

Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

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 57th 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 29, 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 57th St is zoned D-3, Single Family District. The 5ft chain link fence is located in the front yards off of 57th 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

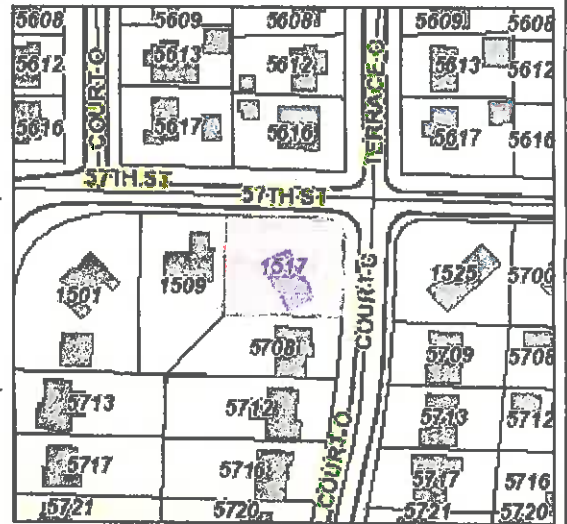
CITY/STATE: BIRMINGHAM AL

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:

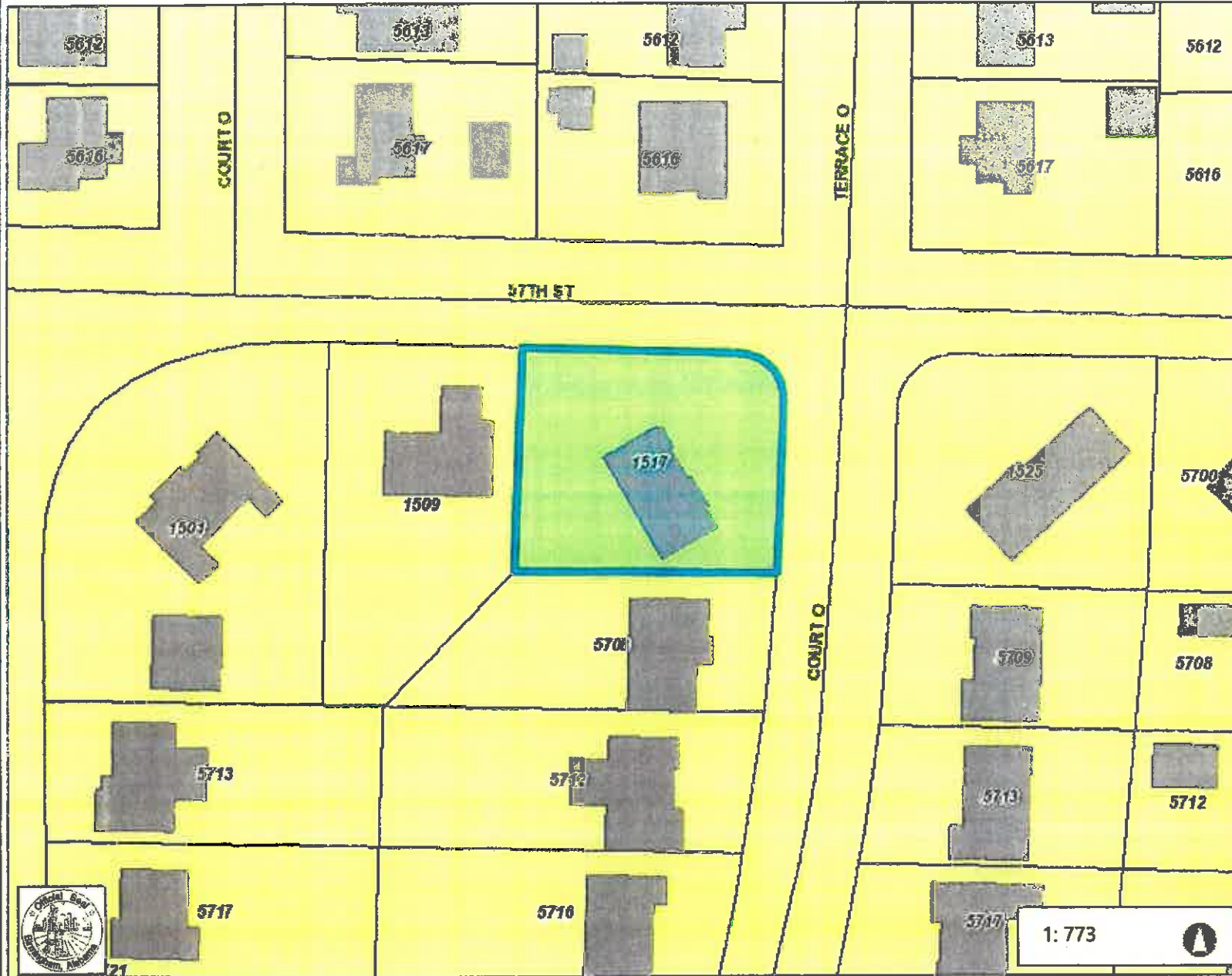
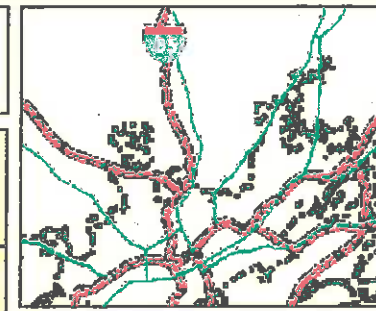
NAME PARK COURTS 2ND SECTOR

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

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



Legend

- Centerline Labels
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Zoning Shaded
 - R1; D1 - Single Family District - 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: 773

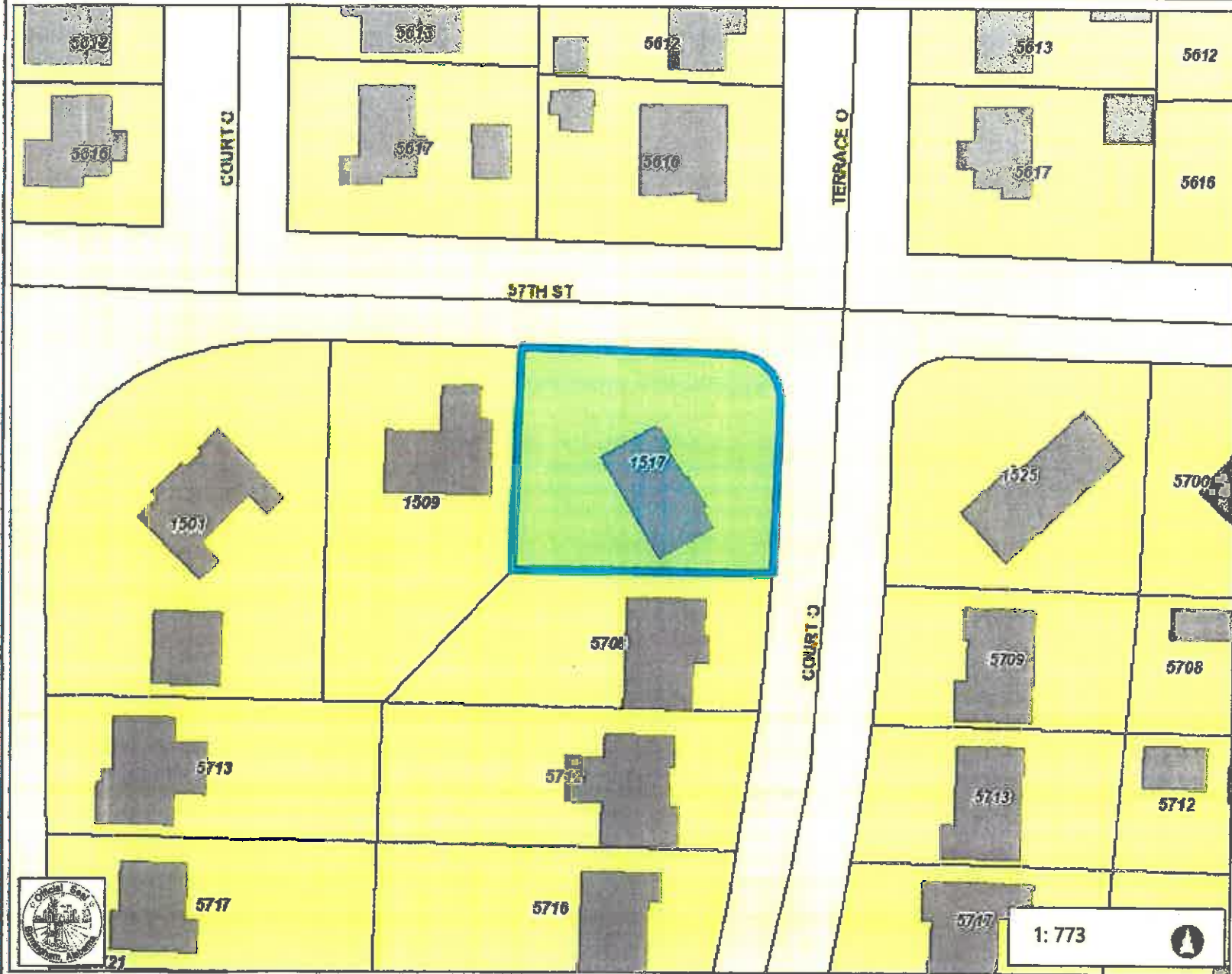
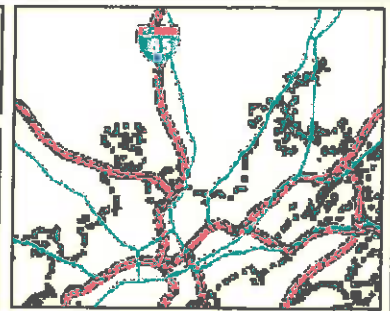


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Notes



ZBA2020-00024 ADOPTED LAND USE MAP



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

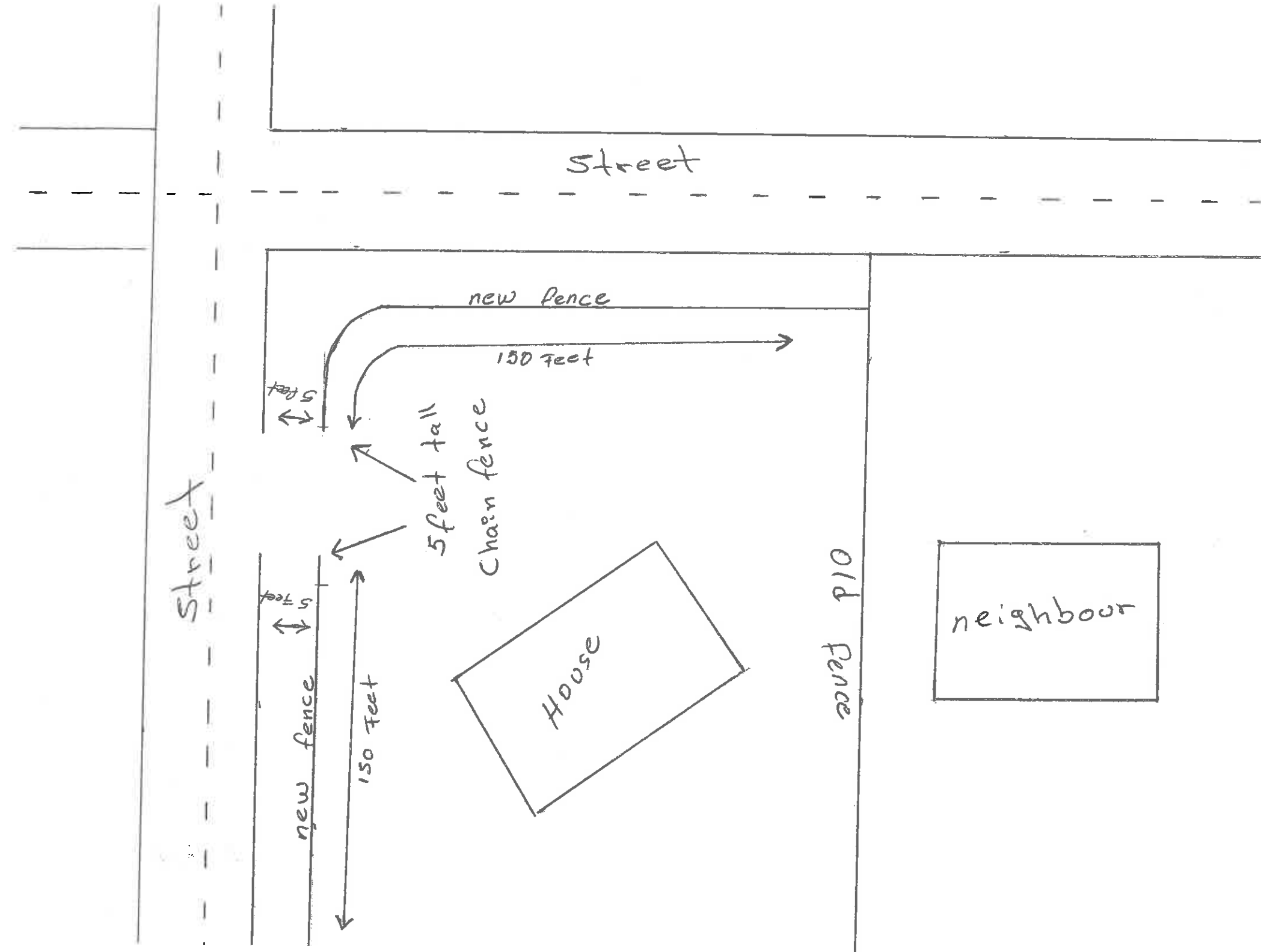


1: 773



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Notes







Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: Crestline

Staff Planner Moton

ZBA2020-00038

Request: Variance to encroach 14ft into the established front yard setback Title 1, Chapter 3, Article I, Section 2.D.2.
Applicant: John A. Trott
Owner: John A. Trott
Site Address: 629 Haygood St
Zip Code: 35213
Description: The applicant is requesting to allow a 14ft encroachment into the front yard setback
Property Zoned: R-3 Single Family District
Parcel Information: Parcel #: 012300342001011000, NW of Section 34, Township 17 S, Range 2 W

Variance:

The applicant is requesting to allow a 14ft encroachment into the front yard setback to allow a covered front porch.

Neighborhood Meeting:

The Crestline Neighborhood Association voted in support of the request.

Public Notices:

Public notices were mailed on August 28, 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.

In looking at the GIS plot for the entire block of Hagood, many houses are 50 feet or more set back and two are more than 100 feet. Due to the unique and varied set backs on the East side (my side) of the street I feel that adding a 14' covered porch will add to the unique characteristics of the block. If the covered porch is approved the front of the house will still have approximately 55' setback from the road. The hardship that has been placed on me was created by the original owners at 645 Hagood Street. That home was built at least 20 years later (mid 70s) than my home which was constructed in 1952. The improvements to my home are strictly for the pleasure of a covered porch. My 91 year old, mother, who has a rental house just down Hagood, loves a porch swing and since she visits often I would like to be able to use an old family porch swing on the front porch as she enjoys her visit. It is a simple pleasure I can give her in her waning years and it is important to me. I have discussed this with my adjoining neighbors and they do not have any issues with my adding a front porch to the house. It is my hope that you will approve this small addition to my home so that I can continue to enjoy my neighborhood and my home of 17 years.

Staff Analysis:

The subject property located at 629 Hagood St is zoned R-3, Single Family District. The applicant is requesting to allow a 14ft encroachment into the front yard setback to allow a covered front porch. The required setback for R-3 zoning district is 25ft; however, the property has an established yard setback of 104ft when you take the average of the adjacent property owners of both sides making the property legal nonconforming. The current setback of the house

is 79ft. The existing setbacks of the properties on the same block are 53ft, 63ft, 74ft, 135ft, 126ft, 68ft, and 51ft. Adding the porch addition will not place the setback closer than most of the adjacent properties.

The applicant does meet the requirement of the six variance standards.

Staff Recommendation

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

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

To Birmingham City Planning and Zoning Commission

Re: Project for addition of Front Porch to 629 Hagood Street

I, Andrew Newcomb an adjoining neighbor to 629 Hagood Street have been informed of their desire to add a front porch to their existing home and have no issues with this project.

Name ANDREW NEWCOMB

Address 625 HAGOOD ST.

Phone 205-478-4793

To Birmingham City Planning and Zoning Commission

Re: Project for addition of Front Porch to 629 Hagood Street

I, Mary Ann B. Rice an adjoining neighbor to 629 Hagood Street have been informed of their desire to add a front porch to their existing home and have no issues with this project.

Name Mary Ann B Rice

Address 633 Hagood Street, Bham 35213

Phone 205-871-7459

PARCEL ID: 012300342001011000

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

DATE: Friday, August 14, 2020 10:11:59 AM

OWNER: TROTT JOHN A & WALES KATHY

ADDRESS: 629 HAGOOD ST

CITY/STATE: BIRMINGHAM AL

ZIP+4: 35213

SITE ADDR: 627 HAGOOD ST

CITY/STATE: BHAM, AL

ZIP: 35213



LAND: \$184,000.00

BLDG: \$179,600.00

OTHER: \$0.00

AREA: 28,212.23

ACRES: 0.65

SUBDIVISION INFORMATION:

NAME PETERSONS ADD CRESTLINE

BLOCK: 0000

LOT: A

:

Section: 34-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Crestline (301)

Communities: Crestline (3)

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

Zoning Outline: R3

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Upper Shades Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: Not in RISE Focus Area

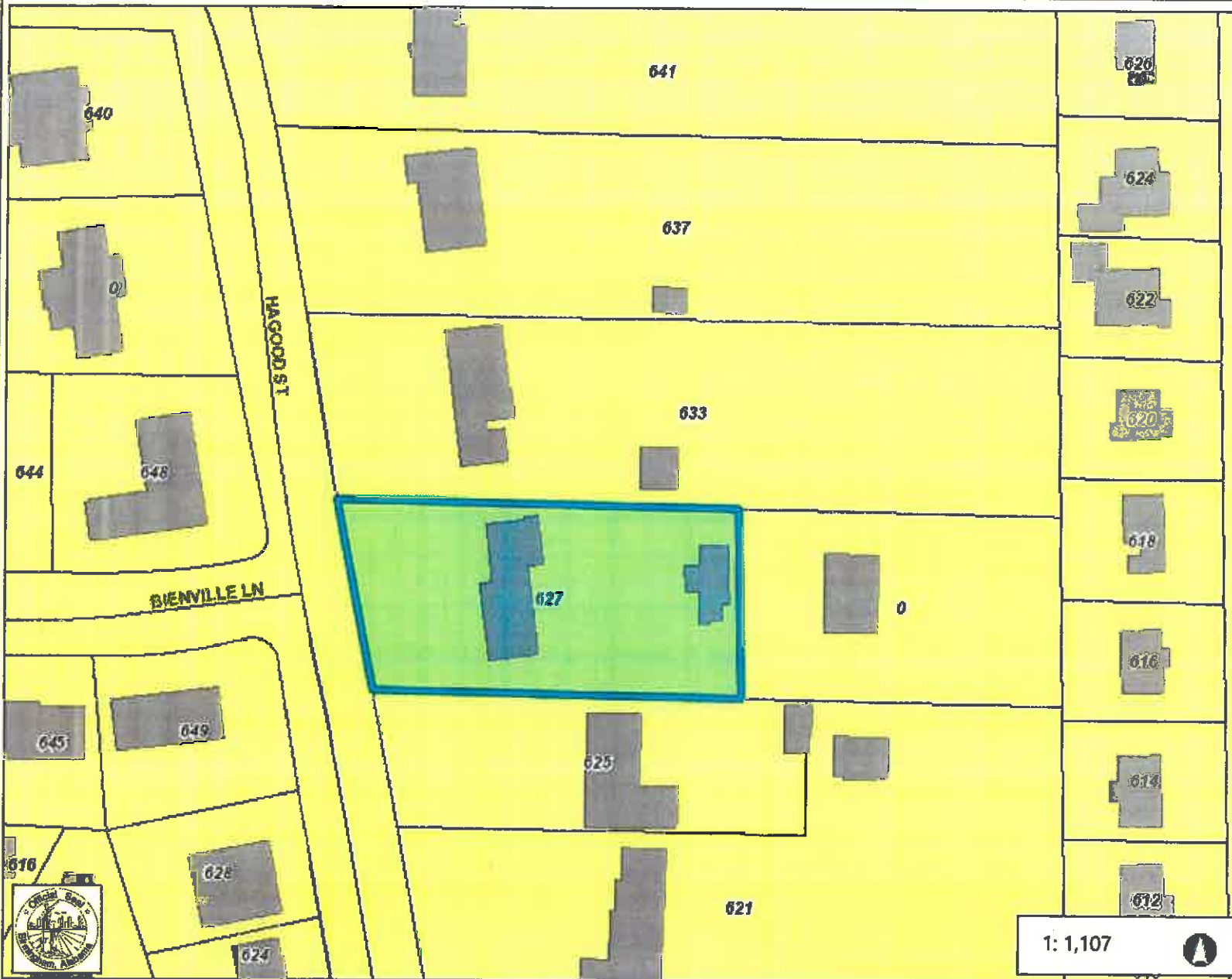
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON

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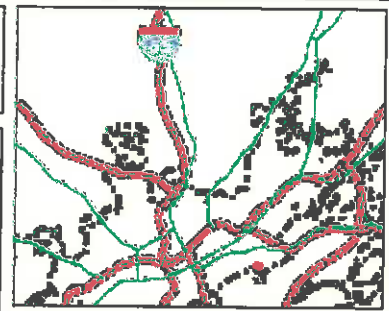
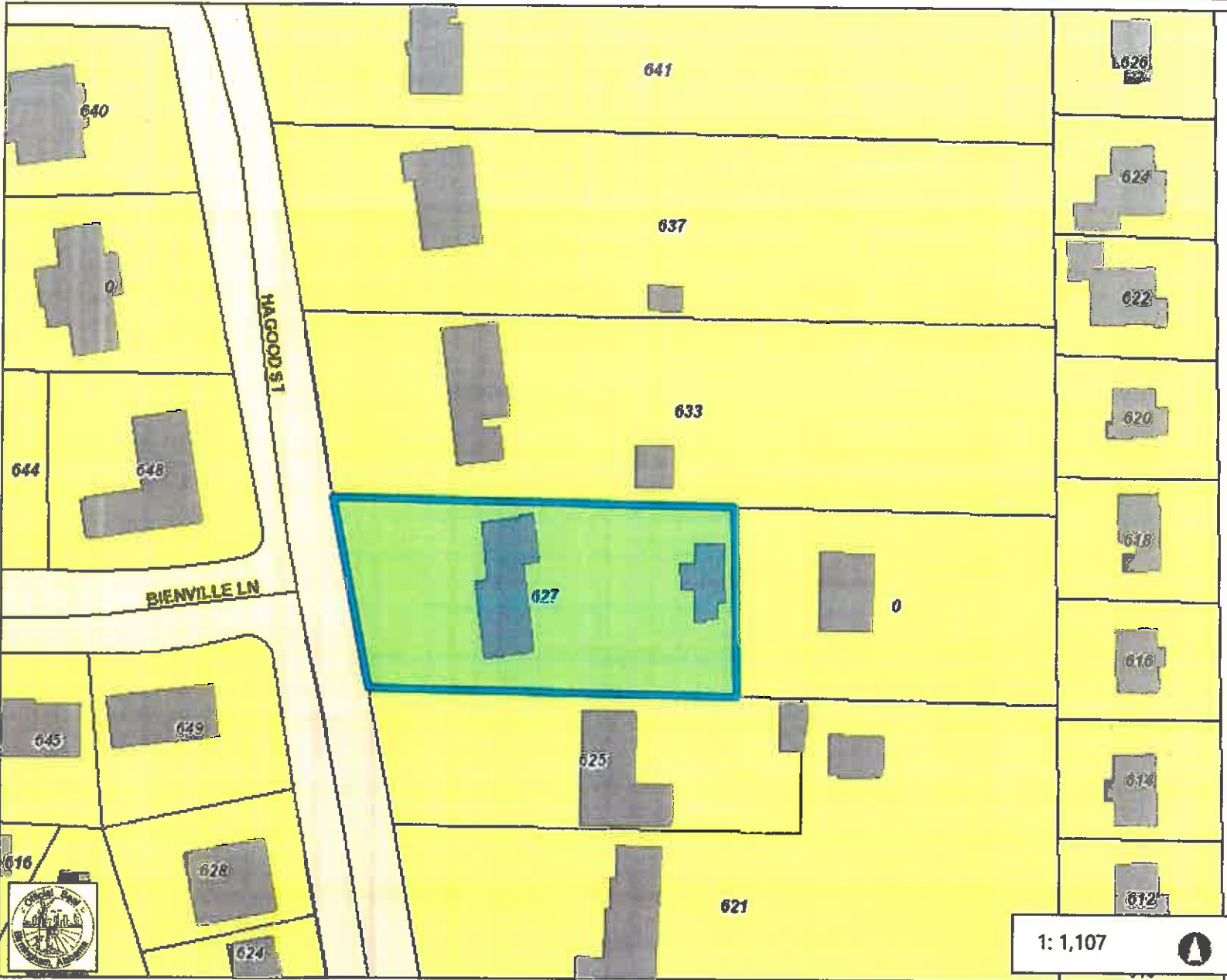


1: 1,107



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1: 1,107



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Notes

Northeast Corner of NE 1/4 of NW 1/4
Section 39, Township 17 South, Range 2 West,
JEFFERSON COUNTY, AL.

BLOCK 18
11 10 9 8
ANGARDED MAP OF CRESTLIE PARK
Map Book 32 Page 62

Deed S 7° 23' E 549.0 (N 7° 5')

SCALE: 1" = 50'

(PARCEL II)

PANEL I

HAGOOD STREET
Asphalt Pavement

Front

RESERVE
LINE





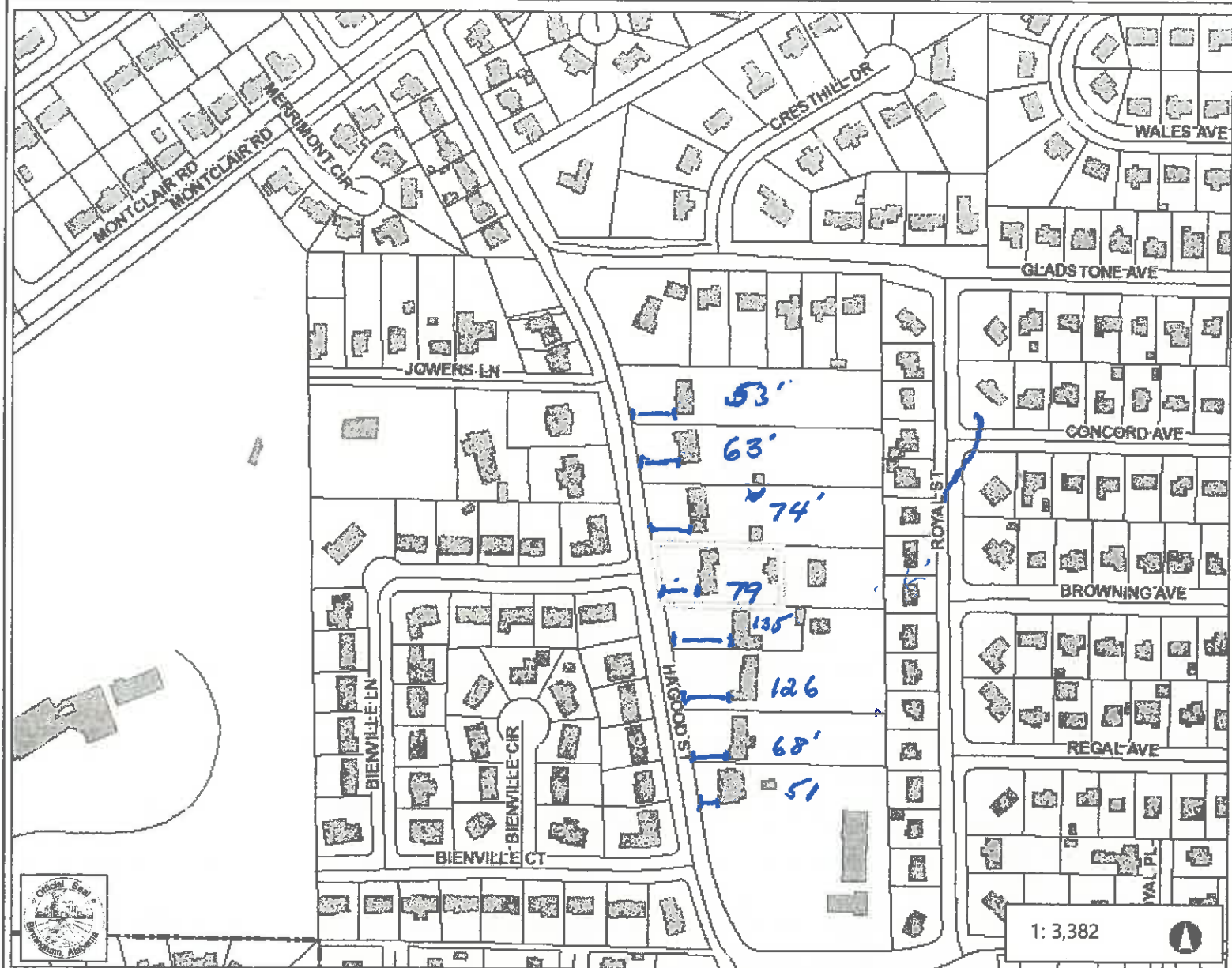
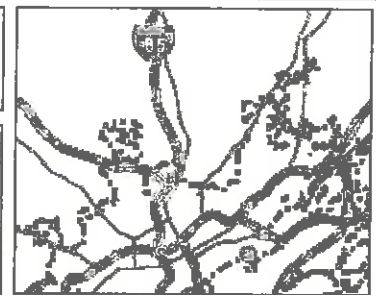
629 Hagood St

ZBA2020-00038



Google

Image capture: Mar 2017 © 2020 Google



Legend

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- Interstates
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- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- City Limits (solid)



1: 3,382

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Notes

FRONT of Property



RIGHT SIDE

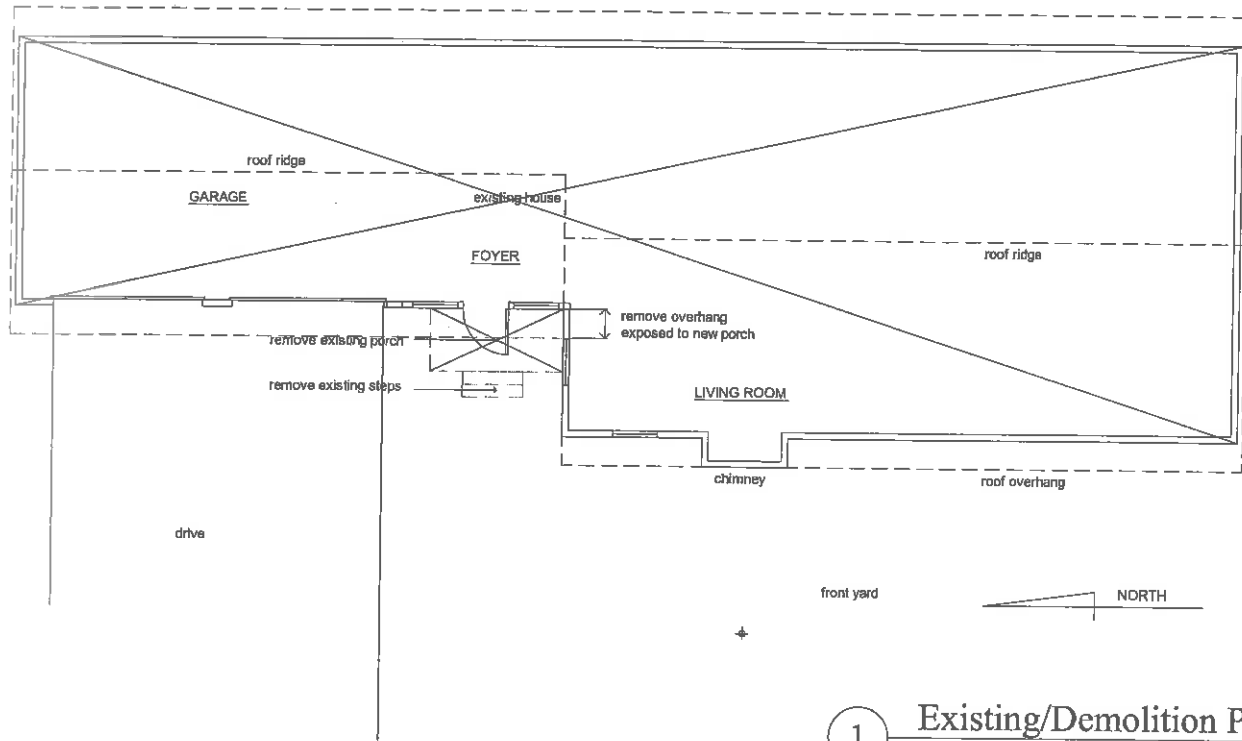


LEFT SIDE of Property









1 Existing/Demolition Plan
1/8" = 1'-0"

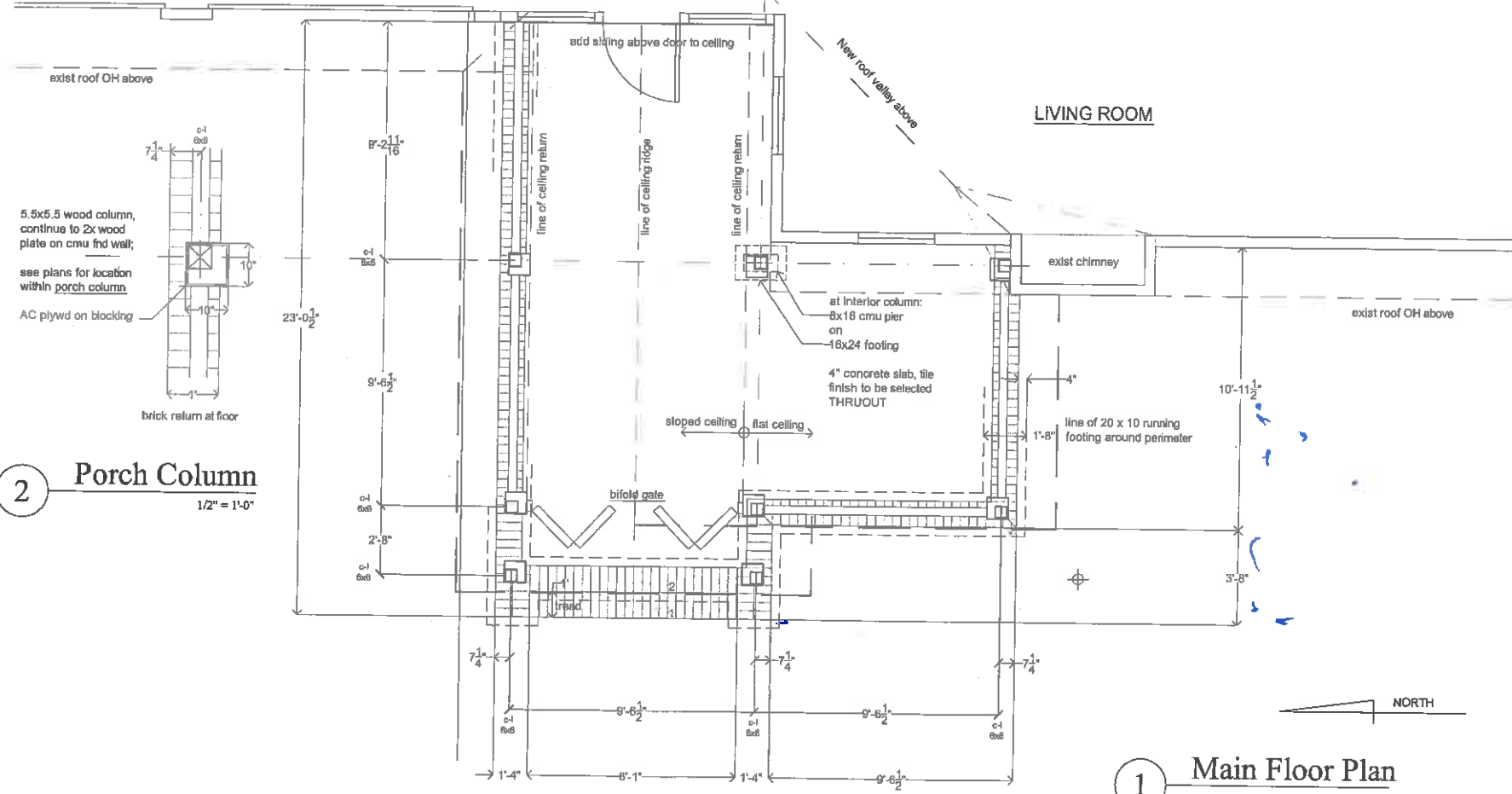
Porch Addition for
Residence
 629 Hagood Street
 Birmingham, AL 35213

Randy Britton Architect
rbarch@gmail.com P 205 871 6200 C 205 807 3462 randybritton.com
Porch Addition for Residence 629 Hagood Street Birmingham, AL 35213
Plan- Existing & Demolition
11/21/2019
A1.10

GARAGE

FOYER

LIVING ROOM



2

Porch Column

1/2" = 1'-0"

1

Main Floor Plan

1/4" = 1'-0"

Randy Britton
Architect

randyb@bri.com
P 205 871 6200
C 205 807 5462
randy@britton.com

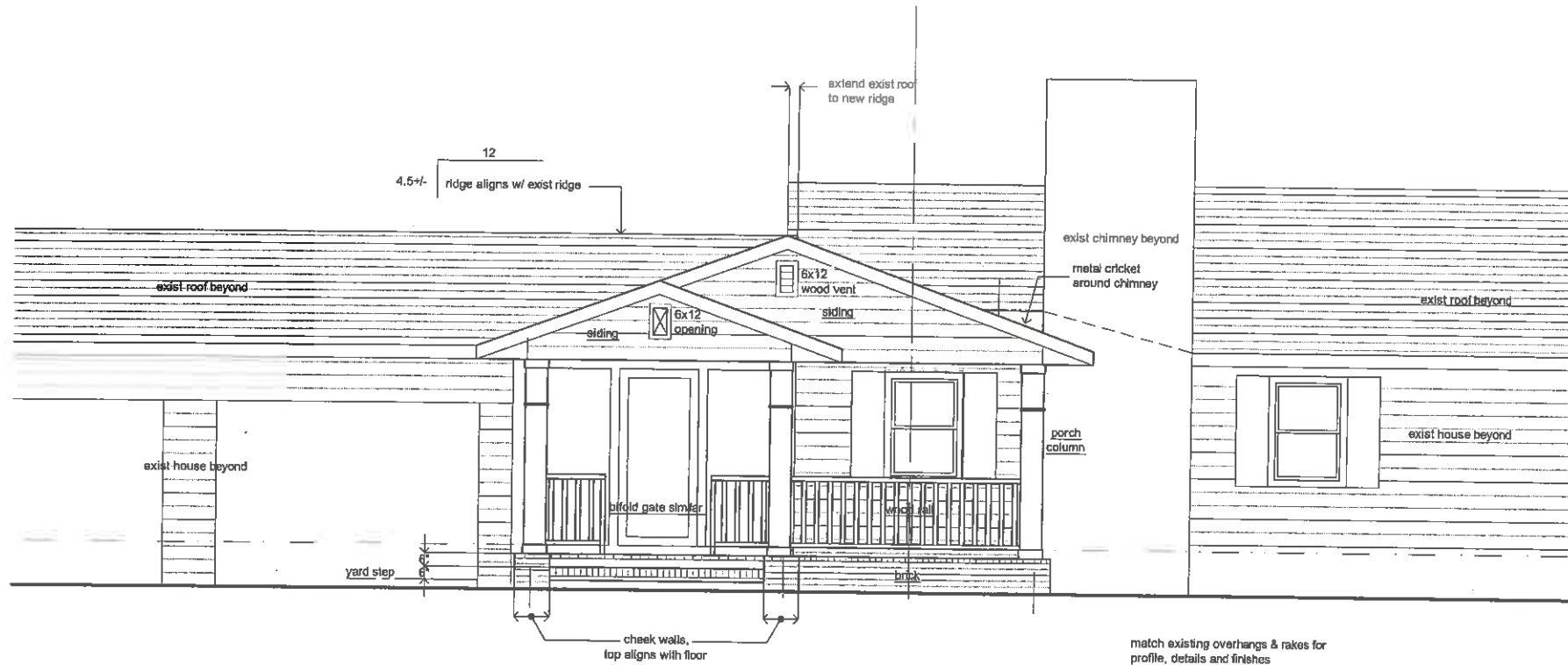
Porch Addition for
Residence
629 Hageood Street
Birmingham, AL 35213

Floor Plan
New

11/21/2019

AL11

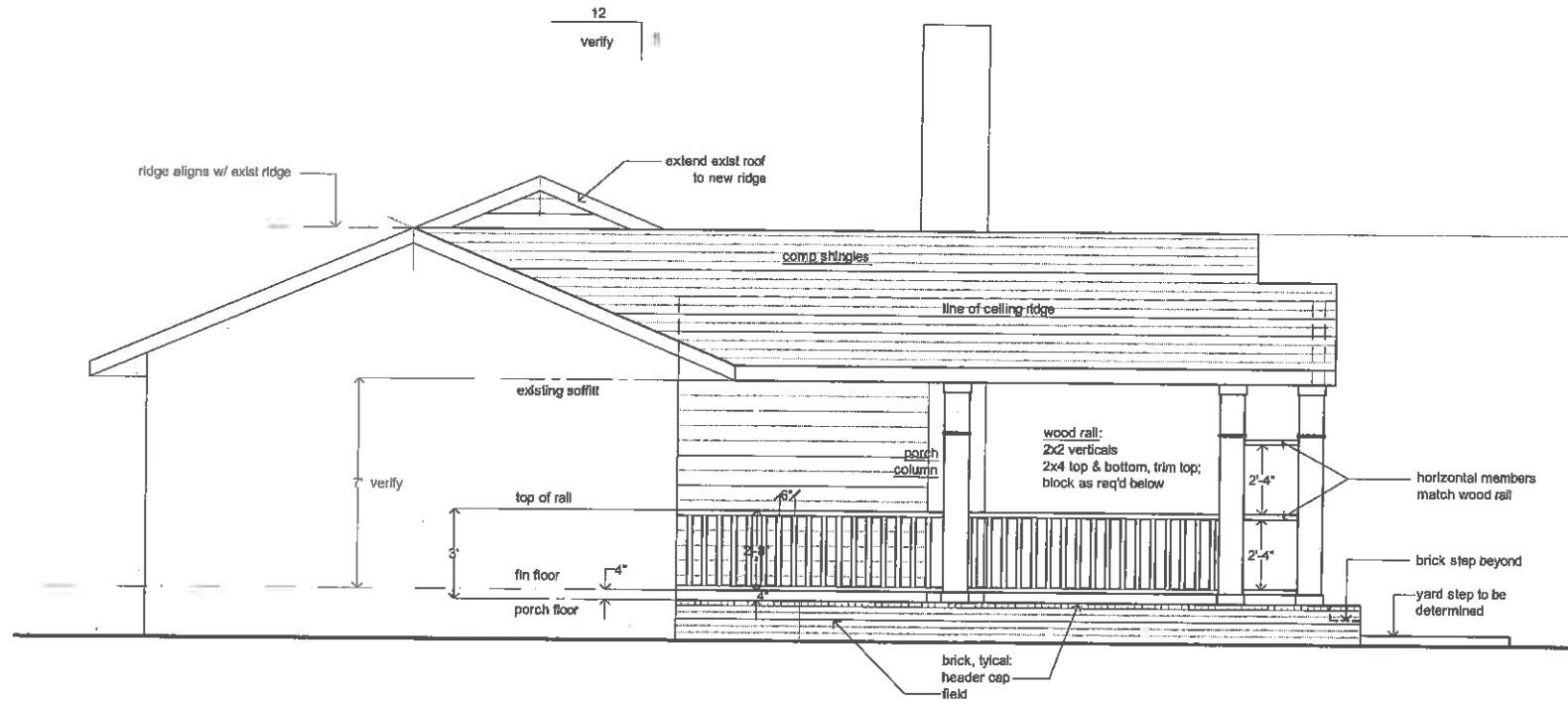
2 of 6



match existing overhangs & rakes for profile, details and finishes
 roof and wall finishes match existing

1 West Elevation
 1/4" = 1'-0"

Randy Britton Architect
rbruce@gmail.com P 205 877 0200 C 205 807 3462 randybritton.com
Porch Addition for Residence 629 Hazeood Street Birmingham, AL 35213
West Elevation
11/21/2019
A2.11



