

Meeting – January 9, 2020
Location - City Council Chambers, Third Floor, City Hall
Time - 2:00PM
Pre-Meeting - 1:00PM
Department of Planning Engineering & Permits Conference Room, Fifth Floor

Tuxedo

ZBA2019-00070

Request: Variance
Applicant: Daryle Jones
Owner: M C S Properties, Inc.
Site Address: 1821 20th Street Ensley
Zip Code: 35218
Description: Variance to allow a 6 FT wooden privacy fence in the required front yard pursuant to Title 1, Chapter 4, Article 5, Section 5, Subsection 3.A.1.
Property Zoned: B2 General Business District
Parcel Information: Parcel #: 012200314043001000, SE1 of Section 31, Township 17 S, Range 3 W

Variance

The applicant is seeking a variance to allow a 6FT wooden privacy fence in the required front yard.

Neighborhood

The Tuxedo Neighborhood Association met on December 4th to consider the request and they voted to recommend approval of the request 8-0 because they support the project.

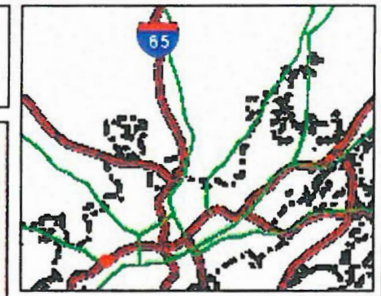
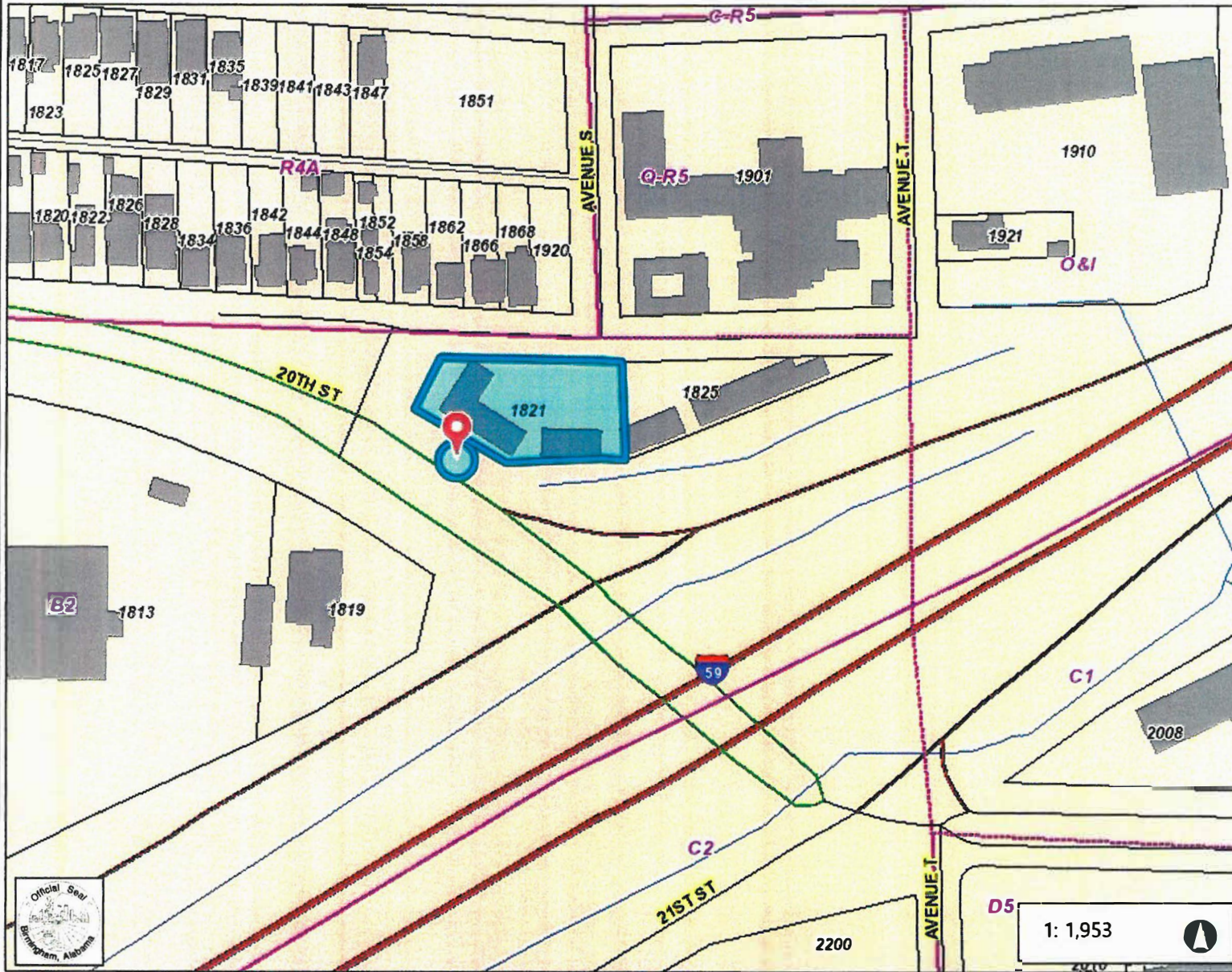
Applicant's Justification

The applicant states that the 6 FT wooden privacy fence would improve safety for the residents of the Veterans Palace facility

Staff Recommendation

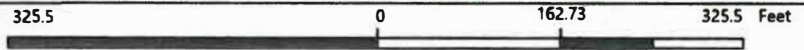
Staff believes that the applicant has provided sufficient evidence to support the variance request due to the lot having multiple front yards. Therefore, staff believes these requests have some merit for approval and as such, should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to ensure 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. Approval based on site plan as submitted.
4. The applicant must obtain a Right-Of-Way Use Agreement to install fencing that is within the City's right-of-way.



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)

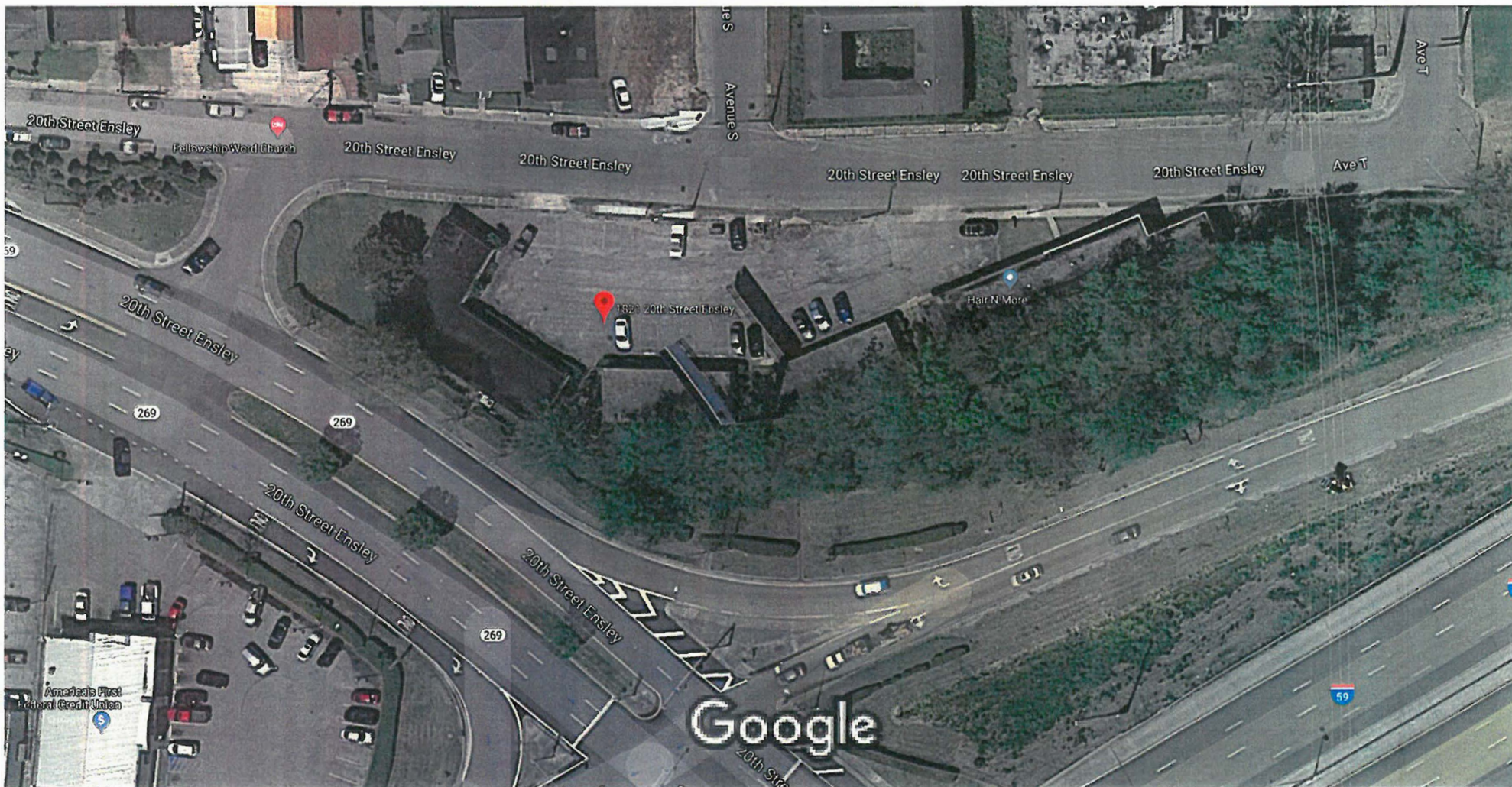


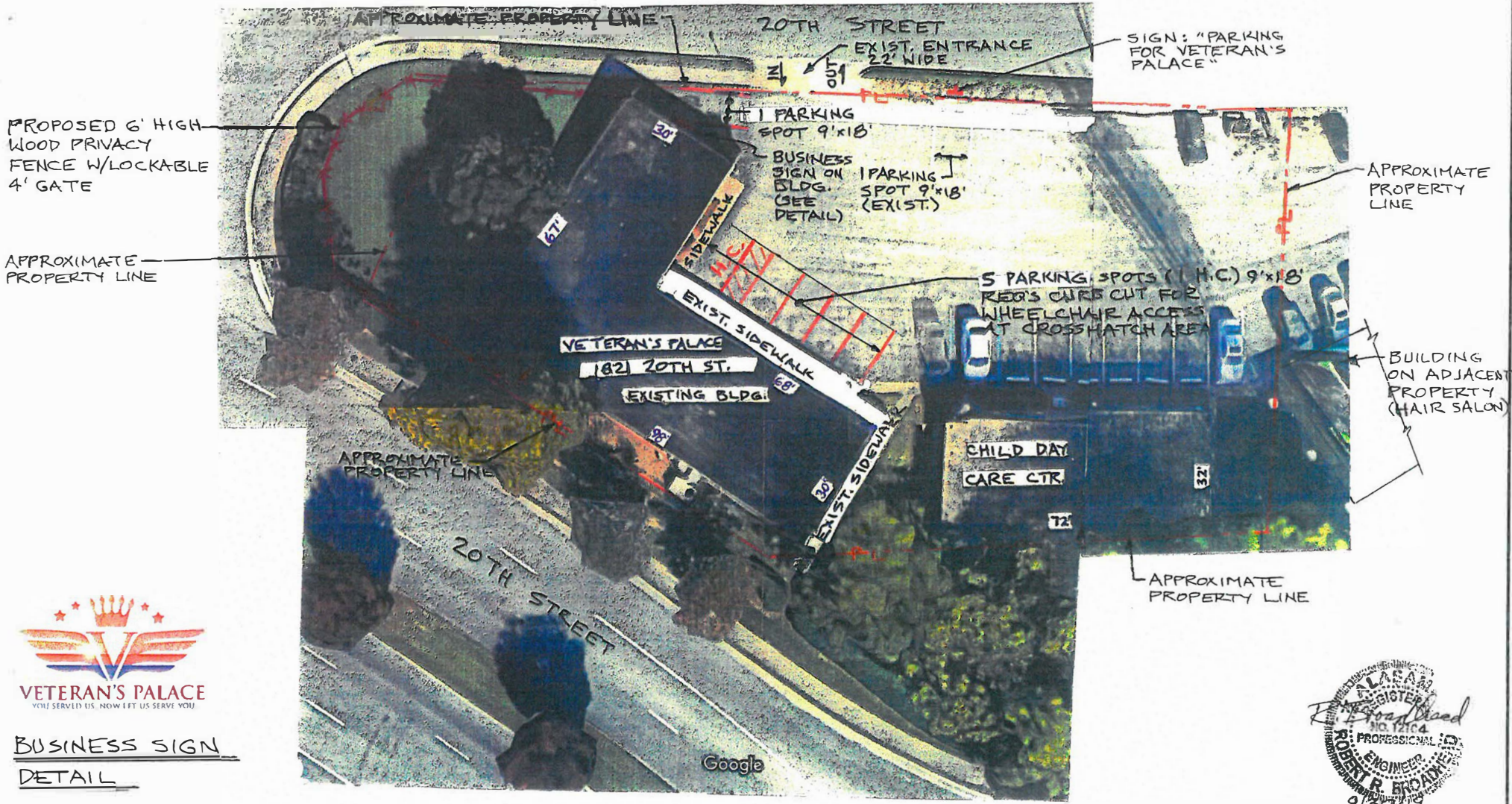
1: 1,953

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Google Maps 1821 20th Street Ensley





PROPOSED 6' HIGH WOOD PRIVACY FENCE W/LOCKABLE 4' GATE

APPROXIMATE PROPERTY LINE

APPROXIMATE PROPERTY LINE

SIGN: "PARKING FOR VETERAN'S PALACE"

APPROXIMATE PROPERTY LINE

BUILDING ON ADJACENT PROPERTY (HAIR SALON)

APPROXIMATE PROPERTY LINE



BUSINESS SIGN
DETAIL



PROPOSED SITE LAYOUT

SCALE: 1" ≈ 19'

BE Broadhead Engineering, LLC
337 Brentwood Avenue
Trussville, Alabama 35173
Phone: 205.810.9466
Email: rsk.broadheadeng@ncc-nps.com

VETERAN'S PALACE
1821 20TH STREET-ENSLEY
BIRMINGHAM, AL 35218

Google Maps

AL-269

1821 20th Street Ensley



Arlington – West End

ZBA2019-00082

Request: Modification
Applicant: Edward J. Fletcher
Owner: Eddie Hatcher Jr.
Site Address: 1417 Pearson Avenue
Zip Code: 35211
Description: Modification for parking to allow 6 instead of the 18 parking spaces required pursuant to Title 1, Chapter 9, Article VI, Section 6.3
Property Zoned: CB1 Contingency Neighborhood Business District
Parcel Information: Parcel #: 012900091011001000, NE1 of Section 09, Township 18 S, Range 3 W

Modification

The applicant is requesting a modification for parking to allow 6 parking spaces instead of the 18 required parking spaces for a proposed private club. The proposed project was previously an automotive repair shop however, after several years the structure remained vacant until it was purchased in 2018.

Neighborhood

The Arlington – West End Neighborhood Association has not responded to the request.

