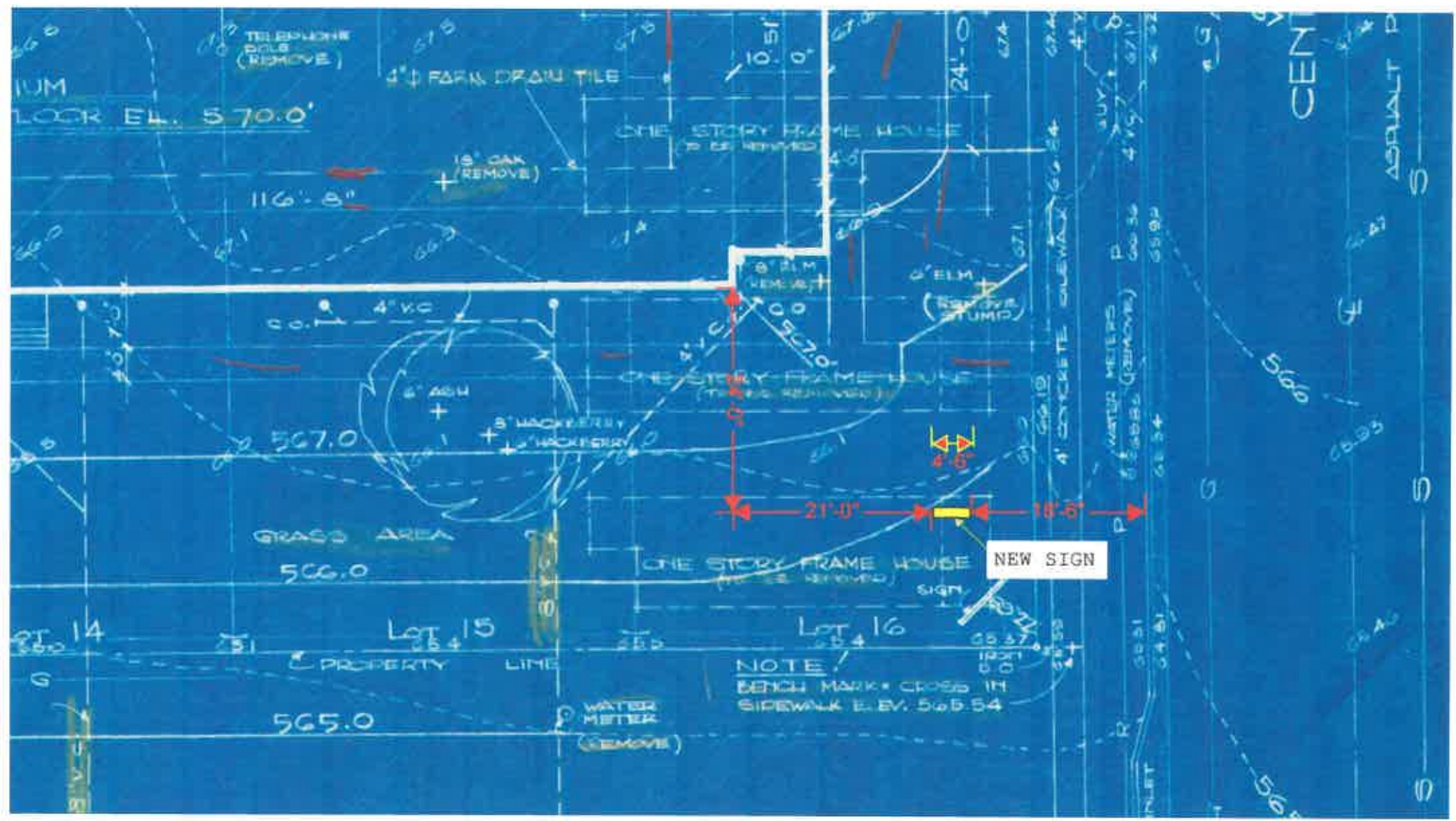
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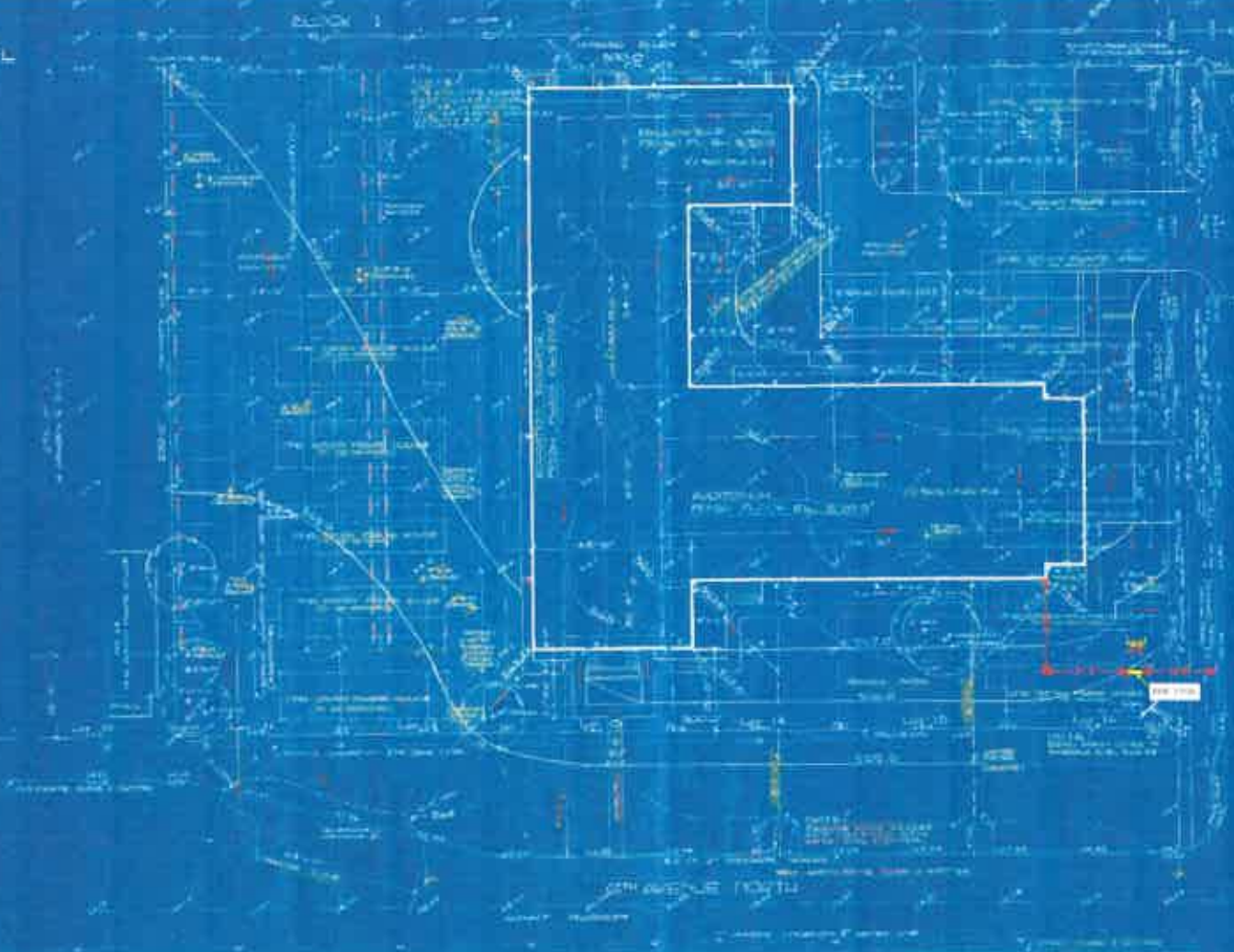
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SECTION
TYPICAL CURB
AND GUTTER DETAIL



CONCRETE
DUMPER

ISOMETRIC

OUTSITE
CURB



RECORDING BUREAU
CIVIL ENGINEERS ARCHITECTS
1000 10th Avenue North, Suite 1000
Birmingham, Alabama 35203

PLAT PLAN

SECTION
GENERAL NOTES
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.

10/11	TACERMOLE BAPTIST CHURCH
10/12	1000 10th Avenue North Birmingham, Alabama
10/13	



6'



Five Points South

ZBA2018-00078

Request: Special Exception and Variance
Applicant: Brian Wolfe
Owner: Canton Properties Inc
Site Address: 10 14th St S
Zip Code: 35233
Description: Special exception to allow the use of a communal living facility (70 CLF units) pursuant to Title 2, Chapter 9, Article V, Section 3 and a variance to allow a communal living facility approximately 750 FT from an existing communal living facility pursuant to Title 1, Chapter 9, Article VI, Section 5
Property Zoned: M1 Light Industrial District
Parcel Information: Parcel #012200363041001000, SW ¼ of Section 36, Township 17 S, Range 3 W

Special Exception & Variance

The applicant is requesting a special exception to allow a communal living facility and a variance to allow a CLF to be located within 1,000 FT of another existing CLF for a proposed development at 10 14th St S. The proposed project is a student housing facility with a mixed use component.

Neighborhood

The applicant attended the Five Points South Neighborhood Association meeting on November 26th. Staff has yet to receive any feedback from the neighborhood.

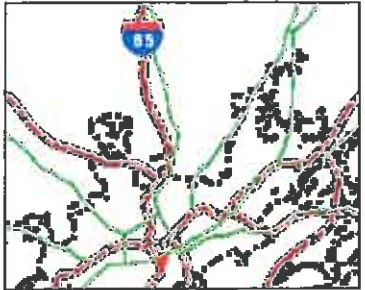
Applicant's Justification

The applicant stated that this development is needed to support UAB's growing student population. The applicant also stated that UAB is leaning on the private sector to fill the gap in student housing.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the requests. Therefore, staff believes these request do have merit for approval and as such, should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



Legend

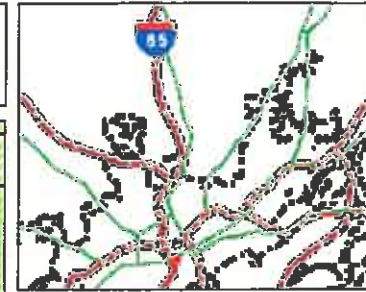
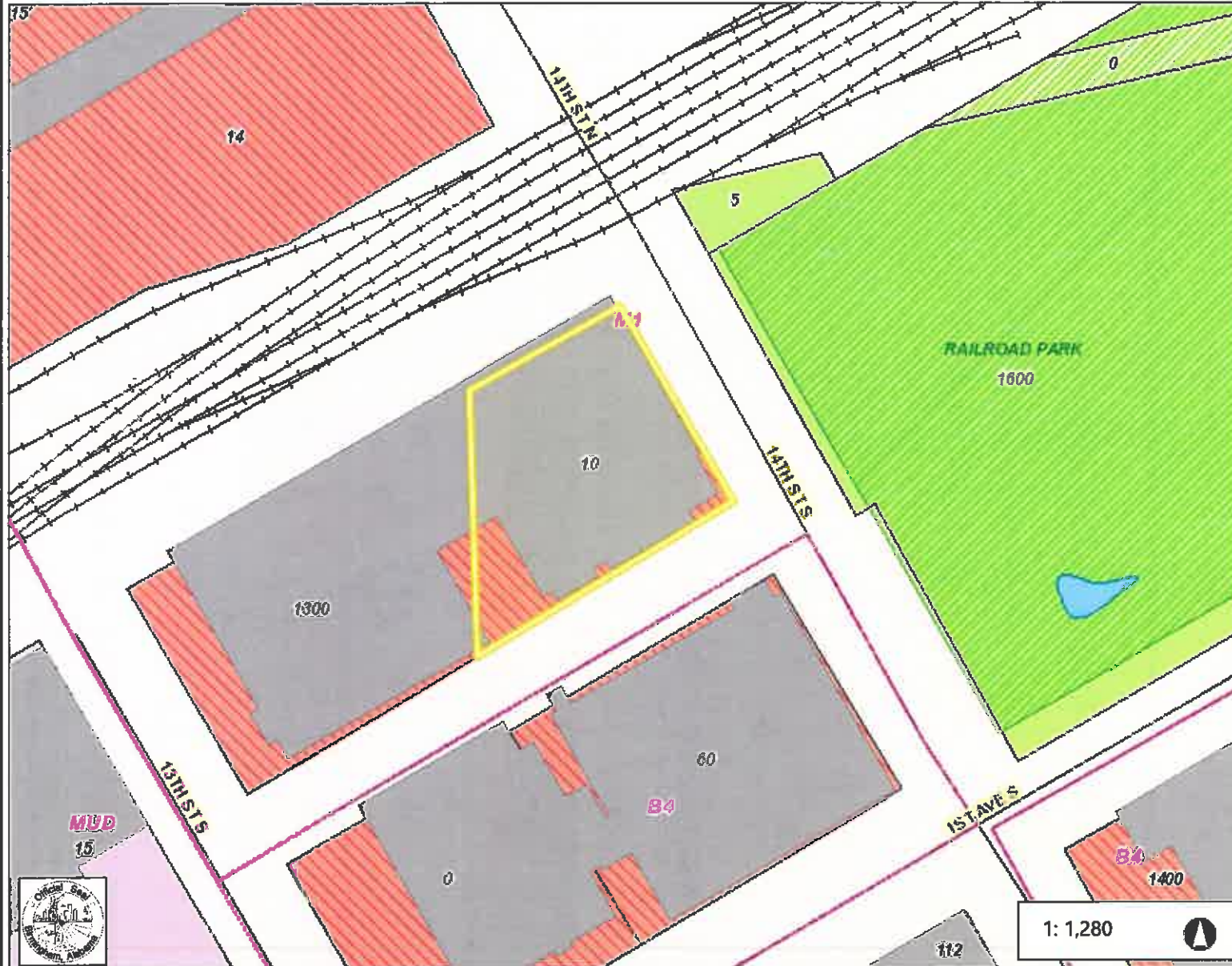
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1: 1,280



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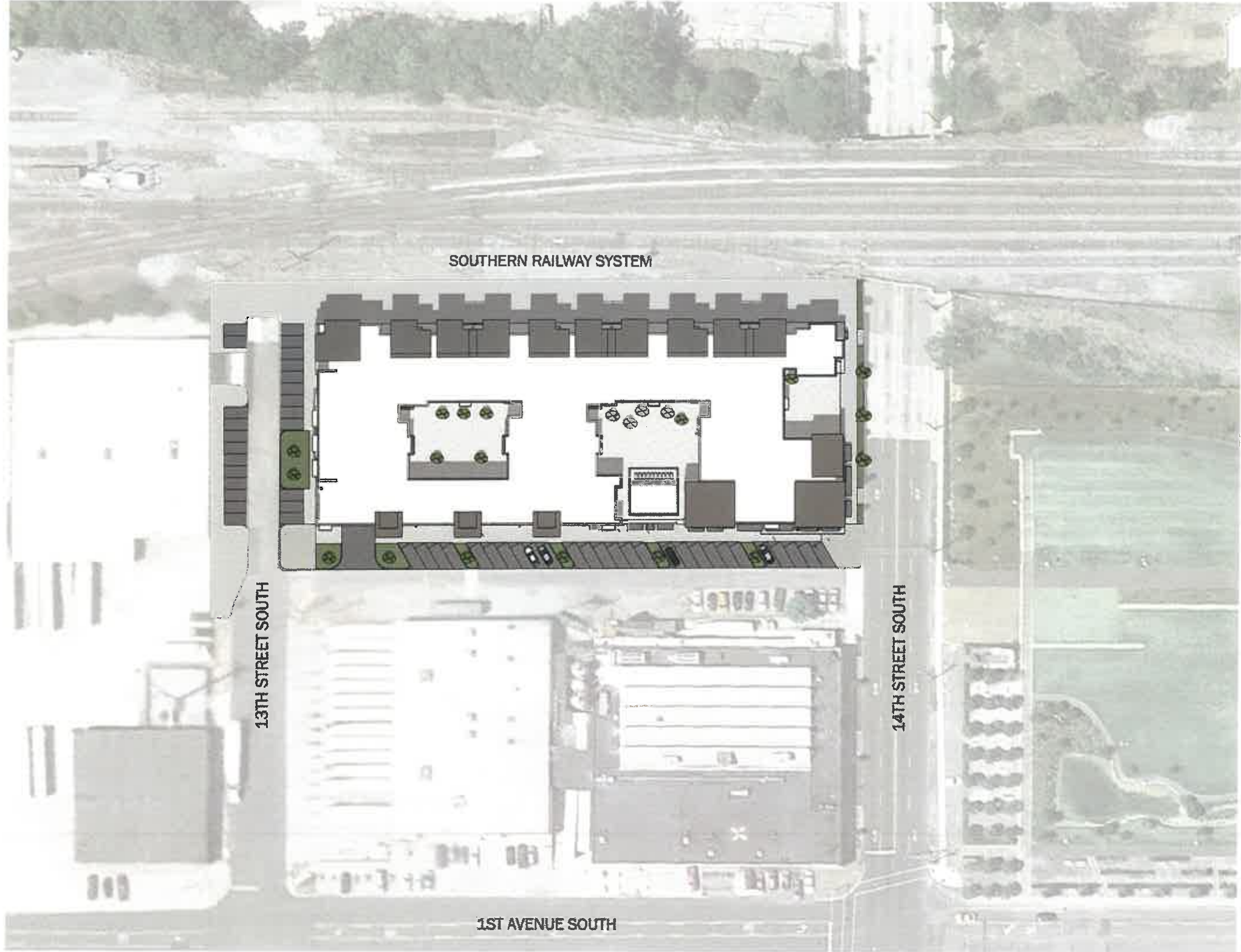


Legend

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 - Residential-High
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 - General Commercial
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 - MXU-Medium

Notes

213.4 0 106.68 213.4 Feet



SOUTHERN RAILWAY SYSTEM

13TH STREET SOUTH

14TH STREET SOUTH

1ST AVENUE SOUTH

PROJECT DATA

PROPOSED REZONING:	#10 (LIGHT INDUSTRIAL) TO MU-D (MIXED USE DOWNTOWN)
ADDRESS:	10 14TH ST S BIRMINGHAM, ALABAMA 35233-1413
LEGAL DESCRIPTION:	ALL OF BLOCK 111, ACCORDING TO THE ELYTON LAND COMPANY'S SURVEY OF THE CITY OF BIRMINGHAM, LESS AND EXCEPT THE SOUTH 185.5 FEET OF SAID BLOCK HERETOFORE CONVEYED TO LOWENS REALTY COMPANY BY DEEDS RECORDED IN VOLUME 3224, PAGE 281 AND VOLUME 3437, PAGE 455, IN THE PROBATE OFFICE OF SUFFOLK COUNTY, ALABAMA, CONTAINING 81,648 SQUARE FEET OR 1.874 ACRES
BUILDING:	FIVE STOREY OVER TWO STORY PODIUM, OVER A 12 STORY BELOW GRADE GARAGE; PARKING STRUCTURE APPROX. 378,000 SF
HEIGHT:	85 FEET
SETBACKS:	0 FEET ON ALL 4 YARDS
PARKING:	<ul style="list-style-type: none"> 342 SPACES PROVIDED IN GARAGE WITH CONTROLLED ACCESS FOR APARTMENTS & VISITORS 29 SURFACE PARKING SPACES PROVIDED 381 TOTAL SPACES PROVIDED



architecture | interior | planning | graphics
 8070 Park Lane, Ste 300 | Dallas, Texas 75221
 Tel 972.701.8000 | Fax 972.991.3008
 www.bokapowell.com

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 Auth: David R. Powell, Jr. Reg. No.: 4281

co-owner/developer
 CORPORATE REALTY
 60 14TH STREET SOUTH
 SUITE 104
 BIRMINGHAM, AL 35233

co-owner/developer
 PARALLEL CO., LLC
 281 WEST 6TH STREET
 SUITE 1100
 AUSTIN, TEXAS 78701

chill
 WALTER SCHOLZ ENGINEERING CO.
 1091 22ND STREET SOUTH
 BIRMINGHAM, ALABAMA 35206

landscape architect
 MACKINALLY LAND DESIGN
 4000 3RD AVENUE SOUTH
 SUITE 181
 BIRMINGHAM, AL 35222

structural engineer
 RLG CONSULTING ENGINEERS
 12001 NORTH CENTRAL EXPRESSWAY
 SUITE 200
 DALLAS, TX 75243

map engineer
 SCHMIDT & STACY
 400 CITY PLACE
 2711 NORTH HASKELL AVE, LB 20
 DALLAS, TEXAS 75220

interior designer
 SUTHERNER
 1801 S. MOPAC EXPRESSWAY
 BARTON SKYWAY TOWER, SUITE 100-D
 AUSTIN, TX 78748

project
 BAKERS ROW STUDENT HOUSING
 10 14TH ST S
 BIRMINGHAM, AL 35233-1413

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original issue
 ZONING APPLICATION 10.28.2018

