

Meeting – May 23, 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

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Eastwood

ZBA2019-00027

Request: Variance  
Applicant: Kelley Smith  
Owner: Warden Storage Madrid LLC  
Site Address: 5600 Oporto-Madrid Blvd  
Zip Code: 35210  
Description: Variance to allow a 6 FT fence in a front yard of a commercially zoned property abutting a residential district pursuant to Title 1, Chapter 4, Article V, Section 5, Subsection 4.A.2; Variance to allow a chain link fence in a yard other than a rear or side yard pursuant to Title 1, Chapter 4, Article V, Section 5, Subsection 7.D.3, Variance to allow a fence to be topped with barbed wire in a yard other than a rear yard only pursuant to Title 1, Chapter 4, Article V, Section 5, Subsection 7.D.4  
Property Zoned: CB2 Contingency General Business District  
Parcel Information: Parcel #012300233002003000, SW ¼ of Section 23, Township 17 S, Range W

**Variances**

The applicant is requesting variances to allow a 6 FT chain link fence in the required front yard and one section of fencing to be topped with barbed wire. The fence is surrounding a new CubeSmart Self-Storage Facility that has been converted from an automobile dealership.

**Neighborhood**

The Eastwood Neighborhood Association met on May 2<sup>nd</sup> and voted 6-5 in support of these requests.

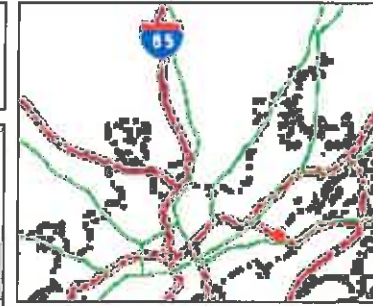
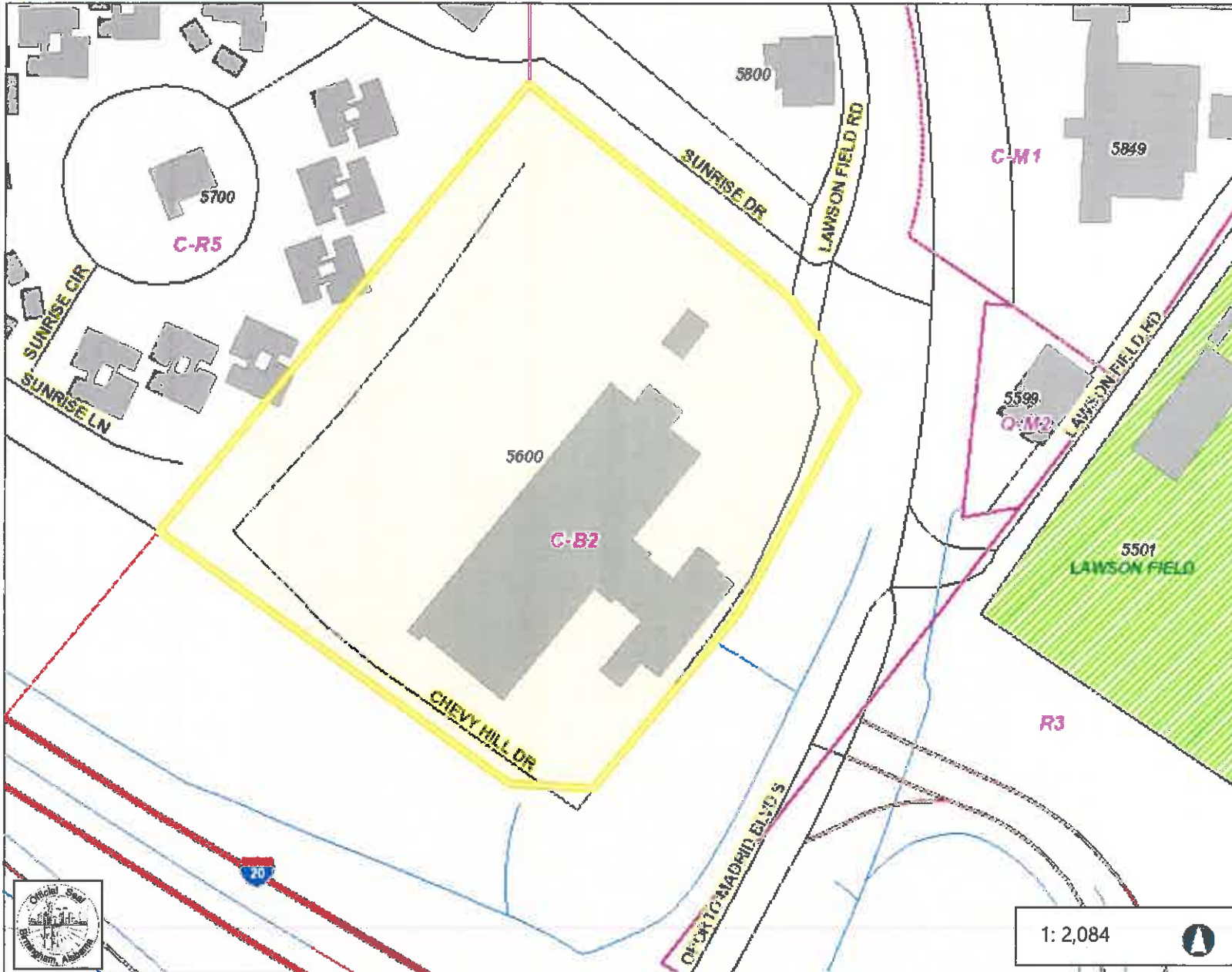
**Applicant's Justification**

The applicant stated that a large portion of the fence is existing. The majority of the existing fence was rusted and damaged from long use and apparent vandalism and required replacement. The applicant also stated that there are numerous elevation changes on the property that will allow easy access to this secure facility unless adequate fencing is installed.

**Staff Recommendation**

Staff believes that the applicant has provided sufficient evidence to support the requests. There appear to be legitimate topographical challenges to placing secure fencing on the site at the height required by the ordinance. Staff also felt that the fact that a large portion of the fencing had previously existed but simply needed replacing was unique to this particular request. Therefore, staff believes these requests 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.
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)

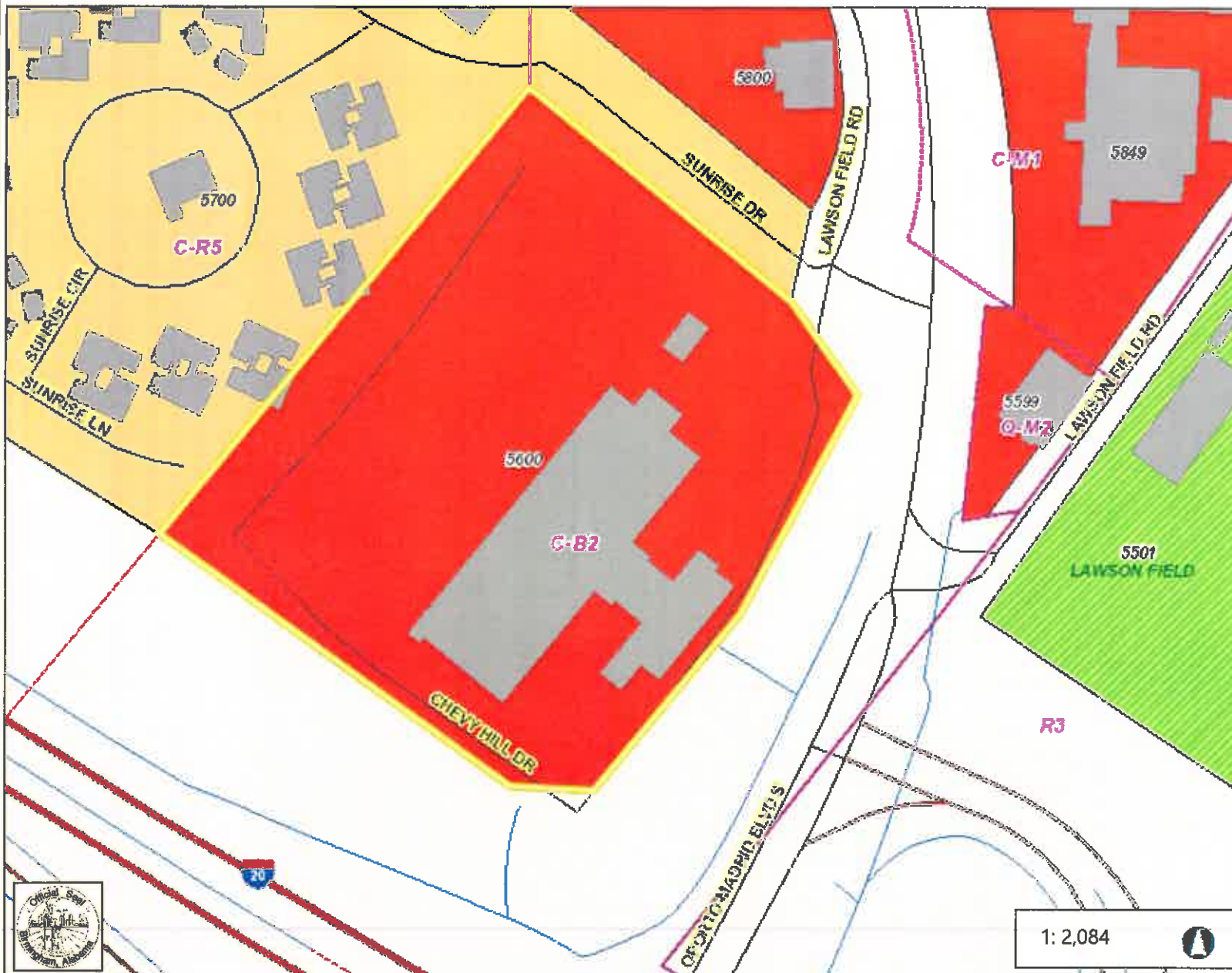
1: 2,084



347.3 0 173.66 347.3 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
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- 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: 2,084

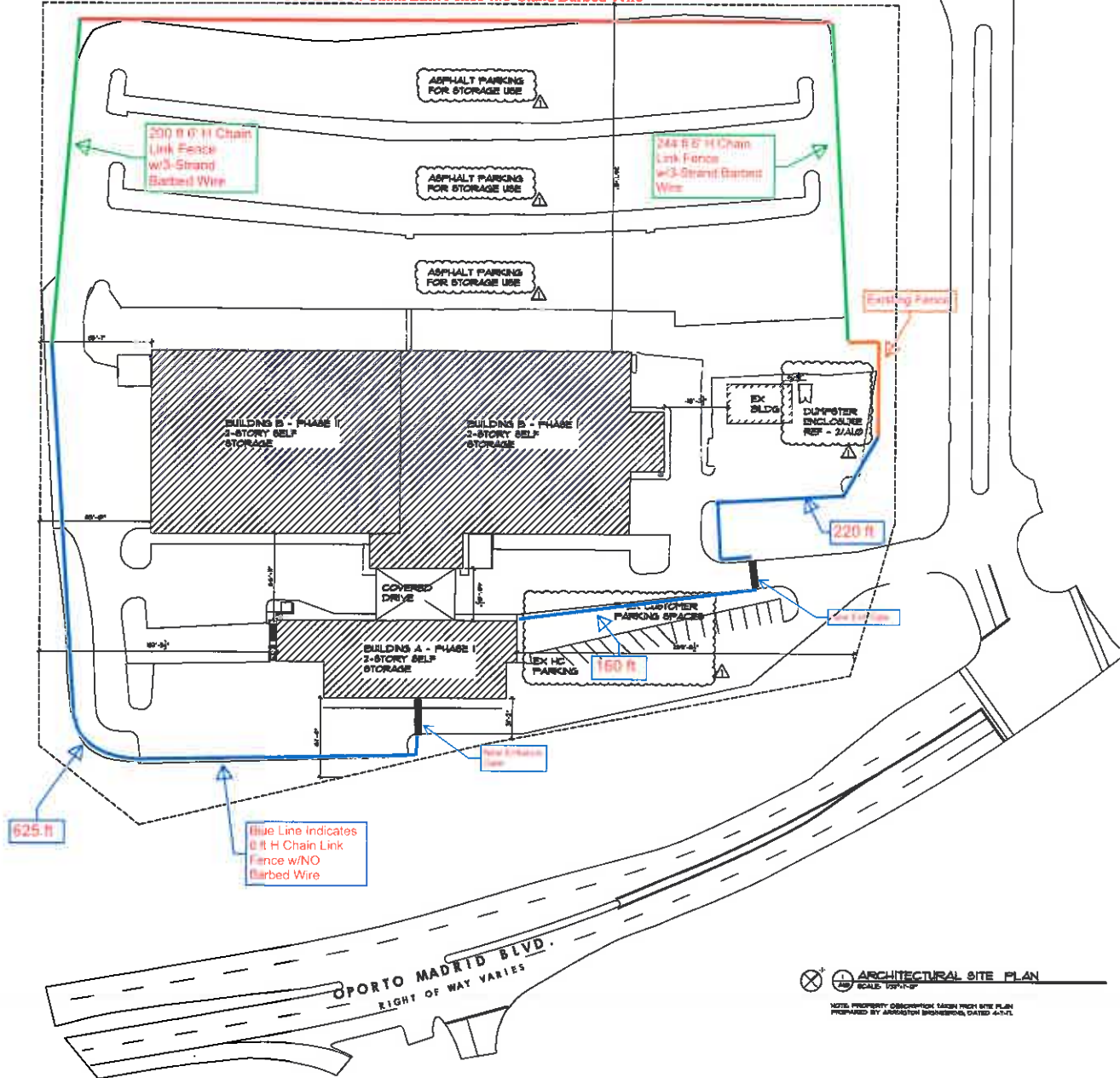


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**Notes**

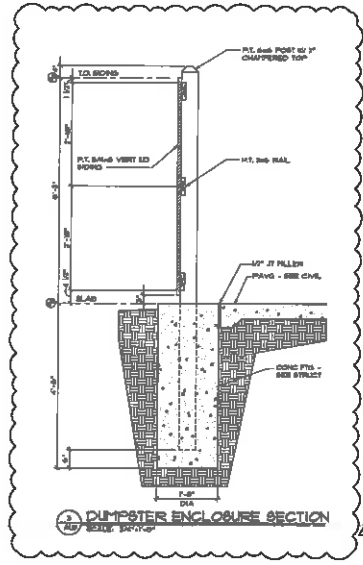
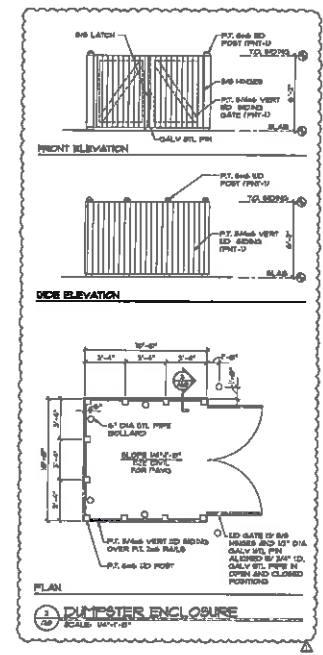
**FIELD VERIFY ALL DIMENSION**

552 LF 8' H Chain Link Fence w/3-Strand Barbed Wire



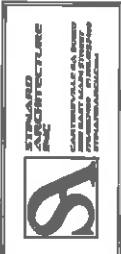
ARCHITECTURAL SITE PLAN  
SCALE: 1/8" = 1'-0"

NOTE: PROPERTY OBSERVATION TAKEN FROM SITE PLAN PREPARED BY ARCHITECTON ENGINEERING, DATED 4-11-17.



THE SEALS OF THE ARCHITECT AND ENGINEER ARE HEREBY SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL OF THIS PROJECT. THE ARCHITECT AND ENGINEER ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PROJECT THAT MAY BE CAUSED BY THE CITY ENGINEER'S REVIEW AND APPROVAL OF THIS PROJECT.