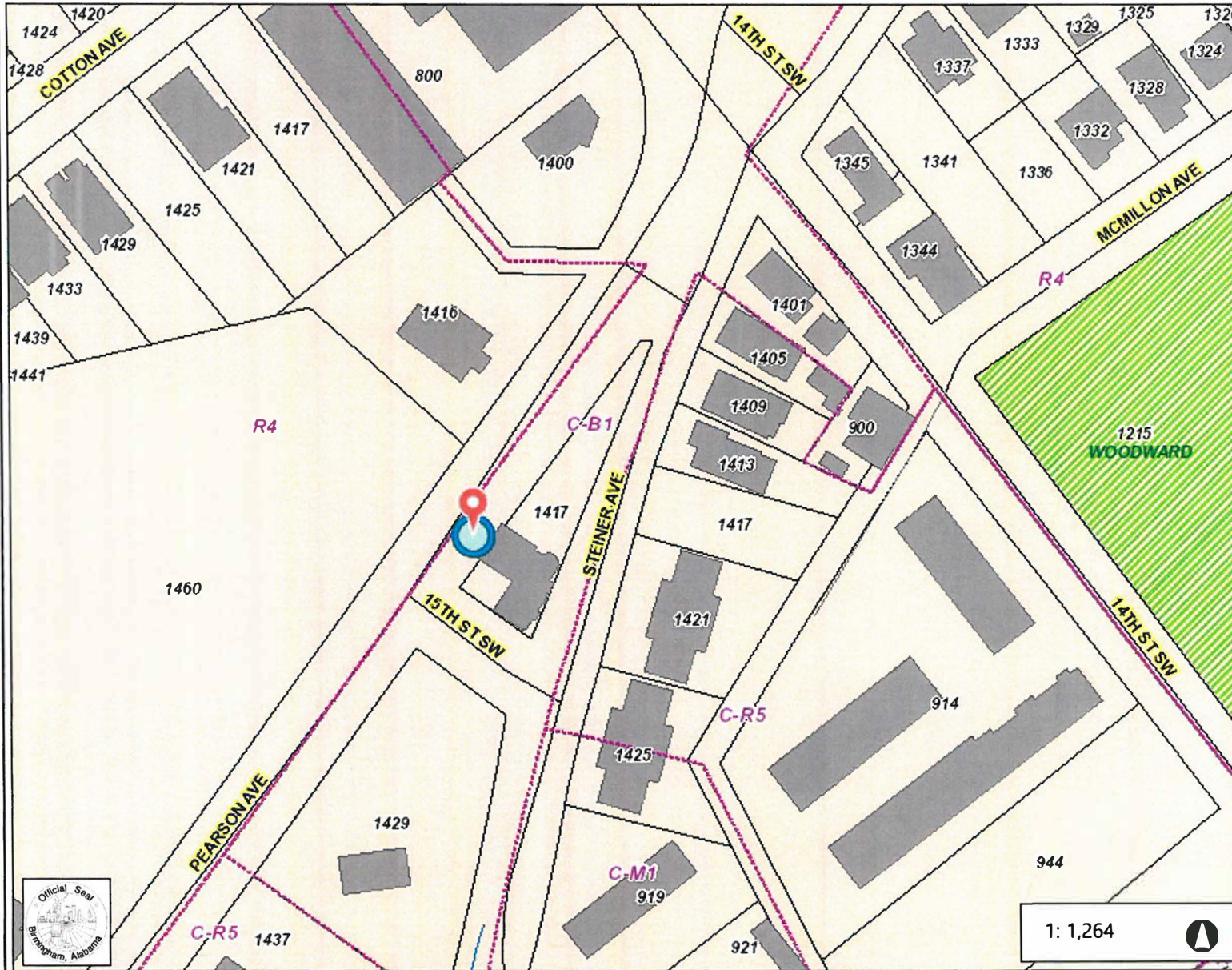
Applicant's Justification

The applicant stated that the granting of the modification will not increase traffic nor cause congestion in the area because the proposed club will be private and should not require more than the 18 parking spaces required. Also, there are no other businesses in the area that will use the excess parking along the street.

Staff Recommendation

Staff believes that the applicant has not provided sufficient evidence to support the request. Also, the proposed club use will require a rezoning and under the current Framework plan of the City of Birmingham a rezoning request could not be supported. Therefore, staff believes the request does not have merit for approval and as such, should be **DENIED**. If the Board finds merit to approve this request, it should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Approval of a rezoning request to allow the proposed club use.



Legend

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- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)



1: 1,264

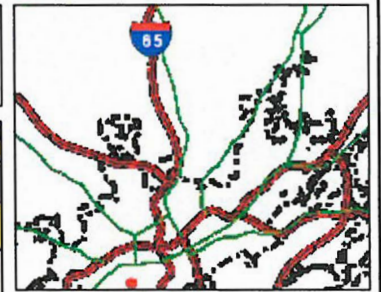


210.6 0 105.31 210.6 Feet

Notes



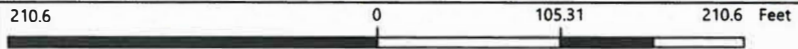
1417 PEARSON AVENUE SW - ADOPTED LAND USE



Legend

- Centerline Labels
- +— Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium
 - MXU-High

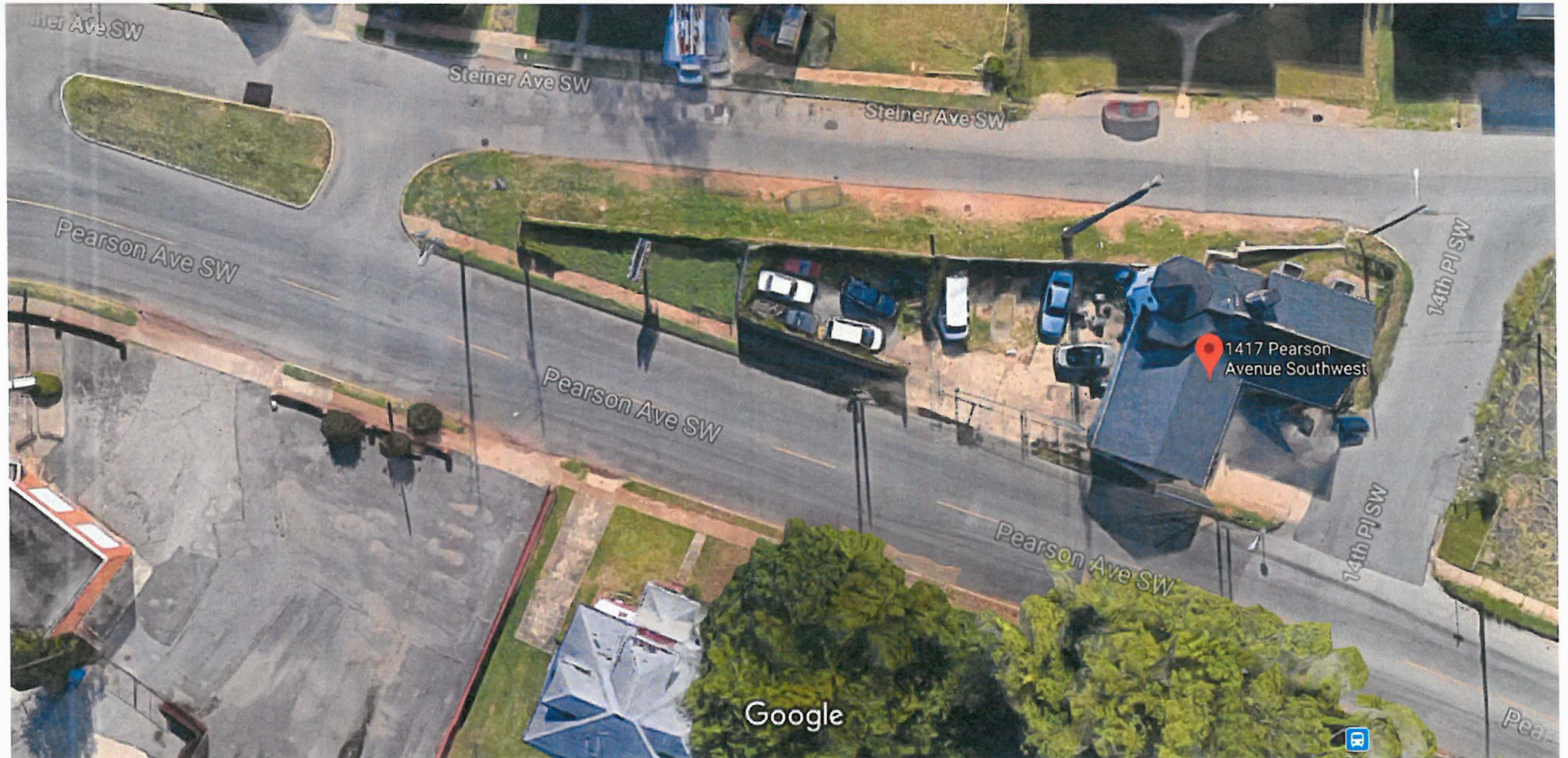
1: 1,264



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Notes

Google Maps 1417 Pearson Ave SW



Imagery ©2019 Google, Map data ©2019 20 ft

Google Maps 1417 Pearson Ave SW



Google

Image capture: Feb 2019 © 2019 Google

Birmingham, Alabama



Street View - Feb 2019

Alabama Ave SW

Elemen

United States

Google Maps 1522 Steiner Ave SW



Image capture: Feb 2019 © 2019 Google

Birmingham, Alabama



Street View - Feb 2019

Google Maps 898 14th St SW



Google

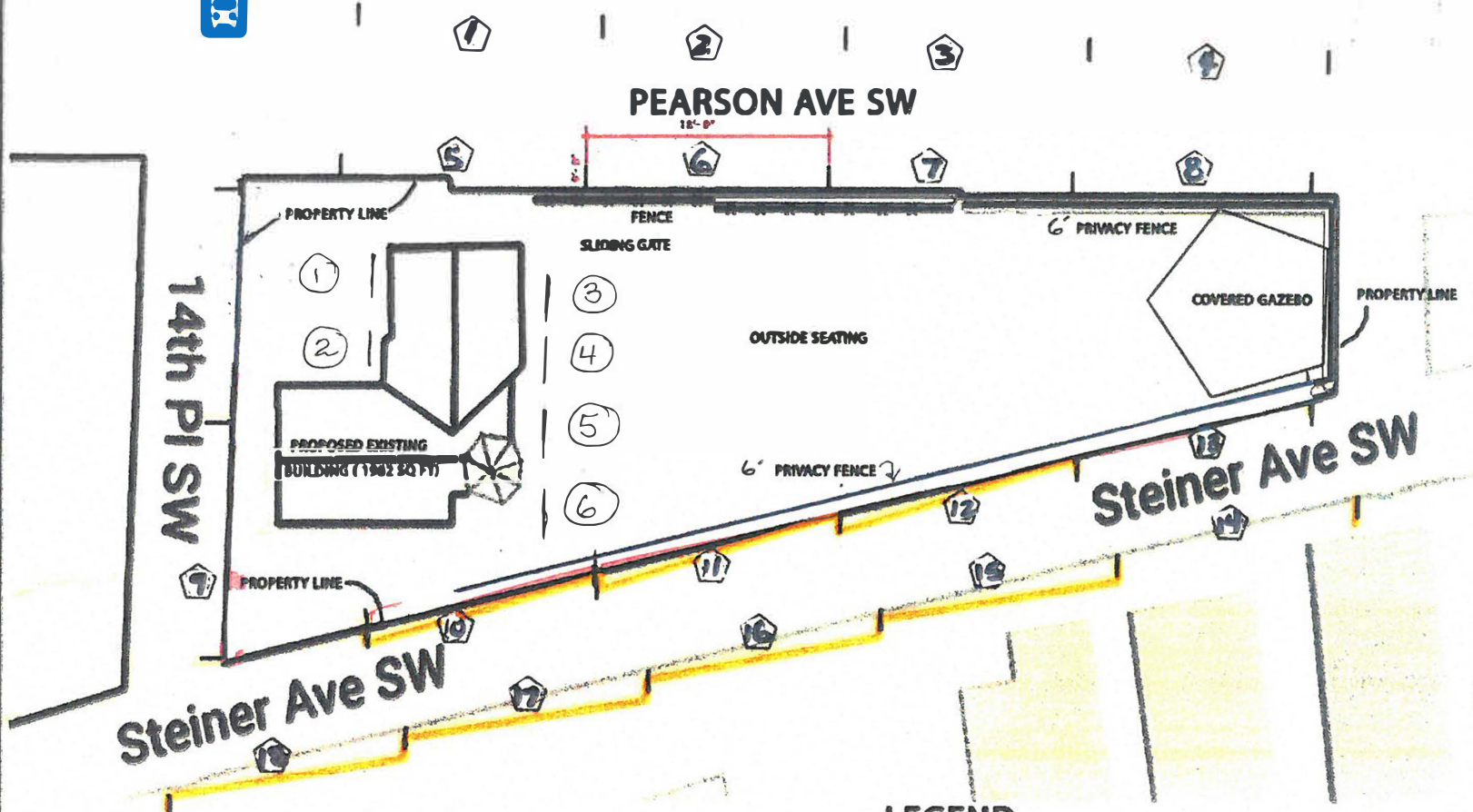
Image capture: Feb 2019 © 2019 Google

Birmingham, Alabama



Street View - Feb 2019

THE SHOP @ 1417



9' X 18' SPACE FOR STREET PARKING (MIN 18)

SITE PLAN

LEGEND

- PRIVACY FENCE
- FENCE
- PARKING SPACE ON STREET
- PROPERTY LINE
- OFF-STREET PARKING SPACES



Overton

ZBA2019-00087

Request: Variance
Applicant: Dimitar Stoyanov
Owner: Bayer Development Company LLC
Site Address: 255 Summit Boulevard
Zip Code: 35243
Description: Variance to allow the installation of a second building wall sign instead of one as allowed under Title 1, Chapter 8, Article III Section 7.G
Property Zoned: CB2 Contingency General Business District
Parcel Information: Parcel #: 012800224002002000, SE1 of Section 22, Township 18 S, Range 2 W

Variance

The applicant is requesting a variance to allow the installation of a second building wall sign instead of one as allowed.

Neighborhood

The Overton Neighborhood Association has not submitted the neighborhood response form.

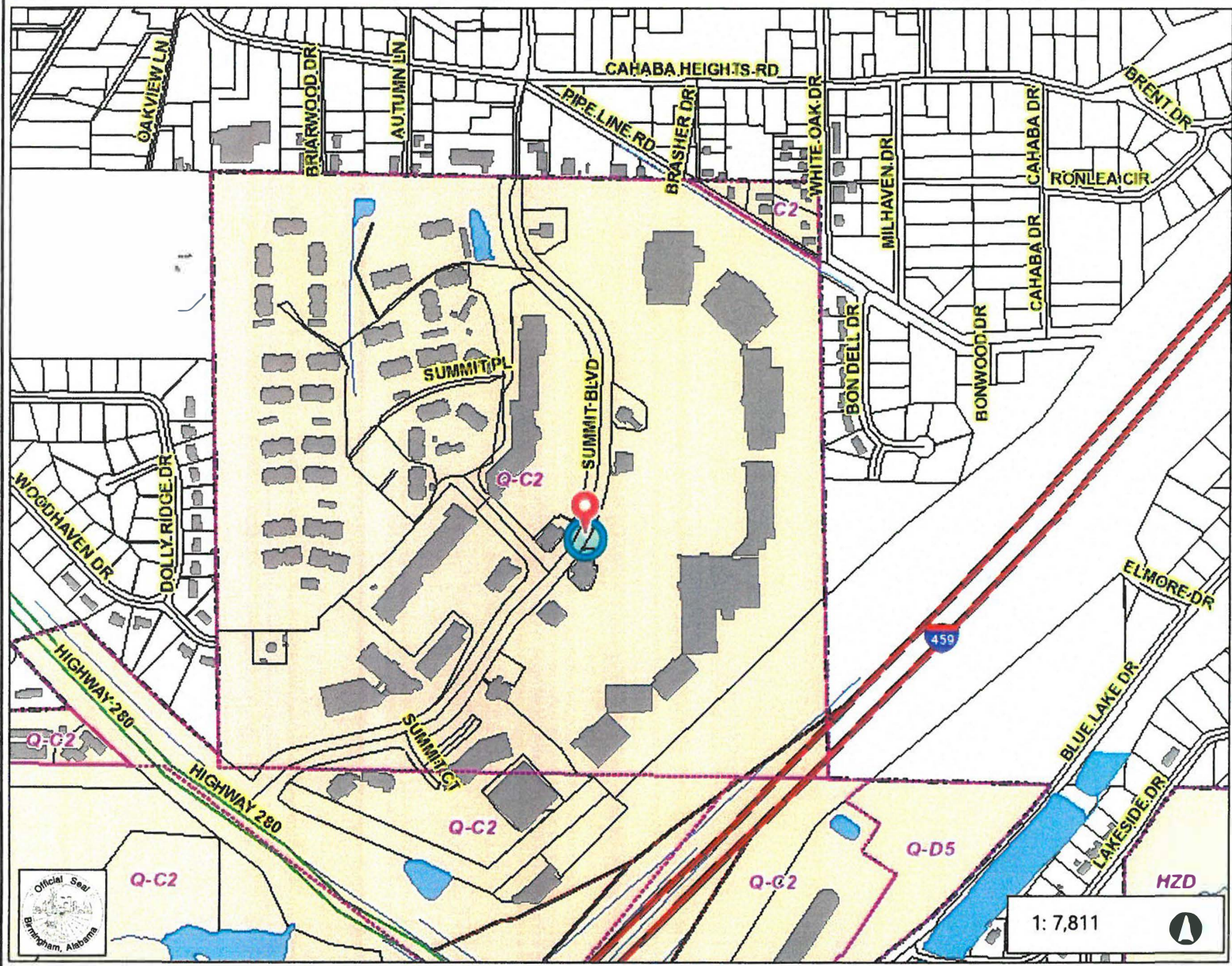
Applicant's Justification

The applicant states that they will be in an end-cap building toward the end of the Summit. The building entry is defined by an existing tower and the applicant feels that the second sign will help the appearance of the tower and improve the overall visibility of their location.

Staff Recommendation

Staff feels that there are multiple end-cap buildings at the Summit that have two wall signs. Also, the applicant has provided sufficient evidence to support the request. Therefore, staff believes this request does have merit for approval and as such, should be **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.

