

Meeting – March 28, 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

Redmont Park

ZBA2019-00018

Request: Variance
Applicant: Katherine and Gerard Adams
Owner: Katherine and Gerard Adams
Site Address: 3213 Carlisle Rd
Zip Code: 35213
Description: Variance to allow a front yard setback of approximately 52 FT instead of the required modified front yard setback of approximately 68 FT pursuant to Title 1, Chapter 3, Article I, Section 2.D.2
Property Zoned: R1 Single Family District
Parcel Information: Parcel #012800052012010001

Variance

The applicant is requesting a variance to allow a single family home to be built with an approximately 52 FT front yard setback instead of the required modified front yard setback of approximately 68 FT. The modified setback of 68 FT is due to the adjacent houses being setback approximately 66 FT and 70 FT.

Neighborhood

The Redmont Park Neighborhood Association meets on March 26th.

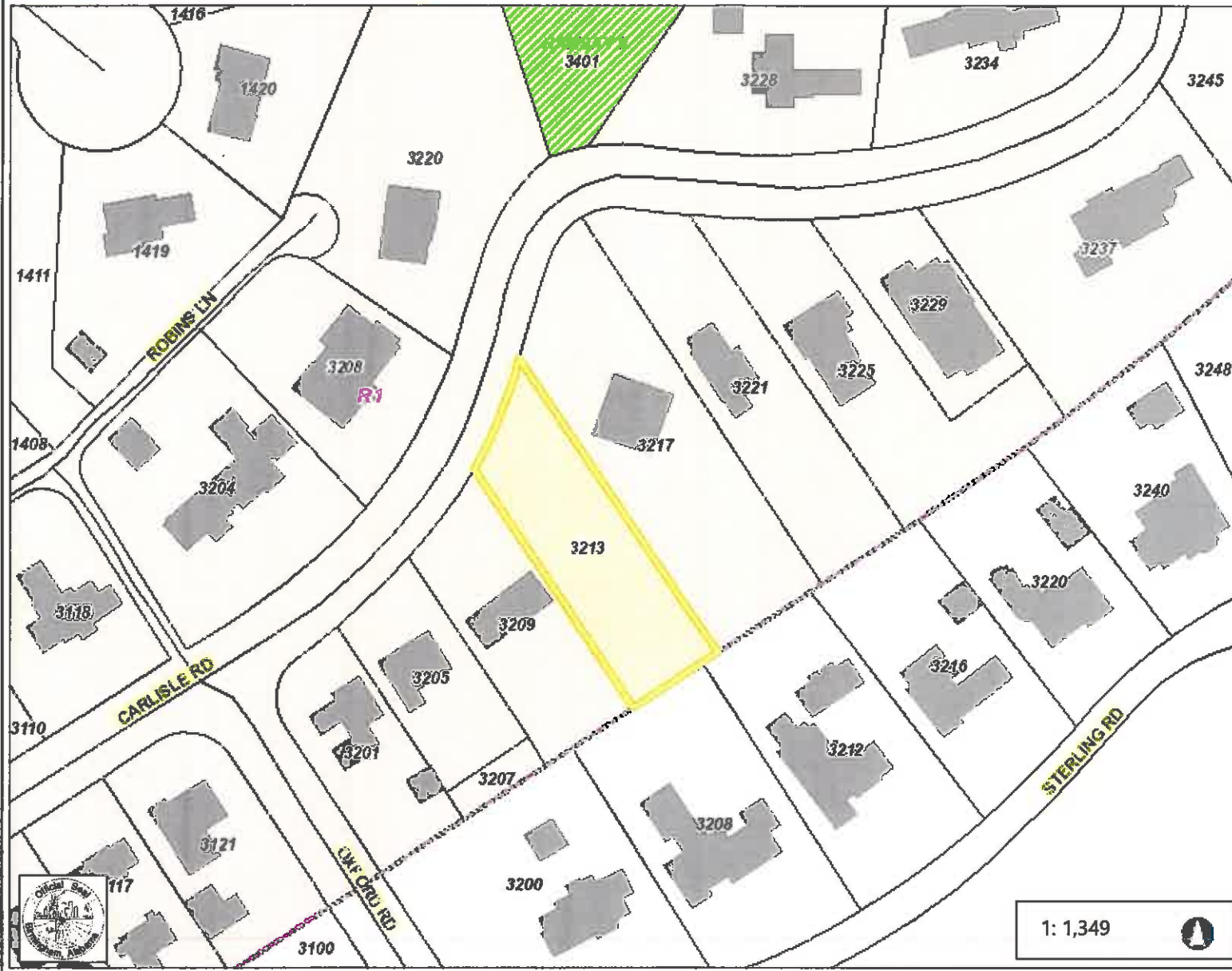
Applicant's Justification

The applicant stated that the standard setback for this zoning district is 40 FT and the orientation and setbacks of the adjacent structures require a modified setback of 68 FT. If the home was built with a 68 FT setback it would encroach into the required 40 FT rear setback. This would trigger the need for a rear setback variance. The applicant also stated that the property slopes severely from front to back dropping from 100 FT in elevation to 70 FT. The subject location also has a power line easement on the rear of the property.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the request. The orientation and setbacks of the adjacent properties create a unique situation for the property by requiring a 68 FT setback instead of 40 FT. The 68 FT front setback would push the home into the rear setback which would also require a variance. There also appears to be topographic issues with the severe slope of the lot. 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.
3. Approval based on site plan as submitted.



