Meeting – September 12, 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

Inglenook

ZBA2019-00050

Request: Applicant:

Variance

Owner;

Kirby Sexton Buckroe Corp

Owner:
Site Address:

4601 Inglenook Ln

Zip Code:

35217

Description:

Variance to allow a 6 FT fence in a front yard of a industrially 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:

M3 Planned Industrial District

Parcel Information:

Parcel #012300084002002001, SW 1/4 of Section 29, Township 17 S,

Range 2 W

Variance

The applicant is requesting variances to allow a 6 FT chain link fence topped with barbed wire to be placed on the interior of the subject location. The site is home to a UPS distribution facility.

Neighborhood

The Inglenook Neighborhood Association has yet to respond to staff.

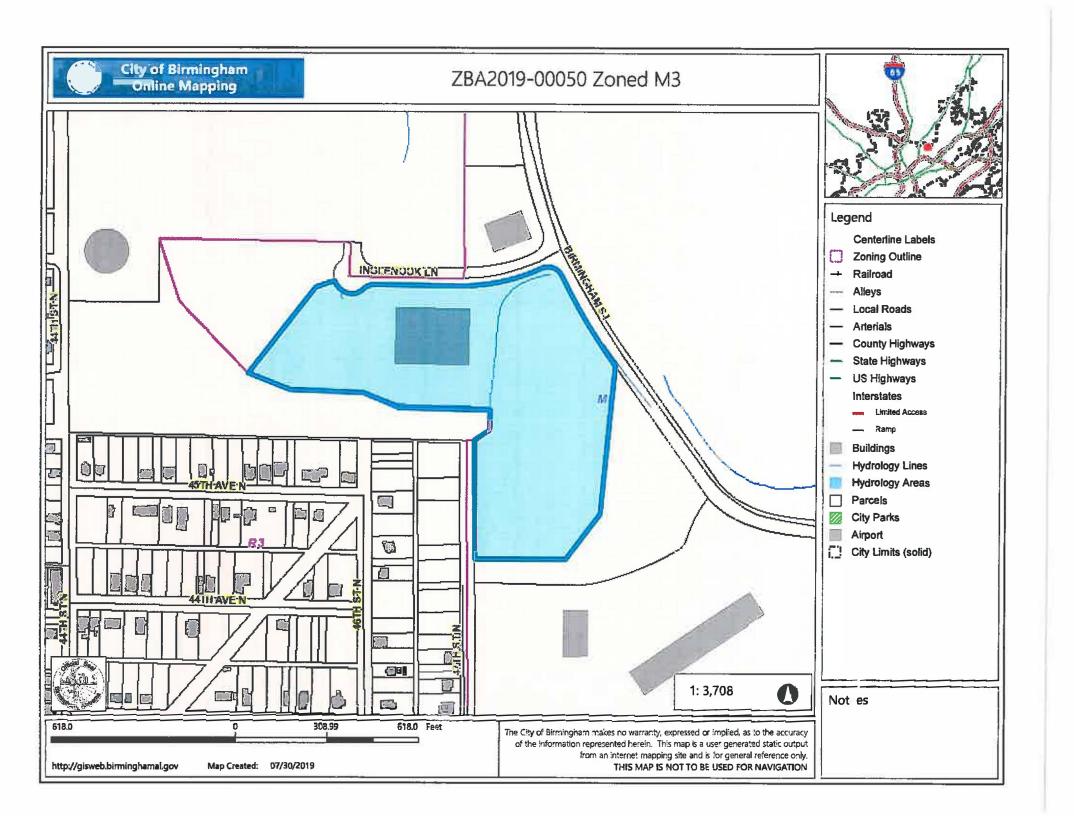
Applicant's Justification

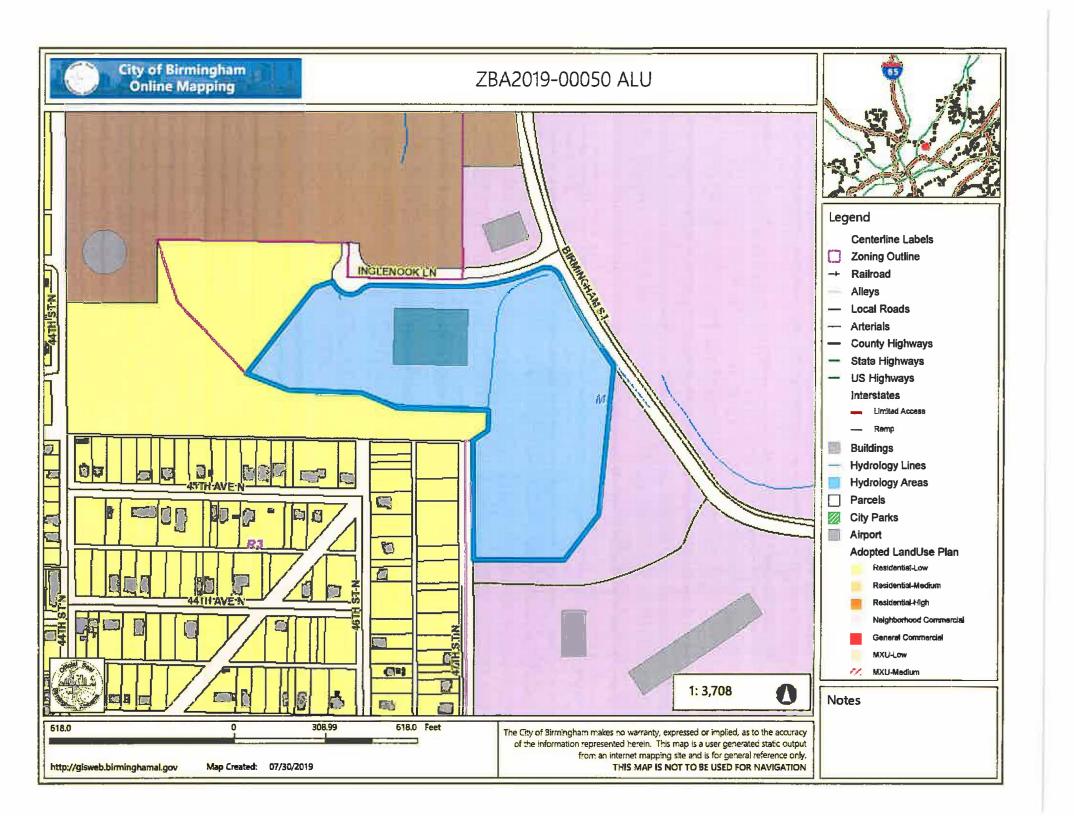
The applicant stated that a portion of the interior fencing must be modified due to a building expansion. The primary objective of the fencing is security. The applicant also stated that the residential area the property abuts is separated by both topography and a large amount of foliage. No residences can be seen from UPS and UPS cannot be seen from the residences.

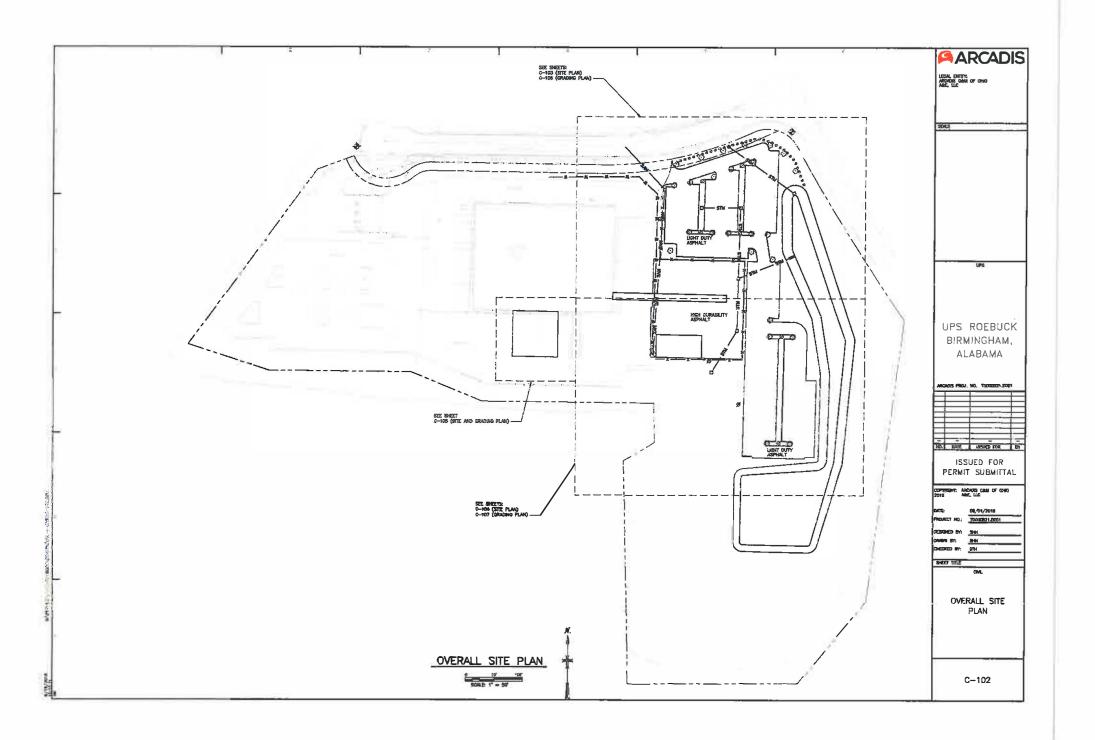
Staff Recommendation

Staff does not believe the applicant has submitted evidence that meets the variance standards of review. Staff did not find evidence of 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.







MEMO



To:

Copies:

City of Birmingham

Lamar Reed, UPS

Arcadis U.S., Inc. 1728 3rd Avenue North Suite 300 Birmingham

Alabama 35203 Tel 205 930 5700 Fax 205 930 5707

From:

Kirby Sexton, Arcadis

Date:

Arcadis Project No.:

June 27, 2019

CI005077.0010

Subject:

UPS Roebuck Fence Variance

OVERVIEW

As part of a building expansion at the existing UPS distribution facility at 4601 Inglenook Lane, a portion of existing interior fence line must be modified. UPS is requested a fencing variance for height, material/style, and barbed wire for this fence. The requested variance would allow a 6 foot high chain link fence topped with barbed wire to match that previously existing. Due to the parcel situation, approximately half of the perimeter is considered front yard.

