

Meeting – February 14, 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

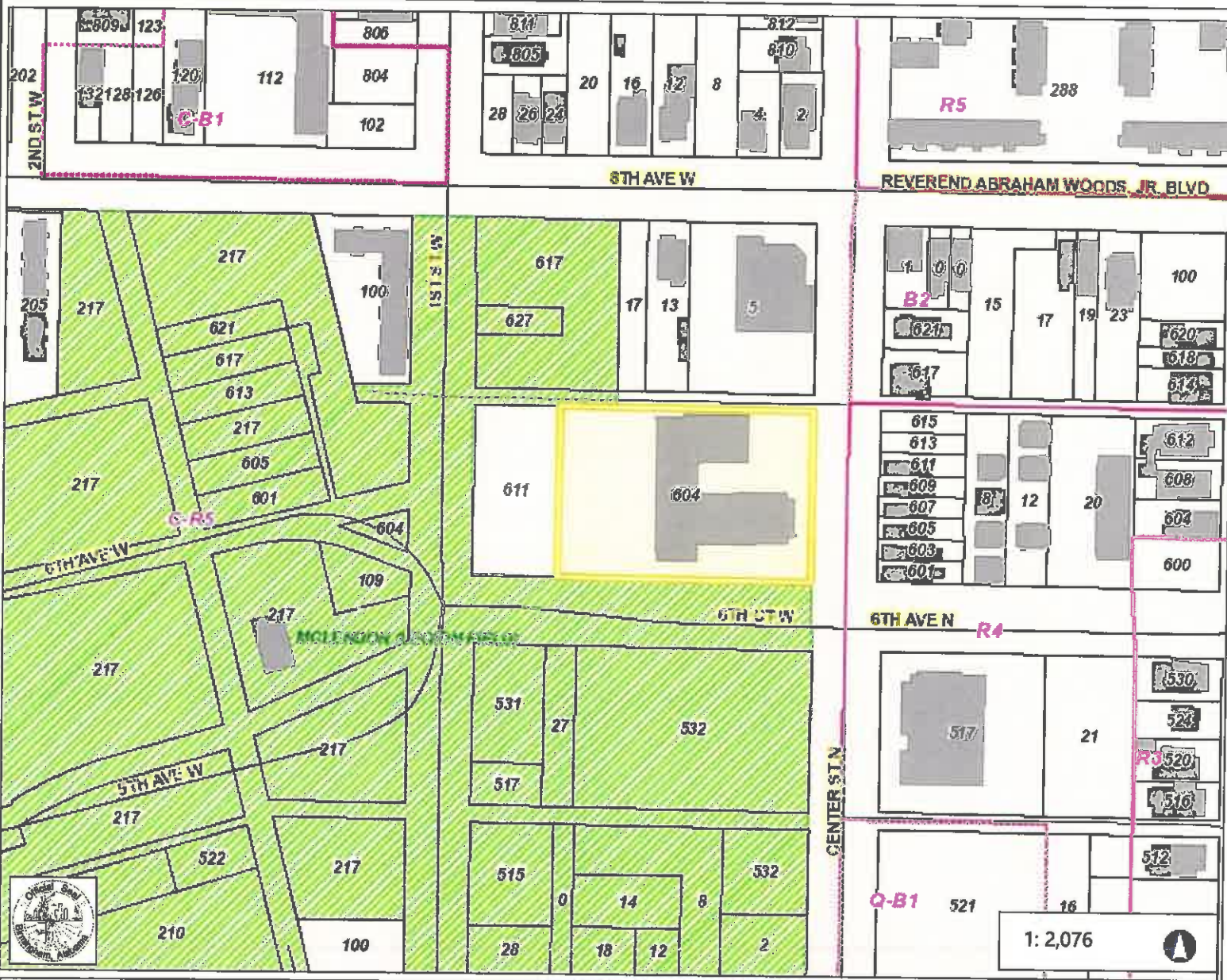
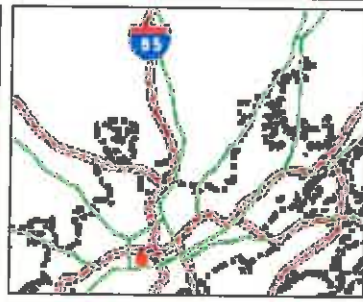
The applicant stated that the sign was permitted and installed in the current location. The applicant also stated that the operation of the sign can be altered to not allow animation or illumination with intermittent light.

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
- US Highways
- Interstates
- Limited Access
- Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

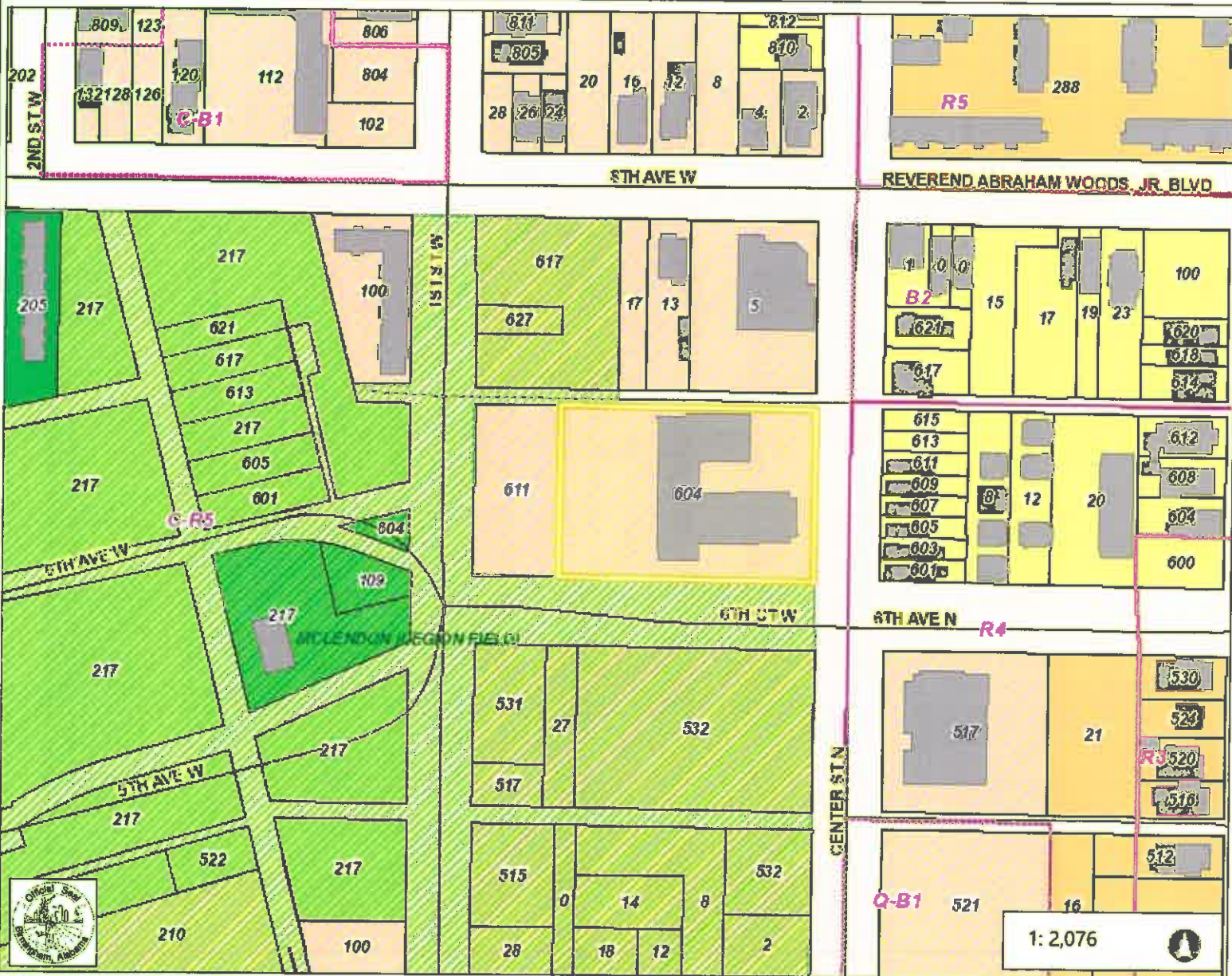


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Notes

1:2,076

600 Center St N ALU



Legend

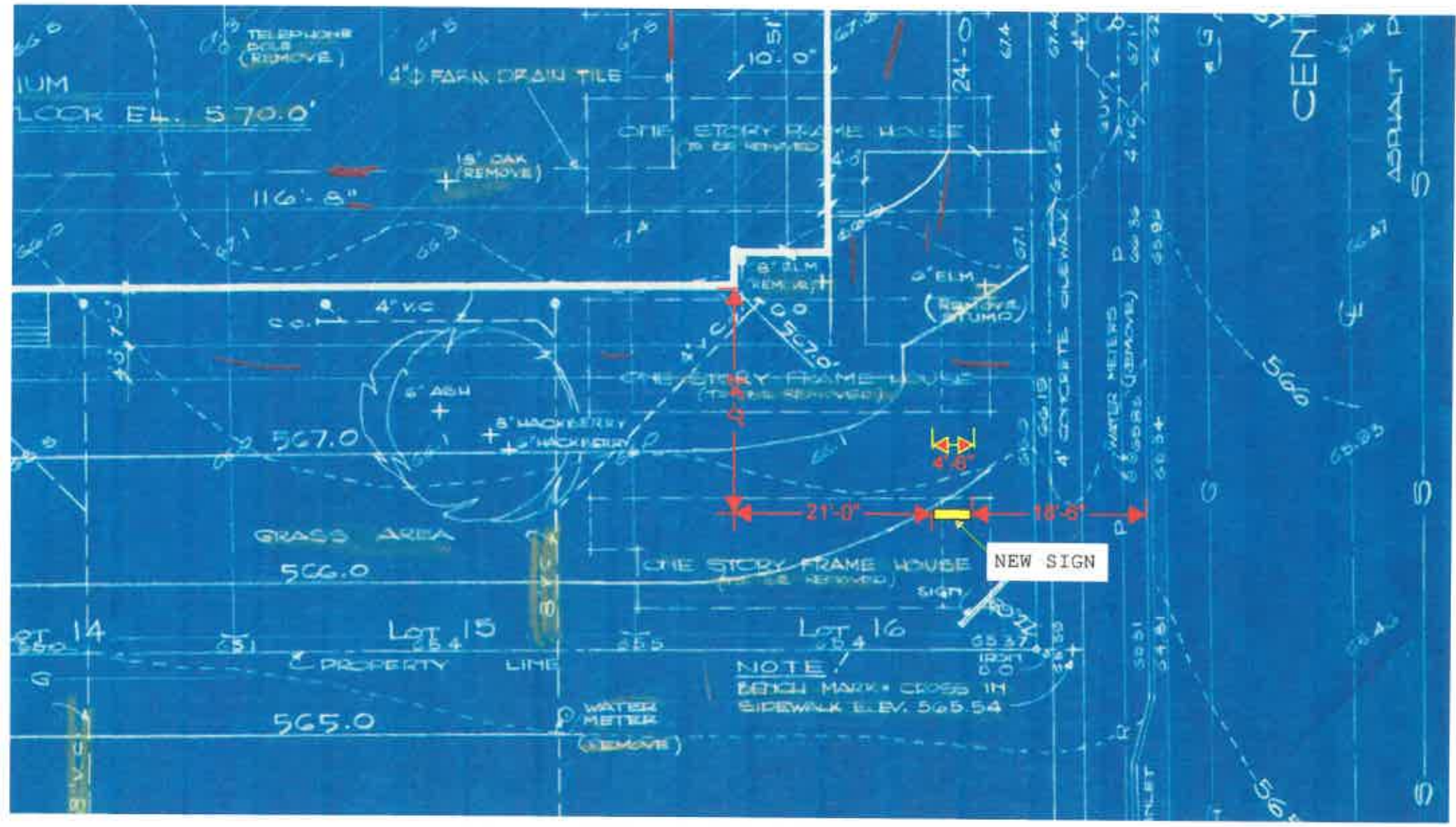
- Centerline Labels
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 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium



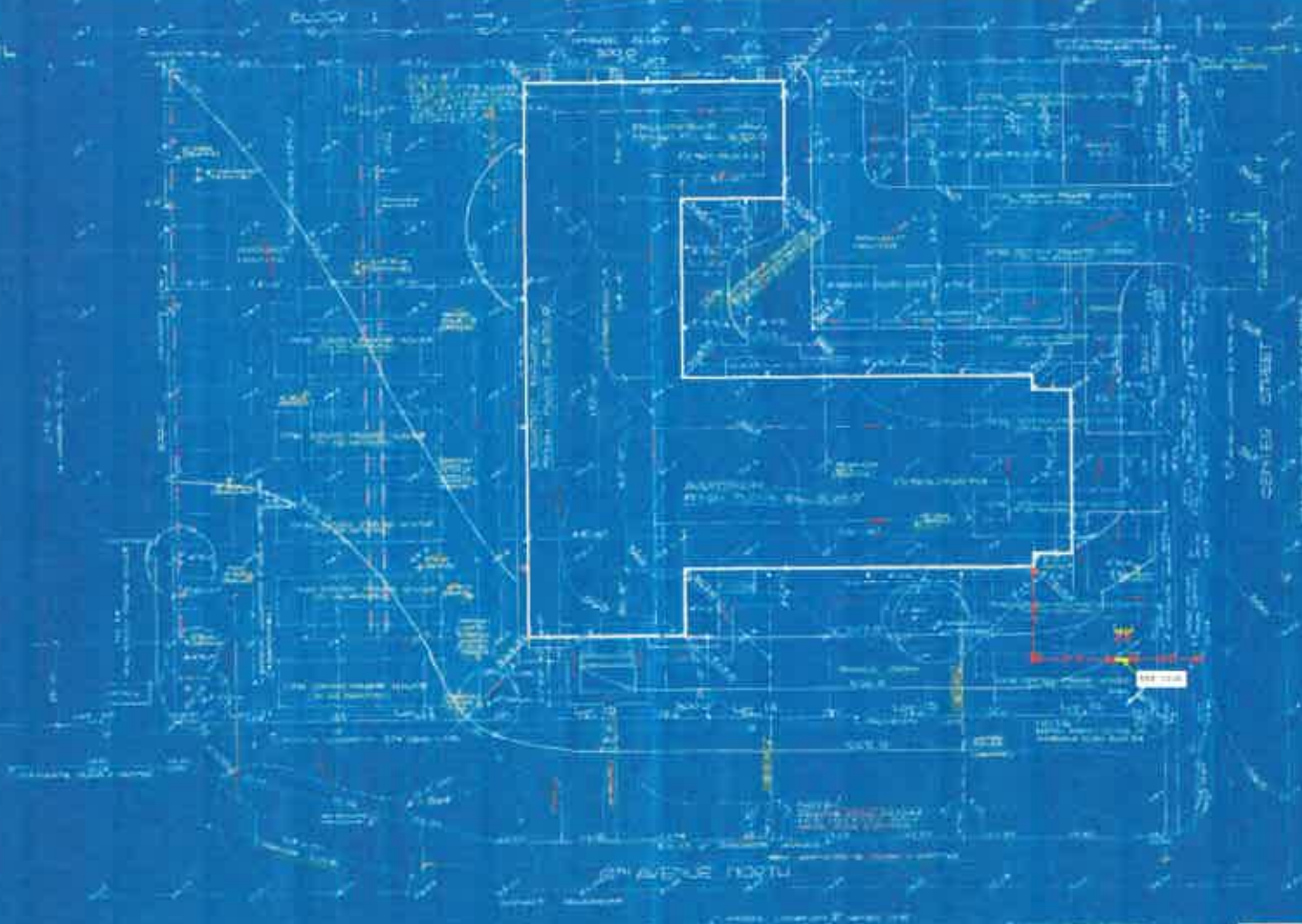
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Notes

1: 2,076



SECTION
TYPICAL GIGG
GUTTER DETAIL



CONCRETE
DUMPER

CONCRETE
CURB

CONCRETE
CURB



ARCHITECT: [unreadable]
1234567890 [unreadable]
[unreadable] [unreadable]

PLOT PLAN
[unreadable]

LEGEND
[unreadable]

101	TOWNHOLE
102	BAPTIST CHURCH
103	17th Ave. N. (Center St.)
104	18th Ave. N. (Center St.)
105	19th Ave. N. (Center St.)



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.

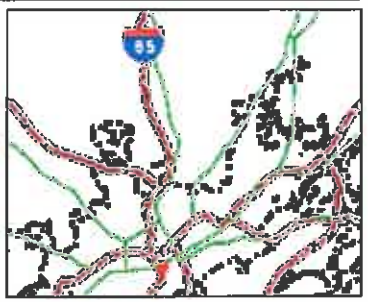
Applicant's Justification

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

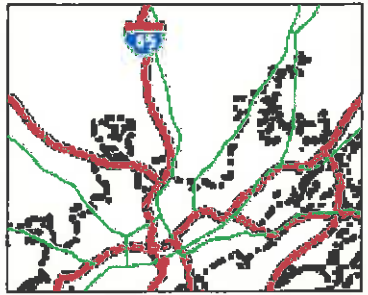
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1:1,280

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Notes



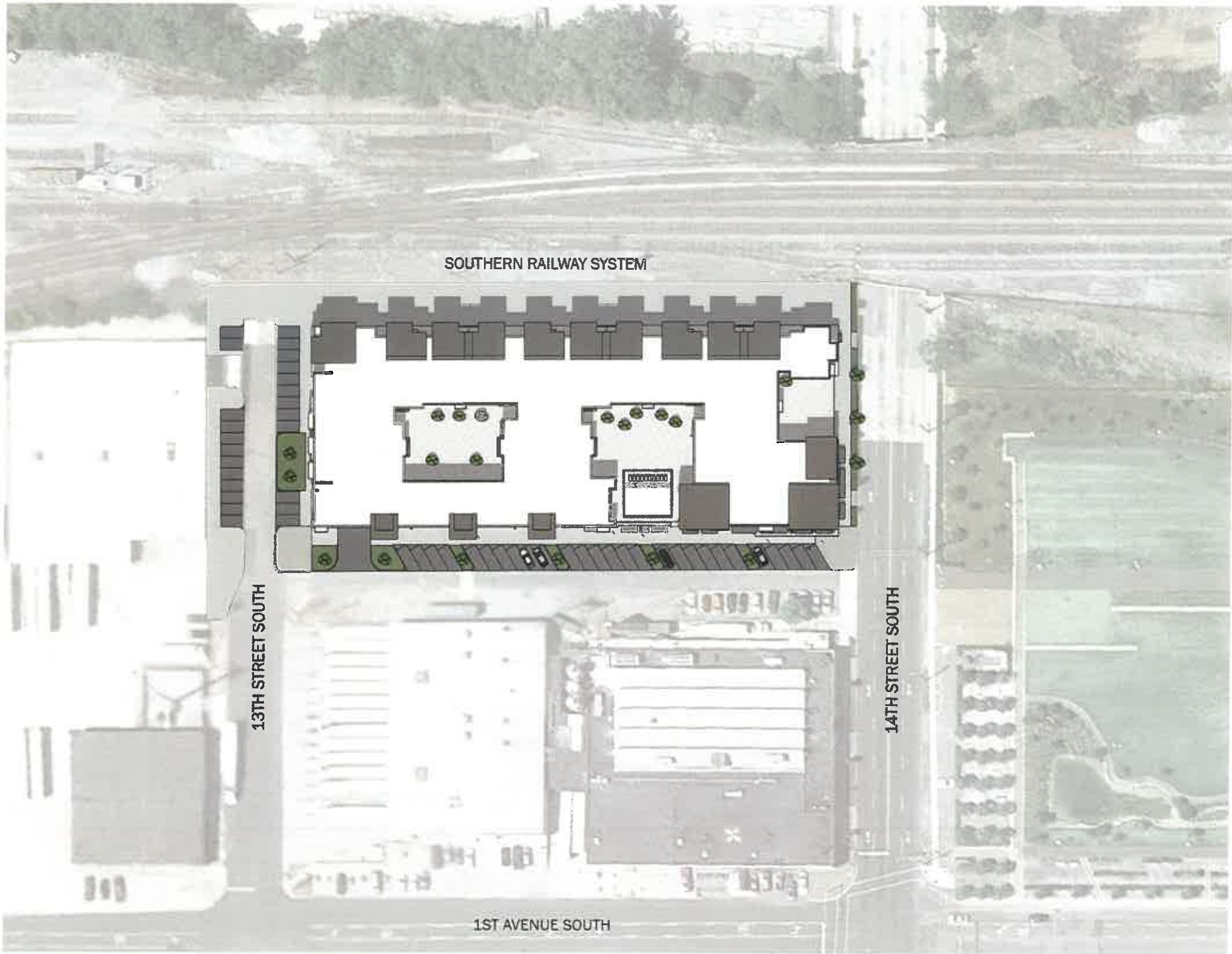
Legend

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SOUTHERN RAILWAY SYSTEM

13TH STREET SOUTH

14TH STREET SOUTH

1ST AVENUE SOUTH

C:\WORKSPACE\PROJECTS\BOKA\BOKA\BIRMINGHAM\CENTRAL\ZONING\ZONING.MXD

PUBLISH 11/23/16 11:23:11 AM

PROJECT DATA

PROPOSED REZONING	M (LIGHT INDUSTRIAL) TO M-U-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 FEET OF SAID BLOCK HERETOFORE CONVEYED TO LOVING REALTY COMPANY BY DEEDS RECORDED IN VOLUME 3025, PAGE 291 AND VOLUME 3037, PAGE 145, IN THE PROPRATE OFFICE OF JEFFERSON COUNTY, ALABAMA, CONTAINING 81,648 SQUARE FEET OR 1.874 ACRES.
BUILDING	FIVE STORIES OVER TWO STORY PODIUM - OVER A 1/2 STORY BELOW GRADE GARAGE PARKING STRUCTURE APPROX. 370,000 SF
HEIGHT	55 FT
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 38 SURFACE PARKING SPACES PROVIDED 381 TOTAL SPACES PROVIDED



architecture | interiors | planning | graphics
 8070 Park Lane, Ste. 300 | Dallas, Texas 75261
 Tel 972.701.8000 | Fax 972.891.3008
 www.bokapowell.com

These documents are issued for pricing only and are not for regulatory approval, permitting or construction.
 Arch: Donald R. Powell, Jr. Reg. No.: 4281

co-owner/developer
 CORPORATE REALTY
 69 14TH STREET SOUTH
 SUITE 104
 BIRMINGHAM, AL 35233

co-owner/developer
 PARALLEL CO, L.L.C.
 201 WEST 6TH STREET
 SUITE 1100
 AUSTIN, TEXAS 78701

chil
 WALTER SCHOEL ENGINEERING CO.
 1001 22ND STREET SOUTH
 BIRMINGHAM, ALABAMA 35205

landscape architect
 MACKNALLY LAND DESIGN
 4000 3RD AVENUE SOUTH
 SUITE 101
 BIRMINGHAM, AL 35222

structural engineer
 RLD CONSULTING ENGINEERS
 12001 NORTH CENTRAL EXPRESSWAY
 SUITE 300
 DALLAS, TX 75243

meep engineer
 SCHMIDT & STACY
 400 CITY PLACE
 2711 NORTH HASKELL AVE, LB 20
 DALLAS, TEXAS 75225

interior designer
 SIXTHFRONT
 1601 S. MOPAC EXPRESSWAY
 BARTON SKYWAY TWO, SUITE 100-D
 AUSTIN, TX 78746

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

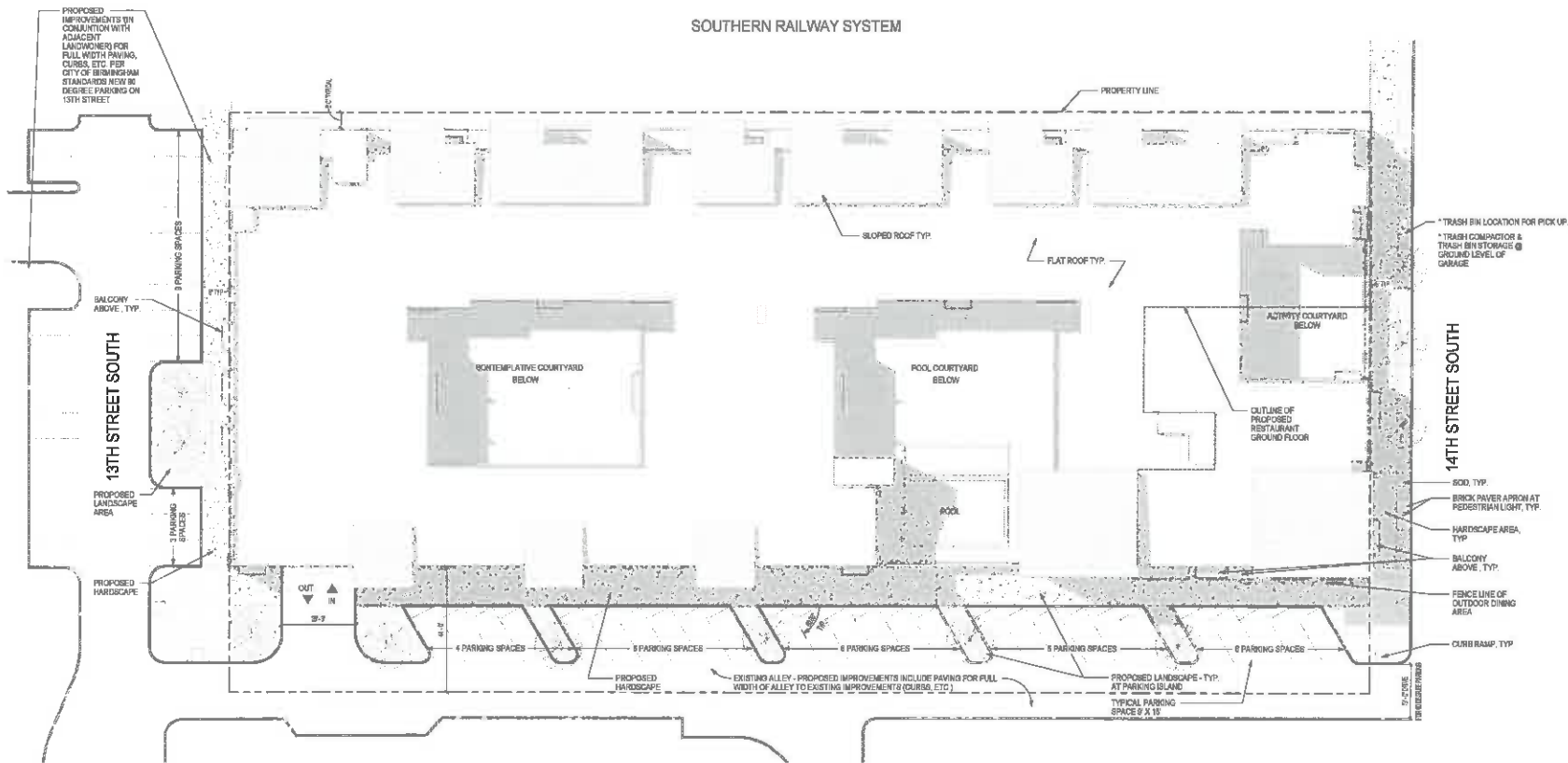
The developer and architect warrant that they are the original author of the work, and that they own all intellectual property and all other rights in the work, and that they have the right to publish, reproduce, distribute, and otherwise use the work in any manner without the consent of the architect.

