

Meeting – July 23, 2020  
Location – Webex/Teleconference  
Time - 2:00PM  
Pre-Meeting - 1:00PM

Department of Planning Engineering & Permits Conference Room, Fifth Floor

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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 6<sup>th</sup> 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 July 11 ,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 6<sup>th</sup> 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 6<sup>th</sup> Ave S and 4232 6<sup>th</sup> Ave S; however, the recent owner 4232 6<sup>th</sup> 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 6<sup>th</sup> 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:**

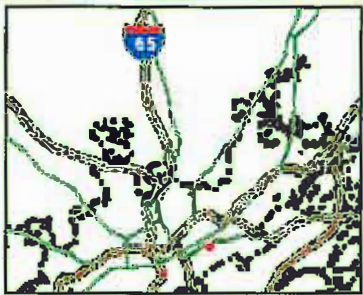
The subject property has an existing side yard setback of 7.1ft on the side that the proposed driveway will be encroaching into the front yard. The attached plan has already been to design review committee and been approved on March 25, 2020. Site visit was conducted on the site and it shows that the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

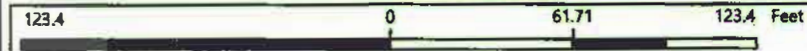
Staff believes the applicant has not provided sufficient evidence to support the variance request. Therefore, staff believes the request has merit for approval and as such, should be GRANTED subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. All permits and certificate of completion should be obtain within one year of the approval date from the Board.



**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

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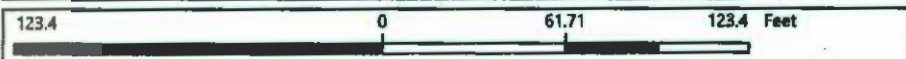
**Notes**



- Legend**
- Centerline Labels
  - + Railroad
  - Alleys
  - Local Roads
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  - County Highways
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  - US Highways
  - Interstates
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  - 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
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1:740



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**Notes**

**PARCEL ID:** 012300294015010000

**SOURCE:** TAX ASSESSOR RECORDS      **TAX YEAR:** 2019

**DATE:** Friday, April 3, 2020 2:39:26 PM

**OWNER:** PIKE JASON R & LUCY R

**ADDRESS:** 4216 6TH AVE S

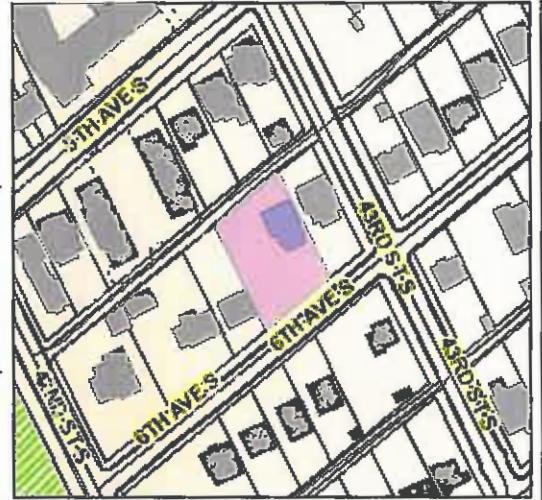
**CITY/STATE:** BIRMINGHAM AL

**ZIP+4:** 35222--2606

**SITE ADDR:** 4230 6TH AVE S

**CITY/STATE:** BHAM, AL

**ZIP:** 35222



**LAND:** \$211,000.00

**BLDG:** \$82,000.00

**OTHER:** \$0.00

**AREA:** 13,480.83

**ACRES:** 0.31

**SUBDIVISION INFORMATION:**

**NAME** AVONDALE

**BLOCK:** 18

**LOT:** 3

:

**Section:** 29-17-2W

**Land Slide Zones:** Not in Land Slide Zones

**Historic Districts:** Avondale Park

**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:** Forest Prk (1401)

**Communities:** Red Mountain (14)

**Council Districts:** District - 3 (Councilor: Valerie A. Abbott)

**Zoning Outline:** R3

**Demolition Quadrants:** DEM Quadrant - 3

**Impaired Watersheds:** Impaired Watershed - Upper Village Creek

**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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**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 6<sup>th</sup> 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

**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



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



# ZBA2020-00018



**ZBA2020-00018**



**ZBA2020-00018**



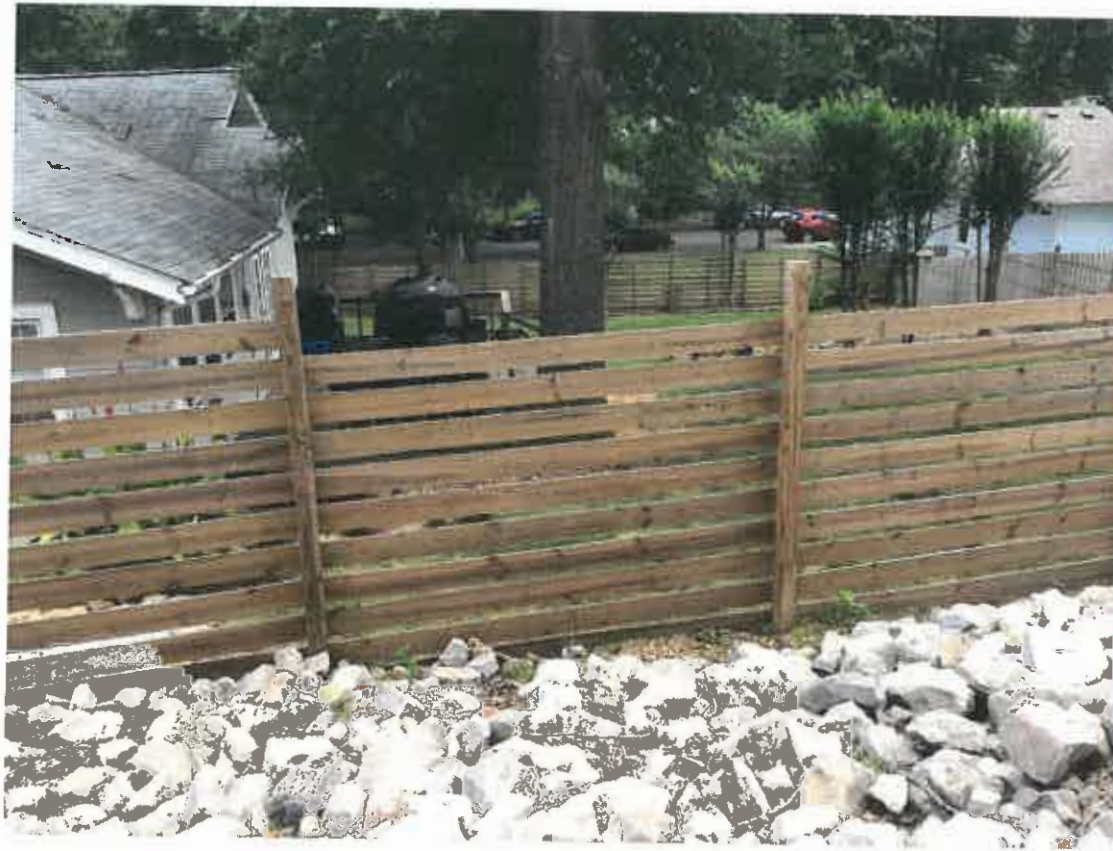
**ZBA2020-00018**



**ZBA2020-00018**



# ZBA2020-00018



Meeting – July 23, 2020  
Location – WebEx/ Teleconference  
Time - 2:00PM  
Pre-Meeting - 1:00PM  
Webex/Teleconference

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Neighborhood: Green Acres

Staff Planner Moton

ZBA2020-00024

CONTINUED

**Request:** Variance to allow a 5ft chain link fence in the required front yard area  
Title 1 Chapter 4 Subsection 3.A.1 page 182

**Applicant:** Francisco Navarrete Escobar

**Owner:** Francisco Navarrete Escobar

**Site Address:** 1517 57<sup>th</sup> St EN

**Zip Code:** 35228

**Description:** The applicant is requesting to allow a 5ft chain link fence in the front yard area

**Property Zoned:** D-3 Single Family District

**Parcel Information:** Parcel #: 012900181007001000, NE of Section 18, Township 18 S, Range 3 W

**Variance:**

The applicant is requesting a variance to allow a 5ft chain link fence in the front yard.

**Neighborhood Meeting:**

The Green Acres Neighborhood Association chose not vote on this request.

**Public Notices:**

Public notices were mailed on July 11, 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 new fence that I built is 150 feet long and 5 feet high, my house is on a flat lot in a corner crossing on the right and left side. In the back there is a fence that was already there when I bought the house.

2. Unique Characteristics. The characteristics of the fence that I built is that the material I use is metal, so I consider that it does not affect the style of the neighborhood, on the contrary it can be seen that I am not trying to hide anything just with the possible care and security.

3. Hardship Not Self-Imposed. In no way has anything been self-imposed for the intention of obtaining the of the property at a better price but only the wellbeing of my family.

4. Financial Gain Not Only Basis. I do not intend to obtain a variance through a financial interest.

5. No Injury to Neighboring Property. I consider that the construction of this fence does not cause any injury or affect any light, air supply to the adjacent property.

6. No Harm to Public Welfare. I consider that the fence does not cause any problem to the public well-being, it does not even increase the road congestion, or there is no danger of fire or moral health, the only thing I want to add asking for prior permit, I did not intend breaking Birmingham City Rules.

**Staff Analysis:**

The subject property located at 1517 57<sup>th</sup> St is zoned D-3, Single Family District. The 5ft chain link fence is located in the front yards off of 57<sup>th</sup> St and Court O.

The applicant does not meet the requirement of the six variance 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 denial and as such, should be **DENIED**.



**PARCEL ID:** 012900181007001000

**SOURCE:** TAX ASSESSOR RECORDS      **TAX YEAR:** 2019

**DATE:** Tuesday, June 30, 2020 11:59:27 AM

**OWNER:** NEXT STEP INVESTMENTS LLC & SHO

**ADDRESS:** 2418 GREEN SPRINGS HWY #30

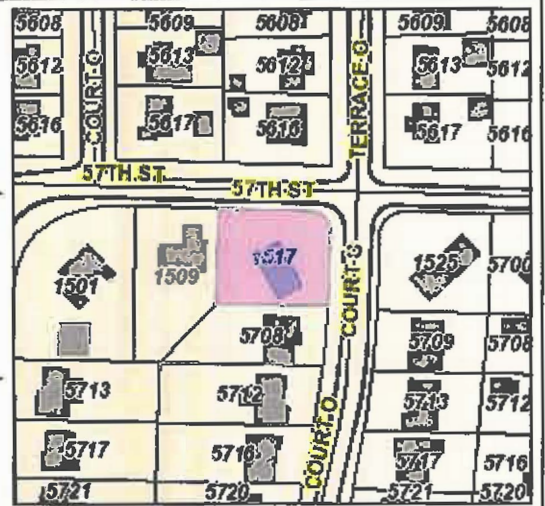
**CITY/STATE:** BIRMINGHAM AL

**ZIP+4:** 35209

**SITE ADDR:** 1517 57TH ST

**CITY/STATE:** BHAM, AL

**ZIP:** 35228



**LAND:** \$14,200.00

**BLDG:** \$59,800.00

**OTHER:** \$0.00

**AREA:** 10,900.56

**ACRES:** 0.25

**SUBDIVISION INFORMATION:**

**NAME** PARK COURTS 2ND SECTOR

**BLOCK:** 1

**LOT:** 3

**Section:** 18-18-3W

**Land Slide Zones:** Not in Land Slide Zones

**Historic Districts:** Not in Historic Districts

**Commercial Revitalization District:** Not in Commercial Revitalization District

**Fire District:** Not in Fire District

**Flood Zones:** Not in Flood Zones

**Tax Increment Financing District:** Not in Tax Increment Financing District

**Neighborhoods:** Green Acres (206)

**Communities:** Five Points West (2)

**Council Districts:** District - 7 (Councilor: Wardine Alexander)

**Zoning Outline:** D3

**Demolition Quadrants:** DEM Quadrant - 2

**Impaired Watersheds:** Not in Impaired Watersheds

**Strategic Opportunity Area:** Not in Strategic Opportunity Area

**RISE Focus Area:** Not in RISE Focus Area

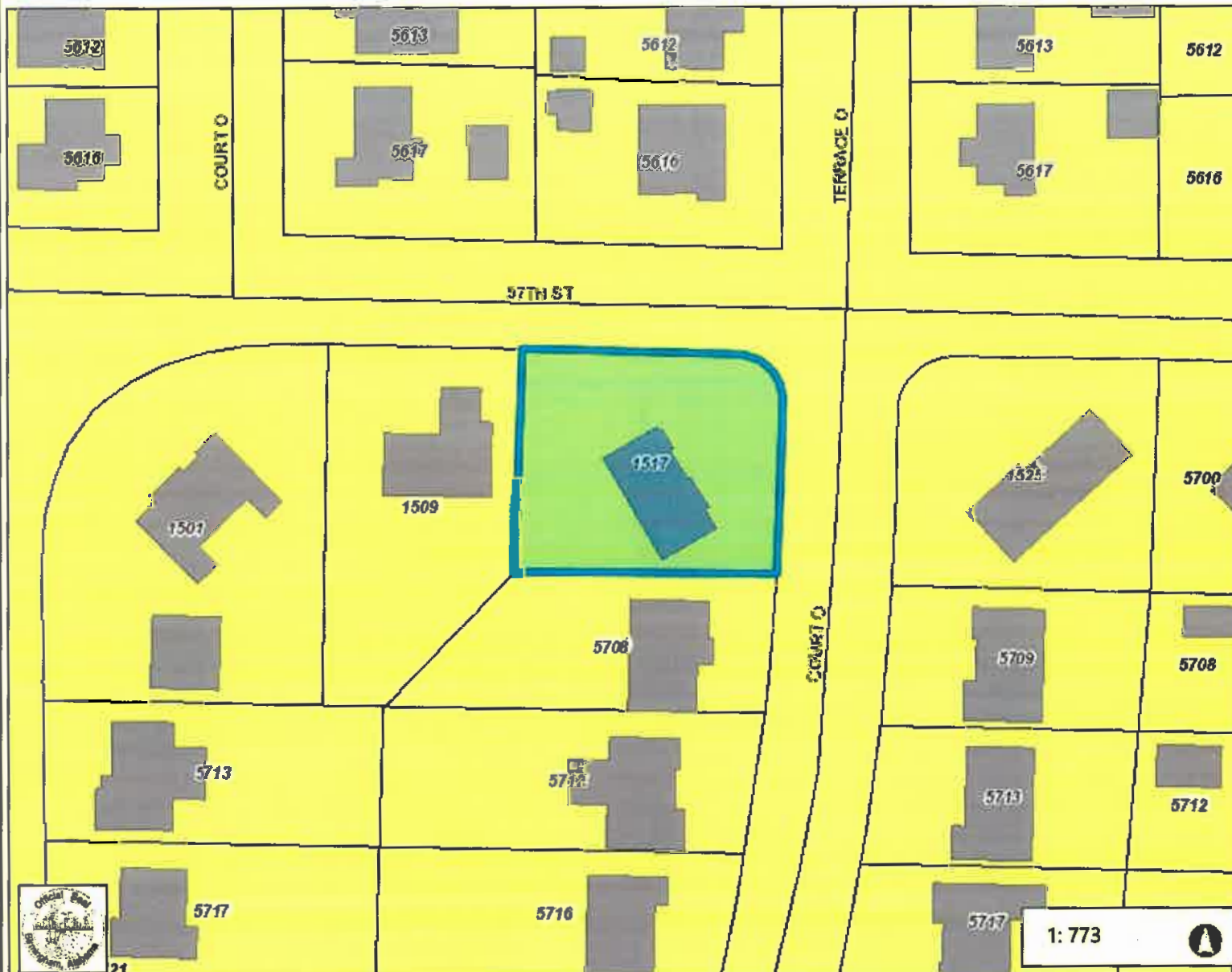
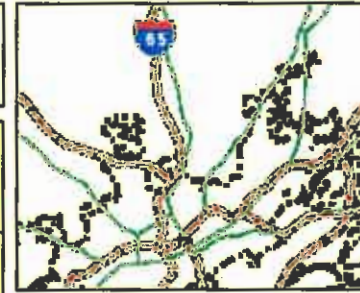
**Tax Delinquent Property:** Not in Tax Delinquent Property

**EPA Superfund:** Not in EPA Superfund

**Opportunity Zones:** Not in Opportunity Zones

**Judicial Boundaries:** JEFFERSON

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Legend

- Centerline Labels
- + Railroad
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- 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; D5
- R6; D6 - Multiple Family District
- R7 - Multiple Family District



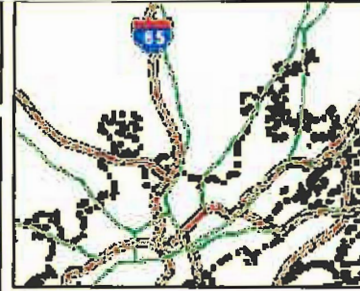
21

1: 773



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Notes



### Legend

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- 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

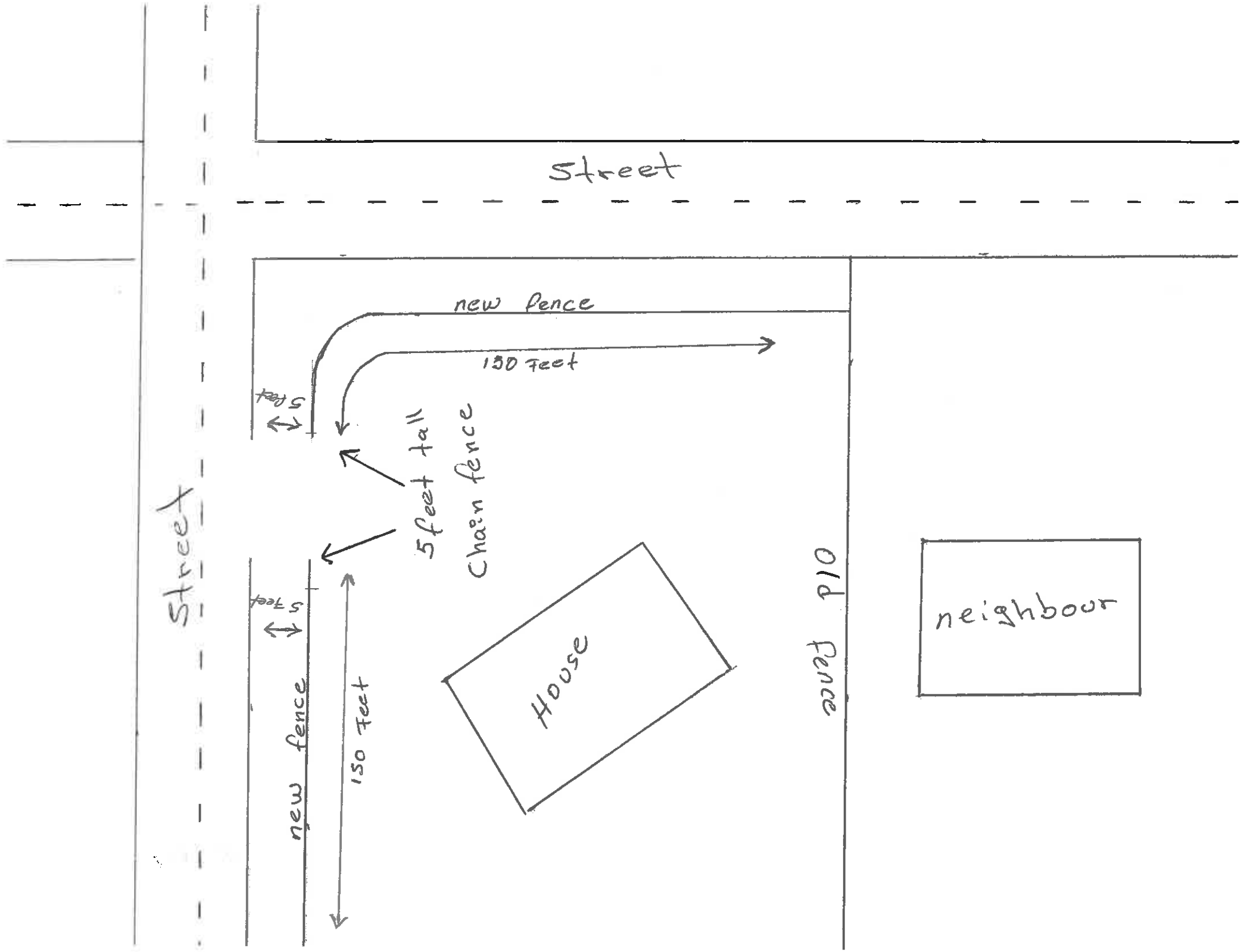


128.8 0 64.39 128.8 Feet

1: 773

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Notes



Street

Street

new fence

150 Feet

5 feet

5 feet tall  
Chain fence

House

5 feet

new fence

150 Feet

Old Fence

neighbour





Meeting – July 23, 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

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Neighborhood: Five Points South      Staff Planner Moton      ZBA2020-00028  
**CONTINUED**

Request:                      Parking Modification  
Applicant:                  Phil Amthor  
Owner:                        FNA NP LLC  
Site Address:                1209 & 1227 1<sup>st</sup> Ave S  
Zip Code:                    35233  
Description:                Modification to allow 0 off street parking spaces instead of the required 67 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3  
  
Property Zoned:            M-1 Light Manufacturing District  
Parcel Information:        Parcel #:012200354016003000 & 012200354016002000, NE of Section 17, Township 17 S, Range 3 W

**Modification:**

Modification to allow 0 off street parking spaces instead of the required 67 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

**Neighborhood Meeting:**

The Five Points South Neighborhood Association voted in support of the request.