Legend

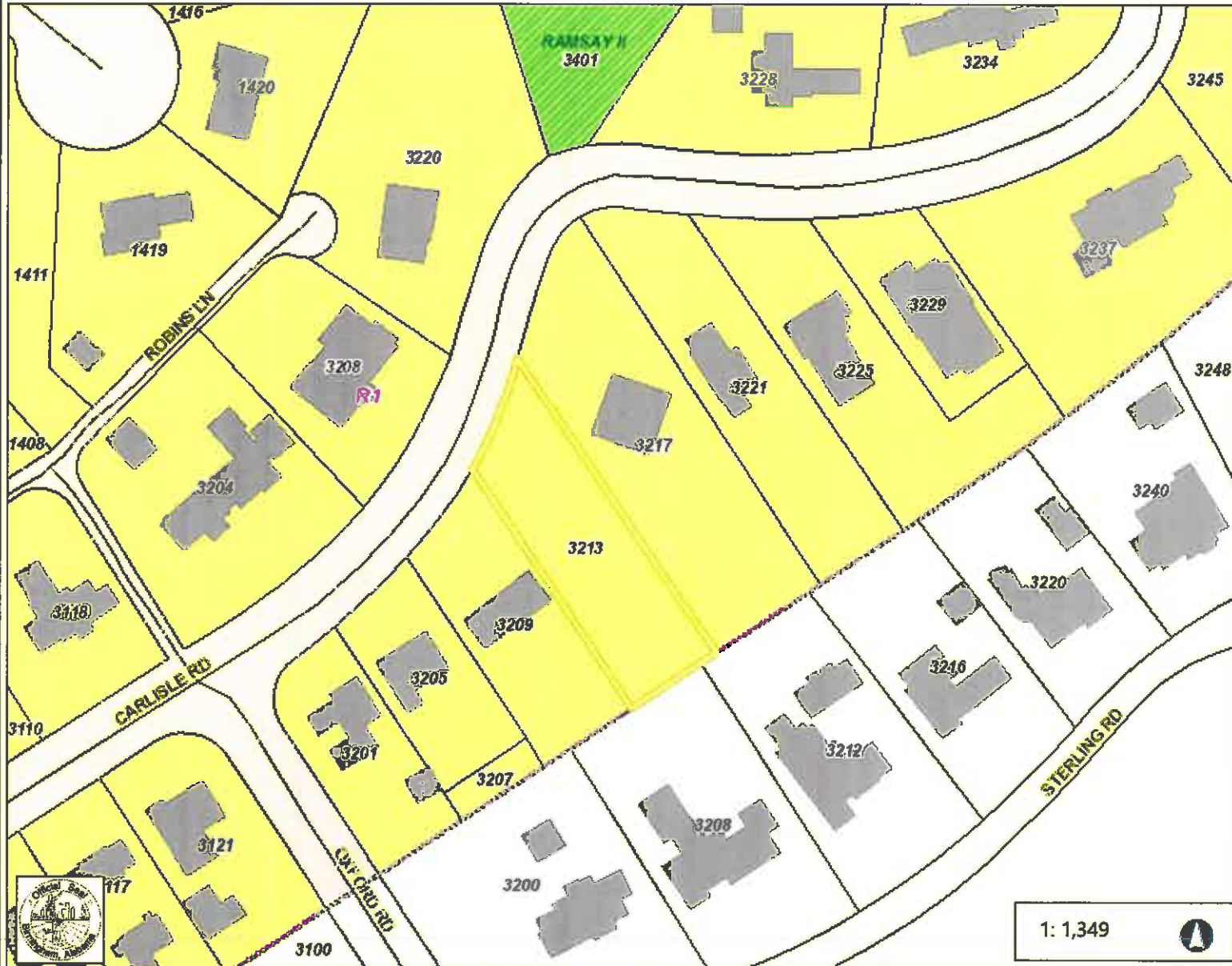
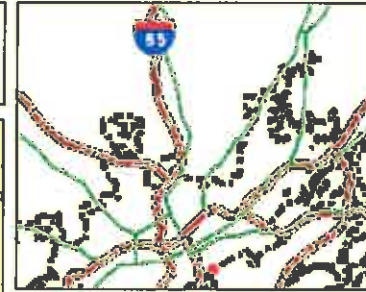
- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