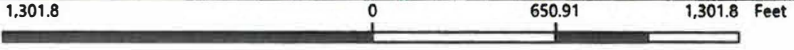


Legend

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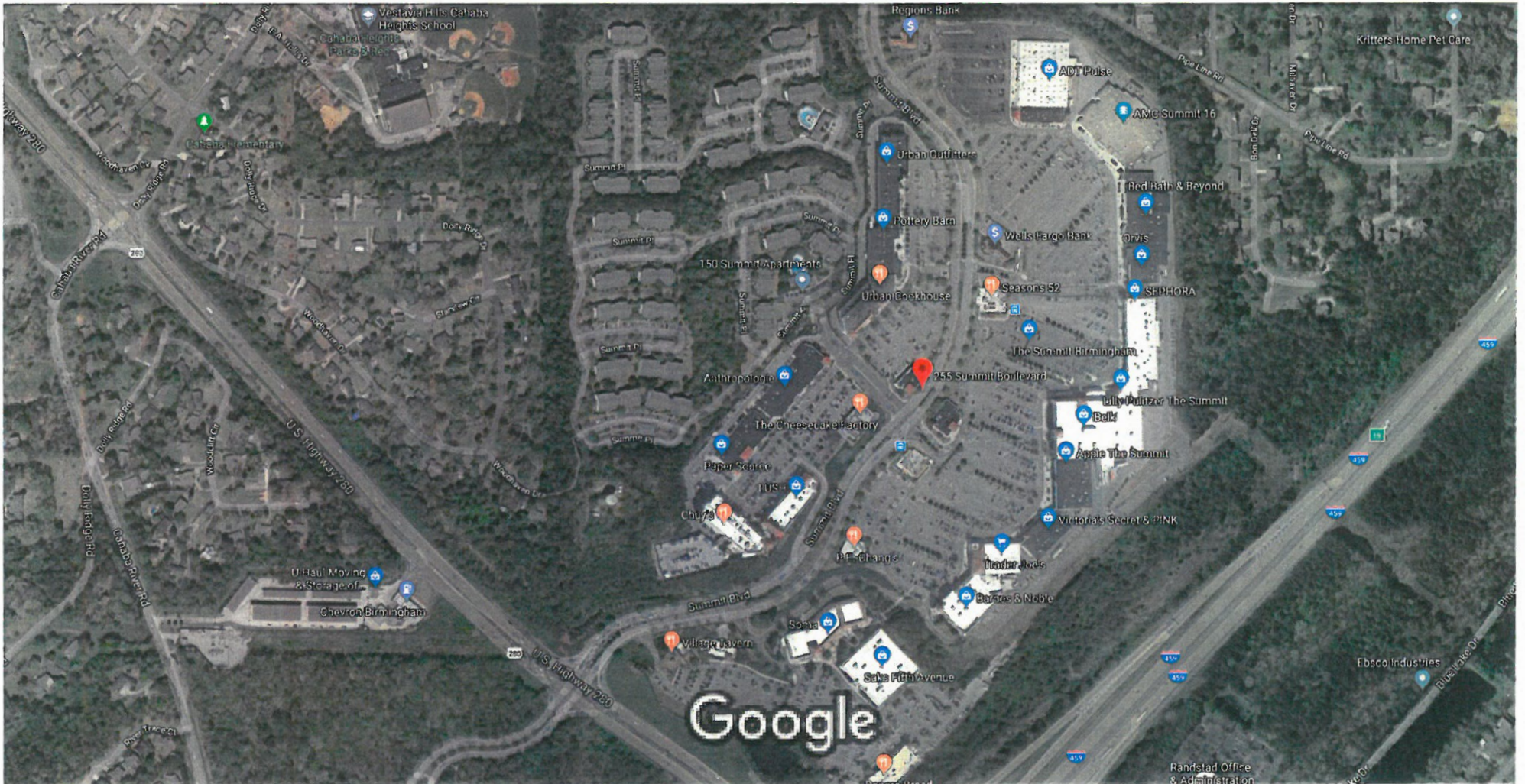
1: 7,811



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Notes

Google Maps 255 Summit Blvd



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Map data ©2019

200 ft

Google Maps

Birmingham, Alabama

255 Summit Boulevard





EXTERIOR VIEW

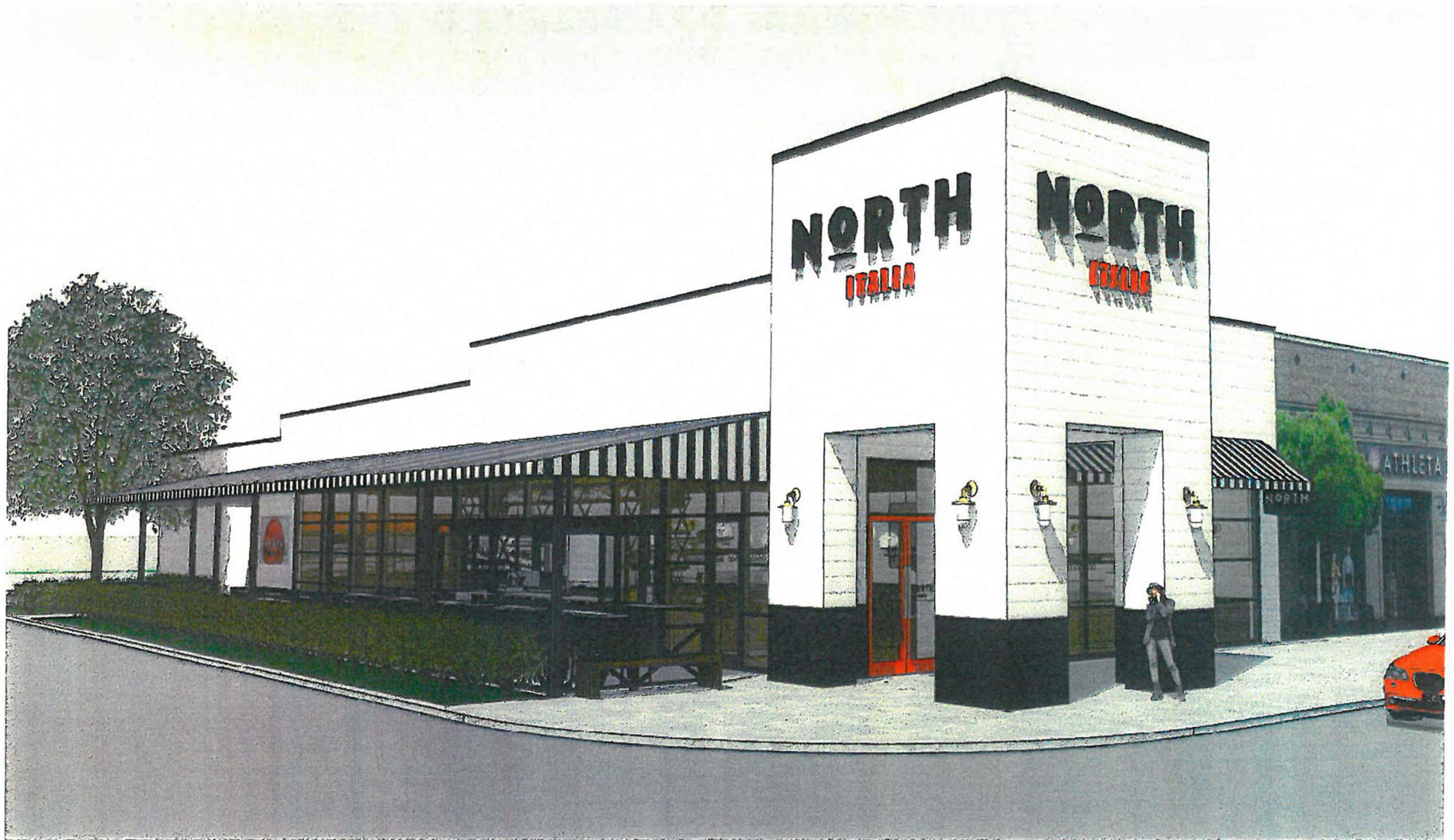


11/12/2019

The Summit, Birmingham, AL

NORTH

EXTERIOR VIEW



11/12/2019

The Summit, Birmingham, AL

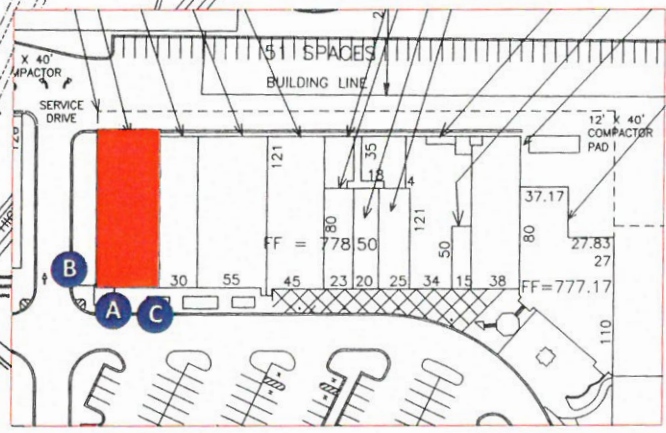
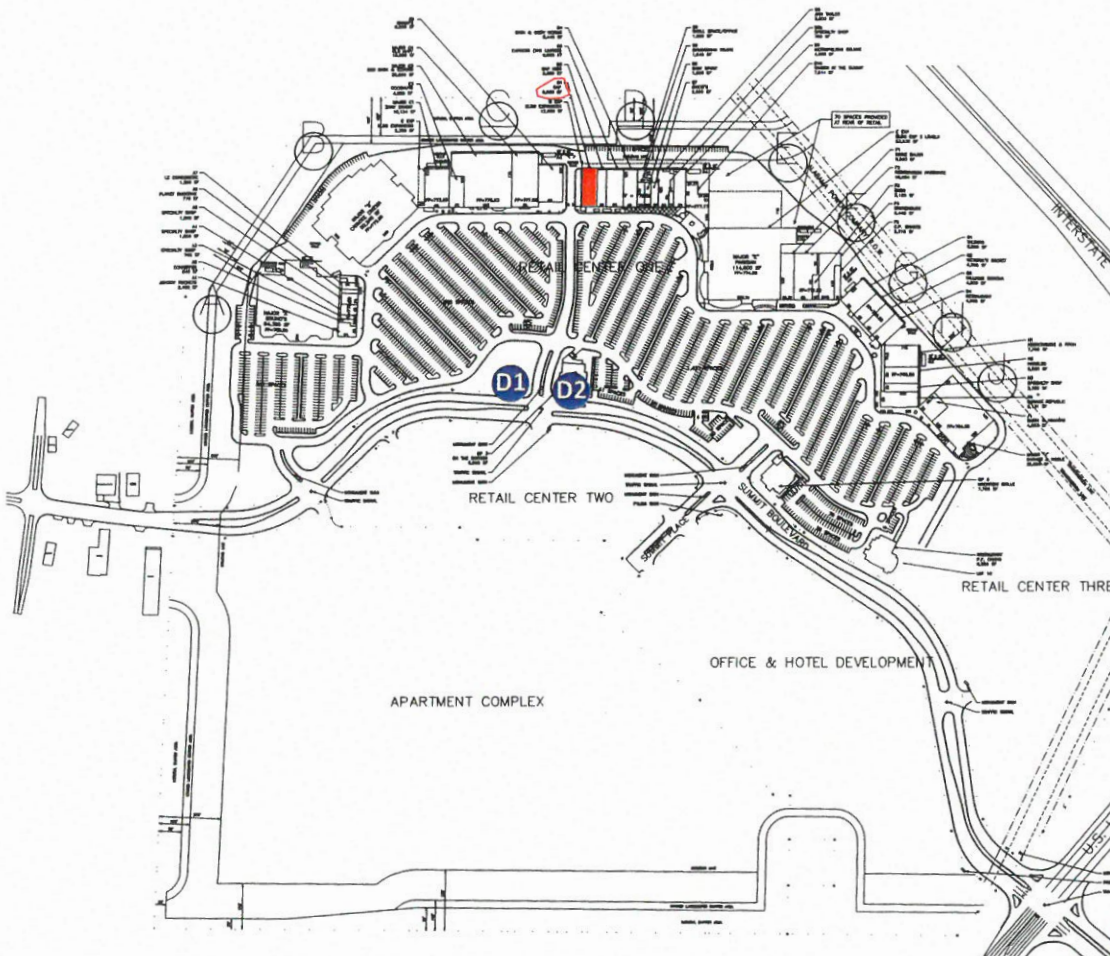
NORTH
ITALIA

| | |
|------------------------------|--|
| Design # | |
| 0824270AR07 | |
| Sheet 1 of 5 | |
| Client | |
| NORTH ITALIA | |
| Address | |
| THE SUMMIT BIRMINGHAM, AL | |
| Account Rep. | |
| M MARIN | |
| Designer | |
| A GIANNELL | |
| Date | |
| 08/02/19 | |
| Approval / Date | |
| Client | |
| Sales | |
| Estimating | |
| Art | |
| Engineering | |
| Landlord | |
| Revision/Date | |

- R01: 11/8/19: UPDATE ELEV.; REVISE 'C'. ADD FC'S FOR MONUMENT SIGN
- R02: EC: 08/13/19: UPDATE W/ NEW ELEV.
- R03: EC: 08/20/19: (C) TO BLADE UNDER CANOPY (D1, D2) ADD "ITALIA"
- R04: TB: 9/5/19: UPDATE ELEV REVISE 'A' & 'B'
- R05: EC: 10/4/19: ADD SIGN KEY
- R06: EC: 10/7/19: REVISE ATTACHMENT DETAIL FOR (C)
- R07: TB: 11/14/19: REVISE DESING PACKAGE PER REDNOTES

| SIGN KEY | | | |
|-----------------|-------------|--------------------|---------------------|
| LOCATION | DESCRIPTION | SQ FOOTAGE ALLOWED | SQ FOOTAGE PROPOSED |
| EXTERIOR SIGNS | | | |
| FRONT ELEVATION | | 208.71 | 69.79 |
| A | WALL SIGN | | 63.37 |
| C | BLADE SIGN | | 6.42 |
| SIDE ELEVATION | | 646.05 | 63.37 |
| B | WALL SIGN | | 63.37 |
| TENANT PANELS | | N/A | N/A |
| D1/D2 | | | |
| TOTAL | | 854.76 | 133.16 |

CODE: FRONT ELEVATION: ALLOWED: 15% WALL AREA = 208.71 SQFT ALLOWED
 SIDE ELEVATION: ALLOWED: 15% WALL AREA = 646.05 SQFT ALLOWED



SITE PLAN

SCALE: 1" = 400'

ENLARGED

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San Antonio: 17919 San Pedro Ave, Ste 202, San Antonio, TX 78233
 (214) 594-1288 Fax: (214) 594-8114

West Coast: 3220 Executive Ridge Dr, Ste 200, Vista, CA 92083
 (760) 534-1288 Fax: (760) 534-8114

Northeast US: 2301 Brewer Road, Suite 201, Louisville, KY 40206
 (502) 997-9800 Fax: (502) 954-2111

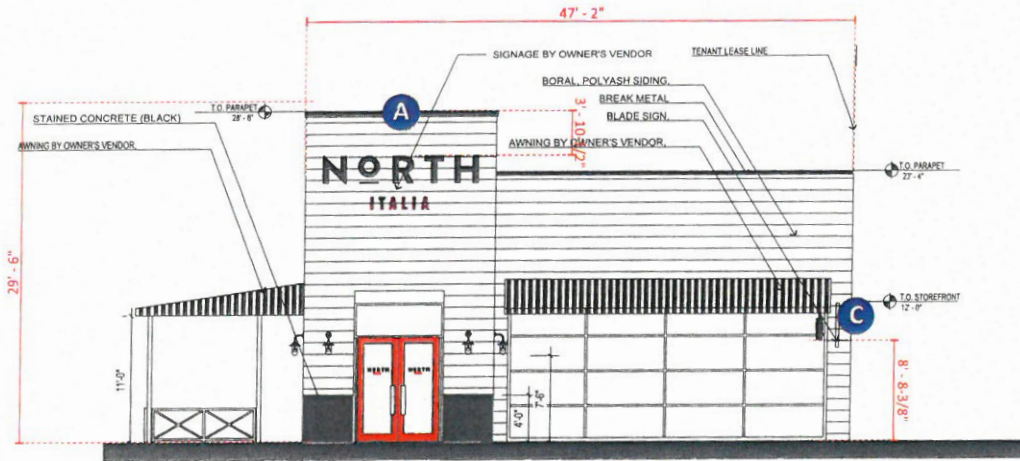
Georgia: 111 Woodstone Place, Columbus, GA 31904
 (706) 755-4883 Fax: (706) 755-8114

South Texas: PO BOX 125, 204 Doral Drive, Portland, TX 78374
 (361) 684-1288 Fax: (361) 684-8114