**Public Notices:**

Public notices were mailed on July 11, 2020.

**Staff Analysis:**

The subject property located at 1209 & 1227 1<sup>st</sup> Ave S is zoned M-1 Light Industrial District. The property is located within the Midtown Commercial Revitalization District and Birmingham Wholesale Warehouse Loop. These properties are part of the Urban Supply District Project as well as ZBA cases ZBA2020-00029 and ZBA2020-00030. The uses and square foot of the properties are office 3,450sq, retail 5,278sq, gym 8,147 and locker room 2,200sq. With the 10% reduction for the nearby transit and bicycle rack they are required to have 67 off street parking spaces. The applicant is going to resurvey the lots into one. There are other parking modifications within the area, ZBA2019-00052 (101 12<sup>th</sup> St S) Air Shop and Superior LLC granted a parking modification to allow 9 off-street parking instead of 23 spaces. ZBA2014-00065 (2829 2<sup>nd</sup> Ave S Suite 30) granted a parking modification to allow 84 off-street parking spaces instead of the required 272 spaces. ZBA2014-00077(114 14<sup>th</sup> St S) Good People Brewery Company granted a parking modification to allow 0 of the required 37 spaces. ZBA2014-00075 (1304 2<sup>nd</sup> Ave S) 1304 Investments LLC and Mat and Jack LLC Torguass Pizza Railroad Park granted a parking modification to allow 0 off-street parking instead of the required 90 spaces. All of the addresses listed in the parking modifications have active business licenses per the City of Birmingham Tax and Licenses Department. There is surplus parking in this area per the City of Birmingham Transportation Department.

**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. Resurvey lots 1209 & 1227 1<sup>st</sup> Ave S into one lot.

2. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
3. All permits and certificate of completion should obtain within two years of approval from the Board.



**PARCEL ID:** 012200354016003000

**SOURCE:** TAX ASSESSOR RECORDS      **TAX YEAR:** 2019

**DATE:** Tuesday, June 30, 2020 1:55:06 PM

**OWNER:** RMBD COMMERCIAL LLC

**ADDRESS:** 1209 1ST AVENUE SOUTH

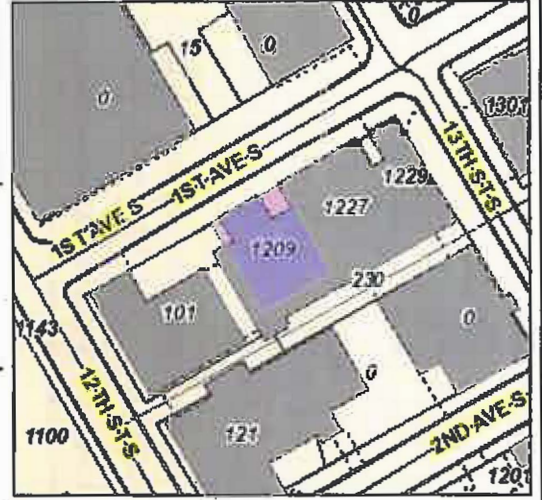
**CITY/STATE:** BIRMINGHAM AL

**ZIP+4:** 35233

**SITE ADDR:** 1209 1ST AVE S

**CITY/STATE:** BHAM, AL

**ZIP:** 35233



**LAND:** \$348,500.00

**BLDG:** \$45,700.00

**OTHER:** \$0.00

**AREA:** 10,032.50

**ACRES:** 0.23

**SUBDIVISION INFORMATION:**

**NAME**      **BLOCK:** 0000      **LOT:** 0000

**Section:** 35-17-3W  
**Land Slide Zones:** Not in Land Slide Zones  
**Historic Districts:** Birmingham Wholesale Warehouse Loop  
**Commercial Revitalization District:** Midtown  
**Fire District:** In Fire District  
**Flood Zones:** Not in Flood Zones  
**Tax Increment Financing District:** In Tax Increment Financing District  
**Neighborhoods:** Five Pts So (1701)  
**Communities:** Southside (17)  
**Council Districts:** District - 5 (Councilor: Darrell O'Quinn)  
**Zoning Outline:** M1  
**Demolition Quadrants:** DEM Quadrant - 1  
**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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**PARCEL ID:** 012200354016002000

**SOURCE:** TAX ASSESOR RECORDS      **TAX YEAR:** 2019

**DATE:** Tuesday, June 30, 2020 1:56:18 PM

**OWNER:** SUPERIOR COMMERCIAL PROPERTIES

**ADDRESS:** ATTN MATTHEW J HOGAN

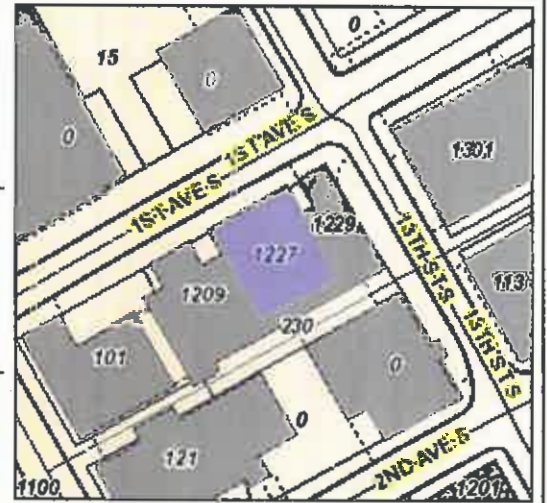
**CITY/STATE:** HARPERSVILLE AL

**ZIP+4:** 35078

**SITE ADDR:** 1227 1ST AVE S

**CITY/STATE:** BHAM, AL

**ZIP:** 35233



**LAND:** \$348,500.00

**BLDG:** \$573,900.00

**OTHER:** \$0.00

**AREA:** 11,038.21

**ACRES:** 0.25

**SUBDIVISION INFORMATION:**

**NAME**      **BLOCK:** 0000      **LOT:** 0000

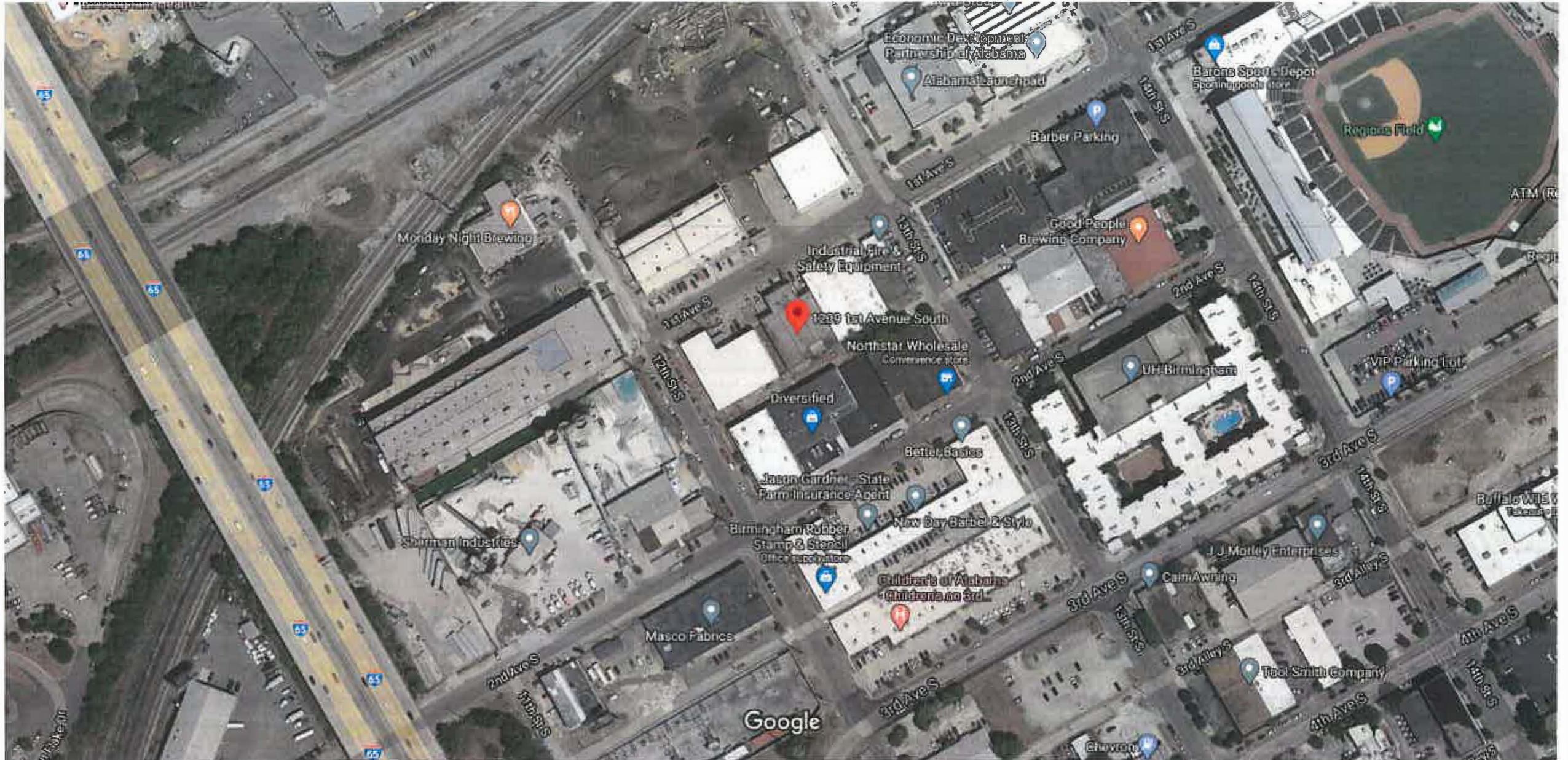
**Section:** 35-17-3W  
**Land Slide Zones:** Not in Land Slide Zones  
**Historic Districts:** Birmingham Wholesale Warehouse Loop  
**Commercial Revitalization District:** Midtown  
**Fire District:** In Fire District  
**Flood Zones:** Not in Flood Zones  
**Tax Increment Financing District:** In Tax Increment Financing District  
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**Communities:** Southside (17)  
**Council Districts:** District - 5 (Councilor: Darrell O'Quinn)  
**Zoning Outline:** M1  
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**Judicial Boundaries:** JEFFERSON

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1209 1st Ave S

ZBA2020-00028



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 100 ft

**ZBA Parking Requirement Modification Request**

The current development plan for Urban Supply uses historical tax credits to bring new life into the old warehouses in the district. Urban Supply will preserve the buildings as they are through adaptive reuse. The current Birmingham zoning ordinance would require up to 231 parking spaces for the total development as shown below. With the allowed discounts provided in the ordinance, additional parking is still needed. In preparation for this development, Orchestra Partners has already replaced a noncontributing structure with parking. To meet the additional requirement, historical properties would need to be destroyed to build new structured parking.

In lieu, our goal is to become a part of a live, work, play district that capitalizes on walkability and connective features to provide convenience to the individuals that frequent the area. New mobility options such as rideshare and the upcoming BRT combined with improved bike infrastructure and micromobility options will reduce the need for parking. Furthermore, the walkability in the area increases the useable supply of on-street parking to support the customers of the restaurants, bars, stores and fitness centers. Please consider this request for a modification to the required minimum off-street parking. Our desire is to allow for adaptive reuse of the historic structures and eliminate the need to raze buildings for parking.

**Parking Requirements based on City Zoning Ordinance**

Urban Supply Property	Uses	Square Footage		Parking Required
1209 1st Ave S - Duffy's	Office	2,090	1 per 400	5
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1227 1st Ave S - Hogan	Office	1,360	1 per 400	3
	Gym	4,541	1 per 200	23
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<b>Urban Supply Total Required</b>				<b>83</b>
Reduction by 10% for transit				-8
Reduction by 10% for bike parking				-8
<b>Parking Gap</b>				<b>67 spaces</b>

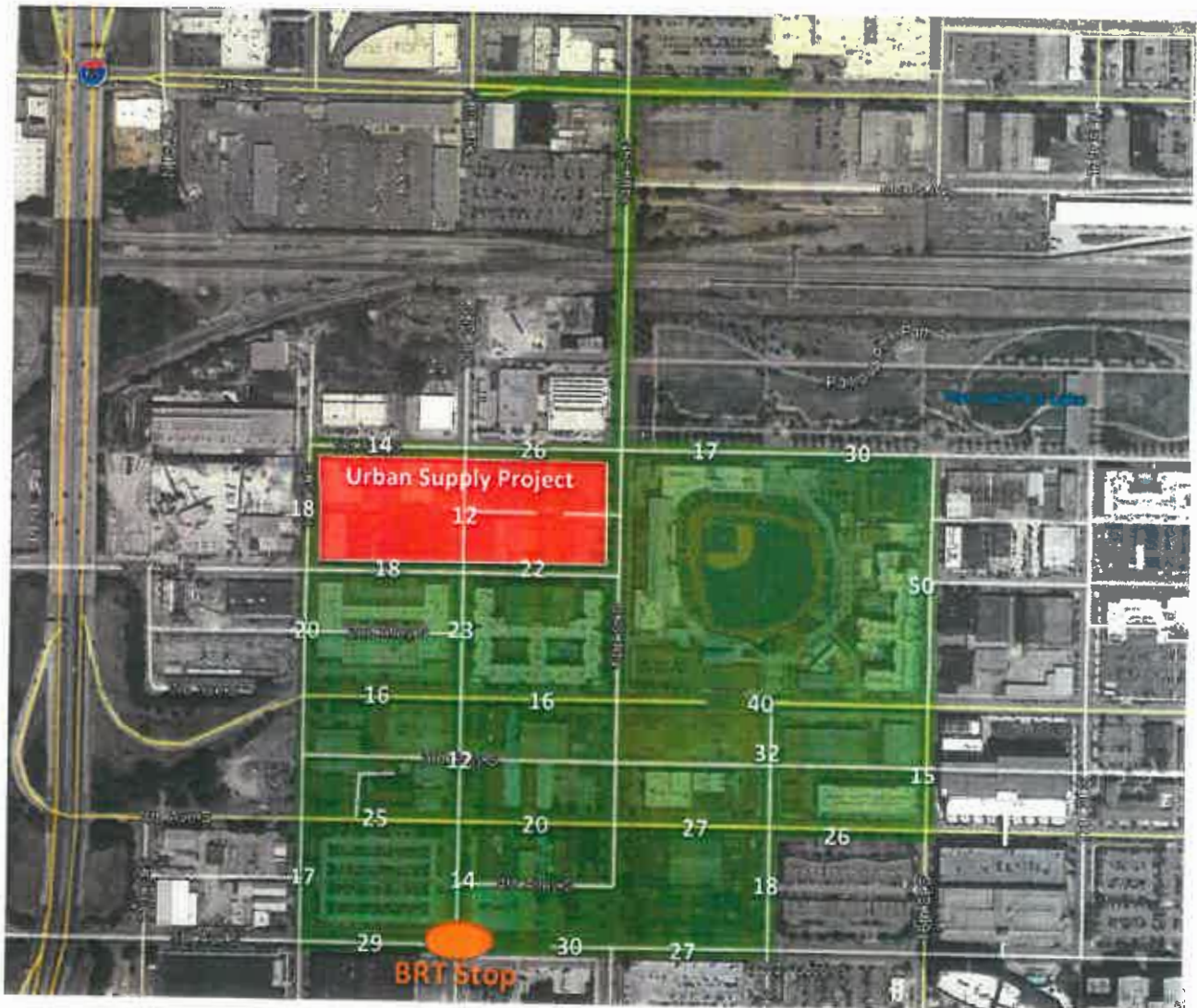
Urban Supply Property	Uses	Square Footage		Parking Required
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<b>Urban Supply Total Required</b>				<b>100</b>
Reduction by 10% for transit				-10
Reduction by 10% for bike parking				-10
<b>Parking Gap</b>				<b>80 spaces</b>

Urban Supply Property	Uses	Square Footage		Parking Required
113 13th St S - Marx	Food	10,605	1 per 100	106
Reduction by 10% for transit				-11
Reduction by 10% for bike parking				-11
<b>Parking Gap</b>				<b>84 spaces</b>
<b>Urban Supply Total Parking Gap</b>				<b>231</b>

Zoning Board of Adjustments Modification Request – PDC Holdings, LLC

We are requesting a modification to the parking requirement for each property based on the hardship created by the lack of land, and supported by the following site-specific conditions:

1. Per Chapter 9 Article 6, Section 6 Item 3 of the Birmingham Zoning Ordinance we are requesting a reduction in the parking requirements of the ordinance due to the character uses of the buildings is such to make it unnecessary for the full provision of parking facilities. There exists a surplus supply of on-street parking within the district that is in walking distance to the project. Within a ¼ mile or less walking distance there is in excess of 650 on-street parking spaces available to the patrons of Urban Supply. Included in this number are:
  - 110 spaces of adjacent on-street parking:
  - 206 spaces in a 1 block radius
  - 315 spaces in a 2 block radius



Zoning Board of Adjustments Modification Request – PDC Holdings, LLC

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  - a. Residents at these units will be prime attendees for the Urban Supply district.
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  - b. Will provide revenue to the City for enforcement and street maintenance
  - c. Will eliminate the threat that on-street parking will be occupied by employees
    - i. Employees will use existing lots
4. Shared Parking
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  - b. Shared parking calculations show 20%-40% reduction in parking requirements based on time-of-day uses.
5. Design for multimodal and shared mobility
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  - c. The site incorporates specific pick-up/drop facilities on 13<sup>th</sup> street to accommodate rideshare, loading, delivery, short term and to-go parking
    - d. The site will incorporate shared mobility device (bikes, scooters, etc) docking locations (corrals) to accommodate them in the future.



# CITY OF BIRMINGHAM

DEPARTMENT OF TRANSPORTATION

PUTTING PEOPLE FIRST

*Randall L. Woodfin*  
Mayor

*James G. Fowler PE*  
Director

July 9<sup>th</sup>, 2020

To Zoning Board of Adjustment Members:

The Birmingham Department of Transportation supports the parking modifications that are being requested for the proposed Urban Supply District project. We strongly feel that this area will benefit from developments like this which will promote walkability while reducing dependence on vehicular access. As is common for developments in these kinds of transitioning areas, the requested modifications will allow the project the flexibility that is needed to further emphasize walkability and access to alternative modes of transportation. We feel that this development as planned is in keeping with the context that we are trying to promote for Parkside and the city's downtown as a whole.

We're excited to see these kinds of developments continue to be planned here in Birmingham, and we hope that you will join us in supporting the requested parking modifications for this development. If you have any questions or concerns, please feel free to contact me at 205-254-2450 or at [James.Fowler@BirminghamAL.gov](mailto:James.Fowler@BirminghamAL.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "James Fowler".

**James Fowler**  
Director of the Birmingham Department of Transportation

# **PARKING REPORT JULY 7, 2020 2:30PM**



**30th and 4th looking toward 31st**



**4th and 30th looking toward 3rd**



# **PARKING REPORT JULY 7, 2020 2:30PM**



**3th and 31rd looking toward 4th**



**4th and 30th corner**

# PARKING REPORT JULY 7, 2020 6:00PM



**4th and 30th corner**

# **PARKING REPORT JULY 7, 2020 9:00PM**



**31st and 4th looking toward 3rd**



**31st and 4th looking toward 30th**

# PARKING REPORT JULY 7, 2020 9:00PM



31st and 3rd looking toward 4th



30th and 4th looking toward 3rd

# PARKING REPORT JULY 8, 2020 2:30PM



**3rd and 30th facing south**



**4th and 30th facing north**

# PARKING REPORT JULY 8, 2020 2:30PM



**4th and 31st facing west**



**4th and 31st facing north**

# PARKING REPORT JULY 8, 2020 6:00PM



**4th and 30th facing East**



**4th and 30th facing north**

# PARKING REPORT JULY 8, 2020 6:00PM



**31st and 3rd facing south**



**31st and 4th facing north**



# **PARKING REPORT JULY 8, 2020 9:00PM**



**4th and 30th facing east**

**4th and 30th facing north**

# **PARKING REPORT JULY 8, 2020 9:00PM**



**4th and 31st facing north**



**3rd and 31st facing south**

Meeting – July 23, 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: Five Points South

Staff Planner Moton

ZBA2020-00029  
**CONTINUED**

Request: Parking Modification  
Applicant: Phil Amthor  
Owner: Jiwani Feroz & Farhad T  
Site Address: 230 2<sup>nd</sup> Ave S  
Zip Code: 35233  
Description: Modification to allow 0 off street parking spaces instead of the required 80 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3  
Property Zoned: M-1 Light Manufacturing District  
Parcel Information: Parcel #:012200354017001000, SE of Section 35, Township 17 S, Range 3 W

**Modification:**

Modification to allow 0 off street parking spaces instead of the required 80 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

**Neighborhood Meeting:**

The Five Points South Neighborhood Association voted in support of this case.

**Public Notices:**

Public notices were mailed on July 11, 2020.

