

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

Neighborhood: Crestwood North Staff Planner Moton

ZBA2020-00059

Request: Variance to allow a 5ft 6 inch wrought iron fence in the front yard area
Title 1 Chapter 4 Subsection 3.A.1 page 182
Applicant: Jeff & Shelia Haslam
Owner: Jeff & Shelia Haslam
Site Address: 5100 7th Ct S
Zip Code: 35212
Description: Variance to allow a 5ft 6 inch wrought iron fence in the front yard area
Title 1 Chapter 4 Subsection 3.A.1 page 182
Property Zoned: R-3 Single Family District
Parcel Information: Parcel #: 012300282006012000, NW of Section 28, Township 18 S,
Range 2 W

Variance:

Variance to allow a 5ft 6inch wrought iron fence in the front yard instead of the required 4ft fence.

Neighborhood Meeting:

The Crestwood North Neighborhood Association does not have any neighborhood officials; however, attached are letters from adjacent property owners supporting this request.

Public Notices:

Public notices were mailed on November 23, 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 5100 7th Ct S is zoned R -3, Single Family District. The property owner received a violation notice case ZEN2020-00246 for installing the fence not as described on the fence permit. This property is located on a corner lot; therefore, it has two front yards. The applicant installed the 5ft 6in wrought iron fence off the corner of 7th Ct S and 51st St S.

The applicant does meet the requirement of all six variance standards; physical characteristics, unique characteristics, hardship not self-imposed, financial gain not only basis, and no injury to neighboring property and no harm to public welfare.

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 30 days of the approval date from the Board.

Jeff & Sheila Haslam
5100 7th Ct S.
Birmingham, AL 35212

Parcel ID 23-28-2-6-12.000
Case Number ZEN2020-00246

Variance Standards

- Physical Characteristics

The rear and side fence are eight feet tall and side to side at the back of the property the fence is 130 feet +/- long. The permitting states "construction of 8FT privacy fencing in the side and rear yard". It replaces an existing fence that is intended for privacy from close neighbors behind and above us. Because of the odd nature of the property the house behind is much closer to 51st street and requires the fence to extend further toward 51st to complete their backyard. The decorative iron fence is five feet tall with decorative finials. The posts are five foot six inches tall with the ball caps. The permitting allows for "decorative items to 5 feet". This fence is completely transparent and allows total engagement with our neighbors. This property is not subject to Historical District review.

- Unique Characteristics

The property is long and narrow with the properties behind sitting up higher making privacy an issue. See attached: ArcGIS - Jefferson County Parcel Map4 and pictures.

- Hardship not Self-imposed

Layout of the properties was created by the layout of the streets.

- Financial Gain

Financial gain is not the reason for requesting a variance.

- No injury to neighboring property

The fencing does not diminish or impair the neighbor's property, on the contrary it adds value as implied by the attached letters.

- No harm to public welfare

This fencing does not harm or impair the inhabitants of the city. As stated in the attached letters the fencing is appealing to the eye and an asset to the neighborhood. The home directly behind us is up for sale and the fencing is a value increasing feature for the current owner.

Please review the following attachments:

Jeff & Sheila Haslam
5100 7th Ct S.
Birmingham, AL 35212

Parcel ID 23-28-2-6-12.000
Case Number ZEN2020-00246

David and Brooke Fleming
5103 7th Court South
Birmingham, AL 35212

August 26, 2020

Zoning Board of Adjustment
City of Birmingham
Birmingham, AL, 35203

To Whom it May Concern:

We are writing to express our support of Jeff and Sheila Haslam's request for a variance for the height of a fence on their property. The Haslam's recently moved into a house across the street from our home at 5103 7th Court South. We have lived at this address for 17 years. It is the first time since we have lived here that an occupant of the Haslam home has made the level of investment and improvements in their home that the Haslam's have made. It is a positive development for their property and our neighborhood.

Our understanding is that a new fence they installed at the rear of the property is considered too tall by zoning ordinance. This fence replaces a much older and deteriorating fence that was on the property dividing the Haslam home from the home behind it. We support the installation of this fence for several reasons.

The topography of the site warrants the height that they installed. The grade changes significantly between the Haslam property and the property behind them. The property and house to the rear is on a much higher grade. For a fence to effectively create privacy for both properties the Haslam's have built it to an appropriate height. Additionally, there is not harm or injury imposed on any direct party due to the installation of this fence. It is replacing an existing fence and, from the vantage point of our home, is a more aesthetically pleasing fence than the previous one. Also, there is no harm to the general public for the installation of this fence as no hazards are created.

We encourage the ZBA to grant a variance to the Haslam's for the fence they have installed. Given the unique circumstances of this site we believe it is in keeping with the design standards of the community, is not harmful and replaces a previously existing fence structure. Thank you for your consideration.

Sincerely,

David and Brooke Fleming

Jeff & Sheila Haslam
5100 7th Ct S.
Birmingham, AL 35212

Parcel ID 23-28-2-6-12.000
Case Number ZEN2020-00246

August 14, 2020

City of Birmingham
Department of Planning, Engineering and Permits

RE: 5100 7th Court South, Birmingham, Alabama

As a homeowner in the Crestwood North community, I am writing this letter in support of the requested fence variance for the home located at 5100 7th Court South, Birmingham, Alabama. The current code would call for the fence to be constructed disproportionately and would not be visually appealing. The fence that has been constructed offers privacy to the homeowners while at the same time adds visual improvement to the neighborhood. This is a corner lot and the homeowners have done a great job of improving the curb appeal of the property.

This request does not impose on neighbors nor would it negatively affect neighboring property or property value. I ask that the Department strongly consider approving this request made by Jeff and Sheila Haslam.

Sincerely,



Teresa Ham
5712 7th Avenue South
Birmingham, AL 35212

Jeff & Sheila Haslam
5100 7th Ct S.
Birmingham, AL 35212

Parcel ID 23-28-2-6-12.000
Case Number ZEN2020-00246

CITY OF BIRMINGHAM DEPARTMENT OF PLANNING ENGINEERING & PERMITS		
Building Inspection: (205)254-2211 Fire Inspection: (205)250-7540	715 North 20th Street ROOM 210 - CITY HALL BIRMINGHAM, ALABAMA 35203-2218	Engineering: (205)254-2342 Planning: (205)254-2478
FENCE and/or WALL ZONING APPROVAL (Residential)		
Permit No.: FEN2020-00088 Project No.: FEN2020-00088 Master No.: FEN2020-00088		Issued Date: 05/04/2020 Expiration Date: 08/02/2020
Case Reference: BLD2020-00355 Kaylee Renovation Owner's Name: HOLLEY JAMES D C/O DONALDSON HUGH L Reported Owner's Name: SHEILA HASLAM Occupant's Name / Telephone: Applicant's Name / Telephone: Site Address: 5100 7TH CT S 35212 Location: Kaylee Renovations		
Applicant Information:	PARCEL INFORMATION	
	Survey: WOODLAWN RTY 5 AD 23-28-3 P.I.D. No.: 012300282006012000 Block(s): 3 Fire District: N Lot(s): 11 Floodplain: N Zoning: Historical District: Y Design Review District: N	
Work Description: Construction of 8FT privacy fencing in the side and rear yard and 4FT fencing along 51st Street and 7th Court South pursuant to Title 1, Chapter 4, Article V, Section 5.		
Plans Reviewed By:	Fees Paid: \$ 80.00	Penalty Fees Paid: \$0.00
CONDITIONS		
1.) NOTE: Upon installation, any fence or wall which creates a line of sight impairment as determined by the Traffic Engineer of the City of Birmingham, must be reconfigured or reconstructed in compliance with the recommendation of the Traffic Engineer, at the expense of the owner/applicant.		
2.) Front Yard - A fence or wall can be no higher than 4 FEET in this area. Support posts and/or decorative items may be up to 5 FEET high. (See attached survey/site plan/drawing/GIS printout)		
3.) Side and Rear Yard - A fence or wall can be no higher than 8 FEET in this area. Support posts and/or decorative features may be up to 9 FEET high. (See attached survey/site plan/drawing/GIS printout)		
4.) Modification - If a habitable structure, identified by the owner/contractor or shown on the G.I.S. printout, is located less than five feet from where the fence or wall in the rear or side yard is to be placed or installed, some modification to the type or materials used may be required. A field inspection by a zoning inspector will be required to make this determination. Title 1, Chapter 4, Article V, Section 5.7.A. Finished side of fence must face adjacent property and thoroughfare, if applicable.		
5/4/2020	FEN2020-00088	Page 1 of 1

Fence Permit

PARCEL ID: 012300282006012000

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

DATE: Thursday, October 22, 2020 11:21:50 AM

OWNER: DONALDSON HUGH LOCKE & BLACK WI

ADDRESS: 5100 7TH COURT S

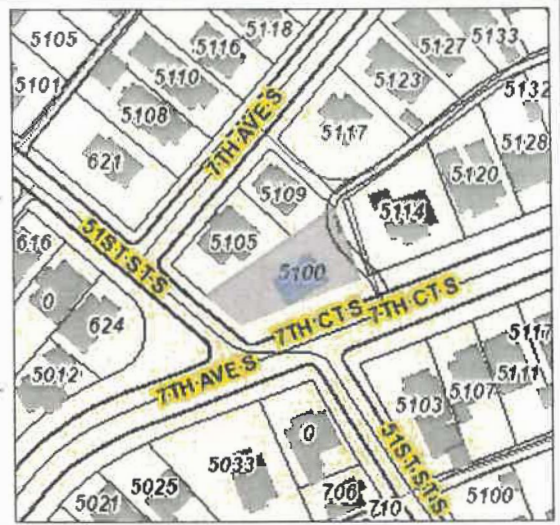
CITY/STATE: BIRMINGHAM AL

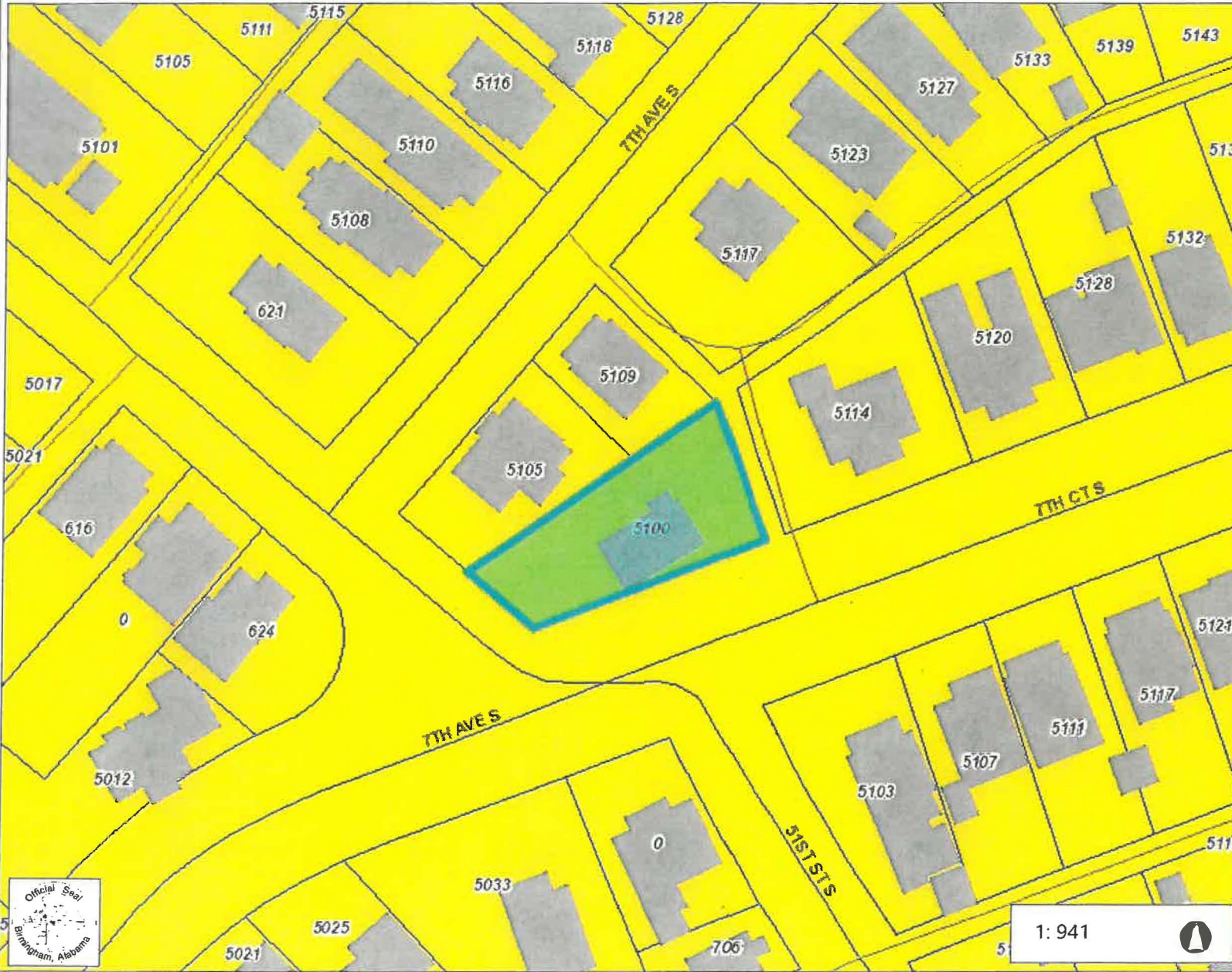
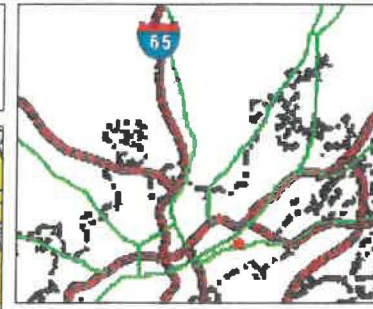
ZIP+4: 35212

SITE ADDR: 5100 7TH CT S

CITY/STATE: BHAM, AL

ZIP: 35212



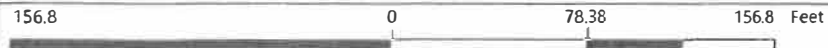


Legend

- 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

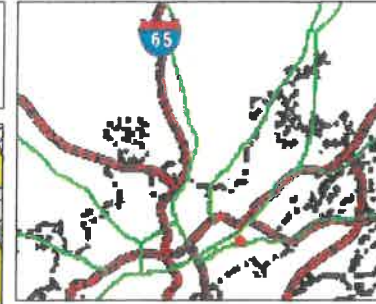


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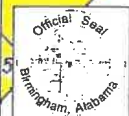
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Notes

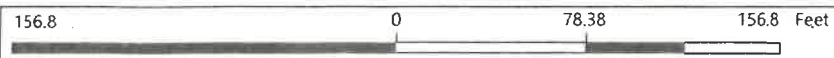


Legend

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- US Highways
- Interstates
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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: 941

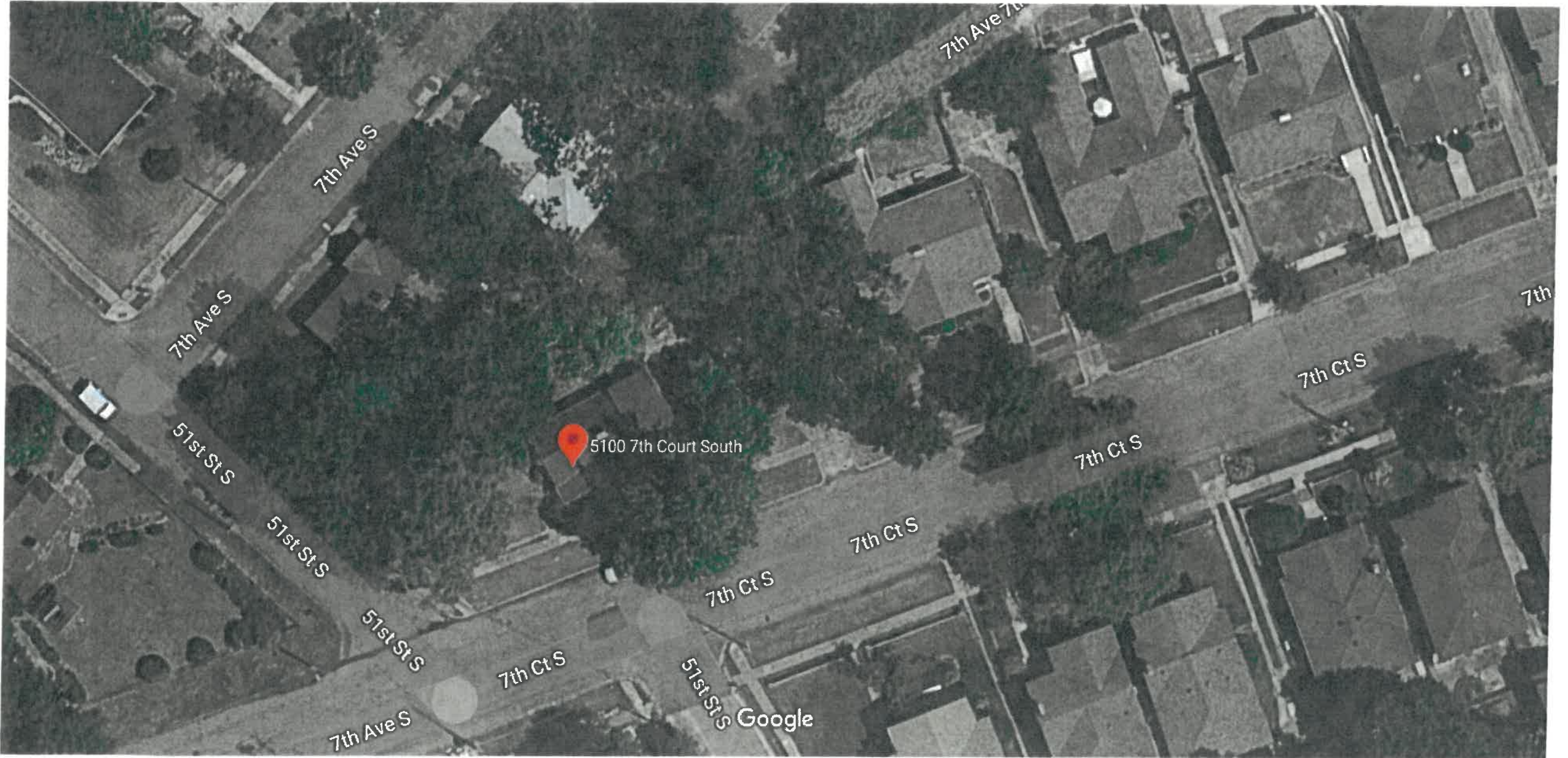


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Notes



5100 7th Ct S
ZBA2020-00059





5100 7th Ct S
ZBA2020-00059



Image capture: Feb 2020 © 2020 Google

Jeff & Sheila Haslam
5100 7th Ct S.
Birmingham, AL 35212

Parcel ID 23-28-2-6-12.000
Case Number ZEN2020-00246



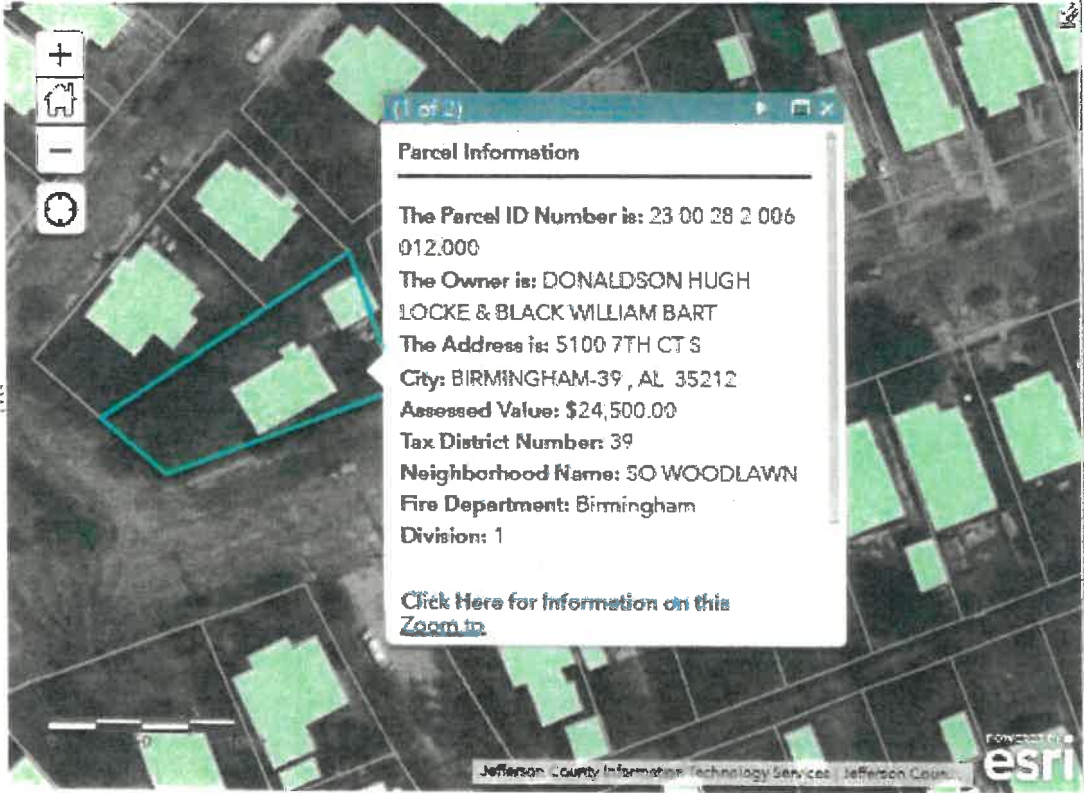
Fence Picture One



Fence Picture Two

Jeff & Sheila Haslam
5100 7th Ct S.
Birmingham, AL 35212

Parcel ID 23-28-2-6-12.000
Case Number ZEN2020-00246



Parcel Layout



Old fencing

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

Neighborhood: Wahoma Staff Planner Moton

ZBA2020-00060

Request: Variance to allow a 6ft chain link fence in the front yard area Title 1 Chapter 4 Subsection 3.A.1 page 182
Applicant: Douglas Ragland
Owner: Douglas & Teresa Ragland; Upper Room Fellowship Church
Site Address: 109 & 119 68th Place North
Zip Code: 35206
Description: Variance to allow a 6ft chain link fence in the front yard area Title 1 Chapter 4 Subsection 3.A.1 page 182
Property Zoned: CB-2, General Business District and R-3, Single Family District
Parcel Information: Parcel #: 012300153010015000, SW of Section 15, Township 17 S, Range 2 W

Variance:

Variance to allow a 6ft chain link fence in the front yard.

Neighborhood Meeting:

The Wahouma Neighborhood Association voted not to support the request.

Public Notices:

Public notices were mailed on November 23, 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 109 & 119 68th Place North is zoned CB-2, General Business District and R-3, Single Family District. The subject property has two front yards off of 69th St N and 68th Pl N. The fence was installed without a permit and received a violation notice case. The applicant has provided pictures of the existing fence shown in the packet. The fence crosses two lot lines; therefore, the applicant must resurvey the two lots into one. The applicant has been in contact with the Subdivision Planner.

The applicant does meet the requirement of all six variance standards; physical characteristics, unique characteristics, hardship not self-imposed, financial gain not only basis, and no injury to neighboring property and no harm to public welfare.

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 30 days of the approval date from the Board.
3. Resurvey lots 109 & 119 68th Place North into one lot within 90 days of the approval date from the Board.

Narrative Document for the Six Variance Requirements for Upper Room Fellowship Church

Physical Characteristics of the Property.

Upper Room Fellowship Church located on 109 68th PL. N. has two front yards and two side yards.

Unique Characteristics.

Upper Room Fellowship Church located on 109 68th PL. N. has two front yards and two side yards. There is no back yard to this property.

Hardship Not Self-Imposed

The hardship for this request is detailed in the following narrative: Due to the following concerns and actions affecting our property, we have deemed it necessary to install a 6 ft fence surrounding our property:

1. We have called the Birmingham Police East Precinct to our Property to investigate two break-ins within the Month of August 2020 and September 2020.
2. The officers boarded up the windows in August 2020, and an official report was made. The windows were replaced on August 19, 2020.
3. In September 2020, the Birmingham Police East Precinct came out to the church after our church alarm went off and another break-in was officially reported. Glass was splattered everywhere along with blood plastered on the walls, as the suspects entered and exited the church. The Birmingham Police Officers assisted in Boarding the windows for us again.
4. The windows were replaced on September 12, 2020 and in the process of replacing the windows the individual performing the work was solicited by a woman across the street, and another woman came on the property and urinated in our parking lot as he was doing the work on the church.
5. Prior to these incidents, the church was broken into a few months ago as well and a police report was submitted.
6. In addition to these incidents we have had to clean up human feces in our parking lot and the neighborhood president, Mr. Robert Walker disclosed to me and my wife on Wednesday, 9-24-20 recently a fight between two women took place with one of the women being beaten badly and clothes torn to shreds in the process.
7. We have had individuals to camp out on the side of our church making it a bedding area for sleeping purposes and leaving trash and feces on our property.
8. We have had individuals to come and sit on our front porch of the church and drink beer and leave debris on the property.
9. We have had individuals in the community to, literally throw trash and garbage bags on our property on a continual basis.
10. There is a house across the street from our church that is a known drug house and a prostitution gallery where we witness people going in and out as well as walking up and

down the streets all times of day and night on a consistent basis. We have no doubt that this is the basis of our problems at the church.

11. This house has been raided 6 times and it appears that after being raided other occupants come back within days and the same drug and prostitution cycles continue.
12. We have locked our outside water and electrical boxes because people were coming over stealing electricity and water from our church.
13. We spoke to the Neighborhood President on 9-24-20 and he said he has appeared before the City Council on numerous occasions citing concerns of safety and appearance that this particular house is presenting as well as the concerns of the neighbors who witness this chaos daily.
14. Our church members are harassed by this activity as we attempt to cut grass and keep our property up, as well as when we have Bible Study and Church in that area.
15. Due to the recent break-ins my wife was contacted by Ms. Jessica Burton on September 3, 2020, from the East Precinct to discuss Security Measures at the church. She requested that we meet at the church. She also stated to my wife that Chief Patrick Smith wanted to set up a meeting with me to discuss security concerns at the church and in the area. It is our plan to meet with her at the church to look at our security measures, and it was our goal to have our fence in place when we met with her.
16. Due to all of these events and the climate in that area, we decided as a church we needed to protect our church building, as well as provide security for our members and those who perform services for the church by installing a 6 ft black commercial fence surrounding our property.
17. We started this project on 9-21-20 and upon its completion on 9-25-20, Inspector Jones from the City of Birmingham came by and stated we were not in compliance with the city code for fencing and we needed to have a meeting before the Zoning Board of Adjustments to get approval for a variance to have this type of fence for our church.
18. These are just some of the concerns, precipitating our urgency to put a fence around our church and we apologize for not following proper protocol prior to starting the project, but we were simply trying to protect our interests as soon as possible.

Financial Gain Not Only Basis.

There is no financial gain for Upper Room Fellowship Church for this project. We are doing this for safety reasons for our members and those who perform services on our property, as well as security of our property from being vandalized. We have had at least 2 break-in attempts within the last 2 months and various solicitations, unsanitary acts, unauthorized use of water and electricity from our compartments on site, and a major fight on the property recently as well. We have actually lost monies repairing the damage done as a result of the break in attempts, and the unauthorized uses of water and electricity by trespassers.

No Injury to Neighboring Property & No Harm to Public Welfare.

There is no injuring or harm to neighboring properties or visibility problems in creating harm for the public as a result of this fence installation on our property. In essence, this project does not impair the health, safety, convenience, or comfort of the area, and in particular adjoining neighbors.

PARCEL ID: 012300153010015000

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

DATE: Friday, October 2, 2020 9:27:24 AM

OWNER: UPPER ROOM FELLOWSHIP CHURCH (1

ADDRESS: 1061 SUNHILL RD SW

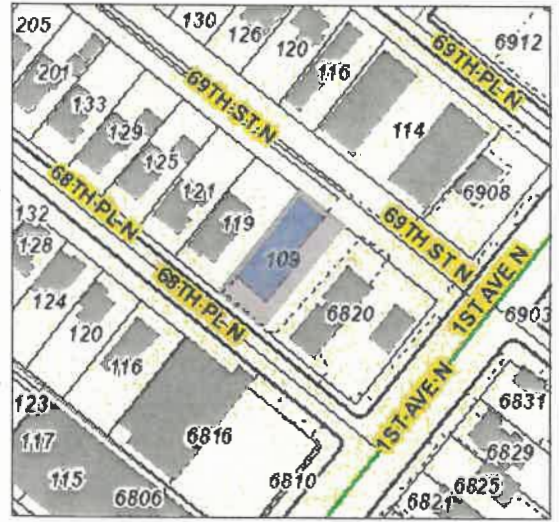
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35215

SITE ADDR: 109 68TH PL N

CITY/STATE: BHAM, AL

ZIP: 35206



LAND: \$16,800.00

BLDG: \$120,400.00

OTHER: \$0.00

AREA: 8,627.69

ACRES: 0.20

SUBDIVISION INFORMATION:

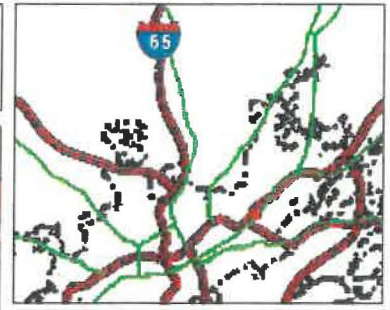
NAME EAST WOODLAWN KLONDYKE

BLOCK: 11-G

LOT: 3

Section: 15-17-2W
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: Wahouma (605)
Communities: East-Lake (6)
Council Districts: District - 5 (Councilor: Darrell O'Quinn)
Zoning Outline: CB2
Demolition Quadrants: DEM Quadrant - 4
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.