1: 1,349



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Notes



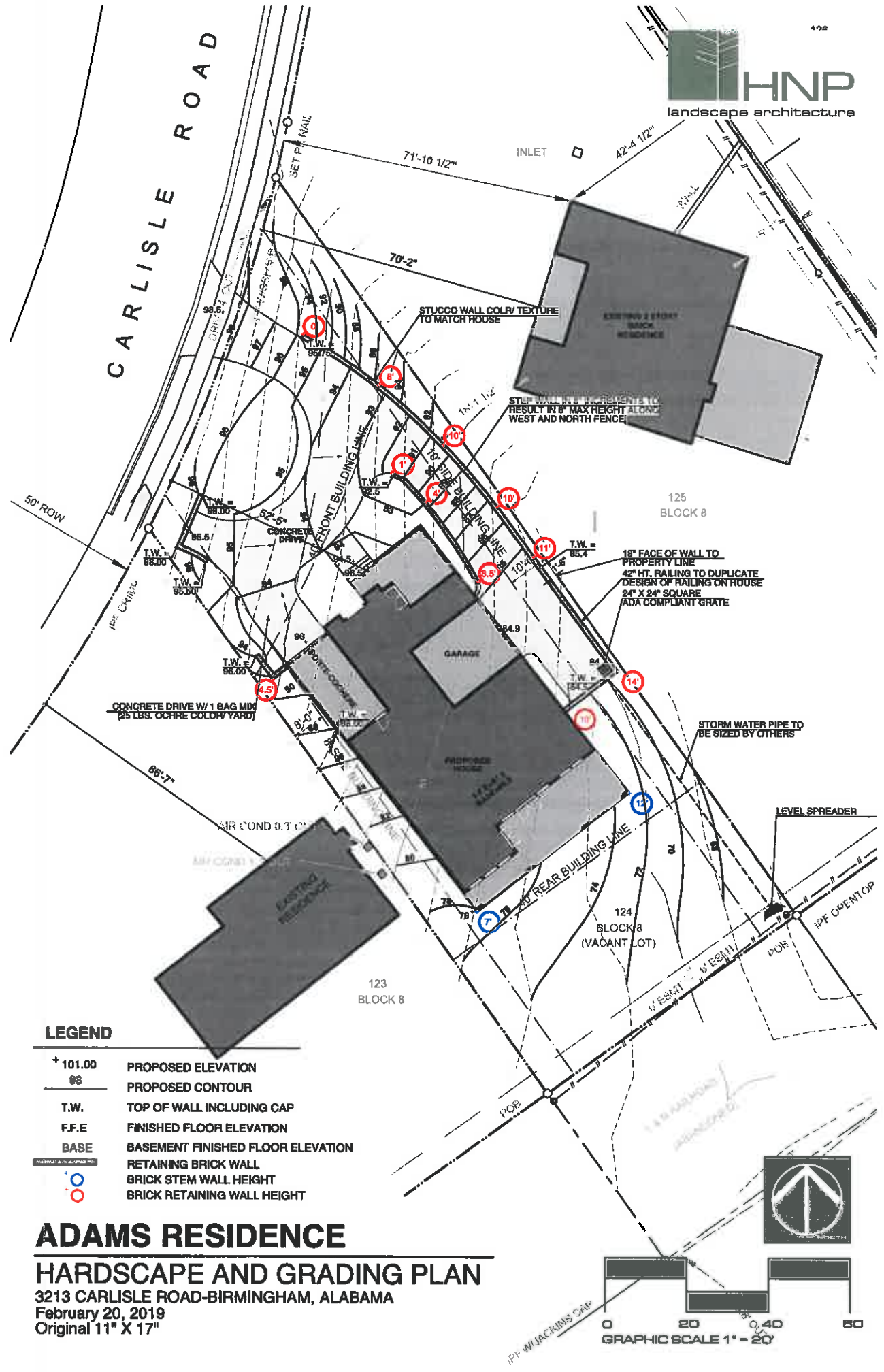
Legend

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

1: 1,349



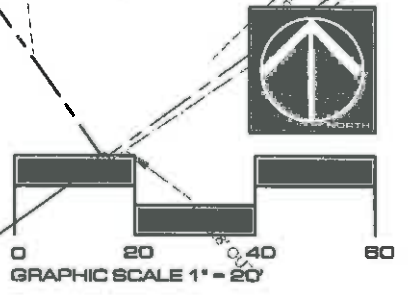
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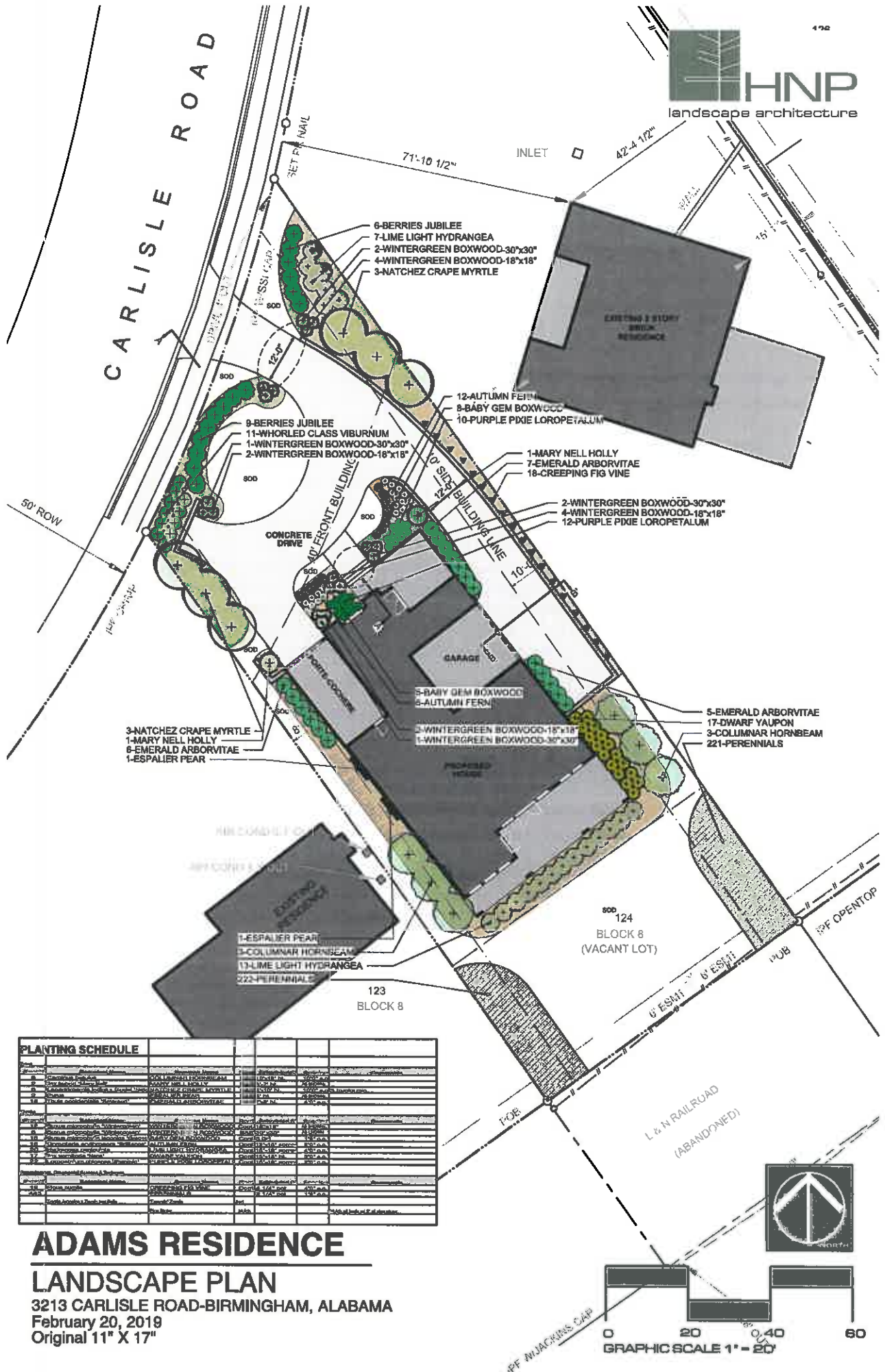


LEGEND

- + 101.00 PROPOSED ELEVATION
- 98 PROPOSED CONTOUR
- T.W. TOP OF WALL INCLUDING CAP
- F.F.E FINISHED FLOOR ELEVATION
- BASE BASEMENT FINISHED FLOOR ELEVATION
- RETAINING BRICK WALL
- BRICK STEM WALL HEIGHT
- BRICK RETAINING WALL HEIGHT

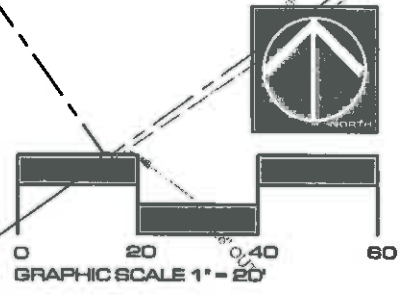
ADAMS RESIDENCE
HARDSCAPE AND GRADING PLAN
 3213 CARLISLE ROAD-BIRMINGHAM, ALABAMA
 February 20, 2019
 Original 11" X 17"