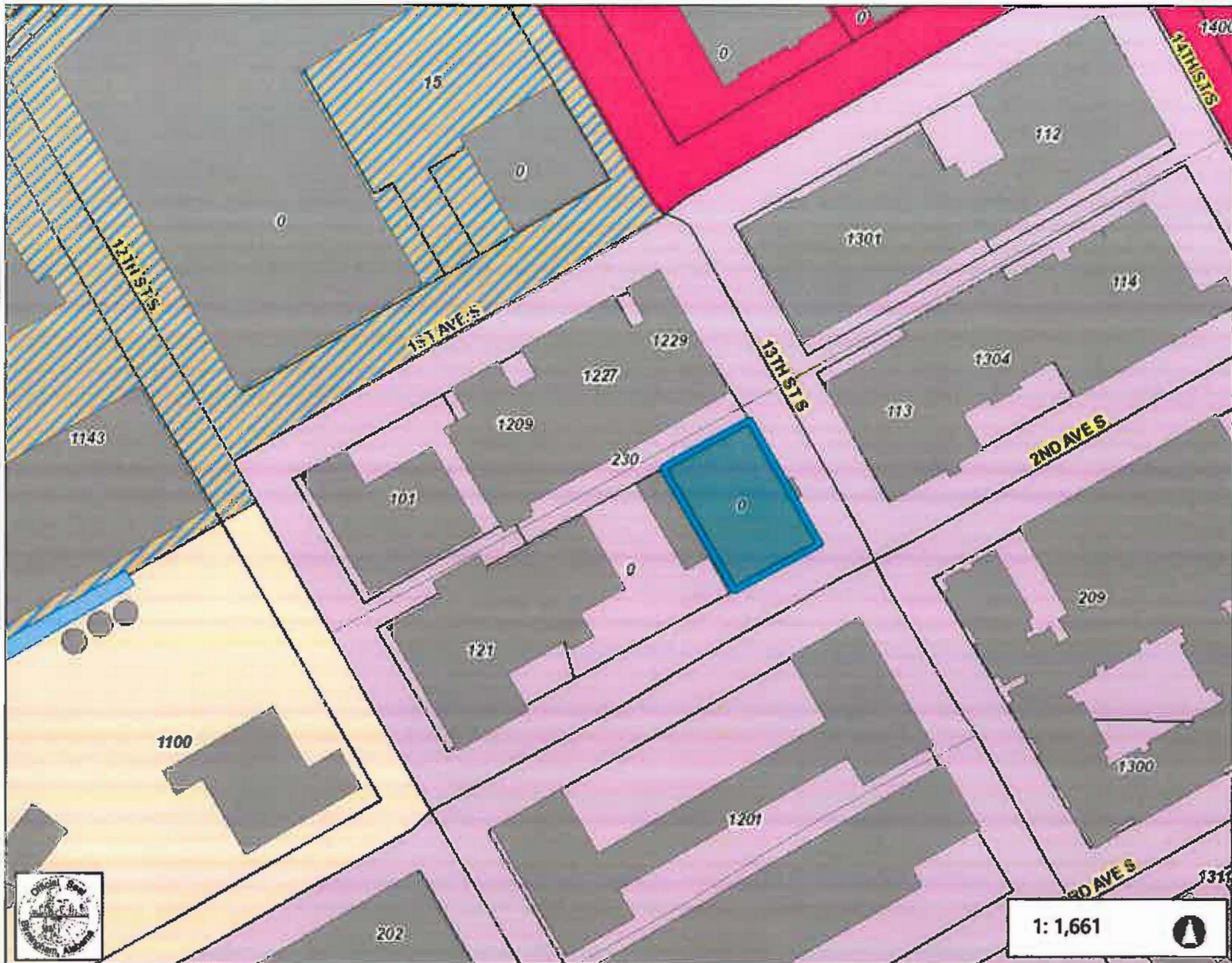
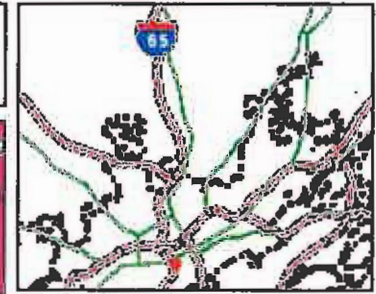
**Staff Analysis:**

The subject property located at 230 2<sup>nd</sup> Ave S is zoned M-1 Light Industrial District. The property is located within the Midtown Commercial Revitalization District and Birmingham Wholesale Warehouse Loop. The property is part of the Urban Supply District Project as well as cases ZBA2020-00028 and ZBA2020-00030. The uses and square foot of the property is office 3,675sq and food 9,077sq. With the 10% reduction for the nearby transit and bicycle rack they are required to have 80 off street parking spaces. There are other parking modifications within the area, ZBA2019-00052 (101 12<sup>th</sup> St S) Air Shop and Superior LLC granted a parking modification to allow 9 off-street parking instead of 23 spaces. ZBA2014-00065 (2829 2<sup>nd</sup> Ave S Suite 30) granted a parking modification to allow 84 off-street parking spaces instead of the required 272 spaces. ZBA2014-00077(114 14<sup>th</sup> St S) Good People Brewery Company granted a parking modification to allow 0 of the required 37 spaces. ZBA2014-00075 (1304 2<sup>nd</sup> Ave S) 1304 Investments LLC and Mat and Jack LLC Torguass Pizza Railroad Park granted a parking modification to allow 0 off-street parking instead of the required 90 spaces. All of the addresses listed in the parking modifications have active business licenses per the City of Birmingham Tax and Licenses Department. There is surplus parking in this area per the City of Birmingham Transportation Department.

**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.



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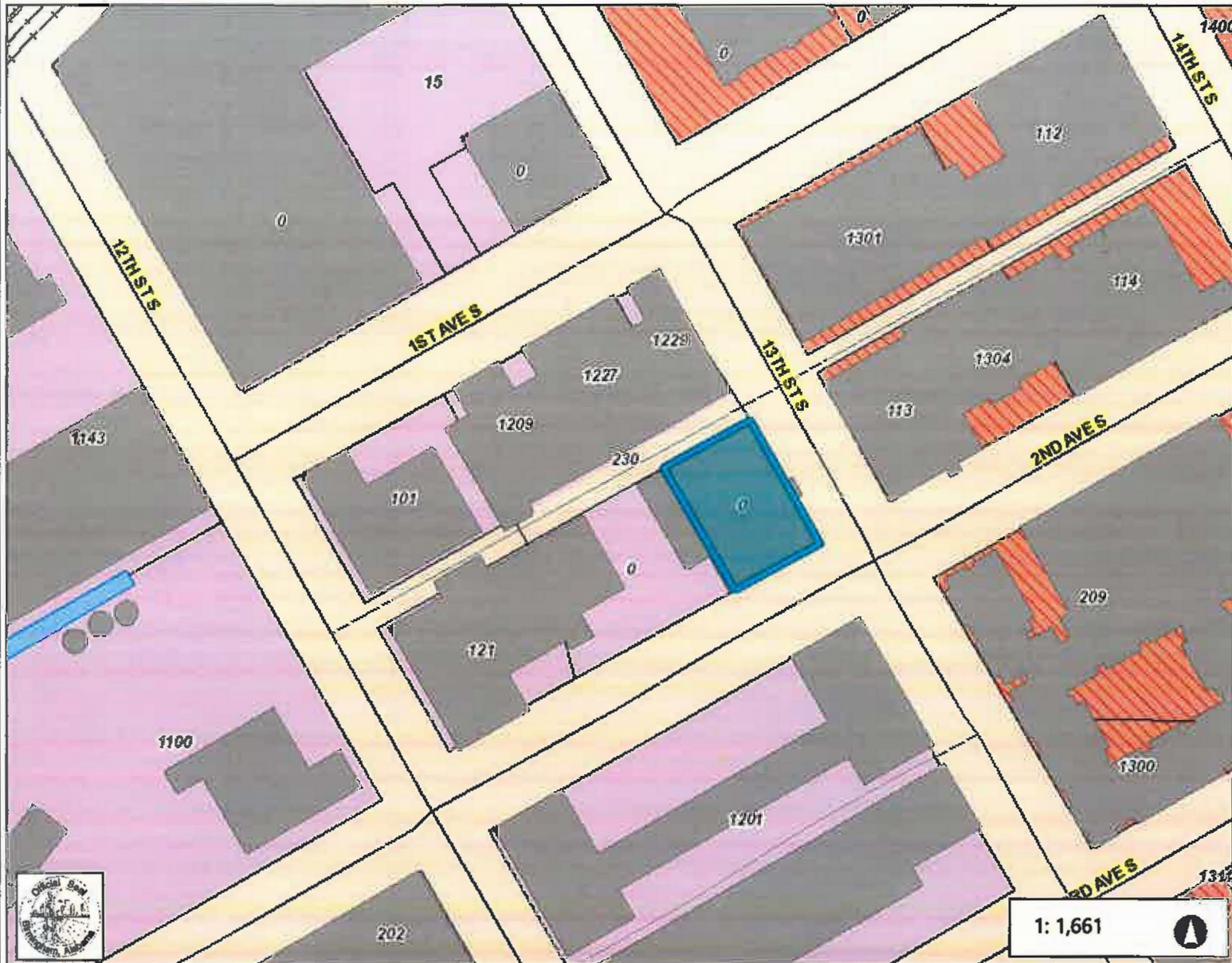
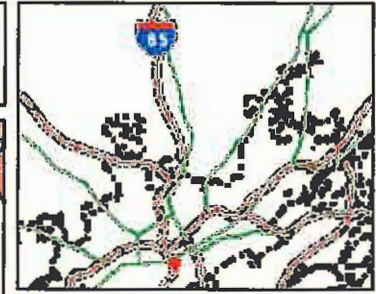


1: 1,661



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**Notes**



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1: 1,661



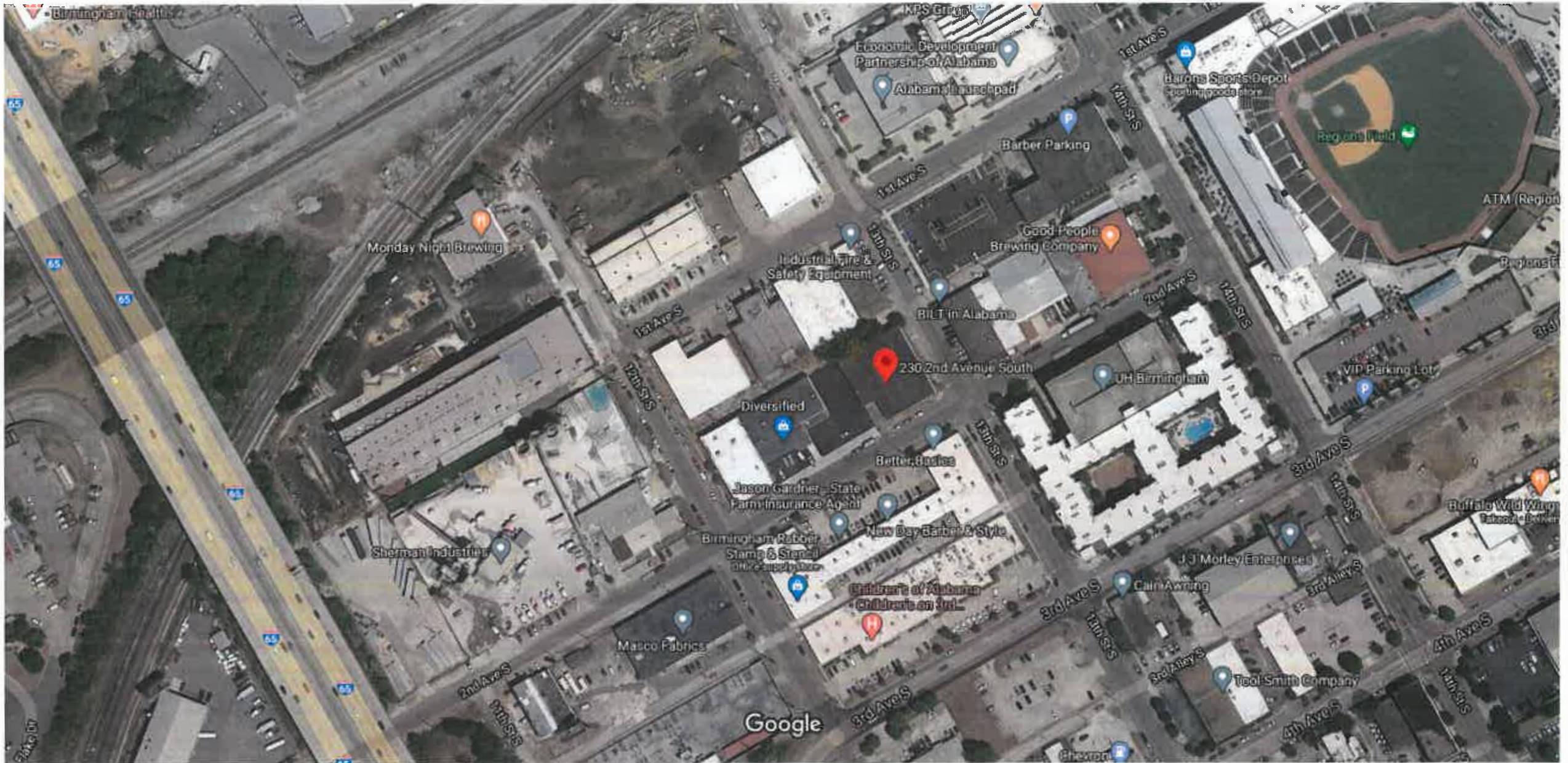
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**Notes**



230 2nd Ave S

ZBA2020-00029



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Zoning Board of Adjustments Modification Request – PDC Holdings, LLC

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July 9<sup>th</sup>, 2020

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Sincerely,

A handwritten signature in blue ink, appearing to read "James Fowler".

James Fowler  
Director of the Birmingham Department of Transportation

Meeting – July 23, 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: Five Points South      Staff Planner Moton      ZBA2020-00030

Request:                      Parking Modification  
Applicant:                  Phil Amthor  
Owner:                        Jiwani Feroz & Farhad T  
Site Address:                113 2<sup>nd</sup> Ave S  
Zip Code:                    35233  
Description:                Modification to allow 0 off street parking spaces instead of the required 84 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 #:012200363043003000, SW of Section 36, Township 17 S, Range 3 W

**Modification:**

Modification to allow 0 off street parking spaces instead of the required 84 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

**Neighborhood Meeting:**

The Five Points South Neighborhood Association voted in support of this case.

**Public Notices:**

Public notices were mailed on July 11, 2020.

**Staff Analysis:**

The subject property located at 113 2<sup>nd</sup> Ave S is zoned M-1 Light Industrial District. The property is located within the Midtown Commercial Revitalization District and Birmingham Wholesale Warehouse Loop. The property is part of the Urban Supply District Project as well as cases ZBA2020-00028 and ZBA2020-00029. The uses and square foot of the property is office 3,675sq and food 9,077sq. With the 10% reduction for the nearby transit and bicycle rack they are required to have 80 off street parking spaces. There are other parking modifications within the area, ZBA2019-00052 (101 12<sup>th</sup> St S) Air Shop and Superior LLC granted a parking modification to allow 9 off-street parking instead of 23 spaces. ZBA2014-00065 (2829 2<sup>nd</sup> Ave S Suite 30) granted a parking modification to allow 84 off-street parking spaces instead of the required 272 spaces. ZBA2014-00077(114 14<sup>th</sup> St S) Good People Brewery Company granted a parking modification to allow 0 of the required 37 spaces. ZBA2014-00075 (1304 2<sup>nd</sup> Ave S) 1304 Investments LLC and Mat and Jack LLC Torguass Pizza Railroad Park granted a parking modification to allow 0 off-street parking instead of the required 90 spaces. All of the addresses listed in the parking modifications have active business licenses per the City of Birmingham Tax and Licenses Department. There is surplus parking in this area per the City of Birmingham Transportation Department.

**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:

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**PARCEL ID:** 012200363043003000

**SOURCE:** TAX ASSESSOR RECORDS      **TAX YEAR:** 2019

**DATE:** Wednesday, July 1, 2020 12:51:33 PM

**OWNER:** GPBC PROPERTY , LLC

**ADDRESS:** 114 14TH STREET

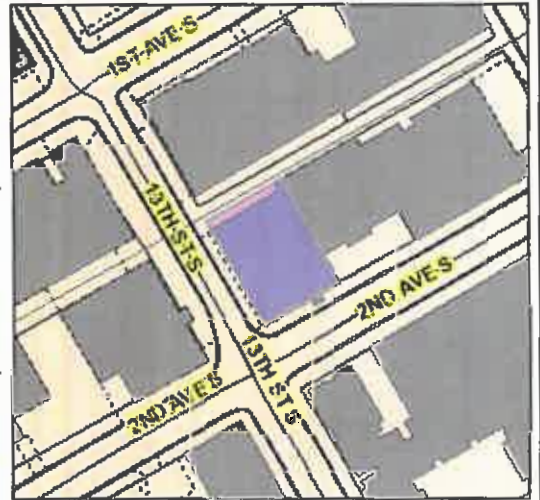
**CITY/STATE:** BIRMINGHAM AL

**ZIP+4:** 35233

**SITE ADDR:** 113 13TH ST S

**CITY/STATE:** BHAM, AL

**ZIP:** 35203



**LAND:** \$378,000.00

**BLDG:** \$255,600.00

**OTHER:** \$0.00

**AREA:** 13,735.84

**ACRES:** 0.32

**SUBDIVISION INFORMATION:**

**NAME** MERCIER RESURVEY 22-36-3

**BLOCK:** 128

**LOT:** A

:

**Section:** 36-17-3W

**Land Slide Zones:** Not in Land Slide Zones

**Historic Districts:** Birmingham Wholesale Warehouse Loop

**Commercial Revitalization District:** Midtown

**Fire District:** In Fire District

**Flood Zones:** Not in Flood Zones

**Tax Increment Financing District:** In Tax Increment Financing District

**Neighborhoods:** Five Pts So (1701)

**Communities:** Southside (17)

**Council Districts:** District - 5 (Councilor: Darrell O'Quinn)

**Zoning Outline:** M1

**Demolition Quadrants:** DEM Quadrant - 1

**Impaired Watersheds:** Not in Impaired Watersheds

**Strategic Opportunity Area:** Not in Strategic Opportunity Area

**RISE Focus Area:** In RISE Focus Area

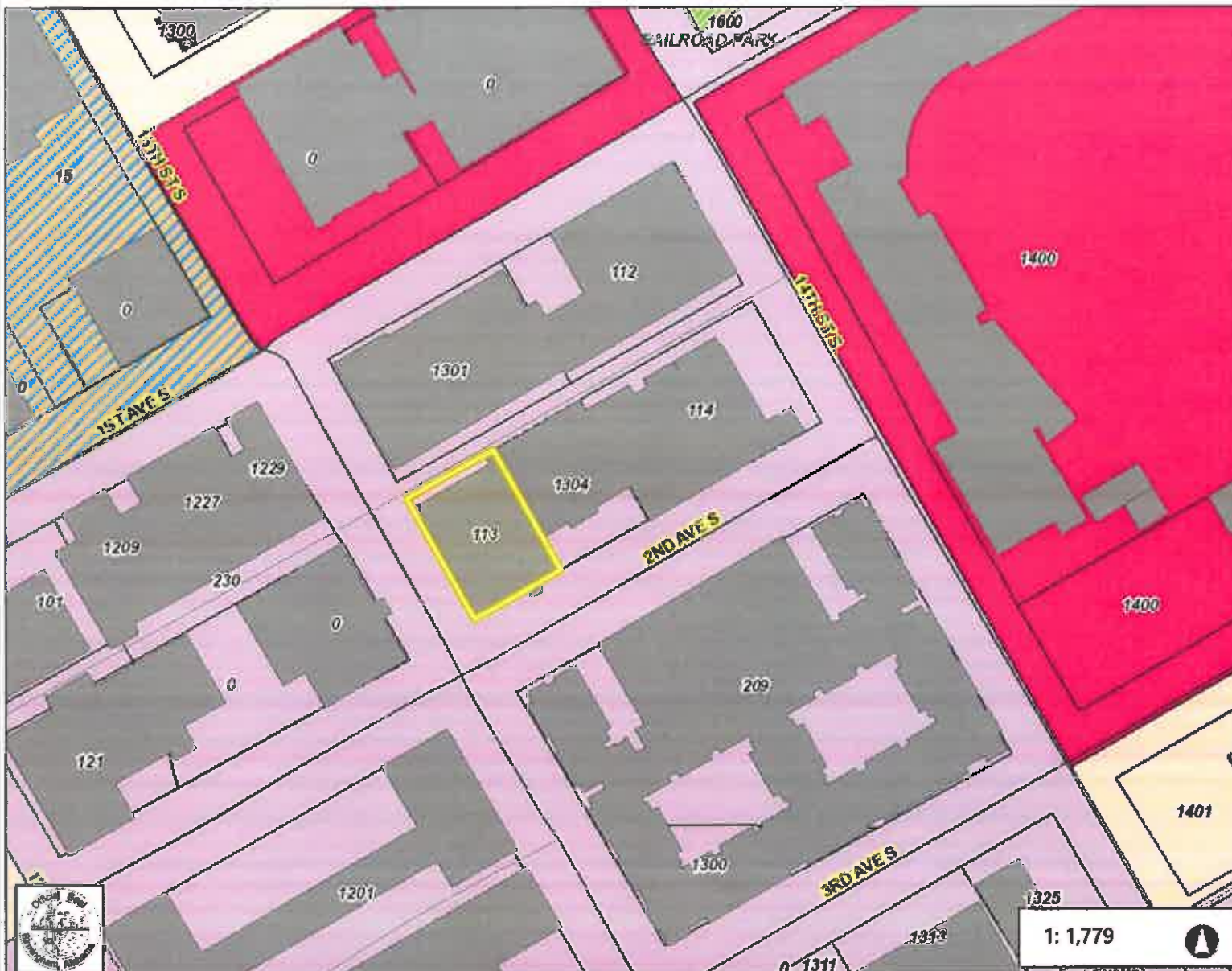
**Tax Delinquent Property:** Not in Tax Delinquent Property

