

Meeting – June 25, 2020
Location – Webex/Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Department of Planning Engineering & Permits Conference Room, Fifth Floor

Neighborhood: Sun Valley

Staff Planner Moton

ZBA2020-00001
CONTINUED

Request: Variance for location of playground equipment in front yard as stated in Title 1 Chapter 4 Article 4 Section 3. 16 page 141
Applicant: Nakesha Davis
Owner: Anthony Serra
Site Address: 2359 Carson Road
Zip Code: 35215
Description: Variance to allow a playground in the front yard of a non-residential zoned district.
Property Zoned: MUM Mixed-Use Medium
Parcel Information: Parcel #: 011300132005002000, NW of Section 13, Township 16 S, Range 2 W

Variance:

Variance to allow playground equipment in the front yard area.

Neighborhood Meeting:

The Sun Valley Neighborhood met on February 18, 2020 and voted in support of the applicant 5-0.

Public Notices:

Public notices were mailed on June 16, 2020.

Applicant's Justification:

The applicant provided documentation of their response to the six (6) variance standard request questions. The information has been submitted as part of the ZBA Packet.

The subject property is located at 2359 Carson Road, CenterPoint AL 35215, which is a shopping mall plaza. We are formally petitioning the committee to allow a variance to allow a playground on the property. We currently operate Site 1 of Unique Learning LLC on the opposite side of the plaza and have a play area designated on the side of the building for our kids.

The challenge we are facing is that the Zoning Board has determined that we have 2 front yards located on Carson Road as well as 8th Ave. In order to provide care to additional children we are opening Site 2 and it is a DHR requirement to provide a play area for the children.

The playground will not hinder business or take over any parking for other businesses. Unique Learning currently occupies the full shopping plaza strip excluding a barbershop and a storage location used by the plaza owners. This is a low traffic area, with the primary activity coming as a result of our daycare facility operating. We have received permission from the neighborhood and are now seeking approval from the zoning board.

To ensure safety we will:

1. Abide by strict DHR specifications and they will inspect the play area before it is put into use.
2. The play area will be surrounded by 6ft gates to barricade the area for safety.

3. There will be no financial gain from the play area, we are attempting to satisfy DHR mandates as well as provide more care for the children of the community.

Staff Analysis:

The subject property resides in the MUM, Mixed-Use Medium zoning district. This property has multiple front yards. The applicant does meet the six variance standards.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the variance request.

Therefore, staff believes the request has 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. Must have approval by DHR of the proposed site for the playground.
3. Must obtain a fence permit.

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

<p style="text-align: center; border: 1px solid black; margin: 0;">APPLICATION TO THE ZONING BOARD OF ADJUSTMENT</p> <p>P.I.D. No. <u>011300132005982000</u> Address Verified By: <u>DTW</u></p> <p>Modified Address: _____</p>	<p>Date <u>1-7-2020</u> Case No. <u>ZRA 2020-00001</u> Master No. _____ Project No. _____</p>
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Please print or type legibly and fill in all that apply

Site Address: 2359 CARSON ROAD Zip Code: 35215

Location: _____

Project Name: _____

Lot(s) _____	Block(s) _____	Survey _____
Lot(s) _____	Block(s) _____	Survey _____
Lot(s) _____	Block(s) _____	Survey _____

Metes and Bounds Attached

<p>OWNER</p> <p>NAME: <u>Anthony Serra</u> ADDRESS: <u>9701 Parkway E Suite D</u> CITY/STATE/ZIP: <u>Bham AL 35215</u> PHONE: <u>(205) 836-6775</u> CELLULAR: <u>(251) 296-4854</u> FAX: () PAGER: () EMAIL: <u>Willie.Riley@Blurb.com</u></p>	<p>APPLICANT*</p> <p>NAME: <u>Carmon Davis</u> COMPANY NAME: <u>Unique Learning</u> ADDRESS: <u>8351 Carson Rd</u> CITY/STATE/ZIP: <u>Bham Ala 35215</u> PHONE: <u>800-850-1111</u> CELLULAR: <u>800-356-8145</u> FAX: () PAGER: () EMAIL: <u>uniquelearningcc@att.net</u> <small>*Applicant is required to be authorized by owner to undertake work</small></p>
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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 checked="" 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: <u>playground</u>	

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 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: VARIANCE FOR LOCATION OF PLAYGROUND EQUIPMENT IN FRONT YARD IN TITLE 1 CHAPTER 4 ARTICLE 2 SECT 3.1

If you have a hardship/practical difficulty, please explain: CHILD CARE LOCATION DOES NOT HAVE REAR OR SIDE YARD TO PLACE EQUIPMENT

FOR STAFF USE

SECTION II TEXT CHANGE

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): Willie Riley Date: 1/6/2020

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

March 2, 2020

City of Centerpoint
2209 Centerpoint Pkwy
Centerpoint, AL 35215

RE: Board of Zoning Appeals- Variance Request Letter
Unique Learning LLC

Dear Ms. Morton:

As the owner of Unique Learning Childcare Center, we would like to formally introduce the proposed project as well as identify the variations to the City's Zoning Ordinance that are being requested.

The subject property is located at 2359 Carson Road, Centerpoint AL 35215, which is a shopping mall plaza. We are formally petitioning the committee to allow a variance to allow a playground on the property. We currently operate Site 1 of Unique Learning LLC on the opposite side of the plaza and have a play area designated on the side of the building for our kids.

The challenge we are facing is that the the zoning board has determined that we have 2 front yards located on Carson Road as well as 8th Ave. In order to provide care to additional children we are opening Site 2 and it is a DHR requirement to provide a play area for the children. We are requesting the following variance:

1. Allow Unique Learning LLC, Site 2 to place a play area on the Carson Road side of 2359 Carson Road.

This playground will not hinder business or take over any parking for other businesses. Unique Learning currently occupies the full shopping plaza strip excluding a barbershop and a storage location used by the plaza owners. This is a low traffic area, with the primary activity coming as a result of our daycare facility operating. We have received permission from the neighborhood association and are now seeking approval from the zoning board.

To ensure safety we will:

1. Abide by strict DHR specifications and they will inspect the play area before it is put into use.
2. The play area will be surrounded by 6ft gates to barricade the area for safety.
3. There will be no financial gain from the play area, we are attempting to satisfy DHR mandates as well as provide more care for the children of this community.

We respectfully request, on behalf of Unique Learning LLC, the variance from the City Code be granted based upon the reasons outlined above. If you have any questions or need additional information to process the variance requests, please do not hesitate to contact Kesha Davis at 205-356-2145 or Kanecia Killian at 205-215-4312.

Sincerely,

Unique Learning LLC.

Kesha Davis
Owner

ND/kdk

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 Notification Form

NOTICE to the Sun Valley Neighborhood Association Date: January 27, 2020

Case: ZBA2020-00001

ZBA meeting date: February 27, 2020

Site: 2359 Carson Road

Applicant: Nakesha Davis
205-856-1111

Request: Variance to allow location of playground equipment in front yard as stated in Title 1 Article 4 Section 3.B

When you receive this notice, please have a neighborhood officer contact Angelica Moton, Room 210 City Hall, (205) 279-8917, (205) 254-2111 FAX, angelica.moton@birminghamal.gov

The neighborhood has the following 3 options (please select one):

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.

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

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 Officer Signature

Johnny B. Hawes Date: 2-18-2020

Neighborhood Response Form – (if the APPLICANT attends the NA meeting)

RE: ZBA2020-00001

Date: 2-18-2020

To: Angelica Moton, Room 210, 2nd Floor City Hall (205) 279-8917, FAX: (205)254-2111
Angelica.moton@birminghamal.gov

From: Johnny E. Hawkins N.A. President, Vice President, Secretary
(Please indicate the Officer who chaired the meeting when this request was heard)

On 2-18-2020, the request was heard by our Neighborhood Association and we took the following action:

SUPPORT (# of votes) 5 OPPOSE (# of votes) 0

The decision of the Neighborhood Association was to (circle one: support / not support) the request for the following reasons:

whatever zoning commission allows

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: Johnny E. Hawkins
(Officer who chaired or presided over the meeting when the case was presented should sign above)

NOTE:

The Sun Valley NA meetings are held on the **Third Tuesday** of each month at the East Pinson Valley Com. Rec. 3000 Jefferson State Parkway at 7:00 p.m. Please contact Johnny Hawkins at 205-854-0138 to attend the meeting.

PARCEL ID: 011300132005002000

SOURCE: TAX ASSESSOR RECORDS **TAX YEAR:** 2018

DATE: Monday, January 27, 2020 10:14:31 AM

OWNER: COZMO LLC

ADDRESS: 1308 DEERHURST CRT

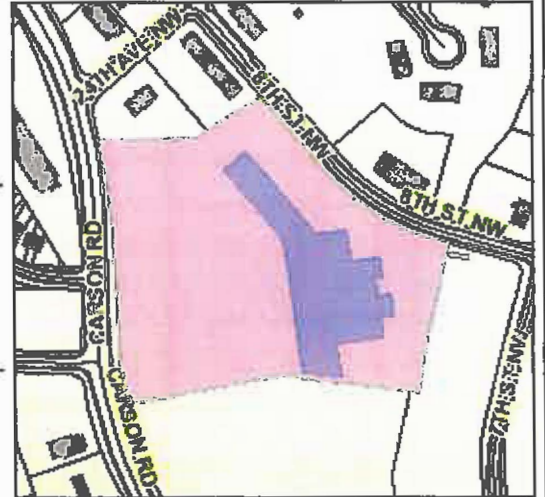
CITY/STATE: BIRMMINGHAM AL

ZIP+4: 35242

SITE ADDR: 2337 CARSON RD

CITY/STATE: BHAM, AL

ZIP: 35215



LAND: \$317,400.00

BLDG: \$435,700.00

OTHER: \$0.00

AREA: 397,983.93

ACRES: 9.14

SUBDIVISION INFORMATION:

NAME QUEENSBURY CENTER 13-13-2

BLOCK:

LOT: 3

:

Section: 13-16-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Sun Valley (705)

Communities: EAST PINSON VALLEY (7)

Council Districts: District - 1 (Councilor: Clinton Woods)

Zoning Outline: MUM

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Not in Impaired Watersheds

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

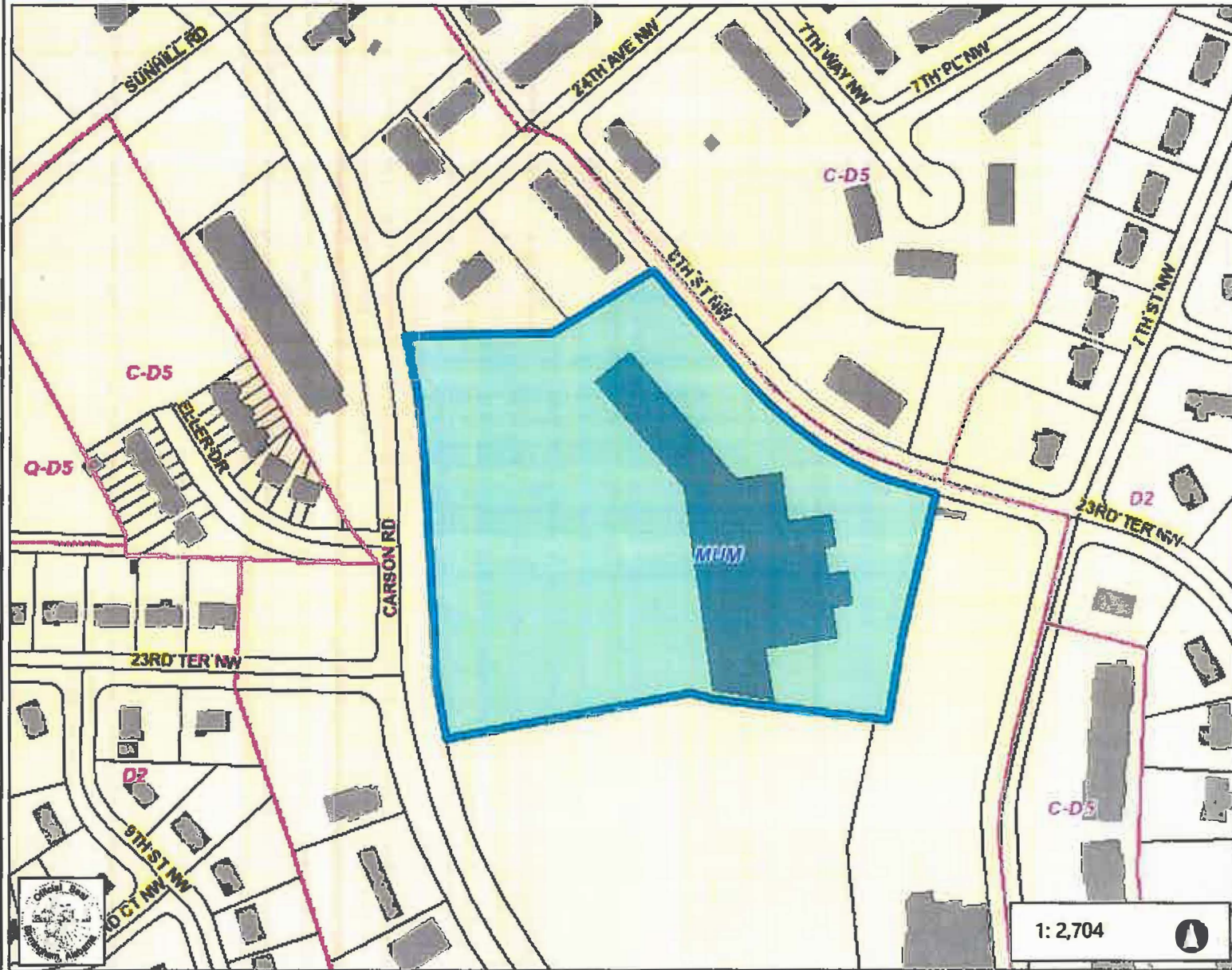
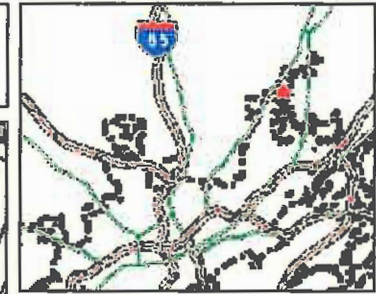
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON

Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data and assumes no responsibility for any errors. Data from the Tax Assessor's Office may not be available for all parcels.

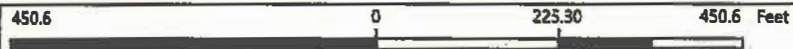


Legend

- 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)

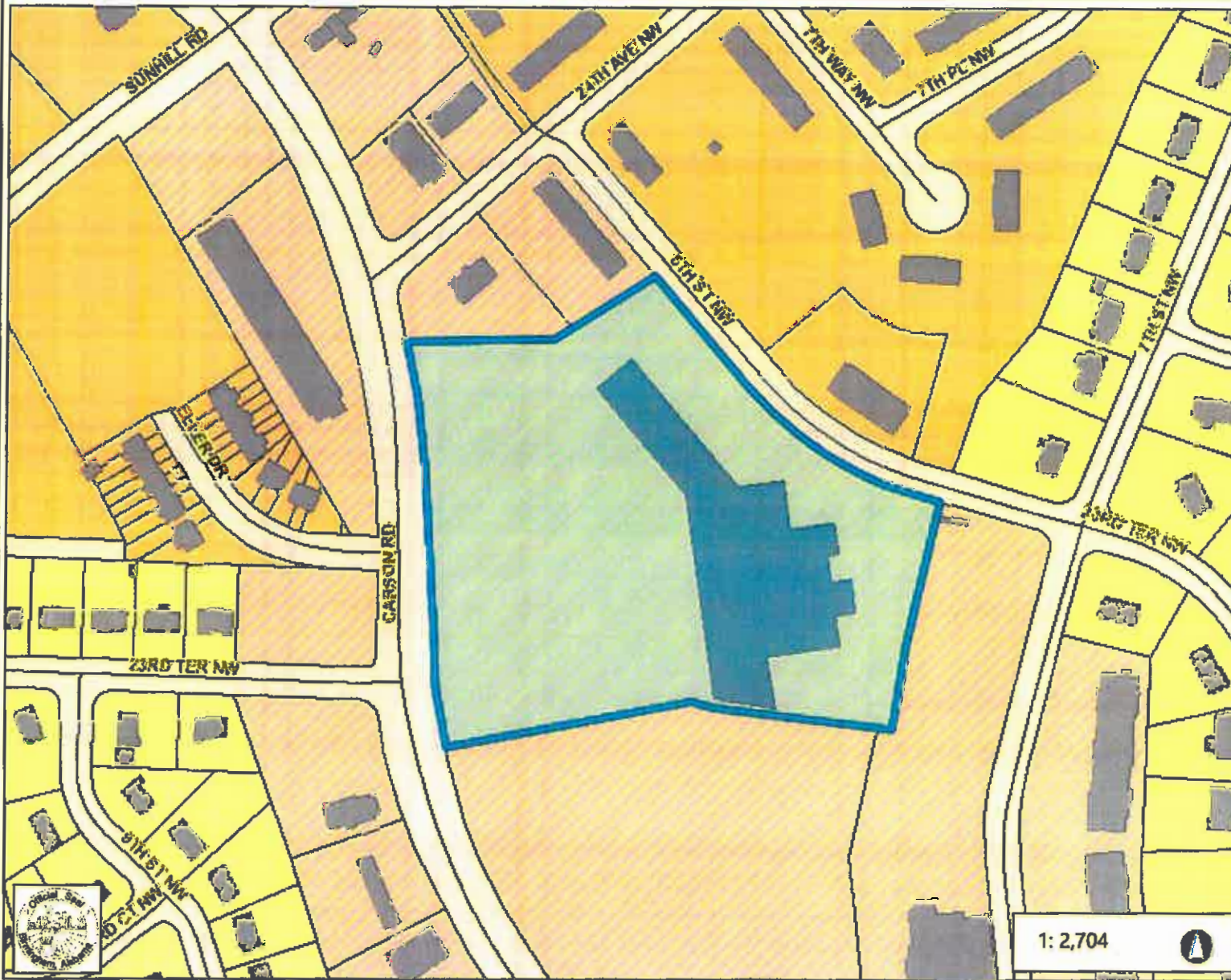


1:2,704



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

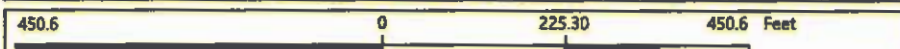


Legend

- Centerline Labels
- 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: 2,704



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

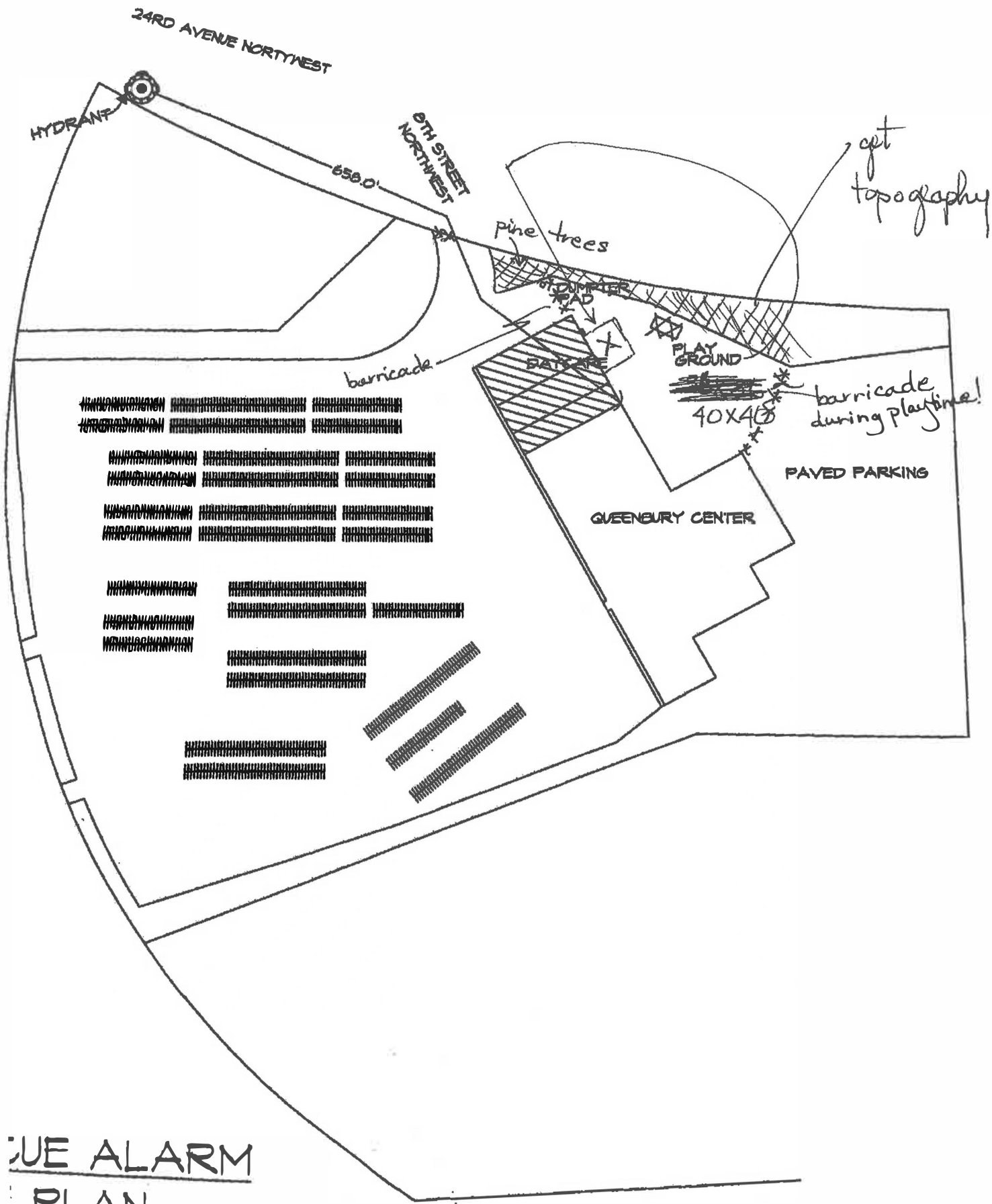


2359 Carson Rd

ZBA2020-00001 Ariel Map



Imagery ©2020 Maxar Technologies, USDA Farm Service Agency, Map data ©2020 100 ft



QUE ALARM
PLAN

23RD AVENUE NORTHWEST

ZBA2020-00001



This is the front yard area of the Childcare facility.

ZBA2020-00001



ZBA2020-00001



ZBA2020-00001



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 Revelle, Director

APPLICATION TO THE ZONING BOARD OF ADJUSTMENT		Date <u>1-13-2020</u> Case No. <u>ZBA 2020-00006</u> Master No. _____ Project No. _____
P.I.D. No.: <u>01280026300005892</u> Address Verified By: <u>DTU</u>		Modified Address: _____
Please print or type legibly and fill in all that apply		
Site Address: <u>3660 Grandview Parkway Birmingham, AL</u> Zip Code: <u>35243</u>		
Location: <u>Church of the Highlands Grandview Campus</u>		
Project Name: <u>Highlands College Student Housing</u>		
Lot(s) <u>S-A</u> Block(s) _____	Survey <u>Calhoun Cir Grandview Res. S</u>	
Lot(s) <u>S-C</u> Block(s) _____	Survey ¹ _____	
Lot(s) <u>S-E</u> Block(s) _____	Survey ² _____	
<input type="checkbox"/> Metes and Bounds Attached		
OWNER	APPLICANT*	
NAME: <u>Bruce S. Adams</u>	NAME: <u>Corey Shoop</u>	
ADDRESS: <u>3660 Grandview Parkway</u>	COMPANY NAME: <u>Cobbam Mills, + Cowood</u>	
CITY/STATE/ZIP: <u>Birmingham, AL 35243</u>	ADDRESS: <u>2701 1st Ave S.</u>	
PHONE: (205) <u>725-7621</u> CELLULAR: ()	CITY/STATE/ZIP: <u>Birmingham, AL 35233</u>	
FAX: () PAGER: ()	PHONE: (905) <u>877-4462</u> CELLULAR: ()	
EMAIL: <u>bruce@churchofthehighlands.com</u>	FAX: () PAGER: ()	
	EMAIL: <u>corey.shoop@qwestnet.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:		
<input type="checkbox"/> Hear an Appeal from a decision of the Director of the Department of Planning, Engineering and Permits Department (Article VIII, Sec. 5.3)		
<input type="checkbox"/> Modification – Modify the strict application of the provisions of the Zoning Ordinance (Article VIII, Sec. 5.3)		
<input type="checkbox"/> 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"/> Flood Hazard	<input type="checkbox"/> Height	<input type="checkbox"/> Manufactured Housing
<input type="checkbox"/> Public	<input type="checkbox"/> Signs	<input type="checkbox"/> Yards
<input type="checkbox"/> Communal Living Facility		<input type="checkbox"/> Fences
<input type="checkbox"/> Non-Conforming Uses		<input type="checkbox"/> Parking
<input checked="" type="checkbox"/> 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 type="checkbox"/> Flood Hazard	<input type="checkbox"/> Height	<input type="checkbox"/> Manufactured Housing
<input checked="" type="checkbox"/> Communal Living Facility		<input type="checkbox"/> Fences
<input type="checkbox"/> Non-Conforming Uses		<input type="checkbox"/> Parking
Description of Work or Request: <u>Special exception to allow a student housing facility so that construction can begin while the process of rezoning to HCB is ongoing.</u>		
If you have a hardship/practical difficulty, please explain: _____		
SECTION II TEXT CHANGE		FOR STAFF USE
Amendment to: Title: _____ Article: _____ Title: _____		
<input type="checkbox"/> See Attachment		
<input type="checkbox"/> 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) <u>[Signature]</u>	Date <u>1-13-20</u>	
Signature (Owner) _____	Date _____	
Hearing Date: _____	Hearing Time: _____	Location: Room 300, City Hall
Filing Fees:	Single Family Residential Zone District	-
	Multi-Family Residential and Commercial Zone District	-
	Appeals	-
		\$100.00
		\$500.00
		\$300.00



Zoning Board of Adjustment (ZBA) Neighborhood Notification Form

NOTICE to the OVERTON Neighborhood Association Date: January 17, 2020

Case: ZBA2020-00006 ZBA meeting date: February 27, 2020

Site: 3660 Grandview Parkway Applicant: Corey Shoop / Church of the Highlands 205-879-4462

Request: Special exception for the development of a communal living facility (student housing) as allowed in Title 1, Chapter 4, Article 3, Section 4.

When you receive this notice, please have a neighborhood officer contact Donald Wilborn, Room 500 City Hall, (205) 254-2730, (205) 254-2925 FAX, Donald.wilborn@birminghamal.gov

The neighborhood has the following 3 options (please select one):

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.

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

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: Macedonia Baptist Church _____ Address: 803 Maple B'ham AL 35210

Date: February 4, 2020

NA Contact Person: Anita Abrams _____ Telephone: 205-907-0401 _____

Neighborhood Officer Signature: Anita M. Abrams Date: February 9, 2020

Neighborhood Response Form – (if the APPLICANT attends the NA meeting)

RE: ZBA2020-00006

Date: February 4, 2020 _____

To: Donald Wilborn, Room 500, 2nd Floor City Hall (205) 254-2730, FAX: (205)254-2925
Donald.wilborn@birminghamal.gov

From: Anita Abrams _____ N.A. - **President**, Vice President, Secretary
(Please indicate the Officer who chaired the meeting when this request was heard)

On February 4, 2020, the request was heard by our Neighborhood Association and we took the following action:

SUPPORT (# of votes) 5 _____

OPPOSE (# of votes) 0 _____

The decision of the Neighborhood Association was to (circle one: **support** / not support) 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: *Anita M. Abrams* _____
(Officer who chaired or presided over the meeting when the case was presented should sign above)

NOTE:

The Overton NA meetings are the **first Tuesday** of every other month at the **Macedonia Baptist Church at 803 Maple Street at 6:00 p.m.** Please contact **President: Anita Abrams Phone: (205) 907-0401** to attend the meeting.