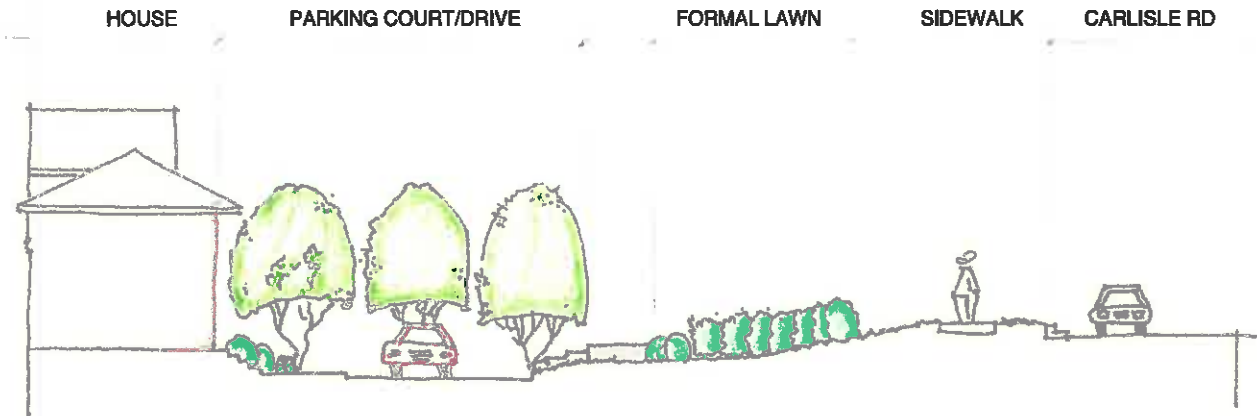




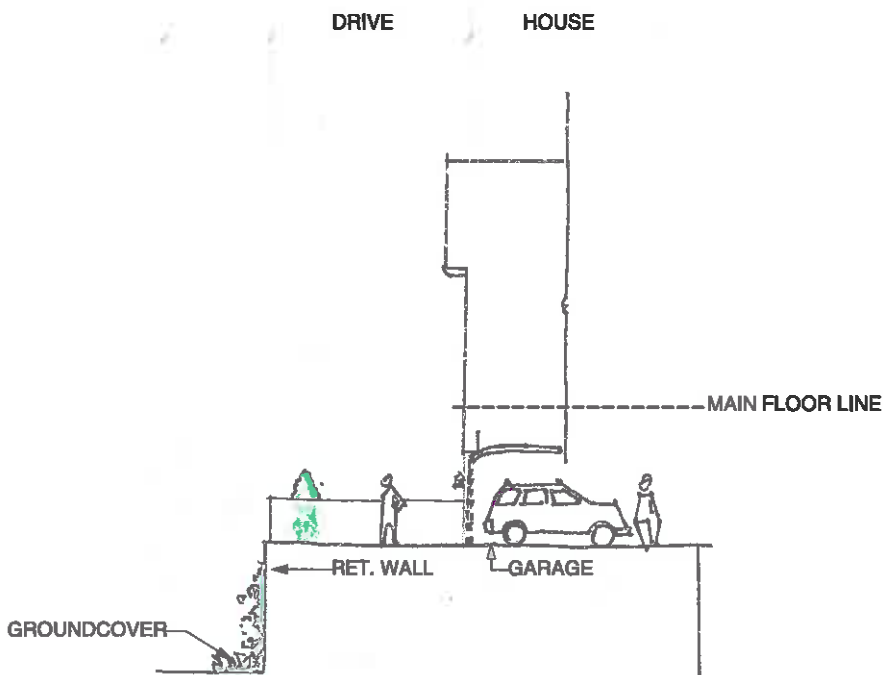
PLANTING SCHEDULE			
Plant	Quantity	Plant Name	Plant Size
1	1	ESPALIER PEAR	12"
2	1	COLUMNAR HORNBEEAM	12"
3	1	LIME LIGHT HYDRANGEA	12"
4	2	PERENNIALS	12"
5	1	MARY NELL HOLLY	12"
6	1	EMERALD ARBORVITAE	12"
7	1	ESPALIER PEAR	12"
8	1	ESPALIER PEAR	12"
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59	1	ESPALIER PEAR	12"
60	1	ESPALIER PEAR	12"

ADAMS RESIDENCE
LANDSCAPE PLAN
 3213 CARLISLE ROAD-BIRMINGHAM, ALABAMA
 February 20, 2019
 Original 11" X 17"





SECTION A-A'

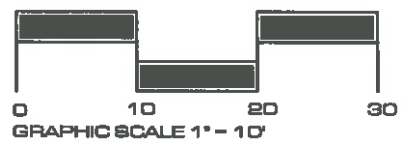


SECTION B-B'

ADAMS RESIDENCE

SECTION ELEVATION

3213 CARLISLE ROAD-BIRMINGHAM, ALABAMA
February 20, 2019
Original 11" X 17"



ZBA2019-00018



From: Katherine Adams katherine.adamscc@gmail.com
Subject: Variance Application_Katherine & Gerard Adams
Date: February 21, 2019 at 10:25 AM
To: Slaten Tyler tyler.slaten@birminghamal.gov



To: ZBA Board Members
From: Katherine & Gerard Adams
3213 Carlisle Road
Birmingham, AL 35244
Date: February 21, 2019

We are applying for a variance at 3213 Carlisle Road to allow a 52 ft front yard setback instead of the required modified front setback of 68 feet.

The standard setback is 40 ft. However, due to the orientation of the adjacent structures, the modified front setback is 68 ft. In addition, there is a rear setback of 40 feet. If our home is built with a 68 foot setback it would encroach into the 40 foot rear setback. This would also require a variance.

There is also severe sloping/elevation of property which goes from 100 feet to 70 feet at the distance of 85 feet from the street. There is another issue of the main power line easement also affecting the L&N Railroad easement in the rear of the property.

The physical characteristics of our lot and easement restrictions make this lot unbuildable if we were to use a 68 ft. setback.

Thank you for reviewing this variance application.

Katherine & Gerard Adams
205.903.0624
205.915.6733

To whom it may concern:

Re: Variance for Gerard & Katherine Adams at 3213 Carlisle Road, Birmingham, AL 35213

I reside at 3209 Carlisle Road, Birmingham, AL, next to the Adams' proposed building site of 3213 Carlisle Road. We have met with the Adams' and have reviewed their plans and request for a variance on the front set back.

We have no objections to the proposed variances on the front setback that the Adams' are seeking. Nor do we have any objection to the proposed retaining walls on the east side of the property, east side garage entrance, the stucco finish on the exterior retaining wall, the clay tile roof or the enclosed carport.