**EPA Superfund:** Not in EPA Superfund

**Opportunity Zones:** In Opportunity Zones

**Judicial Boundaries:** JEFFERSON

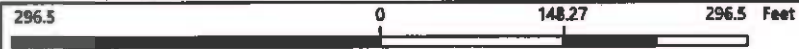
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  - Zoning Shaded
    - R1; D1 - Single Family District - Cla
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    - R6; D6 - Multiple Family District
    - R7 - Multiple Family District

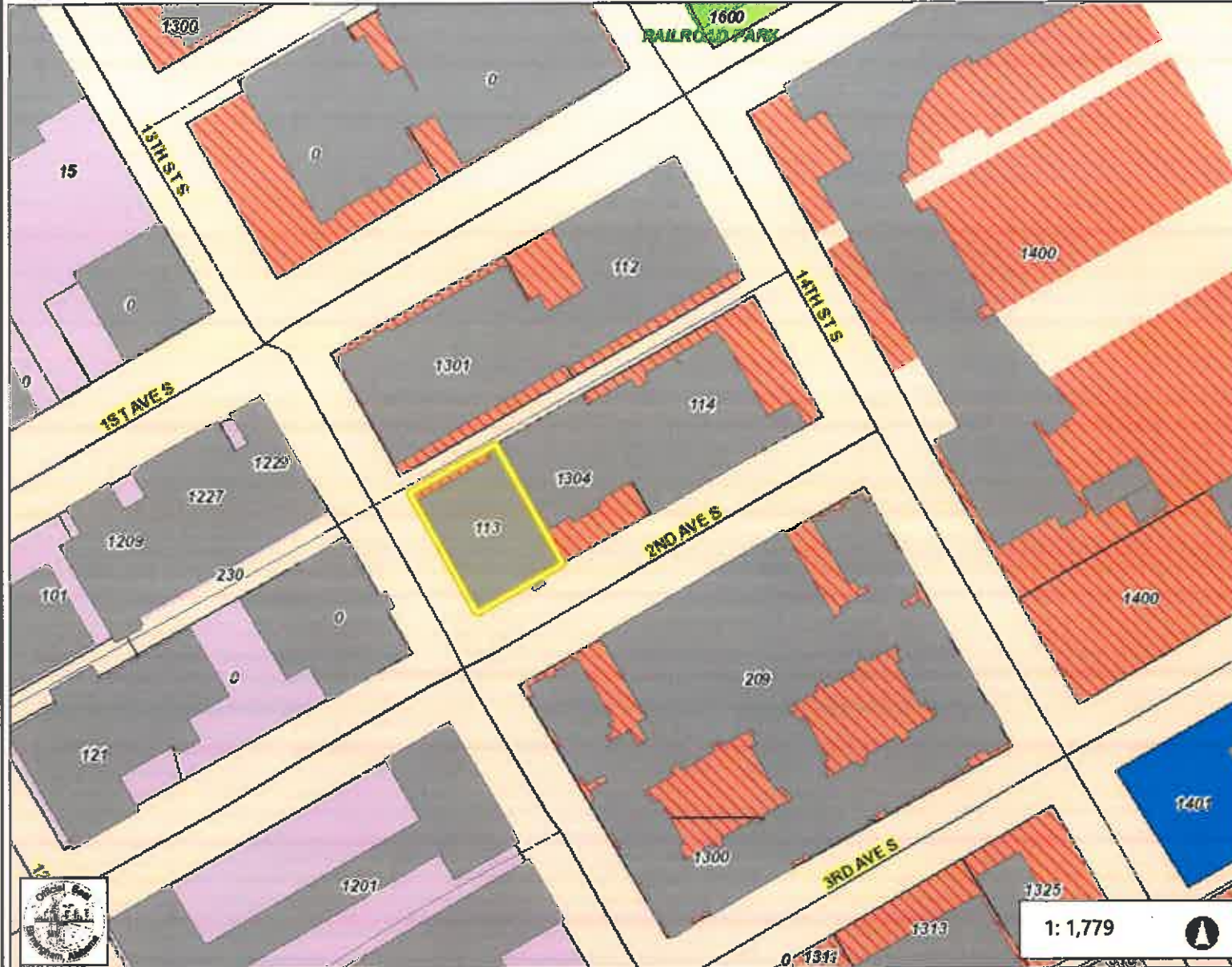
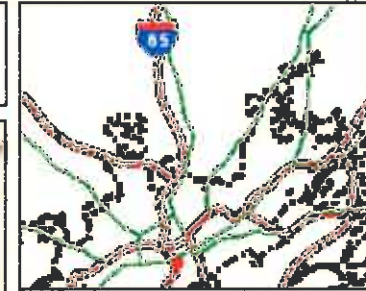


1: 1,779



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Notes



**Legend**

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- Residential-High
- Neighborhood Commercial
- General Commercial
- MXU-Low
- MXU-Medium
- MXU-High



1:1,779



296.5 0 148.27 296.5 Feet

**Notes**



**ZBA Parking Requirement Modification Request**

The current development plan for Urban Supply uses historical tax credits to bring new life into the old warehouses in the district. Urban Supply will preserve the buildings as they are through adaptive reuse. The current Birmingham zoning ordinance would require up to 231 parking spaces for the total development as shown below. With the allowed discounts provided in the ordinance, additional parking is still needed. In preparation for this development, Orchestra Partners has already replaced a noncontributing structure with parking. To meet the additional requirement, historical properties would need to be destroyed to build new structured parking.

In lieu, our goal is to become a part of a live, work, play district that capitalizes on walkability and connective features to provide convenience to the individuals that frequent the area. New mobility options such as rideshare and the upcoming BRT combined with improved bike infrastructure and micromobility options will reduce the need for parking. Furthermore, the walkability in the area increases the useable supply of on-street parking to support the customers of the restaurants, bars, stores and fitness centers. Please consider this request for a modification to the required minimum off-street parking. Our desire is to allow for adaptive reuse of the historic structures and eliminate the need to raze buildings for parking.

**Parking Requirements based on City Zoning Ordinance**

Urban Supply Property	Uses	Square Footage		Parking Required
1209 1st Ave S - Duffy's	Office	2,090	1 per 400	5
	Retail	5,278	1 per 300	18
	Gym	3,606	1 per 200	18
	Food	522	1 per 100	5
1227 1st Ave S - Hogan	Office	1,360	1 per 400	3
	Gym	4,541	1 per 200	23
	Locker RM	2,200	1 per 200	11
<b>Urban Supply Total Required</b>				<b>83</b>
Reduction by 10% for transit				-8
Reduction by 10% for bike parking				-8
<b>Parking Gap</b>				<b>67 spaces</b>

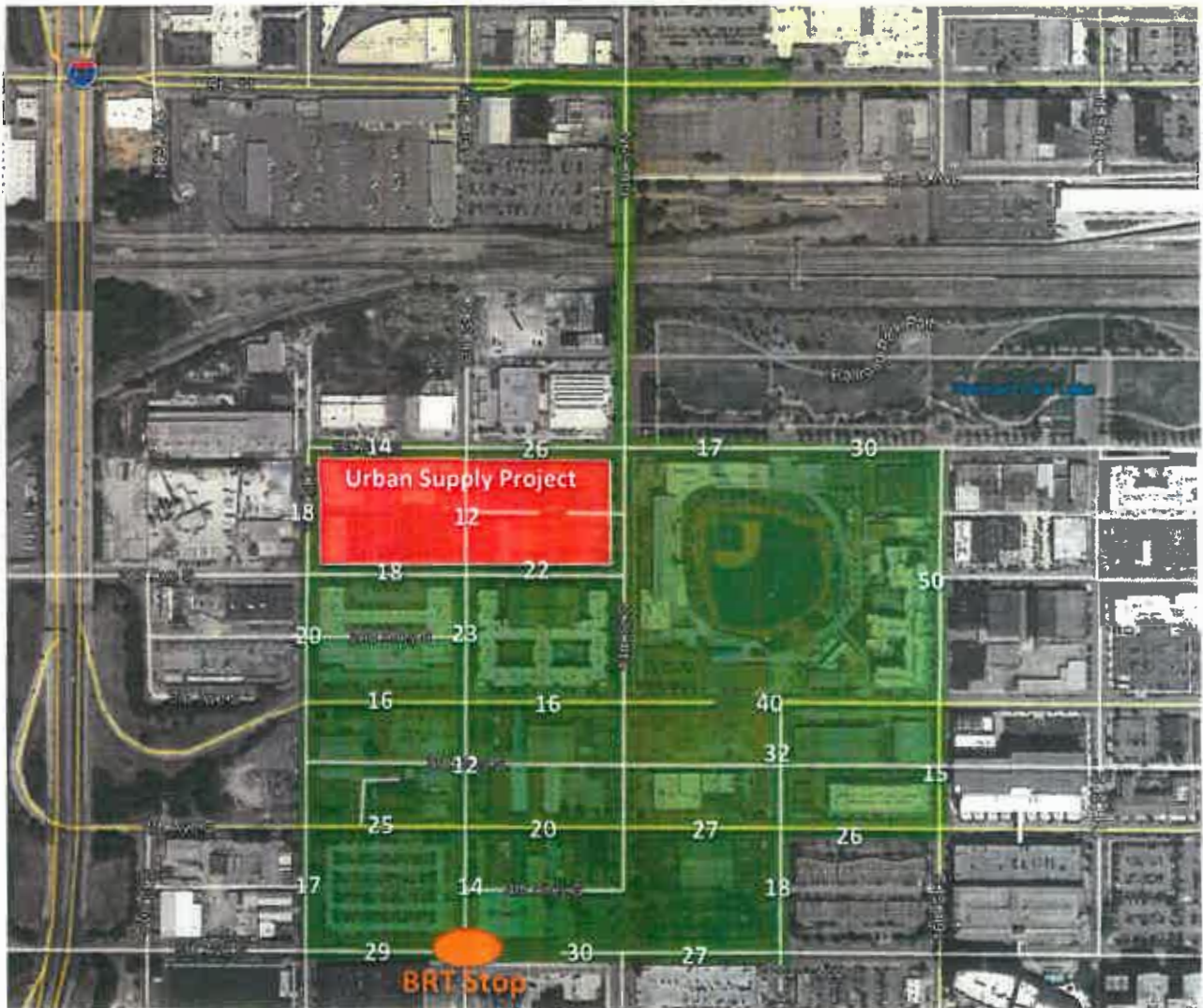
Urban Supply Property	Uses	Square Footage		Parking Required
230 2nd Ave S - Northstar	Food	9,077	1 per 100	91
	Office	3,675	1 per 400	9
<b>Urban Supply Total Required</b>				<b>100</b>
Reduction by 10% for transit				-10
Reduction by 10% for bike parking				-10
<b>Parking Gap</b>				<b>80 spaces</b>

Urban Supply Property	Uses	Square Footage		Parking Required
113 13th St S - Marx	Food	10,605	1 per 100	106
Reduction by 10% for transit				-11
Reduction by 10% for bike parking				-11
<b>Parking Gap</b>				<b>84 spaces</b>
<b>Urban Supply Total Parking Gap</b>				<b>231</b>

Zoning Board of Adjustments Modification Request – PDC Holdings, LLC

We are requesting a modification to the parking requirement for each property based on the hardship created by the lack of land, and supported by the following site-specific conditions:

1. Per Chapter 9 Article 6, Section 6 Item 3 of the Birmingham Zoning Ordinance we are requesting a reduction in the parking requirements of the ordinance due to the character uses of the buildings is such to make it unnecessary for the full provision of parking facilities. There exists a surplus supply of on-street parking within the district that is in walking distance to the project. Within a ¼ mile or less walking distance there is in excess of 650 on-street parking spaces available to the patrons of Urban Supply. Included in this number are:
  - 110 spaces of adjacent on-street parking:
  - 206 spaces in a 1 block radius
  - 315 spaces in a 2 block radius



Zoning Board of Adjustments Modification Request – PDC Holdings, LLC

2. The Urban Supply site exists in the center of a residence heavy area of the Parkside District. At the opening of this project there will exist 1400+ beds in a 2 block radius
  - a. Residents at these units will be prime attendees for the Urban Supply district.
  - b. Each of these resident's parking needs have already been met by their respective developments.



3. As part of Urban Supply's streetscape and ROW improvement plan, we are willing to design for and support the City's ParkMobile managed parking system for adjacent on-street parking.
  - a. Paid parking will help maintain turnover and parking availability
  - b. Will provide revenue to the City for enforcement and street maintenance
  - c. Will eliminate the threat that on-street parking will be occupied by employees
    - i. Employees will use existing lots
4. Shared Parking
  - a. The uses of the Urban supply district will have differing parking peaks (Gym vs. Office vs Restaurant/Bar). As such, the need to supply parking exclusively for each is redundant.
  - b. Shared parking calculations show 20%-40% reduction in parking requirements based on time-of-day uses.
5. Design for multimodal and shared mobility
  - a. The site is 3 blocks from one of the Birmingham Xpress BRT stations which will be operational in 2022.
  - b. The site will supply bike parking to encourage alternative modes and capture users of the Red Rock Trail System
  - c. The site incorporates specific pick-up/drop facilities on 13<sup>th</sup> street to accommodate rideshare, loading, delivery, short term and to-go parking
    - d. The site will incorporate shared mobility device (bikes, scooters, etc) docking locations (corrals) to accommodate them in the future.



# CITY OF BIRMINGHAM

DEPARTMENT OF TRANSPORTATION

PUTTING PEOPLE FIRST

*Randall L. Woodfin*  
Mayor

*James G. Fowler PE.*  
Director

July 9<sup>th</sup>, 2020

To Zoning Board of Adjustment Members:

The Birmingham Department of Transportation supports the parking modifications that are being requested for the proposed Urban Supply District project. We strongly feel that this area will benefit from developments like this which will promote walkability while reducing dependence on vehicular access. As is common for developments in these kinds of transitioning areas, the requested modifications will allow the project the flexibility that is needed to further emphasize walkability and access to alternative modes of transportation. We feel that this development as planned is in keeping with the context that we are trying to promote for Parkside and the city's downtown as a whole.

We're excited to see these kinds of developments continue to be planned here in Birmingham, and we hope that you will join us in supporting the requested parking modifications for this development. If you have any questions or concerns, please feel free to contact me at 205-254-2450 or at [James.Fowler@BirminghamAL.gov](mailto:James.Fowler@BirminghamAL.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "James Fowler".

James Fowler  
Director of the Birmingham Department of Transportation

Meeting – July 23, 2020  
Location – Webex/Teleconference  
Time - 2:00PM  
Pre-Meeting - 1:00PM  
Department of Planning Engineering & Permits Conference Room, Fifth Floor

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Neighborhood: Redmont Park                      Staff Planner Moton                      ZBA2020-00031

**Request:** Variance to allow an additional monument sign at the Cahaba Rd/ Lane park intersection pursuant to Title 2, Chapter 1, Article I, Section 7, Subsection 2.10  
**Applicant:** David Brandt  
**Owner:** Birmingham Botanical Gardens  
**Site Address:** 2612 Lane Park Road  
**Zip Code:** 35223  
**Description:** Variance to allow an additional monument sign  
**Property Zoned:** R-3 Single Family Residential District  
**Parcel Information:** Parcel #: 012800082002001000, NW of Section 8, Township 18 S, Range 2 W

**Variance:**  
Variance to allow an additional monument sign at the Cahaba Rd/ Lane Park intersection.

**Neighborhood Meeting:**  
The Redmont Park Neighborhood Association; waiting on vote.

**Public Notices:**  
Mailed out on July 11 ,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 BBG is a 67.5acre property that spans nearly 2,000 linear feet along Lane Park Road and 1,700 linear feet along Cahaba Road, with entrances along each said road. This exceptionally large-sized property needs more signage than what is placed at each entrance, to allow visitors to understand that they are within proximity of the property and headed in the right correct direction, particularly visitors traveling eastbound, and also visitors that have driven to the entrance off of Cahaba Road (which is a pedestrian entrance) and need to make their way to the vehicular entrance off of Lane Park Road.

**2.Unique Characteristics:** Both the large size and wedge-shaped nature of the property are unique characteristics that would necessitate having an additional sign at the proposed location. The placement of this sign at the proposed location would assist the public in 'triangulating' the property and allow visitors to better get their bearings as they drive or walk along the entryway roads to locate either of the two entrances.

**3.Hardship Not Self-Imposed:** There is nothing that the property ownership has done that has created a self-imposed hardship that would necessitate the allowance of this proposed sign. The unique shape of the property is dictated by the roads it is bound by (Lane Park Road and Cahaba Road).

**4. Financial Gain Not Only Basis:** The BBG is a major and long-standing contributor to the Birmingham community from a cultural, educational and entertainment standpoint. The purpose of this proposed sign is to facilitate the proper identification of the property and to ultimately further these key values.

**5.No Injury to Neighboring Property:** In no way will this proposed sign pose threat of injury to any of the neighboring properties.

**6.No Harm to Public Welfare:** The proposed size, location and positioning of the proposed sign was chosen as a function of optimal visibility and driver safety. It poses no threat of public welfare.

**Staff Analysis:**

The subject property is located in the R-3, Single Family District. The property is located in Highway 280 Overlay District and it meets the overlay guidelines. The existing sign on the property consist of 1 monument sign on Cahaba Rd is 16.6 sf, the 2 signs on Lane Park is 16.6 sf and 3 sf. The propose monument sign is 55.22 sf.

The applicant does meet requirements of the Variance review 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. All permits and certificate of completion should be obtain within one year of the approval date from the Board.

**PARCEL ID:** 012800082002001000

**SOURCE:** TAX ASSESSOR RECORDS      **TAX YEAR:** 2019

**DATE:** Monday, July 6, 2020 11:34:41 AM

**OWNER:** BIRMINGHAM CITY OF

**ADDRESS:** 710 20TH ST N

**CITY/STATE:** BIRMINGHAM AL

**ZIP+4:** 35203--2216

**SITE ADDR:** 2635 CAHABA RD

**CITY/STATE:** BIRMINGHAM, AL

**ZIP:** 35223



**LAND:** \$13,920,000.00

**BLDG:** \$0.00

**OTHER:** \$0.00

**AREA:** 2,458,054.02

**ACRES:** 56.43

**SUBDIVISION INFORMATION:**

NAME	BLOCK: 0000	LOT: 0000
:		
<b>Section:</b>	8-18-2W; 5-18-2W	
<b>Land Slide Zones:</b>	Not in Land Slide Zones	
<b>Historic Districts:</b>	Not in Historic Districts	
<b>Commercial Revitalization District:</b>	Not in Commercial Revitalization District	
<b>Fire District:</b>	Not in Fire District	
<b>Flood Zones:</b>	In Flood Zones	
<b>Tax Increment Financing District:</b>	Not in Tax Increment Financing District	
<b>Neighborhoods:</b>	Redmont Park (1403)	
<b>Communities:</b>	Red Mountain (14)	
<b>Council Districts:</b>	District - 3 (Councilor: Valerie A. Abbott)	
<b>Zoning Outline:</b>	R3	
<b>Highway 280 Overlay Outline:</b>	In Highway 280 Overlay Outline	
<b>Demolition Quadrants:</b>	DEM Quadrant - 3	
<b>Impaired Watersheds:</b>	Impaired Watershed - Upper Shades Creek	
<b>Strategic Opportunity Area:</b>	Not in Strategic Opportunity Area	
<b>RISE Focus Area:</b>	In RISE Focus Area	
<b>Tax Delinquent Property:</b>	Not in Tax Delinquent Property	
<b>EPA Superfund:</b>	Not in EPA Superfund	
<b>Opportunity Zones:</b>	Not in Opportunity Zones	
<b>Judicial Boundaries:</b>	JEFFERSON	

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Legend

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- + Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
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- 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; DE
- R6; D6 - Multiple Family District
- R7 - Multiple Family District