1 North Elevation
1/4" = 1'-0"

Randy Britton
Architect

rbachi@gmail.com
P 205 871 6200
C 205 807 5462
randybritton.com

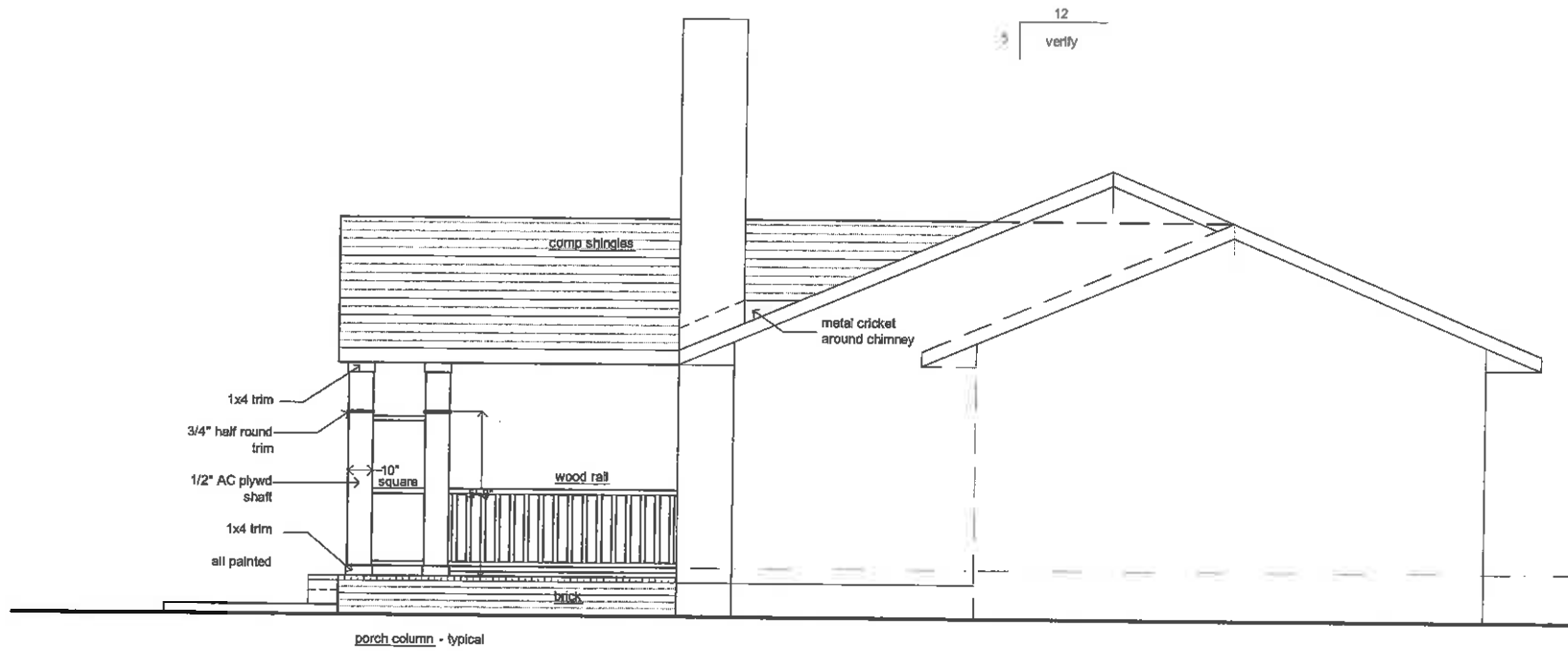
Porch Addition for
Residence
629 Hasgood Street
Birmingham, AL 35213

North Elevation

11/21/2019

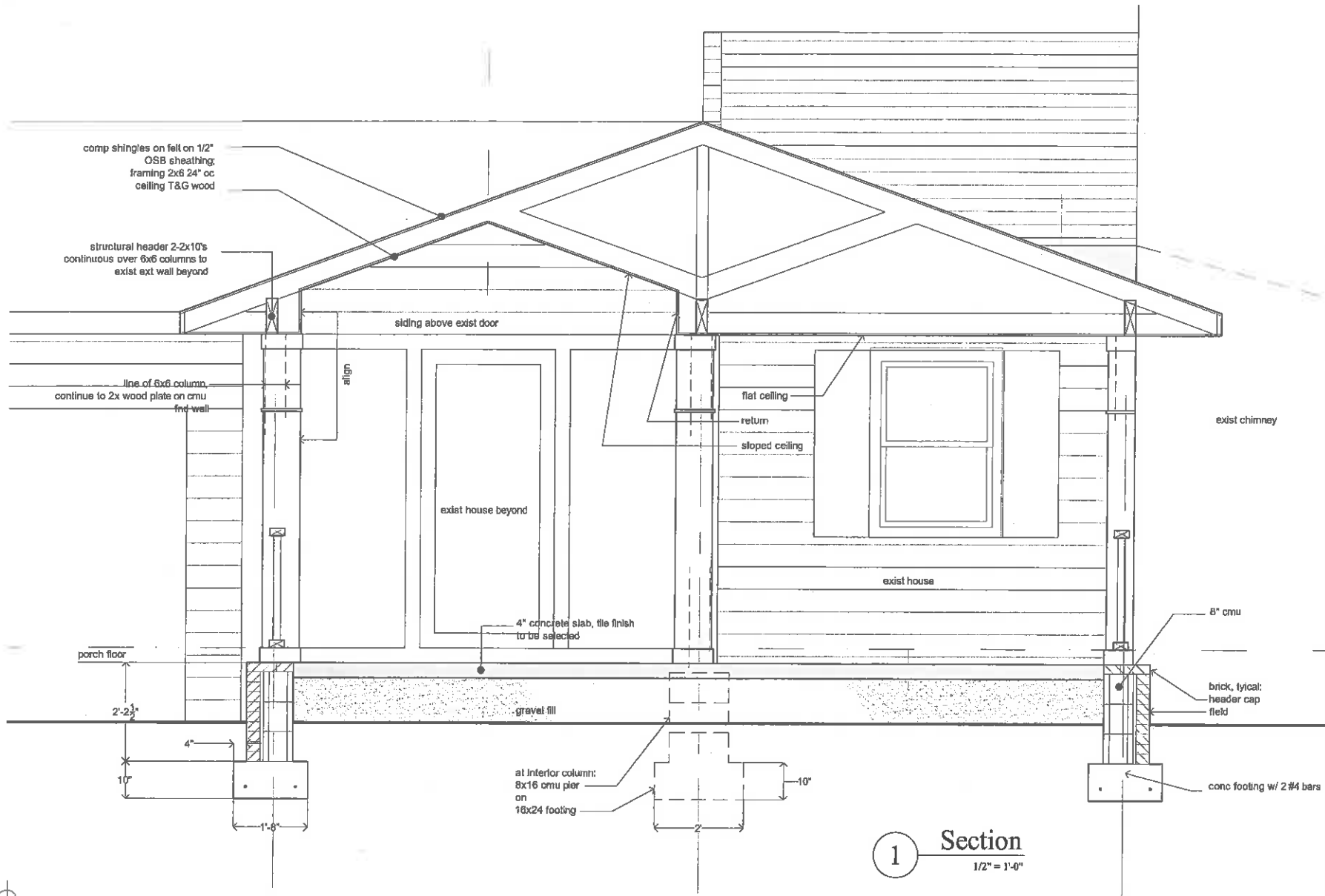
A2.12

4 of 6



1 South Elevation
1/4" = 1'-0"

Randy Britton Architect	rbarchi@gmail.com P 205 871 6200 C 205 807 5462 randybritton.com	Porch Addition for Residence 629 Hagood Street Birmingham, AL 35213	South Elevation	11/21/2019	A2.13
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1 Section
1/2" = 1'-0"

Randy Britton Architect
rbrarch1@gmail.com P 205 871 6200 C 205 807 5462 randybritton.com
Porch Addition for Residence 629 Haggood Street Birmingham, AL 35213
Section
11/21/2019
A3.11

Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: Central Park

Staff Planner Moton

ZBA2020-00039

Request: Special Exception to allow resumption of a legal nonconforming daycare pursuant to Title 1, Chapter 9, Article V, Section 4.A
Applicant: Eric Walker
Owner: Eric Walker
Site Address: 4941 Court R
Zip Code: 35208
Description: Special Exception to allow resumption of a legal nonconforming daycare
Property Zoned: D-3 Single Family District
Parcel Information: Parcel #: 012900083007002000, SW of Section 08, Township 18 S, Range 3 W

Variance:

Special Exception to allow resumption of a legal nonconforming daycare.

Neighborhood Meeting:

The Central Park Neighborhood Association did not have a meeting; however, Ms. Moore is in support of the request, as long as the parking spaces are demarcated clearly, proper planting to be on the site to allow the business to be more aesthetically pleasing and business to meet all sign ordinances.

Public Notices:

Public notices were mailed on August 28, 2020

Staff Analysis:

The subject property located at 4941 Court R is zoned D-3, Single Family District. The applicant is requesting to allow a resumption of a legal nonconforming daycare. The last business license that was issued for the daycare was in 2013. The daycare was closed in 2015. This property has not been used for any other occupancy since then making it eligible for a resumption. The hours of operation will be Monday-Friday from 6:30am- 6:00pm. They are permitted to allow up to 17 children.

Staff Recommendation

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

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Parking spaces must be demarcated clearly, proper planting to be on the site to allow the business to be more aesthetically pleasing and business to meet all sign ordinances.

PARCEL ID: 012900083007002000

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

DATE: Friday, August 14, 2020 10:39:47 AM

OWNER: WALKER ERIC D

ADDRESS: 4393 LONGWOOD DR

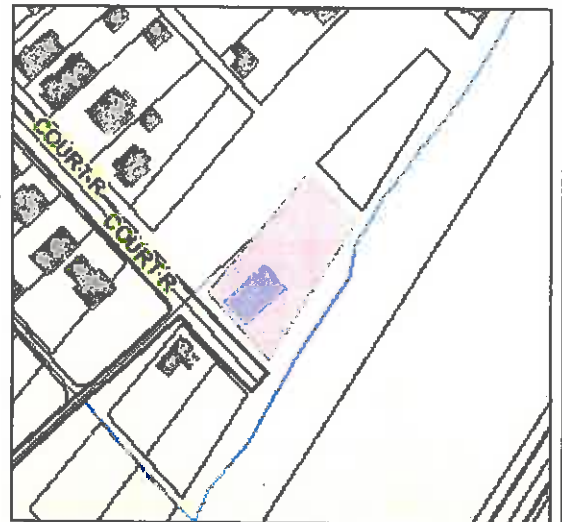
CITY/STATE: GARDENDALE AL

ZIP+4: 35071--4661

SITE ADDR: 4941 COURT R

CITY/STATE: BHAM, AL

ZIP: 35208



LAND: \$33,800.00

BLDG: \$43,900.00

OTHER: \$0.00

AREA: 18,478.88

ACRES: 0.42

SUBDIVISION INFORMATION:

NAME CENTRAL PARK LD ACRE LOTS

BLOCK: 34

LOT: F

:

Section: 8-18-3W

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: In Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Central Prk (203)

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

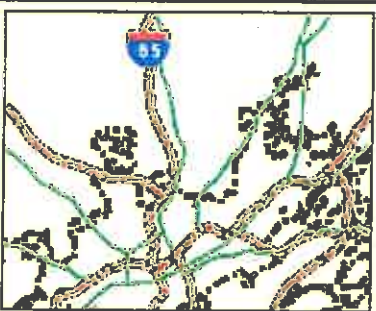
Tax Delinquent Property: Not in Tax Delinquent Property

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Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON

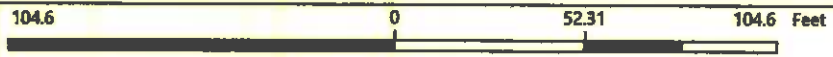
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 - R2; D2 - Single Family District - Cla
 - R3; D3 - Single Family District; R3
 - R4; D4 - Two Family District; R4
 - R4A - Multiple Dwelling District
 - R5; D5 - Multiple Family District; D5
 - R6; D6 - Multiple Family District
 - R7 - Multiple Family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

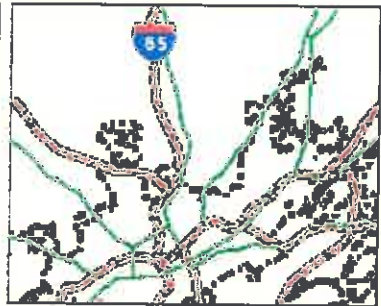
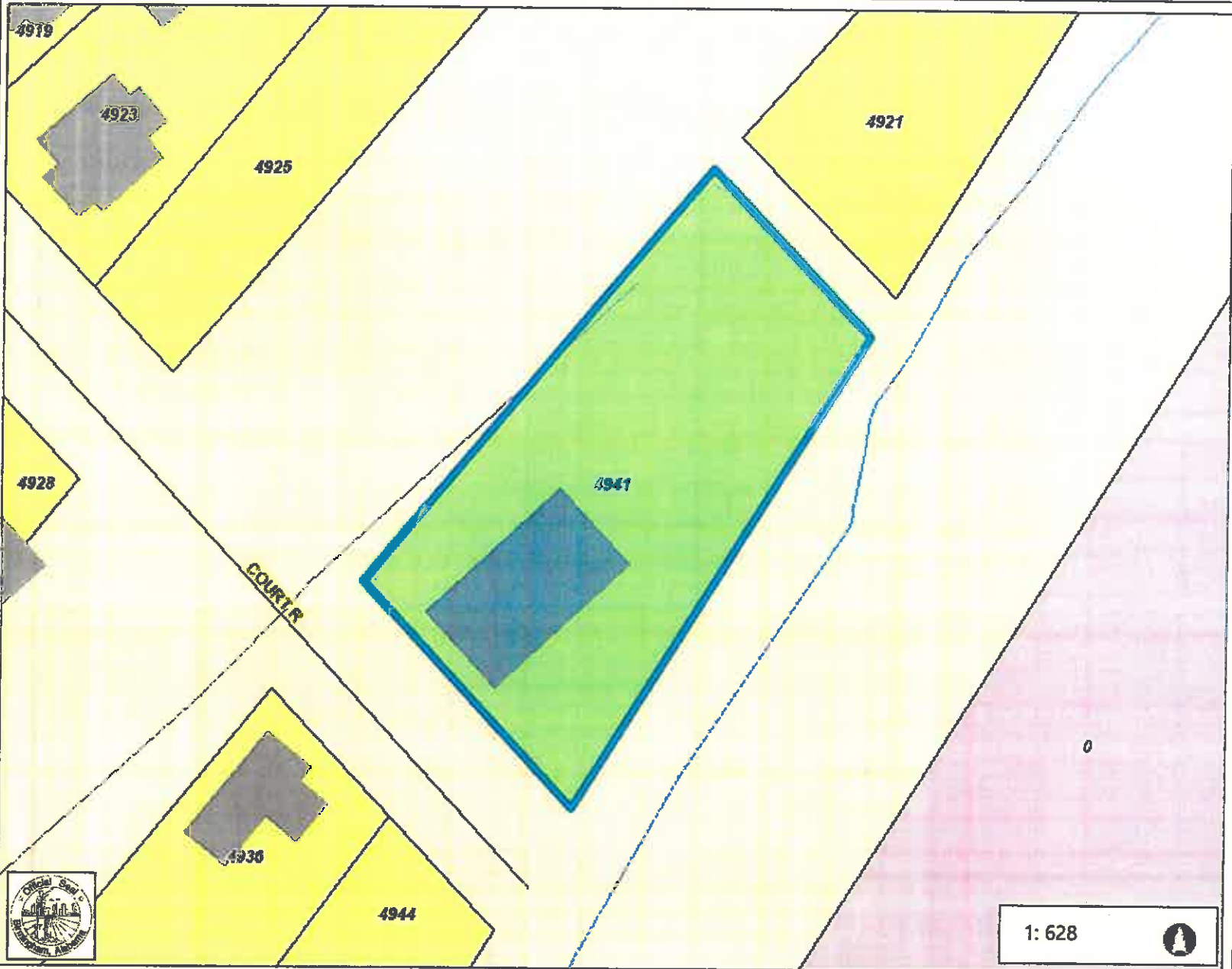


1: 628



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- Arterials
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- 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: 628



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

Notes

31.9'

Playground area

One Story
EXISTING
Building

Ramp

Drop off / Pickup area

Porch 34x7F 11'

Court R

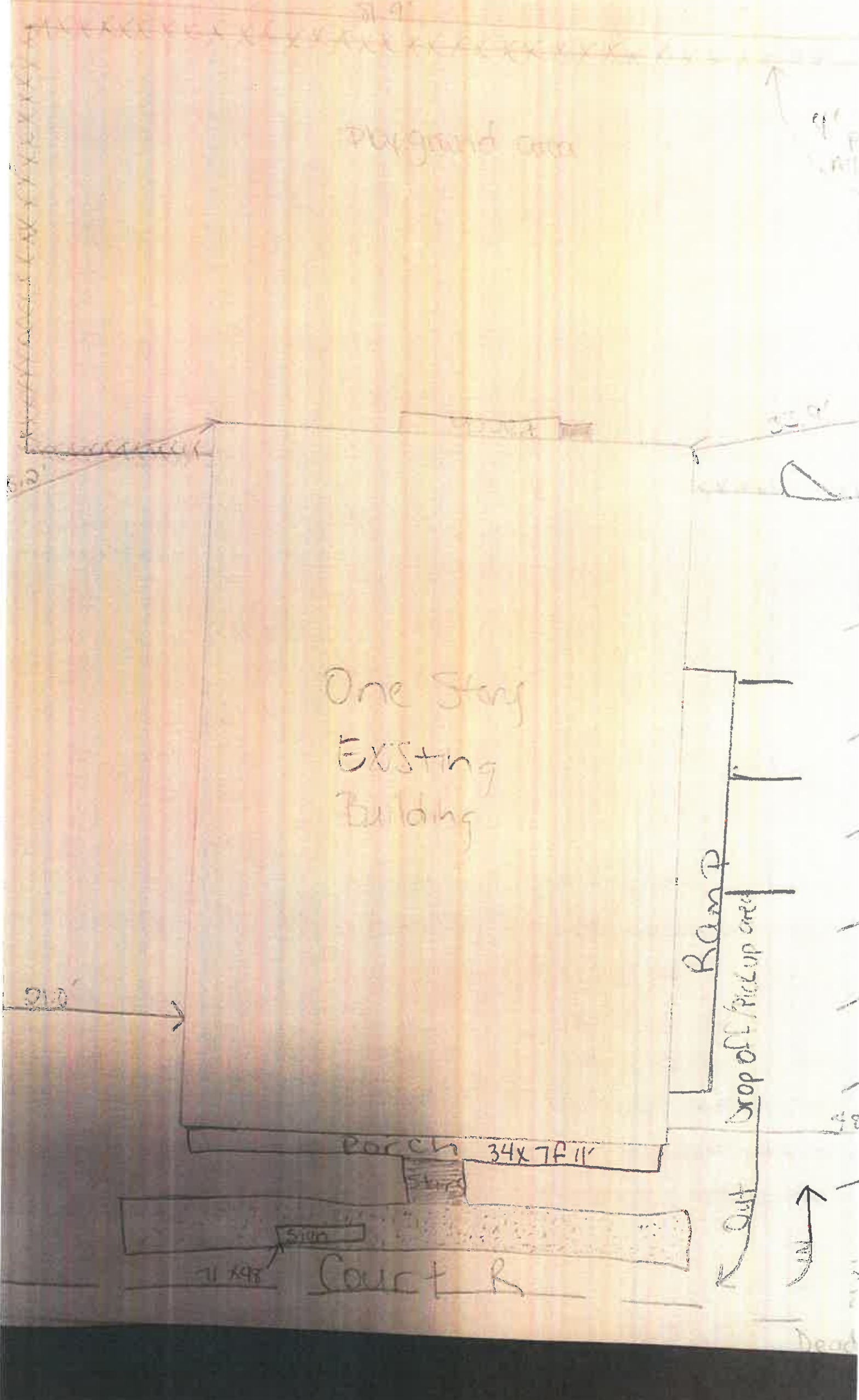
Sign

71 x 48

Out

IN

Dead







TATER TOTS
LEARNING CENTER

205-382-5341

4941 COURT R

www.tatertotslearningcenter.com

TOP IS... PLEASE CALL
TOP IS... PLEASE CALL











Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: Acipco-Finley Staff Planner Moton ZBA2020-00040

Request: Variance to allow an electrified fence pursuant to Title 1, Chapter 4, Article IV, Subsection 7.D.5
Applicant: Nikki Huggins
Owner: TECO Inc.
Site Address: 2109 16th St N
Zip Code: 35204
Description: The applicant is requesting to allow an electrified fence
Property Zoned: I-1, Light Industrial District
Parcel Information: Parcel #: 012200233020001000, SW of Section 23, Township 17 S, Range 3 W

Variance:

The applicant is requesting to allow a 10' electric guard dog security fence installation inside existing perimeter.

Neighborhood Meeting:

The Acipco-Finley Neighborhood Association voted not to support the request. Below you will see responses from some concerns citizens:

- Ms. Evans, Acipco-finley Neighborhood President, does not support the request of the electrified fence due to safety concerns. She suggests trying other safety measures such as a camera or security guard.
- Ms. Tripp, 1200 Finley Ave N, is against the request due to safety concerns, political and honor due to the conditions that took place in the 60's and 70's in that area.
- Diane & Eddie waters, 2302 11th Pl N, is against the request due to the danger it puts children, and strangers in. They suggest using a barbed wire fence instead.
- Freddy Lewis, 9 22nd Ave W, is against the request due to it being dangerous for animals and children. He suggests putting in a security alarm.
- Ms. McCracken, 1627 36th St N, is against the request due to the fact that there is too much going on now.
- Adriane Peterson, 1309 23rd Ave N, is opposed to the electrified fence.
- Caroline Peterson, does not want the fence.
- Sandra Tolvert, does not want the fence.
- Donald Smith, 1228 Finley Ave, does not want the fence.
- Ruby Bellcher, does not want the fence in the neighborhood.
- Maurice Ryce, 1316 21st Ave N, does not want the fence.
- Pamela Abernathy, 1323 22nd Ave n, do not want it because it is dangerous.
- Ruby smith, 34th ave n between 16th and 17th st, we do not want it in the neighborhood.
- Tammy Smith VP OF Acipco-Finley, 1708 33rd Ave N, does not want the fence.

Public Notices:

Public notices were mailed on August 28, 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.

The Electric Guard Dog system is a monitored alarm system. It is comprised of 20, 12.5 gauge, galvanized steel wires which are run horizontally to the height of 10' (or 2' taller than the perimeter fence). The poles that these strands are attached to are steel. This component of the alarm system detects perimeter breach by touch and motion. It is installed 6-12" inside of the property's existing perimeter fence. Our system is operated by a 12V/DC battery and is 100% independent of the electrical grid (non-metered). The system does deliver a medically safe, pulsed shock which has a duration of four-ten-thousandths of a second every 1.3 seconds. Again, our system is 100% battery operated.

The site is completely in an industrial area. The site is abutting 2 Railroad tracks on one side, a large landscaped area in the rear, and the frontage is setback off of the roadway. That means this criminal activity could also affect other businesses in proximity to this site. The perimeter fence has not been able to keep them out and it is not possible for security guards to effectively and constantly monitor the entire lot due to its size. There have been recent break-ins.

The request is to grant a variation to the code which will allow the installation of a low voltage, battery powered, electric fence in order to effectively secure the property.

1. Snider Fleet Solutions is a commercial/industrial Fleet Service Provider. They have highly desirable supplies, inventory and equipment onsite. We believe hardships to be:
 - a. High value of inventory – parts, equipment, customer fleet
 - b. Due to size and nature of items, they **must** be stored in outside lot and cannot be protected inside a building
 - c. As the storage area is 1067 linear feet in perimeter, it is not possible for security guards to effectively and constantly monitor the entire lot.

The high value targets secured in the yard are an open invitation to the criminal class. The only system that actually PREVENTS crime and break-ins is the Electric Guard Dog security system

2. Presently the code does not allow for electrified fencing. The business is currently using a perimeter fence which has proven ineffective, resulting in recent theft.
3. The variance authorized will not be injurious to adjacent properties or the surrounding neighborhood or otherwise be detrimental to public welfare. It is installed completely inside the existing perimeter, non-electrified fence and therefore not exposed to the public. To come in contact with the EGD, one would have to be trespassing and illegally entering the property.
4. This variance is in harmony with and serves the general intent and purpose of the City of Birmingham Code because it enhances the community by effectively deterring crime. It is not exposed to the public so there is no danger or nuisance. Much more effective and reliable than security guards, Electric Guard Dog by Amarak will provide Snider Fleet with an affordable means to protect their assets and employees, allowing them to invest monies into growth, resulting in continued employment and continued or increased tax base for the county. With the recent crime, they require our more effective security system to remain a viable business. This security system requires the fence to be 10' to be most effective.
5. This variance is not being sought to relieve illegal acts or self-imposed hardships. The business is a reputable business, located in the appropriate zoning and complies with all other county ordinances. The variance authorized will be consistent with the general purpose and intent of the provision from which the variance is sought as the general safety and welfare of the public is maintained, crime is prevented, and the City can husband police resources toward crime other than property break-ins and vandalism. The variance is the minimum necessary to relieve a practical difficulty and resulting hardship, cameras record crime and

don't prevent it, guards are unreliable (don't show up for work, sleep on the job, and at times are complicit in the criminal action). The EGD is the most reliable, most economical, and safest security application available. In actuality the installation of the EGD will secure the variance property and increase the security of the surrounding properties and the immediate area by deterring the criminal element.

Staff Analysis:

The subject property located at 2109 16th St N is zoned I-1, Light Industrial District. The subject property does not abut any residential zoned districts. There is already a fence existing on the property, the electrified fence will go inside the perimeter of the existing fence.

The applicant does meet the requirement of the six variance standards.

Staff Recommendation

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

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Fence cannot be powered by an electrical current, only a 12-volt battery.
3. Must be approved by the City's Building Official before installation.
4. Applicant is required to meet the electrical flood protection height.
5. All permits including a fence permit should be obtain within one year of the approval date from the Board.

PARCEL ID: 012200233020001000

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

DATE: Friday, August 14, 2020 11:23:47 AM

OWNER: TECO INC

ADDRESS: 3333 TIMBER RIDGE DR

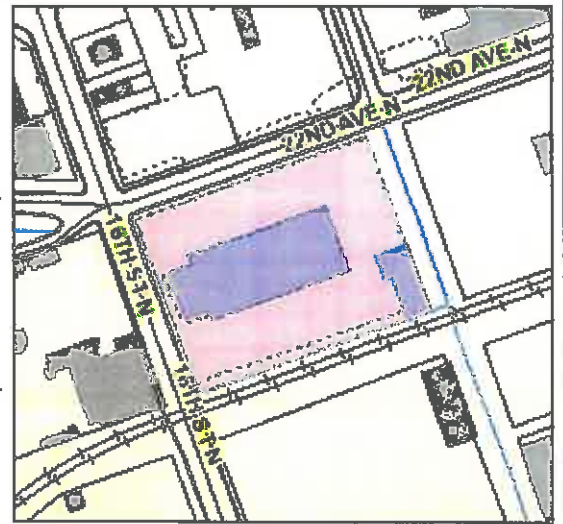
CITY/STATE: VESTAVIA AL

ZIP+4: 35243--2839

SITE ADDR: 1608 22ND AVE N

CITY/STATE: BHAM, AL

ZIP: 35204



LAND: \$180,000.00

BLDG: \$496,700.00

OTHER: \$0.00

AREA: 119,508.68

ACRES: 2.74

SUBDIVISION INFORMATION:

NAME NORTH BHM R B 373 22-23-3

BLOCK: 373

LOT:

:

Section: 23-17-3W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: In Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Acipco-Finley (1101)

Communities: North Birmingham (11)

Council Districts: District - 9 (Councilor: John Hilliard)

Zoning Outline: I1

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

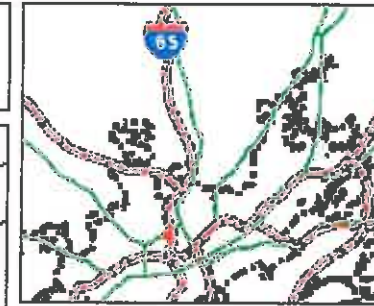
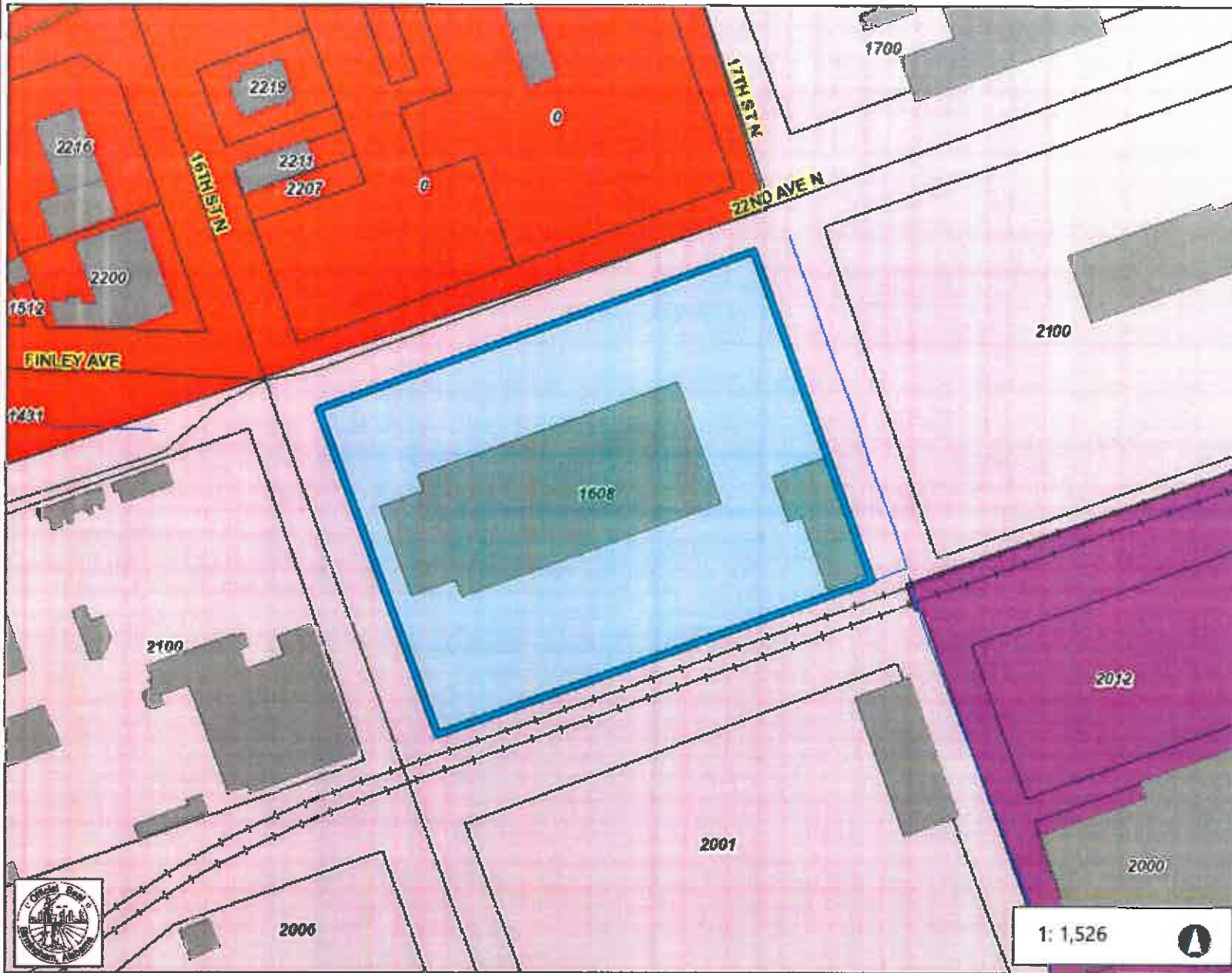
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

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



Legend

- Centerline Labels
- + Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Zoning Shaded
 - R1; D1 - Single Family District - 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

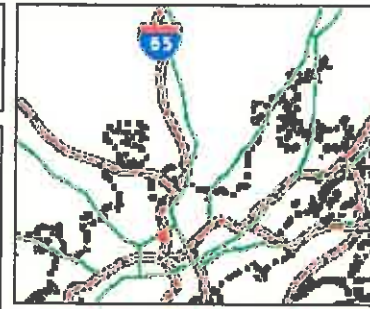
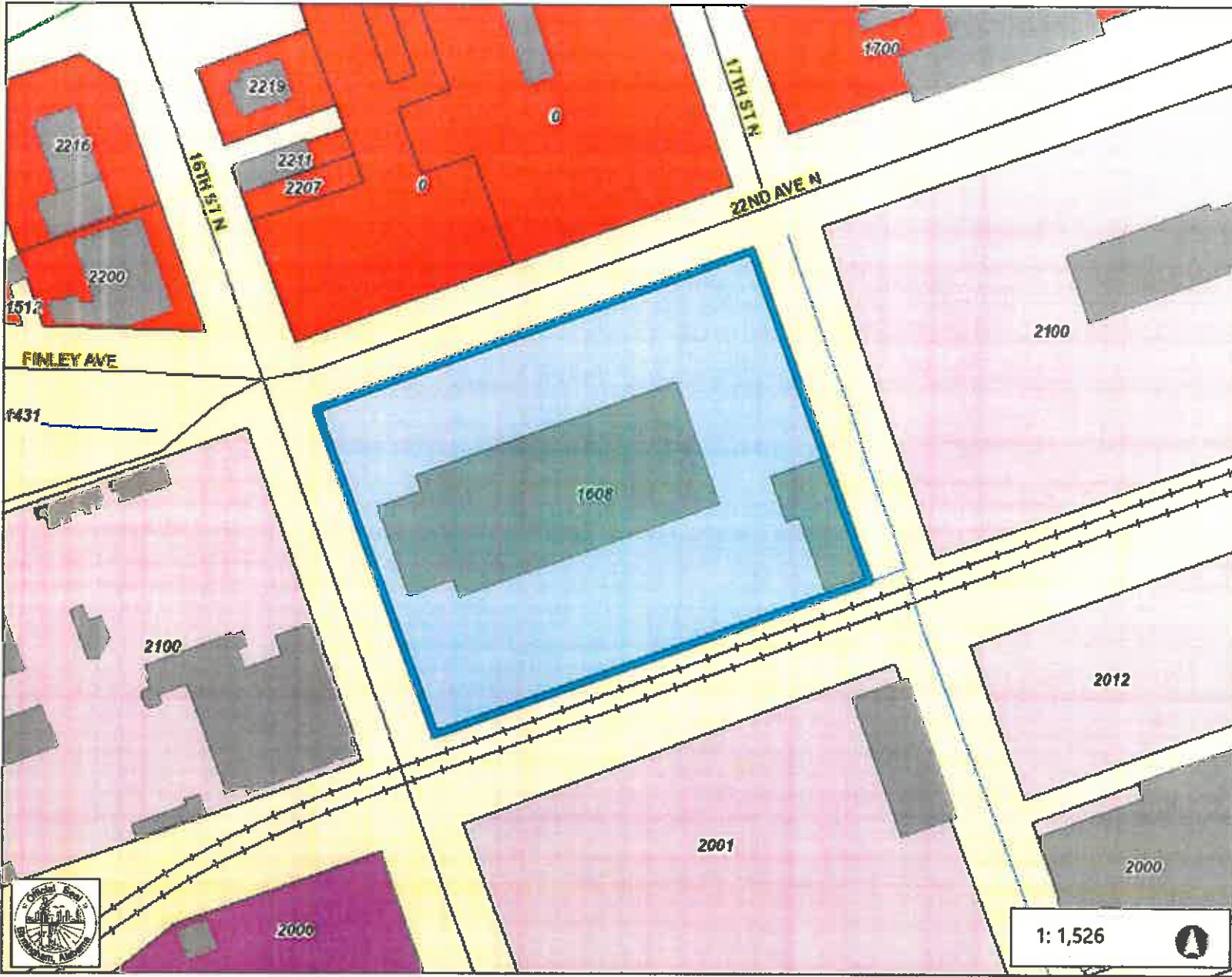


1: 1,526



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Notes



Legend

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1: 1,526



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Notes



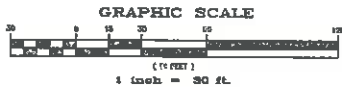
2100 16th St N

ZBA2020-00040



Google

Image capture: Feb 2020 © 2020 Google

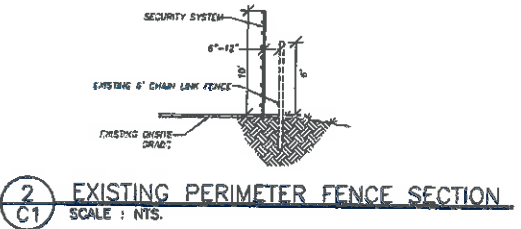
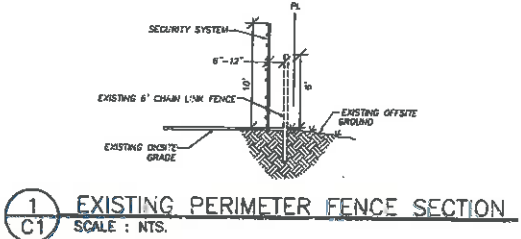
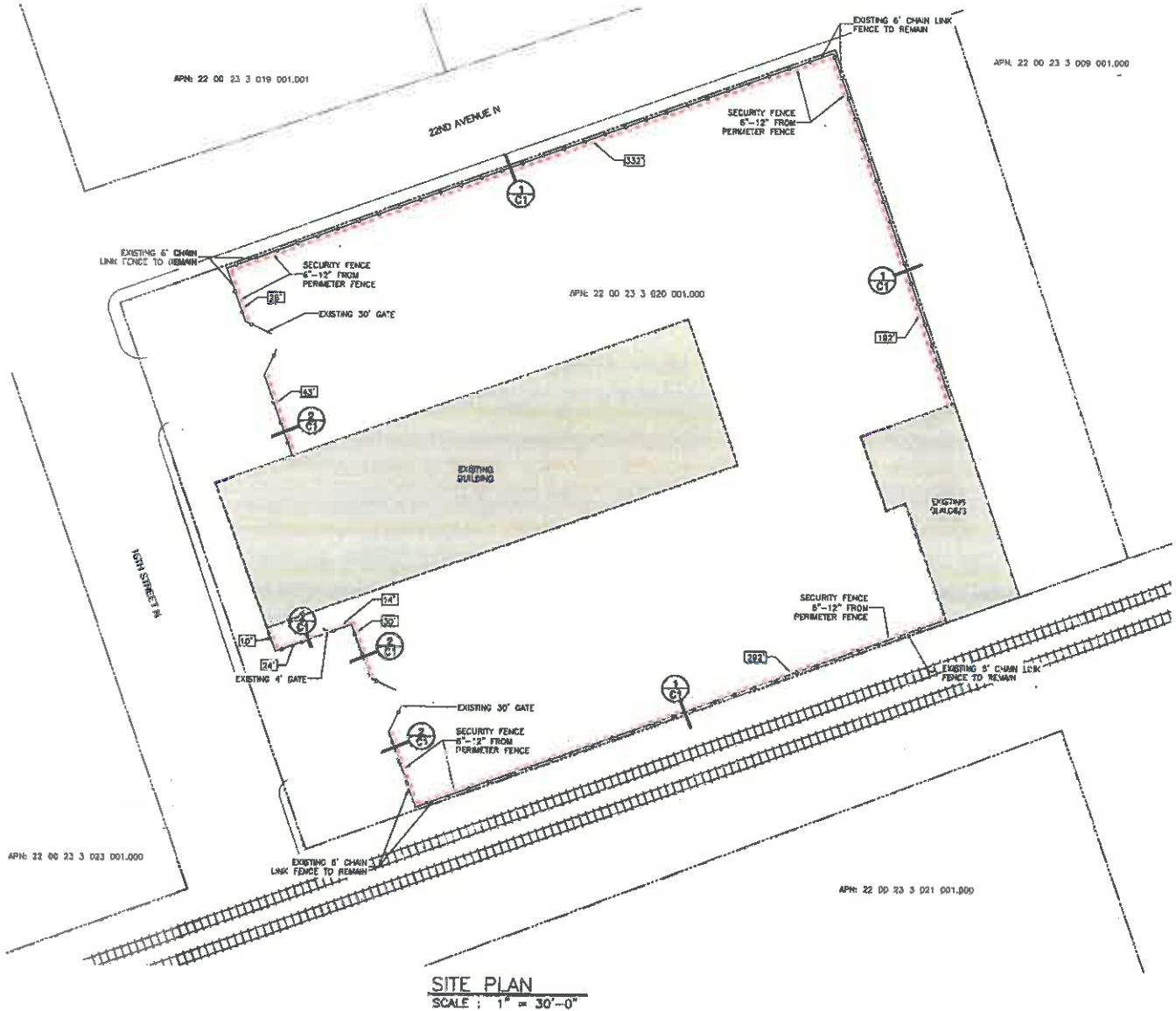


**SITE PLAN
REQUEST TO AUTHORIZE A
SECURITY SYSTEM FOR:
SNIDER FLEET SOLUTIONS
2109 16TH STREET N
BIRMINGHAM, AL 35204**

PROJECT DATA	
APN:	22 00 23 3 030 001.000
ACREAGE:	2.70 ACRES
ZONING:	RS; L4

LEGEND	
	PROPERTY LINE / HWY
	EXISTING FENCE
	PROPOSED SECURITY SYSTEM
	POLE
	APPROXIMATE LOCATION OF PROPOSED FENCE

#	DATE / DESCRIPTION

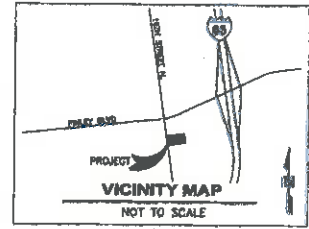


NOTES

POLE LOCATIONS:
STEEL POLES: TO BE LOCATED APPROXIMATELY ON EACH SIDE OF GATES) & EVERY 80' (OR GREATER) TURN IN FENCE LINE. FIBERGLASS/INTERMEDIATE POLES: TO BE LOCATED APPROXIMATELY EVERY 30'

DISCLAIMER:
POLE LOCATIONS MAY SLIGHTLY DEVIATE FROM SPECIFICATIONS ABOVE DUE TO ON-SITE CONDITIONS

STORM DRAIN:
NO STORM DRAIN IS BEING PROPOSED AS PART OF THIS PROJECT.



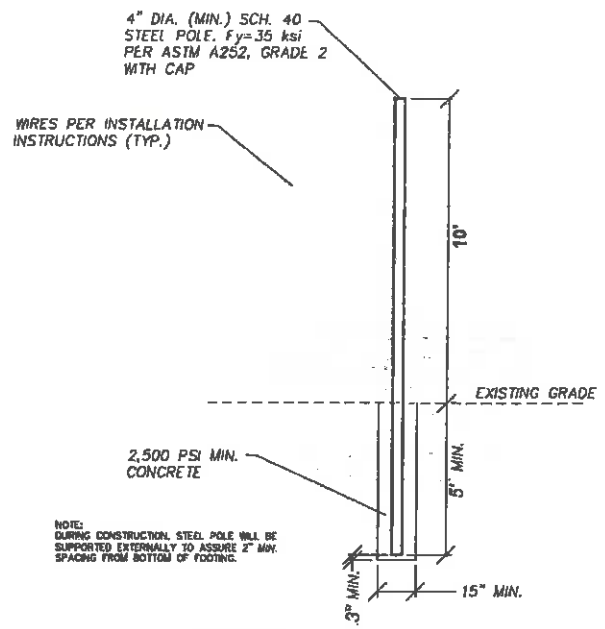
PROJECT: **SNIDER FLEET SOLUTIONS
2109 16TH STREET N.
BIRMINGHAM, AL 35204**

SHEET TITLE: **SITE PLAN**

DATE: JUN 05, 2020
SCALE: SEE PLAN

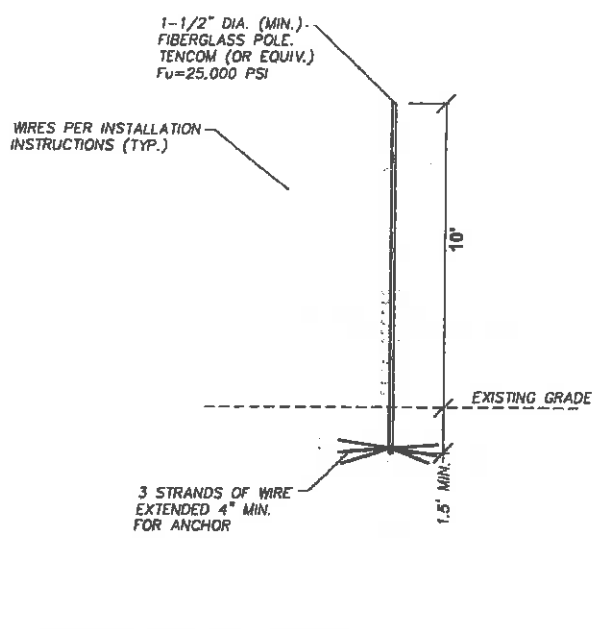
SHEET
C1
of 3

SITE PLAN
SCALE : 1" = 30'-0"



STEEL POLE DETAIL

NTS

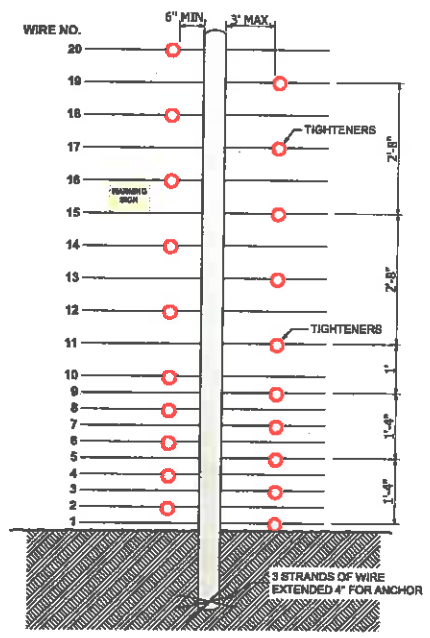


FIBERGLASS POLE DETAIL

NTS (NON-STRUCTURAL, NON-LOADBEARING, WIRE SEPARATOR)

RAPID TIGHTENERS
 RAPID TIGHTENERS ARE INSTALLED IN EVERY SECTION - BETWEEN 6 INCHES AND 3 FEET FROM A FIBERGLASS POLE - TOWARD THE CENTER OF THE RUN.
 THE TIGHTENERS ARE ALTERNATED ON OPPOSITE SIDES OF THE POLE TO PREVENT GROUNDS FROM HITTING WIRES WITH CURRENT.
 WIRE SHOULD BE WRAPPED TWO OR THREE TIMES AROUND EACH TIGHTENER.