PARCEL ID: 012800263000005002

SOURCE: TAX ASSESSOR RECORDS **TAX YEAR:** 2018

DATE: Tuesday, February 18, 2020 3:30:06 PM

OWNER: LAKD HQ LLC

ADDRESS: 505 20TH STREET N SUITE 1000

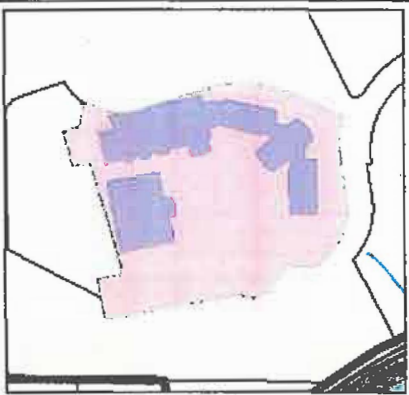
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35203

SITE ADDR: 3660 GRANDVIEW PKWY

CITY/STATE: , AL

ZIP: 35243



LAND: \$2,718,100.00

BLDG: \$17,385,500.00

OTHER: \$0.00

AREA: 552,061.12

ACRES: 12.67

SUBDIVISION INFORMATION:

NAME CAHABA CTR GRANDVIEW RES **BLOCK:** **LOT:** 5-A

Section: 26-18-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Overton (2301)

Communities: CAHABA (23)

Council Districts: District - 2 (Councilor: Hunter Williams)

Zoning Outline: QC2

Highway 280 Overlay Outline: In Highway 280 Overlay Outline

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Cahaba River-Patton Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: Not in RISE Focus Area

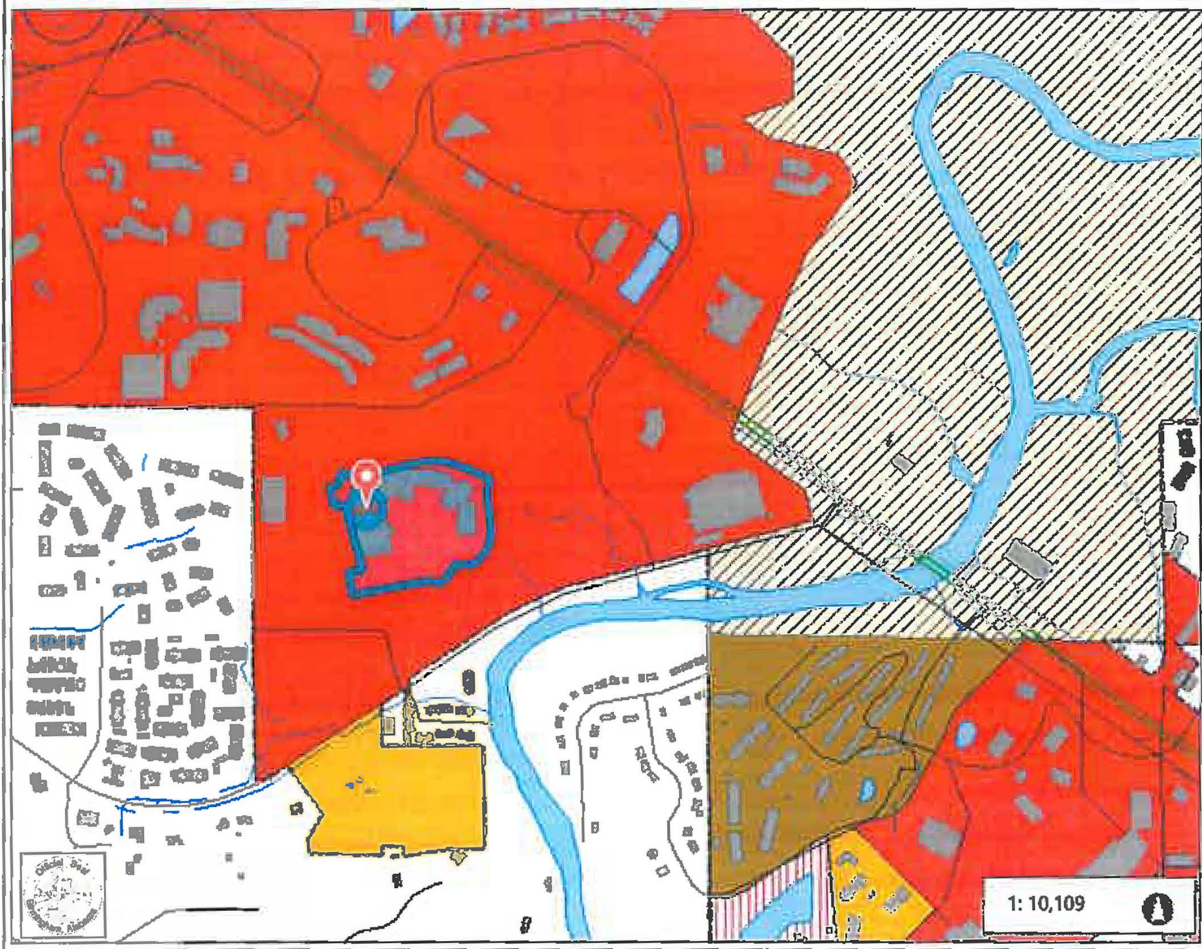
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON

Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data and assumes no responsibility for any errors. Data from the Tax Assessor's Office may not be available for all parcels.



- Legend**
- Railroad
 - Alleys
 - Local Roads
 - Arterials
 - County Highways
 - State Highways
 - US Highways
 - Interstates
 - Limited Access
 - Ramp
 - Buildings
 - Hydrology Lines
 - Hydrology Areas
 - Parcels
 - City Parks
 - Airport
- Zoning Shaded**
- R1; D1 - Single Family District - C1a
 - R2; D2 - Single Family District - C1a
 - R3; D3 - Single Family District; R3
 - R4; D4 - Two Family District R4
 - R4A - Multiple Dwelling District
 - R5; D5 - Multiple Family District; D5
 - R6; D6 - Multiple Family District
 - R7 - Multiple Family District
 - R8 - Planned Residential District

1,684.9 0 842.45 1,684.9 Feet

1: 10,109

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**
- +— 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
 - MXU-Downtown



1: 10,109

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

ZBA2020-00006 Ariel Map



HIGHLANDS COLLEGE PHASE 1 STUDENT HOUSING

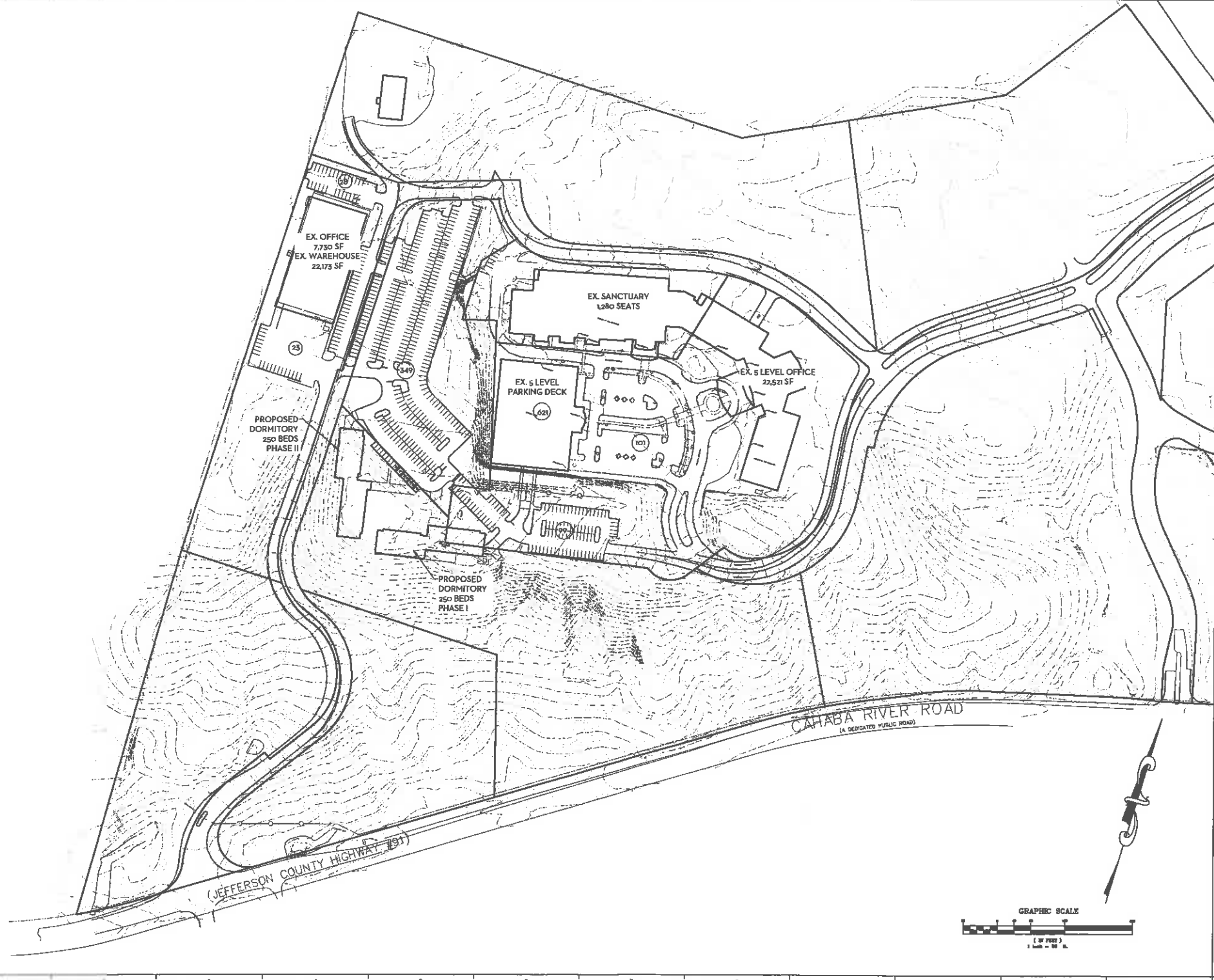
BIRMINGHAM, ALABAMA



**HIGHLANDS COLLEGE
PHASE 1 STUDENT HOUSING**
 BIRMINGHAM, ALABAMA

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GMC

2701 1st Avenue S
Birmingham, AL 35233
T: 205.879.4462
gmc@work.com

ISSUE DATE	CRANKED BY	CHECKED BY

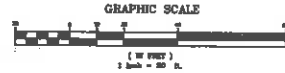
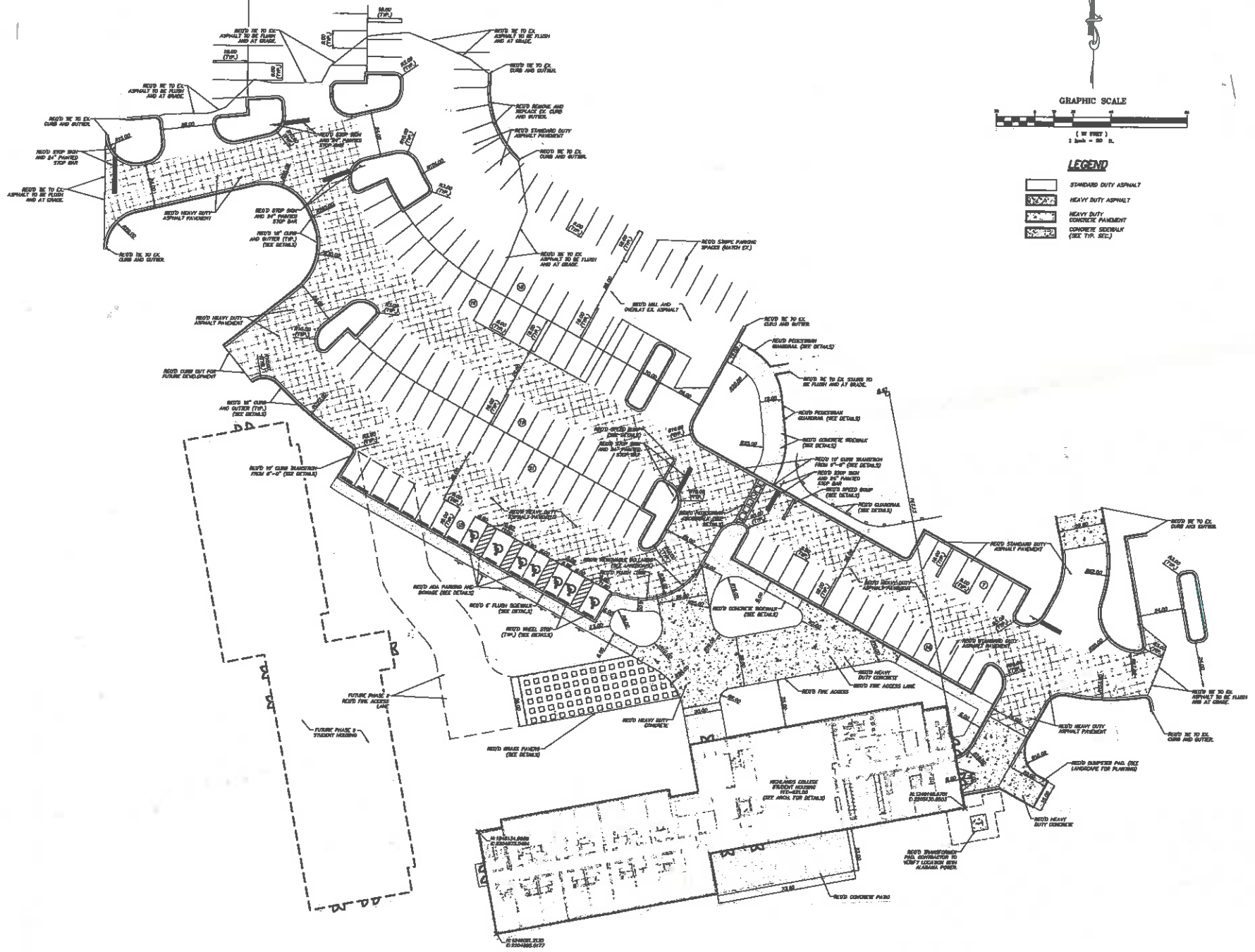
HIGHLANDS COLLEGE
REDEVELOPMENT
BIRMINGHAM, ALABAMA

ABC Project #
GMC Project #
PROJECT #

PROPOSED PARKING
CONDITIONS

C1.1
OF
SHEET





LEGEND

	STANDARD DUTY ASPHALT
	HEAVY DUTY ASPHALT
	HEAVY DUTY CONCRETE PAVEMENT
	CONCRETE SIDEWALK (SEE TRF. SEC.)

**HIGHLANDS COLLEGE
 PHASE 1 STUDENT HOUSING**
 BIRMINGHAM, ALABAMA



I.F.C.
 ISSUE FOR CONSTRUCTION

REVISIONS:

NO.	DATE	DESCRIPTION

DATE: _____
 PROJECT NUMBER: 2630
 DRAWING NO: 116A1P
 SHEET NO: _____

10/21/2013 10:51:14 AM Rev. 0001

Meeting – June 25, 2020
Location – Webex/Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Department of Planning Engineering & Permits Conference Room, Fifth Floor

Neighborhood: Crestline

Staff Planner Moton

ZBA2020-00013
CONTINUED

Request: Variance to encroach 5'ft into the rear yard setback per Title 1, Chapter 3, Article 1, Section 4D, subsection 25 page 54
Applicant: Carl Spurrier
Owner: Merrilyn Cook
Site Address: 148 Glenhill Drive
Zip Code: 35213
Description: Variance to encroach 5ft into the rear yard setback.
Property Zoned: R-2 Single Family District
Parcel Information: Parcel #: 012300343018023000, SW of Section 34, Township 17 S, Range 2 W

Variance:

Variance to encroach 5ft into the rear yard setback for covered patio and uncovered deck.

Neighborhood Meeting:

The Crestline Neighborhood met on February 27,2020, and voted in support of the applicant request 6-0.

Public Notices:

Public notices were mailed on June 16, 2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions. The information has been submitted as part of the ZBA Packet.

1.Physical Characteristics of the Property: Due to the shape and topography of the lot we had to lay out the house with the attached garage on the left side of the house. As the survey shows the right side property line of the lot is shorter than the left side property line which left us with less room on the 35' setback to fit the screened-in porch behind the setback without encroaching the 30' setback on the front of the house.

2.Unique Characteristics: Other lots in this area do not have the irregular shape of this lot and do not seem to have a dog-leg on one side that prevents the layout of the screened porch and open deck from going into the setback. The survey shows the right side property line of the lot is shorter than the left side property line which left us with less room on the 35' setback to fit the screened-in porch and open deck behind the setback without encroaching the 30' setback on the front of the house. To have the outdoor space as drawn, we would like to request a 30' rear setback so that we can preserve the original design for the enjoyment of the outdoor living space as it was intended. All other setbacks around the house are being strictly observed.

3.Hardship Not Self-Imposed: The hardship has not been created by the previous actions of any person having an interest in the property.

4. Financial Gain Not Only Basis: We do not deem the variance request as any kind of financial gain or loss.

5.No Injury to Neighboring Property: The granting of the variance will not be injurious to other property or improvements in the area. We took on improving the drainage easement on the rear property line that was overgrown by weeds and had no sense of direction except for flowing

downhill. We regraded and shaped the easement at our expense from lot line to line, installed silt fabric on the ground to cut down on weed growth and hand laid rip-rap stone to control the water flow. After performing the work, we were able to make a better situation for water flow for all adjoining properties that had been neglected over the years. Also, if you observe the adjacent property on the right side of the house where we are requesting the variance there is an existing house that was built decades ago. The house has a rear carport and storage shed that is attached to the house and extends to the rear property line which would violate the current setback restriction, therefore we feel that we would not be presenting any injury to the adjoining property due to our request.

6.No Harm to Public Welfare: We do not deem the variance to be of any harm to the adjoining homeowners. The homes that back up to this property is heavily wooded and grown up thus blocking the view of all parties from viewing each other's homes.

History: The parcel is located at 148 Glenhill Drive and resides in the R-2, Single Family District. The right rear corner of the screened-in porch is over the 35' setback by approximately 2'; the left rear corner of the screened-in porch is clear of the 35' setback line by approximately 2' creating a small triangle section to be over the setback as drawn on the attached drawing. The open deck (deck without roof system) as drawn on the attached drawing would be over the setback by approximately 5' on the right rear corner and 2' on the left rear corner. Allowing a 35' setback on the rear property line would bring both the screened-in porch and open deck within compliance of the R-2 zoning ordinance.

Staff Analysis:

According to Title 1, Chapter 3, Article 1, Section 4D, subsection 25 page 54, an uncovered deck that is located at least 10 feet from the rear property line, does not encroach on required side setbacks and is no more than five above grade is permitted. The uncovered deck and patio meets those requirements, except that it is more than five feet above grade; therefore, a variance is required.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the variance request. Therefore, staff believes the request has 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. Review by storm water due to topography.
3. All permits and certificate of completion should obtain within two years of approval from the Board.

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

ZBA 2020-00013

<div style="border: 1px solid black; padding: 5px; text-align: center; font-weight: bold;">APPLICATION TO THE ZONING BOARD OF ADJUSTMENT</div>	<p>Date: <u>2-12-2020</u></p> <p>Case No. _____</p> <p>Master No. _____</p> <p>Project No. _____</p>
<p>P.I.D. No.: _____ Address Verified By: _____</p> <p>Modified Address: _____</p>	

Please print or type legibly and fill in all that apply

Site Address: 140 Alabam Hill Dr Zip Code: 35213

Location: off of Montevallo Rd. West Euclid Ave.

Project Name: Messilyn Cook

Lot(s): _____	Block(s): _____	Survey: <u>Glenwood Hills</u>
Lot(s): _____	Block(s): _____	Survey: _____
Lot(s): _____	Block(s): _____	Survey: _____

Metes and Bounds Attached

<p>OWNER</p> <p>NAME: <u>Messilyn Cook</u></p> <p>ADDRESS: <u>2509 River Trace Cir.</u></p> <p>CITY/STATE/ZIP: <u>Vestavia, AL 35243</u></p> <p>PHONE: () _____ CELLULAR: <u>205.531-8706</u></p> <p>FAX: () _____ PAGER: () _____</p> <p>EMAIL: <u>messilyncook@gmail.com</u></p>	<p>APPLICANT</p> <p>NAME: <u>Carl Spurrer</u></p> <p>COMPANY NAME: <u>Spurrer Const. Group, Inc.</u></p> <p>ADDRESS: <u>321 1st Street Dr.</u></p> <p>CITY/STATE/ZIP: <u>Trussville, AL 35173</u></p> <p>PHONE: () _____ CELLULAR: <u>205.365-2072</u></p> <p>FAX: () _____ PAGER: () _____</p> <p>EMAIL: <u>cspsurr@gmail.com</u></p> <p><small>*Applicant is required to be authorized by owner to undertake work</small></p>
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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-Confirming Uses	<input type="checkbox"/> Parking
<input type="checkbox"/> Public	<input type="checkbox"/> Signs	<input type="checkbox"/> Yards	<input checked="" type="checkbox"/> Other: <u>Covered Deck</u>	

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 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-Confirming Uses	<input type="checkbox"/> Parking

Description of Work or Request: See Attachments

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

FOR STAFF USE

SECTION II TEXT CHANGE

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): [Signature] Date: 2-12-2020

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

Homeowner Authorization:

I Merrilyn Cook the owner of 148 Glenhill Dr.; Birmingham, AL 35213 hereby authorize Carl Spurrier of Spurrier Construction Group, Inc. to represent my interest in the attached Variance Request.

Merrilyn Cook _____ 2-11-2020

Merrilyn Cook

Date

205-531-8706

merrilyncook@gmail.com

From: Carl Spurrier
Spurrier Construction Group, Inc.
321 Tutwiler Dr.
Trussville, AL 35173
205-365-2072

To: City of Birmingham
Department of Planning, Engineering & Permits
710 North 20th Street
Room 210, City Hall
Birmingham, AL 35203

Re: Case ZBA2020-00013

Variance request to encroach 5' into rear yard setback per Title 1, Chapter 3, Article 1, Section 4D, subsection 25 per attached drawing for 148 Glenhill Dr.; Birmingham, AL 35213.

I Jean L. Madden (homeowner) located next door to 148 Glenhill Dr.; Birmingham, AL 35213 do hereby give my approval to the above variance request.

Signature: Jean Madden

Date: 3/5/20

Address: 168 Glenview Dr.
Birmingham, AL 35213
Lot (11)

Phone #: 205-~~875-0003~~
533-3354

From: Carl Spurrier

Spurrier Construction Group, Inc.

321 Tutwiler Dr.

Trussville, AL 35173

205-365-2072

To: City of Birmingham

Department of Planning, Engineering & Permits

710 North 20th Street

Room 210, City Hall

Birmingham, AL 35203

Re: Case ZBA2020-00013

Variance request to encroach 5' into rear yard setback per Title 1, Chapter 3, Article 1, Section 4D, subsection 25 per attached drawing for 148 Glenhill Dr.; Birmingham, AL 35213.

I Rocky J. Sullivan (homeowner) located next door to 148 Glenhill Dr.; Birmingham, AL 35213 do hereby give my approval to the above variance request.

Signature: Rocky J. Sullivan

Date: 3/5/2020

Address: 144 Glenhill Dr (Lot 9)
Bham AL 35213

Phone #: (205) 531-6699
(cell)

PARCEL ID: 012300343018023000

SOURCE: TAX ASSESOR RECORDS **TAX YEAR:** 2018

DATE: Monday, February 24, 2020 1:25:46 PM

OWNER: CGC LLC

ADDRESS: 5 GLENVIEW CIR

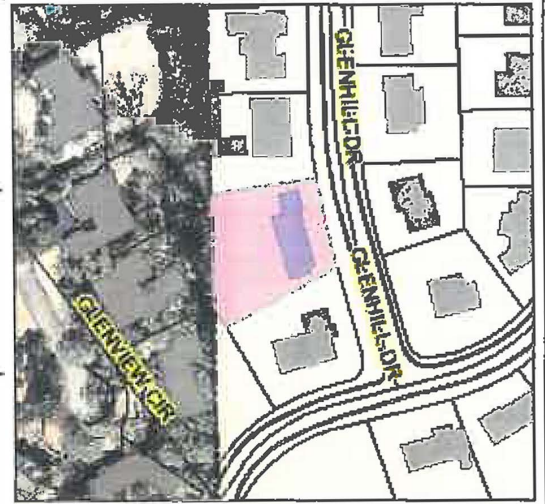
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35213

SITE ADDR: 148 GLENHILL DR

CITY/STATE: BHAM, AL

ZIP: 35213



LAND: \$191,600.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 18,246.73

ACRES: 0.42

SUBDIVISION INFORMATION:

NAME GLENWOOD HILLS 23-34-3

BLOCK:

LOT: 10

Section: 34-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Crestline (301)

Communities: CRESTLINE (3)

Council Districts: District - 2 (Councilor: Hunter Williams)

Zoning Outline: R2

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Upper Shades Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: Not in RISE Focus Area

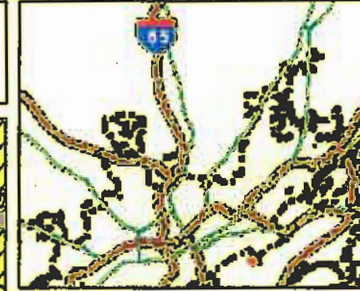
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON

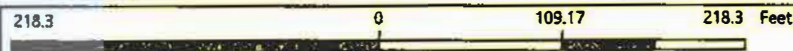
Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data and assumes no responsibility for any errors. Data from the Tax Assessor's Office may not be available for all parcels.



- 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
 - Zoning Shaded
 - R1; D1 - Single Family District - C1a
 - R2; D2 - Single Family District - C1a
 - R3; D3 - Single Family District; R3
 - R4; D4 - Two Family District; R4
 - R4A - Multiple Dwelling District
 - R5; D5 - Multiple Family District; D5
 - R6; D6 - Multiple Family District
 - R7 - Multiple Family District

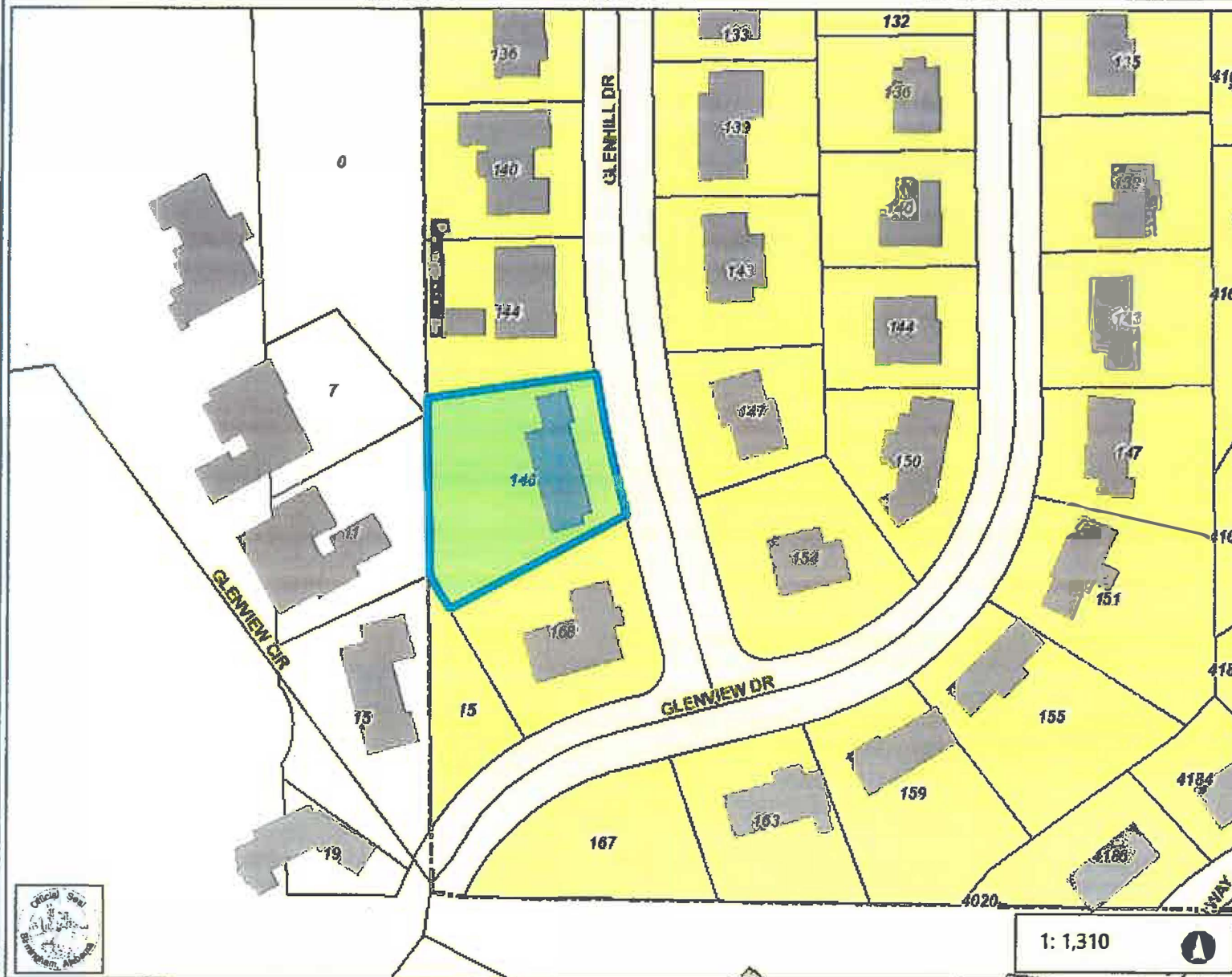
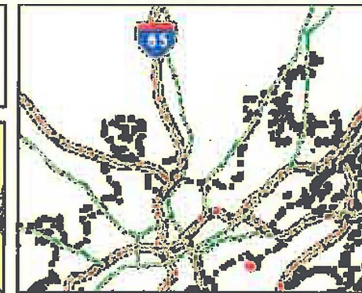


1: 1,310



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
- + 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



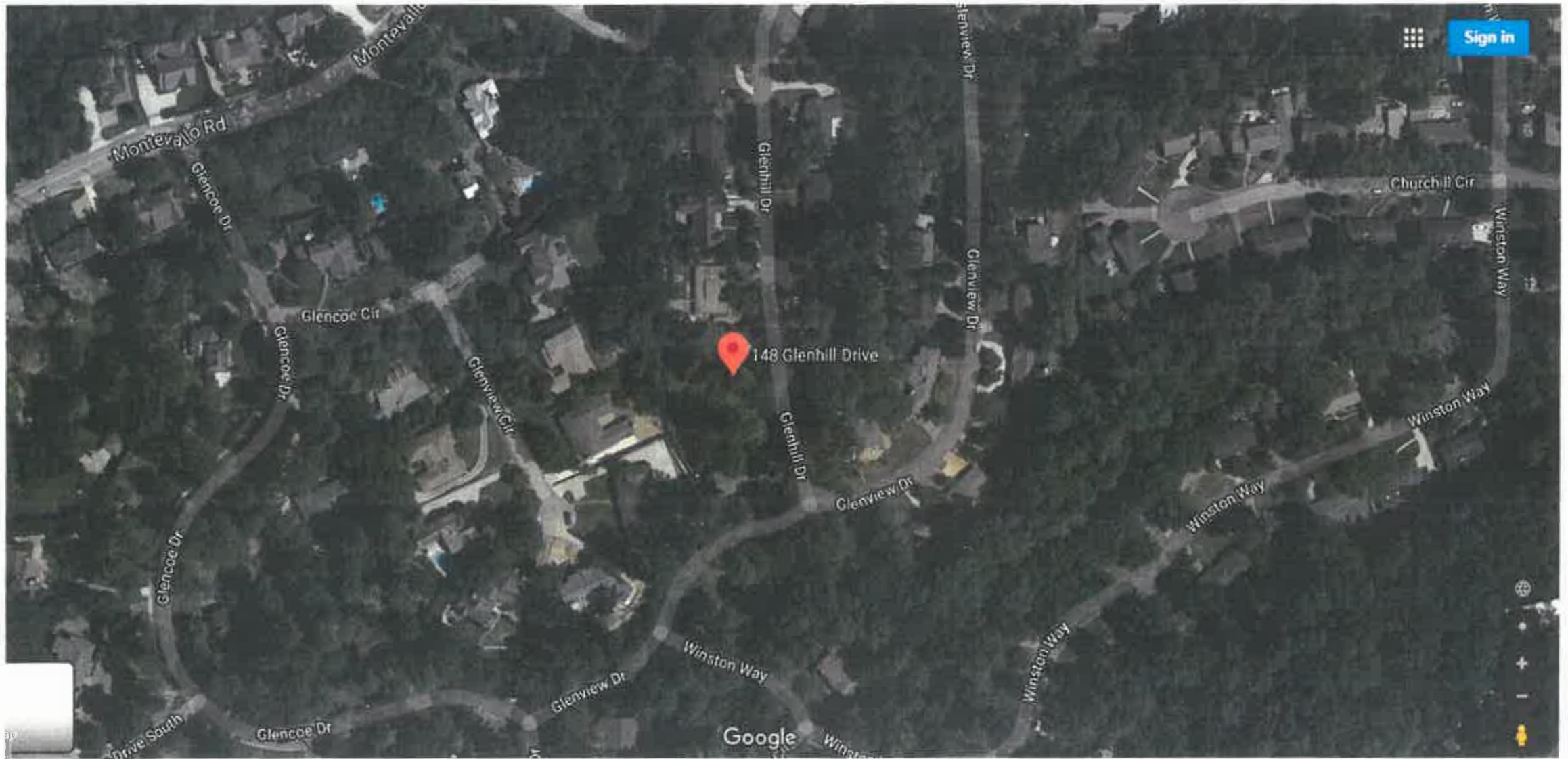
1: 1,310



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

ZBA2020-00013 ARIEL MAP



ZBA2020-00006



ZBA2020-00006



ZBA2020-00006



ZBA2020-00006



ZBA2020-00006



Meeting – June 25, 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

Neighborhood: South Side Staff Planner Moton ZBA2020-00014

Request: Parking Modification
Applicant: Amanda Loper
Owner: Metropolitan 2323
Site Address: 2323 2nd Ave S
Zip Code: 35205
Description: Modification for parking to allow 4 off-street parking spaces instead of the 6 required for parking for a proposed 11-unit condominium site, pursuant to Title 1, Chapter, 9, Article VI, Section 6.3 page 229
Property Zoned: M-1 Light Manufacturing District
Parcel Information: Parcel #:012200361016002000, NE of Section 36, Township 17 S, Range 3 W

Special Exception:

The applicant is requesting a parking modification to allow 4 off street the parking spaces instead of the required 6.