The primary objective of this fencing is to maintain security for materials stored on the property. The installation of a four foot high fence permitted by current zoning will not provide the security needed by UPS.

SITE PLAN OF AREA AFFECTED

The site is neighbored on the southwest by a residential neighborhood, with commercial and industrial property on all other sides. This residential area is separated from the UPS site by both topography and a large amount of trees and other foliage. No residences can be seen from UPS, and UPS cannot be seen from the residences.

Currently, a grandfathered six foot high chain link fence with razor/barbed wire surrounds the entire property. In the below diagram, red represents existing chain link and barbed wire fencing that is not included in this variance request. It is existing and will remain present regarding of outcome. This request

pertains only to fencing within the property and entirely within the existing fencing, as show in green on the below diagram. In addition, the interior fence to be replaced is shown in gray.

Due to these facts, the adjacent residential properties will not be harmed with the granting of this variance request. It will also not negatively affect the public entering, driving by, or using adjacent properties.



Existing Fencing Present

PHOTOGRAPHS



Existing Fence at Front of Property



Existing Fence at Front of Property

arcadis.com



Existing Fence at Side of Property



Existing Fence at Rear of Property

arcadis.com



Existing Fence at Rear of Property

Zoning Board of Adjustment September 12, 2019

Page 2

Powderly ZBA2019-00054

Request: Modification
Applicant: Lorenza Mauldin

Owner: Sarah and Charles Brown

Site Address: 1705 24th St SW

Zip Code: 35211

Description: Modification to allow 2 off street parking spaces instead of the required 11

off street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section

6.A.3

Property Zoned: C1 Neighborhood Business District

Parcel Information: Parcel #012900174013021001, SE ¼ of Section 17, Township 18 S,

Range 3 W

Modification

The applicant is requesting a modification to allow 2 off street parking spaces instead of the required 11 spaces for a proposed restaurant. The subject location is on the corner of 24th St SW and Francis Avenue SW.

Neighborhood

The Powderly Neighborhood Association has yet to respond to staff.

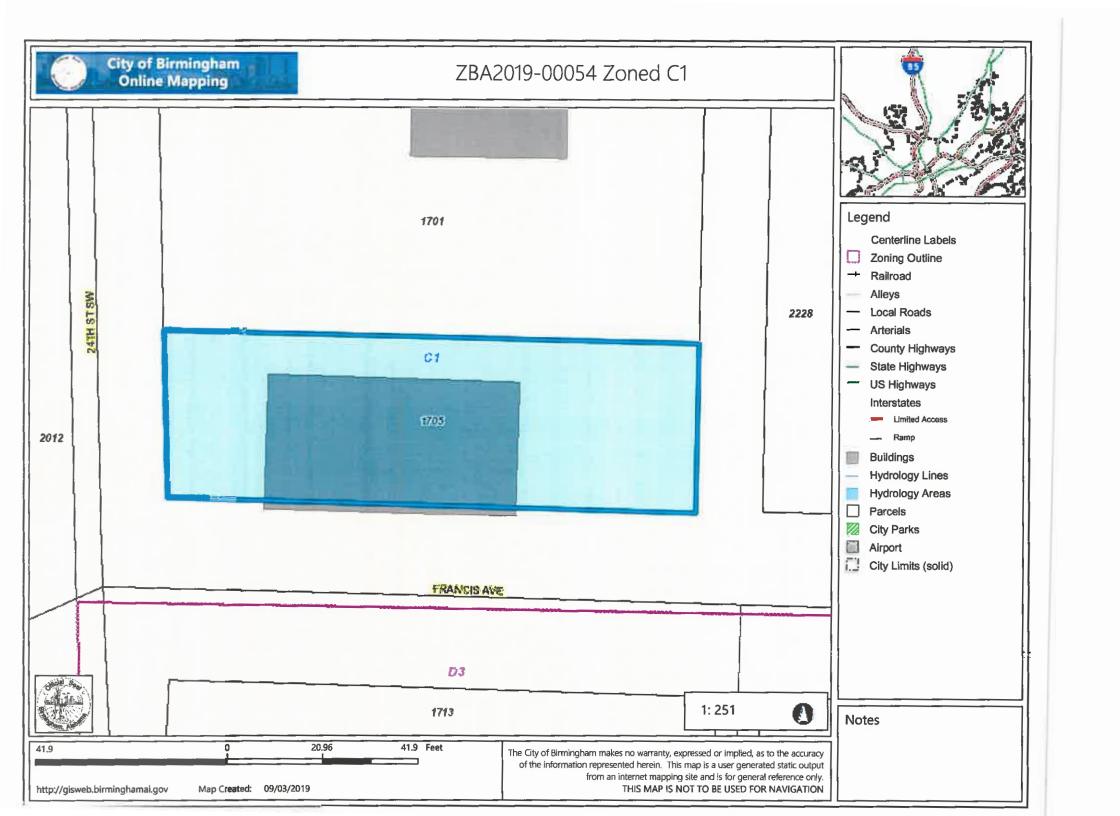
Applicant's Justification

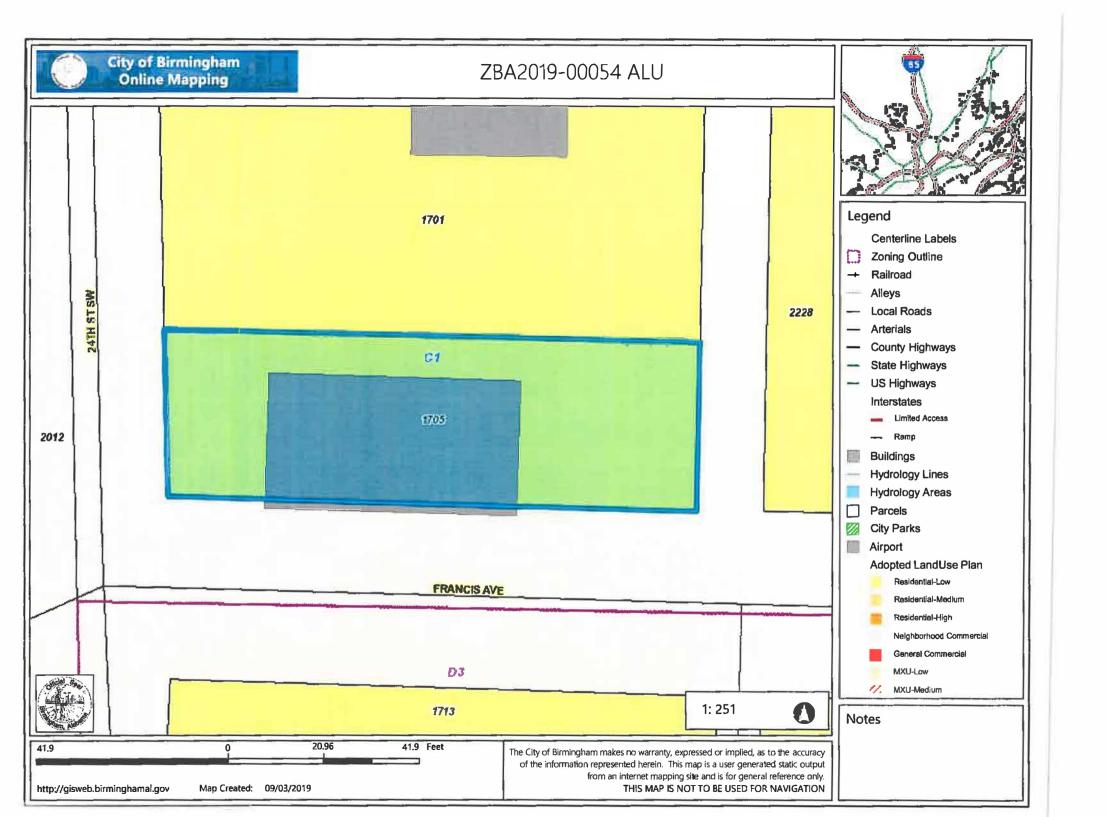
The applicant provided documentation that shows 11 on street parking spaces on Francis Avenue SW adjacent to the subject property.

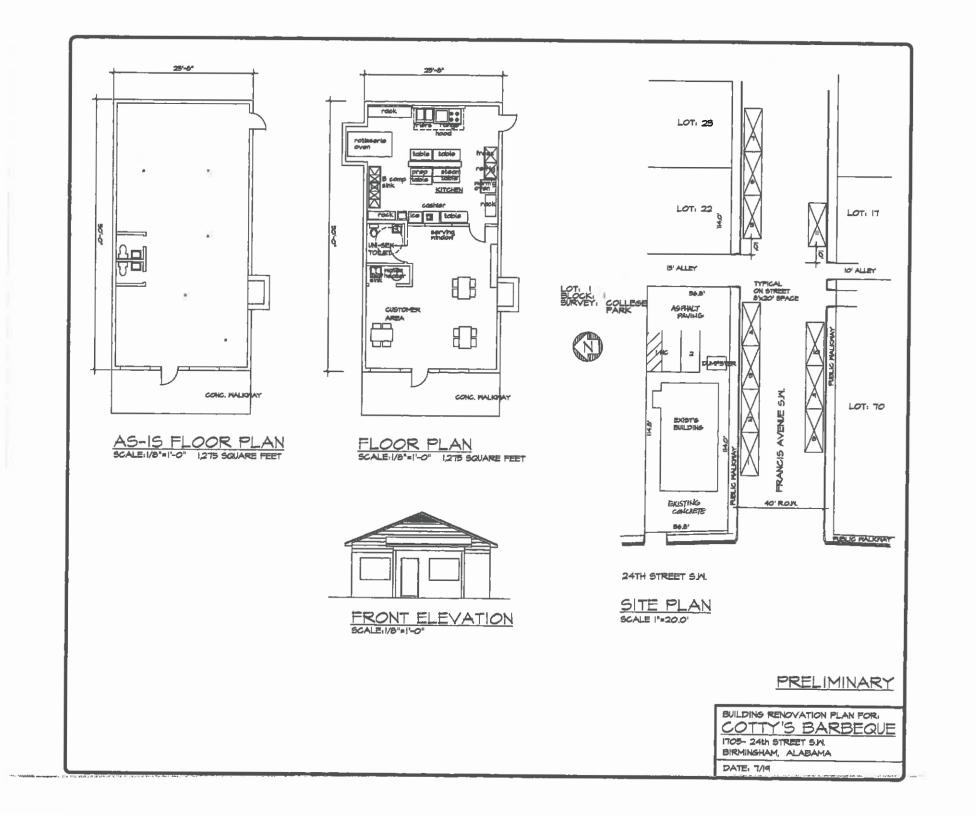
Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support this request. The amount of parking in the area seems sufficient to support this 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.