original issue
 ZONING APPLICATION 10.28.2016
 revisions

ZONING SITE PLAN

project number 18072.100
 date 10.28.2016

sheet Z1.00



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



SOUTHWEST AERIAL



PERSPECTIVE 1



PERSPECTIVE 2



PERSPECTIVE 3

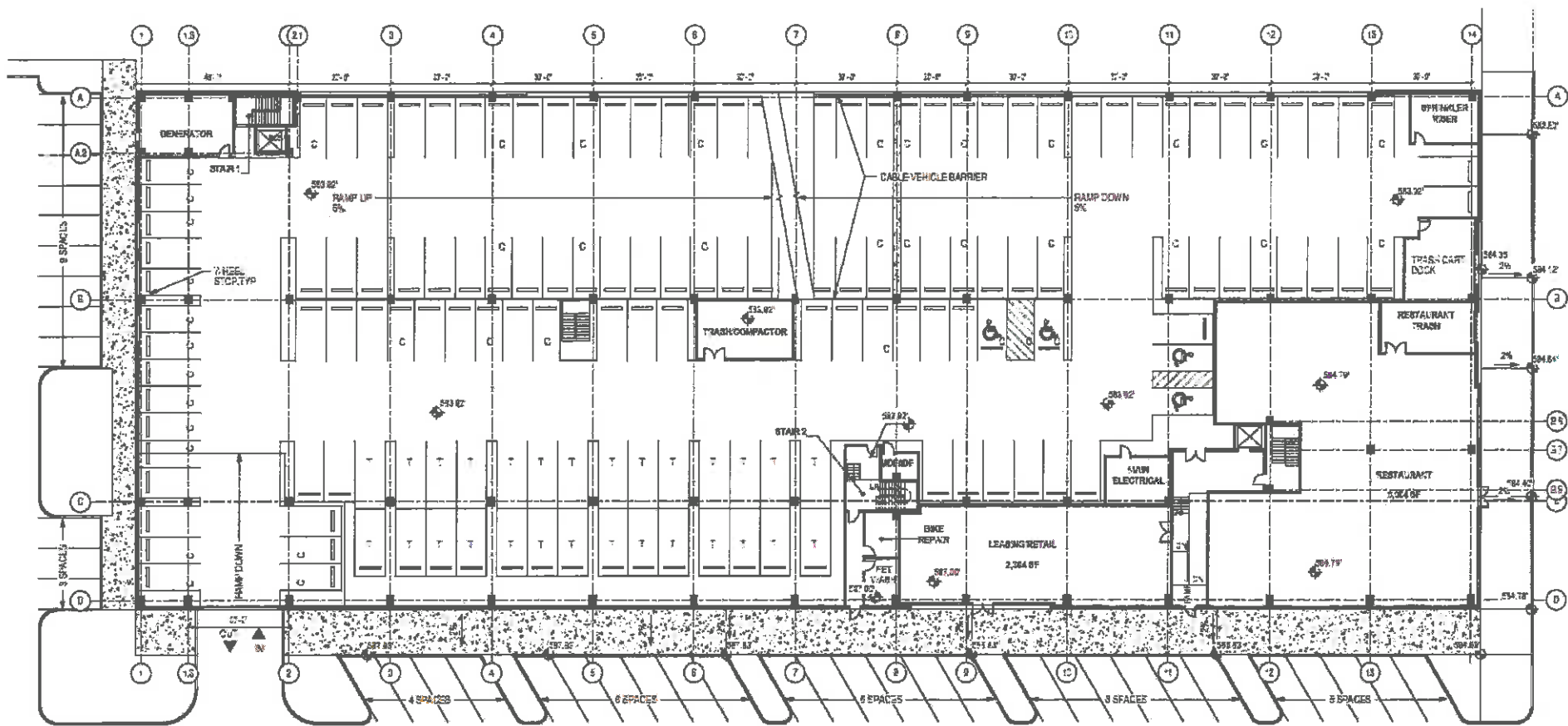


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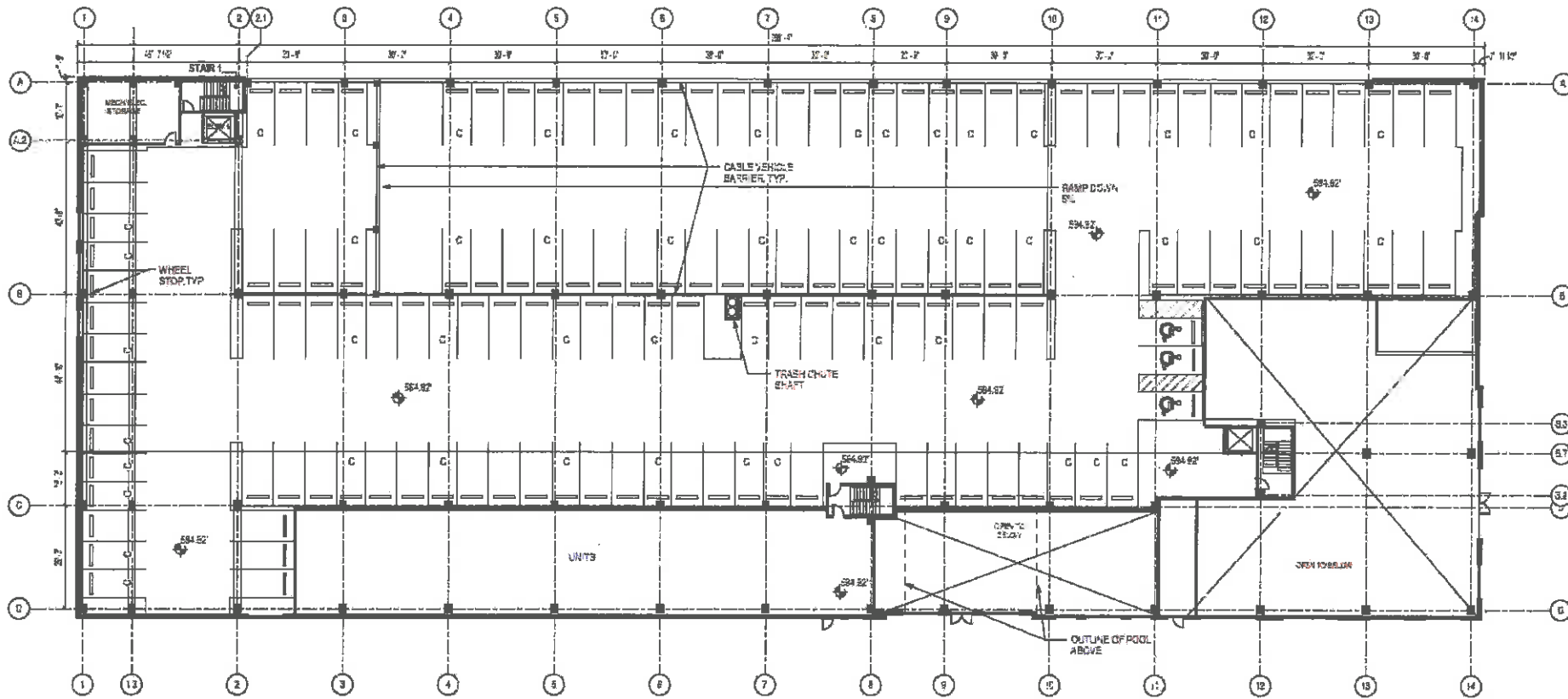


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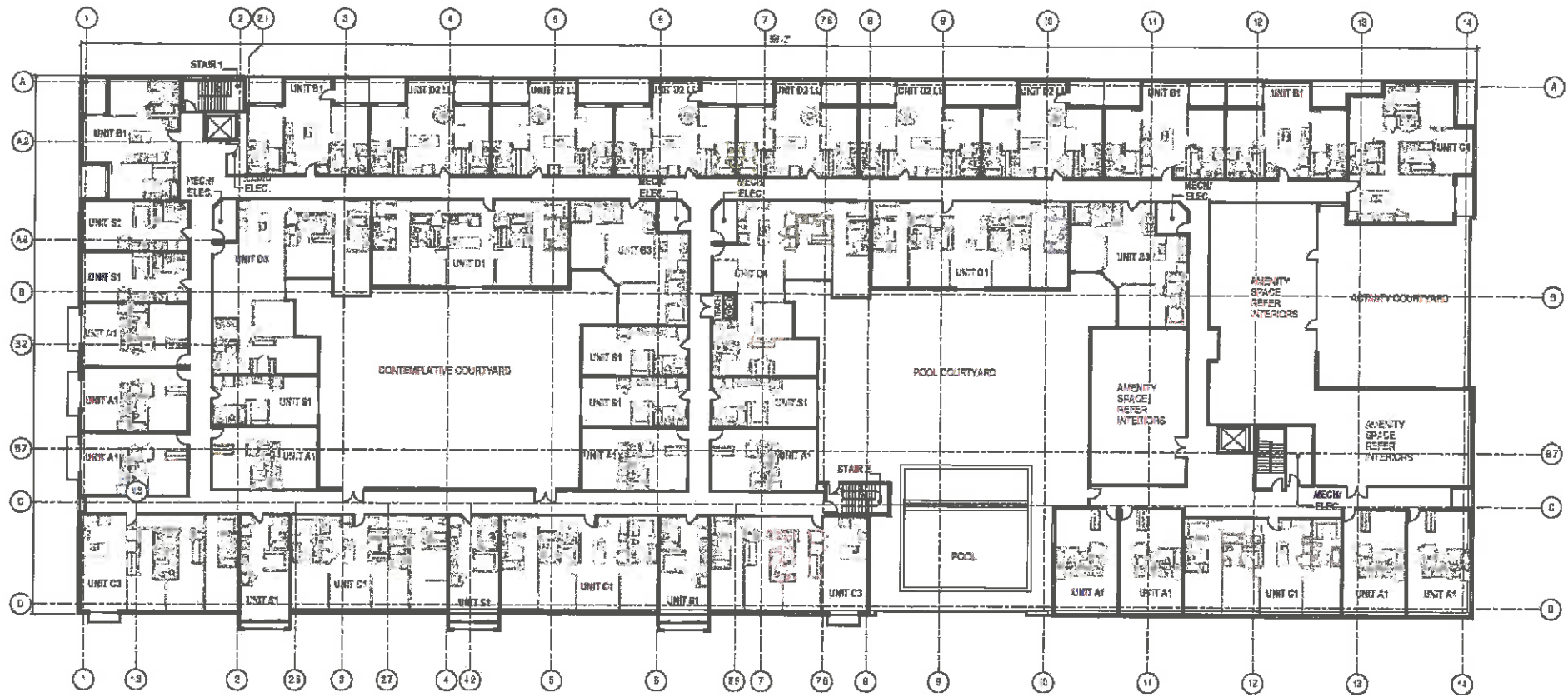
ELEVATIONS



LEVEL 1 PLAN



LEVEL 2 PLAN



TYPICAL PLAN

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 applicant met with the Crestline Neighborhood Association, but the neighborhood has yet to send staff any information from that meeting.

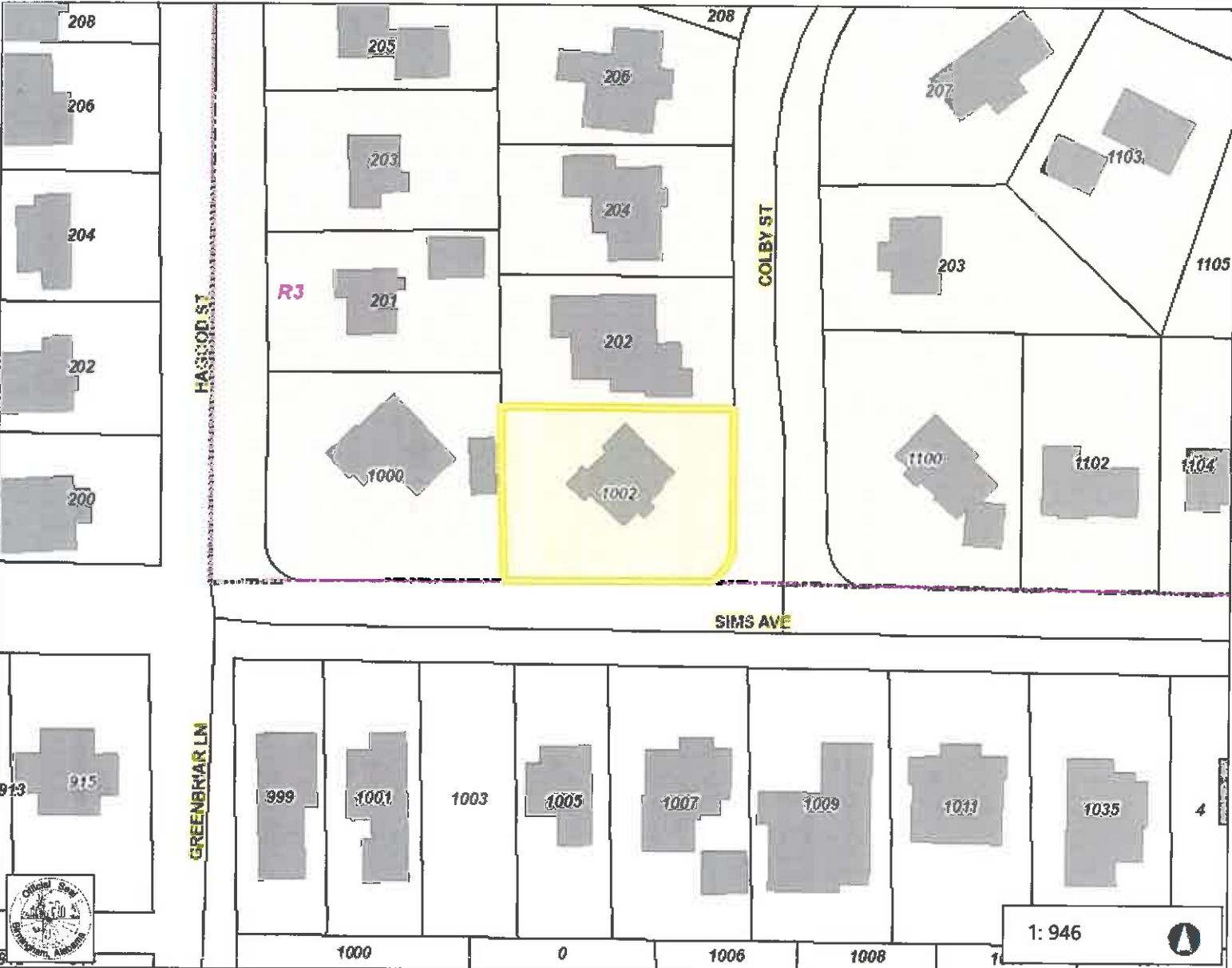
Applicant's Justification

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:

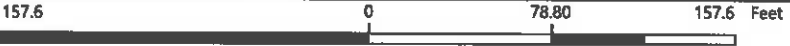
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2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.



Legend

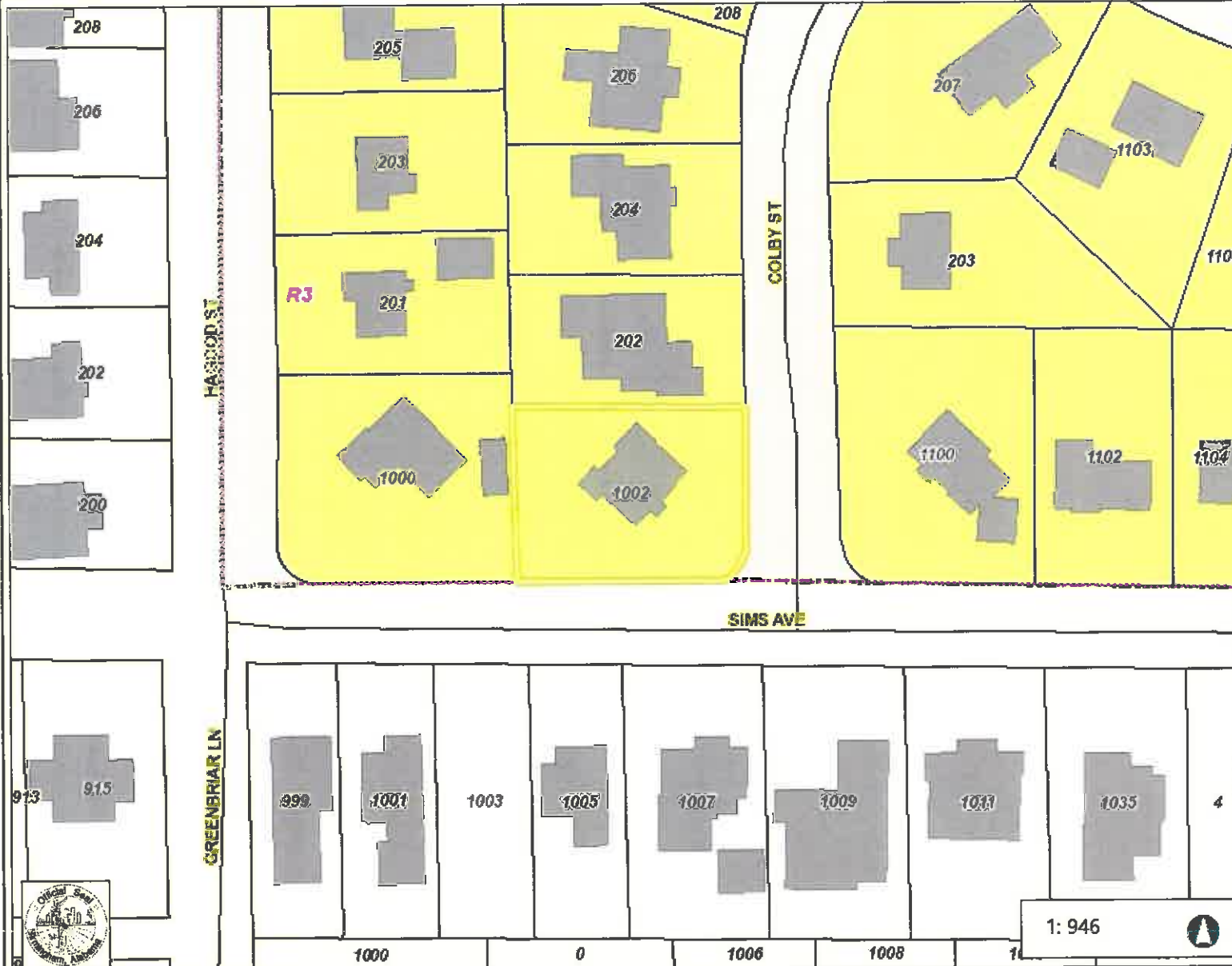
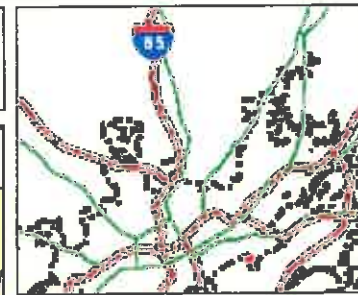
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Notes



1: 946

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Legend

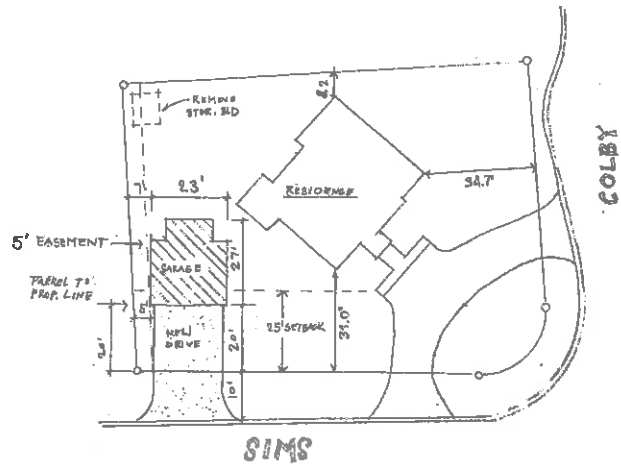
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 - General Commercial
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1: 946

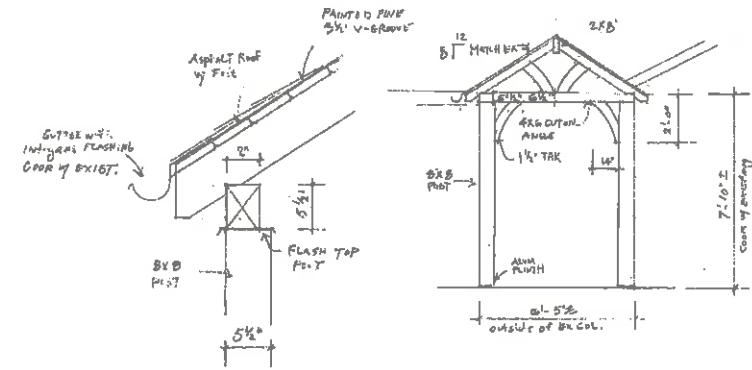


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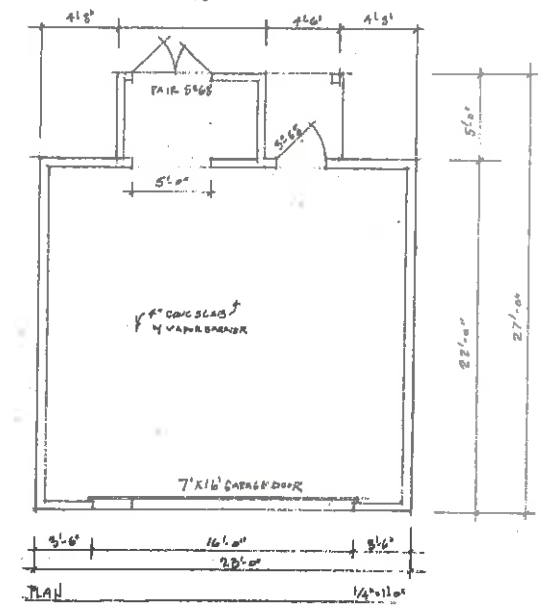


SITE PLAN
1:20

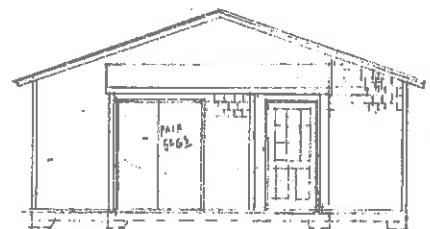


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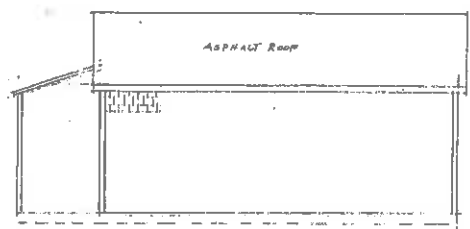
FRONT PORCH
3/8" = 1'-0"



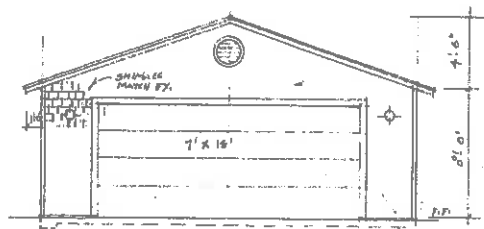
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1/4" = 1'-0"



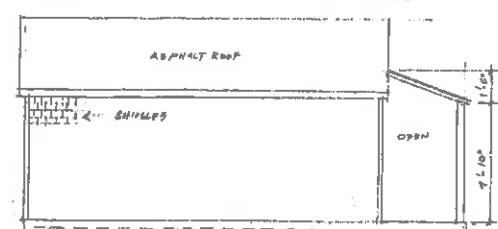
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ELEVATION - LEFT SIDE
1/4" = 1'-0"



ELEVATION - SIMS
1/4" = 1'-0"



ELEVATION - RIGHT SIDE
1/4" = 1'-0"

Robinson Architects
4932 Altemont Road Birmingham, AL
205.229.0377 - demarc@earthlink.net

A GARAGE ADDITION AND RENOVATIONS
FOR
SHERAL PARRIS
BIRMINGHAM

PLAN SHEET 35413

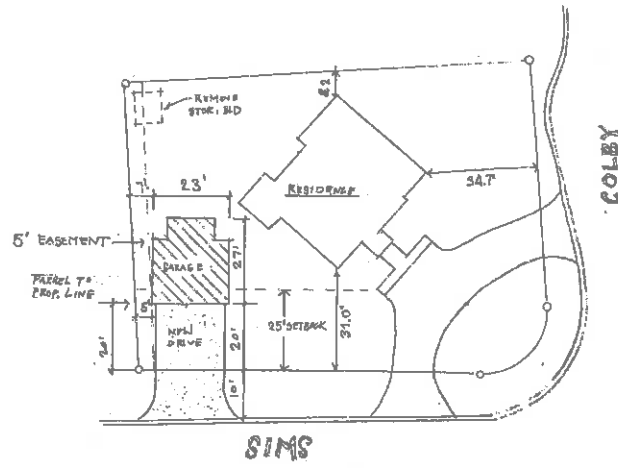
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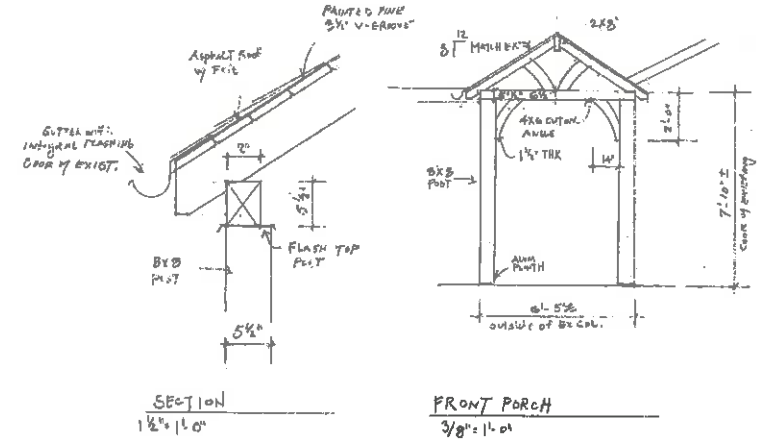


ZBA2018-00082



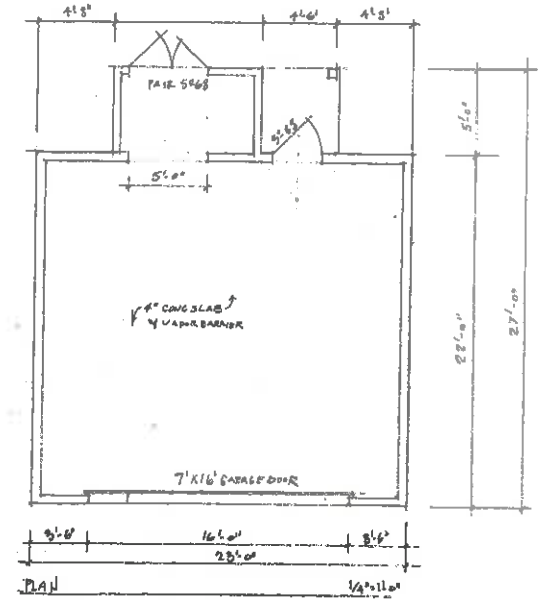


SITE PLAN
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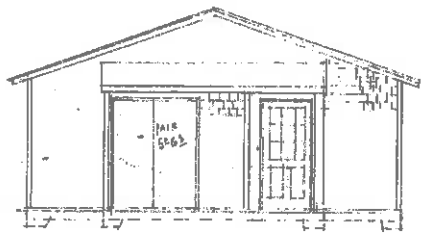


SECTION
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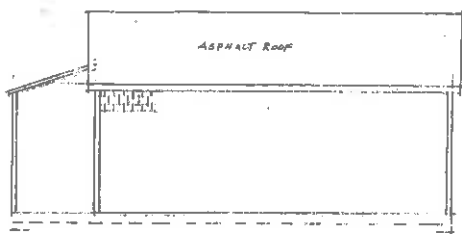
FRONT PORCH
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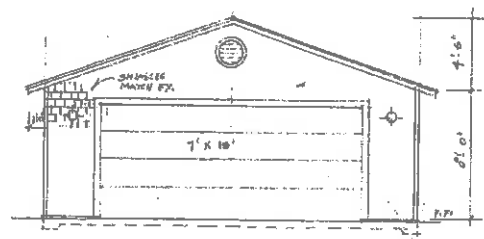
PLAN
1/8" = 1'-0"



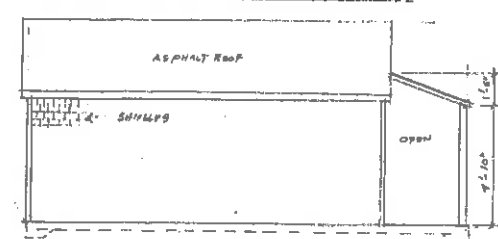
ELEVATION - REAR
1/4" = 1'-0"



ELEVATION - LEFT SIDE
1/4" = 1'-0"



ELEVATION - SIMS
1/4" = 1'-0"



ELEVATION - RIGHT SIDE
1/4" = 1'-0"

Robinson Architects
4932 Albemarle Road Birmingham, AL
205.229.0377 - dsmack@earthlink.net

A GARAGE ADDITION AND RENOVATIONS
FOR
SHERAL PARRIS
BIRMINGHAM

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 held a special call meeting on January 19th and voted 5-0 in support of these requests.