Oporto Self Storage  
5600 Oporto Madrid Blvd  
Birmingham, AL 35210



DESIGN FOR CONSTRUCTION  
REVISIONS:  
CITY ENGINEER'S D & B 2018

PROJECT NUMBER: 201730  
DATE: 4-16-18

SHEET NUMBER

A1.0

**SCHEDULE B ITEMS**

SCHEDULE B SECTION II EXCEPTIONS: CHICAGO TITLE INSURANCE COMPANY FILE NO. 32714-17 DATED SEPTEMBER 15, 2017 AT 8:00 AM  
EXCEPTIONS ARE NUMBERED THE SAME AS THE TITLE COMMITMENT  
(EXCEPTIONS 1,2,3,7,9 & 12 ARE NOT A SURVEY MATTER)

1. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCES AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE SURVEY OF THE LAND, INCLUDING ENCUMBRANCES SHOWN ON THE TITLE OF THE SUBJECT AND AN INSPECTION AND REVISION OF RECORDS.
2. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. THIS SURVEYOR DOES NOT HAVE EVIDENCE OF CLAIMS OR PARTIES IN POSSESSION SHOWN BY THE PUBLIC RECORDS.
3. EASEMENTS OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS. THIS SURVEYOR HAS NOT EVIDENCE OF CLAIMS OR EASEMENTS NOT SHOWN BY THE PUBLIC RECORDS.
4. SUCH STATE OF FACTS AS SHOWN ON RECORDED SUBDIVISION PLAT, AS APPLICABLE, FACTS AS SHOWN ON RECORDED SUBDIVISION PLAT ARE SHOWN ON SURVEY.
5. EASEMENT TO ALABAMA POWER COMPANY RECORDED IN REAL BOOK, PAGE 206, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA. REAL BOOK, PAGE 206, GRANTS ALABAMA POWER COMPANY AND DESCENDANTS OF UNDEVELOPED RIGHTS, WHICH RELIANCE, THE RIGHT TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN EQUIPMENT AS DESCRIBED THEREIN.

**TABLE A NOTES**

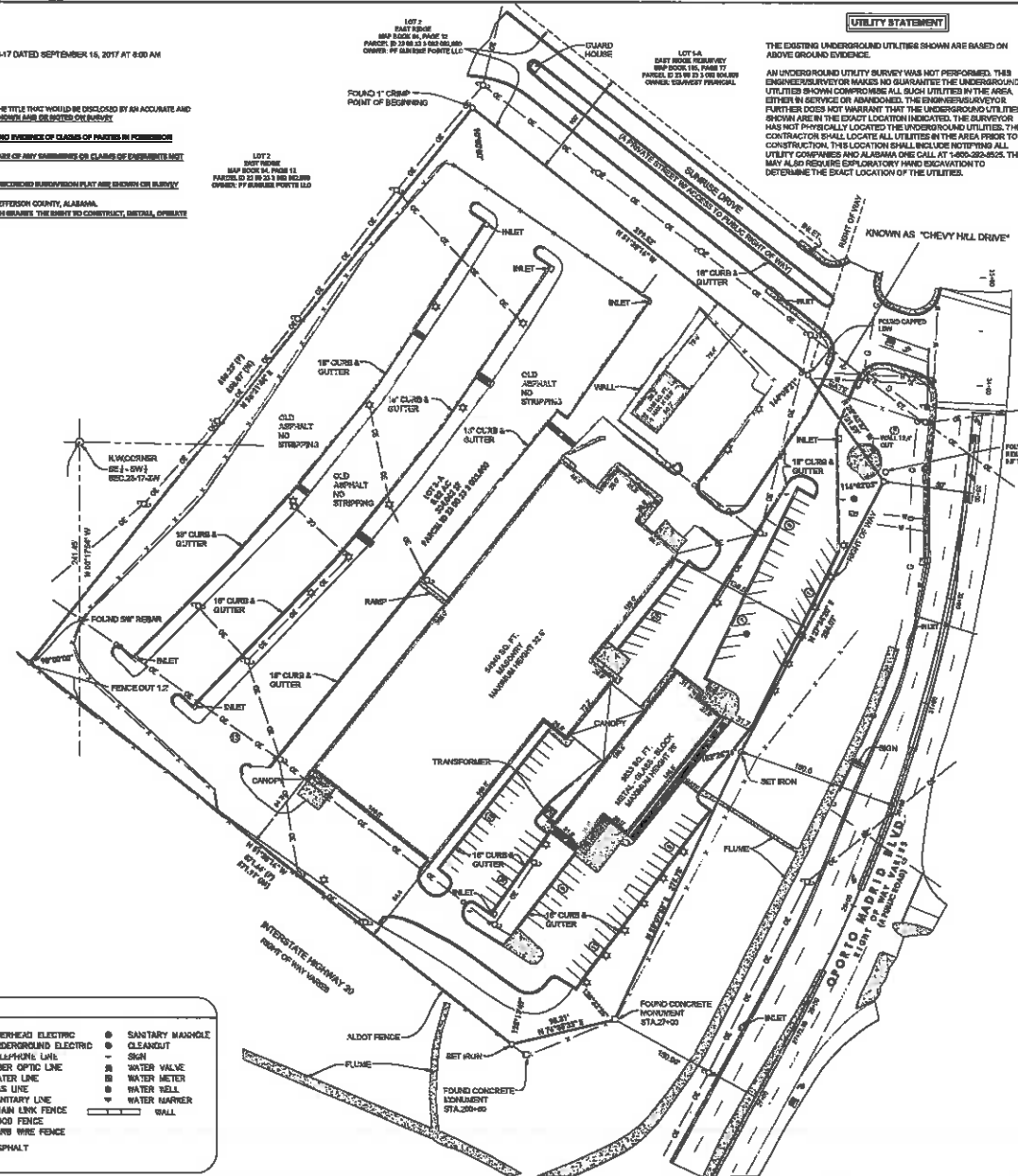
- TABLE A1: ALL MAJOR PROPERTY BOUNDARY CORNERS HAVE BEEN FOUND OR SET AS SHOWN ON SURVEY.
- TABLE A2: THE ADDRESS OF THE PROPERTY IS 5600 OPORTO MADRID BLVD
- TABLE A3: THE ENTIRE PROPERTY IS LOCATED IN ZONE X UNSHADED AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FEMA FEDERAL INSURANCE RATE MAP (FIRM) 06030A17420W.
- TABLE A4: THE GROSS LAND AREA OF THE SUBJECT PROPERTY IS 39,000 SQUARE FEET OR 0.892 ACRES.
- TABLE A5: THE SURVEYOR WAS NOT PROVIDED WITH ANY ZONING INFORMATION FROM THE CLIENT.
- TABLE A7(A): THE EXTERIOR DIMENSIONS OF THE BUILDING ARE SHOWN ON THE SURVEY.
- TABLE A7(B): THE GROSS AREA OF THE BUILDINGS AT GROUND LEVEL, BASED ON THE MOST EXTERIOR WALL OR FACADE IS SHOWN ON THE SURVEY.
- TABLE A7(C): THE HEIGHT OF THE BUILDING IS SHOWN ON THE SURVEY.
- TABLE A8: ALL SUBSTANTIAL FEATURES AS DESCRIBED BY THE ALTA/NPS STANDARDS ARE SHOWN ON THE SURVEY.
- TABLE A9: ALL PARKING SPACES HAVE BEEN SHOWN ON THE SURVEY. THE SURVEYOR DOES NOT CERTIFY THAT THE PARKING SPACES MEET ZONING CODE OR THAT THE PARKING SPACES ARE AMERICAN DISABILITY ACT COMPLIANT.
- TABLE A10(A): THE CLIENT DID NOT SPECIFY ANY PARTY WALLS TO BE OBSERVED.
- TABLE A11: THE LOCATION OF THE UTILITIES SHOWN ON THIS SURVEY ARE BASED ON OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES AND EQUIPMENT. THE SURVEYOR HAS NOT PROVIDED A UNDERGROUND UTILITY MAP.
- TABLE A12: THE NAMES OF THE ADJACENT PROPERTY OWNERS SHOWN ON THE SURVEY WERE OBTAINED FROM THE JEFFERSON COUNTY GIS WEBSITE WWW.JEFFCOGIS.LOCAL.ORG ON 09/19/2017.
- TABLE A13: THE SURVEYOR OBSERVED NO EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS, ON THE GATE SHOWN HEREON.
- TABLE A17: THE SURVEYOR IS NOT AWARE OF ANY PROPOSED CHANGES IN STREET RIGHT OF WAY LINES AND OBSERVED NO EVIDENCE OF RESIDENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- TABLE A19: THE CLIENT DID NOT INFORM THE SURVEYOR THAT A FIELD DELINEATION OF WETLANDS HAD BEEN PERFORMED ON THE SUBJECT PROPERTY. THE SURVEYOR OBSERVED NO WETLAND DELINEATION MARKERS.
- TABLE A19: THE SURVEYOR WAS NOT PROVIDED WITH ANY DOCUMENTATION OF OFFSITE EASEMENTS OR SERVITUDES THAT BENEFIT THE SUBJECT PROPERTY.

**LEGEND**

⊕ GAS VALVE	⊕ UTILITY POLE	— DE — OVERHEAD ELECTRIC	⊕ SANITARY MANHOLE
⊕ GAS REGULATOR	⊕ LIGHT POLE	— UC — UNDERGROUND ELECTRIC	⊕ CLEANOUT
⊕ GAS METER	⊕ FLOOD LIGHT	— TL — TELEPHONE LINE	⊕ SIGN
⊕ GAS MARKER	⊕ GUY WIRE	— FO — FIBER OPTIC LINE	⊕ WATER VALVE
⊕ STORM MANHOLE	⊕ ELECTRIC BOX	— W — WATER LINE	⊕ WATER METER
⊕ GUYE INLET	⊕ ELECTRIC METER	— G — GAS LINE	⊕ WATER WELL
⊕ YARD INLET	⊕ ELECTRICAL MANHOLE	— S — SANITARY LINE	⊕ WATER MARKER
⊕ TELEPHONE MANHOLE	⊕ TRAFFIC LIGHT POLE	— X — CHAIN LINK FENCE	— — — WALL
⊕ TELEPHONE PEDestal	⊕ TRAFFIC SIGNAL BOX	— W — WOOD FENCE	
⊕ TELEPHONE MARKER	⊕ CROSS WALK SIGNAL	— S — SAWN WIRE FENCE	
⊕ FIBER OPTIC BOX	⊕ FIRE HYDRANT		
▭ BRICK	▭ CONCRETE		

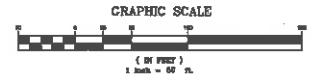
**UTILITY STATEMENT**

THE EXISTING UNDERGROUND UTILITIES SHOWN ARE BASED ON ABOVE GROUND EVIDENCE.  
AN UNDERGROUND UTILITY SURVEY WAS NOT PERFORMED. THIS ENGINEER/SURVEYOR MAKES NO GUARANTEE THE UNDERGROUND UTILITIES SHOWN CORRESPONDING ALL SUCH UTILITIES IN THE AREA OTHER BY SERVICE OR ABANDONED. THE ENGINEER/SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. THE CONTRACTOR SHALL LOCATE ALL UTILITIES IN THE AREA PRIOR TO CONSTRUCTION. THE LOCATION SHALL INCLUDE NOTING ALL UTILITY COMPANIES AND ALABAMA ONE CALL AT 1-800-292-8525. THIS MAY ALSO REQUIRE EXPLORATORY HOLE IDENTIFICATION TO DETERMINE THE EXACT LOCATION OF THE UTILITIES.



**ALTA/NPS LAND TITLE SURVEY OF 5600 OPORTO MADRID BLVD.**

SITUATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 17 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA.



**SURVEY CONTROL**  
THE BASIS OF BEARINGS AND OR COORDINATES SHOWN ON THIS SURVEY ARE BASED ON ALABAMA STATE PLANE WEST ZONE, GRID NORTH, NAD 83(2011) AND VERTICAL DATUM IS NAVD 83 (2000) 128 ELEVATION AND POSITION WAS OBTAINED FROM TOTAL OBSERVATION USING THE ALDOT CORS NETWORK AS CONTROL.

**SURVEYORS CERTIFICATION**

TO: MERRIM INVESTMENTS LLC, AND ALABAMA LIMITED LIABILITY COMPANY, WARDEN STORAGE FACILITY, A DELAWARE LIMITED LIABILITY COMPANY, LAND TITLE COMPANY OF ALABAMA, CHICAGO TITLE INSURANCE COMPANY, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTEREST MAY APPEAR.  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2018 NATIONAL STANDARD DETAIL REQUIREMENTS FOR ALTA/NPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPS, AND INCLUDES ITEMS 1-4, 6 & 11, 13, 15-16, OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 09-27-2017.  
DATE: 0-27-2017  
JEFF D. ARRINGTON  
ALABAMA NO. 18984

BEING THE SAME TRACT OF LAND DESCRIBED IN A TITLE REPORT PREPARED BY LAND TITLE COMPANY OF ALABAMA, COMMITMENT NO. 32714-17 DATED SEPTEMBER 15, 2017 AT 8:00 AM

LEGAL DESCRIPTION:  
LOT 3A, ACCORDING TO THE SURVEY OF LOT 3, EAST INDICE, AS RECORDED IN MAP BOOK 84, PAGE 50, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

**NOTES**

1. ALL BEARINGS AND/OR ANGLES, AND DISTANCES ARE DEED AND ACTUAL UNLESS OTHERWISE NOTED: (DEED), (MEASURED), (PLAT/RECORDED MAPS).
2. UNDERGROUND PORTIONS OF FOUNDATIONS, FOOTINGS, OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED UNLESS OTHERWISE NOTED.
3. THIS SURVEY IS VALID ONLY WITH AN ORIGINAL SIGNATURE AND A LEGIBLE SEAL.

THIS SURVEY HAS BEEN PREPARED SOLELY FOR THE BENEFIT OF THE PARTIES SET FORTH IN THIS SURVEYORS CERTIFICATION AND MAY NOT BE USED, NOR MAY COPIES BE DELIVERED TO ANY OTHER PARTY OR USED FOR ANY OTHER PURPOSE, WITHOUT LIMITATION, ARRINGTON ENGINEERING AND LAND SURVEYING INC EXPRESSLY DISCLAIMS ANY DUTY OR OBLIGATION TO ANY PARTY THAT IS NOT IDENTIFIED IN THE SURVEYORS CERTIFICATE.  
SURVEYORS EMAIL ADDRESS: jeff@arrington-engineering.com

**ARRINGTON ENGINEERING**  
Civil Engineers - Surveyors - Land Planners

OFFICE: 205-985-5095  
FAX: 205-985-5385  
10025 VILLAGE GREEN  
SUMMERDALE, AL 35244

DIVISION TITLE: ALTA/NPS LAND TITLE SURVEY OF 5600 OPORTO MADRID BLVD.

LOCATION & DESCRIPTION: SITUATED IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 17 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA.

DATE: 09-27-2017

CREATED BY: JDA

CHECKED BY: JDA

DATE: 04-20-2017

SCALE: 1" = 60'

PARTY SHEET: AL 18, 180

PROJECT NO.: 18254

SHEET: 1 OF 1

ZBA2019-00027



## Warden Capital Security Report

Action	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Grand Total
No threat perceived	20	40	16	38	49	197	17	38	12	427
Intruder - Suspicious	0	1	0	3	1	2	3	1	2	13
Police arrived	0	0	0	3	0	3	0	0	0	6
Police/Fire/EMS vehicle or Police Sent	0	1	0	3	1	2	1	1	1	10
<b>Totals</b>	<b>20</b>	<b>42</b>	<b>16</b>	<b>47</b>	<b>51</b>	<b>204</b>	<b>21</b>	<b>40</b>	<b>15</b>	<b>456</b>

No threat perceived is an incident at the site in which human review of the cameras is required and they make a determinant based on what they see at the site, that there is no threat but it can't be categorized into another category like construction workers on site or wildlife. In the case of no threat perceived, something has triggered the security system but there is no obvious cause. This number is a fraction of the number of on-site alarms triggered, which would also include things like false alarms from workers remaining on site past the designated security hours.

