

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2020-00001 Sun Valley

APPLICANT: Nakesha Davis

OWNER: Anthony Serra

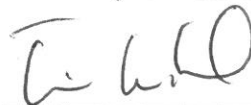
SUBJECT: Variance for the location of playground equipment in front yard area as stated in Title 1 Article 4 Section 3.B

PREMISES: Located at 2359 Carson Rd, Birmingham AL 35215; and situated LOT 3 QUEENSBURY CENTER 146/63; lying NW of Section 13, Township 16 S, Range 2 W Parcel #: 011300132005002000

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Nakesha Davis, Variance for the location of playground equipment in front yard area as stated in Title 1 Article 4 Section 3.B. for a property located at 2359 Carson Rd; and situated LOT 3 QUEENSBURY CENTER 146/63; lying NW of Section 13, Township 16 S, Range 2 W Parcel #: 011300132005002000 according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, July 9,2020" according to the Zoning Board of Adjustment, Case No. ZBA2020-00001, 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. 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

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 July 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, July 27, 2020.



Tim Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2020-00002 Arlington-Westend

APPLICANT: Anthony Grier SR

OWNER: Covenant of Glory & Grace Worship

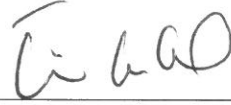
SUBJECT: Special exception to establish a place of worship in a dwelling district as allowed in Title 1 Chapter 4 Article 2 Section 3.H

PREMISES: Located at 633, 621, 625, 633 St Charles Ave SW, Birmingham AL 35211; and situated LOT 10 BLK 5 PRINCETON; lying NW of Section 3, Township 18 S, Range 3 W Parcel #: 012900032024007000

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Anthony Grier SR, Special exception to establish a place of worship in a dwelling district as allowed in Title 1 Chapter 4 Article 2 Section 3.H; and situated LOT 10 BLK 5 PRINCETON; lying NW of Section 3, Township 18 S, Range 3 W Parcel #: 012900032024007000 according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, July 9,2020" according to the Zoning Board of Adjustment, Case No. ZBA2020-00002, 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. 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.
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.

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 July 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, July 27, 2020.



Tim Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2020-00018 Forest Park

APPLICANT: Eric & Lacy Kamber

OWNER: Eric & Lacy Kamber

SUBJECT: Variance to allow parking in the front yard area Title 1, Chapter 5 Section 7.A.6 page 245

PREMISES: Located at 4230 6th Ave S, Birmingham AL 35222; and situated SE 1/2 OF SW 1/2 OF LOT 3 BLK 18 AVONDALE ALSO LOT B BLK 18 FORESTDALE; lying in the SE of Section 29, Township 17 S, Range 2 W Parcel # 012300294015010000

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Eric & Lacy Kamber, applicant, Variance to allow parking in the front yard area Title 1, Chapter 5 Section 7.A.6 page 245, for a property located at 4230 6th Ave S, Birmingham AL 35222; and situated SE 1/2 OF SW 1/2 OF LOT 3 BLK 18 AVONDALE ALSO LOT B BLK 18 FORESTDALE; lying in the SE of Section 29, Township 17 S, Range 2 W Parcel # 012300294015010000 according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, July 9, 2020" according to the Zoning Board of Adjustment, Case No. ZBA2020-00018, be and the same hereby is **CONTINUED**.

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 July 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, July 27, 2020.



Tim Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2020-00024 Green Acres
APPLICANT: Francisco Navarrete Escobar
OWNER: Francisco Navarrete Escobar
SUBJECT: Variance to allow a 5ft chain link fence in the required front yard area
Title 1 Chapter 4 Subsection 3.A.1 page 182
PREMISES: Located at 1517 57th St EN, Birmingham AL 35222; and situated LOT 3
BLK 1 PARK COURTS 2ND SECTOR; lying in the NE of Section 18,
Township 18 S, Range 3 W Parcel # 012900181007001000

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Francisco Navarrete Escobar, applicant, Variance to allow a 5ft chain link fence in the required front yard area Title 1 Chapter 4 Subsection 3.A.1 page 182, for a property located at 1517 57th St EN, Birmingham AL 35222; and situated LOT 3 BLK 1 PARK COURTS 2ND SECTOR; lying in the NE of Section 18, Township 18 S, Range 3 W Parcel # 012900181007001000 according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, July 9, 2020" according to the Zoning Board of Adjustment, Case No. ZBA2020-00024, be and the same hereby is **CONTINUED**.

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 July 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, July 27, 2020.



Tim Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2020-00025 Liberty Highlands
APPLICANT: Frederick Chatman
OWNER: Berryhill Keffie
SUBJECT: A special exception to allow for an event center. Title 1, Chapter 4,
Section 6.D page 131
PREMISES: Located at 1780 John Rogers Dr, Birmingham AL 35210; and situated NE
1/4 OF NW 1/4 SEC 17 TP 17 R 1W LYING NW OF BROWLEE HILLS
RD EXC PART DESC AS FOLS: BEG AT SW COR OF NE 1/4 OF NW
1/4 TH N 209.9 FT TH NELY 131.2 FT TH SELY 179.6 FT TH SW
188.4 FT TH W 94.7 FT TO POB ALSO EXC RD ROW; lying in the
NW of Section 17, Township 17 S, Range 1 W Parcel #
012400172002015000

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Frederick Chatman, applicant, A special exception to allow for an event center. Title 1, Chapter 4, Section 6.D page 131, for a property located at 1780 John Rogers Dr, Birmingham AL 35210; and situated NE 1/4 OF NW 1/4 SEC 17 TP 17 R 1W LYING NW OF BROWLEE HILLS RD EXC PART DESC AS FOLS: BEG AT SW COR OF NE 1/4 OF NW 1/4 TH N 209.9 FT TH NELY 131.2 FT TH SELY 179.6 FT TH SW 188.4 FT TH W 94.7 FT TO POB ALSO EXC RD ROW; lying in the NW of Section 17, Township 17 S, Range 1 W Parcel # 012400172002015000 according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, July 9, 2020" according to the Zoning Board of Adjustment, Case No. ZBA2020-00025, be and the same hereby is **GRANTED** subject to 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.