WARNING SIGNS
 WARNING SIGNS MUST BE INSTALLED EVERY 30', WHICH IS THE MAXIMUM DISTANCE BETWEEN WARNING SIGNS.
 ALL WARNING SIGNS SHOULD BE MOUNTED EITHER BETWEEN WIRES 15 & 16 OR AT BEST VISIBLE HEIGHT.
 IF INSTALLED BEHIND A SOLID FENCE, WARNING SIGNS SHOULD ALSO BE PLACED ON OR ABOVE THE PERIMETER FENCE.



WIRES CONNECTIONS

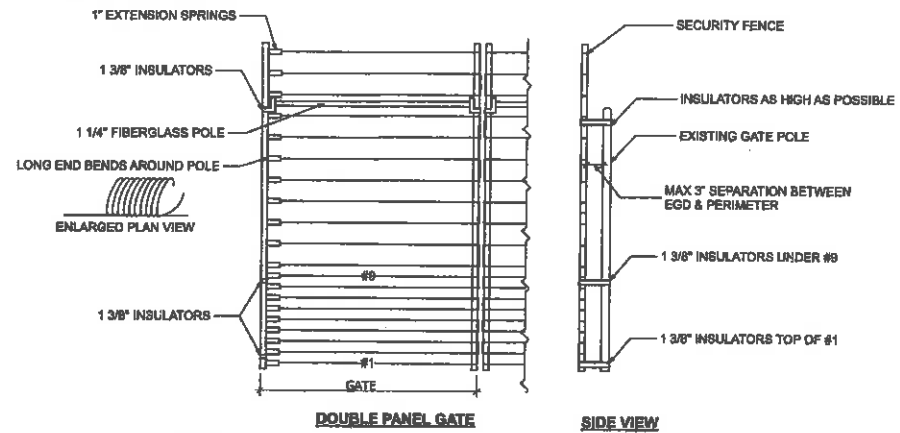
NTS

WARNING! Electric Fence
 ALARMED AND MONITORED
7,000 V
 AMAROK
 ULTIMATE PERIMETER SECURITY
 ALARMADO Y SUPERVISADO
¡PELIGRO! Cerca Eléctrica.

WARNING SIGNS SHALL BE PLACED AT EACH ENTRANCE OF THE PROPERTY AND 30 FEET ON CENTER THEREAFTER

EXAMPLE WARNING SIGNS @ 12"x9"

NTS



DOUBLE PANEL GATE

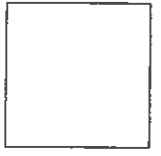
SIDE VIEW

- NOTES:
 1. INSULATORS ARE LOCATED ON TOP OF #1, UNDER #8, TO AS HIGH ON THE GATE AS POSSIBLE.
 2. SPRINGS ARE LOCATED ON OPPOSITE SIDES OF LOCK.
 3. ALL CONTACTS MUST INCLUDE SPRINGS.
 4. ALL CONTACTS MUST HAVE BOLT THROUGH FIBERGLASS (NO SET SCREWS).
 5. ALL BRACE BANDS HOOKED TO CHAIN LINK MUST HAVE SET SCREWS.
 6. EVERY GATE PANEL MUST HAVE A SIGN.
 7. GATE MOUNTS WILL NOT IMPACT THE FUNCTIONALITY OF THE GATE

GATE DETAIL

N.T.S.

#	DATE / DESCRIPTION



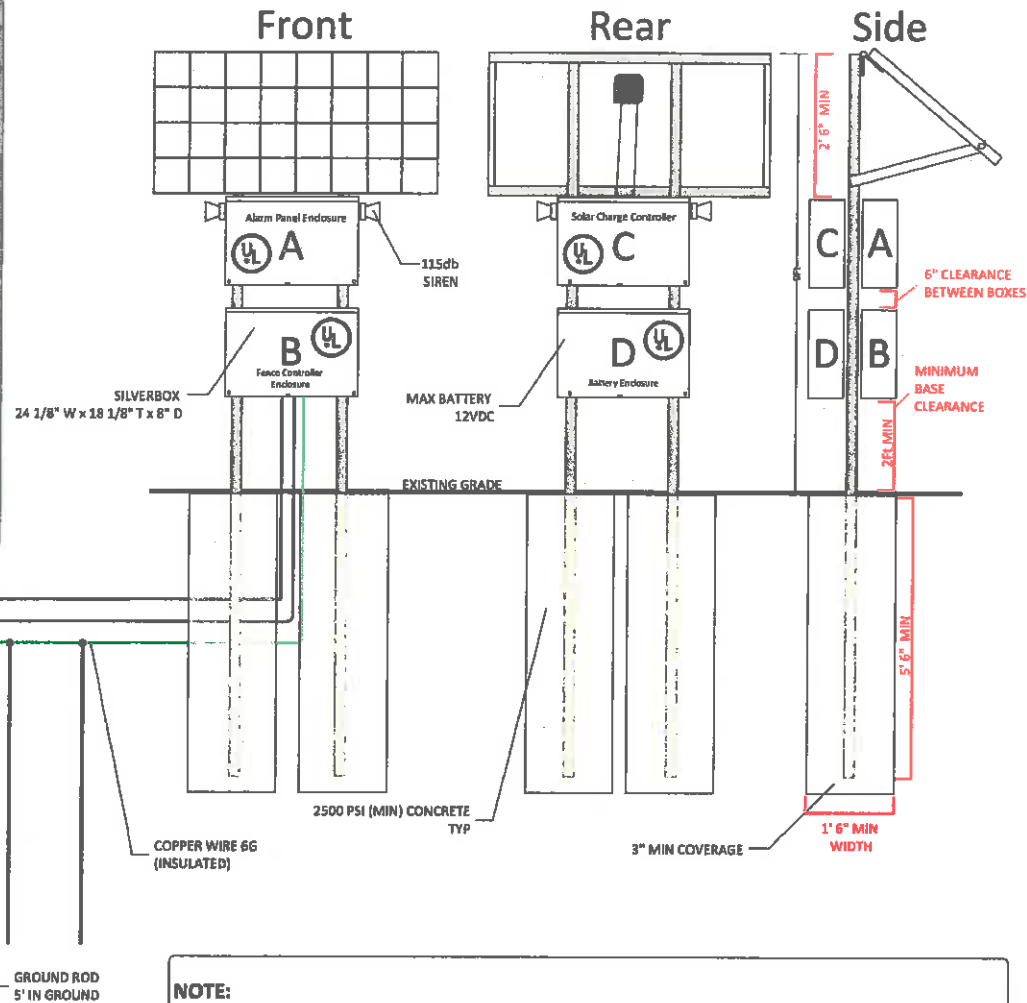
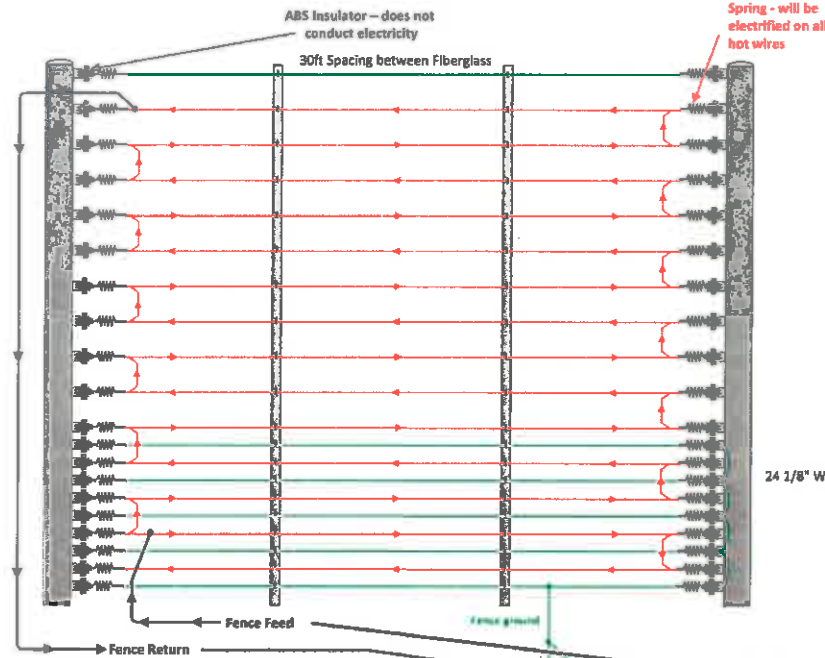
AMAROK
 ULTIMATE PERIMETER SECURITY

PROJECT: SNIDER FLEET SOLUTIONS
 2109 16TH STREET N.
 BIRMINGHAM, AL 35204
 SHEET TITLE: TYPICAL DETAILS

DATE: JUN 05, 2020
 SCALE: SEE PLAN

SHEET
C2
 of 3

WIRE RUN DETAILS & OUTSIDE MOUNTED ELECTRONICS/CONTROLLER WITH/STEEL POLE DETAIL



CONNECTION NOTES:

A: ALARM PANEL ENCLOSURE - HOUSES THE ALARM CONTROL PANEL. THIS BOX INTERCONNECTS TO "B"/ENERGIZER ENCLOSURE USING THE APS WHIP/10 CONDUCTOR AND "C"/SOLAR CHARGE CONTROLLER USING TWO CONDUCTOR CABLE. (MAX ENCLOSURE WEIGHT 21LBS)

B: FENCE CONTROLLER ENCLOSURE - HOUSES THE APS FENCE ENERGIZER OR EQUIVALENT - THIS BOX INTERCONNECTS TO "A"/ALARM PANEL ENCLOSURE USING THE APS WHIP/10 CONDUCTOR CABLE. (MAX ENCLOSURE WEIGHT 22LBS)

C: SOLAR CHARGE CONTROLLER ENCLOSURE - POWER ELEMENTS FOR SOLAR CHARGE CONTROLLER AND DISCONNECTS FOR EACH SOLAR, BATTERY & LOAD CONNECTIONS. POWER UP PROCEDURE: TURN ON BATTERY BREAKER FIRST, THEN TURN ON SOLAR BREAKER. THE ELECTRONICS POWER IS CONTROLLED BY THE LOAD BREAKER. (MAX ENCLOSURE WEIGHT 25LBS)

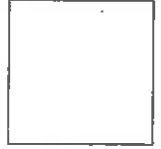
D: BATTERY ENCLOSURE - THIS ENCLOSURE INTERCONNECTS TO THE "C"/SOLAR CHARGE CONTROLLER ENCLOSURE USING 2 CONDUCTOR 14G AND 10G THWN. (MAX ENCLOSURE WEIGHT 52LBS)

BATTERY WILL NOT EXCEED 70 KWH

NOTE:

MOUNT 4 SILVER BOXES TO A PAIR OF 4"x4"x120 GALVANIZED ASTM A500 STEEL POLES. BOTTOM OF THE LOWEST BOX MUST BE A MINIMUM 2 FEET ABOVE GROUND LEVEL. THE SUPPORT POLES MUST BE IMBEDDED AT **MINIMUM 5'-6"** BELOW GROUND LEVEL.

DATE / DESCRIPTION



AMAROK
ULTIMATE PERIMETER SECURITY

PROJECT: SNIDER FLEET SOLUTIONS
2109 16TH STREET N.
BIRMINGHAM, AL 35204

SHEET TITLE: TYPICAL DETAILS

DATE: JUN 05, 2020
SCALE: SEE PLAN

Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: North Birmingham Staff Planner Moton ZBA2020-00041

Request: Variance to allow a 6ft wooden fence in the front yard area Title 1 Chapter 4 Subsection 3.A.1 page 182
Applicant: Rabihah Abdus-Salaam
Owner: Rabihah Abdus-Salaam
Site Address: 2000 26th Ave N
Zip Code: 35234
Description: The applicant is requesting to 6ft wooden fence in the front yard area
Property Zoned: D-3, Single Family District
Parcel Information: Parcel #: 012200232015009000, NW of Section 23, Township 17 S, Range 3 W

Variance:

The applicant is requesting to allow a 6ft wooden fence in the front yard area.

Neighborhood Meeting:

The North Birmingham Neighborhood Association waiting on response.

Public Notices:

Public notices were mailed on August 28, 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 property lies adjacent to the main road use by industrial trucks, trailers, and employees of surrounding businesses. This traffic results in excessive noise and dust which without a sufficient barrier deprives the owner of enjoyment of the backyard. This road is only feet from the property line with no sidewalk or driveway allowance.

2. Unique Characteristics:

Most of the former homes and apartments in the neighborhood have been demolished. The neighborhood school has been converted into facilities for the Salvation Army. The remaining homes are surrounded by industrial and business enterprises. These homes have also installed six feet fences, not being corner lots. My fence will not impede their sight lines. My fence does not impede the sight lines of traffic turning on 20th Street N or 26th Ave because the intersection is several yards away.

When constructed, the property had a four-foot wire fence. However, this corner lot has become the target for break-in over the years. Due to rezoning all residential homes are virtually gone. There is no neighbor to my back, my front, or to my right, who could be a watch for crime. The six-foot fence is a deterrent to crime, allowing for enjoyment of increased home safety and security.

3. Hardship Not Self-Imposed:

Neither I nor anyone in my family have contributed to the changes in the neighborhood which

have created the hardship I have named. These are circumstances which rose from urban blight and development which has overlooked changes in zoning for citizens encroached by mixed zones.

4. Financial Gain Not Only Basis:

I will not obtain any financial gain from a favorable decision granting this variance.

5. No Injury to Neighboring Property:

The granting of this variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area. It will complement the fencing already done by neighbor and increase security and safety for us all, and lessen the dust disbursed from traffic.

6. No Harm to Public Welfare:

The granting of this variance will not be detrimental to the public welfare, increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, comfort, morals, or general welfare of the inhabitants of the City of Birmingham, and will not substantially impair the intent and purpose of this Ordinance.

Staff Analysis:

The subject property located at 2000 26th Ave N is zoned D-3, Single Family District. The subject property abuts properties zoned I-1, Light Industrial District and C-2, General Business District. In the rear of the subject property sits a warehouse facility and another facility that 18 wheelers are parked.

The applicant does meet the requirement of the six variance standards.

Staff Recommendation

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

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

PARCEL ID: 012200232015009000

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

DATE: Friday, August 14, 2020 12:04:13 PM

OWNER: SALEM RABIHAD ABDUS &

ADDRESS: 141 OHIO CIR

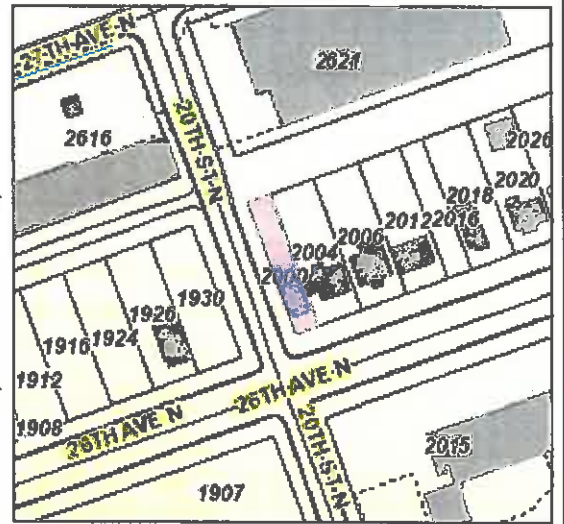
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35214--6021

SITE ADDR: 2000 26TH AVE N

CITY/STATE: BHAM, AL

ZIP: 35234



LAND: \$3,600.00

BLDG: \$28,300.00

OTHER: \$0.00

AREA: 3,846.69

ACRES: 0.09

SUBDIVISION INFORMATION:

NAME NORTH BHAM

BLOCK: 269

LOT: 17

:

Section: 23-17-3W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: No. Bham (1106)

Communities: North Birmingham (11)

Council Districts: District - 9 (Councilor: John Hilliard)

Zoning Outline: D3

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

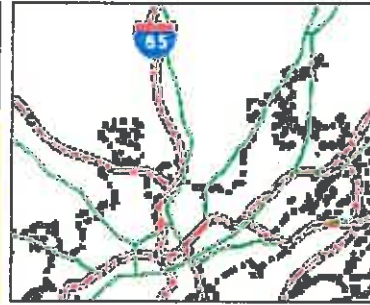
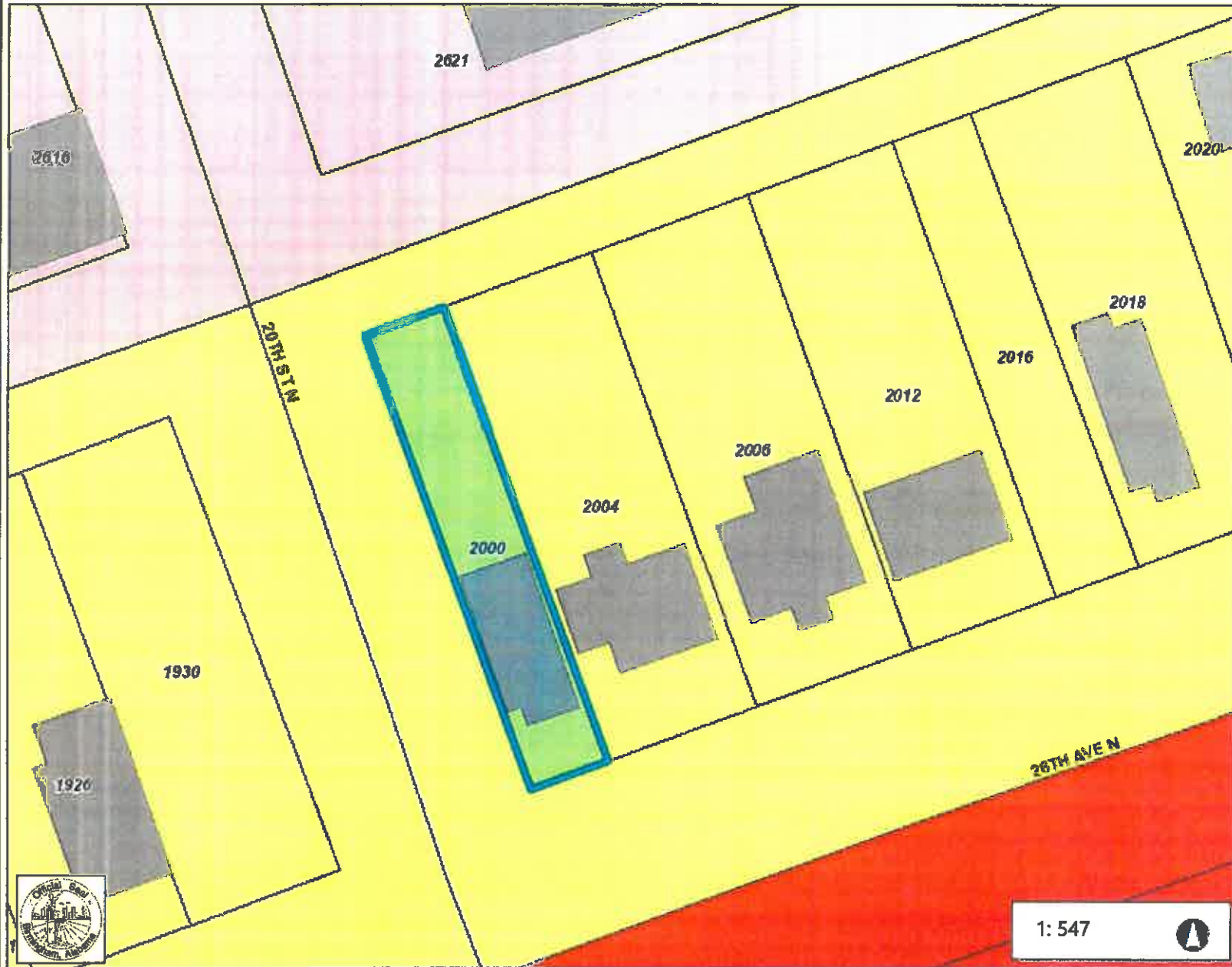
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

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Legend

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- Interstates
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- 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: 547



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Notes



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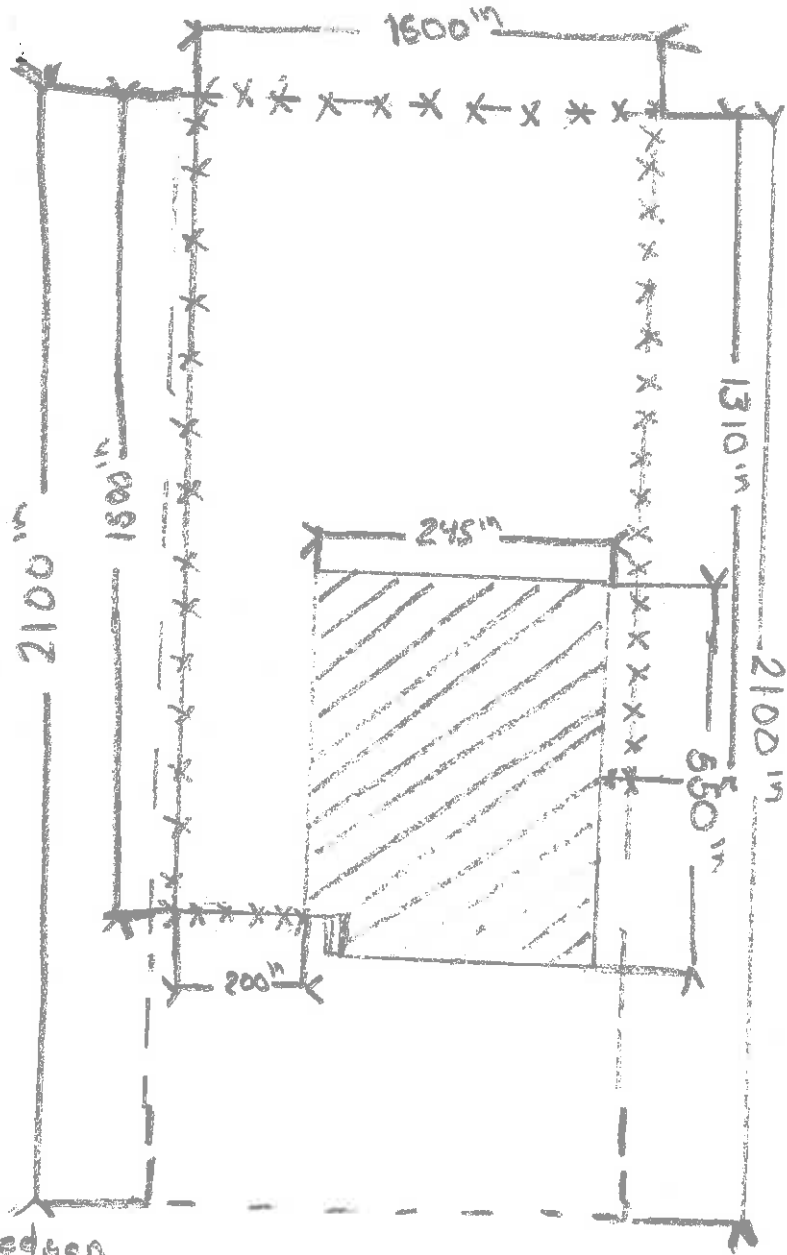
1: 547



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Notes

2000 26th AVE NORTH
BIRMINGHAM AL 35234



- Ledger
- ▨ house
 - xxx Fence
 - Property Line
 - > Dimensions







Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: North Birmingham Staff Planner Moton ZBA2020-00042

Request: Variance to allow a 90sqft sign instead of the 18sqft allowed pursuant Title 1, Chapter 4, Article V, Section 11, Subsection 7.1.a
Applicant: Juanita Graham
Owner: Mount Pilgrim Baptist
Site Address: 2500 35th Ave N
Zip Code: 35207
Description: The applicant is requesting to allow a 90sqft sign
Parcel Information: Parcel #: 012200144037007000, SE of Section 14, Township 17 S, Range 3 W

Variance:
Variance to allow a 90sqft sign instead of the 18sqft allowed.

Neighborhood Meeting:
The North Birmingham Neighborhood Association waiting on response.

Public Notices:
Public notices were mailed on August 19, 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 & Unique Characteristics of the Property: The property is estimated at 80ft or more from the road, which makes it hard to notice.
2. Hardship Not Self-Imposed: Per the Fire Marshall Mr. Irby all literature on this building must be able to read from the street while driving by.
3. Financial Gain Not Only Basis: None
4. No Injury to Neighboring Property: There are vacant lots beside the building.
5. No Harm to Public Welfare: There is no harm due to the distance of any homes.

Staff Analysis:
The subject property located at 2500 35th Avenue N is zoned D-3, Single Family District. The subject property is Alabama Stem Education Early Childhood Learning Center daycare that is accessory structure to the Mount Pilgrim Baptist Church. This daycare sits about 82ft from the property line.

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 approval and as such, should **DENIED**.

Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: North Birmingham Staff Planner Moton ZBA2020-00042

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Staff Analysis:
The subject property located at 2500 35th Avenue N is zoned D-3, Single Family District. The subject property is Alabama Stem Education Early Childhood Learning Center daycare that is accessory structure to the Mount Pilgrim Baptist Church. This daycare sits about 82ft from the property line.

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 approval and as such, should **DENIED**.

PARCEL ID: 012200144037007000

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

DATE: Friday, August 14, 2020 2:03:32 PM

OWNER: MOUNT PILGRIM BAPTIST DISTRICT

ADDRESS: 2500 35TH AVE N

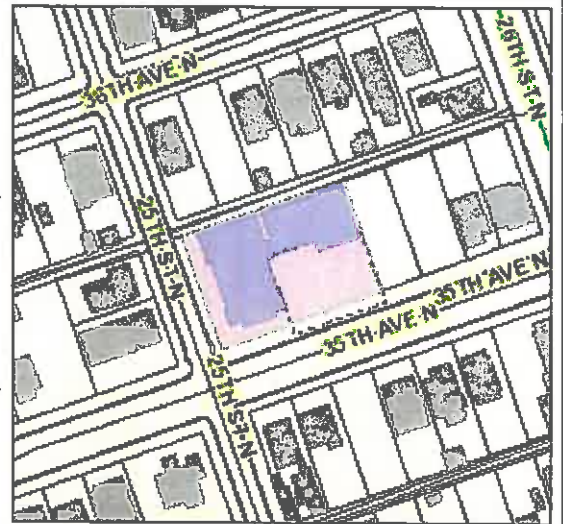
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35207--2622

SITE ADDR: 2500 35TH AVE N

CITY/STATE: BHAM, AL

ZIP: 35207



LAND: \$20,400.00

BLDG: \$875,900.00

OTHER: \$0.00

AREA: 27,959.93

ACRES: 0.64

SUBDIVISION INFORMATION:

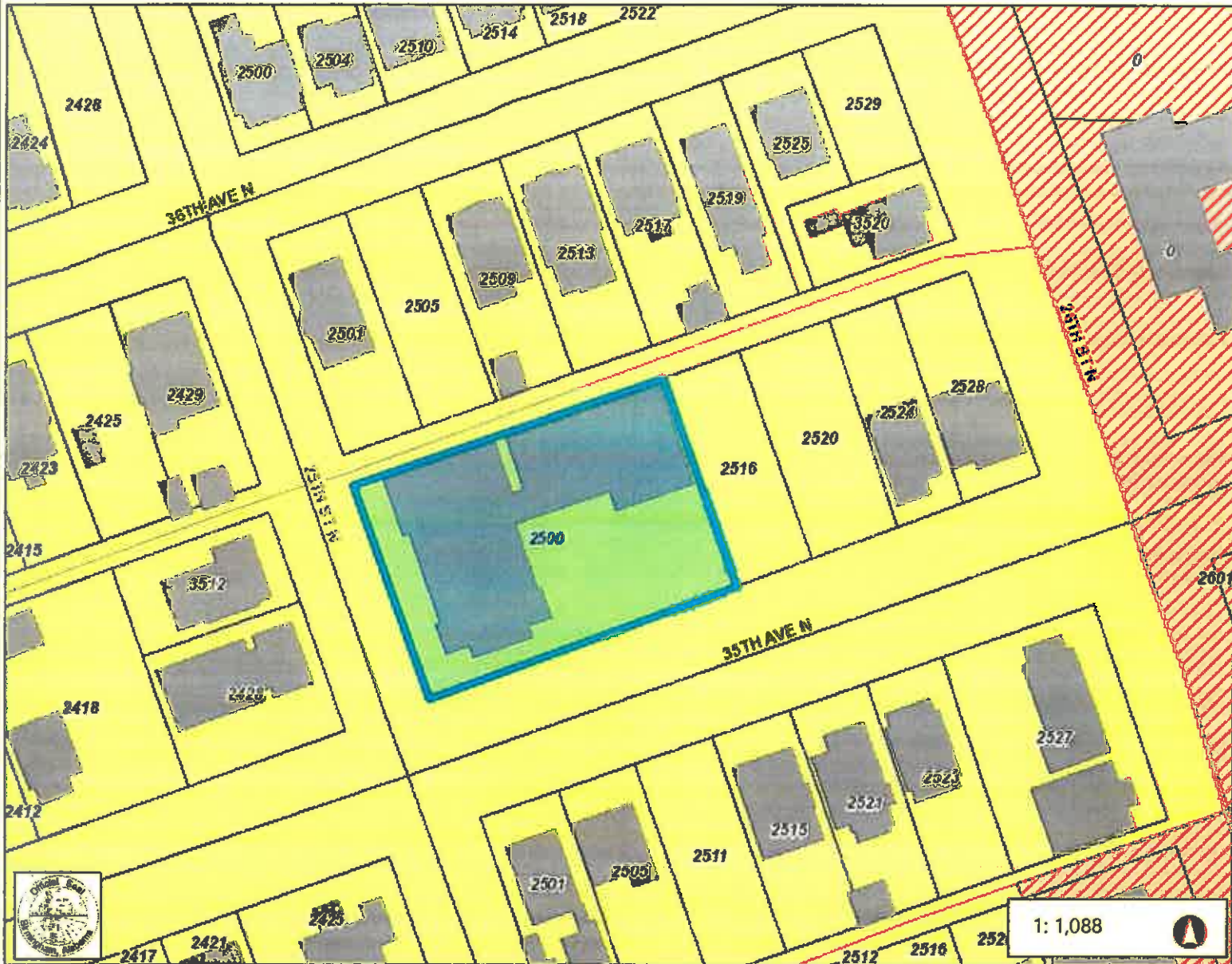
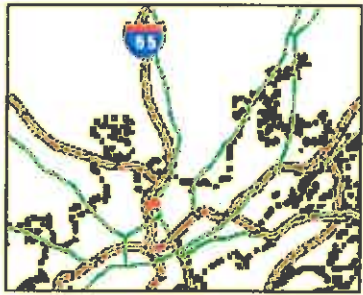
NAME PARK PLACE

BLOCK: 84

LOT:

Section: 14-17-3W
Land Slide Zones: Not in Land Slide Zones
Historic Districts: Not in Historic Districts
Commercial Revitalization District: Not in Commercial Revitalization District
Fire District: Not in Fire District
Flood Zones: Not in Flood Zones
Tax Increment Financing District: Not in Tax Increment Financing District
Neighborhoods: No. Bham (1106)
Communities: North Birmingham (11)
Council Districts: District - 9 (Councilor: John Hilliard)
Zoning Outline: D3
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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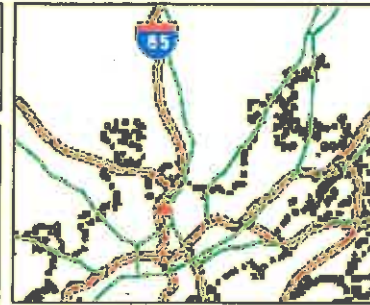
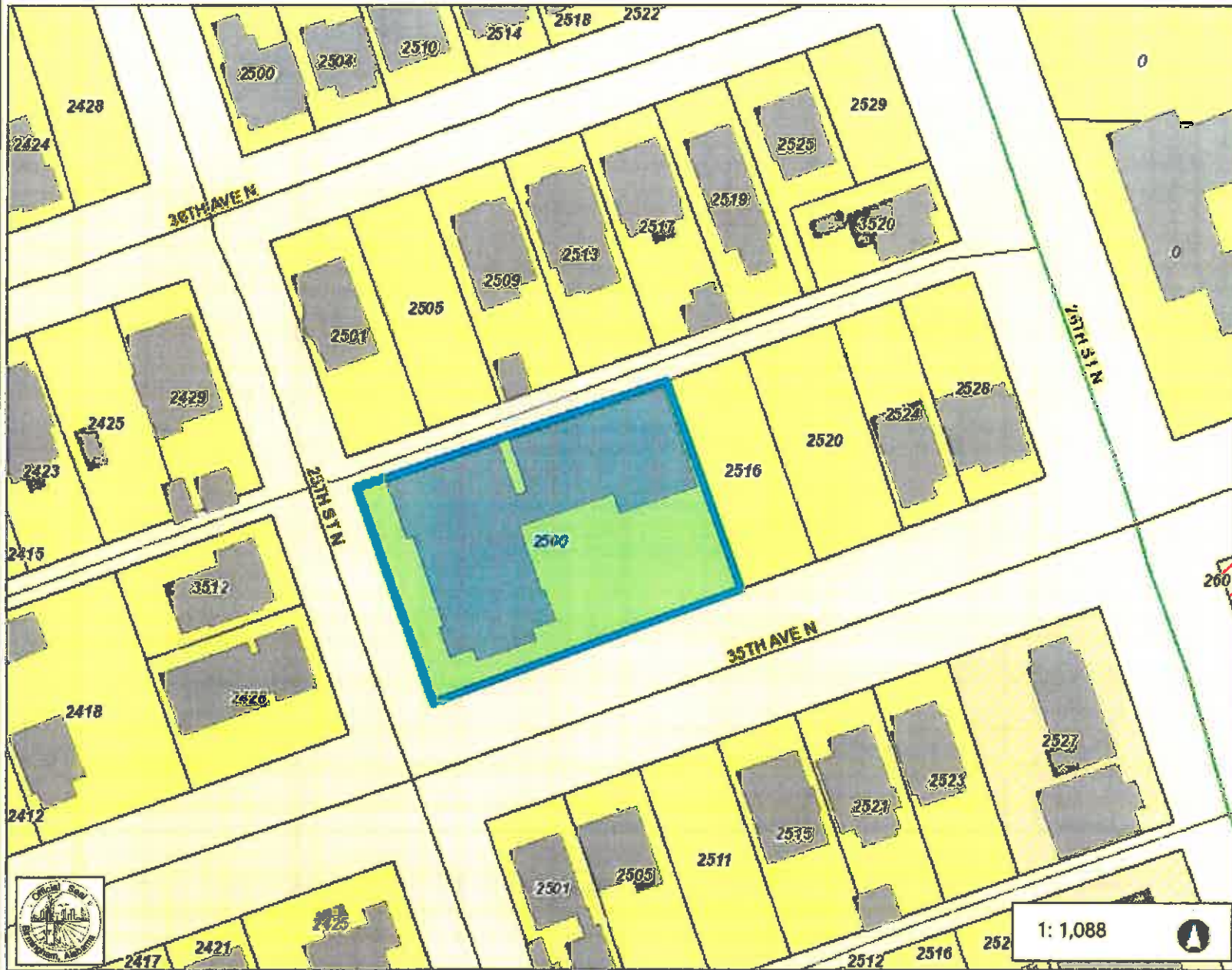


1: 1,088



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



1: 1,088

181.3 0 90.66 181.3 Feet

Notes



22ND SHUREN NORTH

100'

100'

Existing Building

107'

6' chainlink
fence panels

21 parking
spaces (9'x18')

playground
area

52'

OUT

IN

45'

82'-6"

35TH AVENUE NORTH

ALABAMA STEM EDUCATION ECLC SITE PLAN



1324 4th Avenue N. Bessemer, Ala. 35020
 (205)436-2107 alabamastemeducation@gmail.com
www.alabamastemeducation.org

Event: I approve of the Daycare Sign on the building!

Sign In Sheet

First Name	Last Name	Phone	Address
Juanita	Krowne	205 2524690	2515 35 Ave North
Dennis	Brown	205 2604985	2515 35 Ave North
Barbara	Jalisco	(205)201-4944	2524 - 35 Ave North
Lorenzo	Jones	205 4135696	2523 35 Ave North
Jamall	Hill		2501 35 Ave North
Calvin	Wetherspoon	205 5631737	2421 35 Ave North
Dennis	Han	205 5626726	2417 35 Ave N
Robert	Furnish		2401 - 34 Ave N
Willie	Motile	205-860-2457	34th 2469 Ave North
Noelle	Allen	205-228-9630	2417 34th Ave N
Beulah	Osburn	205 2521485	2421-34 Ave North
Virginia	Crenshaw	205 543 0675	2428-34th Avenue N
Veronica	Crenshaw	205 543 1319	2428-34th Avenue N
Eberly	Jordan		2428-34th Avenue N
Dora	Stallen	205-777-5200	2428-34 Ave N
Annie	McGraw	205 412 1920	2508 35th Ave North
Robert	Kelly		2517 34 Ave North
Richard	Allen		2512 34 Ave North
Delois	Meritt		2806 34 Ave North
James	Stanley		2713 35th Ave N
Leroy	Gibson		2713 35th Ave N









ASE
ALABAMA STEM EDUCATION
ECLC
EARLY CHILDHOOD LEARNING CENTER
205-436-2107
www.alabamastemeducation.org
info@alabamastemeducation.org





110"

ASE
ALABAMA STEM EDUCATION

E C L C

EARLY CHILDHOOD LEARNING CENTER

205-436-2107

www.alabamastemeducation.org
alabamastemeducation@gmail.com

Qty 1

single sided
dibond

120"

2500

103" wide window

Meeting – September 10, 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: Fountain Heights Staff Planner Moton ZBA2020-00043

Request: Parking Modification
Applicant: Millennium LLC
Owner: Carrajal & Martin Holding CO LLC
Site Address: 1314 19th St N, Suite A
Zip Code: 35234
Description: Modification to allow 0 off street parking spaces, instead of the required 3 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3
Property Zoned: CB-1 Contingency Neighborhood Business District
Parcel Information: Parcel #:012200261031001000, NE of Section 26, Township 17 S, Range 3 W

Special Exception:

Modification to allow 0 off street parking spaces, instead of the required 3 off street parking spaces.

Neighborhood Meeting:

The Fountain Heights Neighborhood Association; waiting on response.

Public Notices:

Public notices were mailed on August 28, 2020.

Applicant's Justification:

Staff Analysis:

The parcel is located at 1314 19th St N resides within the CB-1 Contingency Neighborhood Business District. The applicant is requesting a modification to allow 0 parking spaces with the argument that parking is not needed because they are surrounded by residential area so most customer could walk and there are 3 off-street parking spaces the surround the suite that he could utilize for temporarily spaces because his customers will be in and out. He has looked at the option of paving the area behind the building but believes it would not only disturb the residence directly behind the facility but it would likely have a major negative storm water runoff effect according to local area authorities.

Staff Recommendation

Staff believes the applicant has not provided sufficient evidence to support the modification request. Therefore, staff believes the request has merit for approval and as such, should be **DENIED**.

PARCEL ID: 012200261031001000

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

DATE: Friday, August 14, 2020 2:26:54 PM

OWNER: CARVAJAL AND MARTIN HOLDING CO

ADDRESS: 1240 18TH AVE STH

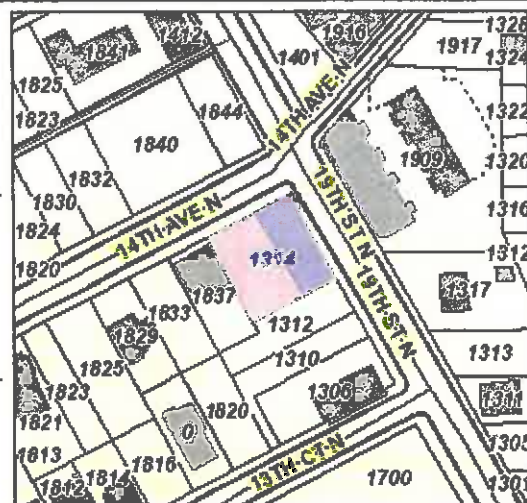
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35205

SITE ADDR: 1314 19TH ST N

CITY/STATE: BHAM, AL

ZIP: 35234



LAND: \$15,900.00

BLDG: \$32,800.00

OTHER: \$0.00

AREA: 10,820.20

ACRES: 0.25

SUBDIVISION INFORMATION:

NAME HENRY & COPELAND SUR

BLOCK: 1

LOT:

Section:	26-17-3W
Land Slide Zones:	Not in Land Slide Zones
Historic Districts:	Not in Historic Districts
Commercial Revitalization District:	Not in Commercial Revitalization District
Fire District:	Not in Fire District
Flood Zones:	Not in Flood Zones
Tax Increment Financing District:	Not in Tax Increment Financing District
Neighborhoods:	Fountain Hghts (1204)
Communities:	Northside (12)
Council Districts:	District - 5 (Councilor: Darrell O'Quinn)
Zoning Outline:	CB1
Demolition Quadrants:	DEM Quadrant - 3
Impaired Watersheds:	Not in Impaired Watersheds
Strategic Opportunity Area:	Not in Strategic Opportunity Area
RISE Focus Area:	In RISE Focus Area
Tax Delinquent Property:	Not in Tax Delinquent Property
EPA Superfund:	Not in EPA Superfund
Opportunity Zones:	In Opportunity Zones
Judicial Boundaries:	JEFFERSON

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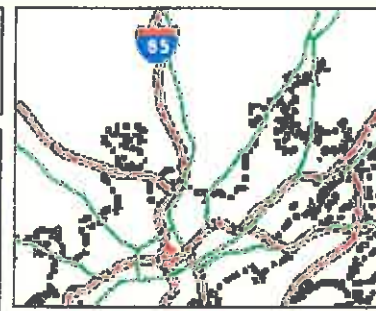


1: 383

63.8 0 31.92 63.8 Feet

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- Adopted LandUse Plan**
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- Residential-High
- Neighborhood Commercial
- General Commercial
- MXU-Low
- MXU-Medium
- MXU-High



1: 383



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Notes

1399 19th St N
Birmingham, Alabama

Google

Street View



The three parking spaces designated below (#'s 1, 2, & 3), for which we are requesting a variance, would be for temporary use only. Each space would be the required 22 feet in length, with eight feet, as required by the zoning ordinance, separating the spaces from any other public right of ways, such as intersecting roads.



As shown in the pictures below, both roads for which we are requesting a parking variance allowing for use of public street parking are plenty wide to allow for three cars to fit on each side of the road, if it were ever needed, despite each side only having one lane of traffic. Therefore, one temporarily parked car on the side of the road would not cause any potential harm with traffic or pedestrians.

Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: Bush Hills Staff Planner Moton ZBA2020-00044

Request: Variance to allow 19 off-street parking spaces in the required front yard pursuant to Title 1, Chapter 5, Article I, Section 7.A.6 Extension
Applicant: Cultural and Educational Advancement Foundation
Owner: Cultural and Educational Advancement Foundation
Site Address: 1025 4th Ave W
Zip Code: 35204
Description: Variance to allow 19 off-street parking spaces in the required front yard pursuant to Title 1, Chapter 5, Article I, Section 7.A.6 Extension
Property Zoned: D-3, Single Family District
Parcel Information: Parcel #: 012900041007006000, NE of Section 04, Township 18 S, Range 3 W

Variance:

Variance to allow 19 off-street parking spaces in the required front yard.

Neighborhood Meeting:

The Bush Hills Neighborhood Association waiting on response.

Public Notices:

Public notices were mailed on August 28, 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.

Physical & Unique Characteristics: Our facility sits in a residential area on a corner lot. We will have about 350 members; therefore, more parking is required. We did not want to utilize on street parking because the street would be overcrowded therefore we had to place parking in the front yard area.

Hardship not self- imposed: Neighborhood requested that all parking be off-street.

Financial gain not only basis: None

No injury to neighboring properties: No injury to the neighboring properties because this was requested by them.

No harm to the public welfare: There will be no harm to the public welfare because all parking will be off-street parking

Staff Analysis:

The subject property located at 1025 4th Ave W is zoned D-3, Single Family District. The applicant is requesting an extension of the variance granted per case number ZBA2018-00048. The applicant was granted two years to complete the construction; however, they should be completed within 2 months.

The applicant does meet the requirement of the six variance standards.

Staff Recommendation

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

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain a certificate of occupancy with the approval of this variance within 1 year from the date of approval.