Neighborhood Meeting:

The South side Neighborhood Association are not having meetings due to COVID-19; however, Ms. Johnson, President, has voted in support of this case.

Public Notices:

Public notices were mailed on March 5, 2020.

Applicant's Justification:

The 6 parking spaces required per zoning B-3, will not fit on this very small site. There is plenty of street parking within a very short walking distance if residents need them.

Staff Analysis:

The parcel is located at 2323 2nd Ave S and the building itself resides within the M-1, Light Manufacturing. The applicant is purposing 3 one bedroom units and 8 two bedroom units totaling 11 units in all. According to Title 1 Chapter 5 Section 4.O, it requires 1 parking spaces per one-bedroom unit and 1.5 parking spaces for two or more-bedroom unit, totaling 15 required parking spaces. However, with the 10% deduction for a nearby transit and deductions for bike racks leaves them with 12 required parking spaces. The zoning district M-1 refers to B-3 stating, off-street parking and loading spaces shall be provided in an amount equal to one half the requirements of Article V. Off-street loading shall be in accordance with the requirements of Article V; therefore, the required number is now 6 parking spaces. The applicant has provided us with an 1/8-mile radius of on-street parking that provides in view 114 street parking spaces.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the modification request. Therefore, staff believes the request has 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. All permits and certificate of completion should obtain within two years of approval from the Board.

ONE STOP PERMITTING

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

ZBA2020-00014

Randall L. Woodfin, Mayor

Edwin Revell, Director

APPLICATION TO THE ZONING BOARD OF ADJUSTMENT		Date: <u>3/3/2020</u> Case No.: _____ Master No.: _____ Project No.: _____
P.I.D. No.: _____ Address Verified By: _____ Modified Address: _____		
Please print or type legibly and fill in all that apply		
Site Address: <u>2323 2nd Ave South, Birmingham, AL</u> Zip Code: <u>35205</u>		
Location: <u>Birmingham, AL Southside</u>		
Project Name: <u>2323 Metropolitan Condos</u>		
Lot(s) <u>4</u> Block(s) <u>139</u> Survey <u>ATTACHED</u>		
Lot(s) _____ Block(s) _____ Survey _____		
Lot(s) _____ Block(s) _____ Survey _____		
<input type="checkbox"/> Metes and Bounds Attached		
OWNER NAME: <u>Metropolitan 2323</u> ADDRESS: <u>2323 2ND AVE S</u> CITY/STATE/ZIP: <u>BIRMINGHAM, AL, 35205</u> CELL: <u>(205) 427-2704</u> CELLULAR: <u>(205) 427.2705</u> FAX: () PAGER: () EMAIL: <u>lcandreich@gmail.com</u> <u>aberdreich@gmail.com</u>	APPLICANT NAME: <u>Amanda Loper</u> COMPANY NAME: <u>David Baker Architects</u> ADDRESS: <u>4000 3rd Ave South, Suite 100</u> CITY/STATE/ZIP: <u>Birmingham AL, 35222</u> PHONE: <u>(205) 623-0177</u> CELLULAR: <u>(415) 297-1348</u> FAX: () PAGER: () EMAIL: <u>amandaloper@dbarchitect.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:		
<input type="checkbox"/> Hear an Appeal from a decision of the Director of the Department of Planning, Engineering and Permits Department (Article VIII, Sec. 5.3)		
<input checked="" type="checkbox"/> Modification – Modify the strict application of the provisions of the Zoning Ordinance (Article VIII, Sec. 5.3)		
<input checked="" type="checkbox"/> 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"/> Flood Hazard	<input type="checkbox"/> Height	<input type="checkbox"/> Manufactured Housing
<input type="checkbox"/> Public	<input type="checkbox"/> Signs	<input type="checkbox"/> Yards
<input type="checkbox"/> Communal Living Facility		<input type="checkbox"/> Fences
<input type="checkbox"/> Non-Conforming Uses		<input checked="" type="checkbox"/> Parking <u>WJM</u>
<input type="checkbox"/> Other _____		
<input type="checkbox"/> 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 type="checkbox"/> Flood Hazard	<input type="checkbox"/> Height	<input type="checkbox"/> Manufactured Housing
<input type="checkbox"/> Communal Living Facility		<input type="checkbox"/> Fences
<input type="checkbox"/> Non-Conforming Uses		<input type="checkbox"/> Parking
Description of Work or Request: <u>8 condo units over 3 Live/Work units. We will be providing 4 parking spaces, which we view as more than ample as we are providing protected bike parking and are very close to a transit stop</u>		
If you have a hardship/practical difficulty, please explain: <u>The 6 parking spaces required per zoning B-3 will not fit on this very small site. There is plenty of street parking within a very short walking distance if residents need, see attached site map with counts of adjacent parking.</u>		
FOR STAFF USE		
SECTION II TEXT CHANGE		
Amendment to:	Title: _____	Article: _____ Title: _____
<input type="checkbox"/> See Attachment		
<input type="checkbox"/> In words substantially as follows: _____		

PLANS REQUIRED		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<input type="checkbox"/> No		<input type="checkbox"/> No
PERMIT FEE WAIVED		
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) <u>[Signature]</u>	Date <u>03-02-2020</u>	
Signature (Owner) _____	Date _____	
Hearing Date: _____ Hearing Time: _____ Location: <u>Room 300, City Hall</u>		
Filing Fees:	Single Family Residential Zone District	-
	Multi-Family Residential and Commercial Zone District	-
	Appeals	-
		\$100.00
		\$500.00
		\$300.00

PEP2018-07-14

REQUIRE

This instrument was prepared by:
David P. Condon, P.C.
100 Union Hill Drive Suite 200
Birmingham, AL 35209

Send tax notice to:
Metropolitan 2323, LLC
300 Richard Arrington Jr. Blvd, Suite 501
Birmingham, Alabama 35203

WARRANTY DEED

STATE OF ALABAMA
JEFFERSON COUNTY

KNOW ALL MEN BY THESE PRESENTS

For consideration of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) to the undersigned grantor in hereinafter, the receipt and sufficiency of which is acknowledged,

B & K, LLC

(hereinafter referred to as "Grantor") does grant, bargain, sell and convey unto

Metropolitan 2323, LLC

(hereinafter referred to as "Grantee") the following described real estate situated in Jefferson County, Alabama to-wit

Lot 4, Block 139, according to the Present Plan and Survey of the City of Birmingham, as made by the Elyton Land Company, situated in Jefferson County, Alabama

C.H. Estes, III and W. Kelly Estes are the sole members of B & K, LLC.

Subject to (1) 2019 ad valorem taxes not yet due and payable;
(2) all mineral and mining rights not owned by the Grantor, and
(3) all easements, rights-of-way, restrictions, covenants and encumbrances of record.

TO HAVE AND TO HOLD UNTO Grantee, its successors and assigns, forever.

And Grantor does for itself and for its successors and assigns covenant with Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it, its successors and assigns shall warrant and defend the same to Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has set its seal by its authorized representative, this 5th day of June, 2019.

 B & K, LLC

(Seal)

BY: C.H. Estes, III
ITS: Managing Member

 (Seal)

BY: W. Kelly Estes
ITS: Managing Member

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned Notary Public in and for said County, in said State, hereby certify that C.H. Estes, III and W. Kelly Estes as Managing Members of B & K, LLC whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance and with full authority as such Managing Members they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 5th day of June, 2019.





Notary Public: David P. Condon
My Commission Expires: 02/12/2022

176

205 254 2111
Att: A. Moton

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 Notification Form

NOTICE to the South Side Neighborhood Association Date: June 5, 2020

Case: ZBA2020-00014

ZBA meeting date: June 25, 2020

Site: 2323 2nd Ave S

Applicant: Amanda Loper
205-623-0177

Request: Modification to allow 4 off street parking spaces instead of the required 6 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

When you receive this notice, please have a neighborhood officer contact Angelica Moton, Room 210 City Hall, (205) 279-8917, (205) 254-2111 FAX, angelica.moton@birminghamal.gov

The neighborhood has the following 3 options (please select one):

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.

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

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 Officer Signature _____ Date: _____

Meeting – June 25, 2020
Location – Webex/Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Department of Planning Engineering & Permits Conference Room, Fifth Floor

Neighborhood: Sun Valley

Staff Planner Moton

ZBA2020-00001
CONTINUED

Request: Variance for location of playground equipment in front yard as stated in Title 1 Chapter 4 Article 4 Section 3. 16 page 141
Applicant: Nakesha Davis
Owner: Anthony Serra
Site Address: 2359 Carson Road
Zip Code: 35215
Description: Variance to allow a playground in the front yard of a non-residential zoned district.
Property Zoned: MUM Mixed-Use Medium
Parcel Information: Parcel #: 011300132005002000, NW of Section 13, Township 16 S, Range 2 W

Variance:

Variance to allow playground equipment in the front yard area.

Neighborhood Meeting:

The Sun Valley Neighborhood met on February 18, 2020 and voted in support of the applicant 5-0.

Public Notices:

Public notices were mailed on June 16, 2020.

Applicant's Justification:

The applicant provided documentation of their response to the six (6) variance standard request questions. The information has been submitted as part of the ZBA Packet.

The subject property is located at 2359 Carson Road, CenterPoint AL 35215, which is a shopping mall plaza. We are formally petitioning the committee to allow a variance to allow a playground on the property. We currently operate Site 1 of Unique Learning LLC on the opposite side of the plaza and have a play area designated on the side of the building for our kids.

The challenge we are facing is that the Zoning Board has determined that we have 2 front yards located on Carson Road as well as 8th Ave. In order to provide care to additional children we are opening Site 2 and it is a DHR requirement to provide a play area for the children.

The playground will not hinder business or take over any parking for other businesses. Unique Learning currently occupies the full shopping plaza strip excluding a barbershop and a storage location used by the plaza owners. This is a low traffic area, with the primary activity coming as a result of our daycare facility operating. We have received permission from the neighborhood and are now seeking approval from the zoning board.

To ensure safety we will:

1. Abide by strict DHR specifications and they will inspect the play area before it is put into use.
2. The play area will be surrounded by 6ft gates to barricade the area for safety.

3. There will be no financial gain from the play area, we are attempting to satisfy DHR mandates as well as provide more care for the children of the community.

Staff Analysis:

The subject property resides in the MUM, Mixed-Use Medium zoning district. This property has multiple front yards. The applicant does meet the six variance standards.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the variance request. Therefore, staff believes the request has 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. Must have approval by DHR of the proposed site for the playground.
3. Must obtain a fence permit.

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

<p style="text-align: center; border: 1px solid black; margin: 0;">APPLICATION TO THE ZONING BOARD OF ADJUSTMENT</p> <p>P.I.D. No. <u>011300132005982998</u> Address Verified By: <u>DTW</u></p> <p>Modified Address: _____</p>	<p>Date <u>1-7-2020</u> Case No. <u>ZRA 2020-00001</u> Master No. _____ Project No. _____</p>
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Please print or type legibly and fill in all that apply

Site Address: 2359 CARSON ROAD Zip Code: 35215

Location: _____

Project Name: _____

Lot(s) _____	Block(s) _____	Survey _____
Lot(s) _____	Block(s) _____	Survey _____
Lot(s) _____	Block(s) _____	Survey _____

Metes and Bounds Attached

<p>OWNER</p> <p>NAME: <u>Anthony Serra</u> ADDRESS: <u>9701 Parkway E Suite D</u> CITY/STATE/ZIP: <u>Bham AL 35215</u> PHONE: <u>(205) 836-6775</u> CELLULAR: <u>(251) 250-4854</u> FAX: () PAGER: () EMAIL: <u>Willie.Riley@Blurb.com</u></p>	<p>APPLICANT*</p> <p>NAME: <u>Carrah Davis</u> COMPANY NAME: <u>Unique Learning</u> ADDRESS: <u>8351 Carson Rd</u> CITY/STATE/ZIP: <u>Bham Ala 35215</u> PHONE: <u>601 850-1111</u> CELLULAR: <u>601 356-8145</u> FAX: () PAGER: () EMAIL: <u>uniquelearningcc@uano.com</u> <small>*Applicant is required to be authorized by owner to undertake work</small></p>
---	--

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 checked="" 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-Confirming Uses	<input type="checkbox"/> Parking
<input type="checkbox"/> Public	<input type="checkbox"/> Signs	<input type="checkbox"/> Yards	<input type="checkbox"/> Other <u>playground</u>	

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 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-Confirming Uses	<input type="checkbox"/> Parking

Description of Work or Request: VARIANCE FOR LOCATION OF PLAYGROUND EQUIPMENT IN FRONT YARD IN TITLE 1 CHAPTER 4 ARTICLE 2 SECT 3.1

If you have a hardship/practical difficulty, please explain: CHILD CARE LOCATION DOES NOT HAVE REAR OR SIDE YARD TO PLACE EQUIPMENT

FOR STAFF USE

SECTION II TEXT CHANGE

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) Willie Riley Date 1/6/2020

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

March 2, 2020

City of Centerpoint
2209 Centerpoint Pkwy
Centerpoint, AL 35215

RE: Board of Zoning Appeals- Variance Request Letter
Unique Learning LLC

Dear Ms. Morton:

As the owner of Unique Learning Childcare Center, we would like to formally introduce the proposed project as well as identify the variations to the City's Zoning Ordinance that are being requested.

The subject property is located at 2359 Carson Road, Centerpoint AL 35215, which is a shopping mall plaza. We are formally petitioning the committee to allow a variance to allow a playground on the property. We currently operate Site 1 of Unique Learning LLC on the opposite side of the plaza and have a play area designated on the side of the building for our kids.

The challenge we are facing is that the the zoning board has determined that we have 2 front yards located on Carson Road as well as 8th Ave. In order to provide care to additional children we are opening Site 2 and it is a DHR requirement to provide a play area for the children. We are requesting the following variance:

1. Allow Unique Learning LLC, Site 2 to place a play area on the Carson Road side of 2359 Carson Road.

This playground will not hinder business or take over any parking for other businesses. Unique Learning currently occupies the full shopping plaza strip excluding a barbershop and a storage location used by the plaza owners. This is a low traffic area, with the primary activity coming as a result of our daycare facility operating. We have received permission from the neighborhood association and are now seeking approval from the zoning board.

To ensure safety we will:

1. Abide by strict DHR specifications and they will inspect the play area before it is put into use.
2. The play area will be surrounded by 6ft gates to barricade the area for safety.
3. There will be no financial gain from the play area, we are attempting to satisfy DHR mandates as well as provide more care for the children of this community.

We respectfully request, on behalf of Unique Learning LLC, the variance from the City Code be granted based upon the reasons outlined above. If you have any questions or need additional information to process the variance requests, please do not hesitate to contact Kesha Davis at 205-356-2145 or Kanecia Killian at 205-215-4312.

Sincerely,

Unique Learning LLC.

Kesha Davis
Owner

ND/kdk

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 Notification Form

NOTICE to the Sun Valley Neighborhood Association Date: January 27, 2020

Case: ZBA2020-00001

ZBA meeting date: February 27, 2020

Site: 2359 Carson Road

Applicant: Nakesha Davis
205-856-1111

Request: Variance to allow location of playground equipment in front yard as stated in Title 1 Article 4 Section 3.B

When you receive this notice, please have a neighborhood officer contact Angelica Moton, Room 210 City Hall, (205) 279-8917, (205) 254-2111 FAX, angelica.moton@birminghamal.gov

The neighborhood has the following 3 options (please select one):

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.

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

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 Officer Signature

Johnny B. Hawke Date: 2-18-2020

Neighborhood Response Form – (if the APPLICANT attends the NA meeting)

RE: ZBA2020-00001

Date: 2-18-2020

To: Angelica Moton, Room 210, 2nd Floor City Hall (205) 279-8917, FAX: (205)254-2111
Angelica.moton@birminghamal.gov

From: Johnny E. Hawkins N.A. President, Vice President, Secretary
(Please indicate the Officer who chaired the meeting when this request was heard)

On 2-18-2020, the request was heard by our Neighborhood Association and we took the following action:

SUPPORT (# of votes) 5

OPPOSE (# of votes) 0

The decision of the Neighborhood Association was to (circle one: support / not support) the request for the following reasons:

whatever zoning commission allows

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: Johnny E. Hawkins
(Officer who chaired or presided over the meeting when the case was presented should sign above)

NOTE:

The Sun Valley NA meetings are held on the **Third Tuesday** of each month at the East Pinson Valley Com. Rec. 3000 Jefferson State Parkway at 7:00 p.m. Please contact Johnny Hawkins at 205-854-0138 to attend the meeting.

PARCEL ID: 011300132005002000

SOURCE: TAX ASSESSOR RECORDS **TAX YEAR:** 2018

DATE: Monday, January 27, 2020 10:14:31 AM

OWNER: COZMO LLC

ADDRESS: 1308 DEERHURST CRT

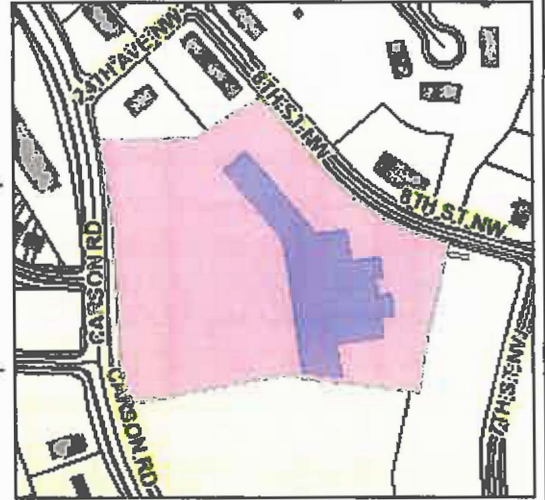
CITY/STATE: BIRMMINGHAM AL

ZIP+4: 35242

SITE ADDR: 2337 CARSON RD

CITY/STATE: BHAM, AL

ZIP: 35215



LAND: \$317,400.00

BLDG: \$435,700.00

OTHER: \$0.00

AREA: 397,983.93

ACRES: 9.14

SUBDIVISION INFORMATION:

NAME QUEENSBURY CENTER 13-13-2

BLOCK:

LOT: 3

:

Section: 13-16-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Sun Valley (705)

Communities: EAST PINSON VALLEY (7)

Council Districts: District - 1 (Councilor: Clinton Woods)

Zoning Outline: MUM

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Not in Impaired Watersheds

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

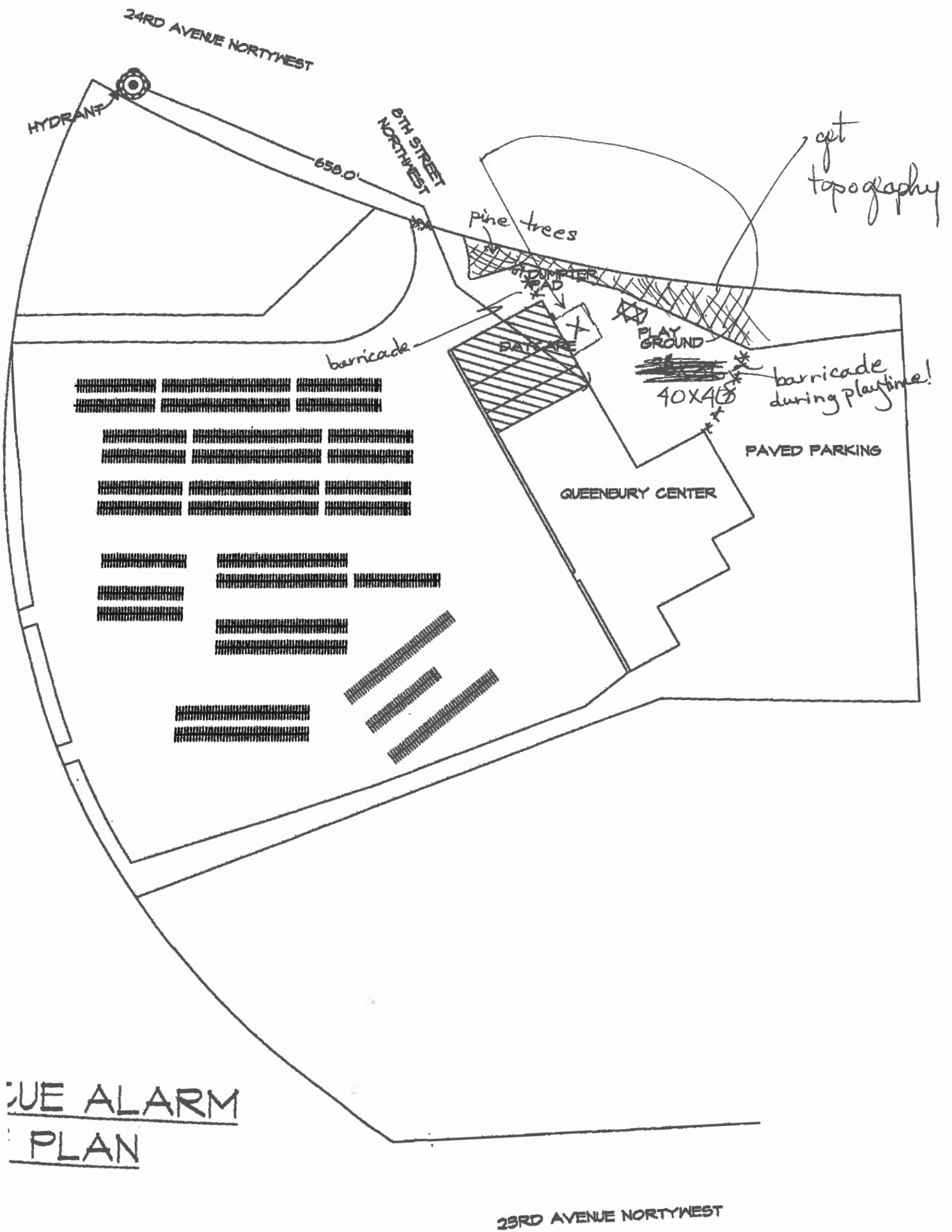
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON

Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data and assumes no responsibility for any errors. Data from the Tax Assessor's Office may not be available for all parcels.



ALARM
PLAN

Meeting – June 25, 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

Neighborhood: South Side

Staff Planner Moton

ZBA2020-00006

Request: Special Exception to allow a communal living facility Title 1, Chapter 4, Article I, section C page 125.
Applicant: Corey Shoop
Owner: Bruce S. Adams
Site Address: 3660 Grandview Parkway
Zip Code: 35243
Description: Special exception to permit new communal living facility.
Property Zoned: QC-2, Qualified General Business District
Parcel Information: Parcel #: 012800263000005002, SW of Section 26, Township 18 S, Range 2 W

Special Exception:

Special Exception to allow a communal living facility.

Neighborhood Meeting:

The Overton Neighborhood Association met on February 9th, 2020 and voted in support of the applicant **5-0**.

Public Notices:

Public notices were mailed on June 16, 2020.

History:

The parcel is located at 3660 Grandview Parkway and resides in the QC-2, Qualified General Business District. The proposal is for a new construction of a communal living facility. There are no Q-conditions on this property; however, it is located within the Highway 280 Overlay District and would have to follow those guidelines.

Staff Analysis:

The applicant is proposing a new communal living facility. The lot lines shown on the site plan have been resurveyed into one lot by case SUB2020-00017. The applicant shows enough parking spaces for each use on the property.

Staff Recommendation

Staff believes the request has 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. Meets requirements of the health department and Housing Authority.
3. All permits and certificate of completion should obtain within two years of approval from the Board.

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>1-13-2020</u> Case No. <u>ZBA 2020-00006</u> Master No. _____ Project No. _____
P.I.D. No.: <u>012800263000605802</u> Address Verified By: <u>DTU</u>		
Modified Address: _____		
Please print or type legibly and fill in all that apply		
Site Address: <u>3610 Grandview Parkway Birmingham AL</u> Zip Code: <u>35243</u>		
Location: <u>Church of the Highlands Grandview Campus</u>		
Project Name: <u>Highlands College Student Housing</u>		
Lot(s) <u>S-A</u> Block(s) _____	Survey <u>Calhoun City Grandview Res. S</u>	
Lot(s) <u>S-C</u> Block(s) _____	Survey " _____"	
Lot(s) <u>S-E</u> Block(s) _____	Survey " _____"	
<input type="checkbox"/> Metes and Bounds Attached		
OWNER		APPLICANT*
NAME: <u>Bruce S. Adams</u>		NAME: <u>Corey Shoop</u>
ADDRESS: <u>3660 Grandview Parkway</u>		COMPANY NAME: <u>Coogan Mills + Sawood</u>
CITY/STATE/ZIP: <u>Birmingham AL 35243</u>		ADDRESS: <u>2701 1st Ave S.</u>
PHONE: (205) <u>725-7621</u> CELLULAR: () _____		CITY/STATE/ZIP: <u>Birmingham AL 35233</u>
FAX: () _____ PAGER: () _____		PHONE: (905) <u>879-4462</u> CELLULAR: () _____
EMAIL: <u>bruce@churchofthehighlands.com</u>		FAX: () _____ PAGER: () _____
		EMAIL: <u>corey.shoop@cooganmills.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:		
<input type="checkbox"/> Hear an Appeal from a decision of the Director of the Department of Planning, Engineering and Permits Department (Article VIII, Sec. 5.3)		
<input type="checkbox"/> Modification – Modify the strict application of the provisions of the Zoning Ordinance (Article VIII, Sec. 5.3)		
<input type="checkbox"/> 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"/> Flood Hazard	<input type="checkbox"/> Height	<input type="checkbox"/> Manufactured Housing
<input type="checkbox"/> Public	<input type="checkbox"/> Signs	<input type="checkbox"/> Yards
<input type="checkbox"/> Communal Living Facility	<input type="checkbox"/> Fences	<input type="checkbox"/> Non-Confirming Uses
<input type="checkbox"/> Parking	<input type="checkbox"/> Other _____	
<input checked="" type="checkbox"/> 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 type="checkbox"/> Flood Hazard	<input type="checkbox"/> Height	<input type="checkbox"/> Manufactured Housing
<input type="checkbox"/> Non-Confirming Uses	<input type="checkbox"/> Parking	<input checked="" type="checkbox"/> Communal Living Facility
<input type="checkbox"/> Fences		
Description of Work or Request: <u>Special exception to allow a student housing facility so that construction can begin while the process of rezoning to HIB is ongoing.</u>		
If you have a hardship/practical difficulty, please explain: _____		
SECTION II TEXT CHANGE		FOR STAFF USE
Amendment to: Title: _____	Article: _____	Title: _____
<input type="checkbox"/> See Attachment		
<input type="checkbox"/> 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) <u>[Signature]</u>	Date <u>1-13-20</u>	
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



Zoning Board of Adjustment (ZBA) Neighborhood Notification Form

NOTICE to the OVERTON Neighborhood Association Date: January 17, 2020

Case: ZBA2020-00006 ZBA meeting date: February 27, 2020

Site: 3660 Grandview Parkway Applicant: Corey Shoop / Church of the Highlands 205-879-4462

Request: Special exception for the development of a communal living facility (student housing) as allowed in Title 1, Chapter 4, Article 3, Section 4.