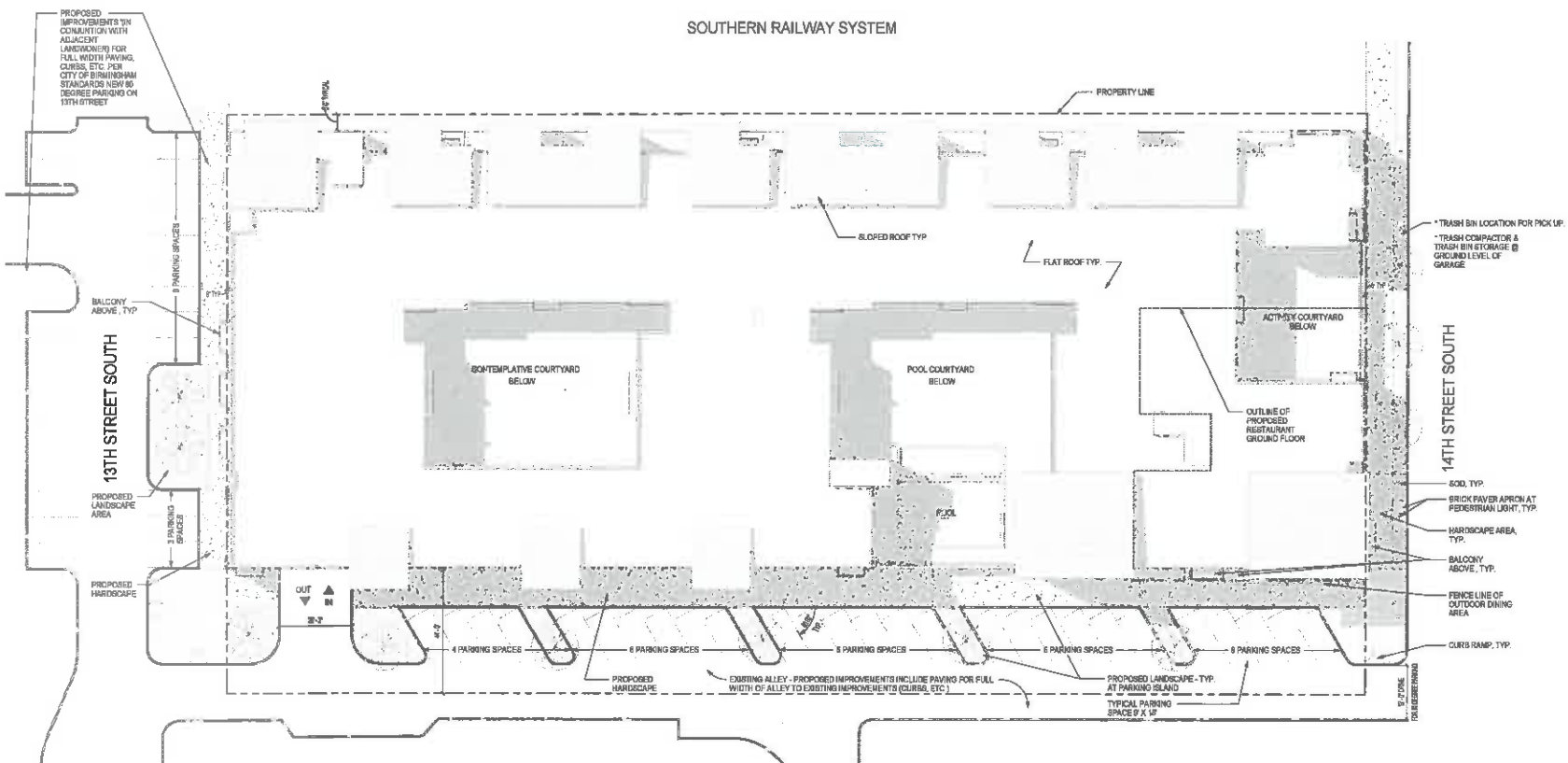
revisions

01 ZONING SITE PLAN

project number 18872-100
 date 10.28.2018

sheet
Z1.00

01 ZONING SITE PLAN
 SCALE: 1/8" = 1'-0"





SOUTHWEST AERIAL



PERSPECTIVE 1



PERSPECTIVE 2



PERSPECTIVE 3

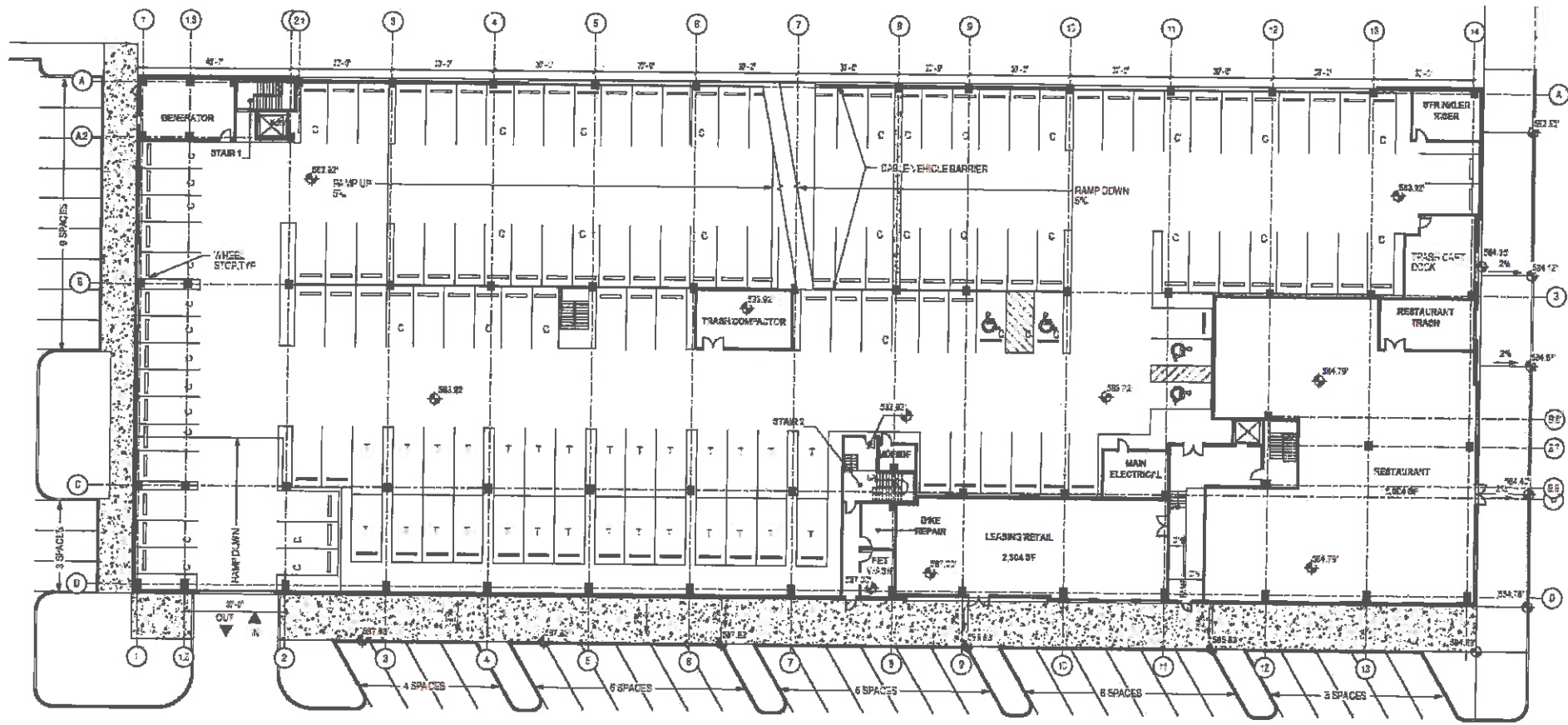


NORTH

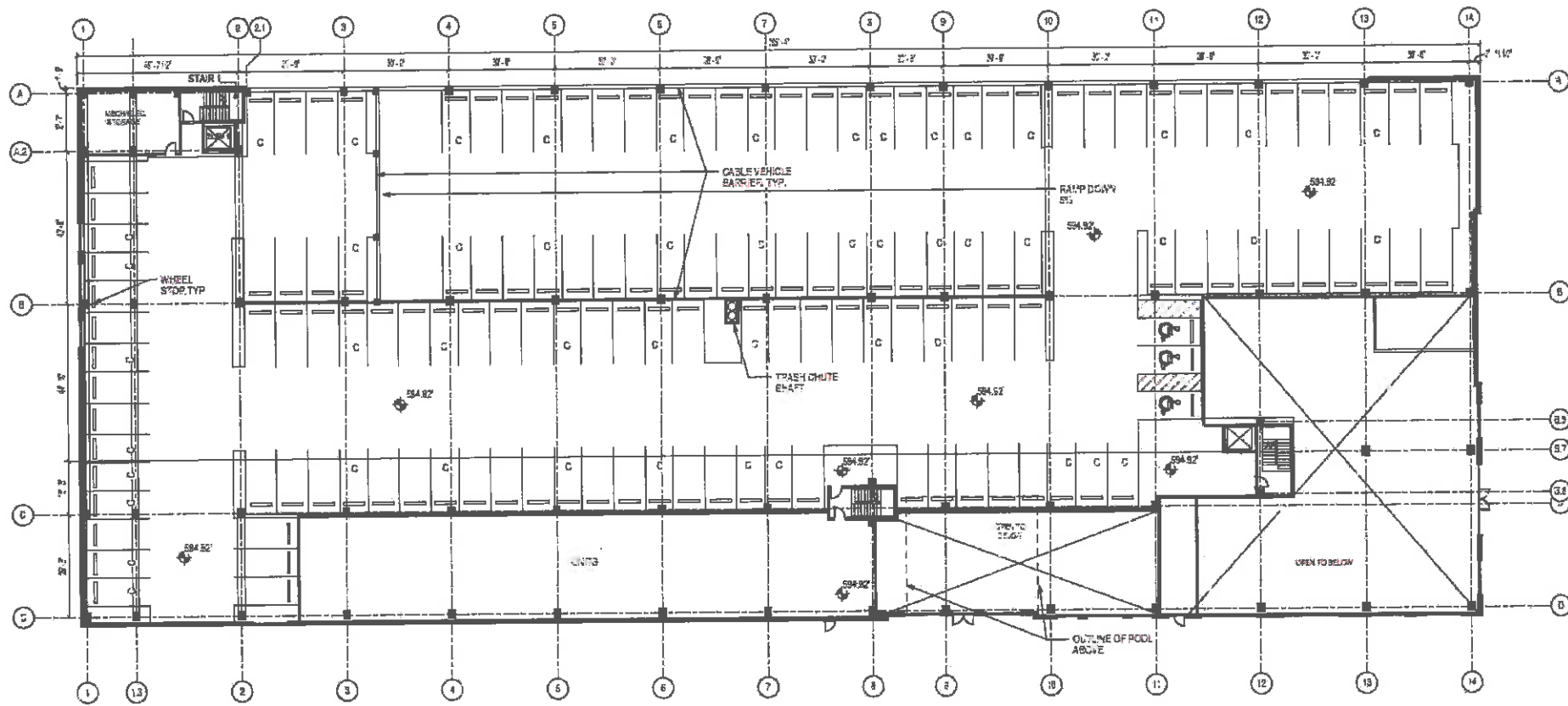


SOUTH

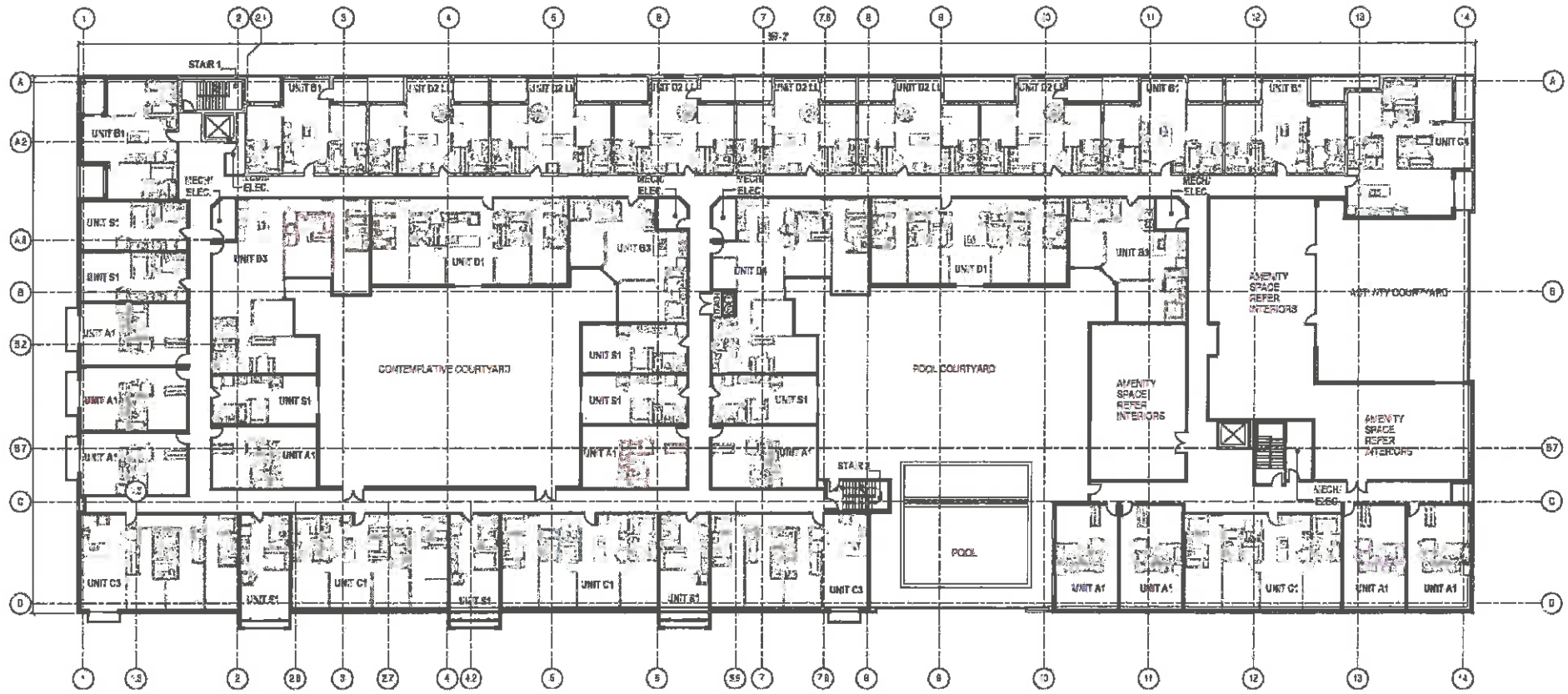
ELEVATIONS



LEVEL 1 PLAN



LEVEL 2 PLAN



TYPICAL PLAN

Forest Park

ZBA2018-00081

Request: Variance
Applicant: John Pleasant
Owner: Pleasant Management LLC
Site Address: 308 39th St S
Zip Code: 35222
Description: Variance to allow an 18.5 FT front yard setback instead of the required 25 FT pursuant to Title 2, Chapter 1, Section 1, Subsection 3.
Property Zoned: B2 General Business District
Parcel Information: Parcel #012300293022011000, SW ¼ of Section 29, Township 17 S, Range 2 W

Variance

The applicant is requesting a variance to allow a single family home to be built with an 18.5 FT front setback instead of the required 25 FT. The property is in the same block face as adjacent homes that have similar front setbacks to what is being requested.

Neighborhood

The applicant attended the Forest Park Neighborhood Association meeting on January 8th and the neighborhood voted 60-0 in support of this request.

Applicant's Justification

The applicant stated allowing the 18.5 FT setback will more align the new structure with the existing 304 and 300 39th St homes between the alley on the south and 3rd Ave S on the north. This be will be more aesthetically pleasing and allow space for off street parking for both 304 and the new residence.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the request; this variance would allow the home to be built with the same front setback as the rest of the block face creating a more desirable outcome along the entire street frontage. Therefore, staff believes this request does have merit for approval and as such, should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



Legend

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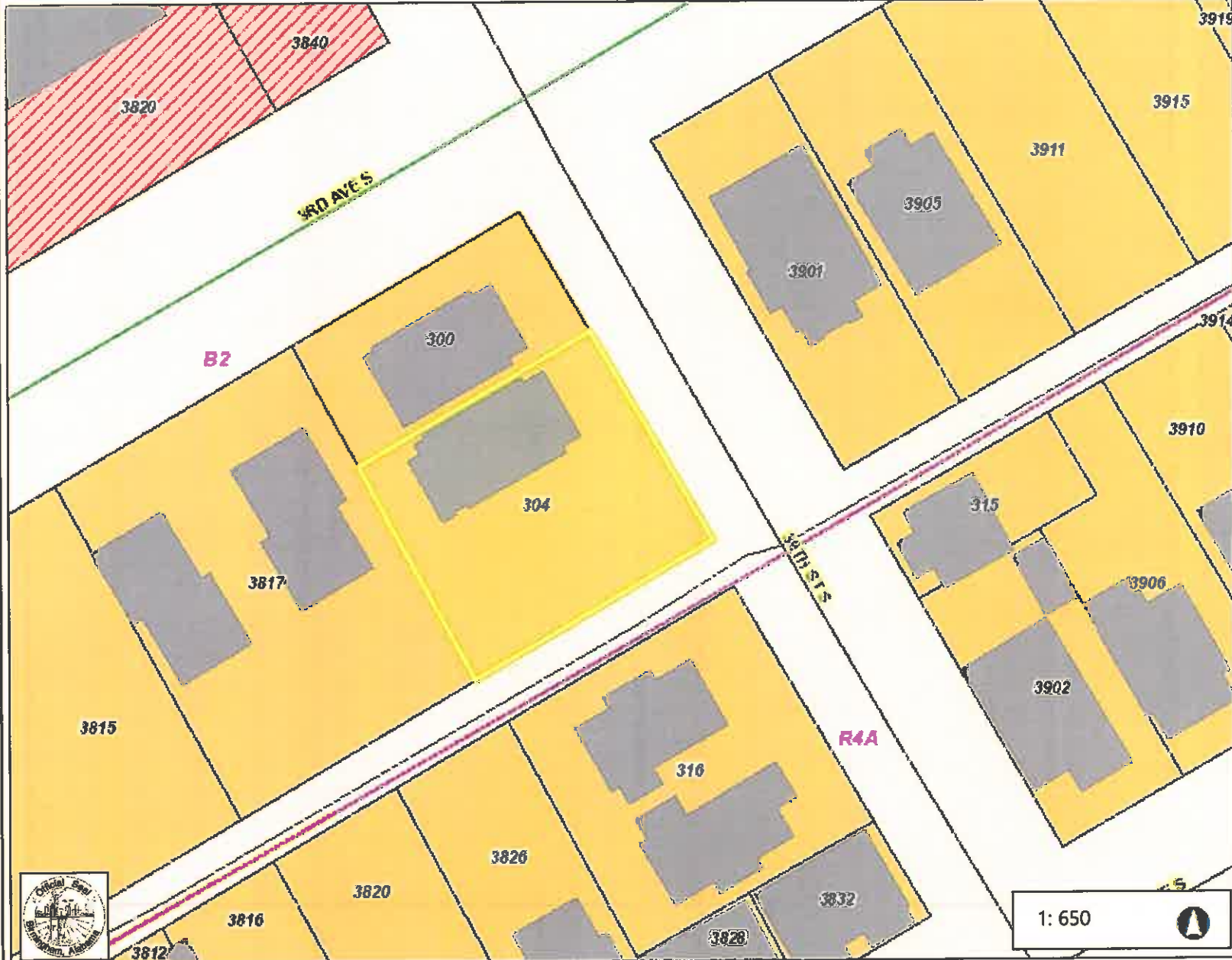
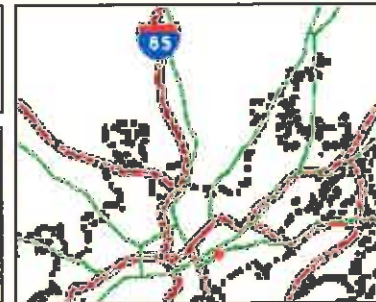


1: 650



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Notes



Legend

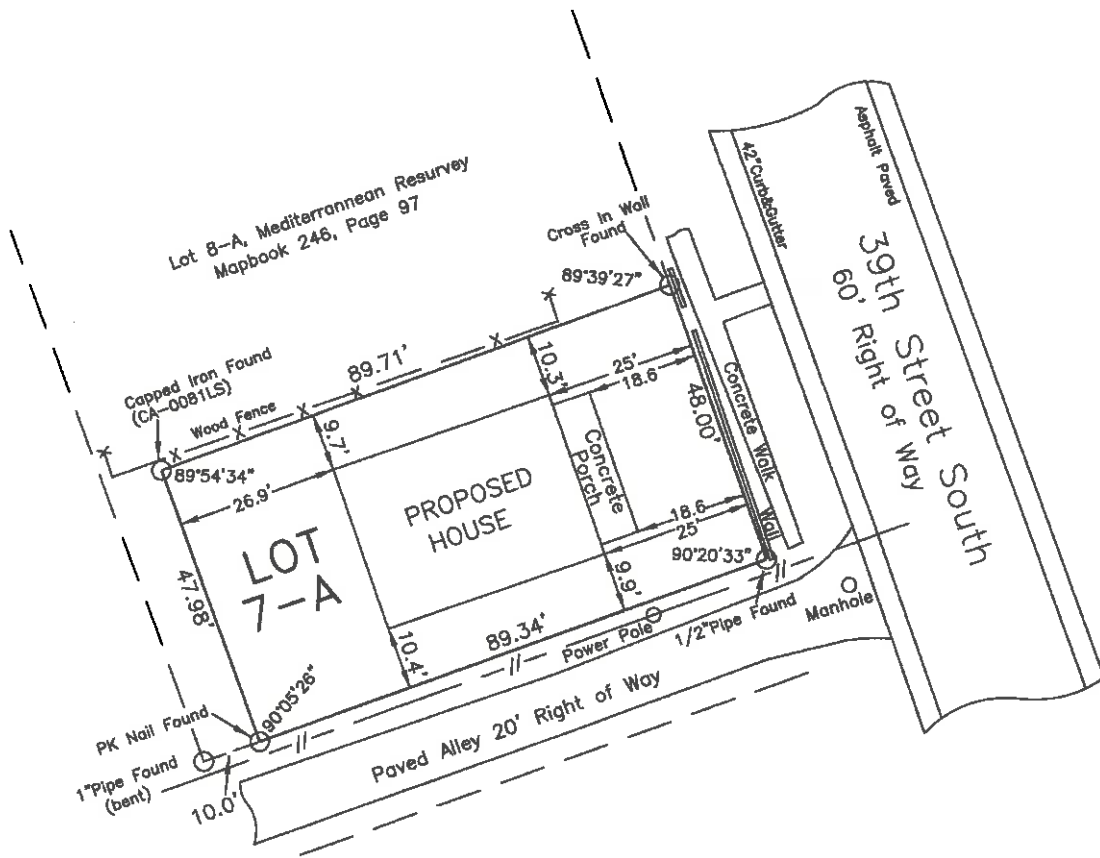
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1: 650



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Notes



Prepared by Rowland Jackins, PLS
Alabama Reg. No. 18399

Notes:

1. Date of Field Work: December 5, 2018;
2. Boundary information shown is taken from record plat;
3. Revised 12/18/18 to show offsets from concrete porch to front property line;



PLOT PLAN

308 39th Street South
Lot 7-A, Mediterranean Resurvey
Mapbook 246, Page 97, Judge of Probate Office,
Jefferson County, Alabama

Scale: 1 Inch = 30 Feet December, 2018

JACKINS, BUTLER & ADAMS, INC.
SURVEYING-GEOLOGY
3430 INDEPENDENCE DRIVE, SUITE 30
BIRMINGHAM, ALABAMA 35209
(205) 870-3390

File: S-1479/18-AA Drawing 1

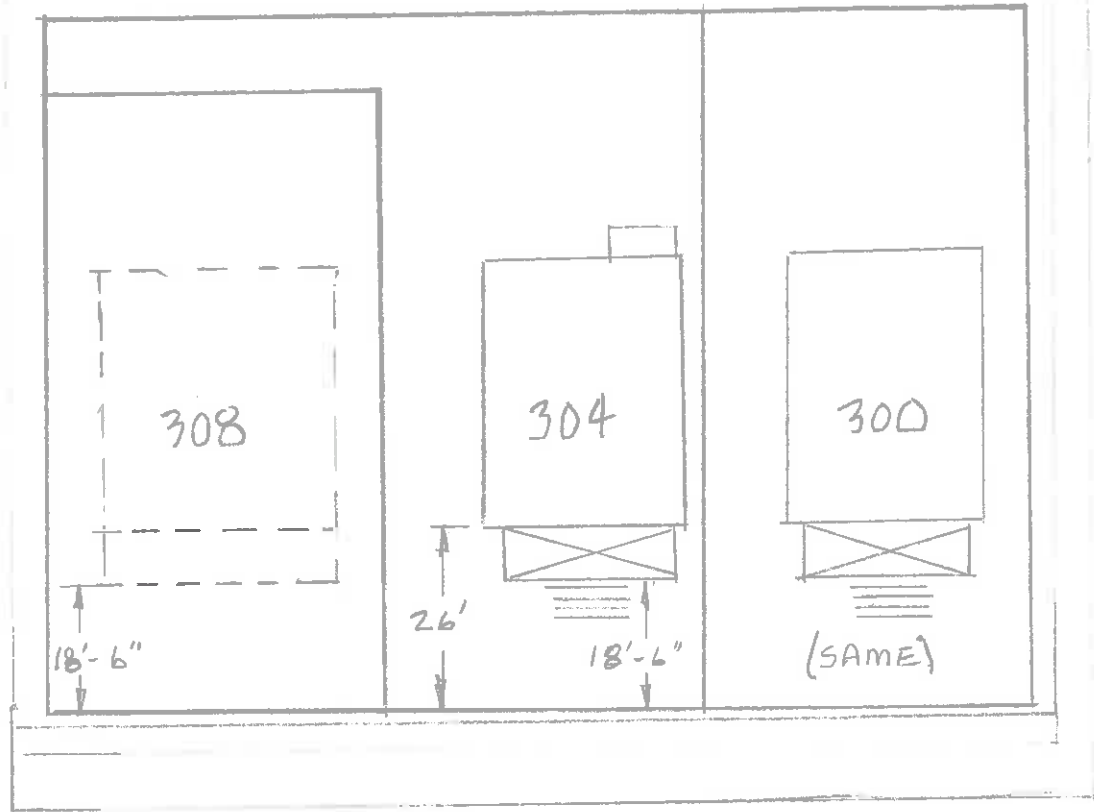
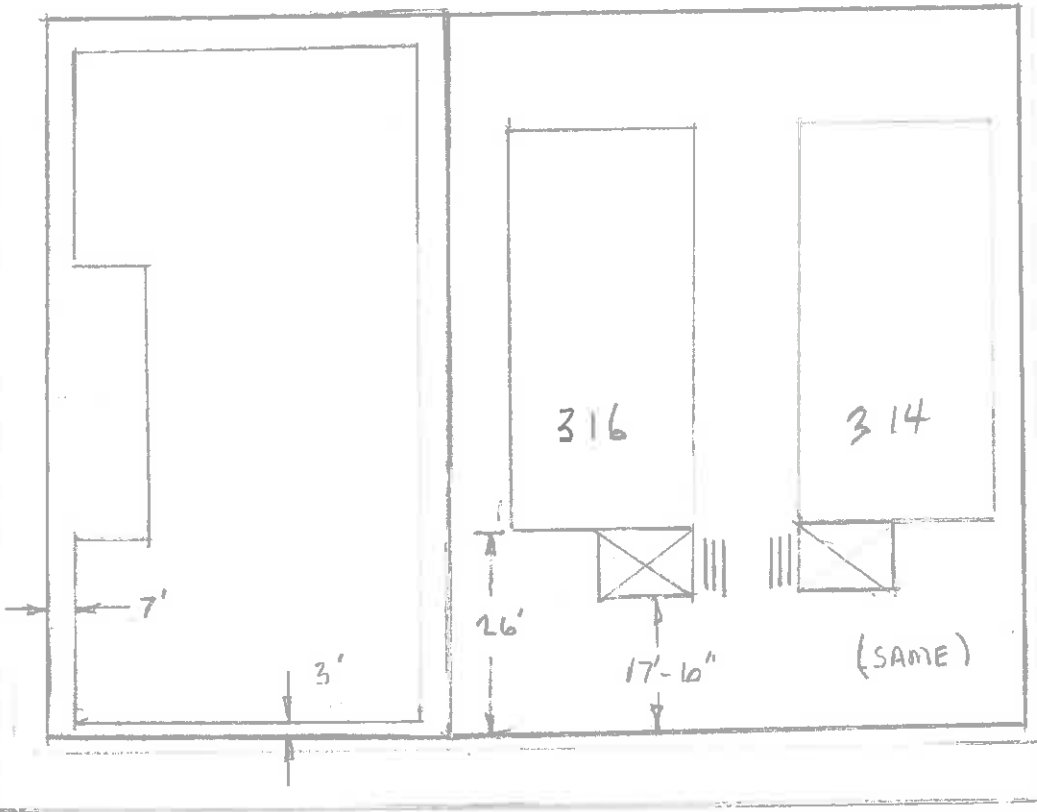
SITE PLAN

WITH
MEASURED SETBACKS - 39th STREET

12.17.18

- NOT TO SCALE -

4th AVENUE SO.