1: 8,740



1,456.6      0      728.31      1,456.6 Feet

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

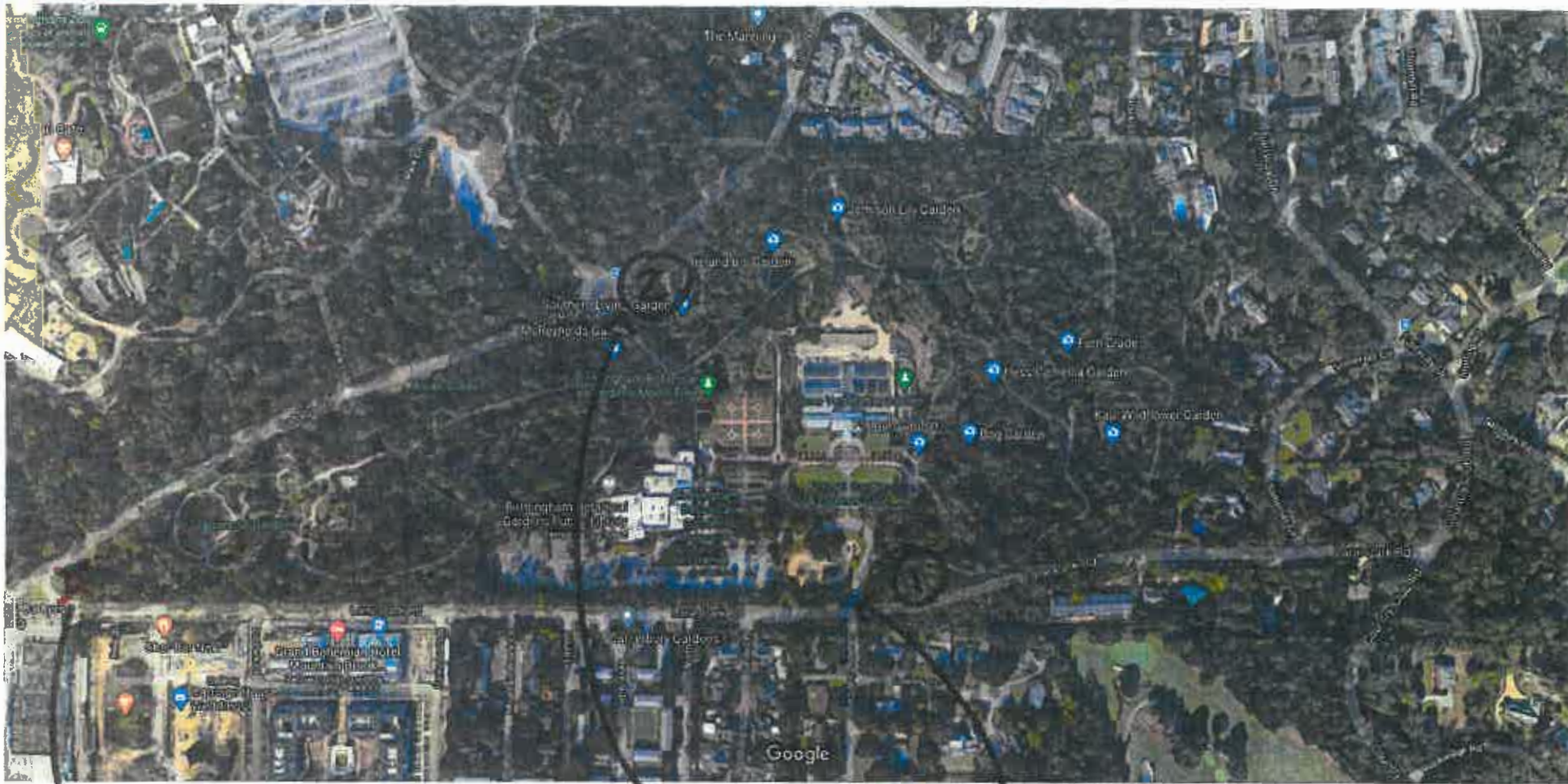


1,456.6 0 728.31 1,456.6 Feet

1: 8,740

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

Notes



Imagery ©2020 Google, Imagery ©2020 Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020 200 ft

PROPOSED  
NEW SIGN

EXISTING SIGNAGE  
AT ENTRANCEWAYS



Image capture: Mar 2019 © 2020 Google

Google

Street View



2

Google Maps 2400 Lane Park Rd

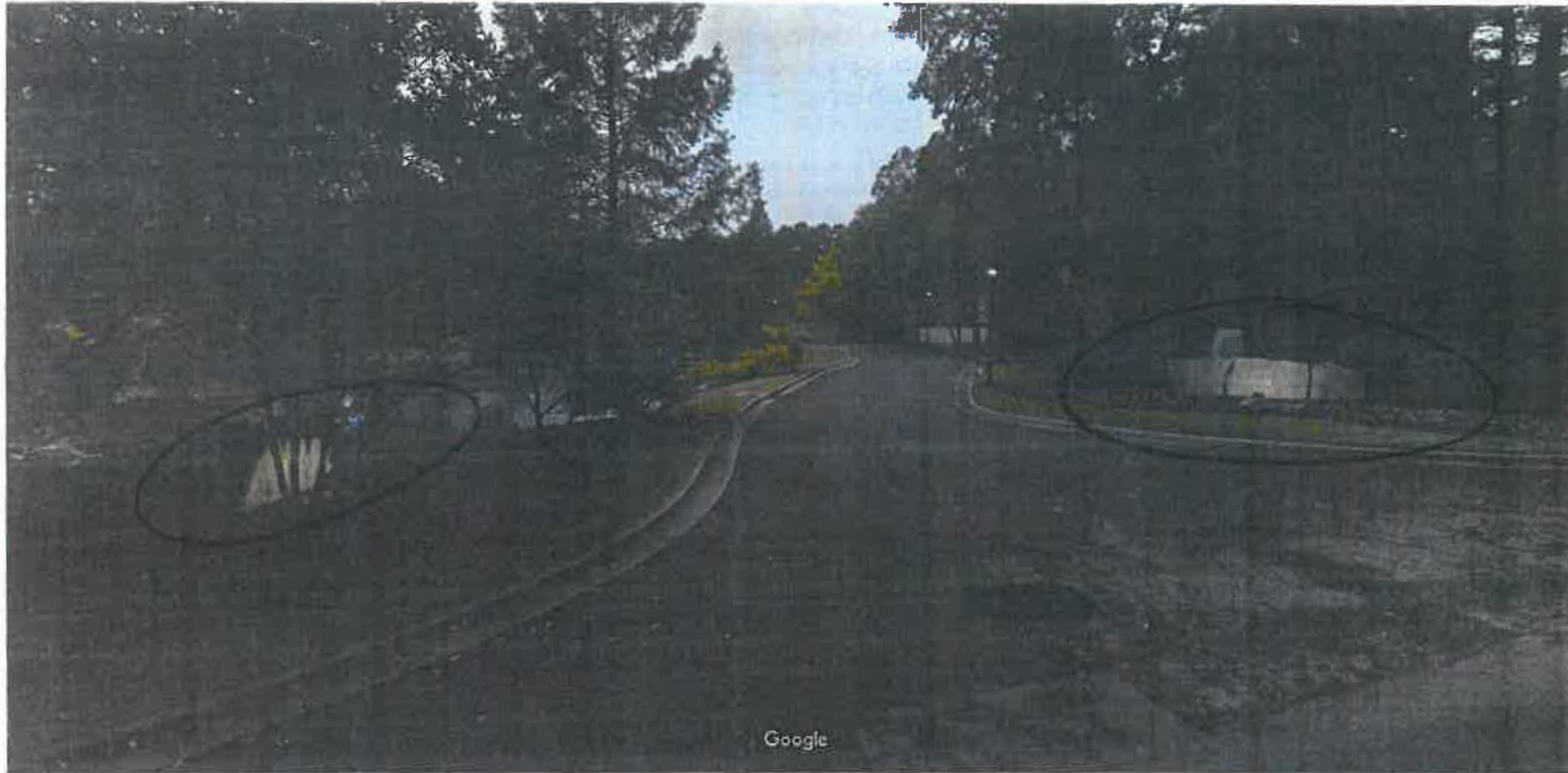


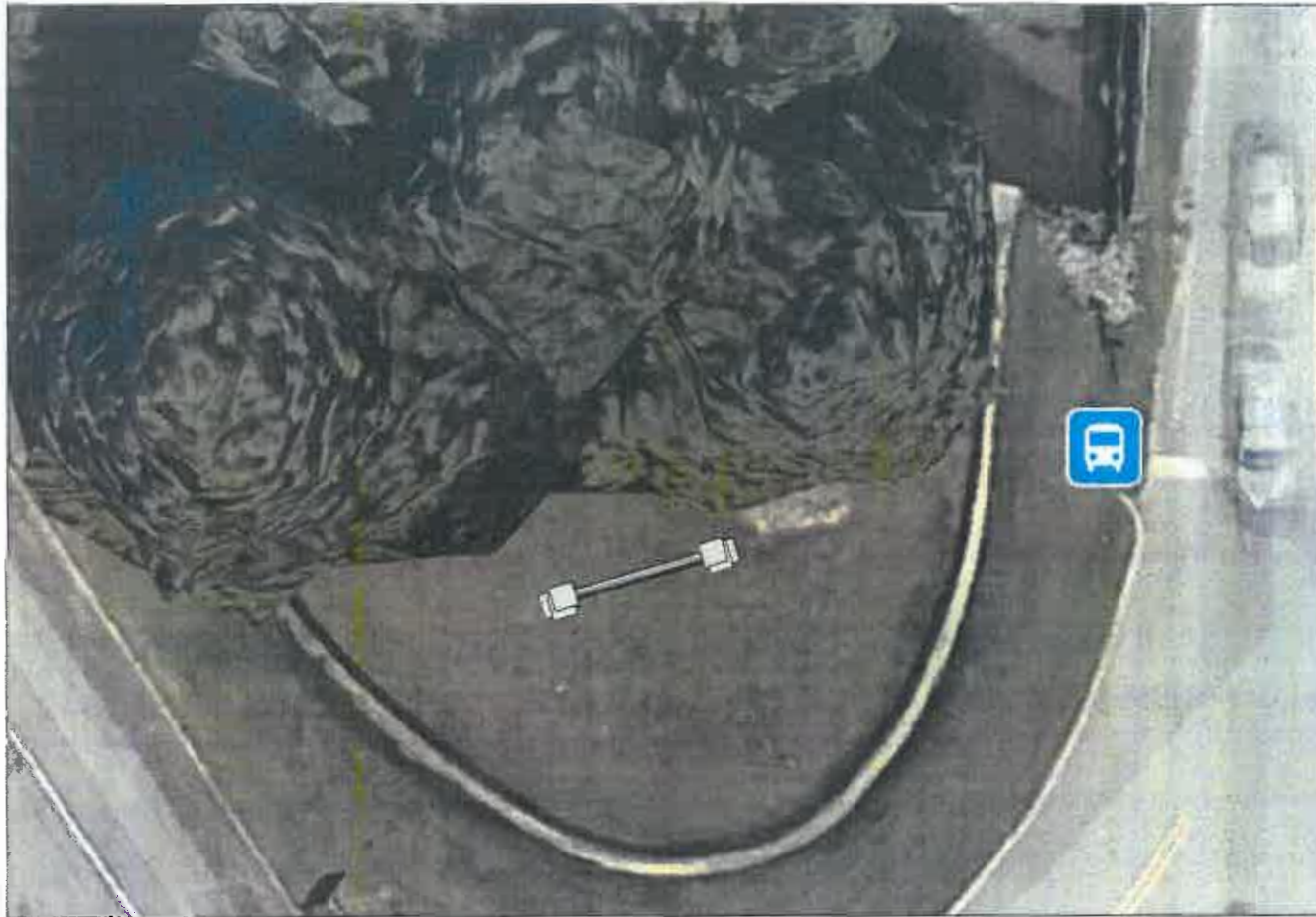
Image capture: Nov 2018 © 2020 Google

Birmingham, Alabama

Google

Street View





1 MAP VIEW  
SCALE: 3/32" = 1'

STATUS  
■ Client Review



133 West Park Drive Birmingham, AL 35201  
1205.940.7180 1900743751  
1205.940.7180 - fax  
formula@al.com

### Monument at Cahaba and Lane

DESIGN REF #: 1805D808

### Monument Concept

EXTERIOR MONUMENT

FOR GENERAL COMPANIES (by Morgan Botanical Gardens/Monument #) Cahaba & Lane Schematic Design (Exterior Monument Concept)

DESIGNER: ADS  
DRAWN: JAMES BISHOP

PAGE:

4



33 West Park Drive Birmingham, AL 35271  
1205.840.7190 1202.748.7191  
1205.840.7190 - fax  
formula@design.com

### Monument at Cahaba and Lane

DESIGN REF #: 18050808

### Monument Concept

EXTERIOR MONUMENT

E:\7. GENERAL COMPANIES\Birmingham Botanical Gardens\Monument at Cahaba & Lane\Schematic Design\Exterior Monument Concept

DESIGNER: ABS

MANAGER: DAVID BRANDT

PAGE:

1



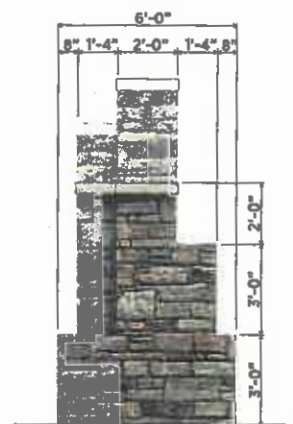
4 TOP VIEW  
SCALE: 1/4" = 1'-0"



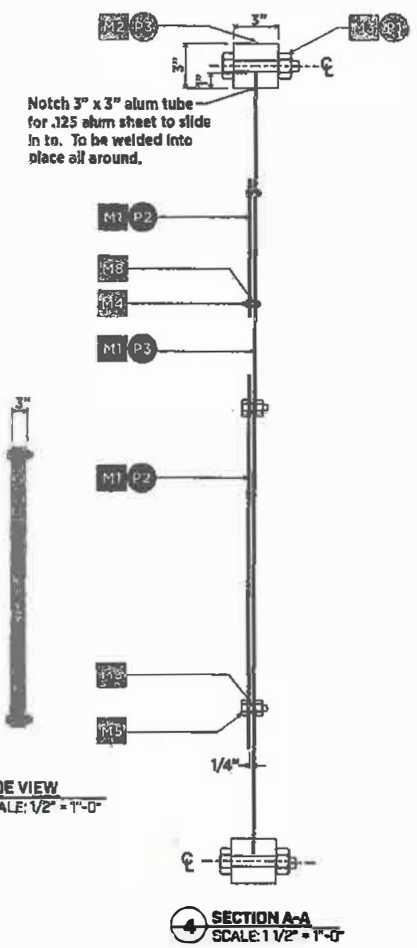
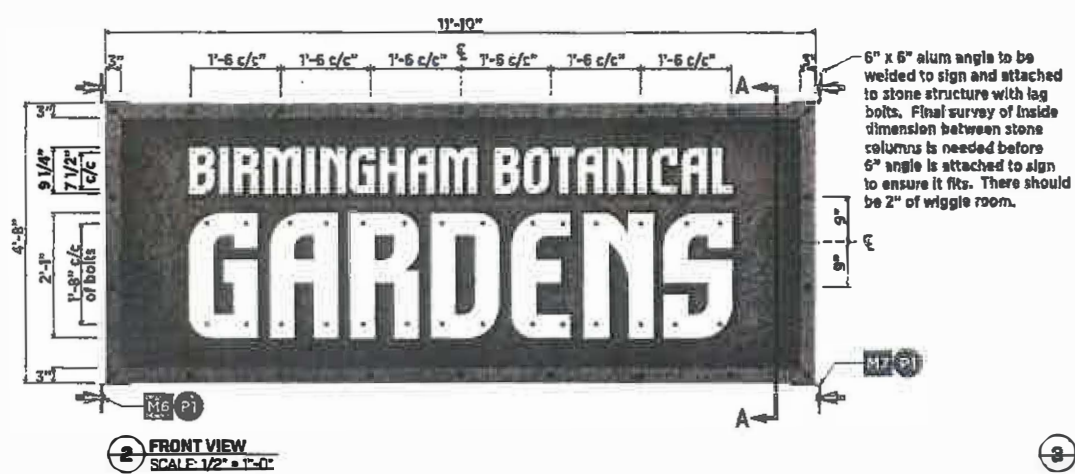
1 LEFT SIDE VIEW  
SCALE: 1/4" = 1'-0"



2 FRONT VIEW  
SCALE: 1/4" = 1'-0"



3 RIGHT SIDE VIEW  
SCALE: 1/4" = 1'-0"

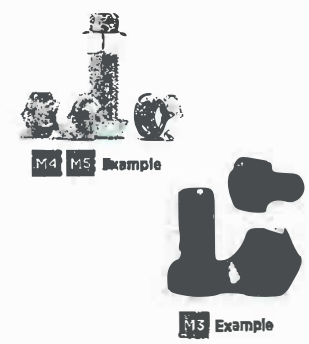


Notch 3" x 3" alum tube for .125 alum sheet to slide in to. To be welded into place all around.

6" x 6" alum angle to be welded to sign and attached to stone structure with lag bolts. Final survey of inside dimension between stone columns is needed before 6" angle is attached to sign to ensure it fits. There should be 2" of wiggle room.

**MATERIALS / FINISHES**

- .125 Alum
- 3" x 3" Square Alum Tube
- Hex bolt #1 - Black (size TBD)
- Hex bolt #2 - stainless steel (size TBD)
- Hex bolt #3 - stainless steel (size TBD)
- Lagbolt
- 6" x 6" x 3/8" Alum Angle
- 1/4" spacers
- Flat Black
- White
- Faux weathered steel (rusted finish with flat clearcoat)



**INSTALLATION**

Mount to stone columns using lagbolts. Stone structure by others.

**STATUS**

Client Review



Meeting – July 23, 2020  
Location – Webex/Teleconference  
Time - 2:00PM  
Pre-Meeting - 1:00PM

Department of Planning Engineering & Permits Conference Room, Fifth Floor

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Neighborhood: Woodland Park

Staff Planner Moton

ZBA2020-00032

**Request:** Variance to allow a 12.3 rear yard setback instead of the required 25ft yard setback to pursuant to Article VIII Section 5.2  
**Applicant:** Barlon Maddox  
**Owner:** Rufus Belser  
**Site Address:** 1817 Rayfield-Windham Place  
**Zip Code:** 35211  
**Description:** Variance to allow a 12.3 rear yard setback  
**Property Zoned:** D-3 Single Family Residential District  
**Parcel Information:** Parcel #: 012900103000018000, SW of Section 10, Township 18 S, Range 3 W

**Variance:**

Variance to allow a 12.3 rear yard setback instead of the required 25ft yard setback to pursuant to Article VIII Section 5.2

**Neighborhood Meeting:**

The Woodland Park Neighborhood Association; waiting on vote.

**Public Notices:**

Mailed out on July 11 ,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:**

- A. The is property is located on an irregular shaped lot.
- B. The property is located on a curve which was plotted out by the original developer.

**2.Unique Characteristics:**

- A. This lot is on the fall of a hill.
- B. The lot is on a curve that was plotted as shown on the original plot plan.

**3.Hardship Not Self-Imposed:** The hardship is the curve takes out space that is needed in the rear to meet he setback requirement.

**4. Financial Gain Not Only Basis:** Not Applicable.

**5.No Injury to Neighboring Property:** There is NO Injury to Neighboring Property.

**6.No Harm to Public Welfare:** There is No Harm to Public Welfare.

**Staff Analysis:**

The subject property is located in the D-3, Single Family District. The applicant is proposing to build a house with a 12.3 rear yard setback instead of the 25feet yard setback. The adjacent property owner to the rear of the property Mrs. Rosemary Coleman located at 1808 Biko Place opposes this request because it would be closer to her property.

The applicant does not 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 denial and as such, should be **DENIED**.

STATE OF ALABAMA     )  
  :  
JEFFERSON COUNTY     )

**AUTHORIZATION**

I, the undersigned Rufus Belser hereby authorize my CONTRACTOR, **DeVarma Construction Inc. Barlon Maddox/Project Manager** of said company, to obtain any and all information requested by said contractor regarding information on construction of said residence located at **1817 Rayfield-Windom Place, Birmingham, AL 35211**. Said Contractor is authorized with **all rights to obtain information and do any all things deemed necessary** to construct said property, including, but not limited to, apply for **zoning changes, pay impact fees, pull permits, apply for Waivers on said property, schedule inspections, speak with a Synovus Bank Representative regarding construction funds to construct said property and payments due to Contractor for said property.**

My signature and address appear at the bottom of this authorization to release this information. You are further authorized to consider a copy of our signature on a copy of this authorization as valid as an original.

Dated this 23 day of June 2020.

Rufus Belser  
Homeowner

2216 - Pearson Ave SW  
Address

Birmingham AL 35211  
City, State, Zip Code

Sworn to and subscribed before me this

23 day of June, 2020  
Juanita Boston Woolen  
Notary Public

My Commission expires: My Commission Expires:  
August 11, 2022

Jefferson County, Alabama



*CONSULTING*

*BUILDING*

*PAINTING*

DEVARMA CONSTRUCTION INC.  
#6A 56<sup>TH</sup> STREET SOUTH  
BIRMINGHAM, ALABAMA 35212  
DIRECT DIAL: (205) 903-1480 (205) 919-7533 P M  
FAX: (205) 591-1500

JUNE 24, 2020

VIA HAND DELIVERY

City of Birmingham  
ATTN.: ZONING BOARD

**RE: VARIANCE REQUEST**

**Rufus Belser – OWNER**

**Location: 1817 Rayfiled Windom Place, Birmingham, Al 35211**

Dear SIR/MADAM:

Devarma Construction Inc. is the contractor for the property owner, Rufus Belser.

We are requesting a property variance due to the lot being irregular, on a curve and on a hill.

We need a variance for a **12 feet lot line in the rear.**

If you have any questions, please contact our office @ (205) 919-7533.

As always, your courtesies are appreciated in advance.