REQUEST FOR ON STREET PARKING

I am respectfully requesting permission to have 11 on street parking spaces granted as per my Site Plan.

These additional parking spaces are necessary because regulations requires that the opening of a new a restaurant with a building (bldg) size of 1200+ square feet must have at least 13 parking spaces. My bldg located at 1705 24th St. SW in Birmingham, AL is 1275 square feet with only enough space for 2 parking spaces of regulation size. The requested parking spaces as denoted on my Site Plan are all located adjacent to empty lots with the exceptions of those spaces located adjacent to the proposed restaurant bldg.

Your favorable consideration on my behalf is highly appreciated.

Thank you,

Zoning Board of Adjustment September 12, 2019 Page 3

Highland Park ZBA2019-00055

Request: Variance

Applicant: Shelby Rayburn
Owner: Eric Marcus

Site Address: 1130 Lakeview Crescent

Zip Code: 35205

Description: Variance to allow an accessory building to have a 0 FT side yard setback

instead of the required minimum side yard setback of 5 FT pursuant to

Title 2, Article I, Chapter 1, Section 4, Subsection 3

Property Zoned: R3 Single Family District

Parcel Information: Parcel #012300314015010000, SE 1/4 of Section 31, Township 17 S,

Range 2 W

Variance

The applicant is requesting a variance to allow a detached garage to be built with a 0 FT side setback. The proposed garage would replace an existing garage in the same location.

Neighborhood

The Highland Park Neighborhood Association has yet to respond to staff.

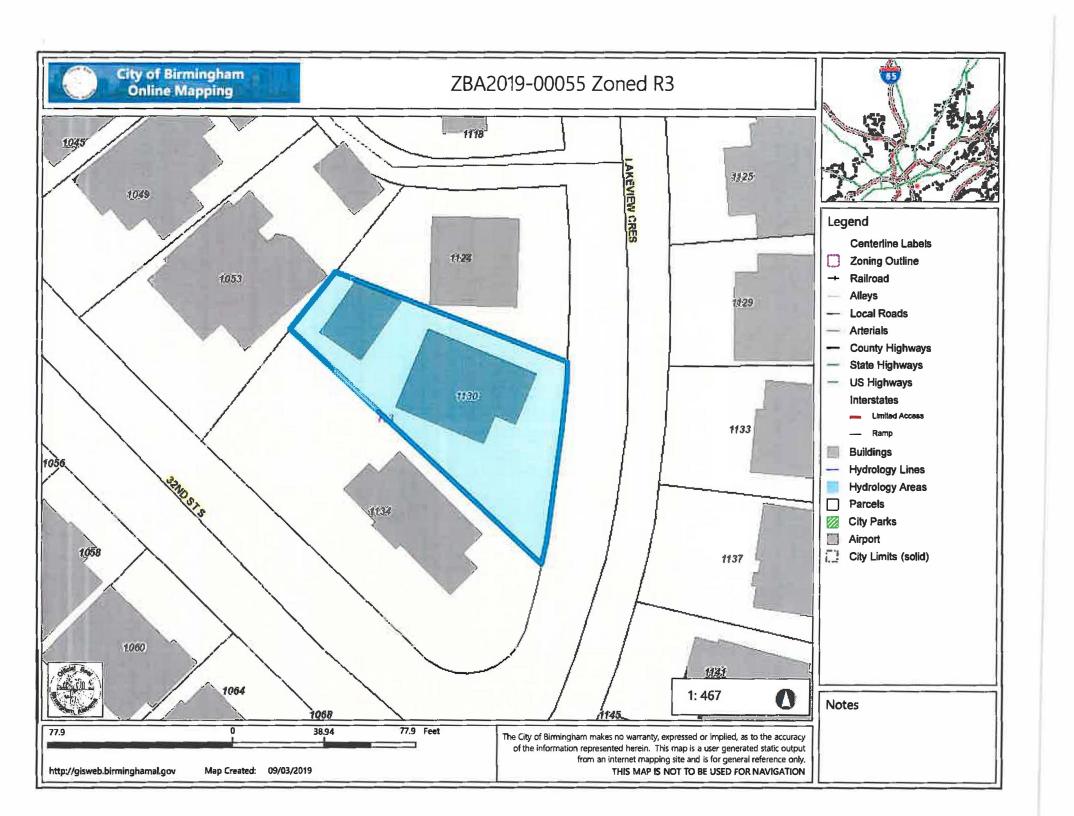
Applicant's Justification

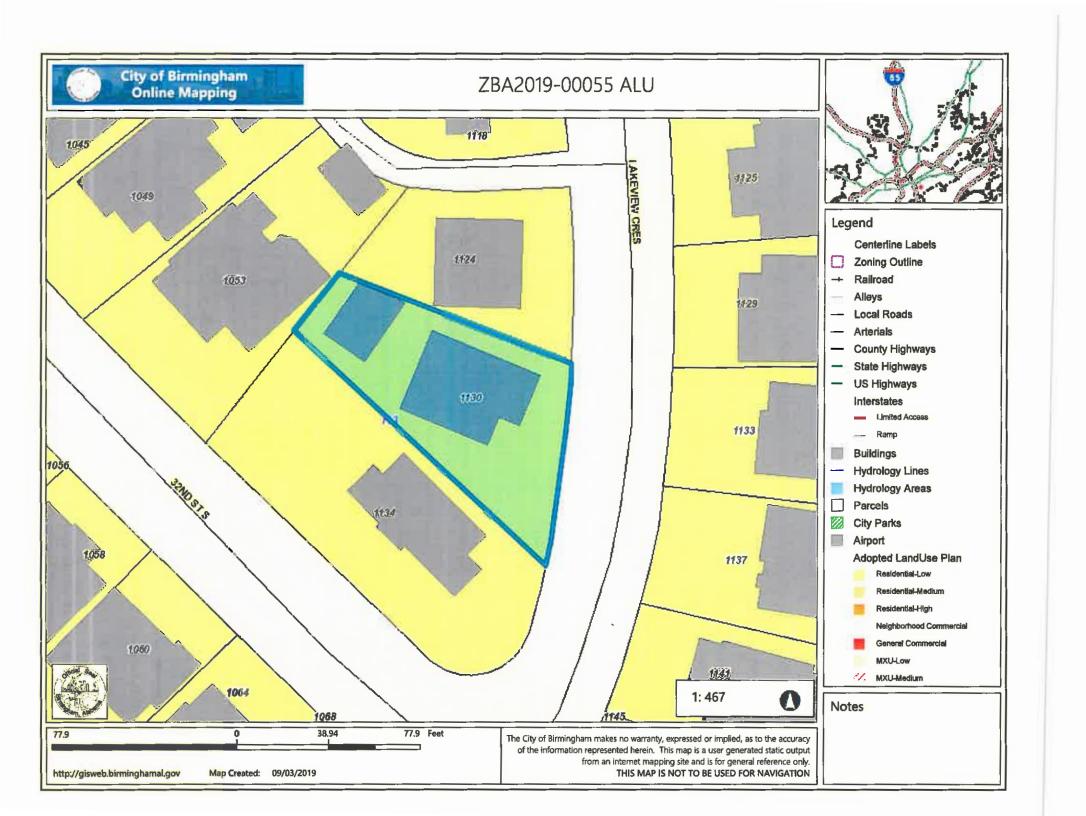
The applicant stated that the existing garage was constructed in 1920. The garage is in disrepair and needs to be replaced. The new carport/pergola structure will replace the existing dilapidated garage but can only be accessible by the driveway if constructed within the same distance to the property line (approximately .8").

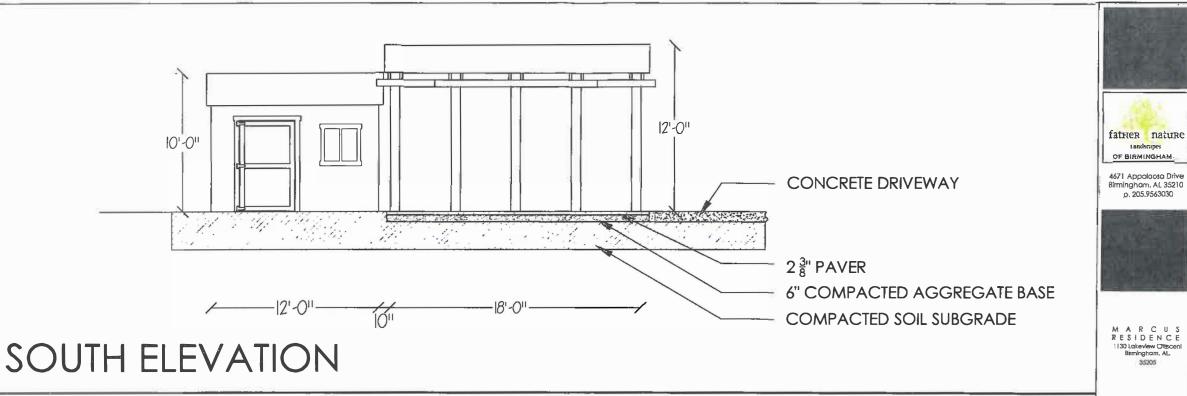
Staff Recommendation

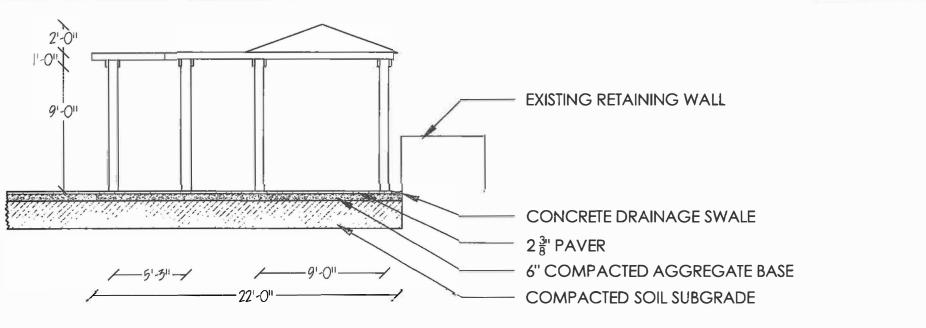
Staff believes that the applicant has provided sufficient evidence to support this request. The shape of this lot is unique and the proposed structure will replace a structure that has been in the same location as the proposed garage since 1920. Therefore, staff believes this request does have merit 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.