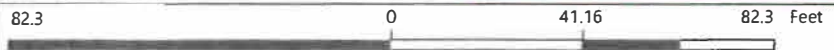


Legend

- 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

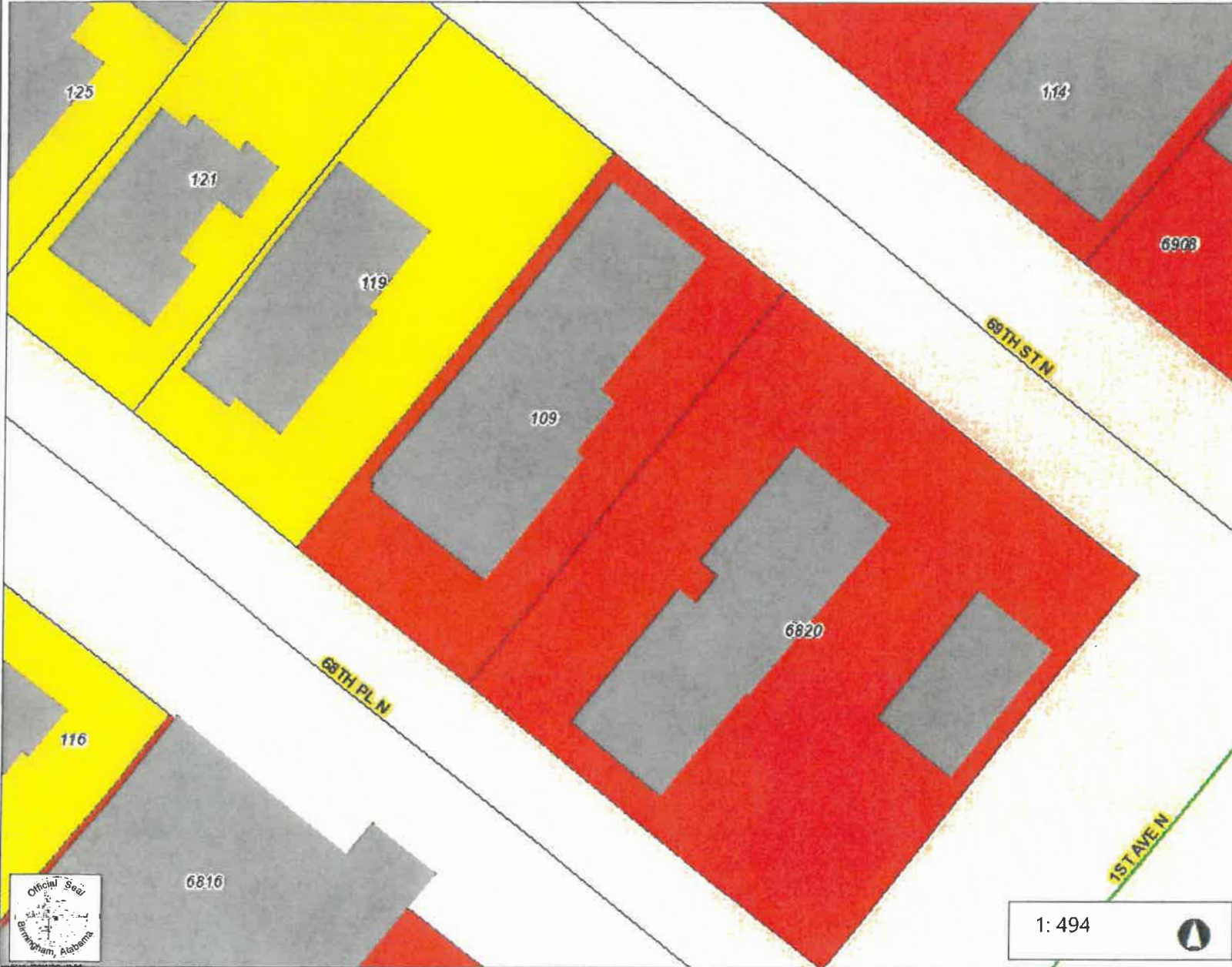
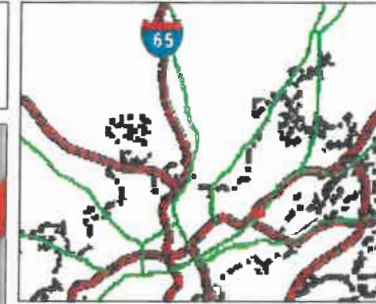


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Notes

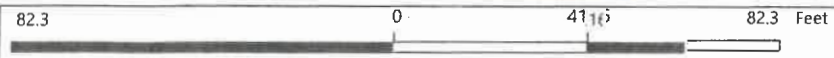


Legend

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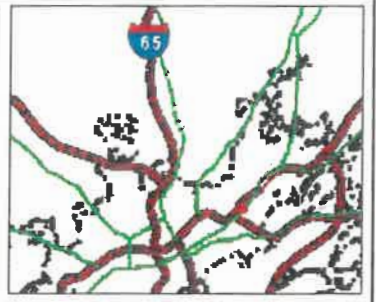
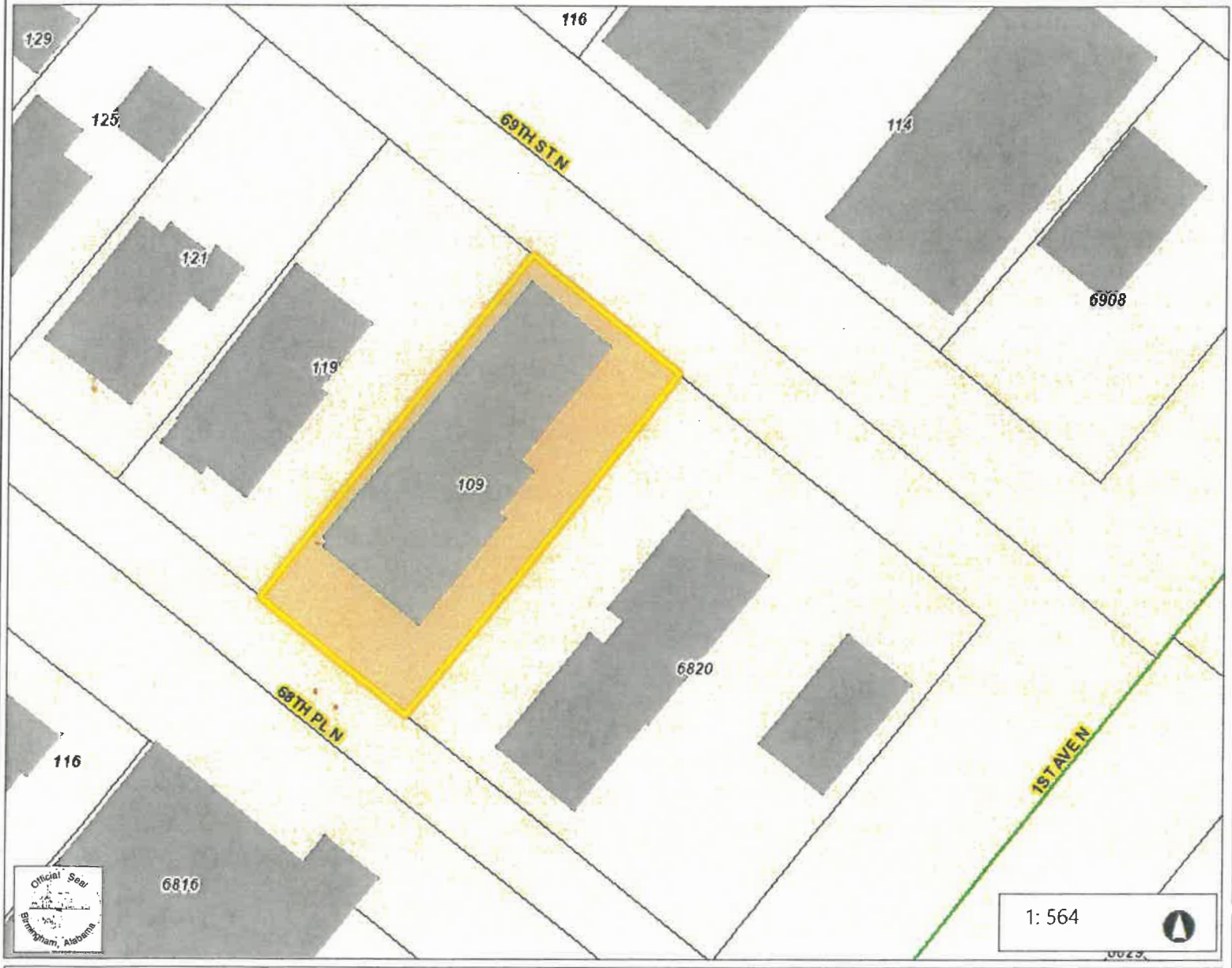


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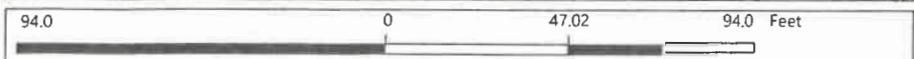


Legend

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- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- ▨ City Parks
- Airport
- City Limits (solid)



1: 564

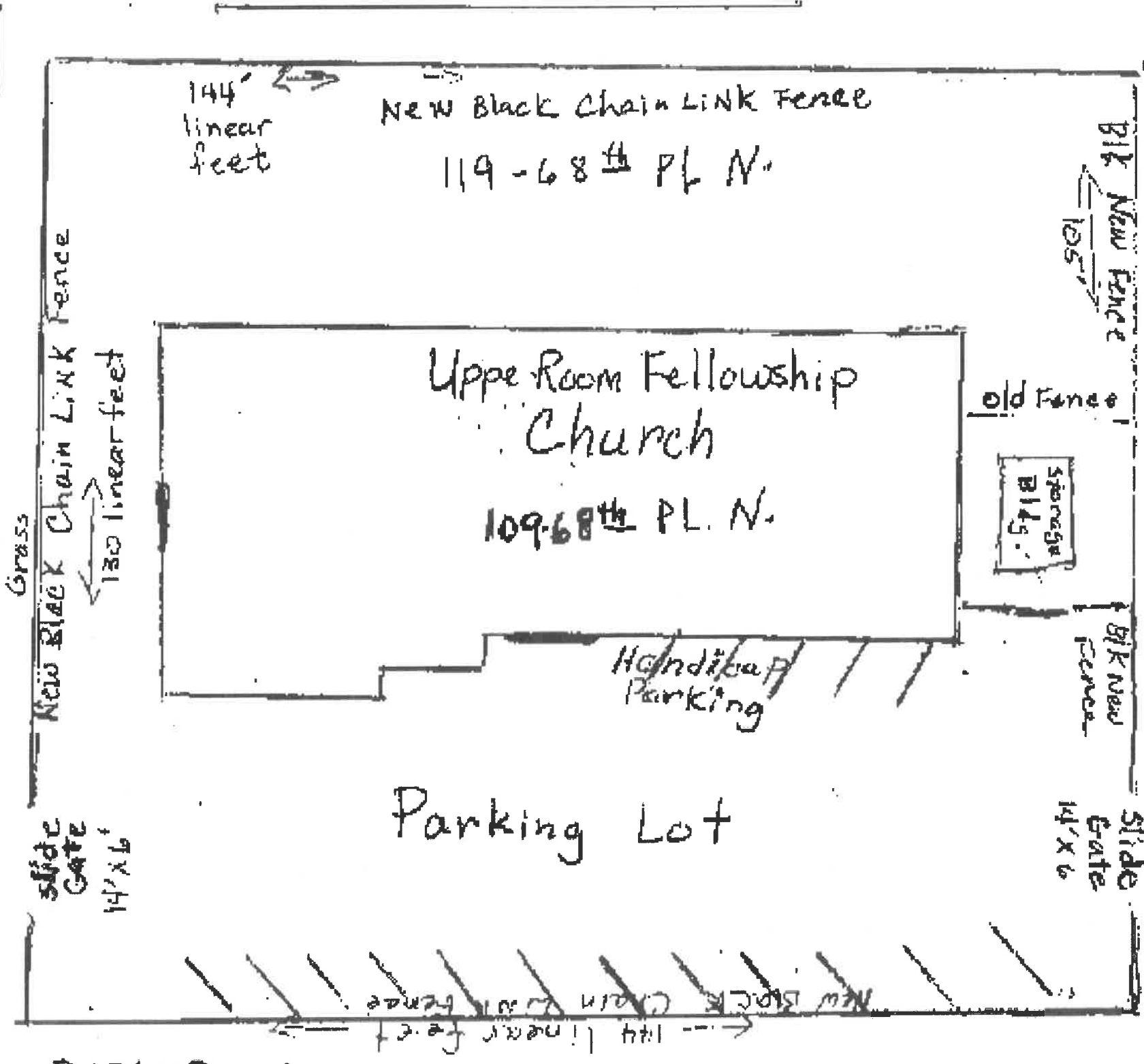


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Notes

68th Place

Side walk



Slide Gate
14' x 6'

New Black Chain Link Fence

130 linear feet

144' linear feet

New Black Chain Link Fence

119-68th Pl. N.

Upper Room Fellowship Church

109-68th PL. N.

Handicap Parking

Parking Lot

old Fence

Storage Bldg.

Slide Gate
14' x 6'

Slide Gate
14' x 6'

New Fence

125'

Unpaved Alley (68th Street N.) Unpaved



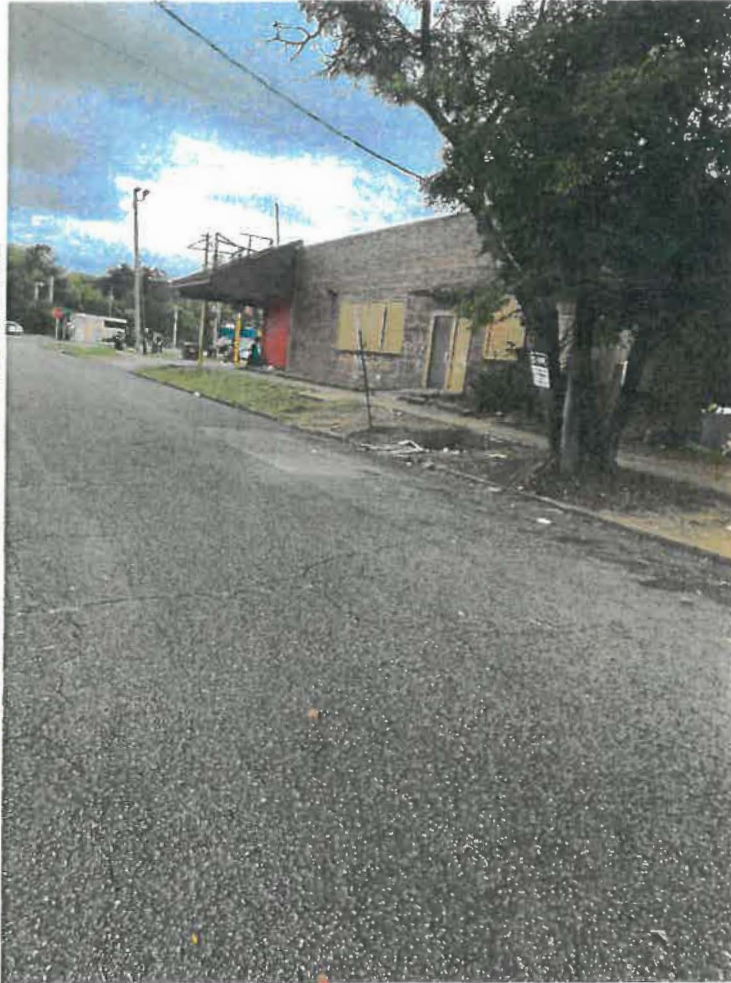
Fence



Fence



Fence



Across the street

Meeting – December 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: Central City Staff Planner Moton ZBA2020-00065

Request: Special Exception
Applicant: Amanda Loper
Owner: 213 Bonita LLC
Site Address: 213 25th St N
Zip Code: 35222
Description: Special exception to allow remote parking for the required 20 off-street parking within 1,000 feet Title 1, Chapter 5, Article I, Section 8 A.3 page 249
Property Zoned: M-1 Light Manufacturing District
Parcel Information: Parcel #:012200361006003000, NE of Section 36, Township 17 S, Range 3 W

Special Exception:

Special exception to allow remote parking for the required 20 off-street parking within 1,000 feet Title 1, Chapter 5, Article I, Section 8 A.3 page 249

Neighborhood Meeting:

The Central City Neighborhood Association has requested the case be continued to allow for the applicant to come to their meeting on November 17, 2020.

Public Notices:

Public notices were mailed on November 23, 2020.

Staff Analysis:

The parcel is located at 213 25th St N and the building itself resides within the M-1, Light Manufacturing. The applicant is proposing a mixed use consisting of office space and a cafe. According to Title 1 Chapter 5 Section 4.O, it requires 1 parking space per 400sqft of GFA for an office and 1 parking space per 100sqft GFA for restaurant. The office is 5,906sf which requires 15 parking spaces and the café is 1,000sf which requires 10 parking spaces totaling 25 spaces. However, with the 10% deduction for a nearby transit and deductions for bike racks leaves them with 20 required parking spaces.

Staff Recommendation

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

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. All permits and certificate of completion should obtain within three years of approval from the Board.
3. A written parking agreement for 20 spaces recorded with the probate court within 30days of approval.

PARCEL ID: 012200361006003000

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

DATE: Tuesday, October 27, 2020 11:12:32 AM

OWNER: POULET LLC

ADDRESS: 2109 1ST AVE S

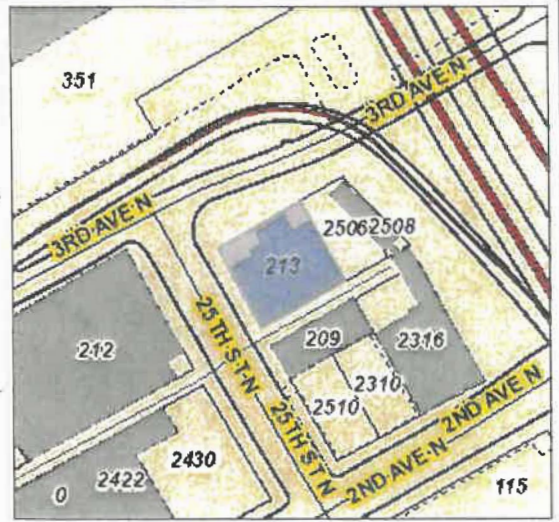
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35233

SITE ADDR: 213 25TH ST N

CITY/STATE: BHAM, AL

ZIP: 35203



LAND: \$251,100.00

BLDG: \$161,600.00

OTHER: \$0.00

AREA: 9,330.79

ACRES: 0.21

SUBDIVISION INFORMATION:

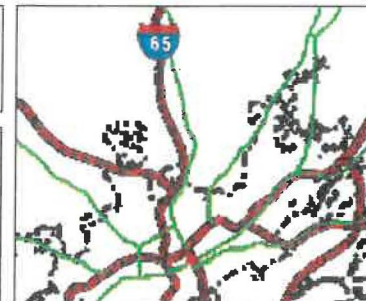
NAME BIRMINGHAM BLOCKS

BLOCK: 80

LOT: 8

- Section:** 36-17-3W
- Land Slide Zones:** Not in Land Slide Zones
- Historic Districts:** Downtown
- Commercial Revitalization District:** Not in Commercial Revitalization District
- Fire District:** In Fire District
- Flood Zones:** Not in Flood Zones
- Tax Increment Financing District:** In Tax Increment Financing District
- Neighborhoods:** Central City (1201)
- Communities:** Northside (12)
- Council Districts:** District - 5 (Councilor: Darrell O'Quinn)
- Zoning Outline:** M1
- Demolition Quadrants:** DEM Quadrant - 3
- Impaired Watersheds:** Not in Impaired Watersheds
- Strategic Opportunity Area:** Not in Strategic Opportunity Area
- RISE Focus Area:** In RISE Focus Area
- Tax Delinquent Property:** Not in Tax Delinquent Property
- EPA Superfund:** Not in EPA Superfund
- Opportunity Zones:** In Opportunity Zones
- Judicial Boundaries:** JEFFERSON

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

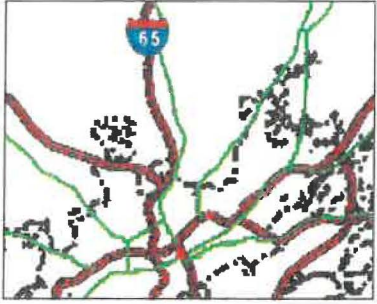


1: 1,024

170.7 0 85.33 170.7 Feet

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

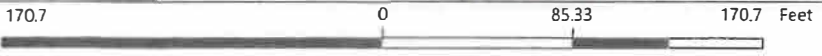


Legend

- 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: 1,024



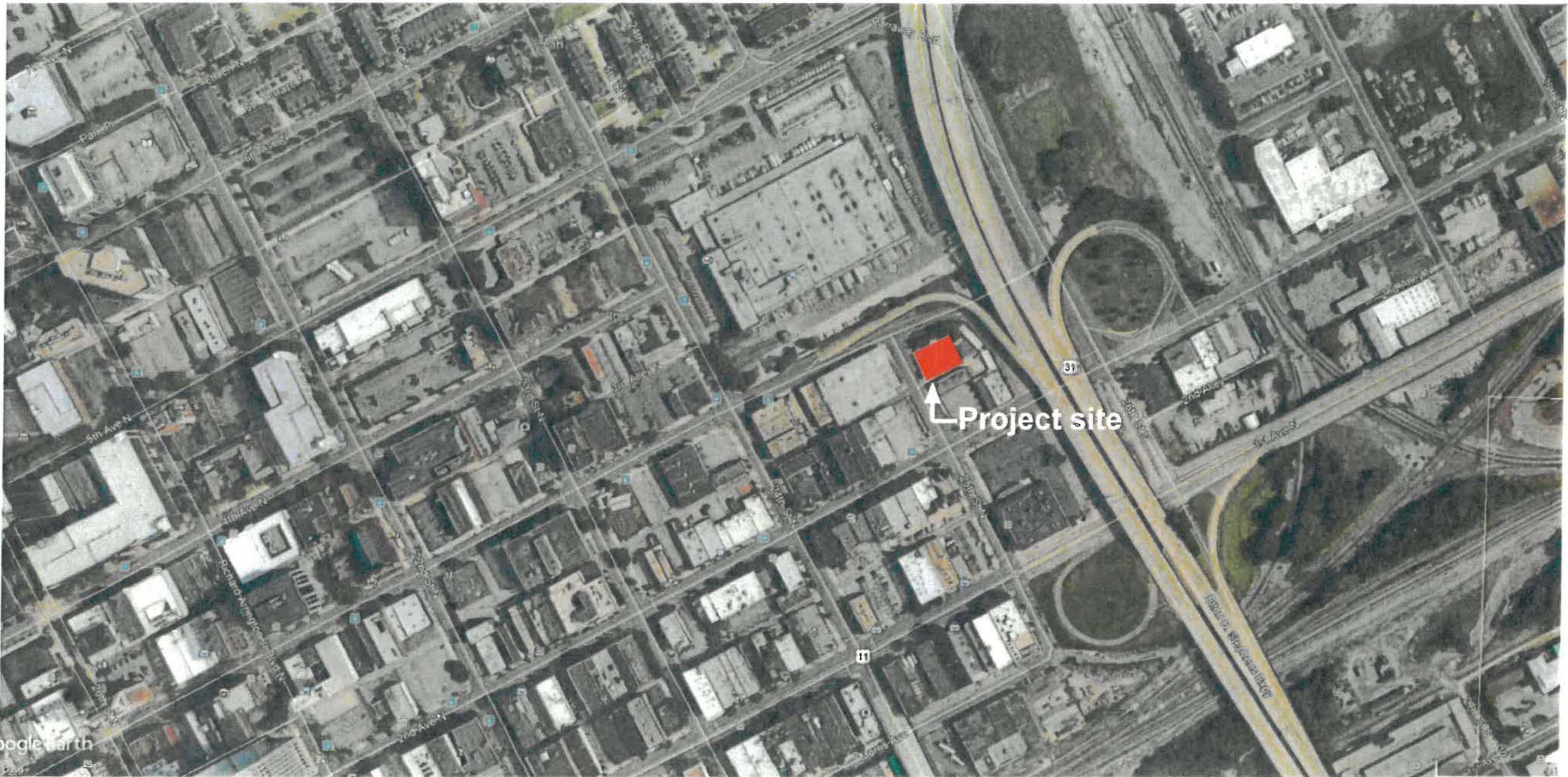
The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



213 25th St N
ZBA2020-00045





213 25TH STREET NORTH



ADJACENT SITE PARKING

ADJACENT LOT PARKING

ZONING DISTRICT:

M-1

PARKING REQUIREMENTS FOR M-1:

Offices 1 per 400 GFA
Restaurant 1 per 100 GFA

5,906 sf Office

15 spaces

1,000 sf Cafe

10 spaces

25 spaces

Bicycle reduction = 10%

Transit reduction = 10%

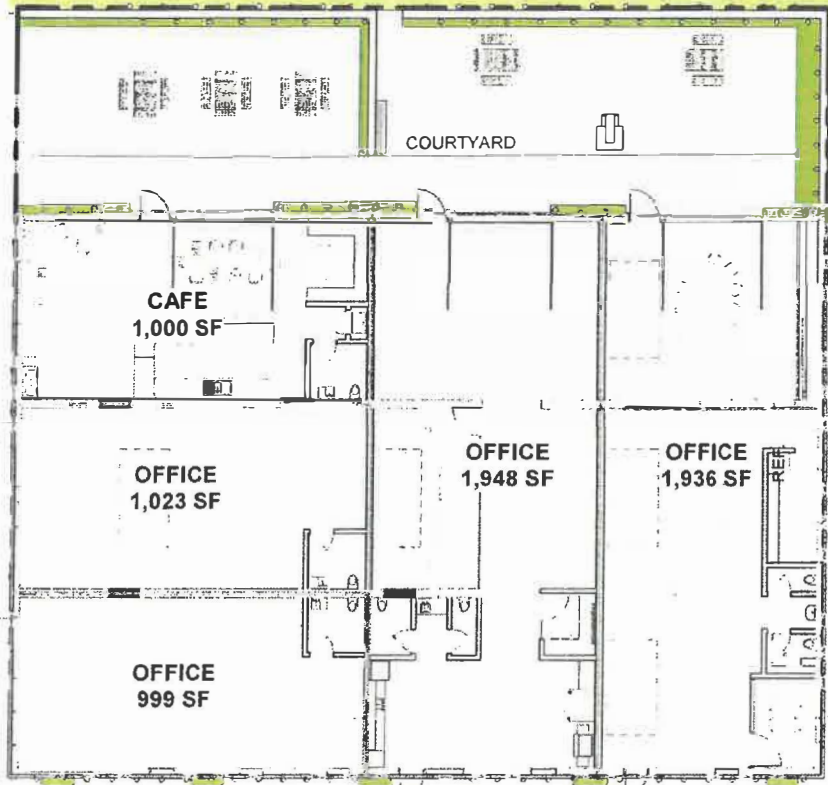
Total after reduction = $25 - (20\% \times 25) =$

20 spaces REQUIRED

20 spaces PROVIDED ON ADJACENT SITE

3RD AVE N

25TH ST N



2ND ALLEY



213 25TH ST N

SCHEMATIC GROUND FLOOR PLAN

22016
 scale: 1/16" = 1'-0"
 date: 10-22-2020

EX.1



EXISTING SITE CONDITIONS



PROPOSED FACADE

LICENSE AGREEMENT

THIS LICENSE AGREEMENT is made and entered into on this ____ day of October, 2020, by and between 213 Bonita, LLC (213 25th Street North) as Licensee and Intermark Group, Inc. (101 25th Street North, Birmingham, AL 35203) as Licensor.

RECITALS:

- A. Licensor is a Tenant of the office building known as the Intermark/Bridgeworth Building (the "Building").
- B. Licensee desires to license from Licensor up to twenty-one (21) designated parking spaces for the purpose of parking vehicles belonging to tenants of the building owned by Licensee located at the corner of 25th Street and 3rd Avenue North. No construction vehicles will be allowed to park in these licensed parking spaces. These designated parking spaces are the first twenty-one (21) parking spaces on both sides of the parking lot when you turn into the fenced area from 2nd Avenue North. (see exhibit)
- C. Licensor is willing to license to Licensee space for this purpose with both Licensor and Licensee acknowledging and agreeing that this document does not constitute a lease and is only a license for the use of up to twenty-one (21) designated parking spaces for the purposes described above in accordance with the terms set forth below.
- D. Licensee may not rent all twenty-one (21) designated spaces if they are not needed. Licensee to give ten (10) days notice to Licensor if number of desired spaces change per month.

NOW, THEREFORE, for payment of the license fee set forth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Licensor and Licensee agree as follows:

1. Licensor hereby licenses to Licensee, and Licensee hereby licenses from Licensor up to twenty-one (21) parking designated parking spaces (the "Licensed Space") on a month-to-month basis to commence on December 1, 2020. Licensee and/or Licensor will have the right to terminate this agreement at any time by providing the Licensor and/or Licensee with ten (10) days written notice.
2. For the use of the Licensed Space, Licensee shall pay to Licensor as a License Fee of Fifty Dollars (\$50.00) per space for a minimum of ten (10) parking spaces on a monthly basis. If more than ten (10) parking spaces are needed then the Licensee shall pay to Licensor Fifty Dollars (\$50.00) per space per month for each additional parking space used. All payments of the License Fee outlined herein are due and payable on the first day of each month, unless specifically stated herein. Payments due to 101 25th Street North, Birmingham, AL 35203, Attention: Billy Sanford. Licensee agrees to pay a late fee equal to five percent (5%) for any payments not received within ten (10) days after the due date.

3. Licensee will not have access to the building except through guest protocol.
4. Licensee will not be provided space for its name on the building monument sign.
5. Licensee will provide certificates of insurance for the following:
 - Intermark Group, Inc.
 - Corporate Realty Management, Inc.
 - Intermark Group Holdings
 - Bridgeworth Wealth Management, LLC
6. Licensee shall not voluntarily or by operation of law or otherwise, assign, transfer, mortgage or otherwise encumber all or any part of Licensee's interest in this license or in the Licensed Space or allow any other party other than Licensee to use the Licensed Space without first obtaining in each and every instance the prior written consent of Licensor which may be withheld in Licensor's sole and absolute discretion. This Agreement creates a license, not a lease, and Licensee shall have no leasehold interest or interest in real estate but only a license to use the Licensed Space in strict compliance with the terms hereof.
6. This Agreement and the covenants and conditions herein contained shall inure to the benefit of and are binding upon Licensor, its successors and assigns, and shall be binding upon Licensee, its successors and assigns.
7. Licensee shall, at its sole cost and expense, and prior to the commencement of the term of this License Agreement, obtain all permits and licenses required by any governmental authority, if any, for the use of the Licensed Space.
8. Licensee's use of the Licensed Space shall be in accordance with all the rules, regulations, laws, ordinances, statutes and requirements of all governmental authorities and Fire Insurance Rating Organization, the Board of Fire Insurance Underwriters, and Licensor's insurance carrier.
9. Licensee does hereby indemnify Licensor and save it harmless from and against any and all claims, actions, damages, liability and expense in connection with loss of life, personal injury, and/or damage to property arising from or out of the occupancy or use by Licensee of the Licensed Space or any part thereof, to the extent occasioned wholly or in part by any negligent act or omission of Licensee, its officers, agents, contractors, or employees, said claims, actions, damages, liability expense, including, but not limited to, any accidents or occurrences in or at the Licensed Space, and any other omission by Licensee, its employees, servants, agents, officers, contractors or employees in the Building or at the Licensor's property.
10. All of Licensee's personal property of every kind and description which may at any time be in the Licensed Space shall be in the Licensed Space at the Licensee's sole risk and Licensor shall not be liable for any damage to said property caused in any manner whatsoever.
11. In addition to the other provision of this License Agreement and not in limitation thereof, the occurrence of any of the following shall constitute an event of default hereunder:
 - (a) Failure to pay the license fee as and when due;
 - (b) Violations of any term, condition or requirement of this License Agreement;
 - (c) The filing of a petition by or against Licensee for adjudication as a bankrupt;

- (d) An assignment by Licensee for the benefit of creditors;
 - (e) The taking of possession of the Licensed Space of Licensee or of any personal property of Licensee by any governmental office or agency pursuant to a statutory authority for the dissolution or liquidation of Licensee.
12. In the event of an occurrence of any event of default, Licensor may terminate this License Agreement upon one (1) days notice to Licensee, and thereupon, this License Agreement and the term hereof granted, shall wholly cease and expire and become void.

IN WITNESS WHEREOF, Licensor and Licensee have caused this Agreement to be executed on the day and year first set forth above.

LICENSEE:

213 BONTIA, LLC.

By: _____

Its: _____

Date Executed: _____

LICENSOR:

INTERMARK GROUP, INC.

By: Bill _____

Its: CFO _____

Date Executed: 10-20-2020 _____

Exhibit (B)



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

Neighborhood: Southside Staff Planner Moton

ZBA2020-00066

Request: Variance to allow a dumpster in the required front yard area instead of the side or rear yard area. Title 1, Chapter 1, Section 21.1
Applicant: Tammy Cohen
Owner: 1904 On 4th LLC
Site Address: 2901 4TH Ave S
Zip Code: 35233
Description: Variance to allow a dumpster in the required front yard area instead of the side or rear yard area. Title 1, Chapter 1, Section 21.1
Property Zoned: M-1, Light Manufacturing District
Parcel Information: Parcel #: 012300312010001000, NW of Section 31, Township 17 S, Range 2 W

Variance:

Variance to allow a dumpster in the required front yard area.

Neighborhood Meeting:

The Southside Neighborhood Association president voted to support the request. Due to Covid-19, no meeting was held.

Public Notices:

Public notices were mailed on November 23, 2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions shown below:

Physical Characteristics of the Property.

This mixed-use development utilizes the entire city block. All sides of the two buildings are visible and accessible; there is not clearly a rear yard. The two buildings open onto a public green space for the community. We are attempting to locate the dumpsters in the least offensive area of the site due to noise and smells to the residential units which are immediately adjacent to the dumpster's current location. Lastly, there could be potential health issues by having people residences located so close to two large commercial dumpsters.

Unique Characteristics.

The current location of the dumpster will be below and adjacent to residential units. The property will also house several restaurants. Therefore, the dumpsters will have considerable odors that will be more than likely offensive to residents and will be emptied regularly which will create considerable noise at early hours of the morning.

Hardship Not Self-Imposed.

The hardship is imposed by the zoning ordinance which requires dumpsters to be located in a rear yard within 25 feet of the building. The ordinance does not consider proximity to multi-family residential or full block developments. As such, our proposed location would also represent a rear yard for a full city block development.

Financial Gain Not Only Basis.

There is no financial gain to this request. This request will cost the developer more expense in infrastructure to the dumpsters to the new location.

No Injury to Neighboring Property.

None of this applies. The dumpster will be located next to the city ROW and will be attractively screened in an M-1 neighborhood. The neighbor across 30th Street South have their dumpster in approximately the same location and it is not screened. The neighbor on 5th Avenue South has their dumpster in the city ROW and it is not screened (see attached image).

No Harm to Public Welfare.

The proposed dumpster location does not impose any of the above detriments. Traffic and engineering have reviewed the proposed dumpster location and have no issues with the change. They agree it is healthier to move the dumpsters as far as possible away from the residential units.

Staff Analysis:

The subject property located at 2901 4th Ave S is zoned M-1, Light Manufacturing District and is located in the Southside Historic District and Lakeview Commercial Revitalization District. The property is surrounded by public streets meaning it has several front yards. The applicant is proposing to place the dumpster in the required front yard area on the corner of 30th St S and 5th Ave S. This will be located in the parking area away from the resident's units.

The applicants has met all six of the variance standards based upon the property surrounded by public streets; therefore, any location will be considered in the front yard.

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 occupancy should obtain within two years of approval from the Board.
3. Approved as plans submitted. The dumpster shall be located as identified on the site plan as approved by the Board.
4. The dumpster will be enclosed and shielded from the public as approved by PEP.