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NO.: ZBA2018-00048 Bush Hills

APPLICANT: Roman Gary

OWNER: Cultural and Educational Advancement Center

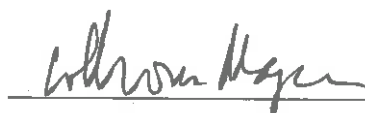
SUBJECT: Variance to allow 19 off-street parking spaces in the required front yard pursuant to Title 1, Chapter 5, Article I, Section 7.A.6.

PREMISES: Located at 1025 4th Ave W; and situated on LOTS 2 THRU 7 BLK 12 HIGHLAND LAKE LD CO RESUR OF BLKS 12 & 13 & 16, Parcel #:012900041007006000, and lying in the NE ¼ of Section 04, Township 18 S, Range 3 W

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Roman Gary, applicant representing Cultural and Educational Advancement Center, owner, for a Variance to allow 19 off-street parking spaces in the required front yard pursuant to Title 1, Chapter 5, Article I, Section 7.A.6. for a property located at 1025 4th Ave W; and situated on LOTS 2 THRU 7 BLK 12 HIGHLAND LAKE LD CO RESUR OF BLKS 12 & 13 & 16, Parcel #:012900041007006000, and lying in the NE ¼ of Section 04, Township 18 S, Range 3 W according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED, August 23, 2018" according to the Zoning Board of Adjustment, Case no. ZBA2018-00048, be and the same hereby is **GRANTED** to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain a certificate of occupancy within two years from the date of approval.

I, W. Thomas Magee, Technical Advisor to the Zoning Board of Adjustment of the City of Birmingham, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Board of Adjustment of the City of Birmingham at its meeting of August 23, 2018, and as same appears of record in the Official Minutes of said Board. **GIVEN UNDER MY HAND AND OFFICIAL SEAL** of the Zoning Board of Adjustment of the City of Birmingham, on this day, August 24, 2018.



W. Thomas Magee
Chief Planner

PARCEL ID: 012900041007006000

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

DATE: Friday, August 21, 2020 12:52:18 PM

OWNER: CULTURAL AND EDUCATIONAL ADVANC

ADDRESS: PO BOX 13787

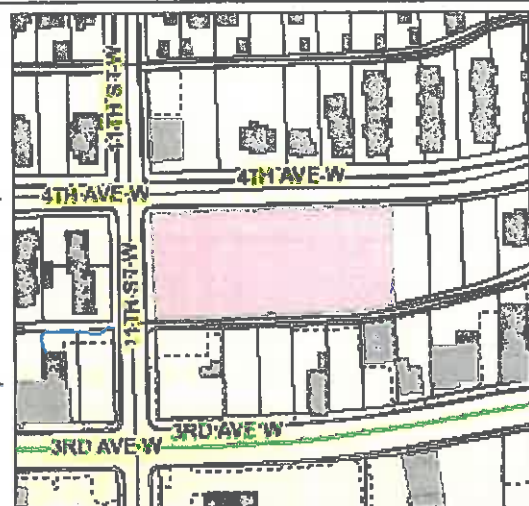
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35203

SITE ADDR:

CITY/STATE: , AL

ZIP:



LAND: \$65,200.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 52,084.24

ACRES: 1.20

SUBDIVISION INFORMATION:

NAME RESURVEY OF LTS 1 THRU 7

BLOCK: 12

LOT: 1-A

:

Section: 4-18-3W

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: Bush Hills (202)

Communities: Five Points West (2)

Council Districts: District - 8 (Councilor: Steven W. Hoyt)

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: In RISE Focus Area

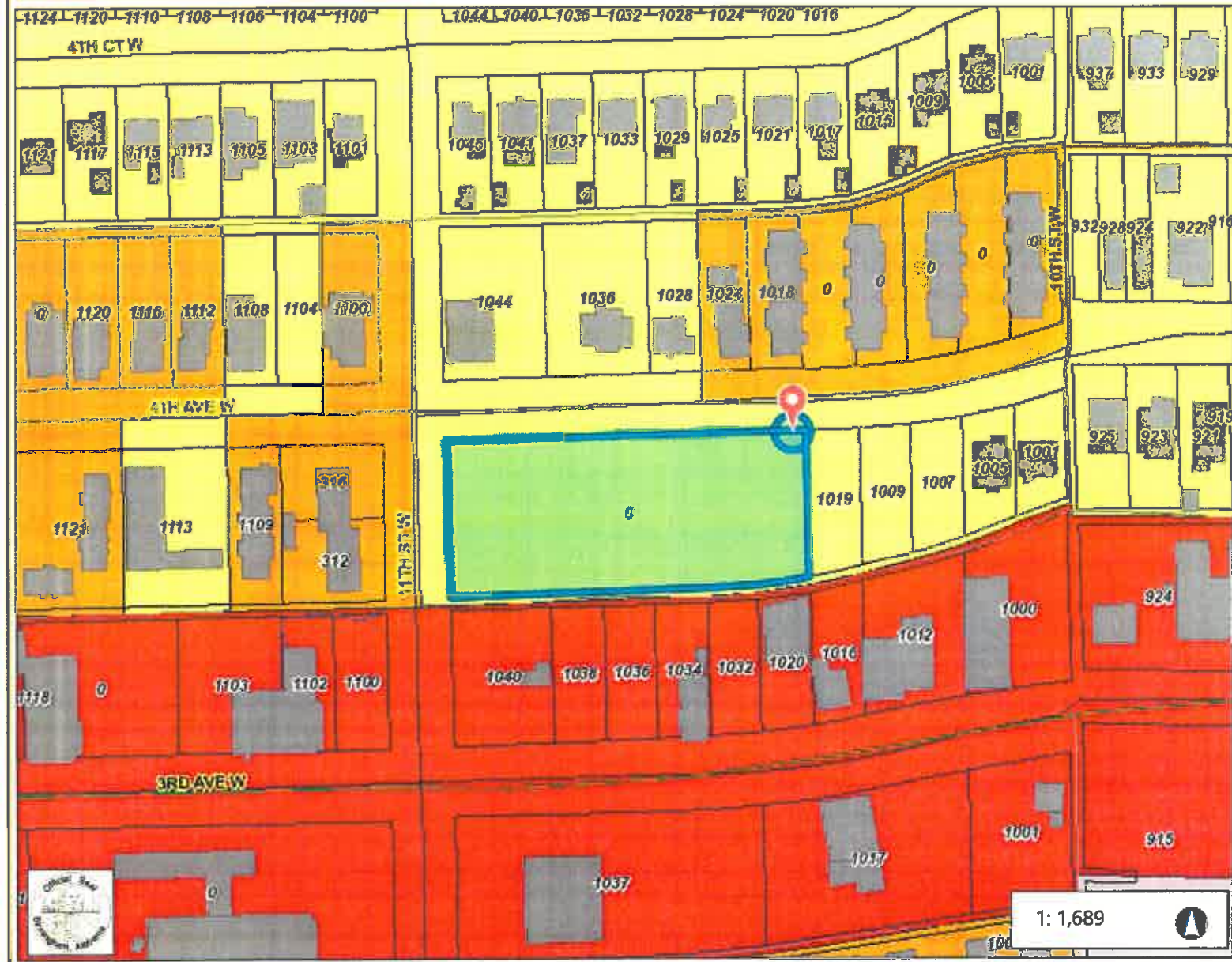
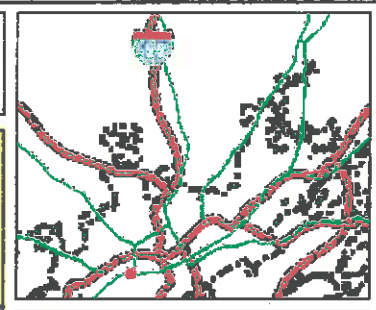
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

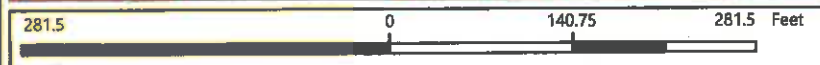
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Legend

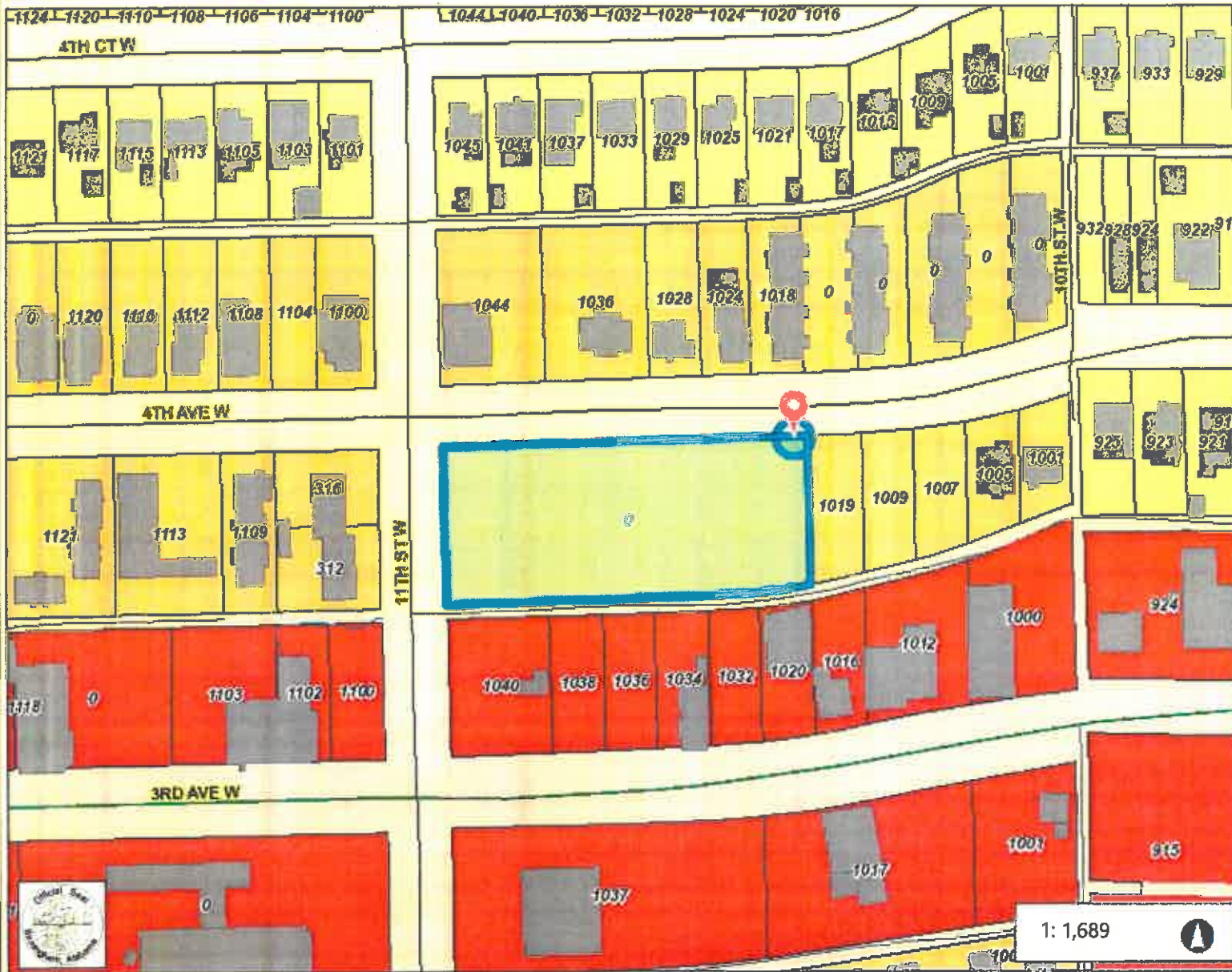
- Centerline Labels
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
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- Limited Access
- Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Zoning Shaded
 - R1; D1 - Single Family District - Cla
 - 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
 - R6; D6 - Multiple Family District
 - R7 - Multiple Family District

1:1,689



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

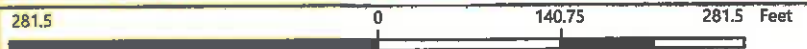
Notes



Legend

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

1: 1,689



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

ZBA2018-00048



Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: Redmont Park Staff Planner Moton ZBA2020-00045

Request: Variance to allow a 10ft rear yard setback instead of the required 25ft setback pursuant to Article VI, Title 1, Chapter 9, Section 4 and a variance to allow a 25ft front yard setback instead of the required established setback of approximately 60ft, in order to build two new single family residences pursuant to Article VI, Title 1, Chapter 9, Section 4

Applicant: William Perkinson
Owner: Henry & Miriam Little
Site Address: 4184 Highlands Cir
Zip Code: 35213

Description: Variance to allow a 10ft rear yard setback instead of the required 25ft setback and a variance to allow a 25ft front yard setback instead of the required established setback of approximately 60ft, in order to build two new single family residences

Property Zoned: R-3 Single Family District
Parcel Information: Parcel #: 012300324008015012, SE of Section 32, Township 17 S, Range 2 W

Variance:

Variance to allow a 10ft rear yard setback instead of the required 25ft setback and a variance to allow a 25ft front yard setback instead of the required established setback of approximately 60ft, in order to build two new single family residences

Neighborhood Meeting:

The Redmont Park Neighborhood Association waiting on response.

Public Notices:

Public notices were mailed on August 19, 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. **Please see attached.**

Staff Analysis:

The subject property located at 4184 Highlands Cir is zoned R-3, Single Family District. The applicant is requesting an extension of the variance granted per case number ZBA2017-00038. The applicant did complete condition 4, submission to the SUB committee to subdivide the current parcel into three (3) lots. You will see the recorded survey attached.

The applicant does meet the requirement of the six variance standards.

Staff Recommendation

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

1314 19th St N
Birmingham, Alabama



Street View



1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain a certificate of occupancy with the approval of this variance within 36 months from the date of approval.
3. Provide written approval recorded at the probate office from Traffic engineering of Adequate ingress and egress for the dwelling units.

William Perkinson
for Mr. & Mrs. Henry Little
4184 Highlands Circle
Birmingham, Al 35213

Dear Ms. Moton,

08/06/2020

I am the Applicant for this variance on behalf of the owners, Henry and Miriam Little. They are requesting a variance on two lots for a front setback of 25 feet off Morningside Drive and a rear setback of 10 feet. The Littles applied for and received this same variance 3 years ago. Unfortunately, due to health concerns and other issues, they were not able to move forward and that variance expired. Mr. Little is 81 years old and suffered from polio as a child. He is disabled and needs a home with no steps and more handicapped accessibility.

This property was once part of a much larger plot, Lot 12B of the Redmont Highlands subdivision, now called Highlands Circle. Three years ago, it was successfully subdivided into 3 lots, 12B-1, 12B-2 and 12B-3. The owners still live in their home on Highlands Circle, lot 12B-1. The back of the Little's house and some of the other houses on Highlands Circle back up to Morningside Drive and are set back 60 feet. Because the new lots came from the existing subdivision, they are required to have a front setback of 60 feet off Morningside Drive. The other houses in this neighborhood that front Morningside Drive and have a setback of 25 feet. We are asking for a variance that gives this property the same front setback of 25 feet.

These two lots are situated 39 feet below the street level of the Highlands Circle neighborhood and are 20 feet above the parking lot for the adjacent property. The topography separates the lots from both pieces of land, visually they stand alone.

There is a 20-foot-wide sanitary sewer easement running through the property. Because of this easement, the build site must be pushed far back on the lot. The rear of the property faces the Morningside Condominiums, located in the City of Mountain Brook. The condominium building is over 100 feet from the proposed new construction. The condominium parking lot and a Mountain Brook city street are both located in the 100 foot separation. We are requesting a variance for a rear setback of 10 feet off of the rear property line.

The owners presented Birmingham Traffic and Engineering the site plan showing a shared common driveway for the property. They approved the common driveway with the caveat that it be located directly across from Timberlane Drive. This was for the safety of the owners and cross traffic when pulling in and out of their property.

Thank you for your time and consideration of this request for the 25-foot front setback and the rear 10-foot setback.

Sincerely,

William Perkinson 205.365.9249

Physical Characteristics of the Property.

The two lots are irregularly shaped, one is narrow and the other is shallow. There is a steep hill that forces the proposed build site to the rear of the property. The elevation change from the existing house on Highlands circle, down to the proposed building site, is 39 feet. Because the land was originally part of the Highlands Circle neighborhood and those houses have their back doors facing Morningside Drive, the proposed new construction is subject to a 60 feet front setback.

The owners are asking for a variance releasing them from the 60 feet setback and be treated like the neighboring houses on Morningside Drive, subject to a more customary 25 feet setback from the street.

Unique Characteristics.

The topography separates this piece of property from its neighbors on the left and right side, visually they stand alone.

There is a 60-foot elevation change between the existing construction on Highlands Circle and the Morningside Condominiums. These two lots are situated on a large flat area that was once part of the Birmingham Mineral Railway railroad bed. The build site is 40 feet below the street level of the Highlands Circle neighborhood and are 20 feet above the parking lot for the adjacent property.

The property has a 20 feet wide sanitary sewer easement running through it. This severely limits the build site to a small portion of the property. The owners are requesting a variance that will allow them to have a 10 feet rear setback. There is over 100 feet between the proposed new construction and the existing Morningside Condominiums and there is a 20 feet elevation change from the proposed build site down to the condominium.

Hardship Not Self-Imposed.

The property has a 20 foot wide sewer easement with a sewer main buried 12 feet deep running the length of the property. This produced a hardship during the planning and placement of the proposed new construction on the property because it severely limited the buildable footprint. If the 20 foot wide sewer easement were not present, these variance requests may not have been necessary. The presence of the sewer easement makes it impossible to build on the property without requesting these variances.

Financial Gain Not Only Basis.

The husband and wife owners of the property are 81 and 78, respectively. The husband had polio as a child and is disabled. They want to build a new home on their land that will better accommodate his handicap and their age-related special needs.

No Injury to Neighboring Property.

Granting a variance for this property will in no way impair the use or enjoyment of any neighboring property. The building site is 39 feet below the houses on Highlands Circle and 20 feet above the Morningside Condominiums which are located in the city of Mountain Brook. There are over 100' feet between the proposed new house and the condominium building. The topography isolates this property from the Highlands circle houses above and the condominiums below. There are no houses directly across the street from this property.

The neighboring property values will be increased by having two new houses valued at over \$600,000 apiece. These new houses will help to increase the property values of all the houses in this neighbor.

No Harm to Public Welfare.

The City of Birmingham Traffic and Engineering Department has approved the location of the proposed shared driveway for the two houses. The owners were asked to move the driveway to be directly across from Timberlane Drive so as to promote safety. Morningside Drive is wide at this section and has curbs and a sidewalk. The use of which will not be diminished by the proposed new houses.

ZONING BOARD OF ADJUSTMENT

CITY OF BIRMINGHAM


CASE NO.: ZBA2017-00038 Redmont Park
APPLICANT: WILLIAM PERKINSON
OWNER: HENRY & MIRIAM LITTLE
SUBJECT: Variance to allow a 10ft rear yard setback instead of the required 25ft setback pursuant to Article VI, Title 1, Chapter 9, Section 4 and a variance to allow a 25ft front yard setback instead of the required established setback of approximately 60ft, in order to build two new single family residences pursuant to Article VI, Title 1, Chapter 9, Section 4.
PREMISES: Located at 4184 HIGHLAND CIRCLE 35213; LOT 12-B RES PT REDMONT HIGHLANDS 163/33; and situated on Parcel #: 012300324008015012, SE ¼ of Section 32, Township 17 S, Range 2 W

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of William Perkinson, applicant, representing Henry and Miriam Little, owners for a variance to allow a 10ft rear yard setback instead of the required 25ft setback pursuant to Article VI, Title 1, Chapter 9, Section 4 and a variance to allow a 25ft front yard setback instead of the required established setback of approximately 60ft, in order to build two new single family residences pursuant to Article VI, Title 1, Chapter 9, Section 4, for property located at 4184 Highland Circle 35213 situated on Parcel #: 012300324008015012, SE ¼ of Section 32, Township 17 S, Range 2 W according to the Surveyor's Certificate or drawing accompanying the application and marked, "RECEIVED JUNE 8, 2017," according to the Zoning Board of Adjustment, Case No. ZBA2017-00038 be, and the same hereby is **GRANTED** subject to:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain a certificate of occupancy with the approval of this variance within two years from the date of approval.
3. Provide written approval from Traffic Engineering of adequate ingress and egress for the dwelling units.
4. Submission to the Subdivision Committee to subdivide the current parcel into three (3) lots.

I, W. Thomas Magee, Technical Advisor to the Zoning Board of Adjustment of the City of Birmingham, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Board of Adjustment of the City of Birmingham at its meeting of June 8, 2017, and as same appears of record in the Official Minutes of said Board.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Zoning Board of Adjustment of the City of Birmingham, on this day, June 9, 2017.


W. Thomas Magee
Chief Planner

PARCEL ID: 012300324008015012

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

DATE: Friday, August 21, 2020 1:00:21 PM

OWNER: LITTLE HENRY H JR (D) & LITTLE

ADDRESS: 4184 HIGHLANDS CIR

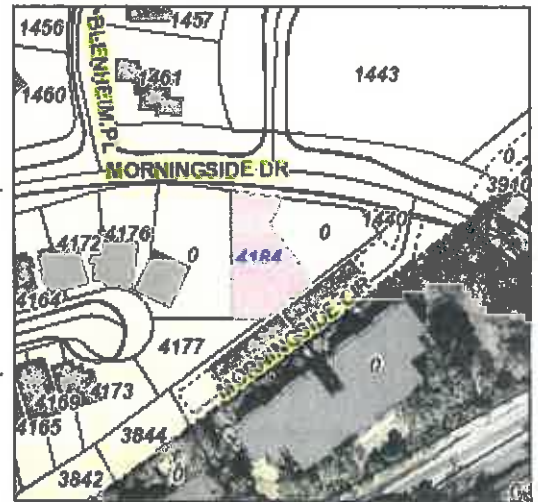
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35213--2800

SITE ADDR: 4184 HIGHLANDS CIR

CITY/STATE: BHAM, AL

ZIP: 35213



LAND: \$174,300.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 8,276.83

ACRES: 0.19

SUBDIVISION INFORMATION:

NAME REDMONT HIGHLANDS LOT12B

BLOCK:

LOT: 12B-

:

Section: 32-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Redmont Park (1403)

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 Shades Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: Not in RISE Focus Area

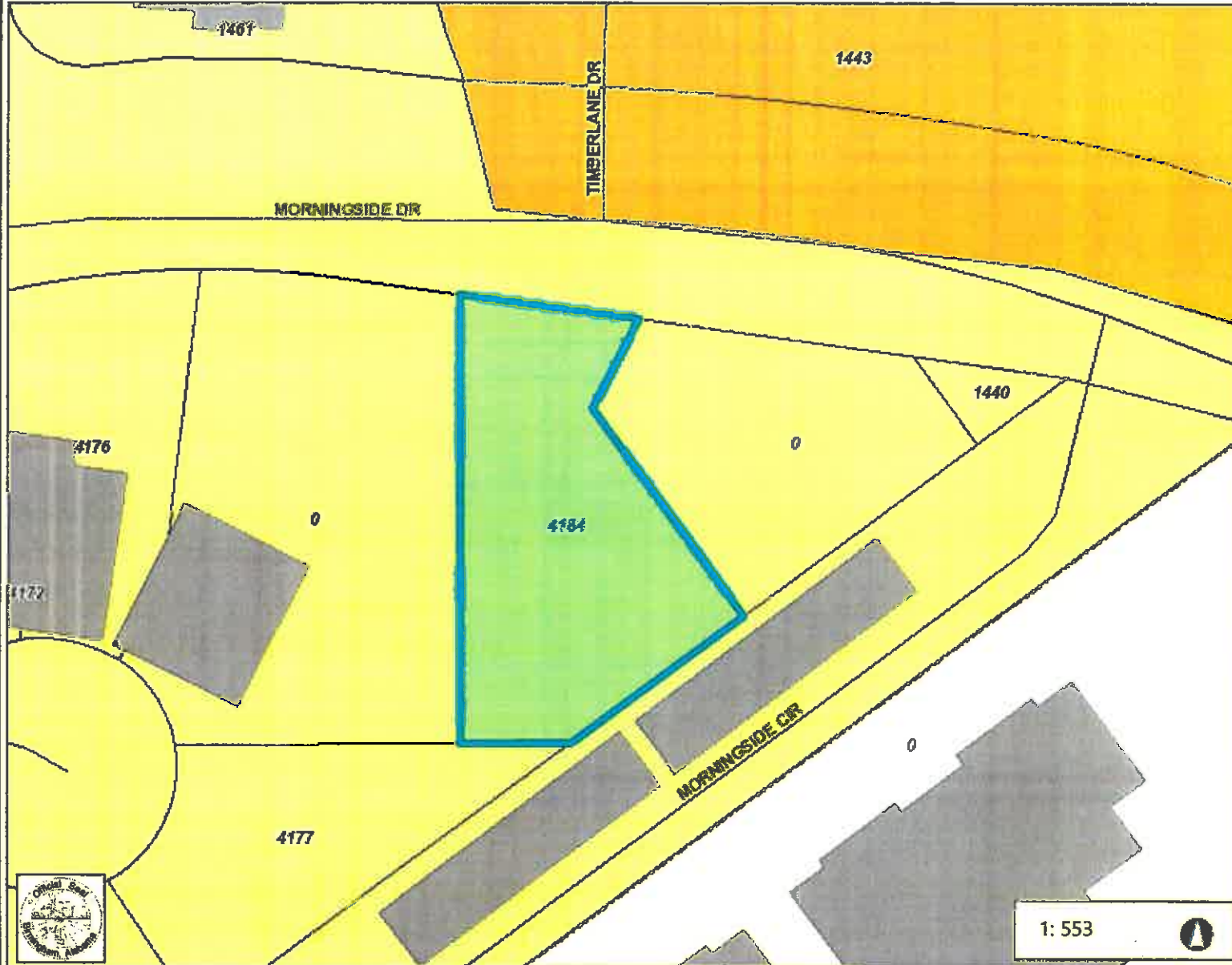
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON

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Legend

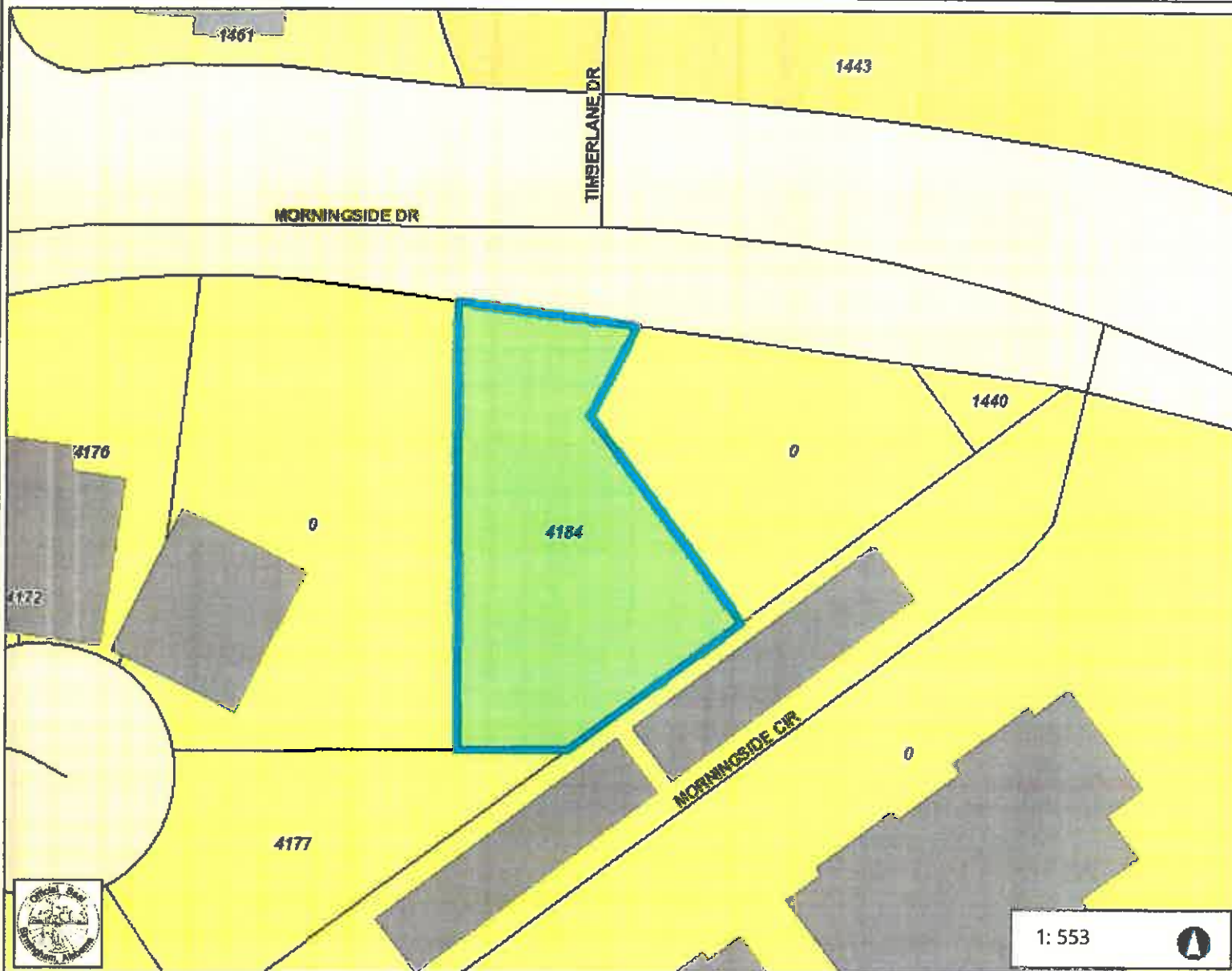
- Centerline Labels
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
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- Interstates
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 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
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 - 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: 553

Notes

92.2 0 46.11 92.2 Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

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- Alleys
- Local Roads
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- Interstates
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 - 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: 553



92.2 0 46.11 92.2 Feet

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Notes

VICINITY MAP



North arrow and bearings shown herein are based on Transverse Mercator Projection - Alabama West Zone - NAD 83 adjusted 2011, using Global Positioning System (GPS) and derived by state observation, using State Plane, NAD83, Zone 16, UTM, CONUS AMP, PD 82229 Combined Factor: 0.99999428 Convergence Factor: +0 31 25.3

STATE OF ALABAMA
JEFFERSON COUNTY
I, the undersigned, a Notary Public in and for said County and State, do hereby certify that the following is a true and correct copy of the original as shown to me on this date and after reading the same and after the contents of said certificate, to wit: the same verbatim as set forth in the certificate.

Given under my hand and seal this 22 day of JUNE, 2017.
Michael W. Justice
Notary Public
5-21-2019
My commission expires

STATE OF ALABAMA
JEFFERSON COUNTY
I, the undersigned, a Professional Land Surveyor of the State of Alabama, do hereby certify that the following is a true and correct copy of the original as shown to me on this date and after reading the same and after the contents of said certificate, to wit: the same verbatim as set forth in the certificate.

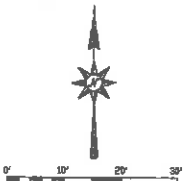
Given under my hand and seal this 6-15-17 day of JUNE, 2017.
David B. Starnes, PLS
Notary Public
6-15-17
My commission expires

Given under my hand and seal this 6-22-17 day of JUNE, 2017.
William A. White
Notary Public
6-22-17
My commission expires

Given under my hand and seal this 6-22-17 day of JUNE, 2017.
William A. White
Notary Public
6-22-17
My commission expires

Given under my hand and seal this 06/22/2017 day of JUNE, 2017.
William A. White
Notary Public
06/22/2017
My commission expires

Given under my hand and seal this 06/22/2017 day of JUNE, 2017.
William A. White
Notary Public
06/22/2017
My commission expires



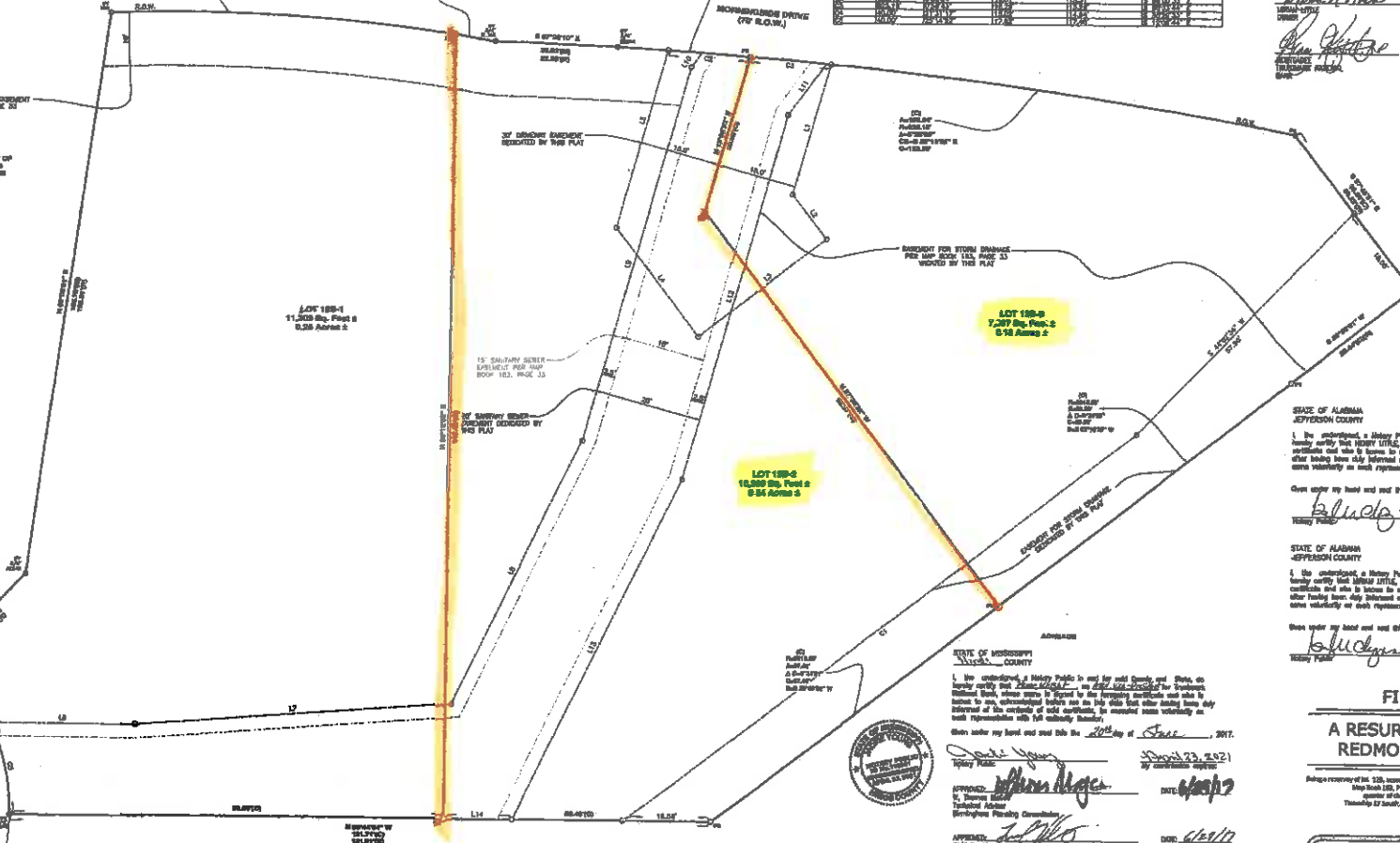
CURVE TABLE

Station	PC	PT	PI	Curve Length	Chord Length	Chord Bearing	Delta	Delta/2	Delta/4	Delta/8	Delta/16	Delta/32	Delta/64	Delta/128	Delta/256	Delta/512	Delta/1024
10+00	10+00	10+00	10+00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10+00	10+00	10+00	10+00	0	0	0	0	0	0	0	0	0	0	0	0	0	0

LINE TABLE

Station	PC	PT	PI	Curve Length	Chord Length	Chord Bearing	Delta	Delta/2	Delta/4	Delta/8	Delta/16	Delta/32	Delta/64	Delta/128	Delta/256	Delta/512	Delta/1024
10+00	10+00	10+00	10+00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10+00	10+00	10+00	10+00	0	0	0	0	0	0	0	0	0	0	0	0	0	0

LOT DATA TABLE
 ZONING: R-3 SINGLE FAMILY DWELT PER CITY OF BRIDGEPORT
 SECTION: 35'
 WIDTH: 25'
 SIDE: 0' ONE SIDE
 14' TOTAL BOTH SIDES
 MAX WIDE HEIGHT: 35'
 MIN LOT WIDTH: 50'
 MIN LOT AREA: 6,000 SQ FT



ABBREVIATIONS

ED	CHISEL
OD	1/8" DIA. LOT MARK
CD	1/4" DIA. LOT MARK
LD	3/8" DIA. LOT MARK
SD	1/2" DIA. LOT MARK

According to the final traverse data (FPA) for Jefferson County, Alabama (commissioned number 010720 0284 U, dated September 20, 2004), all of the subject property has within Zone 1, defined as "area determined to be outside the 0.25 arc second closure threshold."

LEGEND

- TRUSS CONCRETE MANDATORY
- I.P.F. IRON PIN ISLAND
- I.P.S. IRON PIN SET (1/8" BEARING W/OPT)
- ⊕ POLY DRESS CUT IN CONCRETE
- CALCULATED POINT

STATE OF ALABAMA
JEFFERSON COUNTY
I, the undersigned, a Notary Public in and for said County and State, do hereby certify that the following is a true and correct copy of the original as shown to me on this date and after reading the same and after the contents of said certificate, to wit: the same verbatim as set forth in the certificate.

Given under my hand and seal this 22 day of JUNE, 2017.
Michael W. Justice
Notary Public
22/6/2017
My commission expires

STATE OF ALABAMA
JEFFERSON COUNTY
I, the undersigned, a Notary Public in and for said County and State, do hereby certify that the following is a true and correct copy of the original as shown to me on this date and after reading the same and after the contents of said certificate, to wit: the same verbatim as set forth in the certificate.

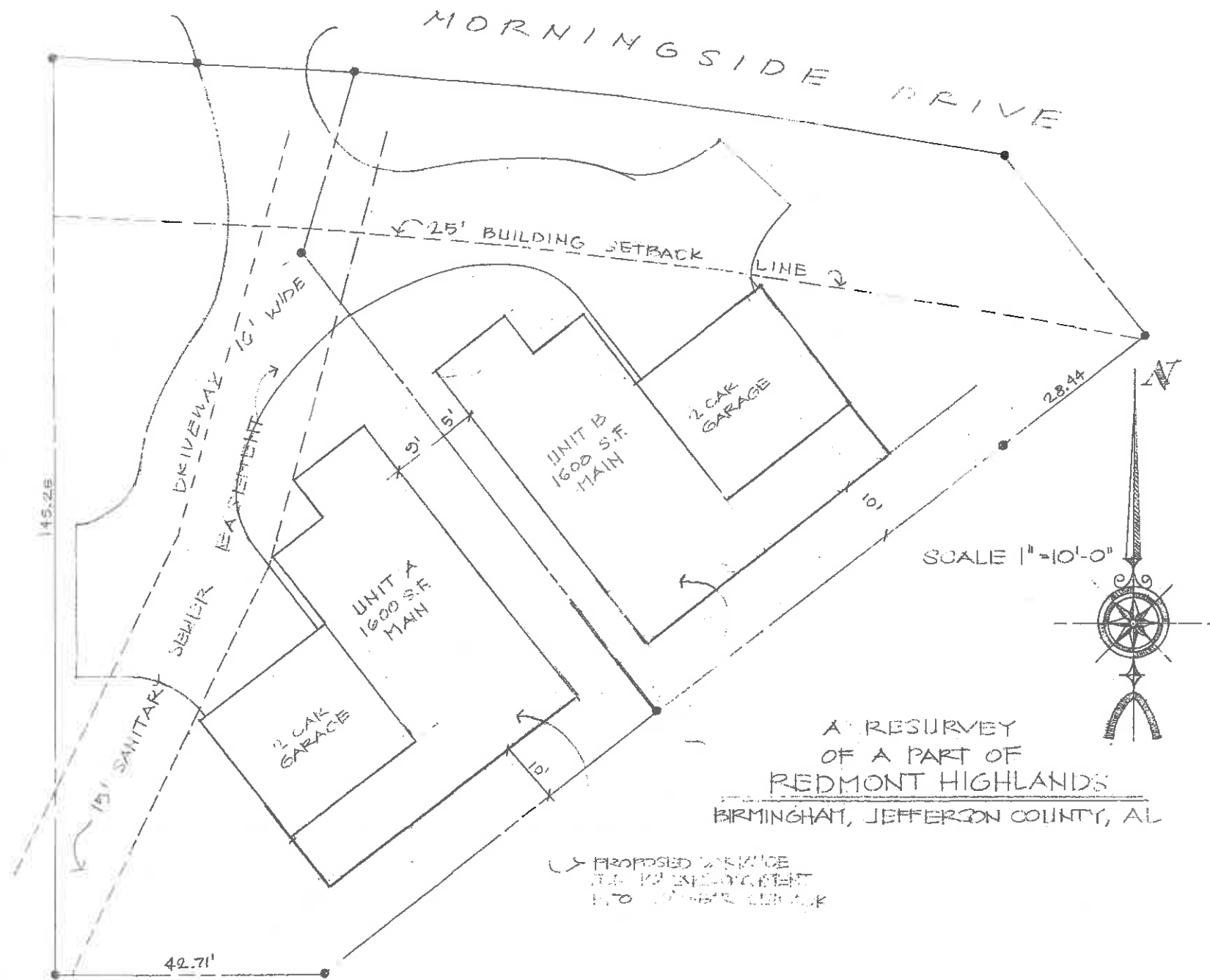
Given under my hand and seal this 22 day of JUNE, 2017.
Michael W. Justice
Notary Public
22/6/2017
My commission expires

FINAL PLAT
A RESURVEY OF LOT 12B
REDMONT HIGHLANDS

Prepared by
CONRAEL & STARNES & ASSOCIATES, INC.
Civil Engineers and Land Surveyors
2114 SOUTH LANE SUITE 100
P.O. BOX 202022
MOBILE, ALABAMA 36620-2022



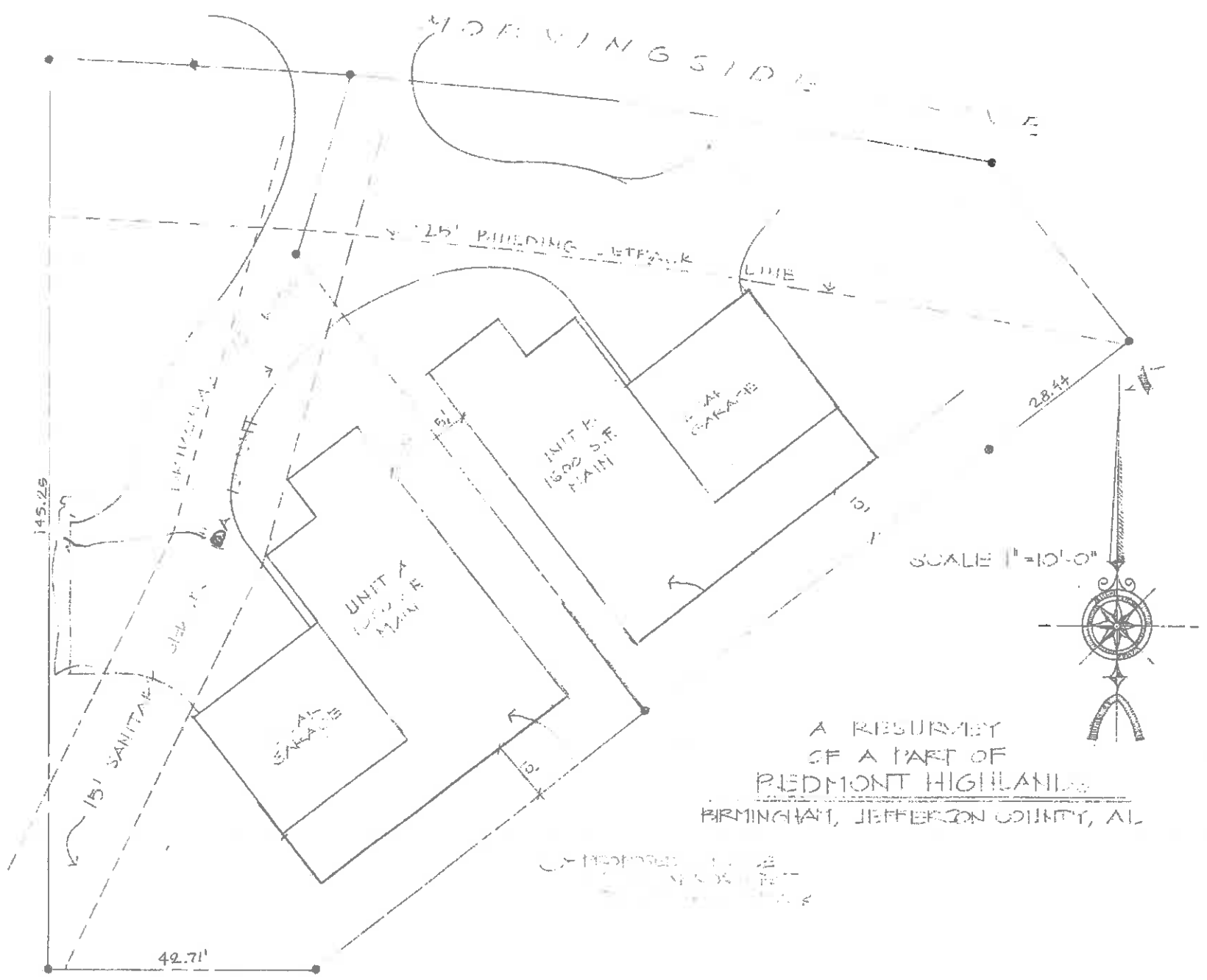
Checked by: David B. Starnes, PLS
Date: 6/15/17
Checked by: William A. White
Date: 6/22/17
Checked by: William A. White
Date: 6/22/17
Checked by: William A. White
Date: 6/22/17
Checked by: William A. White
Date: 6/22/17



A RESURVEY
 OF A PART OF
REDMONT HIGHLANDS
 BIRMINGHAM, JEFFERSON COUNTY, AL

conceptual view of topography changes from Morninside Drive







view of property
Morningside Drive



heavily wooded obscured
view of houses above



entrance to Moringside Condominium



covered parking

covered parking
20 feet below house site



View from Highlands Cir
to Condo parkinglot 60ft below

Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: Riley Staff Planner Moton ZBA2020-00046

Request: Special Exception to allow a manufactured home pursuant to Title 1, Chapter 4, Article III Section 3.B and variance to allow a roof pitch of 3-foot rise to a 12-foot run instead of the required 4-foot rise to a 12-foot run pursuant to Title 1, Chapter 4, Article III Section 3.B.11 page 124

Applicant: Marshall Jowers
Owner: Marshall Jowers
Site Address: 4025 Gray Ave
Zip Code: 35211
Description: Special Exception to allow a manufactured home pursuant to Title 1, Chapter 4, Article III Section 3.B and variance to allow a roof pitch of 3-foot rise to a 12-foot run instead of the required 4 foot rise to a 12 foot run pursuant to Title 1, Chapter 4, Article III Section 3.B.11 page 124

Property Zoned: D-3 Single Family District
Parcel Information: Parcel #: 012900193024007000, SW of Section 19, Township 18 S, Range 3 W

Special Exception: Special Exception to allow a manufactured home

Variance: Variance to allow a roof pitch of 3-foot rise to a 12-foot run instead of the required 4-foot rise to a 12-foot run

Neighborhood Meeting:
The Riley Neighborhood Association waiting on response.