A handwritten signature in black ink that reads "Charles Morris". The signature is written in a cursive, flowing style.

Charles Morris

From: Keith Arendall <karendall@lahcommercial.com>
Sent: Monday, February 25, 2019 10:07 AM
To: 'gjadams3@gmail.com' <gjadams3@gmail.com>
Subject: Your house plans

Good am, Gerard. Relative to the plans for your house next to ours located to the east of you, there are only three things that concern us:

- We would like lower growing plants on our side of your driveway.
- We want to make sure that the retaining wall on our side is constructed with the same material and color as on your side and that it is well-screened with ivy or other evergreen shrubs.
- We want to make sure that your drainage is directed as far back on your lot as possible in order to prevent flooding and/or washing in the middle of our back yard.

Other than these three issues, we are fine with the look of your house.

We also understand that there is a significant elevation difference between your proposed house and ours, since ours is a good bit below the grade of Carlisle Road. And, as a consequence of the elevation differences, we recognize that a retaining wall will be necessary in order to get a house properly situated on your lot.

Best of luck to you and I hope you will be able to commence construction in the very near future. It will actually help us sell our house knowing what will be built next to it.

Keith Arendall

Forest Park

ZBA2019-00019

Request: Modification
Applicant: Scott Phillips
Owner: Top Gunn LTD
Site Address: 4285 3rd Ave S
Zip Code: 35222
Description: Modification to allow 5 off street parking spaces instead of the required 10 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 #012300294007001000, SE ¼ of Section 29, Township 17 S, Range 2 W

Modification

The applicant is requesting a modification to allow 5 off street parking spaces instead of the required 10 off-street parking spaces for an automotive parts and repair business. The modification is needed to allow for a proposed 2,400 SF warehouse addition.

Neighborhood

The Forest Park Neighborhood Association met on March 5th and voted unanimously in support of this request.