EAST ELEVATION

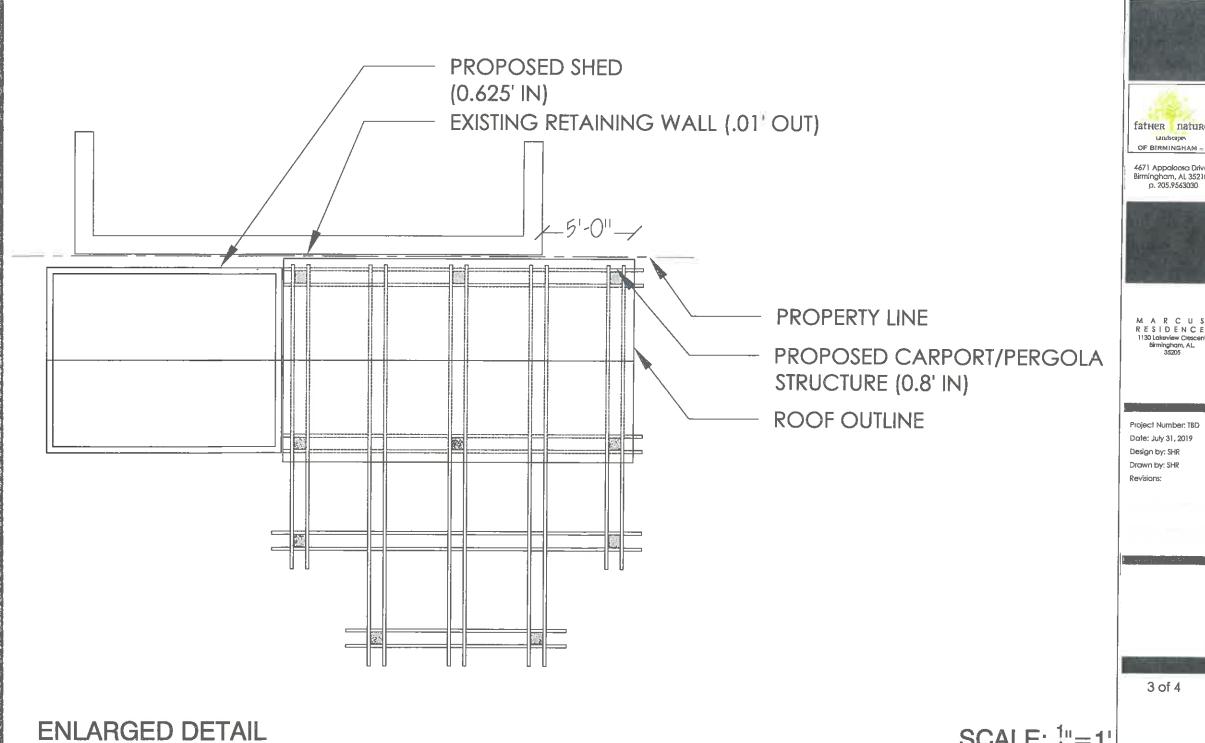
SCALE: 3 = 1

OF BIRMINGHAM

1130 Lakeview O'escent Birmingham, AL

Project Number: TBD Date: July 31, 2019 Design by: SHR Drawn by: SHR Revisions:

2 of 4







4671 Appaloosa Drive Birmingham, AL 35210 p. 205.9563030

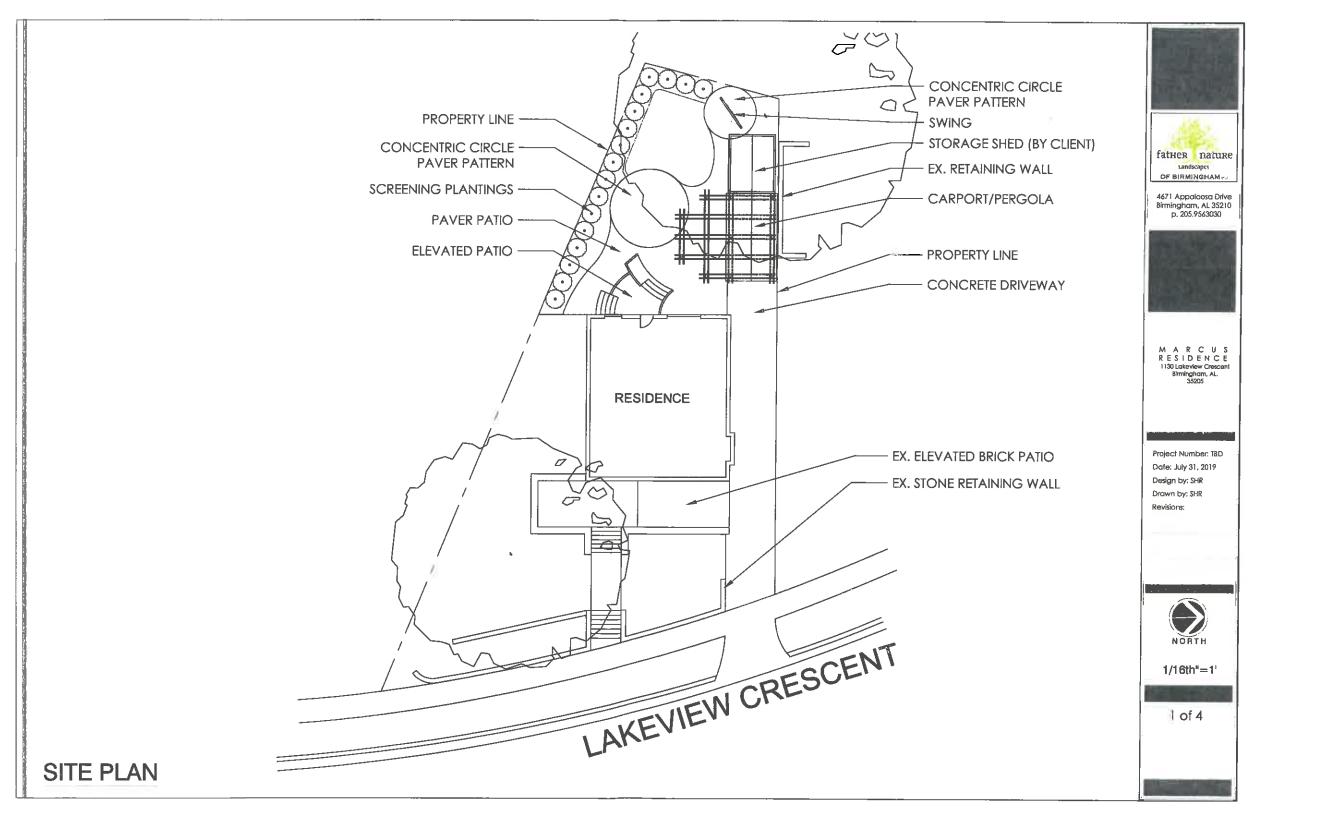


M A R C U S RESIDENCE 1130 Lakeview Crescent Birmingham, AL 35205

Project Number: TBD Date: July 31, 2019 Design by: SHR Drawn by: \$HR Revisions:

3 of 4

SCALE: ¹₄ = 1'





VIEW LOOKING WEST FROM LAKEVIEW CRESCENT



VIEW LOOKING WEST FROM DRIVEWAY. NOTE NEIGHBOR'S FENCE BLOCKS VIEW OF GARAGE.



CLOSE-UP VIEW OF EXISTING GARAGE'S PROXIMITY TO EXISTING RETAINING WALL.





4677 Appaloosa Drive Birmingham, AL 35210 p. 205,9563030



M A R C U S R E S I D E N C E 1130 Lakeview Crescent Birmingham, AL, 35205

Project Number: T8D Date: July 31, 2019 Design by: SHR Drawn by: SHR Revisions:

4 of 4

EXISTING CONDITIONS

PHOTOS

EXPLANATION OF HARDSHIP/PRACTICAL DIFFICULTY

The property located at 1130 Lakeview Crescent in Birmingham is an elongated trapezoid measuring only 30' in width on the west property line. An existing garage (constructed c. 1920) located in the northwest corner of the property, and inside the 5' building setback, is in disrepair and needs replacing. A new carport/pergola structure will replace the existing, dilapidated garage, but can only be accessible by the driveway if constructed within the same distance of the property line, inside the 5' setback.

Additionally, the neighboring property to the north sits at a higher elevation and includes an 8' wooden fence that is adjacent to the existing garage. Therefore, the newly-constructed carport/pergola structure will not be visible from the neighboring property and will not impair an adequate supply of light and air.

Zoning Board of Adjustment September 12, 2019 Page 4

Ensley ZBA2019-00058

Request: Special Exception
Applicant: Patrick Sanders
Owner: Ollie Rutledge
Site Address: 3500 Avenue F

Zip Code: 35218

Description: Special exception to allow off-site parking for a place of worship Title 1,

Chapter 4, Article III, Section 4.E.3

Property Zoned: R3 Single Family District

Parcel Information: Parcel #013000014021009000, SE ¼ of Section 01, Township 18 S,

Range 4 W

Special Exception

The applicant is requesting a special exception to allow off-site parking for the Bible Way House of Prayer located at 3500 Avenue F. The church currently has 11 spaces on site. The proposed off-site lot will have 29 spaces.

Neighborhood

The Ensley Neighborhood Association met on August 15th and voted 11-0 in support of the request.