Public Notices:
Public notices were mailed on August 31, 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:** The roof pitch was not met to what was needed for requirements. They did not offer the 4ft roof option.
2. **Unique Characteristics:** The of the roof pitch will not affect the other homes and would look just as good.
3. **Hardship not self-imposed:** The 4ft pitch the city was asking for was not available as an option at the dealer.
4. There will be no financial gain if granted.
5. There will be no injury to neighboring properties if granted.
6. The variance will not cause problems to public welfare in any way, or cause problems with safety.

Staff Analysis:

The subject property located at 4025 Gray Ave is zoned D-3, Single Family District. A special exception is required if the applicant meets the following conditions:

1. Application for a manufactured home must include a site development plan to be reviewed and approved by the Department. The site plan must depict yard setbacks, parking areas, driveways, porches, patios, landings, decks, garages, roofs, mechanical units, gas tanks, and any other accessory structures.
2. Manufactured homes may only be placed upon a legal lot of record.
3. Before any Certificate of Occupancy and utility connections are approved all manufactured homes must have the following: a. Federal Manufactured Home Construction and Safety Standards label. b. HUD label of approval and manufactured date not older than June 15, 1976. c. Alabama Manufactured Housing Commission insignia and date plate.
4. The installer must be state certified by the Alabama Manufactured Housing Commission and install their installation decal. The installer must have a City foundation permit and install a permanent perimeter foundation. The installation must conform to the manufacturer's installation manual recommendations.
5. A City Building Inspector must confirm the foundation, porches and exterior steps, and any accessory structures meet Building Code requirements. These requirements include code compliant footings providing a perimeter foundation of concrete, concrete block, or brick 124 extending all around the building with adequate venting and access. The foundation must be flush with the structure's exterior material. The foundation must provide at least an 18 inch crawl space or a finished floor elevation equal to the elevation of surrounding housing, (should they exist) whichever is higher. Permanent code compliant steps must be provided at all exits or approved porches.
6. Verification from the Director that all Board approved Special Exception design requirements for this site is compliant prior to issuance of a Certificate of Occupancy.
7. All hitches and tow bars, axles, and wheels must be removed upon installation. Foundation shall be brick or concrete. Concrete or concrete block skirting walls shall be painted.
8. Minimum Size and Width Generally speaking, the minimum size of a manufactured home should be 1,200 square feet, with a minimum width of 24 feet. The Board recognizes that in certain instances smaller units may be desirable; however, these should be the exception, rather than the rule.
9. Front Doors. The main entry door should face the required front yard and the primary street on which the unit is located. When more than one front yard exists, the entry should face the yard with the narrowest dimension.
10. Walkways A paved concrete walkway at least 30 inches in width, minimum 3.5 inches thick, flush with ground, and connecting the front entry way or porch to the driveway or fronting street should be reflected in the plan and built.
11. Roof and Overhang The roof pitch should have at least a 4-foot rise to a 12-foot run, and a roof overhang of 7 to 12 inches (not including rain gutters), to ensure compatibility with surrounding residences. The roof should have fiberglass or asphalt composite shingles or comparable materials; roll roofing is not permitted.
12. Exterior Finish Siding should be made of lapped hardboard, lapped fibercement board, lumber clapboard; cedar shingles; fiberglass or asphalt composite siding shingles; brick; vinyl lap siding; or aluminum lap siding; rolled or solid sheet siding is not permitted. The siding color's gloss must be in a flat or satin finish, therefore not highly reflective gloss.
13. Garages, Carports and other Additions If the site plan proposes additions to the manufactured house, its roof should have the same roof pitch, material, and color as the main structure. In addition the same exterior material and color should be used as the main structure. If site built, the addition must meet all building codes.

14. Soil Stabilization All yards shall have a grass ground cover to stabilize the soil after installation of the manufactured home is completed, compliance with the Soil Erosion and Sediment Control Code.

15. Other Utility meters must be placed on the side or rear wall of the building and shall not face the street.

16. All propane and other fuel tanks must be code compliant, placed on a concrete pad and located underground or in the rear yard.

17. HVAC and other mechanical units must not be in the front yard.

18. Front Porch A covered, but unenclosed front porch with the same roof pitch as the structure, is desirable. The porch roof should be of the same materials and color as the main roof of the structure. The size of the porch may not be less than 30 square feet. If site built, it must be self-supporting and meet all building codes. The porch's design should match that of conventional site built houses in the neighborhood. The color of all supports and railings on the porch and steps shall match the main structure's trim or be primed and painted to match.

The applicant is not able to meet requirement 11; therefore, is requesting the variance to allow a roof pitch of 3-foot rise to a 12-foot run instead of the required 4-foot rise to a 12-foot run. There is a lot line running through the property. The applicant will have to resurvey the lots into one lot. The applicant does meet the requirement of the six variance standards.

Staff Recommendation

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

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Must resurvey the lots into one lot before submittal of permits.
3. Applicant must obtain a certificate of occupancy with the approval of this variance within 3 years from the date of approval.

PARCEL ID: 012900193024007000

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

DATE: Monday, August 31, 2020 8:30:58 AM

OWNER: FRAZIER MICHAEL LEON SR

ADDRESS: 5701 COURT Q

CITY/STATE: BIRMINGHAM AL

ZIP+4: 35228--1340

SITE ADDR: 4025 GRAY AVE SW

CITY/STATE: BHAM, AL

ZIP: 35221



LAND: \$4,900.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 13,629.23

ACRES: 0.31

SUBDIVISION INFORMATION:

NAME PARK PLACE

BLOCK: 19

LOT: 1&3

:

Section: 19-18-3W

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: Riley (1804)

Communities: Southwest (18)

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

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: In RISE Focus Area

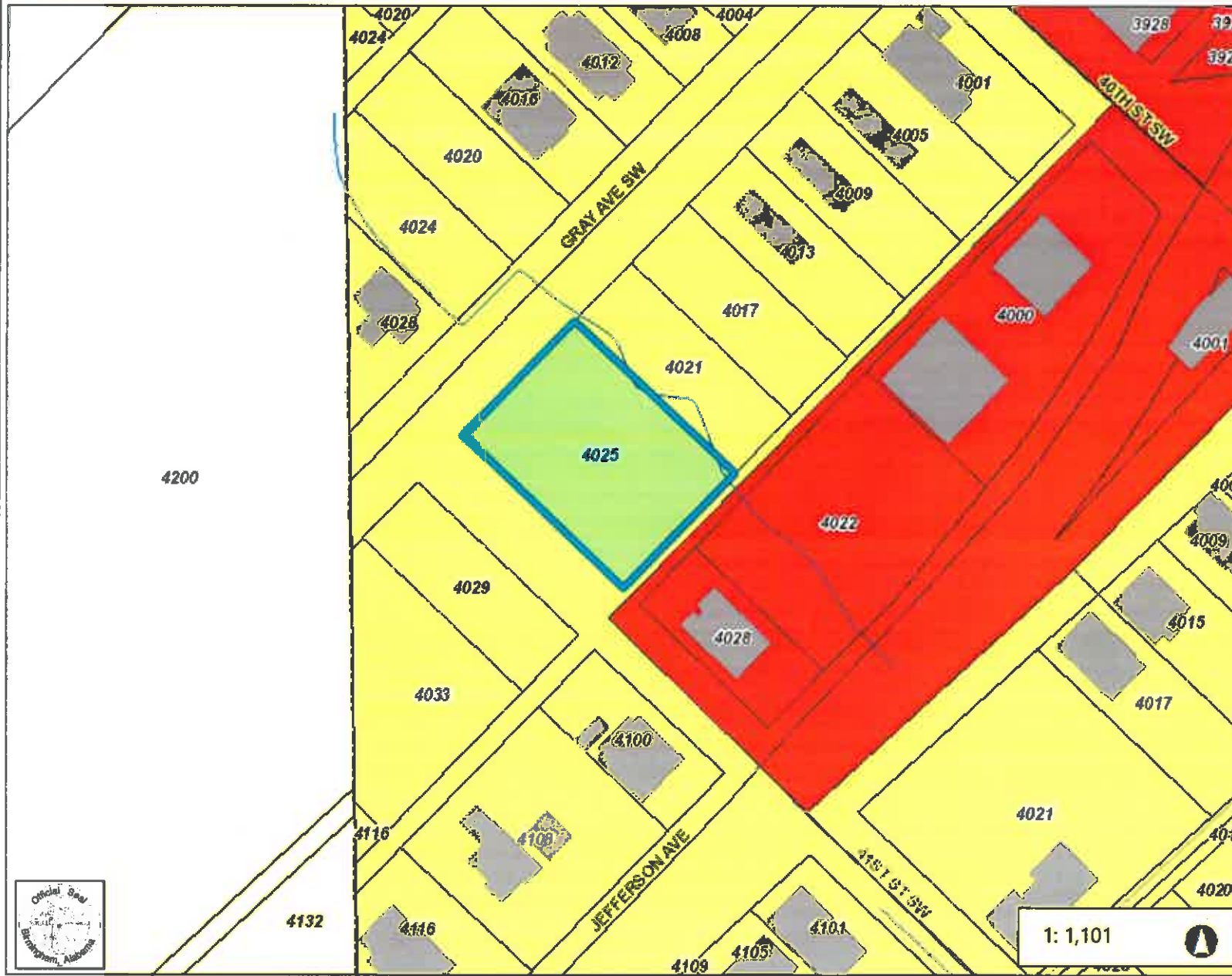
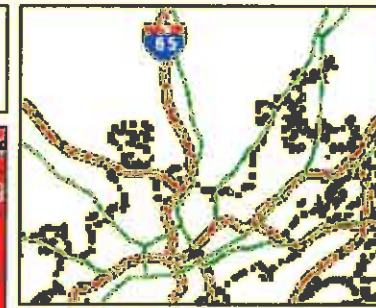
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

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

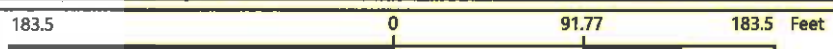


Legend

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

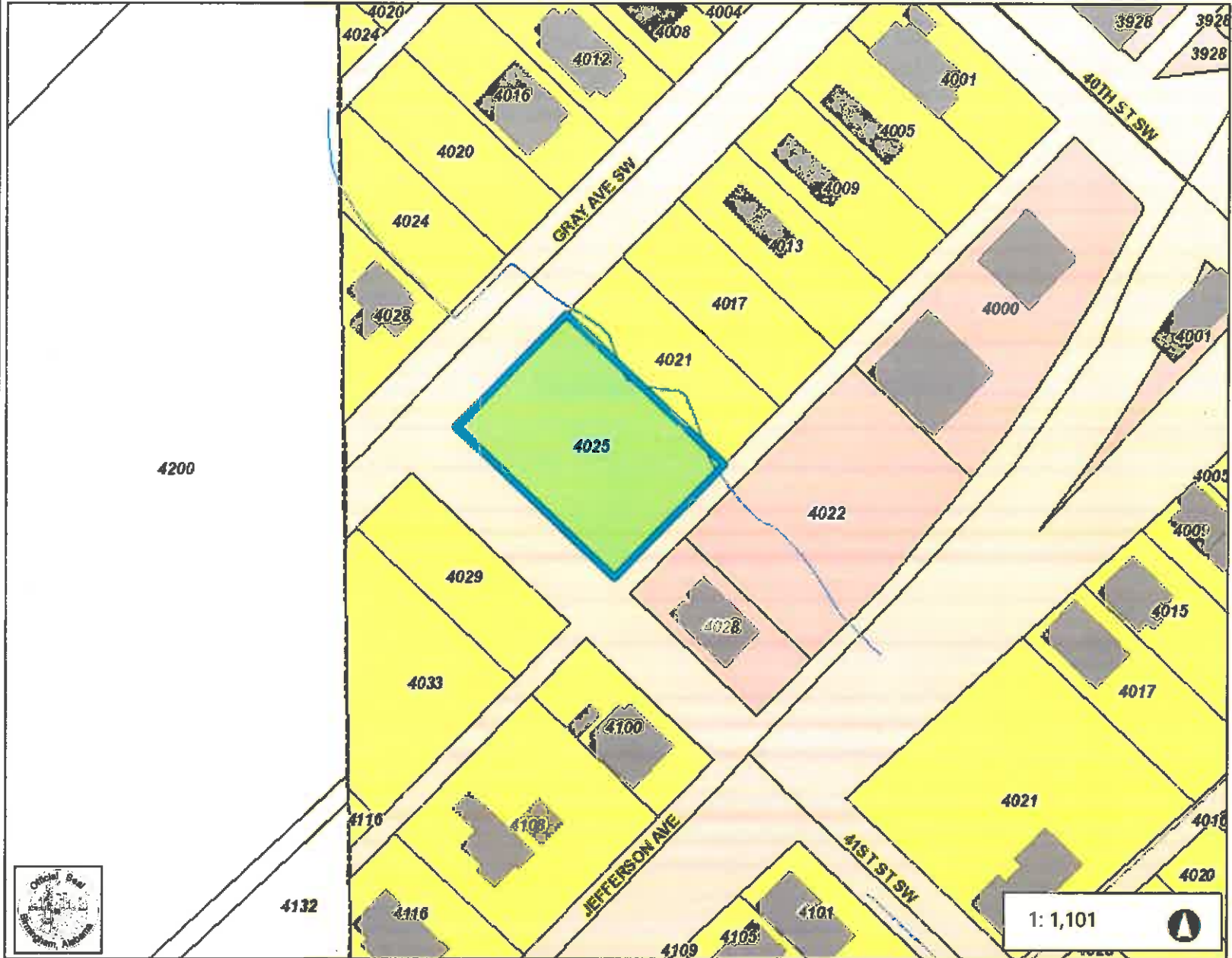
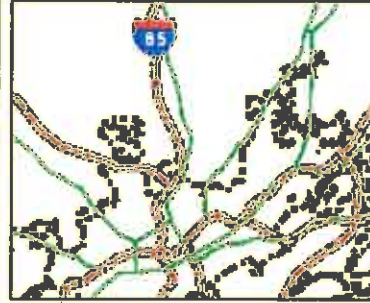


1: 1,101



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

Notes



Legend

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



1: 1,101



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

Notes

PARCEL ID: 012900193024007000

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

DATE: Friday, August 28, 2020 3:49:41 PM

OWNER: FRAZIER MICHAEL LEON SR

ADDRESS: 5701 COURT Q

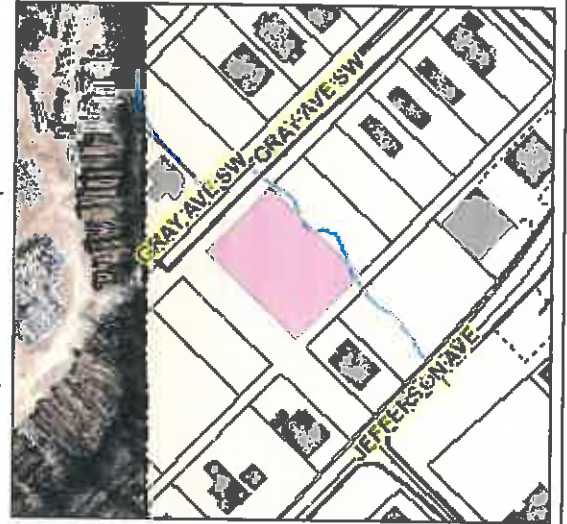
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35228--1340

SITE ADDR: 4025 GRAY AVE SW

CITY/STATE: BHAM, AL

ZIP: 35221



LAND: \$4,900.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 13,629.23

ACRES: 0.31

SUBDIVISION INFORMATION:

NAME PARK PLACE

BLOCK: 19

LOT: 1&3

Section: 19-18-3W

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: Riley (1804)

Communities: Southwest (18)

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

Zoning Outline: D3

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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

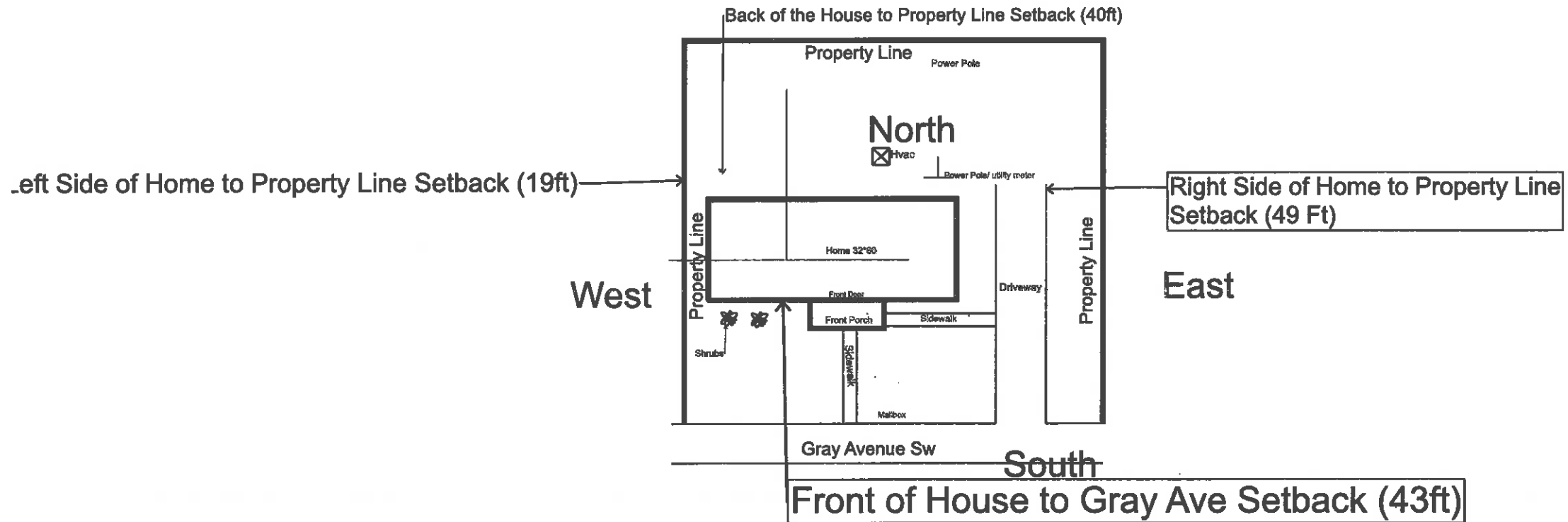
Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

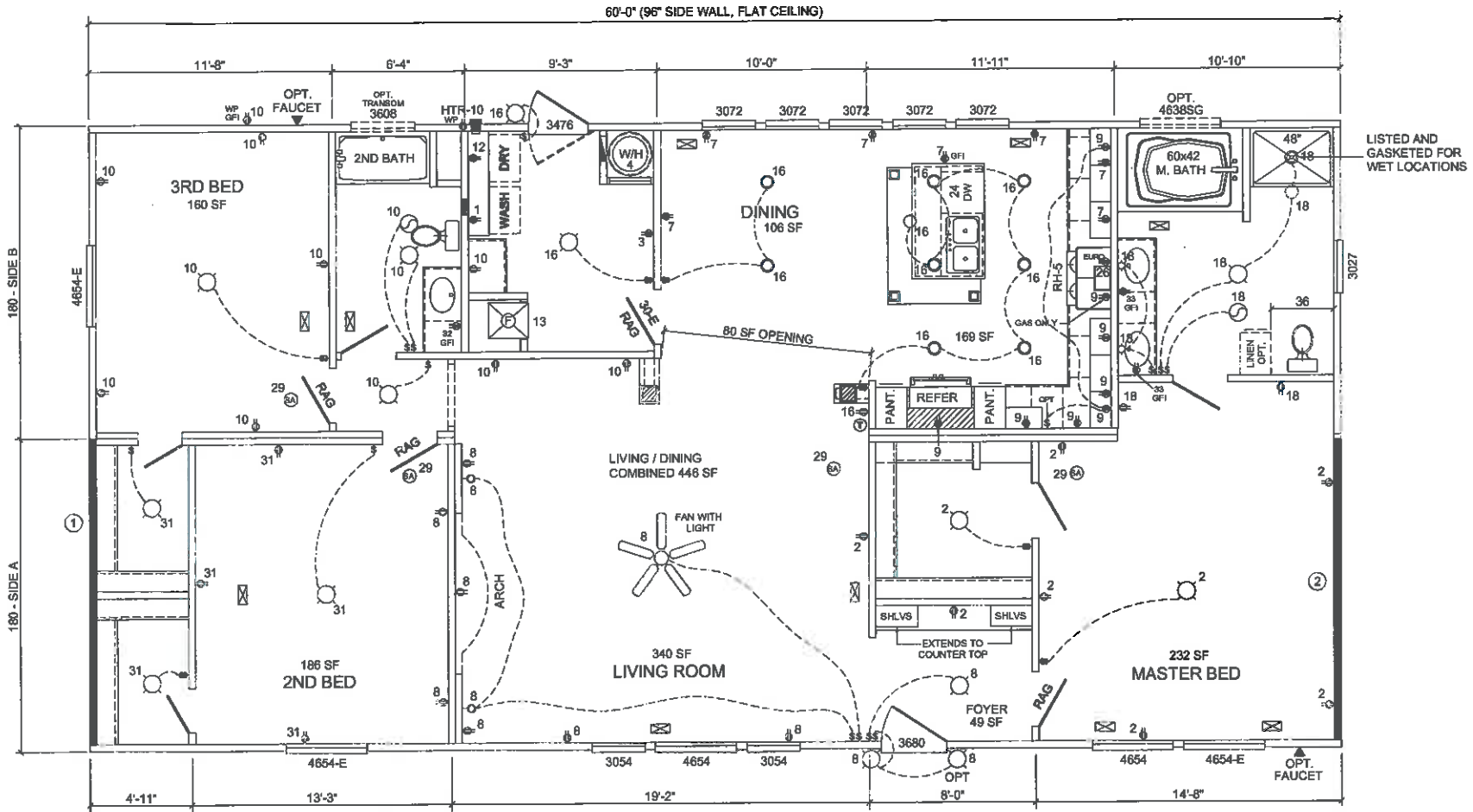
Parcel mapping and description information is obtained from the Jefferson County Tax Assessor's Office. This site does not provide real-time information and may contain errors. All data should be verified with the official source. The City of Birmingham makes no warranty as to the accuracy of the data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

The porch will be the same matching color of the home and same pitch of home structure on front of home.

The sidewalk will be at least 30 inches in width and at least 3.5 inches thick.



6715DT.1



LISTED AND GASKETED FOR WET LOCATIONS

SHEAR WALL DESCRIPTION							
WIND ZONE 1				WIND ZONE 2			
NO.	LENGTH	PLF	PLF	NO.	LENGTH	PLF	PLF
1	176"	150	379	1	176"	379	
2	176"	150	379	2	176"	379	

■ SHEAR WALLS FOR ALL WIND ZONES
 ■ SHEAR WALLS FOR WIND ZONE 2 & 3, WINDZONE 1 w/ 6.24/12 ROOF PTCH

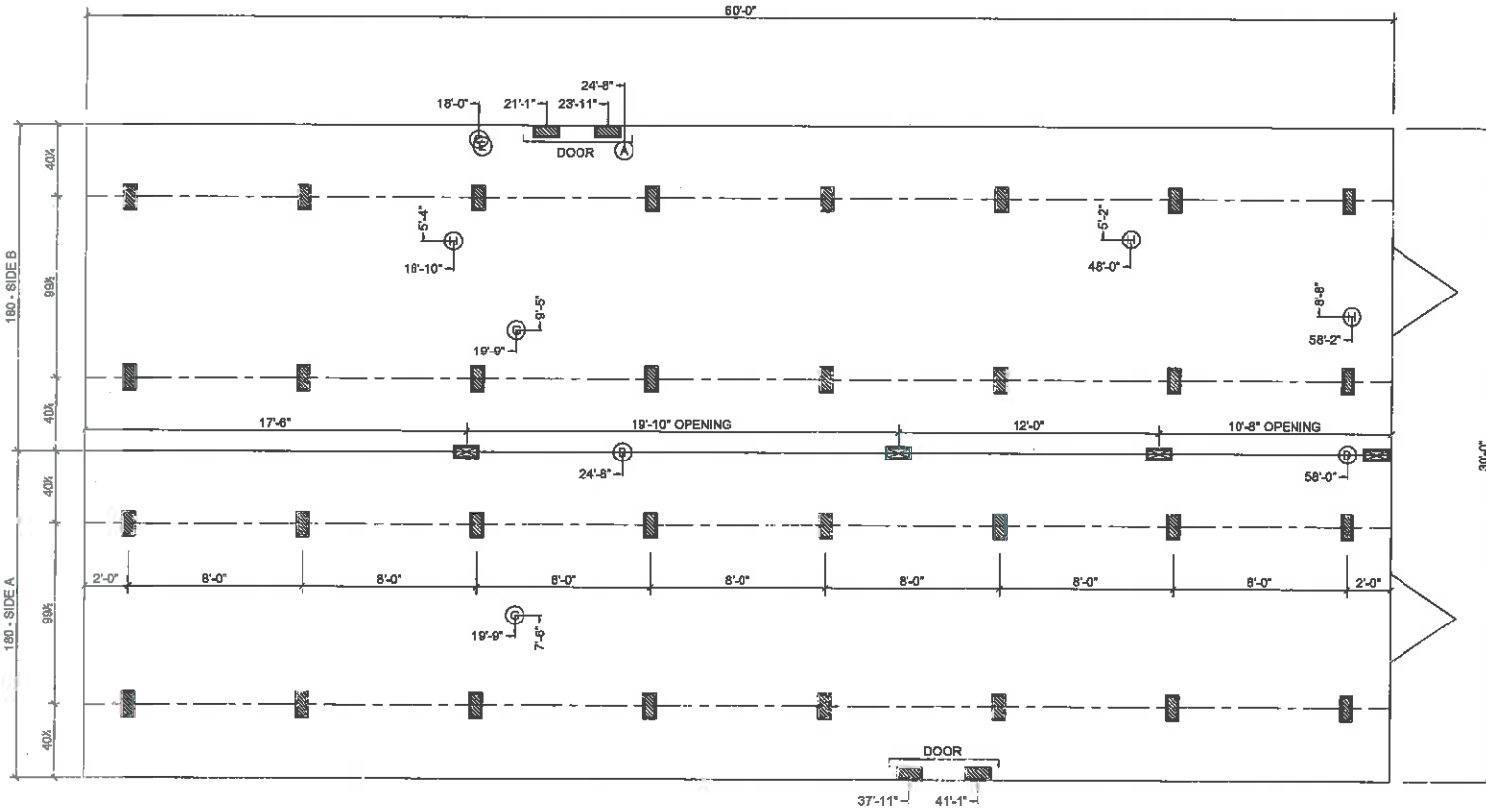
TOTAL WINDOW AREA (S.F.) = 212
 TOTAL DOOR AREA (S.F.) = 43.0
 SLDG. GLASS DR. AREA (S.F.) = 40.0

FOR INSULATION PACKAGE SEE "THERMAL SECTION"
 NOTE
 FOR OPTIONAL HEAT PUMP CONTRACT AND INSTALLATION, REFERENCE PAGES HE-9.1.1 & HE-9.2.1.

6715DT

REV #	DESCRIPTION OF REVISION
1	4/30/13 -- ADD LIGHT NOTATION TO CEILING FA

PDF created with pdfFactory trial version www.pdffactory.com



▨ SUPPORT PIER/TYP. LOADING DESIGN VALUE-6420 lbs./PIER

SOIL CAPACITY (PSF)	MINIMUM PAD SIZE (IN x IN)	FOOT CAPACITY (MAX lbs.)	SINGLE STACK FOOTER THICK.	DOUBLE STACK FOOTER THICK.
1000	SEE SETUP MANUAL			
1500	30 x 30	9375	6 1/2"	4 1/4"
2000	24 x 24	8000	5 1/2"	4"
2500	20 x 20	6944	4 1/2"	4"
3000	20 x 20	8333	5"	4"
3500	20 x 20	9722	5 1/2"	4"
4000	16 x 16	7111	4"	4"

▨ MARRIAGE LINE OPENING SUPPORT PIER/TYP. LOADING

SOIL CAPACITY (PSF)	MARRIAGE WALL OPENING SIZE (FEET)						
	4'	6'	10'	12'	14'	16'	20'
1000	SEE SETUP MANUAL						
1500	16x16x4	20x20x4	20x20x4	20x20x4	24x24x5	24x24x5	24x24x5
2000	16x16x4	16x16x4	20x20x4	20x20x4	20x20x4	20x20x4	20x20x5.5
2500	16x16x4	16x16x4	16x16x4	16x16x4	20x20x4.5	20x20x4.5	20x20x4.5
3000	16x16x4	16x16x4	16x16x4	16x16x4	16x16x4	16x16x4	16x16x4
3500	16x16x4	16x16x4	16x16x4	16x16x4	16x16x4	16x16x4	20x20x5.5
4000	16x16x4	16x16x4	16x16x4	16x16x4	16x16x4	16x16x4	16x16x4

FOUNDATION NOTES:

REFERENCE HOME INSTALLATION MANUAL FOR OPTIONAL PIER SPACING AND LOADING (I.E. FIREPLACES, ETC.)
 SINGLE STACK PIERS MAX. 30" HIGH; DOUBLE STACK PIERS MAX. 80" HIGH.
 ALL DIMENSIONS ARE FROM REAR OF HOME UNLESS OTHERWISE NOTED.

Cavalier Home Builders
MODEL: 6715DT - 32 x 64
3-BEDROOM / 2-BATH

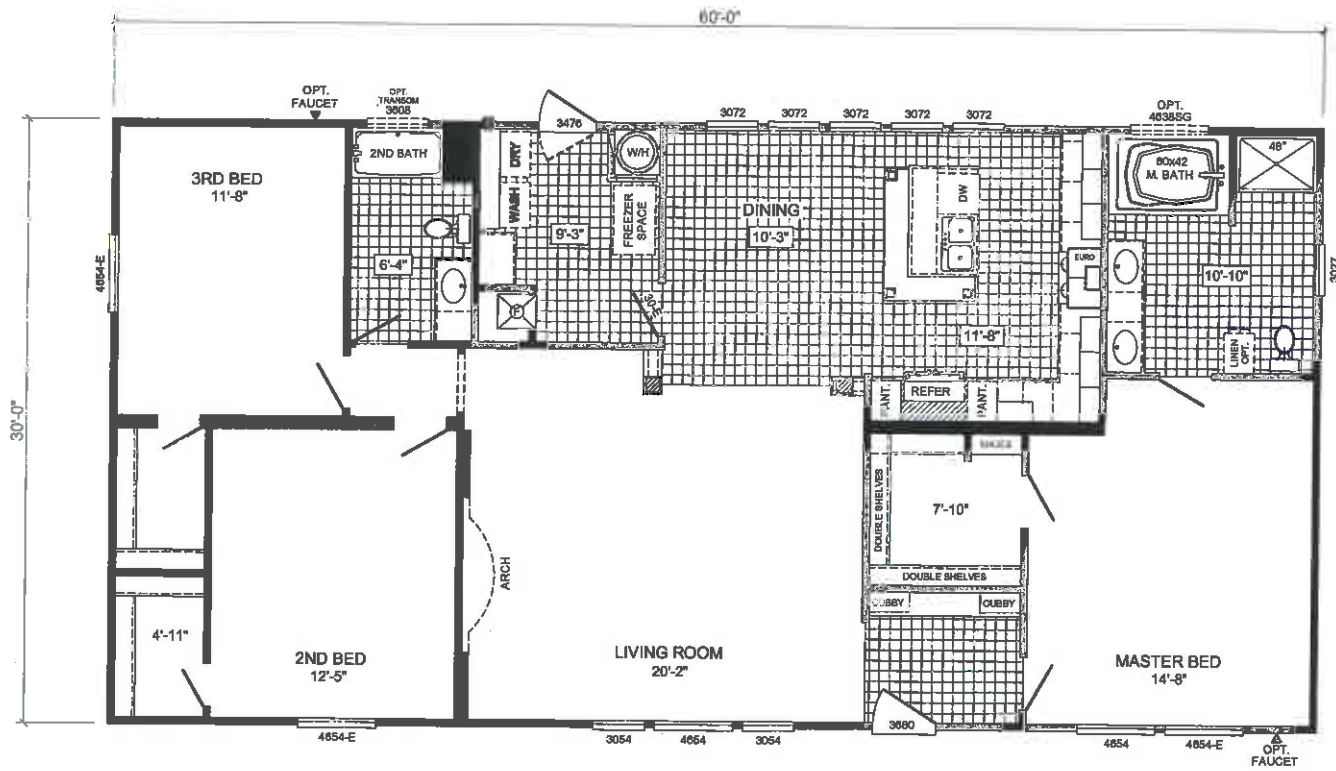
- (A) MAIN ELECTRICAL
- (B) ELECTRICAL CROSSOVER
- (C) WATER INLET
- (D) WATER CROSSOVER
- (E) GAS INLET
- (F) GAS CROSSOVER (IF ANY)
- (G) DUCT CROSSOVER
- (H) SEWER DROPS
- (I) RETURN AIR (W/OPT. HEAT PUMP OH DUCT)
- (J) SUPPLY AIR (W/OPT. HEAT PUMP OH DUCT)

2/15/13

6715DT



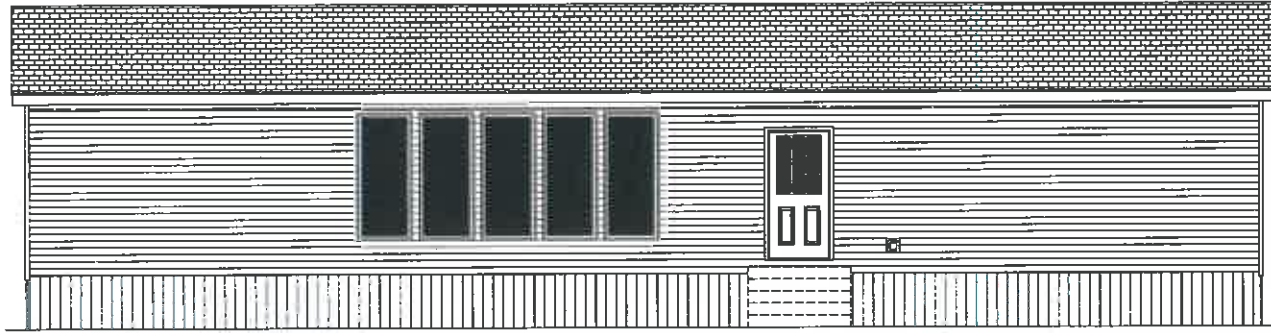
**OPTIONAL FRONT ELEVATION
(EXTERIOR "B")**



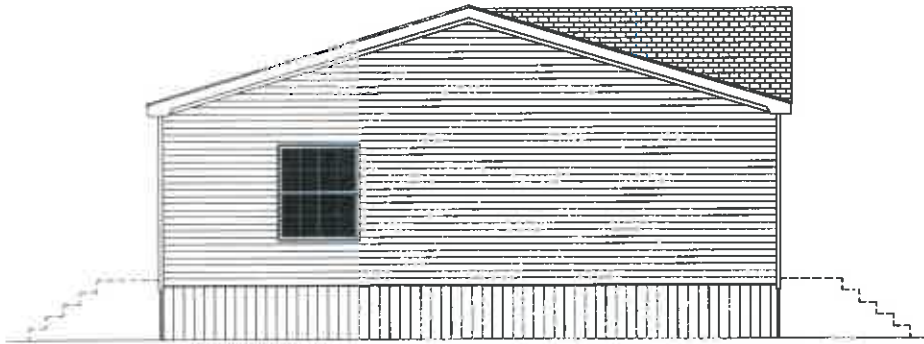
MODEL: 6715DT
3-BEDROOM / 2-BATH
32 x 64 - Approx. 1770 Sq. Ft.

Date: 3/5/13 Revised: 4/16/13

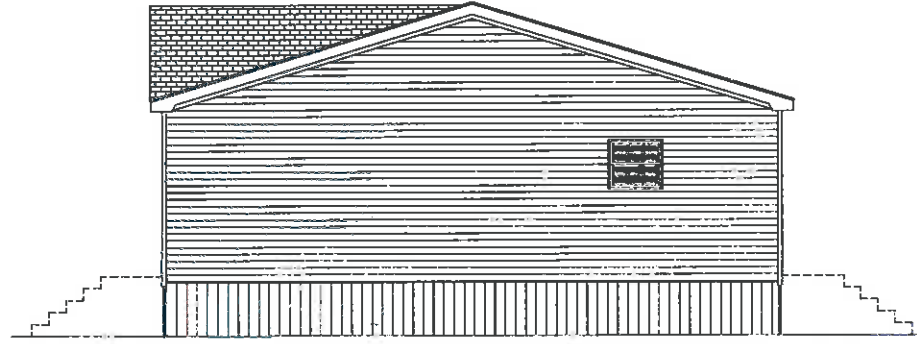
* All room dimensions include closets and square footage figures are approximate.



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

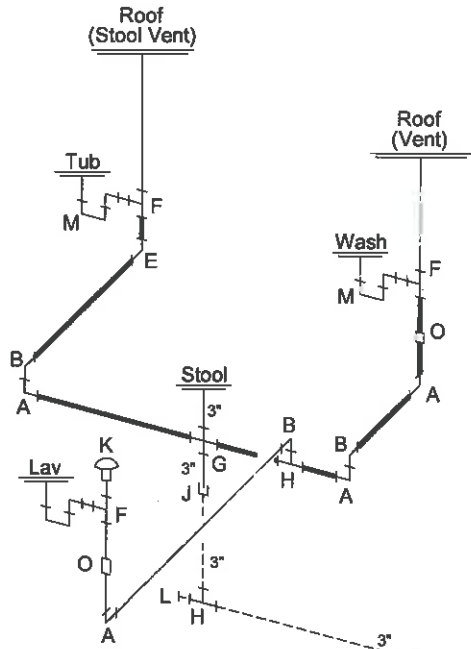


**OPTIONAL FRONT ELEVATION
(EXTERIOR "B")**

MODEL 6715DT - 32x64
3-BEDROOM / 2-BATH
STANDARD ROOF PITCH
4/16/13

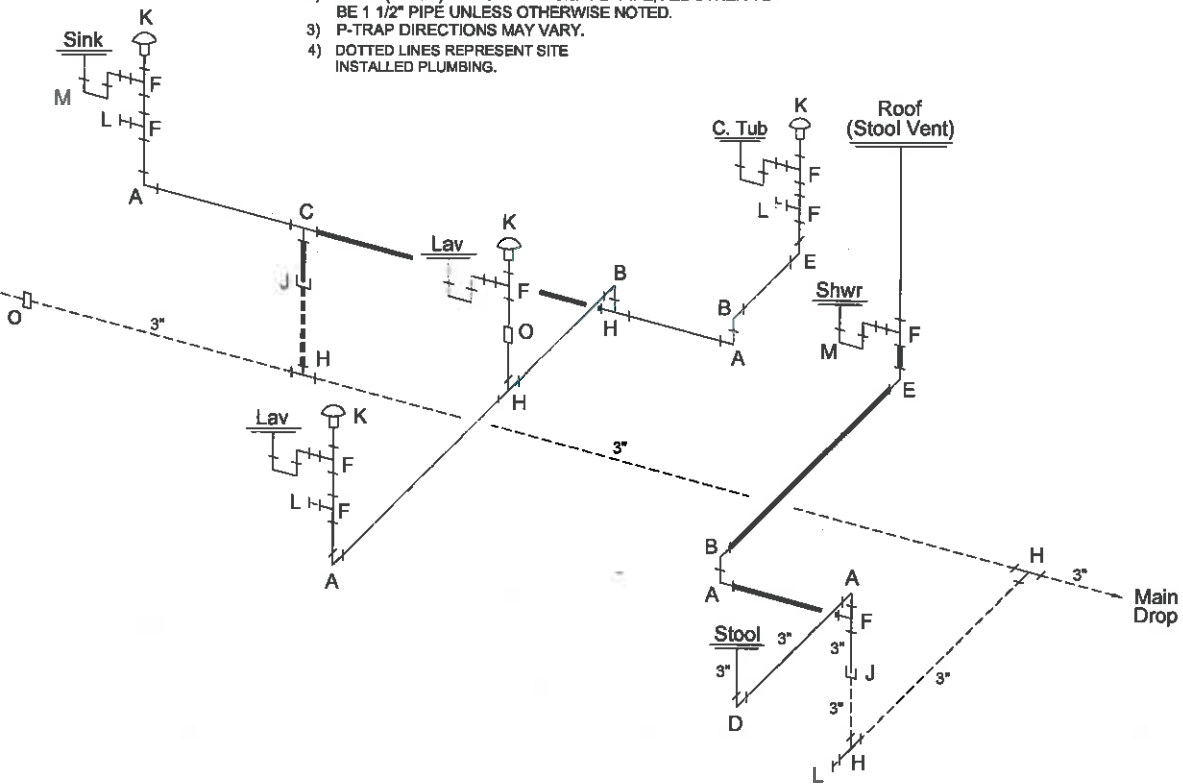
6715DT

6715DT.2



DWV FITTING LEGEND			
90° LONG TURN ELL	A	B	45° ST. ELL
LONG TURN DOUBLE ELL	C	D	90° CLOSET ST. ELL
90° LONG TURN ST. ELL	E	F	SANITARY TEE
DOUBLE SANITARY TEE	G	H	LONG TURN TY
	I	J	CAP & CHAIN
MECHANICAL VENT	K	L	CLEAN OUT PLUG
P-TRAP	M	N	REDUCER BUSHING
COUPLING	O	P	
	Q	R	
	S	T	

- NOTES:
- 1) FITTING SIZES CORRESPOND TO ADJACENT PIPE SIZES.
 - 2) DARK (THICK) LINES REPRESENT 2" PIPE; ALL OTHER TO BE 1 1/2" PIPE UNLESS OTHERWISE NOTED.
 - 3) P-TRAP DIRECTIONS MAY VARY.
 - 4) DOTTED LINES REPRESENT SITE INSTALLED PLUMBING.