Respectfully,

  
S.B. D. Maddox, P M

bdm:MHM

**PARCEL ID:** 012900103000018000

**SOURCE:** TAX ASSESSOR RECORDS      **TAX YEAR:** 2019

**DATE:** Monday, July 6, 2020 10:38:48 AM

**OWNER:** BELSER RUFUS

**ADDRESS:** 2216 PEARSON AVE SW

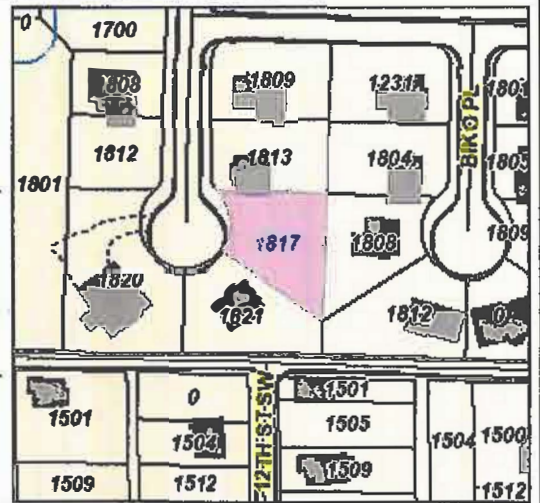
**CITY/STATE:** BIRMINGHAM AL

**ZIP+4:** 35211

**SITE ADDR:** 1817 RAFIELD WINDHAM PL

**CITY/STATE:** BIRMINGHAM, AL

**ZIP:** 35211



**LAND:** \$30,200.00

**BLDG:** \$0.00

**OTHER:** \$0.00

**AREA:** 11,588.44

**ACRES:** 0.27

**SUBDIVISION INFORMATION:**

**NAME** HERITAGE TOWNE AM 29-10-3

**BLOCK:** 1

**LOT:** 51

**Section:** 10-18-3W

**Land Slide Zones:** Not in Land Slide Zones

**Historic Districts:** Not in Historic Districts

**Commercial Revitalization District:** Not in Commercial Revitalization District

**Fire District:** Not in Fire District

**Flood Zones:** Not in Flood Zones

**Tax Increment Financing District:** Not in Tax Increment Financing District

**Neighborhoods:** Woodland Prk (1903)

**Communities:** Titusville (19)

**Council Districts:** District - 6 (Councilor: Crystal Smitherman)

**Zoning Outline:** D3

**Demolition Quadrants:** DEM Quadrant - 1

**Impaired Watersheds:** Not in Impaired Watersheds

**Strategic Opportunity Area:** Not in Strategic Opportunity Area

**RISE Focus Area:** Not in RISE Focus Area

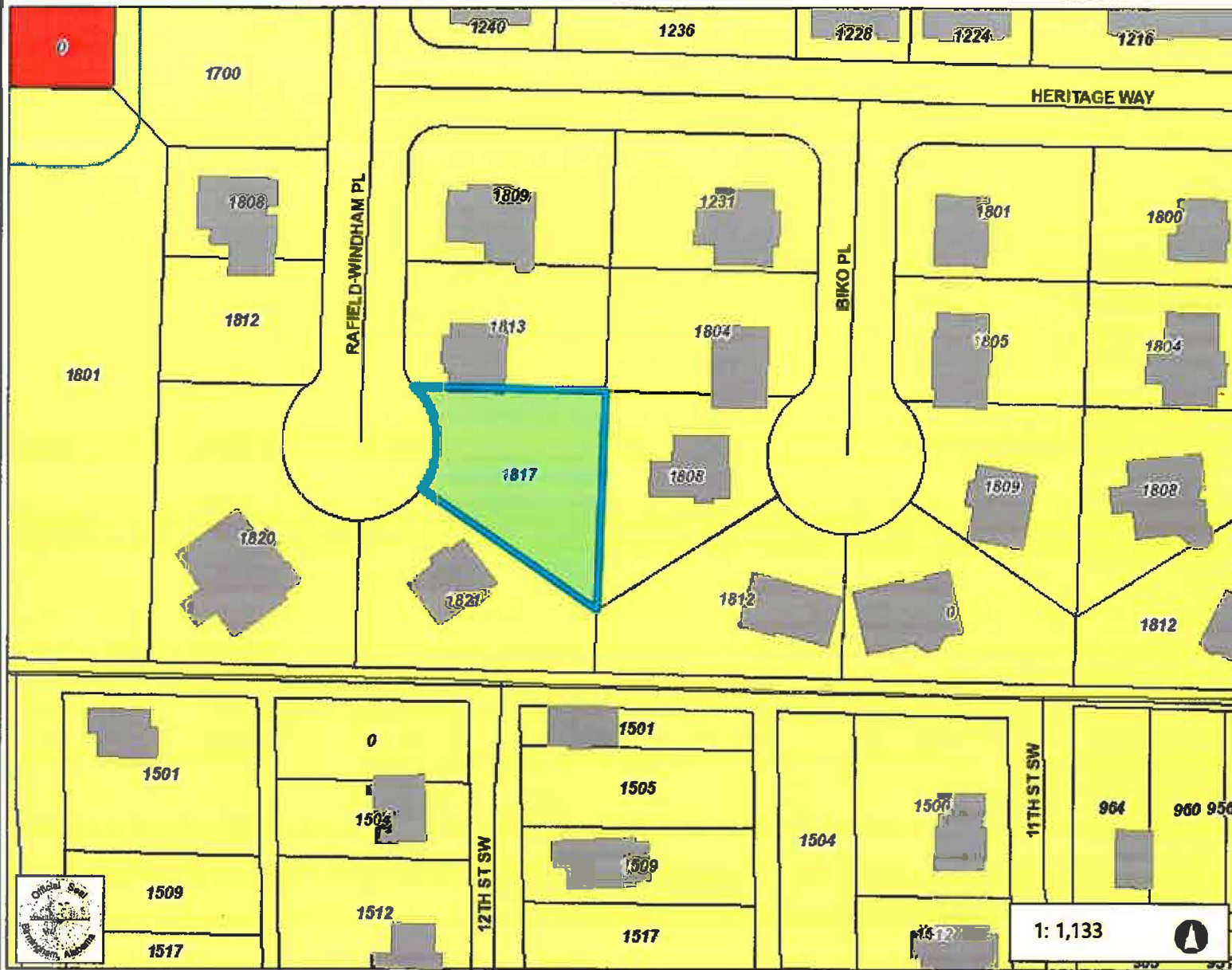
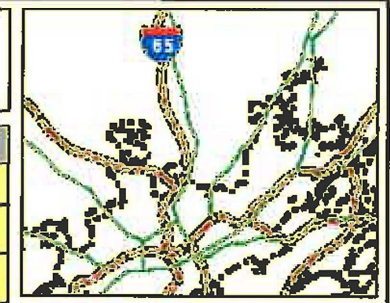
**Tax Delinquent Property:** Not in Tax Delinquent Property

**EPA Superfund:** Not in EPA Superfund

**Opportunity Zones:** Not in Opportunity Zones

**Judicial Boundaries:** JEFFERSON

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**Legend**

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- County Highways
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  - 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; D5
  - R8; D6 - Multiple Family District
  - R7 - Multiple Family District



1: 1,133

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

Notes

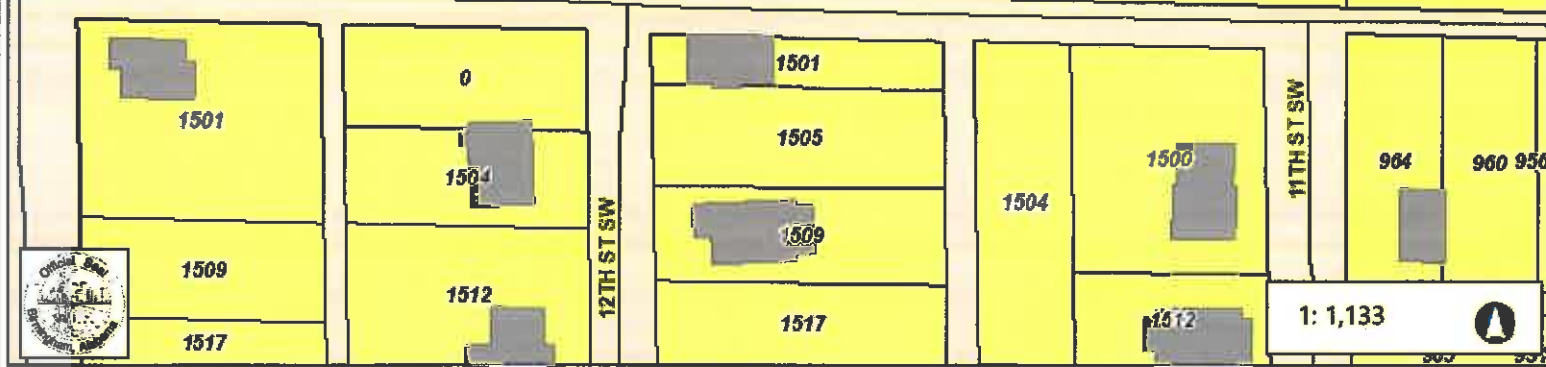


**Legend**

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- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
- Limited Access
- Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport

**Adopted LandUse Plan**

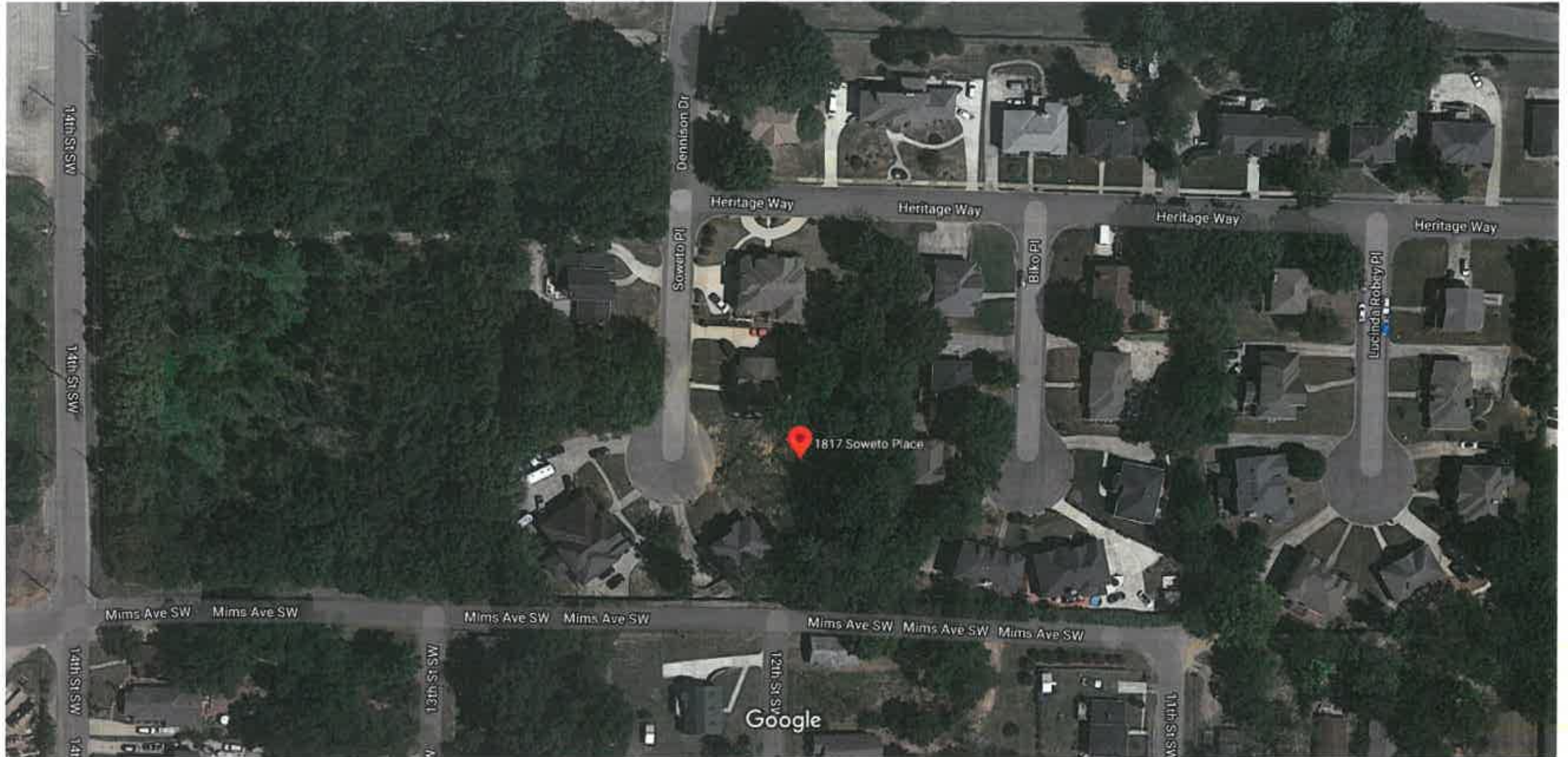
- Residential-Low
- Residential-Medium
- Residential-High
- Neighborhood Commercial
- General Commercial
- MXU-Low
- MXU-Medium
- MXU-High



**Notes**



1817 Soweto Pl  
ZBA2020-00032



Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 50 ft





1898 Soweto Pl

ZBA2020-00032



Google

Image capture: Feb 2019 © 2020 Google

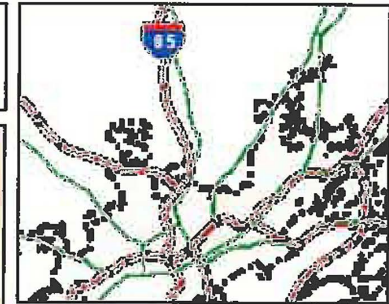
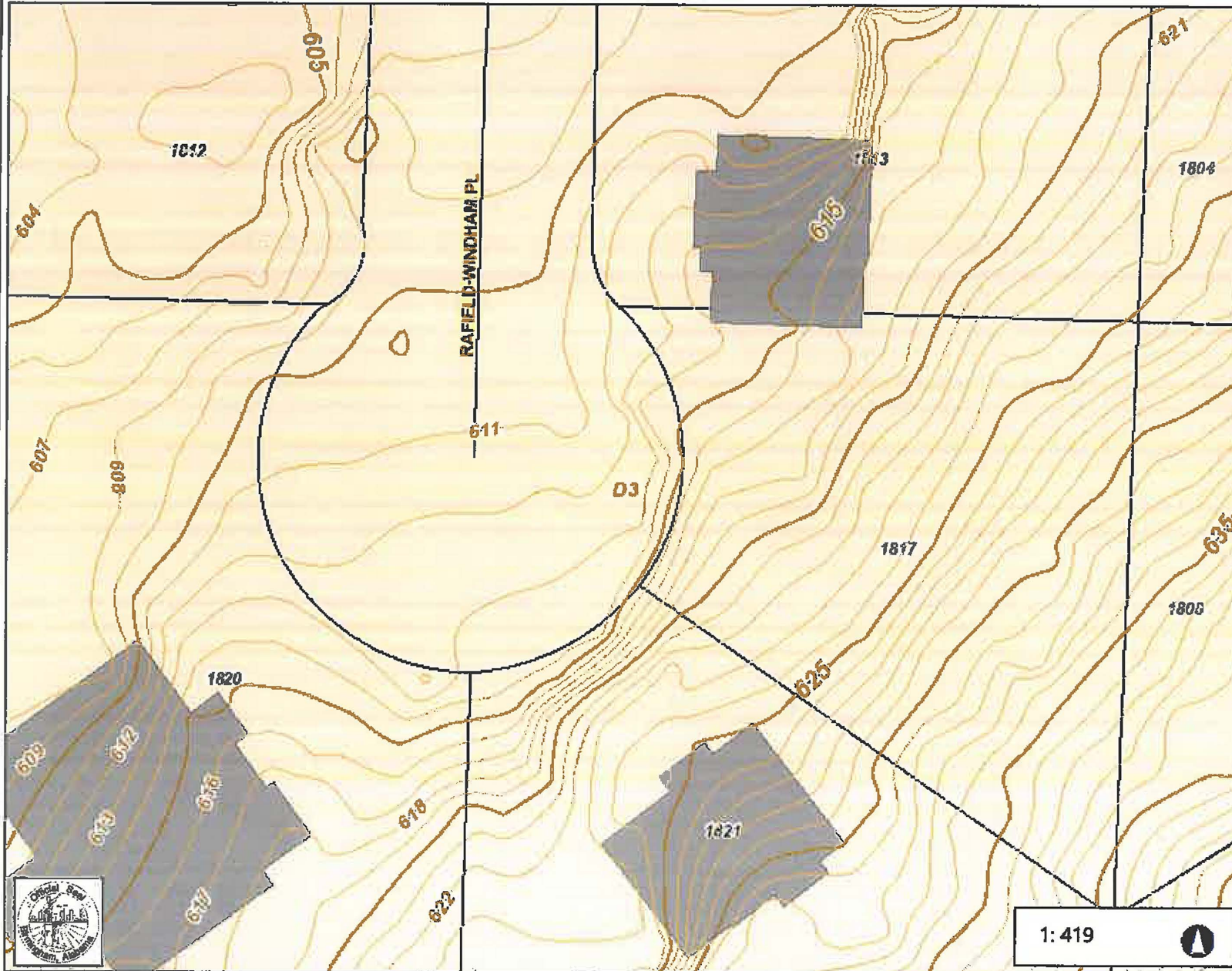


Image capture: Feb 2019 © 2020 Google

Birmingham, Alabama



Street View



**Legend**

- All Contours
  - 1' Contour
  - 5' Contour
- 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)

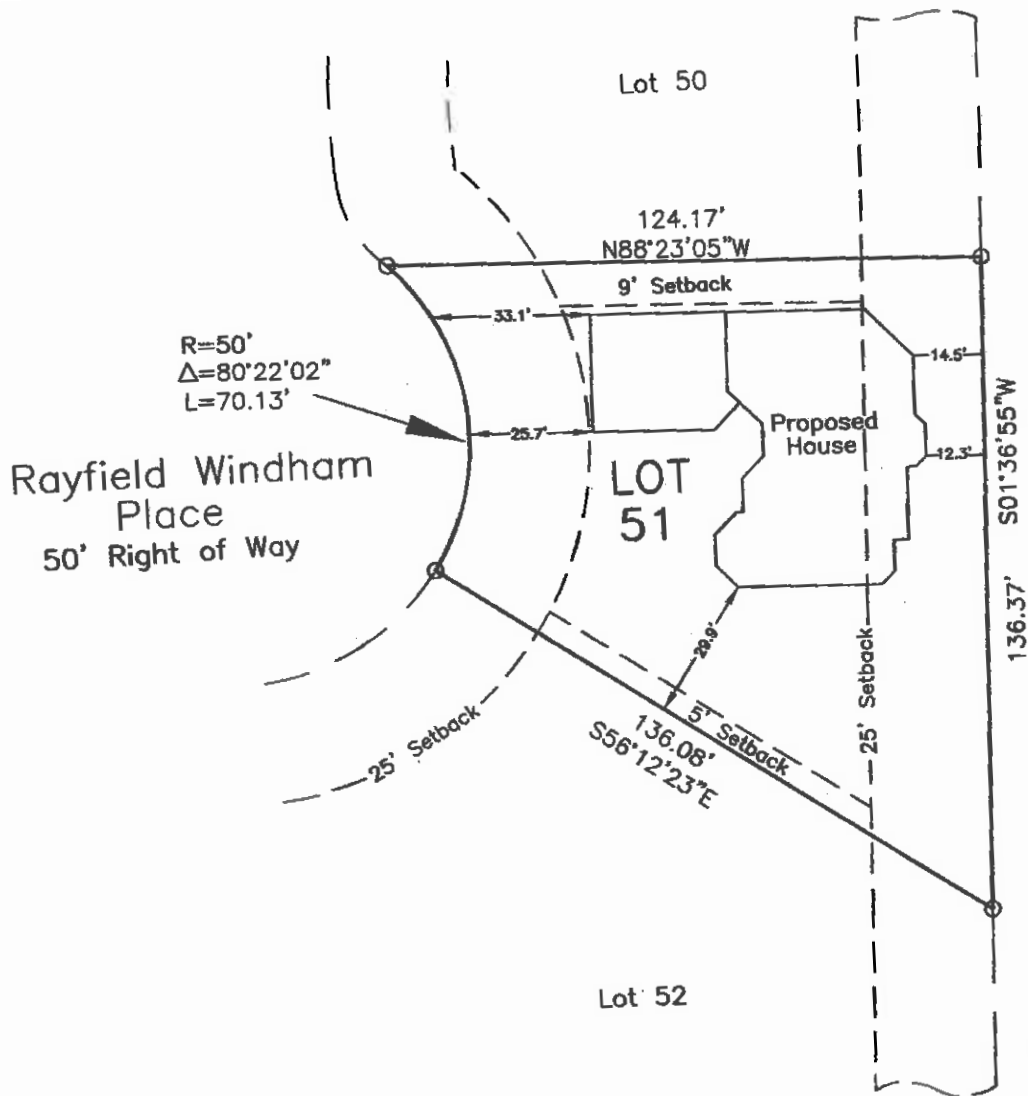


1: 419



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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

Notes



Prepared by Rowland Jackins, PLS  
Alabama Reg. No. 18399

**Notes:**

1. House depiction taken from Designer's Foundation Plan, provided by client;
2. Lot Dimensions, easements and setbacks shown are taken from record plat;



**PLOT PLAN**

1817 Rayfield Windham Place  
Lot 51, Amended Map No.2, Heritage Towne Centre  
Mapbook 168, Page 73, Judge of Probate Office,  
Jefferson County, Alabama

Scale: 1 Inch = 40 Feet June, 2020

JACKINS, BUTLER & ADAMS, INC.  
SURVEYING-GEOLOGY  
3430 INDEPENDENCE DRIVE, SUITE 30  
BIRMINGHAM, ALABAMA 35209

(205) 870-3390

S-1602/20-A Dwg. 1

Meeting – July 23, 2020  
Location – Webex/Teleconference  
Time - 2:00PM  
Pre-Meeting - 1:00PM  
Department of Planning Engineering & Permits Conference Room, Fifth Floor

---

Neighborhood: Ensley                      Staff Planner Moton                      ZBA2020-00033

**Request:** Variance to allow repairs to a legal nonconforming structure Title 1, Chapter 9, Article VII, section 3.A.3. page 374  
**Applicant:** Brian Sanders  
**Owner:** E&J Properties  
**Site Address:** 2512 Ave K  
**Zip Code:** 35218  
**Description:** Variance to allow alterations to a legal nonconforming structure  
**Property Zoned:** R-3 Single Family Residential District  
**Parcel Information:** Parcel #: 012900062017009000, NW of Section 06, Township 18 S, Range 3 W

**Variance:**

Variance to allow alterations to a legal nonconforming structure Title 1, Chapter 9, Article VII, section 3.A.3. page 374

**Neighborhood Meeting:**

The Ensley Neighborhood Association; waiting on vote.