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.



ZBA2018-00083 Zoning Map MUH



Legend

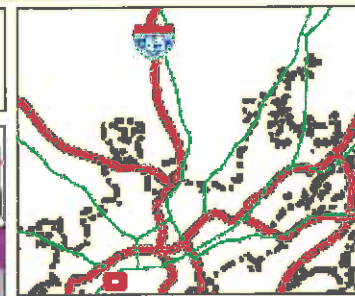
- Centerline Labels
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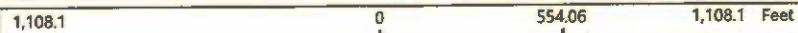
1: 6,649

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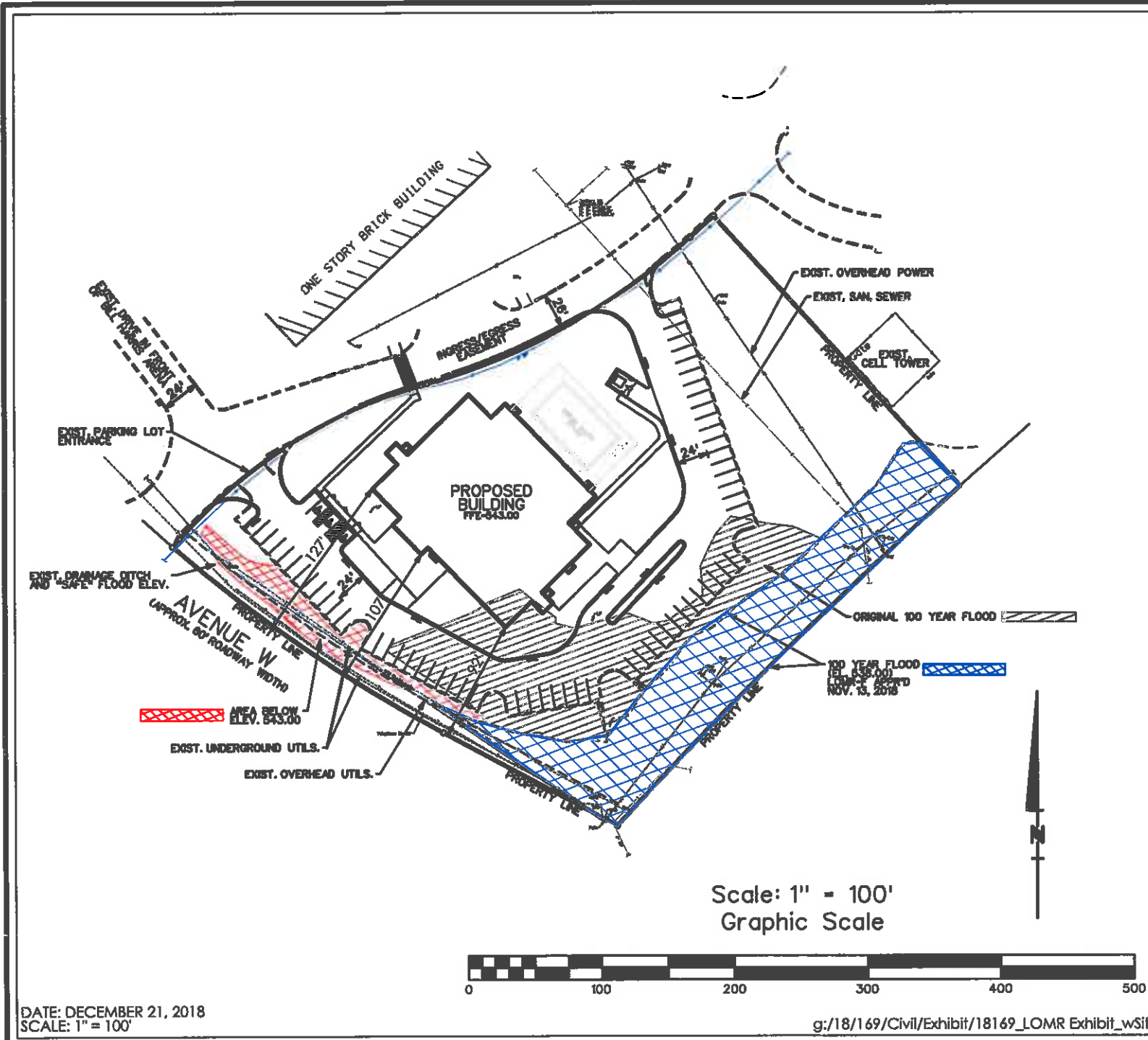
- Legend**
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1: 6,649

Notes



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

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

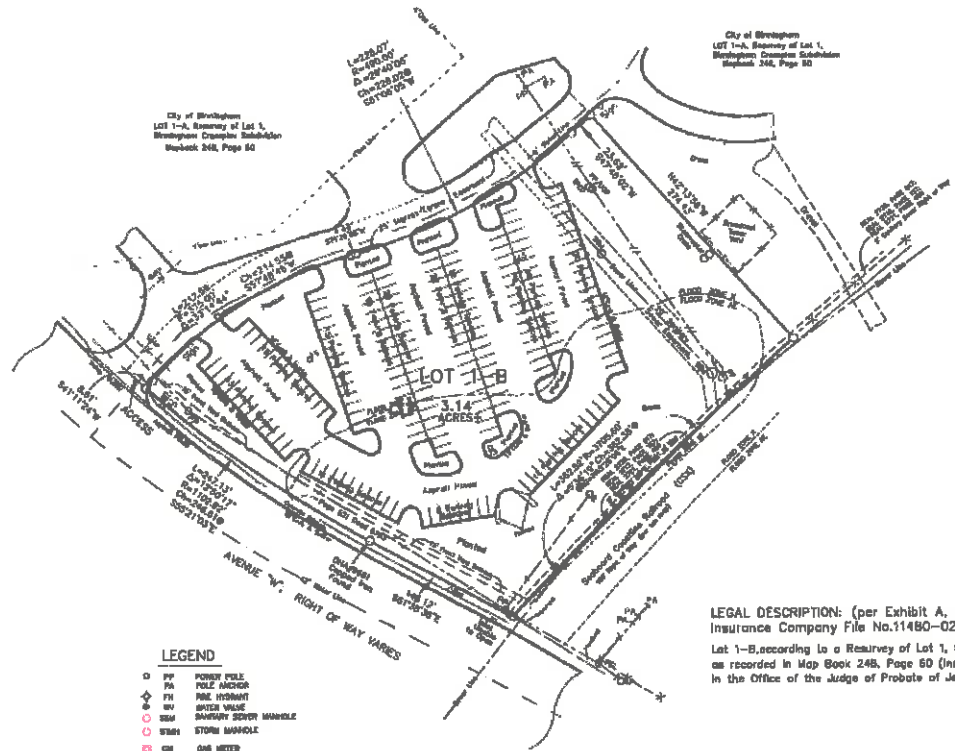
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SCHOBEL

Civil
 Surveying
 Environmental
 Water Resources
 Laser Scanning + Modelling

1001 22nd Street South
 Birmingham, Alabama 36205
 205.323.6166

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



City of Birmingham
 Lot 1-B, Boundary of Lot 1,
 Birmingham Crossplex Subdivision
 Map Book 248, Page 60

City of Birmingham
 Lot 1-B, Boundary of Lot 1,
 Birmingham Crossplex Subdivision
 Map Book 248, Page 60

LEGEND

- PP POWER POLE
- ◆ PA POLE ANCHOR
- ◆ FH FIRE HYDRANT
- SW WATER VALVE
- SSM SANITARY SEWER MANHOLE
- STMH STORM MANHOLE
- CM GAS METER
- GM GAS VALVE
- P POWER LINE
- F FENCE
- LP LIGHT POLE
- CO CLOSET
- SW SWEATERING WELL
- △ SSM SIGN
- WM WATER METER
- PB POWER BOX ON CONCRETE
- LF LIGHT REFRIGERATOR
- SSM STORM WATER DRAIN
- LD UTILITY LID
- TFD TELEPHONE FURNISHING
- PF PAVEMENT FINISH
- BHP BOLLARD POLE
- HIC HANDICAPPED PARKING SPACE
- GSP GREEN SPACED PAVEMENT

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;
 AGOBC Great Futures, an Alabama nonprofit corporation,
 First American Title Insurance Company,
 Moynard, 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 thereof). 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

Rowland Jacobs, Ala. PLS. No. 16399
 Rowland Jacobs, Ala. PLS. No. 16399



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

1. Items 1, 2, 3, 4, 6, 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: Real 3624, 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-8802(26)) was not provided.
5. Item 14: "Intentionally Deleted";
6. Item 18: Volume 2082, Page 384 is a blanket document affecting the subject property but which cannot be graphically represented on a survey drawing.
7. Item 19: Real 2712, Page 157 affects the subject property and is shown on the survey drawing;
 Real 2721, Page 459 affects the subject property and is shown on the survey drawing;
 Real 2730, Page 617 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 561 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.

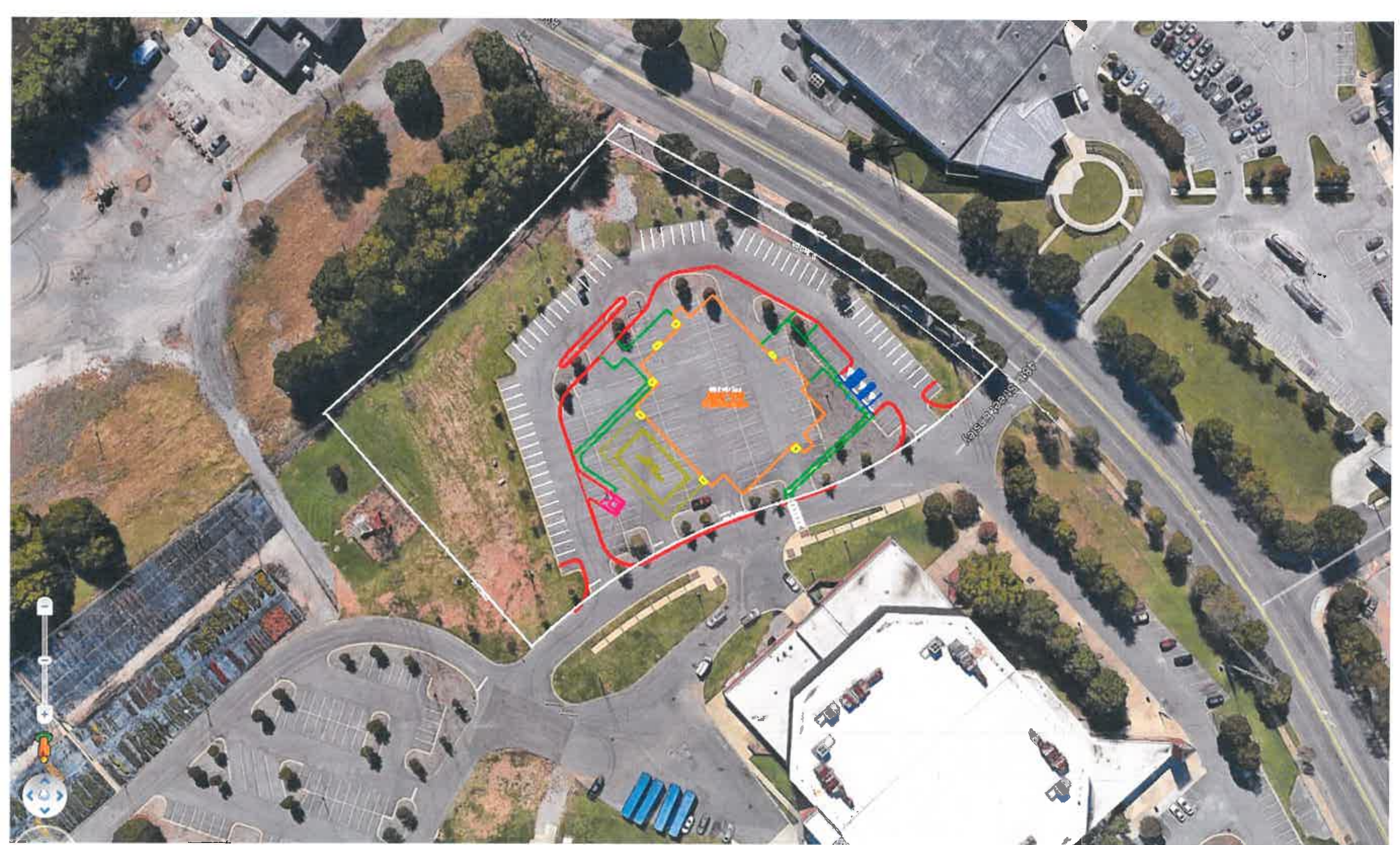
NOTES

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 title may exist.
3. Property is located in Zone X, defined as outside of 500-year floodplain, per Flood Insurance Rate Map D1673C03796, Panel 551 of 786, dated 8/28/2006, except where shown on 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 100 is 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 "PN 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 80 feet; subject property is located in the Five Points West Commercial Reutilization District;
10. Revised 11/29/18 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 = 30 Feet November, 2018

JACKSON, BUTLER & ADAMS, INC.
 SURVEYORS-REGISTERED
 2430 INDEPENDENCE DRIVE, SUITE 20
 BIRMINGHAM, ALABAMA 35209
 (205) 979-3360
 File B-1081/18-4 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.

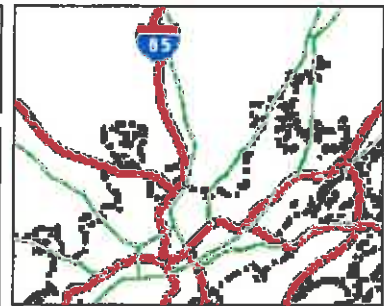
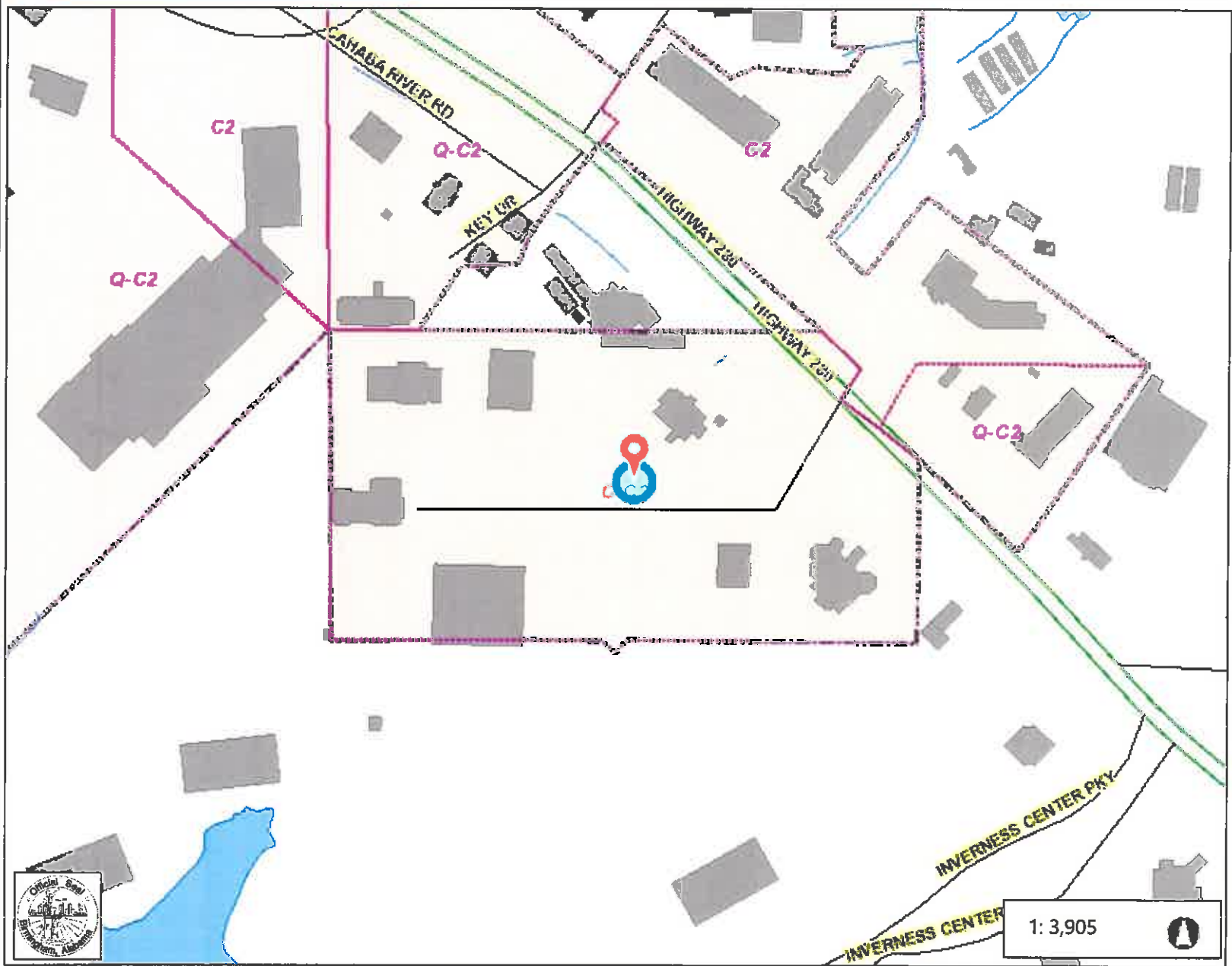
Applicant's Justification

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
- Parcels
- City Parks
- Airport
- City Limits (solid)

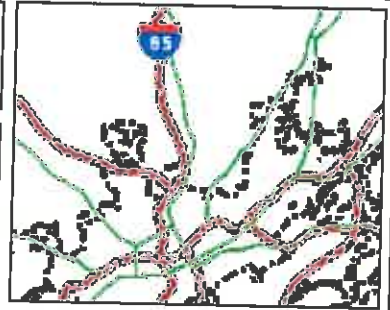
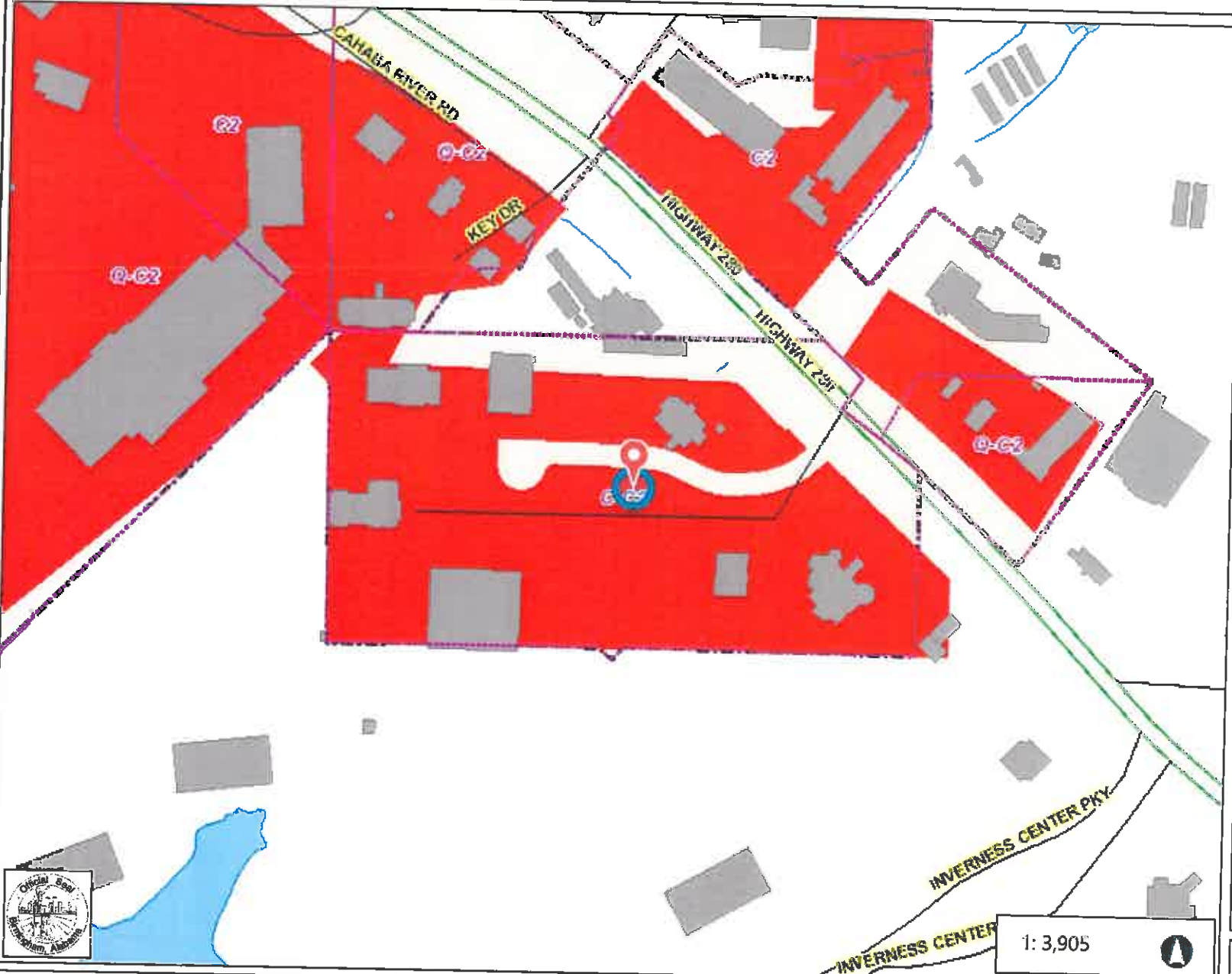


650.9 0 325.46 650.9 Feet

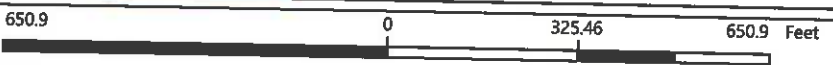
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 3,905

Notes



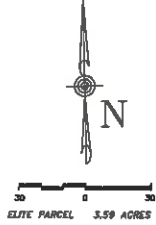
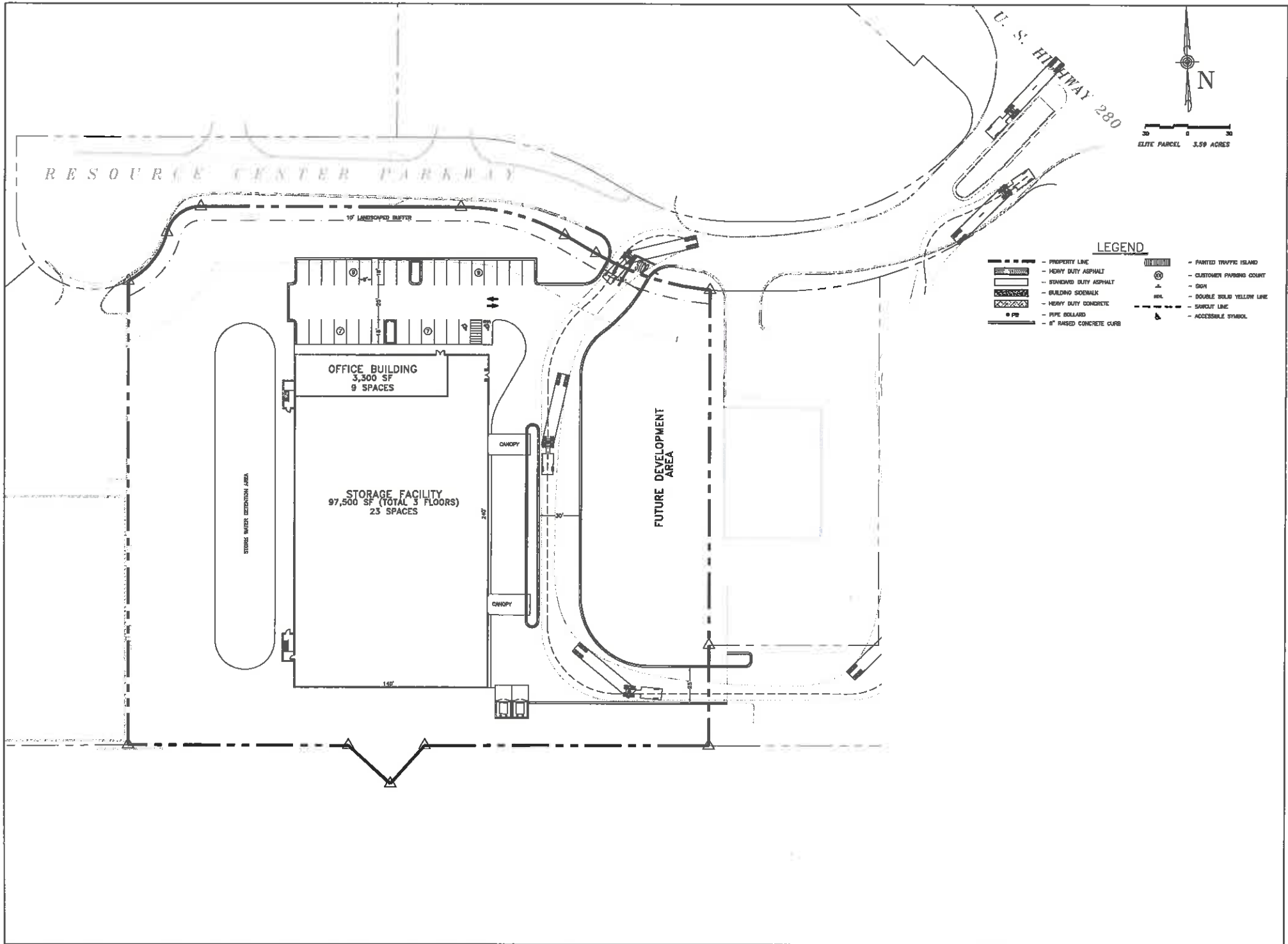
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 - City Parks
 - Airport
 - Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium



1: 3,905

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Notes



LEGEND

	PROPERTY LINE		PAINTED TRAFFIC ISLAND
	HEAVY DUTY ASPHALT		CUSTOMER PARKING COUNT
	STANDARD DUTY ASPHALT		SIGN
	BUILDING SIDEWALK		DOUBLE SOLID YELLOW LINE
	HEAVY DUTY CONCRETE		SAWOUT LINE
	PIPE BOLLARD		ACCESSIBLE SYMBOL
	8" RAISED CONCRETE CURB		

DEVELOPER:
ORANGE DORNBOND, LLC
1200 CORPORATE DRIVE
SUITE 9-30
BIRMINGHAM, AL 38242
PH: (205) 408-0443

ELITE TRAINING ACADEMY
247 RESOURCE CENTER PKWY.
BIRMINGHAM, AL.