When you receive this notice, please have a neighborhood officer contact Donald Wilborn, Room 500 City Hall, (205) 254-2730, (205) 254-2925 FAX, Donald.wilborn@birminghamal.gov

The neighborhood has the following 3 options (please select one):

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.

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

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: Macedonia Baptist Church _____ Address: 803 Maple B'ham AL 35210

Date: February 4, 2020

NA Contact Person: Anita Abrams _____ Telephone: 205-907-0401 _____

Neighborhood Officer Signature: Anita M. Abrams Date: February 9, 2020

Neighborhood Response Form – (if the APPLICANT attends the NA meeting)

RE: ZBA2020-00006

Date: February 4, 2020 _____

To: Donald Wilborn, Room 500, 2nd Floor City Hall (205) 254-2730, FAX: (205)254-2925
Donald.wilborn@birminghamal.gov

From: Anita Abrams _____ N.A. - **President, Vice President, Secretary**
(Please indicate the Officer who chaired the meeting when this request was heard)

On February 4, 2020, the request was heard by our Neighborhood Association and we took the following action:

SUPPORT (# of votes) 5 _____

OPPOSE (# of votes) 0 _____

The decision of the Neighborhood Association was to (circle one: **support** / not support) 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: *Anita M. Abrams* _____
(Officer who chaired or presided over the meeting when the case was presented should sign above)

NOTE:

The Overton NA meetings are the **first Tuesday** of every other month at the **Macedonia Baptist Church at 803 Maple Street at 6:00 p.m.** Please contact **President: Anita Abrams Phone: (205) 907-0401** to attend the meeting.

PARCEL ID: 012800263000005002

SOURCE: TAX ASSESSOR RECORDS **TAX YEAR:** 2018

DATE: Tuesday, February 18, 2020 3:30:06 PM

OWNER: LAKD HQ LLC

ADDRESS: 505 20TH STREET N SUITE 1000

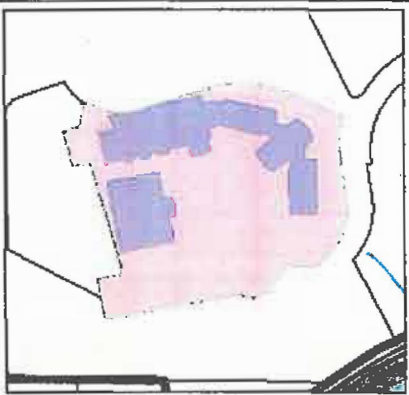
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35203

SITE ADDR: 3660 GRANDVIEW PKWY

CITY/STATE: , AL

ZIP: 35243



LAND: \$2,718,100.00

BLDG: \$17,385,500.00

OTHER: \$0.00

AREA: 552,061.12

ACRES: 12.67

SUBDIVISION INFORMATION:

NAME CAHABA CTR GRANDVIEW RES **BLOCK:** **LOT:** 5-A

Section: 26-18-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Overton (2301)

Communities: CAHABA (23)

Council Districts: District - 2 (Councilor: Hunter Williams)

Zoning Outline: QC2

Highway 280 Overlay Outline: In Highway 280 Overlay Outline

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Cahaba River-Patton Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: Not in RISE Focus Area

Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON

Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data and assumes no responsibility for any errors. Data from the Tax Assessor's Office may not be available for all parcels.

Meeting – June 25, 2020
Location – Webex/Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Department of Planning Engineering & Permits Conference Room, Fifth Floor

Neighborhood: Crestline

Staff Planner Moton

ZBA2020-00013
CONTINUED

Request: Variance to encroach 5'ft into the rear yard setback per Title 1, Chapter 3, Article 1, Section 4D, subsection 25 page 54
Applicant: Carl Spurrier
Owner: Merrilyn Cook
Site Address: 148 Glenhill Drive
Zip Code: 35213
Description: Variance to encroach 5ft into the rear yard setback.
Property Zoned: R-2 Single Family District
Parcel Information: Parcel #: 012300343018023000, SW of Section 34, Township 17 S, Range 2 W

Variance:

Variance to encroach 5ft into the rear yard setback for covered patio and uncovered deck.

Neighborhood Meeting:

The Crestline Neighborhood met on February 27,2020, and voted in support of the applicant request 6-0.

Public Notices:

Public notices were mailed on June 16, 2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions. The information has been submitted as part of the ZBA Packet.

1.Physical Characteristics of the Property: Due to the shape and topography of the lot we had to lay out the house with the attached garage on the left side of the house. As the survey shows the right side property line of the lot is shorter than the left side property line which left us with less room on the 35' setback to fit the screened-in porch behind the setback without encroaching the 30' setback on the front of the house.

2.Unique Characteristics: Other lots in this area do not have the irregular shape of this lot and do not seem to have a dog-leg on one side that prevents the layout of the screened porch and open deck from going into the setback. The survey shows the right side property line of the lot is shorter than the left side property line which left us with less room on the 35' setback to fit the screened-in porch and open deck behind the setback without encroaching the 30' setback on the front of the house. To have the outdoor space as drawn, we would like to request a 30' rear setback so that we can preserve the original design for the enjoyment of the outdoor living space as it was intended. All other setbacks around the house are being strictly observed.

3.Hardship Not Self-Imposed: The hardship has not been created by the previous actions of any person having an interest in the property.

4. Financial Gain Not Only Basis: We do not deem the variance request as any kind of financial gain or loss.

5.No Injury to Neighboring Property: The granting of the variance will not be injurious to other property or improvements in the area. We took on improving the drainage easement on the rear property line that was overgrown by weeds and had no sense of direction except for flowing

downhill. We regraded and shaped the easement at our expense from lot line to line, installed silt fabric on the ground to cut down on weed growth and hand laid rip-rap stone to control the water flow. After performing the work, we were able to make a better situation for water flow for all adjoining properties that had been neglected over the years. Also, if you observe the adjacent property on the right side of the house where we are requesting the variance there is an existing house that was built decades ago. The house has a rear carport and storage shed that is attached to the house and extends to the rear property line which would violate the current setback restriction, therefore we feel that we would not be presenting any injury to the adjoining property due to our request.

6.No Harm to Public Welfare: We do not deem the variance to be of any harm to the adjoining homeowners. The homes that back up to this property is heavily wooded and grown up thus blocking the view of all parties from viewing each other's homes.

History: The parcel is located at 148 Glenhill Drive and resides in the R-2, Single Family District. The right rear corner of the screened-in porch is over the 35' setback by approximately 2'; the left rear corner of the screened-in porch is clear of the 35' setback line by approximately 2' creating a small triangle section to be over the setback as drawn on the attached drawing. The open deck (deck without roof system) as drawn on the attached drawing would be over the setback by approximately 5' on the right rear corner and 2' on the left rear corner. Allowing a 35' setback on the rear property line would bring both the screened-in porch and open deck within compliance of the R-2 zoning ordinance.

Staff Analysis:

According to Title 1, Chapter 3, Article 1, Section 4D, subsection 25 page 54, an uncovered deck that is located at least 10 feet from the rear property line, does not encroach on required side setbacks and is no more than five above grade is permitted. The uncovered deck and patio meets those requirements, except that it is more than five feet above grade; therefore, a variance is required.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the variance request. Therefore, staff believes the request has 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. Review by storm water due to topography.
3. All permits and certificate of completion should obtain within two years of approval from the Board.

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

ZBA 2020-00013

<div style="border: 1px solid black; padding: 5px; text-align: center; font-weight: bold;">APPLICATION TO THE ZONING BOARD OF ADJUSTMENT</div>	<p>Date: <u>2-12-2020</u></p> <p>Case No. _____</p> <p>Master No. _____</p> <p>Project No. _____</p>
<p>P.I.D. No.: _____ Address Verified By: _____</p> <p>Modified Address: _____</p>	

Please print or type legibly and fill in all that apply

Site Address: 140 Alab. Hill Dr Zip Code: 35213

Location: off of Montevallo Rd. West Euclid Ave.

Project Name: Messilyn Cook

Lot(s): _____	Block(s): _____	Survey: <u>Glenwood Hills</u>
Lot(s): _____	Block(s): _____	Survey: _____
Lot(s): _____	Block(s): _____	Survey: _____

Metes and Bounds Attached

<p>OWNER</p> <p>NAME: <u>Messilyn Cook</u></p> <p>ADDRESS: <u>2509 River Trace Cir.</u></p> <p>CITY/STATE/ZIP: <u>Vestavia, AL 35243</u></p> <p>PHONE: () _____ CELLULAR: <u>205.531-8706</u></p> <p>FAX: () _____ PAGER: () _____</p> <p>EMAIL: <u>messilyncook@gmail.com</u></p>	<p>APPLICANT</p> <p>NAME: <u>Carl Spurrer</u></p> <p>COMPANY NAME: <u>Spurrer Const. Group, Inc.</u></p> <p>ADDRESS: <u>321 1st W. Dr.</u></p> <p>CITY/STATE/ZIP: <u>Trussville, AL 35173</u></p> <p>PHONE: () _____ CELLULAR: <u>205.365-2072</u></p> <p>FAX: () _____ PAGER: () _____</p> <p>EMAIL: <u>cspsurr@gmail.com</u></p> <p><small>*Applicant is required to be authorized by owner to undertake work</small></p>
--	---

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 checked="" type="checkbox"/> Other: <u>Covered Deck</u>	

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 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: See Attachments

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

FOR STAFF USE

SECTION II TEXT CHANGE

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): [Signature] Date: 2-12-2020

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

Homeowner Authorization:

I Merrilyn Cook the owner of 148 Glenhill Dr.; Birmingham, AL 35213 hereby authorize Carl Spurrier of Spurrier Construction Group, Inc. to represent my interest in the attached Variance Request.

Merrilyn Cook _____ 2-11-2020

Merrilyn Cook

Date

205-531-8706

merrilyncook@gmail.com

From: Carl Spurrier
Spurrier Construction Group, Inc.
321 Tutwiler Dr.
Trussville, AL 35173
205-365-2072

To: City of Birmingham
Department of Planning, Engineering & Permits
710 North 20th Street
Room 210, City Hall
Birmingham, AL 35203

Re: Case ZBA2020-00013

Variance request to encroach 5' into rear yard setback per Title 1, Chapter 3, Article 1, Section 4D, subsection 25 per attached drawing for 148 Glenhill Dr.; Birmingham, AL 35213.

I Jean L. Madden (homeowner) located next door to 148 Glenhill Dr.; Birmingham, AL 35213 do hereby give my approval to the above variance request.

Signature: Jean Madden

Date: 3/5/20

Address: 168 Glenview Dr.
Birmingham, AL 35213
Lot (11)

Phone #: 205-~~874-0003~~
533-3354

From: Carl Spurrier

Spurrier Construction Group, Inc.

321 Tutwiler Dr.

Trussville, AL 35173

205-365-2072

To: City of Birmingham

Department of Planning, Engineering & Permits

710 North 20th Street

Room 210, City Hall

Birmingham, AL 35203

Re: Case ZBA2020-00013

Variance request to encroach 5' into rear yard setback per Title 1, Chapter 3, Article 1, Section 4D, subsection 25 per attached drawing for 148 Glenhill Dr.; Birmingham, AL 35213.

I Rocky J. Sullivan (homeowner) located next door to 148 Glenhill Dr.; Birmingham, AL 35213 do hereby give my approval to the above variance request.

Signature: Rocky J. Sullivan

Date: 3/5/2020

Address: 144 Glenhill Dr (Lot 9)

Phone #: (205) 531-6699

Bham AL 35213

(cell)

PARCEL ID: 012300343018023000

SOURCE: TAX ASSESOR RECORDS **TAX YEAR:** 2018

DATE: Monday, February 24, 2020 1:25:46 PM

OWNER: CGC LLC

ADDRESS: 5 GLENVIEW CIR

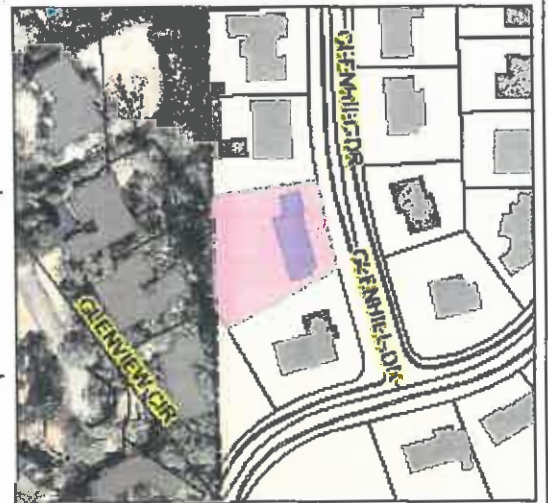
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35213

SITE ADDR: 148 GLENHILL DR

CITY/STATE: BHAM, AL

ZIP: 35213



LAND: \$191,600.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 18,246.73

ACRES: 0.42

SUBDIVISION INFORMATION:

NAME GLENWOOD HILLS 23-34-3

BLOCK:

LOT: 10

Section: 34-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Crestline (301)

Communities: CRESTLINE (3)

Council Districts: District - 2 (Councilor: Hunter Williams)

Zoning Outline: R2

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Upper Shades Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: Not in RISE Focus Area

Tax Delinquent Property: Not in Tax Delinquent Property

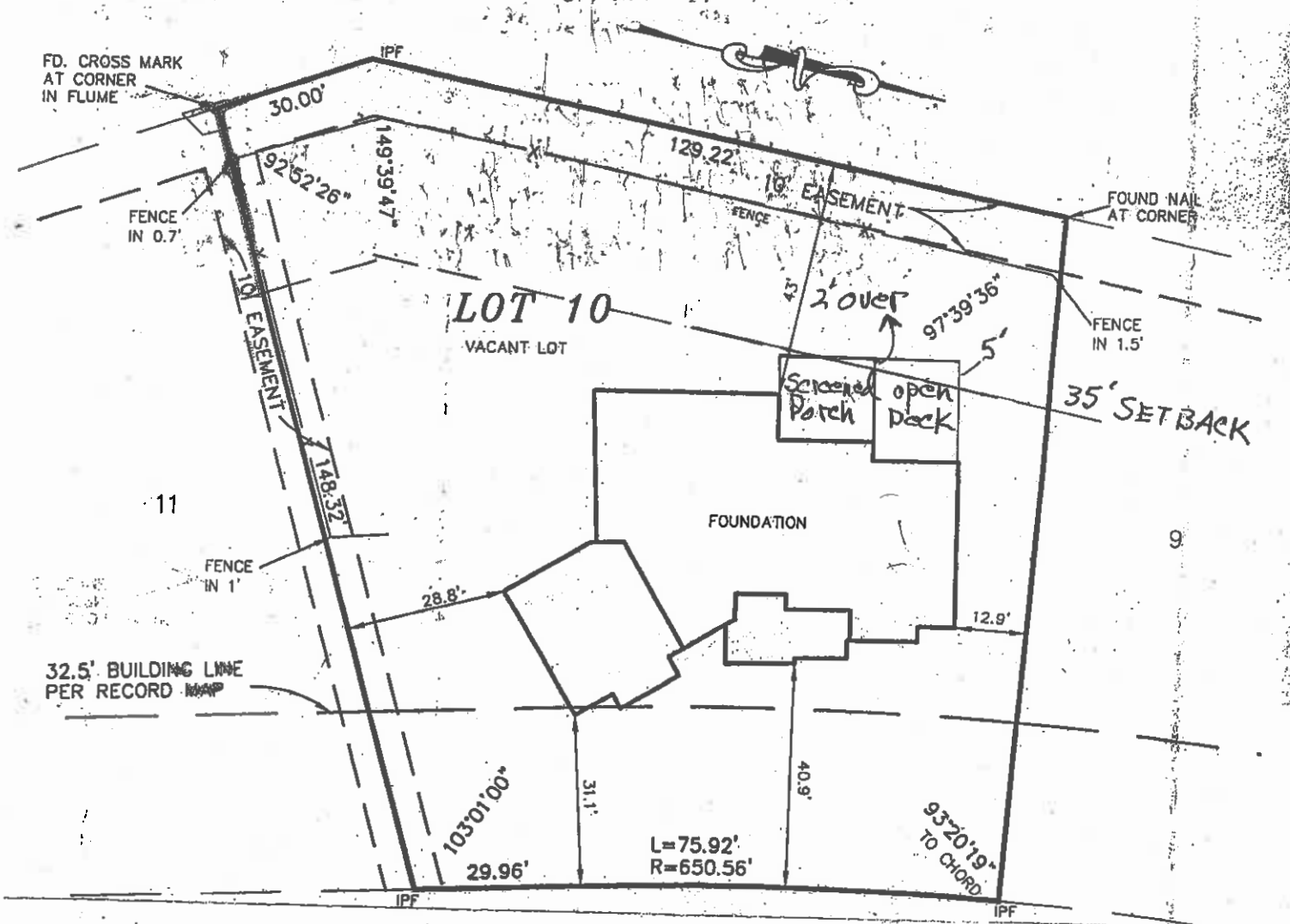
EPA Superfund: Not in EPA Superfund

Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON

Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data and assumes no responsibility for any errors. Data from the Tax Assessor's Office may not be available for all parcels.

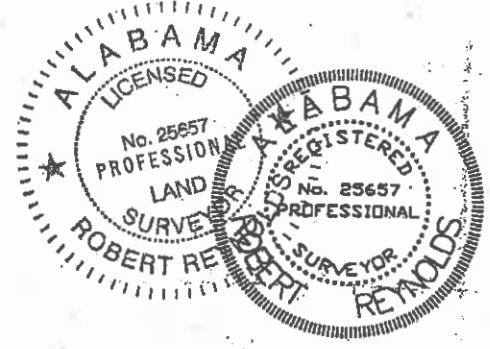
REYNOLDS SURVEYING CO., INC.
 Surveying - Land Planning



50' R.O.W. **GLENHILL DRIVE**
 (GLENWOOD DRIVE - PER PLAT)

SCALE: 1" = 30'

- LEGEND
- UTILITY POLE
 - GLY. WIRE
 - RETAINING WALL
 - CONCRETE
 - X- FENCE
 - OE- OVERHEAD ELECTRICAL
 - IPF IRON PIN FOUND
 - IPS IRON PIN SET



STATE OF ALABAMA
 JEFFERSON COUNTY

"FOUNDATION SURVEY"

I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot 10, Block --, of GLENWOOD HILLS, as recorded in Map Book 41, Page 44 in the Office of the Judge Of Probate in Jefferson County, Alabama. All parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown. There are no visible encroachments on over or across said lands except as shown. According to my survey this the 21st day of October, 2019.

VOTE: This survey is not transferable to any additional institutions or subsequent owners.

Address: 148 Glenhill Drive

Robert Reynolds

Reg. No. 25657 A771/74
 B122/20

176

205 254 2111
Att: A. Moton



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 Notification Form

NOTICE to the South Side Neighborhood Association **Date:** June 5, 2020

Case: ZBA2020-00014 **ZBA meeting date:** June 25, 2020

Site: 2323 2nd Ave S **Applicant:** Amanda Loper
205-623-0177

Request: Modification to allow 4 off street parking spaces instead of the required 6 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

When you receive this notice, please have a neighborhood officer contact Angelica Moton, Room 210 City Hall, (205) 279-8917, (205) 254-2111 FAX, angelica.moton@birminghamal.gov

The neighborhood has the following 3 options (please select one):

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.

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

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 Officer Signature _____ Date: _____

2.86

Neighborhood Response Form – (if the APPLICANT attends the NA meeting)

RE: ZBA2020-00014

Date: 6-18-2020

To: Angelica Moton, Room 210, 2nd Floor City Hall (205) 279-8917, FAX: (205)254-2111
Angelica.moton@birminghamal.gov

From: Southside N.A. President Vice President, Secretary
(Please indicate the Officer who chaired the meeting when this request was heard)

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

SUPPORT (# of votes) N/A OPPOSE (# of votes) _____

The decision of the Neighborhood Association was to (circle one: support / not support) the request for the following reasons:

* Due to COVID-19 - NO meeting; Irene Johnson, Pres.

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: Irene Johnson 6-18-2020
(Officer who chaired or presided over the meeting when the case was presented should sign above)

NOTE:

The South Side NA meetings are held TBA as needed. Please contact Irene Johnson at 205-322-5975 or 205-288-4415 to attend the meeting.

2.86

Neighborhood Response Form – (if the APPLICANT attends the NA meeting)

RE: ZBA2020-00014

Date: 6-18-2020

To: Angelica Moton, Room 210, 2nd Floor City Hall (205) 279-8917, FAX: (205)254-2111
Angelica.moton@birminghamal.gov

From: Southside N.A. President Vice President, Secretary
(Please indicate the Officer who chaired the meeting when this request was heard)

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

SUPPORT (# of votes) N/A **OPPOSE** (# of votes) _____

The decision of the Neighborhood Association was to (circle one: support / not support) the request for the following reasons:

* Due to COVID-19 - NO meeting; Irene Johnson, Pres.

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: Irene Johnson 6-18-2020
(Officer who chaired or presided over the meeting when the case was presented should sign above)

NOTE:

The South Side NA meetings are held TBA as needed. Please contact Irene Johnson at 205-322-5975 or 205-288-4415 to attend the meeting.

PARCEL ID: 012200361016002000

SOURCE: TAX ASSESSOR RECORDS **TAX YEAR:** 2018

DATE: Tuesday, March 3, 2020 4:35:57 PM

OWNER: B & K LLC

ADDRESS: 2327 5TH AVE S

CITY/STATE: BIRMINGHAM AL

ZIP+4: 35233--3203

SITE ADDR: 2323 2ND AVE S

CITY/STATE: BHAM, AL

ZIP: 35203



LAND: \$98,000.00

BLDG: \$7,500.00

OTHER: \$0.00

AREA: 7,447.32

ACRES: 0.17

SUBDIVISION INFORMATION:

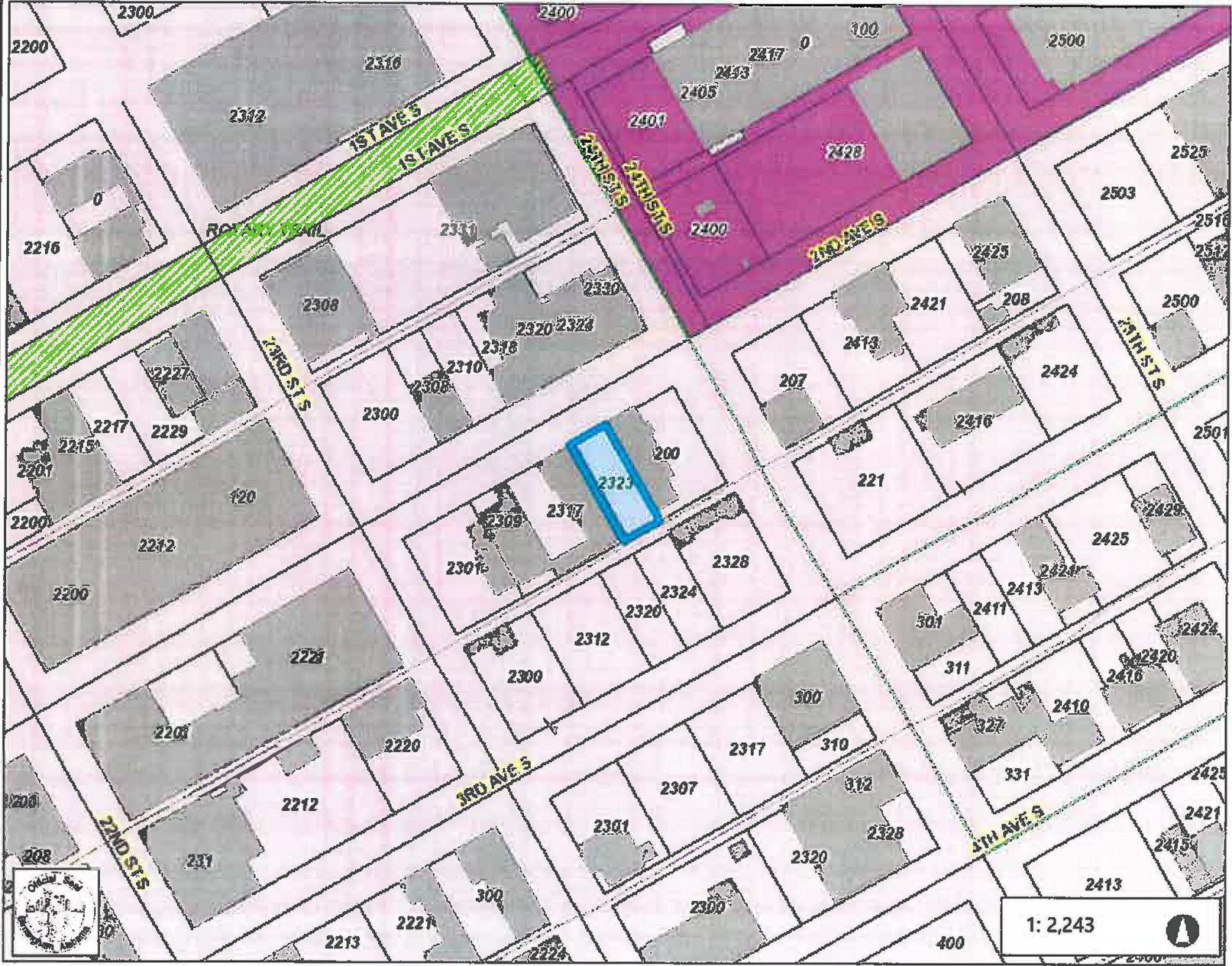
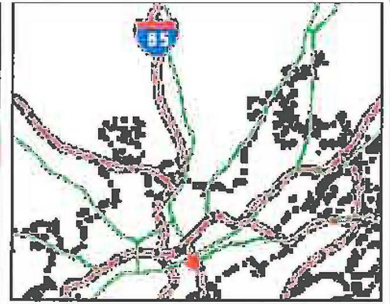
NAME BIRMINGHAM BLOCKS

BLOCK: 139

LOT: 4

- Section:** 36-17-3W
- Land Slide Zones:** Not in Land Slide Zones
- Historic Districts:** Not in Historic Districts
- Commercial Revitalization District:** Not in Commercial Revitalization District
- Fire District:** In Fire District
- Flood Zones:** Not in Flood Zones
- Tax Increment Financing District:** In Tax Increment Financing District
- Neighborhoods:** Southside (1703)
- Communities:** Southside (17)
- Council Districts:** District - 5 (Councilor: Darrell O'Quinn)
- Zoning Outline:** M1
- Demolition Quadrants:** DEM Quadrant - 3
- Impaired Watersheds:** Not in Impaired Watersheds
- Strategic Opportunity Area:** Not in Strategic Opportunity Area
- RISE Focus Area:** In RISE Focus Area
- Tax Delinquent Property:** Not in Tax Delinquent Property
- EPA Superfund:** Not in EPA Superfund
- Opportunity Zones:** In Opportunity Zones
- Judicial Boundaries:** JEFFERSON

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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
- Zoning Shaded
 - R1; D1 - Single Family District - Cle
 - R2; D2 - Single Family District - Cle
 - R3; D3 - Single Family District; R3
 - R4; D4 - Two Family District; R4
 - R4A - Multiple Dwelling District
 - R5; D5 - Multiple Family District; D5
 - R6; D6 - Multiple Family District
 - R7 - Multiple Family District

