



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

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RANDALL L. WOODFIN
MAYOR

EDWIN REVELL
DIRECTOR

ZONING BOARD OF ADJUSTMENT MINUTES WebEx/Teleconference 2:00PM

July 9, 2020

MEMBERS PRESENT: Morris Newman, Chairman
Gary Nash
Robert Littleton
Henry Penick

OTHERS PRESENT: Calvin Abram, Zoning Administrator
Kasandra Brundidge, Zoning Supervisor
Angelica Moton, Planner

Chairman, Morris Newman, called the Zoning Board of Adjustment and Appeals meeting to order.

Case #: ZBA2020-00001

Request: Variance

Applicant: Nakesha Davis

Site Address: 2359 Carson Road

Owner: Anthony Serra

Description: Variance to allow playground equipment in the front yard area as stated in Title 1, Chapter 4, Article 4, Section 3. 16 page 141

Henry Penick made a motion to approve the request as submitted with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Must have approval by DHR of the proposed site for the playground.
3. Must obtain a fence permit.
4. Signage must be displayed to notify citizens of the playground.
5. Approved per the submitted site plans

Motion second Robert Littleton. All in favor. Motion passes.



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Case #: ZBA2020-00002

Request: Special Exception

Applicant: Anthony Grier SR

Site Address: 633, 621,625, 633 St Charles Ave SW

Owner: Covenant of Glory & Grace Worship

Description: Special exception to establish a place of worship in a Dwelling District as allowed in Title 1 Chapter 4 Article 2 Section 4. E page 127

Henry Penick made a motion to approve the request as submitted with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Completed and recorded covenant on the properties presented to PEP staff within 30 days of the approval date.
3. Applicant must obtain all permits and/or certificate of occupancy if applicable associated with the approval of this request within two years from the date of approval.
4. Minimum Site Size. Land area shall be provided at the rate of .005 acres for every seat in the sanctuary/assembly area. In areas considered by the board of zoning appeals to be predominately developed, and where assembling land to satisfy this site size standard is not practical, the Board may waive the minimum site size requirement, based on a determination that the proposed facility can be designed and operated in a manner which will not adversely impact abutting properties or the surrounding neighborhood.
5. Screening and buffering in the form of a landscape buffer yard shall separate all structures and parking areas from all abutting property zoned for dwellings pursuant to Buffering Standard B, Chapter 6 of this Ordinance.
6. The amount of off-site parking shall not exceed the actual needs of the place of worship as demonstrated by the parking plan.
7. There shall be no vacant property that is owned by the applicant adjacent to the place of worship on the same block face.
8. The off-site parking area shall abut a street upon which the lot of the place of worship abuts and at least a portion of the off-site parking area shall be opposite the zone lot containing the place of worship.
9. Vehicular access shall be restricted to a street upon which the lot of the place of worship abuts.
10. All off-site parking spaces shall be within 200 feet of the lot boundary of the place of worship.



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11. On any given block, off-site parking associated with a place of worship shall be limited to a contiguous area.
12. All lighting shall be shielded so that substantially all directly emitted light falls within the property. No illumination in excess of one-half foot candle shall be permitted across the boundary of any dwelling property or a public street or alley. The parking area shall only be illuminated when in use.
13. Where structures abut dwelling districts, there shall be a minimum setback of 25 feet.
14. A traffic impact study may be required that demonstrates adequate traffic controls are provided as determined by the Traffic Engineer for the City.

Motion second Gary Nash. All in favor. Motion passes.

Case #: ZBA2020-00003

Request: Special Exception

Applicant: Anthony Grier SR

Site Address: 626 and 632 Princeton Ave SW

Owner: Covenant of Glory & Grace Worship

Description: Special exception to establish remote parking for a place of worship as listed in Title 1 Chapter 5 Article 1 Section 8. A page 249

Henry Penick made a motion to approve the request as submitted with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Completed and recorded covenant on the properties presented to PEP staff within 30 days of the approval date.
3. Applicant must obtain all permits and/or certificate of occupancy if applicable associated with the approval of this request within two years from the date of approval.
4. Minimum Site Size. Land area shall be provided at the rate of .005 acres for every seat in the sanctuary/assembly area. In areas considered by the board of zoning appeals to be predominately developed, and where assembling land to satisfy this site size standard is not practical, the Board may waive the minimum site size requirement, based on a determination that the proposed facility can be designed and operated in a manner which will not adversely impact abutting properties or the surrounding neighborhood.