PARCEL ID: 012300312010001000

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

DATE: Monday, November 23, 2020 1:35:55 PM

OWNER: 1904 ON 4TH, LLC DELAWARE LIMIT

ADDRESS: PO BOX 43183

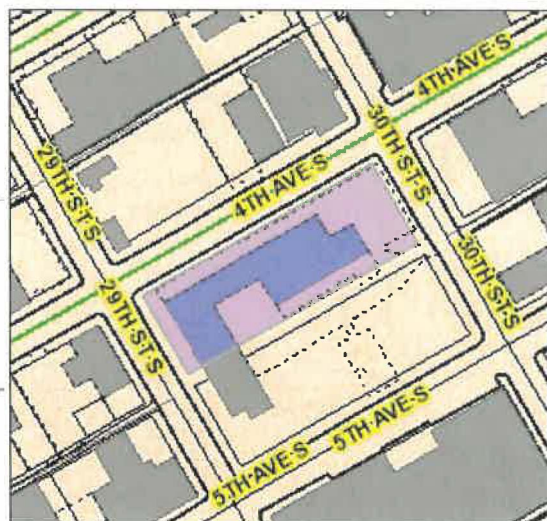
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35243

SITE ADDR: 2901 4TH AVE S

CITY/STATE: BHAM, AL

ZIP: 35233



LAND: \$2,640,000.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 55,215.34

ACRES: 1.27

SUBDIVISION INFORMATION:

NAME DAVIS SCHOOL RESURVEY

BLOCK:

LOT:

1-A

:

Section: 31-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Southside

Commercial Revitalization District: Lakeview

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Southside (1703)

Communities: Southside (17)

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

Zoning Outline: M1

Demolition Quadrants: DEM Quadrant - 3

Impaired Watersheds: Not in Impaired Watersheds

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

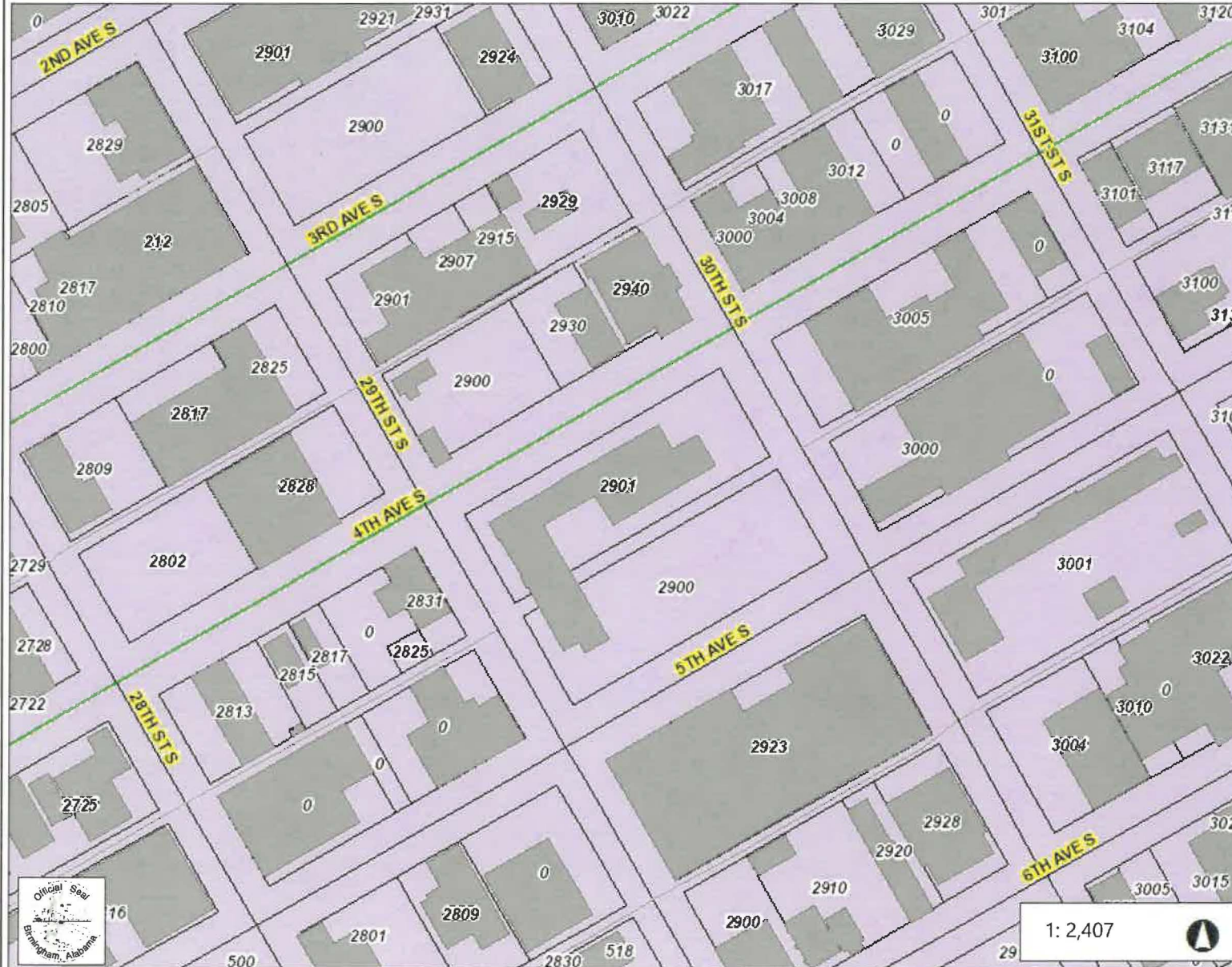
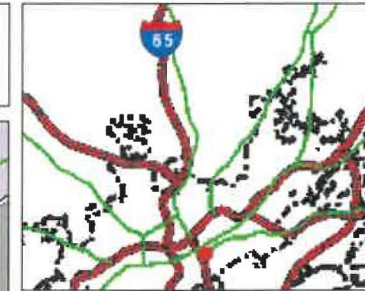
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

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

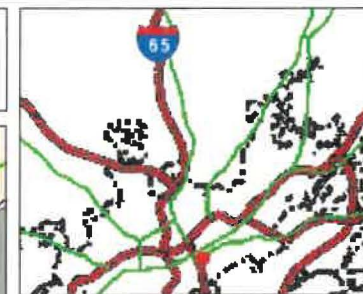
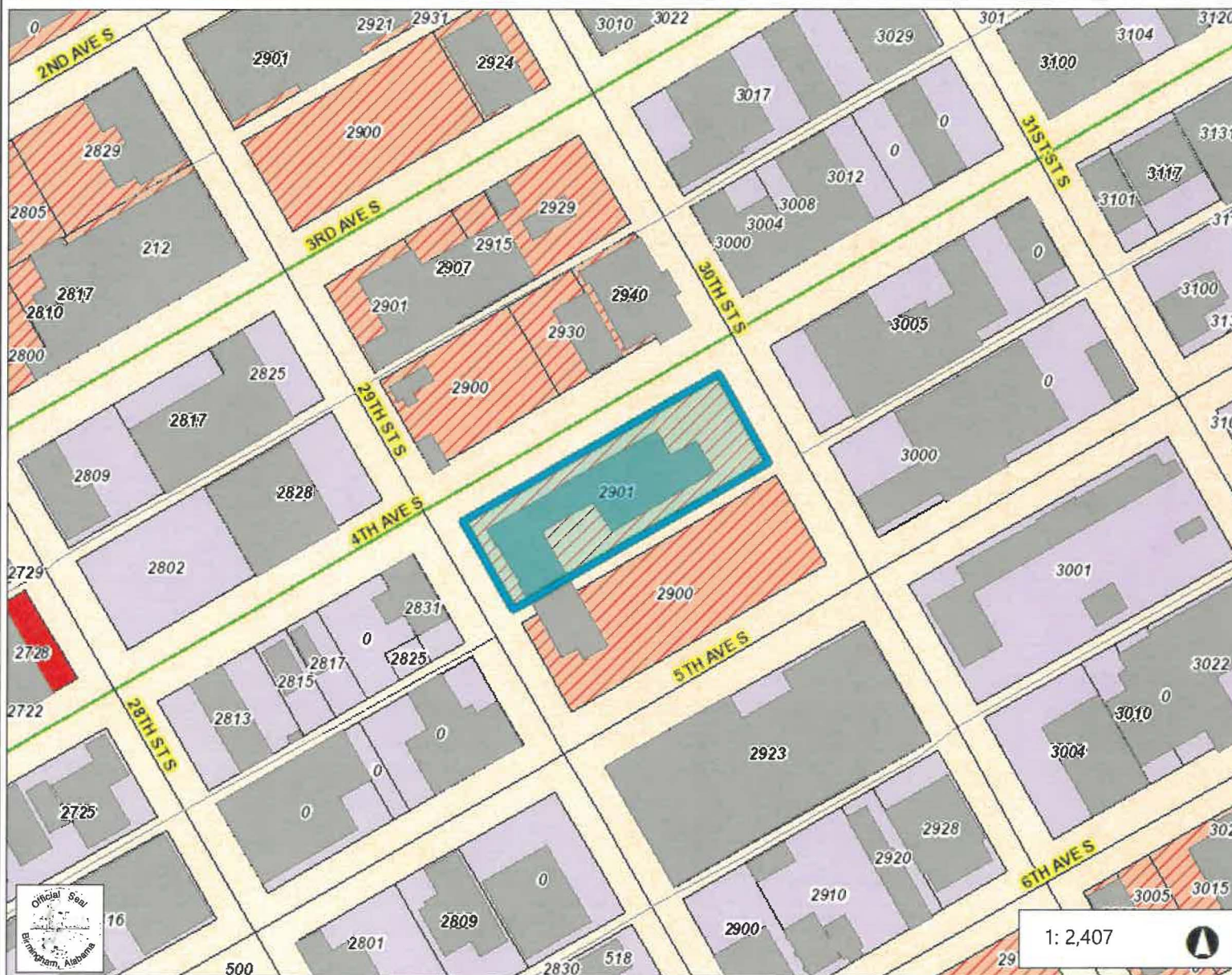


401.2 0 200.59 401.2 Feet

1: 2,407



Notes



Legend

- Centerline Labels
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
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- Buildings
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- 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

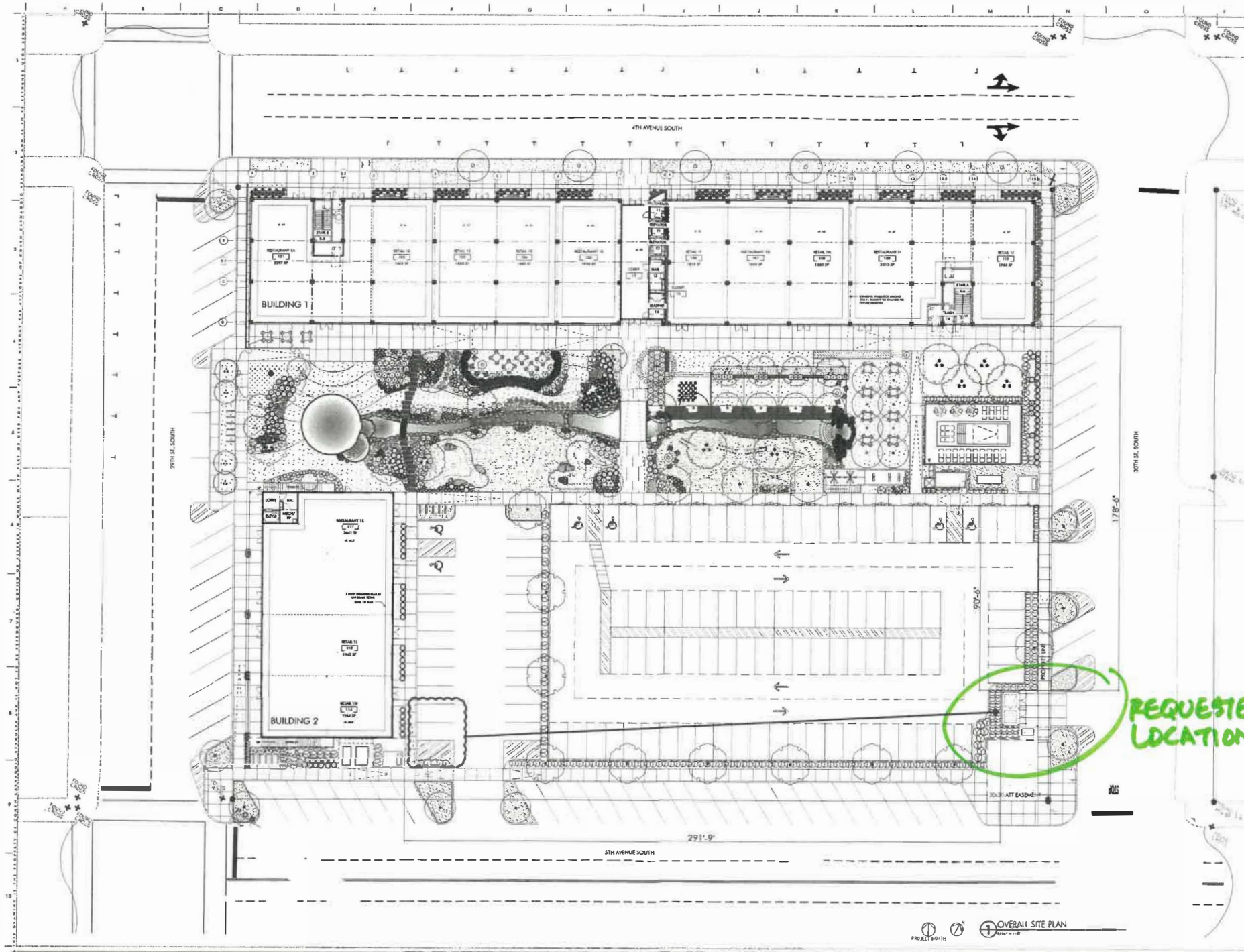


401.2 0 200.59 401.2 Feet

1: 2,407



Notes



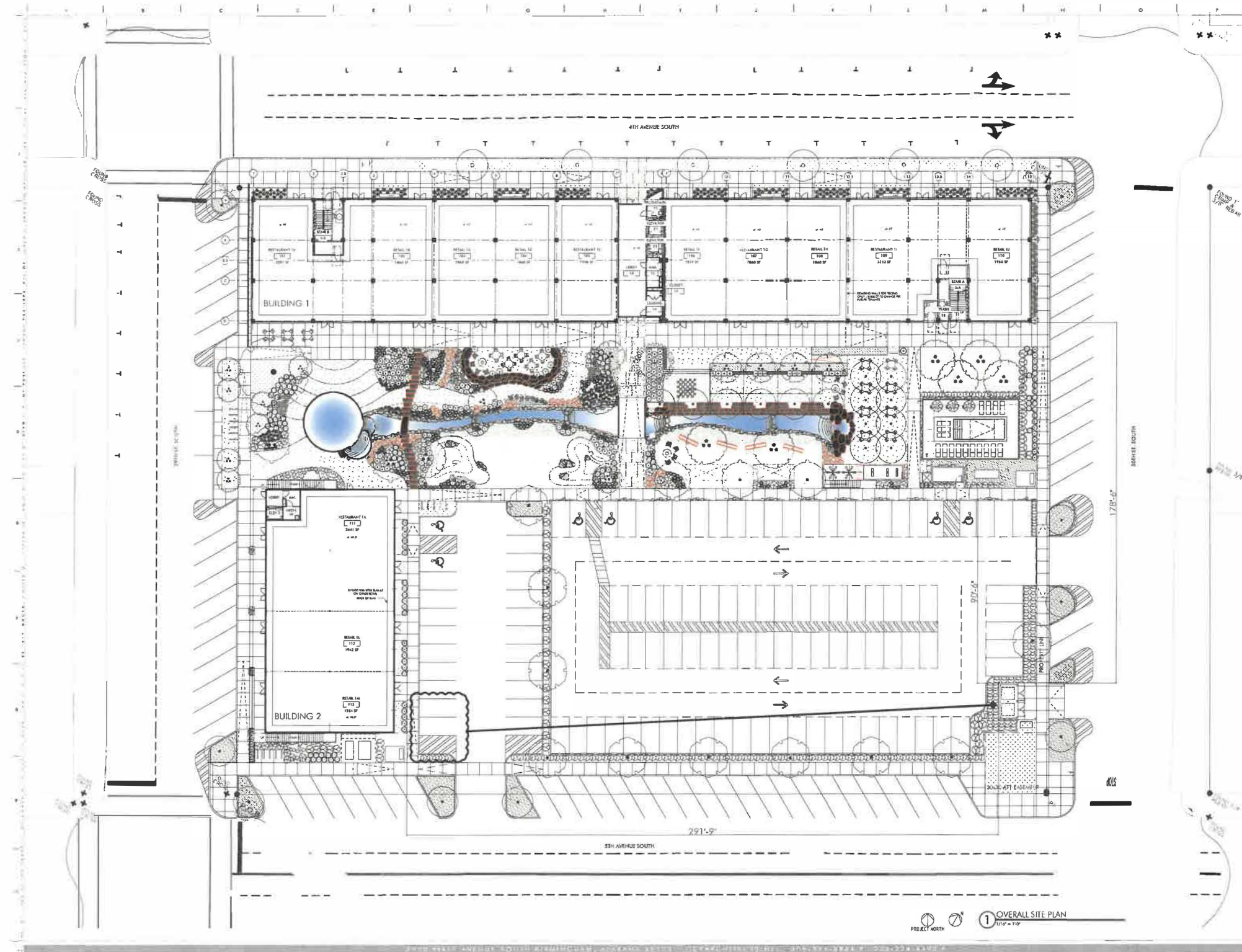
LAKEVIEW GREEN
 2901 4TH AVENUE SOUTH, BIRMINGHAM, ALABAMA 35233

DATE: 06/23/2020
 REVISIONS:

JOB NUMBER:
 15087-A

SHEET NUMBER:
 A1.0A

OVERALL SITE PLAN



LAKEVIEW GREEN
 2901 4TH AVENUE SOUTH, BIRMINGHAM, ALABAMA 35233

DATE
 06/23/2020

REVISIONS

JOB NUMBER
 15087-A

SHEET NUMBER
A1.0A

PROJECT NORTH
 ① OVERALL SITE PLAN
 1/8" = 1'-0"



COHEN, CAPRACCO, REYNOLDS

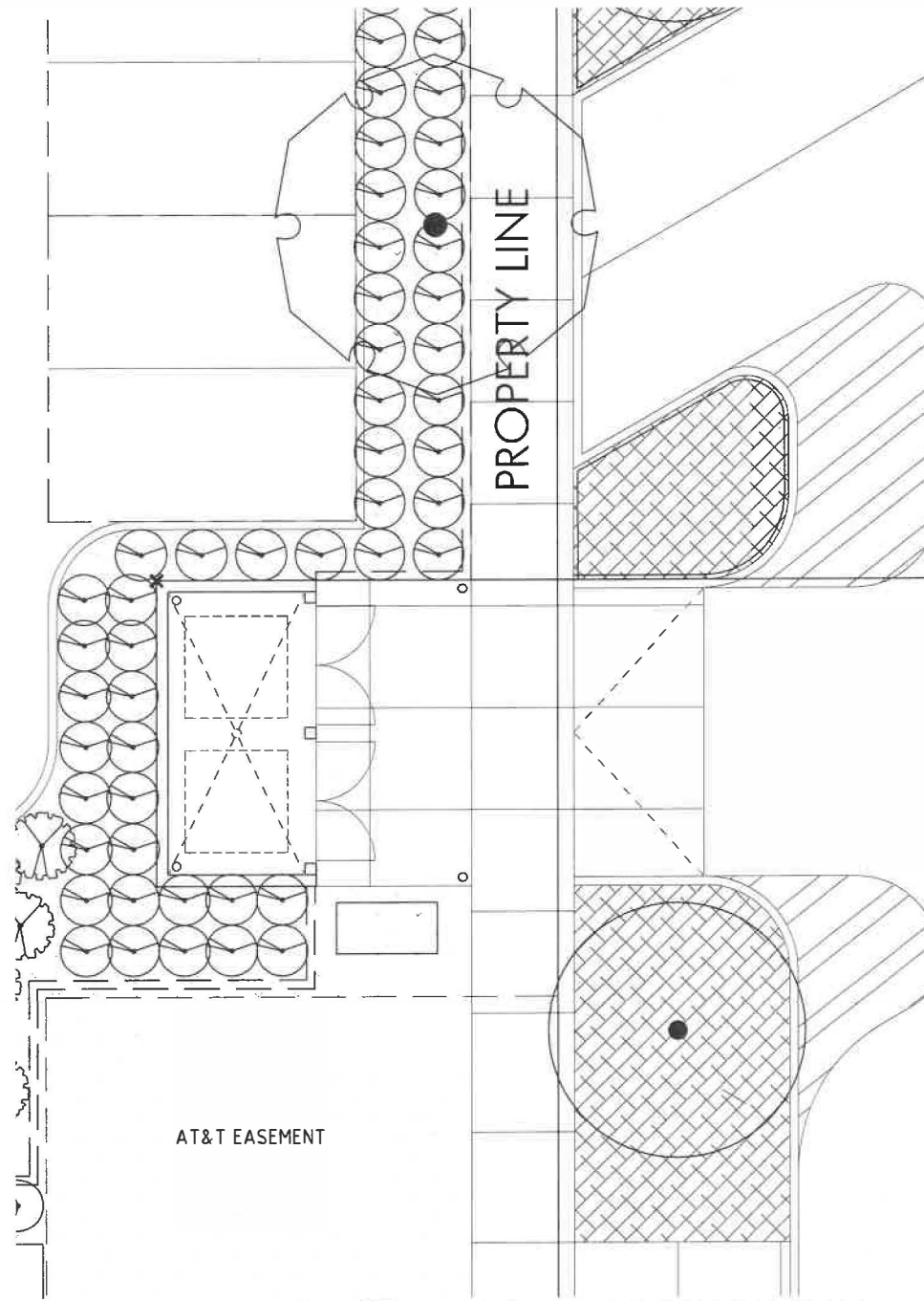
**LAKEVIEW GREEN
MIXED-USE DEVELOPMENT
2901 4TH AVENUE SOUTH
BIRMINGHAM, AL 35233**

DATE
12-03-2020

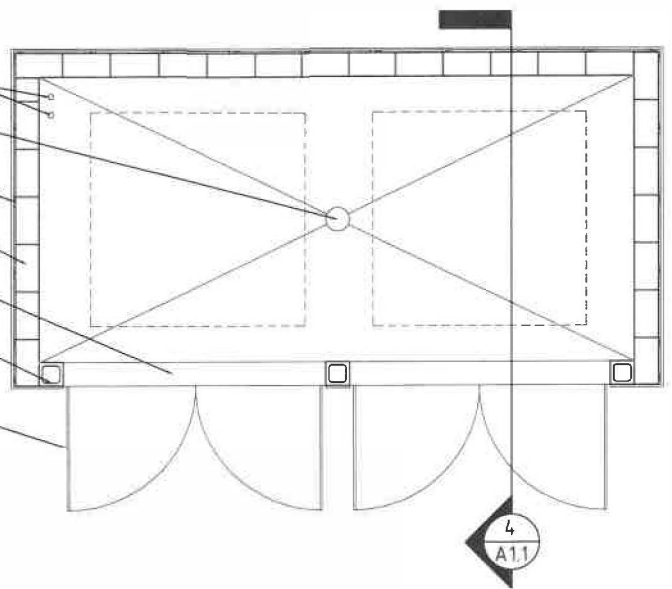
JOB NUMBER
15087-A

SHEET NUMBER

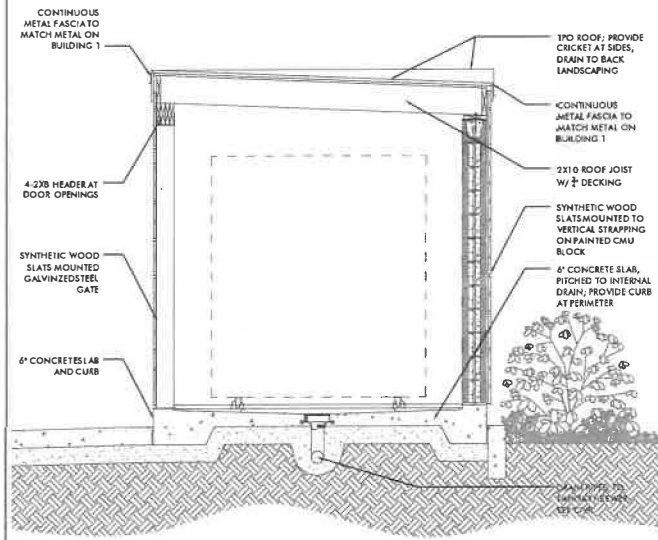
A1.1



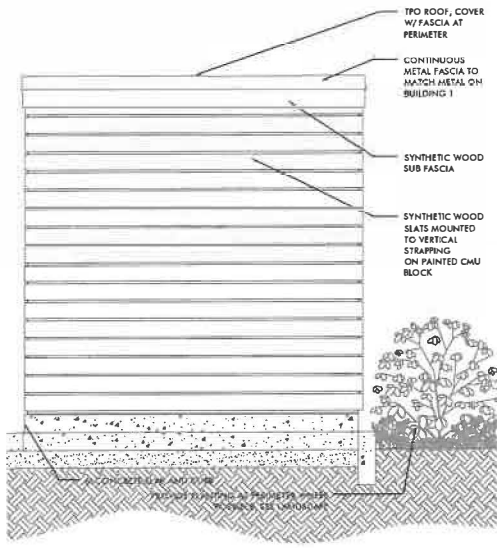
1 DUMPSTER - LOCATION PLAN
1/8" = 1'-0"



2 DUMPSTER - LOCATION PLAN
1/4" = 1'-0"



4 SECTION
1/4" = 1'-0"



3 ELEVATION (TYP.)
1/4" = 1'-0"

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

Neighborhood: Wahoma Staff Planner Moton

ZBA2020-00067

Request: Variance to allow a 17.4ft front yard setback instead of the required 25ft front yard setback pursuant to Title 2, Chapter 1, Section 4, Subsection 3 and a variance to allow lot size of 4,100 square feet instead of the required minimum lot size of 5,000 square feet pursuant to Title 2, Chapter 1, Section 3, Subsection 3.

Applicant: Bart Carr
Owner: Habitat for Humanity
Site Address: 114 72nd St N
Zip Code: 35206
Description: Variance to allow a 17.4ft front yard instead of the required 25ft front yard setback pursuant to Title 2, Chapter 1, Section 4, Subsection 3 and a variance to allow lot size of 4,100 square feet instead of the required minimum lot size of 5,000 square feet pursuant to Title 2, Chapter 1, Section 3, Subsection 3.

Property Zoned: CB-2, Contingency General Business District
Parcel Information: Parcel #: 012300151038006000, NE of Section 15, Township 17 S, Range 2 W

Variance:

Variance to allow a 17.4ft front yard setback instead of the required 25ft front yard setback and a variance to allow lot size of 4,100 square feet instead of the required minimum lot size of 5,000 square feet.

Neighborhood Meeting:

The Wahoma Neighborhood Association has been notified and awaiting a response. Staff has reached out again on December 1, 2020.

Public Notices:

Public notices were mailed on November 23, 2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions. **Please see attached.**

Staff Analysis:

The subject property located at 114 72nd St N is zoned CB-2, Contingency General Business District. The property is located in the East Lake Commercial Revitalization District and all plans must be reviewed by the Design Review Committee. The property is an existing 4,100 square feet lot. The required lot size for property zoned in CB-2 is 5,000 square feet lot; therefore, a variance is required. Although the property is zoned commercial, it abuts residential and have to follow the same setbacks such as a 25ft front yard setback. The applicant is proposing a 17.4ft front yard setback; therefore, a variance is required. The property has lot lines that will need to be cleared up through the Subdivision Committee. The applicant has already been in contact with our Subdivision Planner.

The applicant has met all six variance standards based upon the fact that the lots are already existing and the front yard setback would be aligned with the house in the same block face.

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 occupancy should obtain within three years of approval from the Board.
3. Approved as plans submitted of the proposed structure.
4. Resurvey of the lot within 90 days of the approval date.

For and on behalf of Habitat for Humanity, Bart Carr presents the following Applications for City of Birmingham Zoning variances on November 12, 2020:

114 72nd Street North

Currently Zoned	City of Birmingham R3
Existing Lot Size	4100 Square Feet
Requested Variance	1) A variance of 7.6 feet from the 25-foot front setback required along 71 st Street North to 17.4 feet. 2) A variance of 1900 Square feet from the required 6000 Square Feet to 4100 Square Feet.
Hardship	This is an existing 41-foot wide by 100-foot deep parcel so the lot is not deep enough for typical home construction and driveway in this area. Additionally, the other homes in the area are set at 17.4 feet from the right-of-way line as well.

- Physical Characteristics – This narrow parcel already exist as a 41' x 100'.
- Unique Characteristics – This narrow parcel already exist as a 41' x 100'.
- Hardship not Self-Imposed – This narrow parcel already exists as a 41' x 100'.
- Financial Gain is Not the Only Basis –
 - This narrow parcel already exists as a 41' x 100'.
- No Injury to Neighboring Property –
 - This narrow parcel already exists as a 41' x 100'.
- No Harm to Pubic Welfare – This narrow parcel already exists as a 41' x 100' and there already exist a home in this manner which will be demolished and a new home rebuilt in its place.

PARCEL ID: 012300151038006000

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

DATE: Wednesday, November 25, 2020 8:37:48 AM

OWNER: BIRMINGHAM LAND BANK AUTHORITY

ADDRESS: 710 NORTH 20TH ST RM 600

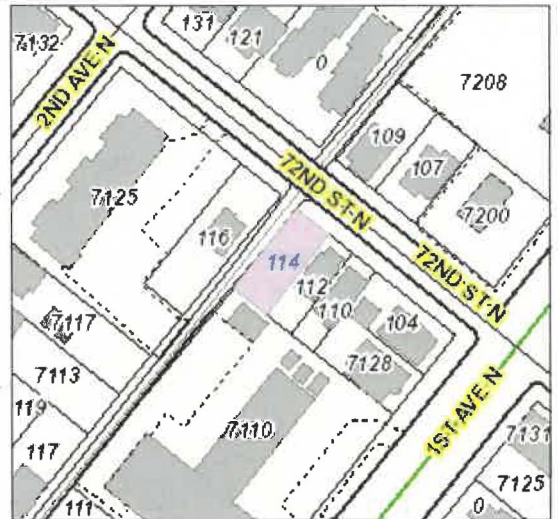
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35203

SITE ADDR: 114 72ND ST N

CITY/STATE: BHAM, AL

ZIP: 35206



LAND: \$5,500.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 4,074.32

ACRES: 0.09

SUBDIVISION INFORMATION:

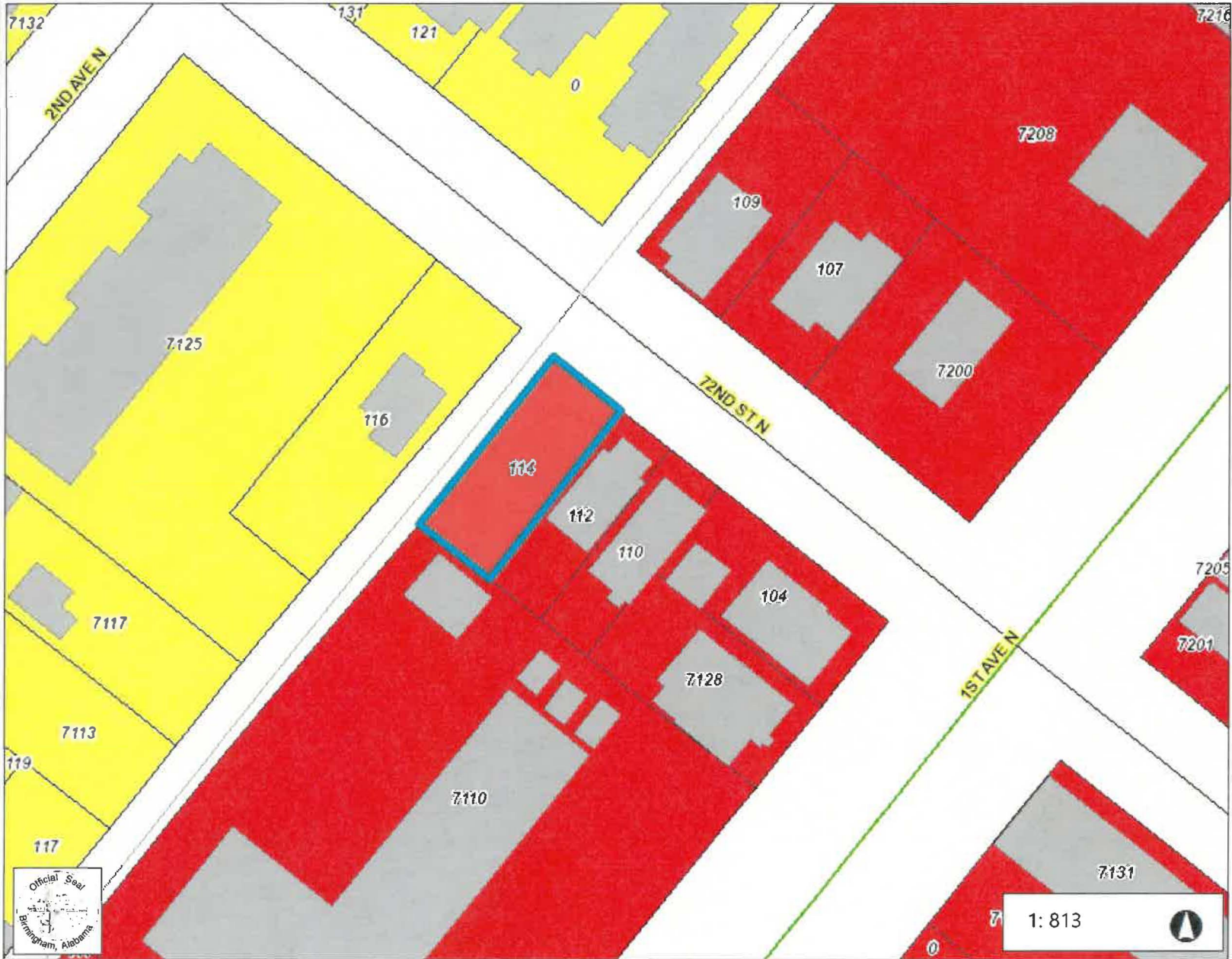
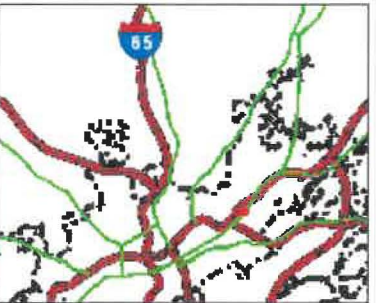
NAME EAST LAKE

BLOCK: 3A

LOT: 8&9

- Section:** 15-17-2W
- Land Slide Zones:** Not in Land Slide Zones
- Historic Districts:** Not in Historic Districts
- Commercial Revitalization District:** East Lake
- Fire District:** Not in Fire District
- Flood Zones:** Not in Flood Zones
- Tax Increment Financing District:** Not in Tax Increment Financing District
- Neighborhoods:** Wahouma (605)
- Communities:** East Lake (6)
- Council Districts:** District - 5 (Councilor: Darrell O'Quinn)
- Zoning Outline:** CB2
- 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