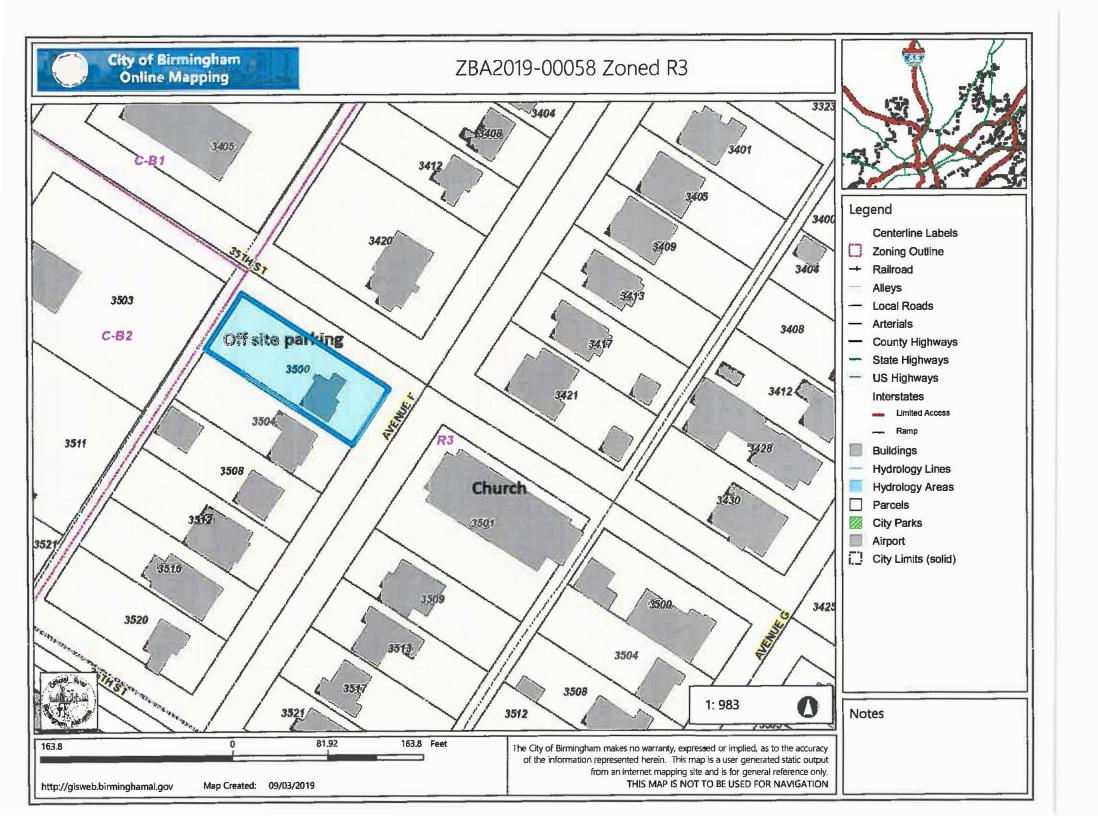
Applicant's Justification

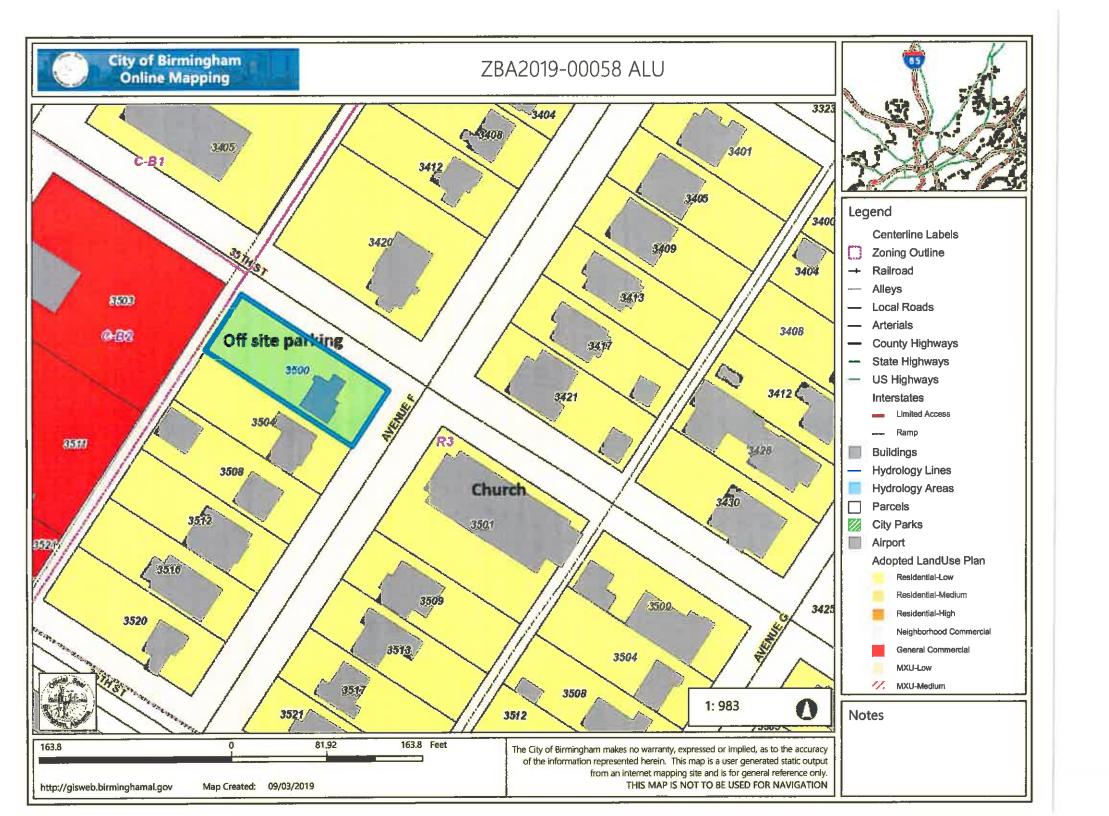
The applicant stated that the church needs the additional parking and is limited by the amount of parking they currently have on-site. The church seats 240 people with space to hold an additional 80 people in the balcony.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support this request. The parking lot would ease on street parking and the total amount of parking provided for the church would meet the city's requirements. Therefore, staff believes this request does have merit for approval and as such, should be **GRANTED** subject to the following conditions:

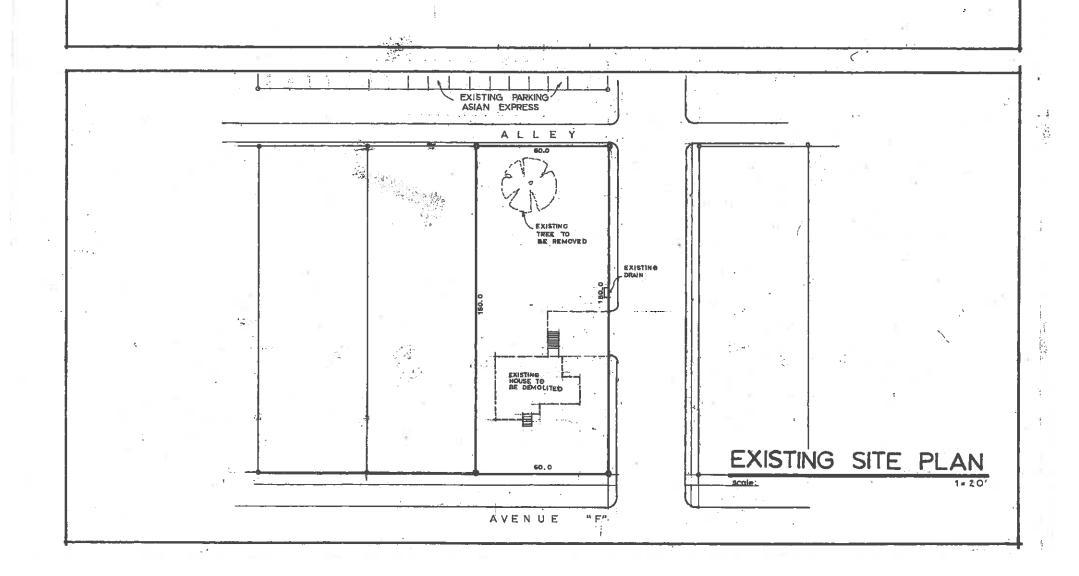
- 1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
- 2. Applicant must obtain all permits associated with the approval of this request within two years from the date of approval.
- 3. Approval based on site plan as submitted.

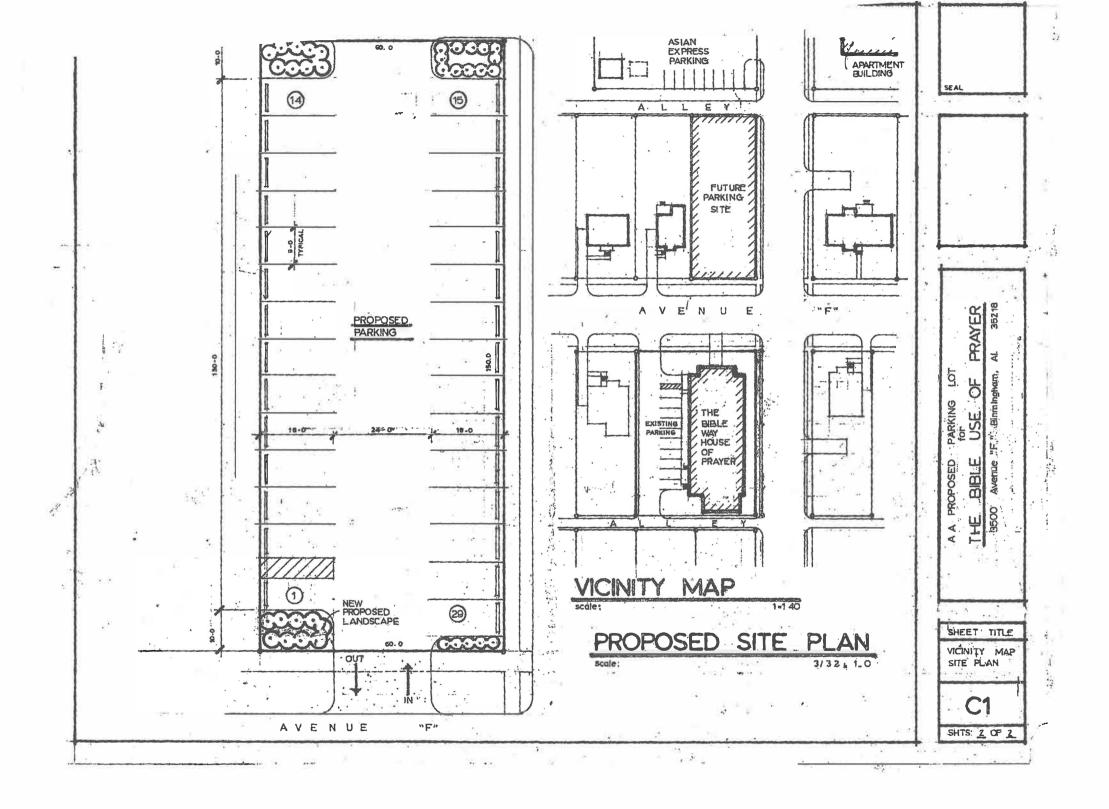




A PROPOSED PARKING LOT for THE BIBLE HOUSE OF PRAYER

3500 Avenue "F" Birmingham, Alabama 35218





The Bibleway House of France 8/8/19 Do bohalf of The Bible way House of Prayer Inc. Weated at 3501 Ave F Ensley, Al 35212 we would like to request additional parting
due to the limited parting we
currently have.