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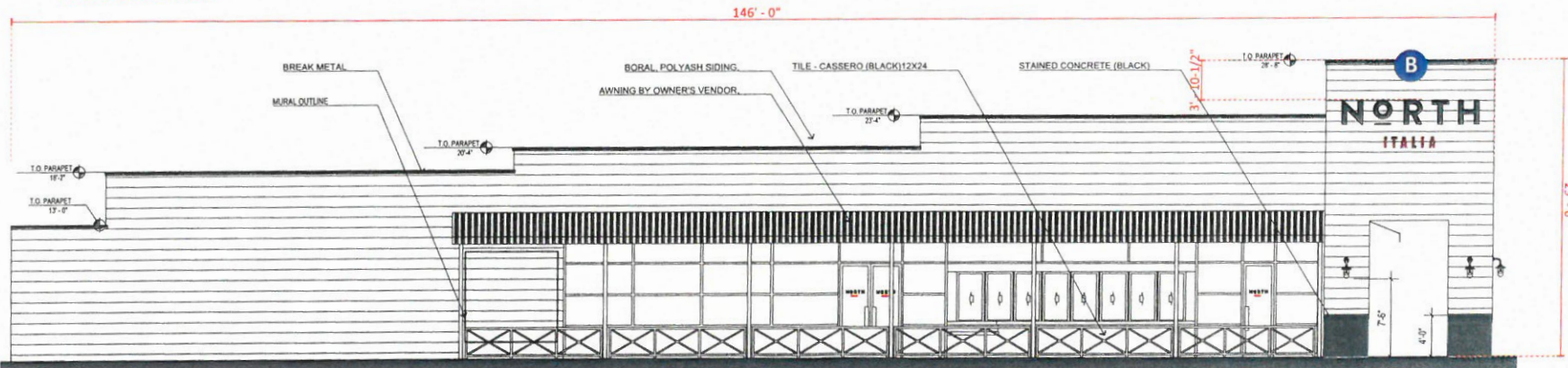


FRONT ELEVATION

SCALE: 3/32" = 1' - 0"

REVISED 11/18/2019

ALLOWED: 15% WALL AREA = 208.71 SQFT ALLOWED
PROPOSED: 63.37 SQFT



SIDE ELEVATION

SCALE: 3/32" = 1' - 0"

REVISED 11/18/2019

ALLOWED: 15% WALL AREA = 646.05 SQFT ALLOWED
PROPOSED: 63.37 SQFT

| | |
|------------------------------|------------|
| Design # | |
| 0824270AR07 | |
| Sheet 2 of 5 | |
| Client | |
| NORTH ITALIA | |
| Address | |
| THE SUMMIT BIRMINGHAM, AL | |
| Account Rep. | M MARIN |
| Designer | A GIANNELL |
| Date | 08/02/19 |
| Approval / Date | |
| Client | |
| Sales | |
| Estimating | |
| Art | |
| Engineering | |
| Landlord | |
| Revision / Date | |

- R01: JH: 8/6/19: UPDATE ELEV.; REVISE 'C'; ADD FCO'S FOR MONUMENT SIGN
- R02: EC: 08/13/19: UPDATE W/ NEW ELEV.
- R03: EC: 08/20/19: (C) TO BLADE UNDER CANOPY (D, I, D2) ADD 'ITALIA'
- R04: TB: 9/5/19: UPDATE ELEV REVISE 'A' & 'B'
- R05: EC: 10/4/19: ADD SIGN KEY
- R06: EC: 10/7/19: REVISE ATTACHMENT DETAIL FOR (C)
- R07: TB: 11/14/19: REVISE DESING PACKAGE PER REDNOTES



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San Antonio 17318 San Pedro Ave Ste 200 San Antonio, TX 78232 (210) 449-9804 Fax (210) 449-8714

West Coast 3220 Executive Ridge Dr Ste 2100 Vista, CA 92081 (619) 594-5788 Fax (619) 594-5714

Northeast US 2303 River Road Suite 301 Louisville, KY 40206 (502) 887-9800 Fax (502) 884-2171

Georgia 215 Woodstone Place Lawrenceville, GA 30046 (770) 962-8822 Fax (770) 962-8714

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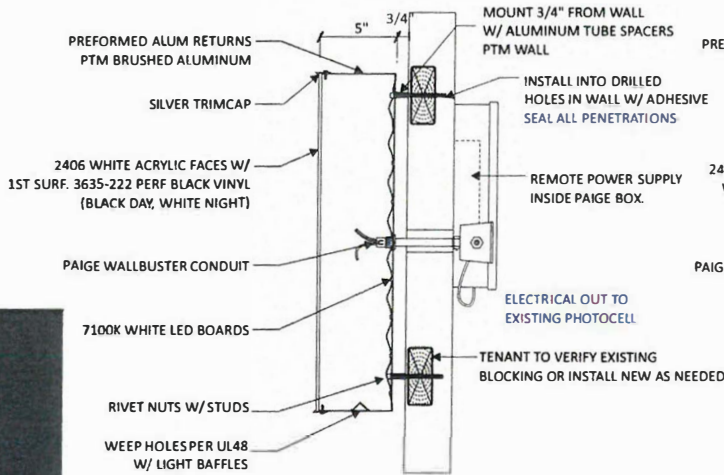


END VIEW

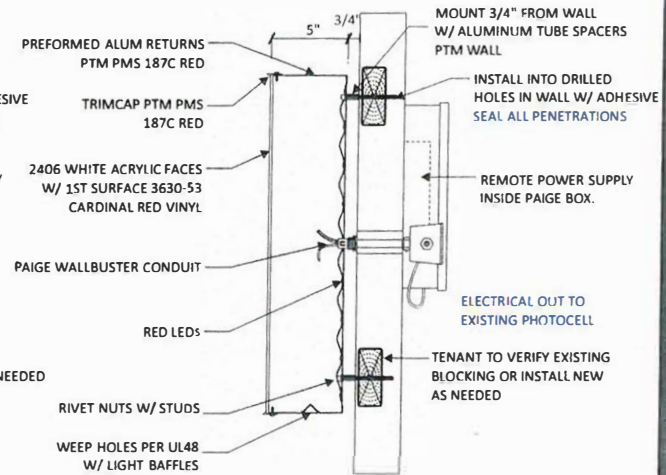


EXAMPLE OF COMPLETED SIGN

A B FACE-LIT CHANNEL LETTERS - STACKED SCALE: 3/8" = 1' - 0"
TWO (2) REQUIRED - MANUFACTURE & INSTALL Area = 63.37



PRELIM. DETAIL - NORTH SCALE: 1-1/2" = 1' - 0"



PRELIM. DETAIL - ITALIA SCALE: 1-1/2" = 1' - 0"



NIGHT VIEW

NORTH ITALIA

| | |
|-----------------|---------------------------|
| Design # | 0824270AR07 |
| Sheet | 3 of 5 |
| Client | NORTH ITALIA |
| Address | THE SUMMIT BIRMINGHAM, AL |
| Account Rep. | M MARIN |
| Designer | A GIANNELL |
| Date | 08/02/19 |
| Approval / Date | |
| Client | |
| Sales | |
| Estimating | |
| Art | |
| Engineering | |
| Landlord | |
| Revision / Date | |

- R01: JH 8/6/19 UPDATE ELEV. REVISE 'C' ADD FCO'S FOR MONUMENT SIGN
- R02: EC 08/13/19 UPDATE W/ NEW ELEV'S
- R03: FC 08/20/19 (C) TO BLADE UNDER CANOPY (D1, D2) ADD "ITALIA"
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- R05: EC 10/4/19 ADD SIGN KEY
- R06: EC 5/10/19 REVISE ATTACHMENT DETAIL FOR (C)
- R07: TB 11/14/19 REVISE DESING PACKAGE PER REDNOTES



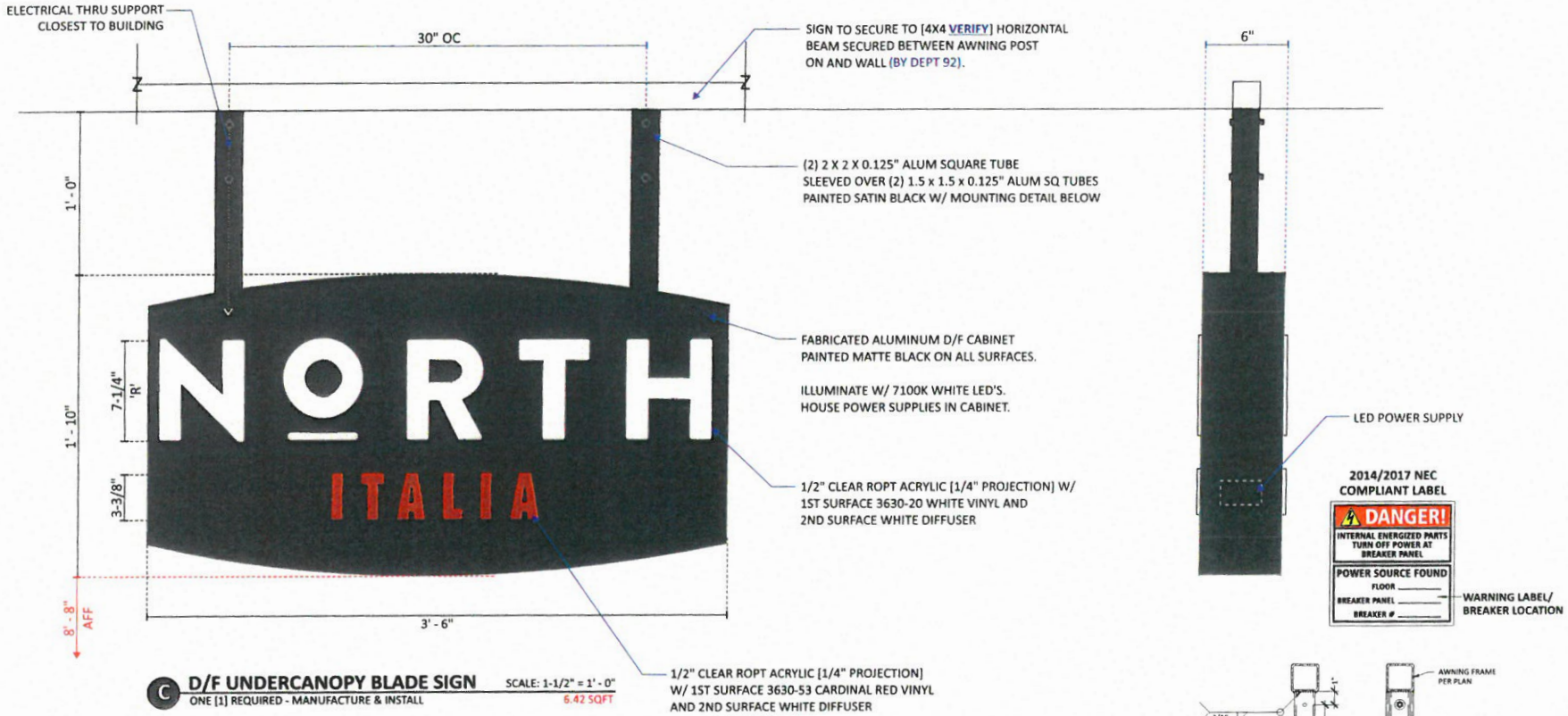
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- Northwest US: 2301 Shady Ridge Suite 201 Coonville, WA 99006 (509) 951-9800 Fax (509) 951-3375
- Georgia: 111 Woodstone Place Oremville, GA 30584 (706) 775-9811 Fax (706) 775-9870
- South Texas: 403 BOX 125 526 Grand Drive Portland, TX 78124 (361) 563-0199 Fax (361) 563-6111

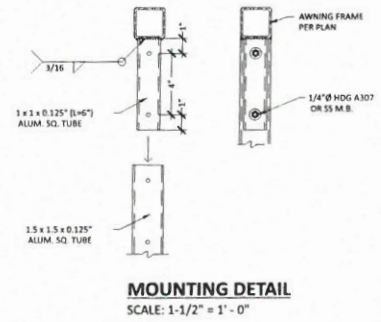
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NIGHT VIEW



| | |
|---|------------------------------|
| Design # | 0824270AR07 |
| Sheet | 4 of 5 |
| Client | NORTH ITALIA |
| Address | THE SUMMIT BIRMINGHAM, AL |
| Account Rep. | M MARIN |
| Designer | A GIANNELL |
| Date | 08/02/19 |
| Approval / Date | |
| Client | |
| Sales | |
| Estimating | |
| Art | |
| Engineering | |
| Landlord | |
| Revision/Date | |
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West Coast: 3220 Executive Ridge Dr, Vista, CA 92081
Northeast US: 2805 River Road, Suite 202, Louisville, KY 40206
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FINAL ELECTRICAL CONNECTION BY CUSTOMER

UL

North Avondale

ZBA2019-00090

Request: Variance
Applicant: BRENT MCCOY
Owner: Birmingham Water Works and Sewer Board
Site Address: 3501 Messer Airport Highway
Zip Code: 35222
Description: 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.
Property Zoned: M1 Light Manufacturing District
Parcel Information: Parcel # 012300301014003000, NE ¼ of Section 30, Township 17 S, Range 2 W

Variance

The applicant is requesting a variance to allow 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..

Neighborhood

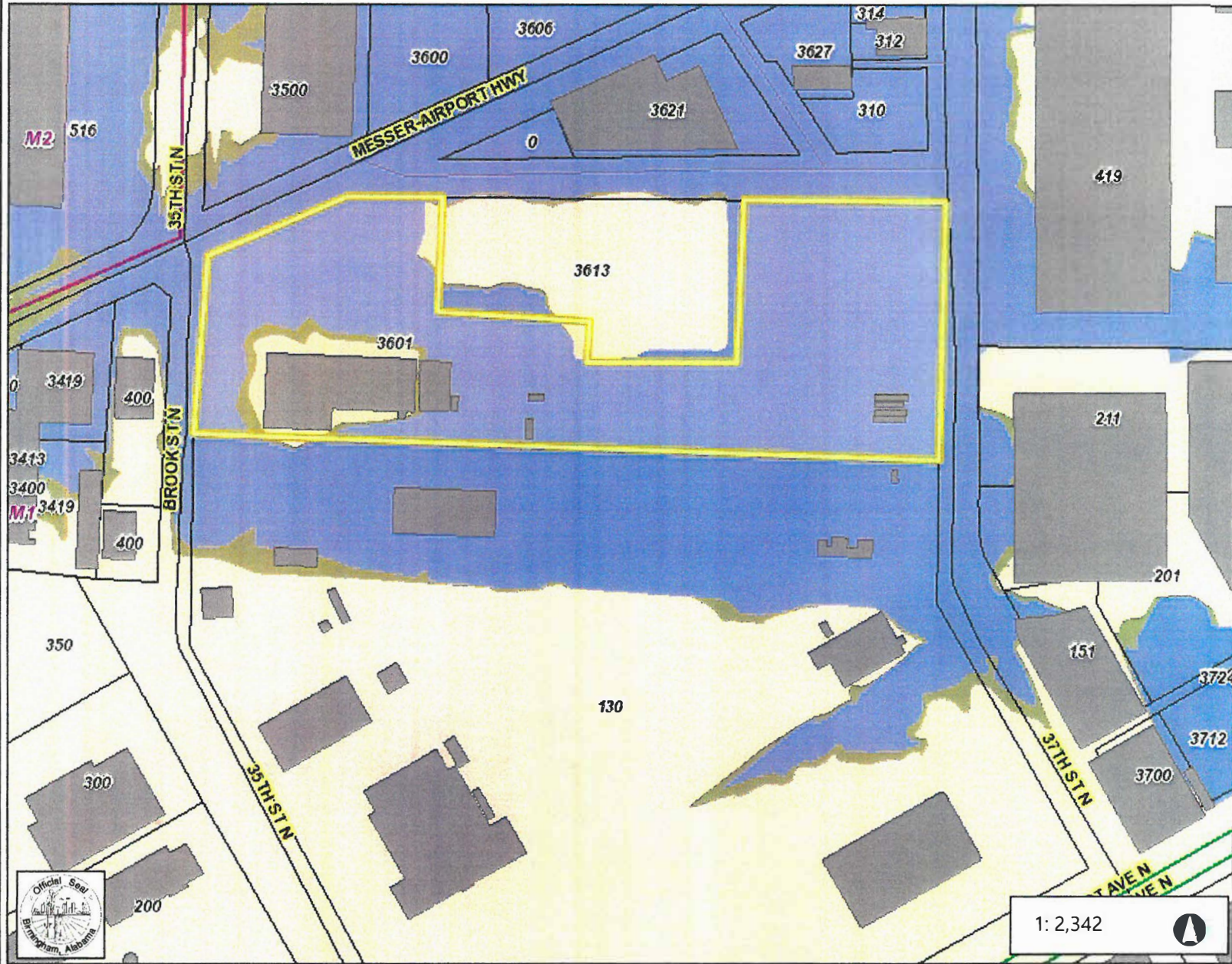
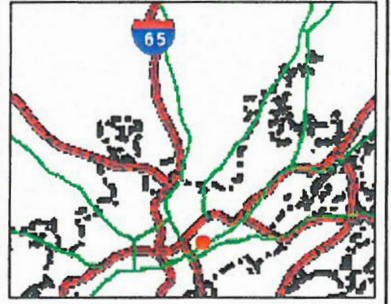
The North Avondale Neighborhood Association met on

Applicant's Justification

The application is making improvements to an existing structure and is seeking a variance for the type of floodproofing to be used due to its location within an existing floodplain.