ARCHITECT OF RECORD:

CONSULTANT:

CARLSON CONSULTING ENGINEERS, INC.
7008 Lakeshore Commons
Birmingham, AL 38235
Phone (205) 294-0484
Fax (205) 294-0710

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

Forest Park

ZBA2019-00001

Request: Special Exception
Applicant: Wesley Vaughn
Owner: Orchestra Partners
Site Address: 205 41st St S
Zip Code: 35222
Description: Special exception to remove a parking agreement (easement) pursuant to Title 1, Chapter 9, Article II, Section 1.
Property Zoned: M1 Light Industrial
Parcel Information: Parcel #012300293008006000, SW ¼ of Section 29, Township 17 S, Range 2 W

Special Exception

The applicant is requesting a special exception to remove a parking agreement easement that reserved a portion of the original lot for off street parking from 1965. The current site is former location of Demaris Auto. This location was granted a parking modification for 0 off-street parking spaces in 2017 (ZBA2017-00086).

Neighborhood

The Forest Park Neighborhood Association met on February 5th and voted unanimously to support this request.

Applicant's Justification

The applicant stated that there is no longer a need for the easement due to the granted modification.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the request. The modification granted in 2017 removes the need to keep this parking agreement in place. 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.



City of Birmingham
Online Mapping

ZBA2019-00001 Zoning Map M1



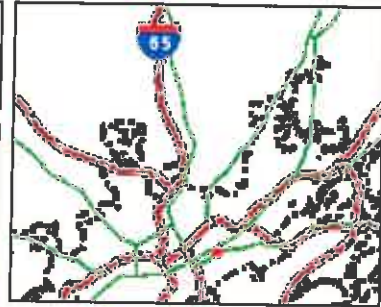
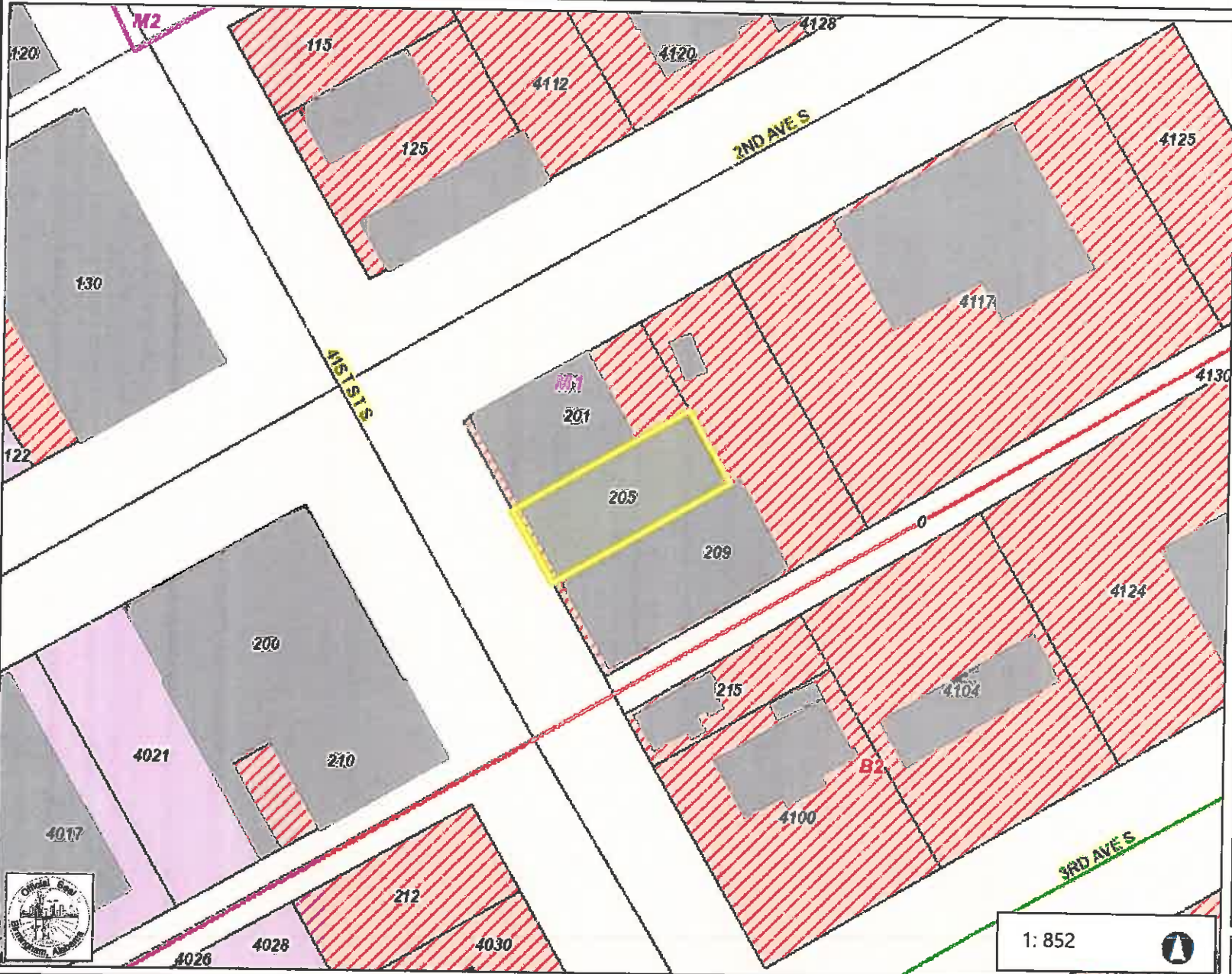
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 - Buildings
 - Hydrology Lines
 - Hydrology Areas
 - Parcels
 - City Parks
 - Airport
 - City Limits (solid)



1: 852

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1: 852



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Notes

GENERAL NOTES

1. Type of survey: This is a 11.7' and 12.0' wide alleyway survey. The survey was conducted in accordance with the standards and practices of the Alabama Surveying and Mapping Board.
2. The survey was conducted on the 11th day of the month of August, 2017, at approximately 10:00 AM.
3. The survey was conducted by Southern Cross Surveying, LLC, a professional engineering firm.
4. The survey was conducted in accordance with the standards and practices of the Alabama Surveying and Mapping Board.
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SCHEDULE B ITEMS

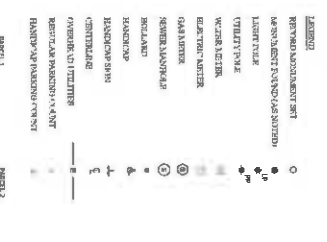
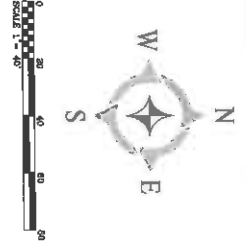
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PARKING INFORMATION

Parcel	Type	Count	Notes
Parcel 1	Handicap	1	
Parcel 1	Standard	1	
Parcel 2	Handicap	1	
Parcel 2	Standard	1	
Parcel 3	Handicap	1	
Parcel 3	Standard	1	
Parcel 4	Handicap	1	
Parcel 4	Standard	1	
Parcel 5	Handicap	1	
Parcel 5	Standard	1	
Parcel 6	Handicap	1	
Parcel 6	Standard	1	
Parcel 7	Handicap	1	
Parcel 7	Standard	1	
Parcel 8	Handicap	1	
Parcel 8	Standard	1	

SURVEYED AREA

Parcel	Total Land Area (sq. ft.)	Total Land Area (sq. ft.)
Parcel 1	1,000.00	1,000.00
Parcel 2	1,000.00	1,000.00
Parcel 3	1,000.00	1,000.00
Parcel 4	1,000.00	1,000.00
Parcel 5	1,000.00	1,000.00
Parcel 6	1,000.00	1,000.00
Parcel 7	1,000.00	1,000.00
Parcel 8	1,000.00	1,000.00
TOTAL	8,000.00	8,000.00



LEGAL DESCRIPTION - TITLE

PARCEL 1: [Detailed legal description of Parcel 1]

PARCEL 2: [Detailed legal description of Parcel 2]

PARCEL 3: [Detailed legal description of Parcel 3]

PARCEL 4: [Detailed legal description of Parcel 4]

PARCEL 5: [Detailed legal description of Parcel 5]

PARCEL 6: [Detailed legal description of Parcel 6]

PARCEL 7: [Detailed legal description of Parcel 7]

PARCEL 8: [Detailed legal description of Parcel 8]

SCALE:	1"=40'	PROJECT No:	17134
DATE:	7/26/2017	OWNER:	VINSON ENTERPRISES INC.
DRAWN BY:	JW	CHECKED BY:	JCL
ADDRESS:	3RD AVE. S. @ 41ST ST. S., BIRMINGHAM, AL 35222		

WETLAND NOTE

No evidence of potential wetlands was observed on the subject property. The survey was conducted in accordance with the standards and practices of the Alabama Surveying and Mapping Board.

FLOOD DATA

The subject property is located in an area that is not subject to flooding. The survey was conducted in accordance with the standards and practices of the Alabama Surveying and Mapping Board.

STATEMENT OF ENCROACHMENTS

No encroachments were observed on the subject property. The survey was conducted in accordance with the standards and practices of the Alabama Surveying and Mapping Board.

SURVEYOR'S CERTIFICATION

I, the undersigned, being a duly licensed Professional Engineer in the State of Alabama, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the client.

J. A. Adams City
Jan 07 1911

STATE OF ALABAMA }
JEFFERSON COUNTY }

RESERVATION OF LAND FOR OFF
STREET PARKING

WHEREAS, Thomas D. Sulaby, individually as the sole owner of the West one-half ($\frac{1}{2}$) of Lot 2, Block 10, according to the Map of ~~Block~~ Survey as recorded in Map Book 1, Page 221 in the Office of the Judge of Probate of Jefferson County, Alabama, has made application to the City of Birmingham for a permit to construct an addition to a building located on Lot 1, Block 10 of said survey presently used for United States Post Office; and

WHEREAS, in order to comply with the requirements of the Zoning Ordinances of the City of Birmingham for off street parking spaces necessary to the issuance of the aforesaid permit by said City, said Thomas D. Sulaby hereby intends to devote said West one-half ($\frac{1}{2}$) of said Lot 2 to vehicular parking use by persons having business at or within the building to be enlarged on said lot;

NOW, THEREFORE, these premises considered, and pursuant to the provisions of Subsection 2, Section 3, Article XIII of said Zoning Ordinances, said Thomas D. Sulaby, individually, hereby devotes said West one-half ($\frac{1}{2}$) of said Lot 2 to off street vehicular parking for the use and benefit of persons having business at or within the building to be enlarged on said Lot 1 and hereby restricts the use of the said West one-half ($\frac{1}{2}$) of Lot 2 to such uses as will not interfere with said off street parking. It is the express intent of said Thomas D. Sulaby to create hereby a servitude upon said West one-half ($\frac{1}{2}$) of said Lot 2 for said off street parking in favor of and for the benefit of Lot 1, Block 10 of said survey, to be in full force and effect until released by resolution of the Zoning

Board of Adjustment of the City of Birmingham, and upon that event this instrument shall be held for naught.

IN WITNESS WHEREOF, said Thomas D. Selby, as an individual, has executed the foregoing for off street parking on this 6th day of Aug., 1945.

Thomas D. Selby
Thomas D. Selby

Witness:

Albin W. King

Robert L. Martin

FILED IN THE OFFICE OF
THE CLERK OF THE BOARD OF
ADJUSTMENT
KA 136 P511
AUG 9 1 47 PM '45
J. H. [Signature]
CLERK OF BOARD

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.

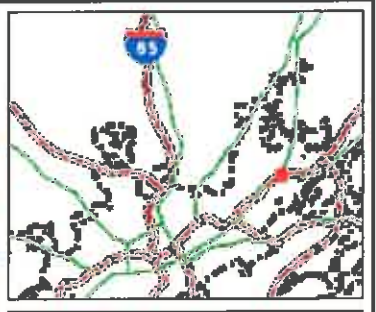
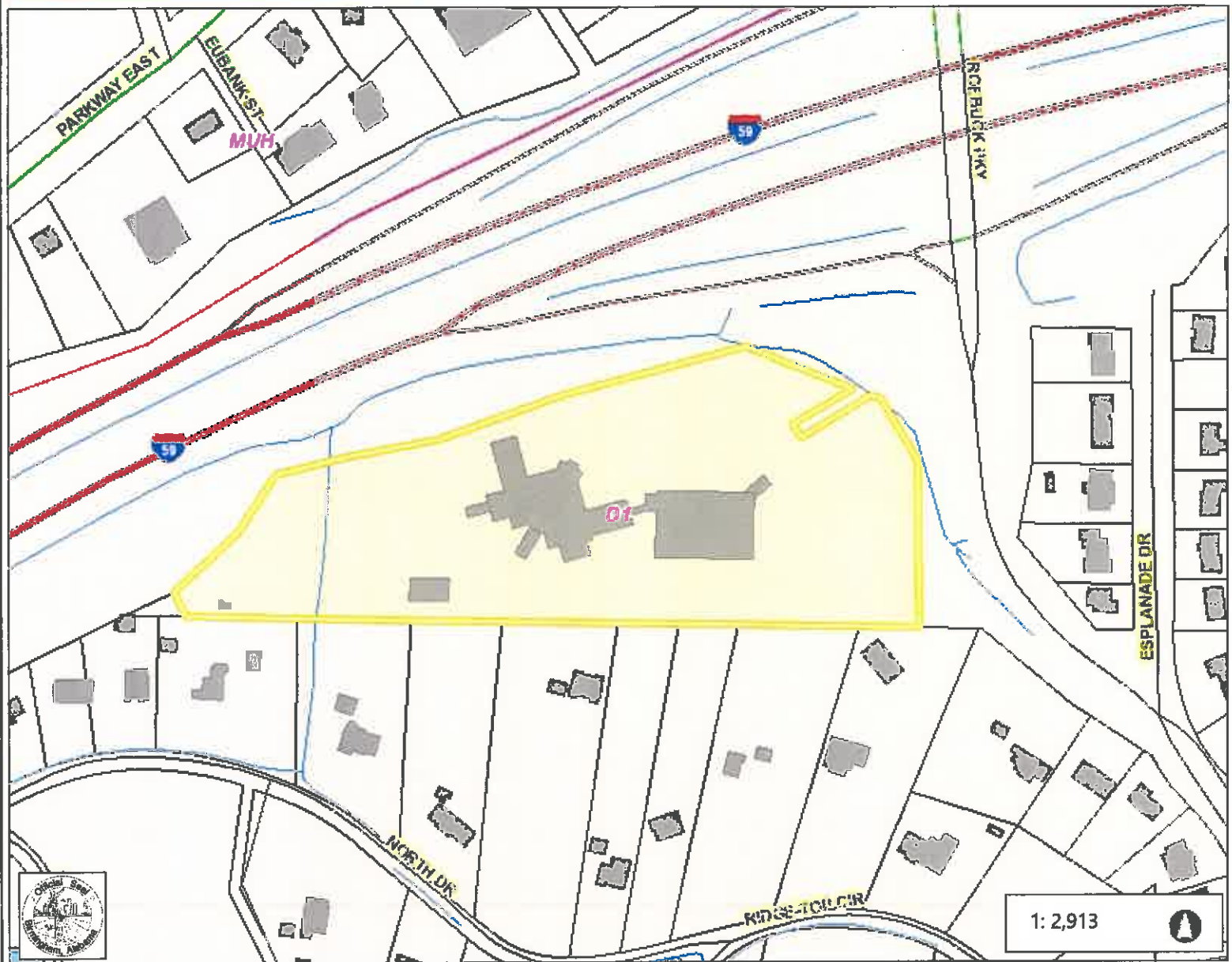
Applicant's Justification

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 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

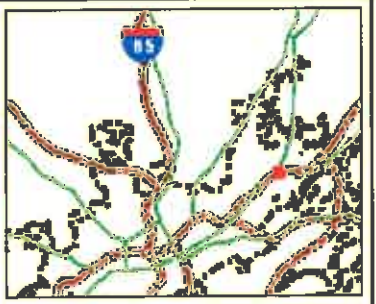
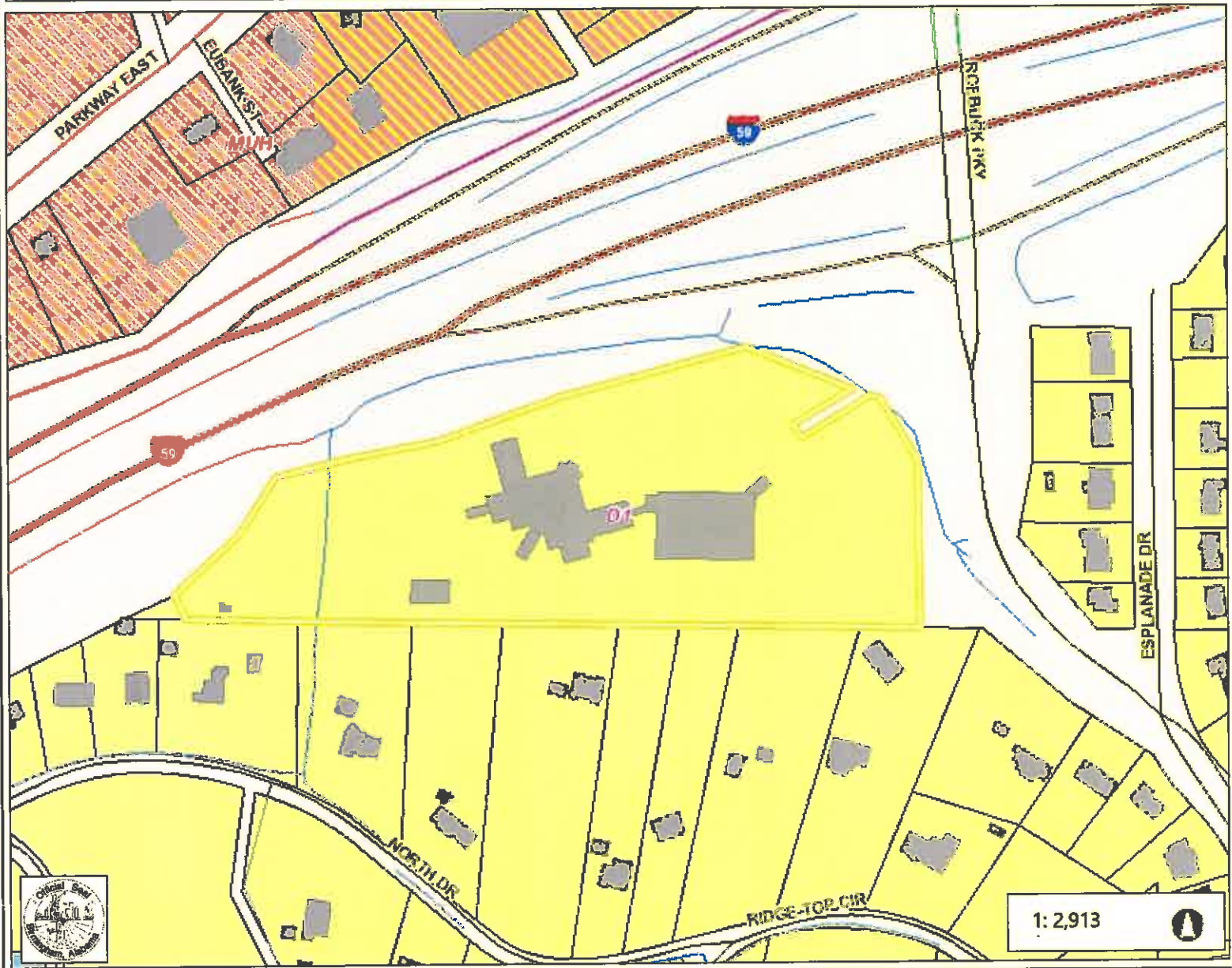
- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
- Limited Access
- Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

Notes

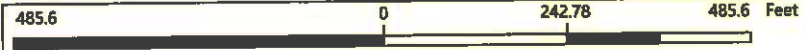


1: 2,913

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



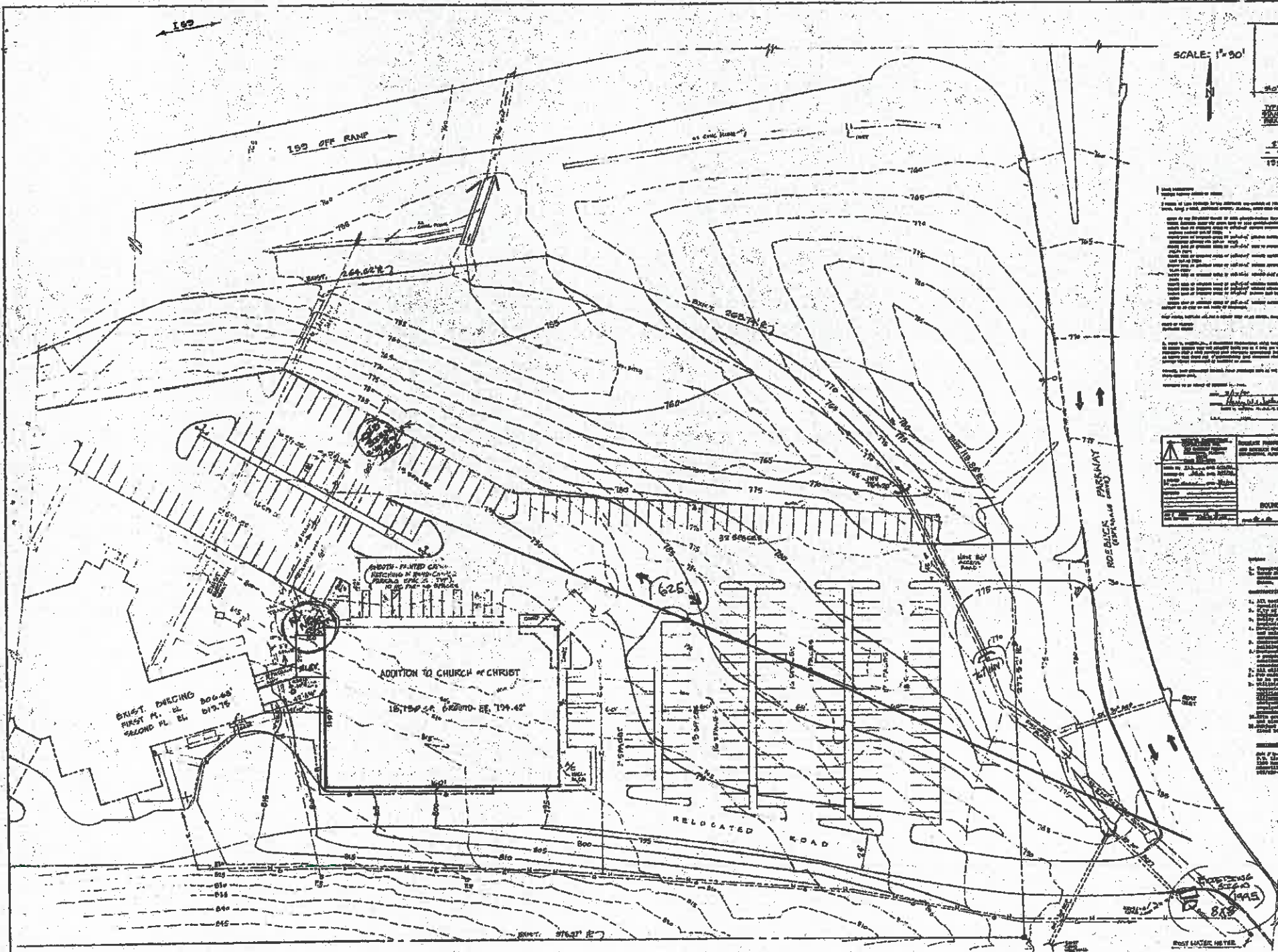
- Legend**
- Centerline Labels
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 - Railroad
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 - County Highways
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 - US Highways
 - Interstates
 - Limited Access
 - Ramp
 - Buildings
 - Hydrology Lines
 - Hydrology Areas
 - Parcels
 - City Parks
 - Airport
 - Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium



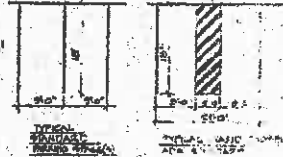
1:2,913

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Notes



SCALE: 1" = 50'



225 PARKING SPACES THIS AREA
OR SPACES DISPLACED BY EXISTING
155 ADDITIONAL CAR SPACES

NOTES:

1. All dimensions shown on this plan are based on the natural surface of the ground as shown on the topographic map of the site and are subject to change if the ground surface is altered.
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10. All dimensions shown on this plan are based on the natural surface of the ground as shown on the topographic map of the site and are subject to change if the ground surface is altered.