6715DT



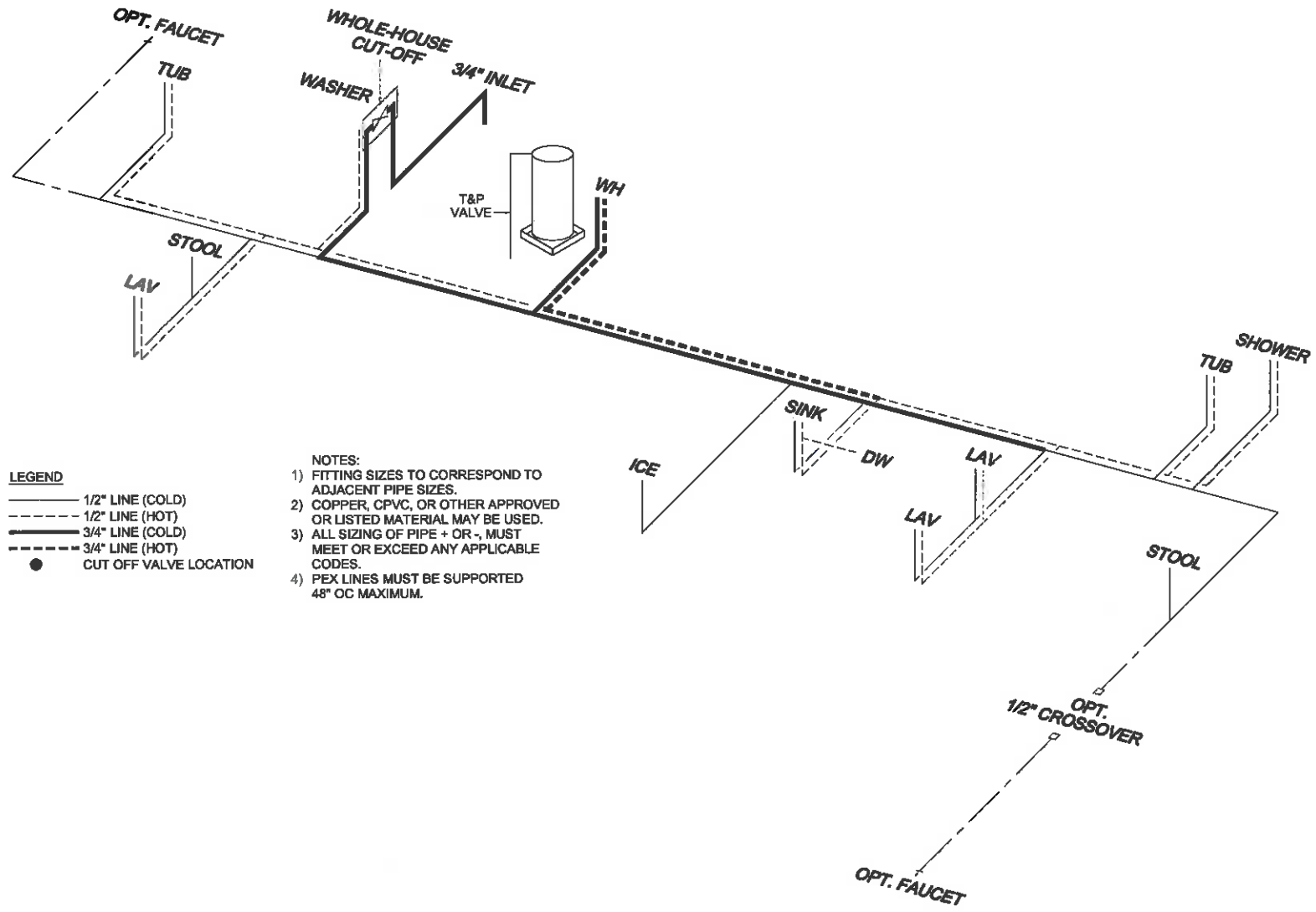
Cavalier Home Builders

PRINT DATE	2/15/13	DWG. BY	
DRAWN	NTS	W/NO. FOR. OR	ALL

TITLE	6715DT - 32 X 64 3BR 2Bath DRAIN WASTE VENT APPROVAL
-------	---

REV. #	DESCRIPTION OF REVISION

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LEGEND

	1/2" LINE (COLD)
	1/2" LINE (HOT)
	3/4" LINE (COLD)
	3/4" LINE (HOT)
	CUT OFF VALVE LOCATION

- NOTES:**
- 1) FITTING SIZES TO CORRESPOND TO ADJACENT PIPE SIZES.
 - 2) COPPER, CPVC, OR OTHER APPROVED OR LISTED MATERIAL MAY BE USED.
 - 3) ALL SIZING OF PIPE + OR -, MUST MEET OR EXCEED ANY APPLICABLE CODES.
 - 4) PEX LINES MUST BE SUPPORTED 48" OC MAXIMUM.

6715DT.4

6715DT

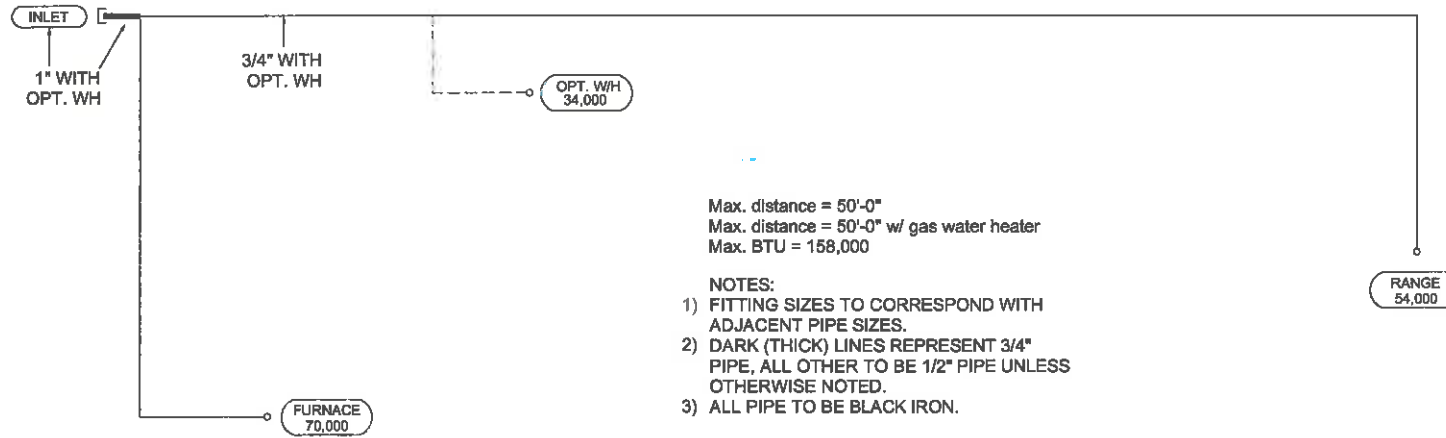


PRINT DATE	2/15/13	DWG. BY:	
SCALE	1/8" = 1'-0"	WIND ZONE/GR	ALL

TITLE: 6715DT -- 32 X 64 3BR 2Bath
WATER SUPPLY LINE APPROVAL

REV. #	DESCRIPTION OF REVISION

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6715DT.5

6715DT



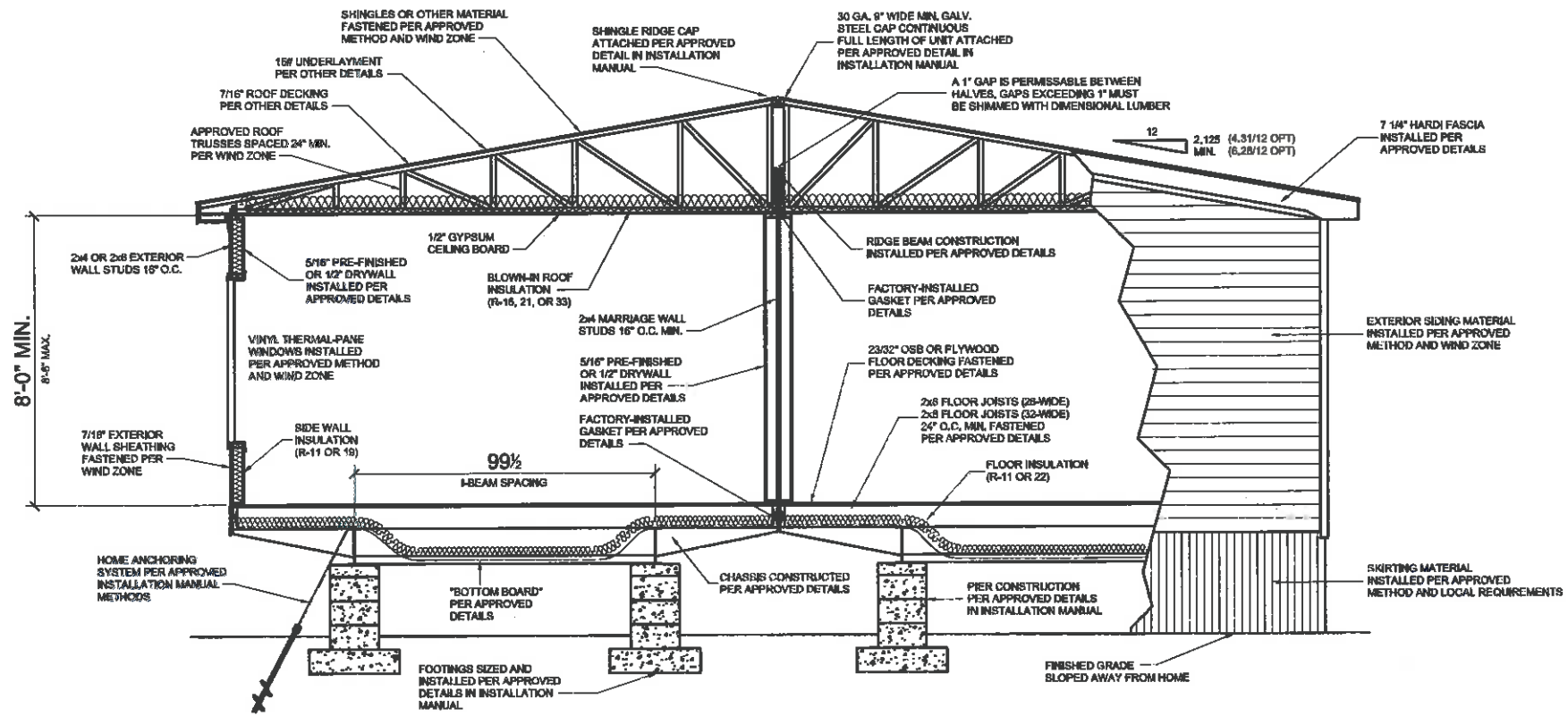
Cavalier Home Builders™

PRINT DATE 2/15/13	DWG BY
SCALE 3/16" = 1'-0"	WIND ZONE ALL

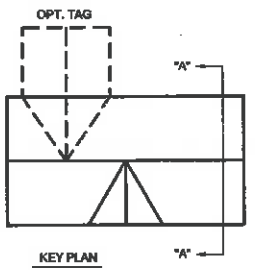
TITLE 6715DT -- 32 X 64 3BR 2Bath GAS LINE APPROVAL

REV. #	DESCRIPTION OF REVISION

PDF created with pdfFactory trial version www.pdffactory.com



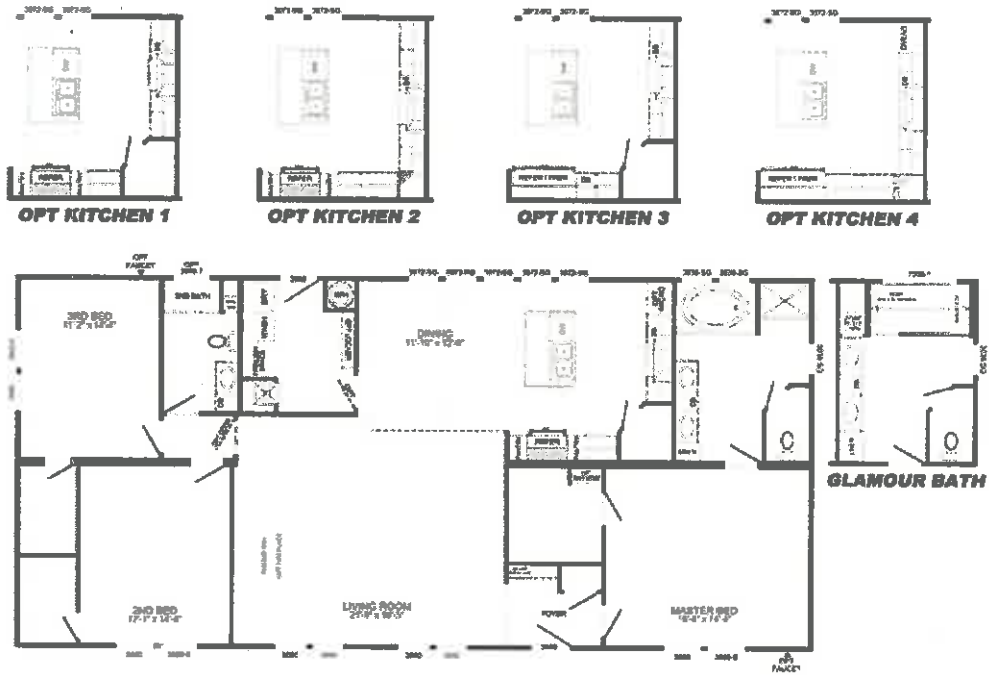
CROSS SECTION "A-A"



REV. #	DESCRIPTION OF REVISION

	PRINT DATE: 6/29/11	DWG. NO.:	TITLE: MULTI-WIDE CROSS SECTION DETAIL
	SCALE: NTS	WIND ZONE: ALL	

PLATINUM 6401 - 76PLT32643AH



Plan Details

2014 Cavalier Manufactured Home 1320

The home size is a 32x60

Sheetrock Walls with Board.

The roof has Asphalt Shingles.

The roof has a 4ft Rise and 8 inch Run.

The siding will be brick all around the home matching the exterior color.

Thermopane Windows

WindZone 1

Description of Materials

U.S. Department of Housing
and Urban Development
Department of Veterans Affairs
Farmers Home Administration

OMB Control No. 2502-0313
(exp. 0 /3 /2)

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

The National Housing Act (12 USC 1703) authorizes insuring financial institutions against default losses on single family mortgages. HUD must evaluate the acceptability and value of properties to be insured. The information collected here will be used to determine if proposed construction meets regulatory requirements and if the property is suitable for mortgage insurance. Response to this information collection is mandatory. No assurance of confidentiality is provided.

Proposed Construction Under Construction No. _____ (To be inserted by HUD, VA or FmHA)
Property address (Include City and State) _____

Name and address of Mortgagor or Sponsor	Name and address of Contractor or Builder
--	---

Instructions

1. For additional information on how this form is to be submitted, number of copies, etc., see the instructions applicable to the HUD Application for Mortgage Insurance, VA Request for Determination of Reasonable Value, or FmHA Property Information and Appraisal Report, as the case may be.
2. Describe all materials and equipment to be used, whether or not shown on the drawings, by marking an X in each appropriate check-box and entering the information called for each space. If space is inadequate, enter "See misc." and describe under item 27 or on an attached sheet. **The use of paint containing more than the percentage of lead by weight permitted by law is prohibited.**
3. Work not specifically described or shown will not be considered unless required, then the minimum acceptable will be assumed. Work exceeding minimum requirements cannot be considered unless specifically described.
4. Include no alternates, "or equal" phrases, or contradictory items. (Consideration of a request for acceptance of substitute materials or equipment is not thereby precluded.)
5. Include signatures required at the end of this form.
6. The construction shall be completed in compliance with the related drawings and specifications, as amended during processing. The specifications include this Description of Materials and the applicable Minimum Property Standards.

1. Excavation

Bearing soil, type _____

2. Foundations

Footings concrete mix _____ strength psi _____ Reinforcing _____
 Foundation wall material _____ Reinforcing _____
 Interior foundation wall material _____ Party foundation wall _____
 Columns material and sizes _____ Piers material and reinforcing _____
 Girders material and sizes _____ Sills material _____
 Basement entrance areaway _____ Window areaways _____
 Waterproofing _____ Footing drains _____
 Termite protection _____
 Basementless space ground cover _____ insulation _____ foundation vents _____
 Special foundations _____
 Additional information _____

3. Chimneys

Material _____ Prefabricated (make and size) _____
 Flue lining material _____ Heater flue size _____ Fireplace flue size _____
 Vents (material and size) gas or oil heater _____ water heater _____
 Additional information _____

4. Fireplaces

Type solid fuel gas-burning circulator (make and size) 36" NORDYNE Ash dump and clean-out _____
 Fireplace facing STEEL lining BRICK hearth STONE mantel STAINED WOOD
 Additional information _____

Meeting – August 27, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: Five Points South Staff Planner Moton ZBA2020-00047

Request: Variance to allow an expansion of legal non-conforming structure remain pursuant to Title 1, Chapter 9, Article VII, Section 3.A.3
Applicant: James Stafford
Owner: Sterling Home & Design
Site Address: 1516 13th St S
Zip Code: 35213
Description: Variance to allow an expansion of legal non-conforming structure
Property Zoned: R-3 Single Family District
Parcel Information: Parcel #: 012900013022008000, SW of Section 1, Township 18 S, Range 3 W

Variance:
The applicant is requesting to allow a construction of a deck on a legal non-conforming structure.

Neighborhood Meeting:
The Five Points South Neighborhood Association; waiting on response.

Public Notices:
Public notices were mailed on August 28, 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.

We are asking for a variance to build a new 12'x16 deck on the rear of the house. The house sets off the property line on the right side by 1 ft and 58' on the rear. We are asking for a variance to build the new deck 5' from the edge of the home so the deck will be inside the property line. We will not be intruding on the adjacent property in any direction so there will no hardship or injury to the neighboring property. The rear deck will bring value to the property by giving the owner a place to enjoy the outside. Most homes in the neighborhood have a deck. Financial gain is not the only reason for building it. There will be no harm to the public welfare for the deck.

Staff Analysis:
The subject property located at 1516 13th St S is zoned R-3, Single Family District. The applicant is requesting to allow a construction of a deck on a legal nonconforming structure. The side yard setbacks on the property is 1 foot and 15 feet totaling 16 feet side yard setback. The structure was built before the zoning ordinance was adopted considering it a legal nonconforming structure. The new deck will not encroach any further into the current side yard setback. The rear yard setback with the deck added will be 46 feet, which is still within the required rear yard setback. This property is located within the historic district and has been approved for the new deck.

The applicant does meet the requirement of the six variance standards.

Staff Recommendation

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

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

PARCEL ID: 012900013022008000

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

DATE: Friday, August 28, 2020 11:29:23 AM

OWNER: JONES MARCIA O

ADDRESS: 1516 13TH ST S

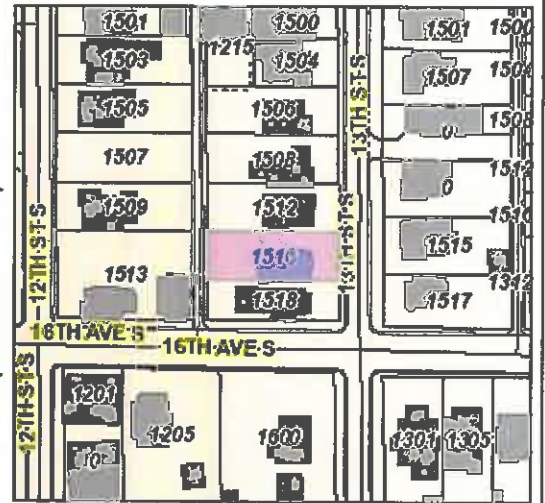
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35205--6007

SITE ADDR: 1516 13TH ST S

CITY/STATE: BHAM, AL

ZIP: 35205



LAND: \$120,300.00

BLDG: \$111,200.00

OTHER: \$0.00

AREA: 6,920.48

ACRES: 0.16

SUBDIVISION INFORMATION:

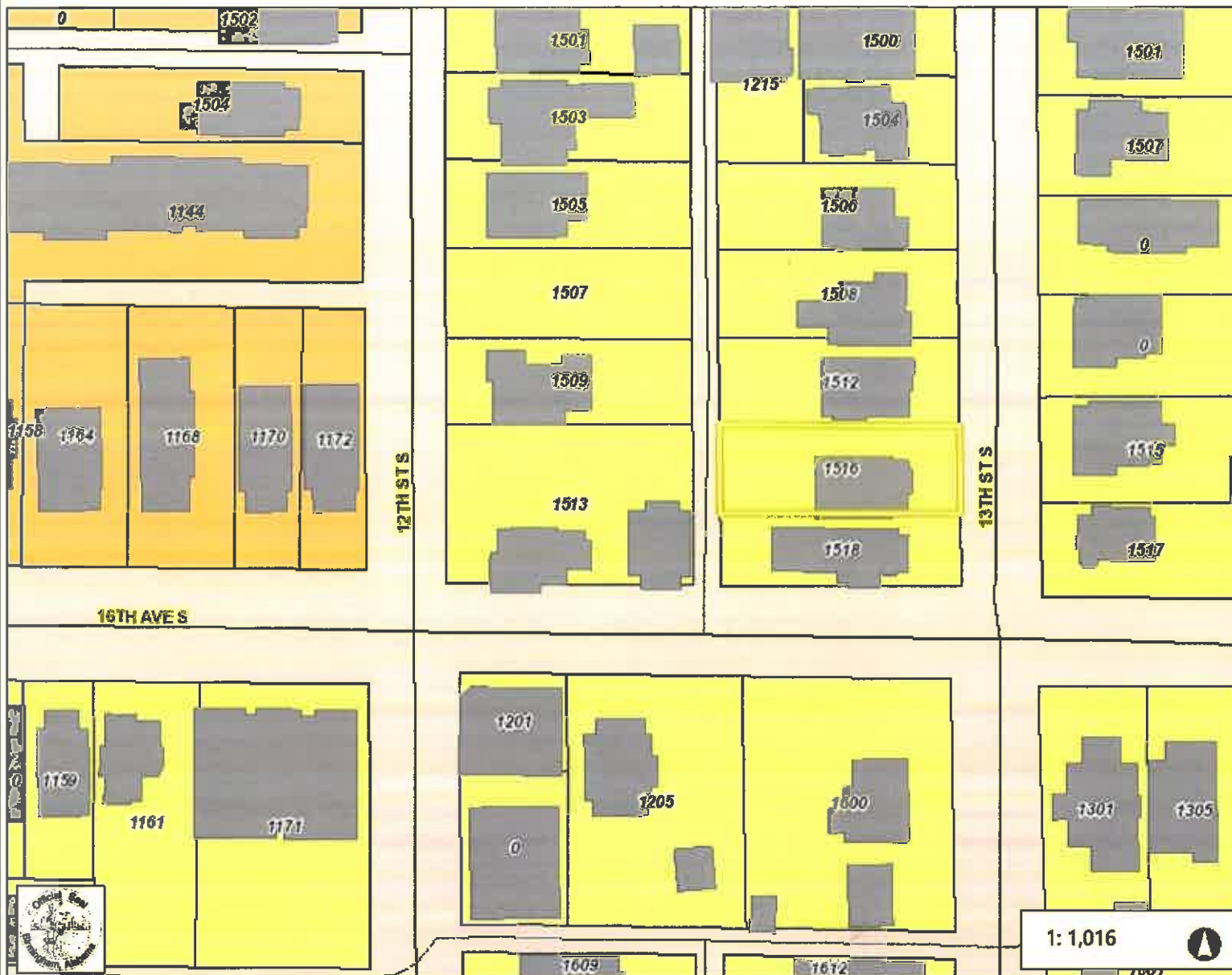
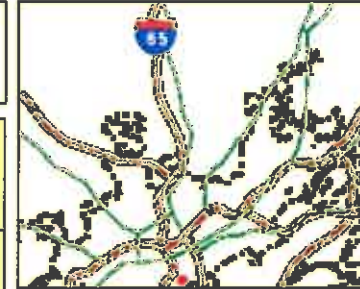
NAME WELCH J L GLENVIEW 29-1-3

BLOCK:

LOT: 20

Section: 1-18-3W
Land Slide Zones: In Land Slide Zones
Historic Districts: Cullom Street
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: Five Pts So (1701)
Communities: Southside (17)
Council Districts: District - 3 (Councilor: Valerie A. Abbott)
Zoning Outline: R3
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: Not in Opportunity Zones
Judicial Boundaries: JEFFERSON

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Legend

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- Parcels
- City Parks
- Airport

Adopted LandUse Plan

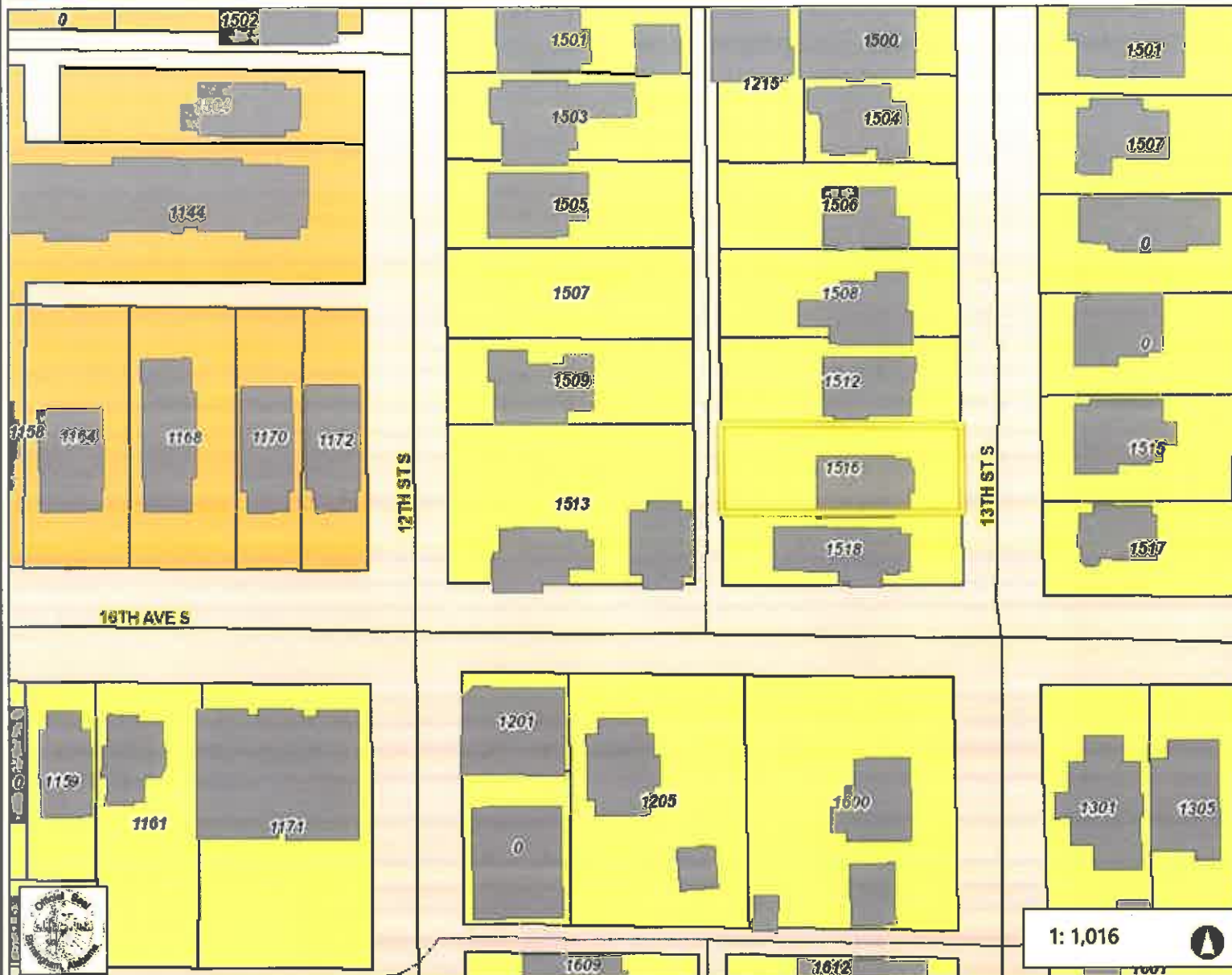
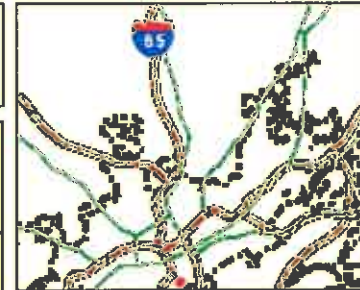
- Residential-Low
- Residential-Medium
- Residential-High
- Neighborhood Commercial
- General Commercial
- MXU-Low
- MXU-Medium
- MXU-High



1: 1,016

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Notes



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- Adopted LandUse Plan**
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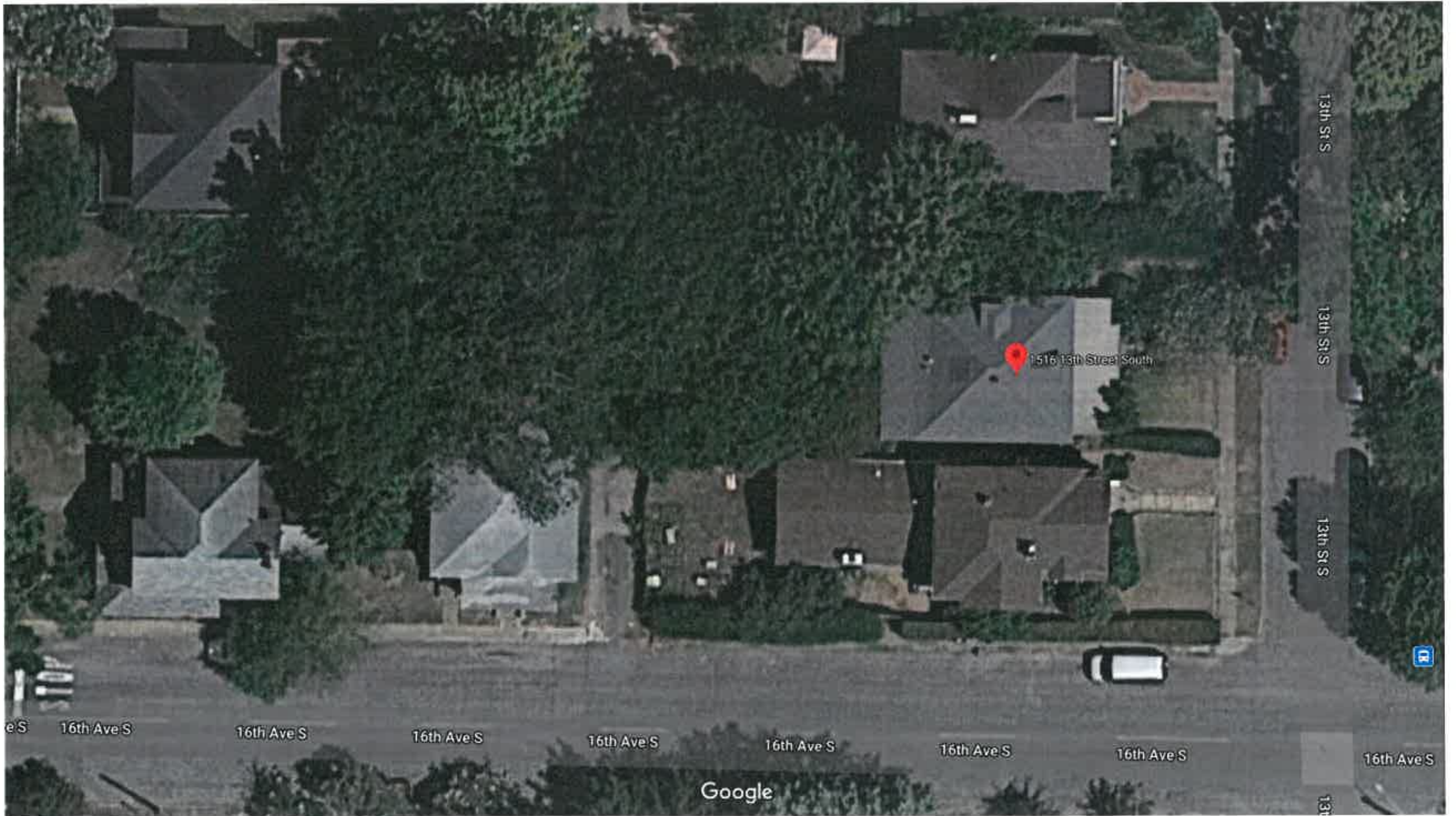


1: 1,016



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Notes



Meeting – August 27, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: Five Points South Staff Planner Moton ZBA2020-00048

Request: Variance to allow a 6ft fence in the front yard area Title 1 Chapter 4 Subsection 3.A.1 page 182
Applicant: Geoff Boyd
Owner: Board of Trustees of University of Alabama System
Site Address: 1222 14th Ave S
Zip Code: 35233
Description: Variance to allow a 6ft fence in the front yard area.
Property Zoned: B-6 Health and Institutional District
Parcel Information: Parcel #: 012900013009007000, SW of Section 1, Township 18 S, Range 3 W

Variance:

The applicant is requesting to allow a 6ft fence in the front yard area.

Neighborhood Meeting:

The Five Points South Neighborhood Association; waiting on response.

Public Notices:

Public notices were mailed on August 28, 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.

Physical characteristics of the property:

1. UAB Hospital - Highlands is composed of multiple interconnected buildings located on an existing superblock. Surrounded by four public streets, each side of the block is considered a front yard.
2. 13th Street S. is the service side of the Hospital, with no public entry points.
3. UAB Hospital – Highlands covers the majority of the superblock and the existing underground power feed for the facility is located between the Physician's Office Building (POB) and loading docks
4. Due to proximity to the user within POB and limitations of the site, the emergency generator is located in the front yard of 13th Street S. directly in front of POB.
5. The generator provides emergency back-up power for UAB's Telemetry Department located in the POB.

Unique characteristics:

1. POB is publicly accessed from 14th Avenue S. 13th Street S. provides access to restricted parking under the building.
2. This portion of 13th Street S., from 14th Avenue S. to 11th Avenue S. has over 70 ft. of topography change, resulting in a series of buildings "stepping" down the street, creating a series of retaining walls or blank building walls fronting the public street.

Hardship not self-imposed:

1. A 4 ft. fence is currently allowed within the front yard. UAB believes that an additional 2 ft. to the allowable fence height will better screen and secure the generator from public view.

Financial gain not only basis:

1. UAB has no financial gain regarding the variance request.

No injury to neighboring property:

1. UAB is the property owner directly across 13th Street S. from the fence location and is the property owner for the majority of parcels fronting 13th Street S. between 11th Avenue S. and 14th Avenue S. 2. Two adjacent non-UAB properties to the southeast of the fence are located 15 ft. above the elevation of the street. The requested fence height variance will not negatively impact their views.

No harm to public welfare:

1. The increase in height of the fence from 4ft. to 6 ft. improves the visual appearance of the area by screening the generator from view and improves the pedestrian experience by further buffering the generator from the adjacent public sidewalk. 2. The fence material is a higher grade metal panel and color which matches the concrete supports of the POB and the the adjacent concrete wall screening the loading zone. Fence material and color were chosen to help blend the fence with the existing conditions.

Staff Analysis:

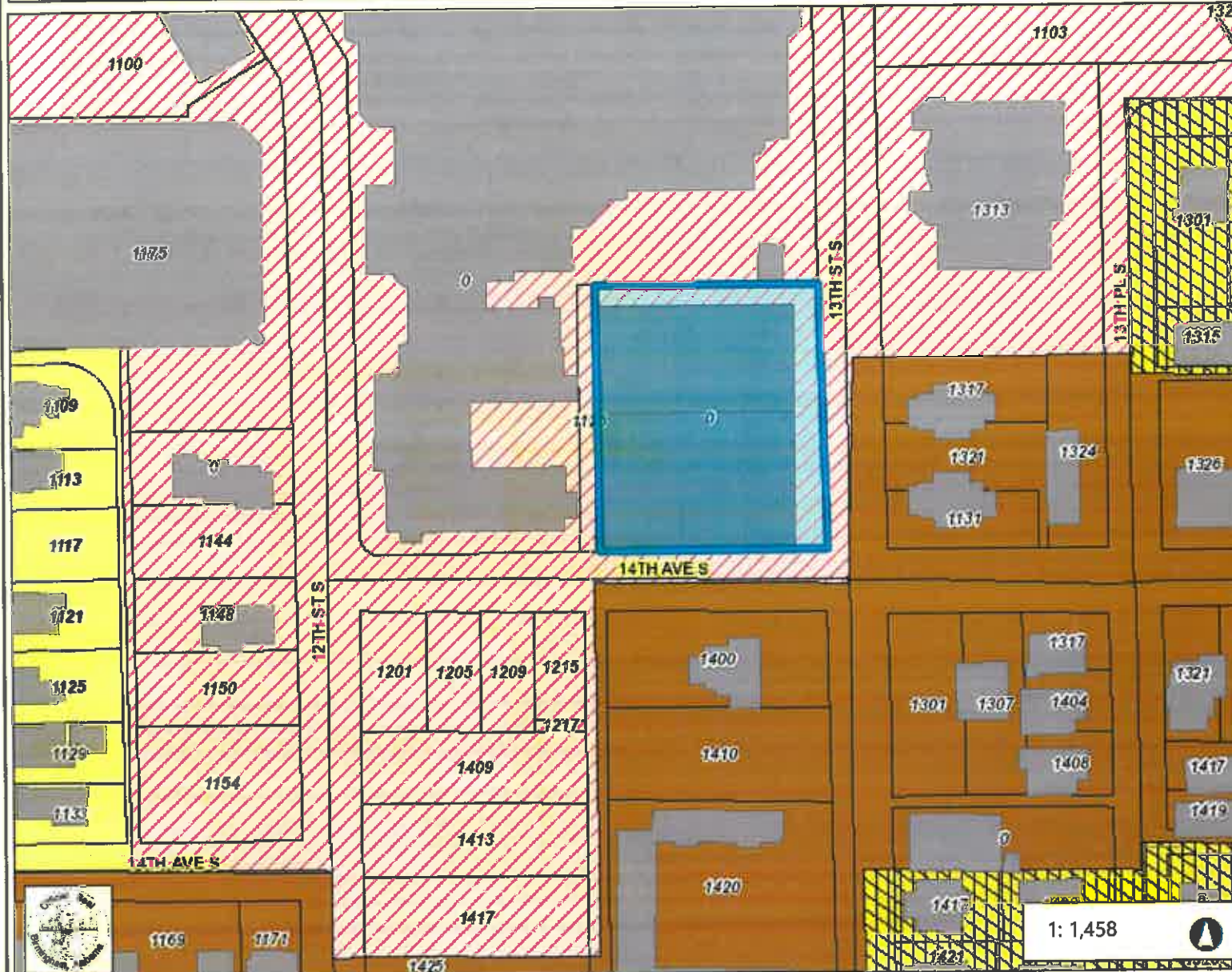
The subject property located at 1222 14th Ave S is zoned B-6, Health and Institutional District. The applicant is requesting to allow a 6ft fence in the front yard area off of 13th St s. The purpose of the 6ft fence is to better screen and secure the generator from the public view.

The applicant does meet the requirement of the six variance standards.

Staff Recommendation

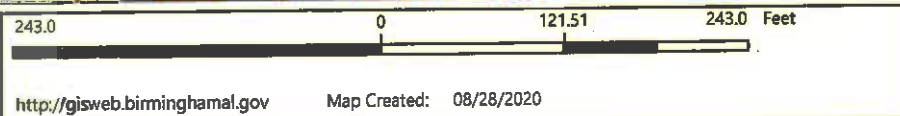
Staff believes the applicant has provided sufficient evidence to support the variance request. Therefore, staff believes the request has merit for approval and as such, should be **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Fence permit should be obtain within one year of the approval date from the Board.



Legend

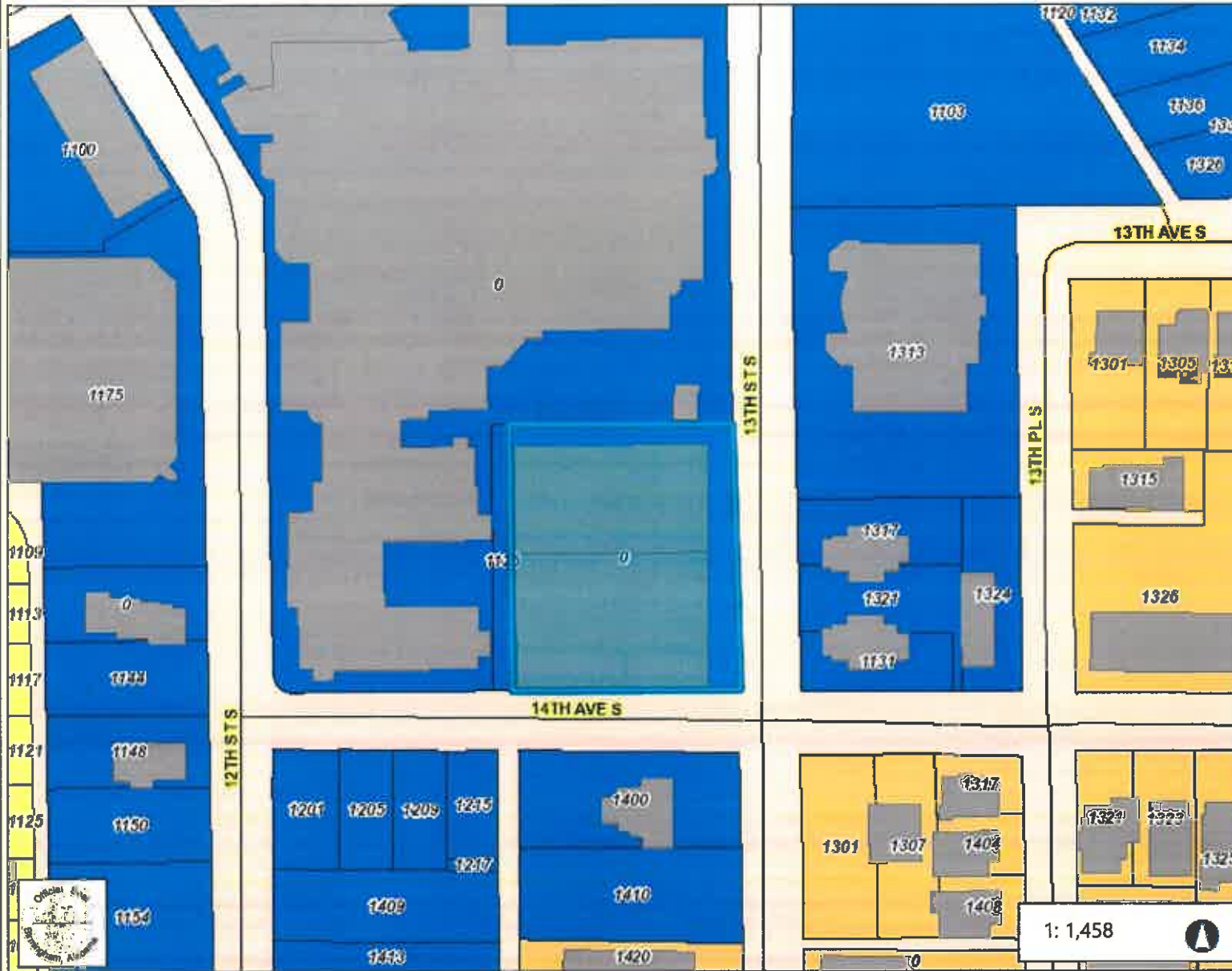
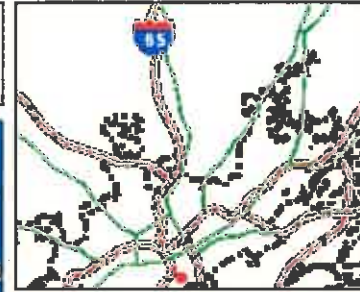
- Centerline Labels
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- Airport
- Zoning Shaded
 - R1; D1 - Single Family District - Cla
 - R2; D2 - Single Family District - Cla
 - R3; D3 - Single Family District; R3
 - R4; D4 - Two Family District; R4
 - R4A - Multiple Dwelling District
 - R5; D5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



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Notes

1: 1,458



Legend

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 - MXU-Medium
 - MXU-High

1: 1,458



243.0 0 121.51 243.0 Feet

Notes

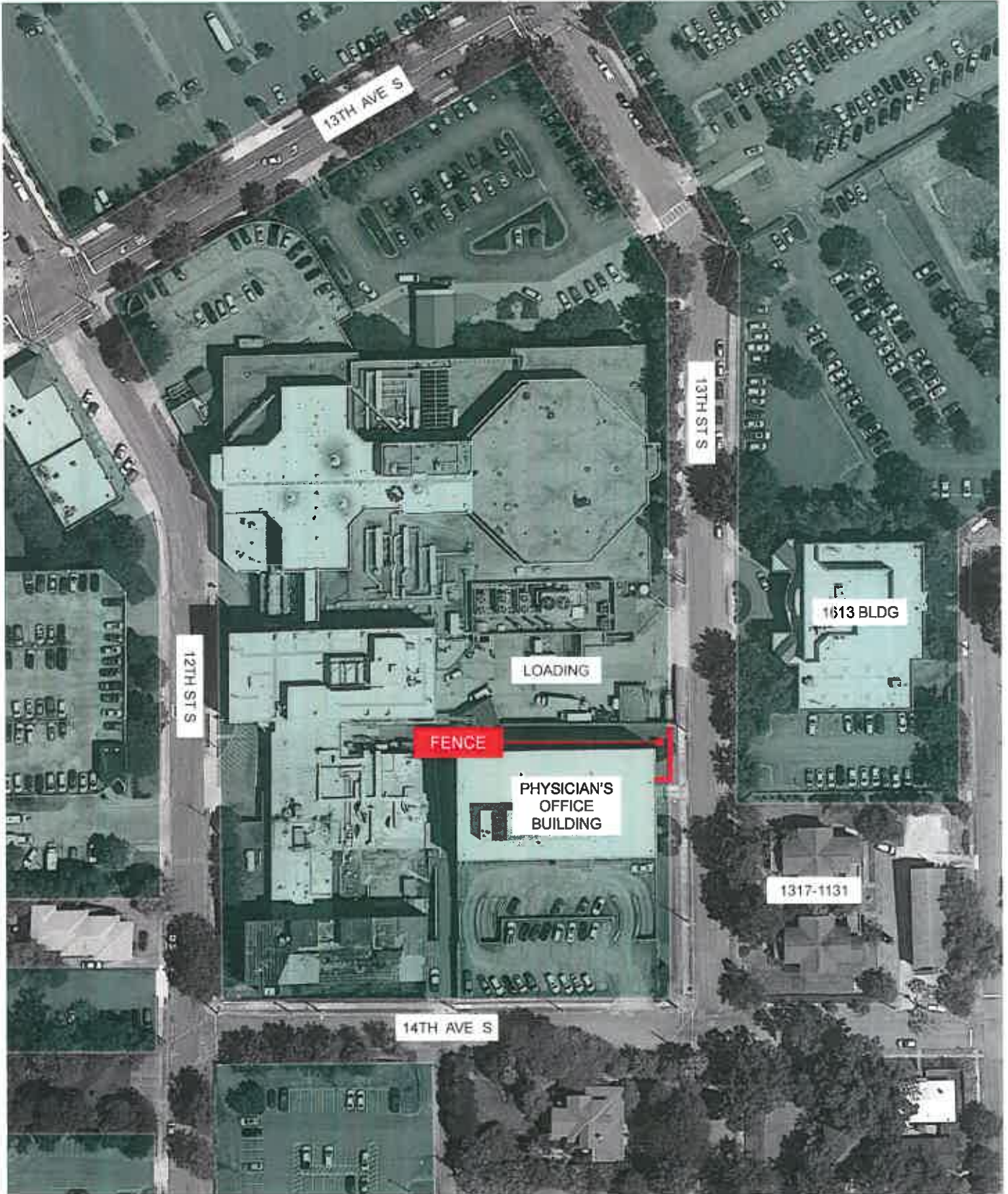


IMAGE 1: LOCATION MAP



IMAGE 2



IMAGE 3



IMAGE 4

Meeting – September 10,2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: South Woodlawn Staff Planner Moton ZBA2020-00050

Request: Variance to allow a 10ft front yard setback instead of the required 20ft setback Title 1, Chapter 3, Article I, Section 2.D.2.
Applicant: Marshall Anderson
Owner: Mashonda Taylor
Site Address: 220 59th Place S
Zip Code: 35212
Description: Variance to allow a 10ft front yard setback instead of the required 20ft setback
Property Zoned: R-4A
Parcel Information: Parcel #: 012300214001005000, SE of Section 21, Township 17 S, Range 2 W

Variance:

Variance to allow a 10ft front yard setback instead of the required 20ft setback.