Staff Recommendation

Staff believes that the applicant has provided sufficient evidence to support the request. Therefore, staff believes the request has merit for approval and as such, should be **GRANTED**


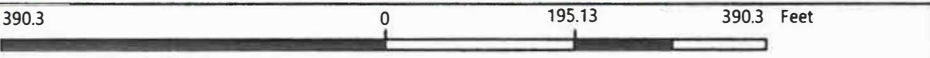


Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Flood Zones
 - Floodway
 - 100 Year Flood
 - 500 Year Flood
- City Limits (solid)

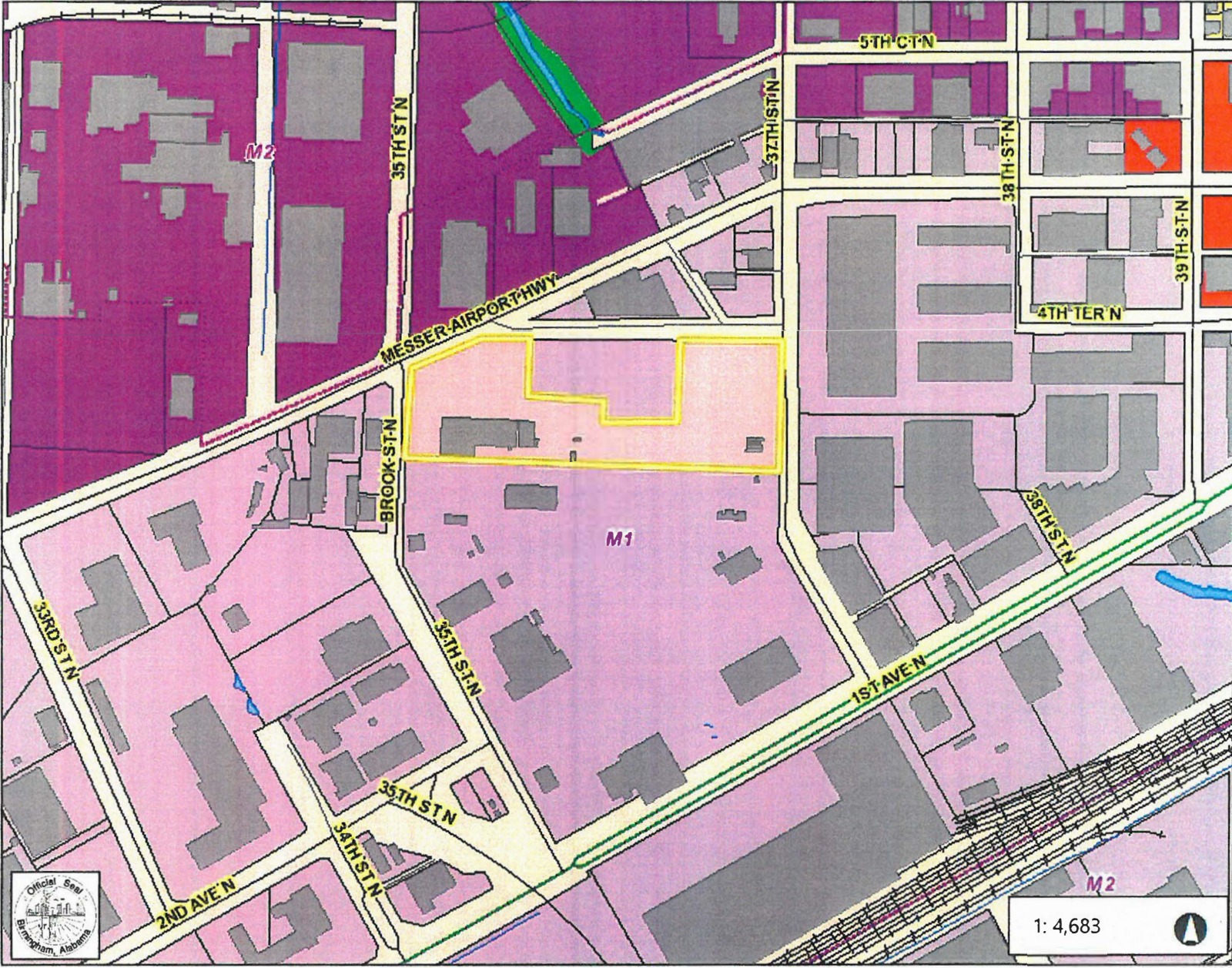


1: 2,342

The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

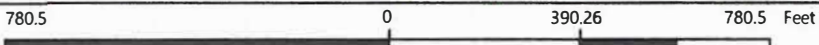


Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium

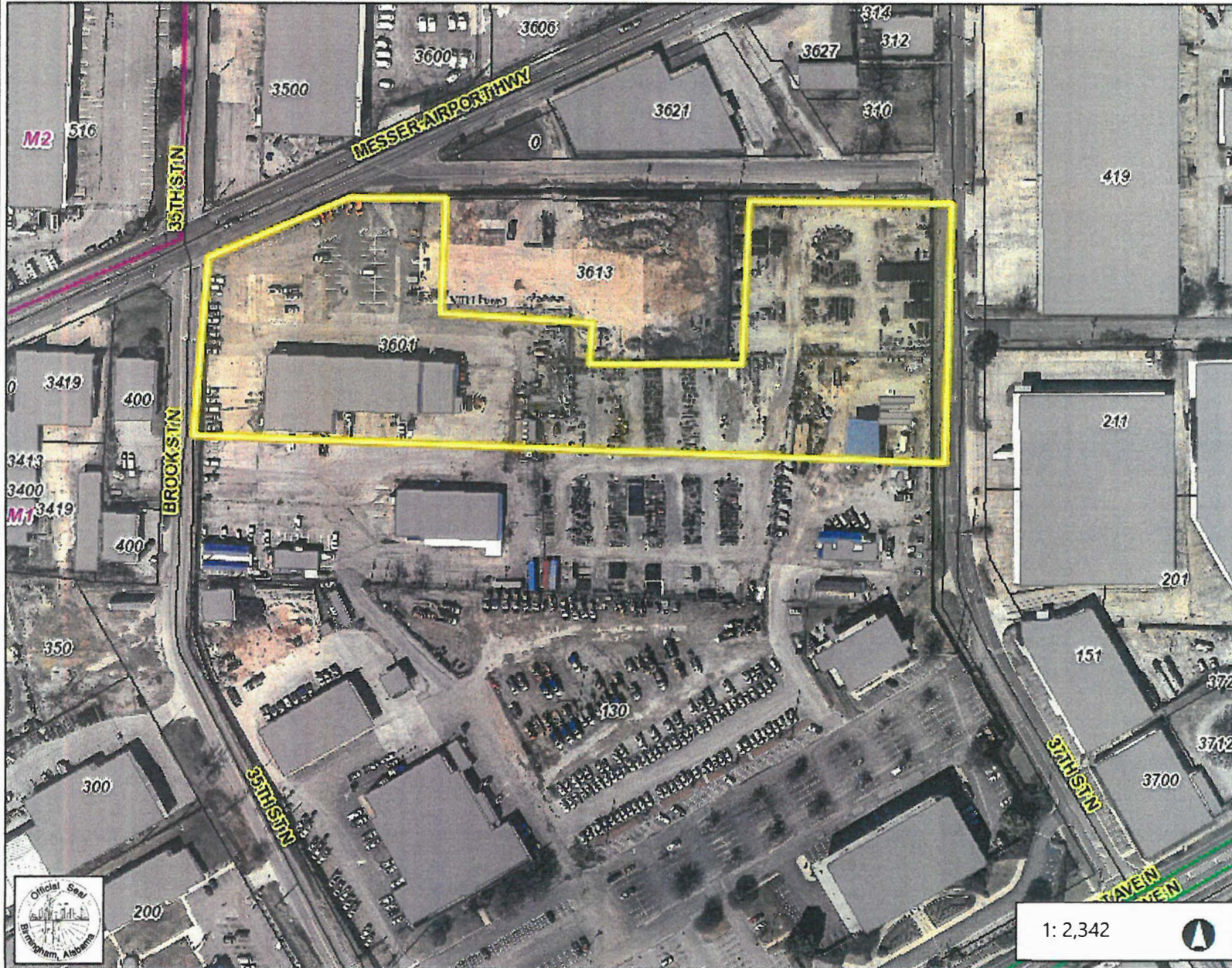


1: 4,683



The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes
Light Manufacturing



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (use with Imagery)
- 2015 Imagery
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

Notes

ZONED M1



390.3 0 195.13 390.3 Feet

CITY OF BIRMINGHAM
DEPARTMENT OF PLANNING, ENGINEERING & PERMITS
710 North 20th Street
ROOM 210, CITY HALL
BIRMINGHAM, ALABAMA 35203



Zoning Board of Adjustment (ZBA) Neighborhood Association (NA) Notification Form

NOTICE to the NORTH AVONDALE Neighborhood Association Date: DECEMBER 6, 2019

Case: ZBA2019 - 00090

ZBA meeting date: JANUARY 9, 2020

Site: 3501 MESSER AIRPORT HIGHWAY

Applicant: BRENT MCCOY

Request: 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.

When you receive this notice, please have a neighborhood officer contact Kasandra Brundidge, Room 210 City Hall, (205) 254-2208, FAX (205) 254-2111, kasandra.brundidge@birminghamal.gov

The neighborhood has the following (3) options if the APPLICANT does NOT attend the meeting: (please select one):

1. The neighborhood Advisory Committee OR Neighborhood Association has met and determined this request will not impact the neighborhood beyond the adjacent property owners and, therefore has no position.

2. The neighborhood Advisory Committee **SUPPORTS REQUEST -or- OPPOSES REQUEST**
Because: _____

3. The Neighborhood Association requests a (ONE) ZBA MEETING continuation to allow the neighborhood to discuss this ZBA request at the regularly scheduled neighborhood meeting or a special called meeting before _____. (Please list the meeting date, time, and place of meeting)

NA Meeting Location: _____ Address: _____

Date: _____

NA Contact Person: _____ Telephone: _____

Neighborhood Response Form – (if applicant appears at the NA meeting)

RE: ZBA2019-00090

Date: _____

To: Kasandra Brundidge, Room 210, 2nd Floor City Hall (205) 254-2208, FAX: (205)254-2111
kasandra.brundidge@birminghamal.gov

From: _____ N.A. - President, Vice President,
Secretary

(Please indicate the Officer who chaired the meeting when this request was heard)

On _____, the request was heard by our Neighborhood Association and we took the following action:

SUPPORT the request (# of votes) _____ **OPPOSE** the request (# of votes) _____

The decision of the Neighborhood Association was to (please circle one: **SUPPORT/ OPPOSE**) the request for the following reasons:

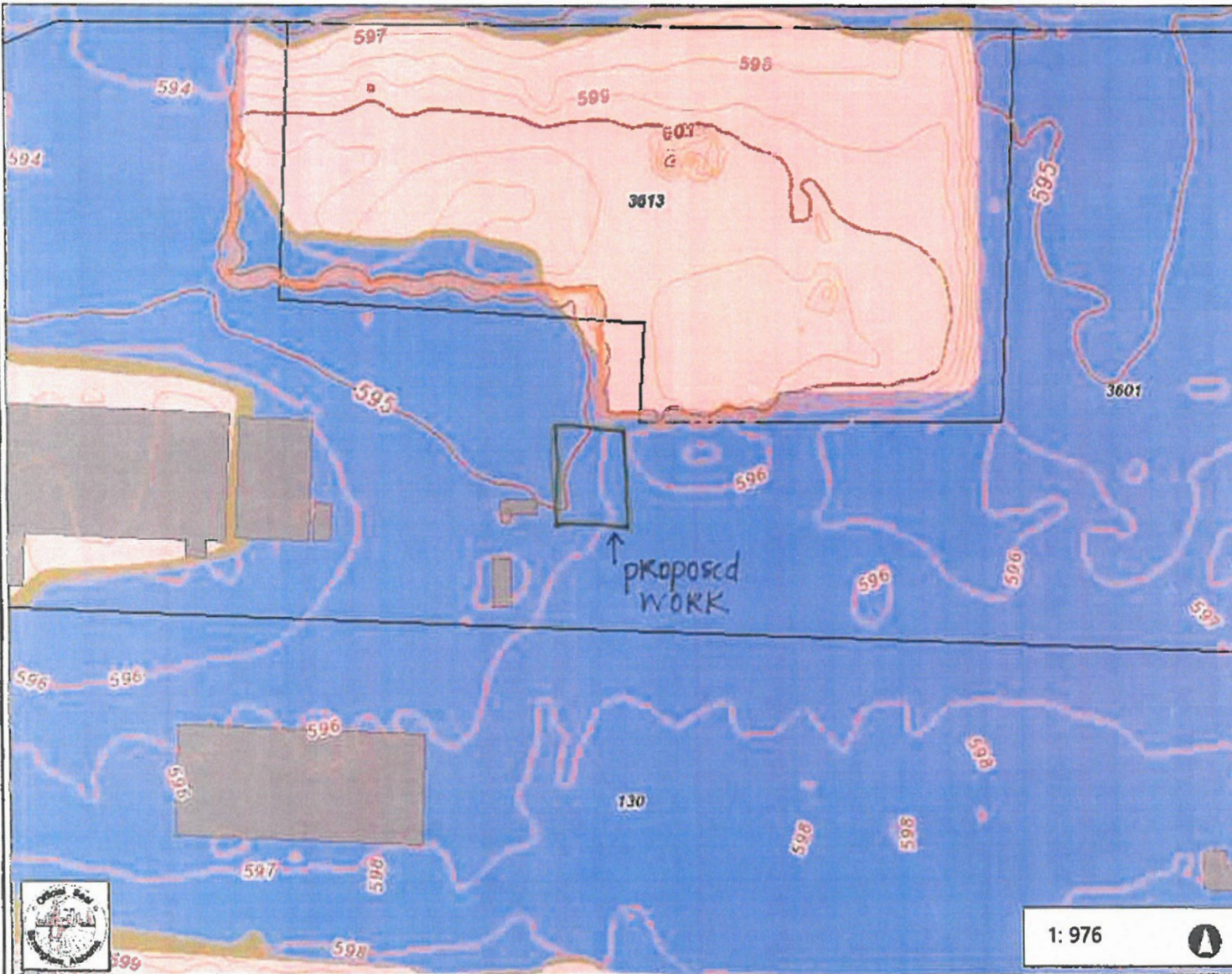
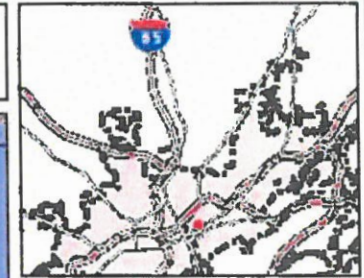
The Neighborhood Association understands that its opinion is only advisory and that this form will be given to ZBA members. Representatives from the Association or its members can attend the ZBA meeting to personally express concerns and requests.

Neighborhood Officer Signature: _____

(Officer who chaired or presided over meeting when case was presented should sign form)

NOTES: The NORTH AVONDALE Neighborhood meeting will be held at the **St. James AME Church** on the 3rd **Thursday** of each month at **6:30 PM**. Please contact **ZACHARY WATKINS** at **205-591-8004** concerning attending the meeting and having your case heard.