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

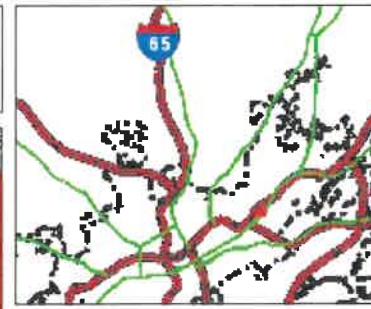


1: 813



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

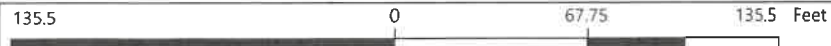


Legend

- 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

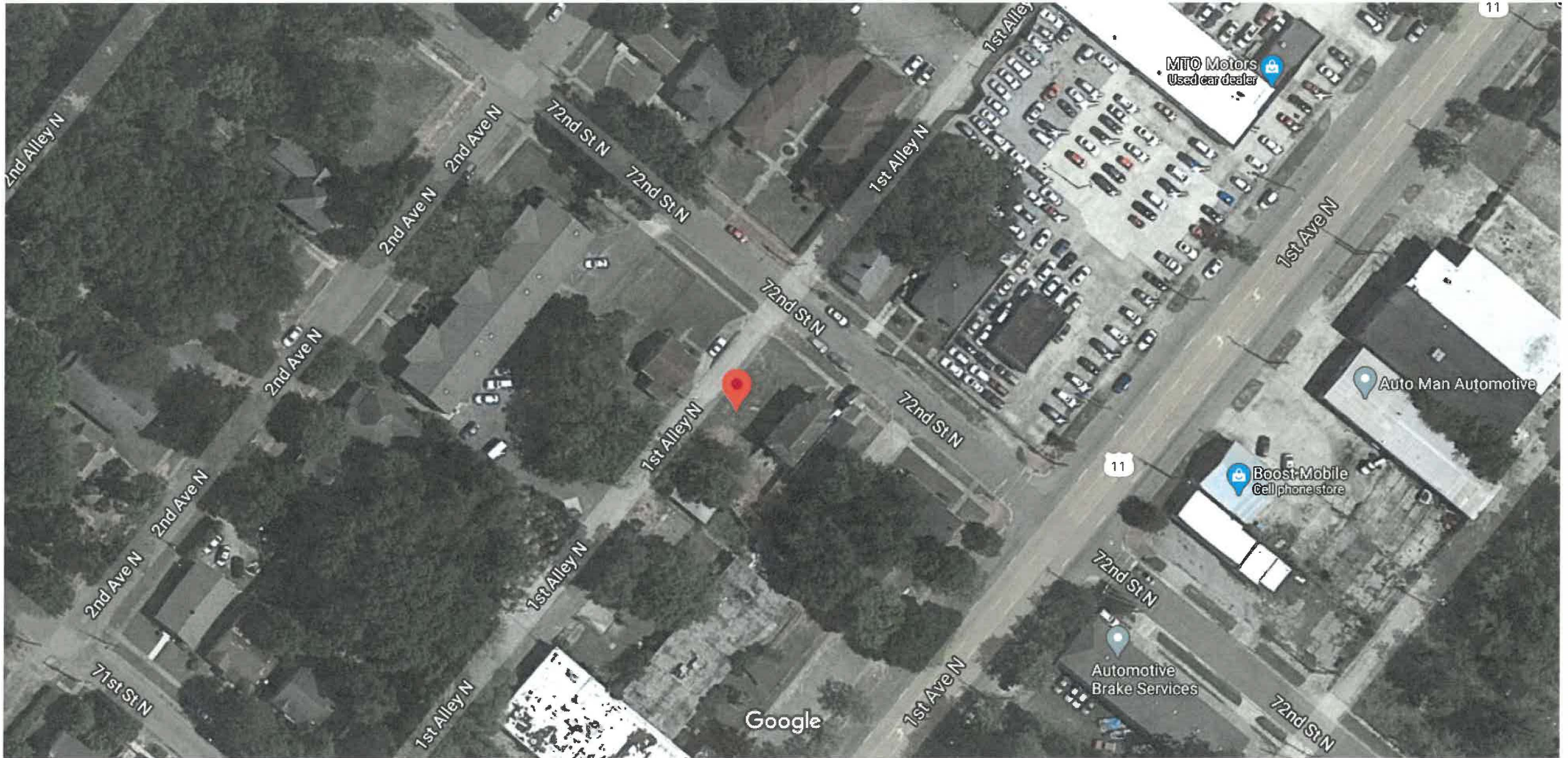


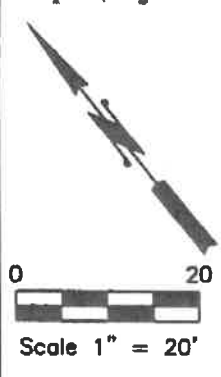
1: 813



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

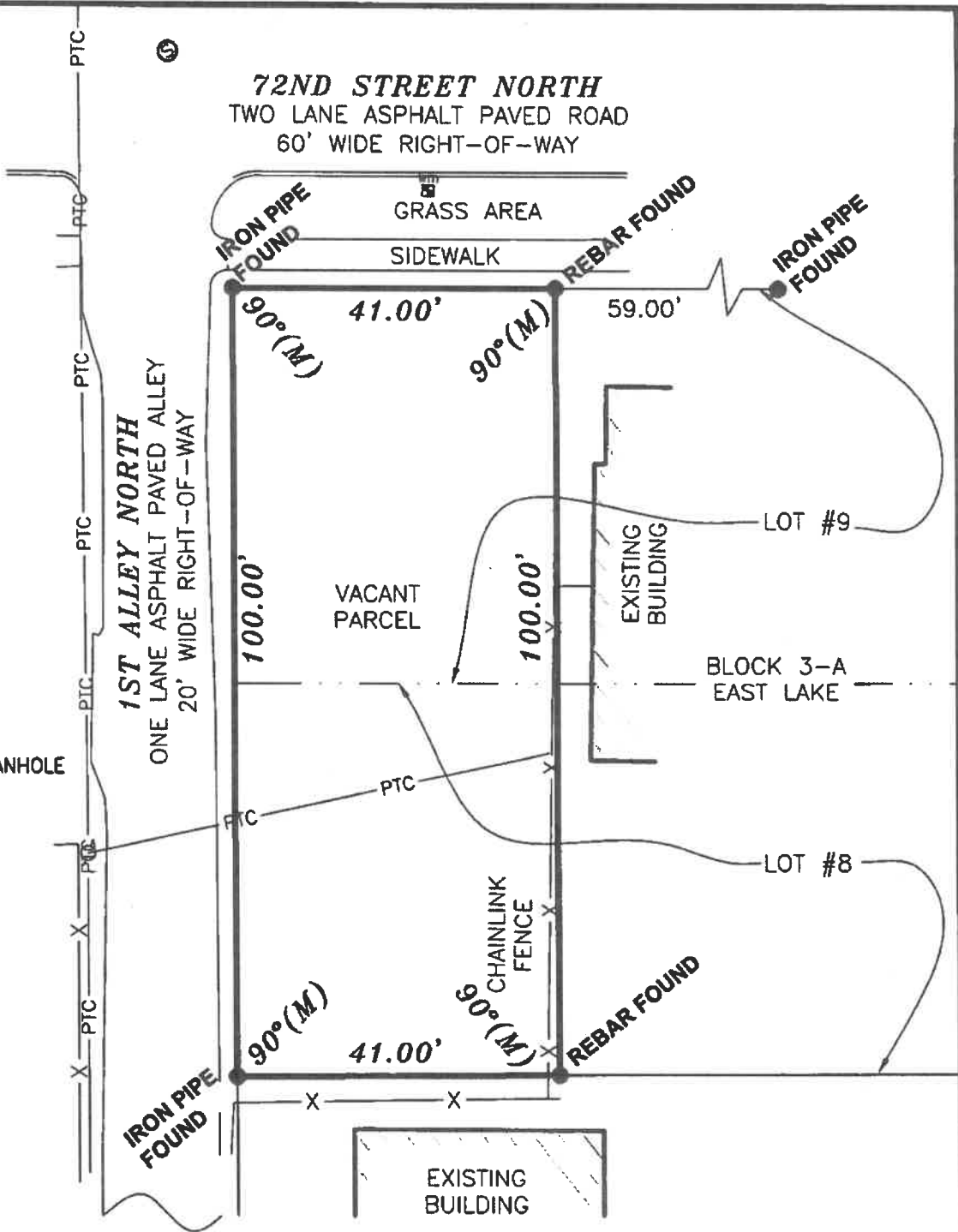
Notes





LEGEND

- CAPPED REBAR SET (LS# 00010)
- (M) MEASURED ANGLE
- UTILITY POLE
- ∇ GUY ANCHOR
- ⊕ WATER METER
- ⊙ SANITARY SEWER MANHOLE

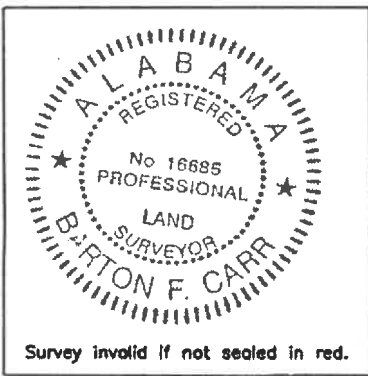


DESCRIPTION: NW 41 FEET OF LOTS 8 & 9, BLOCK 3-A, according to the **EAST LAKE SUBDIVISION**, as recorded in **MAP BOOK 1, PAGE 217**, in the Probate Office of Jefferson County, Alabama. (Birmingham)

SURVEYOR'S CERTIFICATE: I 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 Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

SURVEYOR'S NOTES:

1. This survey is not intended to delineate the regulatory jurisdiction of any federal, state, regional, or local agency, board, commission, or other similar entity.
2. No underground utilities, underground encroachments, underground lines, or subsurface building foundations were located as a part of this survey.
3. This survey was conducted without the benefit of an abstract of title or title report. There may be matters of the public records unknown to this surveyor not depicted hereon.

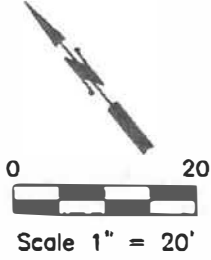


153 CAHABA VALLEY PARKWAY
 PELHAM, ALABAMA 35124
 PHONE (205) 864-8498 FAX (205) 864-9685

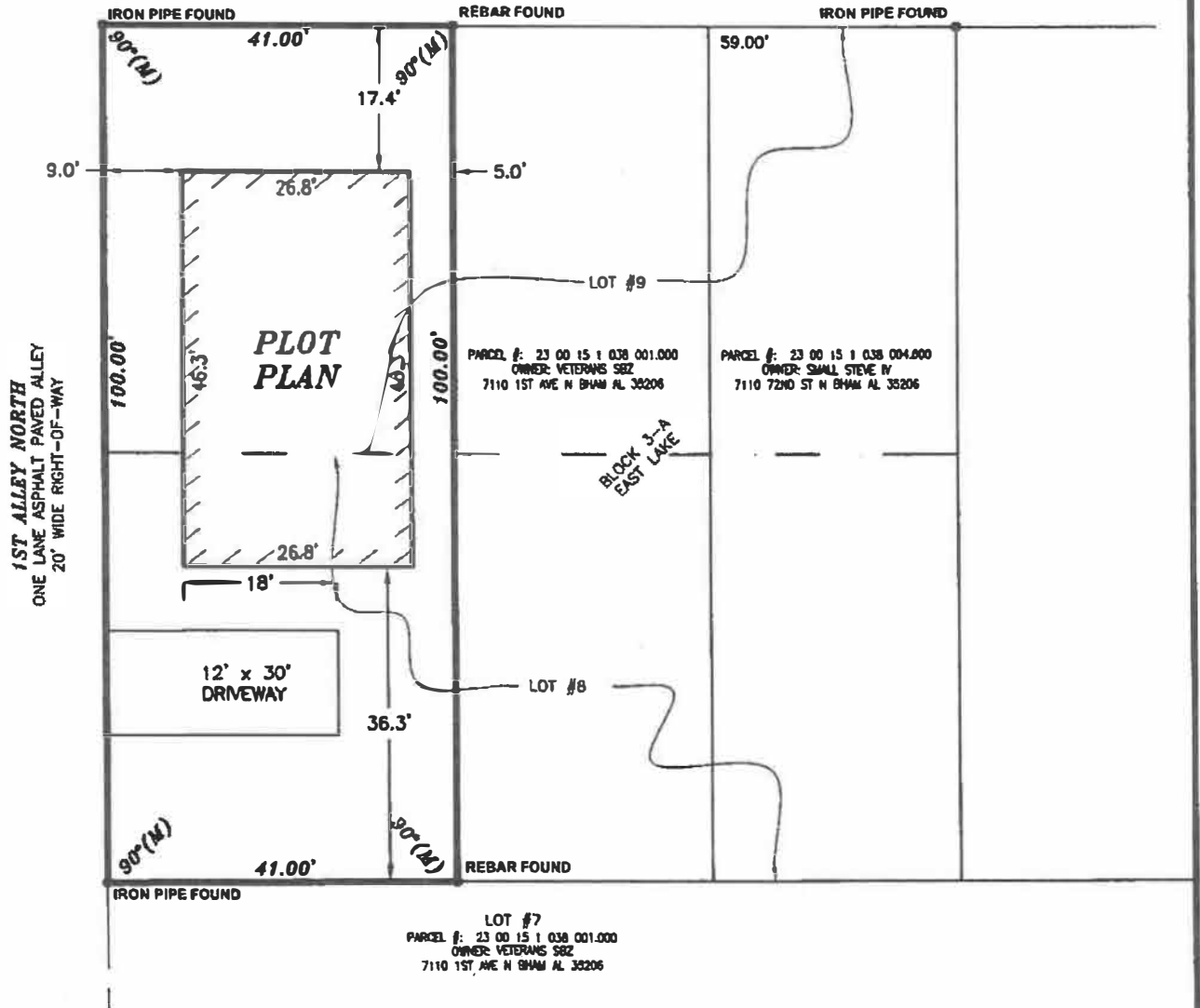
CARR & ASSOCIATES ENGINEERS, INC.

[Signature] 11/4/20
 Barton F. Carr
 PLS No. 16685
 bartcarr@correngineers.com
 Date

Type of Survey: CLOSING SURVEY
 Job No. 76.190.01 Field Book/Pg.: NA
 CADD: ZAC Date of Map Preparation: 07/13/2020
 Date of Field Survey: 07/09/2020
 Street Address: 114 72ND STREET NORTH
 Drawing Name: 76.190.01 HABITAT



72ND STREET NORTH
TWO LANE ASPHALT PAVED ROAD
60' WIDE RIGHT-OF-WAY




DESCRIPTION:: NW 41 FEET OF LOTS 8 & 9, BLOCK 3-A, according to the **EAST LAKE SUBDIVISION**, as recorded in **MAP BOOK 1, PAGE 217**, in the Probate Office of Jefferson County, Alabama. (Birmingham)

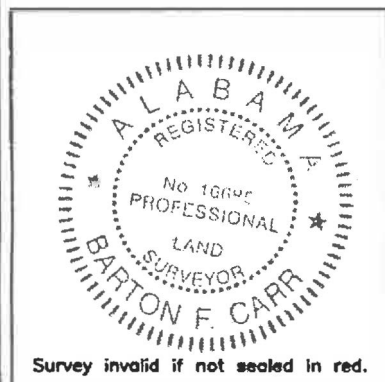
SURVEYOR'S CERTIFICATE: I hereby certify that all parts of this plot plan and drawing have been completed in accordance with the current requirements of the Standards of Practice for Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

SURVEYOR'S NOTES:

1. This survey is not intended to delineate the regulatory jurisdiction of any federal, state, regional, or local agency, board, commission, or other similar entity.
2. No underground utilities, underground encroachments, underground lines, or subsurface building foundations were located as a part of this survey.
3. This survey was conducted without the benefit of an abstract of title or title report. There may be matters of the public records unknown to this surveyor not depicted hereon.

CARR & ASSOCIATES ENGINEERS, INC.

 11/12/20
Date
BARTON F. CARR
PLS No. 16685
bartcorr@carrengineers.com



153 CAHABA VALLEY PARKWAY
PELHAM, ALABAMA 35124
PHONE (205) 664-8498 FAX (205) 664-9685

Type of Survey: PLOT PLAN
Job No. 76.190 Field Book/Pg.: N/A
CADD: BBY Date of Map Preparation: 11/11/20
Date of Field Survey: N/A
Street Address: 114 72nd Street North
Drawing Name: 76.190 Habitat 212 72nd PP.dwg

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

Neighborhood: Wahoma Staff Planner Moton

ZBA2020-00068

Request: Variance to allow a 17.4 ft front yard setback instead of the required 25ft front yard setback and a variance to allow lot size of 5,000 square feet instead of the required minimum lot size of 6,000 square feet pursuant to Title 2, Chapter 1, Section 4, Subsection 3

Applicant: Bart Carr
Owner: Habitat for Humanity
Site Address: 212 72nd St N
Zip Code: 35206
Description: Variance to allow a 17.4 ft front yard setback instead of the required 25ft setback and a variance to allow lot size of 5,000 square feet instead of the required minimum lot size of 6,000 square feet pursuant to Title 2, Chapter 1, Section 4, Subsection 3

Property Zoned: R-3, Single Family District
Parcel Information: Parcel #: 012300152020018000, NW of Section 15, Township 17 S, Range 2 W

Variance:

Variance to allow a 17.4 ft front yard setback instead of the required 25ft front yard setback and a variance to allow lot size of 5,000 square feet instead of the required minimum lot size of 6,000.

Neighborhood Meeting:

The Wahoma Neighborhood Association has been notified and awaiting a response. Staff has reached out again on December 1, 2020.

Public Notices:

Public notices were mailed on November 23, 2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions. **Please see attached.**

Staff Analysis:

The subject property located at 212 72nd St N is zoned R-3, Single Family District. The property is an existing 5,000 square feet lot. The applicant is requesting a front yard setback of 17.4ft off of 72nd St N. The existing structure on the property has a front yard setback of 17.5ft; therefore, what the applicant is requesting will only be .1ft closer. The requested setback will have the propose house aligned with the houses along the street. The property has lot lines that will need to be cleared up through the Subdivision Committee. The applicant has already been in contact with our Subdivision Planner.

The applicant has met all six variance standards based upon the fact that the lots are already existing and the front yard setback would be aligned with the house in the same block face.

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 occupancy should obtain within three years of approval from the Board.
3. Approved as plans submitted of the proposed structure.
4. Resurvey of the lot within 90 days of the approval date.

212 72nd Street North

Currently Zoned City of Birmingham R3
Existing Lot Size 5000 Square Feet
Requested Variance 1) A variance of 7.6 feet from the 25-foot front setback required along 71st Street North to 17.4 feet.
2) A variance of 1000 Square feet from the required 6000 Square Feet to 5000 Square Feet.
Hardship This is an existing 50-foot wide by 100-foot deep parcel so the lot is not deep enough for typical home construction and driveway in this area. Additionally, the other homes in the area are set at 17.4 feet from the right-of-way line as well.

- Physical Characteristics – This parcel already exist as a 50' x 100'.
- Unique Characteristics – This parcel already exist as a 50' x 100'.
- Hardship not Self-Imposed – This parcel already exists as a 50' x 100'.
- Financial Gain is Not the Only Basis –
 - This parcel already exists as a 50' x 100'.
- No Injury to Neighboring Property –
 - This parcel already exists as a 50' x 100'.
- No Harm to Pubic Welfare – This parcel already exists as a 50' x 100' and the setback variances are required will allow the construction of a home that the required zoning setbacks would prohibit.

220 72nd Street North

Currently Zoned City of Birmingham R3
Existing Lot Size 7500 Square Feet
Requested Variance A variance of 7.6 feet from the 25-foot front setback required along 71st Street North to 17.4 feet.
Hardship This request is to line the front of the home up with other homes in the area which are set at 17.4 feet from the right-of-way line as well.

- Physical Characteristics – This parcel already exist as a 50' x 150'.
- Unique Characteristics – This parcel already exist as a 50' x 150'.
- Hardship not Self-Imposed – This parcel already exists as a 50' x 150'.
- Financial Gain is Not the Only Basis –
 - This parcel already exists as a 50' x 150'.
- No Injury to Neighboring Property –
 - This parcel already exists as a 50' x 150'.
- No Harm to Pubic Welfare – This parcel already exists as a 50' x 150' and the front setback variance will allow the construction of a home with its front being in line with other homes in the neighborhood.

PARCEL ID: 012300152020018000

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

DATE: Wednesday, November 25, 2020 8:54:18 AM

OWNER: BIRMINGHAM LAND BANK AUTHORITY

ADDRESS: 710 20TH ST N ROOM 600

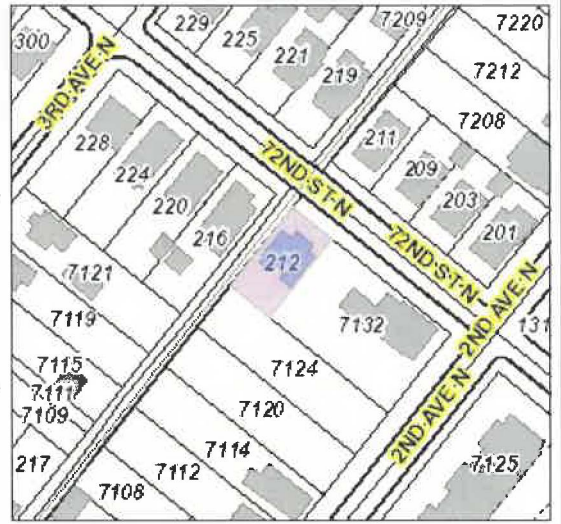
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35203

SITE ADDR: 212 72ND ST N

CITY/STATE: BHAM, AL

ZIP: 35206



LAND: \$14,300.00

BLDG: \$1,000.00

OTHER: \$0.00

AREA: 4,952.66

ACRES: 0.11

SUBDIVISION INFORMATION:

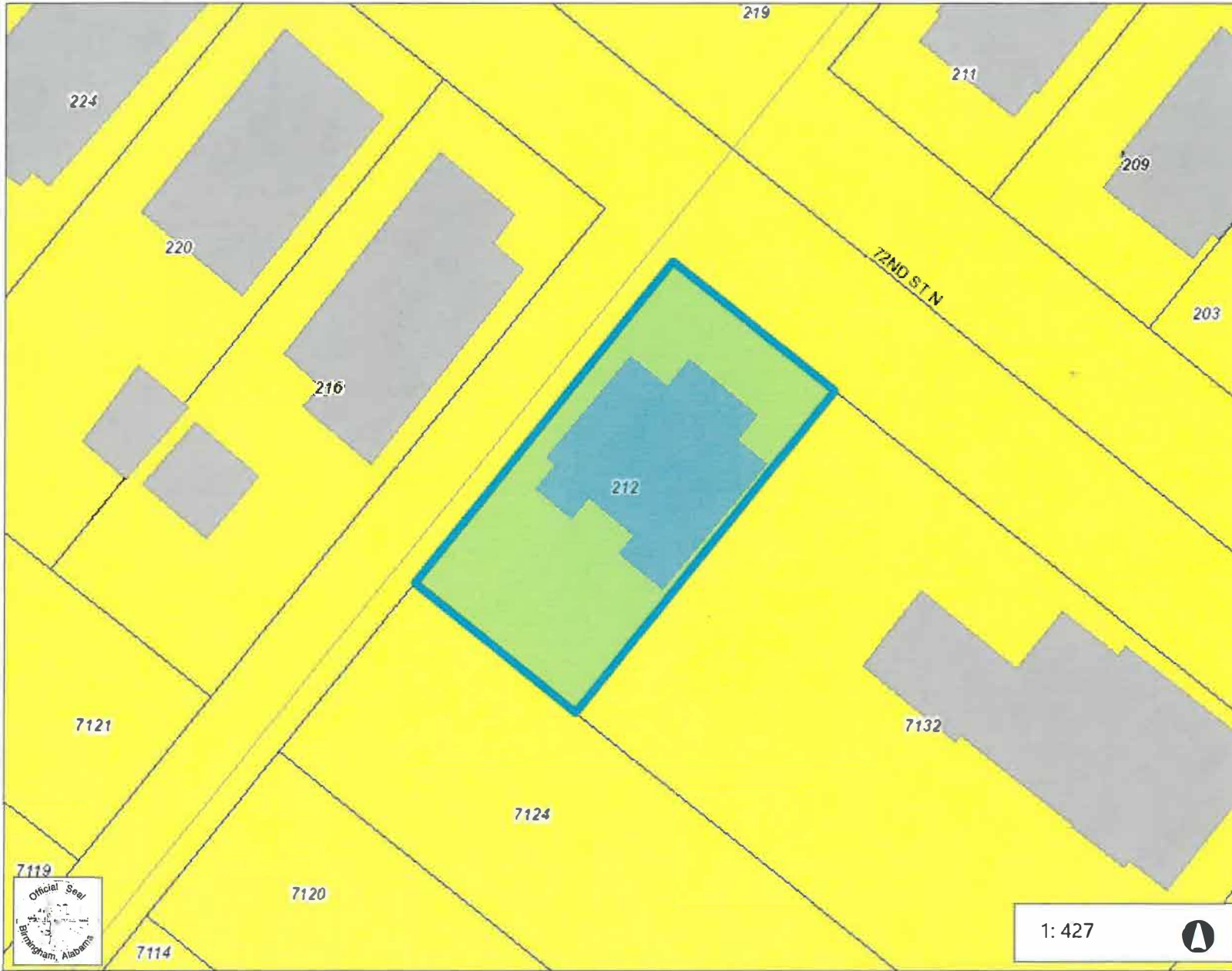
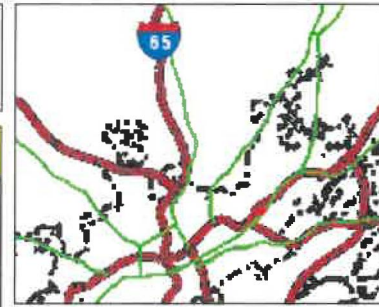
NAME EAST LAKE

BLOCK: 3-B

LOT: 8&9

Section: 15-17-2W
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: Wahouma (605)
Communities: East Lake (6)
Council Districts: District - 5 (Councilor: Darrell O'Quinn)
Zoning Outline: R3
Demolition Quadrants: DEM Quadrant - 4
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.



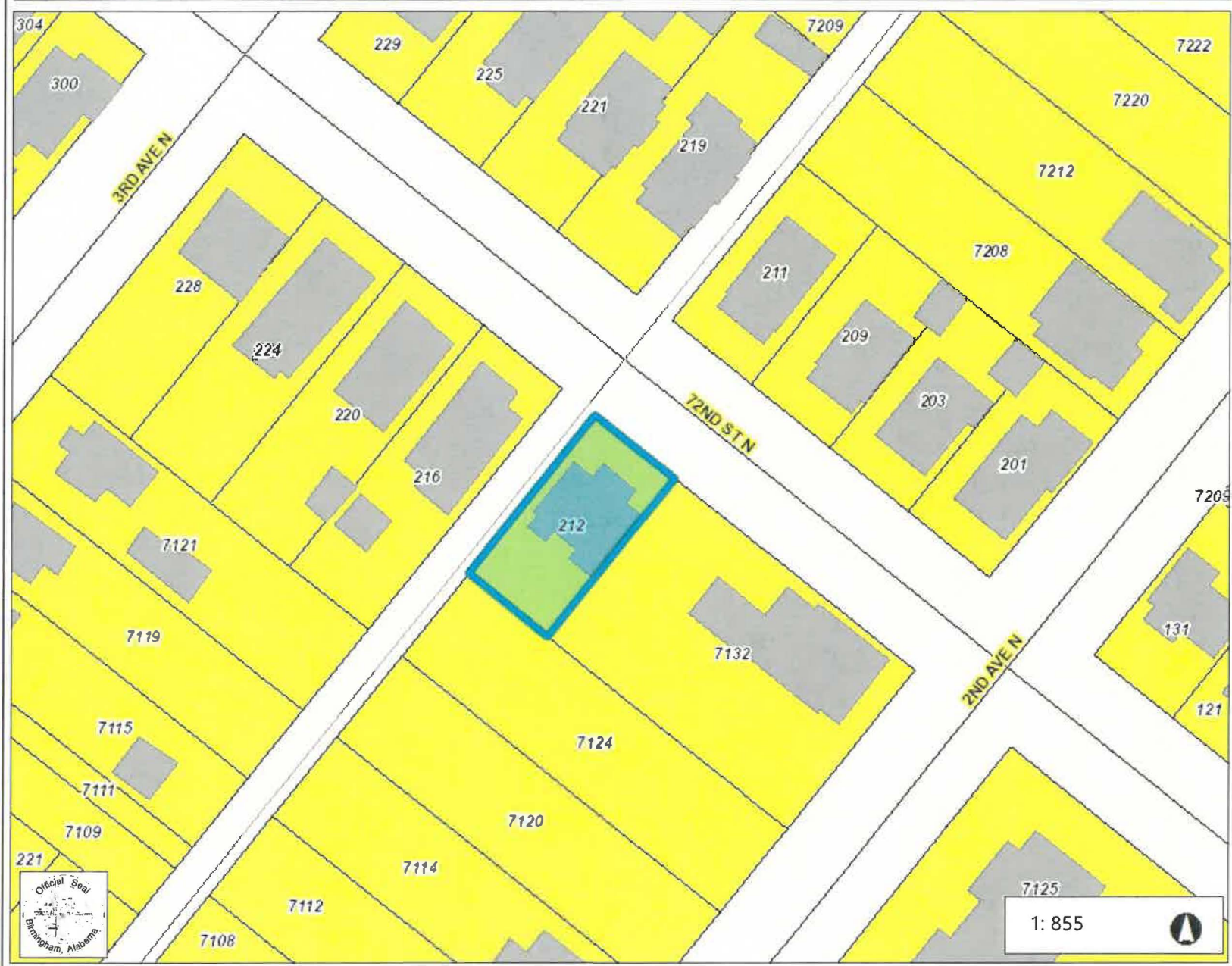
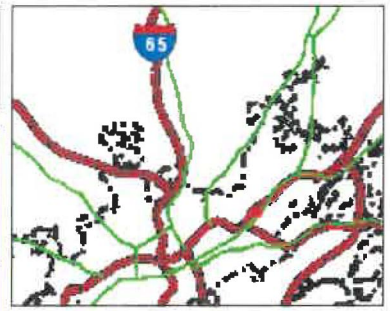
Legend

- 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; Dt
 - R6; D6 - Multiple Family District
 - R7 - Multiple Family District



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Legend

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



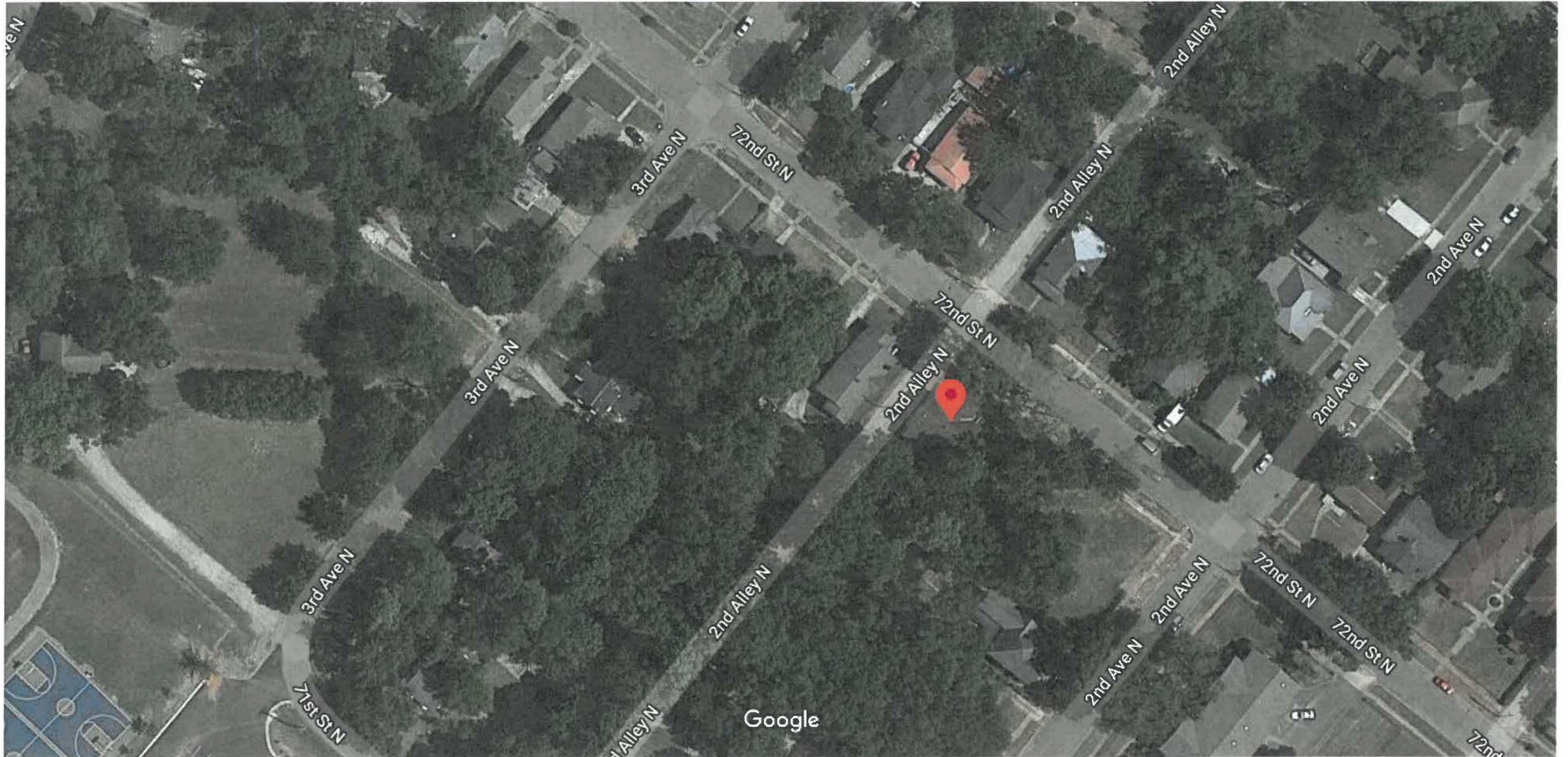
1: 855



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Notes

Google Maps 212 72nd St N

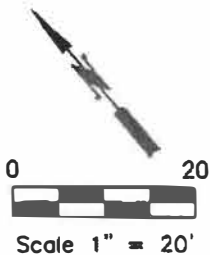


Imagery ©2020 Maxar Technologies, U.S. Geological Survey, Map data ©2020 50 ft

72ND STREET NORTH
TWO LANE ASPHALT PAVED ROAD
60' WIDE RIGHT-OF-WAY

IRON PIPE FOUND

50.00'



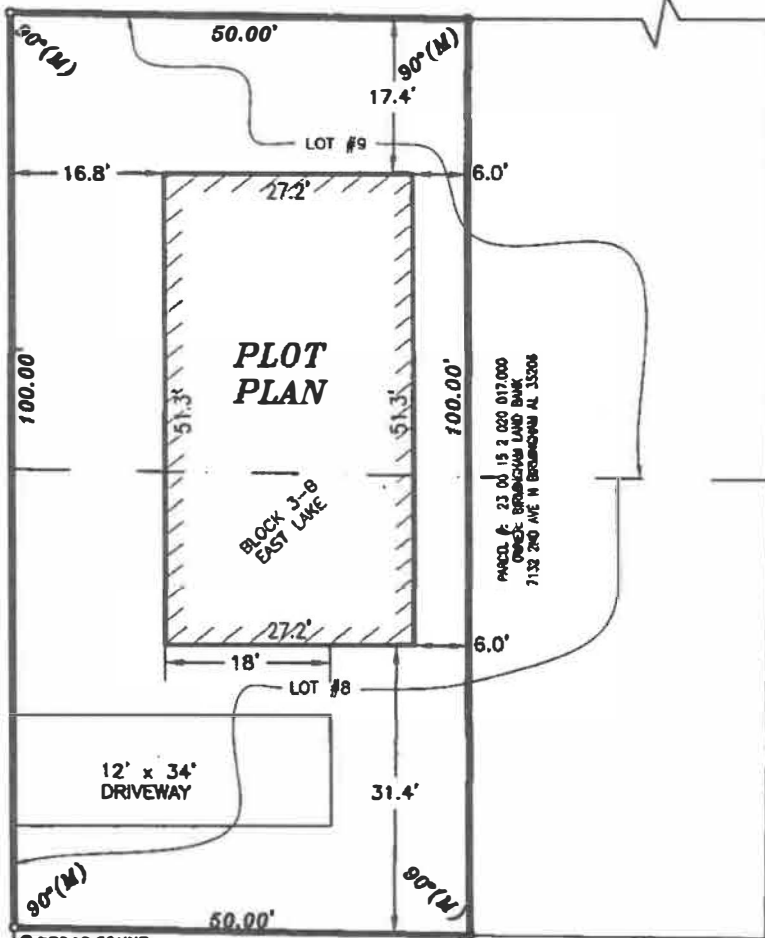
PARCEL #: 23 00 15 2 020 019.000
OWNER: GARRETT CHARLES JR.
216 72ND ST N BIRMINGHAM AL 35206

150.00'

50.00'

IRON PIPE FOUND

REBAR FOUND



2ND ALLEY NORTH
ONE LANE ASPHALT PAVED ALLEY
20' WIDE RIGHT-OF-WAY

PLOT PLAN

BLOCK 3-B
EAST LAKE

PARCEL #: 23 00 15 2 020 017.000
OWNER: BRANCHLAND BANK
7130 2ND AVE N BIRMINGHAM AL 35206

REBAR FOUND
1.95' SE OF CORNER

IRON PIPE FOUND

LOT #7
PARCEL #: 23 00 15 2 020 016.000
OWNER: SH PROPERTIES
7124 2ND AVE N BIRMINGHAM AL 35206

DESCRIPTION: N 50 FEET OF LOTS 8 & 9, BLOCK 3-B, according to the EAST LAKE SUBDIVISION, as recorded in MAP BOOK 1, PAGE 217, in the Probate Office of Jefferson County, Alabama. (Birmingham)

SURVEYOR'S CERTIFICATE: I hereby certify that all parts of this plot plan and drawing have been completed in accordance with the current requirements of the Standards of Practice for Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

SURVEYOR'S NOTES:

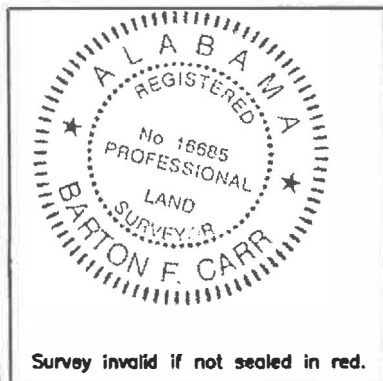
1. This survey is not intended to delineate the regulatory jurisdiction of any federal, state, regional, or local agency, board, commission, or other similar entity.
2. No underground utilities, underground encroachments, underground lines, or subsurface building foundations were located as a part of this survey.
3. This survey was conducted without the benefit of an abstract of title or title report. There may be matters of the public records unknown to this surveyor not depicted hereon.