Our sanctuary seats Two Hundred
Forty people, and our balcony can
seat up to Eighty People. We
currendly have Il spaces. Zoning Board of Adjustment September 12, 2019 Page 5

North Pratt ZBA2019-00059

Request:

Variance

Applicant: Owner:

David Brandt

Site Address:

City of Birmingham 709 Dugan Ave

Zip Code:

35214

Description:

Variance to allow a public building (park) to have 4 signs instead of one

bulletin board or sign pursuant to Title 2, Chapter 1, Article I, Section 1, Subsection 2.10; Variance to allow 270 SF of signage instead of the maximum 27 SF allow pursuant to Title 2, Chapter 1, Article I, Section 1, Subsection 2.10; Variance to allow a sign to be animated or illuminated with intermittent light (80 SF) pursuant to Title 2, Chapter 1, Article I,

Section 1, Subsection 2.10

Property Zoned:

R4 Two Family District and Semi-Attached Dwelling District

Parcel Information:

Parcel #01220203015001000, SW 1/4 of Section 20, Township 17 S, Range

3 W

Variances

The applicant is requesting variances for the number of signs, total square footage of signs and a variance to allow a digital sign to be animated and illuminated with intermittent light for the One Pratt Park project for the City of Birmingham. There will be two 30 SF signs that say "onePratt" routed on either side of the community building. There will be a 130 SF metal sign that wraps around the tower feature. The final proposed sign will be an 80 SF digital board located at the tower feature at ground level.

Neighborhood

The North Pratt Neighborhood Association has yet to respond to staff.

Applicant's Justification

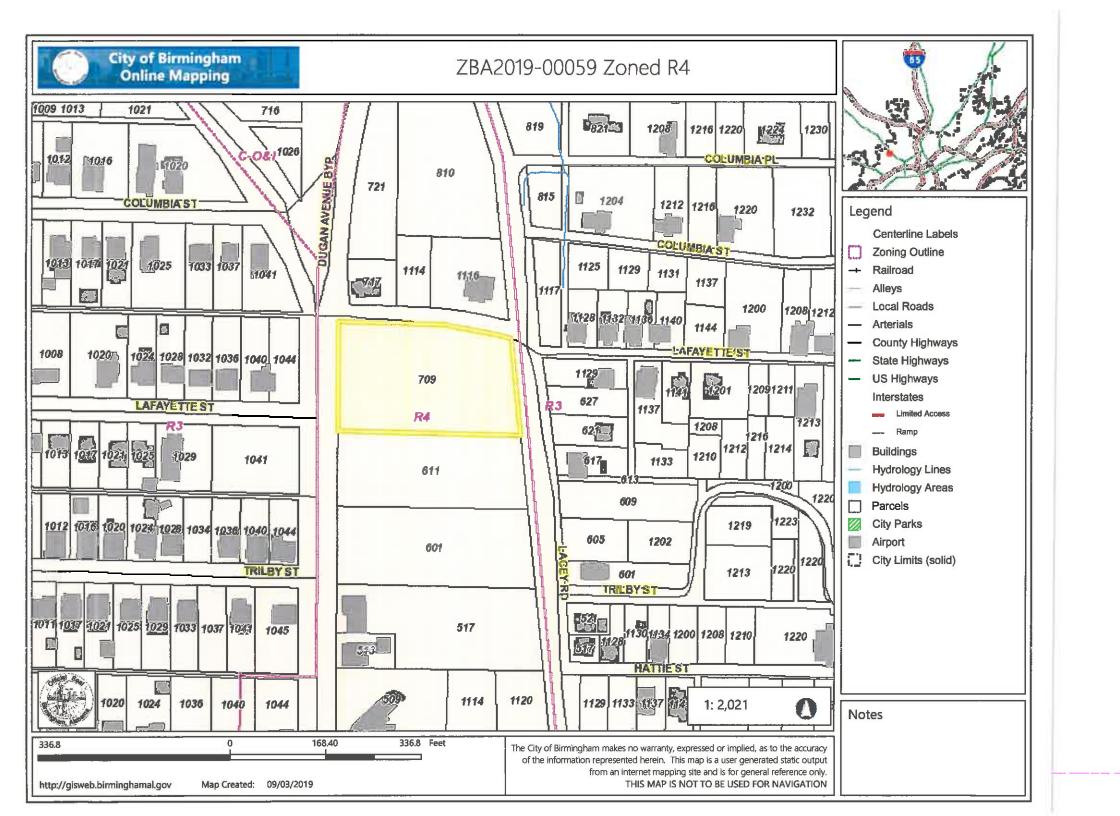
The applicant stated that the proposed 80 SF digital display board is not intended for off-premise viewing. The intent of this display is for displaying narrative information and images regarding the history/construction of the park that would require standing directly in front of it in order to be properly read/deciphered.

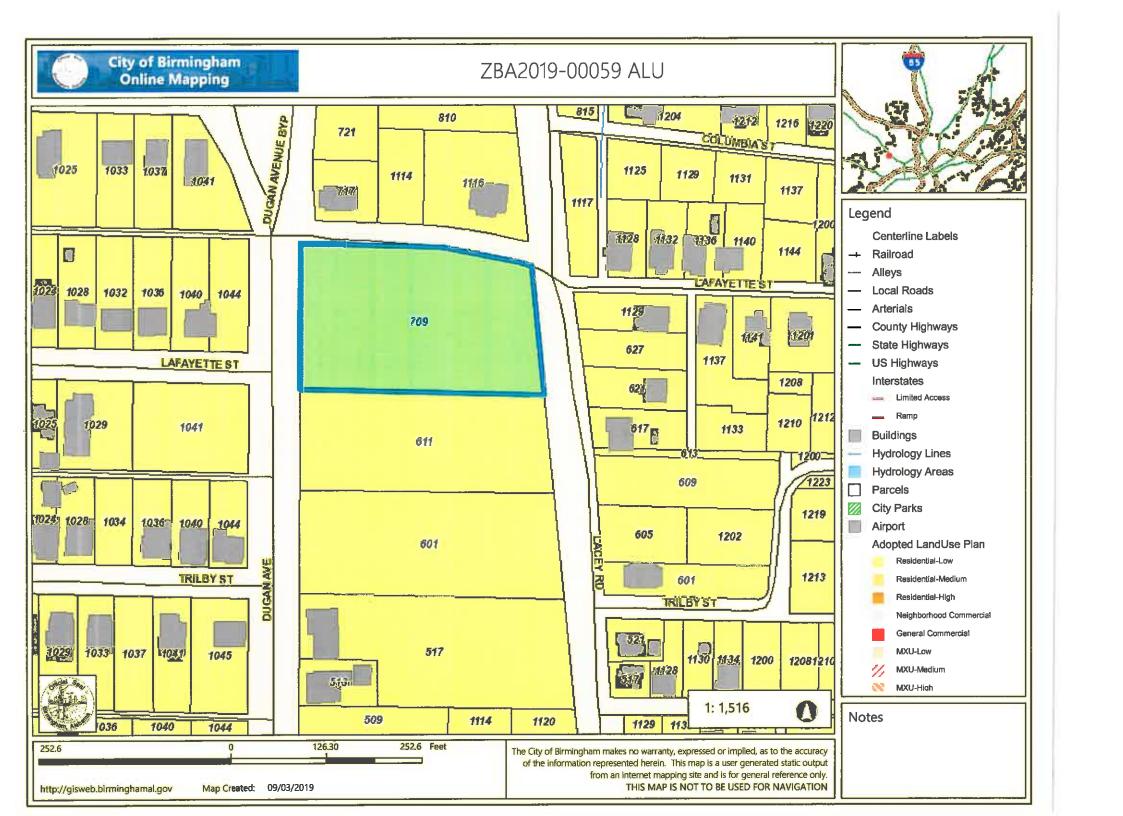
With regard to the other signage, the applicant stated that this park falls into the "unique characteristics" criteria. This park and community center are designed to catalyze redevelopment of one of the hardest hit neighborhoods by the April 2011 tornadoes. The park is in the geographic center of the community, and is meant to be a marker for its rejuvenation.

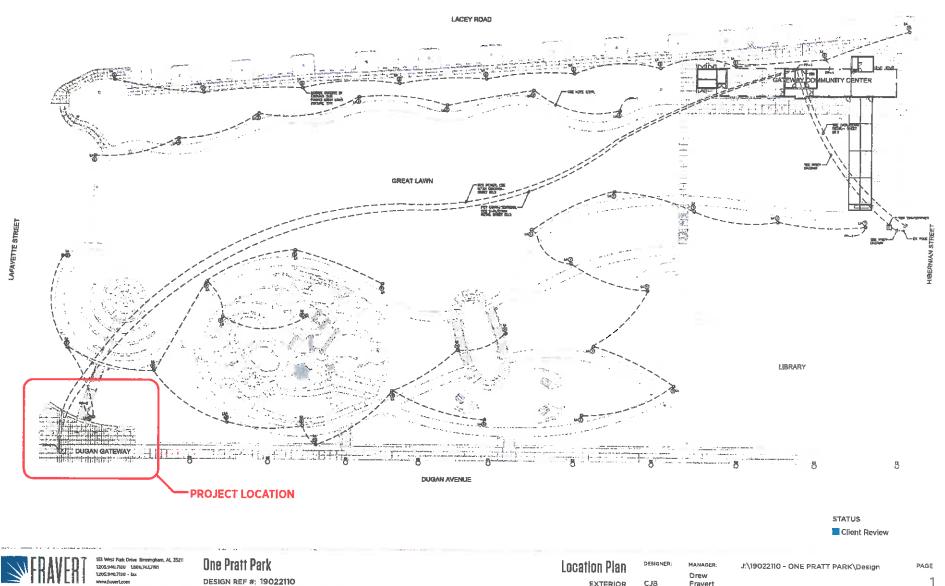
Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support these requests. 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.