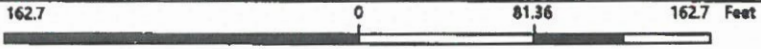


Legend

- All Contours
 - - 1' Contour
 - - 5' Contour
- Base Flood Elevations
- Centerline Labels
- + Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Flood Zones
 - Floodway
 - 100 Year Flood
 - 500 Year Flood
- City Limits (encl1)

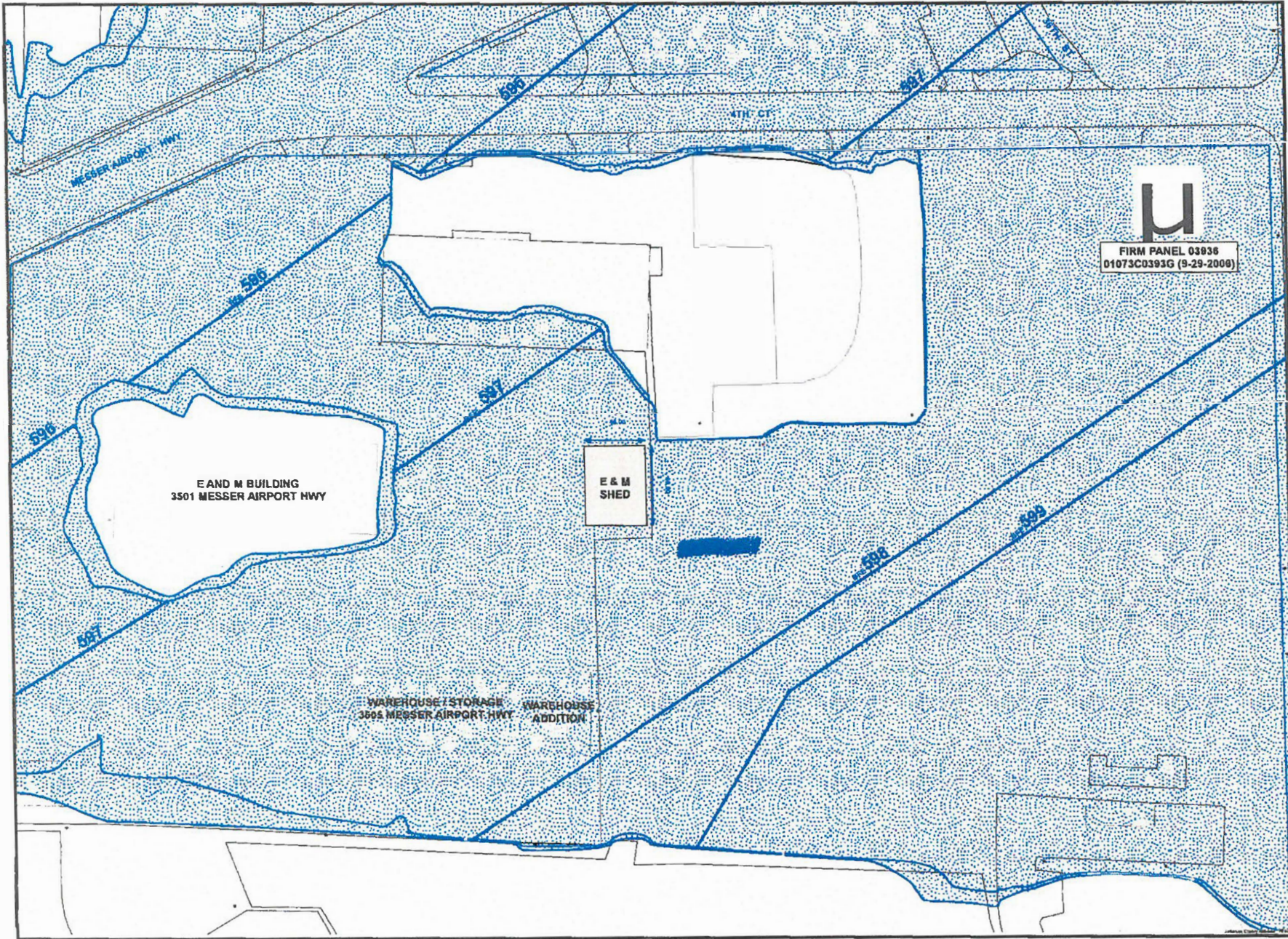


1: 976



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



| | |
|-------------|--------------------|
| DATE | 02/09/17 |
| DRAWN BY | JA |
| ENGINEER | ROBERT LAND |
| MOE | |
| PROVAL | |
| SEE | |
| FILE # | 1334 |
| SCALE | 1/8" = 1' AS SHOWN |
| NOISE CONDS | |

M
 FIRM PANEL 03036
 01073C0393G (9-29-2008)

**E & M Storage Shed
 Flood Plain Map**



1/8" = 1'
 10/10/2015
 FEMA Zone 5-100 Year
 FEMA Zone A, SFE 100, District 1-10
 FEMA Zone AE, SFE District
 FEMA Zone AH, 1-3 & Flood Control
 Property Line

Glen Iris

ZBA2019-00091

Request: Special Exception
Applicant: CHARLIE BEAVERS, JR
Owner: University Flats, Phase II and Hoar Construction
Site Address: 1100 11th Street South, 1115, 1119, and 1123 11th Avenue South
Zip Code: 35205
Description: Special exception to allow up to eleven residential units in a development to include four bedrooms as part of a communal living facility within one mile of a college campus
Property Zoned: CR5 Multiple Family Residential District
Parcel Information: Parcel #: 012900013013001000, 012900013013001001, 012900013013003000 and 012900013013002000; SW ¼ of Section 01, Township 18S, Range 3 W

Special Exception

Special exception to allow up to eleven residential units in a development to include four bedrooms as part of a communal living facility within one mile of a college campus.

Neighborhood

The Glen Iris Neighborhood Association met on December 24, 2019 and voted 6 – 2 to support the application.

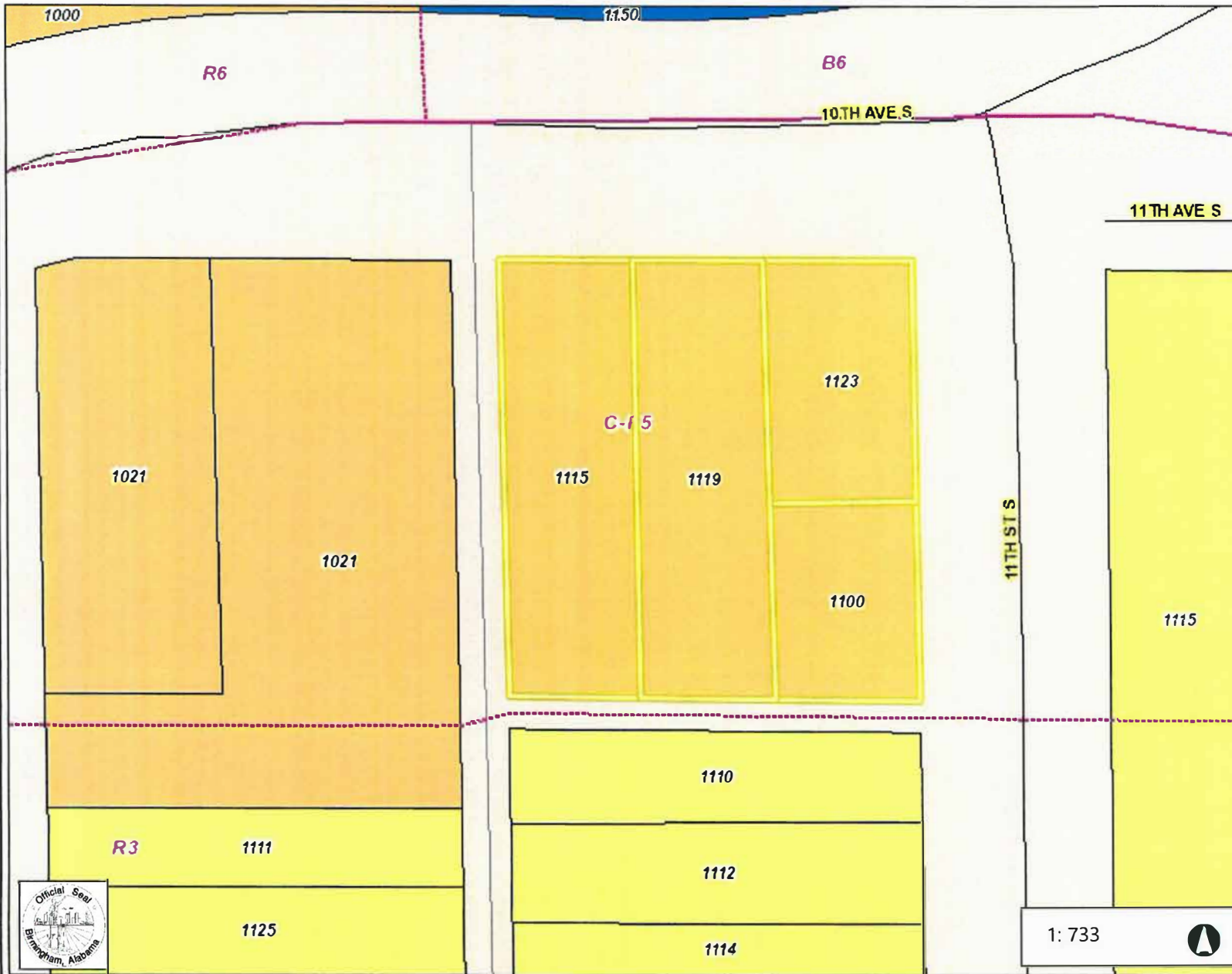
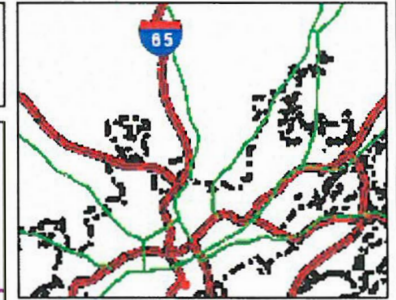
Applicant's Justification

The applicant is proposing the development of Phase II of University Flats as identified under ZBA2014-00052 and ZBA2014-00057 which will include up to eleven residential units that will contain four bedrooms each. A Special Exception will be required since these eleven units would be considered as communal living. This location is within one mile of an existing college campus.

Staff Recommendation

Staff believes the applicant has submitted evidence that meets the variance standards of review for the proposal. Therefore, staff believes this request does have merit for approval and as such, should be **APPROVED**. If the Board chooses to grant this request it should be 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. Approval based on site plan as submitted



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium
 - MXU-High



1: 733



122.2 0 61.09 122.2 Feet

Notes

Residential - Medium

ONE STOP PERMITTING

CITY OF BIRMINGHAM
DEPARTMENT OF PLANNING, ENGINEERING & PERMITS
710 20th Street, North
ROOM 210, CITY HALL
BIRMINGHAM, ALABAMA 35203

Randall L. Woodfin, Mayor

Edwin Revell, Director

| | |
|---|---|
| APPLICATION TO THE ZONING BOARD OF ADJUSTMENT | Date _____ Case No. <u>2 SA 2019-0009</u> Master No. _____ Project No. _____ |
| P.I.D. No.: _____ Address Verified By: _____ Modified Address: _____ | |

91

Please print or type legibly and fill in all that apply

Site Address: 1100, 1115, 1119 and 1123 11th Street South Zip Code: 35205
 Location: Birmingham, Alabama
 Project Name: Univeristy Flats, Phase II
 Lot(s) _____ Block(s) _____ Survey _____
 Lot(s) _____ Block(s) _____ Survey _____
 Lot(s) _____ Block(s) _____ Survey _____
 Metes and Bounds Attached

| | |
|--|---|
| OWNER NAME: <u>Hoar Construction LLC and SQ Properties, LLC</u> ADDRESS: <u>c/o Two Metroplex Drive, Suite 406</u> CITY/STATE/ZIP: <u>Birmingham, Alabama 35209</u> PHONE: () _____ CELLULAR: () _____ FAX: () _____ PAGER: () _____ EMAIL: _____ | APPLICANT* NAME: <u>Charles A. J. Beavers, Jr.</u> COMPANY NAME: <u>Bradley Arant Boult Cummings LLP</u> ADDRESS: <u>1819 Fifth Avenue North</u> CITY/STATE/ZIP: <u>Birmingham, Alabama 35203</u> PHONE: (205) <u>521-8620</u> CELLULAR: (205) <u>567-2252</u> FAX: () _____ PAGER: () _____ EMAIL: <u>cbeavers@bradley.com</u> *Applicant is required to be authorized by owner to undertake work |
|--|---|

TYPE OF REQUEST

Under the following provisions of the Zoning Ordinance of the City of Birmingham, Alabama, the Zoning Board of Adjustment is hereby requested to:

Hear an Appeal from a decision of the Director of the Department of Planning, Engineering and Permits Department (Article VIII, Sec. 5.3)

Modification – Modify the strict application of the provisions of the Zoning Ordinance (Article VIII, Sec. 5.3)

Variance – Authorize a variance form the terms of the Zoning Ordinance (Article VIII, Sec. 5.2)

| | | | | |
|--|---|---|---|----------------------------------|
| <input type="checkbox"/> Accessory Structure | <input type="checkbox"/> Adult Establishments | <input type="checkbox"/> Child/Adult Care | <input type="checkbox"/> Communal Living Facility | <input type="checkbox"/> Fences |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Height | <input type="checkbox"/> Manufactured Housing | <input type="checkbox"/> Non-Conforming Uses | <input type="checkbox"/> Parking |
| <input type="checkbox"/> Public | <input type="checkbox"/> Signs | <input type="checkbox"/> Yards | <input type="checkbox"/> Other _____ | |

Special Exception – Cause a permit to be issued for a special exception (Article VIII, Sec. 5.4 or Article V, Sec. 1)

| | | | | |
|--|---|---|--|----------------------------------|
| <input type="checkbox"/> Accessory Structure | <input type="checkbox"/> Adult Establishments | <input type="checkbox"/> Child/Adult Care | <input checked="" type="checkbox"/> Communal Living Facility | <input type="checkbox"/> Fences |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Height | <input type="checkbox"/> Manufactured Housing | <input type="checkbox"/> Non-Conforming Uses | <input type="checkbox"/> Parking |

Description of Work or Request: To allow up to eleven (11) of the residential units in the development to include 4 bedrooms (within one mile of UAB)

If you have a hardship/practical difficulty, please explain: _____

SECTION II TEXT CHANGE FOR STAFF USE

Amendment to: Title: _____ Article: _____ Title: _____

See Attachment

In words substantially as follows: _____

| | | |
|--|--|-------------------------|
| PLANS REQUIRED | PERMIT FEE WAIVED | REFERENCE CASES: |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | _____ |

COMMENTS _____

CERTIFICATION

I fully understand that, upon the filing of this application and the payment of the filing fee to defray the expenses of investigation and processing this application, there shall be no refunds made to me and that the payment of said filing fee shall in no way entitle me to the change, amendment, supplement, modification or repeal as herein applied for. If an amendment to text of Zoning Ordinance is proposed, please complete applicant data. I hereby certify that I have read this application and that all information contained herein is true. If any portion of this information, either intentionally or unintentionally, is false or is a misrepresentation of the material facts, the permit or process granted will be void. I further certify that if I am not the owner, I have proper authorization from the owner to act as representative on his/her behalf and that I may be required to provide written documentation of such authorization to the City of Birmingham.

Signature (Owner) _____ Date _____
 Signature (Owner) [Signature] Date 12/12/19

Hearing Date: _____ Hearing Time: _____ Location: Room 300, City Hall

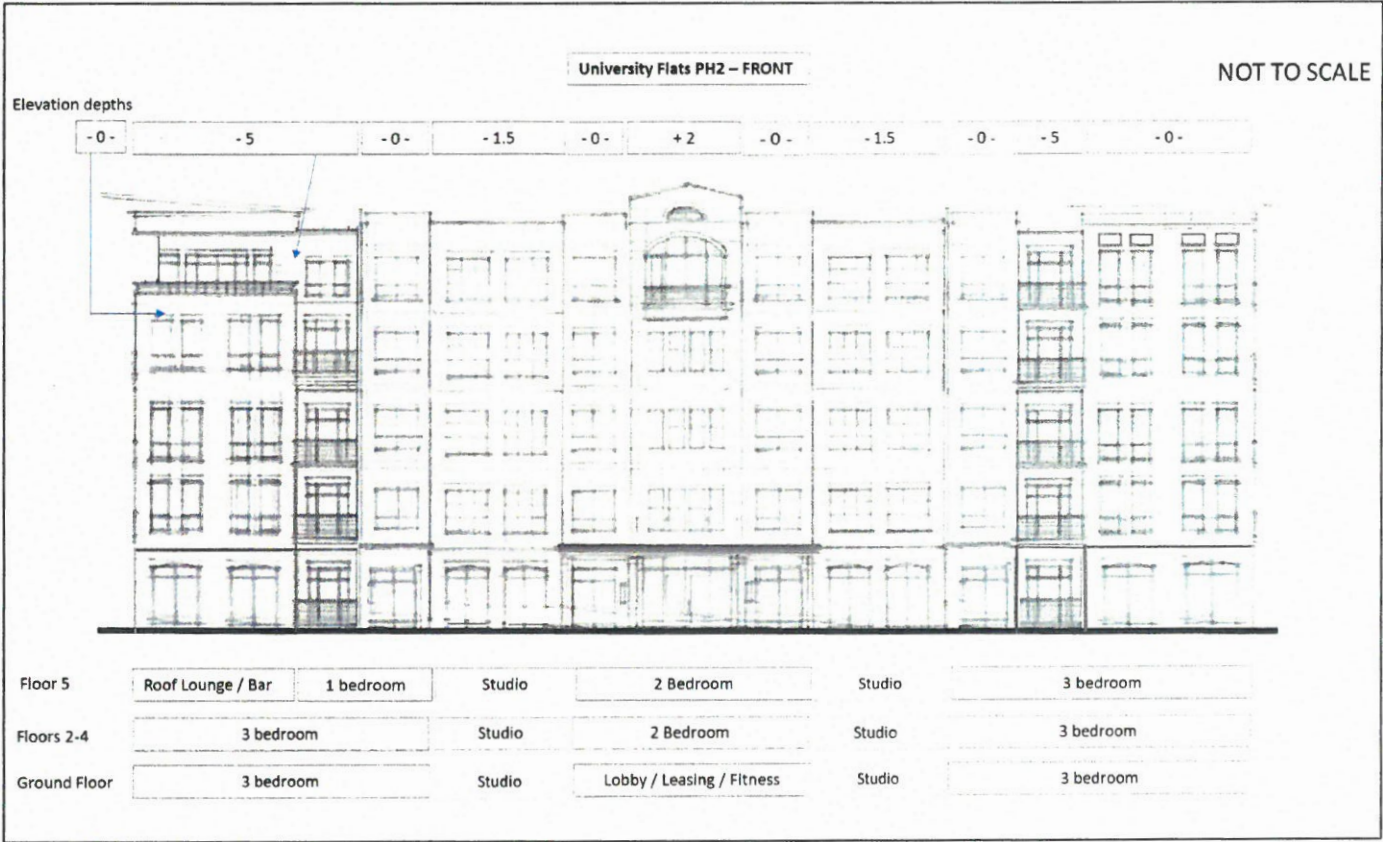
| | | | |
|--------------|---|---|----------|
| Filing Fees: | Single Family Residential Zone District | - | \$100.00 |
| | Multi-Family Residential and Commercial Zone District | - | \$500.00 |
| | Appeals | - | \$300.00 |