CARR & ASSOCIATES ENGINEERS, INC.

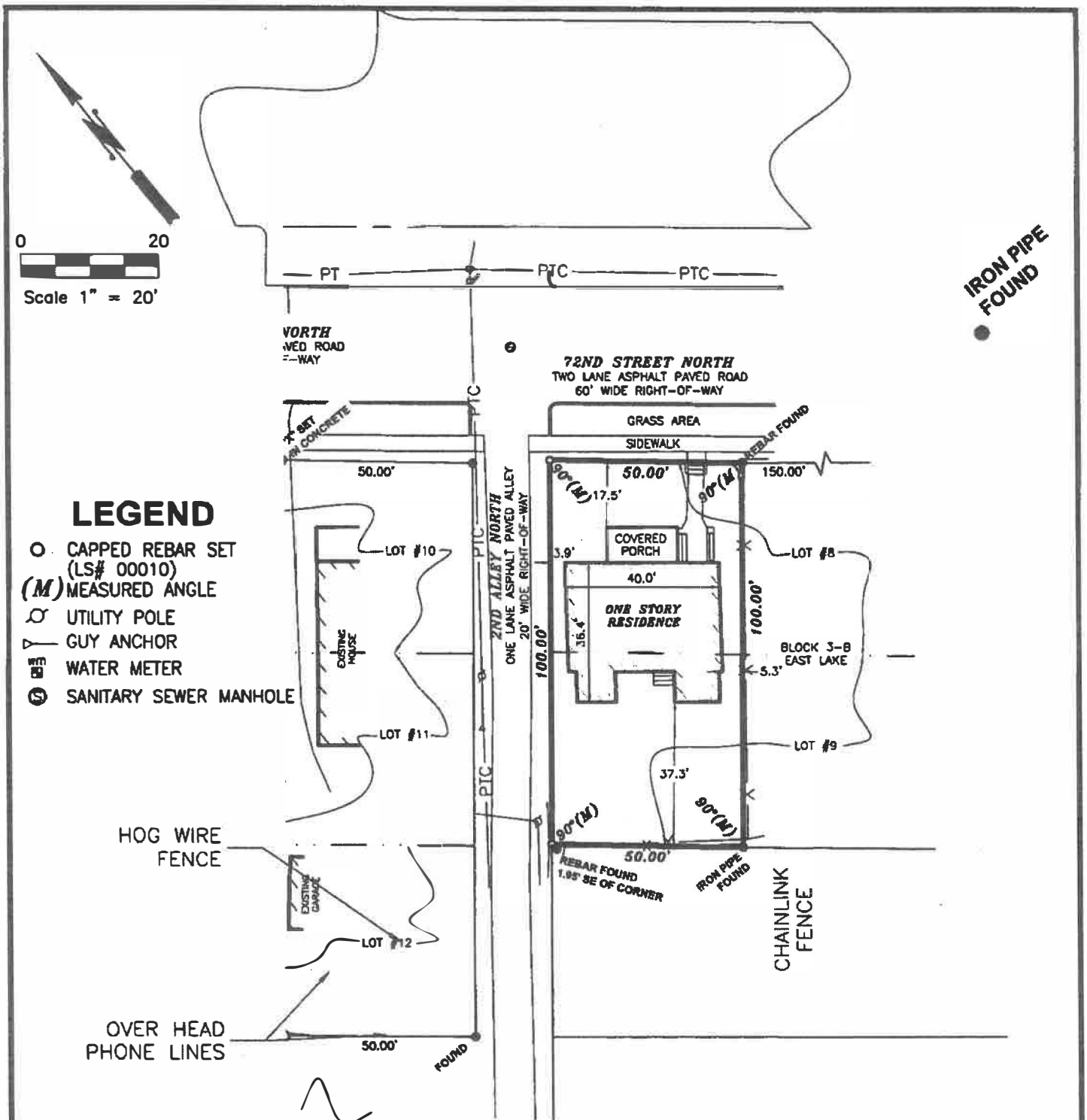
11/12/20
Date

BARTON F. CARR
PLS No. 16685
bartcarr@carrengineers.com

Type of Survey: PLOT PLAN
Job No. 76.190 Field Book/Pg.: N/A
CADD: BBY Date of Map Preparation: 11/11/20
Date of Field Survey: N/A
Street Address: 212 72nd Street North
Drawing Name: 76.190 Habitat 212 72nd PP.dwg



153 CAHABA VALLEY PARKWAY
PELHAM, ALABAMA 35124
PHONE (205) 664-8498 FAX (205) 664-9685



DESCRIPTION: N 50 FEET OF LOTS 8 & 9, BLOCK 3-B, according to the EAST LAKE SUBDIVISION, as recorded in MAP BOOK 1, PAGE 217, in the Probate Office of Jefferson County, Alabama. (Birmingham)

SURVEYOR'S CERTIFICATE: I 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 Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

SURVEYOR'S NOTES:

1. This survey is not intended to delineate the regulatory jurisdiction of any federal, state, regional, or local agency, board, commission, or other similar entity.
2. No underground utilities, underground encroachments, underground lines, or subsurface building foundations were located as a part of this survey.
3. This survey was conducted without the benefit of an abstract of title or title report. There may be matters of the public records unknown to this surveyor not depicted hereon.



153 CAHABA VALLEY PARKWAY
PELHAM, ALABAMA 35124
PHONE (205) 664-8488 FAX (205) 664-8685

CARR & ASSOCIATES ENGINEERS, INC.

[Signature] 11/4/20
BARTON F. CARR Date
PLS No. 16685
bartcarr@carrengineers.com

Type of Survey: CLOSING SURVEY
Job No. 76.190.01 Field Book/Pg.: NA
CADD: ZAC Date of Map Preparation: 07/13/2020
Date of Field Survey: 07/09/2020
Street Address: 212 72ND STREET NORTH
Drawing Name: 76.190.01 HABITAT

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

Neighborhood: Wahoma Staff Planner Moton

ZBA2020-00069

Request: Variance to allow a 17.4 ft front yard setback instead of the required 25ft front yard setback pursuant to Title 2, Chapter 1, Section 4, Subsection 3

Applicant: Bart Carr

Owner: Habitat for Humanity

Site Address: 220 72nd St N

Zip Code: 35206

Description: Variance to allow a 17.4 ft front yard instead of the required 25ft setback pursuant to Title 2, Chapter 1, Section 4, Subsection 3

Property Zoned: R-3, Single Family District

Parcel Information: Parcel #: 012300152020020000, NW of Section 15, Township 17 S, Range 2 W

Variance:

Variance to allow a 17.4 ft front yard setback instead of the required 25ft front yard setback

Neighborhood Meeting:

The Wahoma Neighborhood Association has been notified and awaiting a response. Staff has reached out again on December 1, 2020.

Public Notices:

Public notices were mailed on November 23, 2020.

Applicant’s Justification:

The applicant provided documentation of the six (6) variance standard request questions. **Please see attached.**

Staff Analysis:

The subject property located at 220 72nd St N is zoned R-3, Single Family District. The applicant is purposing a 17.4ft front yard setback off of 72nd St N. The property has lot lines that will need to be cleared up through the Subdivision Committee. The applicant has already been in contact with our Subdivision Planner.

The applicant has met all six variance standards based upon the existing structure front yard setback being at 17.3ft and the propose front yard setback being 17.4ft and will still be aligned with the houses in the same block face.

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 occupancy should obtain within three years of approval from the Board.
3. Approved as plans submitted of the proposed structure.

4. Resurvey of the lot within 90 days of the approval date.

212 72nd Street North

Currently Zoned City of Birmingham R3
Existing Lot Size 5000 Square Feet
Requested Variance 1) A variance of 7.6 feet from the 25-foot front setback required along 71st Street North to 17.4 feet.
2) A variance of 1000 Square feet from the required 6000 Square Feet to 5000 Square Feet.
Hardship This is an existing 50-foot wide by 100-foot deep parcel so the lot is not deep enough for typical home construction and driveway in this area. Additionally, the other homes in the area are set at 17.4 feet from the right-of-way line as well.

- Physical Characteristics – This parcel already exist as a 50’ x 100’.
- Unique Characteristics – This parcel already exist as a 50’ x 100’.
- Hardship not Self-Imposed – This parcel already exists as a 50’ x 100’.
- Financial Gain is Not the Only Basis –
 - This parcel already exists as a 50’ x 100’.
- No Injury to Neighboring Property –
 - This parcel already exists as a 50’ x 100’.
- No Harm to Pubic Welfare - This parcel already exists as a 50’ x 100’ and the setback variances are required will allow the construction of a home that the required zoning setbacks would prohibit.

220 72nd Street North

Currently Zoned City of Birmingham R3
Existing Lot Size 7500 Square Feet
Requested Variance A variance of 7.6 feet from the 25-foot front setback required along 71st Street North to 17.4 feet.
Hardship This request is to line the front of the home up with other homes in the area which are set at 17.4 feet from the right-of-way line as well.

- Physical Characteristics – This parcel already exist as a 50’ x 150’.
- Unique Characteristics – This parcel already exist as a 50’ x 150’.
- Hardship not Self-Imposed – This parcel already exists as a 50’ x 150’.
- Financial Gain is Not the Only Basis –
 - This parcel already exists as a 50’ x 150’.
- No Injury to Neighboring Property –
 - This parcel already exists as a 50’ x 150’.
- No Harm to Pubic Welfare – This parcel already exists as a 50’ x 150’ and the front setback variance will allow the construction of a home with its front being in line with other homes in the neighborhood.

PARCEL ID: 012300152020020000

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

DATE: Wednesday, November 25, 2020 9:01:55 AM

OWNER: BIRMINGHAM LAND BANK AUTHORITY

ADDRESS: 710 20TH ST N ROOM 600

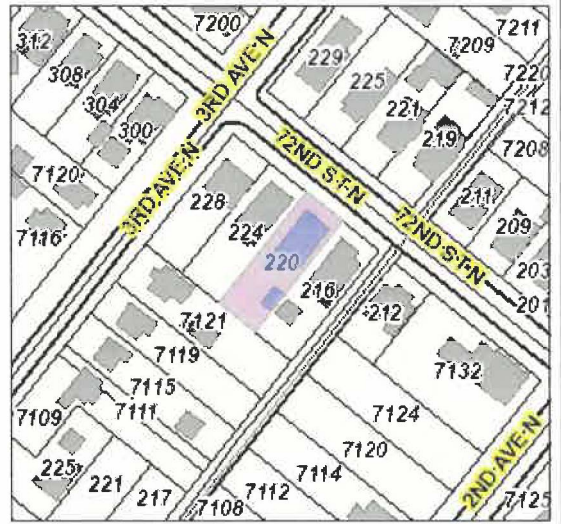
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35203

SITE ADDR: 220 72ND ST N

CITY/STATE: BHAM, AL

ZIP: 35206



LAND: \$17,000.00

BLDG: \$31,600.00

OTHER: \$0.00

AREA: 7,488.72

ACRES: 0.17

SUBDIVISION INFORMATION:

NAME EAST LAKE

BLOCK: 3-B

LOT: 10

Section: 15-17-2W

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: Wahouma (605)

Communities: East Lake (6)

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

Zoning Outline: R3

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Upper Village Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

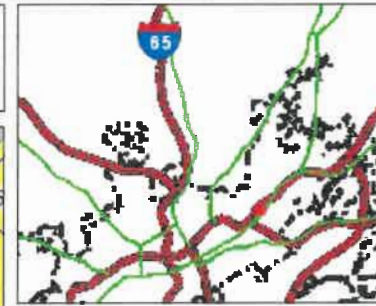
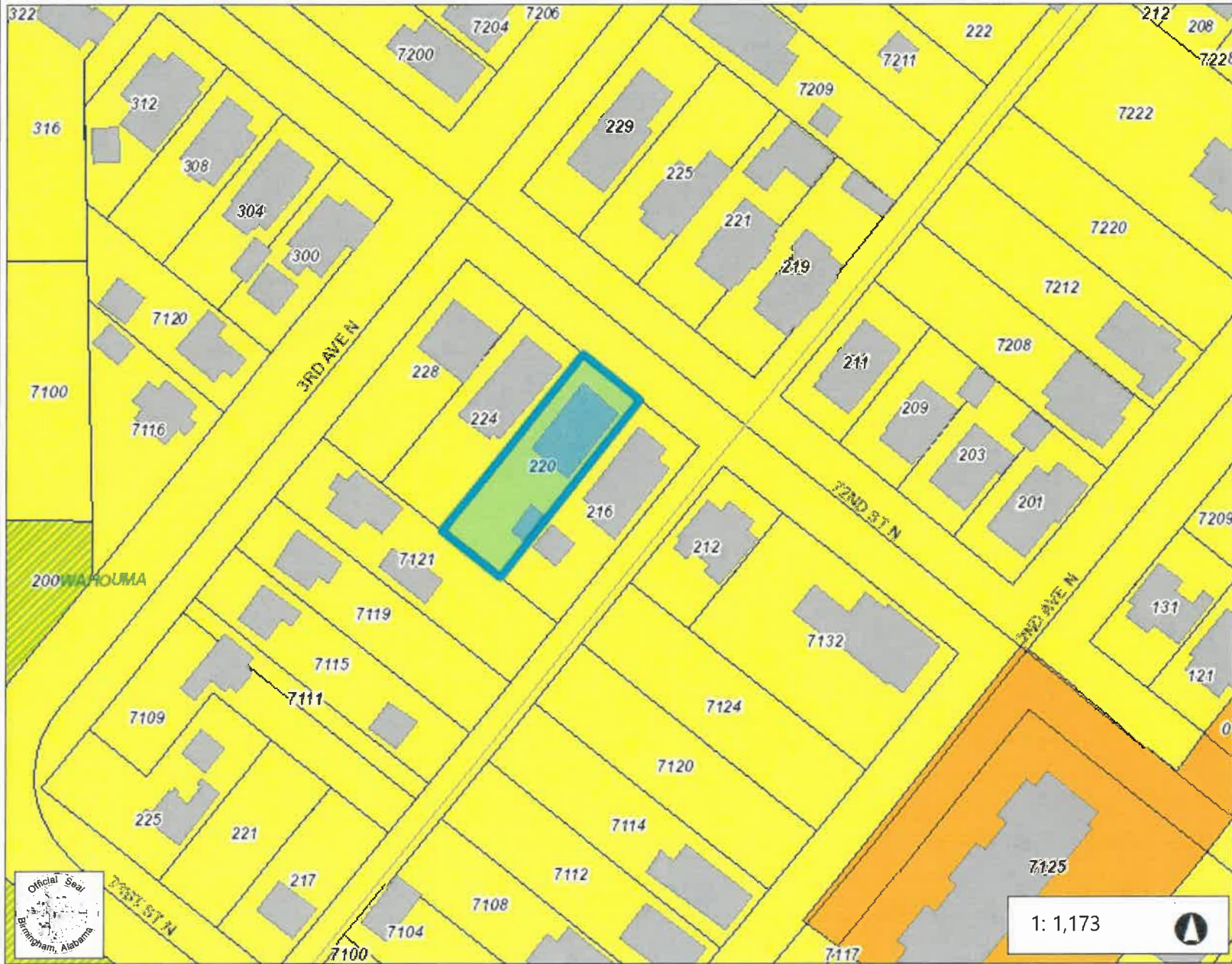
Tax Delinquent Property: Not in Tax Delinquent Property

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.

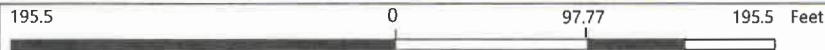


Legend

- 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

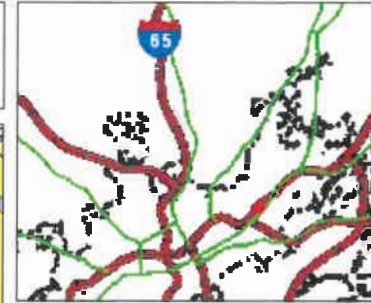


1: 1,173



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



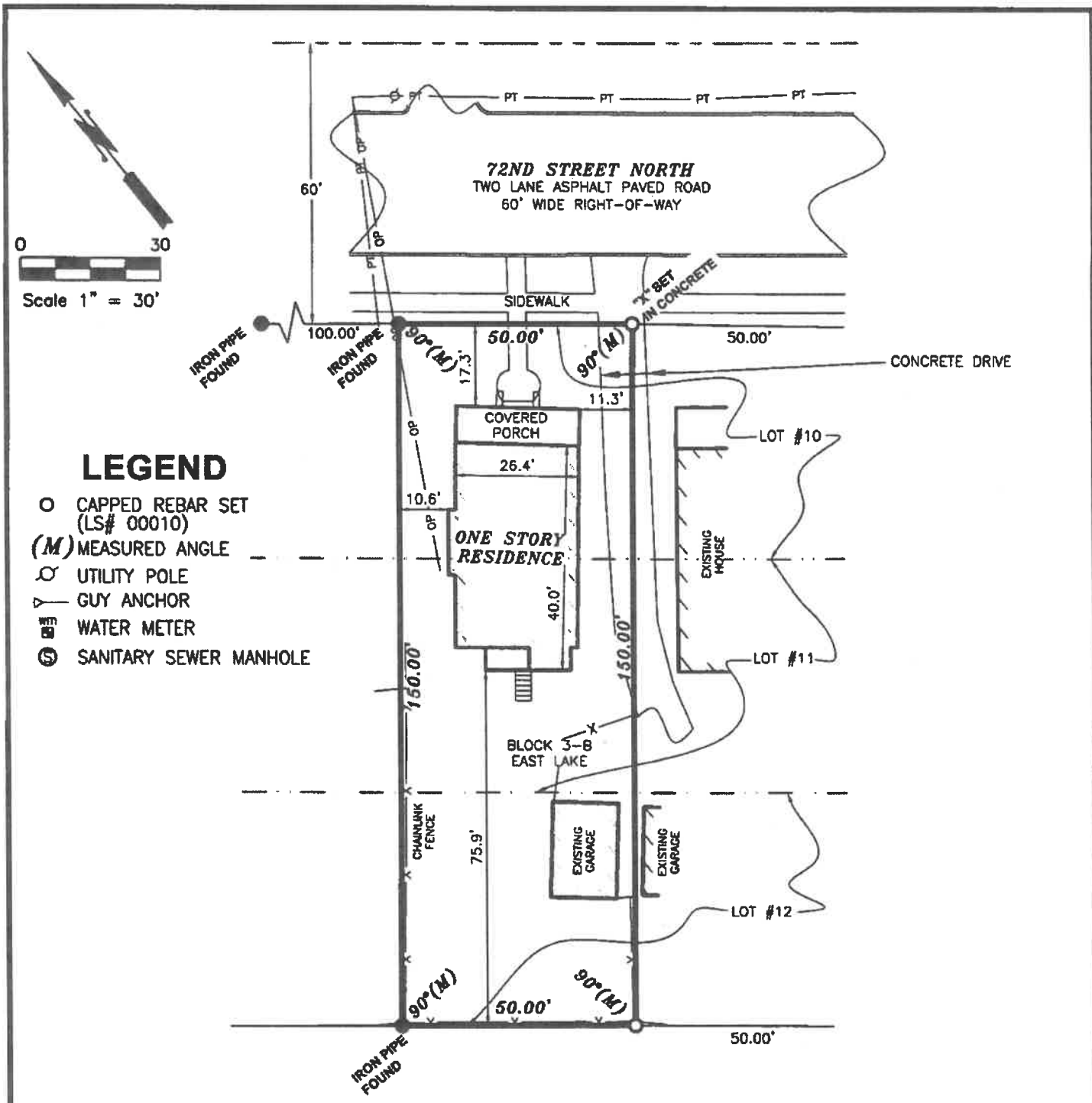
1: 782



130.4 0 65.18 130.4 Feet

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

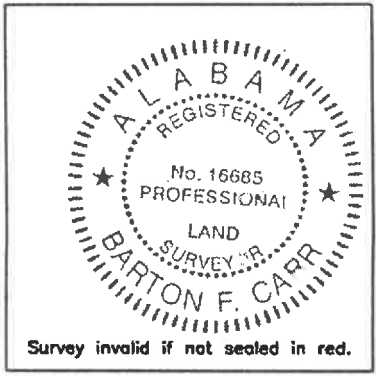
- CAPPED REBAR SET (LS# 00010)
- (M) MEASURED ANGLE
- UTILITY POLE
- ⚡ GUY ANCHOR
- ⊕ WATER METER
- ⊙ SANITARY SEWER MANHOLE

DESCRIPTION: N 50 FEET OF S 100 FEET LOTS 10, 11 & 12, BLOCK 3-B, according to the **EAST LAKE SUBDIVISION**, as recorded in **MAP BOOK 1, PAGE 217**, in the Probate Office of Jefferson County, Alabama. (Birmingham)

SURVEYOR'S CERTIFICATE: I 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 Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

SURVEYOR'S NOTES:

1. This survey is not intended to delineate the regulatory jurisdiction of any federal, state, regional, or local agency, board, commission, or other similar entity.
2. No underground utilities, underground encroachments, underground lines, or subsurface building foundations were located as a part of this survey.
3. This survey was conducted without the benefit of an abstract of title or title report. There may be matters of the public records unknown to this surveyor not depicted hereon.



153 CAHABA VALLEY PARKWAY
 PELHAM, ALABAMA 35124
 PHONE (205) 664-8498 FAX (205) 664-9685

CARR & ASSOCIATES ENGINEERS, INC.

[Signature]

11/4/20
 Date

BARTON F. CARR
 PLS No. 16685
 bartcarr@carrengineers.com

Type of Survey: CLOSING SURVEY
 Job No. 76.190.01 Field Book/Pg.: NA
 CADD: ZAC Date of Map Preparation: 07/13/2020
 Date of Field Survey: 07/09/2020
 Street Address: 220 72ND STREET NORTH
 Drawing Name: 76.190.01 HABITAT

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

Neighborhood: Wahoma Staff Planner Moton

ZBA2020-00070

Request: Variance to allow a 17.4 ft front yard instead of the required 25ft front yard setback along 72nd St N, a variance to allow lot size of 5,000 square feet instead of the required minimum lot size of 6,000 square feet and a variance to allow 17ft front yard setback instead of the required 25ft front yard setback off of 2nd Ave N pursuant to Title 2, Chapter 1, Section 4, Subsection 3

Applicant: Bart Carr
Owner: Habitat for Humanity
Site Address: 7132 2nd Ave N
Zip Code: 35206

Description: Variance to allow a 17.4 ft front yard instead of the required 25ft front yard setback along 72nd St N, a variance to allow lot size of 5,000 square feet instead of the required minimum lot size of 6,000 square feet and a variance to allow 17ft front yard setback instead of the required 25ft front yard setback off of 2nd Ave pursuant to Title 2, Chapter 1, Section 4, Subsection 3

Property Zoned: R-3, Single Family District

Parcel Information: Parcel #: 012300152020017000, NW of Section 15, Township 17 S, Range 2 W

Variance:

Variance to allow a 17.4 ft front yard instead of the required 25ft setback along 72nd St N, a variance to allow lot size of 5,000 square feet instead of the required minimum lot size of 6,000 square feet and a variance to allow 17ft front yard setback instead of the required 25ft front yard setback off of 2nd Ave N

Neighborhood Meeting:

The Wahoma Neighborhood Association has been notified and awaiting a response. Staff has reached out again on December 1, 2020.

Public Notices:

Public notices were mailed on November 23, 2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions. **Please see attached.**

Staff Analysis:

The subject property located at 7132 2nd Ave N is zoned R-3, Single Family District. The existing property lot size is 15,000 square feet. The applicant is purposing to subdivide the lot into three lots. Once the lots are subdivided, each lot size will be 5,000 square feet instead of the required 6,000 square feet. The applicant is requesting a variance for a front yard setback of 17.4ft for lots 1, 2 and 3 off of 72nd St N and a front yard setback of 17ft for lot 3 off of 2nd Ave N. The property has lot lines that will need to be cleared up through the Subdivision Committee. The applicant has already been in contact with our Subdivision Planner.

The applicant has met all six variance standards based upon the applicant proposing the lots sizes and setbacks to meet the same characteristics of the neighborhood.

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 occupancy should obtain within three years of approval from the Board.
3. Approved as plans submitted of the proposed structure.
4. Resurvey of the lot within 90 days of the approval date.

7100 2nd Avenue North

Currently Zoned City of Birmingham R3
Existing Lot Size 10000 Square Feet
Requested Variance A variance of 8.2 feet from the 25-foot front setback required along 71st Street North to 16.8 feet.
Hardship This is an existing 50-foot wide parcel so the lot is not wide enough for typical home construction in this area. A home meeting the setback requirements would only be 20 feet wide.

- Physical Characteristics – This parcel already exist as a 50' x 200'.
- Unique Characteristics – This parcel already exist as a 50' x 200'.
- Hardship not Self-Imposed – This parcel already exists as a 50' x 200'.
- Financial Gain is Not the Only Basis –
 - This parcel already exists as a 50' x 200'.
- No Injury to Neighboring Property –
 - This parcel already exists as a 50' x 200'.
- No Harm to Pubic Welfare – This corner parcel already exists as a 50' x 200' and the front setback variance on the side of the house will allow the will allow the construction of a home and driveway typical of the neighborhood.

7132 72nd Street North

Currently Zoned City of Birmingham R3
Existing Lot Size 15,000 Square Feet
Requested Variance It is the intent to subdivide this parcel into three 50-foot wide by 100 foot deep lots to match the lots within the area. The subdivided lots will require the following variances.
1) A variance of 7.6 feet from the 25-foot front setback required along 71st Street North to 17.4 feet.
2) A variance of 1000 Square feet from the required 6000 Square Feet to 5000 Square Feet.
3) A variance of 8.0 feet from the 25-foot front setback required for the proposed lot along 2nd Avenue to 17.0 feet.
Hardship This is an existing 150-foot wide by 100-foot deep parcel to be subdivided into lots similar to those within the immediate area which are currently 50 feet wide by 100 feet deep.

- Physical Characteristics – This parcel is uniquely 150' wide x 100' deep which is unusual in this neighborhood.
- Unique Characteristics – The parcels in this neighborhood are typically 50' x 100'.
- Hardship not Self-Imposed – Splitting this parcel into three parcels is self-imposed but due to the fact the parcel is unusual in this neighborhood.
- Financial Gain is Not the Only Basis –

PARCEL ID: 012300152020017000

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

DATE: Wednesday, November 25, 2020 9:15:03 AM

OWNER: BIRMINGHAM LAND BANK AUTHORITY

ADDRESS: 710 20TH ST N ROOM 600

CITY/STATE: BIRMINGHAM AL

ZIP+4: 35203

SITE ADDR: 7132 2ND AVE N

CITY/STATE: BHAM, AL

ZIP: 35206



LAND: \$20,400.00

BLDG: \$1,800.00

OTHER: \$0.00

AREA: 15,030.89

ACRES: 0.35

SUBDIVISION INFORMATION:

NAME EAST LAKE

BLOCK: 3-B

LOT: 8&9

Section: 15-17-2W

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: Wahouma (605)

Communities: East Lake (6)

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

Zoning Outline: R3

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Upper Village Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

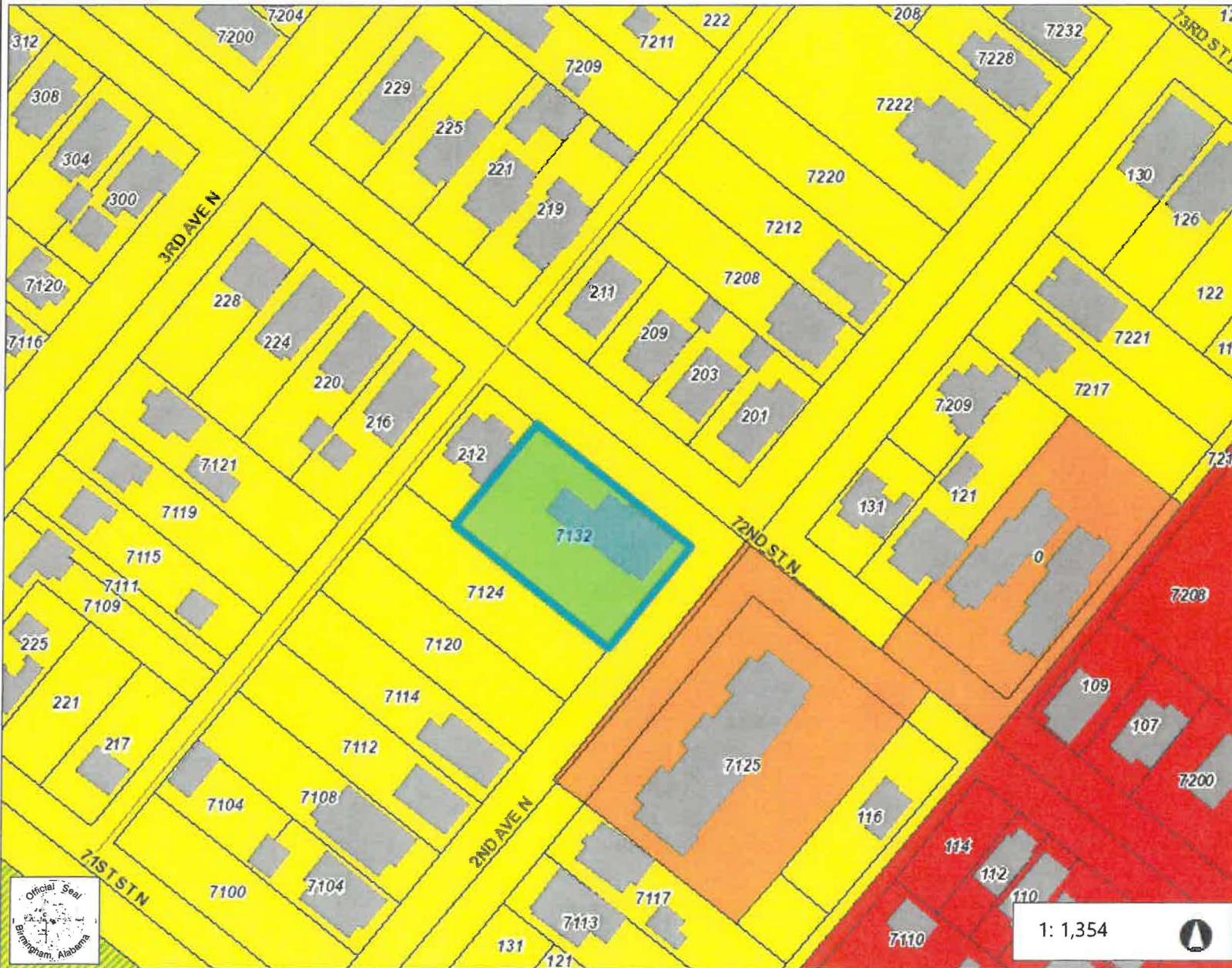
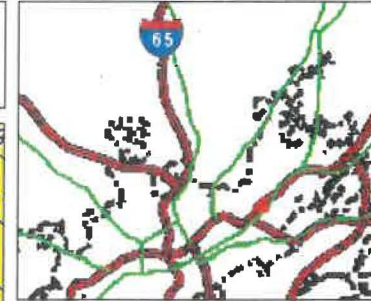
Tax Delinquent Property: Not in Tax Delinquent Property

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
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- Local Roads
- Arterials
- County Highways
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- 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