City of Birmingham  
Department of Planning,  
Engineering & Permits  
City hall Room 210  
710 North 20<sup>th</sup> St.  
Birmingham, AL 35203

#### Request for Variance

The property Owner request a variance to install chain link fence as indicated on the attached A1.0 Fence Plan. The property has been converted from an automobile dealership to a new CubeSmart Self-Storage Facility.

1. A large portion of the fence indicated on the attached Fence Plan is existing. The majority of the existing fence was rusted and damaged from long use and apparent vandalism and required replacement.
2. There are numerous elevation changes on the property that will allow easy access to this secure facility unless adequate fencing is installed.
3. There have been instances of nuisance trespassing, vandalism, and theft of construction equipment and building materials during the planning and construction phase of this project. Replacement of the existing fencing has substantially improved the security of the property.
4. The adjacent properties on the east and west sides are heavily wooded. The majority of the property at the rear of this location is located at a considerably higher elevation and is partially wooded, presenting a natural visible barrier to the rear sides of this property.
5. Replacement of existing fence and installation of new fence will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or diminish or impair property values within the area.
6. Granting of this variance will cause no harm to public welfare of the surrounding neighbors or the general welfare to the citizens of the City of Birmingham.
7. The property Owner offers secure storage facilities to the citizens of the City of Birmingham and has future plans to offer secure storage for recreational vehicles at the rear of the property. Adequate fencing is essential for the security of the patron's property.
8. The property Owner has invested substantial resources in the improvement of this existing facility. The improvements include upgrades to the building roofs, building facades, building interiors, building equipment, and landscaping. The improvements to this property represent an improvement to the general welfare of the neighborhood and the surrounding community.



Southside

ZBA2019-00028

Request: Modification  
Applicant: David Kraxberger  
Owner: Southside Corporate Realty  
Site Address: 2401 6<sup>th</sup> Ave S  
Zip Code: 35233  
Description: Modification to allow 19 off-street parking spaces instead of the required 50 off-street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3  
Property Zoned: M1 Light Industrial District  
Parcel Information: Parcel #012300313030003000, SW ¼ of Section 31, Township 17 S, Range 2 W

**Modification**

The applicant is requesting a modification to allow 19 off-street parking spaces instead of the required 50 off-street parking spaces for a proposed climate controlled self-storage facility. The 3 story development would have 600 SF of office space and the remainder of the 105,820 SF will be storage area.

**Neighborhood**

The Southside Neighborhood Association has yet to send staff any feedback on this request.

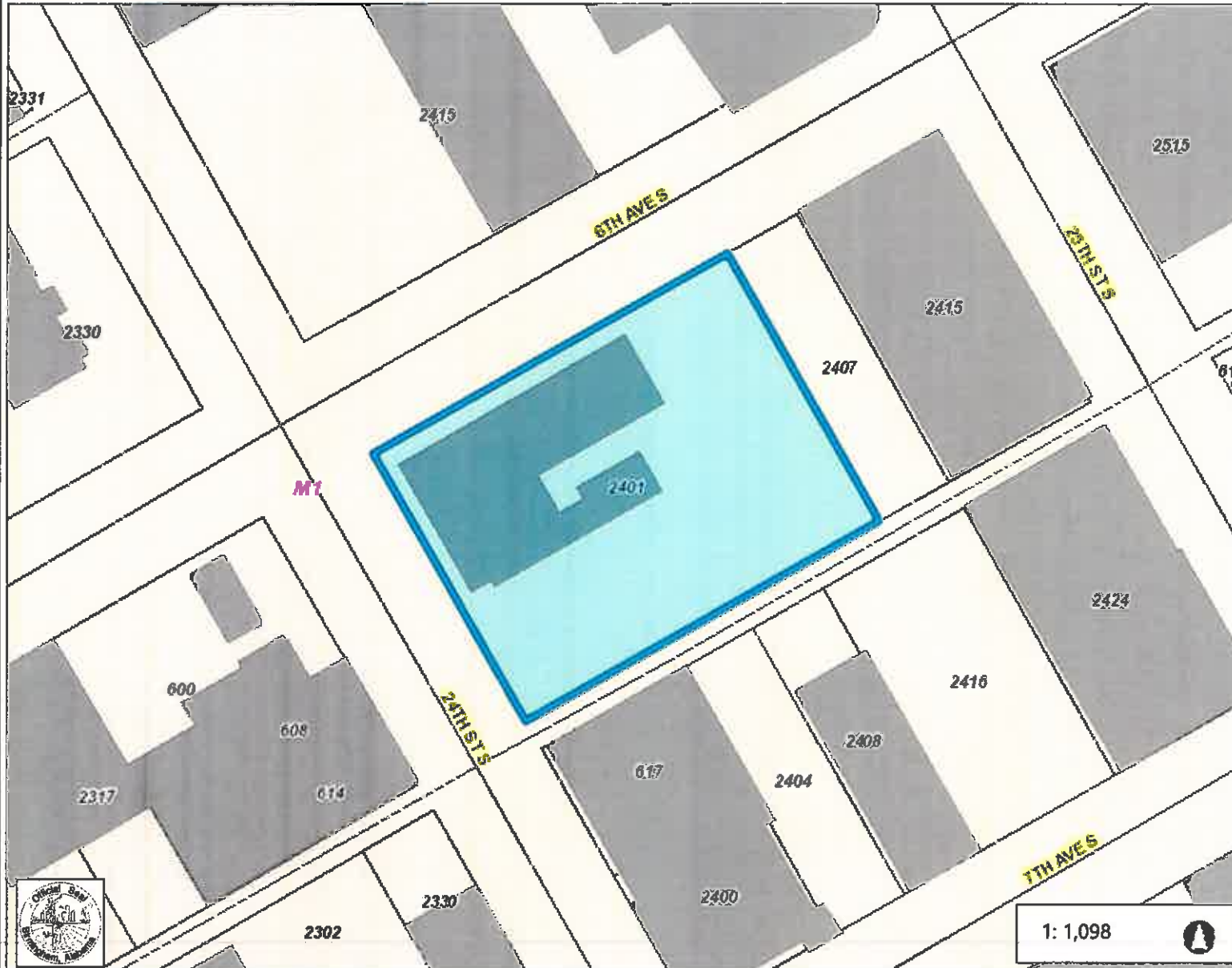
**Applicant's Justification**

The applicant stated that the required parking is not needed for this facility as the overwhelming majority of the space will not be occupied by people. The applicant also submitted documentation showing the average number of parking spaces for 10 self-storage facilities in Birmingham to be 7.9 spaces.

**Staff Recommendation**

Staff believes that the applicant has provided sufficient evidence to support the request. The applicant seems to be providing above average parking compared to similarly sized self-storage facilities. 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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  - Zoning Outline
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    - Limited Access
    - Ramp
  - Buildings
  - Hydrology Lines
  - Hydrology Areas
  - Parcels
  - City Parks
  - Airport
  - City Limits (solid)



1: 1,098



183.0 0 91.50 183.0 Feet

Notes



**Legend**

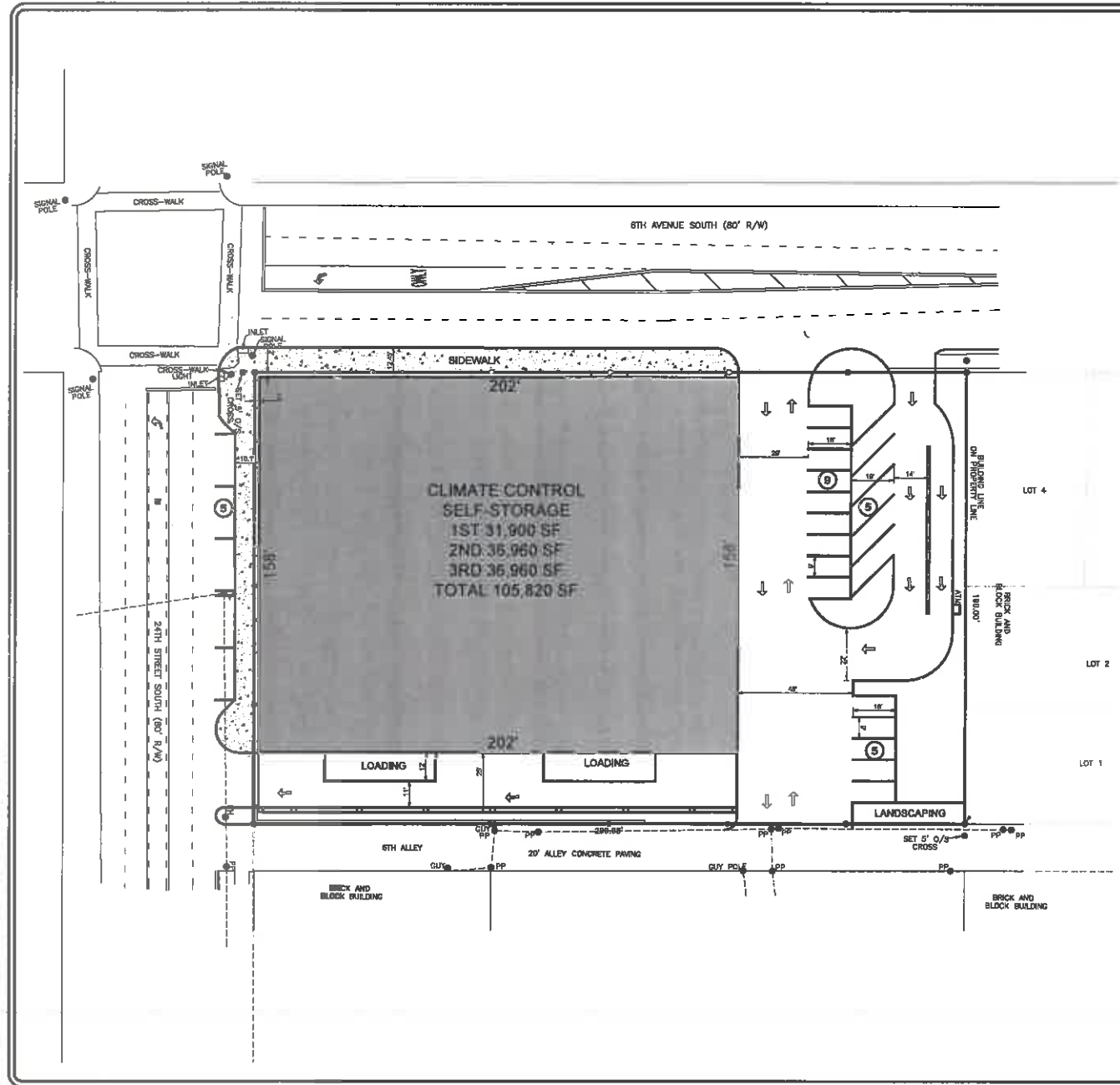
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- Adopted LandUse Plan
  - Residential-Low
  - Residential-Medium
  - Residential-High
  - Neighborhood Commercial
  - General Commercial
  - MXU-Low
  - MXU-Medium



1: 1,098



Notes



NO.	REVISION	DATE

TITLE	<b>SITE LAYOUT PLAN</b>
PROJECT NAME	<b>CLIMATE CONTROLLED STORAGE</b>
PROJECT LOCATION	24TH STREET SOUTH, AUBURN, ALABAMA
OWNER	<b>ADEVCO</b>
OWNER ADDRESS	1000 10TH AVENUE NORTH, ALABAMA
DESIGNER	GONZALEZ - STRENGTH & ASSOCIATES, INC.
DESIGNER ADDRESS	1000 10TH AVENUE NORTH, ALABAMA
DATE	

<b>PROJECT DATA</b>	
PROJECT NAME: CLIMATE CONTROLLED SELF STORAGE	
LOCATION: 24TH STREET SOUTH	
<b>SITE DATA</b>	
CURRENT ZONING	
BUILDING FOOTPRINT PERCENTAGE	
FRONT YARD	
REAR YARD	
SIDE YARD	
TOTAL PROPERTY AREA (26,200 SQ. FT.)	
TOTAL IMPROVED AREA (99,000 SQ. FT.)	
<b>BUILDING DATA</b>	
1ST FLOOR STORAGE AREA	31,900 SF
1ST FLOOR OFFICE AREA	500 SF
2ND & 3RD FLOOR STORAGE AREA	71,920 SF
TOTAL BUILDING AREA	104,320 SF
<b>PARKING DATA</b>	
PARKING REQUIREMENTS:	
600 SF x 200 SF = 120,000 SF / 5000 SF = 24 SPACES	
AFTER 90% REDUCTION DUE TO LOCATION OF TRAFFIC GROUP: 48 PARKING SPACES REQUIRED	
PARKING INCORPORATION REQUEST:	
REDUCE PARKING SPACE REQUIREMENT FROM 48 SPACES TO 12 SPACES	

**GONZALEZ - STRENGTH & ASSOCIATES, INC.**  
 CIVIL ENGINEERING, LAND SURVEYING, PLANNING, TRAFFIC & TRANSPORTATION

1000 10TH AVENUE NORTH  
 AUBURN, ALABAMA 36832  
 (205) 885-1100  
 www.gsa-engineers.com

PRELIMINARY  
 NOT FOR  
 CONSTRUCTION,  
 RECORDING  
 PURPOSES OR  
 IMPLEMENTATION

CIVIL  
 51  
 PROJECT  
 18-0184

ZBA2019-00028





**GONZALEZ – STRENGTH & ASSOCIATES, INC.**  
CIVIL ENGINEERING - TRAFFIC & TRANSPORTATION ENGINEERING – LAND SURVEYING  
LAND PLANNING

April 11, 2019

**Mr. Tyler Slaten**  
**Planning, Engineering and Permits**  
**City of Birmingham**  
**710 20<sup>th</sup> Street North**  
**Birmingham, AL 35203**

Dear Mr. Slaten:

We are requesting a modification in the number of required parking spaces from 48 required parking spaces to 19 parking spaces. The project will be a three-story 105,820 SF climate controlled self-storage facility. There will be a 600 SF office on the first floor with one employee. Attached is the national guidelines for parking area requirements associated with self-storage facilities. The guidelines recommend providing a minimum of 6 to 8 parking spaces. It is my experience, based on comparable project of this nature, that the number of parking spaces needed for a facility of this size is 6 to 12 parking space. One space for the employee and the remaining parking spaces for consumers. The site plan submitted provides a total of 19 parking spaces. Thanks for your consideration for this request for parking modification.

Sincerely,

Jeremy Taylor, P.E.  
Project Engineer  
AL Reg. No. 30895

2176 Parkway Lake Drive, Hoover, Alabama 35244  
205-942-2486 Fax: 205-942-3033

**Birmingham Self-Storage  
Public Parking Spaces Per Facility**

<b>Operator</b>	<b>Address</b>	<b>Regular Spaces</b>	<b>Handi-Cap Spaces</b>
Mini-Storage Of Birmingham	2626 1st Ave South	5	0
Metro Mini	900 17th St North	4	1
U-Haul	540 Valley Ave	3	0
Iron Guard	320 6th Ave South	4	0
Storage Depot	612 22nd St	7	2
Lakeview Storage	612 32nd St	9	1
Extra Space	501 Palisades	7	1
Green Springs Storage	626 Robert Jennison	9	0
Morning Star	1533 Montclair	25	0
U-Haul	3028 Bessemer Road	6	0

## Slaten, Tyler L

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**From:** Jeremy Taylor <jtaylor@gonzalez-strength.com>  
**Sent:** Tuesday, April 16, 2019 1:50 PM  
**To:** Slaten, Tyler L  
**Cc:** Dave Kraxberger; Mike Bell  
**Subject:** FW: Required Parking Spaces  
**Attachments:** Parking Spaces 4.16.19.xlsx

Tyler,

Attached is a spreadsheet of 10 existing self-storage facilities and the existing parking counts. Only one has more parking spaces than we are proposing. Below is a quote from Inside Self-Storage stating they typically only expect max. of 14 to 16 cars. Inside Self-Storage is a leading industry publication for developers in the self-storage industry. I provide a link to the article below.