Attachment to Application to the Zoning Board of Adjustment

Parcel Numbers: 29-00-01-3-013-001.000
29-00-01-3-013-003.000
29-00-01-3-013-002.000
29-00-01-3-013-001.001

Developer's Proposed Building Elevation

As suggested to Architect



TE ||||| PO

DEVELOPMENT + LIFESTYLE

Preliminary Elevations - Front



TE ||||| PO
DEVELOPMENT + LIFESTYLE

Preliminary Elevations - Rear













Five Points South

ZBA2019-00092

Request: Special Exception
Applicant: BRIAN ROSEN
Owner: University Park LTD, Len Shannon and Aptitude Birmingham
Site Address: 1201, 1219, 1227, and 1131 3rd Avenue South
Zip Code: 35233
Description: Special exception for the development of a communal living facility (student housing) within one mile of a campus
Property Zoned: M1 Light Manufacturing District
Parcel Information: Parcel #: 012900012023003000, 012900012023004000, 012900012023002000 and 012900012023001000; NW ¼ of Section 01, Township 18S, Range 3 W

Special Exception

Special exception for the development of a communal living facility (student housing) within one mile of a campus.

Neighborhood

The Five Points South Neighborhood Association met on December 19, 2019 and voted 5 - 0 to support the application.

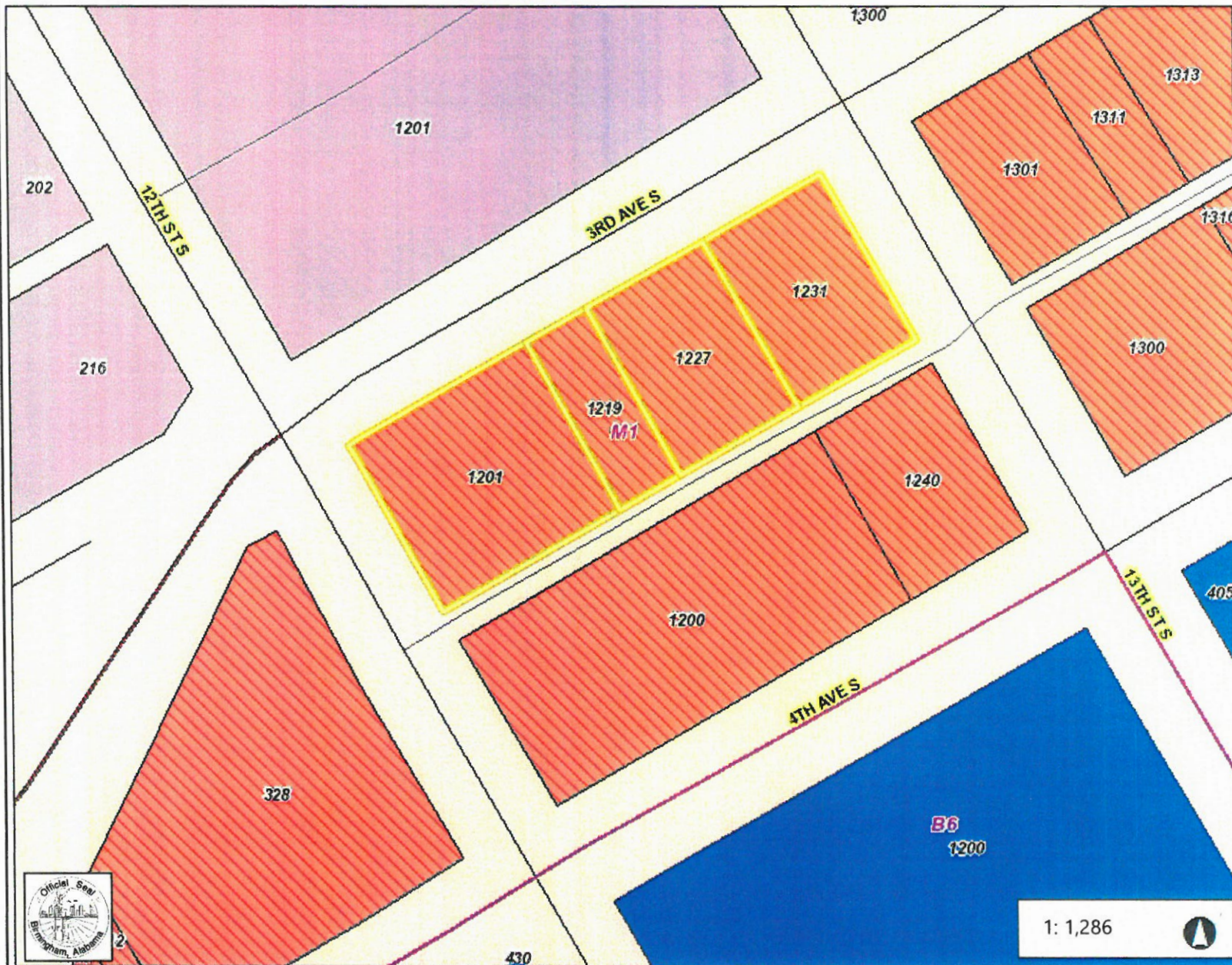
Applicant's Justification

The applicant is proposing the development of Aptitude Birmingham, a seven-story 87-foot tall student housing development within one-mile of a college campus. There will be 187 units (total of 407 beds) This development would be considered as communal living. This location is within one mile of an existing college campus.

Staff Recommendation

Staff believes the applicant has submitted evidence that meets the variance standards of review for the proposal. Therefore, staff believes this request does have merit for approval and as such, should be **APPROVED**. If the Board chooses to grant this request it should be 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. Approval based on site plan as submitted



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium
 - MXU-High



1: 1,286

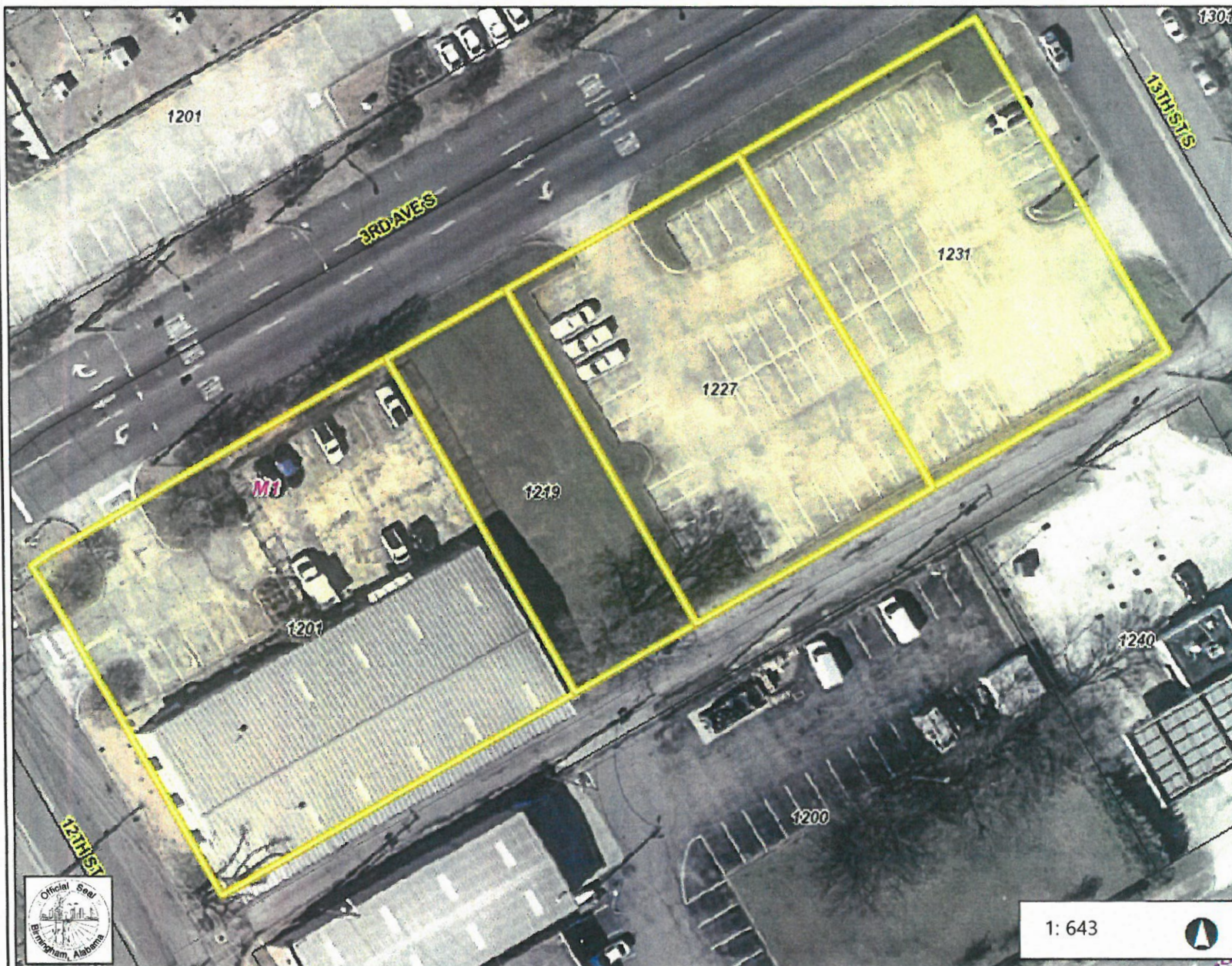


214.3 0 107.14 214.3 Feet

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Notes

Proposed Mixed Use



Legend

- Centerline Labels
- Zoning Outline
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (use with Imagery)
- 2015 Imagery
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



1: 643



107.1 0 53.57 107.1 Feet

Notes

ZONED M1

ONE STOP PERMITTING

CITY OF BIRMINGHAM
DEPARTMENT OF PLANNING, ENGINEERING & PERMITS
710 20th Street, North
ROOM 210, CITY HALL
BIRMINGHAM, ALABAMA 35203

Randall L. Woodfin, Mayor

Edwin Revell, Director

| | |
|--|---|
| APPLICATION TO THE ZONING BOARD OF ADJUSTMENT | Date <u>12-12-19</u> Case No. <u>ZRA 2019-00092</u> Master No. _____ Project No. _____ |
| P.I.D. No. <u>012900012023003000</u> Address Verified By: <u>DTW</u> | |
| Modified Address: _____ | |

Please print or type legibly and fill in all that apply

Site Address: 1201, 1219, 1227 and 1231 3rd Ave South Zip Code: _____
Location: Located on 3rd Ave between 12th St and 13th St
Project Name: Student Housing
Lot(s) 1 thru 10 Block(s) 245 Survey Elyton Land Company's Survey
Lot(s) _____ Block(s) _____ Survey _____
Lot(s) _____ Block(s) _____ Survey _____
 Metes and Bounds Attached

OWNER

NAME: Len Shannon
ADDRESS: _____
CITY/STATE/ZIP: _____
PHONE: (205) 222-1664 CELLULAR: () _____
FAX: () _____ PAGER: () _____
EMAIL: ls@shanwall.com

APPLICANT*

NAME: Brian Rosen
COMPANY NAME: Aptitude Birmingham LLC
ADDRESS: 669 River Drive, Suite 402
CITY/STATE/ZIP: Elmwood Park, NJ 07407
PHONE: (201) 275-1787 CELLULAR: (781) 789-4354
FAX: () _____ PAGER: () _____
EMAIL: br@aptitudere.com
*Applicant is required to be authorized by owner to undertake work

TYPE OF REQUEST

Under the following provisions of the Zoning Ordinance of the City of Birmingham, Alabama, the Zoning Board of Adjustment is hereby requested to:

- Hear an Appeal from a decision of the Director of the Department of Planning, Engineering and Permits Department (Article VIII, Sec. 5.3)
- Modification – Modify the strict application of the provisions of the Zoning Ordinance (Article VIII, Sec. 5.3)
- Variance – Authorize a variance from the terms of the Zoning Ordinance (Article VIII, Sec. 5.2)
- | | | | | |
|--|---|---|---|----------------------------------|
| <input type="checkbox"/> Accessory Structure | <input type="checkbox"/> Adult Establishments | <input type="checkbox"/> Child/Adult Care | <input type="checkbox"/> Communal Living Facility | <input type="checkbox"/> Fences |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Height | <input type="checkbox"/> Manufactured Housing | <input type="checkbox"/> Non-Conforming Uses | <input type="checkbox"/> Parking |
| <input type="checkbox"/> Public | <input type="checkbox"/> Signs | <input type="checkbox"/> Yards | <input type="checkbox"/> Other _____ | |
- Special Exception – Cause a permit to be issued for a special exception (Article VIII, Sec. 5.4 or Article V, Sec. 1)
- | | | | | |
|--|---|---|--|----------------------------------|
| <input type="checkbox"/> Accessory Structure | <input type="checkbox"/> Adult Establishments | <input type="checkbox"/> Child/Adult Care | <input checked="" type="checkbox"/> Communal Living Facility | <input type="checkbox"/> Fences |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Height | <input type="checkbox"/> Manufactured Housing | <input type="checkbox"/> Non-Conforming Uses | <input type="checkbox"/> Parking |

Description of Work or Request: _____

If you have a hardship/practical difficulty, please explain: _____

FOR STAFF USE

SECTION II TEXT CHANGE

Amendment to: Title: _____ Article: _____ Title: _____

- See Attachment
 In words substantially as follows: _____

PLANS REQUIRED

Yes No

PERMIT FEE WAIVED

Yes No

REFERENCE CASES:

COMMENTS

CERTIFICATION

I fully understand that, upon the filing of this application and the payment of the filing fee to defray the expenses of investigation and processing this application, there shall be no refunds made to me and that the payment of said filing fee shall in no way entitle me to the change, amendment, supplement, modification or repeal as herein applied for. If an amendment to text of Zoning Ordinance is proposed, please complete applicant data. I hereby certify that I have read this application and that all information contained herein is true. If any portion of this information, either intentionally or unintentionally, is false or is a misrepresentation of the material facts, the permit or process granted will be void. I further certify that if I am not the owner, I have proper authorization from the owner to act as representative on his/her behalf and that I may be required to provide written documentation of such authorization to the City of Birmingham.

Signature (Owner) Bull Date 12/11/2019

Signature (Owner) _____ Date _____

Hearing Date: _____ Hearing Time: _____ Location: **Room 300, City Hall**

Filing Fees: Single Family Residential Zone District - \$100.00
Multi-Family Residential and Commercial Zone District - \$500.00
Appeals - \$300.00



WOLVERTON
A CHA Company



December 12, 2019

Don Wilborn
City of Birmingham
710 20th Street North, RM 500
Birmingham, AL 35203

**Subject: UAB Student Housing
1201 3rd Avenue South**

Dear Don:

My client, Aptitude Birmingham, LLC, is proposing to construct Student Housing for UAB on 3rd Avenue between 12th and 13th streets. We are requesting a Special Exception for the proposed four bedroom units. Enclosed, you will find our application and associated materials for the Board of Zoning Appeals. We would like to be added to the January 9th meeting agenda. I have reached out to Stephen Foster, the Neighborhood Association President, and he is attempting to call a special meeting the first week of January.

Sincerely,
WOLVERTON & ASSOCIATES, INC.