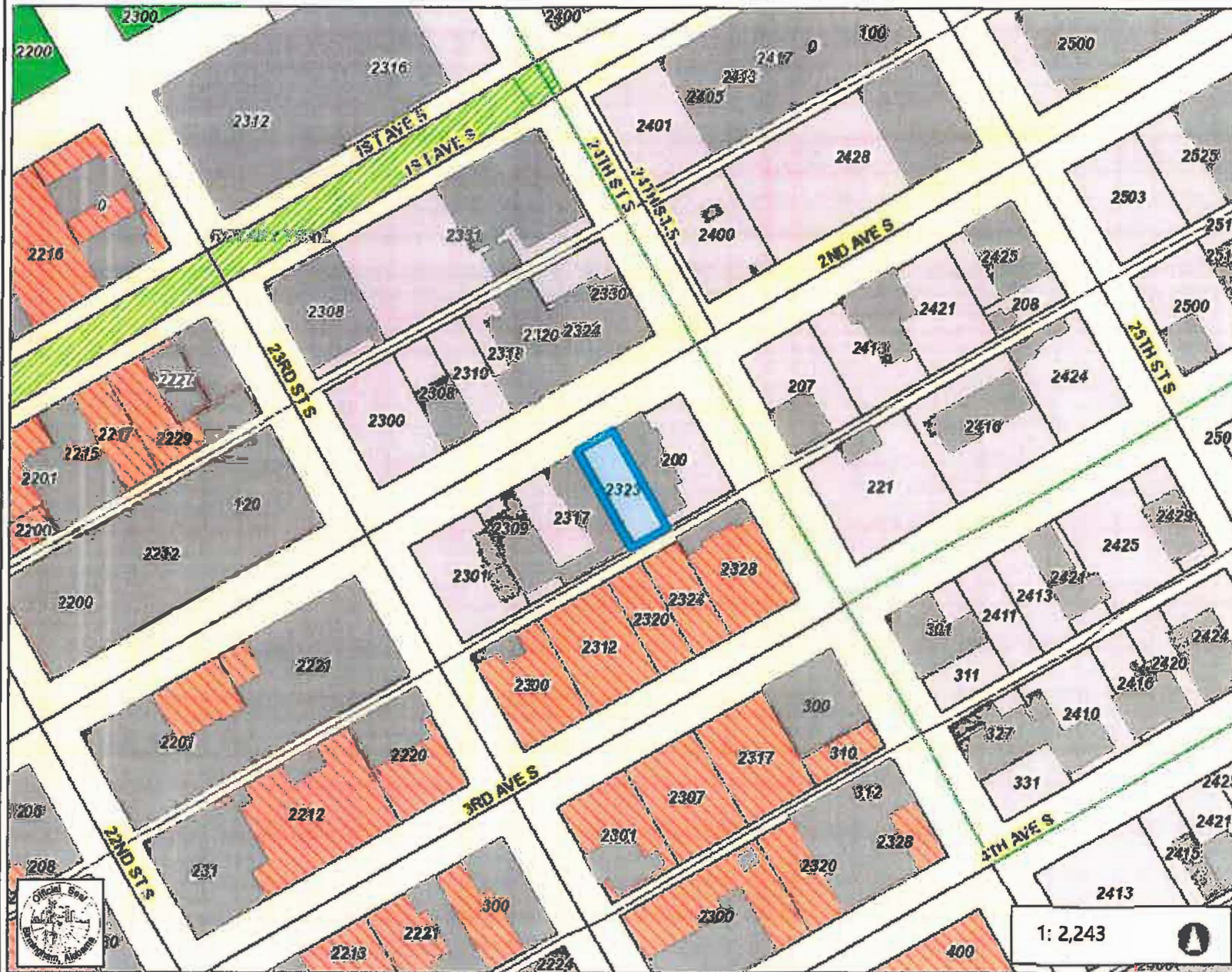
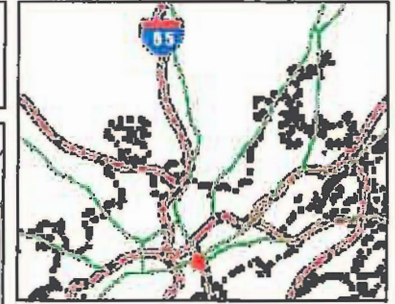


1: 2,243



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
- + 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 Land Use Plan**
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium
 - MXU-High

373.9 0 186.95 373.9 Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 2,243

Notes



- PARKING GARAGE
- STREET WITH PARKING
- BUS STOP
- PROJECT SITE
- XXX PARKING SPACES PER STREET

1,934 STREET PARKING SPACES ARE WITHIN A 10 MINUTE WALKING RADIUS

Tenants will be able to quickly access very close parking to the project

3 BUS STOPS ARE LOCATED WITHIN A 1,000 FOOT RADIUS



114 Street Parking Spaces within a 3 minute walking Radius
Tenants will be able to quickly access very close parking to the project



David Baker Architects

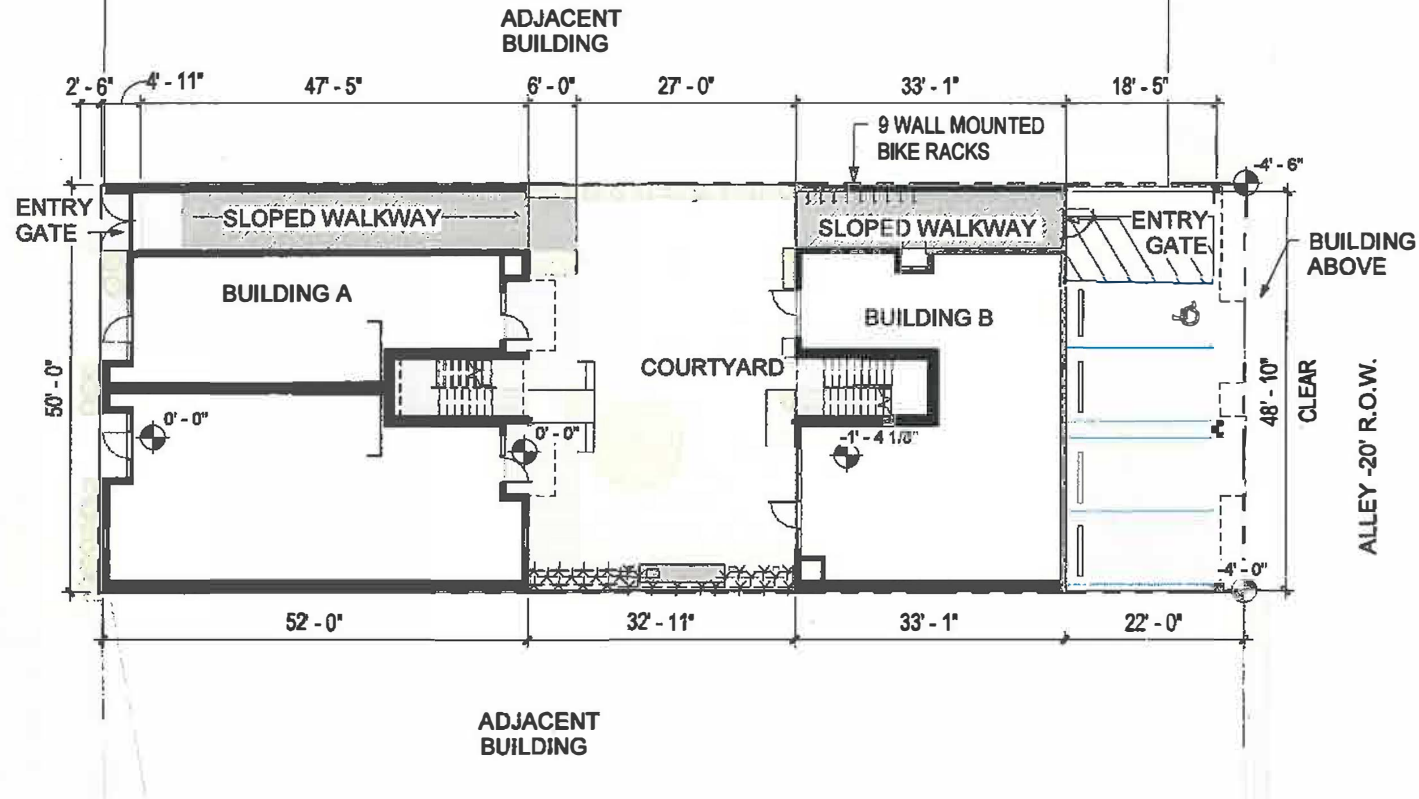
Kobrien Works LLC

2323 2ND AVE CONDOS

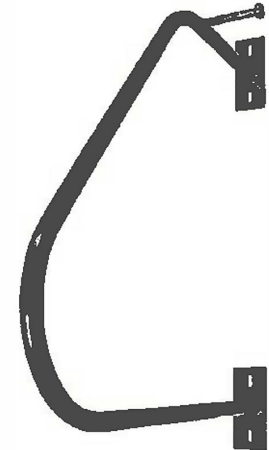
PARKING ADJACENCY

Date: 2.11.2020

2ND AVE SOUTH



BIKE RACKS ARE WALL MOUNTED AND ARE COVERED BY THE BUILDING ABOVE. BIKE RACKS ARE DERO ULTRA SPACE SAVER AND HAVE 2 POINTS OF CONTACT TO THE BIKE FRAME. THE SLOPED WALKWAY IS WELL LIT BY LIGHTS IN THE CEILING ON A PHOTOCCELL.



BIKE RACKS ARE DERO ULTRA SPACE SAVER



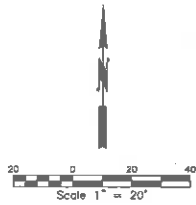
David Baker Architects Owner

2323 2ND AVE SOUTH

ZBA HEARING BIKE PARKING

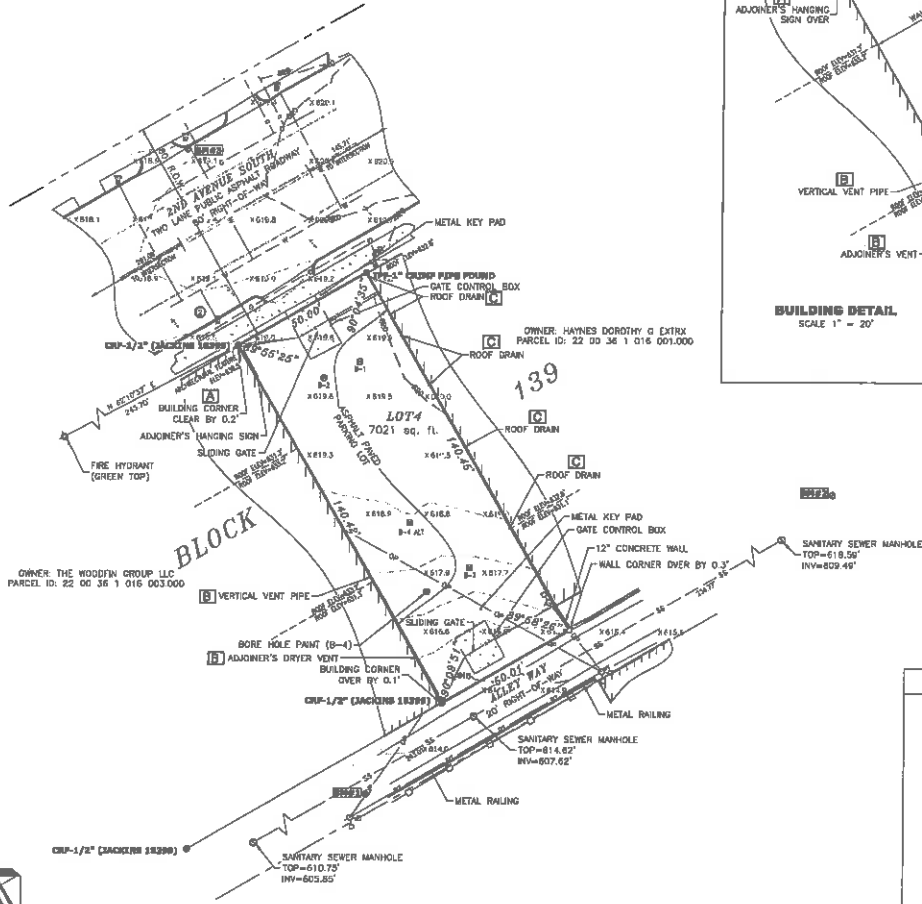
21905
 scale: 1/16" = 1'-0"
 date: 3/11/2020

SK 6



OBSERVATIONS 11/6/19

- [A] THE ADJOINER'S SIGN OVERHANGS INTO THE SUBJECT PROPERTY.
- [B] THE ADJOINER'S VERTICAL VENT PIPE AND DRYER VENT EXTEND INTO THE SUBJECT PROPERTY.
- [C] THE ADJOINER'S ROOF DRAINS EXTEND INTO THE SUBJECT PROPERTY.

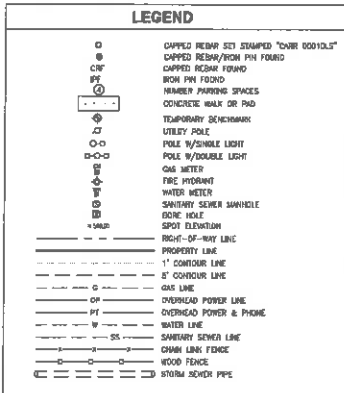
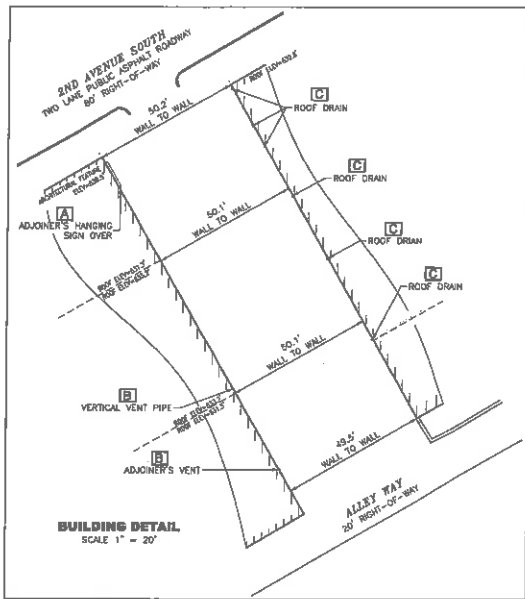


OWNER THE WOODFIN GROUP, LLC
PARCEL ID: 22 00 36 1 016 003.000

OWNER HAYNES DOROTHY G EXTR
PARCEL ID: 22 00 36 1 016 001.000

SOURCE BENCHMARK
PROJECT DATUM BASED ON BIRMINGHAM DISC R62 (NAVD '88)

BM NO.	ELEVATION	DESCRIPTION
BM #1	615.35'	MAGNAL SET IN ASPHALT
BM #2	617.73'	MAGNAL SET IN ASPHALT
BM #3	618.88'	MAGNAL SET IN ASPHALT



DESCRIPTION:
Lot 4, in Block 138, according to the Present Plan and Survey of the City of Birmingham, as made by the Elyton Land Company, situated in Jefferson County, Alabama.

- NOTES**
- This survey and the descriptions shown herein are based on the prior subdivision plat/diagram. No deed research or extent of ownership is implied herein.
 - The Surveyor was not informed of the existence of any encumbrance on the properties shown herein.
 - The use of this survey is limited to its purpose shown herein and as understood by the Surveyor at the time of the survey. Any other uses are at the liability of the user.
 - This plat may not be recorded without the express written consent of the Surveyor.
 - The entire subject property is located in Zone "X" as per FEMA FIRM Map No. 01D73CD393D with an effective date of September 29, 2015.

CERTIFICATE
I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.
According to fieldwork completed under my supervision on May 29, 2019.

Barion F. Carr Date of Signature
AL PLS No. 15895
barionc@caeengineers.com

CAE

CARE & ASSOCIATES ENGINEERS, INC.
13 CHALISA VALLEY PARKWAY
BIRMINGHAM, ALABAMA 35244
PHONE: 205-988-4444 FAX: 205-988-4444
CIVIL, STRUCTURAL & ENVIRONMENTAL ENGINEERS
AND
LAND SURVEYORS
© 2019 CARE & ASSOCIATES ENGINEERS, INC. ALL RIGHTS RESERVED. THIS DRAWING IS THE PROPERTY OF CARE & ASSOCIATES ENGINEERS, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.

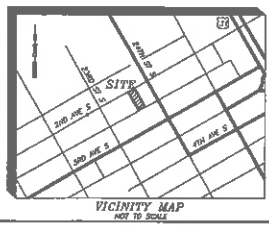
NO.	REVISIONS	DATE
1	ISSUED CORRECTIONS & REVISIONS	11/29/19

PRODUCTION	REVIEW
FIELD BOOK: 118	SURVEY
DATE DRAWN: 05	DESIGN ENGINEER
CAD FILE: 23356	P.L.
DESIGN FILE: N/A	PROJECT
DATE: 6/22/19	SCALE: 1" = 20'

METROPOLITAN 2323, LLC
2323 2ND AVENUE SOUTH
CITY OF BIRMINGHAM
JEFFERSON COUNTY, ALABAMA

BOUNDARY AND TOPOGRAPHIC SURVEY

PROJECT NO. 23356
SHEET 1 OF 1
DWG. NO. 1
C.100



Meeting – June 25, 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

Neighborhood: Woodlawn

Staff Planner Moton

ZBA2020-00016

Request: Parking Modification
Applicant: Eric L. Bennett, Jr
Owner: Dunn Real Estate, LLC
Site Address: 2201 7th Ave S
Zip Code: 35233
Description: Modification to allow 3 off street parking spaces instead of the required 16 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3
Property Zoned: M-1 Light Manufacturing District
Parcel Information: Parcel #:012200364012003000, SE of Section 36, Township 17 S, Range 3 W

Special Exception:

The applicant is requesting a special exception to allow 3 off-street parking spaces instead of the required 16 for a cocktail bar.

Neighborhood Meeting:

The South side Neighborhood Association are not having meetings due to COVID-19; however, Ms. Johnson, President, has voted in support of this case.

Public Notices:

Public notices were mailed on June 16, 2020.

Staff Analysis:

The subject property located at 2201 7th Ave S is zoned M-1 Light Industrial District. The property is located within the Midtown Commercial Revitalization District. The applicant is purposing to renovate and existing building into a cocktail bar. The hours of operations are Monday, Wednesday and Thursday 4am-12pm. Friday and Saturday 4pm- 2am and Sunday 2pm- 10pm. The square footage of the building is 3,337sqft. The parking requirement for a bar is 1 parking space per 100sqft of the ground floor area, totaling 34 parking spaces. The zoning district M-1 refers to B-3 stating, off-street parking and loading spaces shall be provided in an amount equal to one half the requirements of Article V. Off-street loading shall be in accordance with the requirements of Article V; therefore, the required number is now 17 parking spaces. However, with the 10% deduction for a nearby transit them with 16 required parking spaces. The applicant has provided us with a 1,320' radius showing available parking that includes 27 spaces on 22nd St S between 7th & 8th Ave S and 3/17 spaces on 23rd St S between 7th & 8th Ave S.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the modification request. Therefore, staff believes the request has 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. Reviewed and approved by the Design Review Staff.
3. All permits and certificate of completion should obtain within two years of approval from the Board.

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. _____ Master No. _____ Project No. _____
P.I.D. No.: _____ Address Verified By: _____		
Modified Address: _____		
Please print or type legibly and fill in all that apply		
Site Address: <u>2201 7th Avenue South</u>		Zip Code: <u>35233</u>
Location: _____		
Project Name: <u>Continental Drift (JEWL Holdings Concept)</u>		
Lot(s) <u>14</u>	Block(s) <u>231</u>	Survey _____
Lot(s) _____	Block(s) _____	Survey _____
Lot(s) _____	Block(s) _____	Survey _____
<input type="checkbox"/> Metes and Bounds Attached		
OWNER NAME: <u>Dunn Real Estate, LLC</u> ADDRESS: <u>PO Drawer 247</u> CITY/STATE/ZIP: <u>Birmingham, AL 35201</u> PHONE: <u>(205) 510.0253</u> CELLULAR: () FAX: () PAGER: () EMAIL: <u>mmartin@dunnreal.com</u>	APPLICANT NAME: <u>Eric L Bennett, Jr.</u> COMPANY NAME: <u>JEWL Holdings</u> ADDRESS: <u>1710 2nd Avenue North - Apt 202</u> CITY/STATE/ZIP: <u>Birmingham, AL 35233</u> PHONE: () CELLULAR: <u>(205) 901.9835</u> FAX: () PAGER: () EMAIL: <u>jewl.llc@gmail.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:		
<input type="checkbox"/> Hear an Appeal from a decision of the Director of the Department of Planning, Engineering and Permits Department (Article VIII, Sec 5.3)		
<input checked="" type="checkbox"/> Modification – Modify the strict application of the provisions of the Zoning Ordinance (Article VIII, Sec 5.3)		
<input type="checkbox"/> 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-Confirming Uses <input type="checkbox"/> Parking <input type="checkbox"/> Public <input type="checkbox"/> Signs <input type="checkbox"/> Yards <input type="checkbox"/> Other _____		
<input type="checkbox"/> 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 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-Confirming Uses <input type="checkbox"/> Parking		
Description of Work or Request: <u>Renovation of existing building into a cocktail bar</u>		
If you have a hardship/practical difficulty, please explain: <u>Based on use and occupancy, this address will need 34 parking spaces. The owner will be modifying the paving to provide (2) HC parking spaces and (1) non-HC space as the lot is currently not stiped. This request demonstrates adequate public street parking within a 1200' radius that can make up the remaining required 31 spaces.</u>		
SECTION II TEXT CHANGE		FOR STAFF USE
Amendment to: Title: _____ Article: _____ Title: _____		
<input type="checkbox"/> See Attachment		
<input type="checkbox"/> In words substantially as follows: _____		
PLANS REQUIRED		PERMIT FEE WAIVED
<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
COMMENTS		REFERENCE CASES: _____
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 authorization to the City of Birmingham.		
Signature (Owner) <u>Matt Martin</u>	Signature (Owner) <u>Eric L Bennett</u>	Date <u>3/4/20</u>
Signature (Owner) _____	Signature (Owner) _____	Date <u>03/03/2020</u>
Hearing Date: _____		Hearing Time: _____
Location: <u>Room 300, City Hall</u>		
Filing Fees:		
Single Family Residential Zone District		\$100.00
Multi-Family Residential and Commercial Zone District		\$500.00
Appeals		\$300.00

376

Att: A. Moton
205 254 2111



Zoning Board of Adjustment (ZBA) Neighborhood Notification Form

NOTICE to the Southside Neighborhood Association Date: March 5, 2020

Case: ZBA2020-00016

ZBA meeting date: June 25, 2020

Site: 2201 7th Ave S

Applicant: Eric L. Bennett Jr
205-901-9835

Request: Modification to allow 3 off street parking spaces instead of the required 33 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

When you receive this notice, please have a neighborhood officer contact Angelica Moton, Room 210 City Hall, (205) 279-8917, (205) 254-2111 FAX, angelica.moton@birminghamal.gov

The neighborhood has the following 3 options (please select one):

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.

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

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 Officer Signature _____ Date: _____

496

Neighborhood Response Form – (if the APPLICANT attends the NA meeting)

RE: ZBA2020-00016

Date: 6-18-2020

To: Angelica Moton, Room 210, 2nd Floor City Hall (205) 279-8917, FAX: (205)254-2111
Angelica.moton@birminghamal.gov

From: Southside N.A. - President, Vice President, Secretary
(Please indicate the Officer who chaired the meeting when this request was heard)

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

SUPPORT (# of votes) N/A OPPOSE (# of votes) _____

The decision of the Neighborhood Association was to (circle one: support not support) the request for the following reasons:

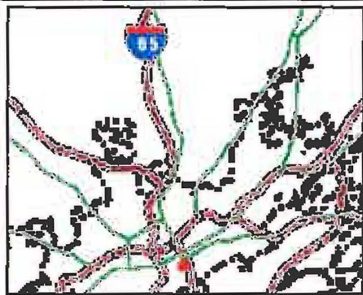
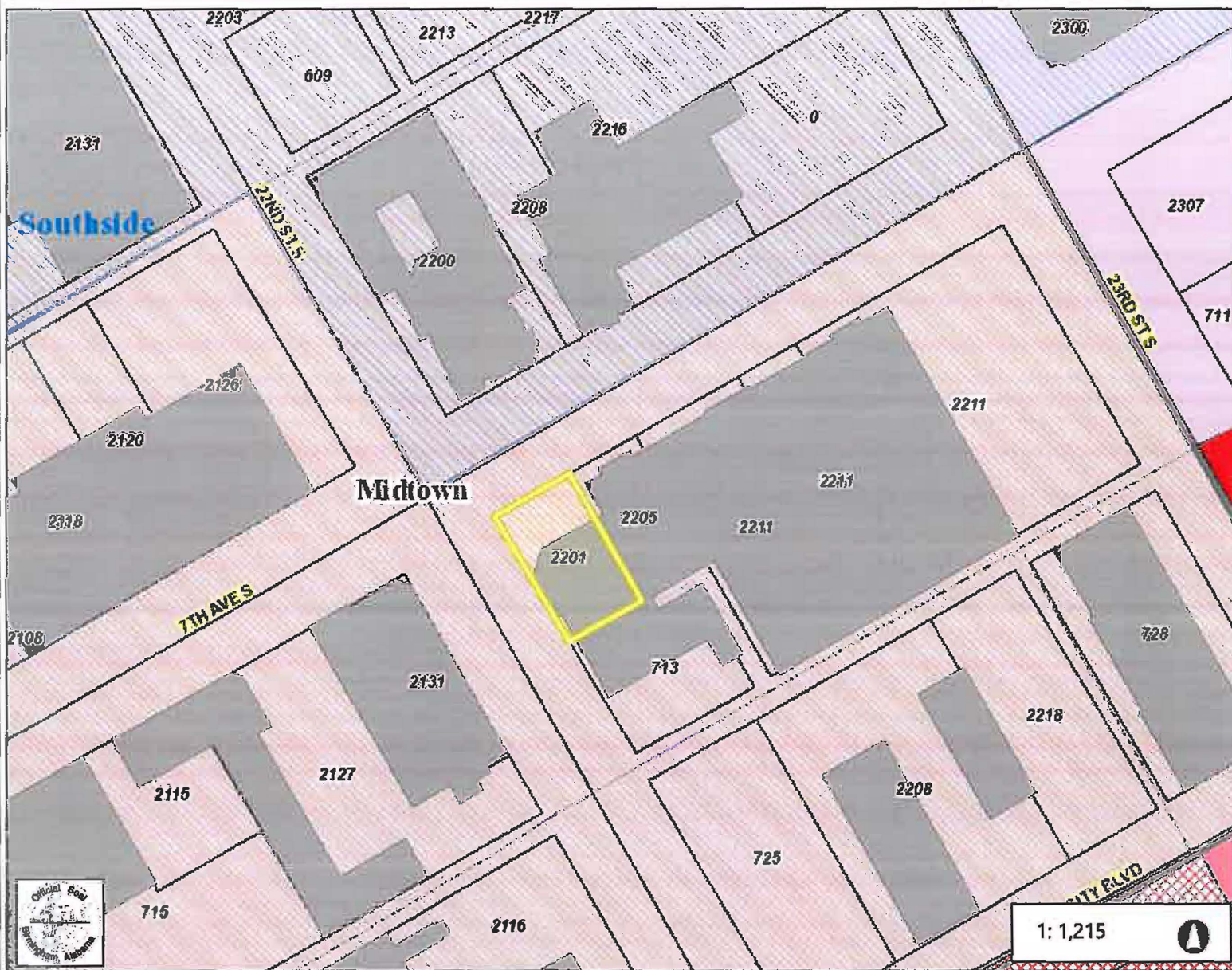
Due to the Covid-19, No meeting Irene Johnson 6/18/2020

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: Irene Johnson 6-18-2020
(Officer who chaired or presided over the meeting when the case was presented should sign above)

NOTE:

The Southside NA meetings are held as needed. Please contact Irene Johnson 205-322-5975 or 205-288-4415 to attend the meeting.