<https://www.insideselfstorage.com/facility-design/maximizing-self-storage-land-use-leveraging-zoning-allowances-and-restrictions>

In the article, it states:

*" Many cities that lack a parking ordinance specific to self-storage will often lump self-storage with another land use like warehousing. The problem is warehousing can be employee-intensive and require considerably more parking than storage. Based on data from the Institute of Transportation Planners, a 100,000-square-foot self-storage facility would typically have a peak hour trip rate of 14 to 16 cars. We've convinced many cities that this data proves specific demand for parking and should be used as a measure of actual parking designated for self-storage."*

Jeremy Taylor P.E.  
Gonzalez-Strength & Associates, Inc.  
2176 Parkway Lake Drive  
Hoover, AL 35244  
Phone: 205-942-2486  
Fax: 205-942-3033  
Email: [jtaylor@gonzalez-strength.com](mailto:jtaylor@gonzalez-strength.com)



Killough Springs

ZBA2019-00029

Request: Variance  
Applicant: Michael Odom  
Owner: Calvary Resurrection Church  
Site Address: 356 Killough Springs Rd  
Zip Code: 35215  
Description: Variance to allow church in a residentially zoned district to have one digital sign to be illuminated with intermittent light instead of one bulletin board or sign not be animated or illuminated with intermittent light (rehearing of ZBA2017-00080) pursuant to Title 1, Chapter 4, Article V, Section 11, Subsection 7.8.f.  
Property Zoned: R2 Single Family District  
Parcel Information: Parcel #011300251012018000, NE ¼ of Section 25, Township 16 S, Range 2 W

### **Variance**

The applicant is requesting a variance to allow for a digital sign to be placed in front of Calvary Resurrection Christian Church. This case is a rehearing of case ZBA2017-00080. That requested variance to allow a digital sign to be animated and illuminated with intermittent light was denied.

### **Neighborhood**

Staff has yet to receive a response from the Killough Springs Neighborhood Association.

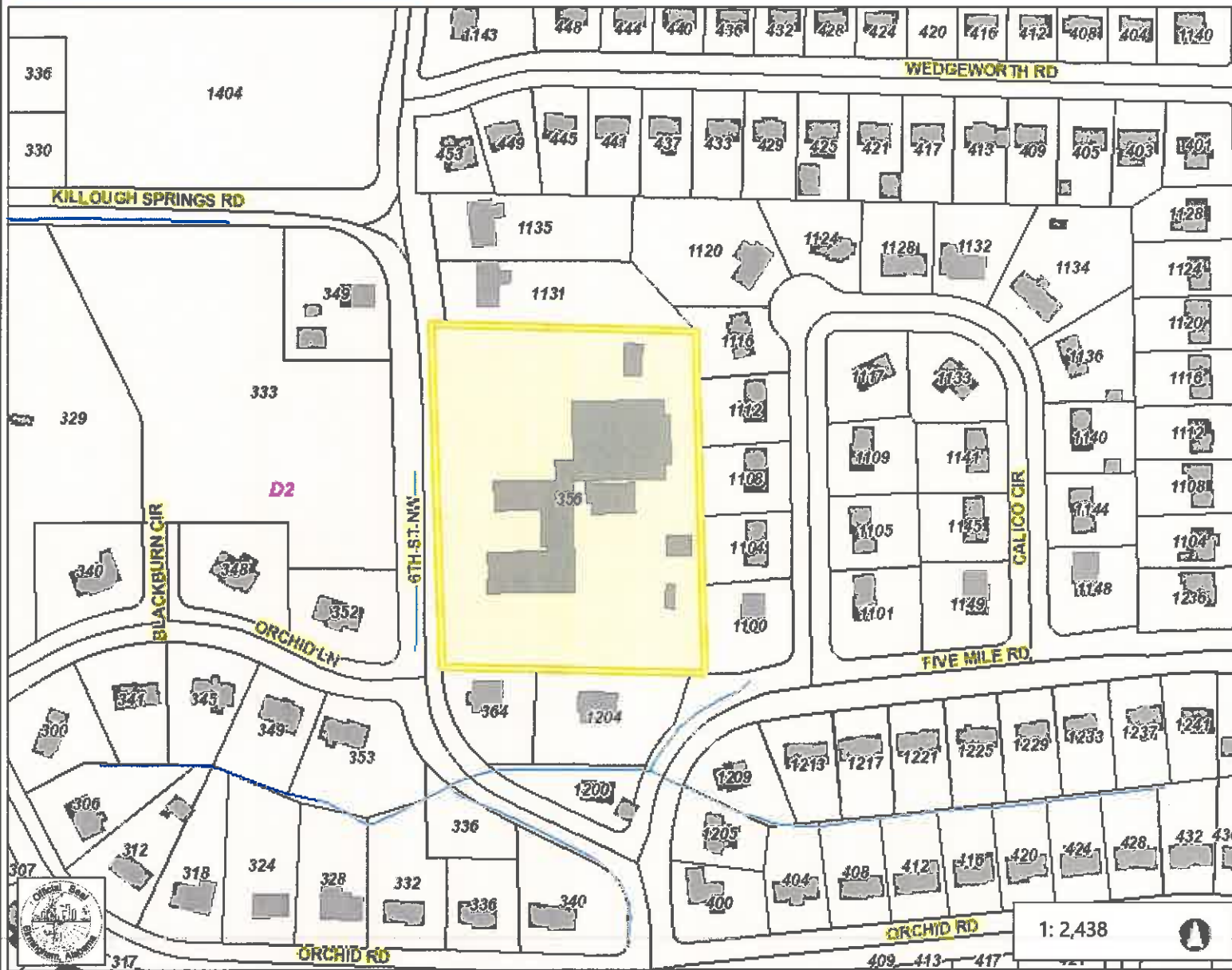
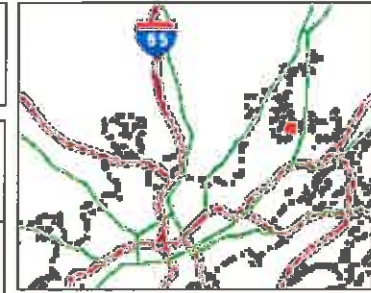
### **Applicant's Justification**

The applicant stated there have been substantial changes in the facts and conditions since the initial request. This requested sign is substantially different than the proposed sign in the prior case. The currently proposed sign will display lighted messages that will be programmed to change every four seconds. The messages will not flash. The sign will not play videos or otherwise simulate motion. The applicant also stated that the conditions of the property have changed materially. Traffic in front of the church has increased since 2017. The road curves and limits visibility and the sign will improve the visibility of the church and its school. The applicant also stated that the proposed sign will improve public safety by brightening and enhancing this poorly lit area.

### **Staff Recommendation**

Staff does not believe that the applicant has provided evidence that meets the variance standards of review demonstrating a hardship. Therefore, staff believes this request does not have merit for approval and as such, should be **DENIED**. If the Board chooses to grant 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.
3. Approval based on site plan as submitted.



**Legend**

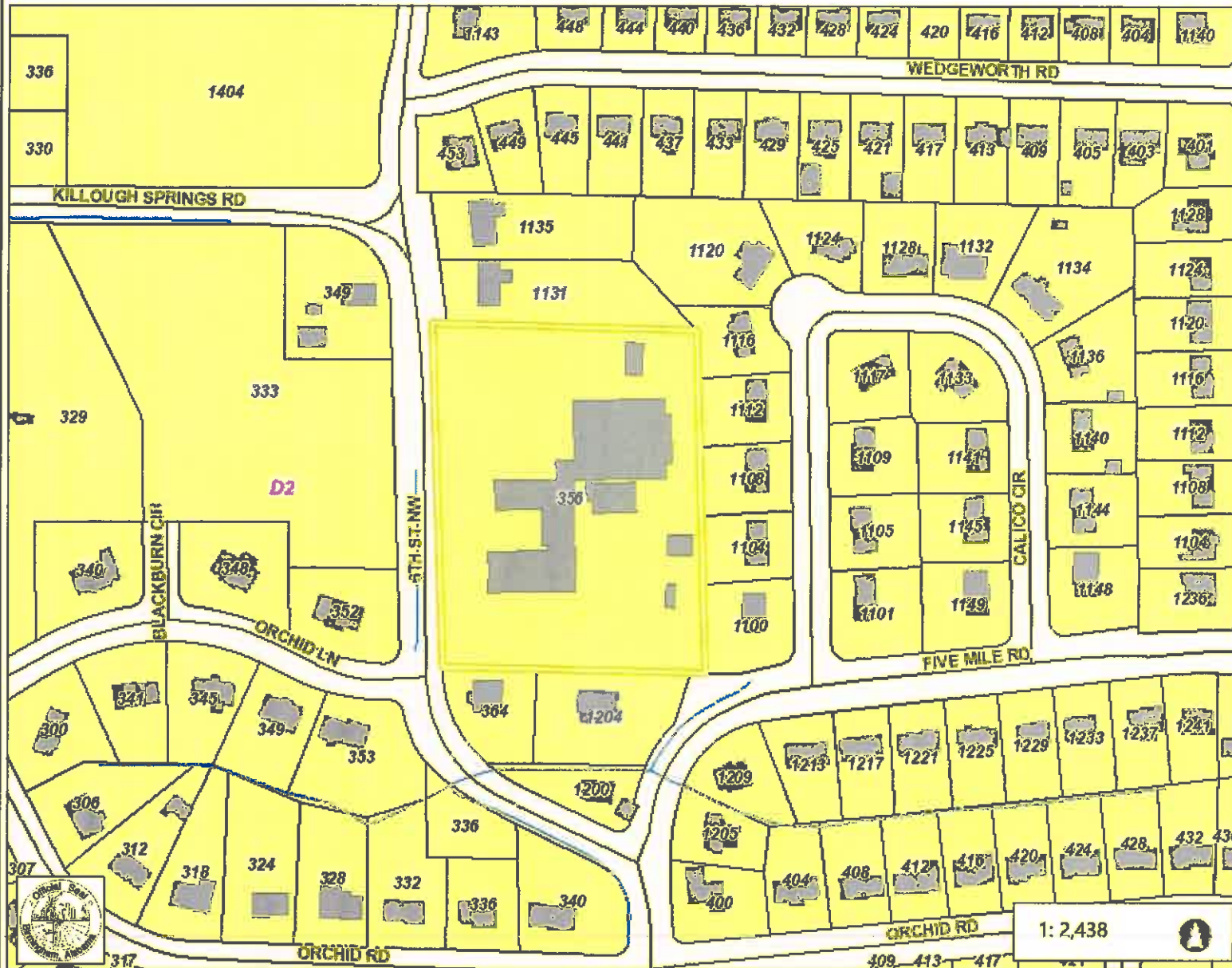
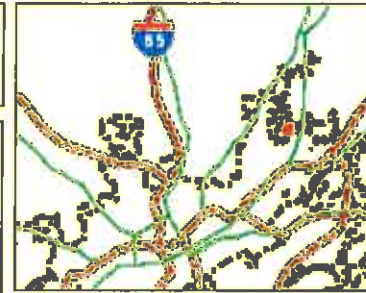
- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
  - Limited Access
  - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

**Notes**



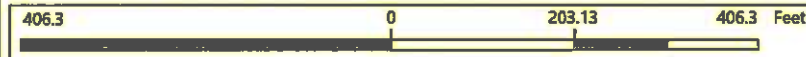
The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

1: 2,438



**Legend**

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
- Limited Access
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- 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

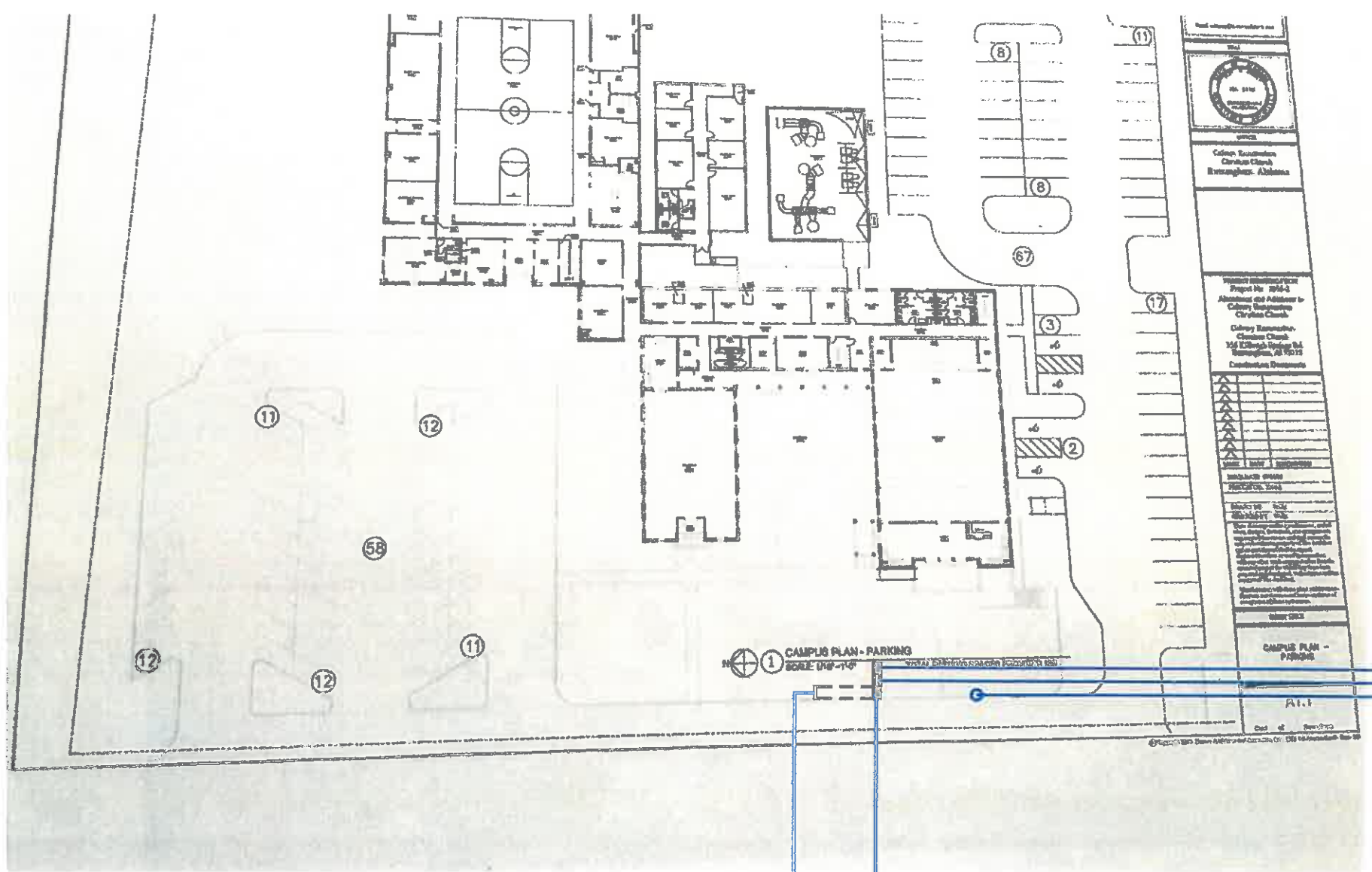


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**Notes**

**ZBA2019-00029**





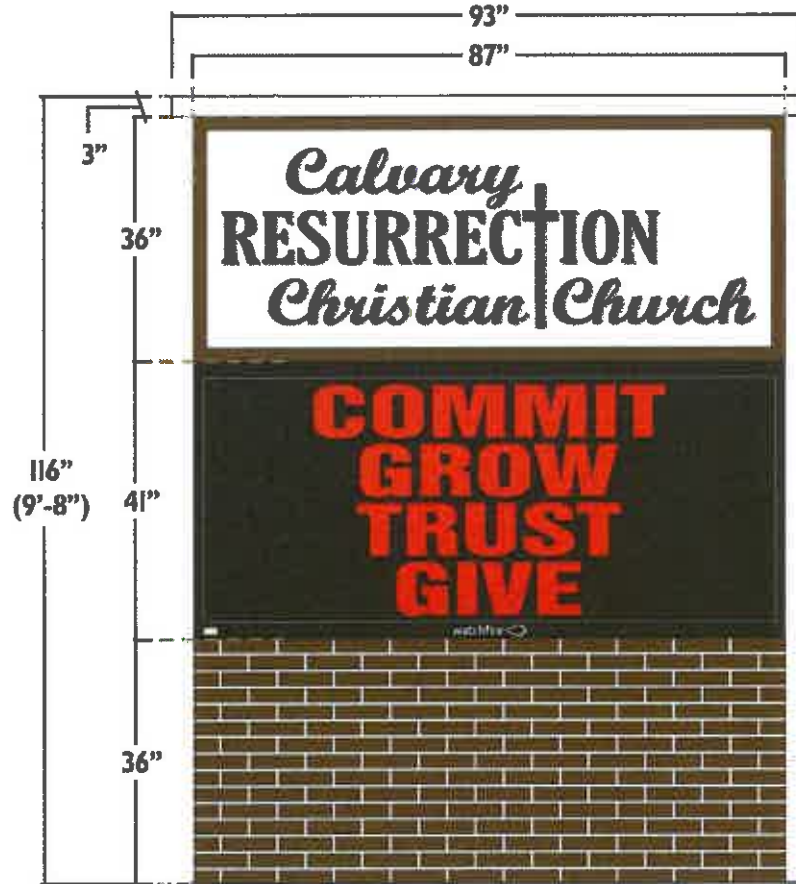
I.D. SIGN  
 POLE COVER  
 EXISTING CURB

**A** DOUBLE FACE I.D. SIGN  
 26.99 SQUARE FEET

4'-0" FROM EDGE OF POLE COVER TO EDGE OF CURB

⚠ IMPORTANT DETAIL: SEE SQUARE FEET CALCULATION BELOW

ⓐ DOUBLE FACE I.D. SIGN  
46.53 SQUARE FEET (COMBINED)



⚠ SQUARE FEET CALCULATION  
 I.D. SIGN SQUARE FEET: 21.75  
 DIGITAL MESSAGE SIGN SQUARE FEET: 24.78  
 COMBINED SQUARE FEET: 46.53

CELEBRATING  
**25**  
YEARS

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CALVARY RESURRECTION  
BIRMINGHAM, ALABAMA

5003-A WHITLING DRIVE  
PELHAM, ALABAMA 35124



APRIL 16, 2019  
DANNY WILLIAMS

OFFICE 205 664-0955  
FAX 205 664-4409

**SIGN AND DATE DRAWING HERE**  
 DRAWING REPRESENTS ACTUAL SIGN TO BE PRODUCED.  
 ERRORS NOT CORRECTED WILL BE INCLUDED ON FINAL PRODUCT.