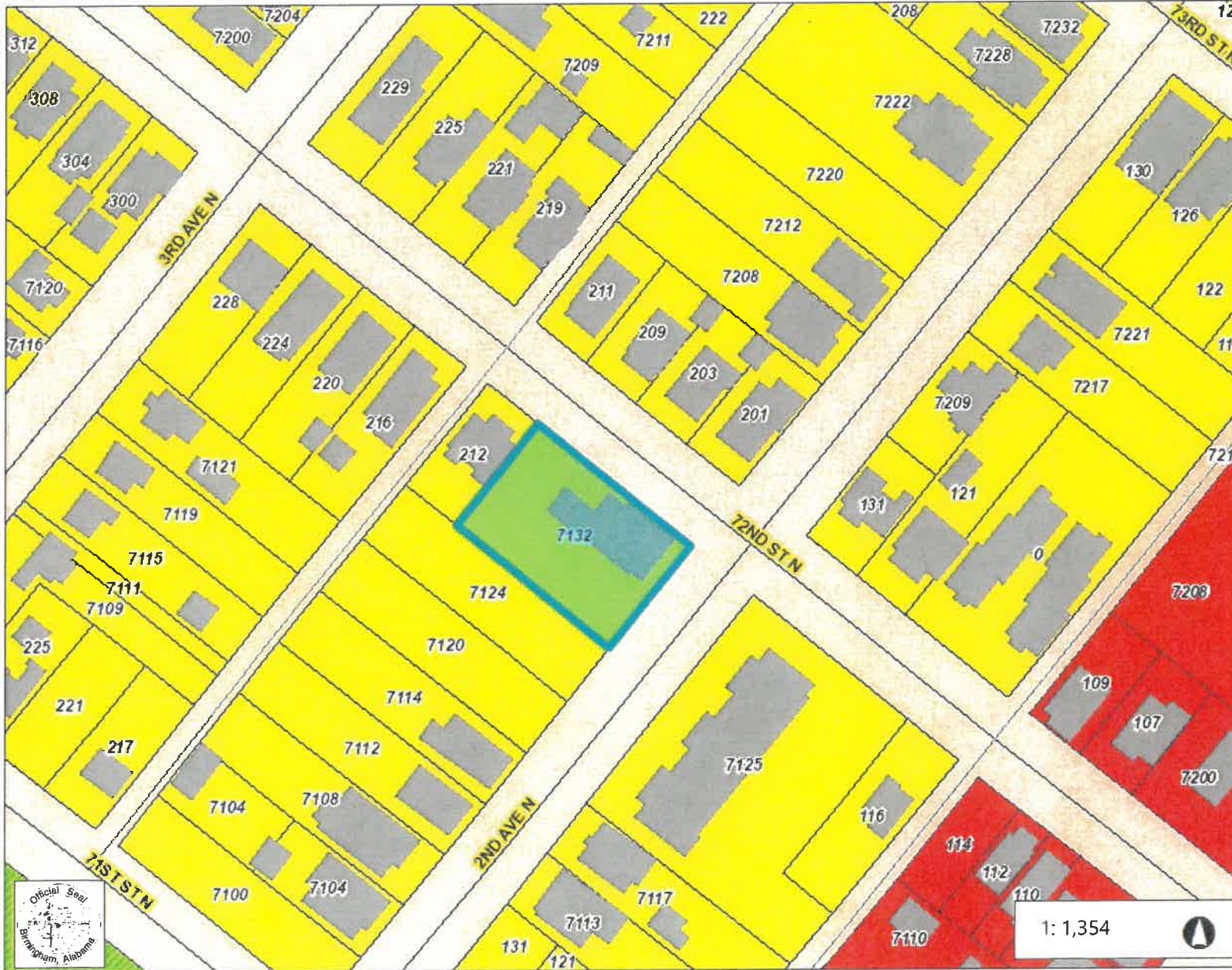
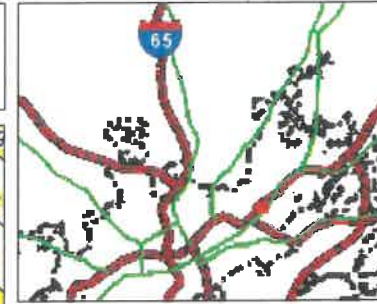
1: 1,354



225.6 0 112.80 225.6 Feet

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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- US Highways
- Interstates
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- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium
 - MXU-High



1: 1,354

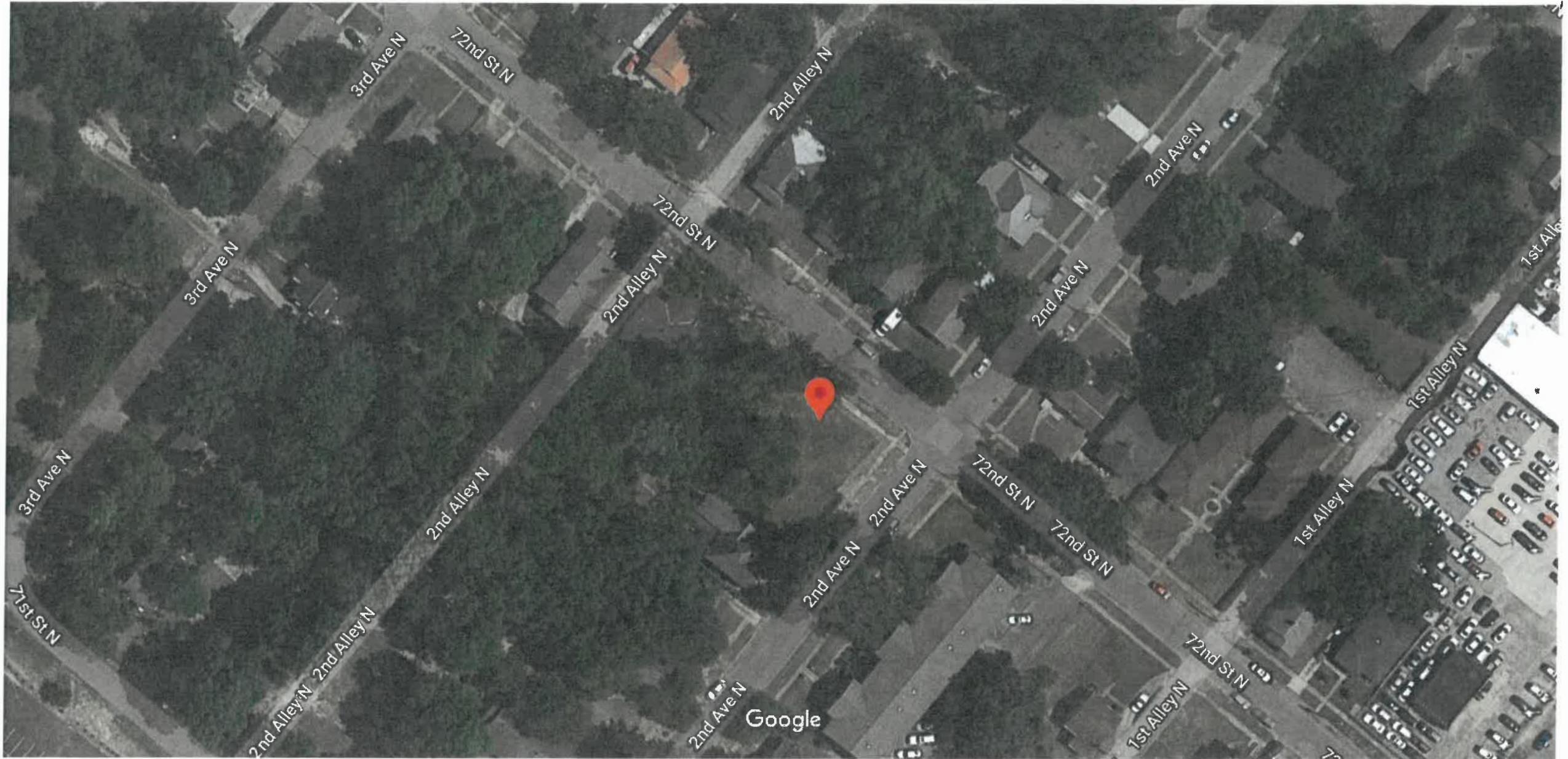


225.6 0 112.80 225.6 Feet

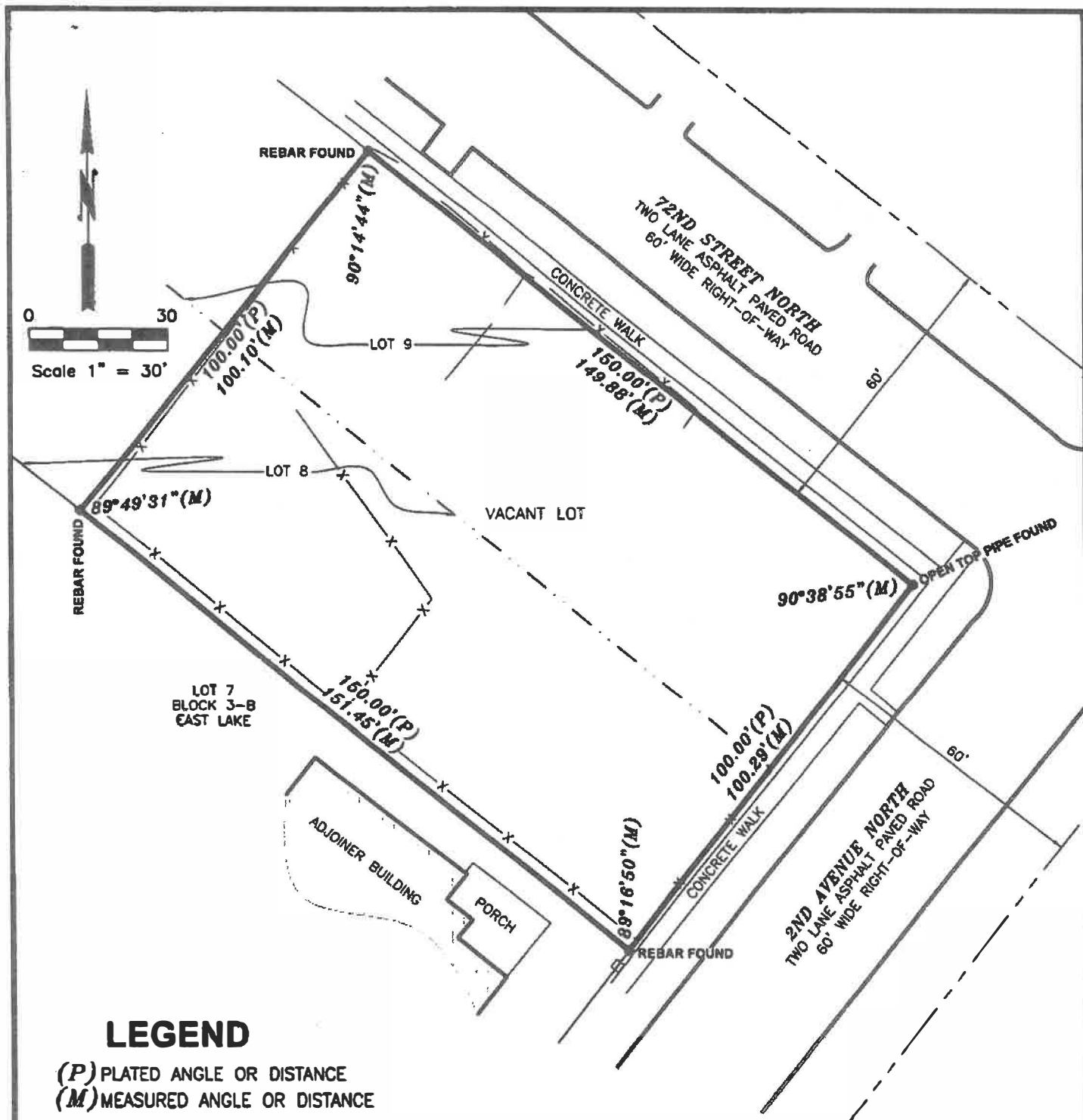
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Google Maps 7132 2nd Ave N



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



LEGEND

- (P) PLATED ANGLE OR DISTANCE
(M) MEASURED ANGLE OR DISTANCE

DESCRIPTION: SOUTH 150 FEET OF LOTS 8 & 9, BLOCK 3-B, according to the EAST LAKE SUBDIVISION, as recorded in MAP BOOK 1, PAGE 217, in the Probate Office of Jefferson County, Alabama. (Birmingham)

SURVEYOR'S CERTIFICATE: I 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 Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

SURVEYOR'S NOTES:

1. This survey is not intended to delineate the regulatory jurisdiction of any federal, state, regional, or local agency, board, commission, or other similar entity.
2. No underground utilities, underground encroachments, underground lines, or subsurface building foundations were located as a part of this survey.
3. This survey was conducted without the benefit of an abstract of title or title report. There may be matters of the public records unknown to this surveyor not depicted hereon.



153 CAHABA VALLEY PARKWAY
PELHAM, ALABAMA 35124
PHONE (205) 684-8436 FAX (205) 684-9385

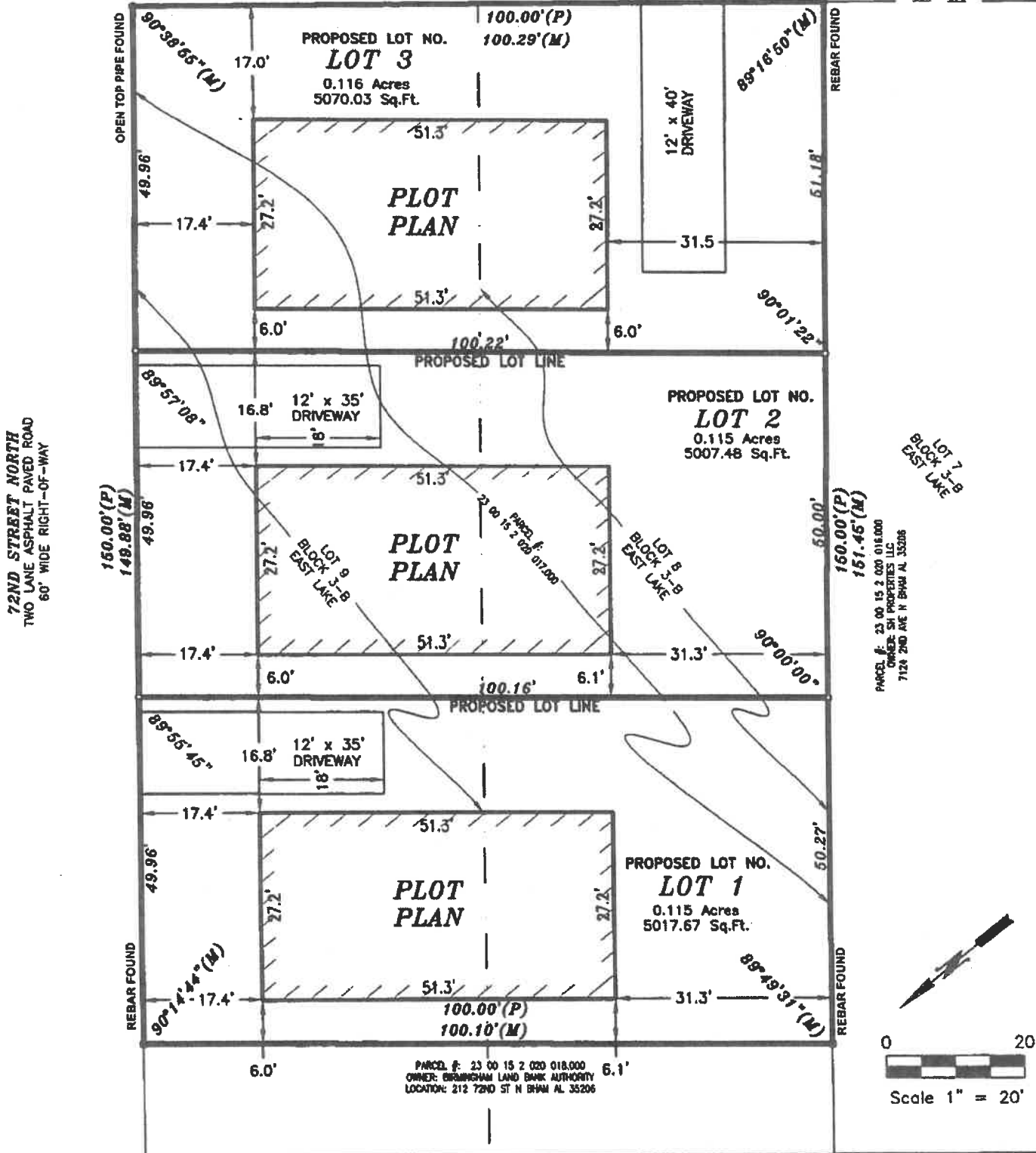
CARR & ASSOCIATES ENGINEERS, INC.


BARTON F. CARR
PLS No. 16685
bartcarr@carrengineers.com

11/4/20
Date

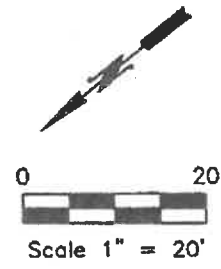
Type of Survey: CLOSING SURVEY
Job No. 76.190 Field Book/Pg.: NA
CADD: ZAC Date of Map Preparation: 09/22/2020
Date of Field Survey: 09/17/2020
Street Address: 7132 2nd Avenue North
Drawing Name: 76.190 H&H EAST LAKE 7132

2ND AVENUE NORTH
TWO LANE ASPHALT PAVED ROAD
60' WIDE RIGHT-OF-WAY



LOT 7
BLOCK 3-B
EAST LAKE

PARCEL #: 23 00 15 2 020 018.000
OWNER: SH PROPERTIES LLC
7124 2ND AVE N BHAM AL 35206

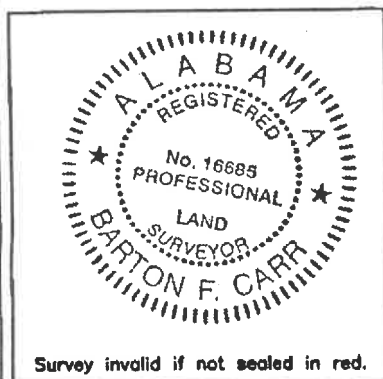


DESCRIPTION: SOUTH 150 FEET OF LOTS 8 & 9, BLOCK 3-B, according to the **EAST LAKE SUBDIVISION**, as recorded in **MAP BOOK 1, PAGE 217**, in the Probate Office of Jefferson County, Alabama. (Birmingham)

SURVEYOR'S CERTIFICATE: I hereby certify that all parts of this plot plan and drawing have been completed in accordance with the current requirements of the Standards of Practice for Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

SURVEYOR'S NOTES:

1. This survey is not intended to delineate the regulatory jurisdiction of any federal, state, regional, or local agency, board, commission, or other similar entity.
2. No underground utilities, underground encroachments, underground lines, or subsurface building foundations were located as a part of this survey.
3. This survey was conducted without the benefit of an abstract of title or title report. There may be matters of the public records unknown to this surveyor not depicted hereon.



153 CAHABA VALLEY PARKWAY
PELHAM, ALABAMA 35124
PHONE (205) 664-8498 FAX (205) 664-9685

CARR & ASSOCIATES ENGINEERS, INC.

[Signature] 11/12/20
BARTON F. CARR Date
PLS No. 16685
bartcarr@carrengineers.com

Type of Survey: PLOT PLAN
Job No. 76.190 Field Book/Pg.: N/A
CADD: BBY Date of Map Preparation: 11/11/20
Date of Field Survey: N/A
Street Address: 7132 2nd Ave North
Drawing Name: 76.190 Habitat 7132 2nd PP.dwg

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

Neighborhood: Wahoma Staff Planner Moton

ZBA2020-00071

Request: Variance to allow a 16.8 ft front yard instead of the required 25ft front yard setback along 71st St N Title 2, Chapter 1, Section 4, Subsection 3.
Applicant: Bart Carr
Owner: Habitat for Humanity
Site Address: 7100 2nd Ave N
Zip Code: 35206
Description: Variance to allow a 16.8 ft front yard instead of the required 25ft front yard setback along 71st St N Title 2, Chapter 1, Section 4, Subsection 3.
Property Zoned: R-3, Single Family District
Parcel Information: Parcel #: 012300152020010000, NW of Section 15, Township 17 S, Range 2 W

Variance:

Variance to allow a 16.8 ft front yard instead of the required 25ft front yard setback along 71st St N.

Neighborhood Meeting:

The Wahoma Neighborhood Association has been notified and awaiting a response. Staff has reached out again on December 1, 2020.

Public Notices:

Public notices were mailed on November 23, 2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions. **Please see attached.**

Staff Analysis:

The subject property located at 7100 2nd Ave N is zoned R-3, Single Family District. The property sits on a corner lot and has two front yards. The applicant is requesting a variance to allow a 16.8 front yard setback off of 71st St N instead of the required 25ft front yard setback.

The applicant has meet all six variance standards upon the existing lot being a corner lot and having two required front yards the side off of 71st St N would be serving as their side yard.

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 occupancy should obtain within three years of approval from the Board.
3. Approved as plans submitted of the proposed structure.

7100 2nd Avenue North

Currently Zoned	City of Birmingham R3
Existing Lot Size	10000 Square Feet
Requested Variance	A variance of 8.2 feet from the 25-foot front setback required along 71 st Street North to 16.8 feet.
Hardship	This is an existing 50-foot wide parcel so the lot is not wide enough for typical home construction in this area. A home meeting the setback requirements would only be 20 feet wide. <ul style="list-style-type: none">▪ Physical Characteristics – This parcel already exist as a 50' x 200'.▪ Unique Characteristics – This parcel already exist as a 50' x 200'.▪ Hardship not Self-Imposed – This parcel already exists as a 50' x 200'.▪ Financial Gain is Not the Only Basis –<ul style="list-style-type: none">• This parcel already exists as a 50' x 200'.▪ No Injury to Neighboring Property –<ul style="list-style-type: none">• This parcel already exists as a 50' x 200'.▪ No Harm to Pubic Welfare – This corner parcel already exists as a 50' x 200' and the front setback variance on the side of the house will allow the will allow the construction of a home and driveway typical of the neighborhood.

7132 72nd Street North

Currently Zoned	City of Birmingham R3
Existing Lot Size	15,000 Square Feet
Requested Variance	It is the intent to subdivide this parcel into three 50-foot wide by 100 foot deep lots to match the lots within the area. The subdivided lots will require the following variances. <ol style="list-style-type: none">1) A variance of 7.6 feet from the 25-foot front setback required along 71st Street North to 17.4 feet.2) A variance of 1000 Square feet from the required 6000 Square Feet to 5000 Square Feet.3) A variance of 8.0 feet from the 25-foot front setback required for the proposed lot along 2nd Avenue to 17.0 feet.
Hardship	This is an existing 150-foot wide by 100-foot deep parcel to be subdivided into lots similar to those within the immediate area which are currently 50 feet wide by 100 feet deep. <ul style="list-style-type: none">▪ Physical Characteristics – This parcel is uniquely 150' wide x 100' deep which is unusual in this neighborhood.▪ Unique Characteristics – The parcels in this neighborhood are typically 50' x 100'.▪ Hardship not Self-Imposed – Splitting this parcel into three parcels is self-imposed but due to the fact the parcel is unusual in this neighborhood.▪ Financial Gain is Not the Only Basis –

PARCEL ID: 012300152020010000

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

DATE: Wednesday, November 25, 2020 9:25:47 AM

OWNER: BIRMINGHAM LAND BANK AUTHORITY

ADDRESS: 710 NORTH 20TH ST ROOM 600

CITY/STATE: BIRMINGHAM AL

ZIP+4: 35203

SITE ADDR: 7100 2ND AVE N

CITY/STATE: BHAM, AL

ZIP: 35206



LAND: \$9,400.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 9,888.47

ACRES: 0.23

SUBDIVISION INFORMATION:

NAME EAST LAKE

BLOCK: 3-B

LOT: 1

Section: 15-17-2W

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: Wahouma (605)

Communities: East Lake (6)

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

Zoning Outline: R3

Demolition Quadrants: DEM Quadrant - 4

Impaired Watersheds: Impaired Watershed - Upper Village Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

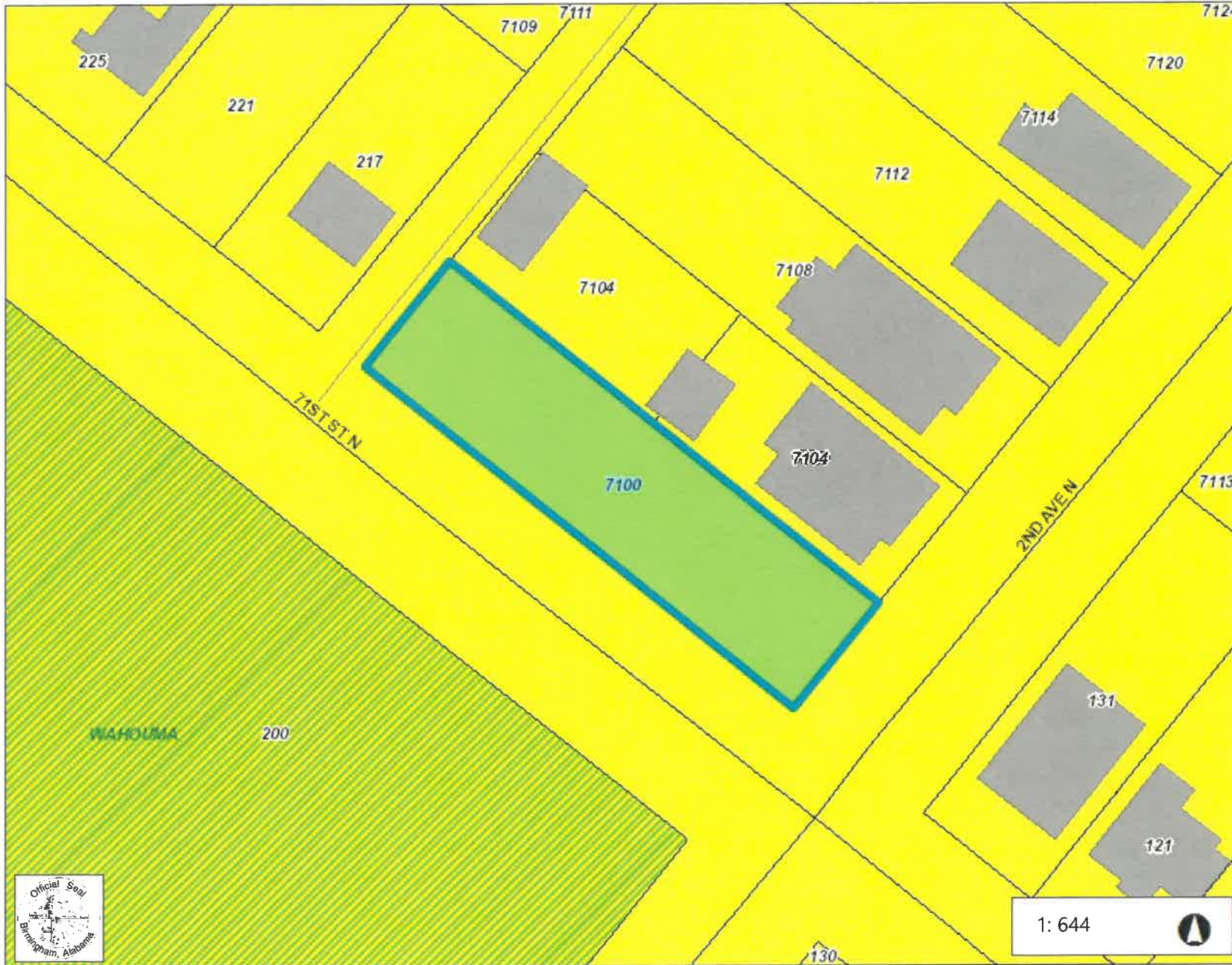
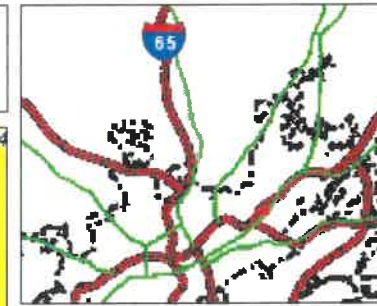
Tax Delinquent Property: Not in Tax Delinquent Property

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.

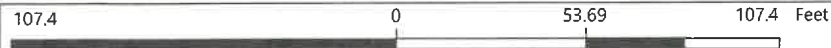


Legend

- 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

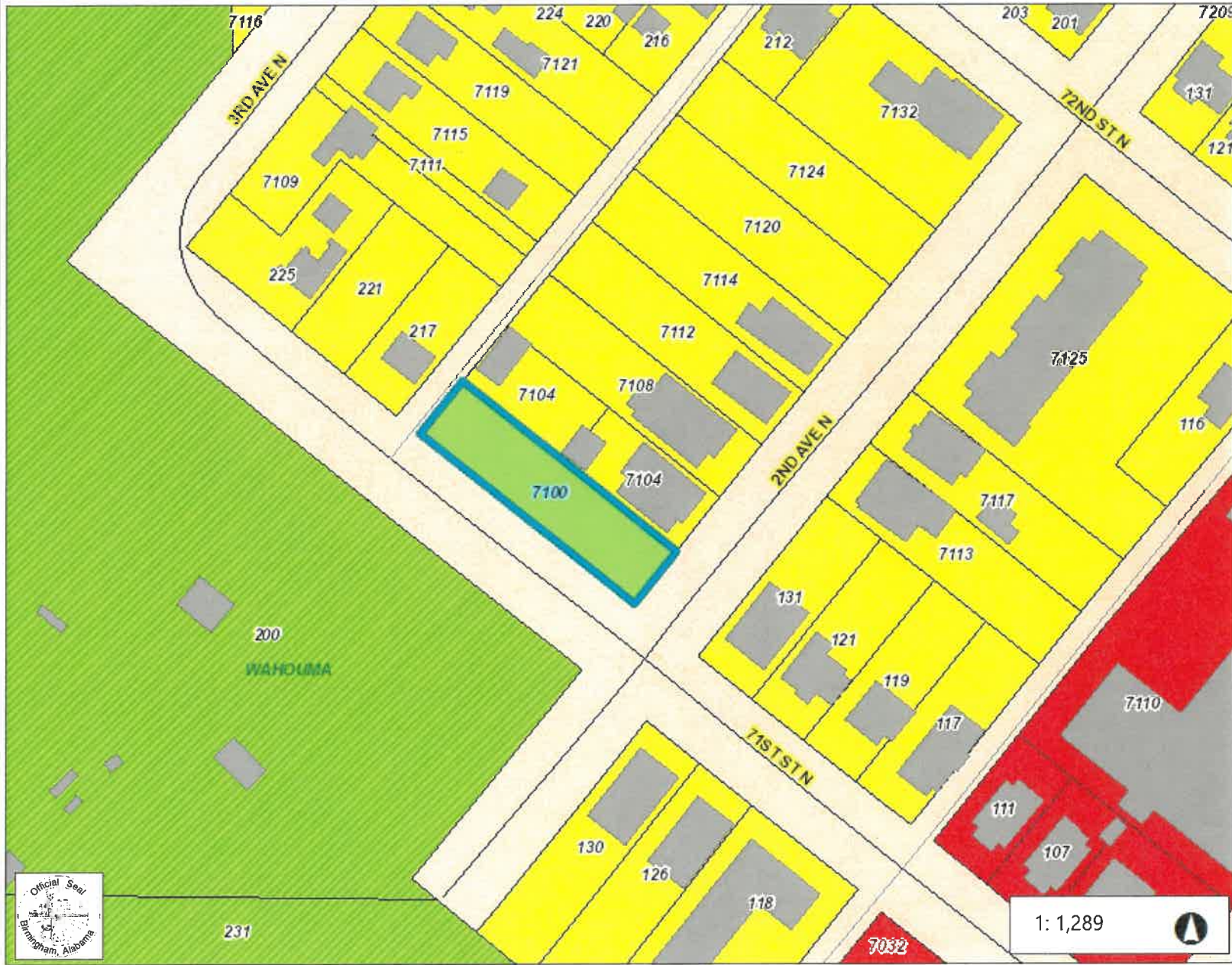
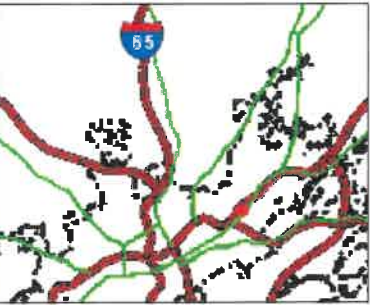


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The City of Birmingham makes no warranty, expressed or implied, as to the accuracy of the information represented herein. This map is a user generated static output from an internet mapping site and is for general reference only.
THIS MAP IS NOT TO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

Notes



Legend

- Centerline Labels
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- US Highways
- Interstates
 - Limited Access
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- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
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 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium
 - MXU-High