LANGE THE SE SE THE SECOND SEC

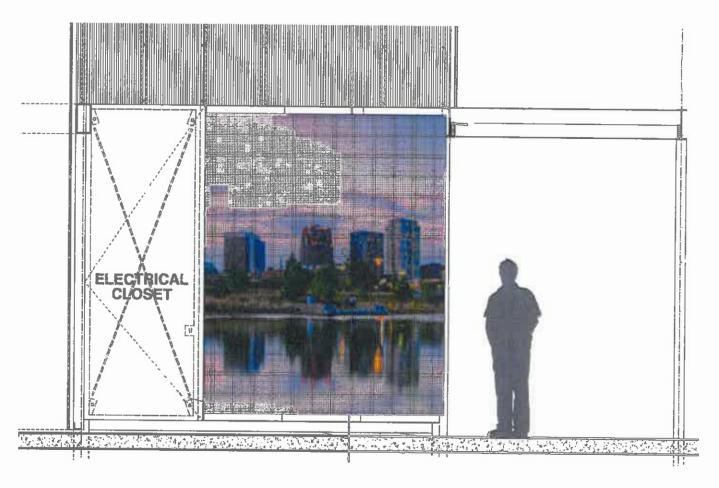


One Pratt Park DESIGN REF #: 19022110 Context Photo EXTERIOR

Drew Fravert

J:\19022110 - ONE PRATT PARK\Design

PAGE:



1 ELEVATION SCALE: 1/2" = T

STATUS

Client Review

183 West Park Drive Blimingham, AL, 30271 1206,540,7180 1,800,243,7181 1205,540,7180 - fax www.limint.com

One Pratt Park

Typical Elevation

EXTERIOR CJB

MANAGER: J:\19022110 - ONE PRATT PARK\Design
Drew
Fravert

PAGE.

3

OVERVIEW

MATERIALS / FINISHES

Watchfire LED Panel -RGB

-RGB -16mm pixel pitch -180x144 pixels -10,000 NITs Max. Day -750 NITs Max. Night -Approx, Weight: 987 lbs

INSTALLATION

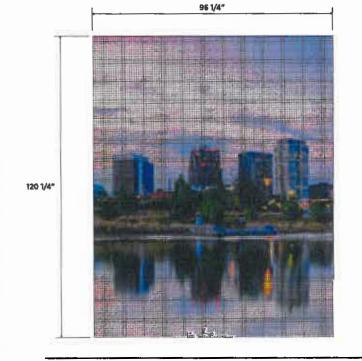
ELECTRICAL

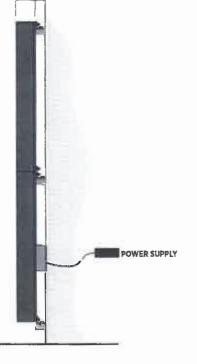
Total Electrical Draw -23 Amps at 120V

Electrical Requirement -(2) 20 Amp circuits at 120V

STATUS

Client Review







7 7/87 47

F33 West Park Drave Birminghem, Al, 35211 1205,940,780 1,800,745,7191 1205.940.7(90 - fax

One Pratt Park

DESIGN REF #: 19022170

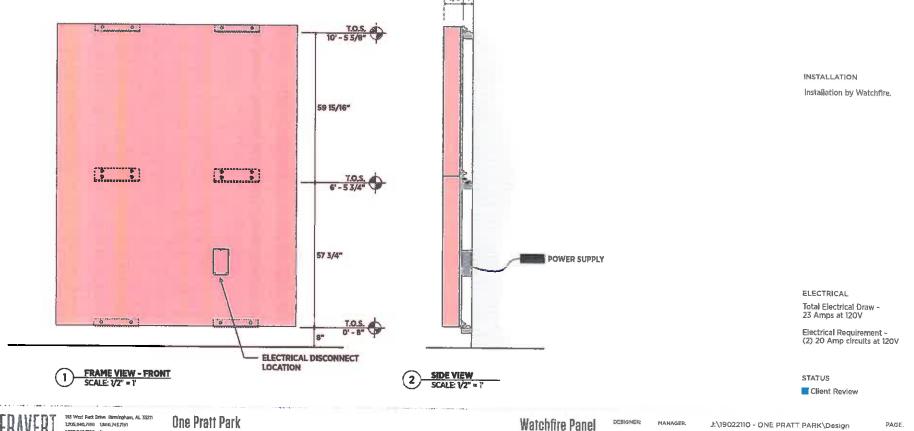
Watchfire Panel EXTERIOR CJB

Fravert

J:\19022110 - ONE PRATT PARK\Design

PAGE:

Example Street S



DESIGN REF #: 19022110

Watchfire Panel EXTERIOR

Drew Fravert

5 Extragrical 2001 Tase it force to the parts above t



MATÉRIALS / FINISHES

M2 2x4 Steel Tubing

INSTALLATION Installation by Watchfire,

ELECTRICAL

Total Electrical Draw -23 Amps at 120V

Electrical Requirement -(2) 20 Amp circuits at 120V

STATUS

Client Review



153 West Park Drive Bitrolingham, AL 35211 1205;940,7180 1,800,743,7191 1,205;940,7190 - fax 1 Couppin 200 Ferror Struct But Towns to State of Management (Alpha, the Number of Management Alpha, the Number of Management

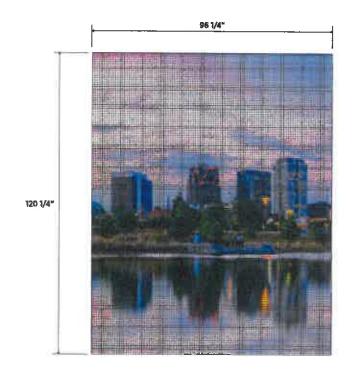
One Pratt Park DESIGN REF #: 19022110

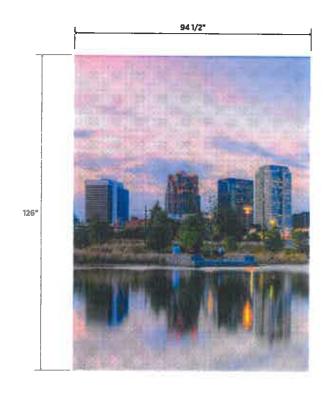
Watchfire Panel EXTERIOR CJB

Drew Fravert J:\19022110 - ONE PRATT PARK\Design

PAGE.

6





PIXELFLEX 6,67mm SCALE: 1/2" = 1"



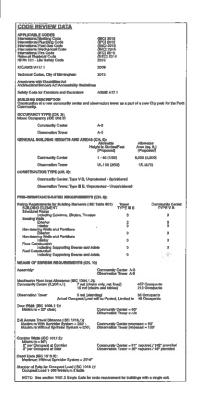
One Pratt Park DESIGN REF #: 19022110

Image Quality Comparison Designer: MANAGER: EXTERIOR CJB

Drew Fravert J:\19022110 - ONE PRATT PARK\Design

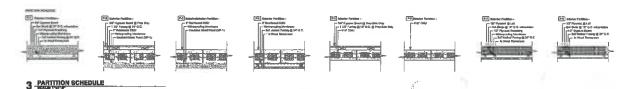
PAGE:

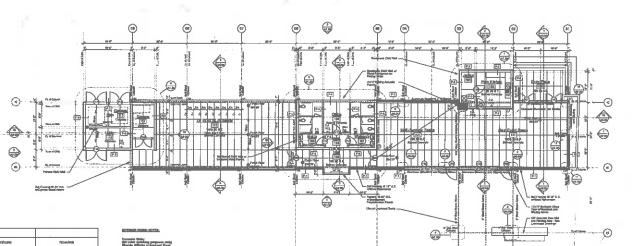




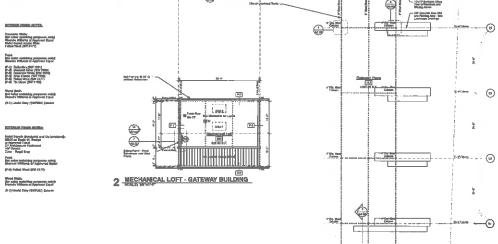


4 LIFE SAFETY PLAN - GATEWAY BUILDING





100 Solig Tilan	
100 Solicy Plana Derend Converte Store Deve Plane Deve D	
On Sim Count Stock Sim Count Printed Day Stock On Day Printed Stock On Day On Day Printed Stock On Day On Day Printed Stock On Day On Da	BANANCE
The Principle of Children Control Cont	ring An Multicoloni
10	(F II)
1-1 Machiner Speed Service Consense Profess Feed Speed Spe	neverted by fermion
100 Had Sterred Corpuser Patient had gaing 10 to 100 to 10	
100 Vesticiary Blanks Consulate Stoke Plumbs Citif (P-3) Femous Gigt. So. (R-4)	(P-0)
	(Fee
to the first the	
IN PROPERTY AND ADDRESS OF THE PROPERTY OF THE	
106 Ottos States Console Hone Parked Cat. (Pd) Parked Gyz. Md (P49)	
109 Marin Raziorem Sterred Construit Hone Period Cital (P-4) Peinted Digs. 764, (P-9)	
110 Cyon for Earth Sternal Cyconyle Manua (P-S) State	(PSI
111 Strange Blanced Cormolin More Printed CREA (P. R) Print Expensed Decking (P-2)	
112 Liddy Blancel Connects None Printed CREA (PAS) Frield Exposed Securing (P-4)	
177 Ondings Blained Conserts Most Plained CREJ (P46 Path Baycood Decking (F4)	
Executive Parties Parties Parties Decision (Sons Parties Proper Standing Copied Southern Expellent Workley	(Peg



1 FLOOR PLAN - GATEWAY BUILDING

TOM LEADER STUDIO

ONE PRATT PARK DEVELOPMENT PLAN Brokephan, AL

GAy of Bitmingham Organizated of Community 18th Rison - City Hold I'm Radio 20th Shoot Berninghays, Al., 1600th Tale 20th 20th 20th

CONTRACTANTE VANDAGAME ARCHITECT

ARCHITECT

DESCH ONDATIVE SHE SET ANDRES SOUTH, GUTTE TO BERMINGHAM, ALADAMA YERS WE 100-TH-SET!