NAME \_\_\_\_\_ DATE \_\_\_\_\_



SITE SURVEY PHOTOGRAPH OF EXISTING GROUNDS



SITE SURVEY PHOTOGRAPH OF EXISTING GROUNDS WITH PROPOSED I.D. SIGN



NOTE  
SIGN PLACEMENT IN PHOTO IS FOR ILLUSTRATIVE PURPOSE ONLY,  
AND MAY NOT ACCURATELY REPRESENT SIZE, LOCATION OR  
OTHER SPECIFICATIONS OF SIGN.  
RELIABLE SIGN SERVICES IS NOT RESPONSIBLE OR LIABLE FOR  
DISCREPANCIES BETWEEN SIGN REPRESENTED AND ACTUAL  
FINISHED PRODUCT.

G DOUBLE FACE I.D. SIGN  
46.53 SQUARE FEET (COMBINED)

CELEBRATING  
**25**  
YEARS

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Services • Drawing may be used for the above sign only • Actual production colors could  
vary • Sign will operate with 120 volts AC • All electrical service to sign is responsibility  
of the customer • © COPYRIGHT 2019 RELIABLE SIGN SERVICES ALL RIGHTS RESERVED

CALVARY RESURRECTION  
BIRMINGHAM, ALABAMA  
5003-A WHITLING DRIVE  
PELHAM, ALABAMA 35124

2 OF 2



APRIL 16, 2019  
DANNY WILLIAMS  
OFFICE 205 664-0955  
FAX 205 664-4409

**SIGN AND DATE DRAWING HERE**  
DRAWING REPRESENTS ACTUAL SIGN TO BE PRODUCED.  
ERRORS NOT CORRECTED WILL BE INCLUDED ON FINAL PRODUCT.  
NAME \_\_\_\_\_ DATE \_\_\_\_\_



April 22, 2019

Zoning Board of Adjustment  
City of Birmingham  
710 20<sup>th</sup> Street North  
Room 210, City Hall  
Birmingham, Alabama 35203

Re: Calvary Resurrection Christian Church  
Request for Zoning Variance

Dear Board:

I represent Calvary Resurrection Christian Church ("Calvary") and write this letter in support of Calvary's application for a zoning variance to allow a digital billboard sign illuminated with intermittent light in a residential zone. The sign will not exceed 27 square feet in area.

Calvary has been before the Board on a variance request in ZBA Case No. 2017-00080. Since that request, however, there have been substantial changes in the facts and conditions. The specific sign for which Calvary is now seeking a variance is substantially different than the sign that was the subject of the prior case. The currently proposed sign will display lighted messages that will be programmed to change every four seconds. The messages will not flash. The sign will not play videos or otherwise simulate motion.

In addition to the sign itself changing from the 2017 case, the conditions at the property have changed materially. Traffic in front of the church has increased since 2017. The road south of the church curves which limits visibility of drivers. The digital sign will improve the visibility of the church and its school, helping visitors better identify the building and therefore reducing dangerous U-turns and turnarounds of cars that pass the building because they could not see it. Moreover, this stretch of road is particularly dark due to a lack of street lights in the area. The proposed sign will improve public safety by brightening and enhancing this poorly lit area and helping guide travelers along this busy road.

Enclosed are a site plan showing the proposed location of the sign and drawings of the proposed sign. A video of the proposed sign has previously been submitted to the Board by Reliable Signs. Reliable Signs will send another link to a video of the proposed sign via e-mail in case the prior link has expired.

2281879.1



**Zoning Board of Adjustment**

April 22, 2019

Page 2

Please let me know if I can supply you with any additional information in support of Calvary's request for a zoning variance.

Sincerely,

**McGlinchey Stafford**



Michael B. Odom

MBO/mjf

Southside

ZBA2019-00032

Request: Modification  
Applicant: Randall Minor  
Owner: Bizmark LLC  
Site Address: 2400 7<sup>th</sup> Ave S  
Zip Code: 35233  
Description: Modification to allow 0 off street parking spaces instead of the required 59 off street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3  
Property Zoned: M1 Light Industrial District  
Parcel Information: Parcel #012300313030005000, SW ¼ of Section 31, Township 17 S, Range 2 W

### **Modification**

The applicant is requesting a parking modification for 0 off-street parking spaces for the proposed Dread River Distillery. The distillery will have approximately 7,000 SF of manufacturing and bottling space. There will be approximately 5,500 SF of bar and lounge space.

### **Neighborhood**

The Southside Neighborhood Association President sent the response form to staff stating that their neighborhood did not meet again until the evening of May 23<sup>rd</sup> and if the applicants waited to attend that meeting it would delay their action by the Board which the neighborhood did not want. The form stated that the Southside President met with the applicants and she voted to support the request.

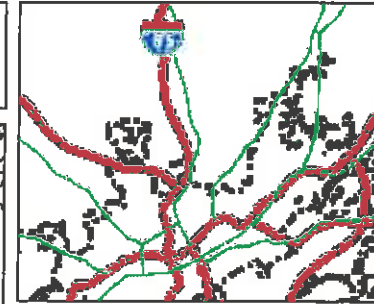
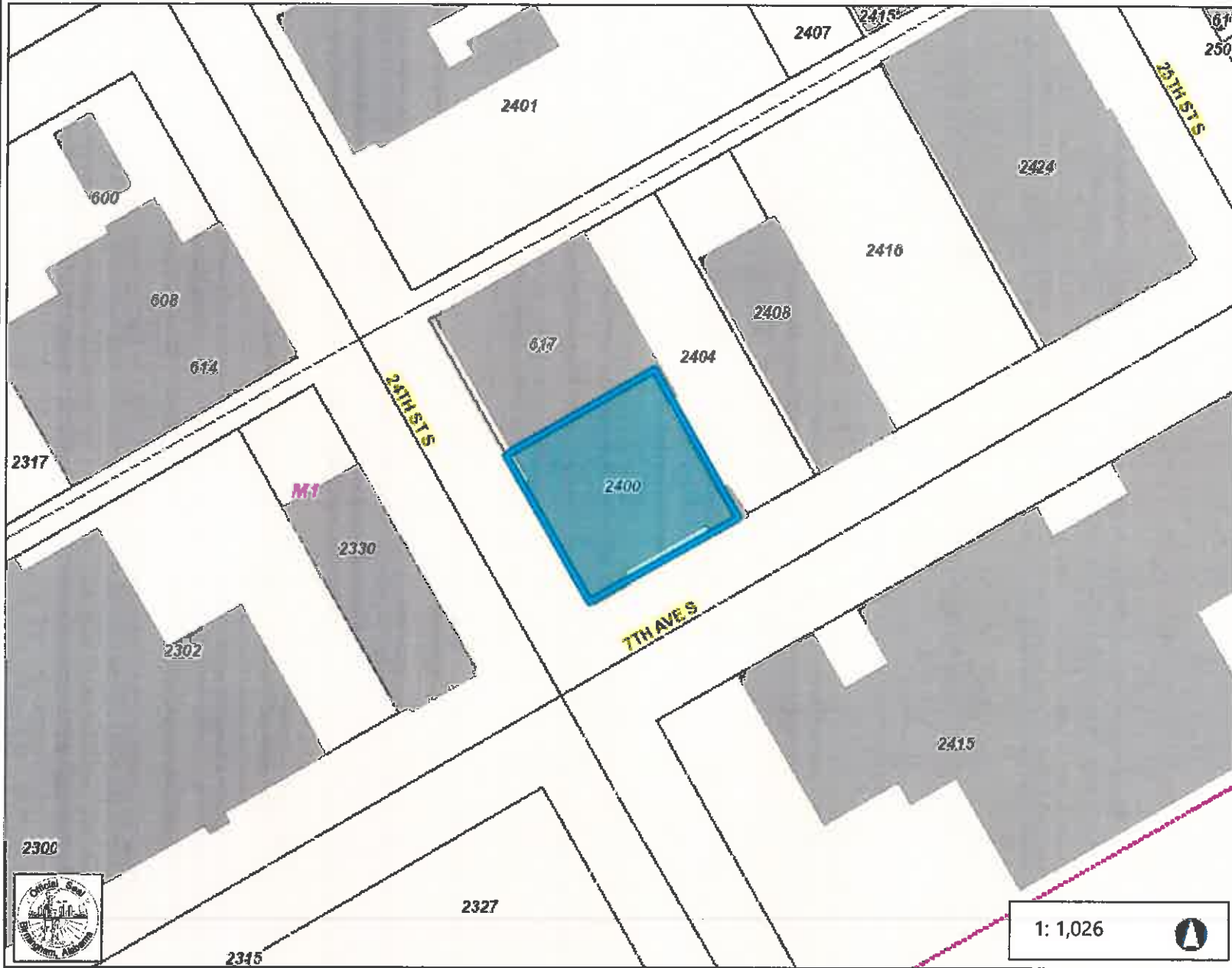
### **Applicant's Justification**

The applicant provided documentation showing 473 marked on-street parking spaces within 1,500 FT of the subject location.

### **Staff Recommendation**

Staff believes that the applicant has provided sufficient evidence to support the request. The amount of public on-street parking appears to be enough 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

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



171.0 0 85.50 171.0 Feet

1: 1,026



Notes

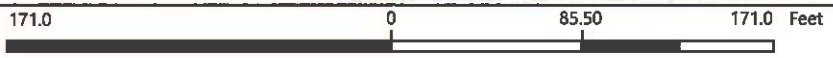


**Legend**

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  - Residential-Low
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  - General Commercial
  - MXU-Low
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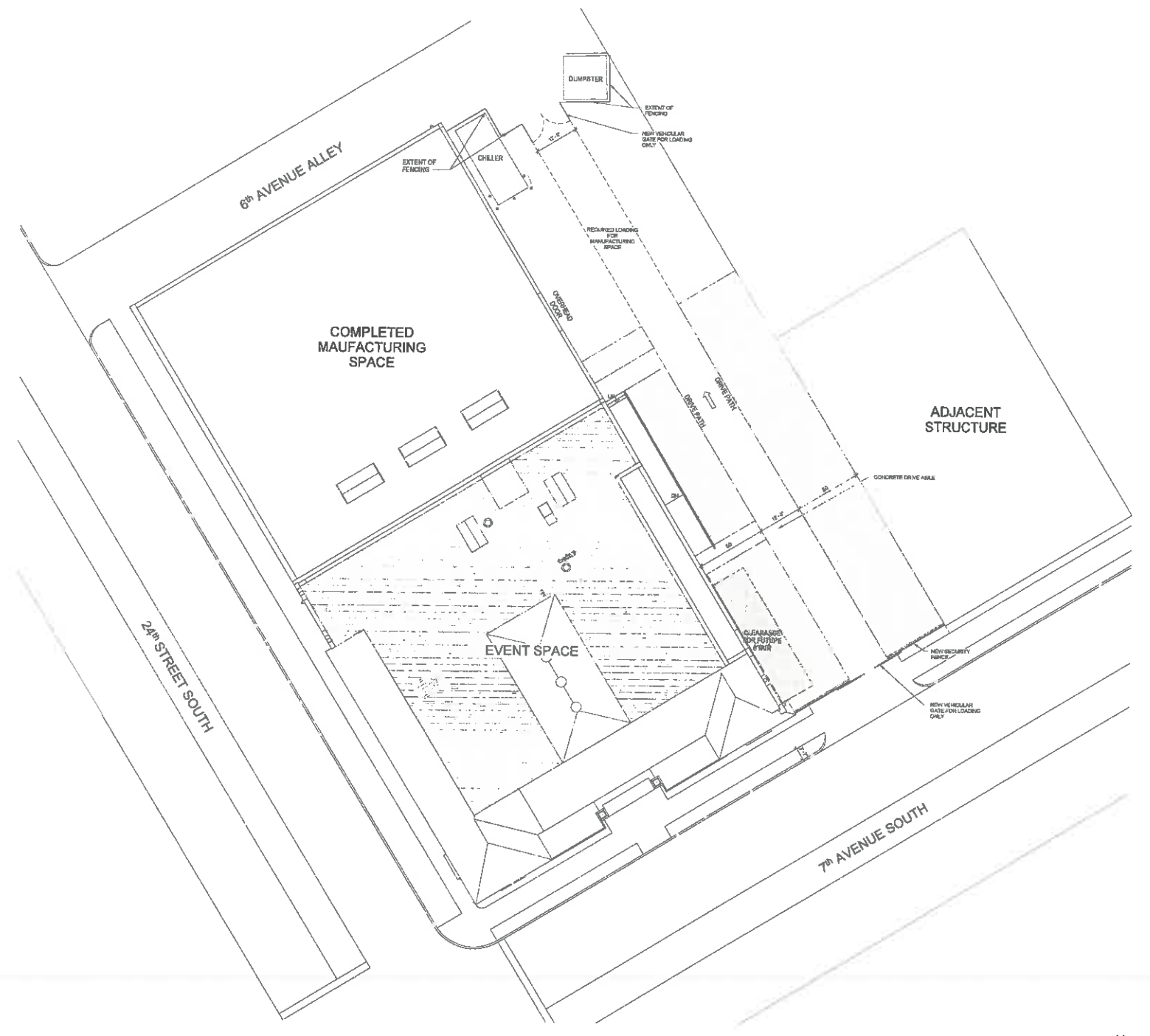


1: 1,026



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Notes



**DREAD RIVER DISTILLING COMPANY, LLC**  
**PHASE B - CONSTRUCTION DOCUMENTS**  
 2400 7TH AVENUE SOUTH, BIRMINGHAM, AL 35233  
 18-091

ARCHITECT OF RECORD  
**WILLIAMS BLACKSTOCK**  
 ARCHITECTS  
 ARCHITECTURE INTERIOR PLANNING  
 SUITE 200  
 2204 FIRST AVENUE SOUTH  
 BIRMINGHAM, ALABAMA 35203