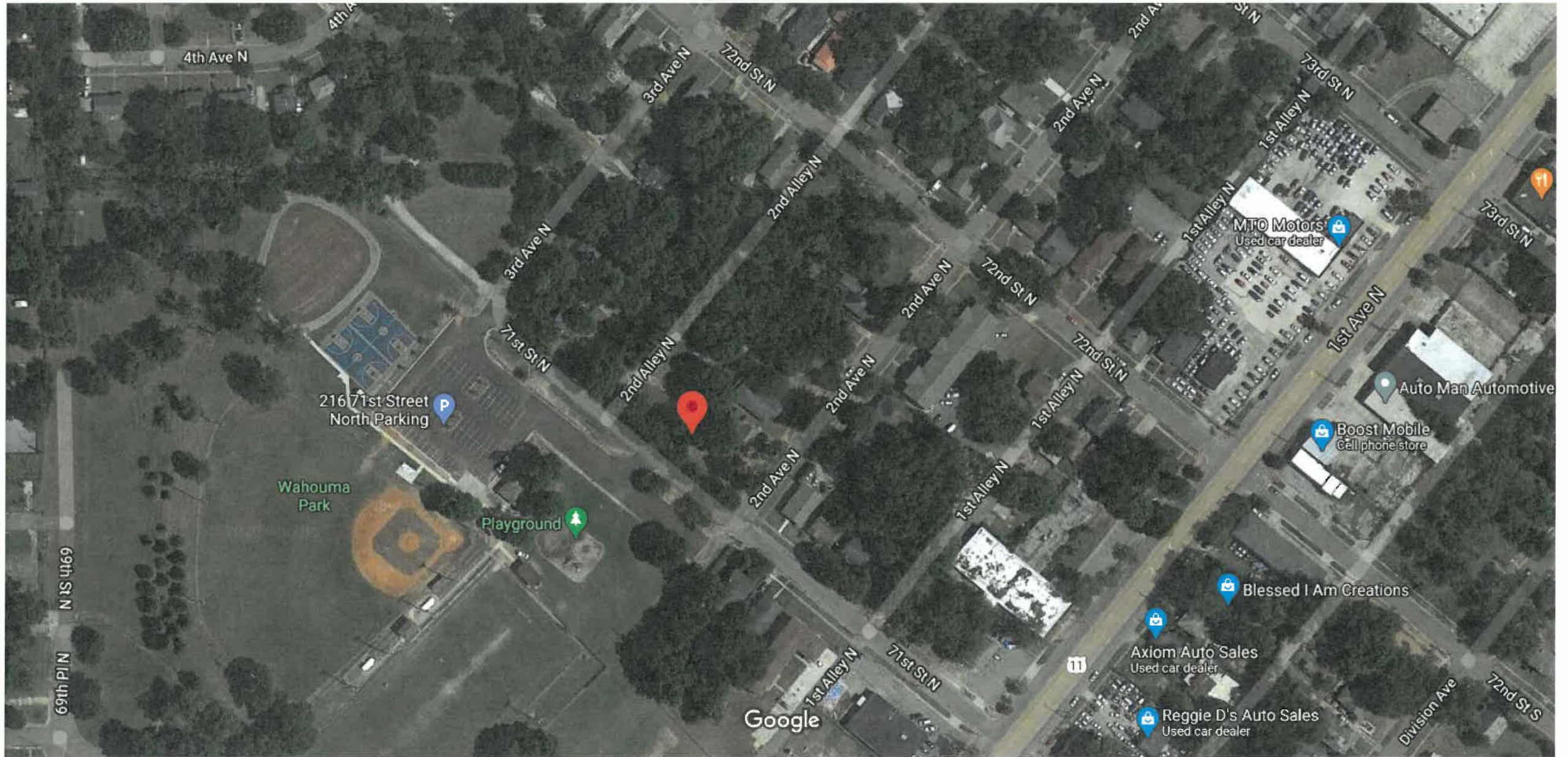
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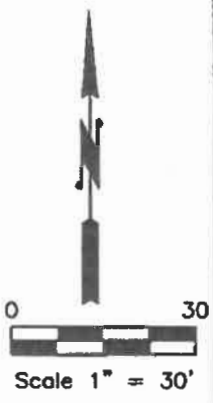
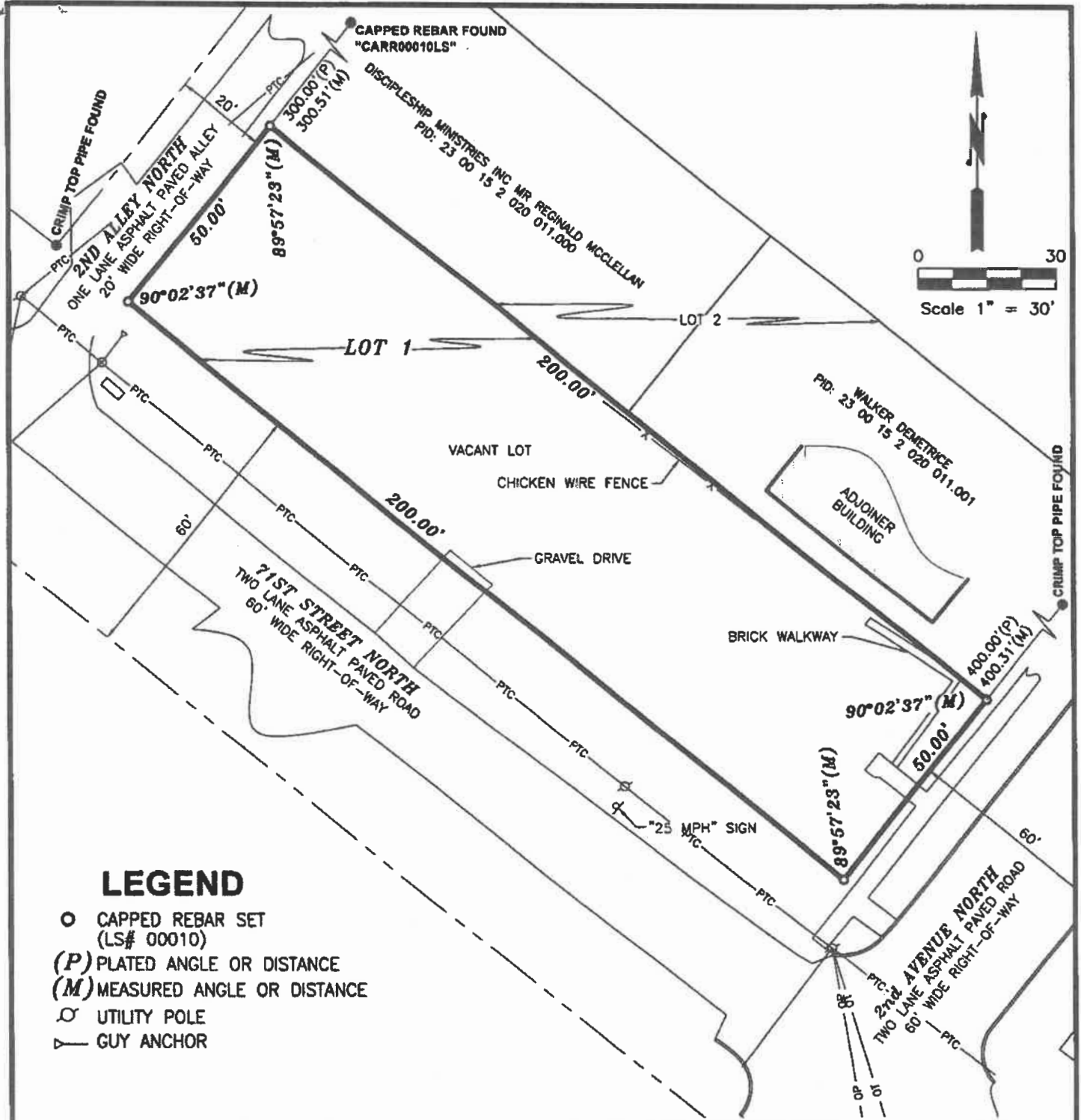
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Google Maps 7100 2nd Ave N



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



LEGEND

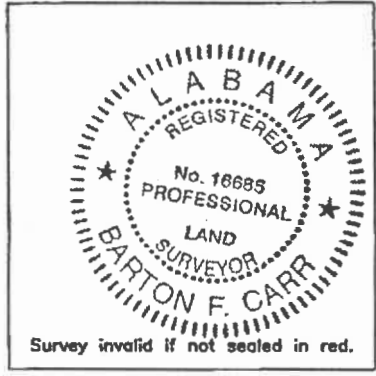
- CAPPED REBAR SET (LS# 00010)
- (P) PLATED ANGLE OR DISTANCE
- (M) MEASURED ANGLE OR DISTANCE
- ⊗ UTILITY POLE
- GUY ANCHOR

DESCRIPTION: LOT 1, BLOCK 3-B, according to the **EAST LAKE SUBDIVISION**, as recorded in **MAP BOOK 1, PAGE 217**, in the Probate Office of Jefferson County, Alabama. (Birmingham)

SURVEYOR'S CERTIFICATE: I 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 Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

SURVEYOR'S NOTES:

1. This survey is not intended to delineate the regulatory jurisdiction of any federal, state, regional, or local agency, board, commission, or other similar entity.
2. No underground utilities, underground encroachments, underground lines, or subsurface building foundations were located as a part of this survey.
3. This survey was conducted without the benefit of an abstract of title or title report. There may be matters of the public records unknown to this surveyor not depicted hereon.

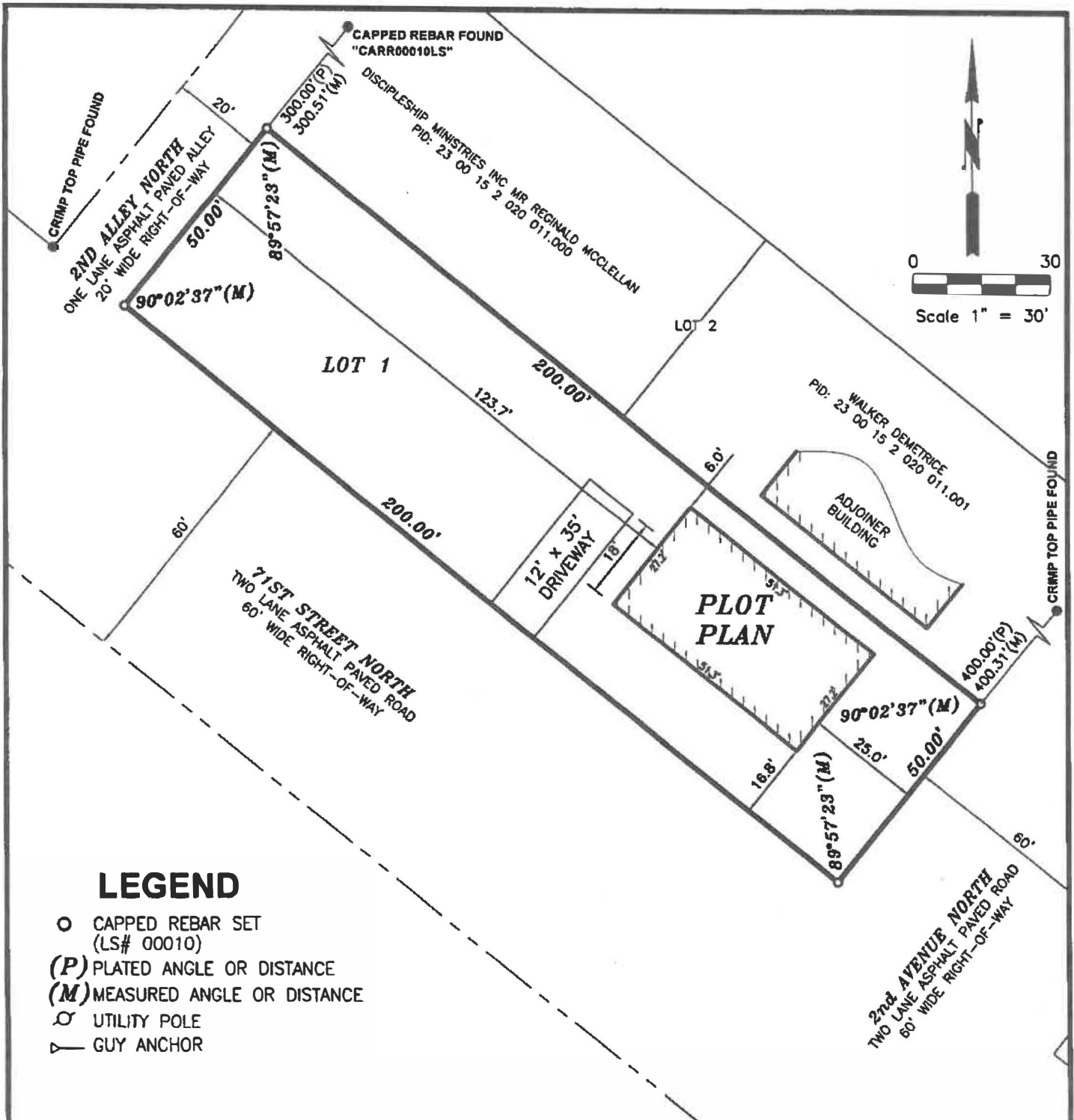


153 CAHABA VALLEY PARKWAY
 PELHAM, ALABAMA 35124
 PHONE (205) 664-8498 FAX (205) 664-9685

CARR & ASSOCIATES ENGINEERS, INC.

[Signature] 11/4/20
 BARTON F. CARR Date
 PLS No. 16685
 bartcarr@carrengineers.com

Type of Survey: CLOSING SURVEY
 Job No. 76.190 Field Book/Pg.: NA
 CADD: ZAC Date of Map Preparation: 09/22/2020
 Date of Field Survey: 09/17/2020
 Street Address: 7100 2nd Avenue North
 Drawing Name: 76.190 H&H EAST LAKE 7100



LEGEND

- CAPPED REBAR SET (LS# 00010)
- (P) PLATED ANGLE OR DISTANCE
- (M) MEASURED ANGLE OR DISTANCE
- UTILITY POLE
- GUY ANCHOR

DESCRIPTION: LOT 1, BLOCK 3-B, according to the **EAST LAKE SUBDIVISION**, as recorded in **MAP BOOK 1, PAGE 217**, in the Probate Office of Jefferson County, Alabama. (Birmingham)

SURVEYOR'S CERTIFICATE: I 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 Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

SURVEYOR'S NOTES:

1. This survey is not intended to delineate the regulatory jurisdiction of any federal, state, regional, or local agency, board, commission, or other similar entity.
2. No underground utilities, underground encroachments, underground lines, or subsurface building foundations were located as a part of this survey.
3. This survey was conducted without the benefit of an abstract of title or title report. There may be matters of the public records unknown to this surveyor not depicted hereon.



153 CAHABA VALLEY PARKWAY
 PELHAM, ALABAMA 35124
 PHONE (205) 664-8498 FAX (205) 664-9685

CARR & ASSOCIATES ENGINEERS, INC.

[Signature] 11/12/20
 BARTON F. CARR Date
 PLS No. 16685
 bartcarr@carrengineers.com

Type of Survey: PLOT PLAN
 Job No. 76.190 Field Book/Pg.: NA
 CADD: BBY Date of Map Preparation: 11/11/20
 Date of Field Survey: 09/17/2020
 Street Address: 7100 2nd Avenue North
 Drawing Name: 76.190 H&H EAST LAKE 7100

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

Neighborhood: North Titusville Staff Planner Moton ZBA2020-00072

Request: Variance to allow the minimum lot size 4,860 SF and instead of the required minimum lot size of 6,000 sqft pursuant to Title 1, Chapter 3, Table 1.03.101

Applicant: Kristopher F. Nokolich

Owner: Navigate Affordable Housing Partners

Site Address: 322 1st St S

Zip Code: 35211

Description: Variance to allow the minimum lot size 4,860 SF and instead of the required minimum lot size of 6,000 SF pursuant to Title 1, Chapter 3, Table 1.03.101

Property Zoned: D-3, Single Family District

Parcel Information: Parcel #: 012900023014011000, SW of Section 02, Township 18 S, Range 3 W

Variance:

Variance to allow the minimum lot size 4,860 SF and instead of the required minimum lot size of 6,000 SF

Neighborhood Meeting:

The North Titusville Neighborhood Association has been notified and awaiting a response. Staff reached out again on December 3, 2020.

Public Notices:

Public notices were mailed on November 23, 2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions. **Please see attached.**

Staff Analysis:

The subject property located at 322 1st St N is zoned D-3, Single Family District. The existing lot size is 4,860 square feet; therefore, a variance is required due to the minimum lot size being 6,000 square feet. There is an existing ROW which is located on the property which takes away from the size of the lot. The parcel is located in the special flood area; therefore, the applicant will have to meet the flood requirements.

The applicant met the six variance standard based upon the lot being existing.

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 occupancy should obtain within three years of approval from the Board.
3. Approved as plans submitted of the proposed structure.
4. The applicant must meet flood protection requirements.

EXHIBIT B

322 1st Street South

The lot is located on 1st Street South between 3rd Avenue South and 4th Avenue South. The proposed variance request would allow the lot area to be less than 6,500sf. The goal of the proposed development is to create affordable housing at a neighborhood- appropriate scale and density.

Physical Characteristics of the Property.

The lot has an existing non-vacated Right of Way at the rear and side of the property. This Right of Way reduces the lot area below the current D-3 Zoning requirement.

Unique Characteristics.

The non-vacated Right of Way does not show up on the Jefferson County GIS or the City of Birmingham GIS. The Right of Way falls within the property line outlined by the city and county GIS.

Hardship Not Self-Imposed.

The existing Right of Way, if not counted as part of the property area, reduces the lot area below the current D-3 Zoning requirement.

Financial Gain Not Only Basis.

Design Initiative has been working with Navigate Affordable Partners for more than 5 years to help find affordable and sustainable approaches to housing in Titusville and similar neighborhoods. The variance request is based on our belief that scale and density appropriate development are a path the neighborhood renewal and is not based on any financial considerations.

No Injury to Neighboring Property.

The North Titusville neighborhood has a need for affordable housing development. The community has been engaged throughout the progress of the project as a valued stakeholder. We have been very intentional about providing new homes that fit into the existing neighborhood fabric in a thoughtful way. The variance will help us realize safe and appropriate development of an existing block and will contribute directly to the reduction of blight in our community.

No Harm to Public Welfare.

Our variance request is intended to enhance the public realm and cause no harm. We are exceeding the minimum standards set forth by the building code which is focused on the Health, Safety, and Welfare; and adhering to the intent of the zoning ordinance to create a well designed homes and communities.

PARCEL ID: 012900023014011000

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

DATE: Tuesday, November 24, 2020 12:01:17 PM

OWNER: BIRMINGHAM CITY OF

ADDRESS: 710 20TH ST N

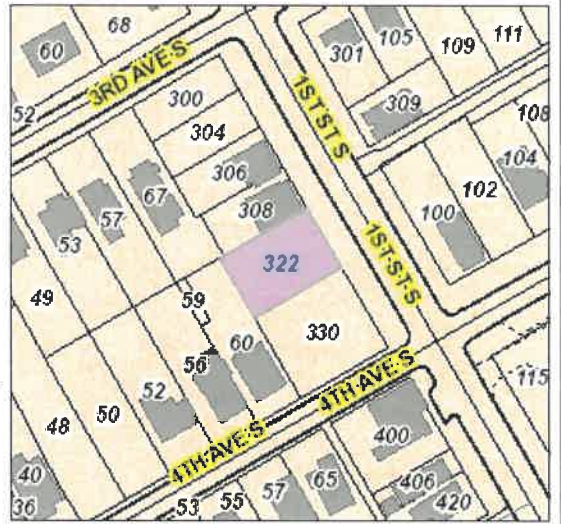
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35203--2216

SITE ADDR: 322 1ST ST S

CITY/STATE: BHAM, AL

ZIP: 35205



LAND: \$1,000.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 7,080.88

ACRES: 0.16

SUBDIVISION INFORMATION:

NAME BURGIN J A SUR

BLOCK:

LOT:

Section: 2-18-3W
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: No Titusville (1901)
Communities: Titusville (19)
Council Districts: District - 6 (Councilor: Crystal Smitherman)
Zoning Outline: D3
Demolition Quadrants: DEM Quadrant - 1
Impaired Watersheds: Not in Impaired Watersheds
Strategic Opportunity Area: Not in Strategic Opportunity Area
RISE Focus Area: 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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- State Highways
- US Highways
- Interstates
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 - 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



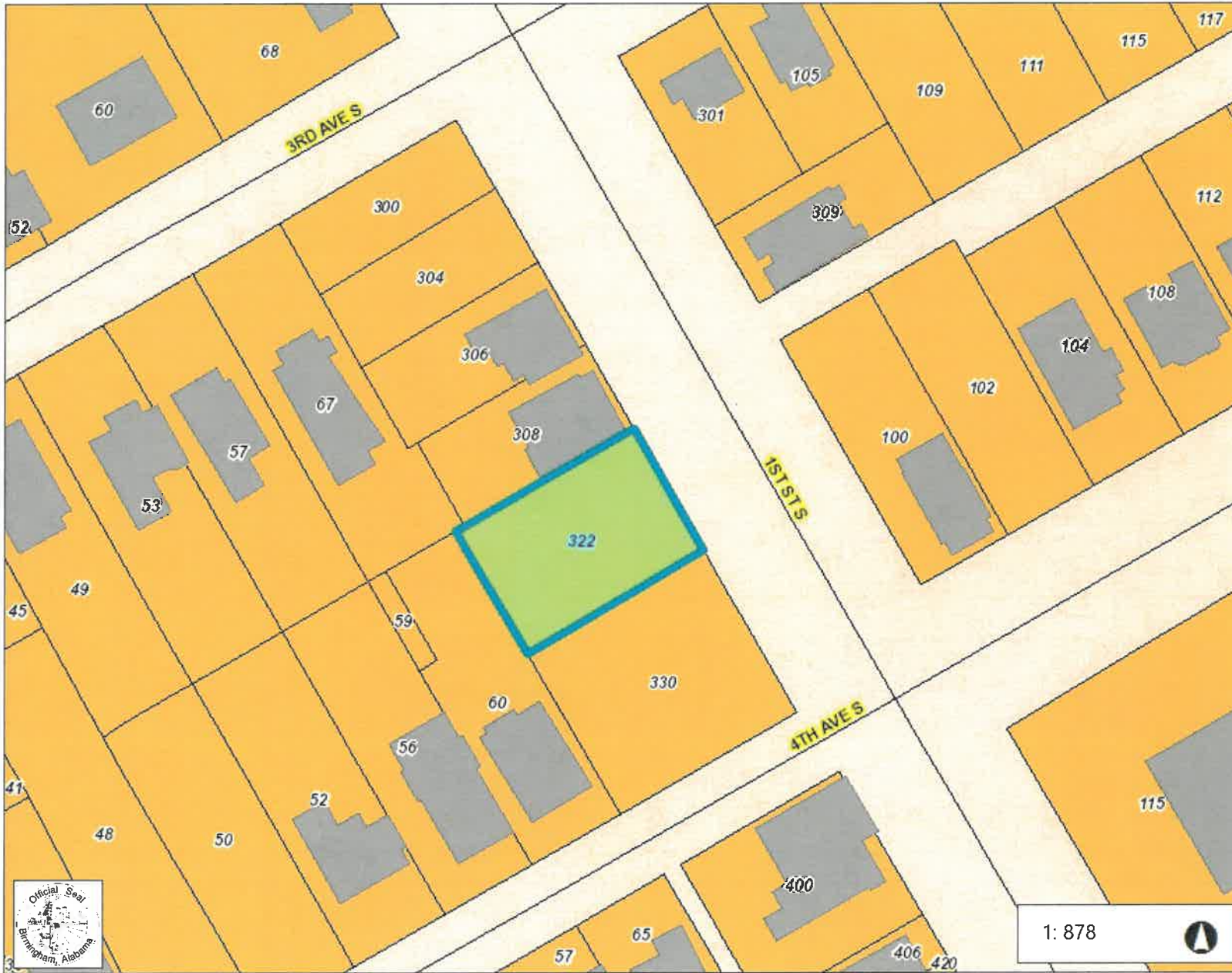
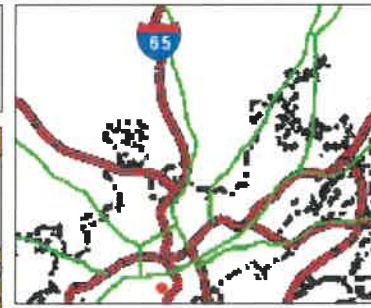
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146.4 0 73.20 146.4 Feet

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.
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Notes



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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



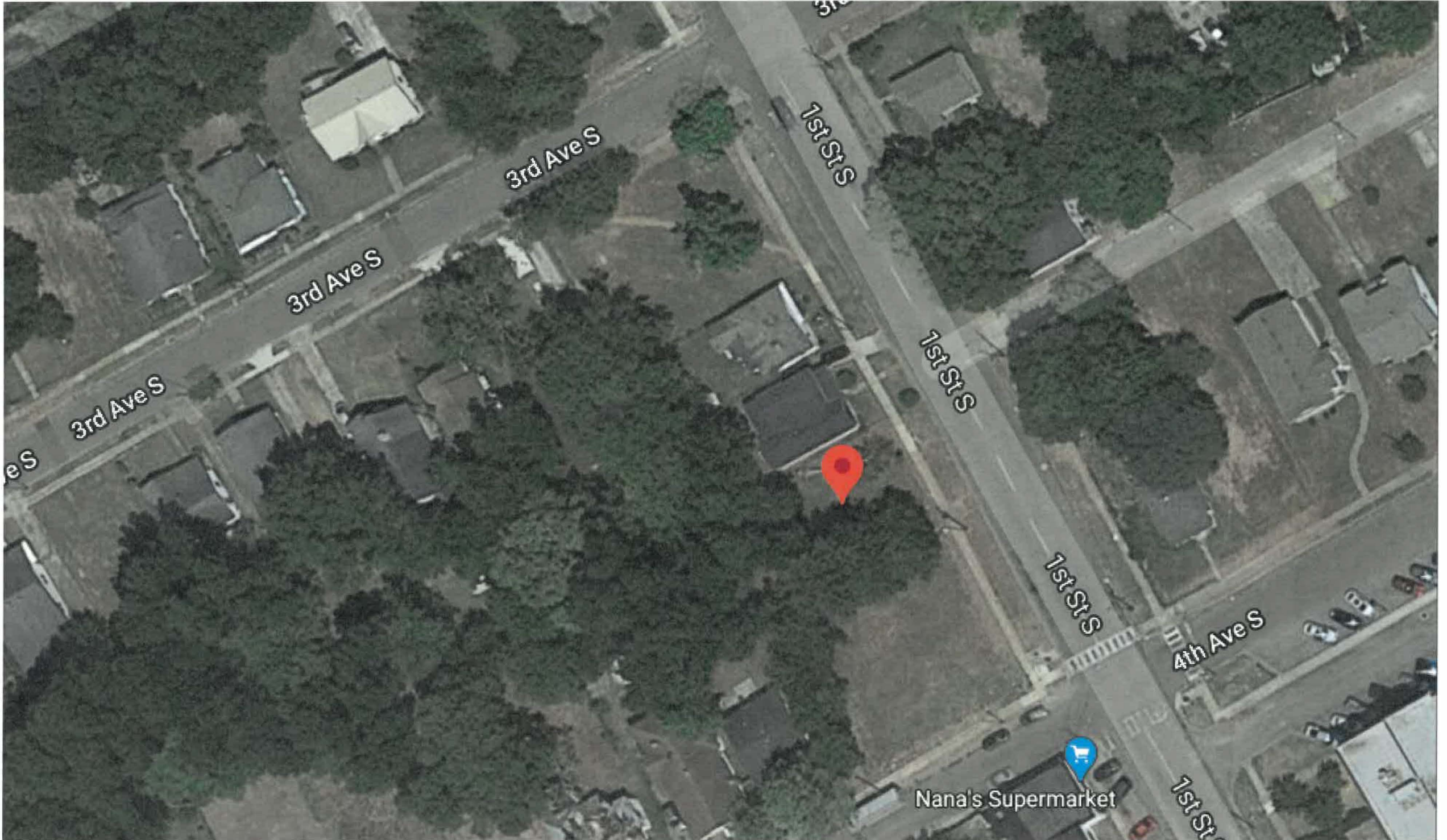
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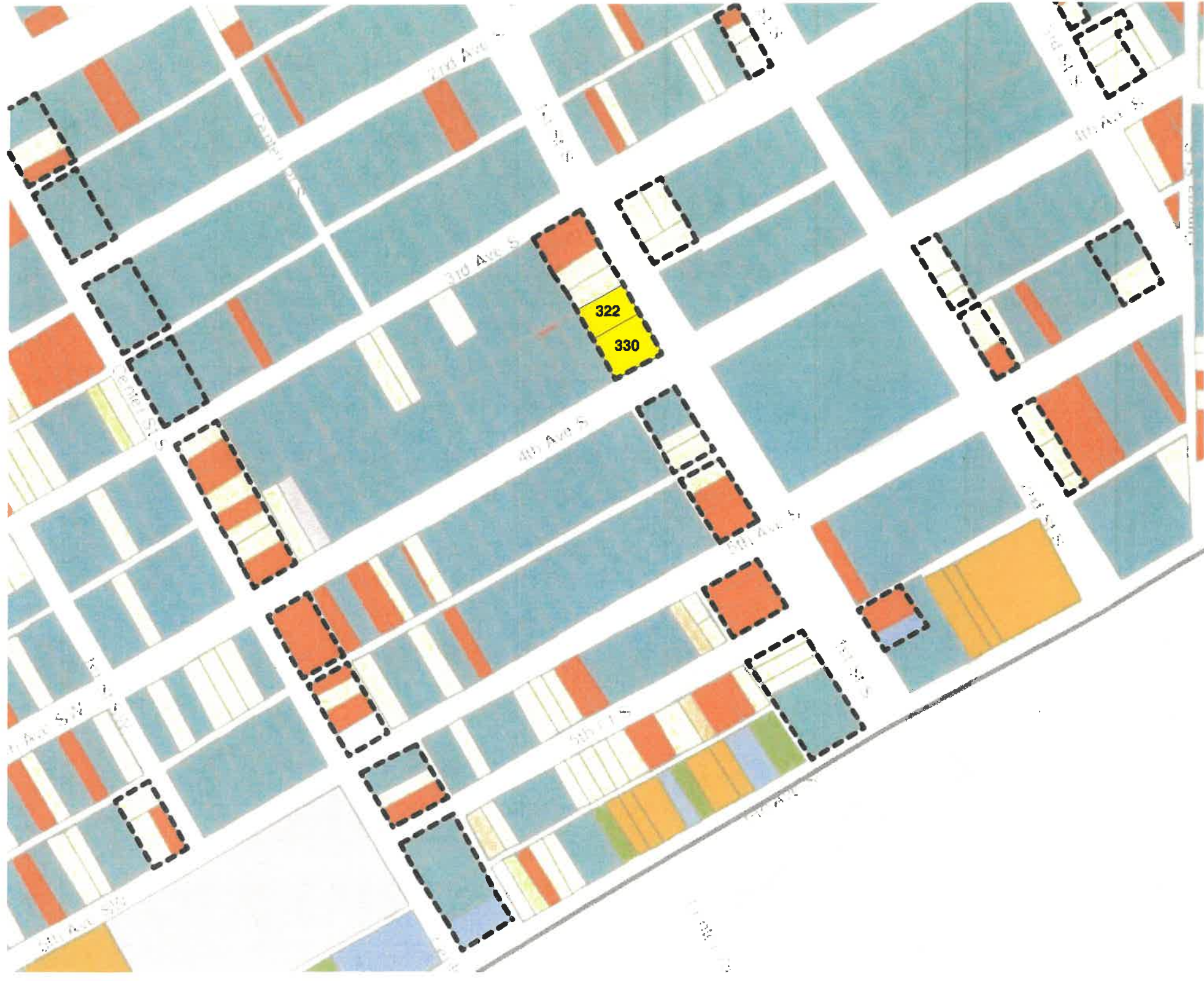


146.4 0 73.20 146.4 Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes





 LOTS THAT ORIENT EAST/WEST
 DEVELOPMENT SITE



design
initiative

DIAGRAM: NEIGHBORHOOD CONTEXT

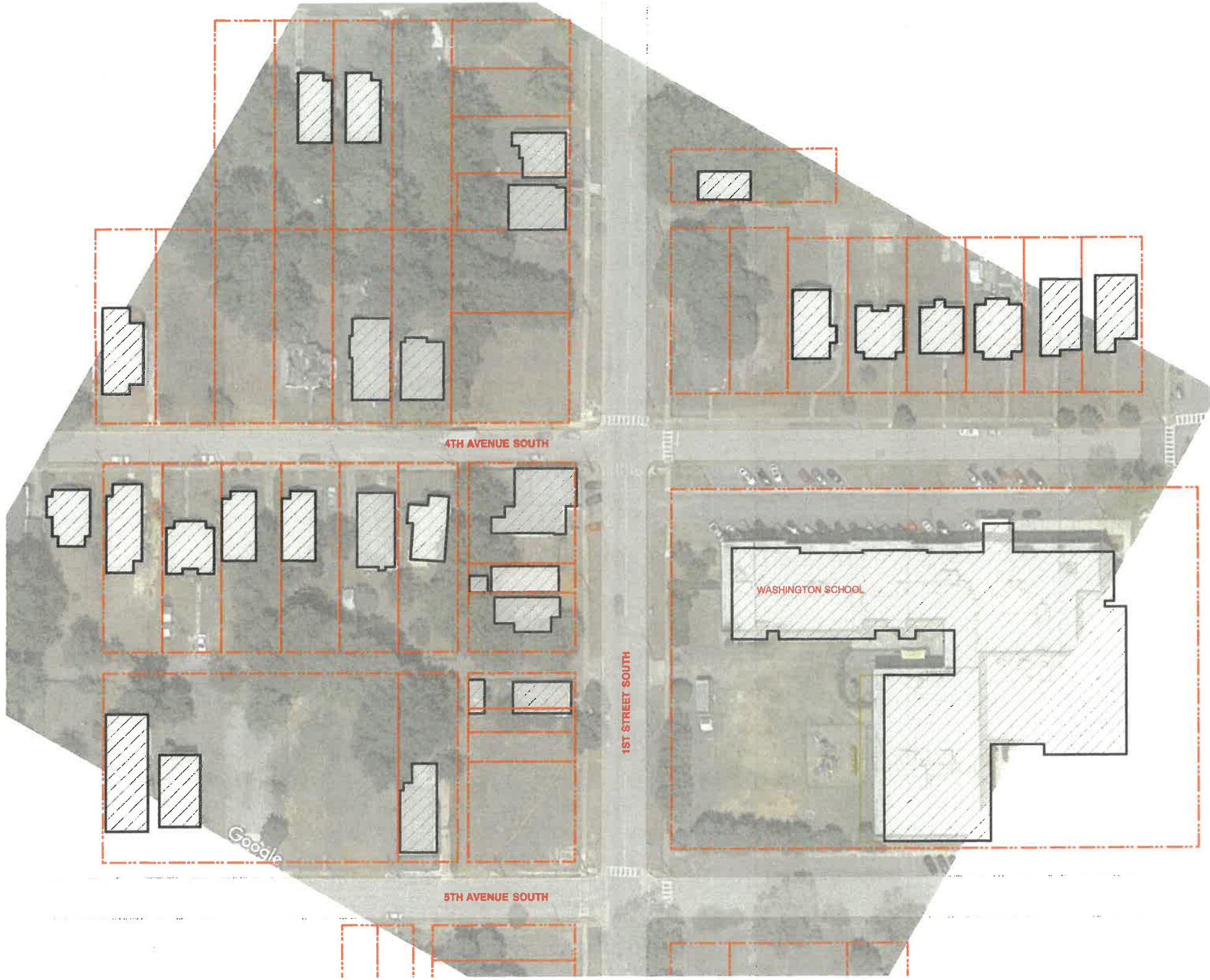
1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