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5. Screening and buffering in the form of a landscape buffer yard shall separate all structures and parking areas from all abutting property zoned for dwellings pursuant to Buffering Standard B, Chapter 6 of this Ordinance.
6. The amount of off-site parking shall not exceed the actual needs of the place of worship as demonstrated by the parking plan.
7. There shall be no vacant property that is owned by the applicant adjacent to the place of worship on the same block face.
8. The off-site parking area shall abut a street upon which the lot of the place of worship abuts and at least a portion of the off-site parking area shall be opposite the zone lot containing the place of worship.
9. Vehicular access shall be restricted to a street upon which the lot of the place of worship abuts.
10. All off-site parking spaces shall be within 200 feet of the lot boundary of the place of worship.
11. On any given block, off-site parking associated with a place of worship shall be limited to a contiguous area.
12. All lighting shall be shielded so that substantially all directly emitted light falls within the property. No illumination in excess of one-half foot candle shall be permitted across the boundary of any dwelling property or a public street or alley. The parking area shall only be illuminated when in use.
13. Where structures abut dwelling districts, there shall be a minimum setback of 25 feet.
14. A traffic impact study may be required that demonstrates adequate traffic controls are provided as determined by the Traffic Engineer for the City.

Motion second Robert Littleton. All in favor. Motion passes.

Case #: ZBA2020-00018

Request: Variance

Applicant: Eric & Lacy Kamber

Site Address: 4230 6th Ave S

Owner: Eric & Lacy Kamber

Description: A variance to allow an expansion of a drive way to 12ft wide that will consist of parking in the front yard.

Henry Penick made a motion to continue the case.

Motion second Robert Littleton. All in favor. Motion passes.



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Case #: ZBA2020-00024

Request: Variance

Applicant: Francisco Navarrette Escobar

Site Address: 1517 57th St En

Owner: Francisco Navarrette Escobar

Description: Variance to allow a 5ft chain link fence in the required front yard area Title 1 Chapter 4 Subsection 3.A.1 page 182

Henry Penick made a motion to continue the case.
Motion second Gary Nash. All in favor. Motion passes.

Case #: ZBA2020-00025

Request: Special Exception

Applicant: Frederick Chatman

Site Address: 1780 John Rogers Dr

Owner: Berryhill Keffie

Description: A special exception to allow for an event center. Title 1, Chapter 4, Section 6.D page 131

Henry Penick made a motion to approve the request as submitted with the following conditions:

1. The hours of operation shall be limited to 7:00a.m.-12:00a.m.
2. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
3. All permits and certificate of occupancy should obtain within 30months due to the pandemic of approval from the Board.

Motion second Gary Nash. All in favor. Motion passes.



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Case #: ZBA2020-00026

Request: Parking Modification

Applicant: Jansen Voss

Site Address: 3004 4th Ave S

Owner: Cliff Sims

Description: Modification to allow 4 of the required off-street instead of the required 21 parking pursuant to Title 1, Chapter, 9, Article VI, Section 6.3 page 371

Gary Nash made a motion to approve the request as submitted with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Reviewed and approved by the Design Review Staff if required.

Motion second Henry Penick. All in favor. Motion passes.

Case #: ZBA2020-00027

Request: Variance

Applicant: Jim Mitchell

Site Address: 1350 Cherry Ave

Owner: Westchester Company, LLC

Description: Variance to allow a 15' front yard setback instead of the 25' required for lots 33A, 34A thru 57A pursuant to Article VIII Section 5.2

Henry Penick made a motion to approve the request as submitted with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. All permits and certificate of completion should be obtain within five years of the approval date from the Board.

Motion second Robert Littleton. All in favor. Motion passes.



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Case #: ZBA2020-00028

Request: Parking Modification

Applicant: Phil Amthor

Site Address: 1209 & 1227 1st Ave S

Owner: Jiwani Feroz & Farhad T

Description: Modification to allow 0 off street parking spaces instead of the required 67 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

Henry Penick made a motion to continue the case.

Motion second Robert Littleton. All in favor. Motion passes.

Case #: ZBA2020-00029

Request: Parking Modification

Applicant: Phil Amthor

Site Address: 1209 & 1227 1st Ave S

Owner: FNA NP LLC

Description: Modification to allow 0 off street parking spaces instead of the required 80 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

Henry Penick made a motion to continue the case.

Motion second Robert Littleton. All in favor. Motion passes

Angelica Moton
ZBA Planner
City of Birmingham