Neighborhood Meeting:

The South Woodlawn Neighborhood Association; waiting on response.

Public Notices:

Public notices were mailed on August 28, 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.

PHYSICAL CHARACTERISTICS

A previous home was on this lot up until recently, when it was demolished due to arson and accumulated blight. However, the home was an established part of the neighborhood fabric. It sat within 3 feet of the existing right of way along 3rd Avenue South, which is a 20-foot right of way. The variance request we propose increases this setback significantly, while still maintaining the neighborhood fabric of closely spaces homes, with broad porches, engaging the street and the public realm.

UNIQUE CHARACTERISTICS

The circle at 59th Place is a signature of this part of the neighborhood. Its geometry, as well as the unique lot conditions it creates, influences the building area of the lots that directly face the circle. In order to preserve the integrity of this feature, and its special place in the community, our variance request provides for the necessary setback to meet health, welfare, and safety requirements while still creating a sense of enclosure around this public feature.

HARDSHIP NOT SELF IMPOSED

As mentioned previously, the circle creates unique features for the lots that front it. Setbacks are affected by this geometry. The building area on the lot becomes increasingly limited based on a strict adherence to the zoning ordinance. Our variance requests gives the appropriate setback along the accepted frontage at 59th Place and the Circle, while maintaining its sense of enclosure at 3rd Avenue South.

FINANCIAL GAIN NOT ONLY BASIS

Build Initiative is a for-benefit business. We have been working with the Woodlawn Foundation for more than five years to help develop market-rate housing in the Woodlawn community, for

the benefit for current and future residents. This variance request is based on our belief the need to preserve and augment the neighborhood fabric, and not based on any financial considerations.

NO INJURY TO NEIGHBORING PROPERTY

This is the second phase of a two-block revitalization effort in the Woodlawn Neighborhood. The development of this section of the neighborhood and community has been approached from a Master Plan perspective, engaging community and neighborhood perspectives in its design. We have been very intentional in providing new construction that fits into and augments the existing fabric. Our variance request helps us realize this safe, vibrant, and walkable extension of the existing neighborhood.

NO HARM TO PUBLIC WELFARE

As stated above, our variance request is meant to enhance the public realm and not cause any harm. We are exceeding the minimum standards set forth by the building code which is focused on Health, Safety and Welfare; and adhering to intent of the zoning ordinance, which helps ensure a high-quality public realm.

Staff Analysis:

The subject property located at 220 59th Place S is zoned R-4-Two Family and Semi-Attached Dwelling District. The house that previous exist on this property had a front yard setback of 5ft off 3rd Ave S. The house was considered legal non-conforming before it was demolished due to arson. The applicant is proposing now to set the house back 10ft instead of 5ft.

The applicant does meet the requirement of the six variance standards.

Staff Recommendation

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

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain a certificate of occupancy with the approval of this variance within 3 years from the date of approval.

PARCEL ID: 012300214001005000

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

DATE: Friday, August 28, 2020 2:28:15 PM

OWNER: WF REAL PROPERTY RESOURCES LLC

ADDRESS: 3800 COLONNADE PARKWAY

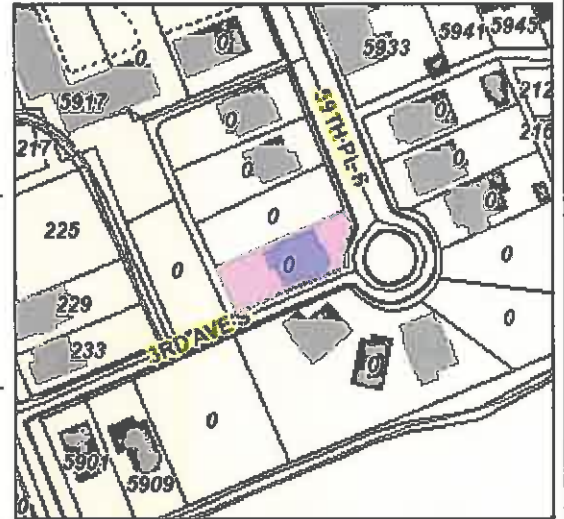
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35243

SITE ADDR:

CITY/STATE: , AL

ZIP:



LAND: \$7,000.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 6,625.17

ACRES: 0.15

SUBDIVISION INFORMATION:

NAME IDEAL LD & IMP CO 23-21-4

BLOCK:

LOT: 10

:

Section: 21-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: So Woodlawn (2103)

Communities: Woodlawn (21)

Council Districts: District - 4 (Councilor: William Parker)

Zoning Outline: R4

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Upper Village Creek

Strategic Opportunity Area: In Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

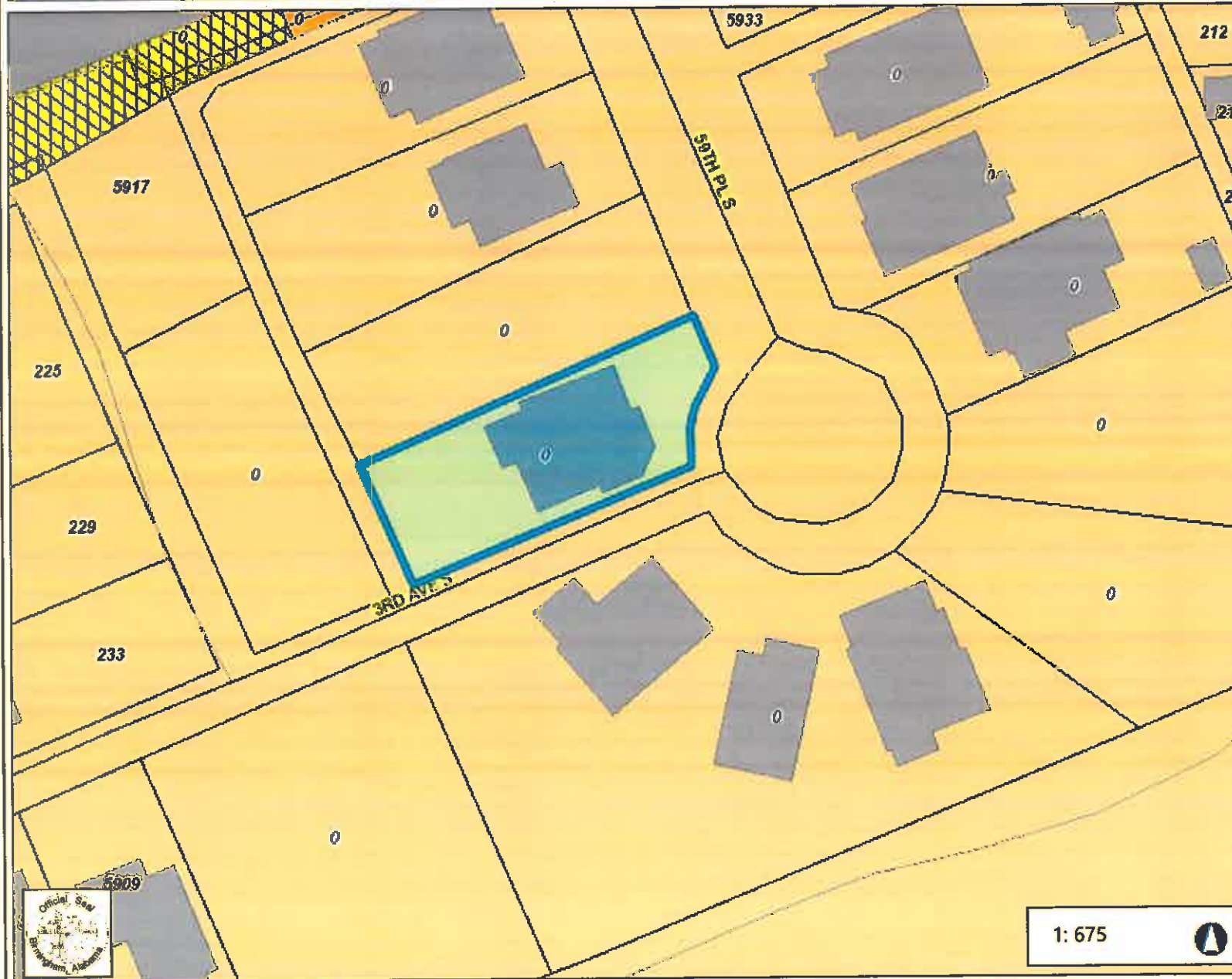
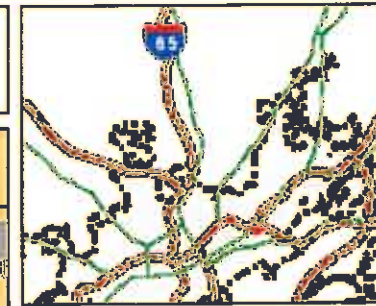
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

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- Legend**
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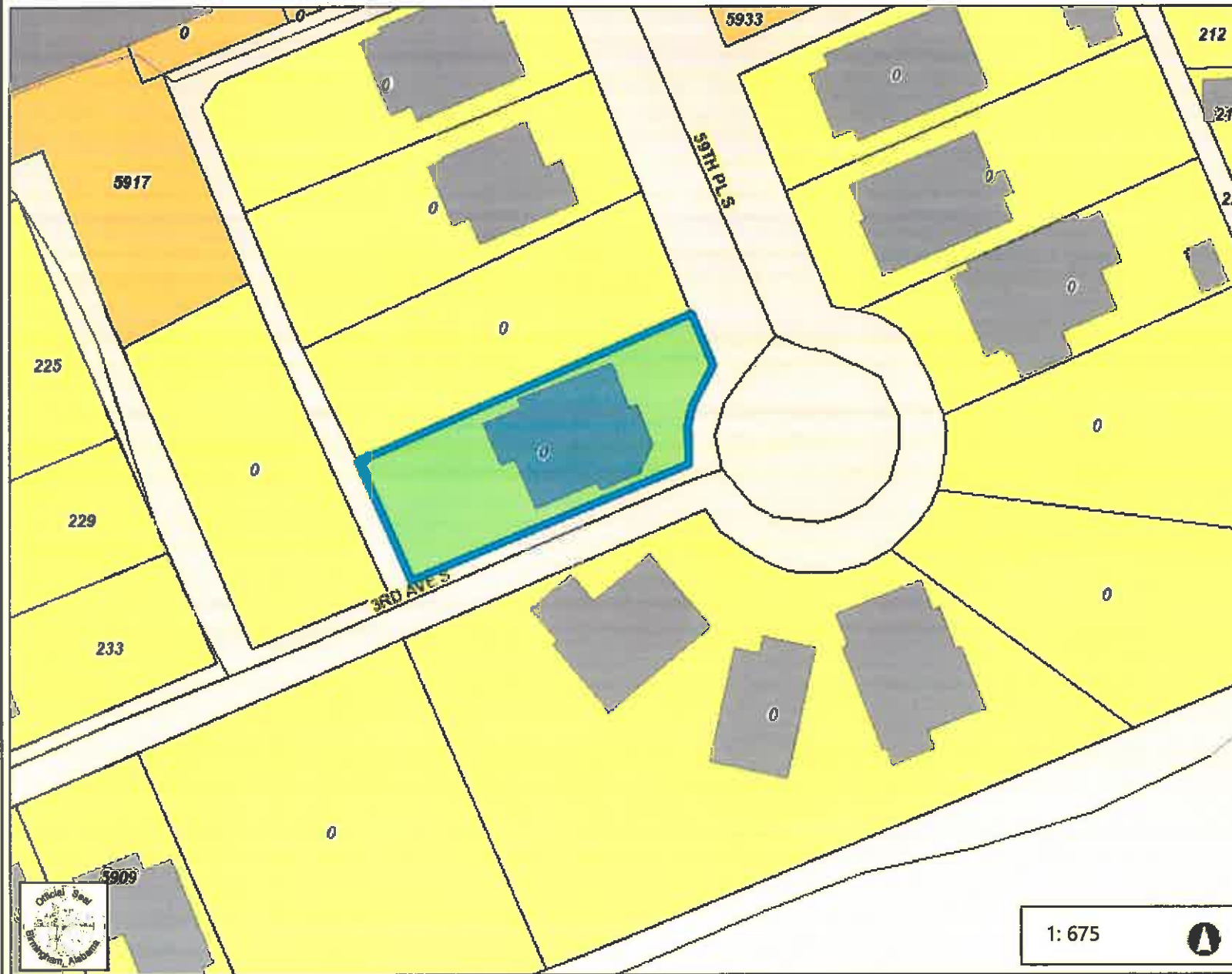
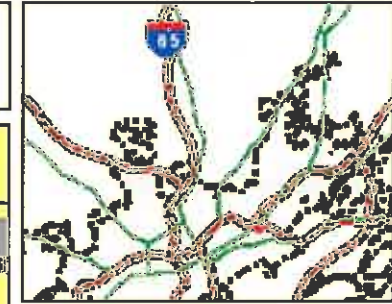


1: 675



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Notes

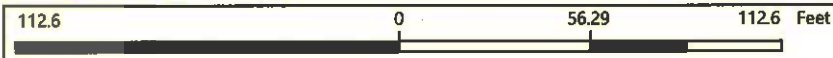


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1: 675

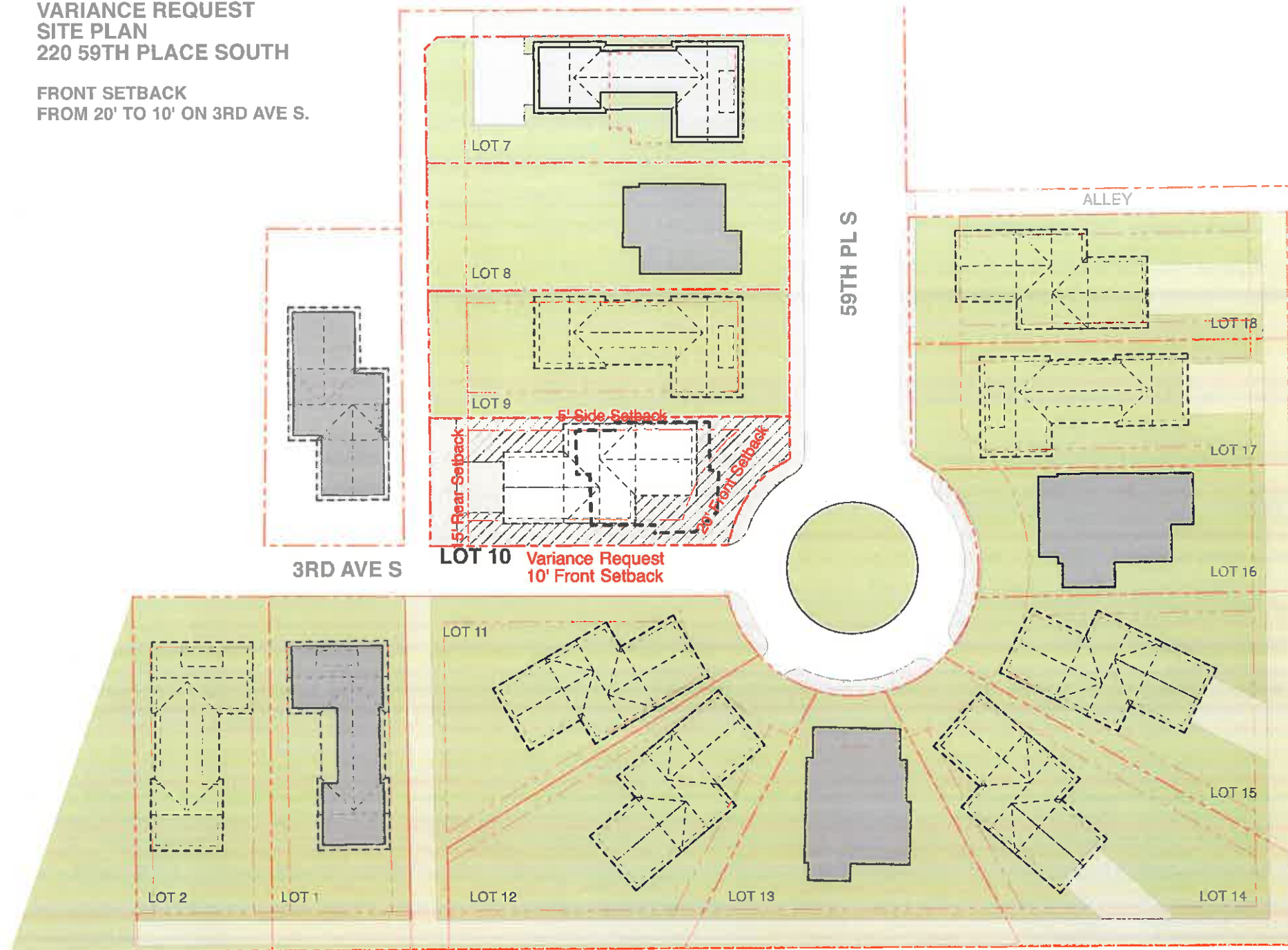


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Notes

VARIANCE REQUEST
SITE PLAN
220 59TH PLACE SOUTH

FRONT SETBACK
FROM 20' TO 10' ON 3RD AVE S.



WF Real Property Resources LLC
Survey of Ideal Land & Improvement Co. Survey

Located in the East 1/2 of Section 21, Township 17 South
 Range 2 West, Jefferson County, Alabama

SCALE: 1"=30' May 30, 2018

GRAPHIC SCALE



ALABAMA ENGINEERING COMPANY, INC.
 1214 ALFORD AVENUE, SUITE 200
 HOOVER, ALABAMA 35226
 (205) 803-2161

- LEGEND**
- R - RADIUS
 - L - LENGTH
 - Δ - CENTRAL ANGLE
 - C - CENTERLINE
 - R.O.W. - RIGHT OF WAY
 - MB - MAP BOOK
 - PG - PAGE
 - POB - POINT OF BEGINNING
 - O - IRON PIN SET (IPS)
 - - IRON PIN FOUND (IPF)
 - + - SET CROSS IN CONCRETE
 - UP - UTILITY POLE
 - OHU - OVERHEAD UTILITY
 - 123.45' - SURVEY MEASUREMENT
 - (123.45') - RECORD MAP DIMENSION
 - + - LOT WIDTH AT SETBACK
 - SF - SQUARE FEET
 - ± - MORE OR LESS
 - S - SANITARY SEWER
 - W - WATER
 - G - GAS

State of Alabama,
 Jefferson County,

I, Garry Bannister, a Registered Land Surveyor in the State of Alabama hereby certify that all parts of this survey and drawing have been completed in accordance with the Current Requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief for the following described lots:

Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 according to the Ideal Land & Improvement Co Survey as recorded in Map Book 6, Page 73, in the Probate Office of Jefferson County, Alabama.

I further state that there are no rights of way, easements or joint driveways over or across said land visible on the surface except as shown, that there are no electric or telephone wires (excluding those which serve the premises only) or structures or supports thereon, including poles, anchor or guy wires on or over said property shown as shown; that there are no encroachments except as shown; that the improvements are located as shown above. No underground utilities have been located.

According to my field survey this the 31st day of May, 2018.

Garry Bannister
 Garry Bannister, PLS
 Alabama PLS No 24325



Notes:

The survey shown hereon is based on documents of record, other documents supplied to the surveyor, and monumentation found.

Date of fieldwork: April 24, 2018, May 5, 2018, & May 30, 2018

All map book numbers shown on this survey refer to Jefferson County, AL Probate Office

All lots are in Flood Zone X (Outside the special flood hazard area) according to FEMA FIRM Map Number 01073C0411H date March 21, 2018.

All lot corners were not set on contiguous groups of lots. Only exterior corners were set as shown on the survey.

Sanitary sewer is shown on this survey from field located manholes and Jefferson County Environmental records.

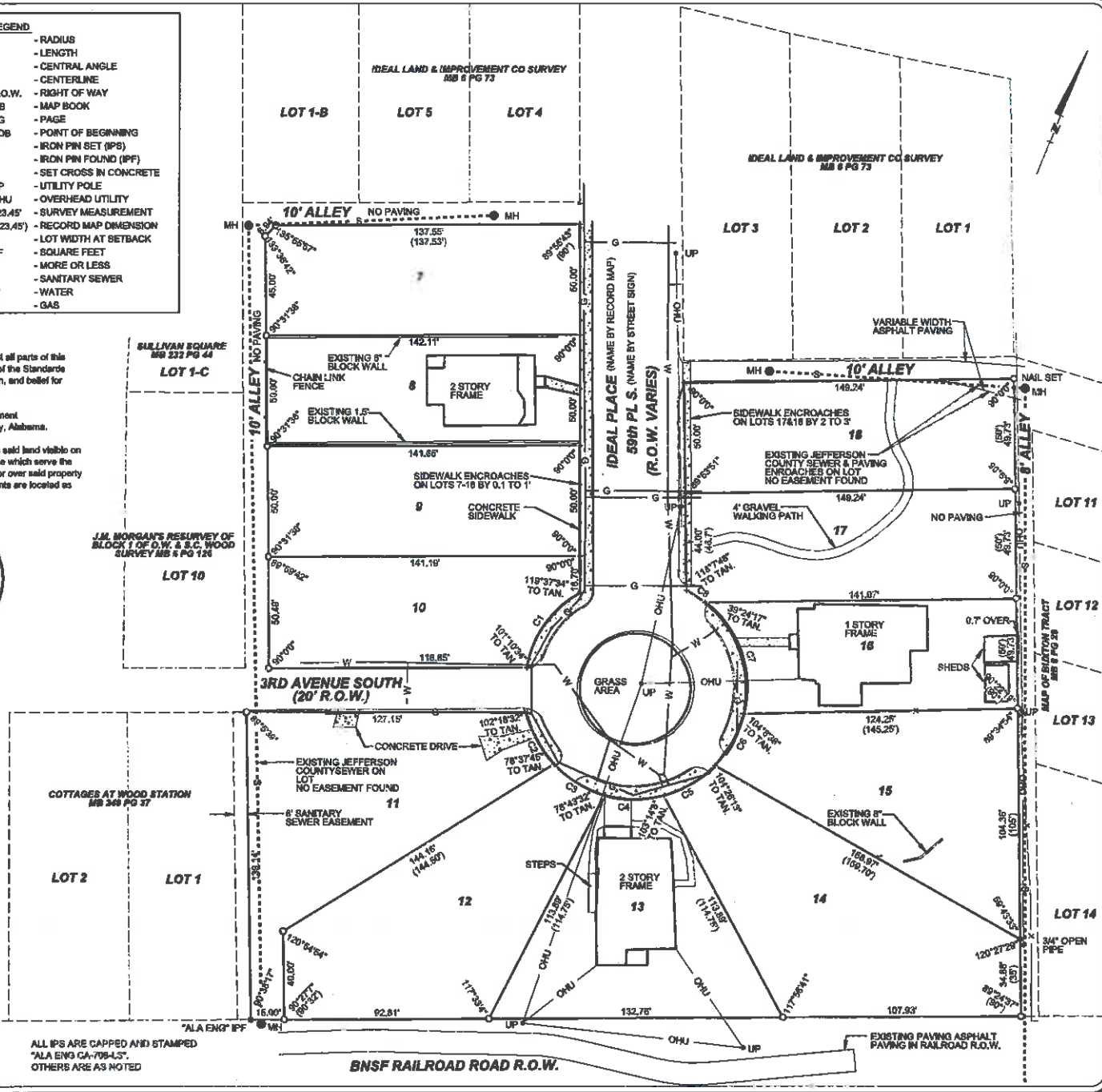
Wells and gas locations are shown from paint markings made by Alabama 811 and field surveyed on May 24, 2018.

Surveyor has not made a title search and makes no opinion as to title.

Other easements, rights of way, encroachments or matters affecting title may exist.

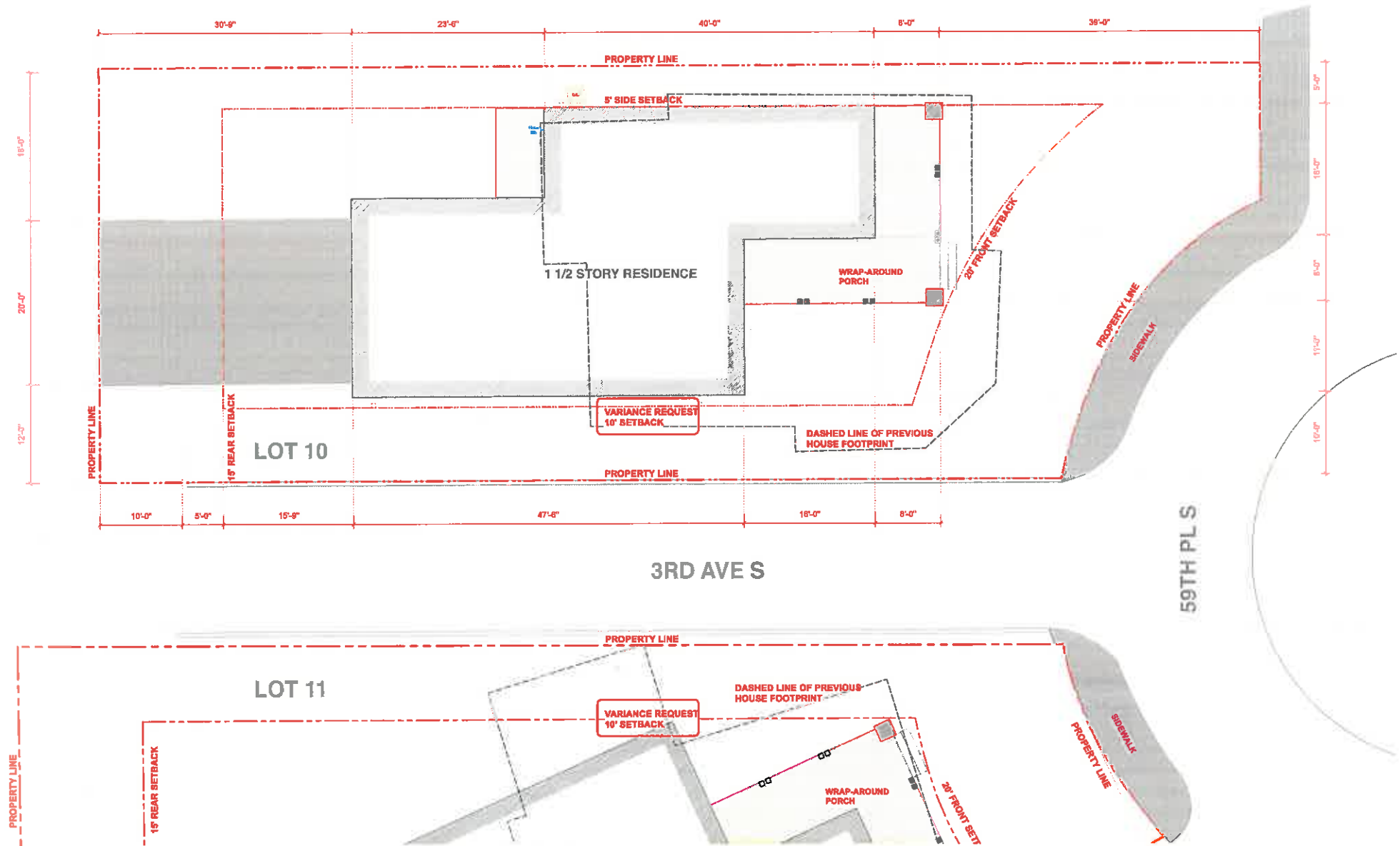
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	150.00'	123.81'	139°17'39"
C2	50.00'	28.19'	33°17'39"
C3	50.00'	27.04'	32°59'00"
C4	50.00'	27.04'	32°59'00"
C5	50.00'	27.04'	32°59'00"
C6	50.00'	27.04'	32°59'00"
C7	50.00'	28.17'	32°22'01"
C8	150.00'	6.84'	11°16'29"

ALL IPS ARE CAPPED AND STAMPED
 "ALA ENG CA-708-LS".
 OTHERS ARE AS NOTED

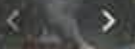
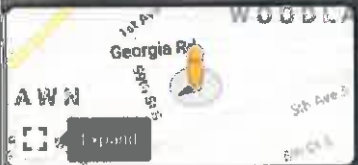


VARIANCE REQUEST
SITE PLAN
220 59TH PLACE SOUTH

FRONT SETBACK
FROM 20' TO 10' ON 3RD AVE S.



216 59th Pl S
Birmingham, Alabama
Google
Street View



Google





Meeting – September 10,2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: South Woodlawn Staff Planner Moton ZBA2020-00051

Request: Variance to allow a 10ft front yard setback instead of the required 20ft setback Title 1, Chapter 3, Article I, Section 2.D.2.
Applicant: Marshall Anderson
Owner: Mashonda Taylor
Site Address: 299 59th Place S
Zip Code: 35212
Description: Variance to allow a 10ft front yard setback instead of the required 20ft setback
Property Zoned: R-4A
Parcel Information: Parcel #: 012300214001004000, SE of Section 21, Township 17 S, Range 2 W

Variance:
Variance to allow a 10ft front yard setback instead of the required 20ft setback.

Neighborhood Meeting:
The South Woodlawn Neighborhood Association; waiting on response.

Public Notices:
Public notices were mailed on August 28, 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.

PHYSICAL CHARACTERISTICS

A previous home was on this lot up until recently, when it was demolished due to arson and accumulated blight. However, the home was an established part of the neighborhood fabric. It sat within 3 feet of the existing right of way along 3rd Avenue South, which is a 20-foot right of way. The variance request we propose increases this setback significantly, while still maintaining the neighborhood fabric of closely spaces homes, with broad porches, engaging the street and the public realm.

UNIQUE CHARACTERISTICS

The circle at 59th Place is a signature of this part of the neighborhood. Its geometry, as well as the unique lot conditions it creates, influences the building area of the lots that directly face the circle. In order to preserve the integrity of this feature, and its special place in the community, our variance request provides for the necessary setback to meet health, welfare, and safety requirements while still creating a sense of enclosure around this public feature.

HARDSHIP NOT SELF IMPOSED

As mentioned previously, the circle creates unique features for the lots that front it. Setbacks are affected by this geometry. The building area on the lot becomes increasingly limited based on a strict adherence to the zoning ordinance. Our variance requests gives the appropriate setback along the accepted frontage at 59th Place and the Circle, while maintaining its sense of enclosure at 3rd Avenue South.

FINANCIAL GAIN NOT ONLY BASIS

Build Initiative is a for-benefit business. We have been working with the Woodlawn Foundation for more than five years to help develop market-rate housing in the Woodlawn community, for

the benefit for current and future residents. This variance request is based on our belief the need to preserve and augment the neighborhood fabric, and not based on any financial considerations.

NO INJURY TO NEIGHBORING PROPERTY

This is the second phase of a two-block revitalization effort in the Woodlawn Neighborhood. The development of this section of the neighborhood and community has been approached from a Master Plan perspective, engaging community and neighborhood perspectives in its design. We have been very intentional in providing new construction that fits into and augments the existing fabric. Our variance request helps us realize this safe, vibrant, and walkable extension of the existing neighborhood.

NO HARM TO PUBLIC WELFARE

As stated above, our variance request is meant to enhance the public realm and not cause any harm. We are exceeding the minimum standards set forth by the building code which is focused on Health, Safety and Welfare; and adhering to intent of the zoning ordinance, which helps ensure a high-quality public realm.

Staff Analysis:

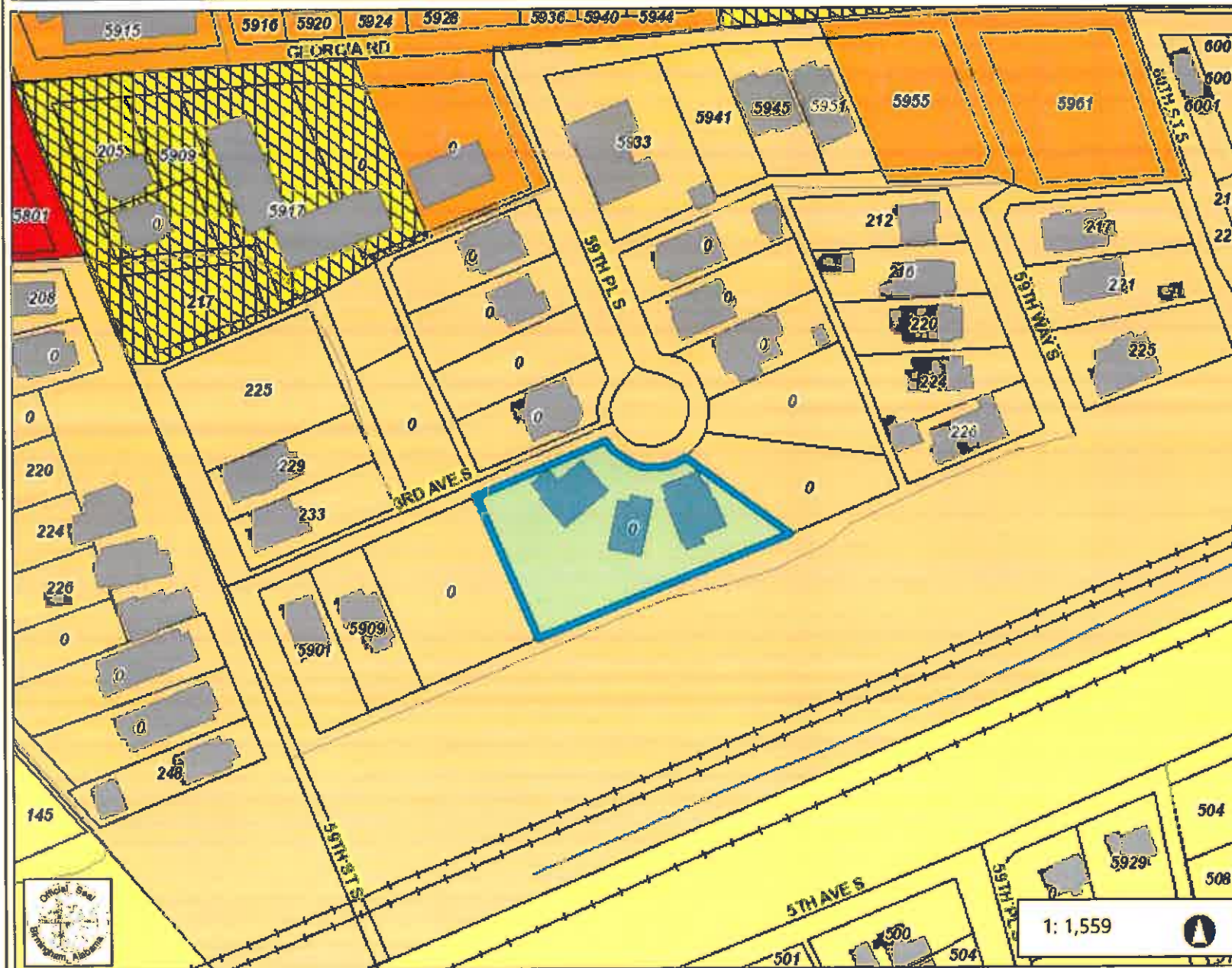
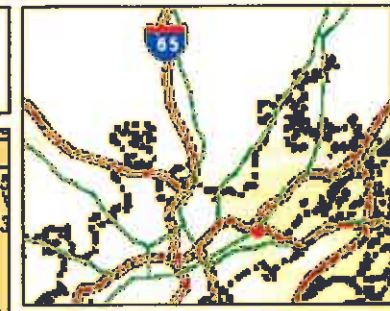
The subject property located at 299 59th Place S is zoned R-4-Two Family and Semi-Attached Dwelling District. The house that previous exist on this property had a front yard setback of 5ft off 3rd Ave S. The house was considered legal non-conforming before it was demolished due to arson. The applicant is proposing now to set the house back 10ft instead of 5ft.

The applicant does meet the requirement of the six variance standards.

Staff Recommendation

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

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. Applicant must obtain a certificate of occupancy with the approval of this variance within 3 years from the date of approval.



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

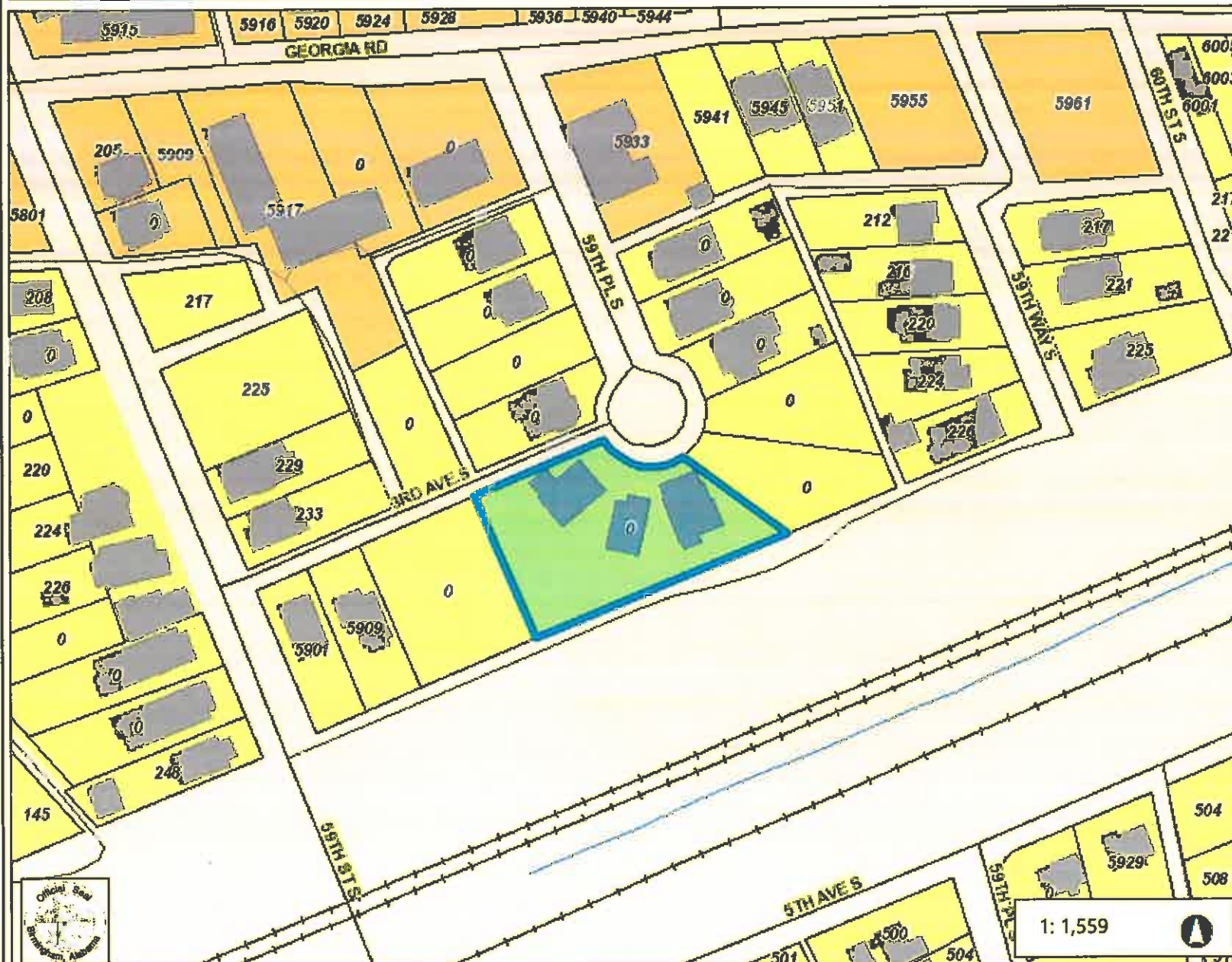
- R1; D1 - Single Family District - Cla
- R2; D2 - Single Family District - Cla
- R3; D3 - Single Family District; R3
- R4; D4 - Two Family District; R4
- R4A - Multiple Dwelling District
- R5; D5 - Multiple Family District; D5
- R6; D6 - Multiple Family District
- R7 - Multiple Family District



1:1,559

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

Notes



Legend

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- Railroad
- Alleys
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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



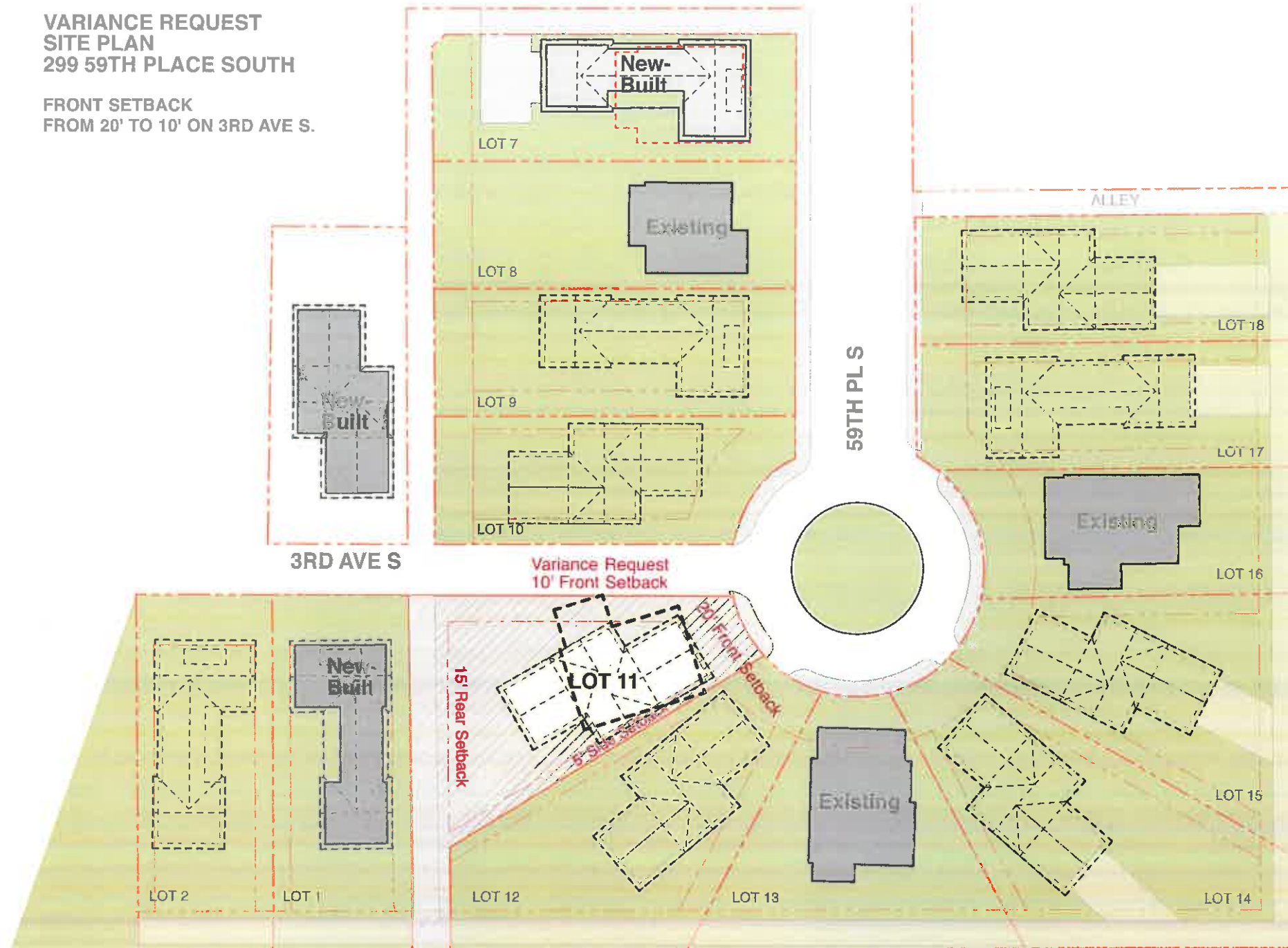
1: 1,559

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

VARIANCE REQUEST
SITE PLAN
299 59TH PLACE SOUTH

FRONT SETBACK
FROM 20' TO 10' ON 3RD AVE S.