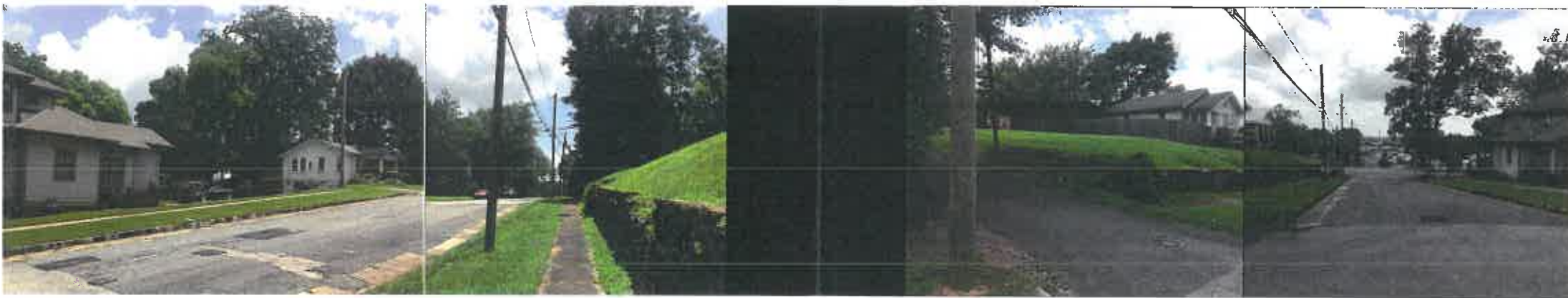
39th STREET SO.

3rd AVENUE SO.

PLEASANT RESIDENCE, 308 39TH STREET SOUTH
JUNE, 2018



PROJECT SITE VIEWING WEST ACROSS 39TH STREET



LOOKING SOUTH ALONG 39TH STREET

LOOKING NORTH ALONG 39TH STREET

12/14/2018

Variance Standards of Review – 308 39th Street South, Avondale

1. Physical Characteristics of the Property – The new project at 308 39th Street is on property subdivided and granted a variance from minimum lot size for the new structure. Original lot size, configuration and previous construction required 10' of the lot at 308 to be assigned to 304 to prevent sewer isolation and future access if required. Presently, the house occupants at 304 have off-street parking, which is also desirable for 308 occupants as well.

Allowing the 18'-6" setback will more align the new structure with the existing 304 and 300 39th Street homes between the alley on the south and 3rd Ave. So. on the north. This will be more esthetically pleasing and allow space for off street parking for both 304 and the new residence.

2. Unique Characteristics - 308 is the only vacant lot on this portion of 39th Street available for construction and by granting this variance more conformance with the surrounding existing structures will be provided.
3. Historically, 304 and 308 were a single lot. Photos show a large structure on the now vacant 308 with 304 next door. I do not know how or when the previous structure at 308 disappeared. Working within the already existing constraints of lot size and layout, I am requesting this variance to enhance the street side appearance with the existing residences and benefit the neighborhood with more off street parking.
4. Financial Gain Not Only Basis – There is no obvious financial gain by this granting but alignment with the existing homes and the ability to get tenant cars off the street can be beneficial to the neighborhood.
5. No Injury to Neighboring Property – There is no injury to existing neighboring properties and only substantial benefit by providing for more uniformity with old and new construction and by removing a vacant lot from the neighborhood inventory.
6. No Harm to Public Welfare – By allowing the requested setback, public welfare can only benefit by providing sufficient space for more off street parking.

Crestline

ZBA2018-00082

Request: Variance
Applicant: Dean Robinson
Owner: Spencer Mobley
Site Address: 1002 Sims Ave
Zip Code: 35213
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; Variance to allow a structure to be built with a 20 Ft front yard setback instead of the required 25 FT pursuant to Title 2, Chapter 1, Section 4, Subsection 3
Property Zoned: R3 Single Family
Parcel Information: Parcel #012300342010009000, NW ¼ of Section 34, Township 17 S, Range 2 W

Variance

The applicant is requesting the variances to allow the construction of a detached garage beside a single family home located at 1002 Sims Ave.

Neighborhood

The Crestline Neighborhood Association has not responded to date.

Applicant's Justification

The applicant stated that the lot is a corner lot and the house is built at an angle. The applicant stated that what is the backyard is defined as a front yard by the Zoning Ordinance.

Staff Recommendation

Staff does not feel that the applicant provided evidence that meets the variance standards of review demonstrating a hardship and as such this request should be **DENIED**. If the Board chooses to grant this request it should be subject to the following conditions:

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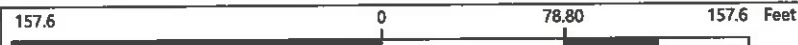


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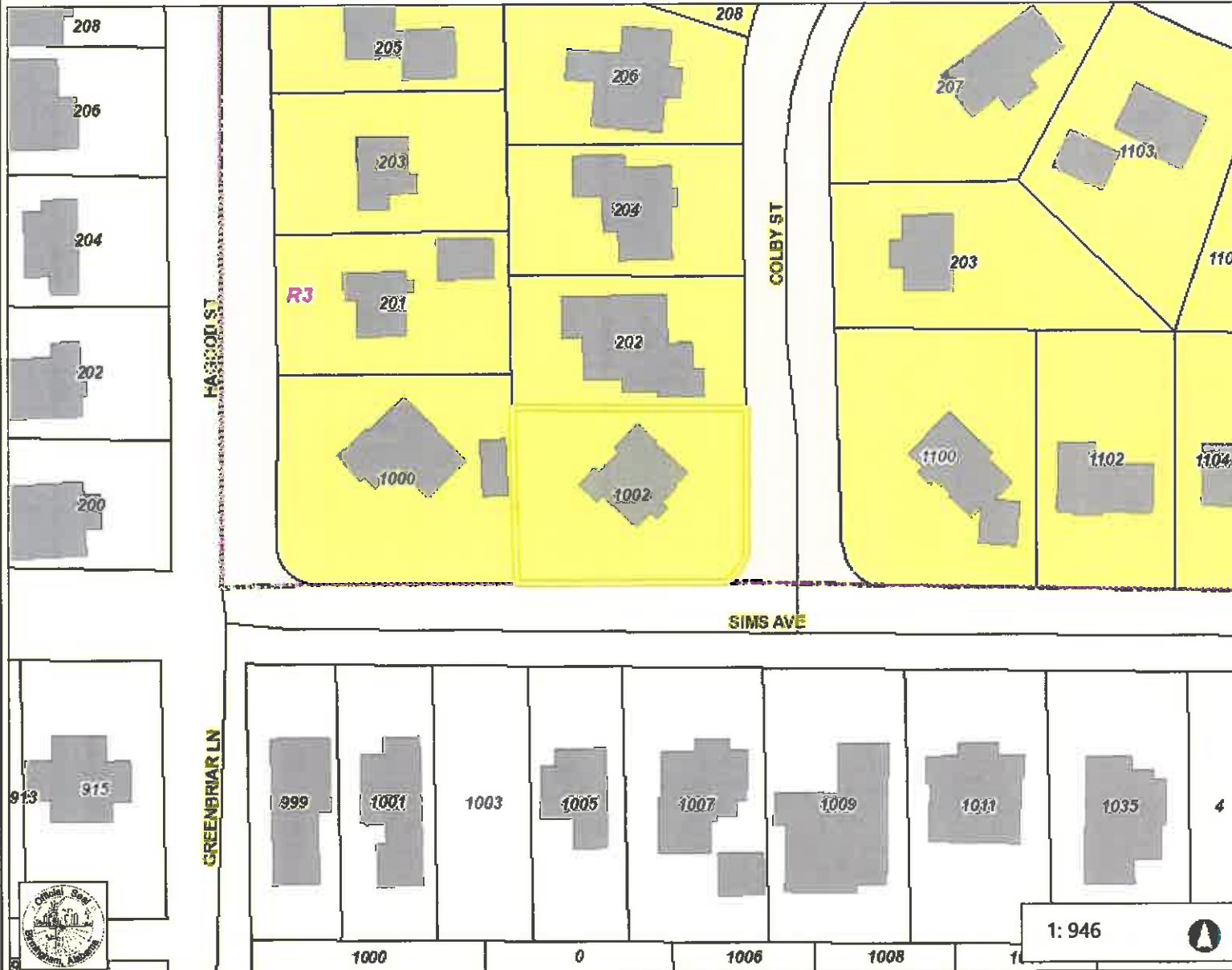
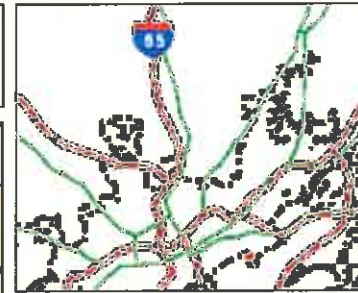


1: 946



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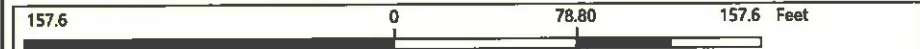


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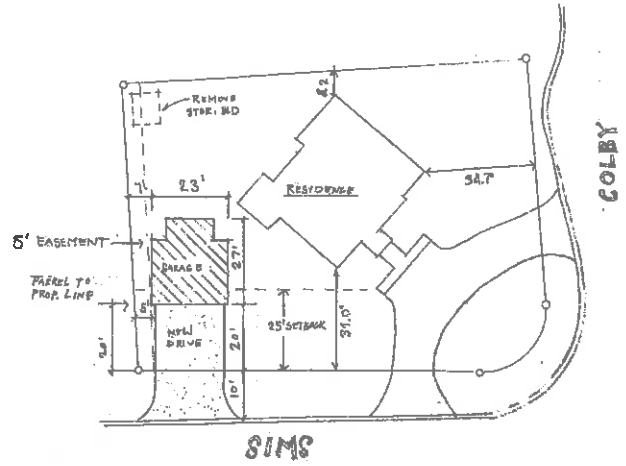
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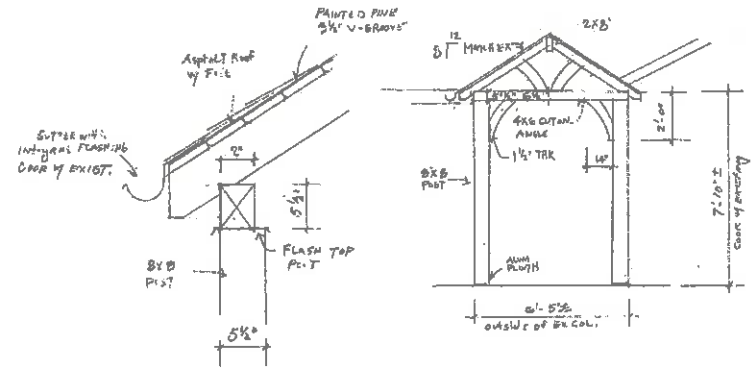


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SITE PLAN

1:20

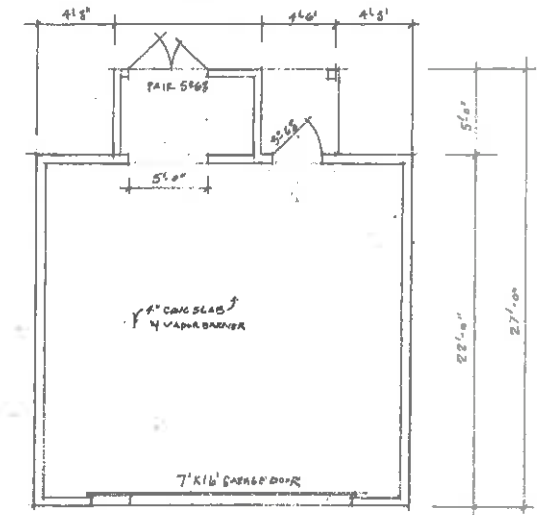


SECTION

1 1/2" x 1'-0"

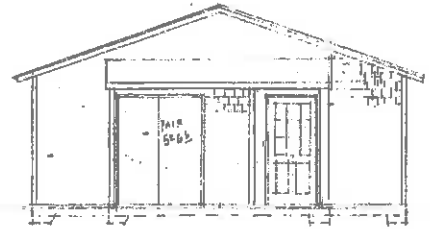
FRONT PORCH

3/8" x 1'-0"



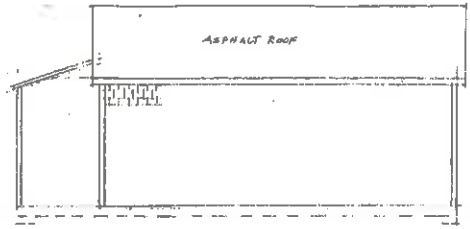
PLAN

1/2" x 1'-0"



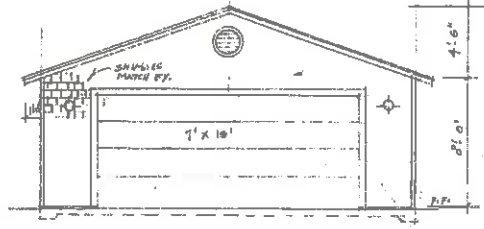
ELEVATION - REAR

1/4" x 1'-0"



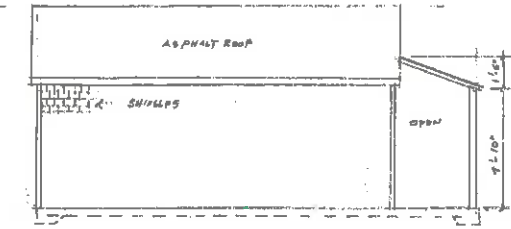
ELEVATION - LEFT SIDE

1/4" x 1'-0"



ELEVATION - SIMS

1/4" x 1'-0"



ELEVATION - RIGHT SIDE

1/4" x 1'-0"

Robinson Architects
4932 Alantone Road Birmingham, AL
205-229-0377 - kenneth@robinsarkit.net

A GARAGE ADDITION AND RENOVATIONS
FOR
SHERAL PARRIS
BIRMINGHAM

ALC 2014 3513

DATE:

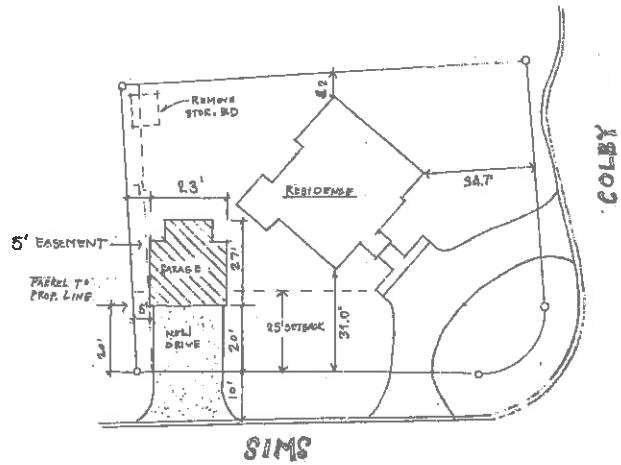
SHEET

1

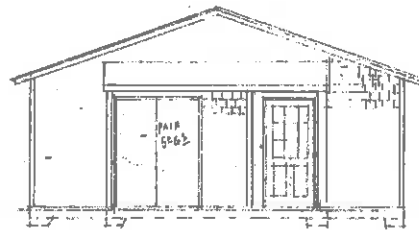
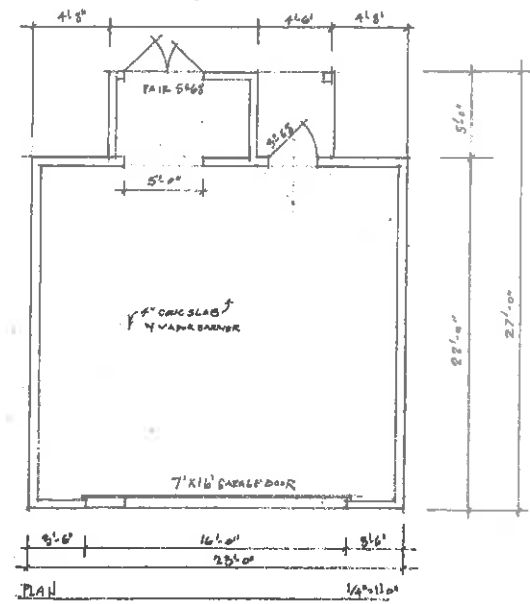
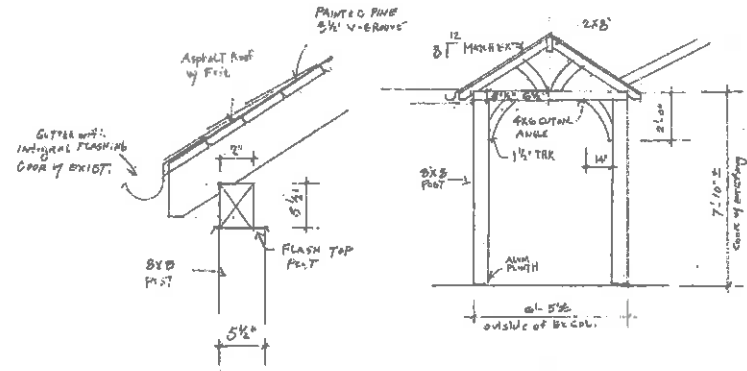
OF

ZBA2018-00082

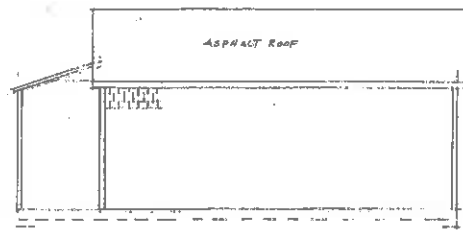




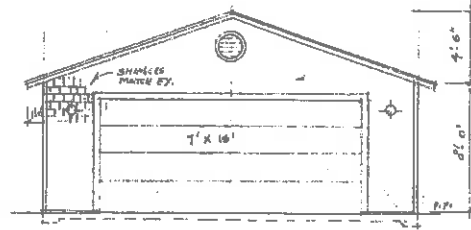
SITE PLAN
1:20



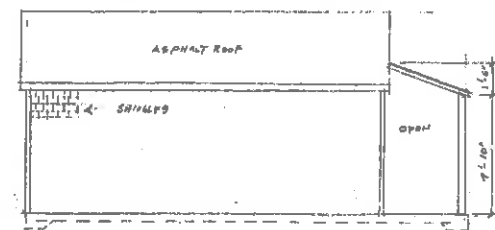
ELEVATION - REAR
1/8\"/>



ELEVATION - LEFT SIDE
1/8\"/>



ELEVATION - SIMS
1/8\"/>



ELEVATION - RIGHT SIDE
1/8\"/>

Robinson Architects
4932 Abnott Road, Birmingham, AL
205.229.0077 - design@robarchit.com

A GARAGE ADDITION AND RENOVATIONS
FOR
SHERAL PARRIS
BIRMINGHAM

DATE:

SHEET

1

Central Park

ZBA2018-00083

Request: Variance
Applicant: Randall Minor
Owner: City of Birmingham
Site Address: 4825 Avenue W
Zip Code: 35208
Description: Variance to allow a 127 FT front setback instead of the 15 FT maximum allowed in a MUH district pursuant to Title 1, Chapter 3, Article I, Section 5.C; Variance to allow a building to have the front building façade extend approximately 36 percent of the lot width instead of the required 75 percent pursuant to Title 1, Chapter 3, Article I, Section 3.B; Variance to allow parking in front of the building instead of the side or rear only in a mixed use district pursuant to Title 1, Chapter 3, Article I, Section 3.B.
Property Zoned: MUH Mixed Use High
Parcel Information: Parcel #012900054002002000, SE ¼ of Section 05, Township 18 S, Range 3 W

Variations

The subject location at 4825 Ave W is the proposed location of the new A.G. Gaston Boys & Girls Club. The applicant for this proposed development is requesting multiple variations for a front setback, façade width and parking in the front for a Mixed Use High zoning district.

Neighborhood

The Central Park Neighborhood Association President informed staff that they will be holding a special call meeting on January 19th in order to hear from the applicants and provide feedback to the Board. The applicants will be in attendance at this meeting.

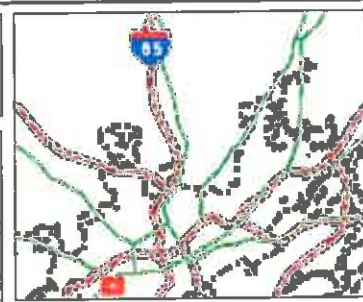
Applicant's Justification

The applicant stated that the site is burdened by a combination of extraordinary and exceptional conditions, including, but not limited to, utility easements, adjacency to a railroad right of way, location partially within a flood plain and ingress/egress constraints imposed by the existing road network within the Crossplex campus, that create exceptional practical difficulties or exceptional or undue hardship in complying with the strict requirements of the Ordinance.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the requests. Therefore, staff believes the requests have merit for approval and as such, should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



Legend

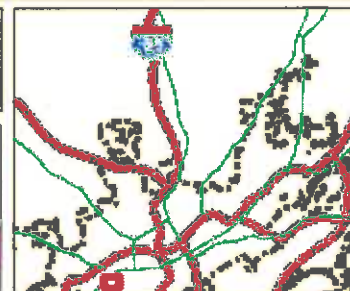
- Centerline Labels
- Zoning Outline
- Neighborhoods
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

Notes



1: 6,649

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Centerline Labels
- Zoning Outline
- Neighborhoods
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
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 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low

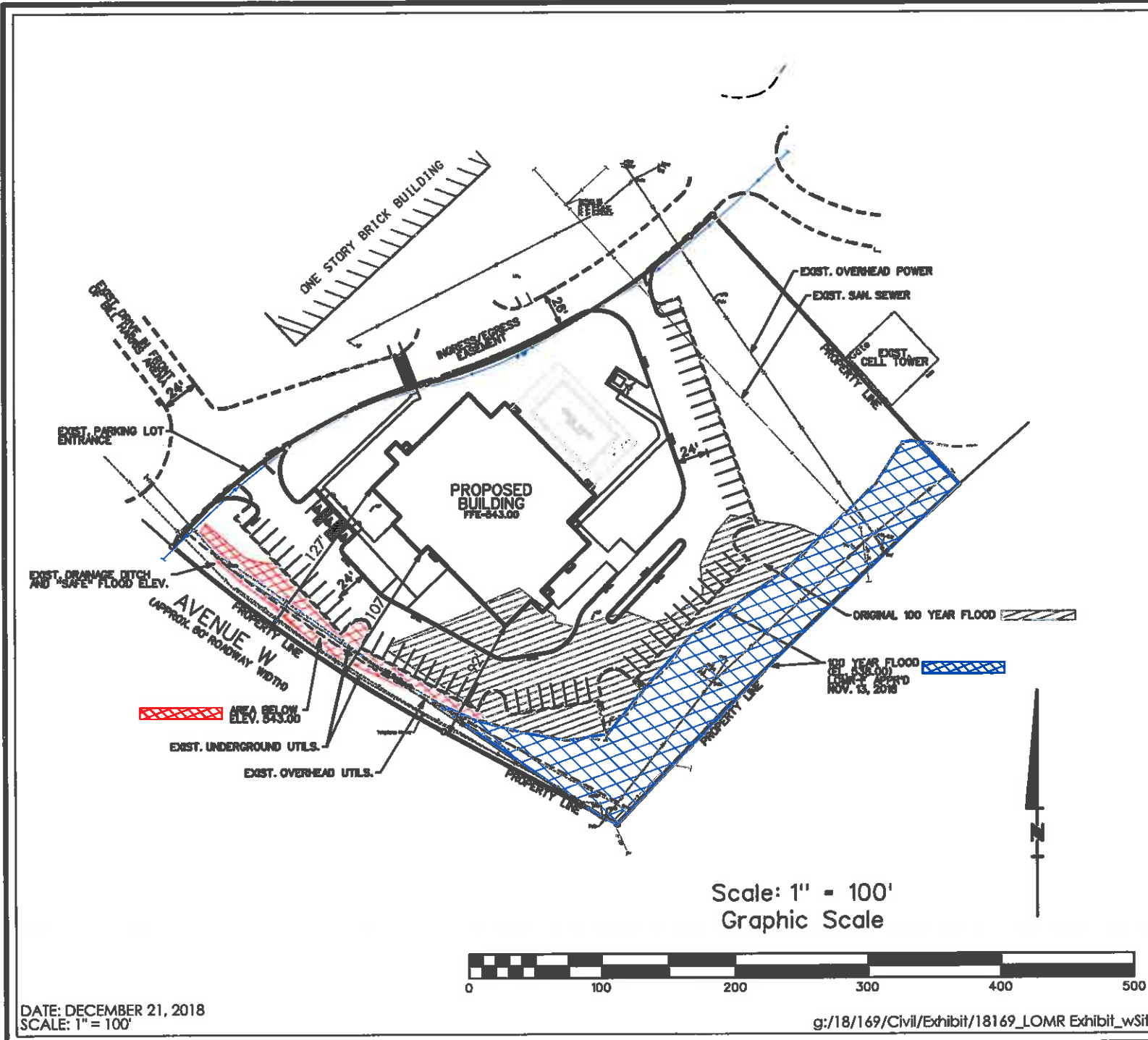


1: 6,649



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Notes

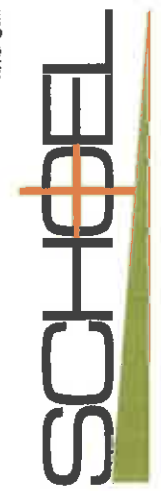


DATE: DECEMBER 21, 2018
 SCALE: 1" = 100'

Scale: 1" = 100'
 Graphic Scale



Copyright © 2018 School Technology Concepts, Inc.