PROJECT: ADDITION TO CHURCH OF CHRIST LOCATION: 150 OFF RAMP DATE: 10/15/54 DRAWN BY: J. H. MOORE CHECKED BY: J. H. MOORE	BOUNDARY SURVEY 10/15/54
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LEGEND:

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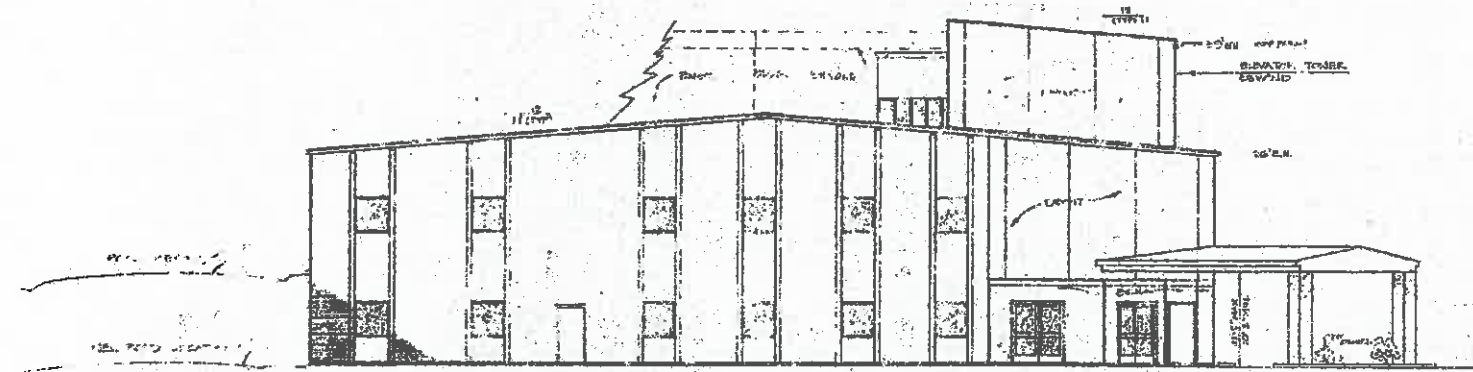
SITE PLAN
SCALE: 1" = 50'

ENGINEER: J. H. MOORE
NO. 10178
STATE OF MISSOURI
U.S.G.S. DATUM

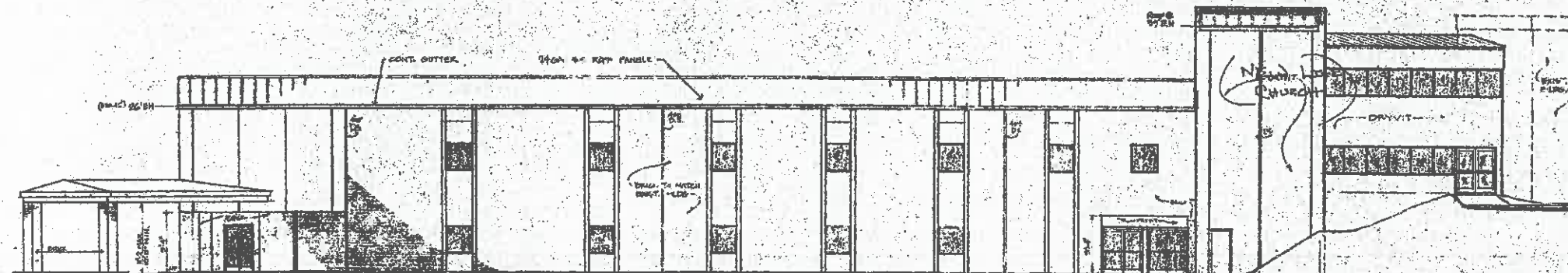
Moore Corporation
— Since 1913 —



DATE: 10/15/54	DRAWN BY: J. H. MOORE
CHECKED BY: J. H. MOORE	PROJECT: ADDITION TO CHURCH OF CHRIST
LOCATION: 150 OFF RAMP	SCALE: 1" = 50'



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



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

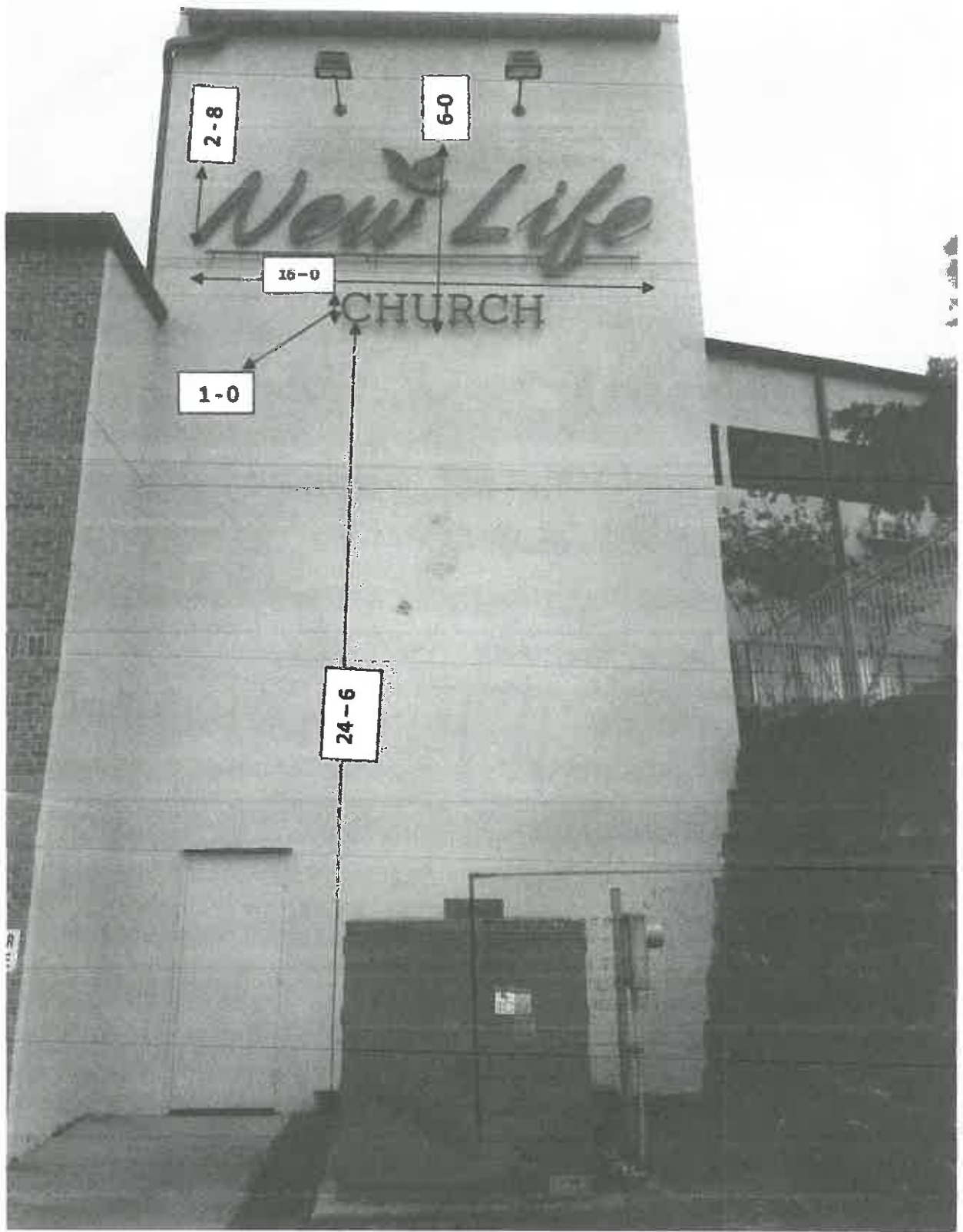
REVISIONS	
NO.	DESCRIPTION

ROEBUCK PARKWAY - CHURCH OF CHRIST
SHEET TITLE

Moore Corporation
288 HUNTER VILLAGE ROAD, WINDON VALLEY
P.O. BOX 17008
DENVER, COLORADO 80217



DATE	2-28-94
PROJECT NO.	1596
SHEET NO.	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.

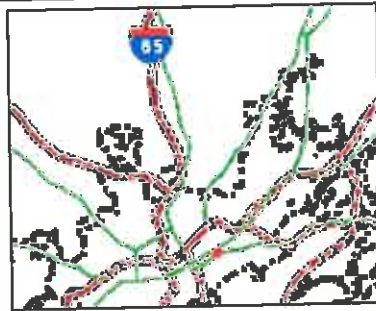
Applicant's Justification

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)

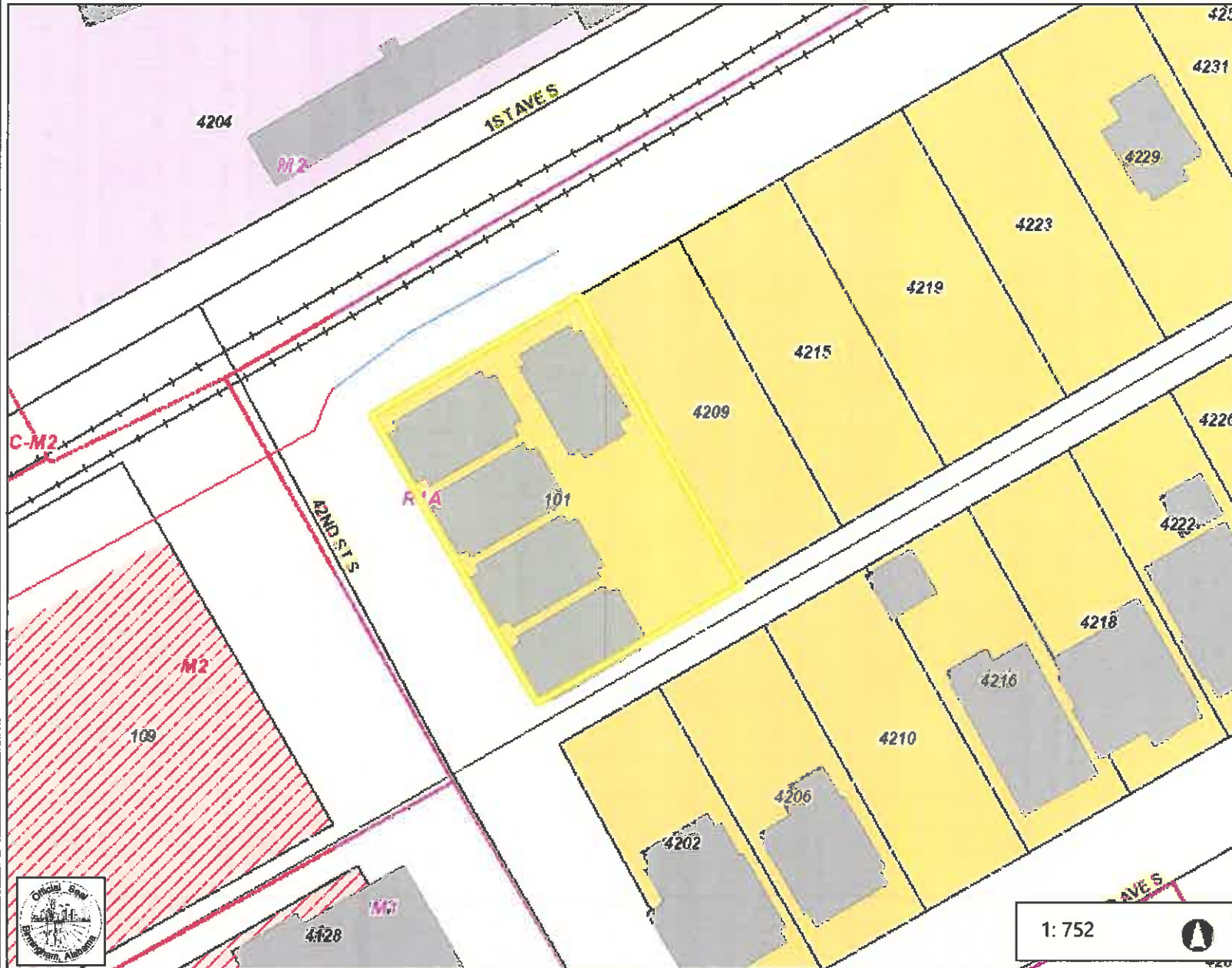


1: 752



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Notes



Legend

- Centerline Labels
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- Railroad
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- 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

Notes



125.3 0 62.64 125.3 Feet

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 Sasey 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 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 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 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 December 20, 2018;

Scott Skipper

Scott Skipper
Registered Professional Land Surveyor
License Number 20141

Nike Bell
Peoples Bank

Jud Dawson, Member
Dawson Sasey Properties, LLC

Blake Sasey, Member
Dawson Sasey Properties, LLC



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 Sasey, 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. 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 Sells, 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. McCallister
Notary Public

My commission expires: 02-14-2020

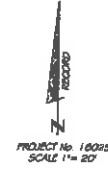
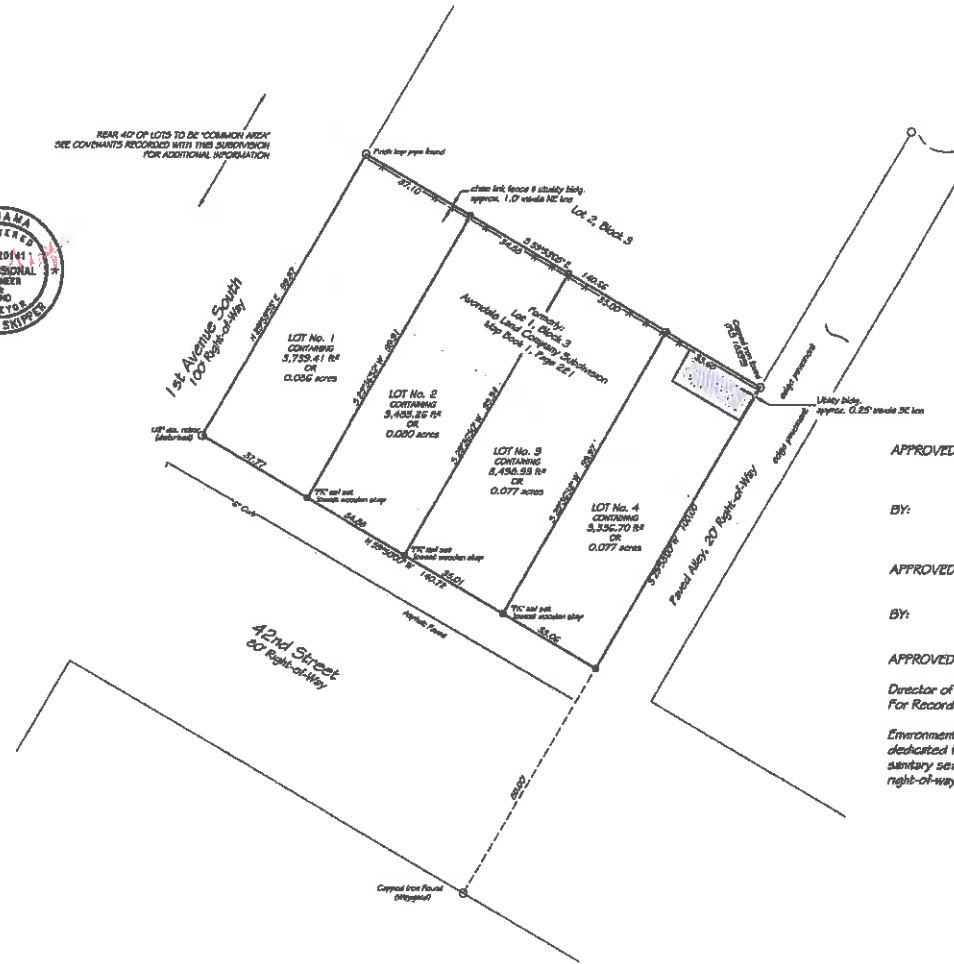
STATE OF ALABAMA
JEFFERSON COUNTY

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 therefore.

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

By: Denise W. McCallister
Notary Public

My commission expires: 02-14-2020



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

- IRON PIN SET (SEE SURVEY FOR #) (YELLOW CAP STAMPED) (NOTICE ENGINEER)
- IRON PIN FOUND
- P — POWER OR OTHER AERIAL LINE
- ⊠ POWER POLE
- 101- ADDRESS OF INDIVIDUAL DWELLING (42nd STREET, BIRMINGHAM, AL 35208)

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: 14,060.35 R² OR 0.323 ACRES±.
 - 2.) THE PROPERTY IS CURRENTLY ZONED RAA.
 - 3.) THIS PROPERTY IS LOCATED IN ZONE Xc (AREA OF MINIMAL FLOODING), ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION "FLOOD HAZARD BOUNDARY MAP" PANEL 394 OF 735, MAP NUMBER 0107500846, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 23, 2010.
 - 4.) NO CONSIDERATION WAS GIVEN TO FOOTING OR ROOF OVERHANG ENCROACHMENTS.

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 Sedy 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 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 create 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 other dedications, 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 status 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 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 Sedy 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 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, acknowledges before me on this date, that after being duly informed of the contents of said certificate, he executed the same voluntarily with authority therefor.

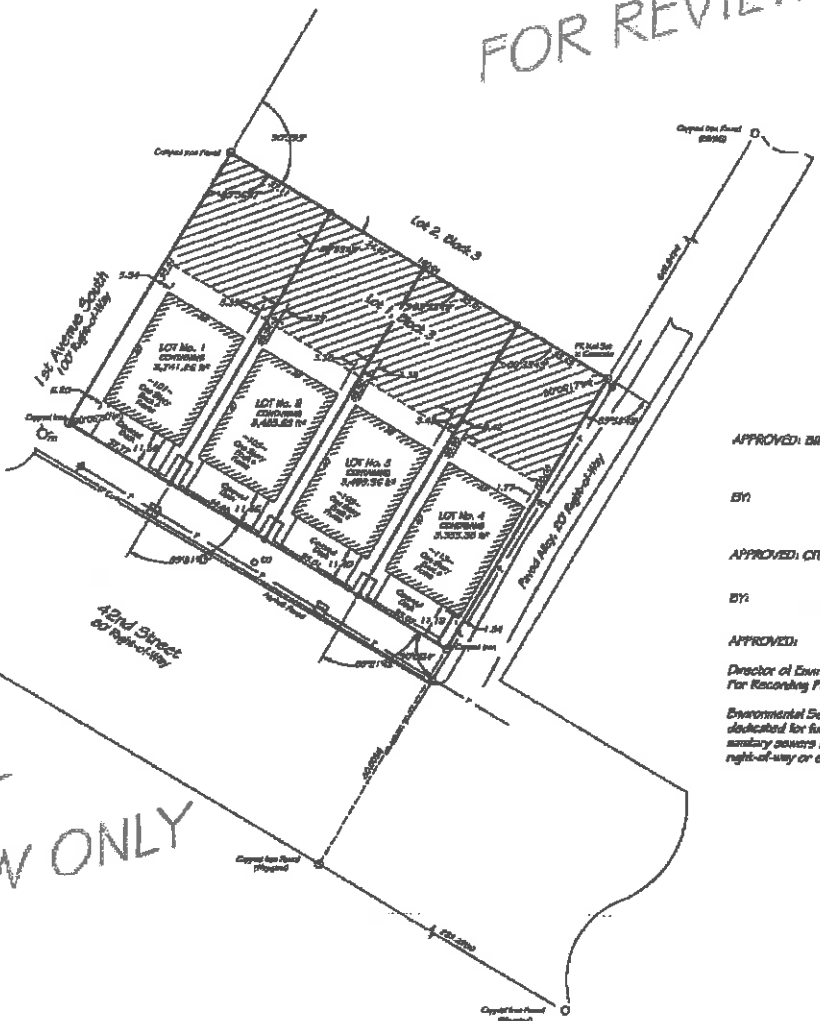
Given under my hand and seal this _____ day of _____, 2018.

By: _____
 Notary Public

My commission expires:

GENERAL NOTES:

- 1.) TOTAL ACRES WITHIN THIS RE-DIVISION IS: 14,061.03 SQ FT or 0.325 ACRES.
- 2.) THE PROPERTY IS CURRENTLY ZONED RMA.
- 3.) THIS PROPERTY IS LOCATED IN ZONE 25, ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION STANDARD HAZARD BOUNDARY MAP (FIRM) 2504 OF 750, MAP NUMBER 0107500303040, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 25, 2016.



DRAFT FOR REVIEW ONLY

DRAFT FOR REVIEW ONLY

APPROVED: BIRMINGHAM PLANNING COMMISSION

BY: _____ DATE: _____

APPROVED: CITY ENGINEER

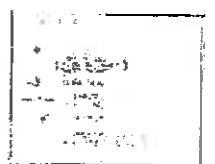
BY: _____ DATE: _____

APPROVED: _____ DATE: _____

Director of Environmental Services
 For Recording Purposes Only

Environmental Services Department approval indicates that assessments 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
 RAINBOW CITY, ALABAMA 35906
 (256) 350-9424
 scottskipper@bellsouth.net



Southside

ZBA2019-00005

Request: Modification
Applicant: Austin Odum
Owner: David Lott
Site Address: 2208 7th Ave S
Zip Code: 35233
Description: Modification to allow 9 off street parking spaces instead of the required 24 off street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3
Property Zoned: M1 Light Industrial
Parcel Information: Parcel #012200364011008000, SE ¼ of Section 36, Township 17 S, Range 3 W

Modification

The applicant is requesting a modification to allow 9 off-street parking spaces instead of the required 24 off-street parking spaces for the new Birmingham Improv Theatre. The theatre features 3 classrooms with an average student count of 15 per class. Classes do not take place on the night of performances. The performance space has seating to accommodate 80 patrons.

Neighborhood

There Southside Neighborhood Association met on January 17th and voted 20-0 in support of this request.

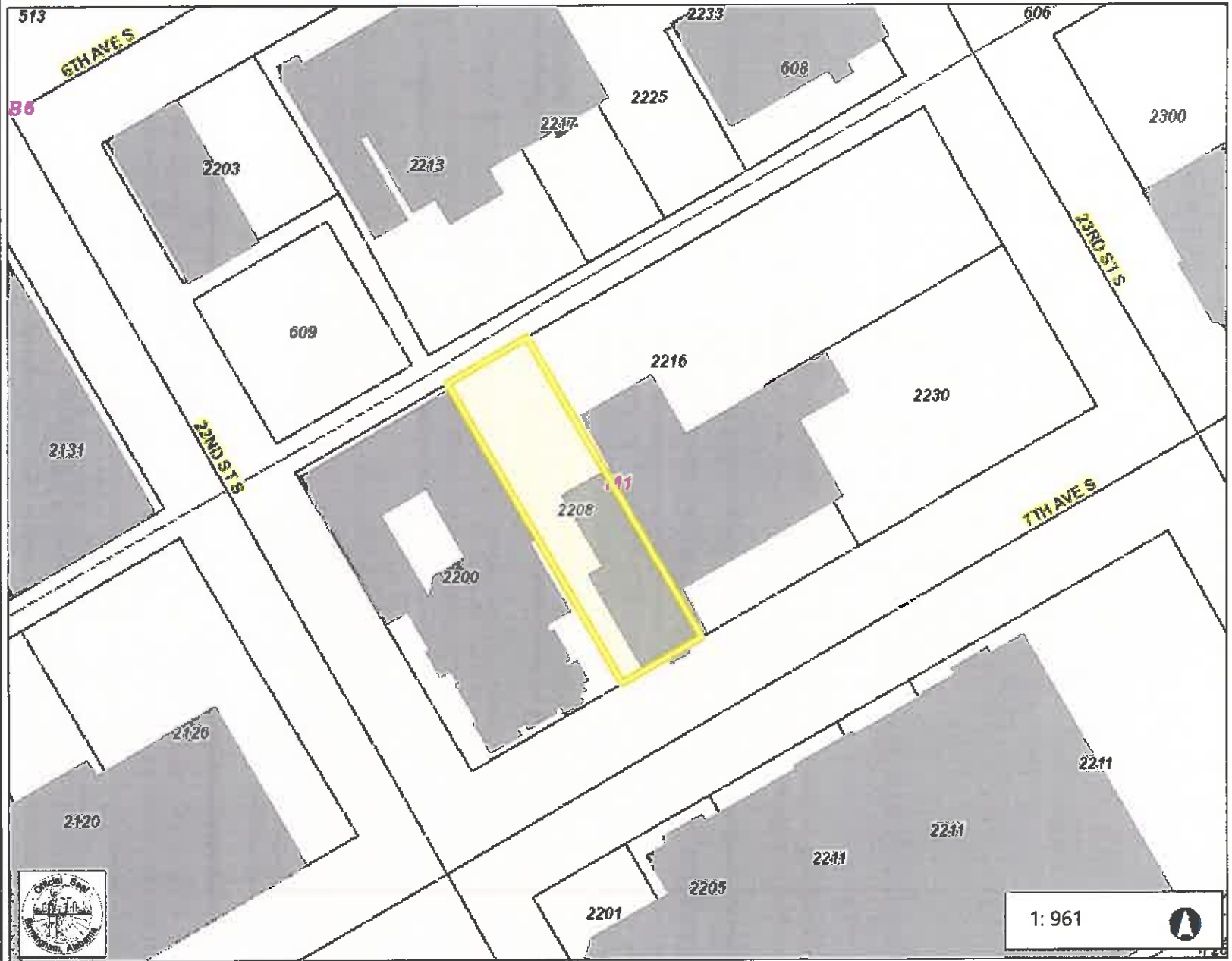
Applicant's Justification

The applicant provided documentation that shows 167 metered spaces within 1,320 FT of the site. The applicant performed a nightly count of parking for 2 weeks starting at 6 pm which would correlate with potential patron arrivals. This count showed that 60 spaces were used on average (36% usage rate) leaving approximately 100+ spaces available on nightly basis.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the request. The amount of available on street parking seems 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
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)