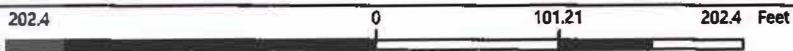


Legend

- Centerline Labels
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Parcels
- City Parks
- Airport
- Historic Districts
- Commercial Revitalization Dist
 - 12th Avenue North
 - 19th Street North
 - 21st Street North
 - 2nd Avenue North
 - 41st Street
 - 4th Avenue North
 - 8th Avenue North
 - Birmingham Green
 - Cultural District



1: 1,215



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



PROJECT INFORMATION

NEIGHBORHOOD: SOUTHSIDE
ZONING: M-1 (LIGHT INDUSTRIAL)
ASSEMBLY GROUP: A-2 (BAR)
PROJECT AREA: 3,337 SQFT

OCCUPANCY CALCULATIONS:
DESIGN OCCUPANCY - 125 PERSONS
***POSTED OCCUPANT LOAD - 99 PERSONS**

OFF-STREET PARKING AND
LOADING REGULATIONS:
1 SPACE PER 100 SQFT OF GSA = 33 SPACES
***LANDLORD SHELL BUILD-OUT WORK WILL
PROVIDE 3 SPACES
(30 SPACE DEFICIT)**

PARKING WITHIN 1,320' RADIUS
103 - PUBLIC PAID SURFACE LOT
514 - PUBLIC STREET PARKING
617 TOTAL PUBLIC PARKING SPACES

BUSINESS HOURS OF OPERATION:
M/W/Th 4-12pm
F/Sa 4pm-2am
Su 2-10pm



CONTINENTAL DRIFT

2201 7TH AVENUE SOUTH - BIRMINGHAM, AL 35233

PARKING CALCULATIONS

06/16/2020

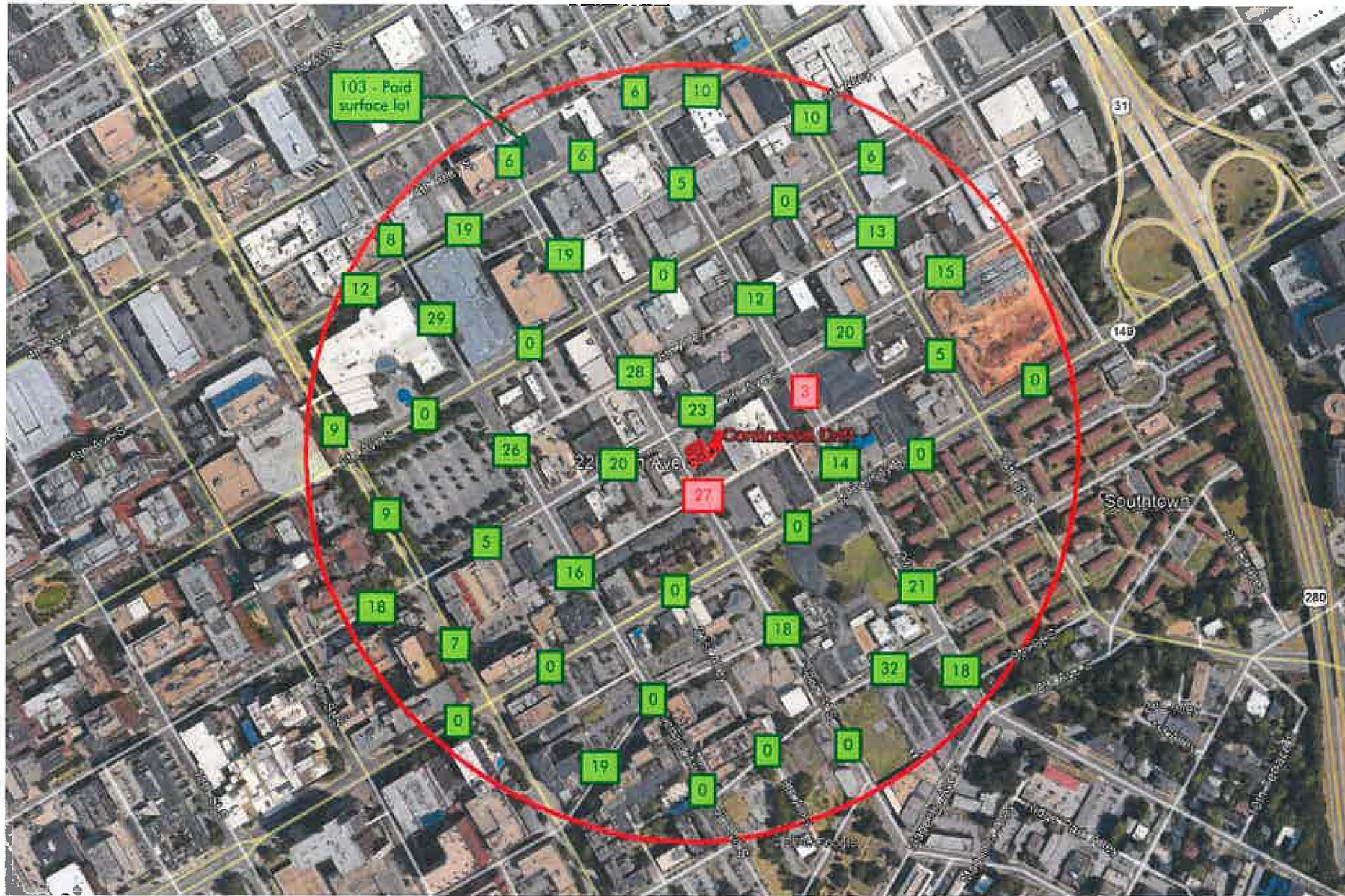




PARKING INFORMATION

OFF-STREET PARKING AND
LOADING REGULATIONS:
33 SPACES REQUIRED
***3 SPACES ON-SITE**
(30 SPACE DEFICIT)

PARKING WITHIN 1,320' RADIUS
27 SPACES ON 22ND ST S
BETWEEN 7th & 8th AVES S
3/17 SPACES ON 23rd ST S
BETWEEN 7th & 8th AVES S



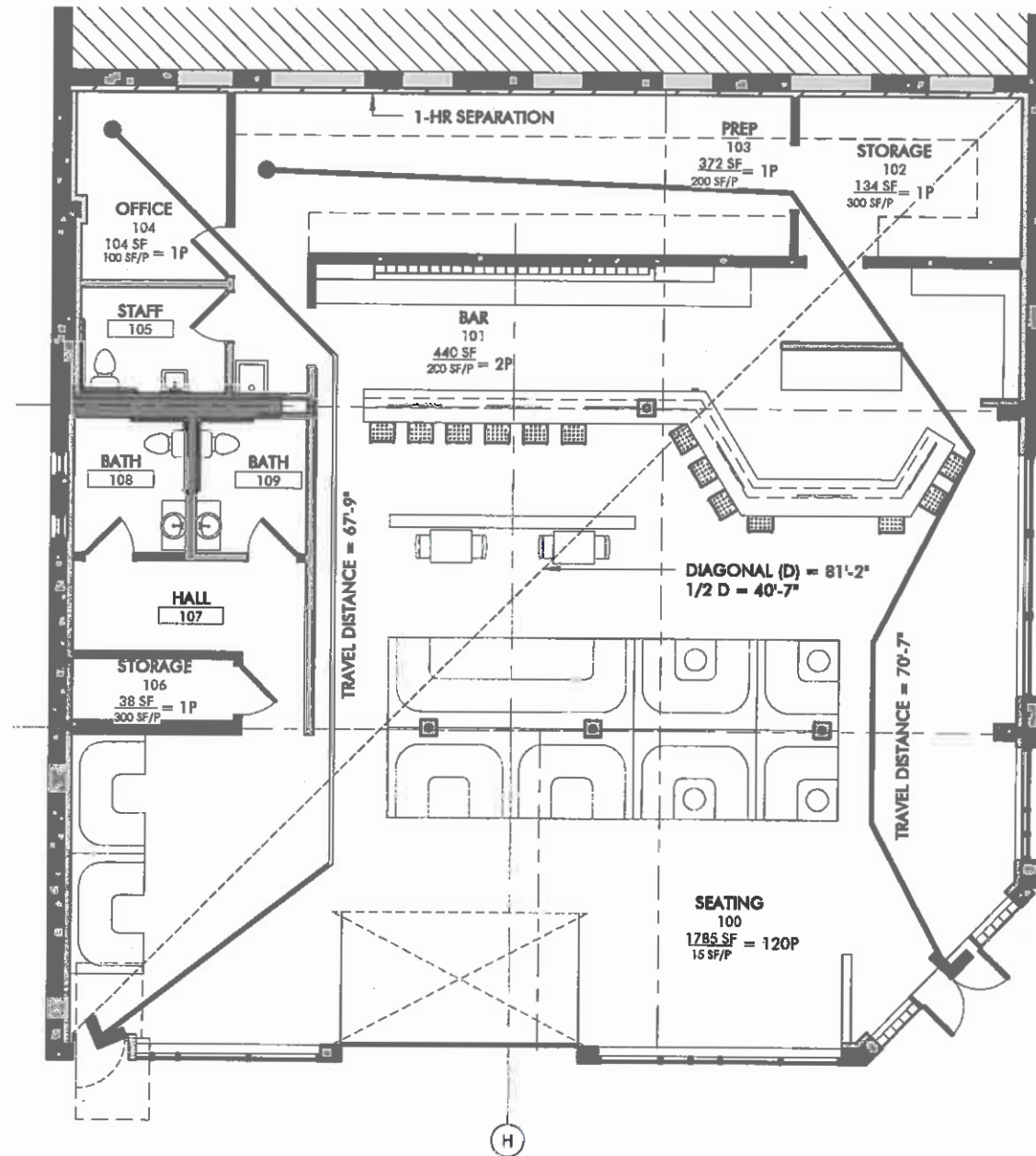
CONTINENTAL DRIFT

2201 7TH AVENUE SOUTH - BIRMINGHAM, AL 35233

1,320' RADIUS PARKING

06/16/2020





CONTINENTAL DRIFT

2201 7TH AVENUE SOUTH - BIRMINGHAM, AL 35233

LIFE SAFETY

03/04/2020



Meeting – June 25, 2020
Location – Webex/Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Department of Planning Engineering & Permits Conference Room, Fifth Floor

Neighborhood: Forest Park

Staff Planner Moton

ZBA2020-00018

CONTINUED

Request: Variance to allow parking in the front yard area Title 1, Chapter 5 Section 7.A.6 page 245
Applicant: Eric & Lacy Kamber
Owner: Eric & Lacy Kamber
Site Address: 4230 6th Ave S
Zip Code: 35222
Description: Variance to allow parking in the front yard area.
Property Zoned: R-3 Single Family Residential District
Parcel Information: Parcel #: 012300294015010000, SE of Section 29, Township 17 S, Range 2 W

Variance:

The applicant is requesting a variance to allow an expansion of a driveway to 12ft wide that will consist of parking in the front yard.

Neighborhood Meeting:

The Forest Park Neighborhood met on May 29, 2020 and voted to **support** the request.

Public Notices:

Mailed out on June 16,2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions. The information has been submitted as part of the ZBA Packet.

1.Physical Characteristics of the Property: The parcel boundary for 4230 6th Ave S, Birmingham, AL 35222 maintains an angled, parallelogram shape, resulting in the property boundary running alongside the house within 7 feet (setbacks are 7 feet). Within this feet, there is a gas meter as well as an HVAC system. The presence of these two features combined with the limited space of 7 feet would prevent a driveway from being constructed that meets the City of Birmingham driveway standards (Case B- 18' past the house x 10' wide minimum.)

2.Unique Characteristics: In addition to the restrictions mentioned above, the house was constructed in the late 1920s-early 1930s and exists in a historic district. At the time of construction, a single driveway was built between the property and the neighbor's property straddling the property line(s). This was the only place to put a driveway, as there are large trees elsewhere on the property.

3.Hardship Not Self-Imposed: The hardship that exists is that the original driveway was shared between 4230 6th Ave S and 4232 6th Ave S; however, the recent owner 4232 6th Ave s, has removed the half of the driveway that's is on his property. This leaves a partial, piece-meal driveway on our property.

4. Financial Gain Not Only Basis: There is no financial gain in this situation, as we are incurring the cost of reconstructing a driveway, which we did not expect to have to do when we originally purchased this home.

5.No Injury to Neighboring Property: The reconstruction of the driveway will be solely on our property, and not impair surrounding properties in anyway shape or form. Additionally, there is already an existing curb-cut within the proposed area.

6.No Harm to Public Welfare: As there is already an existing curb-cut and side walk within public property connected to the existing space, the proposed driveway reconstruction will not change or impact those structures.

History:

The parcel is located at 4230 6th Ave S and it resides within the R-3 Single Family District and is located in the Avondale Park Historic District. The applicant is purposing to expand the driveway 12ft wide which while encroach in the front yard.

Staff Analysis:

The subject property has an existing side yard setback of 7.1 ft on the side that the proposed driveway will be encroaching into the front yard. The attached plan has already been to design review committee and been approved on March 25, 2020. Site visit was conducted on the site and it shows that the applicant and two other properties on the block are the only properties that have a driveway

The applicant does meet requirements of the Variance review standards.

Staff Recommendation

Staff believes the applicant has not provided sufficient evidence to support the variance request. Therefore, staff believes the request has merit for approval amd 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. All permits and certificate of completion should be obtain within one year of the approval date from the Board.

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

<div style="border: 1px solid black; padding: 5px; text-align: center; font-weight: bold;">APPLICATION TO THE ZONING BOARD OF ADJUSTMENT</div>	Date _____ Case No. _____ Master No. _____ Project No. _____
P.I.D. No.: _____ Address Verified By: _____ Modified Address: _____	

Please print or type legibly and fill in all that apply

Site Address: 4230 6th Ave S. Birmingham, AL Zip Code: 36222
 Location: _____
 Project Name: KAMBER DRIVEWAY
 Lot(s) 3 Block(s) 18 Survey _____
 Lot(s) _____ Block(s) _____ Survey _____
 Lot(s) _____ Block(s) _____ Survey _____
 Metes and Bounds Attached

OWNER NAME: <u>ERIC & LACY KAMBER</u> ADDRESS: <u>4230 6th Ave S.</u> CITY/STATE/ZIP: <u>BIRMINGHAM, AL 35222</u> PHONE: <u>(205) 516-2288</u> CELLULAR: () <u>same</u> FAX: () PAGER: () EMAIL: _____	APPLICANT* NAME: _____ COMPANY NAME: _____ ADDRESS: _____ CITY/STATE/ZIP: _____ PHONE: () CELLULAR: () FAX: () PAGER: () EMAIL: _____ *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-Confirming Uses	<input checked="" 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 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-Confirming Uses	<input type="checkbox"/> Parking

Description of Work or Request: Expansion of driveway to 12 ft wide; will use concrete to match existing material.

If you have a hardship/practical difficulty, please explain: The driveway was previously shared between our property and 4232 6th Ave S., however, the new owner of 4232 removed his half of the driveway, leaving only 1/2 a driveway on our property. There is not space to match city standards.

FOR STAFF USE

SECTION II TEXT CHANGE

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

See Attachment

In words substantially as follows: schedule for DRC: March 25, 2020

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) Lacy Kambers Date 03/13/20
 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

LOCAL HISTORIC ADVISORY COMMITTEE
STANDARD OF REVIEW FINDINGS OF FACT

1. The proposed change, erection, or demolition:

- Conforms to the design standards established.
 Does not conform to the design standards established.

2. The proposed change, erection, or demolition:

- Is compatible with the character of the historic property and the historic district and does not detract from their historic value.
 Is not compatible with the character of the historic property and the historic district and detracts from their historic value.

3. The proposed erection, alteration, restoration, relocation or demolition, in whole or in part:

- Will not detrimentally change, destroy, or adversely affect any significant architectural feature of the resource.
 Will detrimentally change, destroy, or adversely affect any significant architectural feature of the resource.

4. The proposed erection, alteration, restoration, relocation or demolition, in whole or in part:

- Will be compatible with the exterior features of other improvements within the District.
 Will not be compatible with the exterior features of other improvements within the District.

LHAC Chairperson or Other Officer's Signature:

Original Signature of LHAC Chairperson or Other Officer
(Preferably the chairperson or other officer who presided at the meeting where the case was presented)

Jeff McGee
Typed Name of LHAC Chairperson or Other Officer

April 1, 2020
Date

LOCAL HISTORIC ADVISORY COMMITTEE RECOMMENDATION
Design Review

Date: April 1, 2020

To: City of Birmingham
Dept. of Planning, Engineering & Permits
Design Review Committee
Attn: Karla M. Calvert
Room 500 City Hall
Birmingham, AL 35203

From: Avondale Park Local Historic Advisory Committee

Members Present at the Meeting to Consider the Matter:
Jeff McGee, Eric Tasker, John Forney and Susan Barron

On April 1, 2020, the Local Historic Advisory Committee (LHAC) for the Avondale Park Local Historic District heard the DRC case for the property located at 4230 6th Av. S., and the Committee took the following action:

Approve (# of votes) 4; Approve with Conditions (# of votes) _____; Deny (# of votes) _____

The recommendation of the Local Historic Advisory Committee was to Approve / Approve with Conditions / Deny (please select one) the design review request for the following reasons:

Applicants amended plan is recommended as presented. See attached photo with notes.

The recommendation of the Local Historic Advisory Committee was based on the following sections (cite the applicable section numbers) of the local historic district's design guidelines:

Applicant's Plan is in keeping with the architectural integrity of the neighborhood

The Local Historic Advisory Committee also voted to request that the following conditions be placed upon this request (in the case of an "approval with conditions"):

Note: The Local Historic Advisory Committee understands that the DRC, by a vote of two-thirds (2/3) majority of the DRC members present at the meeting which considers the subject case, can reverse, wholly or partially, or modify the recommendation submitted by the LHAC.

LHAC Chairperson or Other Officer's Signature:

Original Signature of LHAC Chairperson or Other Officer
(Preferably the chairperson or other officer who presided at the meeting where the case was presented)

Jeff McGee
Typed Name of LHAC Chairperson or Other Officer

April 1, 2020
Date

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 Notification Form

NOTICE to the Forest Park Neighborhood Association Date: May 19, 2020

Case: ZBA2020-00018

ZBA meeting date: June 11, 2020

Site: 4230 6th Ave S

Applicant: Eric & Lacy Kamber
205-516-2288

Request: Variance to allow parking in the front yard area. Title 1, Chapter 5 Section 7.A.6 page 245 .
When you receive this notice, please have a neighborhood officer contact Angelica Moton, Room 210 City Hall, (205) 279-8917, (205) 254-2111 FAX, angelica.moton@birminghamal.gov

The neighborhood has the following 3 options (please select one):

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.

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

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 Officer Signature Jeff McGee Date: May 29, 2020
President



- 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
 - Historic Districts
 - Commercial Revitalization Dist
 - 12th Avenue North
 - 19th Street North
 - 21st Street North
 - 2nd Avenue North
 - 41st Street
 - 4th Avenue North
 - 8th Avenue North

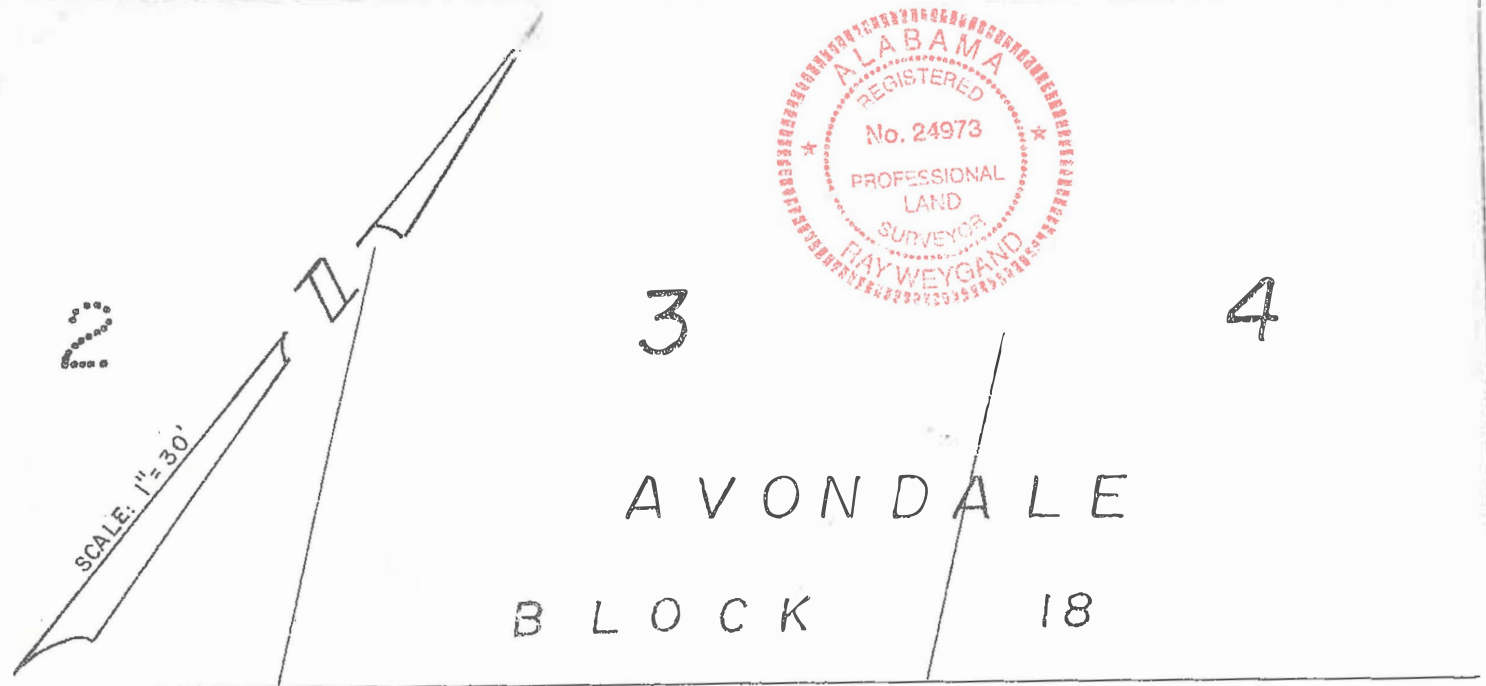


1: 740



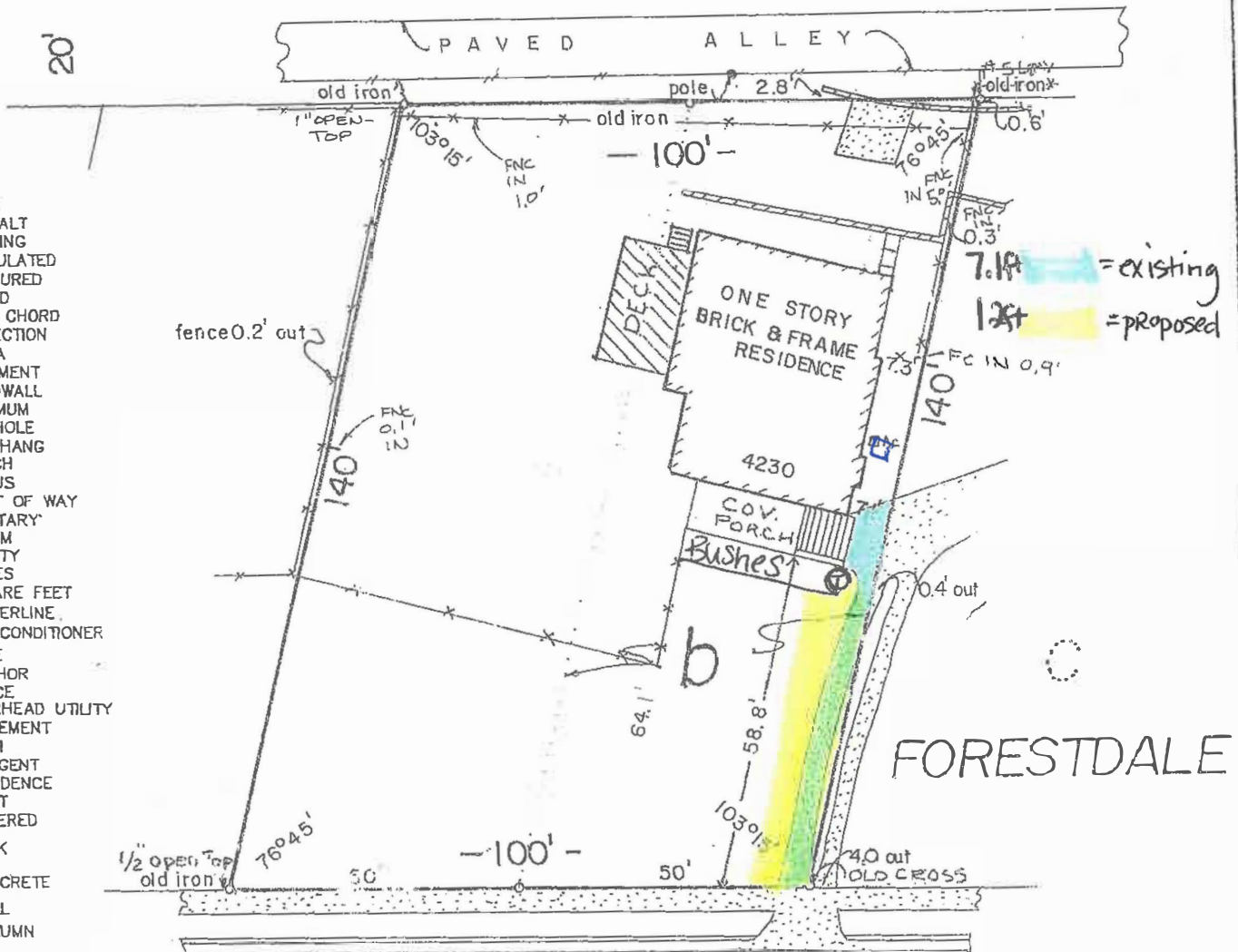
The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
HW	HEADWALL
MIN	MINIMUM
MH	MANHOLE
OH	OVERHANG
POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAN	SANITARY
STM	STORM
UTIL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
CL	CENTERLINE
A/C	AIR CONDITIONER
●	POLE
—	ANCHOR
-X-	FENCE
-X-X-	OVERHEAD UTILITY
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
▨	DECK
○	CONCRETE
▩	WALL
□	COLUMN



6th AVENUE SOUTH

40' R.O.W.

* EAST 1/2 S. 140' LOT 3, BLOCK 18, AVONDALE, MBI, PG 2; & LOT 5 BLOCK 18, FORESTDALE, MBI 15 P 4

STATE OF ALABAMA)
JEFFERSON COUNTY;

"CLOSING SURVEY"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot X, as recorded in Map Volume __, Page __, in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, (visible on the surface) on or over said premises except as shown; that there are no encroachments on said lot except as shown; and that improvements are located as shown above. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of OCT 27, 2016. Survey invalid if not sealed in red.

Order No.: 86599
Purchaser: RAMP, E.P.
Address: 6TH AVE. S.W.

Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087
Copyright ©

Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are used/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. We do not look for underground sewers or flip manhole covers. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable and is only good for 6 years and only good to the person/co. that pays for it at time of survey. (f) Easements not shown on record map are not shown above.



**Red dotted line represents what will
be removed
Tan box will be new tire strip**

ZBA2020-00018



ZBA2020-00018



ZBA2020-00018



ZBA2020-00018



ZBA2020-00018



ZBA2020-00018



Meeting – June 25, 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

Neighborhood: Forest Park

Staff Planner Moton

ZBA2020-00021

Request: Special Exception & Variance Extension
Applicant: John Myefski
Owner: Meeks Frederick James Jr
Site Address: 1001 20th St S
Zip Code: 35205
Description: Special exception to allow a communal living facility, pursuant to Title 1, Chapter 9, Article V, Section 3.5; special exception to allow remote parking of 36 parking spaces for a mixed use building with multiple family, communal living, and retail pursuant to Title 1, Chapter 5, Article I, Section 8; variance to allow (1) loading space instead of the (5) loading spaces required pursuant to Title 1, Chapter 5, Article II, Section 5; and a modification for parking to allow (82) parking spaces instead of the (88) parking spaces required for a mixed use building with multiple family, communal living, and retail pursuant to Title 1, Chapter 9, Article VI, Section 3.5

Property Zoned: B-3 Community Business District
Parcel Information: Parcel #:012900011003002000, NE of Section 01, Township 18 S, Range 3 W

Special Exception & Variance:

Applicant is requesting a time extension to complete the project for ZBA2017-00047 case.

Neighborhood Meeting:

Has been approved under case ZBA2017-00047.

Public Notices:

Public notices were mailed on June 16, 2020.

Staff Analysis: The applicant is requesting an extension of time of completion for the previous case ZBA2017-00047. They were granted 3 years with that time frame ending on July 13,2017. They have asked for a year extension.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the modification request. Therefore, staff believes the request has 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 a Certificate of Occupancy for this variance within one year from the date of approval.
3. Submission of a validly executed parking agreement that has been recorded and filed with Probate Court.

4. All remote parking spaces shall be marked "RESERVED" for the use allowed.

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 Reveil, Director

APPLICATION TO THE ZONING BOARD OF ADJUSTMENT		Date: <u>4/24/2020</u> Case No.: _____ Master No.: _____ Project No.: _____
P.I.D. No.: _____ Address Verified By: _____		
Modified Address: _____		
Please print or type legibly and fill in all that apply		
Site Address: <u>00 203 St South</u>		Zip Code: <u>35265</u>
Location: _____		
Project Name: _____		
Lot(s): _____	Block(s): _____	Survey: _____
Lot(s): _____	Block(s): _____	Survey: _____
Lot(s): _____	Block(s): _____	Survey: _____
<input type="checkbox"/> Metes and Bounds Attached		
OWNER		APPLICANT*
NAME: <u>BEAL ANGELO</u>		NAME: <u>JOHN MUEESKI (GUINER'S AGENT)</u>
ADDRESS: <u>9700 MAGNOLIA RD, #900</u>		COMPANY NAME: <u>MUEESKI ADJUSTERS</u>
CITY/STATE/ZIP: <u>INDIANAPOLIS, IN 46203</u>		ADDRESS: <u>631 DRURY ST, 5TH FLOOR</u>
PHONE: <u>317.36.1855</u> CELLULAR: <u>317.961.3621</u>		CITY/STATE/ZIP: <u>BIRMINGHAM, AL 35201</u>
FAX: () PAGER: ()		PHONE: <u>205.447.8700</u> CELLULAR: ()
EMAIL: <u>BEAL.ANGELO@APUS-GROUP.COM</u>		FAX: () PAGER: ()
		EMAIL: <u>MUEESKI@MUEESKI.COM</u>
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:		
<input type="checkbox"/> Hear an Appeal from a decision of the Director of the Department of Planning, Engineering and Permits Department (Article VIII, Sec. 5.3)		
<input type="checkbox"/> Modification - Modify the strict application of the provisions of the Zoning Ordinance (Article VIII, Sec. 5.3)		
<input type="checkbox"/> 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: _____		
<input checked="" type="checkbox"/> 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 checked="" type="checkbox"/> Parking		
Description of Work or Request: <u>extension of ZBA2017-00048</u>		
If you have a hardship/practical difficulty, please explain: _____		
SECTION II TEXT CHANGE		FOR STAFF USE
Amendment to: Title: _____ Article: _____ Title: _____		
<input type="checkbox"/> See Attachment		
<input type="checkbox"/> 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: <u>4/24/2020</u>	
Signature (Owner): _____	Date: <u>4/24/2020</u>	
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

Lowe, Roderick D.

From: Kyle Stover <kyles@wba-architects.com>
Sent: Thursday, June 04, 2020 2:18 PM
To: Lowe, Roderick D.
Subject: Fwd: Telegraph: Parking Variance - Owners Rep

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

Begin forwarded message:

From: Cliff Sims <cliff@telegraphcreative.com>
Date: June 4, 2020 at 1:57:45 PM CDT
To: Allison Chang <allison@wba-architects.com>
Cc: Kyle Stover <kyles@wba-architects.com>
Subject: Re: Telegraph: Parking Variance - Owners Rep

Allison,

as the owner of Telegraph and 1844 Holdings, which owns the building, I permit WBA to be our representative in submitting the appropriate documentation to the city for our parking variance. If anyone at the City needs to speak to me directly, I can be reached on my cell phone at 334.389.6044.

Thanks for doing this.