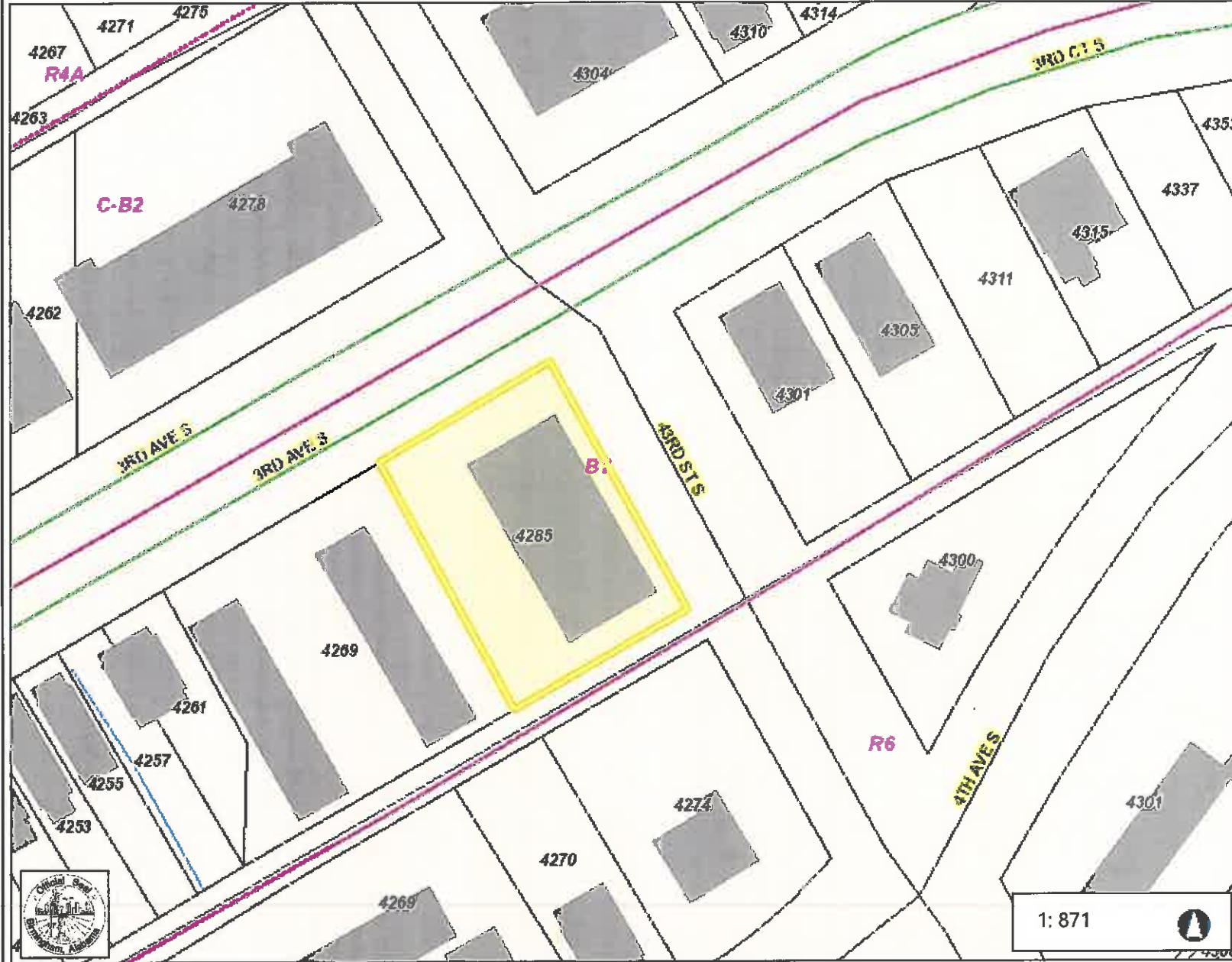
Applicant's Justification

The applicant stated that the site is limited and they do not need the required amount of parking due to the majority of the square footage being a repair or storage warehouse resulting in low demand for customer parking. In addition to the 5 spaces on site, there are 11 existing spaces in front of the building in the right of way.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the request. The amount of parking on site and in the right away appears to be sufficient 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.
3. Approval based on site plan as submitted.

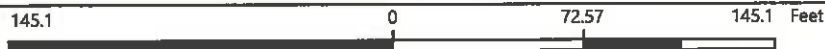


Legend

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1: 871



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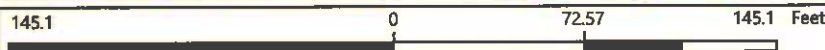


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4285 3rd Ave S

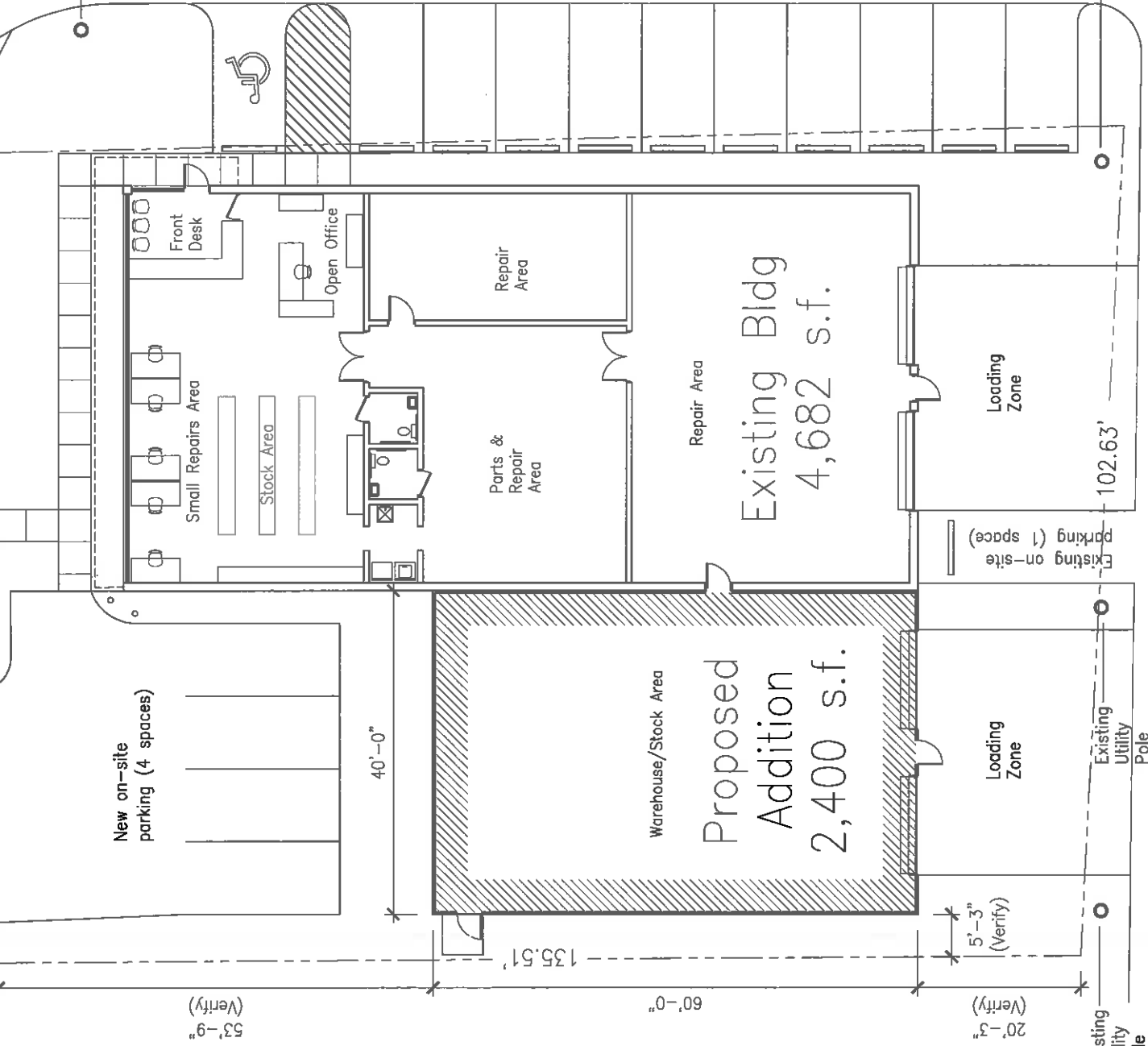
43rd Street S



Existing Utility Pole

Existing Utility Pole

Existing Fire Hydrant



New on-site parking (4 spaces)

53'-9" (Verify)

40'-0"

135.51'

60'-0"

Proposed Addition
2,400 s.f.