ISSUE DATE:  
 11/02/18

REVISIONS

NO.	DATE	DESCRIPTION
1	11/02/18	CITY RESPONSE

PROJECT NUMBER:  
 18-091

DRAWING TITLE:  
 ARCHITECTURAL  
 SITE PLAN

SHEET NUMBER:  
 A0.1 B

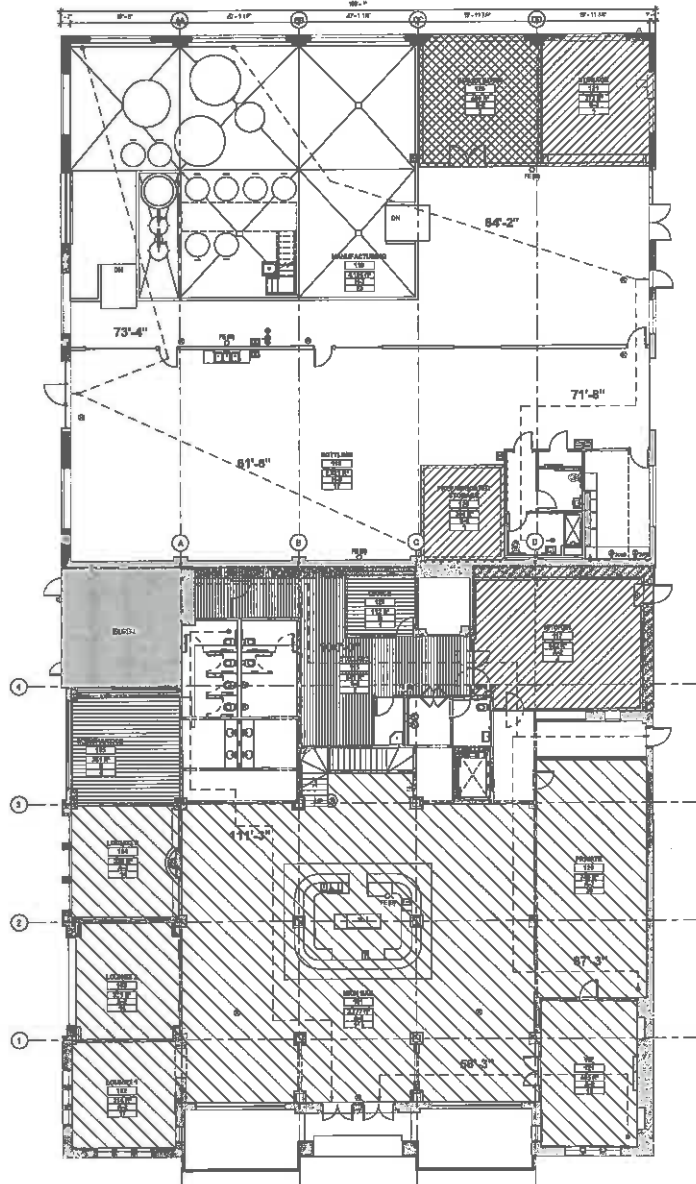
1 SITE PLAN  
 3/32" = 1'-0"



# WILLIAMS · BLACKSTOCK

ARCHITECTS

2204 FIRST AVENUE SOUTH SUITE 200 BIRMINGHAM, AL 35233-2331 205.252.9811 FAX 205.252.9812



## DREAD RIVER DISTILLERY

NUMBER	ROOM	BUILDING	USE	SQFT	OCCUPANTS
101	MAIN BAR	EVENT	A-2	2777	166
102	LOUNGE 1	EVENT	A-2	314	17
103	LOUNGE 2	EVENT	A-2	339	14
104	LOUNGE 3	EVENT	A-2	338	14
117	KITCHEN	EVENT	A-2	602	4
120	PRIVATE	EVENT	A-2	745	39
121	VIP	EVENT	A-2	405	19
<b>TOTAL A-2:</b>				<b>5520</b>	<b>273</b>
105	MERCHANDISE	EVENT	B	351	4
125	OFFICE	EVENT	B	112	1
<b>TOTAL B:</b>				<b>463</b>	<b>5</b>
118	BOTTLING	MANUF.	H-3	2821	17
119	MANUFACTURING	MANUF.	H-3	4195	23
<b>TOTAL H-3:</b>				<b>7016</b>	<b>40</b>
115	STORAGE	EVENT	S-2	541	2
120	BOILER	MANUF.	S-2	400	2
121	STORAGE	MANUF.	S-2	373	1
126	PREFAB STORAGE	MANUF.	S-2	204	1
<b>TOTAL S-2:</b>				<b>1518</b>	<b>6</b>
				<b>14517</b>	<b>324</b>
				<b>SQUARE FEET</b>	<b>OCCUPANTS</b>

ZBA2019-00032





**PARKING SUMMARY :**  
 CURRENT ZONING: M-1  
 GROSS AREA: 27,300 SF  
 OFF STREET PARKING REQUIRED: 64  
 CURRENT PARKING MODIFICATION: 20  
 OFF STREET PARKING PROVIDED: 0  
 \*MARKED ON STREET PARKING AVAILABLE: 473  
 \*WITHIN 1500 FT RADIUS



North Birmingham

ZBA2019-00033

Request: Variance  
Applicant: Nikki Huggins  
Owner: Mitchell Properties LLC  
Site Address: 2224 24<sup>th</sup> Ave N  
Zip Code: 35234  
Description: Variance to allow an electrified fence pursuant to Title 1, Chapter 4, Article IV, Subsection 7.D.5; Variance to allow a chain link fence in a yard other than a rear or side yard pursuant to Title 1, Chapter 4, Article V, Section 5, Subsection 7.D.3  
Property Zoned: M1 Light Industrial District  
Parcel Information: Parcel #012200231050001000, NE ¼ of Section 23, Township 17 S, Range 3 W

**Variance**

The applicant is requesting a variance to allow for the installation of an electrified fence for Truckworx. Truckworx is a commercial truck, trailer and school bus dealer.

**Neighborhood**

The North Birmingham Neighborhood Association met on May 13<sup>th</sup> and voted 6-1 in support of this request.

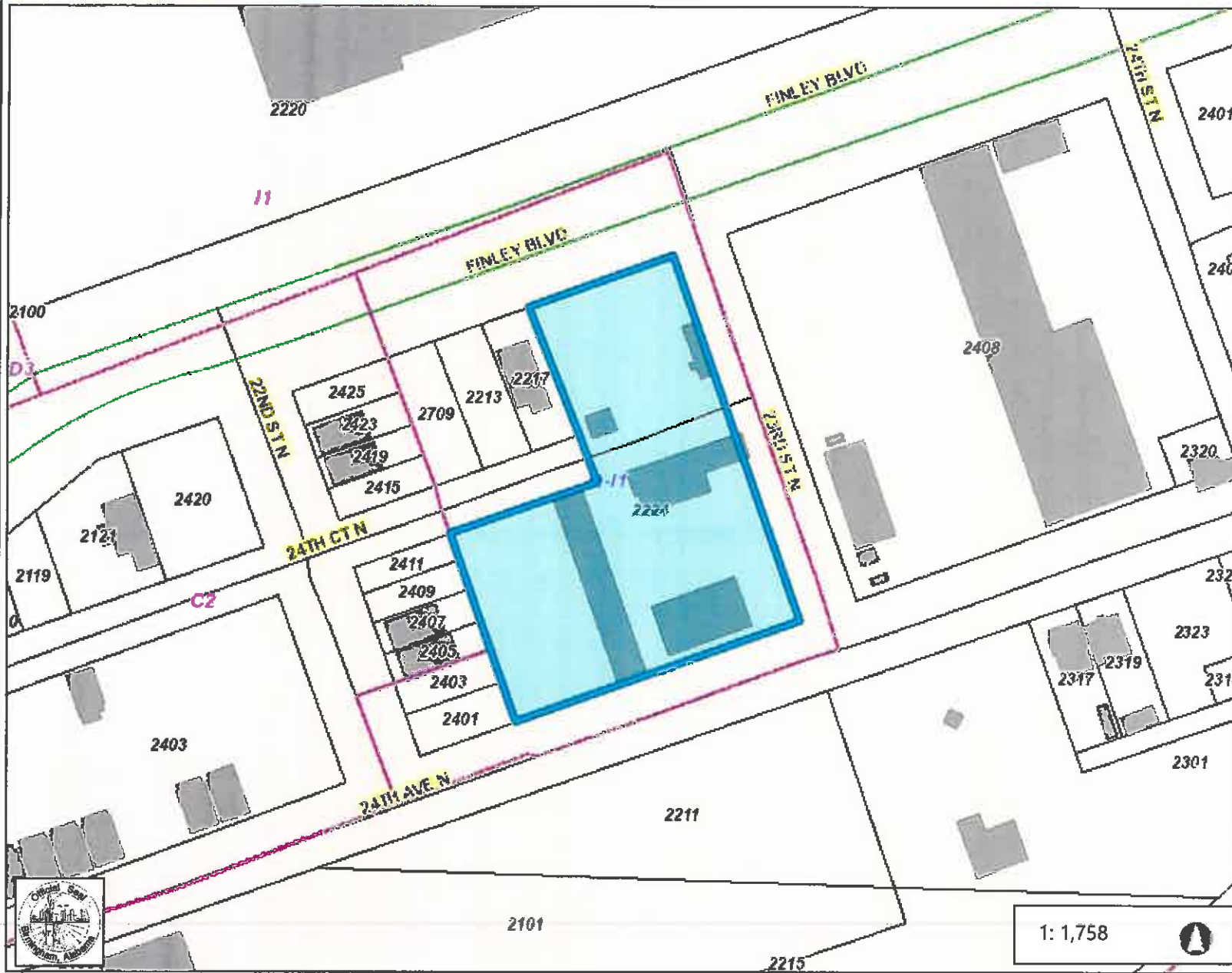
**Applicant's Justification**

The applicant stated that Truckworx has high value inventory that must be stored on an outside lot. The applicant also stated that this business has been plagued with break-ins. They have had 3 very recent break-ins resulting in loss and police reports have been filed for these incidents. The perimeter fence has not been able to keep people out and it is not possible for security guards to effectively and constantly monitor the entire lot due to its size.

**Staff Recommendation**

Staff does not believe that the applicant has provided evidence that meets the variance standards of review demonstrating a hardship. Therefore, staff believes this request does not have merit for approval and as such, should be **DENIED**. If the Board chooses to grant 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.
3. Approval based on site plan as submitted.



**Legend**

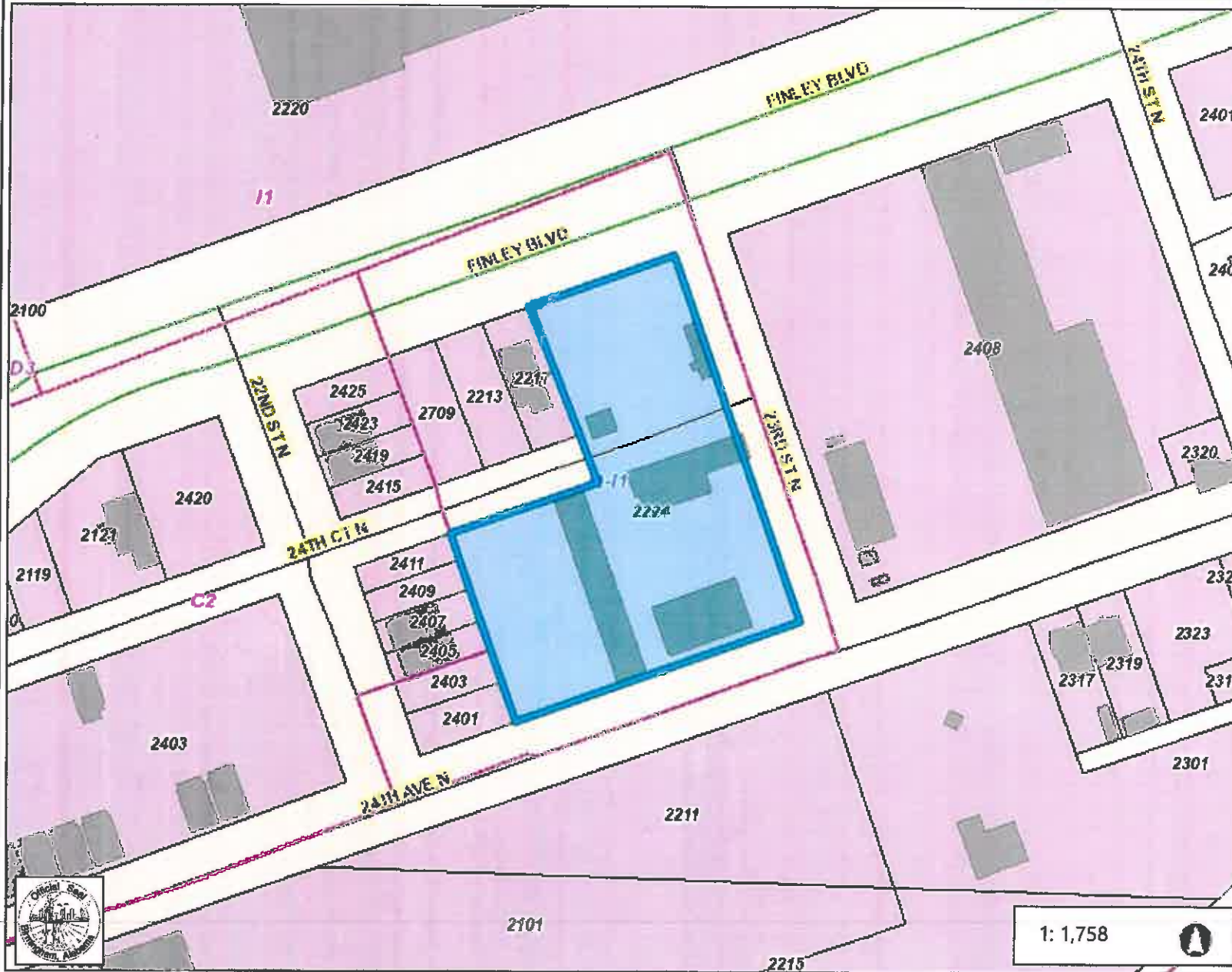
- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
  - Limited Access
  - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

Notes



293.1 0 146.53 293.1 Feet

1: 1,758



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
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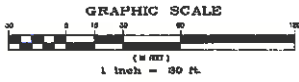


293.1 0 146.53 293.1 Feet

1: 1,758



Notes



**SITE PLAN  
REQUEST TO AUTHORIZE A  
SECURITY SYSTEM FOR:  
TRUCKWORX  
2224 E 24TH AVENUE NORTH  
BIRMINGHAM, AL 35212**