Cliff

On Thu, Jun 4, 2020 at 1:54 PM Allison Chang <allison@wba-architects.com> wrote:

Hey Cliff,

ZONING BOARD OF ADJUSTMENT

CITY OF BIRMINGHAM

CASE NO.: ZBA2017-00047 Forest Park

APPLICANT: JOHN MYEFSKI

OWNER: MEEKS FREDERICK JAMES JR

SUBJECT: Special exception to allow a communal living facility, pursuant to Title 1, Chapter 9, Article V, Section 3.5; special exception to allow remote parking of 36 parking spaces for a mixed use building with multiple family, communal living, and retail pursuant to Title 1, Chapter 5, Article I, Section 8; variance to allow (1) loading space instead of the (5) loading spaces required pursuant to Title 1, Chapter 5, Article II, Section 5; and a modification for parking to allow (82) parking spaces instead of the (88) parking spaces required for a mixed use building with multiple family, communal living, and retail pursuant to Title 1, Chapter 9, Article VI, Section 3.5

PREMISES: Located at 1001 20th STREET SOUTH 35205; BEG INTER OF 20TH ST S & 10TH AVE S TH NE 202(S)FT ALG ROW TH SE 100 FT TH SW 202(S)FT TH NW 100 FT TO POB NE 1/4 OF TSP 18S R 3W; and situated on Parcel #: 01900011003002000, NE ¼ of Section 01, Township 18 S, Range 3 W

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of John Myefski applicant, representing Frederick James Meeks, Jr., for a special exception to allow a communal living facility, pursuant to Title 1, Chapter 9, Article V, Section 3.5; special exception to allow remote parking of 36 parking spaces for a mixed use building with multiple family, communal living, and retail pursuant to Title 1, Chapter 5, Article I, Section 8; variance to allow (1) loading space instead of the (5) loading spaces required pursuant to Title 1, Chapter 5, Article II, Section 5; and a modification for parking to allow (82) parking spaces instead of the (88) parking spaces required for a mixed use building with multiple family, communal living, and retail pursuant to Title 1, Chapter 9, Article VI, Section 3.5 for property located at 1001 20th Street South 35205 situated on Parcel #: 01900011003002000, NE ¼ of Section 01, Township 18 S, Range 3 W according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED JULY 13, 2017," according to the Zoning Board of Adjustment, Case No. ZBA2017-00047 be, and the same hereby is **GRANTED** subject to:

1. Review by the appropriate zoning inspector to ensure compliance with the Board's decision.
2. Applicant must obtain a Certificate of Occupancy for this variance within three years from the date of approval.
3. Submission of a validly executed parking agreement that has been recorded and filed with Probate Court.
4. All remote parking spaces shall be marked "RESERVED" for the use allowed.

I, W. Thomas Magee, 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 of July 13, 2017, 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 14, 2017.

W. Thomas Magee
Chief Planner

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

RE: ZBA2017-00048

Date: 7/10/17

To: Kasandra Brundidge, Room 210, 2nd Floor City Hall (205) 297-8003, FAX: (205)254-2111
kasandra.brundidge@birminghamal.gov

From: Danny Jones N.A. - President, Vice President, Secretary
(Please indicate the Officer who chaired the meeting when this request was heard)

On 6/26/17, the request was heard by our Neighborhood Association and we took the following action:

SUPPORT (# of votes) 11

OPPOSE (# of votes) 4

The decision of the Neighborhood Association was to (please circle one) support / not support the request for the following reasons:

Enthusiasm for the development was greater than the concerns - especially related to parking.

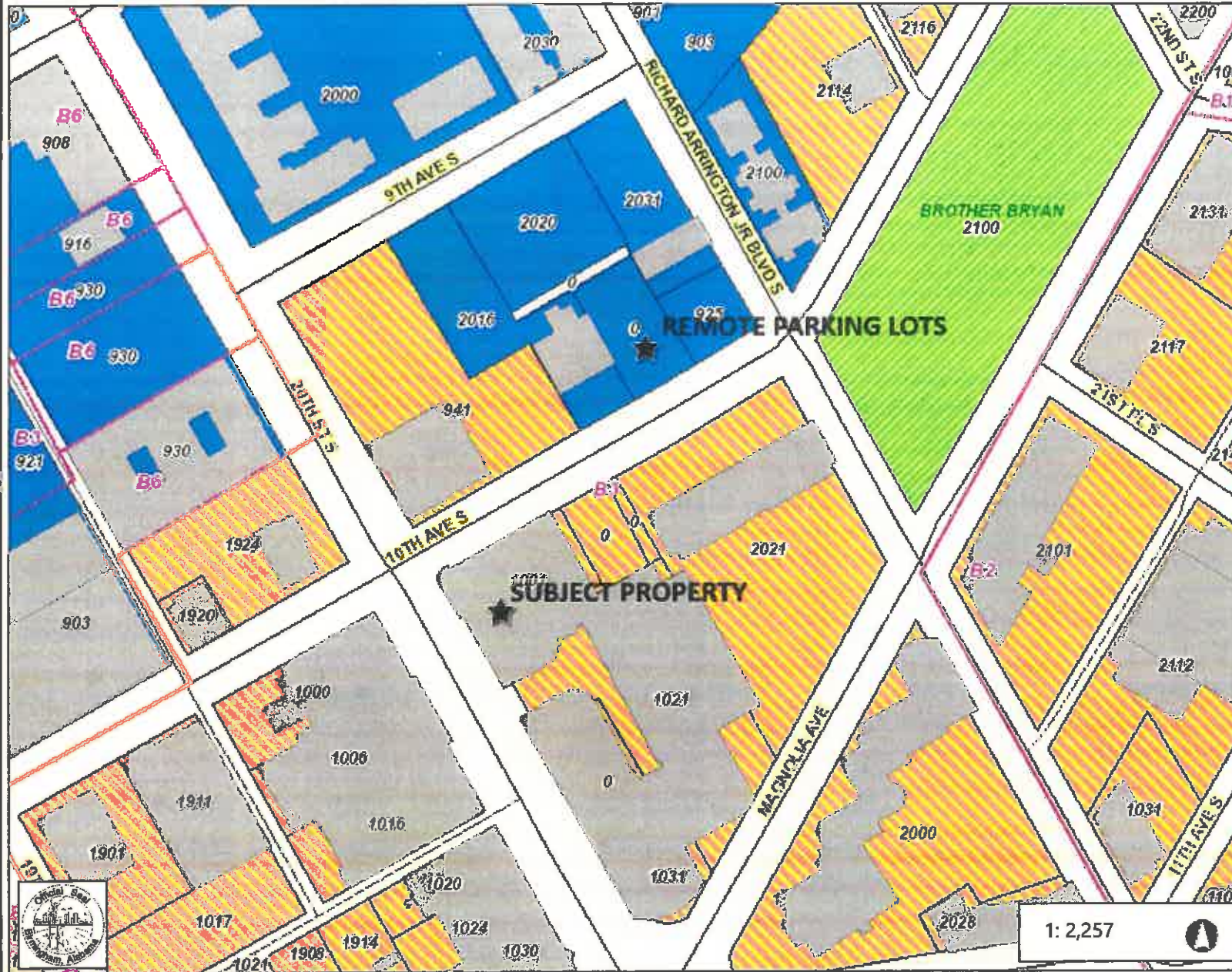
The Neighborhood Association understands that its opinion is only advisory and that this form will be given to ZBA members. Representatives from the Association or its members can attend the ZBA meeting to personally express concerns and requests.

Neighborhood Officer Signature: Danny Jones

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

NOTES:

The Neighborhood Meeting will be held at the **SOUTHSIDE LIBRARY** on the **FOURTH (4th) MONDAY** of each month at **6 PM**. Please contact **DANNY JONES** at **205-541-2167** concerning attending the meeting.



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

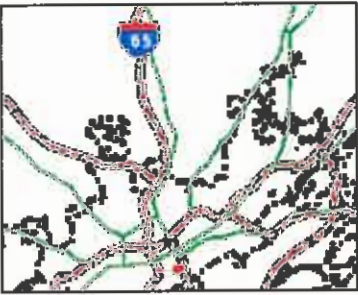
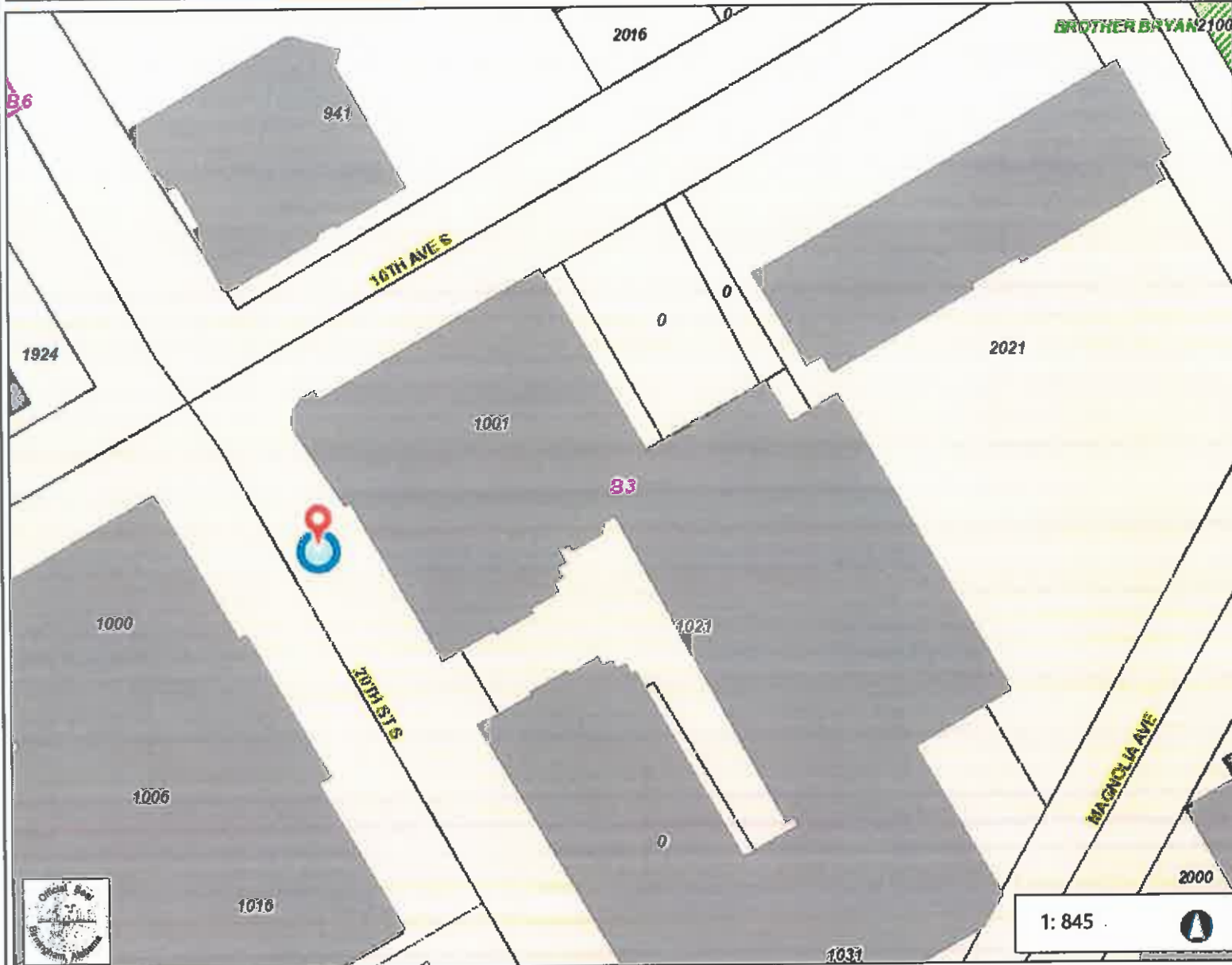


1: 2,257



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

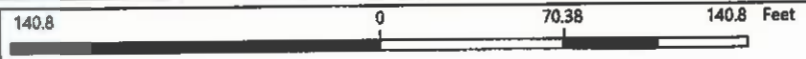
Notes



Legend

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

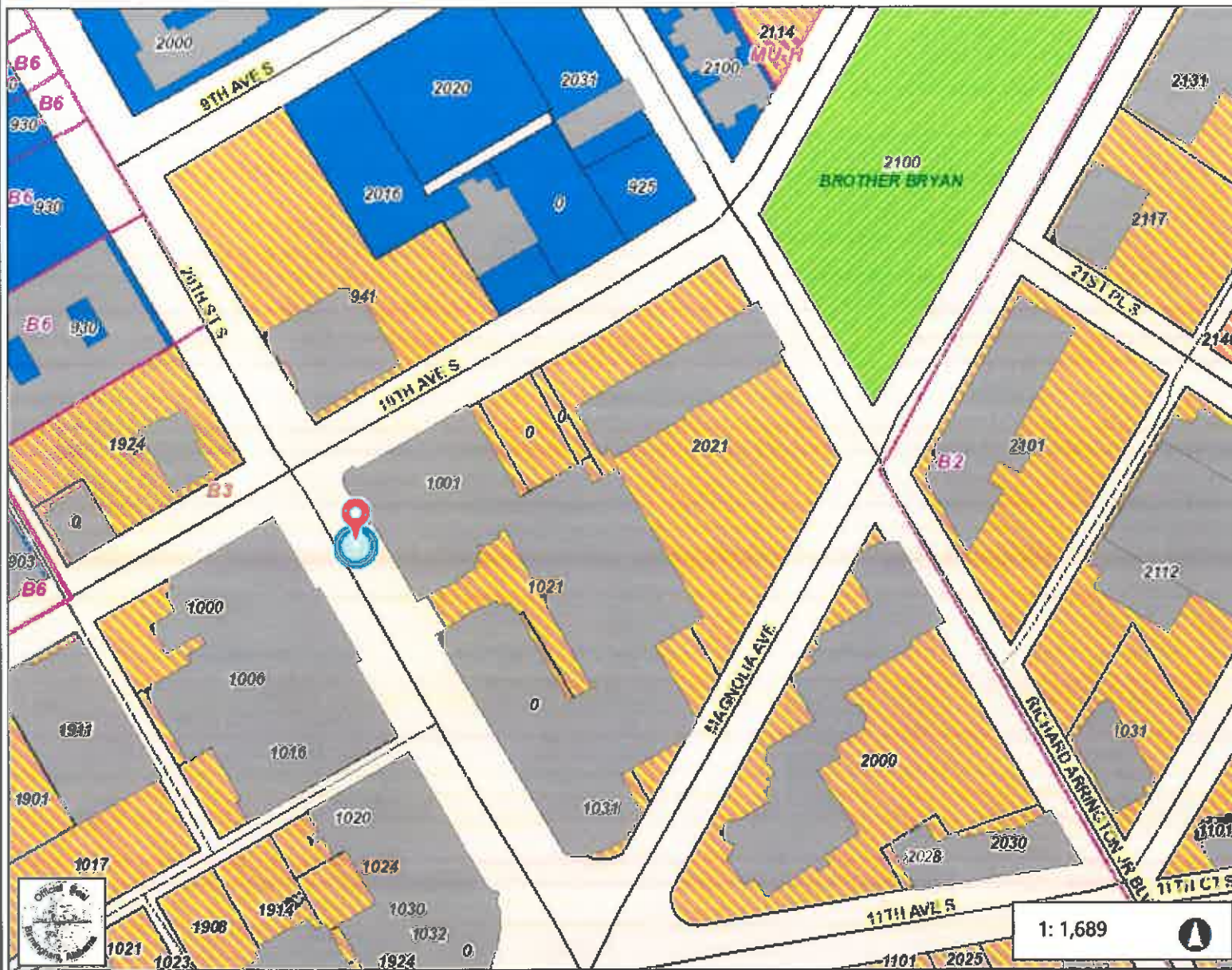
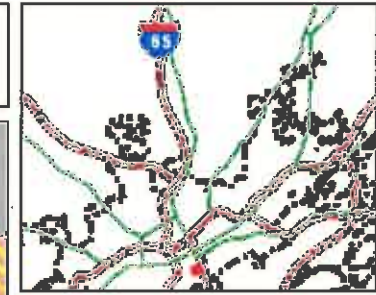
Notes



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1: 845



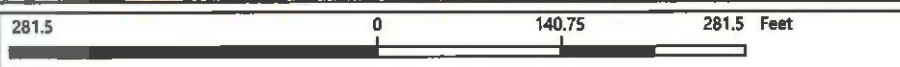


Legend

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

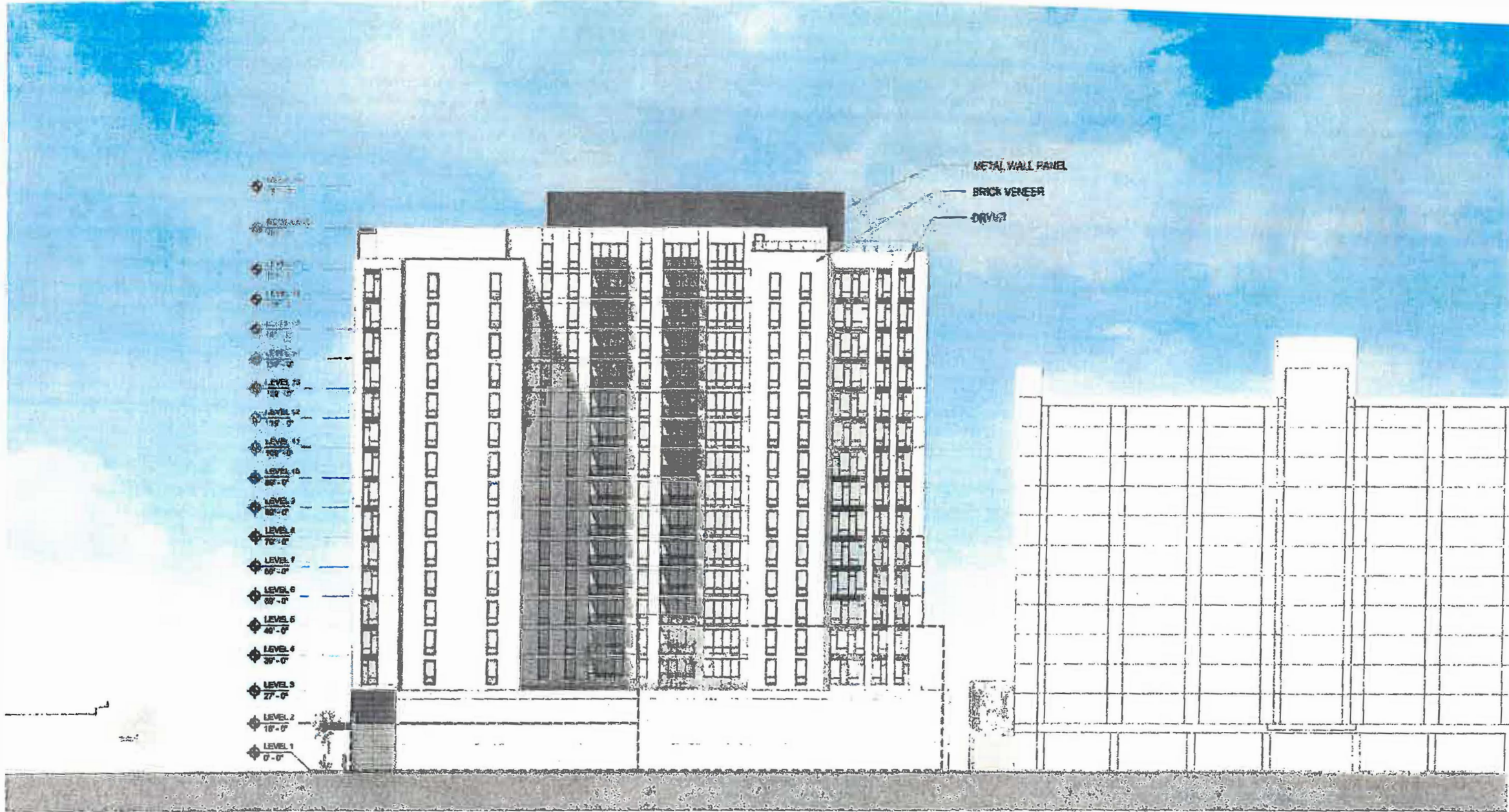


1: 1,689



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



OPUS
THE OPUS GROUP

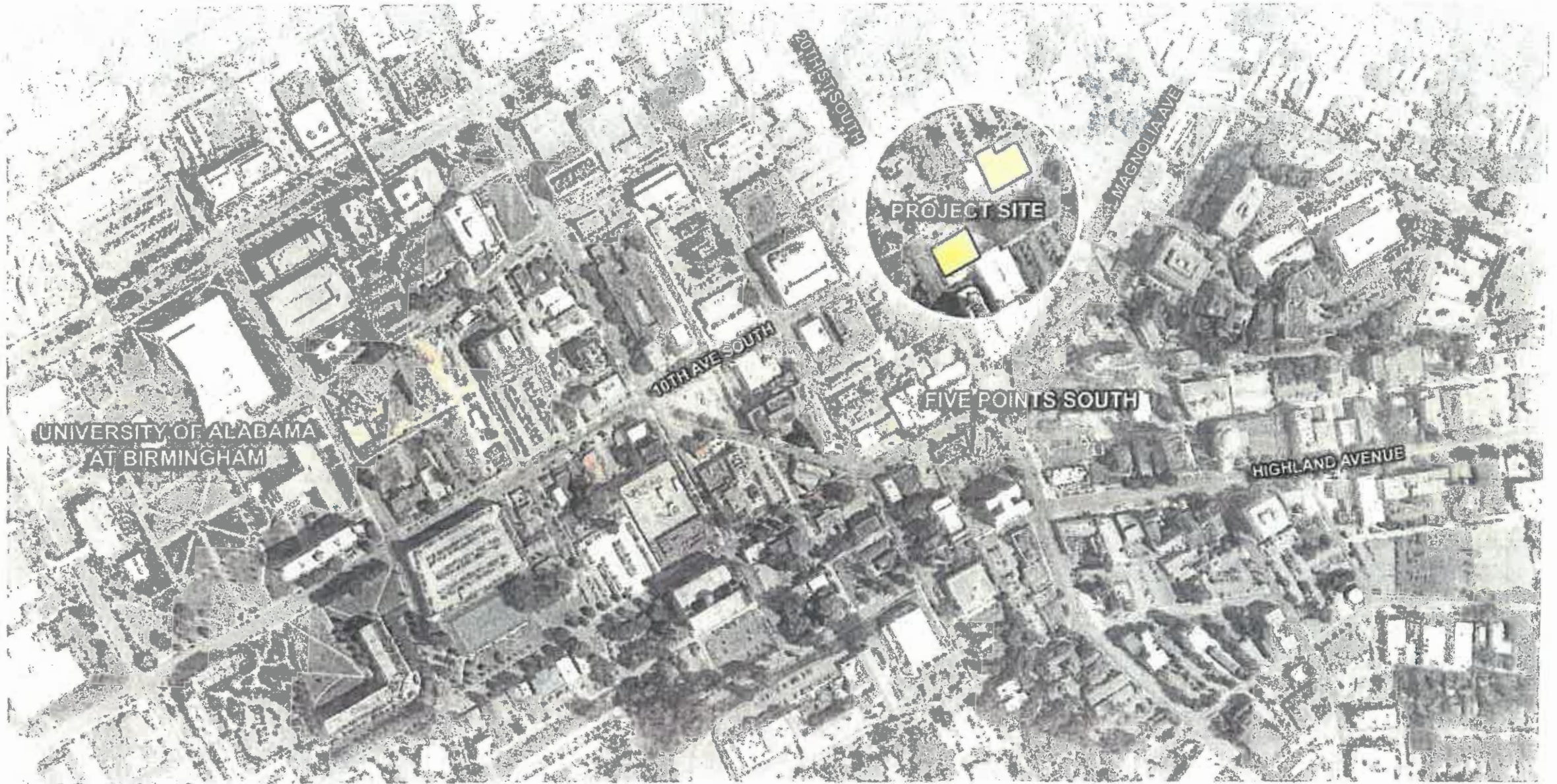
1001 20th Street South
Birmingham, Alabama

SE ELEVATION
1" = 30'-0"