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 July 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, July 27, 2020.



Tim Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2020-00026 Southside
APPLICANT: Jansen Voss
OWNER: Wright Wheeler Compton Jr
SUBJECT: 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
PREMISES: Located at 3004 4th Ave S, Birmingham AL 35233; and situated LOT 13 BLK 447 BHAM ALSO E 1/2 OF LOT 11 BLK 447 BHAM; lying in the NW of Section 31, Township 17 S, Range 2 W Parcel # 012300312004004000

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Jansen Voss, applicant, A 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 located at 3004 4th Ave S, Birmingham AL 35233; and situated LOT 13 BLK 447 BHAM ALSO E 1/2 OF LOT 11 BLK 447 BHAM; lying in the NW of Section 31, Township 17 S, Range 2 W Parcel # 012300312004004000 according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, July 9, 2020" according to the Zoning Board of Adjustment, Case No. ZBA2020-00026, 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. Reviewed and approved by the Design Review Staff if required.

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 July 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, July 27, 2020.



Tim Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2020-00027 Smithfield Estates
APPLICANT: Jim Mitchell
OWNER: Westchester Company, LLC
SUBJECT: 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
PREMISES: Located at 1350 Cherry Ave, Birmingham AL 35214; and situated BEG NW COR S1/2 SW1/4 NE1/4 SEC 17 TP 17 R3W TH E 290 FT TH SELY 254.8 FT TH SE 125.8 FT TH SW 290.4 FT TH NW 150 FT TH N 375 FT TO POB; lying in the NE of Section 17, Township 17 S, Range 3 W Parcel # 012200171001001002

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Jim Mitchell, applicant, 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 located at 1350 Cherry Ave, Birmingham AL 35214; and situated BEG NW COR S1/2 SW1/4 NE1/4 SEC 17 TP 17 R3W TH E 290 FT TH SELY 254.8 FT TH SE 125.8 FT TH SW 290.4 FT TH NW 150 FT TH N 375 FT TO POB; lying in the NE of Section 17, Township 17 S, Range 3 W Parcel # 012200171001001002 according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, July 9, 2020" according to the Zoning Board of Adjustment, Case No. ZBA2020-00027, 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. All permits and certificate of occupancy should be obtain within five years of the approval date from the Board.

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 July 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, July 27, 2020.



Tim Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2020-00028 Five Points South

APPLICANT: Phil Amthor

OWNER: FNA NP LLC

SUBJECT: 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

PREMISES: Located at 1209 & 1227 1st Ave S, Birmingham AL 35233; and situated P O B 150 FT S W OF THE INTER OF S LY LINE OF 1ST AVE S & W LY LINE OF 13TH ST S TH W 100 S FT ALG 1ST AVE S TH S E 134 S FT TH N E 100 S FT TH N W 134 S FT TO P O B LYING IN SE1/4 OF SE1/4 S-35 T-17 R-3; lying in the NE of Section 17, Township 17 S, Range 3 W Parcel # 012200354016002000

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Phil Amthor, applicant, 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, for a property located at 1209 & 1227 1st Ave S, Birmingham AL 35233; and situated P O B 150 FT S W OF THE INTER OF S LY LINE OF 1ST AVE S & W LY LINE OF 13TH ST S TH W 100 S FT ALG 1ST AVE S TH S E 134 S FT TH N E 100 S FT TH N W 134 S FT TO P O B LYING IN SE1/4 OF SE1/4 S-35 T-17 R-3; lying in the NE of Section 17, Township 17 S, Range 3 W Parcel # 012200354016002000 according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, July 9, 2020" according to the Zoning Board of Adjustment, Case No. ZBA2020-00028, be and the same hereby is **CONTINUED**.

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 July 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, July 27, 2020.



Tim Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2020-00029 Five Points South

APPLICANT: Phil Amthor

OWNER: Jiwani Feroz & Farhad T

SUBJECT: 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

PREMISES: Located at 230 2nd Ave S, Birmingham AL 35233; and situated BEG AT PT 134 FT S E & 280 FT NE OF INTER OF 1ST AVE S & 12 TH ST S THENCE NE-120 FT SE-150 FT 132 S SW-120 FT NW- 150 132 S TO POB LYING IN SE1/4 OF SE1/4 S-35 T-17 R-3; lying in the SE of Section 35, Township 17 S, Range 3 W Parcel # 012200354017001000

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Phil Amthor, applicant, 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, for a property located at 230 2nd Ave S, Birmingham AL 35233; and situated BEG AT PT 134 FT S E & 280 FT NE OF INTER OF 1ST AVE S & 12 TH ST S THENCE NE-120 FT SE-150 FT 132 S SW-120 FT NW- 150 132 S TO POB LYING IN SE1/4 OF SE1/4 S-35 T-17 R-3; lying in the SE of Section 35, Township 17 S, Range 3 W Parcel # 012200354017001000 according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, July 9, 2020" according to the Zoning Board of Adjustment, Case No. ZBA2020-00029, be and the same hereby is **CONTINUED**.

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 July 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, July 27, 2020.



Tim Gambrel
Chief Planner