1: 961



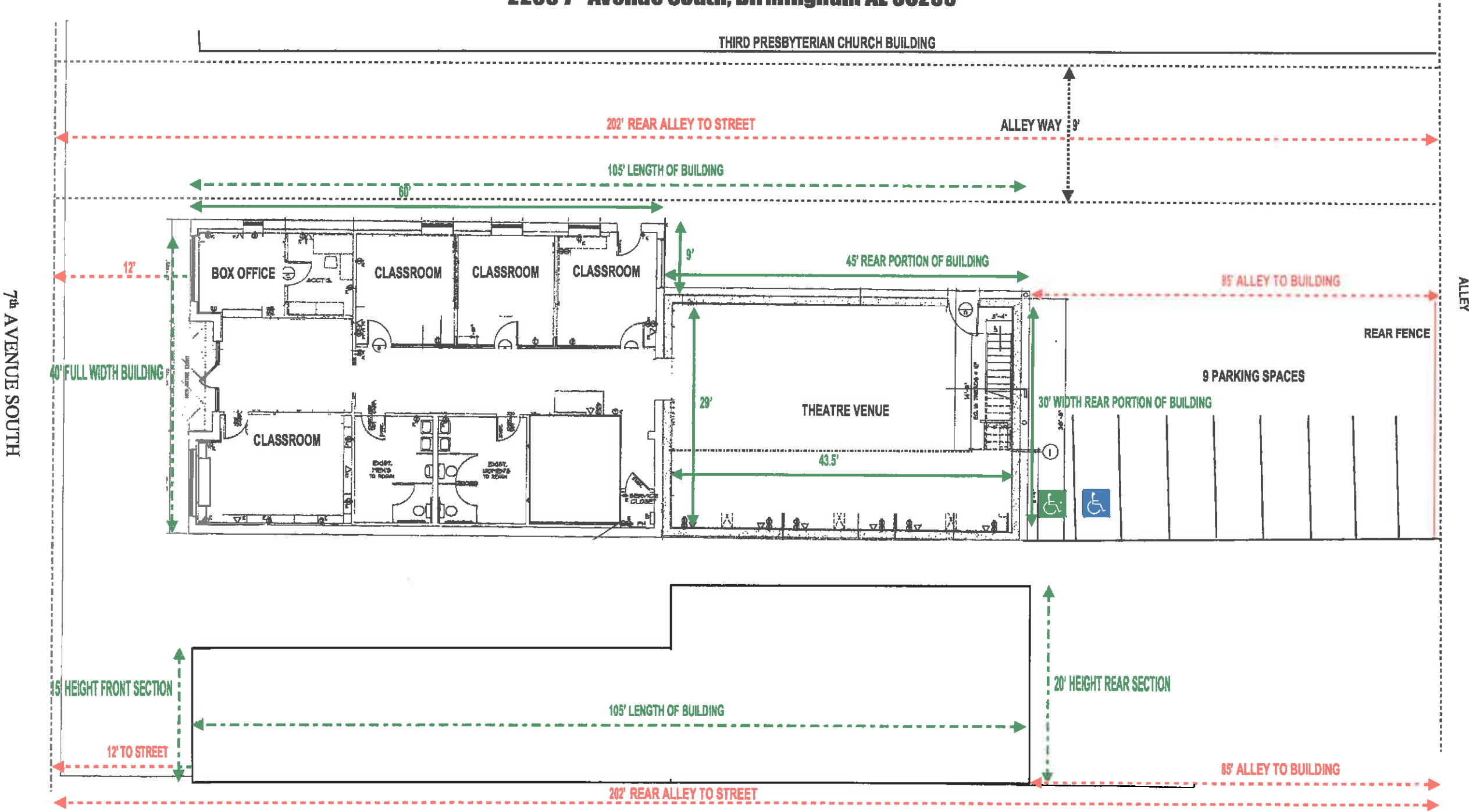
The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only.
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Notes

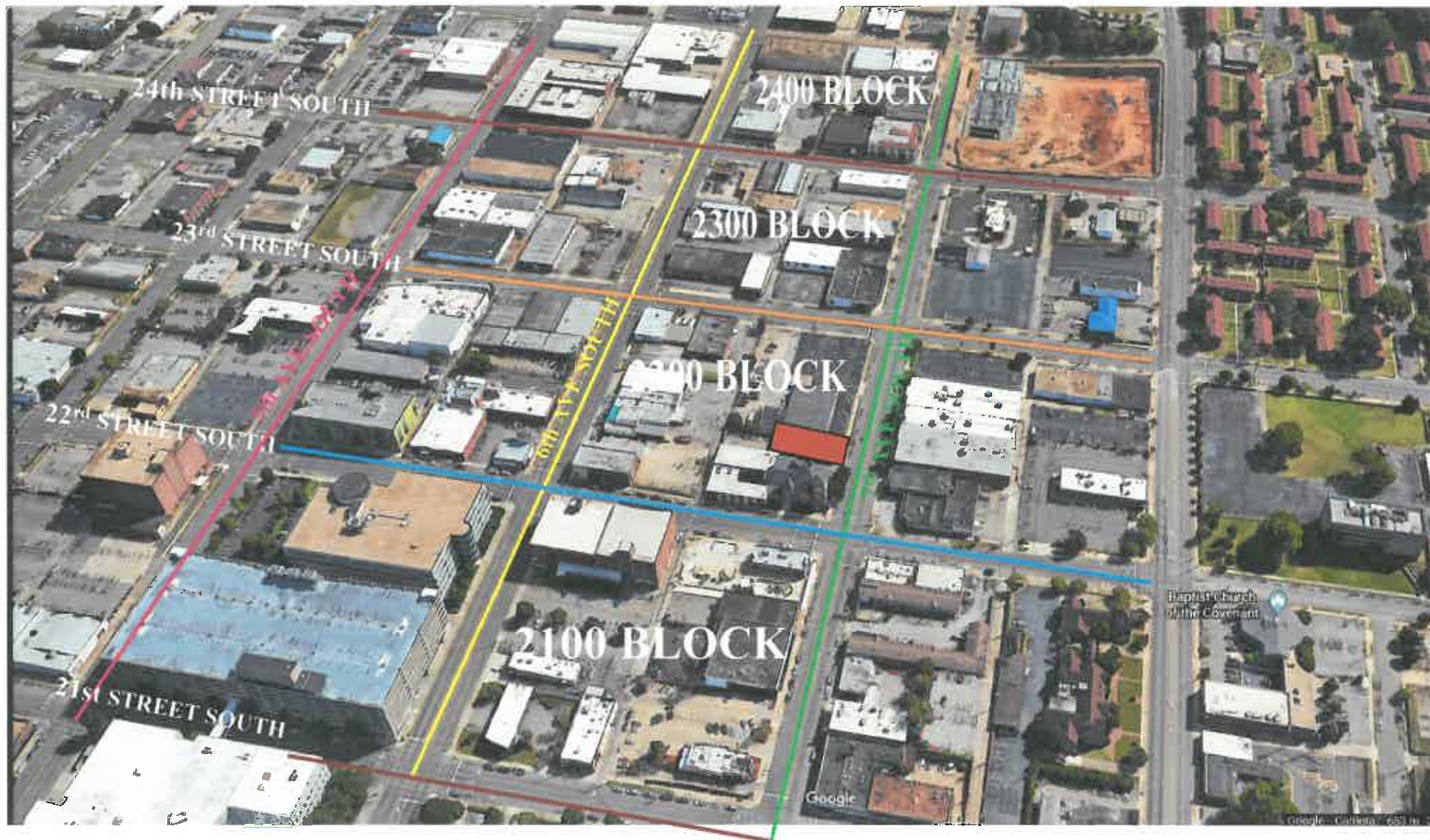
BIRMINGHAM IMPROV THEATRE

2208 7th Avenue South, Birmingham AL 35233

SEATING: 80 patrons



BIRMINGHAM IMPROV THEATRE PARKING ASSESSMENT



2100/7 th Ave South: 21 spaces - 14 avg used	2100/6 th Ave South: 0 spaces	21 st Street/btwn 7 th - Univ: 16 spaces - 8 avg used
2200/7 th Ave South: 21 spaces - 2 avg used	2200/6 th Ave South: 0 spaces	21 st Street/btwn 6 th - 7 th Ave: 24 spaces - 15 avg used
2300/7 th Ave South: 21 spaces - 1 avg used	2300/6 th Ave South: 0 spaces	22 nd Street/btwn 7 th - Univ: 23 spaces - 7 avg used
2400/7 th Ave South: 19 spaces - 2 avg used	2400/6 th Ave South: 0 spaces	22 nd Street/btwn 6 th - 7 th Ave: 22 spaces - 11 avg used

Total Inventory: 167 spaces / 60 avg used - 36% usage rate- based on after 6pm for 2 weeks (January 8 - January 16, 2019)

BIRMINGHAM IMPROV THEATRE, 2208 7th Avenue South, Birmingham, AL 35213

BIRMINGHAM IMPROV THEATRE

Birmingham's First and Only Improv Theatre & Comedy House

Birmingham Improv Theatre (or the BIT as it will be famously-known soon) has been a dream of the Positively Funny Improv team for several years. This dream consists of a true home in Birmingham for all things comedy. As of now there are no theaters in Birmingham solely dedicated to Improv comedy. This comedy house will focus on Improv comedy, but also serve as a home for sketch, stand-up, musical, and play comedy productions.

The BIT will also be a home for comedy instruction having the space for Improv, stand-up, comedy writing and comedy film classes. Our instructors have been teaching comedy in Birmingham for almost 10 years (that's 70 years to all our dogs out there). Hundreds of students have learned the ancient arts of comedy in the Birmingham area in such places as bars, elementary schools, dance theaters, and garages. Great as they were, we feel it's time to give Birmingham comedy education a permanent home.

Our Offerings

In time, the Birmingham Improv Theatre will offer regular comedy entertainment 3 nights a week to the guests that occupy the over 9,100 hotel rooms in the Birmingham city limits. We will provide entertainment options for the people who come into town for our many conventions and tradeshow. We will also draw visitors from other cities in the area that enjoy high quality, professional comedy entertainment. Most importantly, we will finally give Birmingham residents their own home for Improv and Sketch Comedy. The people of Birmingham have shown love and support for Improv Comedy that rivals any city in the Southeast. We believe it is time to reward them with their own Improv theatre.

A Creative Incubator

The Birmingham Improv Theatre will be so much more than an entertainment venue, though that it is an important part of it. We will also be a creative incubator for locals as well as people from across the nation. Under our roof you will find professional comedic actors, professional writers, as well as a host of extremely talented and creative minds eager to share their talents.

BIRMINGHAM IMPROV THEATRE

Facts:

3 Classrooms: Average student count – 15 students; classes do not take place on nights of performances

Performance space: seating for 80 patrons

Currently have 9 parking on premises for 45 patrons.

Require additional 7 parking on-street parking spaces to accommodate full house of 80 patrons.

Performances occur:

Thursday night, 7 pm

Friday night, 7 pm and 9:30 pm – 45 minutes between performances

Saturday night, 7 pm and 9:30 pm – 45 minutes between performances

Parking Assessment:

We completed an inventory of on-street parking spaces in a 4 block radius – east/west (2100 block to 2400 block) and 3 block radius north/south (21st Street, 22nd Street and 23rd Street, between University Boulevard and 6th Avenue South)

We also did a nightly count for a span of 2 weeks from January 8th, 2019 to January 16th, 2019 after 6pm which would correlate with potential patron arrivals. The details are reflected on the attached map.

In summary, there are 167 metered parking spaces within this area and on average, there are 60 spaces used each evening for a 36% usage rate. Within the 2200 block alone, there are more than sufficient inventory to handle our need of an additional 7 on-street spaces to meet the city's requirement.

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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- Zoning Outline
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- 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)

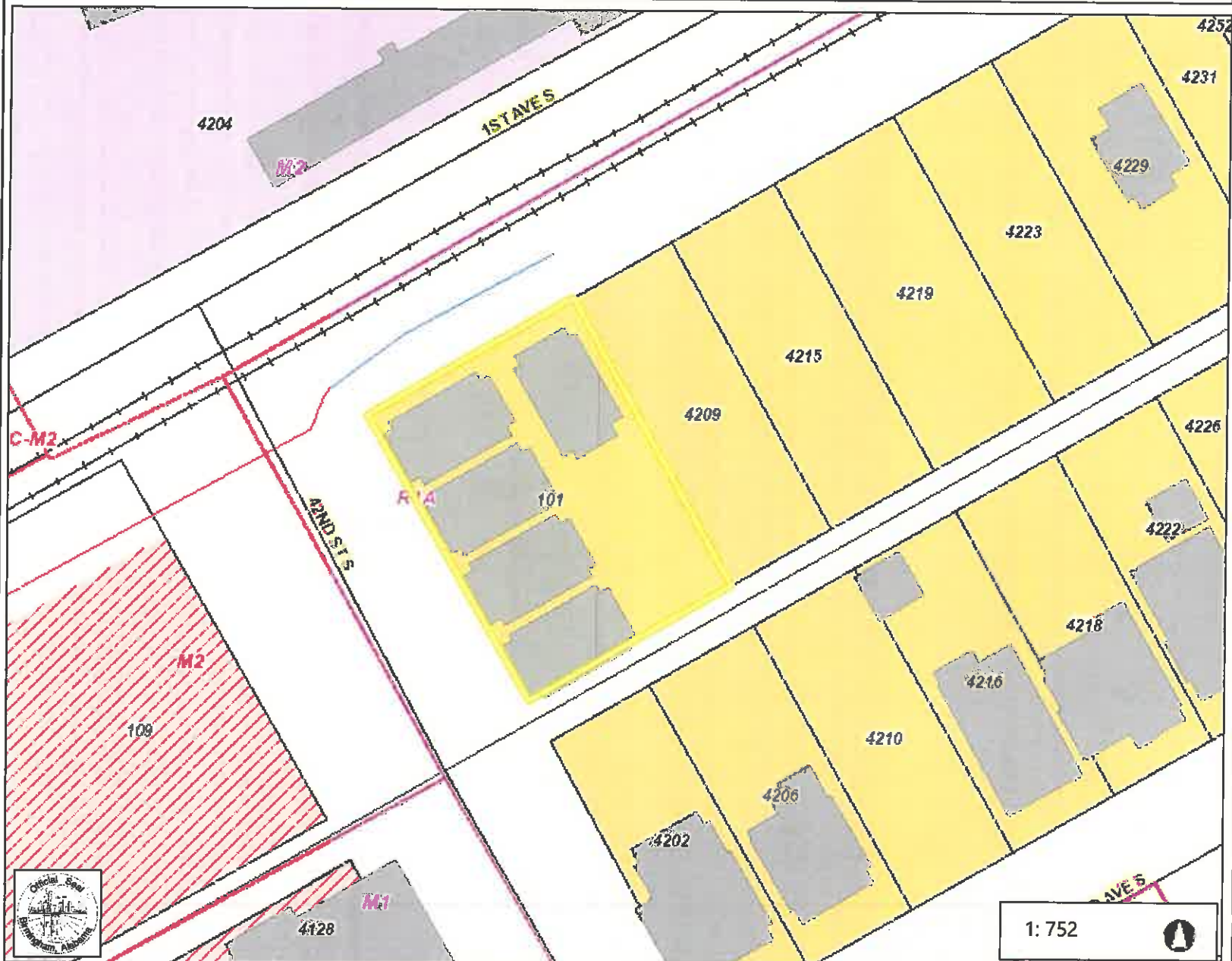


1: 752



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Notes



Legend

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- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted Land Use Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium



1: 752



125.3 0 62.64 125.3 Feet

Notes

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 Sasy Properties, LLC, owner, 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 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 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; 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 ground, 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 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 December 20, 2018:

Scott Skipper

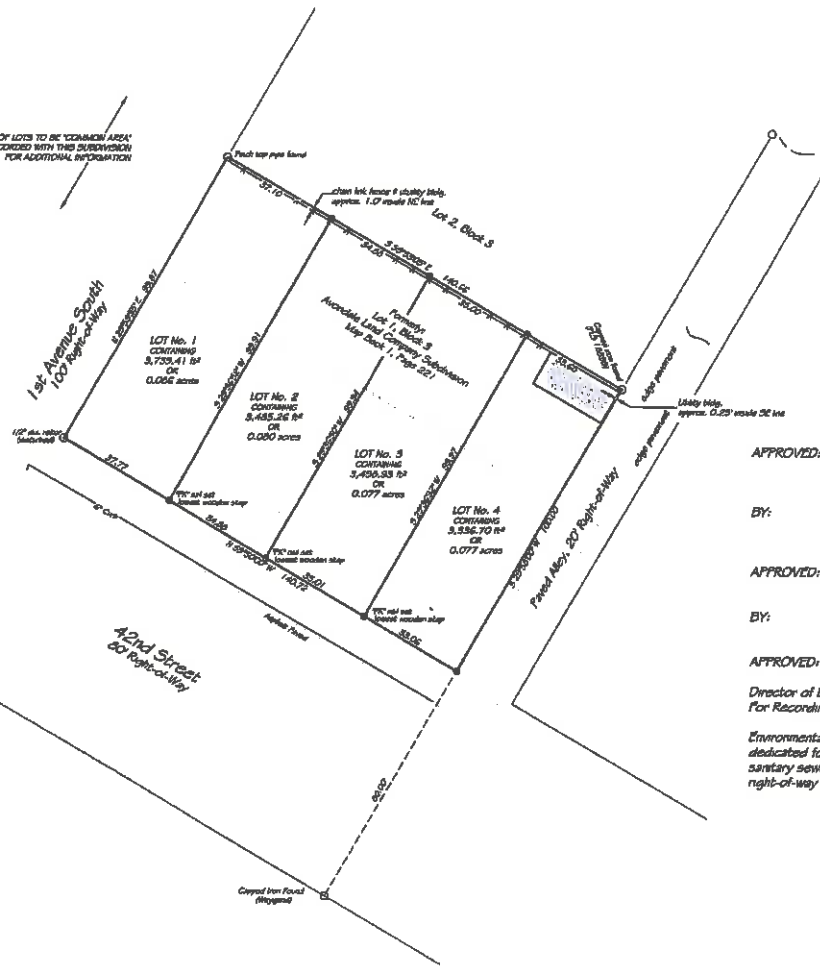
Scott Skipper
Registered Professional Land Surveyor
License Number 20141

Nike Self
Peoples Bank

Dawson Sasy Properties, LLC
Jud Dawson, Member
Blake Sasy, Member



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



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.

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 therefore.

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

By: Denise W. McCallister
Notary Public

My commission expires: 12-14-2020

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 therefore.

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

By: Denise W. McCallister
Notary Public

My commission expires: 12-14-2020

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 therefore.

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

By: Denise W. McCallister
Notary Public

My commission expires: 12-14-2020

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

GENERAL NOTES:

- TOTAL ACREAGE WITHIN THIS RE-DIVISION IS: 14,060.35 SQ FT OR 0.323 ACRES±.
- THE PROPERTY IS CURRENTLY ZONED RMA.
- THIS PROPERTY IS LOCATED IN ZONE 24 (AREA OF MINIMAL FLOODING), ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION "FLOOD HAZARD BOUNDARY MAP" PANEL 894 OF 755, MAP NUMBER 01078C033416, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 29, 2010.
- NO CONSIDERATION WAS GIVEN TO FOOTING OR ROOF OVERHANG ENCROACHMENTS.

LEGEND	
	IRON PIN SET (1/2" dia. iron pin)
	IRON PIN ROUND
	POWER OR OTHER AERIAL LINE
	POWER POLE
	ADDRESS OF INDIVIDUAL DWELLING (42nd STREET, BIRMINGHAM, AL 35222)

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 survey and that said survey and this plat or map was made at the instance of said owner; that the plat or map is a true and correct copy of leads 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 Office 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 man 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 the 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 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

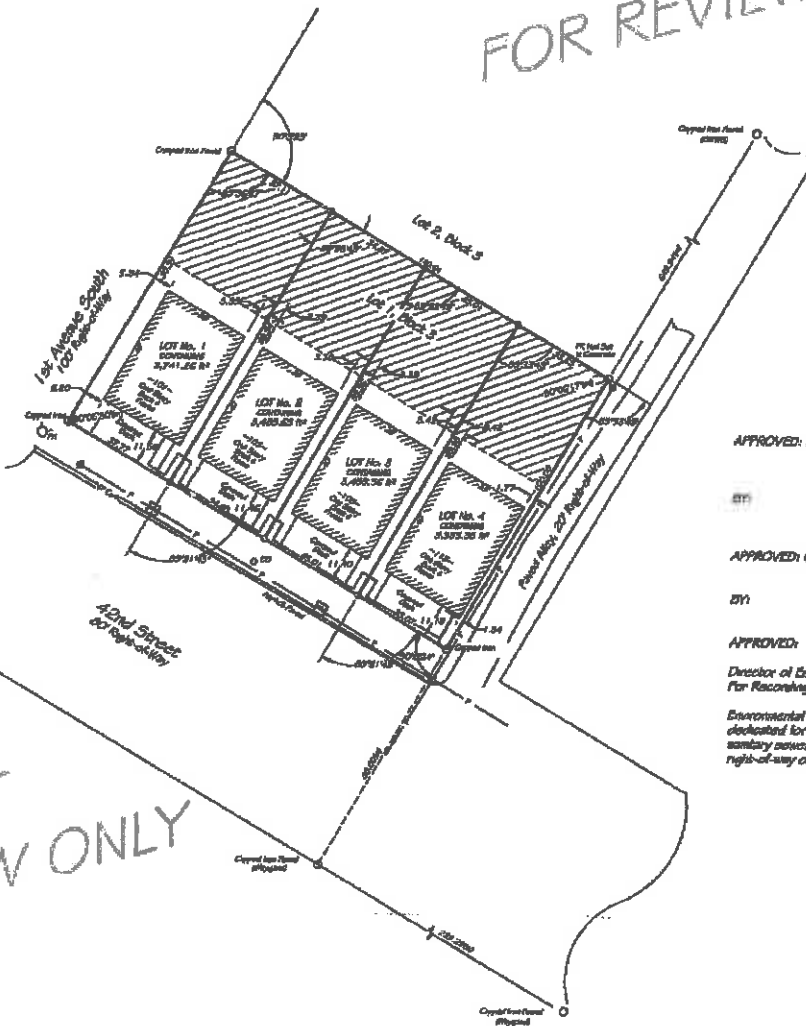
By: _____
 Notary Public

My commission expires: _____

GENERAL NOTES:

- 1.) TOTAL ACRES WITHIN THIS RE-DIVISION IS 14,061.05 SQ OR 0.385 ACRES.
- 2.) THE PROPERTY IS CURRENTLY ZONED RA.
- 3.) THIS PROPERTY IS LOCATED IN ZONE "C", ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP PANEL 304 OF 755, MAP NUMBER 0107500204A, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 26, 2012.

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
 RAINBOW CITY, ALABAMA 35906
 (256) 350-9424
 scott@skipper@bellsouth.net



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.

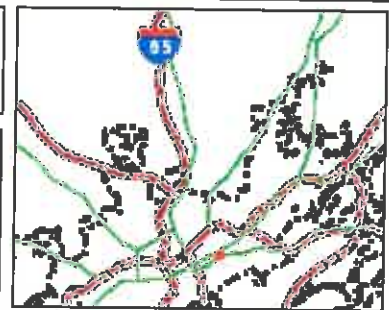
Applicant's Justification

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.

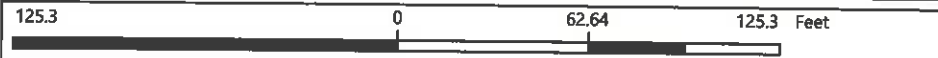


Legend

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

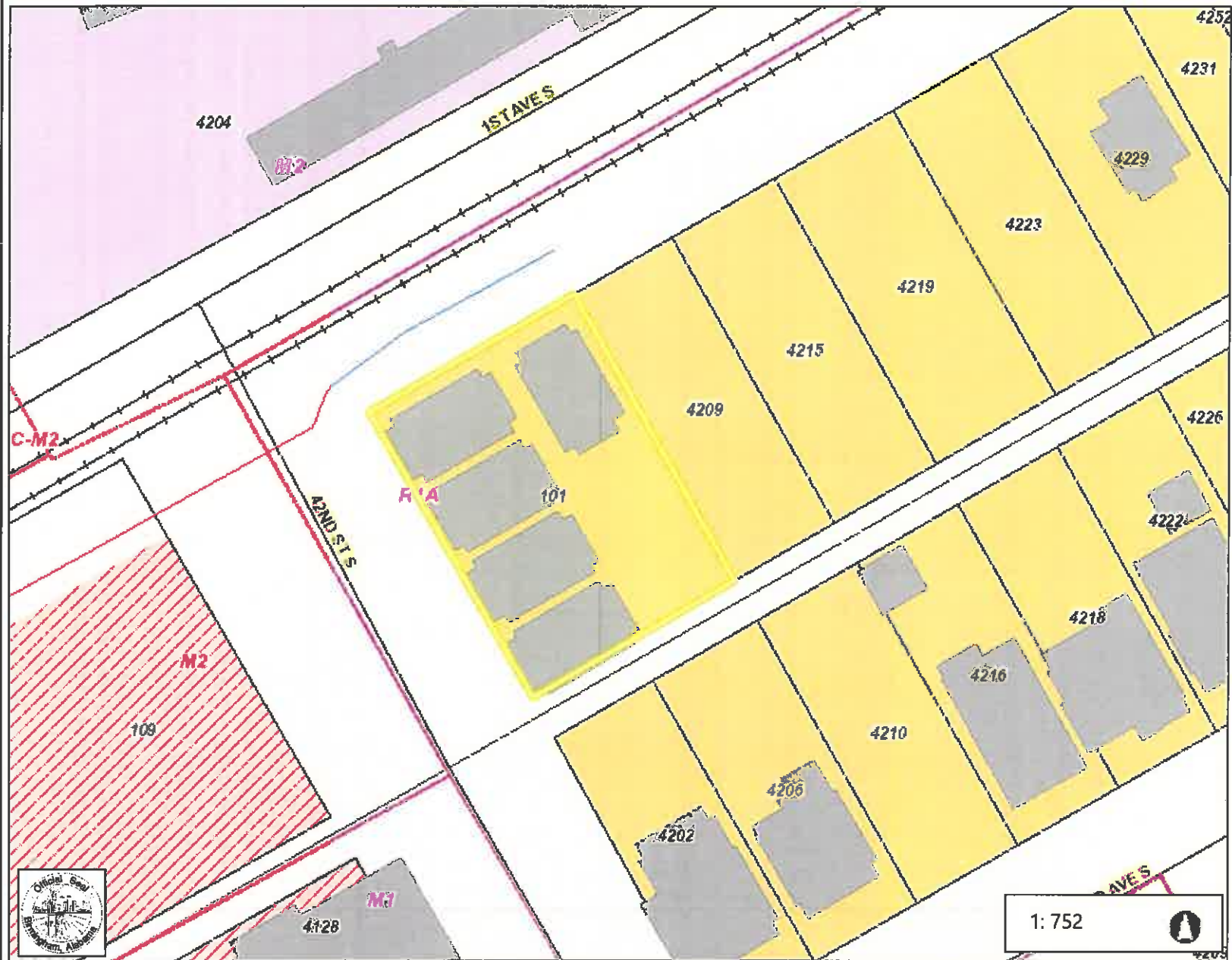


1: 752



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- 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

125.3 0 62.64 125.3 Feet

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Notes

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 Saay 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 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 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 mortgages, except that mortgage held by Peoples Bank; said owner designates 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 20141

Mike Self
Peoples Bank

Dawson Saay Properties, LLC
Jud Dawson, Member
Blake Saay, Member



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 and Blake Saay, whose names are signed to the foregoing certificate, and who are known to me, acknowledge before me on the 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. 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 name is signed to the foregoing certificate, and who is known to me, acknowledge before me on the 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. McCallister
Notary Public

My commission expires: 02-14-2020

STATE OF ALABAMA
JEFFERSON COUNTY

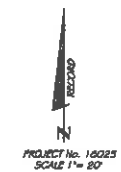
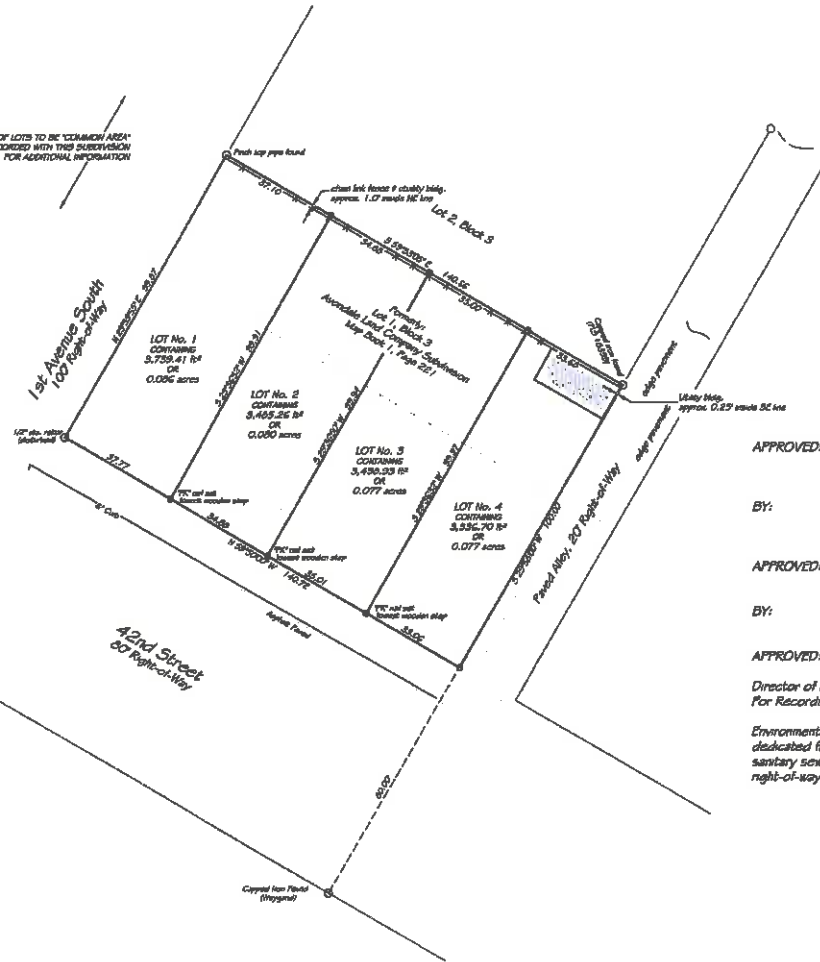
I, Denise W. McCallister, as Notary Public in and for said county and state, do hereby certify that Scott Skipper, whose name is signed to the foregoing certificate, and who is known to me, acknowledge before me on the date, that after being duly informed of the contents of said certificate, he executed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

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

By: Denise W. McCallister
Notary Public

My commission expires: 02-14-2020

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



APPROVED: BIRMINGHAM PLANNING COMMISSION

BY: DATE:

APPROVED: CITY ENGINEER

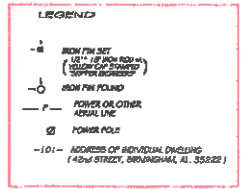
BY: DATE:

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

- GENERAL NOTES:
- 1.) TOTAL ACREAGE 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 ZONE "X" AREA OF MINIMAL FLOODING, ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP PANEL 394 OF 755, MAP NUMBER 01079C0394G, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 29, 2010.
 - 4.) NO CONSIDERATION WAS GIVEN TO FOOTING OR ROOF OVERHANG ENCROACHMENTS.