08/05/2017



MYEFSKI
ARCHITECTS



OPUS
THE OPUS GROUP

1001 20th Street South
Birmingham, Alabama

PROJECT LOCATION



08.05.2017

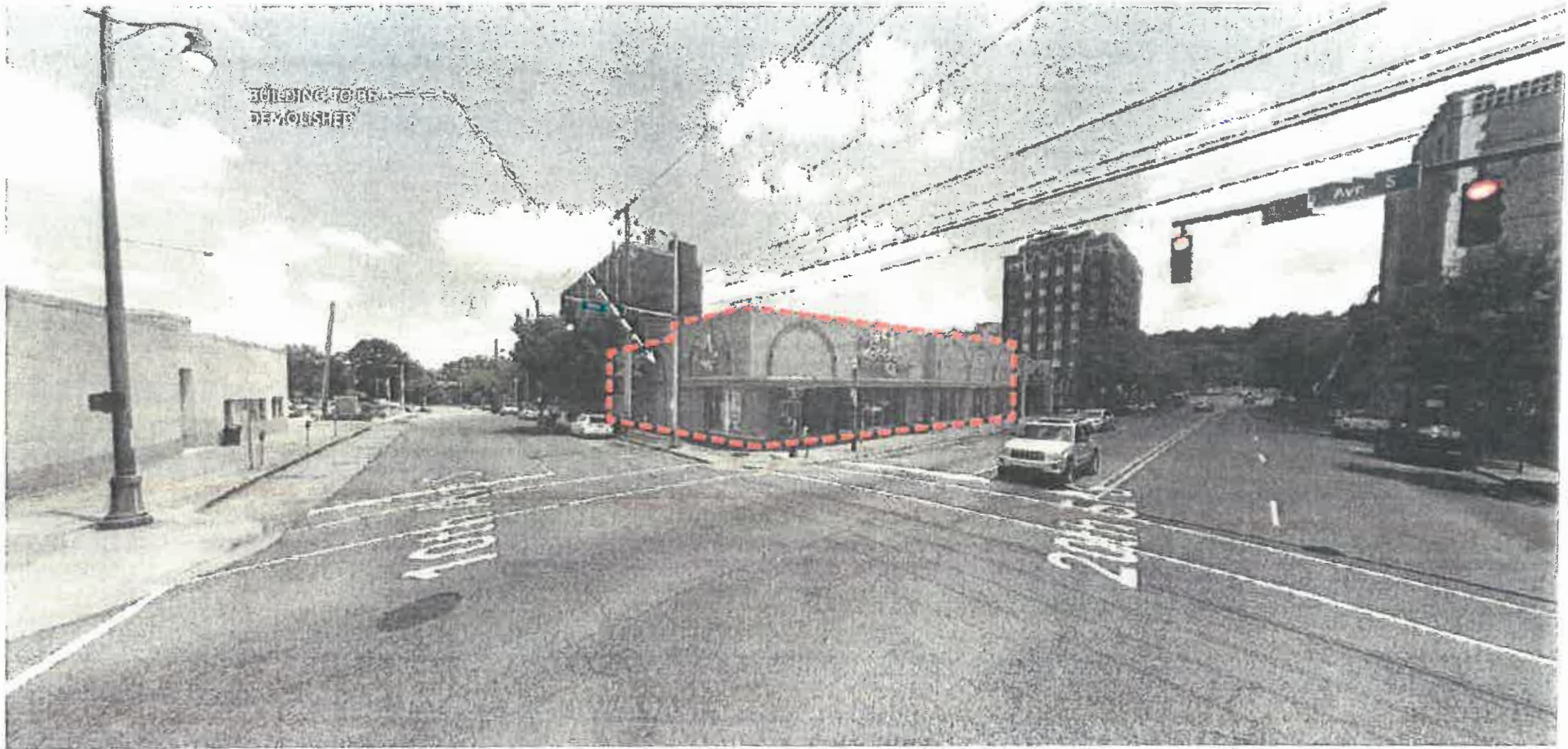


1001 20th Street South
Birmingham, Alabama

EXISTING BUILDING

06.05.2017



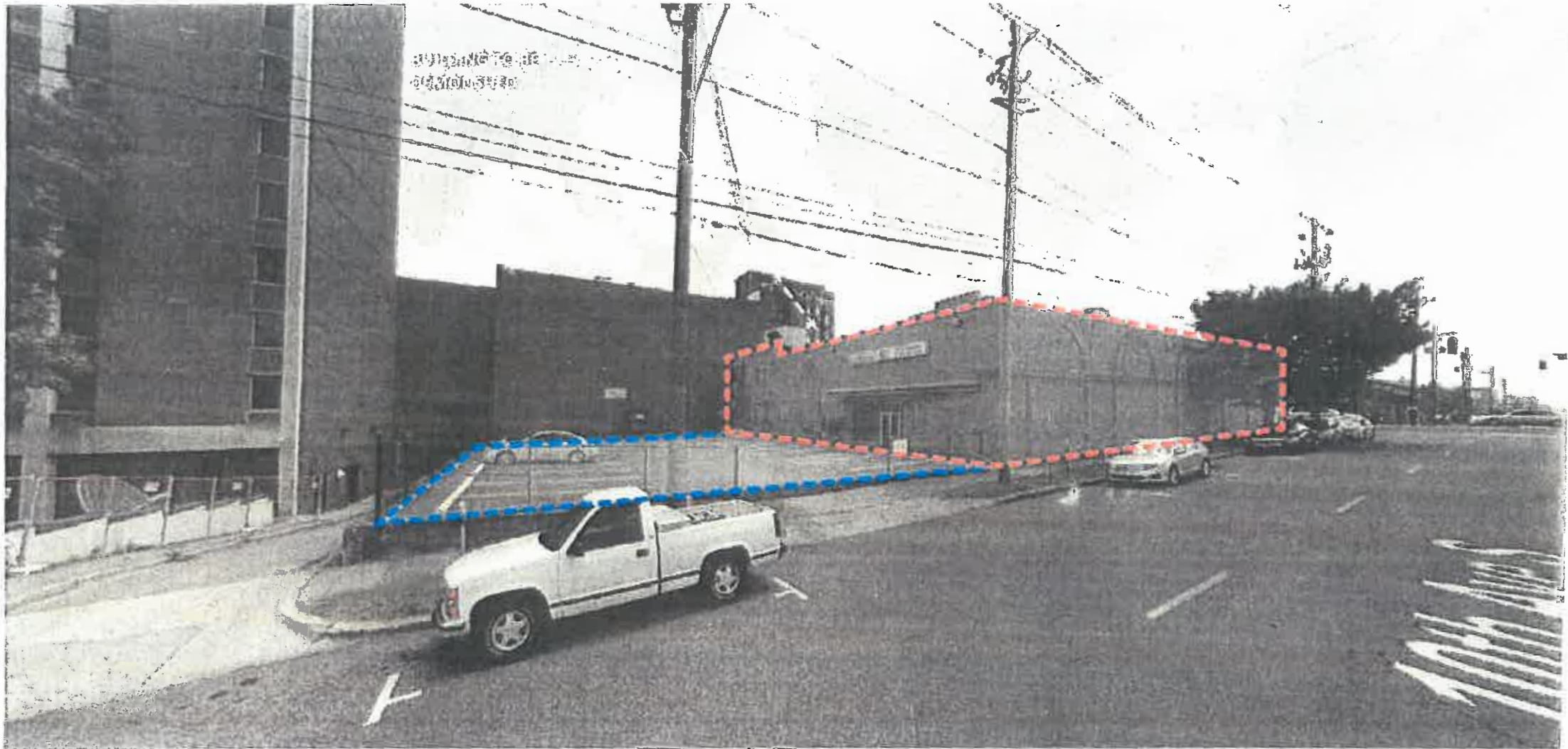


1001 20th Street South
Birmingham, Alabama

EXISTING BUILDING

08.05.2017





1001 20th Street South
Birmingham, Alabama

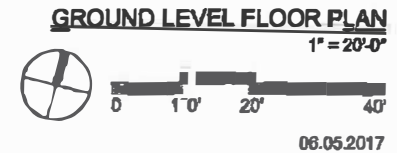
EXISTING BUILDING

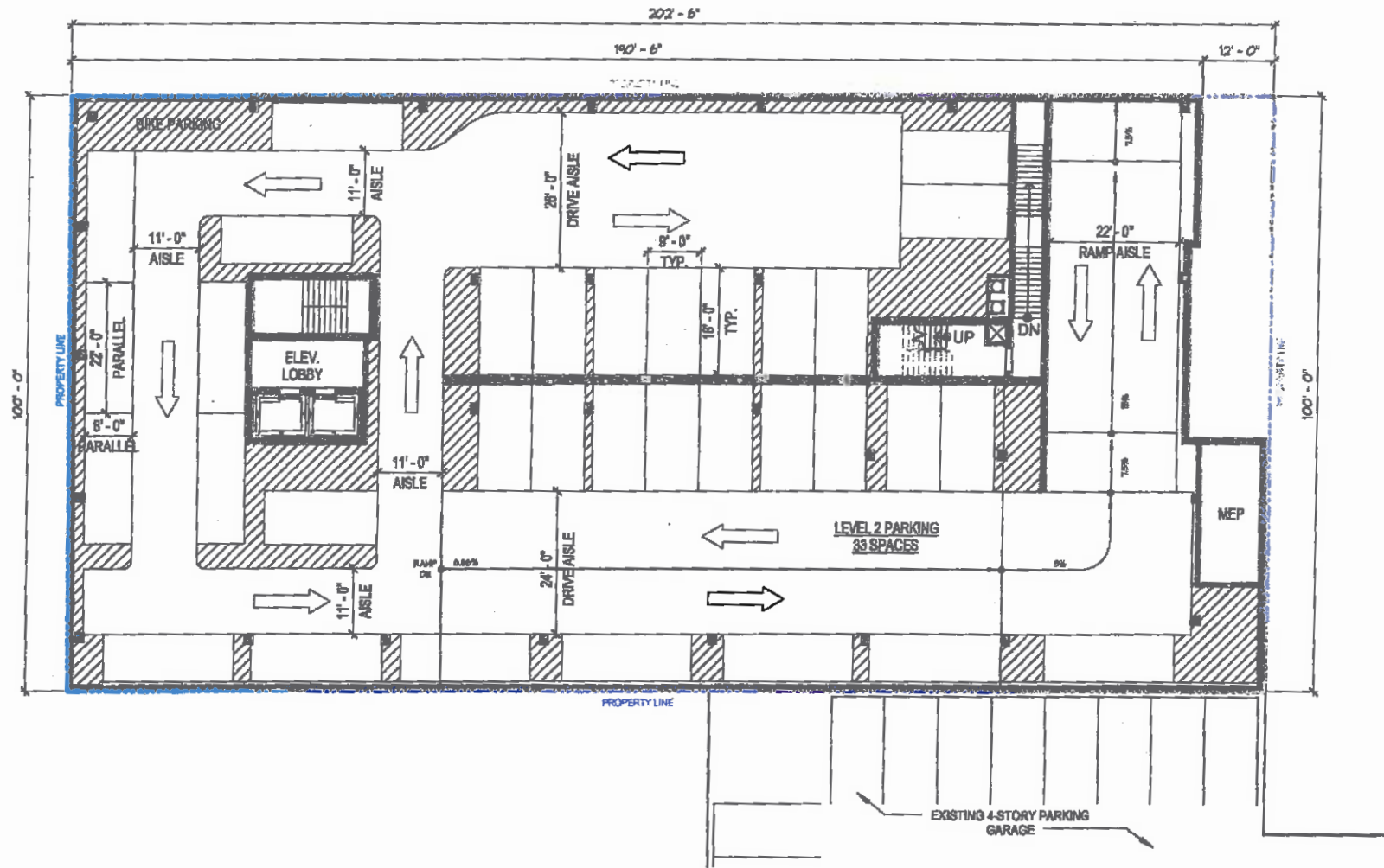
06.05.2017





1001 20th Street South
Birmingham, Alabama





1001 20th Street South
Birmingham, Alabama



LEVEL 2 FLOOR PLAN
1" = 20'-0"



06.05.2017



Meeting – June 25, 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

Neighborhood: Woodlawn Staff Planner Moton ZBA2020-00022

Request: Parking Modification
Applicant: Kyle Stover
Owner: Cliff Sims
Site Address: 3025 2nd Ave S
Zip Code: 35233
Description: Modification to allow 3 off street parking spaces instead of the required 13 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3
Property Zoned: M-1 Light Manufacturing District
Parcel Information: Parcel #:012300312005001000, NW of Section 31, Township 17 S, Range 2 W

Special Exception:

The applicant is requesting a modification to allow 3 off-street parking spaces instead of the required 13 off-street parking spaces for a corporate office.

Neighborhood Meeting:

The South side Neighborhood Association are not having meetings due to COVID-19; however, Ms. Johnson, President, has voted in support of this case.

Public Notices:

Public notices were mailed on June 16, 2020.

Staff Analysis:

The subject property located at 3025 2nd Ave S is zoned M-1 Light Industrial District. The property is located within the North Lakeview Industrial Historic District and Lakeview Commercial Revitalization District. The applicant is purposing to have a corporate office building. They need a total of 30 required parking spaces. The zoning district M-1 refers to B-3 stating, off-street parking and loading spaces shall be provided in an amount equal to one half the requirements of Article V. Off-street loading shall be in accordance with the requirements of Article V; therefore, the required number is now 15 parking spaces. However, with the 10% deduction for a nearby transit and deductions for bike racks leaves them with 13 required parking spaces. The applicant has provided us with a 1,320 radius showing 264 available parking spaces.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the modification request. Therefore, staff believes the request has 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. All permits and certificate of completion should obtain within two years of approval from the Board.

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. _____ Master No. _____ Project No. _____
P.I.D. No.: _____ Address Verified By: _____ Modified Address: _____		
Please print or type legibly and fill in all that apply		
Site Address: <u>3025 2nd Avenue South</u> Zip Code: <u>35233</u> Location: <u>Telegraph Creative</u> Project Name: <u>Telegraph Creative</u> Lot(s) _____ Block(s) _____ Survey _____ Lot(s) _____ Block(s) _____ Survey _____ Lot(s) _____ Block(s) _____ Survey _____ <input type="checkbox"/> Metes and Bounds Attached		
OWNER NAME: <u>Cliff Sims</u> ADDRESS: <u>30 25th Street North</u> CITY/STATE/ZIP: <u>Birmingham, AL 35205</u> PHONE: <u>(205) 983.8080</u> CELLULAR: () _____ FAX: () _____ PAGER: () _____ EMAIL: <u>allison@wba-architects.com</u>	APPLICANT* NAME: allison chang-roberts <u>KYLE STOVER</u> COMPANY NAME: <u>Williams Blackstock Architects</u> ADDRESS: <u>2204 First Avenue South</u> CITY/STATE/ZIP: <u>Birmingham, AL 35233</u> PHONE: <u>(205) 252.9811</u> CELLULAR: <u>(205) 616.9775</u> FAX: () _____ PAGER: () _____ EMAIL: allison@wba-architects.com <u>kyles@wba-architects.com</u> <small>*Applicant is required to be authorized by owner to undertake work</small>	
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:		
<input type="checkbox"/> Hear an Appeal from a decision of the Director of the Department of Planning, Engineering and Permits Department (Article VIII, Sec. 5.3)		
<input checked="" type="checkbox"/> Modification – Modify the strict application of the provisions of the Zoning Ordinance (Article VIII, Sec. 5.3)		
<input type="checkbox"/> 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-Confirming Uses <input type="checkbox"/> Parking <input type="checkbox"/> Public <input type="checkbox"/> Signs <input type="checkbox"/> Yards <input type="checkbox"/> Other _____		
<input type="checkbox"/> 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 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-Confirming Uses <input type="checkbox"/> Parking		
Description of Work or Request: <u>Request for a single tenant building fitout for parking modification from 16 spaces to 0 spaces. There are 264 on-street marked spaces within a 1,320' radius of the property that are available for parking.</u>		
If you have a hardship/practical difficulty, please explain: <u>The building footprint takes up the entire property except for a small area in the alley that is available for a small amount of off-street parking, so there is not enough physical area on the property to provide the necessary parking count. See attached Vicinity Map outlining the required spaces and illustrating the marked spaces within a 1,320' radius, and the attached Site Plan illustrating the bicycle rack and available parking behind the building.</u>		
SECTION II TEXT CHANGE		FOR STAFF USE
Amendment to: Title: _____ Article: _____ Title: _____		
<input type="checkbox"/> See Attachment <input type="checkbox"/> In words substantially as follows: _____		
PLANS REQUIRED <input type="checkbox"/> Yes <input type="checkbox"/> No	PERMIT FEE WAIVED <input type="checkbox"/> Yes <input type="checkbox"/> 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) _____	Date <u>6/4/20</u>	
Signature (Owner) _____	Date <u>6/4/20</u>	
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

596

205-254-2111
Att: A. Moton

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 Notification Form

NOTICE to the South Side Neighborhood Association **Date:** June 5, 2020

Case: ZBA2020-00022

ZBA meeting date: June 25, 2020

Site: 3025 2nd Ave S

Applicant: Kyle Stover
205-252-9811

Request: Modification to allow 6 off street parking spaces instead of the required 16 off street parking spaces pursuant to Title 1, Chapter 9, Article VI, Section 6.A.3

When you receive this notice, please have a neighborhood officer contact Angelica Moton, Room 210 City Hall, (205) 279-8917, (205) 254-2111 FAX, angelica.moton@birminghamal.gov

The neighborhood has the following 3 options (please select one):

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.

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

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 Officer Signature _____ **Date:** _____

Neighborhood Response Form – (if the APPLICANT attends the NA meeting)

RE: ZBA2020-00022

Date: 6-18-2020

To: Angelica Moton, Room 210, 2nd Floor City Hall (205) 279-8917, FAX: (205)254-2111
Angelica.moton@birminghamal.gov

From: Southside N.A. - President, Vice President, Secretary
(Please indicate the Officer who chaired the meeting when this request was heard)

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

SUPPORT (# of votes) N/A

OPPOSE (# of votes) _____

The decision of the Neighborhood Association was to (circle one) **support** / not support) the request for the following reasons:

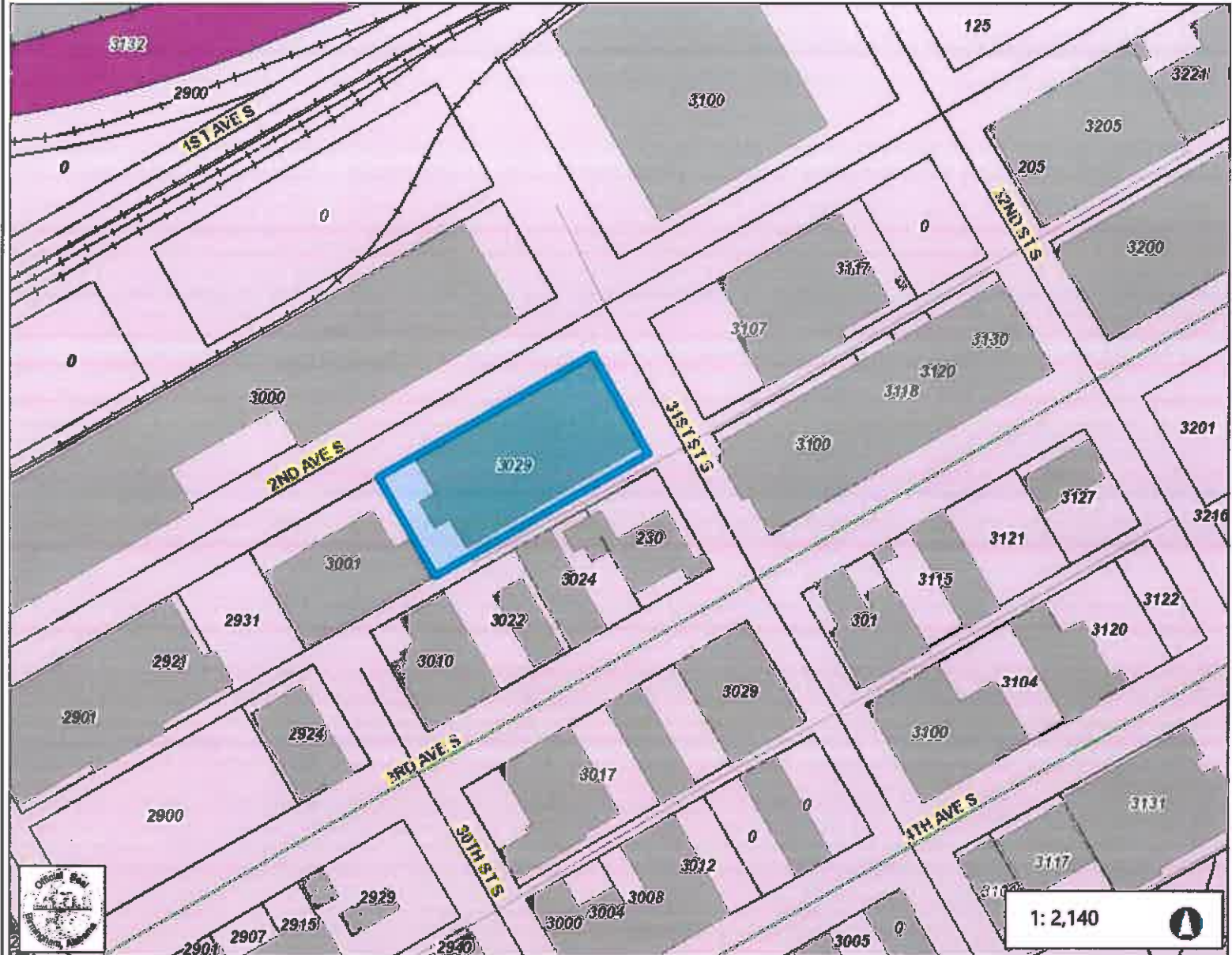
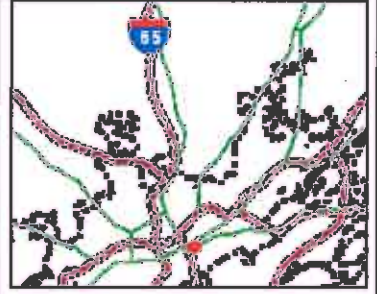
Due to the Covid-19, NO meeting 6-18-2020

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: Irene Johnson 6-18-2020
(Officer who chaired or presided over the meeting when the case was presented should sign above)

NOTE:

The South Side NA meetings are held TBA as needed. Please contact Irene Johnson at 205-322-5975 or 205-288-4415 to attend the meeting.



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
- Zoning Shaded
 - R1; D1 - Single Family District - Cla
 - R2; D2 - Single Family District - Cla
 - R3; D3 - Single Family District; R3
 - R4; D4 - Two Family District; R4
 - R4A - Multiple Dwelling District
 - R5; D5 - Multiple Family District; Df
 - R6; D6 - Multiple Family District
 - R7 - Multiple Family District

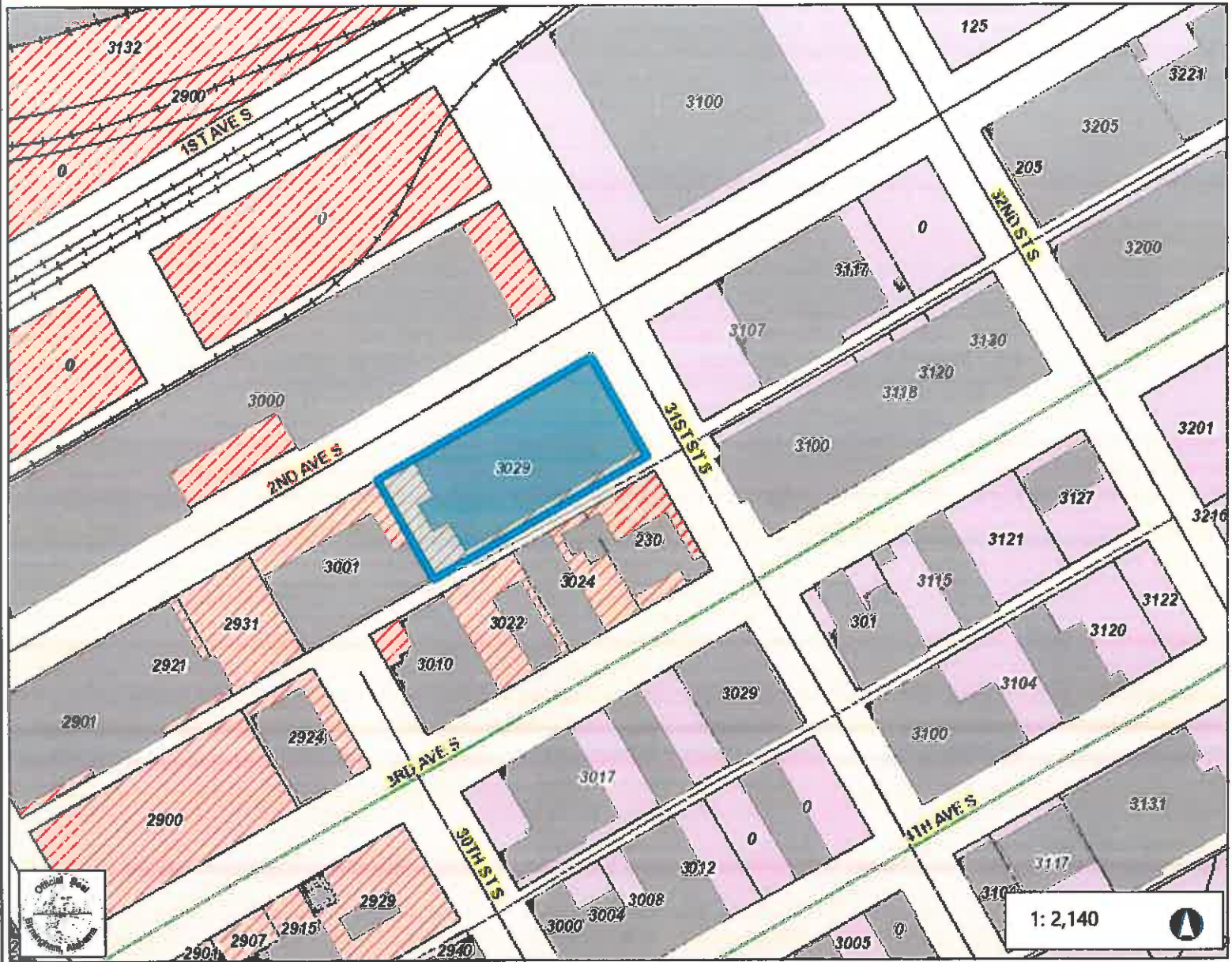
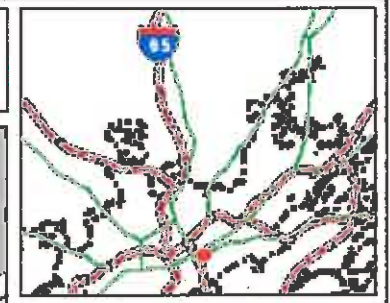


1: 2,140



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

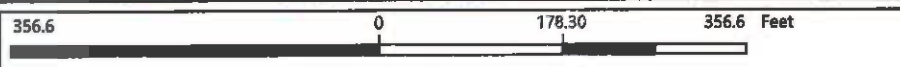


Legend

- 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

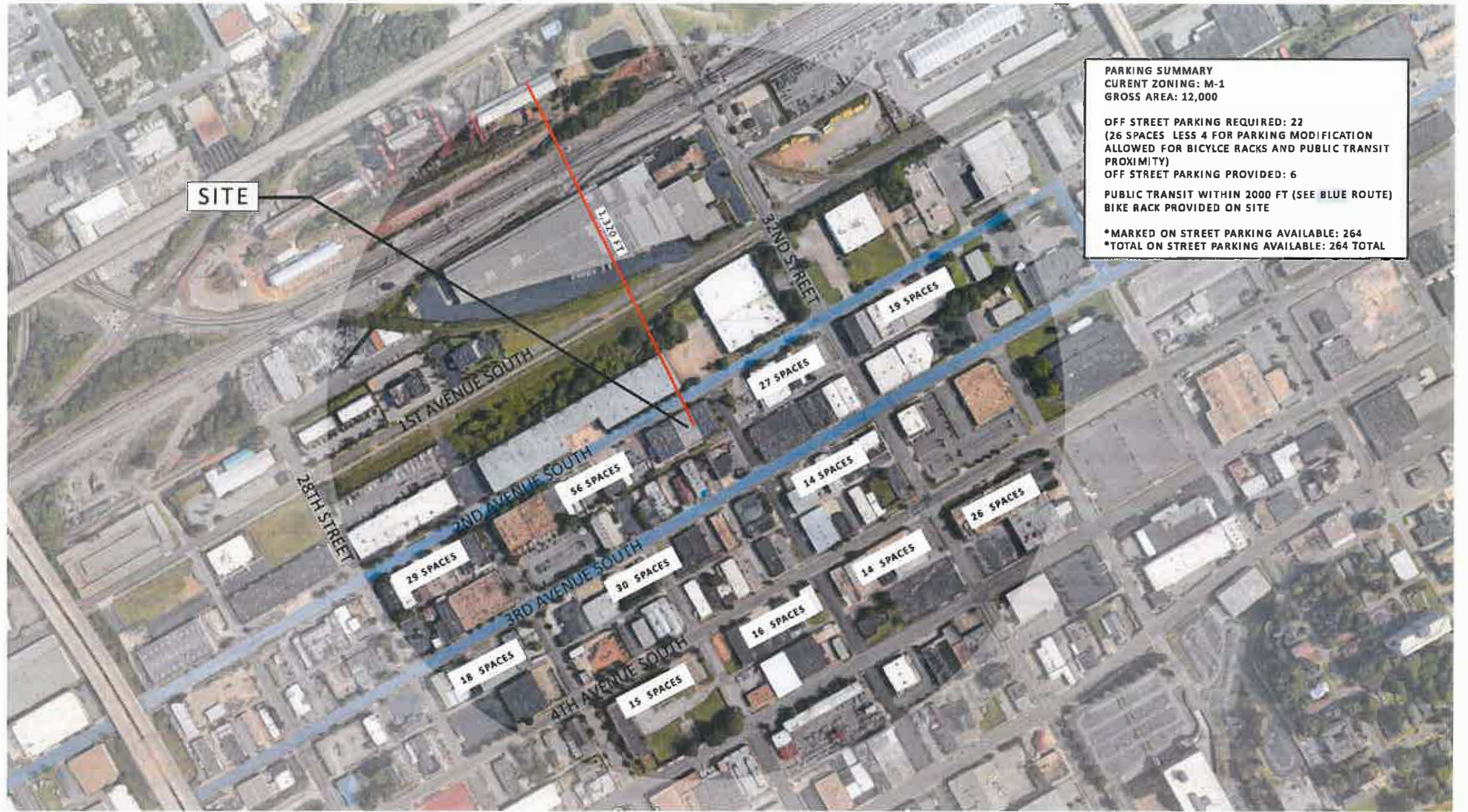


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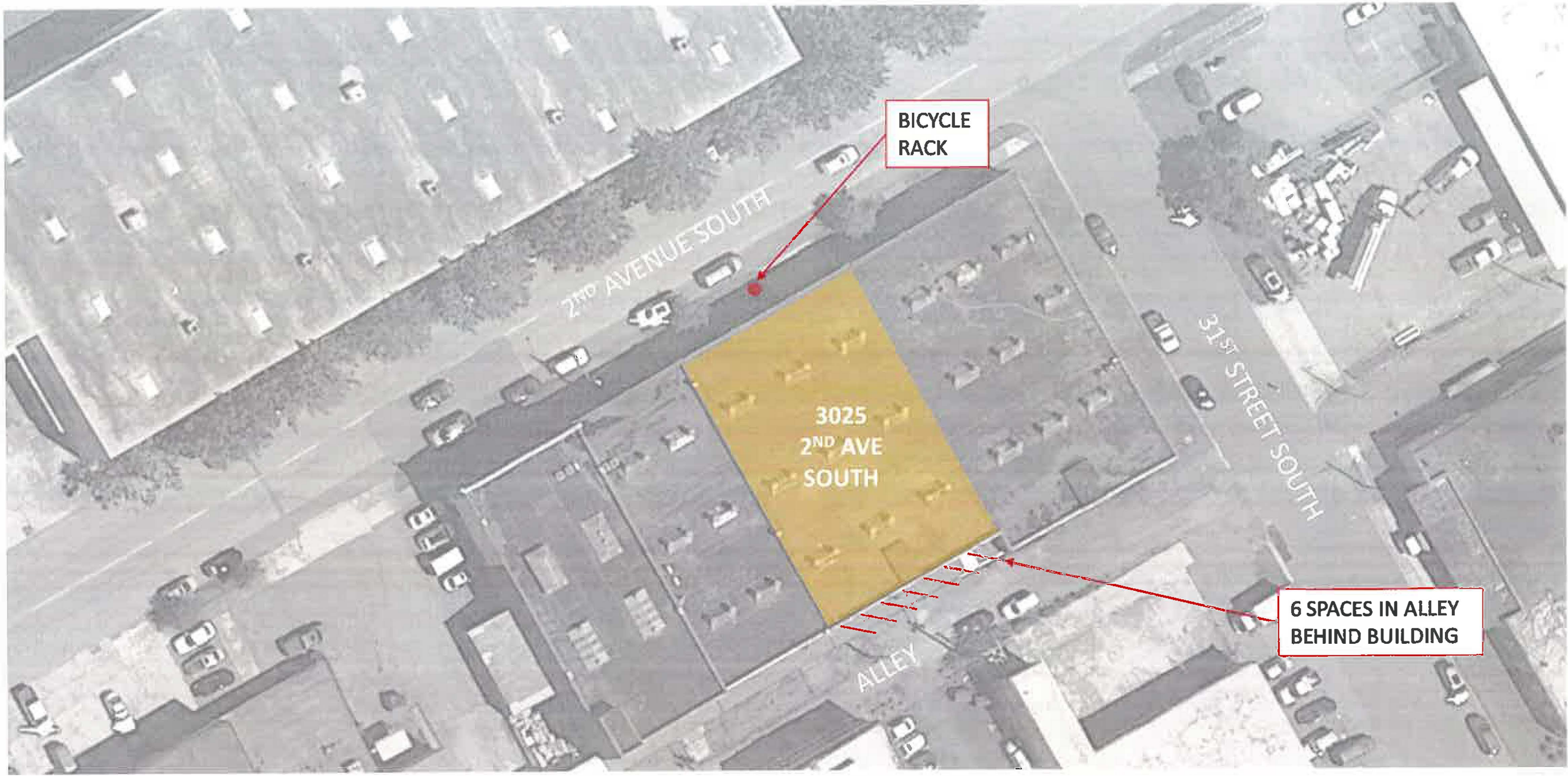


PARKING SUMMARY
 CURENT ZONING: M-1
 GROSS AREA: 12,000

OFF STREET PARKING REQUIRED: 22
 (26 SPACES LESS 4 FOR PARKING MODIFICATION
 ALLOWED FOR BICYLCE RACKS AND PUBLIC TRANSIT
 PROXIMITY)
OFF STREET PARKING PROVIDED: 6

PUBLIC TRANSIT WITHIN 2000 FT (SEE BLUE ROUTE)
BIKE RACK PROVIDED ON SITE

***MARKED ON STREET PARKING AVAILABLE: 264**
***TOTAL ON STREET PARKING AVAILABLE: 264 TOTAL**



**BICYCLE
RACK**

**3025
2ND AVE
SOUTH**

**6 SPACES IN ALLEY
BEHIND BUILDING**