**Public Notices:**

Mailed out on July 11 ,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:** No physical characteristics of the property are going to be changed.

**2.Unique Characteristics:** There are other properties in the area with 2 living structures on the property. Repairing this property will help the look and the value of the entire neighborhood.

**3.Hardship Not Self-Imposed:** No self-imposed hardship has occurred.

**4. Financial Gain Not Only Basis:** The subject property will be lived in by a family member and renovating will make the entire neighborhood look better.

**5.No Injury to Neighboring Property:** The subject property was built years ago and renovation will not affect the neighboring properties in a negative way.

**6.No Harm to Public Welfare:** Renovation of the subject property will in no way negatively impact the general public welfare. It will decrease dangers of fire, vandalism, and or vagrancies.

**Staff Analysis:**

The subject property is located in the R-3, Single Family District. The applicant is requesting a variance to allow repairs to a legal nonconforming structure. There are two dwellings on this property. The back house, the subject property, was built first in 1940 prior to the zoning ordinance and then the front house was built in 1948, prior to the zoning ordinance as well.

The applicant does meet requirements of the Variance review 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. All permits and certificate of completion should be obtain within one year of the approval date from the Board.

[Bldg 001](#) [Bldg 002](#)

**BUILDINGS**

**GENERAL INFO**

Parcel 29 00 06 2 017 009.000  
 Building 001  
 Type 111  
 Eff. Type 111  
 Built 1948 [ 1974 ]  
 Class E+  
 No. Rooms 3  
 Assmt. Class 2 Bldg. Ht. 0

**Current Owners**

**E&J PROPERTIES LLC**

**2104 TRAIL RIDGE CIRCLE  
 BIRMINGHAM AL 35214**

**2017073760**

**Last Modified: 9/18/2019 10:08:02 PM**

**BUILDING VALUE**

Base Area 560  
 Base Rate \$56.01  
 Const. Units 90  
 Adj. Rate \$50.41  
 Total Adj. Area 585 [U: 0]  
 Sub Total \$29,490.00  
 Extra Features \$1,904.00  
 Base Cost \$31,394.00  
 Index 1.09  
 Replacement Cost \$34,219.00  
 Condition 25  
 Value \$8,555.00  
 Market Adj. 0  
 Final Value \$8,600.00  
 Misc. Imp. \$0.00  
**TOTAL IMP. VALUE \$8,600.00**

**Construction Units**

Category	SubCategory	Code	Percent	Units
FOUNDATION	WOOD SUBFLOOR	S09	100	0
EXTERIOR WALLS	WOOD FRAME ASBESTOS	W04	100	32
ROOF TYPE	HIP-GABLE	T02	100	8
ROOF MATERIAL	ASPHALT SHINGLES	M04	100	4
FLOORS	PINE, DOUBLE	F07	50	5
FLOORS	CARPET & UNDERLAY	F14	25	3
FLOORS	VINYL	F16	25	3
INTERIOR FINISH	ACOUSTICAL CEILING	I13	50	15
INTERIOR FINISH	PLYWOOD	I11	50	12
PLUMBING	AVERAGE	P03	1	8
<b>Total</b>				<b>90</b>

**Extra Features**

Code	SubCategory	Qty	Sqft	Base	Total
HT11102	HEAT/AC FHA	1	560	\$3.40	\$1,904.00
<b>Total</b>					<b>\$1,904.00</b>

**MISC IMPROVEMENTS**

Code	Assmt.	SubCategory	Size	Value
				<b>TOTAL: \$0.00</b>

**APPENDAGES**

Symbol	Decimal	Area	Adjusted Area
OP 0.2	0.2	24	5
OP 0.2	0.2	100	20
<b>TOTAL:</b>			<b>25 Sqft</b>

[Bldg 001](#) [Bldg 002](#)

**BUILDINGS**

**GENERAL INFO**

Parcel 29 00 06 2 017 009.000  
 Building 002  
 Type 111  
 Eff. Type 111  
 Built 1940 [ 1982 ]  
 Class D-  
 No. Rooms 5  
 Assmt. Class 2 Bldg. Ht. 0

**Current Owners**

**E&J PROPERTIES LLC**

**2104 TRAIL RIDGE CIRCLE  
 BIRMINGHAM AL 35214**

**2017073760**

**Last Modified: 9/18/2019 10:08:02 PM**

**BUILDING VALUE**

Base Area 1060  
 Base Rate \$56.85  
 Const. Units 99  
 Adj. Rate \$56.28  
 Total Adj. Area 1149 [U: 0]  
 Sub Total \$64,666.00  
 Extra Features \$1,626.80  
 Base Cost \$66,292.80  
 Index 1.09  
 Replacement Cost \$72,259.00  
 Condition 55  
 Value \$39,742.00  
 Market Adj. 0  
 Final Value \$39,700.00  
 Misc. Imp. \$0.00  
**TOTAL IMP. VALUE \$39,700.00**

**Construction Units**

Category	SubCategory	Code	Percent	Units
FOUNDATION	WOOD SUBFLOOR	S09	100	0
EXTERIOR WALLS	WOOD FRAME ASBESTOS	W04	100	32
ROOF TYPE	HIP-GABLE	T02	100	8
ROOF MATERIAL	ASPHALT SHINGLES, HEAVY	M22	100	5
FLOORS	HARDWOOD	F08	100	16
INTERIOR FINISH	DRYWALL (SHEETROCK)	I07	100	30
PLUMBING	AVERAGE	P03	1	8
<b>Total</b>				<b>99</b>

**Extra Features**

Code	SubCategory	Qty	Sqft	Base	Total
HT11101	HEAT/AC GRAVITY	1	1162	\$1.40	\$1,626.80
					<b>Total \$1,626.80</b>

**MISC IMPROVEMENTS**

Code	Assmt.	SubCategory	Size	Value
				<b>TOTAL: \$0.00</b>

**APPENDAGES**

Symbol	Decimal	Area	Adjusted Area
CP 0.8	0.8	102	82
OP 0.3	0.3	24	7
			<b>TOTAL: 89 Sqft</b>



**PARCEL ID:** 012900062017009000

**SOURCE:** TAX ASSESSOR RECORDS      **TAX YEAR:** 2019

**DATE:** Monday, July 6, 2020 10:03:01 AM

**OWNER:** E&J PROPERTIES LLC

**ADDRESS:** 2104 TRAIL RIDGE CIRCLE

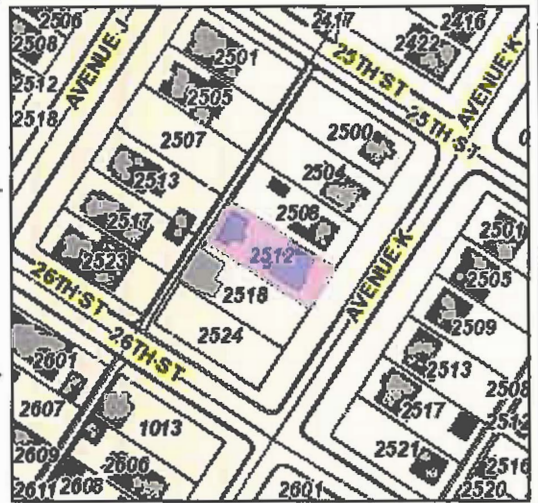
**CITY/STATE:** BIRMINGHAM AL

**ZIP+4:** 35214

**SITE ADDR:** 2512 AVENUE K

**CITY/STATE:** BHAM, AL

**ZIP:** 35218



**LAND:** \$10,400.00

**BLDG:** \$48,300.00

**OTHER:** \$0.00

**AREA:** 6,505.94

**ACRES:** 0.15

**SUBDIVISION INFORMATION:**

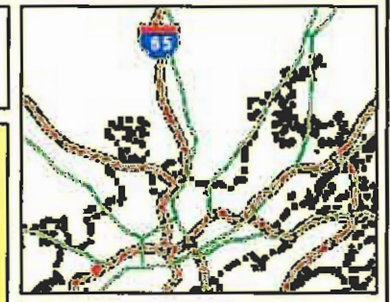
**NAME** ENSLEY LAND CO 8TH ADD

**BLOCK:** 25-J

**LOT:** 15

:	<b>Section:</b> 6-18-3W
	<b>Land Slide Zones:</b> Not in Land Slide Zones
	<b>Historic Districts:</b> Not in Historic Districts
	<b>Commercial Revitalization District:</b> Not in Commercial Revitalization District
	<b>Fire District:</b> Not in Fire District
	<b>Flood Zones:</b> Not in Flood Zones
	<b>Tax Increment Financing District:</b> Not in Tax Increment Financing District
	<b>Neighborhoods:</b> Ensley (801)
	<b>Communities:</b> Ensley (8)
	<b>Council Districts:</b> District - 9 (Councilor: John Hilliard)
	<b>Zoning Outline:</b> R3
	<b>Demolition Quadrants:</b> DEM Quadrant - 2
	<b>Impaired Watersheds:</b> Not in Impaired Watersheds
	<b>Strategic Opportunity Area:</b> Not in Strategic Opportunity Area
	<b>RISE Focus Area:</b> In RISE Focus Area
	<b>Tax Delinquent Property:</b> Not in Tax Delinquent Property
	<b>EPA Superfund:</b> Not in EPA Superfund
	<b>Opportunity Zones:</b> Not in Opportunity Zones
	<b>Judicial Boundaries:</b> 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 - 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; D5
    - R6; D6 - Multiple Family District
    - R7 - Multiple Family District

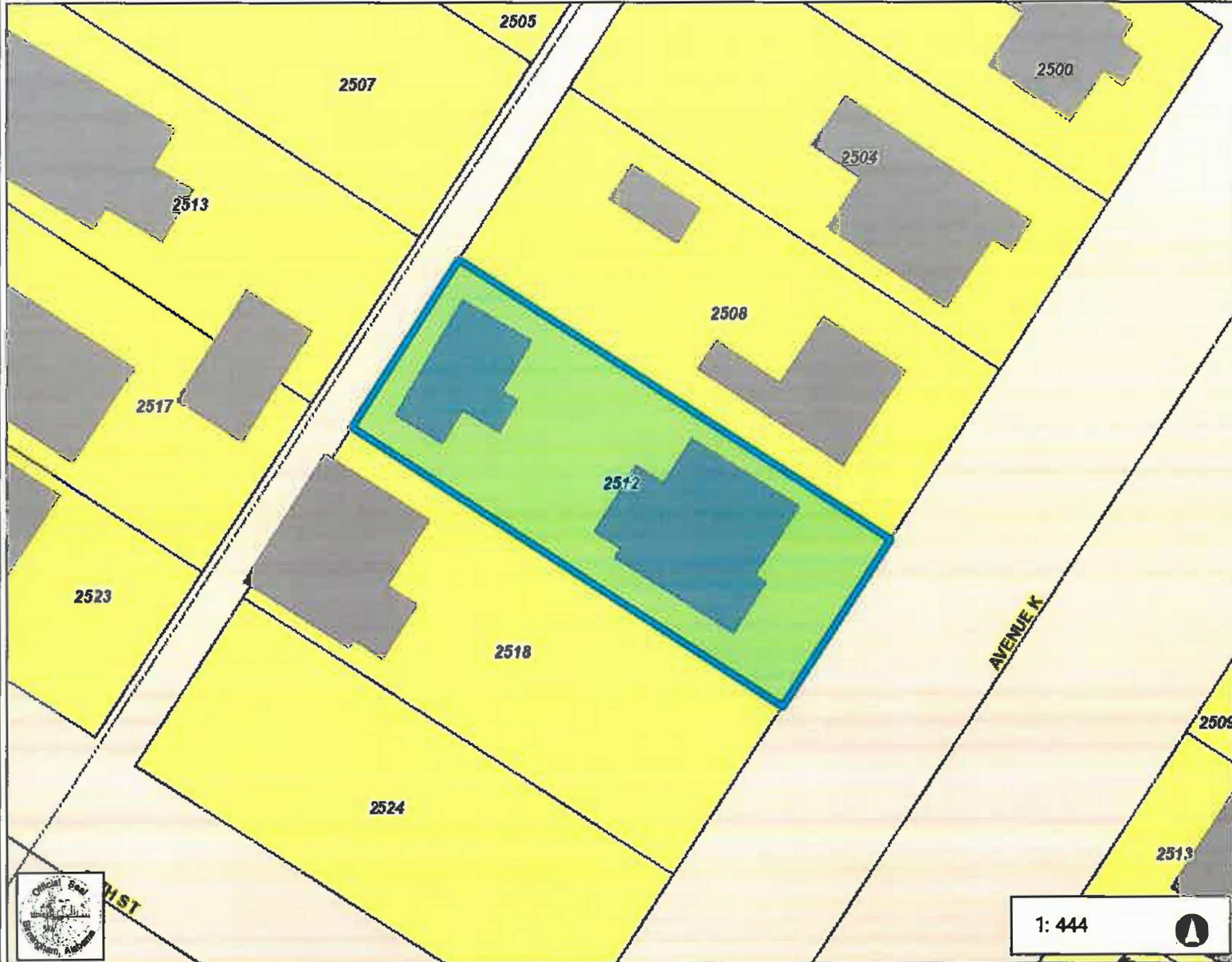
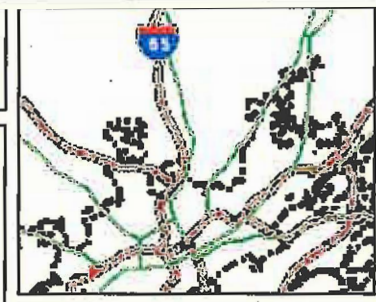


1: 444



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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

**Notes**

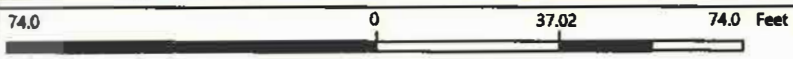


**Legend**

- Centerline Labels
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  - Limited Access
  - Ramp
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- 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: 444



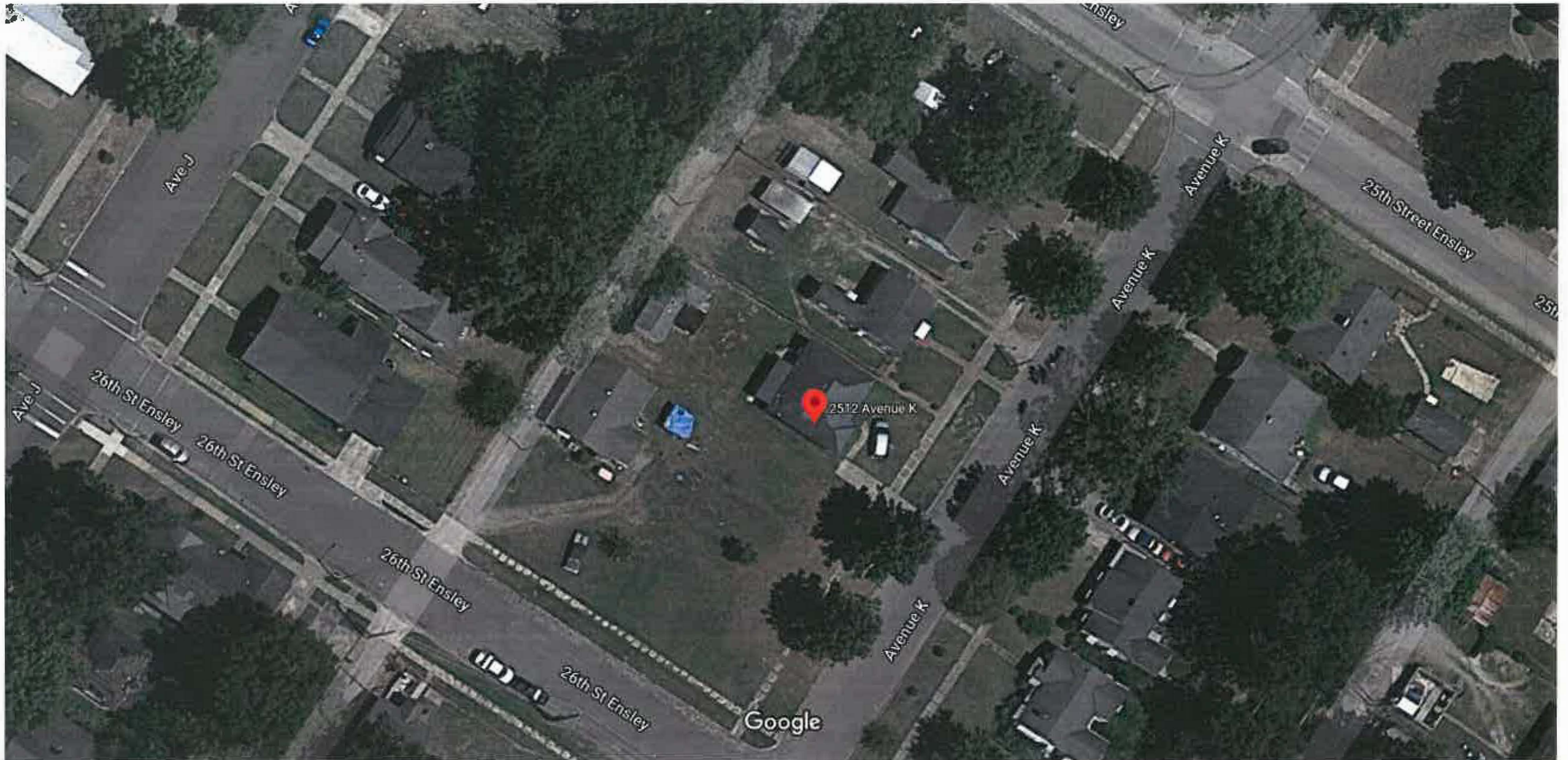
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**Notes**



2512 Avenue K

ZBA2020-00033

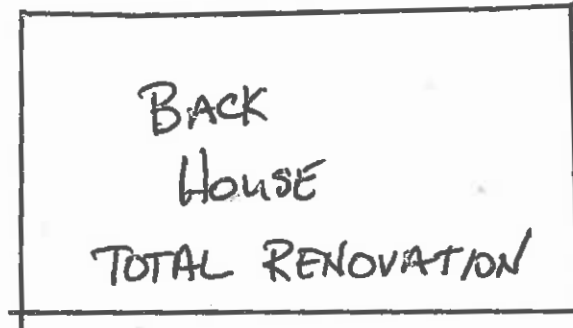


Map data ©2020, Map data ©2020 20 ft

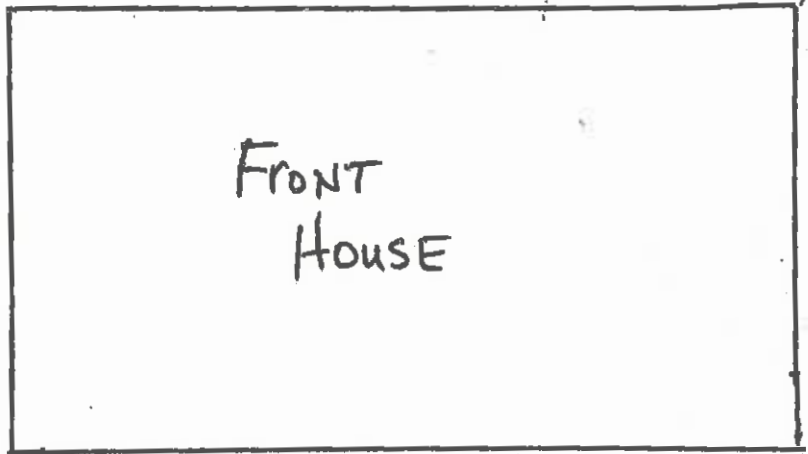
SITE PLAN 2312 AVE K 35218

ALLEY

WANT TO  
POUR  
CONCRETE  
DRIVE



EXISTING  
DRIVE



Street AVE K

Meeting – July 23, 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: Five Points South      Staff Planner Moton      ZBA2020-00034

Request:                      Parking Modification  
Applicant:                  Kathleen Okrongley  
Owner:                        Macaroni Lofts, LLC  
Site Address:                1329 4<sup>th</sup> Ave S  
Zip Code:                    35233  
Description:                Modification to allow 14 off street parking spaces instead of the required 65 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 #:012900012013001000, NW of Section 01, Township 18 S, Range 3 W

**Modification:**

Modification to allow 14 off street parking spaces instead of the required 65 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

**Neighborhood Meeting:**

The Five Points South Neighborhood Association; waiting on vote.

**Public Notices:**

Public notices were mailed on July 11, 2020.

**Staff Analysis:**

The subject property located at 1329 4<sup>th</sup> Ave s is zoned M-1 Light Industrial District. The property is located within the Midtown Commercial Revitalization. The uses and square foot of the property is restaurant 2,000sf, retail 3,674sf and residential 40 one bedroom units and 6 two bedroom units. With the 10% reduction for the nearby transit and bicycle rack they are required to have 65 off street parking spaces. There are other parking modifications within the area, ZBA2019-00052 (101 12<sup>th</sup> St S) Air Shop and Superior LLC granted a parking modification to allow 9 off-street parking instead of 23 spaces. ZBA2014-00065 (2829 2<sup>nd</sup> Ave S Suite 30) granted a parking modification to allow 84 off-street parking spaces instead of the required 272 spaces. ZBA2014-00077(114 14<sup>th</sup> St S) Good People Brewery Company granted a parking modification to allow 0 of the required 37 spaces. ZBA2014-00075 (1304 2<sup>nd</sup> Ave S) 1304 Investments LLC and Mat and Jack LLC Torquass Pizza Railroad Park granted a parking modification to allow 0 off-street parking instead of the required 90 spaces. All of the addresses listed in the parking modifications have active business licenses per the City of Birmingham Tax and Licenses Department. There is surplus parking in this area per the City of Birmingham Transportation Department.