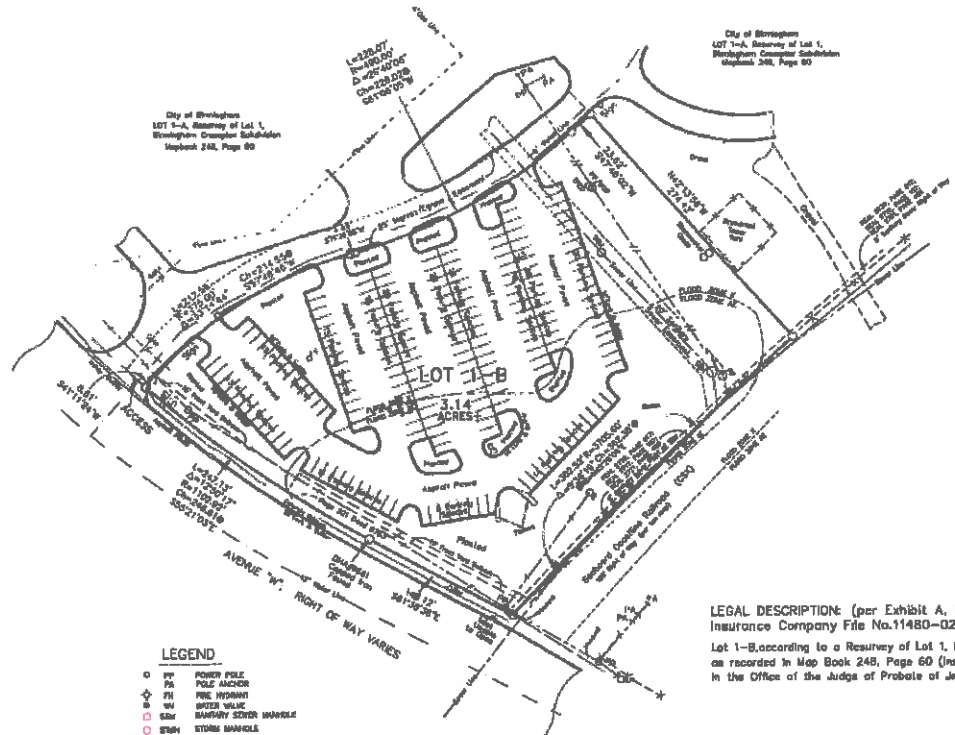


Civil
 Surveying
 Environmental
 Water Resources
 Laser Scanning + Modeling

1001 22nd Street South
 Birmingham, Alabama 35205
 206.323.6166

PROPOSED SITE PLAN
 A.G. GASTON BOYS & GIRLS CLUB
 CROSSPLEX CAMPUS
 BIRMINGHAM, ALABAMA

g:/18/169/Civil/Exhibit/18169_LOMR Exhibit_wSite



City of Birmingham
 LOT 1-B, Survey of Lot 1,
 Birmingham Crossplex Subdivision
 Mapbook 248, Page 60

City of Birmingham
 LOT 1-B, Survey of Lot 1,
 Birmingham Crossplex Subdivision
 Mapbook 248, Page 60

- LEGEND**
- PP POWER POLE
 - PL POLE JACKSON
 - ◆ PH PIPE HYDRANT
 - WU WATER VALVE
 - SSS SANITARY SEWER MANHOLE
 - STWH STORM MANHOLE
 - GM GAS METER
 - GV GAS VALVE
 - PL POWER LINE
 - FEN FENCE
 - LP LIGHT POLE
 - CD CLOSURE
 - MW MONITORING WELL
 - BSW BURN
 - WM WATER METER
 - PB POWER BOX ON CONCRETE
 - LS LIGHT STANDARD
 - GATE STORM WATER DRAIN
 - LD UTILITY LID
 - TYPED TELEPHONE POTENTIAL
 - WPT WIRE WIRE TOUND
 - WLP WIRELESS POLE
 - MTC MANHOLE-TYPE LAMPDOWN
 - MSP HANDICAPPED PARKING SPACE
 - WSP UNDERGROUND POWER

LEGAL DESCRIPTION: (per Exhibit A, First American Title Insurance Company File No.11480-0231)

Lot 1-B, according to a Resurvey of Lot 1, Birmingham Crossplex Subdivision, as recorded in Map Book 248, Page 60 (Instrument Number 2018105800), in the Office of the Judge of Probate of Jefferson County, Alabama,

A.G. Gaston Boys & Girls Club, Inc., an Alabama non-profit corporation;
 Hope New Markets 11, LLC, a Mississippi limited liability company;
 AODBOC Great Futures, an Alabama non-profit corporation,
 First American Title Insurance Company,
 Maynard, Cooper & Gale, P.C.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2018 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 2, 3, 4, 7(a), 8, 9, 11, 12, 13, 14, 16, 17, 18, 19 and 20 of Table A Hereof. The field work was completed in October, 2018.

I hereby state that all parts of this survey and drawing have been completed in accordance with the Standards of Practice for Land Surveying in the State of Alabama to the best of my knowledge, information, and belief.

November 15, 2018
 Date

Roland Jaone
 Roland Jaone, ALA. PLS. No. 16399



Comments on Exception to Title as Noted in Schedule B-Part II,
 First American Title Insurance Company File # 11480-0231,
 Commitment Date October 15, 2018;

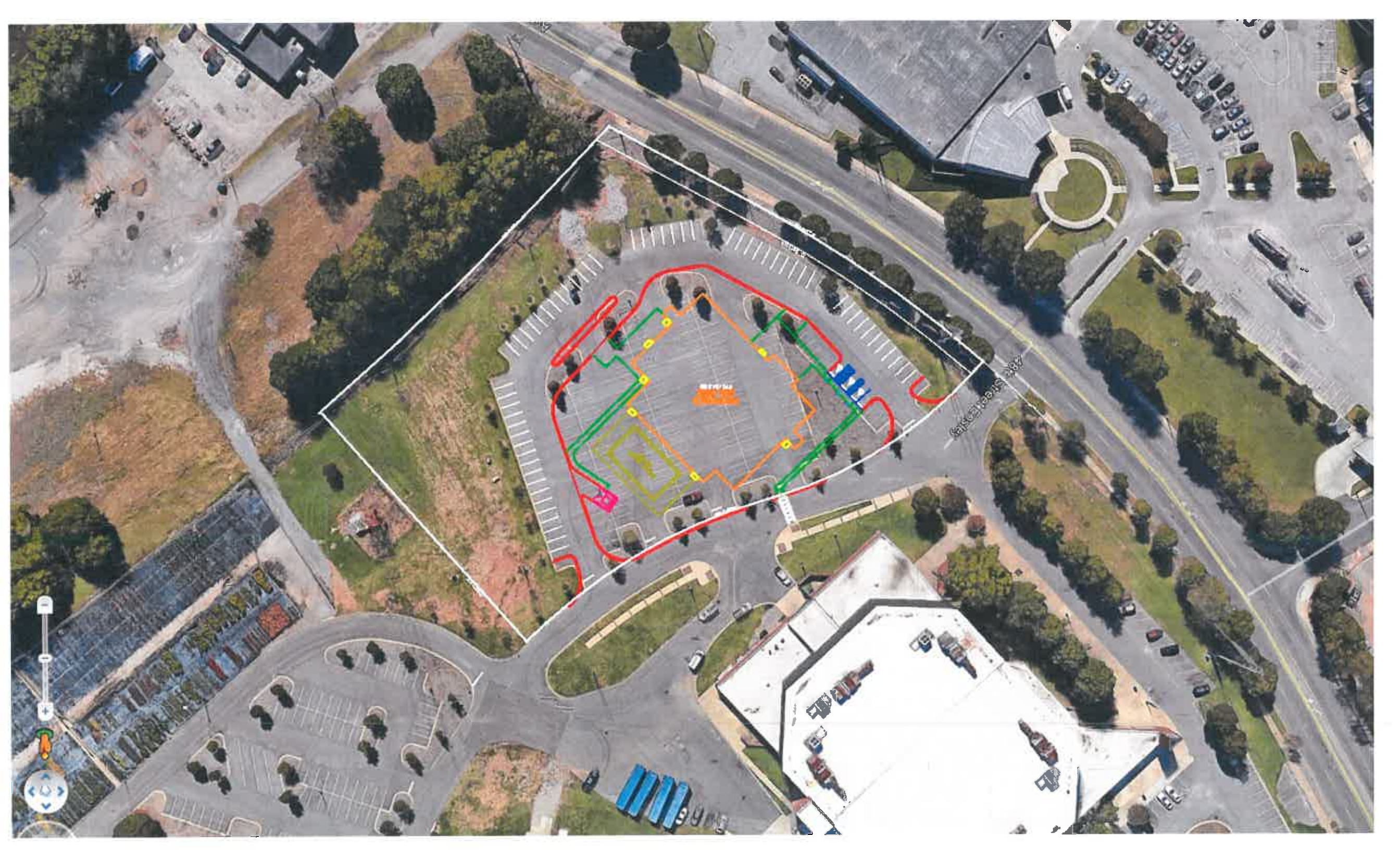
1. Items 1, 2, 3, 4, 5, 7, 8, 9, 11, 13, 15, 16, 17, 20, 22 and 24 through 29 cannot be addressed by a surveyor.
2. Item 6 refers to this survey;
3. Item 10: Volume 4687, Page 346, describes a general agreement between the Birmingham Electric Company and the Birmingham Gas Company. It does not specify the subject property as being a part of the agreement therefore its effect cannot be determined.
4. Item 12: Reel 3824, Page 371 describes property acquired as right of way by the State of Alabama. Its location or potential effects cannot be determined because the referenced right of way map (Project No. M-9802(28)) was not provided.
5. Item 14: "Intentionally Deleted";
6. Item 18: Volume 2052, Page 394 is a blanket document affecting the subject property but which cannot be graphically represented on a survey drawing.
7. Item 19: Reel 2712, Page 157 affects the subject property and is shown on the survey drawing.
 Reel 2721, Page 459 affects the subject property and is shown on the survey drawing.
 Reel 2739, Page 817 affects the subject property and is shown on the survey drawing.
8. Item 21: Volume 311, Page 452 describes conditions associated with the construction of a sanitary sewer within the Southeast quarter of Section 5, Township 18 South, Range 3 West, which affects the subject property. The precise location of this sewer is not specified within the document;
 Volume 444, Page 591 describes conditions associated with the construction of a sanitary sewer within the East Half of the Southeast quarter of Section 5, Township 18 South, Range 3 West, which affects the subject property. The precise location of this sewer is not specified within the document;
9. Item 23: affects the subject property, but is not plottable based on the documents provided.

NOTES

1. All utilities visible on the surface have been shown hereon; underground gas, water and sewer lines shown are scaled from available utility company drawings; any underground utilities location should be considered approximate and verified prior to excavation.
2. All evidence of easements and/or rights of way visible on the surface has been shown hereon; other easements, rights of way, or matters affecting this may exist.
3. Property is located in Zone X, defined as outside of 500-year floodplain, per Flood Insurance Rate Map D1073C03790, Panel 551 of 755, dated 8/28/2004, except where shown on a survey of portion of site in Zone AE, Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% Annual Chance Flood (100-year flood); Note: Flood Zone limits shown on survey have been scaled from FEMA panels;
4. Date of Fieldwork: October and November, 2018
5. Parking Spaces, Lot 1 Birmingham Crossplex Subdivision
 Regular Parking Spaces = 204;
 Handicapped Parking Spaces = 0;
6. Total Acreage, Lot 1-B, Birmingham Crossplex Subdivision = 3.14 Acres.
7. All boundary corners for Lot 1-B are "Capped Iron Set", unless in pavement; corners in pavement are "P.N. Nails Set".
8. The property has physical and legal access to Avenue "W" by virtue of the 25 Foot Ingress/Egress shown on this survey, and created by the plat. It is not known if additional access may be obtained to Avenue "W";
9. Property is zoned MU-H, Mixed-Use High District, per letter from City of Birmingham Dept. of Planning, Engineering & Permits, dated October 11, 2018; Zoning requirements are a minimum lot area of 500 square feet, minimum lot width of 25 feet, a front yard maximum setback of 15 feet, and a maximum height of 50 feet; subject property is located in the Five Points West Commercial Reutilization District.
10. Revised 11/28/18 to add Access label to area of 25' Ingress/Egress easement coming off of Avenue "W" and allowing access to property;
11. Revised 12/4/18 re: certifications.

ALTA/ACSM LAND TITLE SURVEY
 Lot 1-B, Birmingham Crossplex Subdivision
 Recorded in Map Book 248, Page 60
 Located at 4817 Avenue W, Birmingham, Alabama
 Judge of Probate Office, Jefferson County, Alabama
 In a Portion of
 Section 5, Township 18 South, Range 3 West,
 Jefferson County, Alabama;
 Scale 1 inch = 50 Feet November, 2018

JACKIE, BUTLER & ADAMS, INC
 SURVEYING-ENGINEERING
 3430 CONFIDENCE DRIVE, SUITE 301
 BIRMINGHAM, ALABAMA 35208
 (205) 879-3390
 File 8-1081/18-P Drawing 1



Justification Statement / Statement of Purpose

Variance Application by AGGBGC Great Futures

This is an application on behalf of AGGBGC Great Futures, which is the ground sub-lessee of the parcel listed in the accompanying application (the "Property"), for a variance pursuant to Article VI of Chapter 9 of Title 1 of the Zoning Ordinance (the "Ordinance") to allow a new clubhouse facility (as described in more detail below, the "Clubhouse") with a front yard setback of more than 15 feet along Avenue W, a front façade less than 75% of the width of the frontage of the Property and parking in front of the Clubhouse in a MU-H (Mixed-Use High) district located in the Five Points West community. Fee title to the Property, which forms part of the former "Alabama State Fairgrounds", is vested in the City of Birmingham (the "City").

Description of the Subject Property and Surrounding Area

The Property is an irregularly shaped, corner lot on the north side of Avenue W, directly behind the Bill Harris Arena and across Avenue W from the Birmingham Public Library's Five Points West location. It is bounded on its west by a 100' CSX right of way and a tributary to Valley Creek.

Until recently, the Property was used as an overflow parking lot for (i) Bill Harris Arena, (ii) the adjacent Birmingham CrossPlex, a multi-million dollar amateur athletics facility owned and operated by the City, and (iii) the privately owned and developed, retail shopping center and hotel development known as CrossPlex Village (collectively, the "CrossPlex Campus").

This portion of Five Points West is predominantly characterized by retail and other commercial uses, due in large part to its desirable location at the intersection of Ensley Avenue (which connects Five Points West to I-20/59 and Downtown Ensley) and Bessemer Road (a/k/a Bessemer Super Highway or Highway 11). This area is one of the highest trafficked retail corridors in the entire City and has a long history of serving as a convening point for the local and surrounding community.

For these reasons, the City has invested millions in the area to ensure its continued success as a primary retail corridor in the western portion of the City and has established comprehensive guidelines for business operations and development in this important area. In particular, development of the Property, which as noted above is owned by the City, is subject to the terms and conditions of that certain Redevelopment Agreement dated as November 30, 2018 between the City and A.G. Gaston Boys & Girls Club, Inc. (the "Redevelopment Agreement"), which among other things, establishes rigid design standards for the development of the Property that require careful consideration and coordination with the vehicular/pedestrian movements and physical infrastructure within the CrossPlex Campus and the adjacent road network.

The Proposed Development

It is proposed that a new, approximately 24,500 sf boys and girls club facility (the "Clubhouse") be constructed on the Property. As depicted on the enclosed site plan, the Clubhouse would be set back more than 15 feet from Avenue W and would be oriented in order to better align with the pedestrian and vehicular traffic flows within the CrossPlex Campus.

The final design of the proposed development is subject to Design Review.

Justification Statement / Statement of Purpose
Variance Application by AGGBGC Great Futures

Review Standards

To authorize in specific cases a variance from the terms of this Ordinance such as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship, but where the spirit of the Ordinance shall be observed and substantial justice done. The Board shall not grant a variance without an affirmative finding of fact on each of the following standards based on evidence presented by the applicant.

1. *Physical Characteristics of the Property. The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property upon the strict application of any regulation enacted by the ordinance codified in this Ordinance.*

As can be seen on the accompanying survey and site plan, the Property is burdened by a combination of extraordinary and exception conditions, including, but not limited to, utility easements, adjacency to a railroad right of way, location partially within a flood plain and ingress/egress constraints imposed by the existing road network within the CrossPlex Campus, that create exceptional practical difficulties or exceptional or undue hardship in complying with the strict requirements of Section 3 of Chapter 3 of the MU-H district regulations. Moreover, consistent with national design characteristics, the Clubhouse has been designed with the safety of children at the forefront. In particular, the Clubhouse is sized and configured such that all visitors and staff are in a central gathering space (increasing collectively safety) and has been setback from Avenue W in order to minimize potential conflicts between children and vehicular traffic generated by other users of the CrossPlex Campus.

2. *Unique Characteristics. The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area, that the granting of the application is necessary for the preservation and enjoyment of a property right, and not merely to serve as a convenience to the applicant.*

As noted above, the Property is burdened by a unique set of conditions that are specific to the Property. As a practical matter, the Clubhouse cannot, consistent with other applicable building codes, be constructed in a manner consistent with the front setback requirements contemplated under the MU-H district regulations.

3. *Hardship Not Self-Imposed. The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property.*

The applicant acquired its leasehold interest in December 2018 after the Property was rezoned to MU-H.

4. *Financial Gain Not Only Basis. Financial gain is not the sole basis for granting the variance.*

The requested variance would facilitate the construction of a development that is more in line with the existing pedestrian and vehicular context within the CrossPlex Campus.

Justification Statement / Statement of Purpose

Variance Application by AGGBGC Great Futures

5. *No Injury to Neighboring Property. The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

The proposed use is compatible with the predominant uses in this area. The height of the proposed development is consistent with the heights of existing structures that surround it. The existing condition is a parking lot, so there is no reasonable basis to conclude that the development would substantially diminish or impair property values within the area.

6. *No Harm to Public Welfare. The granting of the variance will not be detrimental to the public welfare, increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of the City of Birmingham, and will not substantially impair the intent and purpose of this Ordinance.*

There is no reasonable basis to believe that the granting of the variance would lead to any of the harms cited above. The proposed use is compatible with existing and planned uses on the CrossPlex Campus. The design includes adequate off-street parking accessed from an access road to Avenue W. The proposed development will comply with applicable fire and building code requirements so there is no reasonable basis to believe that it would increase the danger of fire, or imperil the public safety. Finally, the proposed development furthers the intent and purpose of the Zoning Ordinance and the Redevelopment Agreement in that the Building will be setback from Avenue W approximately to the same extent that the Bill Harris Arena is.

Overton

ZBA2018-00084

Request: Modification
Applicant: Donn Fizer
Owner: Pate Montgomery LLC
Site Address: 147 Resource Center Pkwy
Zip Code: 35242
Description: Modification to allow 32 off-street parking spaces instead of the required 57 off-street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3
Property Zoned: CB2 Contingency Business District
Parcel Information: Parcel #027360001012001, NW ¼ of Section 36, Township 18 S, Range 2 W

Modification

The applicant is requesting a modification to allow 32 off street parking space instead of the required 57 off street parking spaces for a new self-storage and office development. The proposed development would feature 97,500 SF of self-storage space and 3,300 SF of office area.

Neighborhood

There was no feedback from the Overton Neighborhood Association.

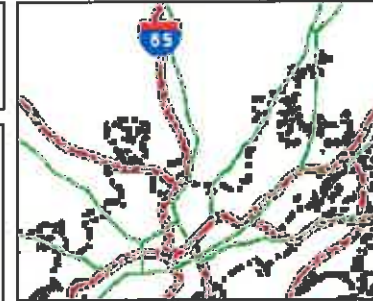
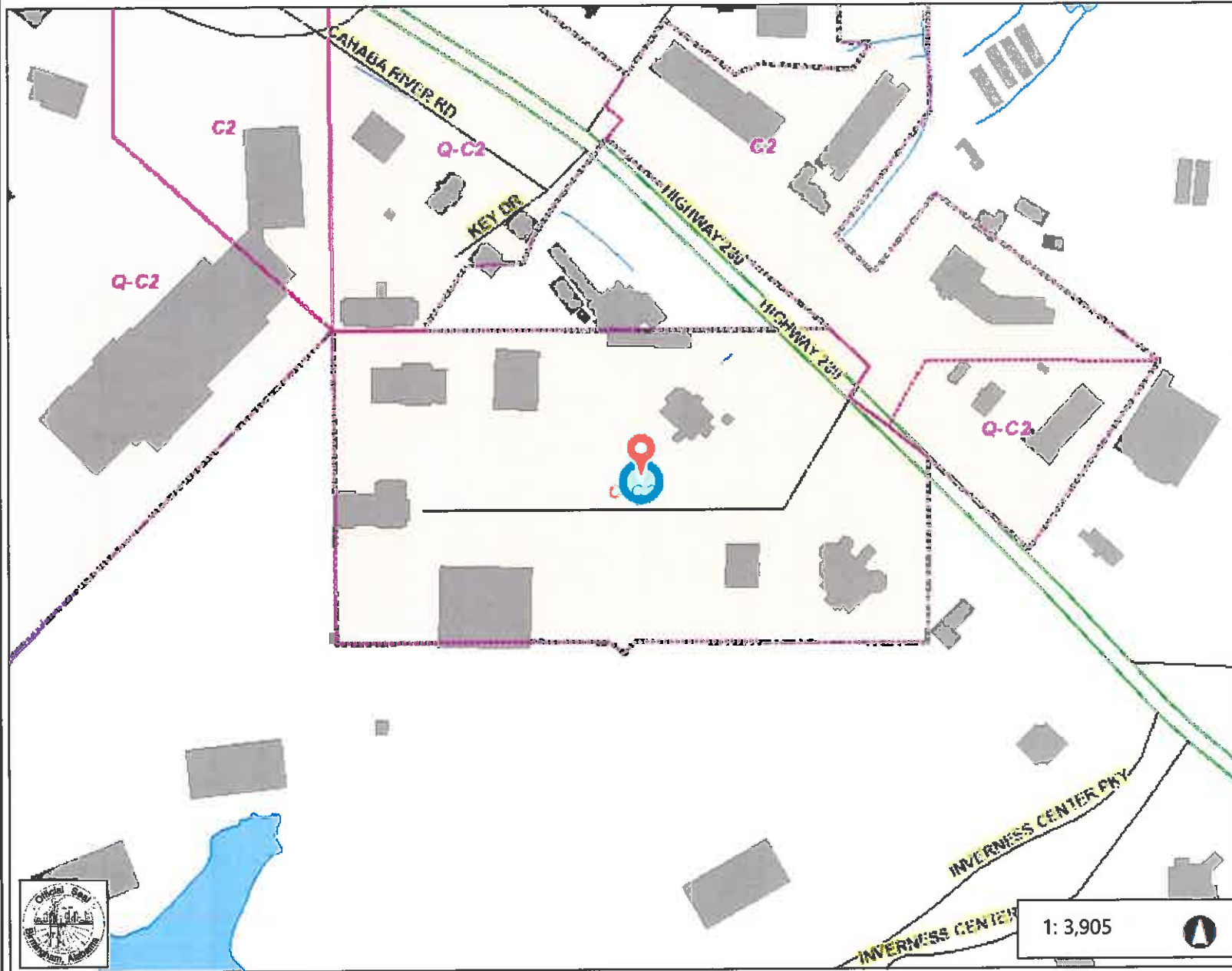
Applicant's Justification

The applicant provided documentation that shows the industry standard for off street parking for self-storage units of comparable size (approx.. 100,000 SF) is 5 spaces.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the request. The amount of parking seems more than adequate to support the use. Therefore, staff believes this request does have merit for approval and as such, should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
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- Hydrology Lines
- Hydrology Areas
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- City Parks
- Airport
- City Limits (solid)



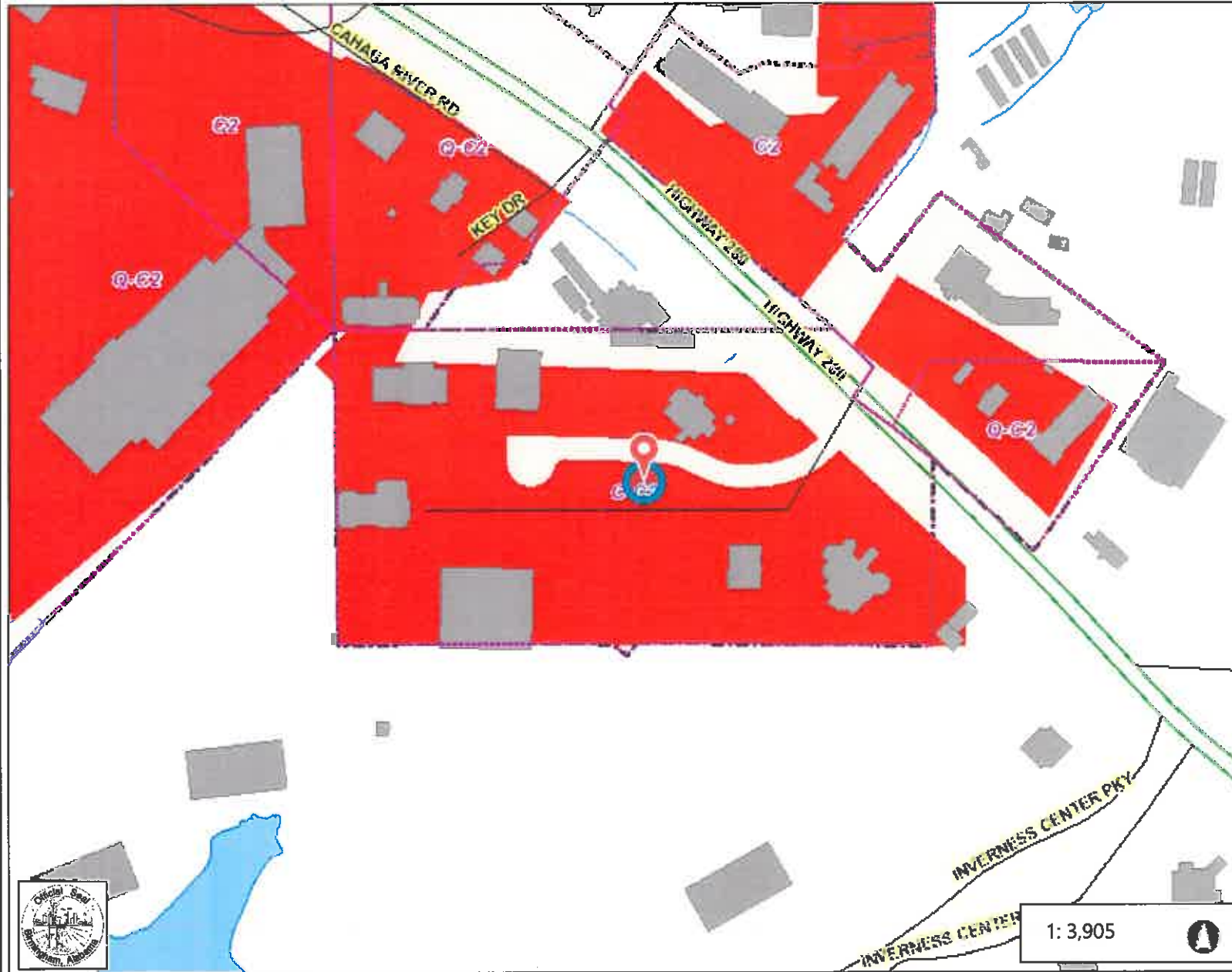
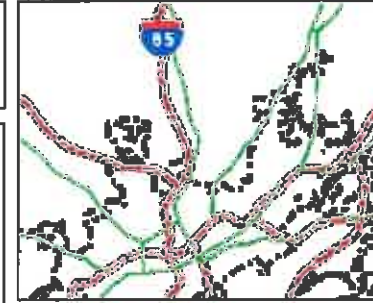
650.9 0 325.46 650.9 Feet