EFECTAICHT/10H10H0

CIAL SECTION OTHERS CHE SOLUTIONS
2218 240 AMENUE NORTH
SOURCEMAN, NUMBER 15257
THE 295 298-7298

STRUCTURAL EXPLANATION

BIGGES ENON-EFFENNE CONSTRUCTION BIG 200 Michig fella Bulendesa Prunc BUTTE 278 BIGGESTANCE ALABAMA 2012 Tre, 205 Mys. 4079

Mark Dala leasance



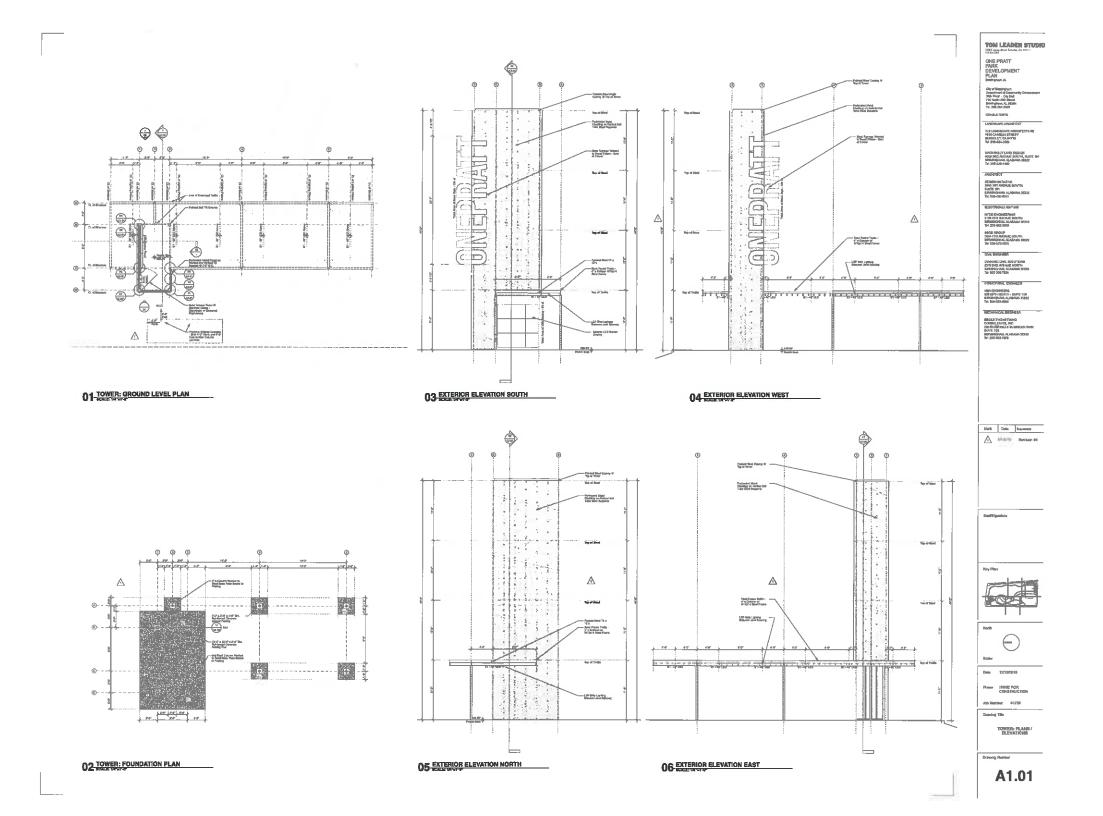


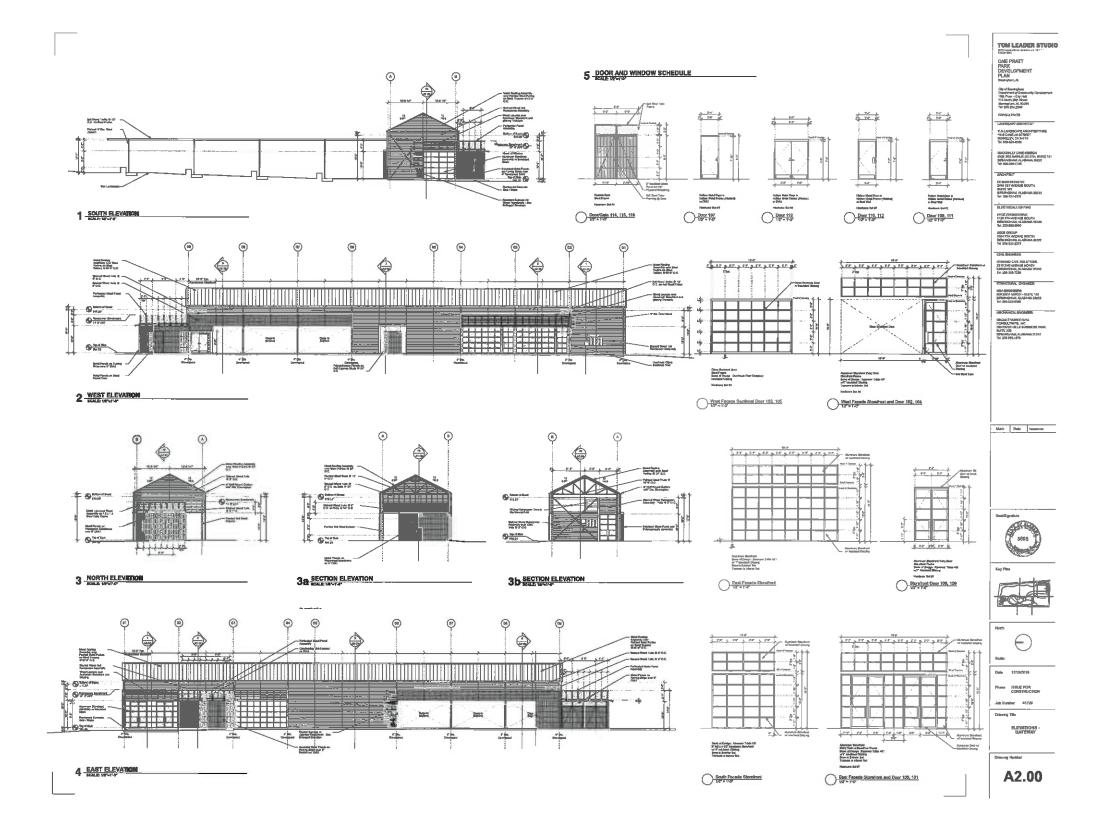
 Θ

Date 12/15/2016 Phone ISSUE FOR CONSTRUCTION

FLOOR PLANS -GATEWAY Drawing Number

A1.00





Variance Request for Exterior Sign at One Pratt Park (709 Dugan Ave)

Hardship:

The proposed 96 ¼" wide x 120 ¼" tall digital display board is not intended for off-premise viewing. Evidence for this is the fact that this display only occurs on one side of the Tower Structure to which it is attached. If the intent was for it to be used for off-premise/vehicular viewing, there would have been units mounted to both sides of the Tower Structure so that it would be viewed by drivers travelling either direction on Dugan Ave. The intent of this display is for displaying narrative information and images regarding the history/construction of the park, that would require standing directly in front of it in order to be properly read/deciphered.

Slaten, Tyler L

From:

Epstein, Kirk A.

Sent:

Thursday, September 05, 2019 8:31 AM

To:

Slaten, Tyler L

Cc:

Knox, Ken H.; Hatcher, Christopher

Subject:

RE: Signage Permits and Variance for One Pratt Park

Good morning Tyler,

I directly incorporated Marshall's comments into a justification statement for your review. Will this suffice?

"As an 8-acre park in the middle of Pratt, this variance request falls under the "Unique Characteristics" criteria of the Variance Standards of Review; additionally, there is no financial gain, there is no injury to neighboring property, and there is no harm to the public welfare. This park and community center are intentionally designed to catalyze redevelopment of one of our hardest hit neighborhoods, devastated most recently by the April 2011 tornadoes. The park is in the geographic center of the community, and is meant to be a marker for its rejuvenation. A symbol of pride. "One Pratt" is a name that the community came up with to describe their neighborhood (made up of Sandusky, Smithfield Estates, North-, Central-, South Pratt, and Thomas). On the community center, the name is routed into the cypress siding on both the street facades, facing both Hibernian Street and Lacey Road. Hibernian is a major connector into the community, and Lacey a prime candidate for new, multi-family housing, currently being considered by the City. More significantly (in scale but also importance), at the tower, "onePratt" is prominently displayed to landmark the park in the larger community. This is a metal sign, which will be silhouetted during the day and night, and meant as a beacon of pride. At this specific site, the tornado of 2011 made its most devastating impact, destroying several homes but also the library, which was and is a central piece of the neighborhood. The tower is meant to demonstrate the community's commitment to rebuilding as well as make the statement, "We are One Pratt!" The community and the City, as well as the Park Board, felt that this was critical. They also requested an education component be added to tell the history of Pratt, including but not limited to the tornados. The LED display is a system that provides the platform through which this story can be told, but also can be updated as the community grows."

Thank you, Kirk



Kirk A. Epstein, CRA, ACA, AGA

Real Estate Manager
Community Development

City of Birmingham

p: 205.254.2660

f: 205-254-2717

a: 710 20th Street North | Birmingham, AL 35203

w: www.birminghamal.gov e: kirk.epstein@birminghamal.gov







From: Marshall Anderson <marshall@design-initiative.net>

Sent: Wednesday, September 4, 2019 4:19 PM

To: Epstein, Kirk A. <Kirk.Epstein@birminghamal.gov>

Cc: Slaten, Tyler L <Tyler.Slaten@birminghamal.gov>; Lea Ann Macknally <lmacknally@macknally.net>; Knox, Ken H.