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 Sazy 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-division of Lot 1, Block 3 of Avondale Land Company, as recited in Plat Book 1, Page 221, in the Index of Frolike Cities, 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 monies have been established 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 mortgages 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 ground, 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 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 Sazy 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 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, acknowledges 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

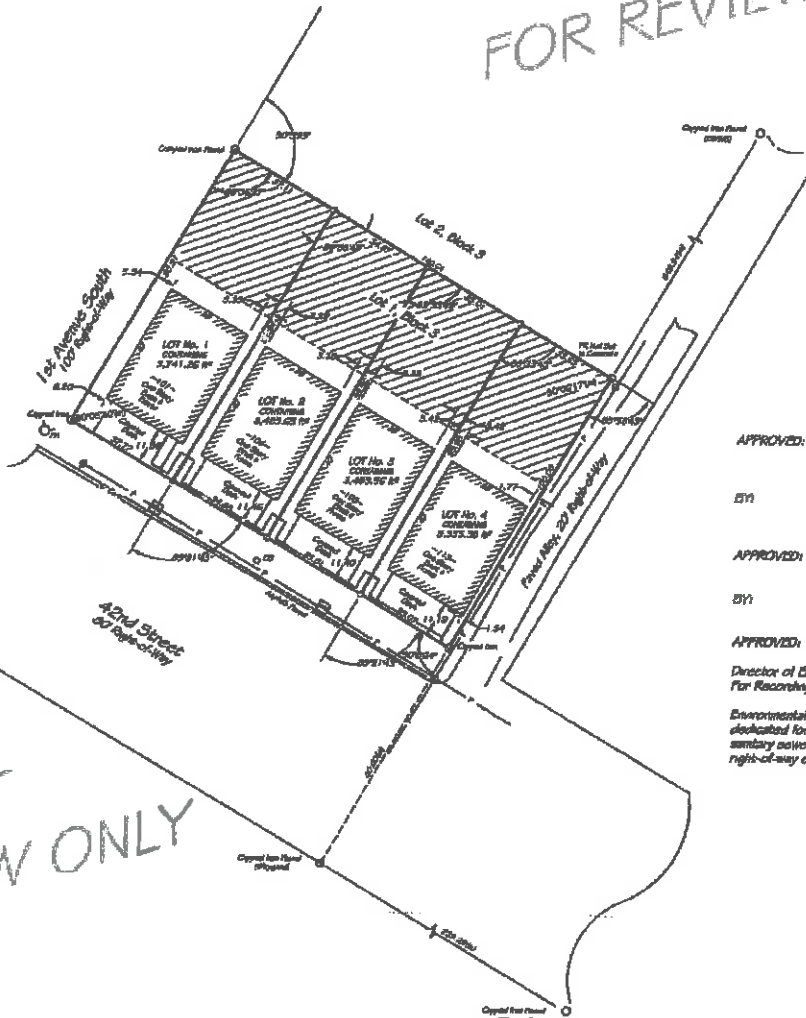
By: _____
 Notary Public

My commission expires: _____

GENERAL NOTES:

- 1.) TOTAL ACRES WITHIN THIS RE-DIVISION IS: 14,061.83 SQ FT OR 0.325 ACRES.
- 2.) THE PROPERTY IS CURRENTLY ZONED R4A.
- 3.) THIS PROPERTY IS LOCATED IN ZONE 21, ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD INSURED BOUNDARY MAP (FIRM) PANEL 234 OF 753, MAP NUMBER 0107030284G, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 29, 2016.

DRAFT FOR REVIEW ONLY



DRAFT FOR REVIEW ONLY

APPROVED: BIRMINGHAM PLANNING COMMISSION

BY: _____ DATE: _____

APPROVED: CITY ENGINEER

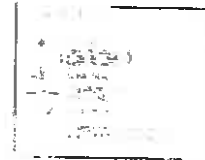
BY: _____ DATE: _____

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
 RAINBOW CITY, ALABAMA 35906
 (256) 380-9424
 scottskipper@bellsouth.net



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.

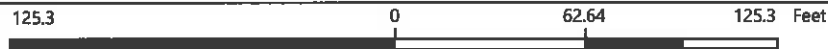


Legend

- 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)

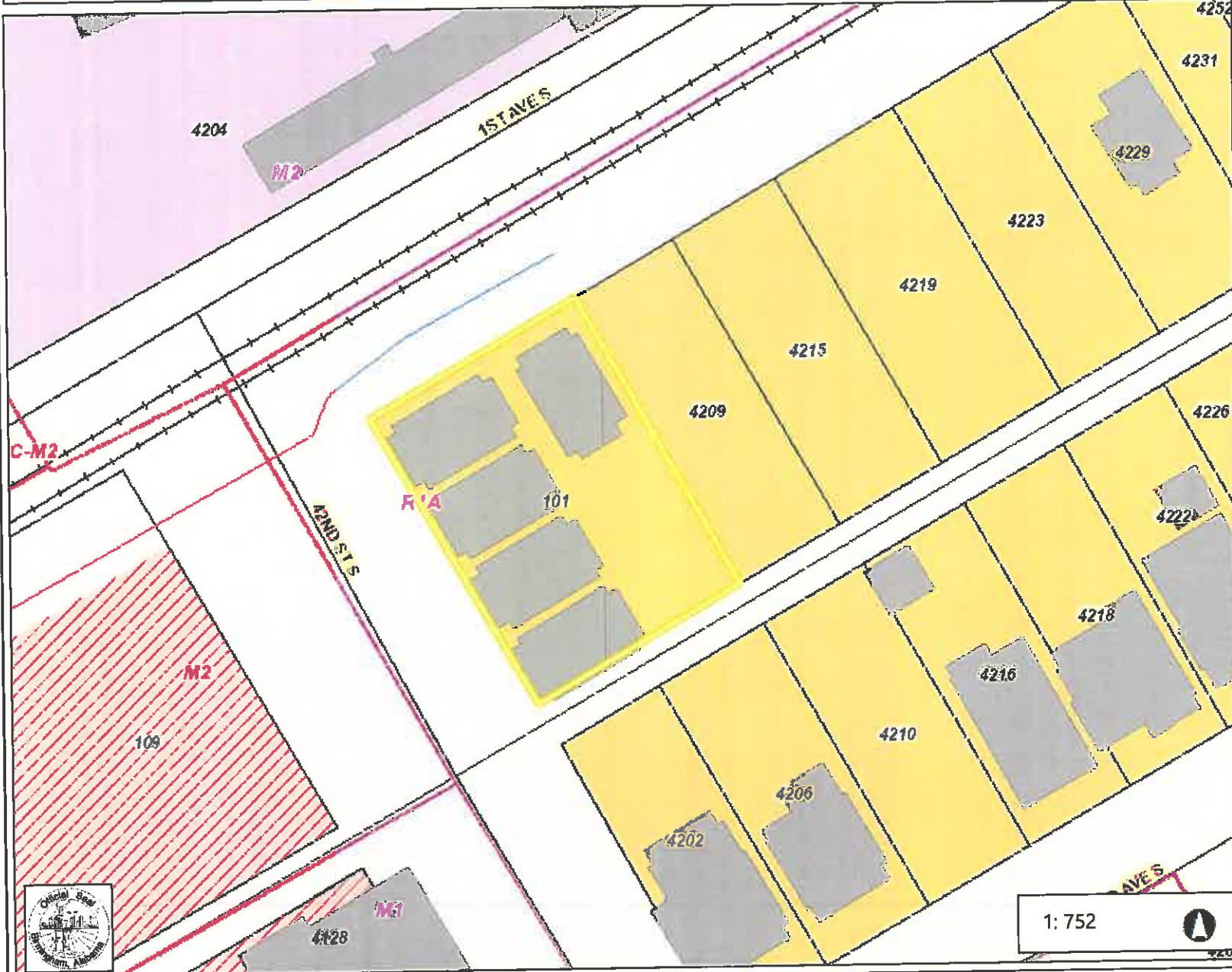


1: 752



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

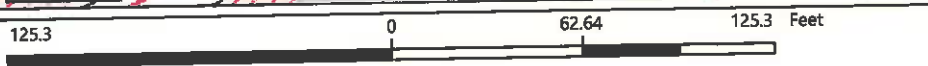


Legend

- 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



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
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 by 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 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 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 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 20141

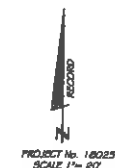
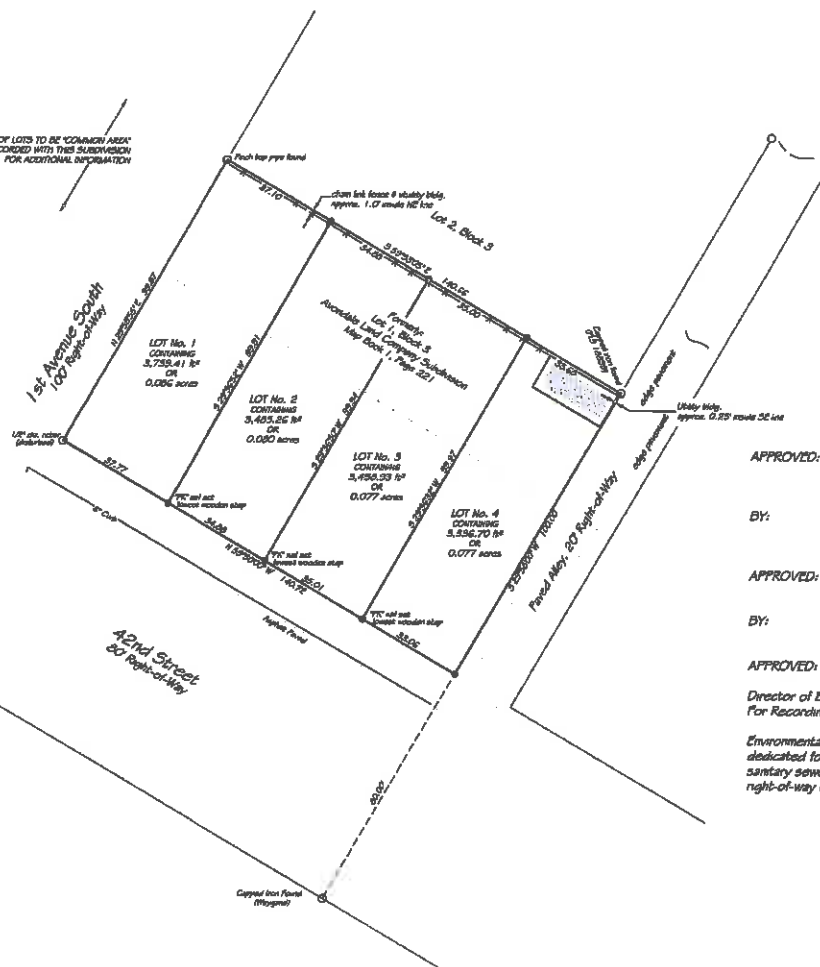
Jud Dawson
Dawson Seay Properties, LLC
Jud Dawson, Member

Blake Seay
Dawson Seay Properties, LLC
Blake Seay, Member

Mike Self
Peoples Bank



REAR 40' OF LOTS TO BE 'COMMON AREA'
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 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: 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

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
RIANOW CITY, ALABAMA 35306
(256) 590-9424
scottskipper@bellsouth.net

GENERAL NOTES:

- TOTAL ACRESAGE WITHIN THIS RE-DIVISION IS: 14,060.35 SQ FT OR 0.323 ACRES±.
- THE PROPERTY IS CURRENTLY ZONED R4A.
- THIS PROPERTY IS LOCATED IN ZONE 2C (AREA OF MINIMAL FLOODING), ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP PANEL 384 OF 755, MAP NUMBER 01075C03945, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 29, 2016.
- NO CONSIDERATION WAS GIVEN TO FOOTING OR ROOF OVERHANG ENCROACHMENTS.

LEGEND	
⊙	IRON PIN SET 1" IN DIAMETER (1/4" IN DIA. BRASS) (1/4" DIA. BRASS) (1/4" DIA. BRASS)
—○—	IRON PIN POLING
—	POWER OR OTHER AERIAL LINE
⊠	POWER POLE
—○—	ADDRESS OF INDIVIDUAL DWELLING (1484 STREET, BIRMINGHAM, AL 35222)

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.

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

DRAFT FOR REVIEW ONLY

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, Scott Skipper, a Registered Land Surveyor, State of Alabama, and Dawson Slay 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 copy of leads 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 Plat Book 1, Page 221, in the Office 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 corner 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 mortgages 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 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 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 _____, 2016;

Scott Skipper
Registered Professional Land Surveyor
License Number 20141

Dawson Slay 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 therefor.

Given under my hand and seal this _____ day of _____, 2016

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 therefor.

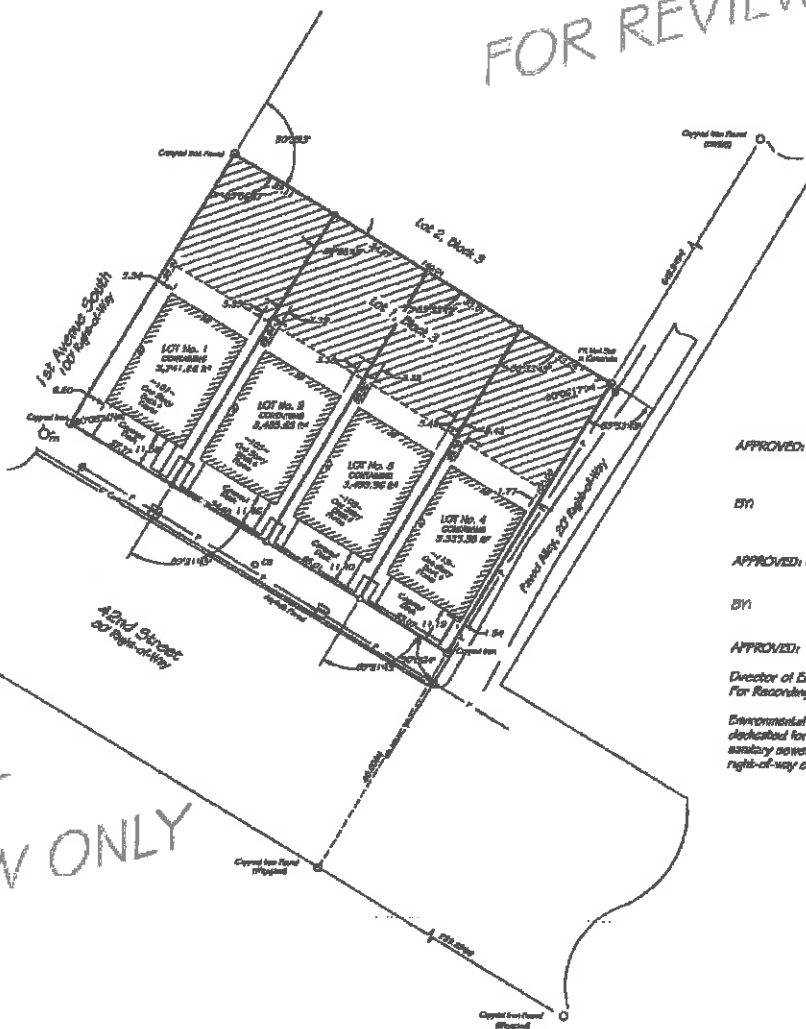
Given under my hand and seal this _____ day of _____, 2016

By: _____
Notary Public

My commission expires: _____

GENERAL NOTES:

- 1.) TOTAL ACRES WITHIN THIS RE-DIVISION IS: 14,061.05 SQ FT or 0.323 ACRES.
- 2.) THE PROPERTY IS CURRENTLY ZONED RMA.
- 3.) THIS PROPERTY IS LOCATED IN ZONE "1" ACCORDING TO THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP PAUL 254 OF 759, MAP NUMBER 01073020294G, JEFFERSON COUNTY, ALABAMA, DATED SEPTEMBER 29, 2015.



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 assessments 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 the date may void this approval.

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



Southside

ZBA2019-00009

Request: Modification
Applicant: Charles Beavers
Owner: Progressive Lakeview, LLC
Site Address: 608 29th St S
Zip Code: 35233
Description: Modification to allow 0 off street parking spaces instead of the required 90 off street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3
Property Zoned: M1 Light Industrial
Parcel Information: Parcel #012300313003008000, SW ¼ of Section 31, Township 17 S, Range 2 W

Modification

The subject location of 608 29th St S is the site of the former ABSCO building. The applicant is requesting a modification to allow 0 off-street parking spaces instead of the required 90 off-street parking spaces for a proposed restaurant use. The building is 7,000 SF with 2,000 SF of covered patio. The 9,000 SF of space covers the entire lot leaving no room for off-street parking.

Neighborhood

The Southside Neighborhood Association did not provide feedback for this request.

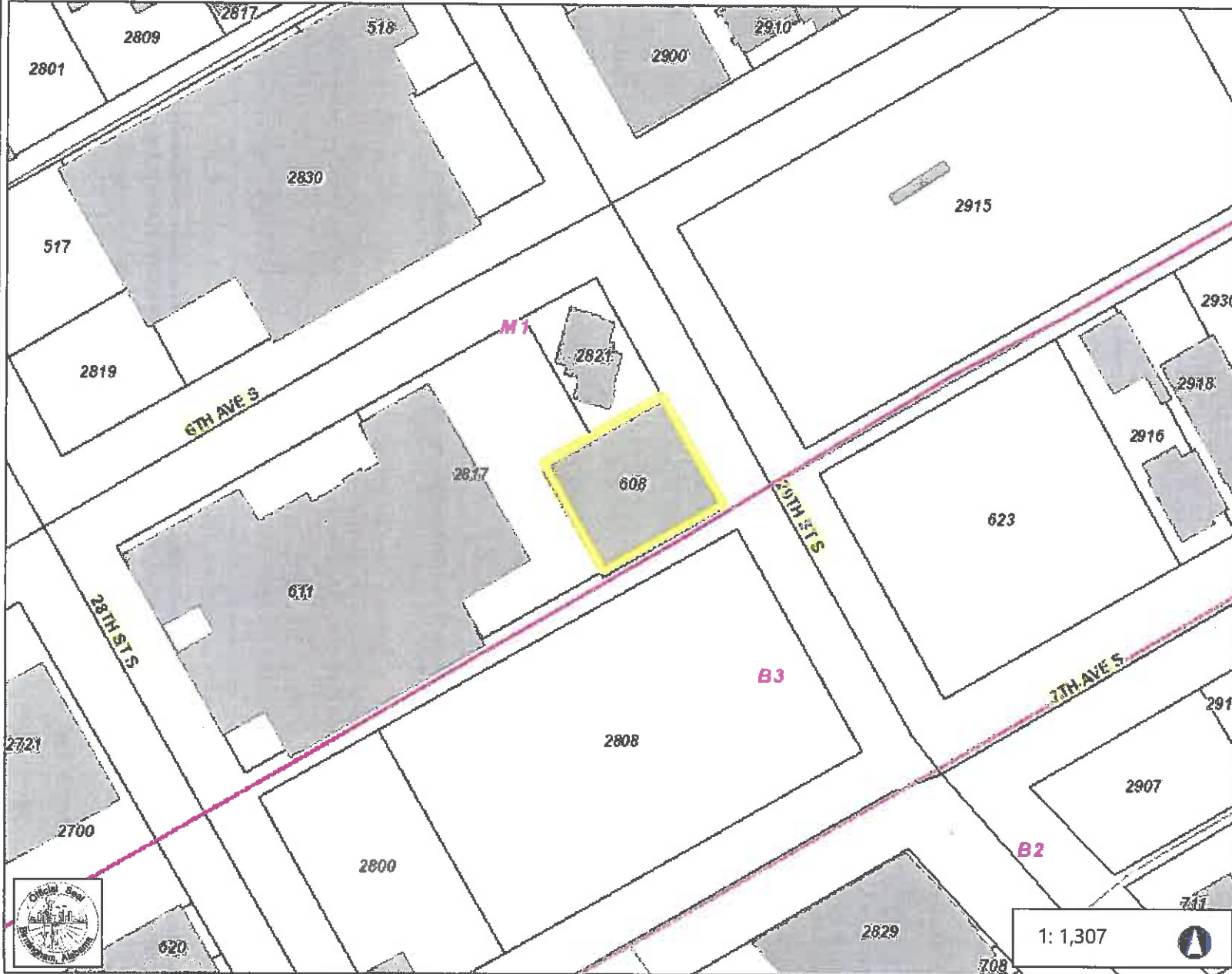
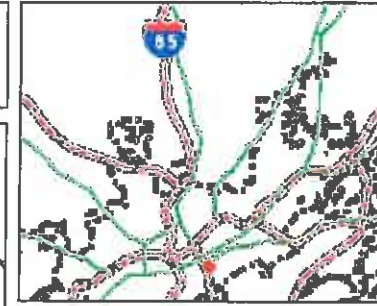
Applicant's Justification

The applicant provided a parking study that identified 293 on-street parking spaces within 1,320 FT of the site. On average 184-276 of these spaces were available depending the time of day.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the request. The amount of available on street parking seems 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
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)