1: 3,905



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Legend

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 - Neighborhood Commercial
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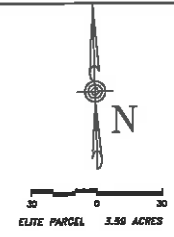
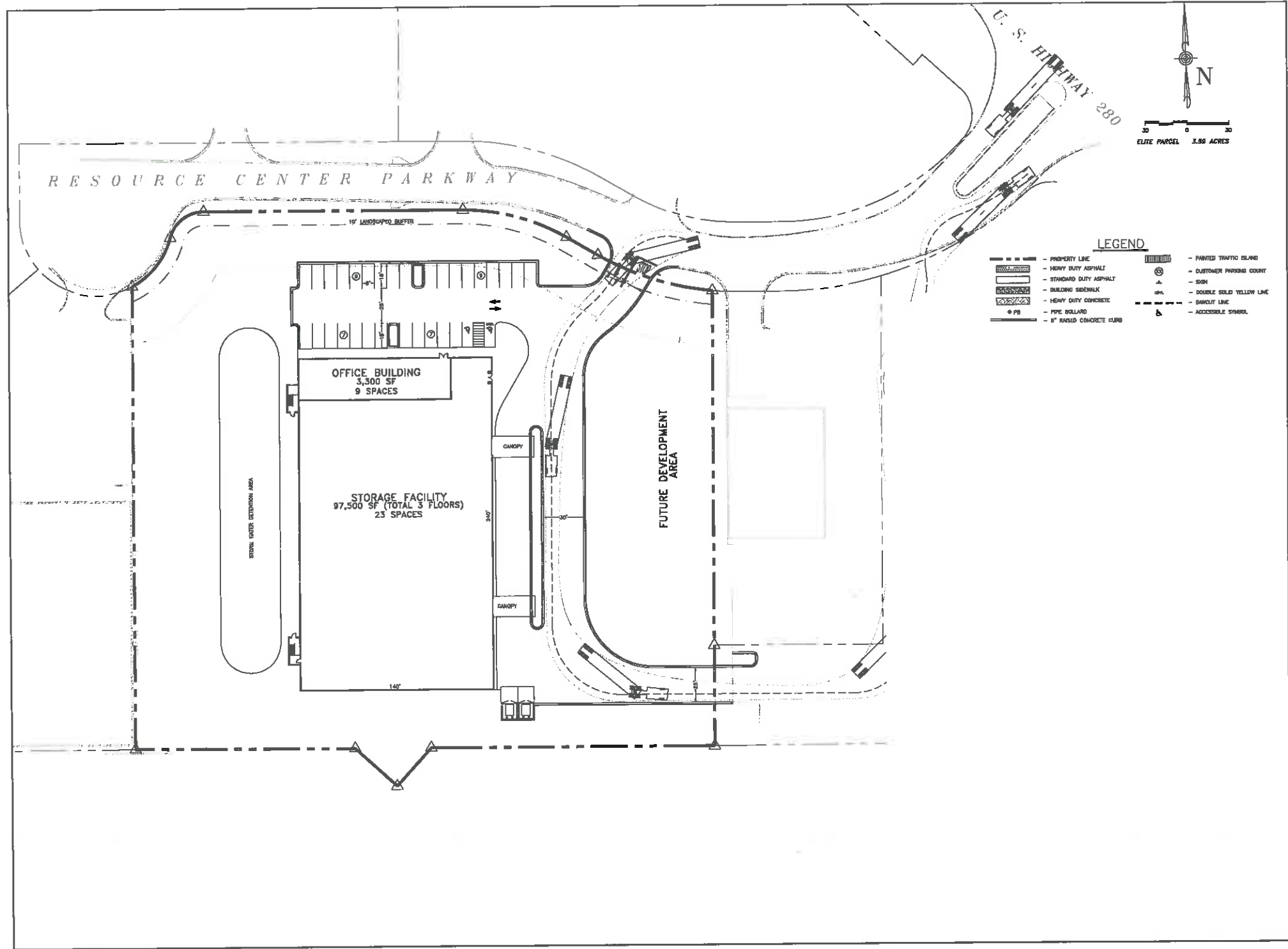


650.9 0 325.46 650.9 Feet


1: 3,905

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Notes




- LEGEND**
- - - - PROPERTY LINE
 - ▨ HEAVY DUTY ASPHALT
 - ▧ STANDARD DUTY ASPHALT
 - ▩ BUILDING SIDEWALK
 - ▤ HEAVY DUTY CONCRETE
 - PB PIPE BOLLARD
 - 6" RAISED CONCRETE CURB
 - PAINTED TRAFFIC ISLAND
 - CUSTOMER PARKING COUNT
 - ▲ SIGN
 - ▬ DOUBLE SOLID YELLOW LINE
 - ▬ SAWCUT LINE
 - ACCESSIBLE SYMBOL

DEVELOPER:

ORANGE
 DIAMONDS, LLC
 1200 CORPORATE DRIVE
 SUITE G-20
 BIRMINGHAM, AL 35242
 PH. (205) 408-9443

ELITE TRAINING ACADEMY
 247 RESOURCE CENTER PKWY.
 BIRMINGHAM, AL

ARCHITECT OF RECORD:

CONSULTANT:

CARLSON
CONSULTING
ENGINEERS, INC.
 7000 Longstone Court
 Memphis, TN 38125
 Phone (901) 264-0004
 Fax (901) 264-0710

SEAL:

REVISIONS:

PROJECT MANAGER:
DRAWING BY:
DATE: DECEMBER 11, 2018
TITLE:
SITE PLAN
SHEET NUMBER:

COMMENTS:
 NOT FOR CONSTRUCTION

ZBA2018-00084



January 3, 2019

Parking Needs

In our experience, the parking needs for an average sized self-storage facility (100,000 gross sq ft facility) is five parking spaces. The low number of parking spaces needed is due to the low customer volume and frequency of customer visits at any given time. Five parking spaces, along with an area for loading/unloading goods, are adequate for a self-storage facility.

An average storage only facility rents 30 units per month, which is only 1 per day. Once the customer has rented the unit, they typically make their payments online, or through the mail. They rarely access their stored items. The average length of stay is 13 months per customer.

About CubeSmart

CubeSmart is a self-administered and self-managed real estate investment trust. CubeSmart owns or manages 1,050 self-storage facilities across the United States. According to the 2017 Self Storage Almanac, CubeSmart is one of the top four owners and operators of self-storage facilities in the U.S.

The Company's mission is to simplify the organizational and logistical challenges created by the many life events and business needs of its Customers -- through innovative solutions, unparalleled service, and genuine care. The Company's self-storage facilities are designed to offer affordable, easily accessible, secure, and, in most locations, climate-controlled storage space for residential and commercial customers.

CubeSmart Management currently provides all-inclusive third-party self-storage property management services for 500+ locations across the United States.

If you have further questions please feel free to reach out directly. My email is gmiddlebrooks@cubesmart.com and my direct phone number is 610-535-5763.

Sincerely,

Guy Middlebrooks
CubeSmart
Vice President

Roebuck Springs

ZBA2019-00002

Request: Variance
Applicant: Barry Sutton
Owner: Roebuck Parkway Church
Site Address: 400 Roebuck Pkwy
Zip Code: 35206
Description: Variance to allow a church to have 2 signs totaling 160 SF instead of the one bulletin board or sign not to exceed 27 FT in area pursuant to Title 2, Chapter 1, Article I, Section 1, Subsection 2.10.
Property Zoned: E1 Estate District
Parcel Information: Parcel #012300011016001000, NE ¼ of Section 01, Township 17 S, Range 2 W

Variance

The applicant is requesting a variance to allow a church to have 2 signs totaling 160 SF. One sign is located at the entrance of the parking lot and the other sign is located on the side of the church approximately 625 FT away.

Neighborhood

The Roebuck Springs Neighborhood Association previously met and voted 41-1 in favor of a larger proposed sign. The NA President indicated that the neighborhood would still support this sign.

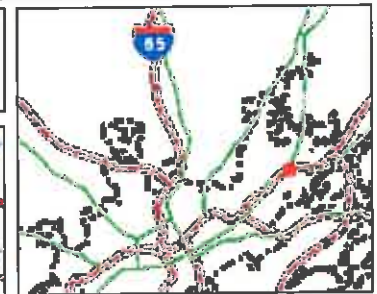
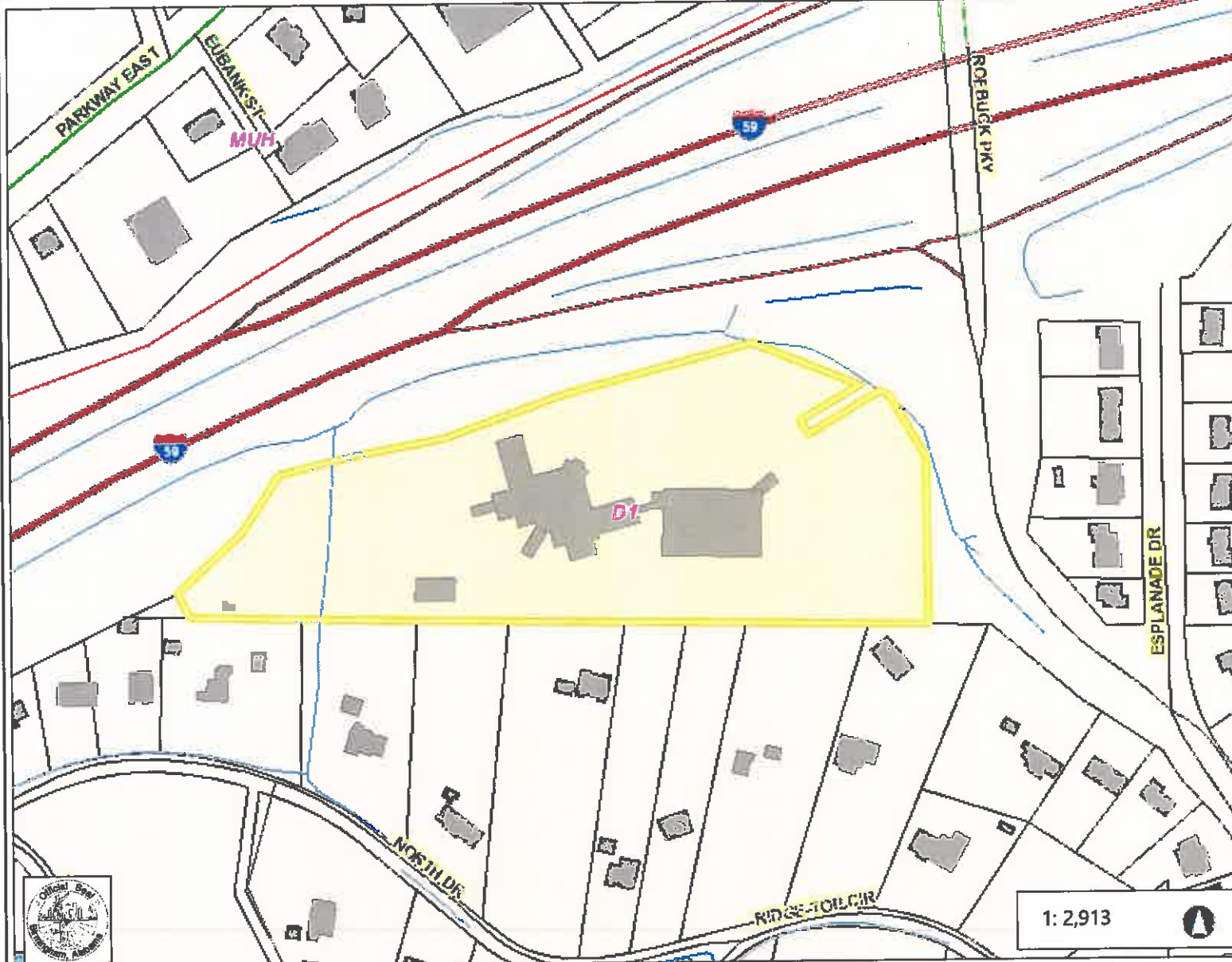
Applicant's Justification

The applicant stated that the church is uniquely situated facing I59 and 1st Avenue and their proposed wall sign facing interstate is approximately 400-500 FT away from the roadway. That sign is 96 SF and anything smaller would not be legible from the interstate due to the distance. The second sign is 64 SF and is positioned at the entrance 625 FT from the wall sign. The entrance sign is not visible from I59 and is the only indication of the entrance to the church from Roebuck Parkway and the Roebuck Springs neighborhood.

Staff Recommendation

Staff believes that the applicant has provided some evidence that a hardship exists due to the distance of the church from the entrance. Therefore, staff believes this request does have some merit for approval. If the Board grants this request it should be subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



Legend

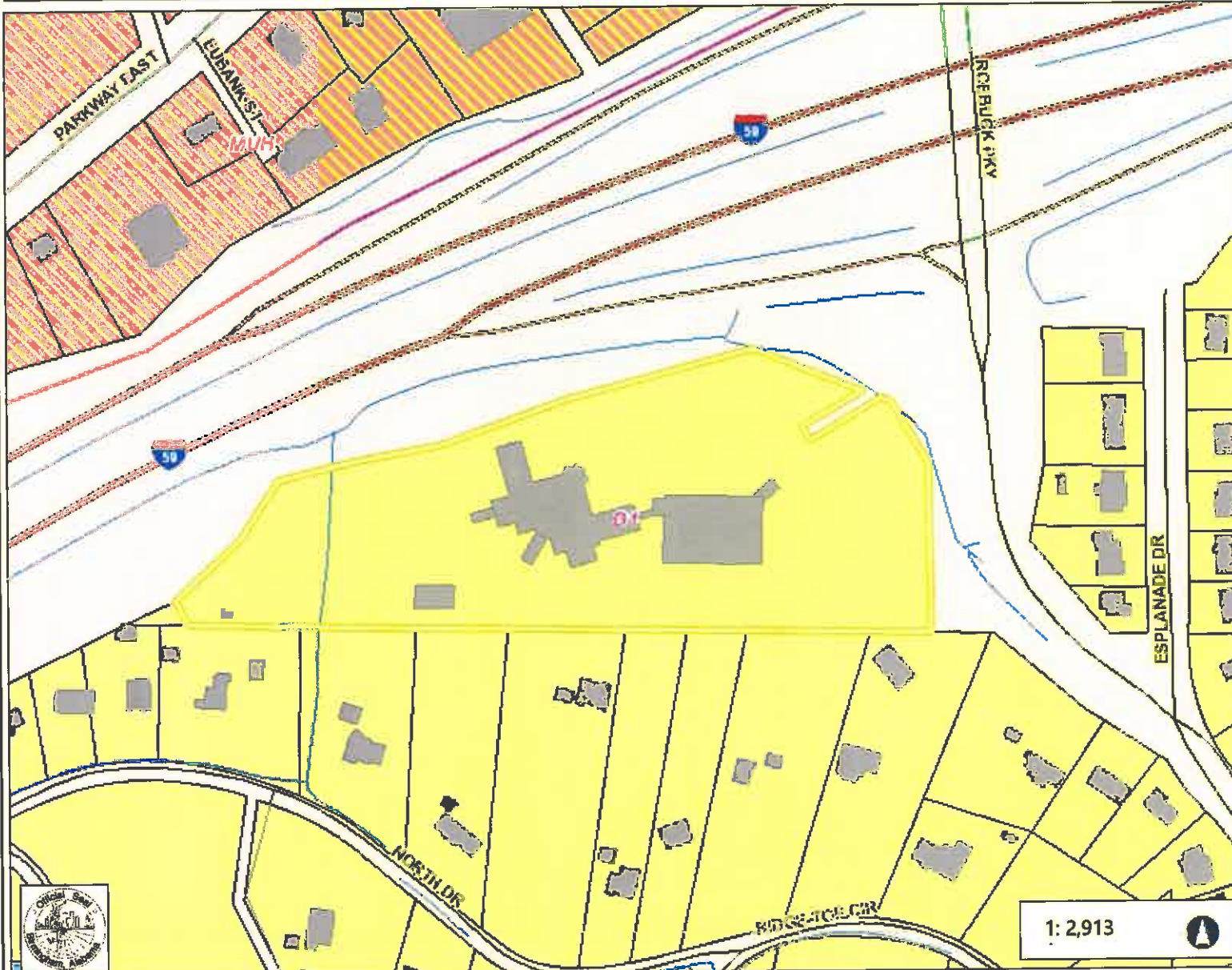
- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

Notes



1: 2,913

The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium



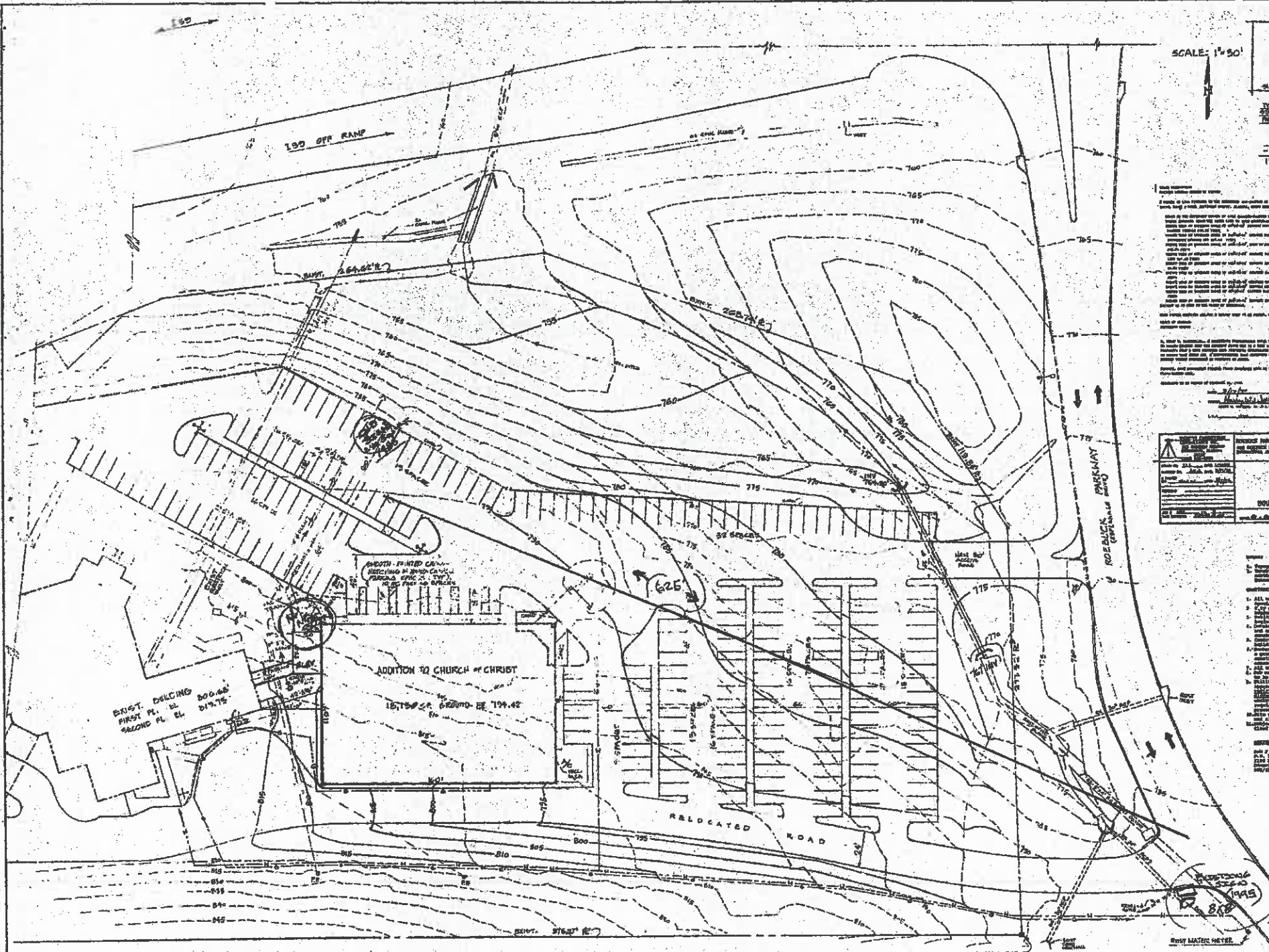
485.6 0 242.78 485.6 Feet

1: 2,913

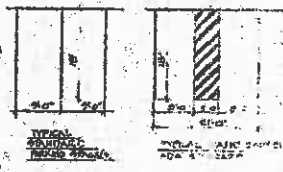


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Notes



SCALE: 1"=50'



725 POSSIBLE WITHIN THE AREA
 - 52 CARS REPLACE BY 150 NEW
 100 ADDITIONAL CAR SPACES

NOTES

1. This plan is based on the existing topography of the site and is subject to change if the ground conditions are found to be different from those shown on the plan.
2. The proposed buildings and parking areas are shown on the plan and are subject to change if the ground conditions are found to be different from those shown on the plan.
3. The proposed roads and parking areas are shown on the plan and are subject to change if the ground conditions are found to be different from those shown on the plan.
4. The proposed site is subject to change if the ground conditions are found to be different from those shown on the plan.
5. The proposed site is subject to change if the ground conditions are found to be different from those shown on the plan.

<p>BOUNDARY SURVEY</p> <p>DATE: 10/15/54</p> <p>BY: J. H. MOORE</p>	<p>PROPOSED BUILDING GARAGE OF MOORE CORPORATION</p> <p>DATE: 10/15/54</p> <p>BY: J. H. MOORE</p>
--	--



NOTES

1. All work to be done according to City of St. Louis regulations and specifications for building construction.
2. The proposed buildings and parking areas are shown on the plan and are subject to change if the ground conditions are found to be different from those shown on the plan.
3. The proposed roads and parking areas are shown on the plan and are subject to change if the ground conditions are found to be different from those shown on the plan.
4. The proposed site is subject to change if the ground conditions are found to be different from those shown on the plan.
5. The proposed site is subject to change if the ground conditions are found to be different from those shown on the plan.

