



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**

September 10, 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

Henry Penick made a motion to approve ZBA minutes from hearings held on August 13, 2020 and August 31, 2020. 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 #: ZBA2020-00024

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

Robert Littleton made a motion to continue the case due to lack of a quorum. Motion second Gary Nash. All in favor. Motion passes



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

EDWIN REVELL
DIRECTOR

Case #: ZBA2020-00038

Request: Variance

Applicant: John A. Trott

Site Address: 629 Haygood St

Owner: John A. Trott

Description: Variance to encroach 14ft into the established front yard setback Title 1, Chapter 3, Article I, Section 2.D.2.

Gary Nash made a motion to approve the request based upon the applicant meeting the six variance standards, support from the adjacent property owners and will not be closer than any other property 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.
3. Approved as plans submitted.

Motion second Henry Penick. All in favor. Motion passes

Case #: ZBA2020-00039

Request: Special Exception

Applicant: Eric Walker

Site Address: 4941 Court R

Owner: Eric Walker

Description: Special Exception to allow resumption of a legal nonconforming daycare pursuant to Title 1, Chapter 9, Article V, Section 4.A

Gary Nash 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.
2. Parking spaces must be striped, apply landscaping requirements from the ordinance if applicable and meet all sign ordinances.

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



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

EDWIN REVELL
DIRECTOR

Case #: ZBA2020-00040

Request: Variance

Applicant: Nikki Huggins

Site Address: 2109 16th St N

Owner: TECO Inc.

Description: Variance to allow an electrified fence pursuant to Title 1, Chapter 4, Article IV, Subsection 7.D.5

Gary Nash made a motion to approve the request based upon the applicant meeting the six variance standards and considered safe due the voltage being only a shock as submitted with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Fence cannot be powered by an electrical current, only a 12-volt battery.
3. Must be approved by the City's Building Official before installation.
4. Applicant is required to meet the electrical flood protection height.
5. All permits including a fence permit should be obtain within one year of the approval date from the Board.

Motion second Henry Penick. Morris Newman voted AY and Robert Littleton voted Nay. Motion passes.

Case #: ZBA2020-00041

Request: Variance

Applicant: Rabihah Abdus-Salaam

Site Address: 2000 26th Ave N

Owner: Rabihah Abdus-Salaam

Description: Variance to allow a 6ft wooden fence in the front yard area Title 1 Chapter 4 Subsection 3.A.1 page 182

Gary Nash 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.
2. All permits should be obtain within one year of the approval date from the Board.
3. Fence is allowed only while the property is considered residential.



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

EDWIN REVELL
DIRECTOR

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

Case #: ZBA2020-00042

Request: Variance

Applicant: Juanita Graham

Site Address: 2500 35th Ave N

Owner: Juanita Graham

Description: Variance to allow a 90sqft sign instead of the 18sqft allowed pursuant Title 1, Chapter 4, Article V, Section 11, Subsection 7.1.a

Henry Penick made a motion to continue the case to allow the applicant additional time to present a more feasible sign. Motion second Robert Littleton. All in favor. Motion passes

Case #: ZBA2020-00043

Request: Modification

Applicant: Carrajal & Martin Holding CO LLC

Site Address: 1314 19th St N, Suite A

Owner: Millennium LLC

Description: Modification to allow 0 off-street parking instead of the 3 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 surplus parking. Motion second Robert Littleton. All in favor. Motion passes

Case #: ZBA2020-00044

Request: Variance

Applicant: Cultural and Educational Advancement Foundation

Site Address: 1025 4th Ave W

Owner: Cultural and Educational Advancement Foundation

Description: Variance to allow 19 off-street parking spaces in the required front yard pursuant to Title 1, Chapter 5, Article I, Section 7.A.6 Extension

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

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain a certificate of occupancy with the approval of this variance within 2 years from the date of approval.



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

EDWIN REVELL
DIRECTOR

Motion second Robert Littleton. All in favor. Motion passes

Case #: ZBA2020-00045

Request: Variance

Applicant: William Perkinson

Site Address: 4184 Highlands Cir

Owner: Henry & Miriam Cir

Description: Variance to allow a 10ft rear yard setback instead of the required 25ft setback pursuant to Article VI, Title 1, Chapter 9, Section 4 and a variance to allow a 25ft front yard setback instead of the required established setback of approximately 60ft, in order to build two new single family residences pursuant to Article VI, Title 1, Chapter 9, Section 4

Henry Penick made a motion to continue the case to allow the applicant additional time to review the documents that were presented. Motion second Gary Nash. All in favor.
Motion passes

Case #: ZBA2020-00046

Request: Special Exception

Applicant: Marshall Jowers

Site Address: 4025 Gray Ave

Owner: Marshall Jowers

Description: Special Exception to allow a manufactured home pursuant Title 1, Chapter 4, Article III Section 3.B and Variance to allow a 3-foot rise to a 12 foot run instead of the requires 4 foot rise to a 12 foot run Title 1, Chapter 4, Article III Section 3.B.11

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. Must resurvey the lots into one lot before submittal of permits.
3. Applicant must obtain a certificate of occupancy with the approval of this variance within 3 years from the date of approval.

Motion second Henry Penick. All in favor. Motion passes



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

EDWIN REVELL
DIRECTOR

Case #: ZBA2020-00047

Request: Variance

Applicant: James Stafford

Site Address: 1516 13th St S

Owner: Stering Home & Design

Description: Variance to allow an expansion of legal non-conforming structure remain pursuant to Title 1, Chapter 9, Article VII, Section 3.A.3

Robert Littleton made a motion to approve the request because it meets 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.
2. All permits and certificate of completion should be obtain within one year of the approval date from the Board.

Motion second Gary Nash. All in favor. Motion passes

Case #: ZBA2020-00048

Request: Variance

Applicant: Geoff Boyd

Site Address: 1222 14th Ave S

Owner: Board of Trustees of University of Alabama System

Description: Variance to allow a 6ft fence in the front yard area Title 1 Chapter 4 Subsection 3.A.1 page 182

Robert Littleton made a motion to continue the case due to lack of a quorum.

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

Case #: ZBA2020-00050

Request: Variance

Applicant: Marshall Anderson

Site Address: 220 59th Place S

Owner: Mashonda Taylor

Description: Variance to allow a 10ft front yard setback instead of the required 20ft setback Title 1, Chapter 3, Article I, Section 2.D.2.

Robert Littleton made a motion to continue the case due to lack of a quorum.

Motion second Gary Nash. All in favor. Motion passes



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

EDWIN REVELL
DIRECTOR

Case #: ZBA2020-00051

Request: Variance

Applicant: Marshall Anderson

Site Address: 299 59th Place S

Owner: Mashonda Taylor

Description: Variance to allow a 10ft front yard setback instead of the required 20ft setback

Title 1, Chapter 3, Article I, Section 2.D.2.

Robert Littleton made a motion to continue the case due to lack of a quorum.

Motion second Gary Nash. All in favor. Motion passes

Case #: ZBA2020-00052

Request: Variance

Applicant: Thomas Russell

Site Address: 4521 Maryland Ave

Owner: Thomas Russell

Description: Variance request to allow 6ft fence in the front yard area and variance to allow the finished side not facing adjacent property owner pursuant Title 1 Chapter 4 Subsection

3.A.1 page 182`.

Robert Littleton made a motion to continue the case due to lack of a quorum.

Motion second Gary Nash. All in favor. Motion passes

Angelica Moton
ZBA Planner
City of Birmingham