



# CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

**RANDALL L. WOODFIN**  
MAYOR

**EDWIN REVELL**  
DIRECTOR

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

**July 23, 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

Gary Nash made a motion to approve ZBA minutes from hearings held on June 25, 2020 and July 7, 2020. Motion second by Henry Penick. All in favor. Motion Passes.

Henry Penick made a motion that ZBA hearings held in the month of August adhere to the emergency protocol adopted by the Board. Motion second by Robert Littleton. All in favor. Motion Passes.

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

Case #: ZBA2020-00018

Request: Variance

Applicant: Eric & Lacy Kamber

Site Address: 4230 6<sup>th</sup> 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.

Robert Littleton made a motion to approve the request based upon the applicant meeting the six variance standards as submitted with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.



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2. All permits and certificate of completion should be obtain within one year of the approval date from the Board.

Motion second Robert Littleton. Morris Newman voted in favor of the motion and Gary Nash voted Nay. Motion passes.

Case #: ZBA2020-00024

Request: Variance

Applicant: Francisco Navarrette Escobar

Site Address: 1517 57<sup>th</sup> 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 because the applicant was not present. Motion second Robert Littleton. All in favor. Motion passes

Case #: ZBA2020-00028

Request: Parking Modification

Applicant: Phil Amthor

Site Address: 1209 & 1227 1<sup>st</sup> Ave S

Owner: FNA NP LLC

Description: Modification to allow 20 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 approve the request based upon evidence provided by the applicant, Department of Transportation and Planning supporting surplus parking in the area as submitted with the following conditions:

1. Resurvey lots 1209 & 1227 1<sup>st</sup> Ave S into one lot.
2. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
3. Filed and recorded parking agreement that reserves 62 parking spaces for the project within 30 days of the approval date.
4. All permits and certificate of completion and/or certificate of occupancy should obtain within two years of approval from the Board.

Motion second Robert Littleton. Gary Nash voted in favor of the motion. Morris Newman voted nay. Motion passes.



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Case #: ZBA2020-00029

Request: Parking Modification

Applicant: Phil Amthor

Site Address: 230 2<sup>nd</sup> Ave S

Owner: Jiwani Feroz & Farhad T

Description: Modification to allow 21 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 approve the request based upon evidence provided by the applicant, Department of Transportation and Planning supporting surplus parking in the area as submitted with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Filed and recorded parking agreement that reserves 62 parking spaces for the project within 30 days of the approval date.
3. All permits and certificate of completion and/or certificate of occupancy should obtain within two years of approval from the Board.

Motion second Robert Littleton. Gary Nash voted in favor of the motion. Morris Newman voted nay. Motion passes.

Case #: ZBA2020-00030

Request: Parking Modification

Applicant: Phil Amthor

Site Address: 113 2<sup>nd</sup> Ave S

Owner: Jiwani Feroz & Farhad T

Description: Modification to allow 21 off street parking spaces instead of the required 84 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

Henry Penick made a motion to approve the request based upon evidence provided by the applicant, Department of Transportation and Planning supporting surplus parking in the area as submitted with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.



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2. Filed and recorded parking agreement that reserves 62 parking spaces for the project within 30 days of the approval date.
3. All permits and certificate of completion and/or certificate of occupancy should obtain within two years of approval from the Board.

Motion second Robert Littleton. Gary Nash voted in favor of the motion. Morris Newman voted nay. Motion passes.

Case #: ZBA2020-00031

Request: Variance

Applicant: David Brandt

Site Address: 2612 Lane Park Road

Owner: Birmingham Botanical Gardens

Description: Variance to allow an additional monument sign at the Cahaba Rd/ Lane park intersection pursuant to Title 2, Chapter 1, Article I, Section 7, Subsection 2.10

Henry Penick made a motion to continue the case to give the applicant an opportunity to update the sign with arrows. Motion second Robert Littleton. All in favor. Motion passes

Case #: ZBA2020-00032

Request: Variance

Applicant: Barlon Maddox

Site Address: 1817 Rayfield-Windham Place

Owner: Rufus Belser

Description: Variance to allow a 12.3 rear yard setback instead of the required 25ft yard setback to pursuant to Article VIII Section 5.2

Henry Penick made a motion to continue the case to give the applicant an opportunity to update the site plan to make the house encroach less into the rear yard setback. Motion second Robert Littleton. All in favor. Motion passes

Case #: ZBA2020-00033

Request: Variance

Applicant: Brian Sanders

Site Address: 2512B Avenue K

Owner: Brian Sanders



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Description: Variance to allow alterations to a legal nonconforming structure Title 1, Chapter 9, Article VII, section 3.A.3. page 374

Robert Littleton made a motion to approve the request based upon the applicant meeting the six variance requirements 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 one year of the approval date from the Board.

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

Case #: ZBA2020-00034

Request: Parking Modification

Applicant: Kathleen Okrongley

Site Address: 1329 4<sup>th</sup> Ave S

Owner: Macaroni Lofts, LLC

Description: Modification to allow 14 off street parking spaces instead of the required 65 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

Henry Penick made a motion to approve the request based upon evidence provided by the applicant, Department of Transportation and Planning supporting surplus parking in the area 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 one year of the approval date from the Board.

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

Angelica Moton  
ZBA Planner  
City of Birmingham