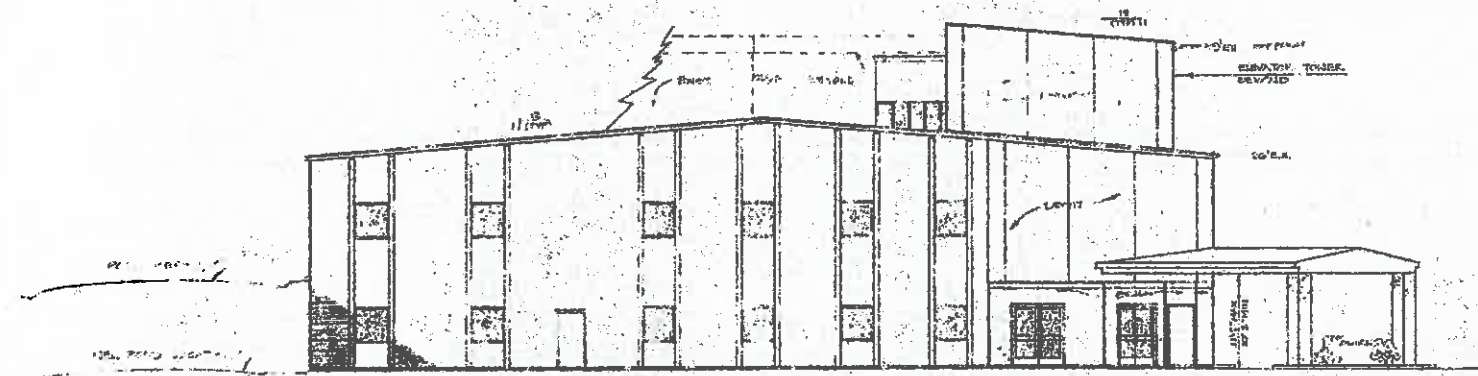
SITE PLAN
 SCALE: 1"=50'

DATE: 10/15/54
 BY: J. H. MOORE

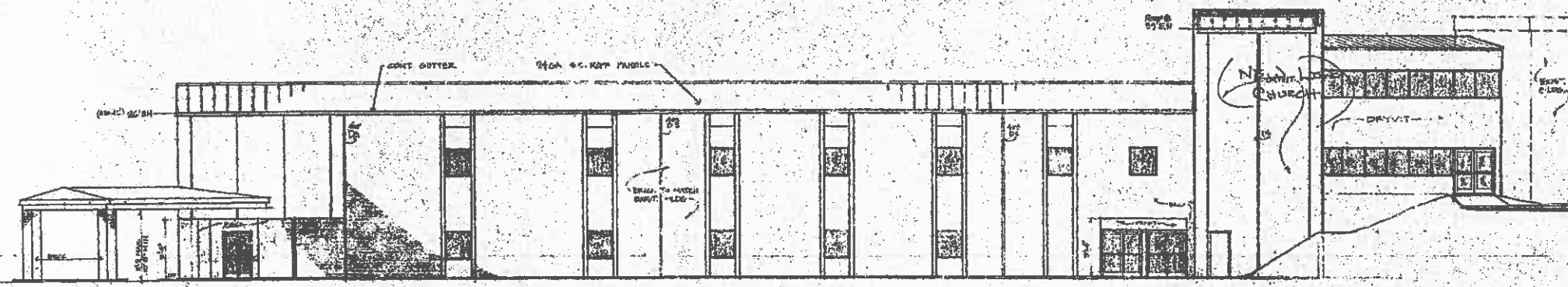
Moore Corporation



DATE: 10/15/54	BY: J. H. MOORE
CHECKED: [Signature]	DATE: 10/15/54
PROJECT: [Blank]	SCALE: 1"=50'



EAST END ELEVATION
SCALE: 1/8" = 1'-0"



NORTH SIDEWALL ELEVATION
SCALE: 1/8" = 1'-0"

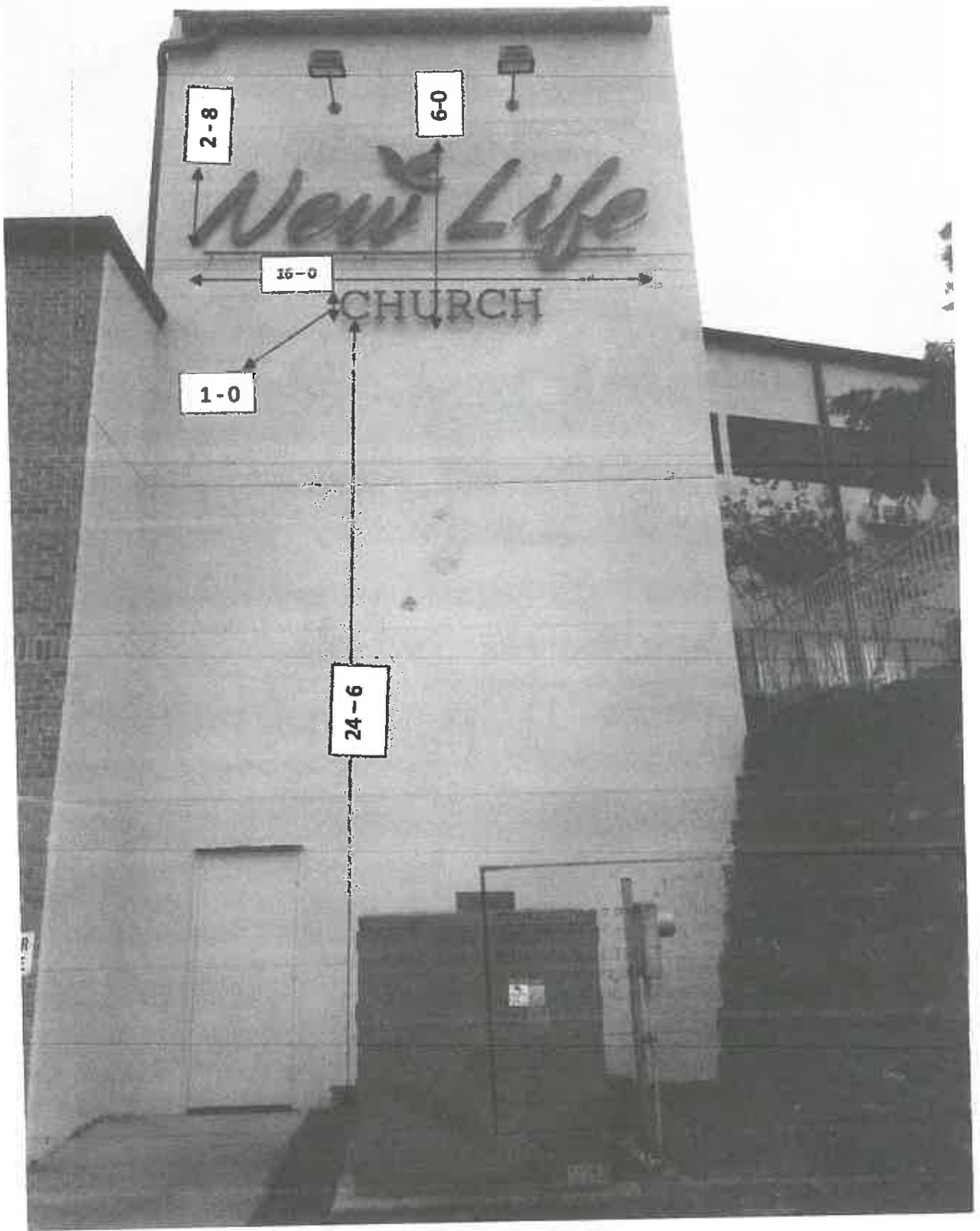
REVISIONS	
DATE	BY
12/28/94	JAC
12/28/94	JAC
12/28/94	JAC
12/28/94	JAC
12/28/94	JAC
12/28/94	JAC
12/28/94	JAC
12/28/94	JAC
12/28/94	JAC

ROEBUCK PARKWAY - CHURCH of CHRIST

Moore Corporation
 280 THUNDER HILL ROAD, PRICHARD, ALABAMA 36070
 P.O. BOX 10855
 PRICHARD, ALABAMA 36070
 Since 1973



12-28-94
 1396
 A4





ZBA2019-00002





400 Roebuck Parkway • Birmingham, AL 35206 • 205.838.1068
newlifebhm.com

January 2, 2019

Response to The Zoning Board of The City of Birmingham

(Regarding the variance standards of review)

To Whom It May Concern,

1. Physical Characteristics of the Property:

Enclosed in our proposal materials is a topographical survey map that demonstrates the configuration of our property with regard to the fact that the Church complex faces interstate I59 and 1st Avenue and on this west side is roughly 100 yards from the interstate. Our proposed sign, hung on our building wall, is 400-500 feet from the interstate, measures 16' x 6' (96 sq. ft.) Anything smaller would not be legible from the interstate because of the distance. Our solitary entrance faces north and is off Roebuck Parkway / Esplanade Drive. We have a second sign positioned at our entrance, 625' away from the wall sign, measuring 8' x 8' (64 sq. ft.) and facing Roebuck Parkway as it becomes Esplanade Dr. People traveling south on I59 cannot see the wall sign. As the exit the interstate and turn east on Roebuck parkway, up into the Roebuck Springs neighborhood, the only indication of the entrance to the church is the gate sign. Without it, we would have a constant flow of people into the neighborhood, turning around, inconveniencing our guests and the neighborhood.

(There has been a marquee style sign, measuring 8' x 15' on two sides (240 sq. ft.) facing the interstate for over 30 years. We removed that sign because it was an eyesore.)

(The Gate sign at Esplanade Dr. has been there since 1985)

Also included in our presentation materials is the record of the neighborhood association's meeting in which they overwhelmingly approved our proposals for signage. (They were also happy with the many improvements we've made to the property.)

"... I am come that they might have life and that they might have it more abundantly.

John 10:10



400 Roebuck Parkway • Birmingham, AL 35206 • 205.838.1068
newlifebhm.com

2. **Unique Characteristics:**
The length of our property and complex and the distances involved from our buildings to streets, entryway, etc create a hardship with regard to seeing, identifying and accessing our property.

3. **Hardship Not Self-Imposed:** This situation is a natural feature of the footprint of the property, the distances involved, the interstate exchange and the position of our only access way into the property.

4. **Financial Gain Not The Only Basis:** We are a Church. We are a non-profit incorporation. We run buses and pick up kids from the city for Sunday School every Sunday. We don't sell anything to the public.

5. **No Injury To Neighboring Property:** On the contrary, we have made significant aesthetic improvements to the property over the last two years. The signs are tasteful, discreet, smaller than the existing signs were, and are approved by the neighborhood association. They don't in any way impair or negatively affect adjacent properties. The work that we've done, including the signs, have a stabilizing and improving effect on surrounding properties. I would also suggest that the improvements make a better first impression on those entering the city of Birmingham on I59. This exit is the eastern gate of the city.

6. **No Harm To Public Welfare:** The availability and visibility of these signs will decrease congestion on Esplanade Dr., create a safer condition on the street at our entrance. This signage will in no way harm our neighbors in regard to their health, safety, morals, or general welfare.

Please find also the attached original variance by this board in 1983. It allows two signs with a combined total square footage of 160 sq. ft. Our two signs now are exactly 160 sq. ft.

“... I am come that they might have life and that they might have it more abundantly.
John 10:10

East Avondale

ZBA2018-00003

Request: Variance
Applicant: Blake Seay
Owner: Coby Lake
Site Address: 101 42nd St S
Zip Code: 35222
Description: Variance to allow a single family dwelling to have a 3,705 SF (approximately) lot instead of the required minimum 5,000 SF pursuant to Title 2, Chapter 1, Article I, Section 6, Subsection 3; Variance to allow a lot to be 37.1 FT wide instead of the required minimum of 50 FT pursuant to Title 2, Chapter 1, Article I, Section 6, Subsection 3
Property Zoned: R4A Medium Density Residential District
Parcel Information: Parcel #012300293001010000, SW ¼ of Section 29, Township 17 S, Range 2 W

Variance

The applicant is requesting a variance to allow a single family home to be placed on a lot that is approximately 3,705 SF instead of the required minimum of 5,000 SF and to be 37.1 FT wide instead of the minimum width of 50 FT. The proposed development is seeking to restore the residential use of these properties. The developers are attempting to subdivide the 4 properties onto their own lots.

Neighborhood

Staff did not receive any feedback from the neighborhood.

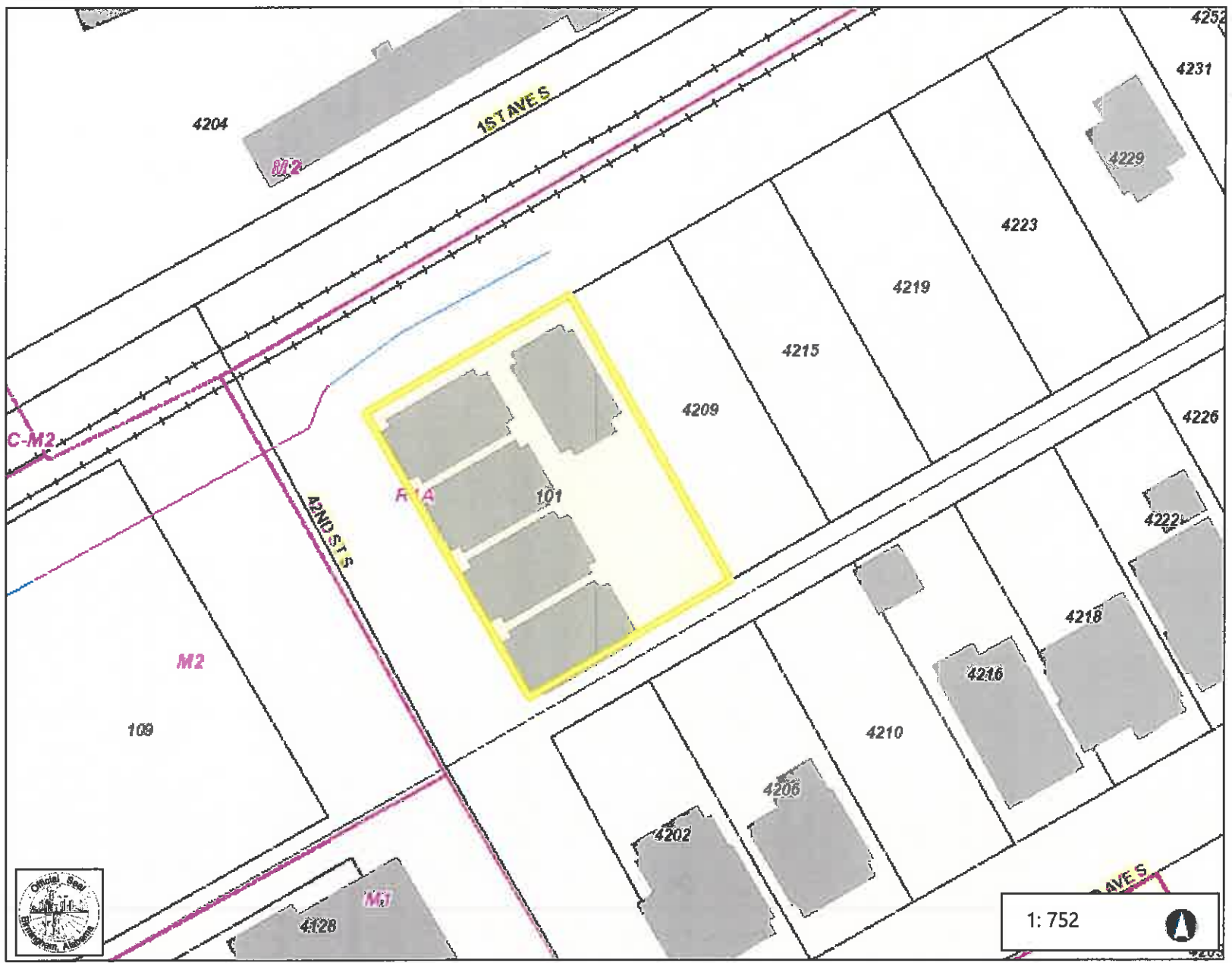
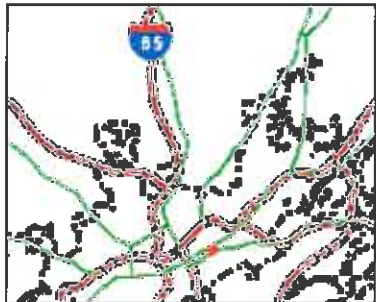
Applicant's Justification

The applicant stated that this is a unique site with historical structures that are currently existing.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the requests. Therefore, staff believes these request do have merit for approval and as such, should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

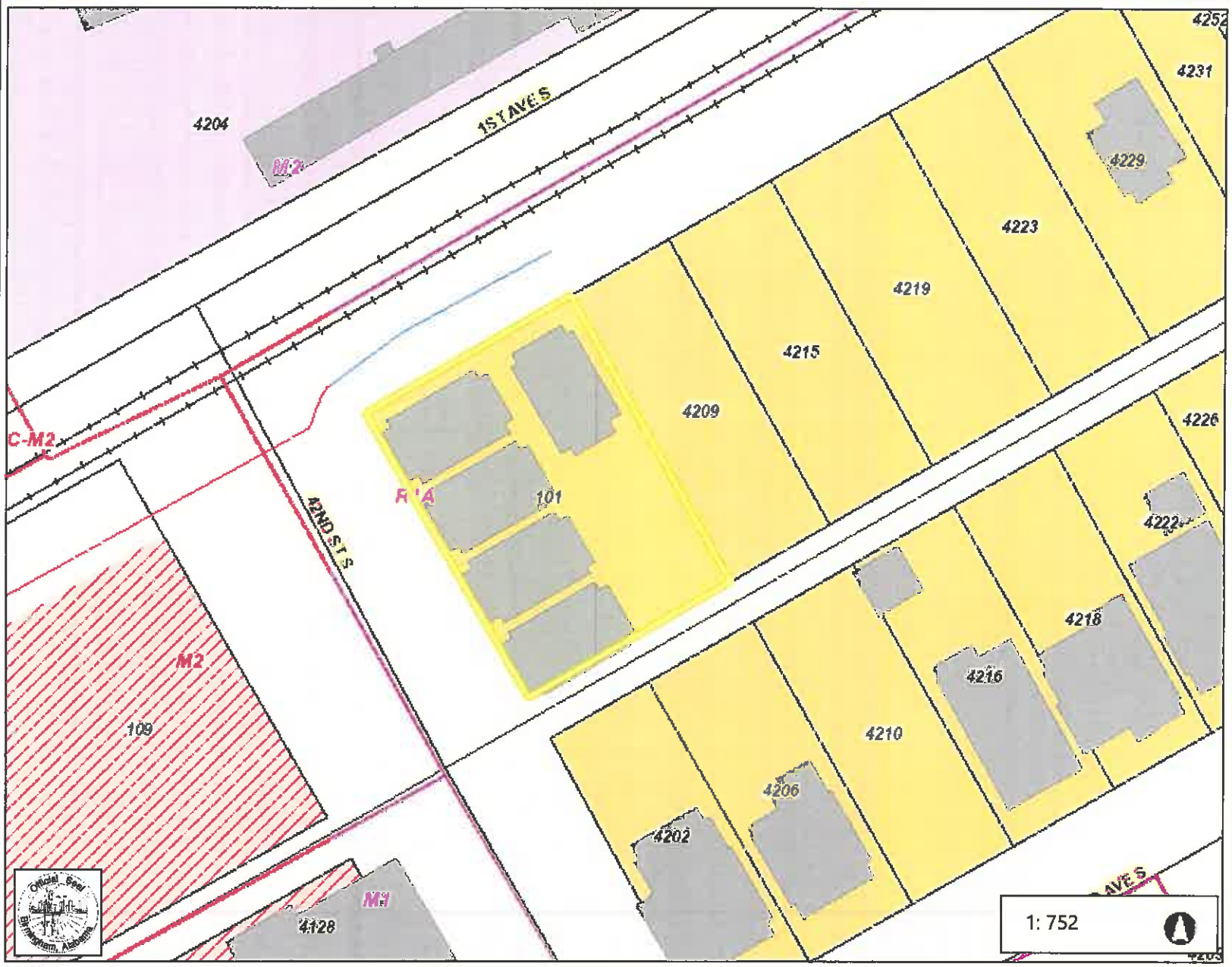
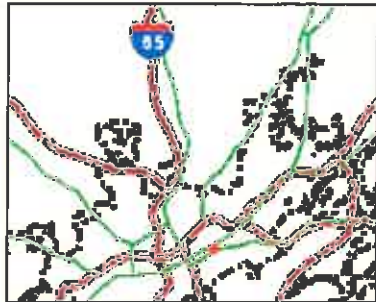


1: 752



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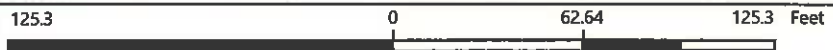
Notes



Legend

- Centerline Labels
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- Railroad
- Alleys
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- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium

1: 752



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Notes

East Avondale

ZBA2018-00006

Request: Variance
Applicant: Blake Seay
Owner: Coby Lake
Site Address: 101 42nd St S
Zip Code: 35222
Description: Variance to allow a single family dwelling to have a 3,485 SF (approximately) lot instead of the required minimum 5,000 SF pursuant to Title 2, Chapter 1, Article I, Section 6, Subsection 3; Variance to allow a lot to be 34.88 FT wide instead of the required minimum of 50 FT pursuant to Title 2, Chapter 1, Article I, Section 6, Subsection 3
Property Zoned: R4A Medium Density Residential District
Parcel Information: Parcel #012300293001010000, SW ¼ of Section 29, Township 17 S, Range 2 W

Variance

The applicant is requesting a variance to allow a single family home to be placed on a lot that is approximately 3,485 SF instead of the required minimum of 5,000 SF and to be 34.88 FT wide instead of the minimum width of 50 FT. The proposed development is seeking to restore the residential use of these properties. The developers are attempting to subdivide the 4 properties onto their own lots.

Neighborhood

Staff did not receive any feedback from the neighborhood.

Applicant's Justification

The applicant stated that this is a unique site with historical structures that are currently existing.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the requests. Therefore, staff believes these request do have merit for approval and as such, should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



Legend

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- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

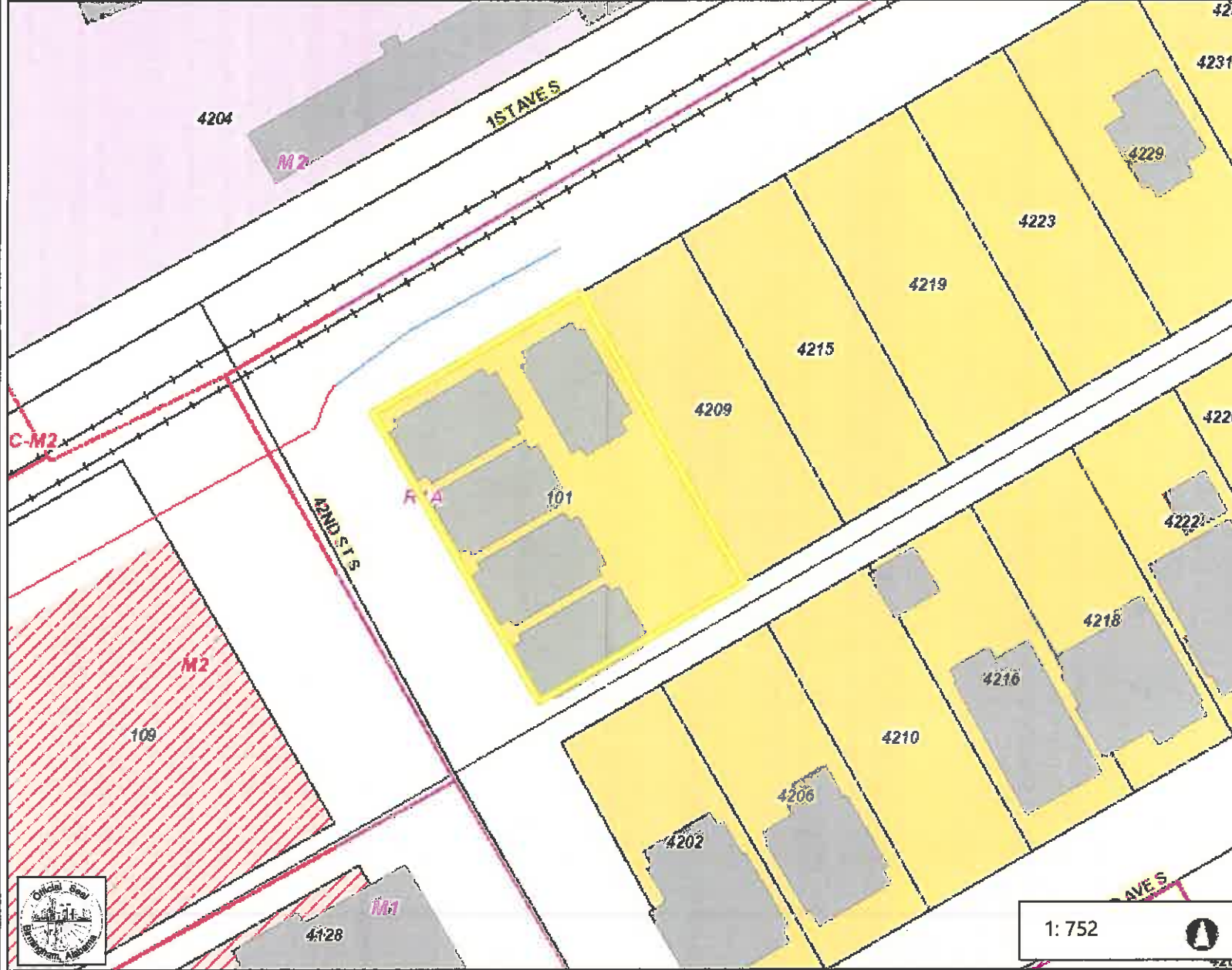


1: 752



125.3 0 62.64 125.3 Feet

Notes



Legend

- Centerline Labels
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 - MXU-Medium



1: 752



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

AVONDALE STATION
 BEING A RE-DIVISION OF
LOT No. 1, BLOCK 3, AVONDALE LAND COMPANY SUBDIVISION
 PLAT BOOK 1, PAGE 221
 BIRMINGHAM, JEFFERSON COUNTY, ALABAMA

STATE OF ALABAMA
 COUNTY OF JEFFERSON

I, the undersigned, Scott Skipper, a Registered Land Surveyor, State of Alabama, and Dawson Seay Properties, LLC, owner, certify that this plat or map was made pursuant to said survey and that said survey and this plat or map was made at the instance of said owner, that this plat or map is a true and correct map of lands shown thereon and known or to be known as Avondale Station, being a re-survey of Lot 1, Block 3 of Avondale Land Company, as recorded as Plat Book 1, Page 221, in the Judge of Probate Office, Jefferson County, Alabama, showing the subdivision into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and the number, showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block and that area plats have been installed at all lot corners and curve points as shown and are designated by small solid circles on said plat or map; and owner also certifies that they are the owner of said lands and that the same are not subject to any mortgage, except that mortgage held by _____; and owner dedicates streets, alleys, and public grounds as shown by said plat or map; and owner agrees that the City of Birmingham may at any time change the nature or grade of any street, alley or public grounds, or any part thereof, from the natural or existing grade to the permanent grade without payment or compensation of damages to the existing owner, and this agreement shall be a covenant running with the land. The undersigned approves the City of Birmingham as agent for the purpose of filing said plat or map, together with this instrument, for record, and certifies that we have the full authority to execute this instrument and map.