WF Real Property Resources LLC

Survey of Ideal Land & Improvement Co. Survey

Located in the East 1/2 of Section 21, Township 17 South
Range 2 West, Jefferson County, Alabama

SCALE: 1"=30' May 30, 2019

GRAPHIC SCALE



ALABAMA ENGINEERING COMPANY, INC.
1214 ALFORD AVENUE, SUITE 200
HOOVER, ALABAMA 35226
(205) 803-2161

State of Alabama,
Jefferson County,

I, Garry Bannister, a Registered Land Surveyor in the State of Alabama hereby certify that all parts of this survey and drawing have been completed in accordance with the Current Requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief for the following described lots:

Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 according to the Ideal Land & Improvement Co Survey as recorded in Map Book 6, Page 73, in the Probate Office of Jefferson County, Alabama.

I further state that there are no rights of way, easements or joint driveways over or across said land visible on the surface except as shown, that there are no electric or telephone wires (excluding those which serve the premises only) or structures or supports thereof, including poles, and/or or guy wires on or over said property except as shown; that there are no encroachments except as shown; that the improvements are located as shown above. No underground utilities have been located.

According to my field survey this the 31st day of May, 2019.

Garry Bannister
Garry Bannister, PLS
Alabama PLS No 24325



Notes:

The survey shown hereon is based on documents of record, other documents supplied to the surveyor, and monumentation found.

Date of fieldwork: April 24, 2018, May 5, 2018, & May 30, 2019

All map book numbers shown on this survey refer to Jefferson County, AL Probate Office

All lots are in Flood Zone X (Outside the special flood hazard area) according to FEMA FIRM Map Number 01073C0411H date March 21, 2015.

All lot corners were not set on contiguous groups of lots. Only exterior corners were set as shown on the survey.

Sanitary sewer is shown on this survey from field located manholes and Jefferson County Environmental records.

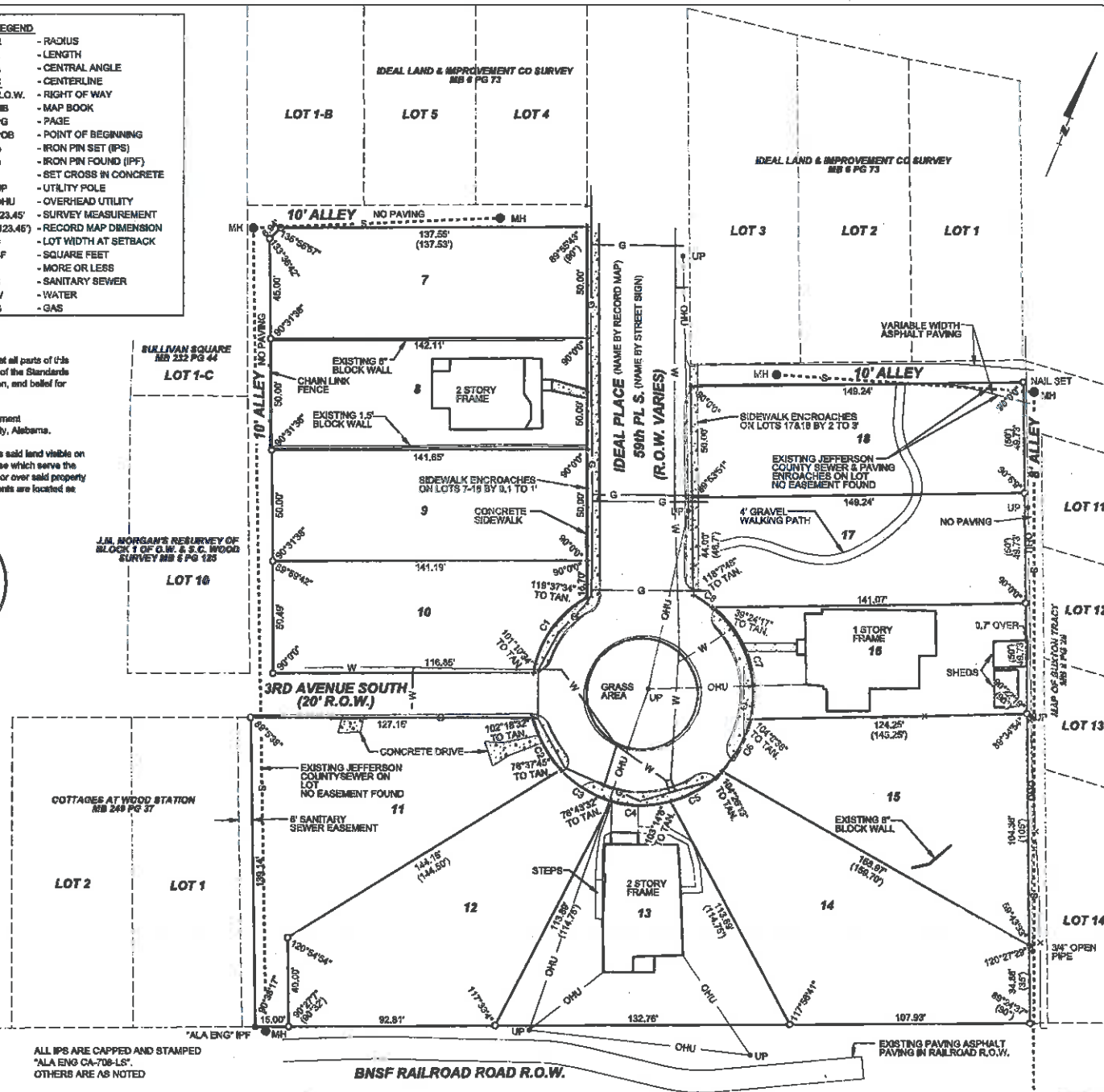
Water and gas locations are shown from point markings made by Alabama 811 and field surveyed on May 24, 2019.

Surveyor has not made a title search and makes no opinion as to title.

Other easements, rights of way, encroachments or matters affecting title may exist.

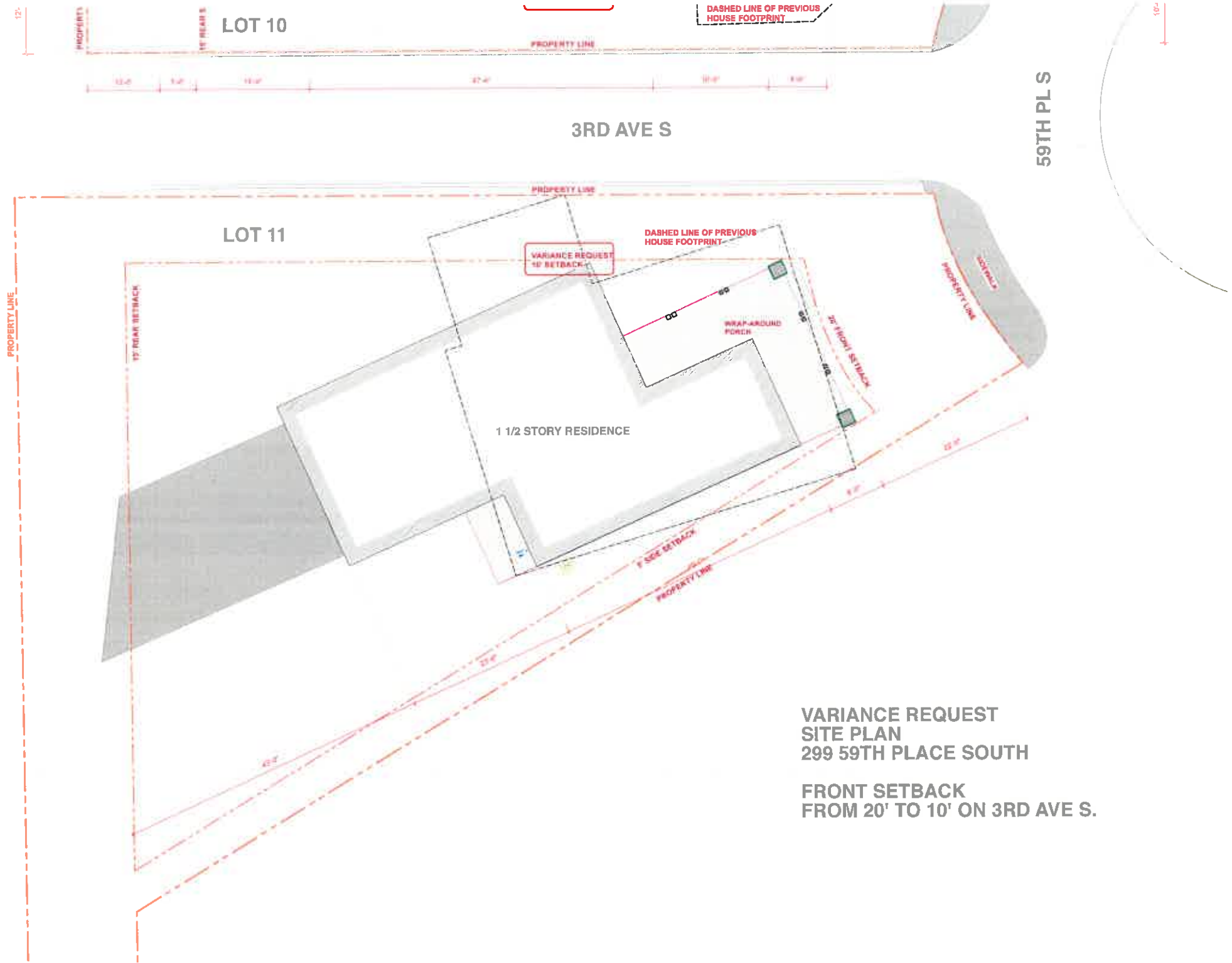
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	50.00'	42.84'	49°12'00"
C2	50.00'	26.79'	30°41'00"
C3	50.00'	27.05'	30°45'00"
C4	50.00'	27.04'	30°45'00"
C5	50.00'	27.04'	30°45'00"
C6	50.00'	27.04'	30°45'00"
C7	50.00'	26.17'	29°22'00"
C8	50.00'	0.84'	11°16'30"

- LEGEND**
- R - RADIUS
 - L - LENGTH
 - Δ - CENTRAL ANGLE
 - C - CENTERLINE
 - R.O.W. - RIGHT OF WAY
 - MB - MAP BOOK
 - PG - PAGE
 - POB - POINT OF BEGINNING
 - O - IRON PIN SET (IPS)
 - - IRON PIN FOUND (IPF)
 - + - SET CROSS IN CONCRETE
 - UP - UTILITY POLE
 - OHU - OVERHEAD UTILITY
 - 123.45' - SURVEY MEASUREMENT
 - (123.45') - RECORD MAP DIMENSION
 - + - LOT WIDTH AT SETBACK
 - SF - SQUARE FEET
 - ± - MORE OR LESS
 - S - SANITARY SEWER
 - W - WATER
 - G - GAS



ALL IPS ARE CAPPED AND STAMPED
"ALA ENG CA-708-LS".
OTHERS ARE AS NOTED

BNSF RAILROAD ROAD R.O.W.



LOT 10

3RD AVE S

59TH PL S

LOT 11

1 1/2 STORY RESIDENCE

DASHED LINE OF PREVIOUS HOUSE FOOTPRINT

DASHED LINE OF PREVIOUS HOUSE FOOTPRINT

VARIANCE REQUEST 10' SETBACK

WRAP-AROUND PORCH

10' FRONT SETBACK

5' SIDE SETBACK

10' REAR SETBACK

VARIANCE REQUEST
SITE PLAN
299 59TH PLACE SOUTH

FRONT SETBACK
FROM 20' TO 10' ON 3RD AVE S.

299 59th Pl S

Birmingham, Alabama



Street View



Google



216 59th Pl S
Birmingham, Alabama
Google
Street View



Google

Meeting – September 10, 2020
Location – WebEx/ Teleconference
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex/Teleconference

Neighborhood: Crestline Staff Planner Moton ZBA2020-00052

Request: Variance request to allow 6ft fence in the front yard area and variance to allow the finished side not facing adjacent property owner pursuant Title 1 Chapter 4 Subsection 3.A.1 page 182

Applicant: Thomas W. Russell
Owner: Thomas W. Russell
Site Address: 4521 Maryland Ave
Zip Code: 35213
Description: Variance request to allow 6ft fence in the front yard area and variance to allow the finished side not facing adjacent property owner pursuant Title 1 Chapter 4 Subsection 3.A.1 page

Property Zoned: R-2 Single Family District
Parcel Information: Parcel #: 012300263022030000, SW of Section 26, Township 17 S, Range 2 W

Variance:

Variance request to allow 6ft fence in the front yard area and variance to allow the finished side not facing adjacent property owner

Neighborhood Meeting:

The Crestline Neighborhood Association voted in support of the request.

Public Notices:

Public notices were mailed on August 28, 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. **Please see attached.**

Staff Analysis:

The subject property located at 4521 Maryland Ave is zoned R-2, Single Family District. The fence was installed without a permit. The 6ft wooden fence is in the front yard area with the finished side not facing the adjacent property owner

The applicant does meet the requirement of the six variance standards for the 6ft wooden fence in the front yard area; however, it does not meet the requirements for the finished side not facing adjacent property owner.

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 **DENIED** for the finished side not facing the adjacent property owner and **GRANTED** for the 6ft fence in the required front yard subject to the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. All permits should be obtain within 30 days of the approval date from the Board.

August 17, 2020

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

Reference: Application to the Zoning Board of Adjustment
4521 Maryland Avenue; Birmingham, AL 35213
Parcel ID: 23-26-3-22-30.000
Case Number: ZEN2020-00140

Dear Zoning Board Members:

I am in receipt of two letters from Zoning Inspector, Mr. Lucius Jones, dated May 20, 2020 and August 6, 2020, respectively. Within these letters, Mr. Jones provided proper, yet shocking, notification of a possible fence violation located on the aforementioned subject property.

The violation contained in said letter(s) is:

- Title 1 Chapter 4, Article 5, Subs 3;1. (hereafter referred to as Violation One)

The violation not contained in said letter(s) is:

- Title 1 Chapter 4, Article 5, Subs 7. (hereafter referred to as Violation Two)

Thus, I humbly, and respectfully, request a variance approval for stated Violation One and Two respectively and cumulatively.

I fully recognize and respect the quasi-judicial adjudication powers of the Zoning Board of Adjustment, hereafter referred to as "ZBA or Board"; and, that I, as the property owner, have initiated this proceeding where the burden of proof is upon me (applicant) to show cause for the qualification of the variance. Further, I recognize the rights of a property owner that are provided to protect against an unfair loss of a property right that is embedded in the U.S. Constitution as is implied in the Alabama Constitution, that: (i) notice to affected persons is required, (ii) an opportunity to be heard at a public hearing, (iii) a right to appear and speak through counsel, (iv) decisions are to be made by an impartial tribunal, (v) deliberation based upon evidence and facts, (vi) provided a written decision with reasons, and, (vii) the right to appeal.

I also recognize that the subject matter of the is request is not a legal nonconforming use and references a fence installed on property that (i) exceeds the height maximum of four (4) feet in a residential property front yard; and, (ii) the "finished" side of the fence does not face adjacent property owners.

I do not allege any ambiguities in the expressed ordinance of the City of Birmingham concerning Violation One or Two. I do, however, factually state and provide evidence of the atypical characteristics of the subject property where Violations One and Two have occurred and which warrant a variance.

Permitting:

I accept that I erred in that I failed to obtain the proper fence permit prior to the fence installation. I erroneously relied on representations by the fencing company I hired. Although I was unaware of the permitting requirement, I understand that even had I sought to obtain a permit prior to the installation, the same application for the variance request(s) would have been required.

Hardship/Justification:

Consideration

Violation One

The non-conforming wooden privacy fence (hereafter referred to as 'fence') is six (6) feet tall in height. In a typical residential property, the City has a rational and legitimate interest in enforcing the ordinance's four (4) feet height requirement. However, the subject property is very atypical in that both abutting neighbors' backyards are in the front yard of the property. Additionally, one neighbor (with an inground pool) has an existing legal nonconforming six (6) feet high chain link fence that is grossly overgrown with vines; and, the other neighbor's backyard peers onto the subject property, which affects the privacy of the owners of the subject property. (see photos one and two).

Violation Two

The fence's finished side does not face adjacent property owners. While I understand this would be required in normal situations, in this particular instance, the adjoining neighbors – each of who's back yard adjoins my front yard, have existing chain link fences. Any aesthetic benefit to the neighboring properties which would normally occur if there was no existing fence is not applicable in this particular situation. Because of these unique circumstances, a fence installation to code on the subject property would result in unnecessary and undue hardship.

Six Variance Standards

Physical Characteristics of the Property

Violation One

As stated above, the extraordinary and exceptional conditions of the subject property warrants a six (6) foot fence not only for the aesthetics of the property and neighborhood, the privacy of the property owners, and the atypical depth of the front yard. The property owners recognize that the fence may be cut to conform to the height ordinance; however, the fence in total length is over 200 feet and would require the removal of each board, cut to height, and then reattached – which, would require excessive, and an undue hardship due to the cost of labor and damage to the fence.

Violation Two

The enforcement of this ordinance would rise to an exceptional or undue hardship by the economic loss of the fence, the additional expense of the complete removal of the fence and denying the property owners a fence in its entirety because of a heightened degree of impracticability, impossibility. Thus, the physical characteristics of the adjacent property owners' fences prohibit compliance.

Unique Characteristics

Considering the totality of the unique property characteristics, abutting neighbors' back yards in the front yards of the subject property is not generally a characteristic prevalently found in the area. Thus, the subject property *is* peculiar.

Violation One

The granting of the application is warranted as to the fence height is necessary due to the one adjacent neighbor's six (6) foot high fence with non-maintained vines would overtake a conforming four (4) foot high fence, the other adjacent neighbor's use and enjoyment of their property could interfere with the use and enjoyment of the property owner, and, thus, substantially interfere with the property owners' right to privacy

Violation Two

As previously stated, code enforcement would substantially interfere with the property owners' right to have a fence, even if conforming in height.

Hardship Not Self-Imposed

In regard to both Violation One and Two, the installation of the fence was self-imposed by the owners of the property that recently purchased it but the fence was installed in good faith reliance of a fence company that has been in business for fifty (50) years installing fences in the City of Birmingham. The property owners also acted in good faith by installing a fence of equal height to that of the adjacent neighbors. It is recognized that actions taken in good faith by property owners may give rise to an approval for a variance.

Financial Gain Not Only Basis

As the property owner- applicant, I aver that an approved variance to maintain the fence in its current height, appeal, and structure for nonconforming use is unprofitable, and also that the nonconforming use itself will not yield a reasonable return. Although curb appeal can heighten interest in a subject property's marketability, it is highly unlikely that the fence increased the property value or would result in a dollar for dollar return. Overall, it did improve the neighborhood aesthetically and more importantly, the surrounding properties.

No Injury to Neighboring Property

The granting of the ordinance variance request(s) is not injurious to other properties and does not diminish or impair property values within the area. In all actuality, the property in its prior state was adversely affected by the properties that surround the subject property.

No Harm to Public Welfare

In regard to Violation One and Two, an approval for a variance request will not be contrary to public welfare.

Request in the Alternative if Violation One request is not granted

Although the property owners' argument(s) for approval of ordinance variance One and Two is well-supported and when taken in consideration of the totality of the circumstances should be granted, the property owners request that in the alternative of denying both variances, that the ZBA consider the requests, respectively.

The property owners acknowledge that the fence can be reduced to meet the height requirements of a conforming fence, at a great cost, but the denial of variance for Violation Two would result in a denial of a fence in its entirety. It is unnecessary and an undue hardship to deny the property owners' right to a fence in the front yard of the subject property and the denial, itself, would be in contrast to the spirit of the ordinance which allows it.

As a new resident citizen of the City of Birmingham, I thank the City of Birmingham, the Department of Planning, Engineering and Permits, Zoning Inspector Lucius Jones, ZBA Planner

Angelica Moton, and the Members of the ZBA, in their official capacity, and individually, for the lessons learned by my lack of knowledge and most importantly, the opportunity to be heard.

I humbly request for the application for ordinance variance for Violations One and Two, cumulatively, or in the alternative, respectively, be granted.

Respectfully submitted,



Thomas W. Russell

4521 Maryland Avenue

Birmingham, AL 35213

(205) 721-3013

Thomas.russell1257@gmail.com

PARCEL ID: 012300263022030000

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

DATE: Thursday, August 27, 2020 10:14:42 AM

OWNER: KEYCO FLIP FUND 1 LLC

ADDRESS: 4880 OLD STILESBORO RD NW

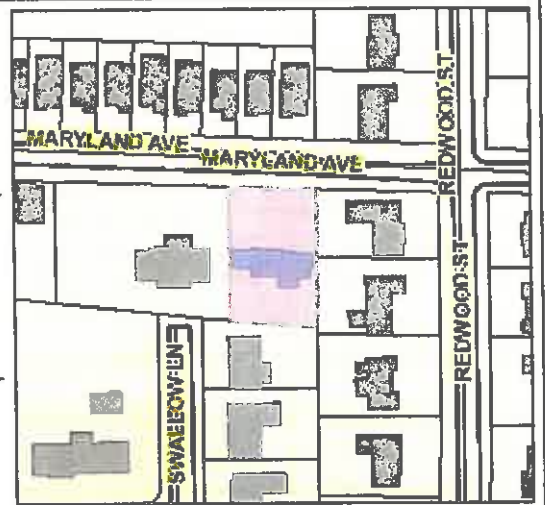
CITY/STATE: ACWORTH GA

ZIP+4: 30144

SITE ADDR: 4521 MARYLAND AVE

CITY/STATE: BHAM, AL

ZIP: 35213



LAND: \$152,000.00

BLDG: \$132,800.00

OTHER: \$0.00

AREA: 15,516.18

ACRES: 0.36

SUBDIVISION INFORMATION:

NAME CHANDLER & WATKINS 23-26-

BLOCK:

LOT:

:

Section: 26-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Not in Commercial Revitalization District

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Crestline (301)

Communities: Crestline (3)

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

Zoning Outline: R2

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Upper Shades Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

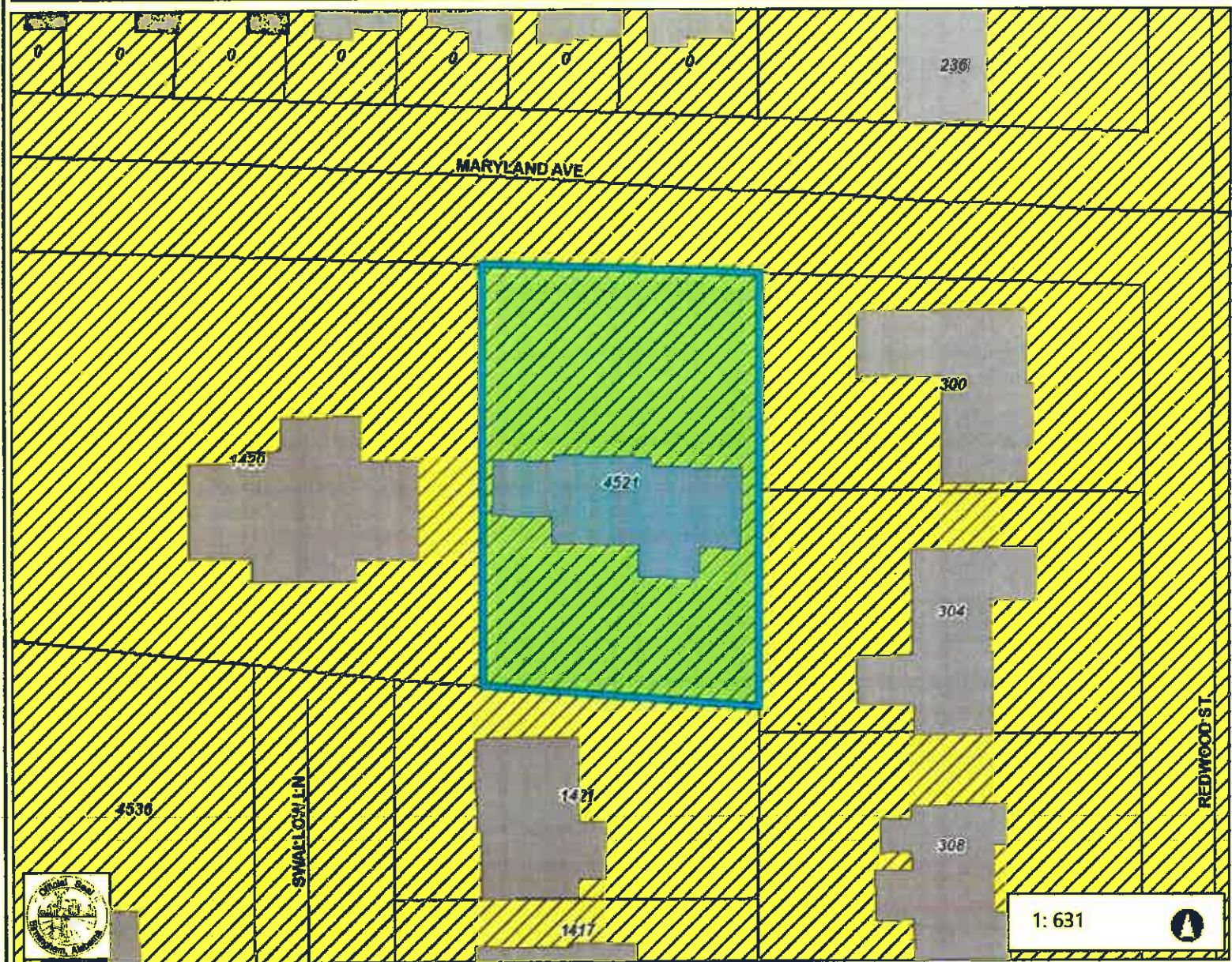
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: Not in Opportunity Zones

Judicial Boundaries: JEFFERSON

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



- Legend**
- Centerline Labels
 - + Railroad
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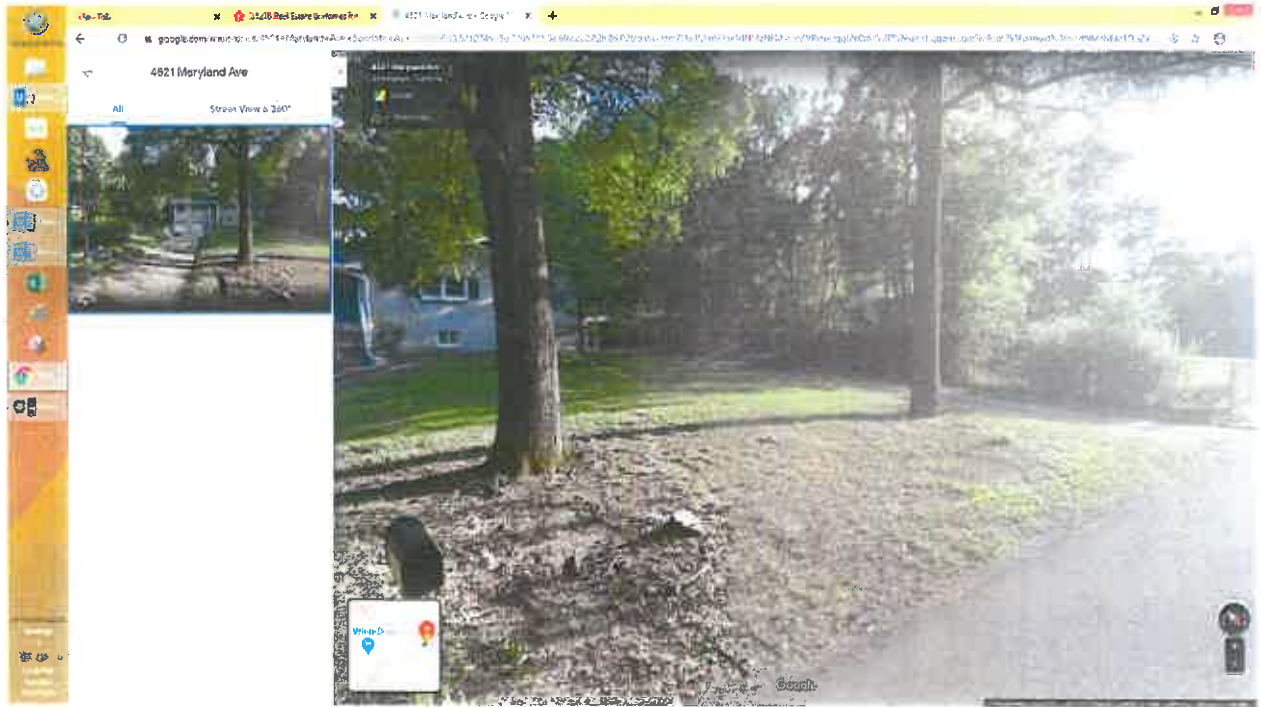
1: 631



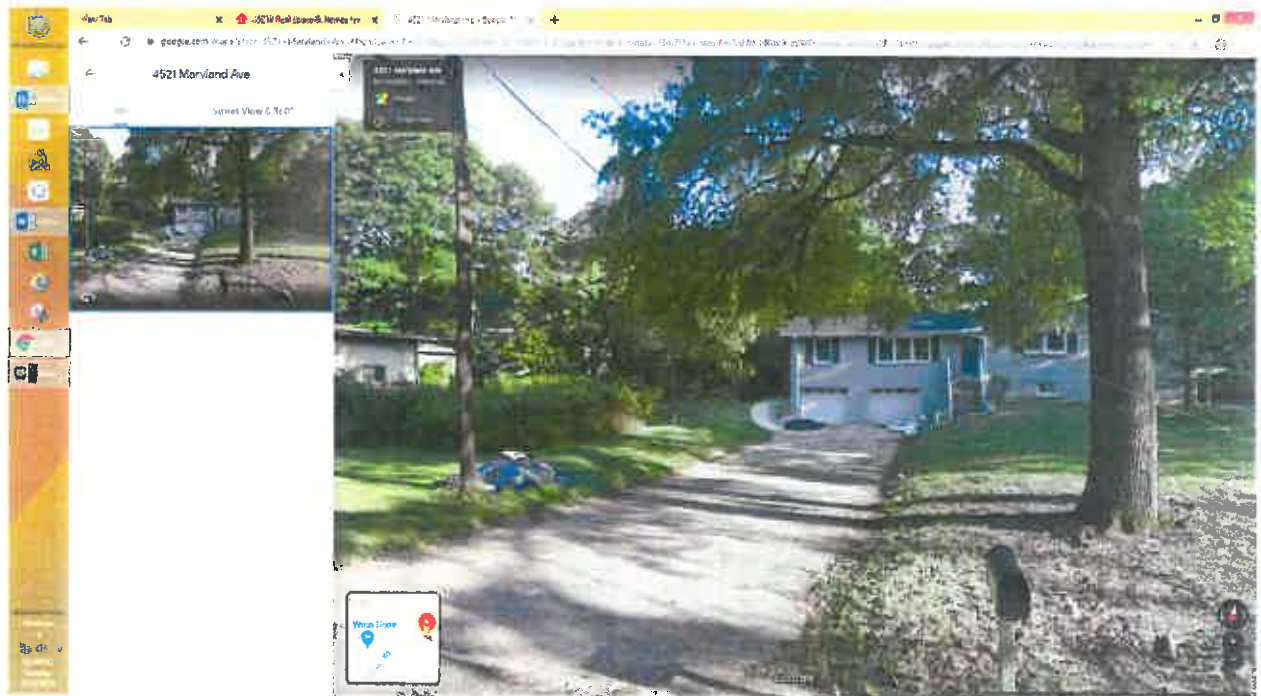
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Notes

Before Fence Installation Photos



**** Photo above shows pre-existing, legal nonconforming chain-link fence in neighbor's back yard. Overgrown, not maintained.**



**** Photo above shows overgrown, not maintained, pre-existing, legal nonconforming chain-link fence in abutting neighbor's back and side yard.**

After Fence Installation Photos



**** Photo above shows wood privacy fence post-installation that abuts neighbor's chain-link fence and drastically improved the neighborhood. This photo also reflects the impossibility of facing the finished side of the fence to the adjacent neighbor. Facing the finished side facing the neighbor's property would, not only, serve no aesthetic purpose but would also diminish the appeal of the subject property.**



**** Photo above shows the same side of the subject property and supports the impossibility of installing the fence with the finished side facing the adjacent neighbor.**



**** Photo above displays the fence post-installation and as on the other side of the subject property shows that a pre-existing chain link fence in the abutting neighbor's back yard lacks proper maintenance and would prevent the fence from being installed with the finished side facing the adjacent neighbor.**



**** Photo above shows the same side of the subject property and supports the impossibility of installing the fence with the finished side facing the adjacent neighbor.**

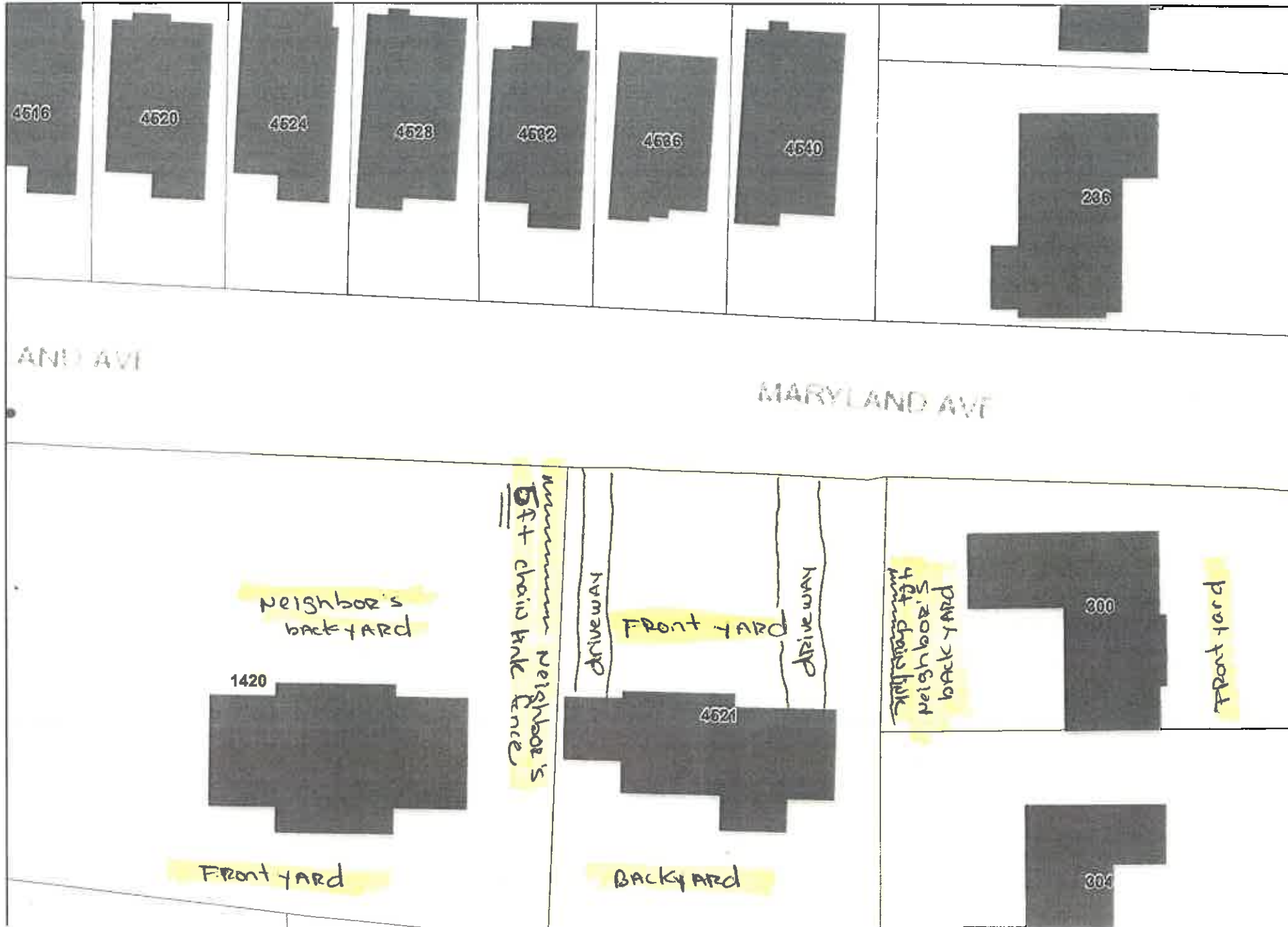


**** Photo above shows the street scene facing Redwood Street. New fence is shown in the far right.**



**** Photo above shows the street scene facing Montevallo Road.**

4521 Maryland Avenue GIS





ALLSTEEL FENCE CO.
2111 MONTEVALLO ROAD S. W.
BIRMINGHAM, ALABAMA 35211
(205) 942-8249 FAX: (205) 942-5860

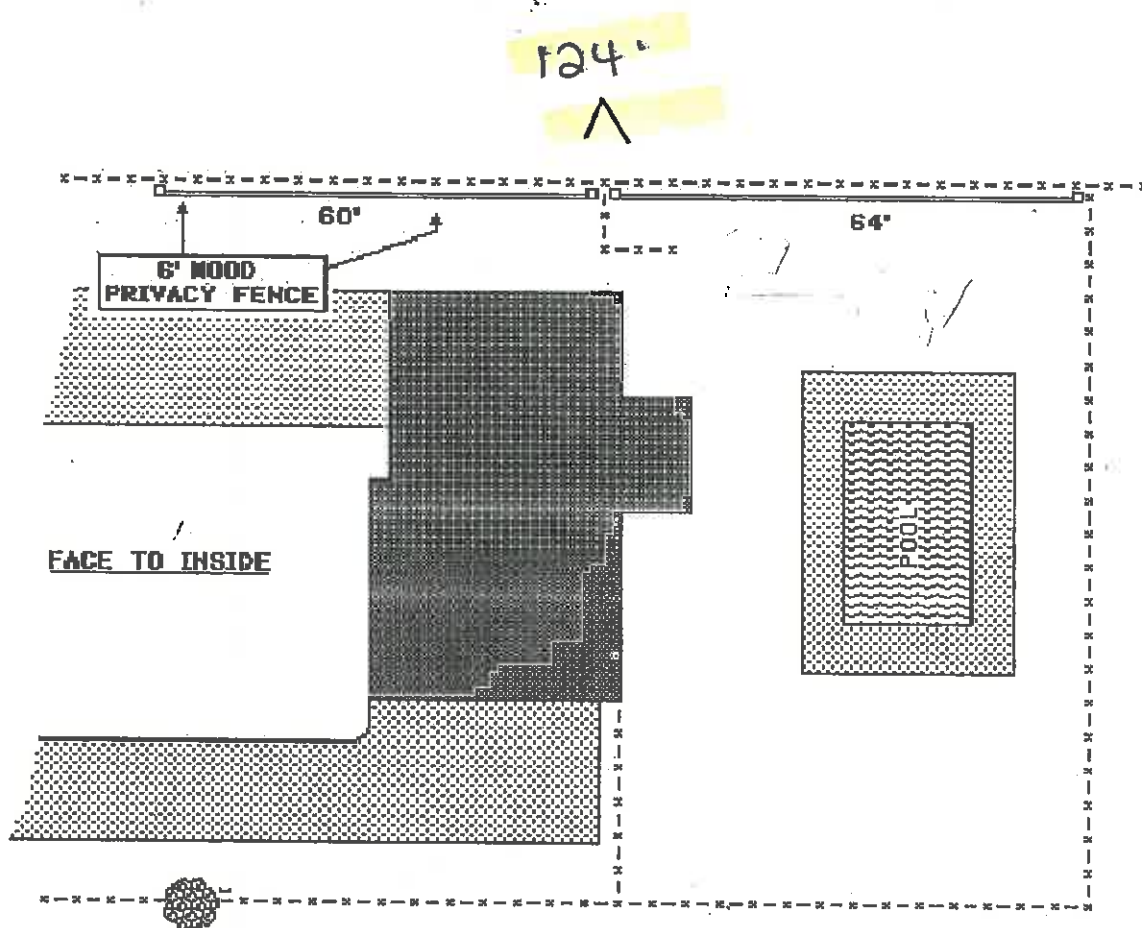
JOB SKETCH

BILL TO:

THOMAS RUSSELL
4521 MARYLAND AVE
BIRMINGHAM, ALABAMA 35210

SHIP TO:

205-721-3013
thomas.russell1257@gmail.com





ALLSTEEL FENCE CO.
2111 MONTEVALLO ROAD S. W.
BIRMINGHAM, ALABAMA 35211
(205) 942-8249 FAX: (205) 942-5860

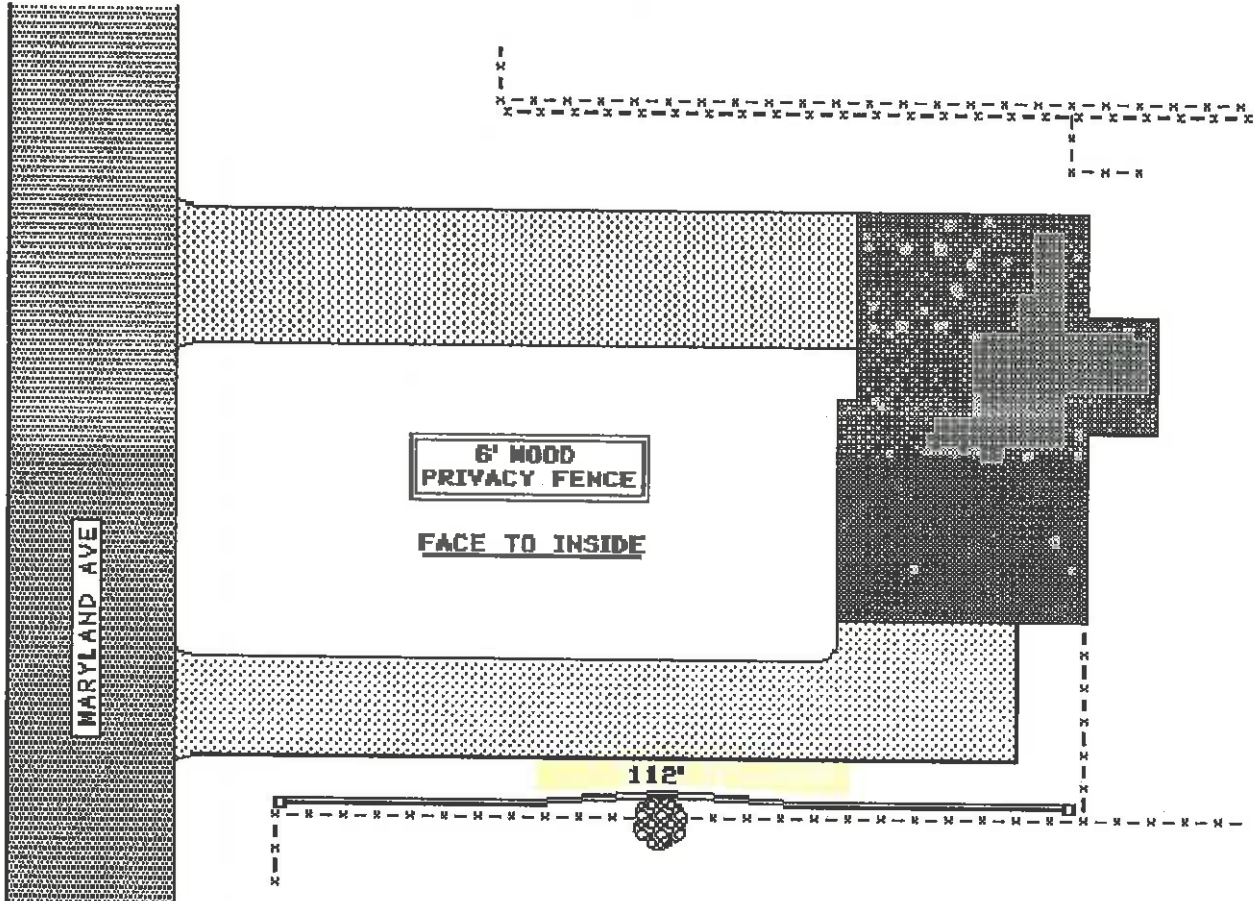
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2057213013JAN2020.JW1

01/16/2020