PROJECT DATA	
APR:	220021048001000
ACREAGE:	2.89 ACRES
ZONING:	M-1

LEGEND	
	EXISTING FENCE
	PROPOSED SECURITY SYSTEM
	UBM
	OFFICIAL RECORDATION OF PROFESSIONAL

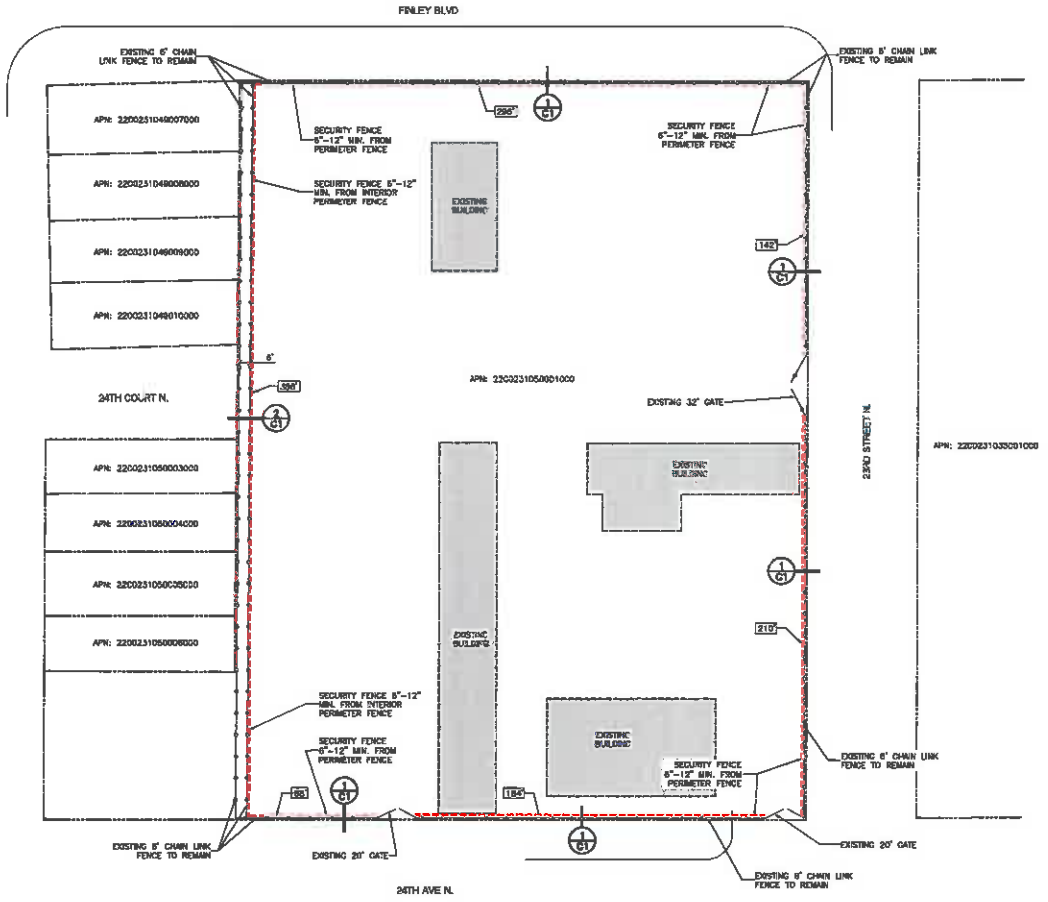
DATE / DESCRIPTION

**Electric Guard Dog**  
550 Assembly St. 5th Floor  
Columbus SC 29201  
PHONE: 803-765-6333  
FAX: 803-404-5378

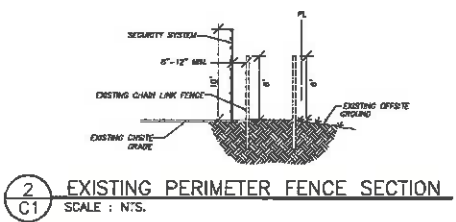
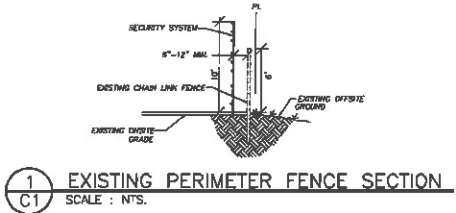
PROJECT: TRUCKWORX  
2224 E 24TH AVENUE NORTH  
BIRMINGHAM, AL 35212  
SHEET TITLE: SITE PLAN

DATE: APR 11, 2019  
SCALE: SEE PLAN

SHEET  
**C1**  
of 3



**SITE PLAN**  
SCALE : 1" = 30'-0"

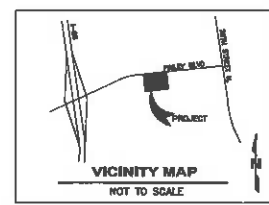


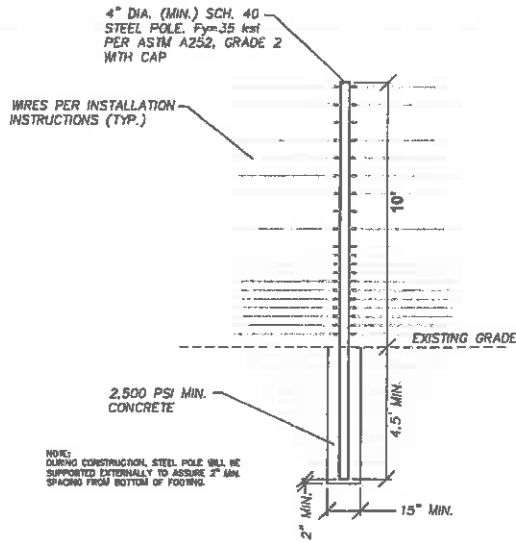
**NOTES**

POLE LOCATIONS  
SYSTEM POLES TO BE LOCATED APPROXIMATELY ON EACH SIDE OF GATES & EVERY 90' OR GREATER, TURN IN FENCE LINE. FIREWORKS/AMMUNITION/BLAST POLLS TO BE LOCATED APPROXIMATELY EVERY 30'

DISCLAIMER  
POLE LOCATIONS MAY SLIGHTLY DEVIATE FROM STIPULATIONS ABOVE DUE TO ON-SITE CONDITIONS

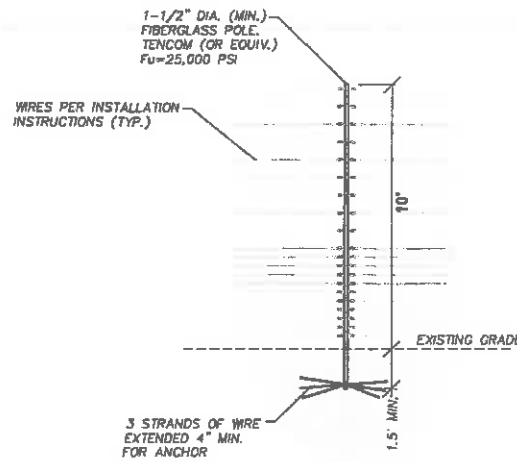
STORM DRAIN  
NO STORM DRAIN IS BEING PROPOSED AS PART OF THIS PROJECT.





STEEL POLE DETAIL

NTS



FIBERGLASS POLE DETAIL

NTS

**RAPID TIGHTENERS**

RAPID TIGHTENERS ARE INSTALLED IN EVERY SECTION - BETWEEN 9 INCHES AND 3 FEET FROM A FIBERGLASS POLE - TOWARD THE CENTER OF THE RUN.

THE TIGHTENERS ARE ALTERNATED ON OPPOSITE SIDES OF THE POLE TO PREVENT GROUNDS FROM HITTING WIRES WITH CURRENT.

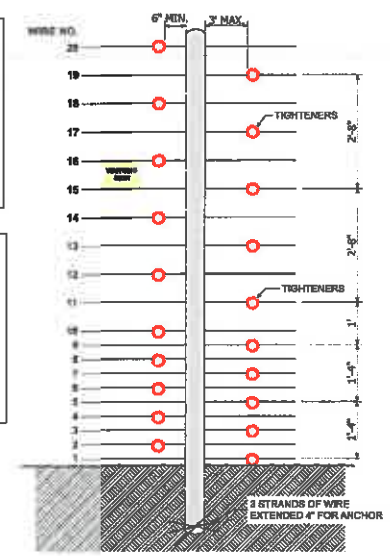
WIRE SHOULD BE WRAPPED TWO OR THREE TIMES AROUND EACH TIGHTENER.

**WARNING SIGNS**

WARNING SIGNS MUST BE INSTALLED EVERY 30', WHICH IS THE MAXIMUM DISTANCE BETWEEN WARNING SIGNS.

ALL WARNING SIGNS SHOULD BE MOUNTED EITHER BETWEEN WIRES 15 & 16 OR AT BEST VISIBLE HEIGHT.

IF INSTALLED BEHIND A SOLID FENCE, WARNING SIGNS SHOULD ALSO BE PLACED ON OR ABOVE THE PERIMETER FENCE.



WIRE CONNECTIONS

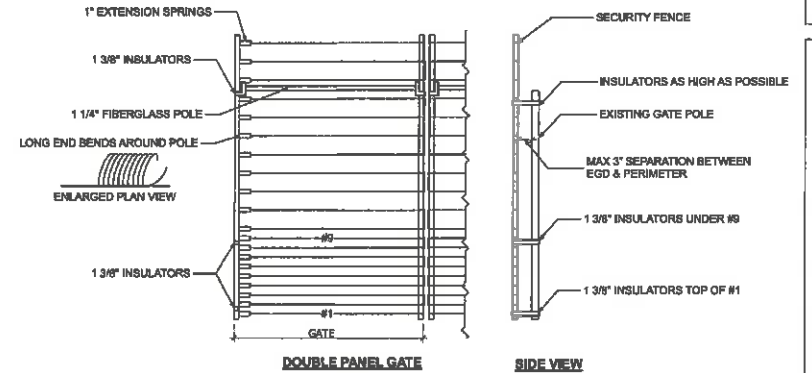
NTS



WARNING SIGNS SHALL BE PLACED AT EACH ENTRANCE OF THE PROPERTY AND 30 FEET ON CENTER THEREAFTER

EXAMPLE WARNING SIGNS @ 12"x9"

NTS



NOTES:

- INSULATORS ARE LOCATED ON TOP OF #1, UNDER #9, TO AS HIGH ON THE GATE AS POSSIBLE.
- SPRINGS ARE LOCATED ON OPPOSITE SIDES OF LOCK.
- ALL CONTACTS MUST INCLUDE SPRINGS.
- ALL CONTACTS MUST HAVE BOLT THROUGH FIBERGLASS (NO SET SCREWS).
- ALL BRACE BANDS HOOKED TO CHAIN LINK MUST HAVE SET SCREWS.
- EVERY GATE PANEL MUST HAVE A SIGN.
- GATE MOUNTS WILL NOT IMPACT THE FUNCTIONALITY OF THE GATE

GATE DETAIL

NTS

#	DATE / DESCRIPTION

**Electric Guard Dog**  
 550 Assembly St., 5th Floor  
 Columbus, SC 29203  
 PHONE: 803-404-5378  
 FAX: 803-404-5378

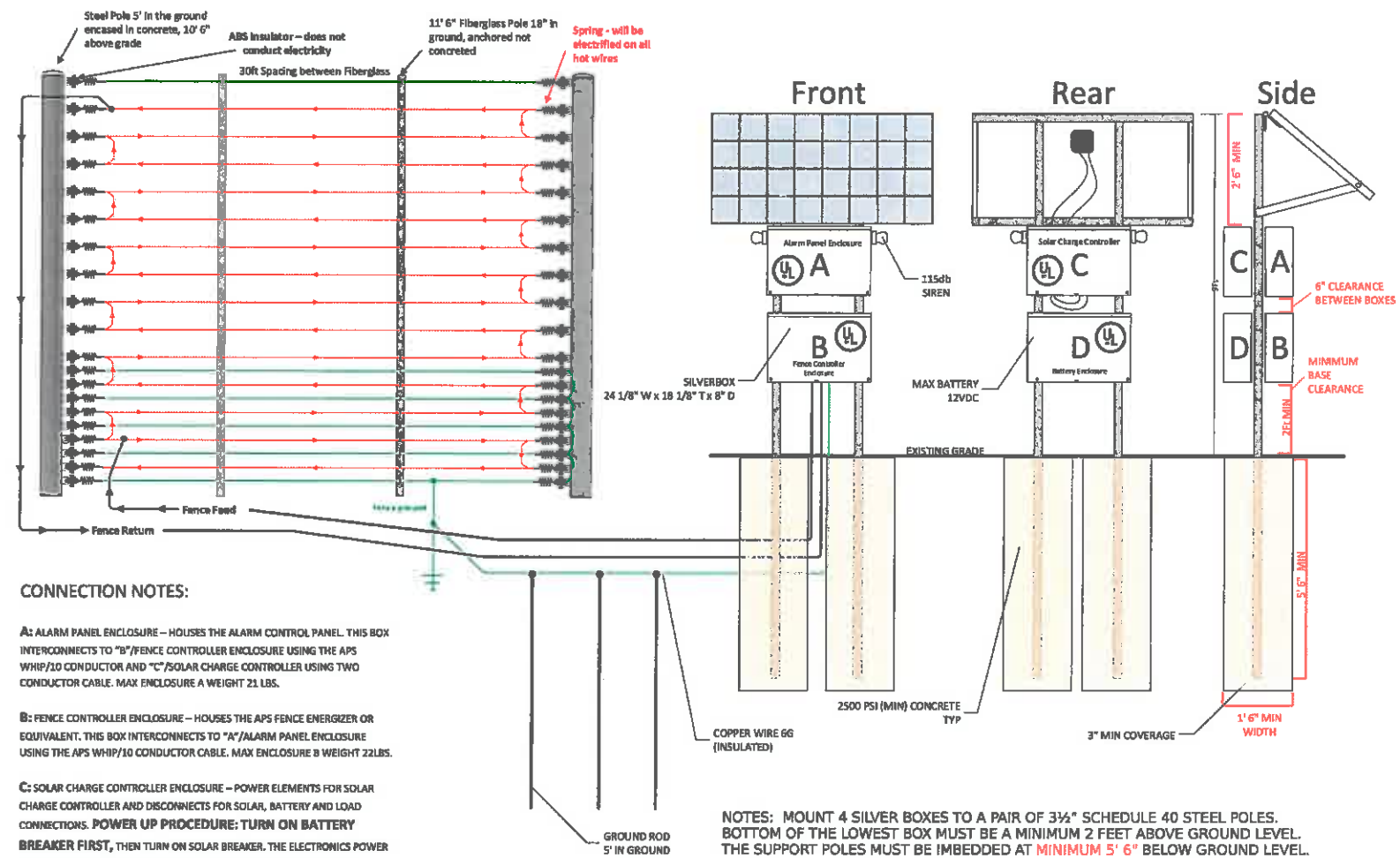
PROJECT: TRUCKWORX  
 2224 E 24TH AVENUE NORTH  
 BIRMINGHAM, AL 35212

SHEET TITLE: TYPICAL DETAILS

DATE: APR. 11, 2019  
 SCALE: SEE PLAN

# DATE / DESCRIPTION


### WIRE RUN DETAILS & OUTSIDE MOUNTED ELECTRONICS/CONTROLLER WITH/STEEL POLE DETAIL



**CONNECTION NOTES:**

- A:** ALARM PANEL ENCLOSURE – HOUSES THE ALARM CONTROL PANEL. THIS BOX INTERCONNECTS TO "B"/FENCE CONTROLLER ENCLOSURE USING THE APS WHIP/10 CONDUCTOR AND "C"/SOLAR CHARGE CONTROLLER USING TWO CONDUCTOR CABLE. MAX ENCLOSURE A WEIGHT 21 LBS.
- B:** FENCE CONTROLLER ENCLOSURE – HOUSES THE APS FENCE ENERGIZER OR EQUIVALENT. THIS BOX INTERCONNECTS TO "A"/ALARM PANEL ENCLOSURE USING THE APS WHIP/10 CONDUCTOR CABLE. MAX ENCLOSURE B WEIGHT 22LBS.
- C:** SOLAR CHARGE CONTROLLER ENCLOSURE – POWER ELEMENTS FOR SOLAR CHARGE CONTROLLER AND DISCONNECTS FOR SOLAR, BATTERY AND LOAD CONNECTIONS. **POWER UP PROCEDURE: TURN ON BATTERY BREAKER FIRST, THEN TURN ON SOLAR BREAKER.** THE ELECTRONICS POWER IS CONTROLLER BY THE LOAD BREAKER. MAX SOLAR CHARGE CONTROLLER ENCLOSURE WEIGHT 25LBS.
- D:** BATTERY ENCLOSURE – THIS ENCLOSURE INTERCONNECTS TO "C"/SOLAR CHARGE CONTROLLER ENCLOSURE USING TWO CONDUCTOR 14G DR 10G THWN. MAX BATTERY ENCLOSURE WEIGHT 52LBS. BATTERY WILL NOT EXCEED 70 KWH

**NOTES:** MOUNT 4 SILVER BOXES TO A PAIR OF 3 1/2" SCHEDULE 40 STEEL POLES. BOTTOM OF THE LOWEST BOX MUST BE A MINIMUM 2 FEET ABOVE GROUND LEVEL. THE SUPPORT POLES MUST BE IMBEDDED AT **MINIMUM 5' 6"** BELOW GROUND LEVEL.

