

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2019-00087 Overton

APPLICANT: Dimitar Stoyanov

OWNER: Bayer Development Company LLC

SUBJECT: A variance to allow the installation of a second building wall sign instead of one as allowed under Title I, Chapter 8, Article III Section 7.G.

PREMISES: Located at 255 Summit Boulevard; and situated on LOT 1J SUMMIT RESURVEY NO. 5 PB 244 PG 43, Parcel #012800224002002000, and lying in the SE ¼ of Section 22, Township 18 S, Range 2 W

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Dimitar Stoyanov, applicant, representing Bayer Development Company LLC, owner, for a variance to allow the installation of a second building wall sign instead of one as allowed under Title I, Chapter 8, Article III Section 7.G. at a property located at 255 Summit Boulevard; and situated on LOT 1J SUMMIT RESURVEY NO. 5 PB 244 PG 43, Parcel #012800224002002000, and lying in the SE ¼ of Section 22, Township 18 S, Range 2 W according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, January 9, 2020" according to the Zoning Board of Adjustment, Case No. ZBA2019-00087, be and the same hereby is **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. A Certificate of Occupancy (CO) or Certificate of Completion (CC) must be issued.

I, Tim Gambrel, Technical Advisor to the Zoning Board of Adjustment of the City of Birmingham, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Board of Adjustment of the City of Birmingham at its meeting on January 9, 2020, and as same appears of record in the Official Minutes of said Board. **GIVEN UNDER MY HAND AND OFFICIAL SEAL** of the Zoning Board of Adjustment of the City of Birmingham, on this day, January 13, 2020.



Tim Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2019-00090 North Avondale

APPLICANT: Brent McCoy

OWNER: Birmingham Water Works and Sewer Board

SUBJECT: Variance for wet floodproofing to improve a structure for storage of generator pump equipment and vehicles pursuant to Title I, Chapter 8, Article II, Section 5.A.86.

PREMISES: Located at 3501 Messer Airport Highway; and situated on THAT PT OF LOT 1 BIRMINGHAM WATER WORKS RESUR NO 2 PB 221 PG 96, Parcel # 012300301014003000, NE ¼ of Section 30, Township 17 S, Range 2 W

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Brent McCoy, applicant, representing Birmingham Water Works and Sewer Board, owner, for a Variance for wet floodproofing to improve a structure for storage of generator pump equipment and vehicles pursuant to Title I, Chapter 8, Article II, Section 5.A.86 for a property located at 3501 Messer Airport Highway; and situated on THAT PT OF LOT 1 BIRMINGHAM WATER WORKS RESUR NO 2 PB 221 PG 96, Parcel # 012300301014003000, NE ¼ of Section 30, Township 17 S, Range 2 W according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, January 9, 2020" according to the Zoning Board of Adjustment, Case No. ZBA2019-00090, be and the same hereby is **GRANTED** subject to the following conditions:

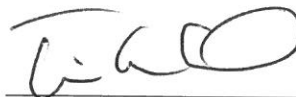
1. Submission to and approval of the Natural Hazards Administrator or designee of a completed application for development in a flood hazard area to supplement required permit application;
2. Submission to and approval of the Natural Hazards Administrator or designee of a company adopted flood emergency 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;
3. Submission to and approval of the Natural Hazards Administrator or designee of flood protection design plans for the equipment shed that detail the 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 598.4 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;
4. Where elevated buildings include fully enclosed areas formed by foundation and other exterior walls below the Flood Protection Elevation, such areas shall be designed to preclude finished living space below the Base Flood Elevation. The enclosure shall be restricted to an unfinished and flood-resistant enclosure and shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwaters. **{Total enclosed areas shall be**

limited to 299 square feet or less and to areas where the lowest floor is less than four feet high}.

5. Structure must be anchored to resist flotation, collapse and lateral movement.
6. Structure use must be limited to parking and/or limited storage.
7. Designs for complying with this requirement must be certified by a Registered Professional Engineer and meet the following minimum criteria:
 - a. Provide a minimum of two openings, on different sides of each enclosed area; if a structure has more than one enclosed area below the base flood elevation, each shall have openings on exterior walls;
 - b. The total net area of all openings shall be at least one square inch for each square foot of enclosed area, or the openings shall be designed and the construction documents shall include a statement that the design and installation will provide for equalization of hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwaters;
 - c. The bottom of all openings shall be no higher than one foot above interior grade (which must be equal to in elevation or higher than the exterior grade); Openings shall allow the passage of a three inch sphere.
 - d. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions and automatically equalize hydrostatic flood loads on exterior walls
8. The equipment shed interior building areas subject to flooding shall be left unfinished or made flood resistant through the use of flood resistant materials and utilities shall be ground fault protected; no other utilities shall be permitted;

A Certificate 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 Natural Hazards Administrator, or designee, for approval: **for the equipment shed, 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 Natural Hazards Administrator or designee review and approval; all as-built certifications shall be performed by licensed/registered professionals.

I, Tim Gambrel, Technical Advisor to the Zoning Board of Adjustment of the City of Birmingham, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Board of Adjustment of the City of Birmingham at its meeting on January 9, 2020, and as same appears of record in the Official Minutes of said Board. **GIVEN UNDER MY HAND AND OFFICIAL SEAL** of the Zoning Board of Adjustment of the City of Birmingham, on this day, January 13, 2020.



Tim Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2019-00092 Five Points South

APPLICANT: Brian Rosen

OWNER: University Park, LTD, Len Shannon and Aptitude Birmingham


SUBJECT: Special exception for the development of up to forty-five units of communal living within a multi-family development within one mile of a college campus pursuant to Title 1, Chapter 4, Article III, Section 3.C

PREMISES: Located at 1201, 1219, 1227 and 1231 3rd Avenue South; and situated on LOTS 1-10 BLK 245 BHAM SD CITY BY THE ELYTON LD CO SD LOT FRONTS 50 FT ON THE S LINE OF AVE C & RUNS BACK SLY, Parcel #: 012900012023003000, 012900012023004000, 012900012023002000 and 012900012023001000; NW ¼ of Section 01, Township 18S, Range 3 W

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Brian Rosen, applicant, representing University Park, LTD, Len Shannon and Aptitude Birmingham, owners, for a Special exception for the development of up to forty-five units of communal living within a multi-family development within one mile of a college campus pursuant to Title 1, Chapter 4, Article III, Section 3.C for a property located at 1201, 1219, 1227 and 1231 3rd Avenue South; and situated on LOTS 1-10 BLK 245 BHAM SD CITY BY THE ELYTON LD CO SD LOT FRONTS 50 FT ON THE S LINE OF AVE C & RUNS BACK SLY, Parcel #: 012900012023003000, 012900012023004000, 012900012023002000 and 012900012023001000; NW ¼ of Section 01, Township 18S, Range 3 W according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, January 9, 2020" according to the Zoning Board of Adjustment, Case No. ZBA2019-00092, be and the same hereby is **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 three years from the date of approval.
3. Approval of site plan by planning staff.
4. A Certificate of Occupancy (CO) or Certificate of Completion (CC) must be issued.

I, Tim Gambrel, Technical Advisor to the Zoning Board of Adjustment of the City of Birmingham, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Board of Adjustment of the City of Birmingham at its meeting on January 9, 2020, and as same appears of record in the Official Minutes of said Board. GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Zoning Board of Adjustment of the City of Birmingham, on this day, January 13, 2020..



Tim Gambrel
Chief Planner