I, Scott Skipper, a Registered Engineer and Land Surveyor of Alabama, hereby certify that all parts of the Survey and Drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Dated _____, 2018:

 Scott Skipper
 Registered Professional Land Surveyor
 License Number 20141

 Dawson Seay Properties, LLC
 Jud Dawson, Member



STATE OF ALABAMA
 JEFFERSON COUNTY

I, _____, as Notary Public in and for said county and state, do hereby certify that, Scott Skipper, whose name is signed to the foregoing certificate, and who is known to me, acknowledges before me on this date, that after being duly informed of the contents of said certificate, he executed the same voluntarily with authority therefore.

Given under my hand and seal this _____ day of _____, 2018

By: _____
 Notary Public

My commission expires: _____

STATE OF ALABAMA
 JEFFERSON COUNTY

I, _____, as Notary Public in and for said county and state, do hereby certify that, Jud Dawson, whose name is signed to the foregoing certificate, and who is known to me, acknowledges before me on this date, that after being duly informed of the contents of said certificate, he executed the same voluntarily with authority therefore.

Given under my hand and seal this _____ day of _____, 2018

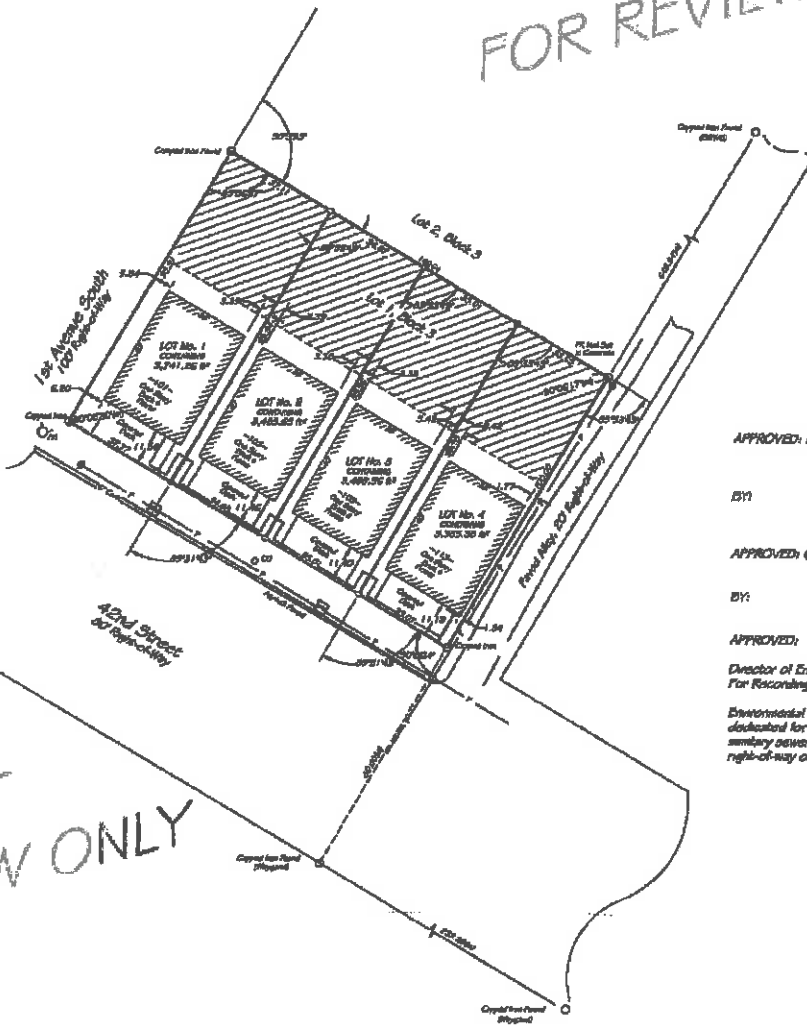
By: _____
 Notary Public

My commission expires: _____

GENERAL NOTES:

- 1.) TOTAL ACRES IN THIS RE-DIVISION IS: 14,061.85 RP or 0.365 ACRES.
- 2.) THE PROPERTY IS CURRENTLY ZONED RMA.
- 3.) THIS PROPERTY IS LOCATED IN ZONE 33, ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP (FIRM) 504 OF 755, MAP NUMBER 01079C0334G, JEFFERSON COUNTY, ALABAMA, DATED (REVISED) 05/2016.

DRAFT FOR REVIEW ONLY



DRAFT FOR REVIEW ONLY

APPROVED: BIRMINGHAM PLANNING COMMISSION

BY: _____ DATE: _____

APPROVED: CITY ENGINEER

BY: _____ DATE: _____

APPROVED:

DATE: _____

Director of Environmental Services
 For Recording Purposes Only

Environmental Services Department approval indicates that easements have been dedicated for future Jefferson County sanitary sewers, however this does not mean sanitary sewers have been built or will be built in the future. Any changes in the right-of-way or easement boundaries after this date may void this approval.

PERFORMED BY:
 SKIPPER ENGINEERING, INC.
 171 WOODLAND DRIVE
 RANDOLPH CITY, ALABAMA 35906
 (256) 350-9484
 scottskipper@belsouth.net



AVONDALE STATION
 BEING A RE-DIVISION OF
 LOT No. 1, BLOCK 3, AVONDALE LAND COMPANY SUBDIVISION
 MAP BOOK 1, PAGE 221
 BIRMINGHAM, JEFFERSON COUNTY, ALABAMA

MAP BOOK , PAGE
 COVENANTS RECORDED:

STATE OF ALABAMA
 COUNTY OF JEFFERSON

I, the undersigned, Scott Skipper, a Registered Land Surveyor, State of Alabama, and Dawson Seay Properties, LLC, owners, certify that this plat or map was made pursuant by said surveyor and that said survey and this plat or map was made at the instance of said owners; that this plat or map is a true and correct map of lands shown therein and known or to be known as Avondale Station, being a resurvey of Lot 1, Block 3 of Avondale Land Company, as recorded in Map Book 1, Page 221, in the Judge of Probate Office, Jefferson County, Alabama; showing the subdivision into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block; and that: non pins have been installed at all lot corners and curve points as shown and are designated by small solid circles on said plat or map; said owner also certifies that they are the owner of said lands and that the same are not subject to any mortgage, except that mortgages held by Peoples Bank; said owner dedicates streets, alleys, and public grounds as shown by said plat or map; said owner agrees that the City of Birmingham may at any time change the nature or grade of any street, alley or public grounds, or any part thereof, from the natural or existing grade to the permanent grade without payment or compensation of damages to the skirting owner, and this agreement shall be a covenant running with the land. The undersigned appoints the City of Birmingham as agent for the purpose of filing said plat or map, together with this instrument, for record, and certify that we have the full authority to execute this instrument and map.

I, Scott Skipper, a Registered Engineer and Land Surveyor of Alabama, hereby certify that all parts of the Survey and Drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief:

Dated December 20, 2018;

Scott Skipper
 Scott Skipper
 Registered Professional Land Surveyor
 License Number 20111

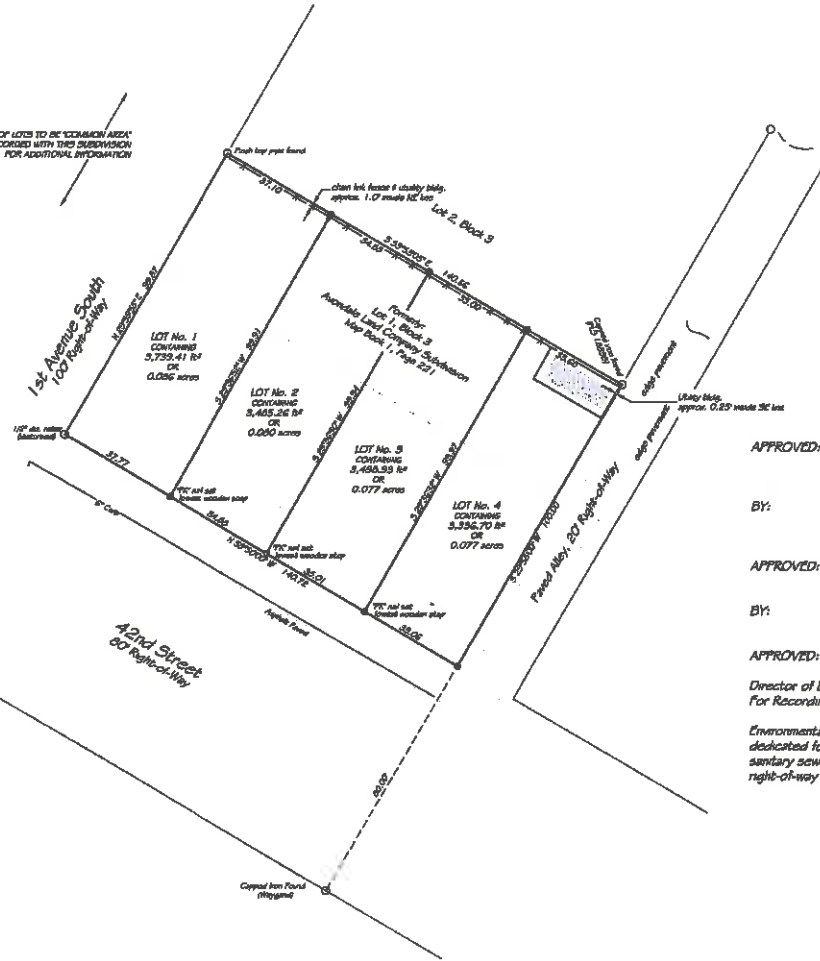
Mike Self
 Peoples Bank

Jud Dawson
 Dawson Seay Properties, LLC
 Jud Dawson, Member

Blake Seay
 Dawson Seay Properties, LLC
 Blake Seay, Member



REAR 40' OF LOTS TO BE "CONVICTION AREA"
 SEE COVENANTS RECORDED WITH THIS SUBDIVISION
 FOR ADDITIONAL INFORMATION



STATE OF ALABAMA
 JEFFERSON COUNTY

I, **Dorise W. McCallister**, as Notary Public in and for said county and state, do hereby certify that **Jud Dawson & Blake Seay**, whose names are signed to the foregoing certificate, and who are known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, have executed the same voluntarily with authority therefor.

Given under my hand and seal this 20th day of December, 2018

By: **Dorise W. McCallister**
 Notary Public

My commission expires: 02-14-2020

STATE OF ALABAMA
 JEFFERSON COUNTY

I, **Dorise W. McCallister**, as Notary Public in and for said county and state, do hereby certify that **Mike Self**, whose name is signed to the foregoing certificate, and who is known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, have executed the same voluntarily with authority therefor.

Given under my hand and seal this 20th day of December, 2018

By: **Dorise W. McCallister**
 Notary Public

My commission expires: 02-14-2020

STATE OF ALABAMA
 JEFFERSON COUNTY

I, **Dorise W. McCallister**, as Notary Public in and for said county and state, do hereby certify that **Scott Skipper**, whose name is signed to the foregoing certificate, and who is known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, he executed the same voluntarily with authority therefor.

Given under my hand and seal this 20th day of December, 2018

By: **Dorise W. McCallister**
 Notary Public

My commission expires: 02-14-2020

PERFORMED BY:
SKIPPER ENGINEERING, INC.
 171 WOODLAND DRIVE
 RAINBOW CITY, ALABAMA 35906
 (256) 390-9424
 scottsskipper@belsouth.net

GENERAL NOTES:

1. TOTAL ACRES WITHIN THIS RE-DIVISION IS: 14,060.35 SQ FT OR 0.323 ACRES±.
2. THE PROPERTY IS CURRENTLY ZONED RAA.
3. THIS PROPERTY IS LOCATED IN ZONE 54 (AREA OF MINIMAL FLOODING), ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP PANEL 334 OF 755, MAP NUMBER 01073C03946, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 23, 2018.
4. NO CONSIDERATION WAS GIVEN TO FOOTING OR ROOF OVERHANG ENCROACHMENTS.

APPROVED: BIRMINGHAM PLANNING COMMISSION

BY: _____ DATE: _____

APPROVED: CITY ENGINEER

BY: _____ DATE: _____

APPROVED:

Director of Environmental Services
 For Recording Purposes Only

Environmental Services Department approval indicates that easements have been dedicated for future Jefferson County sanitary sewers, however this does not mean sanitary sewers have been built or will be built in the future. Any changes in the right-of-way or easement boundaries after this date may void this approval.

LEGEND

- [Symbol] NON FIN SET (1/2" x 1/2" PIN SET) (TO BE SET BY SURVEYOR)
- [Symbol] NON FIN FOUND
- [Symbol] POWER OR OTHER AERIAL LINE
- [Symbol] POWER POLE
- [Symbol] ADDRESS OF HOME/EMAIL/CELLING (42nd STREET, BIRMINGHAM, AL 35222)

East Avondale

ZBA2018-00007

Request: Variance
Applicant: Blake Seay
Owner: Coby Lake
Site Address: 101 42nd St S
Zip Code: 35222
Description: Variance to allow a single family dwelling to have a 3,498 SF (approximately) lot instead of the required minimum 5,000 SF pursuant to Title 2, Chapter 1, Article I, Section 6, Subsection 3; Variance to allow a lot to be 35 FT wide instead of the required minimum of 50 FT pursuant to Title 2, Chapter 1, Article I, Section 6, Subsection 3
Property Zoned: R4A Medium Density Residential District
Parcel Information: Parcel #012300293001010000, SW ¼ of Section 29, Township 17 S, Range 2 W

Variance

The applicant is requesting a variance to allow a single family home to be placed on a lot that is approximately 3,498 SF instead of the required minimum of 5,000 SF and to be 35 FT wide instead of the minimum width of 50 FT. The proposed development is seeking to restore the residential use of these properties. The developers are attempting to subdivide the 4 properties onto their own lots.

Neighborhood

Staff did not receive any feedback from the neighborhood.

Applicant's Justification

The applicant stated that this is a unique site with historical structures that are currently existing.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the requests. Therefore, staff believes these request do have merit for approval and as such, should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

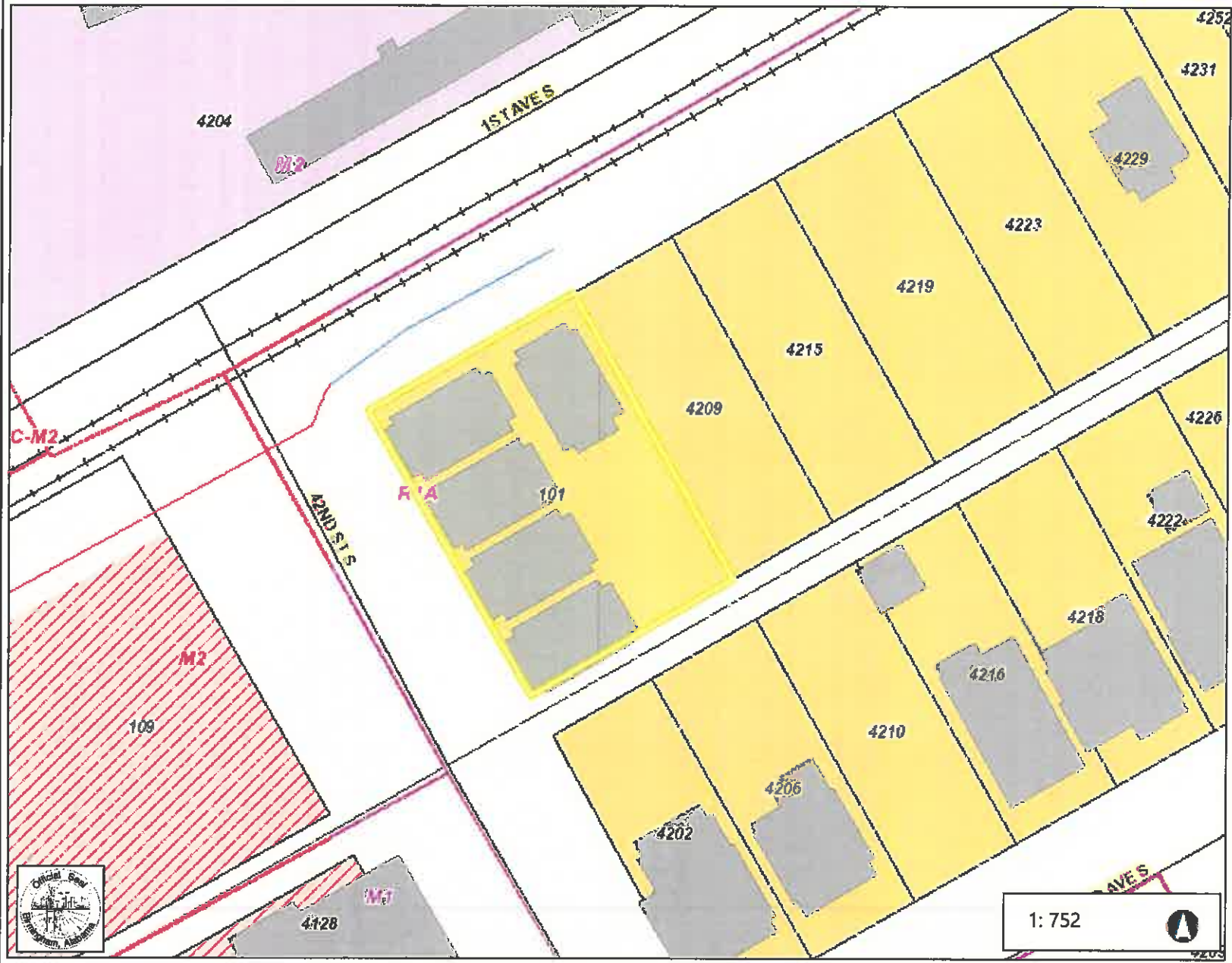


1: 752



125.3 0 62.64 125.3 Feet

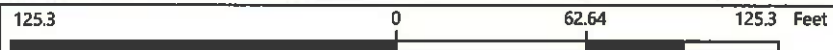
Notes



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium

1: 752



The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

AVONDALE STATION
 BEING A RE-DIVISION OF
 LOT No. 1, BLOCK 3, AVONDALE LAND COMPANY SUBDIVISION
 PLAT BOOK 1, PAGE 221
 BIRMINGHAM, JEFFERSON COUNTY, ALABAMA

STATE OF ALABAMA
 COUNTY OF JEFFERSON

I, the undersigned, Scott Skipper, a Registered Land Surveyor, State of Alabama, and Dawson Sacy Properties, LLC, owner, certify that this plat or map was made pursuant to said surveyor and that said survey and this plat or map was made at the instance of said owner; that this plat or map is a true and correct map of lands shown thereon and known or to be known as Avondale Station, being a re-survey of Lot 1, Block 3 of Avondale Land Company, as recorded in Plat Book 1, Page 221, in the Judge of Probate Office, Jefferson County, Alabama; showing the subdivision into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and the number; showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block; and that no fees have been collected at all lot corners and curve points as shown and are designated by small solid circles on said plat or map; and owner also certifies that they are the owner of said lands and that the same are not subject to any mortgage, except that mortgage held by _____; and owner dedicates streets, alleys, and public grounds as shown by said plat or map; and owner agrees that the City of Birmingham may at any time change the nature or grade of any street, alley or public grounds, or any part thereof, from the natural or existing grade to the proposed grade without payment or compensation of damages to the abutting owner, and this agreement shall be a covenant running with the land. The undersigned appoints the City of Birmingham as agent for the purpose of filing said plat or map, together with this instrument, for record, and certifies that we have the full authority to execute this instrument and map.

I, Scott Skipper, a Registered Engineer and Land Surveyor of Alabama, hereby certify that all parts of the Survey and Drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Dated _____, 2018:

Scott Skipper
 Registered Professional Land Surveyor
 License Number 20141

Dawson Sacy Properties, LLC
 Jud Dawson, Member



STATE OF ALABAMA
 JEFFERSON COUNTY

I, _____, as Notary Public in and for said county and state, do hereby certify that, Scott Skipper, whose name is signed to the foregoing certificate, and who is known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, he executed the same voluntarily with authority therefor.

Given under my hand and seal this _____ day of _____, 2018

By: _____
 Notary Public

My commission expires: _____

STATE OF ALABAMA
 JEFFERSON COUNTY

I, _____, as Notary Public in and for said county and state, do hereby certify that, Jud Dawson, whose name is signed to the foregoing certificate, and who is known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, he executed the same voluntarily with authority therefor.

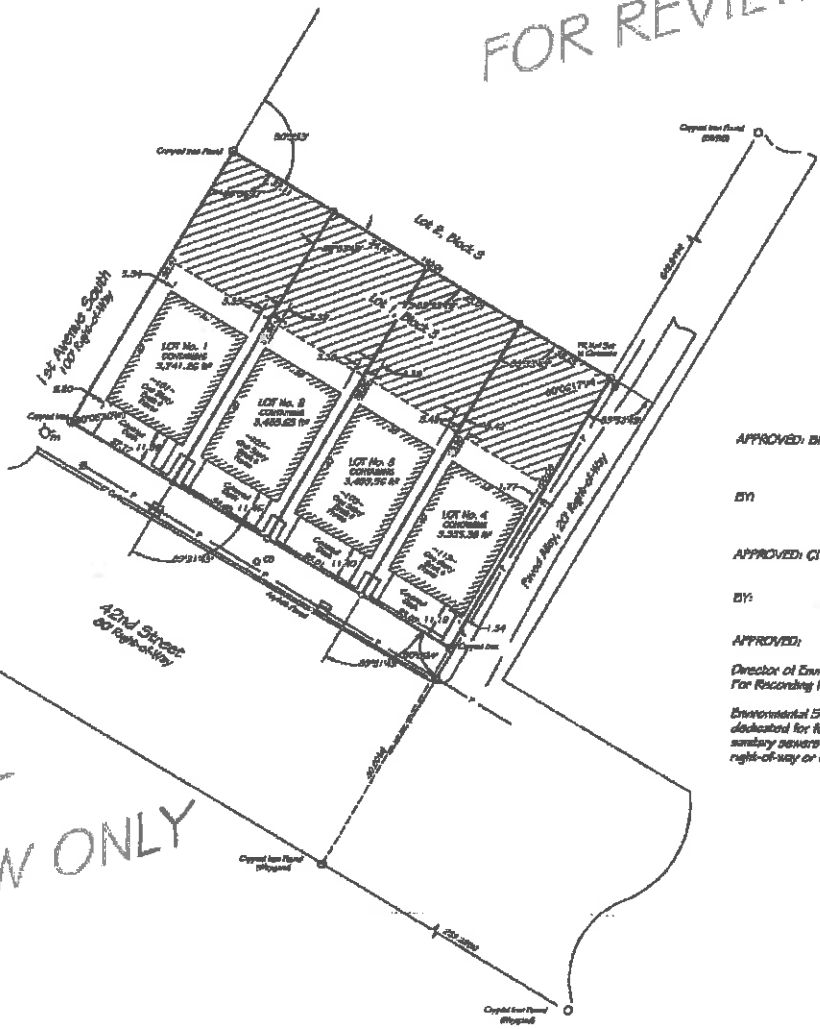
Given under my hand and seal this _____ day of _____, 2018

By: _____
 Notary Public

My commission expires: _____

GENERAL NOTES:
 1.) TOTAL ACRES WITHIN THIS RE-DIVISION IS 14,061.85 SQ OR 0.325 ACRES.
 2.) THE PROPERTY IS CURRENTLY ZONED R4A.
 3.) THIS PROPERTY IS LOCATED IN ZONE "3", ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP (FIRM) PANEL 354 OF 753, MAP NUMBER 01093025846, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 26, 2015.

DRAFT FOR REVIEW ONLY



DRAFT FOR REVIEW ONLY

APPROVED: BIRMINGHAM PLANNING COMMISSION

BY: _____ DATE: _____

APPROVED: CITY ENGINEER

BY: _____ DATE: _____

APPROVED:

Director of Environmental Services
 For Recording Purposes Only

Environmental Services Department approval indicates that easements have been dedicated for future Jefferson County sanitary sewers, however this does not mean sanitary sewers have been built or will be built in the future. Any changes in the right-of-way or easement boundaries after this date may void this approval.