**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.

**PARCEL ID:** 012900012013001000

**SOURCE:** TAX ASSESSOR RECORDS      **TAX YEAR:** 2019

**DATE:** Tuesday, May 26, 2020 8:50:12 AM

**OWNER:** UAB EDUCATIONAL FOUNDATION

**ADDRESS:** 3800 CORPORATE WOODS DRIVE

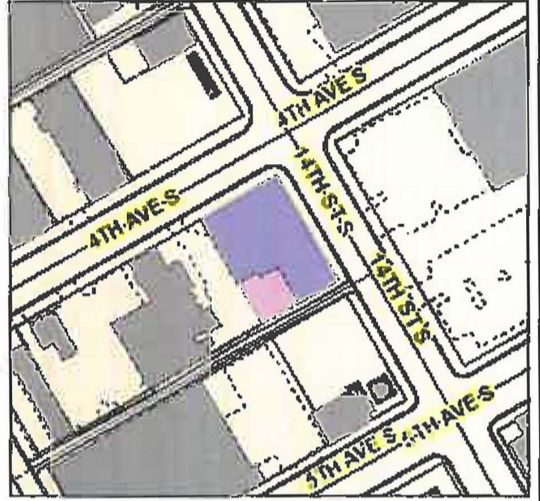
**CITY/STATE:** BIRMINGHAM AL

**ZIP+4:** 35242

**SITE ADDR:** 1329 4TH AVE S

**CITY/STATE:** BHAM, AL

**ZIP:** 35233



**LAND:** \$448,000.00

**BLDG:** \$305,100.00

**OTHER:** \$0.00

**AREA:** 14,076.47

**ACRES:** 0.32

**SUBDIVISION INFORMATION:**

**NAME** BHAM RE BK 155 29-1-2

**BLOCK:** 155

**LOT:** 1-3

**Section:** 1-18-3W

**Land Slide Zones:** Not in Land Slide Zones

**Historic Districts:** Not in Historic Districts

**Commercial Revitalization District:** Midtown

**Fire District:** In Fire District

**Flood Zones:** Not in Flood Zones

**Tax Increment Financing District:** In Tax Increment Financing District

**Neighborhoods:** Five Pts So (1701)

**Communities:** Southside (17)

**Council Districts:** District - 6 (Councilor: Crystal Smitherman)

**Zoning Outline:** M1

**Demolition Quadrants:** DEM Quadrant - 1

**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

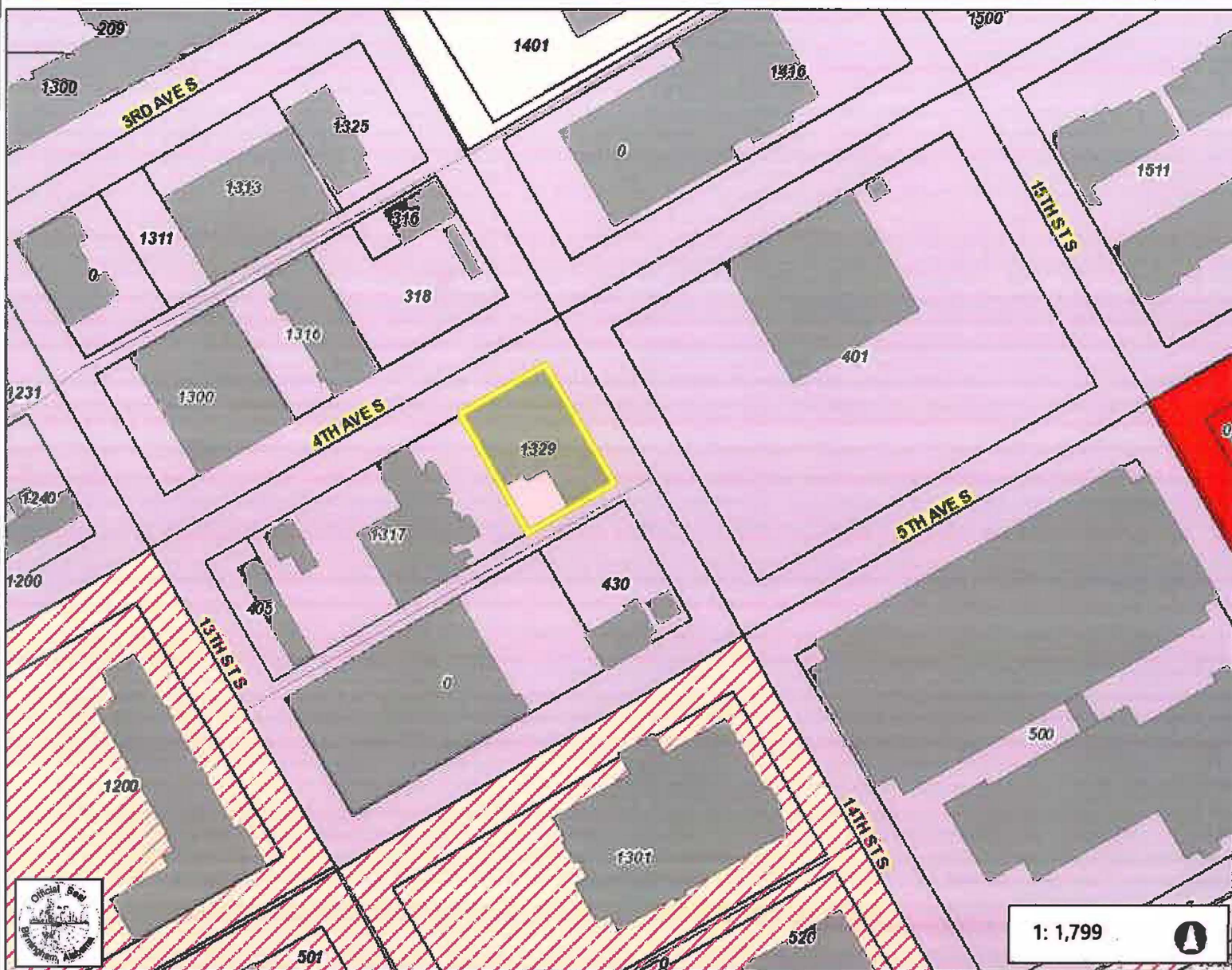
**EPA Superfund:** Not in EPA Superfund

**Opportunity Zones:** In Opportunity Zones

**Judicial Boundaries:** JEFFERSON

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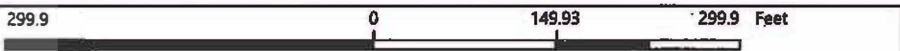




- Legend**
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  - Zoning Shaded**
  - R1: D1 - Single Family District - Cla
  - R2: D2 - Single Family District - Cla
  - R3: D3 - Single Family District; R3
  - R4: D4 - Two Family District; R4
  - R4A - Multiple Dwelling District
  - R5: D5 - Multiple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

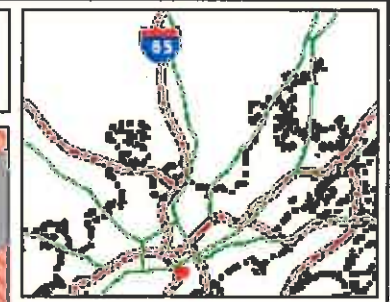


1: 1,799



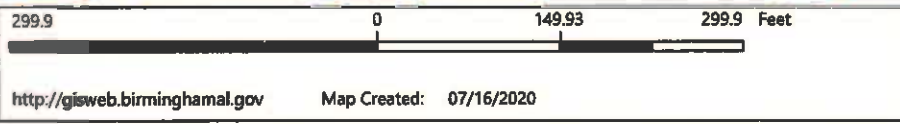
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**Notes**



**Legend**

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- 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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**Notes**

1: 1,799

**Parking Modification Request for Macaroni Lofts - 1329 4<sup>th</sup> Avenue South**

The owners of the property located at 1329 4<sup>th</sup> Avenue South in Birmingham, AL, respectively request a Parking Modification to the City of Birmingham requirement from 65 spaces to 14 spaces. The property is zoned M-1, and we are redeveloping the existing industrial structure into a mixed use building consisting of 46 residential units and approximately 5,674 square feet of commercial ground floor space.


<b><u>Project Uses</u></b> (est. oper. hours)	<b><u>Area/Type</u></b>	<b><u># Dwelling Units</u></b>	<b><u>Parking Required</u></b>
Restaurant (5:00 – 9:00 pm)	2,000 sf @ 10/1,000 sf		20.00
Retail (9:00 am – 5:00 pm)	3,674 sf @ 1/300 sf		12.20
Residential	1 Bedroom/Studio	40	40.00
Residential	2 Bedroom	6	<u>9.00</u>
<b>Total Parking Required by Code:</b>			<b>81.20</b>
Reduction due to available Public Transit located at <u>14<sup>th</sup> Street and 6<sup>th</sup> Ave South:</u>			-8.12
Reduction due to Bicycle Racks:			<u>-8.12</u>
<b>Total Parking Required for Project with Modification:</b>			<b>64.96 (65)</b>

Although the current zoning of M-1 requires more parking than what we are providing, the Parkside District is transitioning into a walkable urban area, in which much of the customer base does not require on-site parking at each establishment that they visit. With the addition of hundreds of residential units underway in the area, the customer base for the commercial space will consist largely of residents in the immediate area who will not require vehicle transportation to our location. The parking modification would cause the subject property to be treated similar to much of the surrounding property, which has been rezoned to MU-HD and therefore does not require any parking.

Additionally, the physical characteristics of the property prevent us from satisfying our parking needs on site. The project consists of redeveloping one lot containing an existing building which dates back to 1902 and building new construction over a parking garage on the adjacent lot. In order to create a viable project which saves the existing structure, we demolished the adjacent one-story building to optimize the at-grade surface area. Prior to demolition, this property contained only 7 spaces. Although we have now created 14 parking spaces for the residential units, there are no more spaces available, and since the remaining building is 21,000 square feet, any proposed commercial or residential redevelopment would therefore have insufficient parking and require a modification.

Please see attached documentation regarding this request.

Sincerely,

  
Kathleen Okrongley  
Macaroni Lofts, LLC

**MACCARONI** **LOFTS**

PARKING MAP



**585 AVAILABLE SPACES**

**1320FT RADIUS**

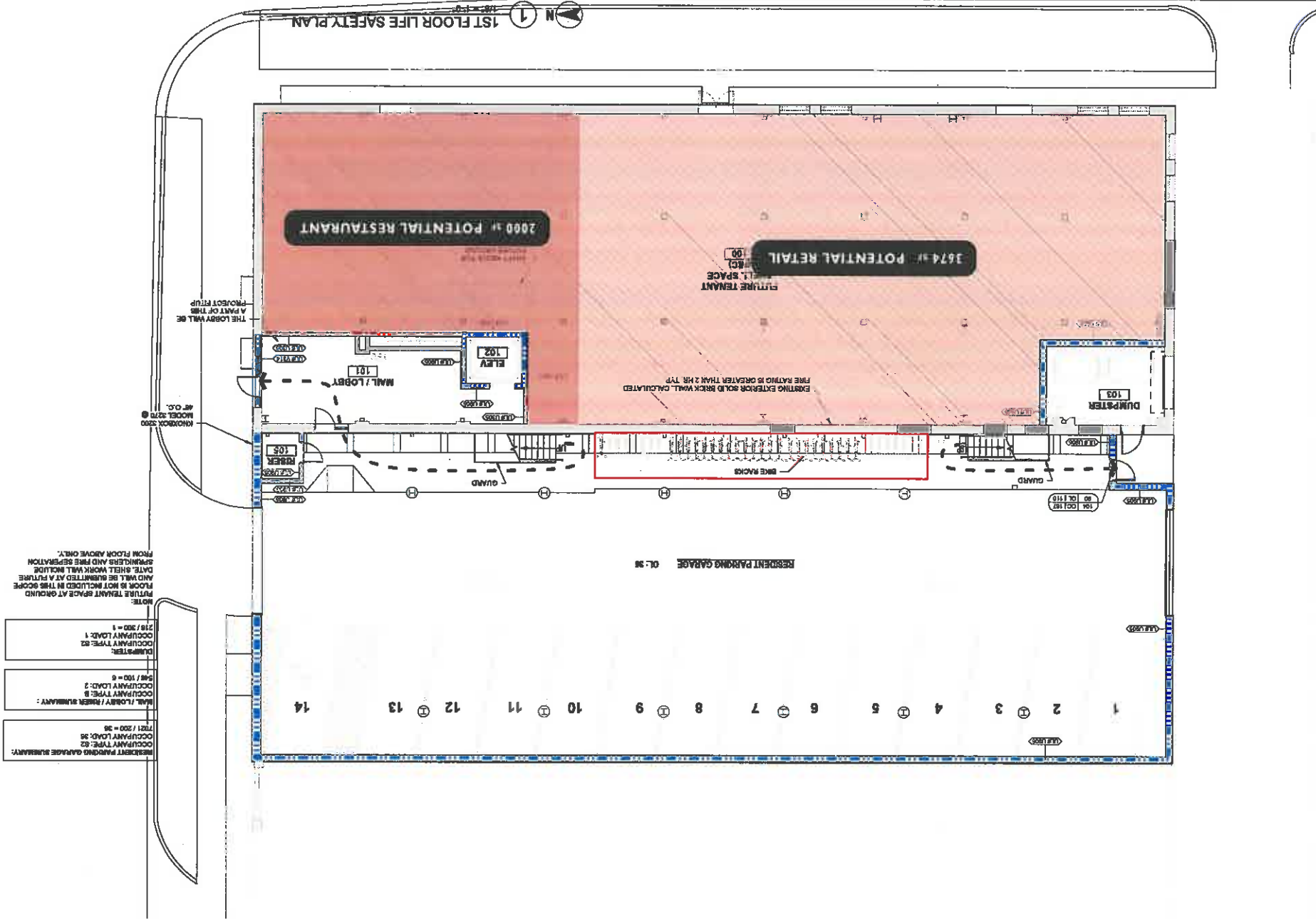
# MACARONI LOFTS

## SITE MAP

19 BIKE RACKS

5674 SF TOTAL RETAIL

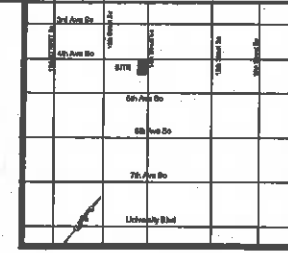
46 RESIDENTIAL UNITS ABOVE COMMERCIAL SPACE



**ALTA / NSPS SURVEY OF**

**Lots 1, 2, and 3, in Block 155,**  
 according to the present plan and  
 survey of the City of Birmingham, as  
 made by the Elyton Land Company.

GRAPHIC SCALE



**M T M**  
**ENGINEERS, INC.**  
 CONSULTING ENGINEERS—LAND SURVEYORS  
 2217 10th COURT SOUTH BIRMINGHAM, AL 35205  
 TELEPHONE (205) 820-0114



ALTA / NSPS SURVEY OF

**Lots 1, 2, and 3, in Block 155,**  
 according to the present plan and  
 survey of the City of Birmingham, as  
 made by the Elyton Land Company.

PROJECT

ENGINEER

DATE

JOB NO:

ALL PLOTS / SHAW SURVEY /  
 BLOCK 155

DATE:

October 24th, 2018

DRAWN:

JKC/JAM III

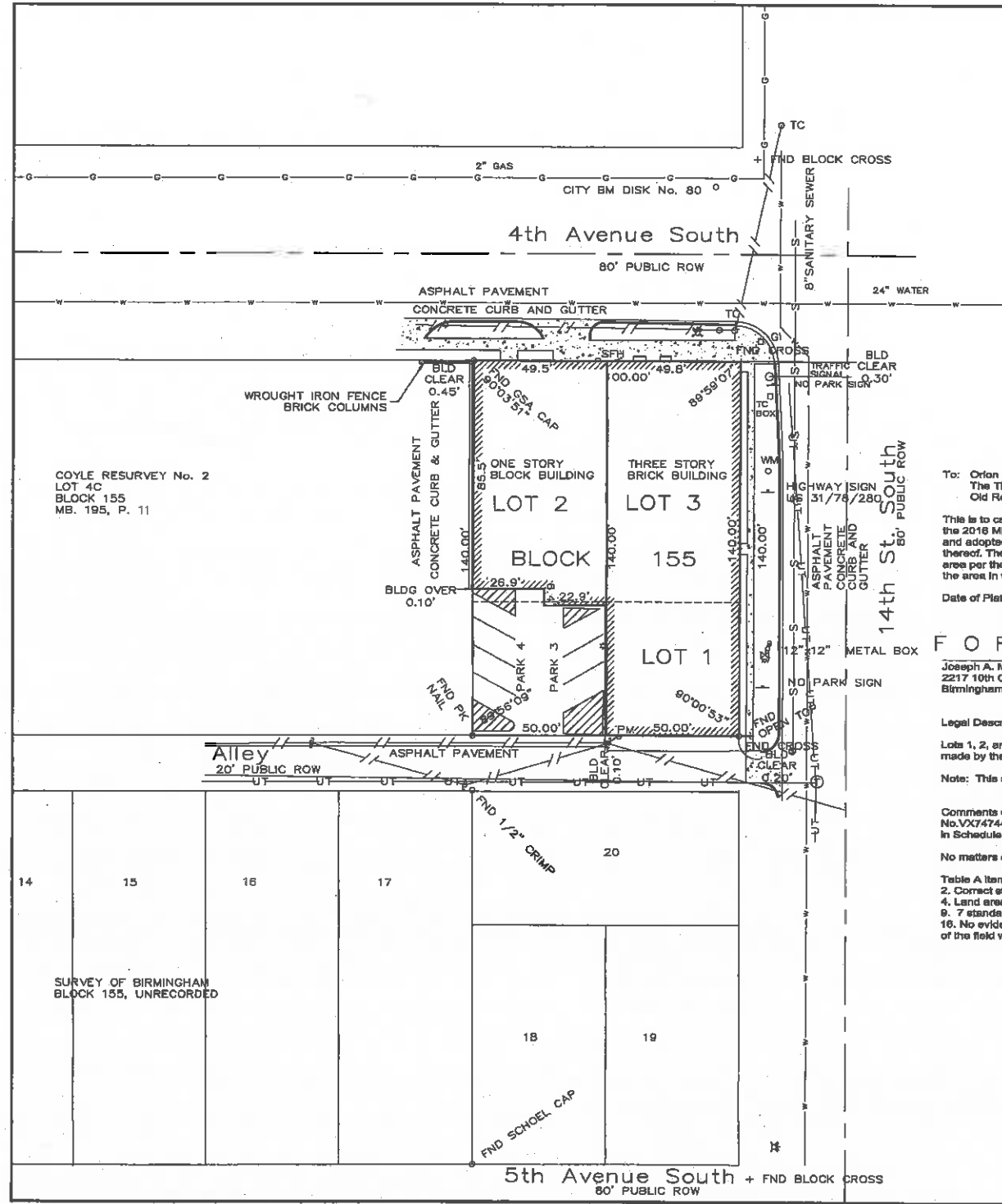
CHECKED:

JAM III

SCALE:

1" = 80.00'

SHEET



To: Orion Enterprises, Inc. an Alabama corporation  
 The Title Group, Incorporated  
 Old Republic National Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2018 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 7(a), 7(b) (1), 8, 9, 11 and 16 of Table A thereof. The field work was completed on October 22nd, 2018. The property is not located in a flood plain area per the Flood Insurance Rate Map Panel No. 010793C0393G, Dated Sept. 29, 2006, which covers the area in which the property is situated.

Date of Plat or Map: October 24th, 2018

**FOR REVIEW**

Joseph A. Miller, III, PE/PLS # 17054  
 2217 10th Court South  
 Birmingham, AL 35205

Legal Description of Property:

Lots 1, 2, and 3, in Block 155, according to the present plan and survey of the City of Birmingham, as made by the Elyton Land Company.

Note: This survey has never been filed for record and is not available for recordation.

Comments on matters of survey from Old Republic National Title Insurance Company No. VX747441, dated August 8th, 2018. Comments numbers are the same as those in Schedule B, Part II of the Title Policy.

No matters of survey listed.

Table A items:  
 2. Correct street address is 1329 4th Avenue South, Birmingham, AL 35233  
 4. Land area of subject property is 14,000 square feet or 0.32 acres, more or less.  
 9. 7 standard parking spaces are stripped.  
 16. No evidence of earth moving, building construction, or building additions were observed at the time of the field work.

LEGEND

SYMBOL	DESCRIPTION
PT	POWER TRANSFORMER
PM	POWER METER(S)
ICV	IRRIGATION CONTROL VALVE
TR	TELEPHONE RISER
CTV	CABLE TV RISER
GM	GAS METER (M)
SMH	SANITARY MANHOLE
SC	SEWER CLEANOUT
LP	LIGHT POLE
UP	UTILITY POLE
FH	FIRE HYDRANT
GW	GUY WIRE
S	SANITARY SEWER MAIN
SS	STORM SEWER LINE
OU	OVERHEAD UTILITY LINE
W	WATER MAIN
C	CONCRETE PAVEMENT
CGM	CONCRETE GRATE MANHOLE
UT	UNDERGROUND TELEPHONE CABLE
TMH	TELEPHONE MANHOLE
TS	TRAFFIC CONTROL SIGN
DTC	TRAFFIC CONTROL BOX
CSFH	CHINESE FIRE HYDRANT