**Electric Guard Dog**  
 550 Assembly St. 5th Floor  
 Columbia, SC 29204  
 PHONE: 803-736-4333  
 FAX: 803-404-5378

PROJECT: **TRUCKWORX**  
 2224 E 24TH AVENUE NORTH  
 BIRMINGHAM, AL 35212

SHEET TITLE: **TYPICAL DETAILS**

DATE: APR 11, 2019  
 SCALE: SEE PLAN

**ZBA2019-00033**



The Electric Guard Dog system is a monitored alarm system. It is comprised of 20, 12.5 gauge, galvanized steel wires which are run horizontally to the height of 10' (or 2' taller than the perimeter fence). The poles that these strands are attached to are steel. This component of the alarm system detects perimeter breach by touch and motion. It is installed 6-12" inside of the property's existing perimeter fence. Our system is operated by a 12V/DC battery and is 100% independent of the electrical grid (non-metered). The system does deliver a medically safe, pulsed shock which has a duration of four-ten-thousandths of a second every 1.3 seconds. Again, our system is 100% battery operated.

This site has been plagued with break-ins. They have had 3 very recent break-ins resulting in loss. Police reports have been filed for many of these incidents. The Site is abutting residential along one side of the property. That means this criminal activity could also affect this residential area. The site has installed an additional interior fence about 6' behind the perimeter fence where it abuts residential. The proposed will be installed behind the interior fence. The perimeter fence has not been able to keep them out and it is not possible for security guards to effectively and constantly monitor the entire lot due to its size.

The request is to grant a variation to the code which will allow the fence to be electrified and to exceed the 8' height restriction in order to effectively secure the property.

1. Truckworx is a commercial truck, trailer, and school bus dealer. They have highly desirable supplies, inventory and equipment onsite. We believe hardships to be:
  - a. High value of inventory – parts, trucks, trailers
  - b. Due to size and nature of items, they **must** be stored in outside lot and cannot be protected inside a building
  - c. As the storage area is 1570 linear feet in perimeter, it is not possible for security guards to effectively and constantly monitor the entire lot.

Special circumstance and conditions of the location dictate the height of the electric security fence be permitted at ten feet.

- The electric fence should be considerably higher than the perimeter fence.
- The 10' height prevents the perpetrators from simply hurdling both the perimeter, non-electric fence and the Electric Fence as a single barrier in one continuous motion. They would be required to navigate 2 unequal barriers to access the property for purposes of criminal intent.
- At 10', the fence is more imposing to someone thinking about scaling it. We have experimented with different heights and have found shorter fences (8') to be too tempting to breach.

The high value targets secured in the yard are an open invitation to the criminal class. The only system that actually PREVENTS crime and break-ins is the Electric Guard Dog security system

2. Presently the code does not allow for 10' fencing or electrified fencing. The business is currently using a perimeter fence which has proven ineffective, resulting in multiple thefts during the past several months.
3. The variance authorized will not be injurious to adjacent properties or the surrounding neighborhood or otherwise be detrimental to public welfare. It is installed completely inside the



existing perimeter, non-electrified fence and therefore not exposed to the public. To come in contact with the EGD, one would have to be trespassing and illegally entering the property. Where abutting residentially zoned parcels, there is an additional barrier fence in-between the EGD and the perimeter fence. The EGD would be installed 6-8' from the property line on the West. (22<sup>nd</sup> St.)

4. This variance is in harmony with and serves the general intent and purpose of the City of Birmingham Code because it enhances the community by effectively deterring crime. It is not exposed to the public so there is no danger or nuisance. Much more effective and reliable than security guards, Electric Guard Dog will provide Truckworx with an affordable means to protect their assets and employees, allowing them to invest monies into growth, resulting in continued employment and continued or increased tax base for the county. With the recent crime they require our more effective security system to remain a viable business. This security system requires the fence to be 10' to be most effective.
5. This variance is not being sought to relieve illegal acts or self-imposed hardships. The business is a reputable business, located in the appropriate zoning and complies with all other county ordinances. The variance authorized will be consistent with the general purpose and intent of the provision from which the variance is sought as the general safety and welfare of the public is maintained, crime is prevented, and the City can husband police resources toward crime other than property break-ins and vandalism. The variance is the minimum necessary to relieve a practical difficulty and resulting hardship, cameras record crime and don't prevent it, guards are unreliable (don't show up for work, sleep on the job, and at times are complicit in the criminal action). The EGD is the most reliable, most economical, and safest security application available. In actuality the installation of the EGD will secure the variance property and increase the security of the surrounding properties and the immediate area by deterring the criminal element.

Killough Springs

ZBA2019-00034

Request: Variance  
Applicant: Earl Bush  
Owner: City of Birmingham  
Site Address: 1041 Five Mile Road  
Zip Code: 35215  
Description: Variance to allow the wet flood-proofed construction and/or placement of a Restroom Building at an elevation approximately 2.0 feet below the required flood protection elevation, variance of Article VI Section 10, pursuant to Article VIII Section 5.2  
Property Zoned: R2 Single Family District  
Parcel Information: Parcel #011300254009015000, NE ¼ of Section 25, Township 16 S, Range 2 W

**Variance**

The applicant is requesting the variance to allow for the relocation and construction of a restroom at Grayson Park. The location is in the floodplain and the proposed restroom would be wet flood-proofed as it is 2 feet below the flood protection elevation.

**Neighborhood**

Staff has yet to receive feedback from the Killough Springs Neighborhood Association.

**Applicant's Justification**

The applicant stated that the request is for the relocation of an existing restroom building and an addition of another restroom building. Both buildings will be wet flood proofed. Both buildings have properly sized openings at the floor line.

**Staff Recommendation**

Staff believes that the applicant has provided sufficient evidence to support the request. 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.
4. Submission to and approval of the Flood Plain Administrator or designee of a completed application for development in a flood hazard area to supplement required permit application;
5. Submission to and approval of the Flood Plain Administrator or designee of a company adopted (Park and Recreation Board Director) flood emergency preparedness plan outlining procedures, resources, and actions required to recognize as well as respond to a potential flood threat. This plan must be signed by a company officer and must account for all required human intervention efforts in the event of a flood;
6. For the Restroom Building, submission to and approval of the Flood Plain Administrator or designee of flood protection design plans that detail wet flood-proofing protection to be provided. At the very least, the flood protection design plan should address the following: clearly show that all interior building areas subject to flooding are to be wet flood-proofed, through use of flood resistant or unfinished materials, up to an elevation of 691 feet above mean sea level; that all attendant electrical components and/or utilities are to be ground fault protected; and clearly show A minimum of one square inch of net open area for each square foot of enclosed area for non-engineered openings OR A minimum of ONE engineered inch for each square foot of enclosed area for an engineered foundation wall openings are to be provided for automatic entry and exit of floodwaters for all areas subject to wet flood-proofing;

7. A certificated of Occupancy (CO) or Certificate of Completion (CC) must be issued. Prior to issuance of a CO or CC, the following as-built certifications shall be submitted to the Flood Plain Administrator, or designee, for approval: for the Restroom Building, an Elevation Certificate certifying the elevation of the lowest finished floor and all attendant utilities and the number and area foundation wall openings. An as-built wet flood-proofing certification statement with approved flood protection design plan and subject to a Flood Plain Administrator or designee review and approval; all as-built certifications shall be performed by licensed/registered professionals.



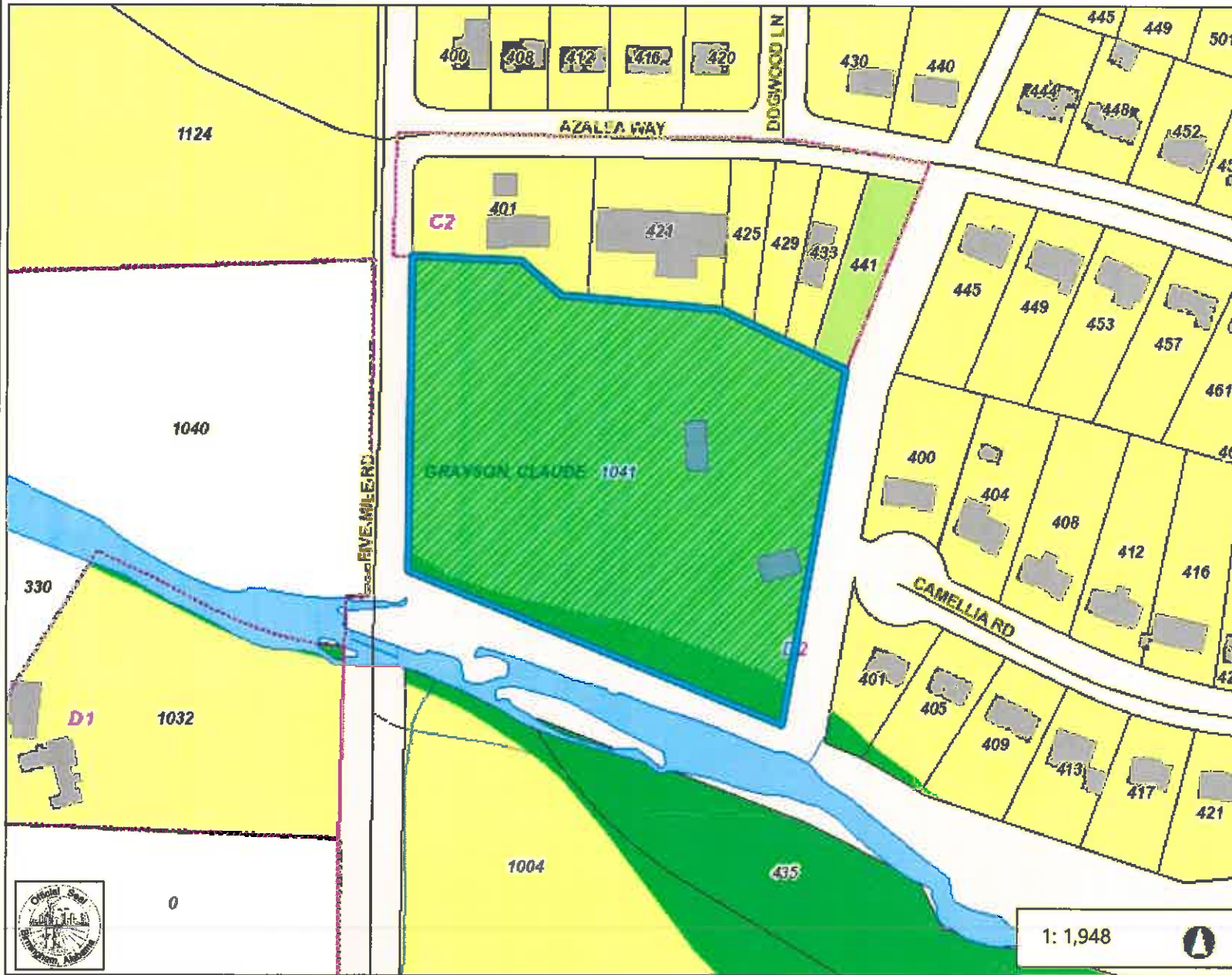
**Legend**

- 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



324.6 0 162.32 324.6 Feet



**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: 1,948



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

# Grayson Park

1041 Five Mile Road  
Birmingham, Al 35215

16' x 16' PAVILION  
ROOF ONLY  
8' x 10' RESTROOM ( NEW )  
8' x 10' RESTROOM ( EXIST )

NO  
BUILD  
SIDE

Carroll Rd



11/11/10

ESMT

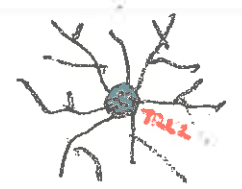
remove old room

gone work

rooms

car

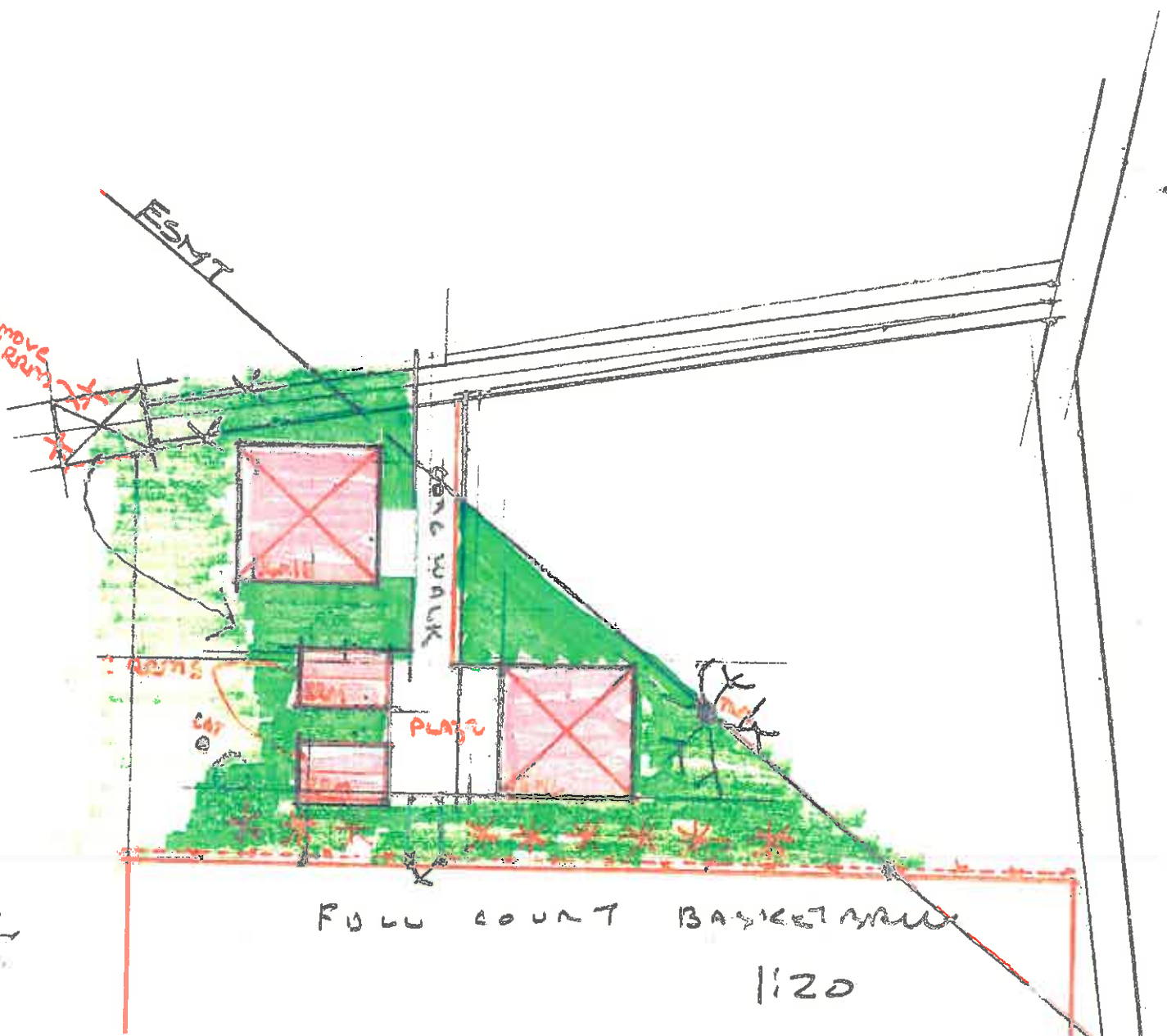
play



FULL COURT BASKETBALL

1120

at.10



# ZBA2019-00034





**Subject:** Variance to allow the wet flood-proofed construction and/or placement of a Restroom Building at an elevation approximately 2.0 feet below the required flood protection elevation, variance of Article VI Section 10, pursuant to Article VIII Section 5.2

1. Submission to and approval of the Flood Plain Administrator or designee of a completed application for development in a flood hazard area to supplement required permit application;
2. Submission to and approval of the Flood Plain Administrator or designee of a company adopted (Park and Recreation Board Director) flood emergency preparedness plan outlining procedures, resources, and actions required to recognize as well as respond to a potential flood threat. This plan must be signed by a company officer and must account for all required human intervention efforts in the event of a flood;
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