Warehouse/Stock Area

Small Repairs Area

Stock Area

Front Desk

Open Office

Parts & Repair Area

Repair Area

Repair Area

Existing Bldg
4,682 s.f.

20'-3" (Verify)

Loading Zone

Existing on-site parking (1 space)

Loading Zone

Existing Utility Pole

Existing Utility Pole

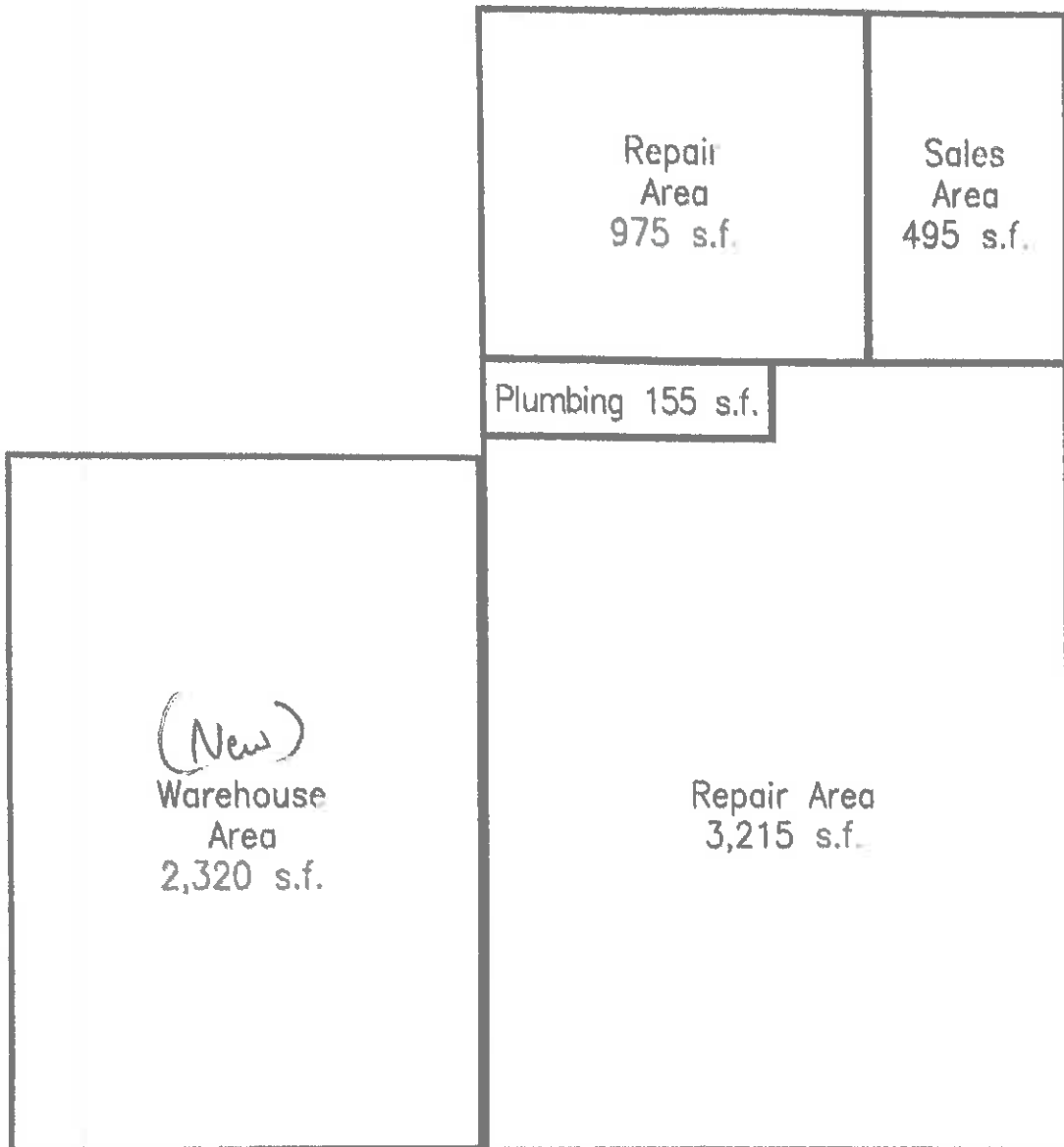
102.63'

Existing Utility Pole

Alley

Sales = $495 \text{ s.f.} / 300 = 1.65 \rightarrow 2 \text{ spaces}$
 Repair = $1,110 \text{ s.f.} / 500 = 2.22 \rightarrow 3 \text{ spaces}$
 Warehouse = $2,320 \text{ s.f.} / 2000 = 1.16 \rightarrow 1 \text{ space}$
11 spaces

11, w/ 10%
 Reduction due to
 nearby Public Transit,
 = 10 spaces
Required



4285 3RD Ave S

ZBA2019-00019