PERFORMED BY:
 SKIFFER ENGINEERING, INC.
 171 WOODLAND DRIVE
 RAINBOW CITY, ALABAMA 35906
 (256) 380-9424
 scottskipper@skiffersouth.net



**AVONDALE STATION
BEING A RE-DIVISION OF
LOT No. 1, BLOCK 3, AVONDALE LAND COMPANY SUBDIVISION
MAP BOOK 1, PAGE 221
BIRMINGHAM, JEFFERSON COUNTY, ALABAMA**

MAP BOOK . . . PAGE
COVENANTS RECORDED:

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, Scott Skipper, a Registered Land Surveyor, State of Alabama, and Dawson Seay Properties, LLC, owner, certify that this plat or map was made pursuant to said surveyor and that said survey and this plat or map was made at the instance of said owner; that this plat or map is a true and correct map of lands shown thereon and known or to be known as Avondale Station, being a resurvey of Lot 1, Block 3 of Avondale Land Company, as recorded in Map Book 1, Page 221, in the Judge of Probate Office, Jefferson County, Alabama; showing the subdivision into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block; and that iron pins have been installed at all lot corners and curve points as shown and are designated by small circles on said plat or map; said owner also certifies that they are the owner of said lands and that the same are not subject to any mortgage, except that mortgage held by Peoples Bank; said owner dedicates streets, alleys, and public grounds as shown by said plat or map; said owner agrees that the City of Birmingham may at any time change the nature or grade of any street, alley or public grounds, or any part thereof, from the natural or existing grade to the permanent grade without payment or compensation of damages to the abutting owner, and this agreement shall be a covenant running with the land. The undersigned appoints the City of Birmingham as agent for the purpose of filing said plat or map, together with this instrument, for record, and certify that we have the full authority to execute this instrument and map.

I, Scott Skipper, a Registered Engineer and Land Surveyor of Alabama, hereby certify that all parts of the Survey and Drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief:

Dated December 20, 2018;

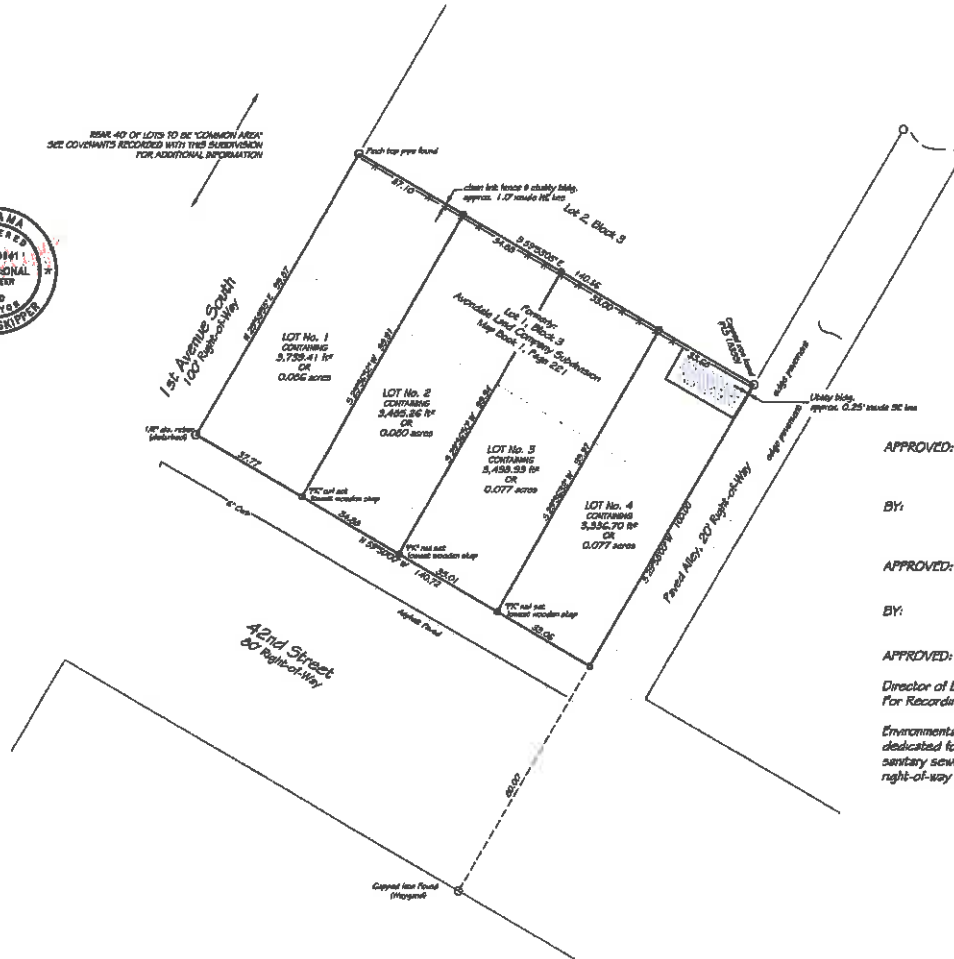
Scott Skipper

Scott Skipper
Registered Professional Land Surveyor
License Number 201111

Mike Self
Peoples Bank

Jud Dawson
Dawson Seay Properties, LLC
Jud Dawson, Member

Blake Seay
Dawson Seay Properties, LLC
Blake Seay, Member



STATE OF ALABAMA
JEFFERSON COUNTY

I, Denise W. McCallers, as Notary Public in and for said county and state, do hereby certify that, Jud Dawson & Blake Seay, whose names are signed to the foregoing certificate, and who are known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, have executed the same voluntarily with authority therefore.

Given under my hand and seal this 20th day of December, 2018

By: *Denise W. McCallers*
Notary Public

My commission expires: 02-14-2020

STATE OF ALABAMA
JEFFERSON COUNTY

I, Denise W. McCallers, as Notary Public in and for said county and state, do hereby certify that, Mike Self, whose name is signed to the foregoing certificate, and who are known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, have executed the same voluntarily with authority therefore.

Given under my hand and seal this 20th day of December, 2018

By: *Denise W. McCallers*
Notary Public

My commission expires: 02-14-2020

STATE OF ALABAMA
JEFFERSON COUNTY

I, Denise W. McCallers, as Notary Public in and for said county and state, do hereby certify that, Scott Skipper, whose name is signed to the foregoing certificate, and who is known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, he executed the same voluntarily with authority therefore.

Given under my hand and seal this 20th day of December, 2018

By: *Denise W. McCallers*
Notary Public

My commission expires: 02-14-2020

PERFORMED BY:
SKIPPER ENGINEERING, INC.
171 WOODLAND DRIVE
RAINBOW CITY, ALABAMA 35906
(256) 390-9424
scottskipper@bellsouth.net

GENERAL NOTES:
1.) TOTAL ACRES WITHIN THIS RE-DIVISION IS: 14,060.95 SQ FT OR 0.323 ACRES±.
2.) THE PROPERTY IS CURRENTLY ZONED RAA.
3.) THIS PROPERTY IS LOCATED IN SOME ST AREA OF MINIMAL FLOODING, ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP PANEL 584 OF 753, MAP NUMBER 01073C05946, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 29, 2018.
4.) NO CONSIDERATION WAS GIVEN TO FOOTINGS OR ROOF OVERHANG ENCROACHMENTS.

APPROVED: BIRMINGHAM PLANNING COMMISSION

BY: _____ DATE: _____

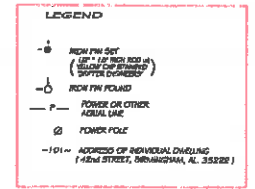
APPROVED: CITY ENGINEER

BY: _____ DATE: _____

APPROVED: _____

Director of Environmental Services
For Recording Purposes Only

Environmental Services Department approval indicates that easements have been dedicated for future Jefferson County sanitary sewers, however this does not mean sanitary sewers have been built or will be built in the future. Any changes in the right-of-way or easement boundaries after this date may void this approval.



East Avondale

ZBA2018-00008

Request: Variance
Applicant: Blake Seay
Owner: Coby Lake
Site Address: 101 42nd St S
Zip Code: 35222
Description: Variance to allow a single family dwelling to have a 3,305 SF (approximately) lot instead of the required minimum 5,000 SF pursuant to Title 2, Chapter 1, Article I, Section 6, Subsection 3; Variance to allow a lot to be 33.68 FT wide instead of the required minimum of 50 FT pursuant to Title 2, Chapter 1, Article I, Section 6, Subsection 3
Property Zoned: R4A Medium Density Residential District
Parcel Information: Parcel #012300293001010000, SW ¼ of Section 29, Township 17 S, Range 2 W

Variance

The applicant is requesting a variance to allow a single family home to be placed on a lot that is approximately 3,305 SF instead of the required minimum of 5,000 SF and to be 33.68 FT wide instead of the minimum width of 50 FT. The proposed development is seeking to restore the residential use of these properties. The developers are attempting to subdivide the 4 properties onto their own lots.

Neighborhood

Staff did not receive any feedback from the neighborhood.

Applicant's Justification

The applicant stated that this is a unique site with historical structures that are currently existing.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the requests. Therefore, staff believes these request do have merit for approval and as such, should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

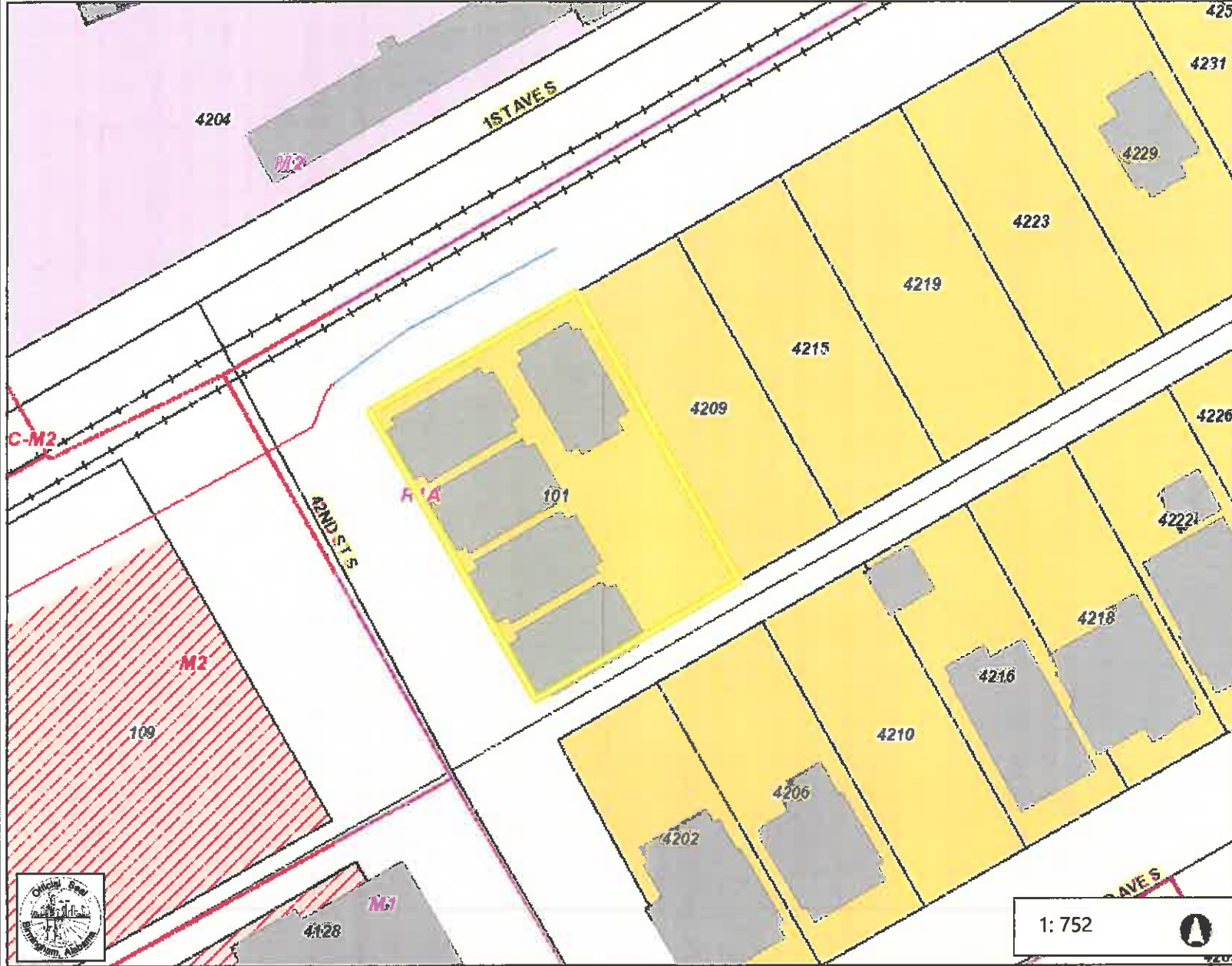


1: 752



The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium



1: 752



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

AVONDALE STATION
 BEING A RE-DIVISION OF
 LOT No. 1, BLOCK 3, AVONDALE LAND COMPANY SUBDIVISION
 PLAT BOOK 1, PAGE 221
 BIRMINGHAM, JEFFERSON COUNTY, ALABAMA

STATE OF ALABAMA
 COUNTY OF JEFFERSON

I, the undersigned, Scott Skipper, a Registered Land Surveyor, State of Alabama, and Dawson Seay Properties, LLC, owner, certify that this plat or map was made pursuant to said survey and that said survey and this plat or map was made at the instance of said owner; that this plat or map is a true and correct map of lands shown therein and known or to be known as Avondale Station, being a re-survey of Lot 1, Block 3 of Avondale Land Company, as recorded in Plat Book 1, Page 221, in the Judge of Probate Office, Jefferson County, Alabama showing the subdivision into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block and that iron pins have been installed at all lot corners and curve points as shown and are designated by small solid circles on said plat or map; and owner also certifies that they are the owner of said lands and that the same are not subject to any mortgage, except that mortgage held by _____; and owner delineates streets, alleys, and public grounds as shown by said plat or map; and owner agrees that the City of Birmingham may at any time change the nature or grade of any street, alley or public grounds, or any part thereof, from the natural or existing grade to the permanent grade without payment or compensation of damages to the abutting owner; and the agreement shall be a covenant running with the land. The undersigned appoints the City of Birmingham as agent for the purpose of filing said plat or map, together with this instrument, for record, and certifies that we have the full authority to execute this instrument and map.

I, Scott Skipper, a Registered Engineer and Land Surveyor of Alabama, hereby certify that all parts of this Survey and Drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Dated _____, 2018:

 Scott Skipper
 Registered Professional Land Surveyor
 License Number 20141

 Dawson Seay Properties, LLC
 Jud Dawson, Member



STATE OF ALABAMA
 JEFFERSON COUNTY

I, _____, as Notary Public in and for said county and state, do hereby certify that, Scott Skipper, whose name is signed to the foregoing certificate, and who is known to me, acknowledges before me on this date, that after being duly informed of the contents of said certificate, he executed the same voluntarily with authority thereto.

Given under my hand and seal this _____ day of _____, 2018

By: _____
 Notary Public

My commission expires: _____

STATE OF ALABAMA
 JEFFERSON COUNTY

I, _____, as Notary Public in and for said county and state, do hereby certify that, Jud Dawson, whose name is signed to the foregoing certificate, and who is known to me, acknowledges before me on this date, that after being duly informed of the contents of said certificate, he executed the same voluntarily with authority thereto.

Given under my hand and seal this _____ day of _____, 2018

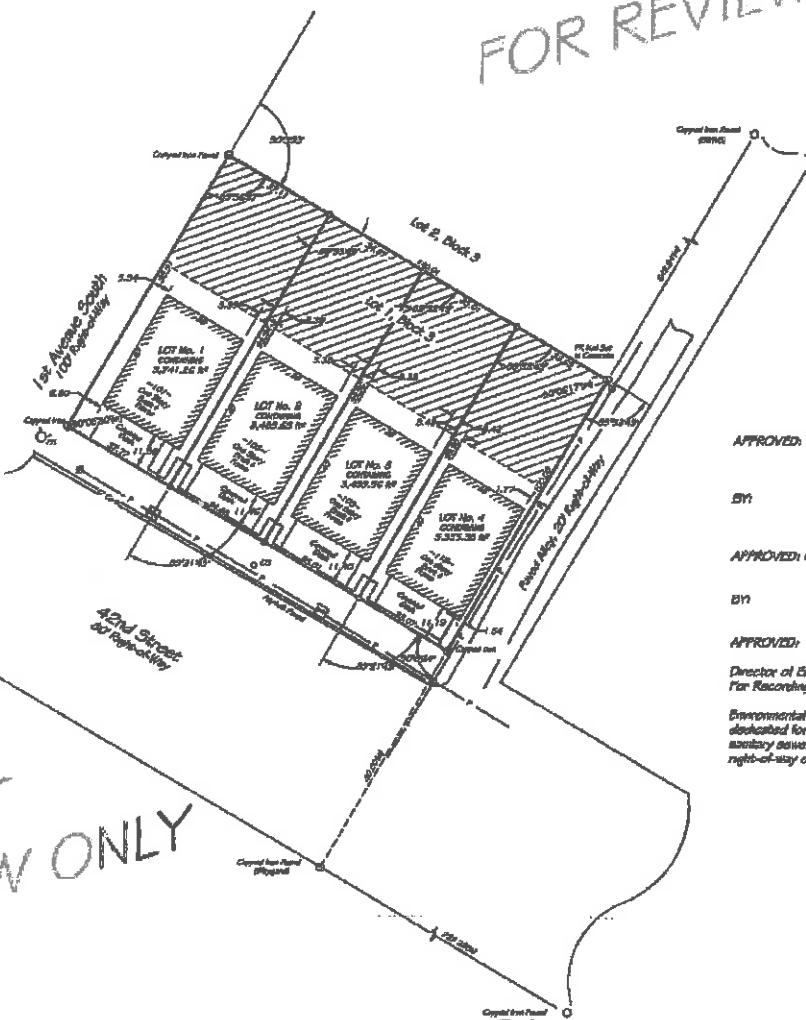
By: _____
 Notary Public

My commission expires: _____

GENERAL NOTES:

- 1.) TOTAL ACRES WITHIN THIS RE-DIVISION IS: 14,061.83 SQ OR 0.325 ACRES.
- 2.) THE PROPERTY IS CURRENTLY ZONED R4A.
- 3.) THIS PROPERTY IS LOCATED IN ZONE 15, ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP PANEL 894 OF 799, MAP NUMBER 01073200894G, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 29, 2015.

DRAFT
 FOR REVIEW ONLY



APPROVED: BIRMINGHAM PLANNING COMMISSION

BY: _____ DATE: _____

APPROVED: CITY ENGINEER

BY: _____ DATE: _____

APPROVED:

Director of Environmental Services
 For Recording Purposes Only

Environmental Services Department approval indicates that easements have been dedicated for future Jefferson County sanitary sewers, however this does not mean sanitary sewers have been built or will be built in the future. Any changes in the right-of-way or easement boundaries after this date may void this approval.

DRAFT
 FOR REVIEW ONLY

PERFORMED BY:
 SKIPPER ENGINEERING, INC.
 171 WOODLAND DRIVE
 RAINBOW CITY, ALABAMA 35906
 (256) 350-9424
 scottskipper@belsouth.net



AVONDALE STATION
BEING A RE-DIVISION OF
LOT No. 1, BLOCK 3, AVONDALE LAND COMPANY SUBDIVISION
MAP BOOK 1, PAGE 22 I
BIRMINGHAM, JEFFERSON COUNTY, ALABAMA

MAP BOOK . PAGE
COVENANTS RECORDED:

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, Scott Skipper, a Registered Land Surveyor, State of Alabama, and Dawson Sasy Properties, LLC, owner, certify that this plat or map was made pursuant by said surveyor and that said survey and the plat or map was made at the instance of said owner; that this plat or map is a true and correct map of lands shown therein and known or to be known as Avondale Station, being a resurvey of Lot 1, Block 3 of Avondale Land Company, as recorded in Map Book 1, Page 22 I, in the Judge of Probate Office, Jefferson County, Alabama; showing the subdivision into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block; and that iron pins have been installed at all lot corners and curve points as shown and are designated by small solid circles on said plat or map; said owner also certifies that they are the owner of said lands and that the same are not subject to any mortgage, except that mortgage held by Peoples Bank; said owner dedicates streets, alleys, and public grounds as shown by said plat or map; said owner agrees that the City of Birmingham may at any time change the nature or grade of any street, alley or public grounds, or any part thereof, from the natural of existing grade to the permanent grade without payment or compensation of damages to the abutting owner, and this agreement shall be a covenant running with the land. The undersigned appoints the City of Birmingham as agent for the purpose of filing said plat or map, together with this instrument, for record, and certifies that we have the full authority to execute this instrument and map.

I, Scott Skipper, a Registered Engineer and Land Surveyor of Alabama, hereby certify that all parts of the Survey and Drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief:

Dated December 20, 2018;

Scott Skipper

Scott Skipper
Registered Professional Land Surveyor
License Number 20141

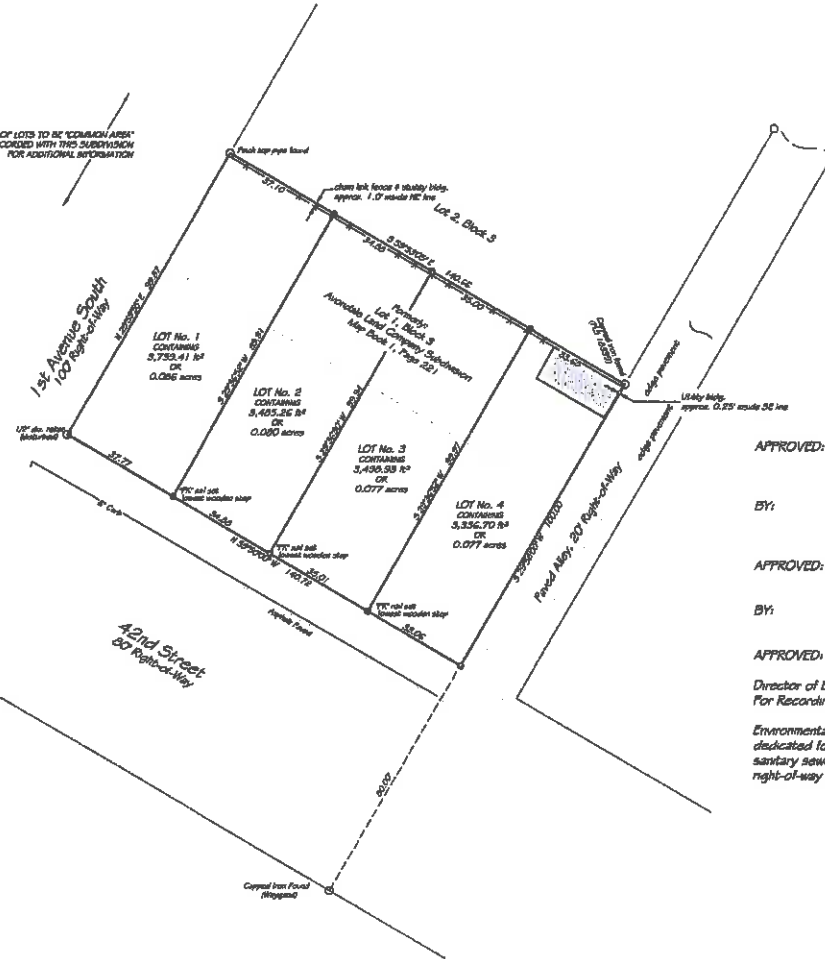
Mike Self
Peoples Bank

Jud Dawson, Member
Dawson Sasy Properties, LLC

Blake Sasy, Member
Dawson Sasy Properties, LLC



REAR 40' OF LOTS TO BE "COMMON AREAS"
SEE COVENANTS RECORDED WITH THIS SUBDIVISION
FOR ADDITIONAL INFORMATION



STATE OF ALABAMA
JEFFERSON COUNTY

I, Denise W. McCallister, as Notary Public in and for said county and state, do hereby certify that, Jud Dawson & Blake Sasy, whose names are signed to the foregoing certificate, and who are known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, have executed the same voluntarily with authority therefor.

Given under my hand and seal this 20th day of December, 2018

By: Denise W. McCallister
Notary Public

My commission expires: 02-14-2020

STATE OF ALABAMA
JEFFERSON COUNTY

I, Denise W. McCallister, as Notary Public in and for said county and state, do hereby certify that, Mike Self, whose names are signed to the foregoing certificate, and who are known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, have executed the same voluntarily with authority therefor.

Given under my hand and seal this 20th day of December, 2018

By: Denise W. McCallister
Notary Public

My commission expires: 02-14-2020

STATE OF ALABAMA
JEFFERSON COUNTY

I, Denise W. McCallister, as Notary Public in and for said county and state, do hereby certify that, Scott Skipper, whose name is signed to the foregoing certificate, and who is known to me, acknowledge before me on this date, that after being duly informed of the contents of said certificate, he executed the same voluntarily with authority therefor.

Given under my hand and seal this 20th day of December, 2018

By: Denise W. McCallister
Notary Public

My commission expires: 02-14-2020

PERFORMED BY:
SKIPPER ENGINEERING, INC.
171 WOODLAND DRIVE
RAINBOW CITY, ALABAMA 35806
(256) 390-9424
scottskipper@bellsouth.net

GENERAL NOTES:
1.) TOTAL ACREAGE WITHIN THIS RE-DIVISION IS: 14,060.35 sq ft or 0.323 ACRES.
2.) THE PROPERTY IS CURRENTLY ZONED R4A.
3.) THIS PROPERTY IS LOCATED IN ZONE 74 (AREA OF MINIMAL FLOODING), ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP PANEL 334 OF 755, MAP NUMBER 01073C0394G, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 29, 2010.
4.) NO CONSIDERATION WAS GIVEN TO FOOTING OR ROOF OVERHANG ENCROACHMENTS.

APPROVED: BIRMINGHAM PLANNING COMMISSION

BY: DATE:

APPROVED: CITY ENGINEER

BY: DATE:

APPROVED:

Director of Environmental Services
For Recording Purposes Only

Environmental Services Department approval indicates that easements have been dedicated for future Jefferson County sanitary sewers, however this does not mean sanitary sewers have been built or will be built in the future. Any changes in the right-of-way or easement boundaries after this date may void this approval.