Jeff Belyea, PE
Market Sector Leader

6745 Sugarloaf Parkway | Suite 100 | Duluth, GA 30097
7 East Congress Street | Suite 306 | Savannah, GA 31401



UNIVERSITY OF ALABAMA BIRMINGHAM STUDENT HOUSING

1201 3rd AVENUE SOUTH BIRMINGHAM, ALABAMA

DEVELOPER: APTITUDE BIRMINGHAM, LLC 669 RIVER DRIVE SUITE 402 ELMWOOD, NJ 07407

1:8 SCALE OF LOT AND SETBACKS



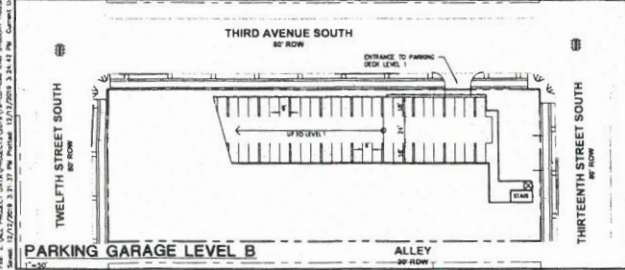
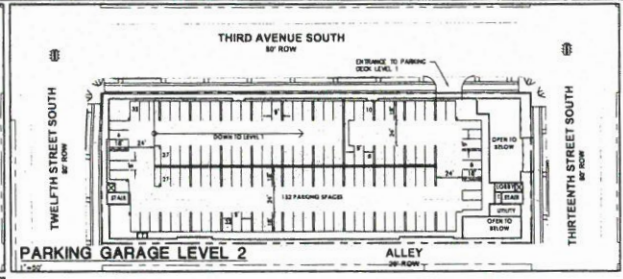
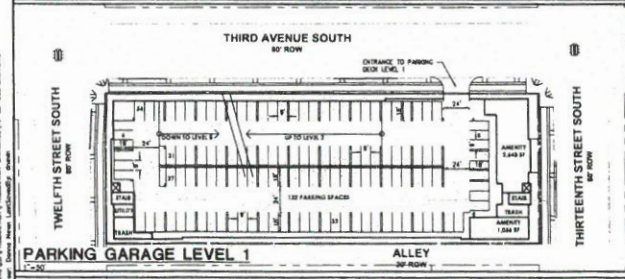
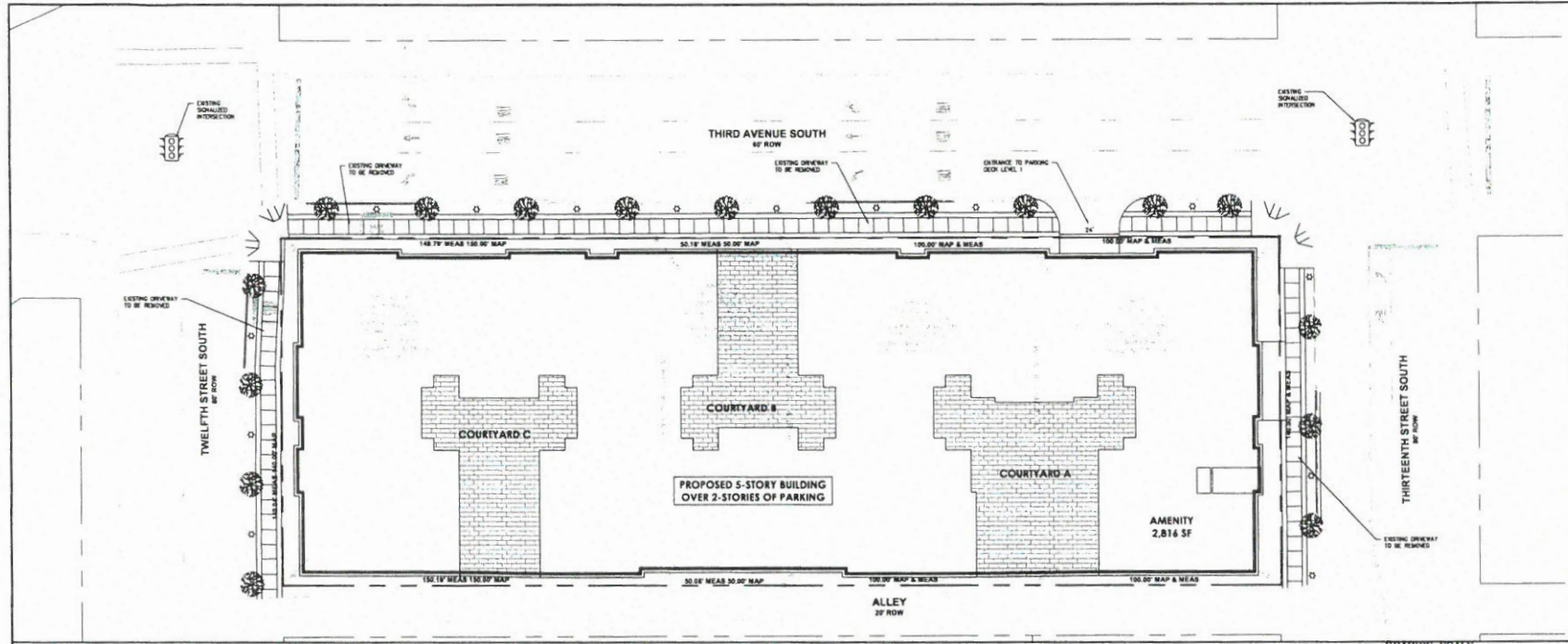
UAB STUDENT HOUSING

| No. | Issued | Revised | By | Date |
|-----|--------|---------|----|------|
| | | | | |
| | | | | |
| | | | | |
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SITE PLAN

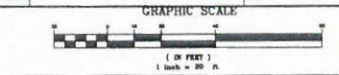
| | | |
|------------------------|-----------------------|-----------------|
| Prepared By: JCB | Drawn By: DMN | Checked By: JCS |
| Issue Date: 12/12/2016 | Project No: 18-LD-046 | Scale: AS SHOWN |

Drawing No: **C-1**



LEGEND FOR PROPOSED IMPROVEMENTS

- PROPOSED BUILDING
- COURTYARD AREA
- CONCRETE PAVEMENT WITH PARKING GARAGE



PROPOSED ZONING: MU-H (MIXED USE - HIGH)

SETBACKS:
 FRONT SETBACK: 0'-0" / 12'-0" PROVIDED
 SIDE SETBACK: 0'-0"
 REAR SETBACK: 0'-0"
 BUILDING HEIGHT (MAX): 120'-0"

BUILDING:
 5 STORIES OF RESIDENTIAL OVER 2 STORIES OF PARKING

RESIDENTIAL GSF PER FLOOR: 39,922 SF
RESIDENTIAL TOTAL GSF: 199,410 SF
 (including amenity SF above podium)

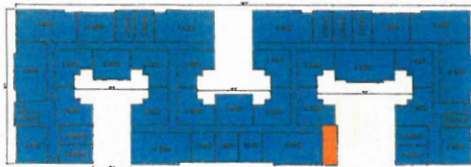
TOTAL UNITS (41) STUDIOS:
 (15) 1 BED / 1 BATH
 (84) 2 BED / 2 BATH
 (45) 4 BED / 4 BATH
 (187) TOTAL UNITS (408) TOTAL BEDS

INTERIOR AMENITY SPACE:
 LEVEL 3: 2,816 SF
 STUDY EACH LEVEL (336 SF PER FLOOR): 1,480 SF

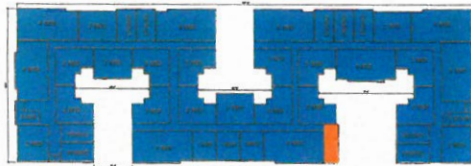
AMENITY SPACE:
 (WITHIN PARKING LEVELS): 3,480 SF

TOTAL PARKING: 284 SPACES
PARKING RATIO: 70%
TOTAL PARKING GSF: 117,426 SF
EXISTING IMPERVIOUS SITE COVERAGE: = 74.37%
TOTAL SITE AREA: = 54,172 SF (1.29 AC.)

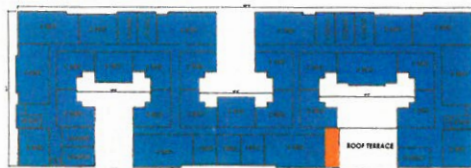
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 DATE: 12/12/2016 3:31:37 PM
 USER: JCB
 PLOT: 11/17/2016 3:34:41 PM
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 DATE PLOTTED: 11/17/2016 3:34:41 PM
 PLOTTER: HP DesignJet L2550



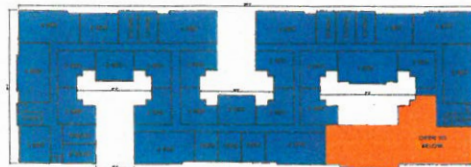
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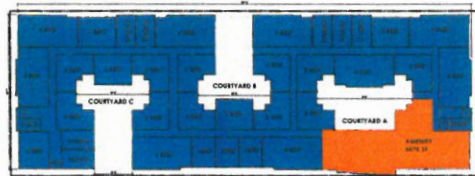
LEVEL 6



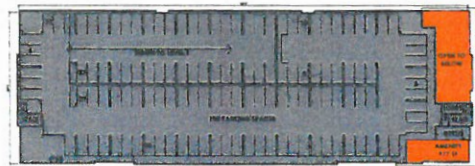
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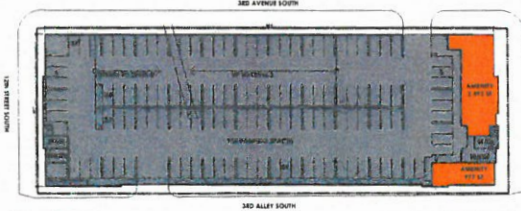
LEVEL 4



LEVEL 3



LEVEL 2



LEVEL 1



BASEMENT LEVEL

| APARTMENT | PROPOSED UNIT TYPE | NO. OF UNITS | UNIT AREA (SQ FT) | TOTAL UNIT AREA (SQ FT) | UNIT TYPE | NO. OF UNITS | UNIT AREA (SQ FT) | TOTAL UNIT AREA (SQ FT) | NO. OF UNITS | UNIT AREA (SQ FT) | TOTAL UNIT AREA (SQ FT) | NO. OF UNITS | UNIT AREA (SQ FT) | TOTAL UNIT AREA (SQ FT) | NO. OF UNITS | UNIT AREA (SQ FT) | TOTAL UNIT AREA (SQ FT) |
|---------------|--------------------|--------------|-------------------|-------------------------|-----------|--------------|-------------------|-------------------------|--------------|-------------------|-------------------------|--------------|-------------------|-------------------------|--------------|-------------------|-------------------------|
| B1 | 1-BED | 40 | 40 | 1,600 | B1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| B2 | 2-BED | 15 | 15 | 7,500 | B2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| B3 | 3-BED | 15 | 15 | 15,000 | B3 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| B4 | 4-BED | 15 | 15 | 30,000 | B4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| B5 | 5-BED | 15 | 15 | 45,000 | B5 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| TOTALS | | | | 100,000 | | | | | | | | | | | | | |

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STUDENT HOUSING STUDY

BIRMINGHAM, ALABAMA

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FIBER CEMENT PANEL



MASONRY



STUCCO 1



STUCCO 2



STUCCO 4



STUCCO 3

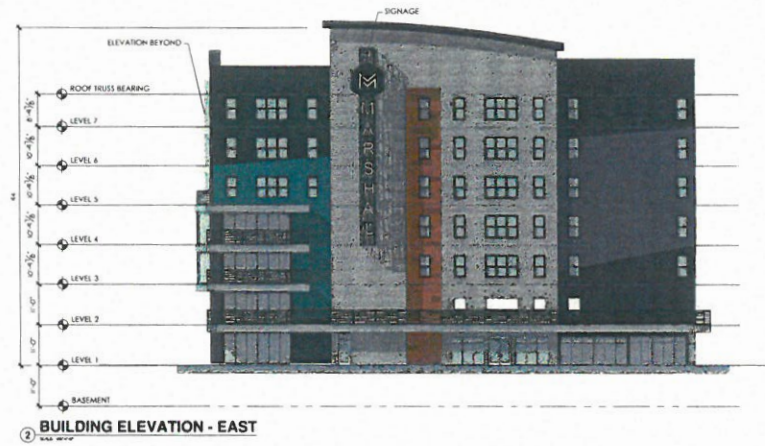


STUCCO 5



STUCCO 6

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2 BUILDING ELEVATION - EAST



1 BUILDING ELEVATION - SOUTH EAST

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FIBER CEMENT PANEL



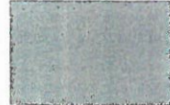
MASONRY



STUCCO 1



STUCCO 2



STUCCO 4



STUCCO 3



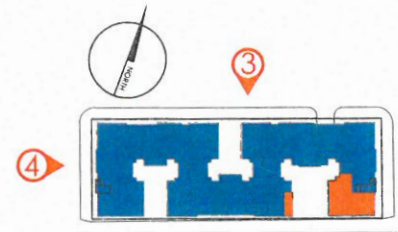
STUCCO 5



STUCCO 6



4 BUILDING ELEVATION - WEST



3 BUILDING ELEVATION - NORTH WEST

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MASONRY



STUCCO 1



STUCCO 2



STUCCO 4



STUCCO 3



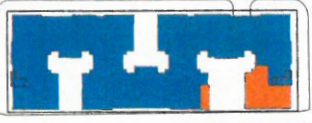
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STUCCO 1



STUCCO 2



STUCCO 4



STUCCO 3



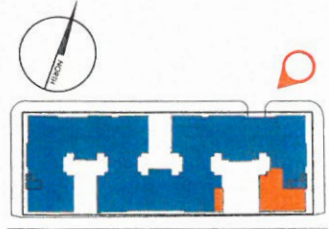
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MASONRY



STUCCO 1



STUCCO 2



STUCCO 4



STUCCO 3

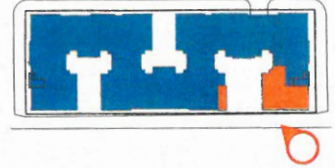


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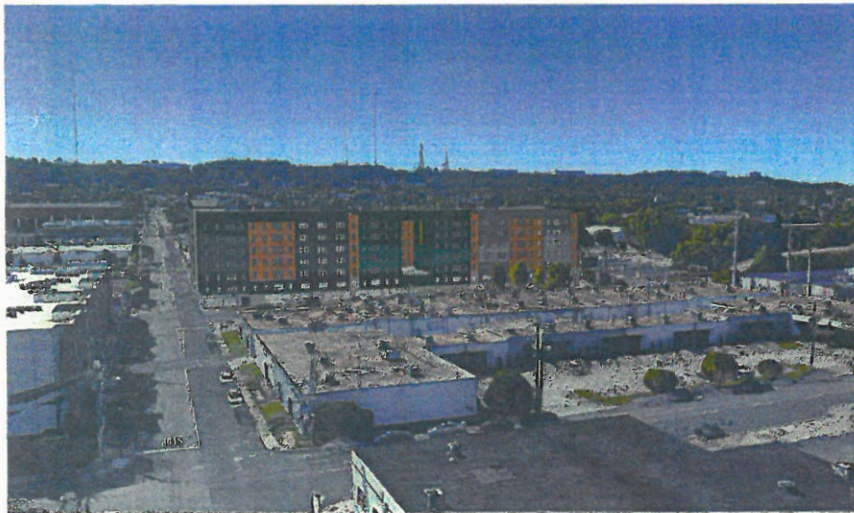
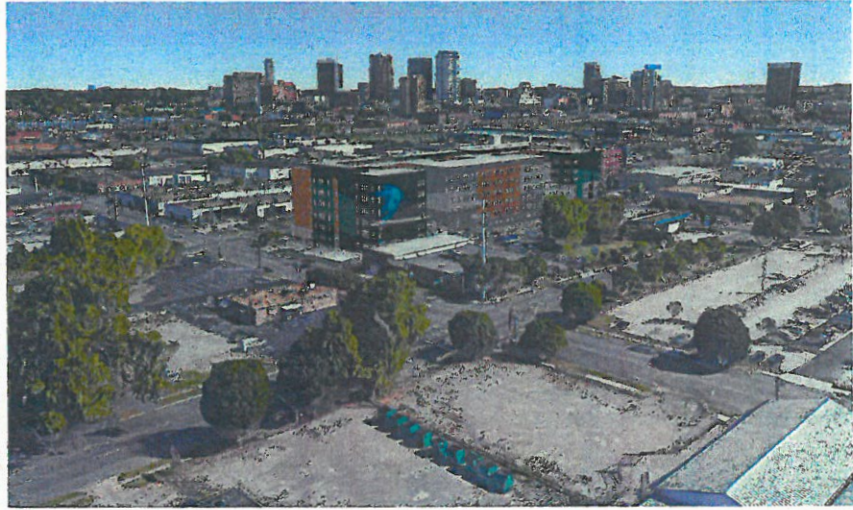


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