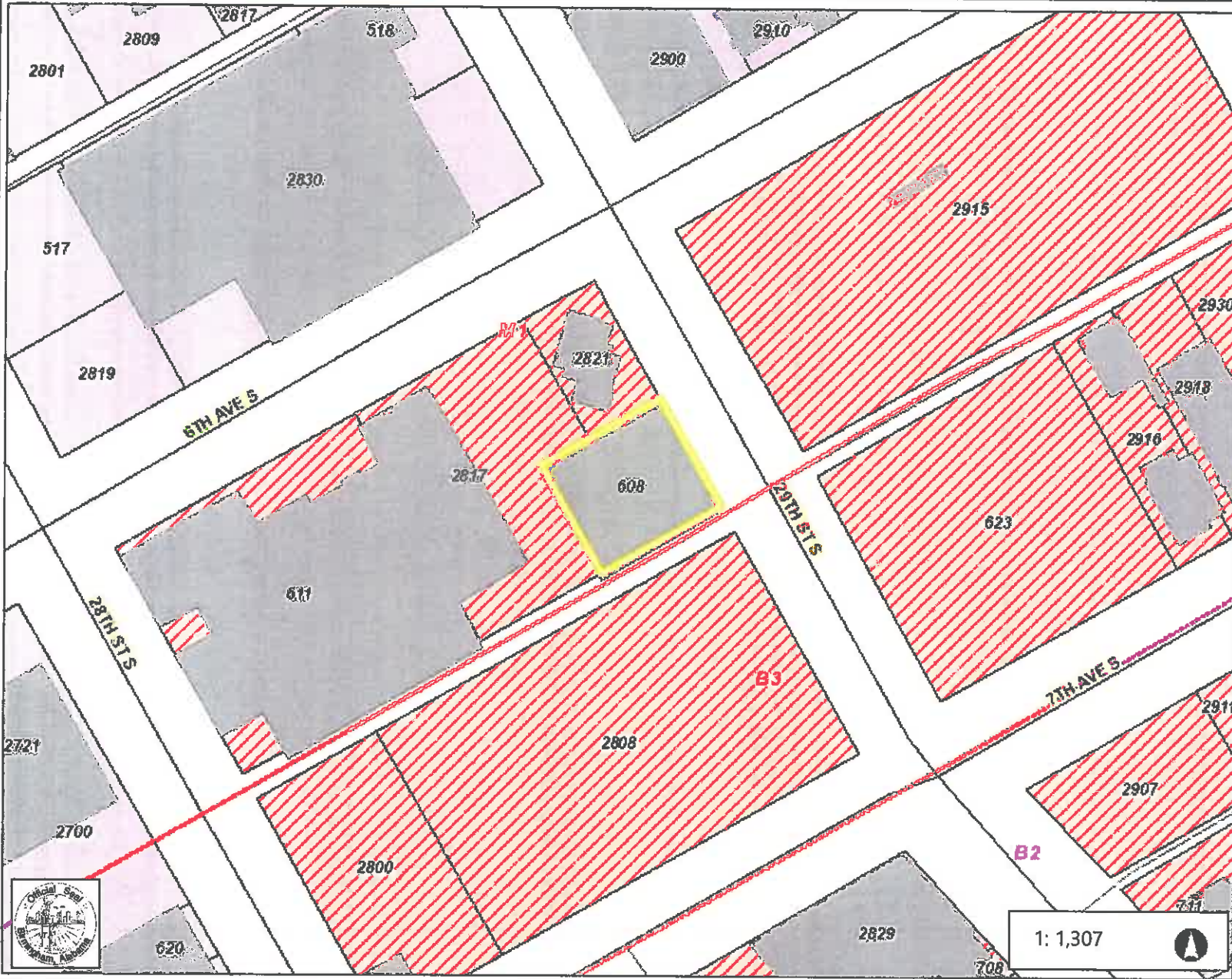
1:1,307



217.8 0 108.90 217.8 Feet

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: 1,307



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

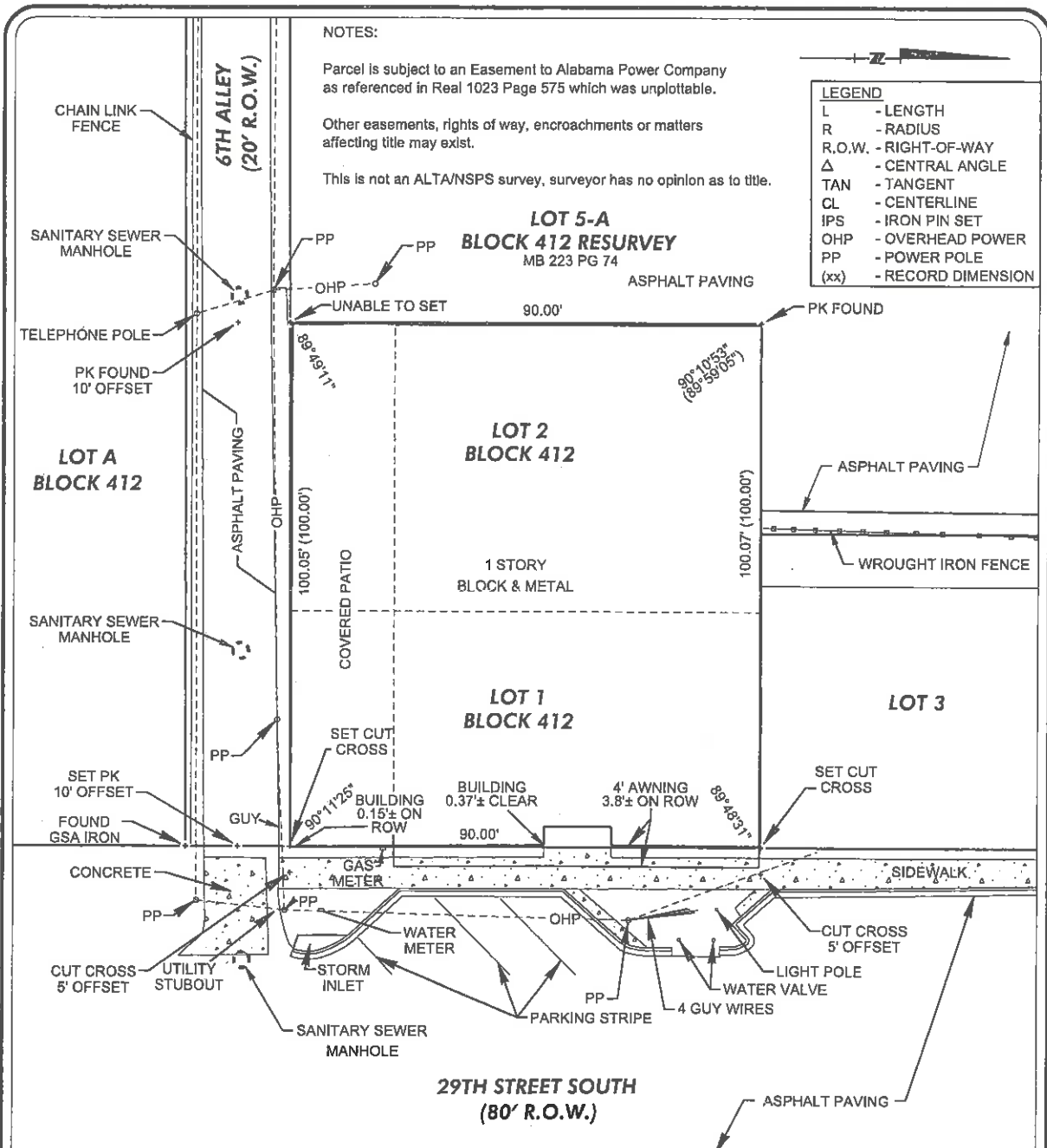
NOTES:

Parcel is subject to an Easement to Alabama Power Company as referenced in Real 1023 Page 575 which was unplottable.

Other easements, rights of way, encroachments or matters affecting title may exist.

This is not an ALTA/NSPS survey, surveyor has no opinion as to title.

LEGEND	
L	- LENGTH
R	- RADIUS
R.O.W.	- RIGHT-OF-WAY
Δ	- CENTRAL ANGLE
TAN	- TANGENT
CL	- CENTERLINE
IPS	- IRON PIN SET
OHP	- OVERHEAD POWER
PP	- POWER POLE
(xx)	- RECORD DIMENSION



SCALE: 1"=20'
Closing Survey

State of Alabama,
Jefferson County,

I, Garry Bannister, a Registered Land Surveyor in the State of Alabama hereby state 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 for the following described property:

Lot 1 & 2 according to the survey of Block 412 according to the Elyton Land Company's survey of the City of Birmingham which is not recorded and is not available for recordation in the office of the Judge of Probate, Jefferson County, Alabama.

I further state that there are no rights of way, easements or joint driveways over or across said land visible on the surface except as shown, that there are no electric or telephone wires (excluding those which serve the premises only) or structures or supports thereof, including poles, anchor or guy wires on or over said property except as shown; that there are no encroachments except as shown; that the improvements are located as shown above. No underground utilities have been located.

According to my field survey this the 4th day of April, 2018.

Alabama Engineering Co., Inc.
1214 Alford Avenue, Suite 200
Hoover, Alabama 35226
Phone: (205) 803-2161
Fax: (205) 803-2162

Garry Bannister
Garry Bannister
Alabama Reg. No 24325



MEMORANDUM

Date: February 5, 2019

To: Eric Rogers

From: Darrell Skipper, PE

RE: Lakeview District Parking Modification

INTRODUCTION

This memorandum supports a request for a parking modification for the Lakeview District in Birmingham, Alabama. Progressive Lakeview, LLC proposes to revitalize the old ABSCO Building which is located along the west side of 29th Street South between 6th Avenue South and 7th Avenue South. The proposed revitalization would include 7,000 square feet of indoor space and 2,000 square foot patio space resulting in 9,000 square feet of restaurant space (assembly).

PARKING SUPPLY

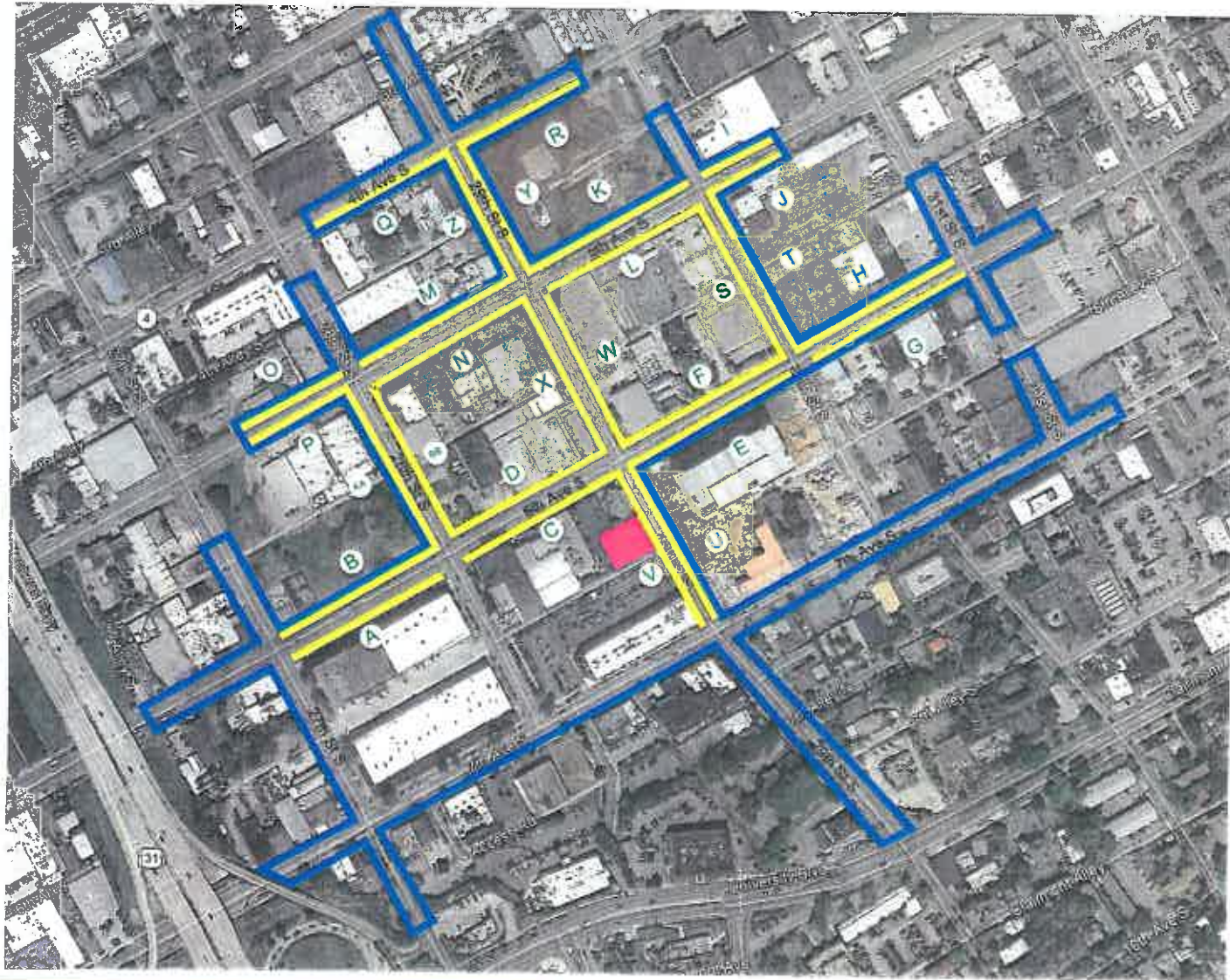
The current ABSCO Building occupies the entire site. Therefore, no on-site parking is possible. In order to meet the needs of the redeveloped site parking will be provided off-site in on-street parking spaces that are not currently being used.

PARKING REQUIREMENTS

The City of Birmingham regulations require if off-site parking is utilized, it be available within 1,320 feet from corners of the lot in which the renovated building is located. The parking requirement will include the parking for the proposed 7,000 square foot restaurant and the 2,000 square foot patio for a total of 9,000 square feet of restaurant space. The City of Birmingham requires one parking space for every 100 square feet of restaurant space use or a total requirement of 90 parking spaces for the redevelopment. However, the City of Birmingham offers a 10% parking space reduction if the parking generator is near a bus stop and a 10% parking space reduction if the parking generator makes bicycle racks available. Currently there are no bus stops located immediately adjacent to the proposed building renovation. However, bike racks will be provided on site by the developer. As such the proposed restaurant space will be eligible for the 10% bike rack reduction. Therefore, the net parking requirement for the redeveloped ABSCO Building will be 81 parking spaces.

PARKING INVENTORY

Skipper Consulting examined the potential for on-street parking within the allowable 1,320 foot distance and identified a study area where on-street parking spaces were available. The parking in the study area will meet the City of Birmingham's parking requirements and are closer to the ABSCO Building than 1,320 feet. The criteria used to identify the potential parking spaces included proximity to the ABSCO Building, the pedestrian environment between the parking spaces and the ABSCO Building, the traffic volumes on streets that pedestrians would have to cross and overall pedestrian safety. The building location, allowable distance for on-street parking, and the area selected for this facility are reflected in Figure 1. An inventory of available on-street parking spaces located within the study area



- Legend**
- 1,320 Foot Boundary
 - Study Area
 - G Block Identification
 - ABSCO Building

Figure 1 - Overall Study Area
Lakeview District Parking Modification Study - Birmingham, Alabama

Table 1
Parking Occupancies
Thursday, January 17, 2019
Lakeview Parking Assessment
Birmingham, Alabama

	Parking Supply (spaces)	Occupied Parking Spaces											
		10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM
A	0	0	0	0	0	0	0	0	0	0	0	0	0
B	16	0	0	0	0	0	0	0	0	0	0	0	0
C	13	6	7	7	7	6	6	6	4	0	0	0	0
D	15	2	3	3	2	3	1	1	2	1	1	1	1
E	16	0	0	0	1	2	2	2	1	1	0	0	0
F	8	2	2	3	3	3	2	2	1	2	1	0	0
G	15	7	8	7	9	6	5	4	3	4	1	1	1
H	14	6	7	7	9	7	7	7	3	2	2	1	1
I	8	0	0	0	0	0	0	0	0	0	0	0	0
J	7	0	0	0	0	0	0	0	0	0	0	0	0
K	15	2	2	1	0	1	3	3	4	4	4	4	4
L	24	22	21	21	20	17	21	20	13	1	1	0	0
M	4	0	0	1	1	1	3	0	0	0	0	0	0
N	7	6	5	3	1	2	0	2	2	0	0	0	0
O	10	0	0	0	0	0	0	0	0	0	0	0	0
P	2	0	0	0	0	0	0	0	0	0	0	0	0
Q	8	0	0	1	1	1	0	0	0	0	0	0	0
R	11	1	2	0	0	0	0	0	0	0	0	0	1
S	14	11	12	9	9	10	9	4	0	1	0	0	0
T	7	3	3	2	2	2	3	2	0	0	0	0	0
U	12	0	0	5	5	3	1	2	4	8	13	8	5
V	10	2	3	8	6	7	7	11	12	13	13	10	9
W	9	4	4	5	3	5	5	6	2	0	0	0	0
X	10	5	4	7	8	9	8	7	4	1	1	1	1
Y	9	2	2	1	4	0	0	0	0	0	0	0	0
Z	6	4	4	7	6	8	4	3	4	0	0	0	0
AA	9	2	2	3	3	2	2	2	3	1	1	1	1
BB	14	7	6	7	9	6	7	7	5	0	0	0	0
Total	293	94	97	108	109	101	96	91	67	39	38	28	25
Available (empty) Spaces		199	196	185	184	192	197	202	226	254	255	265	268

Table 2
Parking Occupancies
Saturday, January 19, 2019
Lakeview Parking Assessment
Birmingham, Alabama

	Parking Supply (spaces)	Occupied Parking Spaces											
		10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM
A	0	0	0	0	0	0	0	0	0	0	0	0	0
B	16	0	0	0	0	0	0	0	0	0	0	0	0
C	13	0	0	0	1	2	2	2	1	4	7	7	12
D	15	3	2	1	0	0	1	0	1	2	5	7	6
E	16	2	1	2	1	1	1	1	1	0	4	5	6
F	8	1	1	1	1	1	1	1	1	1	1	1	1
G	15	0	0	0	1	1	2	0	0	0	0	0	0
H	14	0	0	0	0	0	0	0	0	0	0	0	0
I	8	0	0	0	0	0	0	0	0	0	0	0	0
J	7	0	0	0	0	0	0	0	0	0	0	0	0
K	15	4	4	4	4	4	4	4	5	5	5	5	5
L	24	0	0	0	0	0	0	0	0	0	0	0	0
M	4	0	0	0	0	0	0	0	0	0	0	0	0
N	7	0	0	0	0	0	0	1	1	0	0	0	0
O	10	0	0	0	0	0	0	0	0	0	0	0	2
P	2	0	0	0	0	0	0	0	0	0	0	0	0
Q	8	0	0	0	0	0	0	0	0	0	1	0	0
R	11	0	0	0	0	0	0	0	0	0	0	0	0
S	14	0	1	1	1	1	1	1	0	0	0	0	0
T	7	0	0	0	0	0	0	0	0	0	0	0	0
U	12	3	5	7	8	9	8	5	5	13	11	13	15
V	10	3	4	11	12	11	8	9	12	11	14	16	9
W	9	0	0	0	0	0	0	0	0	0	0	1	1
X	10	0	0	0	0	0	0	0	0	0	0	0	0
Y	9	0	0	0	0	0	0	0	0	1	2	0	1
Z	6	1	1	2	1	1	2	0	0	0	0	0	0
AA	9	0	0	0	0	0	0	0	0	0	5	15	14
BB	14	0	0	0	0	0	1	1	0	0	7	14	12
Total	293	17	19	29	30	31	31	25	27	37	67	91	90
Available (empty) Spaces		276	274	264	263	262	262	268	266	256	226	202	203

Forest Park

ZBA2019-00010

Request: Modification
Applicant: Greg Stein
Owner: Turn Key Homes, LLC
Site Address: 4100 41st St S
Zip Code: 35222
Description: Modification to allow 0 off street parking spaces instead of the required 18 off street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3
Property Zoned: B2 General Business District
Parcel Information: Parcel #012300293007005000, SW ¼ of Section 29, Township 17 S, Range 2 W

Modification

The subject location of 4100 4th Ave S is the site of the proposed Thirsty Donkey restaurant. This location was formerly Rowe's Service Station. The previous restaurant was claiming parking that was in the right of way. This site does not allow for any off street parking due to the layout and proximity to city owned right of way. Furthermore, the city's 41st Street Complete Street project will be removing some existing parking directly adjacent to this parcel essentially eliminating the applicant's ability to provide parking.

Neighborhood

The Forest Park Neighborhood Association met on February 5th and the applicant attended the meeting. Staff has yet to receive that feedback from the neighborhood.

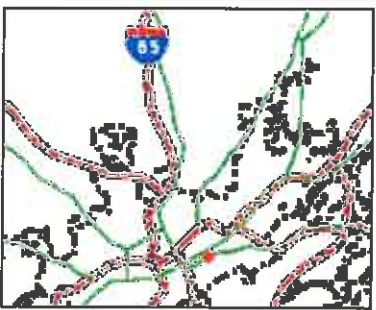
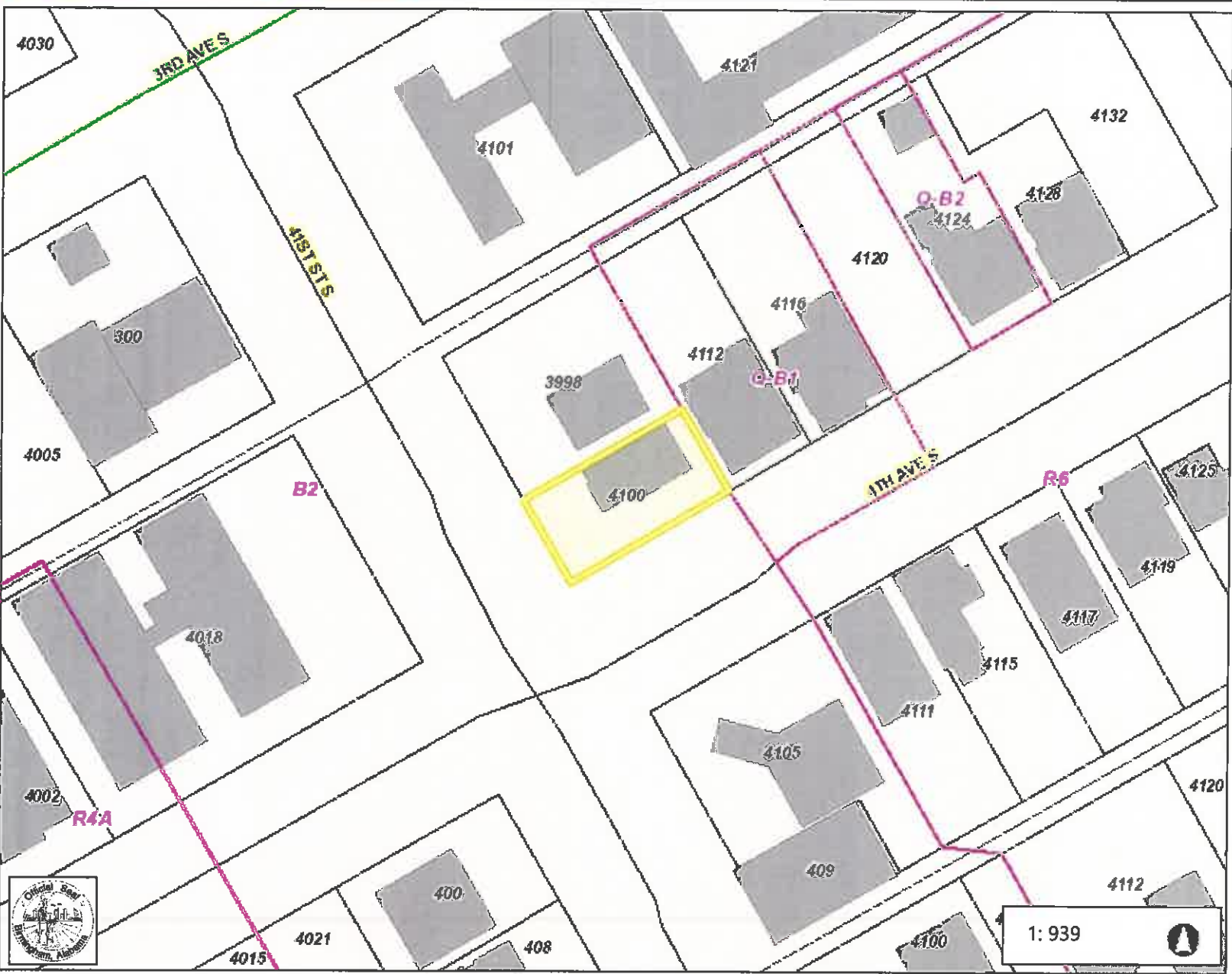
Applicant's Justification

The applicant provided evidence that 323 public and on-street parking spaces exist within 1,320 FT of the subject location. Included in that is a letter from the BPA stating that 161 spaces exist in the Avondale Village Lot.

Staff Recommendation

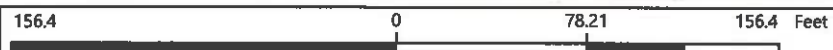
Staff believes that the applicant has provided sufficient evidence to support the request. The amount of available on street parking seems adequate to support the use. Therefore, staff believes this request does have merit for approval and as such, should be **GRANTED** subject to the following conditions:

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
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)



1: 939

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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



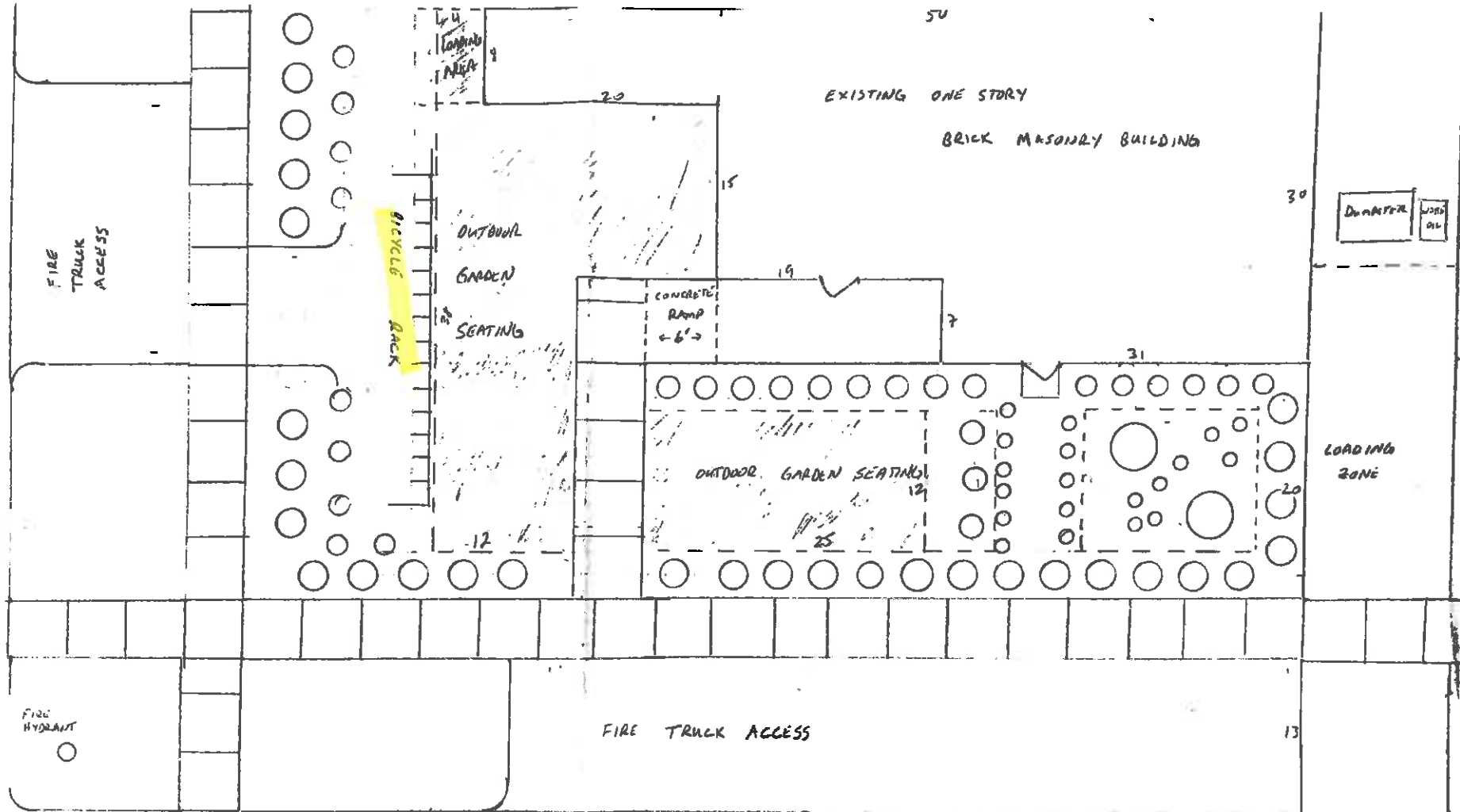
156.4 0 78.21 156.4 Feet

1: 939

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Notes

41ST STREET



4TH AVENUE SOUTH



1/16/2019

Gmail - Avondale neighborhood parking



Greg Stein <greg.b.stein@gmail.com>

Avondale neighborhood parking

Wanda Knight <wanda@bhamparking.com>
To: Greg Stein <greg.b.stein@gmail.com>

Wed, Jan 16, 2019 at 11:10 AM

Avondale Village Lot

Capacity 161 spaces

Rate: \$3.00 per visit

There is adequate parking available to accommodate your parking needs between the hours of 3PM – 10PM.

BPA has no data on the on street parking.

From: Greg Stein [mailto:greg.b.stein@gmail.com]
Sent: Wednesday, January 16, 2019 10:45 AM
To: Wanda Knight <wanda@bhamparking.com>
Subject: Avondale neighborhood parking

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