SCALE: NTS
DATE: 05 NOV 20

E1

(205)757-8311



design
initiative

DIAGRAM: NEIGHBORHOOD CONTEXT

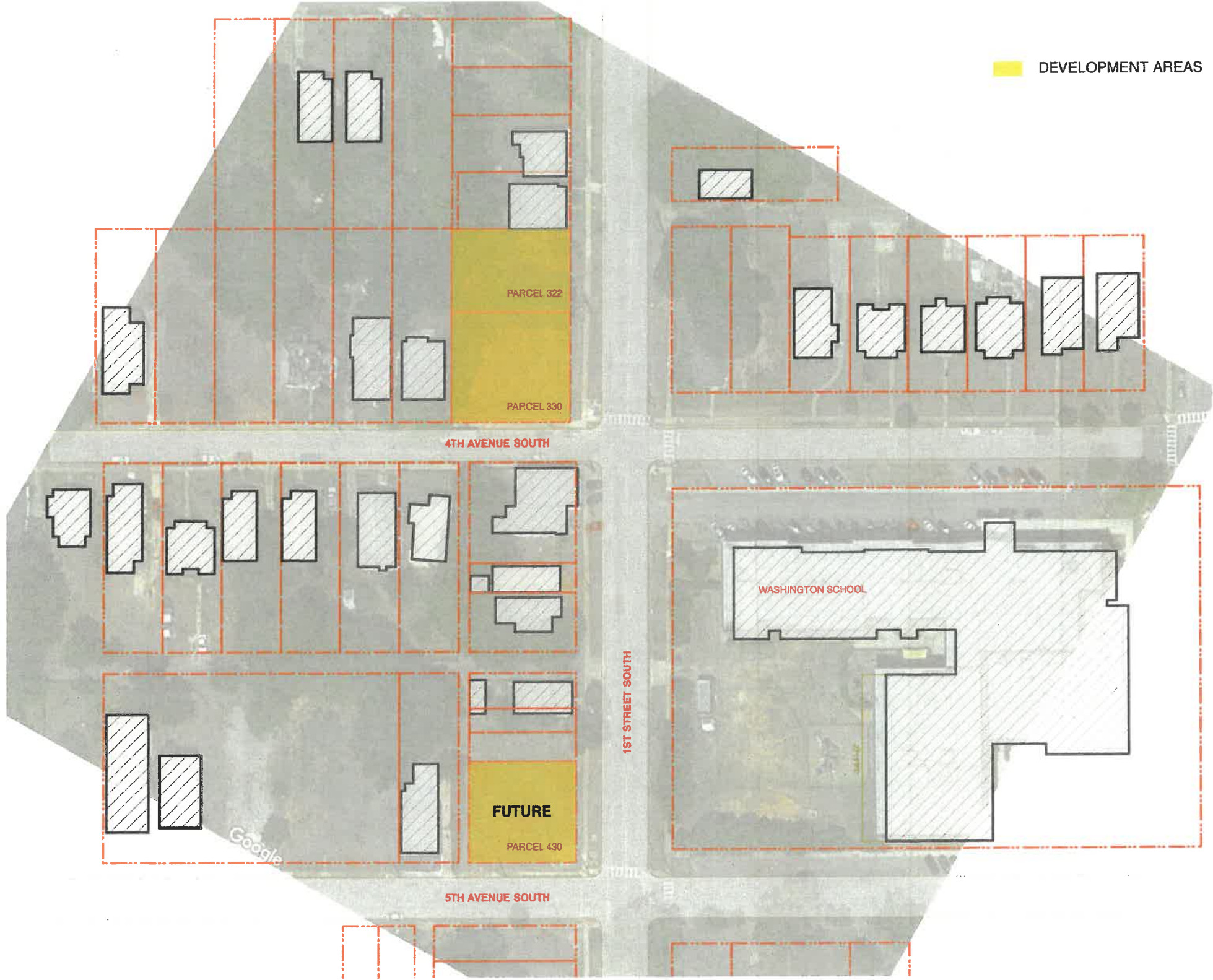
1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

SCALE: 1:100
DATE: 05 NOV 20

E2

(205)757-8311



design
initiative

DIAGRAM: DEVELOPMENT AREA

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: 1:100
DATE: 05 NOV 20

E4

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

(205)757-8311

4TH AVENUE SOUTH

1ST STREET SOUTH

PARCEL 330
Census Tract 933

PARCEL 322
Census Tract 933

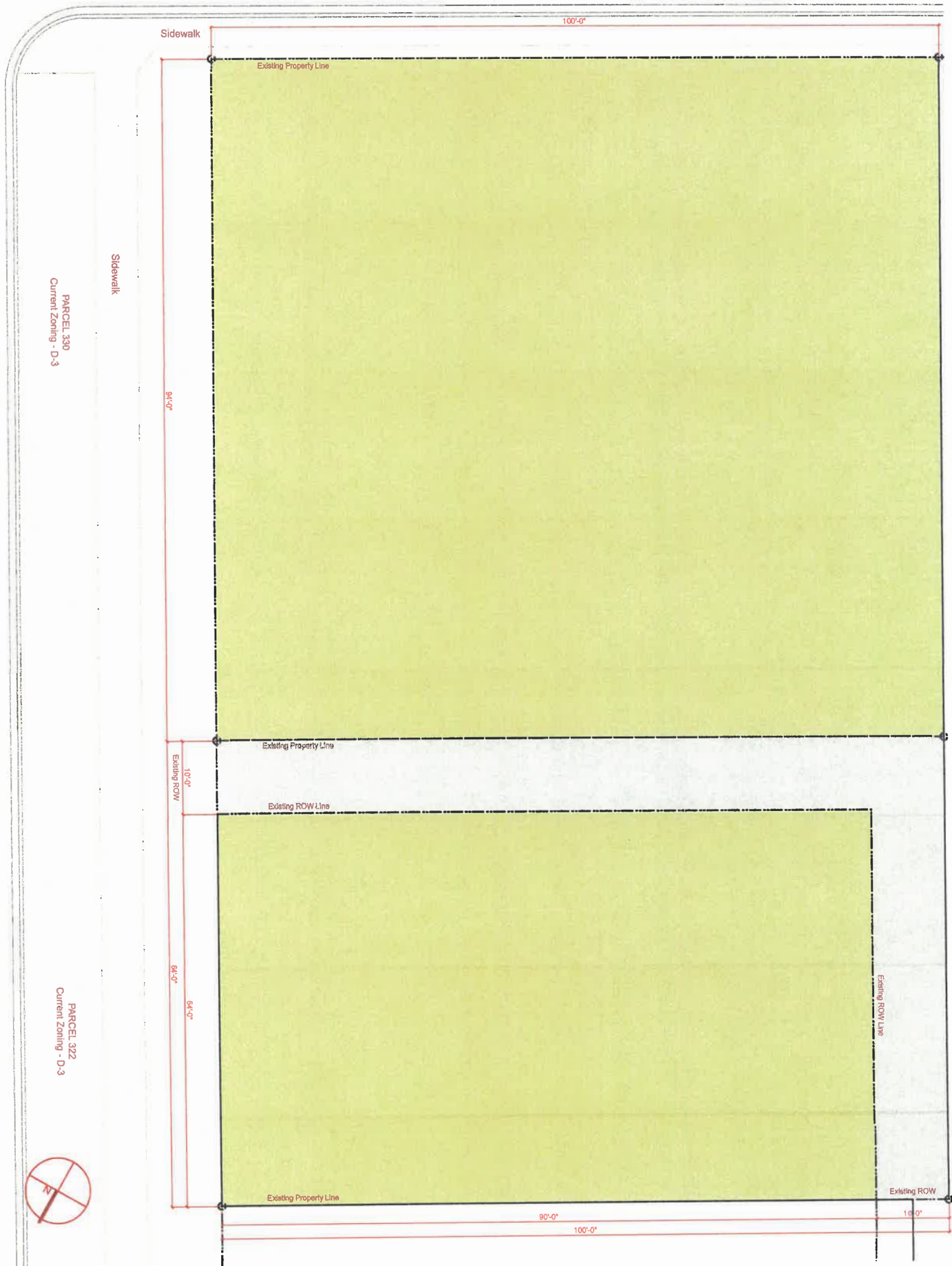


SITE PLAN: EXISTING BLOCK

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: 1/32"=1'-0"
DATE: 05 NOV 20

E5



PARCEL 330
Current Zoning - D-3

PARCEL 322
Current Zoning - D-3



SITE PLAN: EXISTING SITE

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: 1/16"=1'-0"
DATE: 05 NOV 20

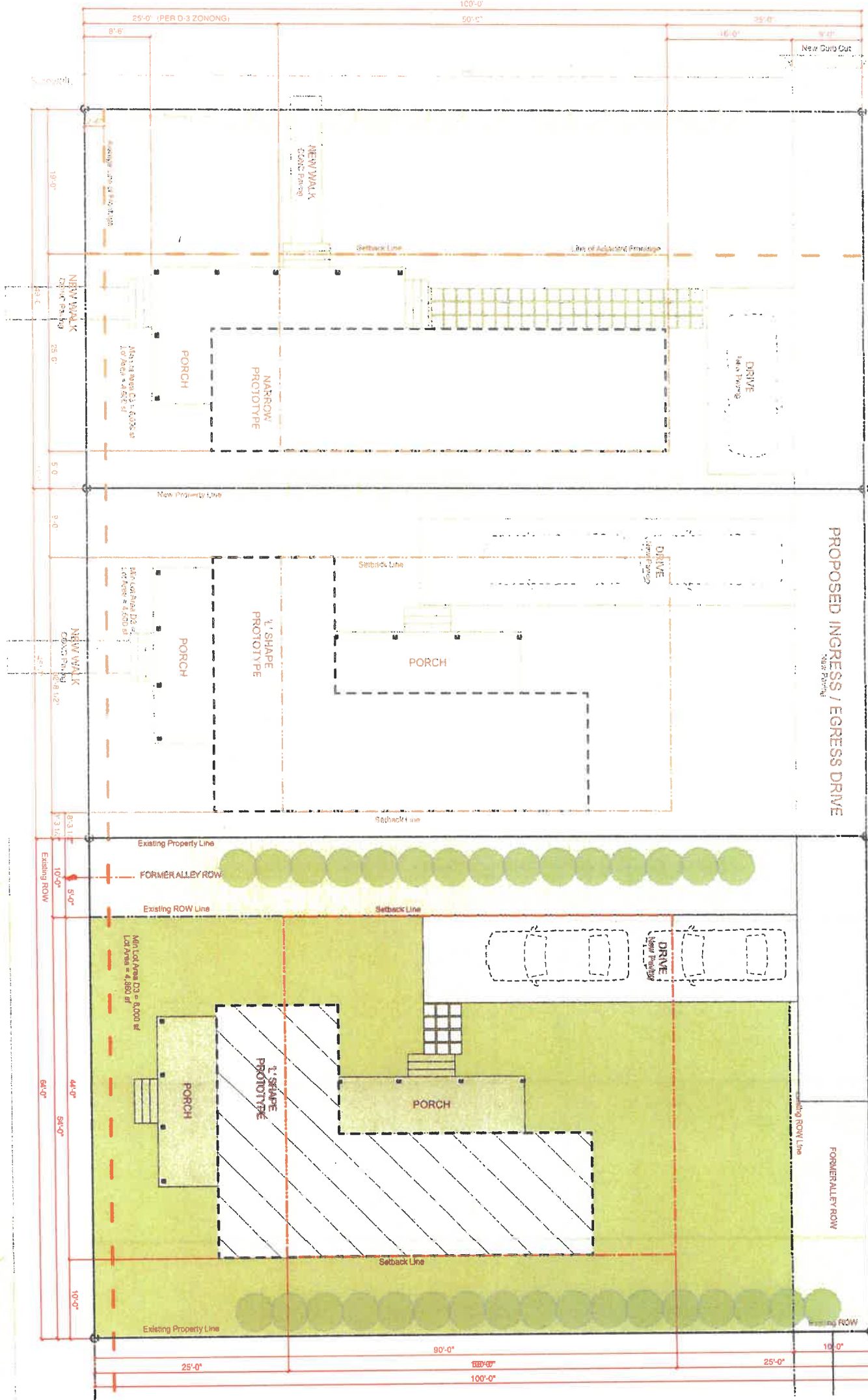
E6

4TH AVENUE SOUTH

PARCEL 330
Current Zoning - D-3

4TH AVENUE SOUTH

PARCEL 322
Current Zoning - D-3



SITE PLAN: 322 1ST STREET SOUTH

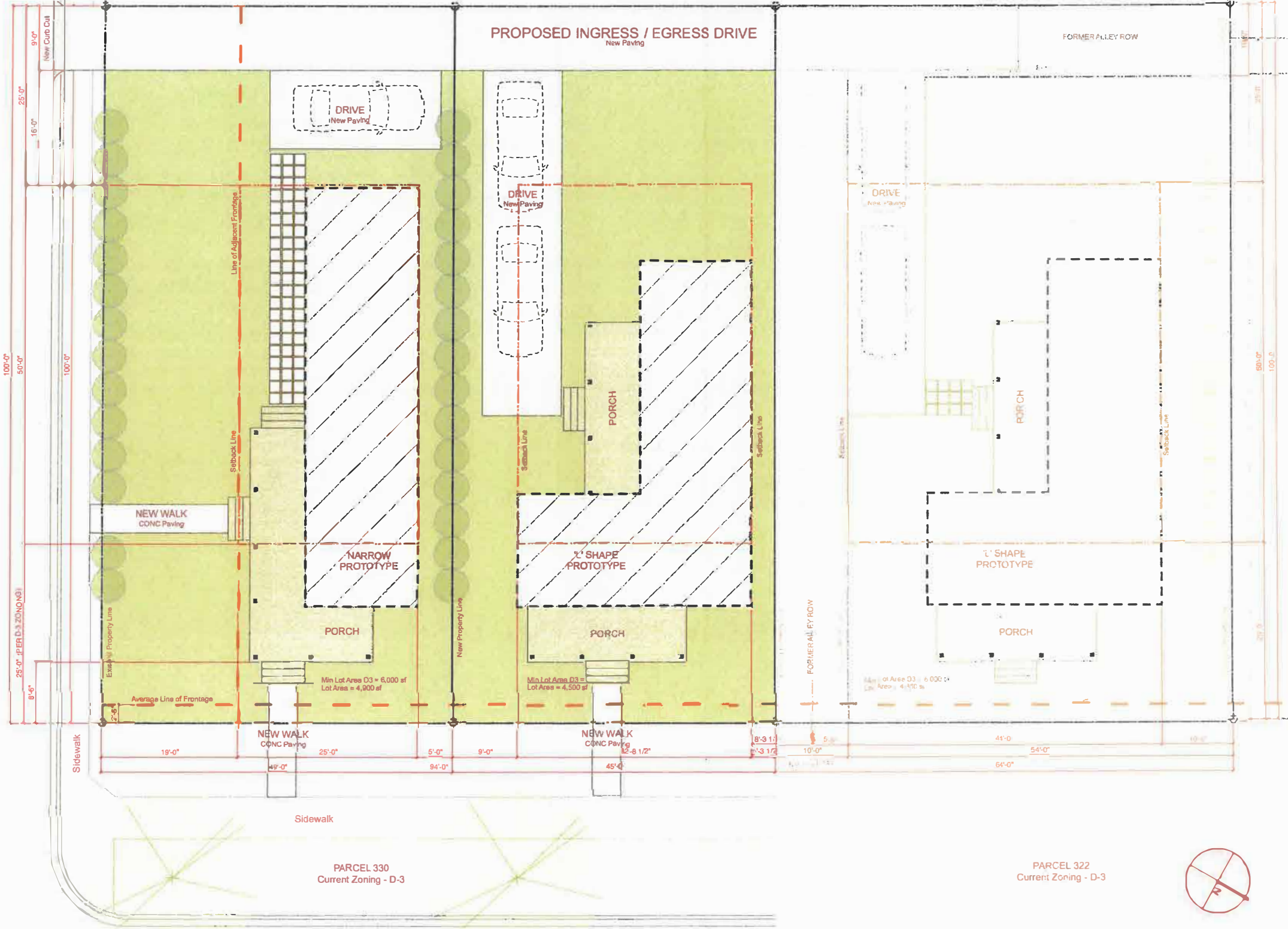
1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: 1/16"=1'-0"
DATE: 05 NOV 20

A1



4TH AVENUE SOUTH



PARCEL 330
Current Zoning - D-3

PARCEL 322
Current Zoning - D-3



SITE PLAN: 330 1ST STREET SOUTH

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

SCALE: 1/16"=1'-0"
DATE: 05 NOV 20

A0

(205)757-8311



design
initiative



PERSPECTIVE - PROTOTYPES ON CORNER OF 4TH AVE S. AND 1ST ST. S.

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: NTS
DATE: 05 NOV 20

A3

design
initiative

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

(205)757-8311

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

Neighborhood: North Titusville Staff Planner Moton

ZBA2020-00073

Request: Variance to allow the minimum lot size once subdivided into two lots to 4,500 SF and 4,900 SF instead of the required minimum lot size of 6,500 sqft and variance to allow the minimum lot width of 49ft and 45ft instead of the required 50ft pursuant to Title 1, Chapter 3, Table 1.03.101

Applicant: Kristopher F. Nokolich
Owner: Navigate Affordable Housing Partners
Site Address: 330 1st St S
Zip Code: 35211
Description: Variance to allow the minimum lot size once subdivided into two lots to 4,500 SF and 4,900 SF instead of the required minimum lot size of 6,500 sqft and variance to allow the minimum lot width of 49ft and 45ft instead of the required 50ft pursuant to Title 1, Chapter 3, Table 1.03.101

Property Zoned: D-3, Single Family District
Parcel Information: Parcel #: 012900023014010000, SW of Section 02, Township 18 S, Range 3 W

Variance:

Variance to allow the minimum lot size once subdivided into two lots to 4,500 SF and 4,900 SF instead of the required minimum lot size of 6,500 sf and variance to allow the minimum lot width of 49ft and 45ft.

Neighborhood Meeting:

The North Titusville Neighborhood Association has been notified and awaiting a response. Staff has reached out again on December 3, 2020.

Public Notices:

Public notices were mailed on November 23, 2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions. **Please see attached.**

Staff Analysis:

The subject property located at 330 1st St S is zoned D-3, Single Family District. The applicant is purposing to subdivide the existing lot into two lots. The first lot size will be 4,900 sf with the lot width being 49ft. The other lot size will be 4,500sf with the lot width being 45ft. The parcel is located in the special flood area; therefore, the applicant will have to meet the flood requirements.

The applicant has met all six variance standards based upon the proposed structures maintain the characteristics of the lot sizes of the houses located in the area.

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 occupancy should obtain within three years of approval from the Board.
3. Approved as plans submitted of the proposed structures.
4. Applicant is required to meet the electrical flood protection requirements.

EXHIBIT A

330 1st Street South

The lot is located at the northwest corner of 4th Avenue South and 1st Street South. The proposed request would allow the lot to be subdivided and a variance would be granted to allow the lot width to be less than 50ft and the lot area to be less than 6,500sf. The goal of the proposed development is to create affordable housing at an appropriate scale and density.

Physical Characteristics of the Property.

The Titusville neighborhood, an already disadvantaged community, is further disadvantaged by the current zoning. Approximately 47% of the lots zoned D-3 do not meet the lot size requirements making it difficult to develop housing options appropriate to the neighborhood. In addition, many of these non-conforming lots occur at the end caps of the blocks including lot 330 1st Street South. Subdividing the lot would allow for development of affordable housing that is appropriate to the neighborhood scale and density on a lot that has been vacant since the 1980s.

Unique Characteristics.

Many of the non-conforming lots book-end the blocks and orient toward the streets that run north / south. In order for the new development to be consistent with the neighborhood scale and density, the lot needs to be subdivided. This will allow for a housing solution that will be uniform and integrate with the existing housing.

Hardship Not Self-Imposed.

The strict application of the current zoning does not allow for development that maintains the neighborhood fabric and be uniform with the existing housing.

Financial Gain Not Only Basis.

Design Initiative has been working with Navigate Affordable Partners for more than 5 years to help find affordable and sustainable approaches to housing in Titusville and similar neighborhoods. The variance request is based on our belief that scale and density appropriate development are a path to neighborhood renewal and is not based on any financial considerations.

No Injury to Neighboring Property.

The North Titusville neighborhood has a need for attainable housing development. The community has been engaged throughout the progress of the project as a valued stakeholder. We have been very intentional about providing new homes that fit into the existing neighborhood fabric in a thoughtful way. The variance will help us realize safe and appropriate development of an existing block and will contribute directly to the reduction of blight in our community.

No Harm to Public Welfare.

Our variance request is intended to enhance the public realm and cause no harm. We are exceeding the minimum standards set forth by the building code which is focused on the Health, Safety, and Welfare; and adhering to the intent of the zoning ordinance to create a well designed homes and communities.

PARCEL ID: 012900023014010000

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

DATE: Tuesday, November 24, 2020 12:31:40 PM

OWNER: BIRMINGHAM CITY OF

ADDRESS: 710 20TH ST N

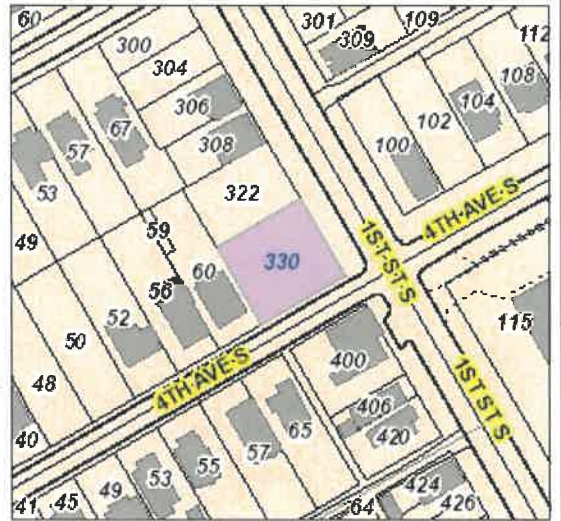
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35203--2216

SITE ADDR: 330 1ST ST S

CITY/STATE: BHAM, AL

ZIP: 35205



LAND: \$3,400.00

BLDG: \$0.00

OTHER: \$0.00

AREA: 9,307.29

ACRES: 0.21

SUBDIVISION INFORMATION:

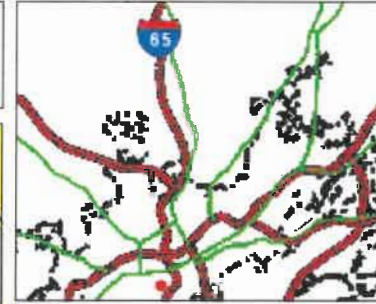
NAME BURGIN J A SUR

BLOCK: 5

LOT: 1&2

Section: 2-18-3W
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: No Titusville (1901)
Communities: Titusville (19)
Council Districts: District - 6 (Councilor: Crystal Smitherman)
Zoning Outline: D3
Demolition Quadrants: DEM Quadrant - 1
Impaired Watersheds: Not in Impaired Watersheds
Strategic Opportunity Area: Not in Strategic Opportunity Area
RISE Focus Area: 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
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- Alleys
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- Arterials
- County Highways
- State Highways
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 - Ramp
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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



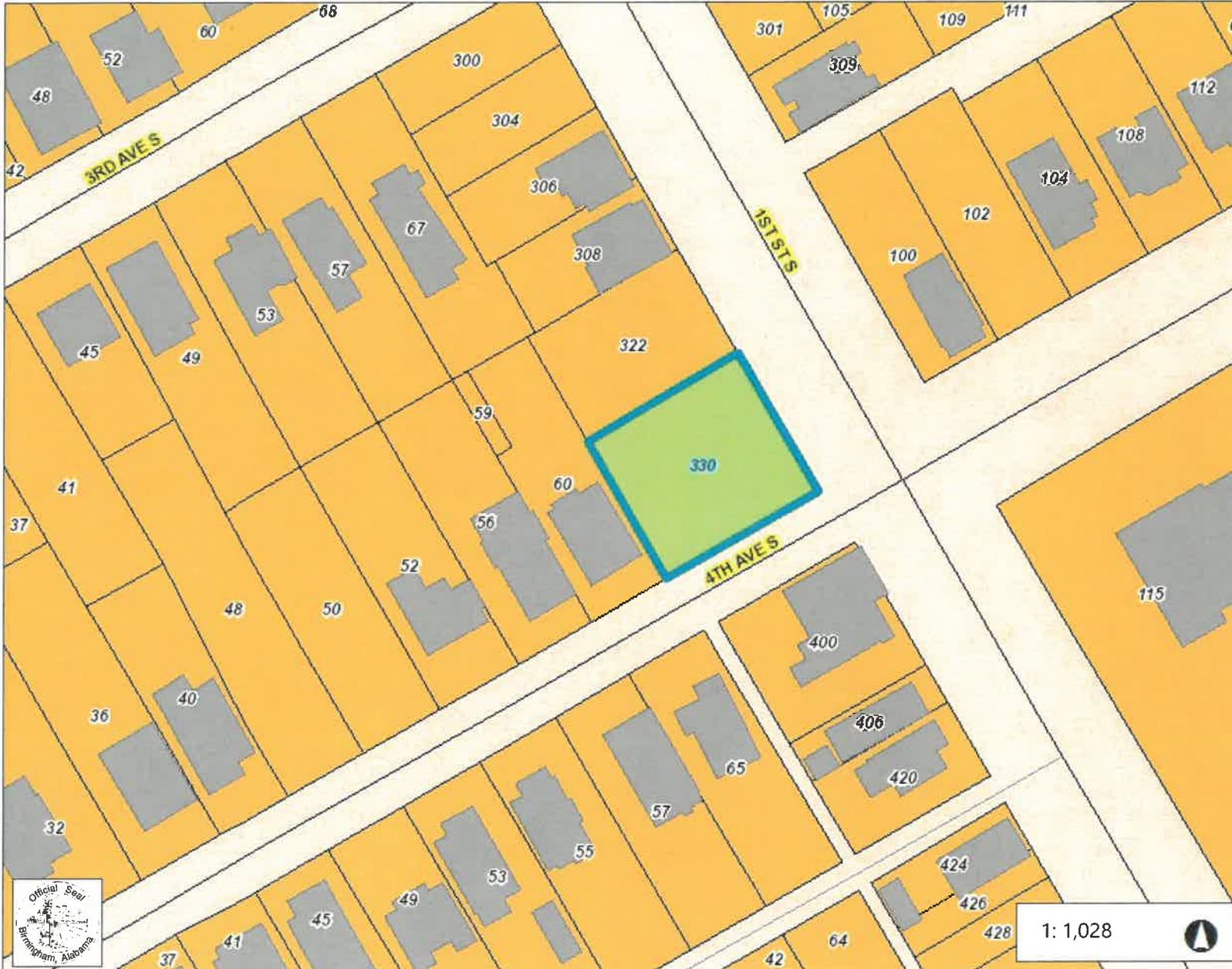
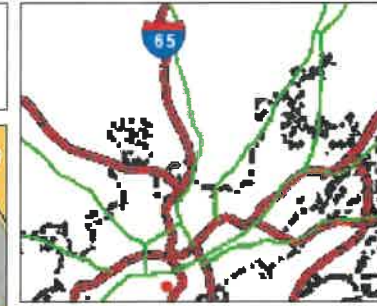
1: 1,028



171.4 0 85.69 171.4 Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Legend

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- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
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 - Residential-Medium
 - Residential-High
 - Neighborhood Commercial
 - General Commercial
 - MXU-Low
 - MXU-Medium
 - MXU-High



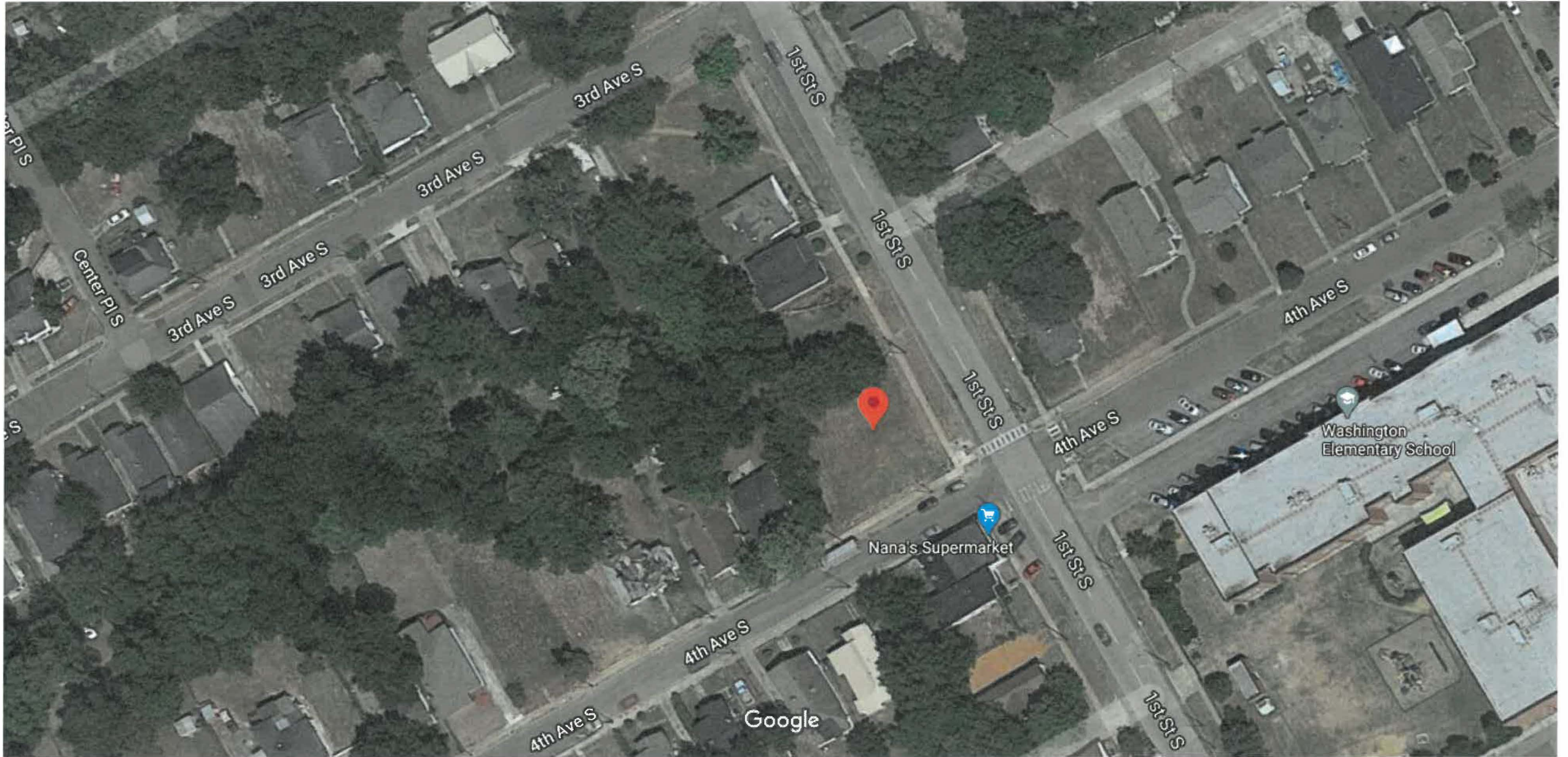
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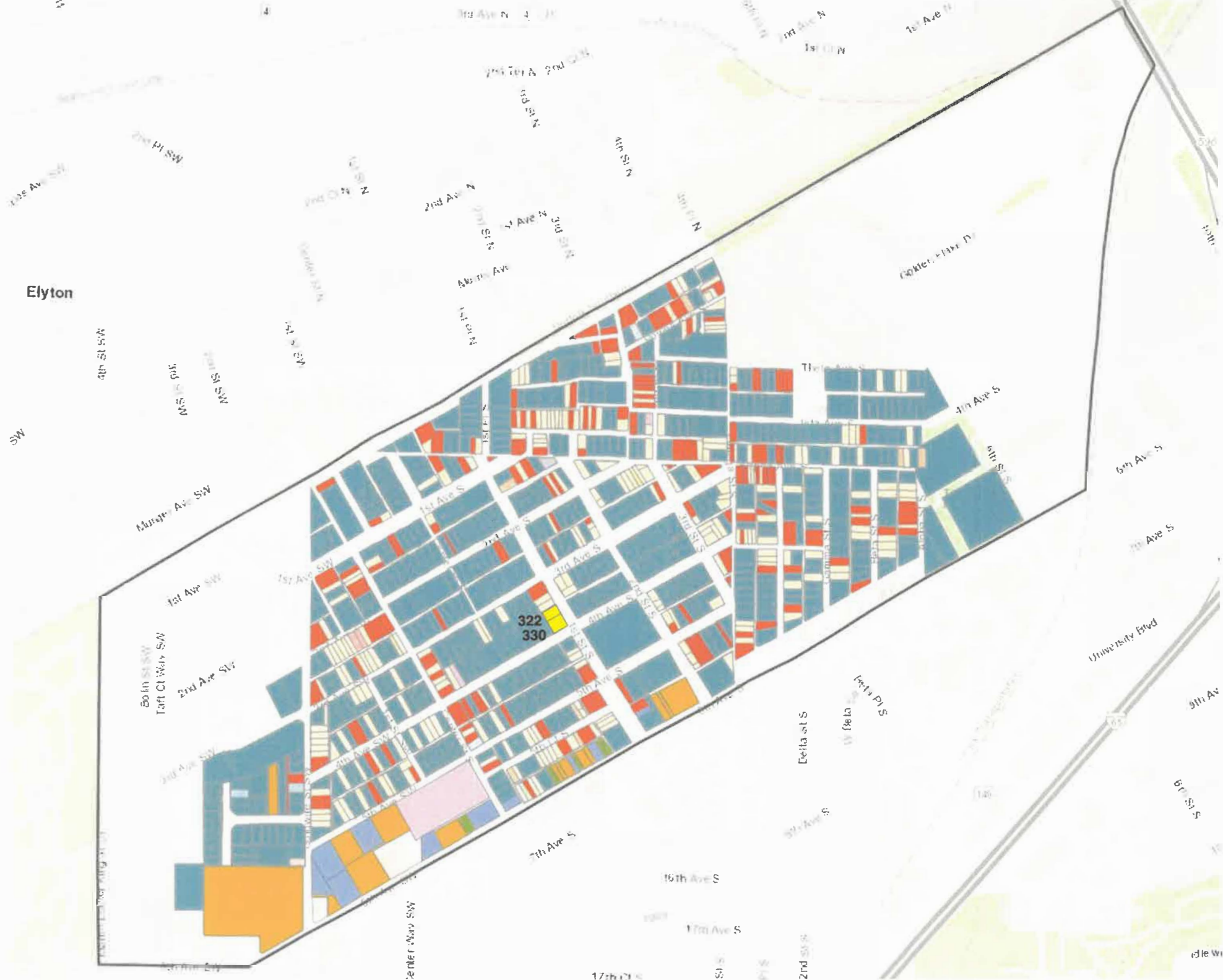


171.4 0 85.69 171.4 Feet

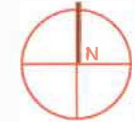
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes





- RESIDENTIAL VACANT LAND
- PROPERTIES LESS THAN 6,000 SF (APPROX. 47%)
- DEVELOPMENT SITE



NON-CONFORMING / VACANT LAND

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: NTS
DATE: 05 NOV 20



E0

design
initiative

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

(205)757-8311



 LOTS THAT ORIENT EAST/WEST
 DEVELOPMENT SITE

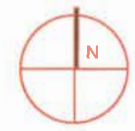


DIAGRAM: NEIGHBORHOOD CONTEXT

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
 BIRMINGHAM, ALABAMA

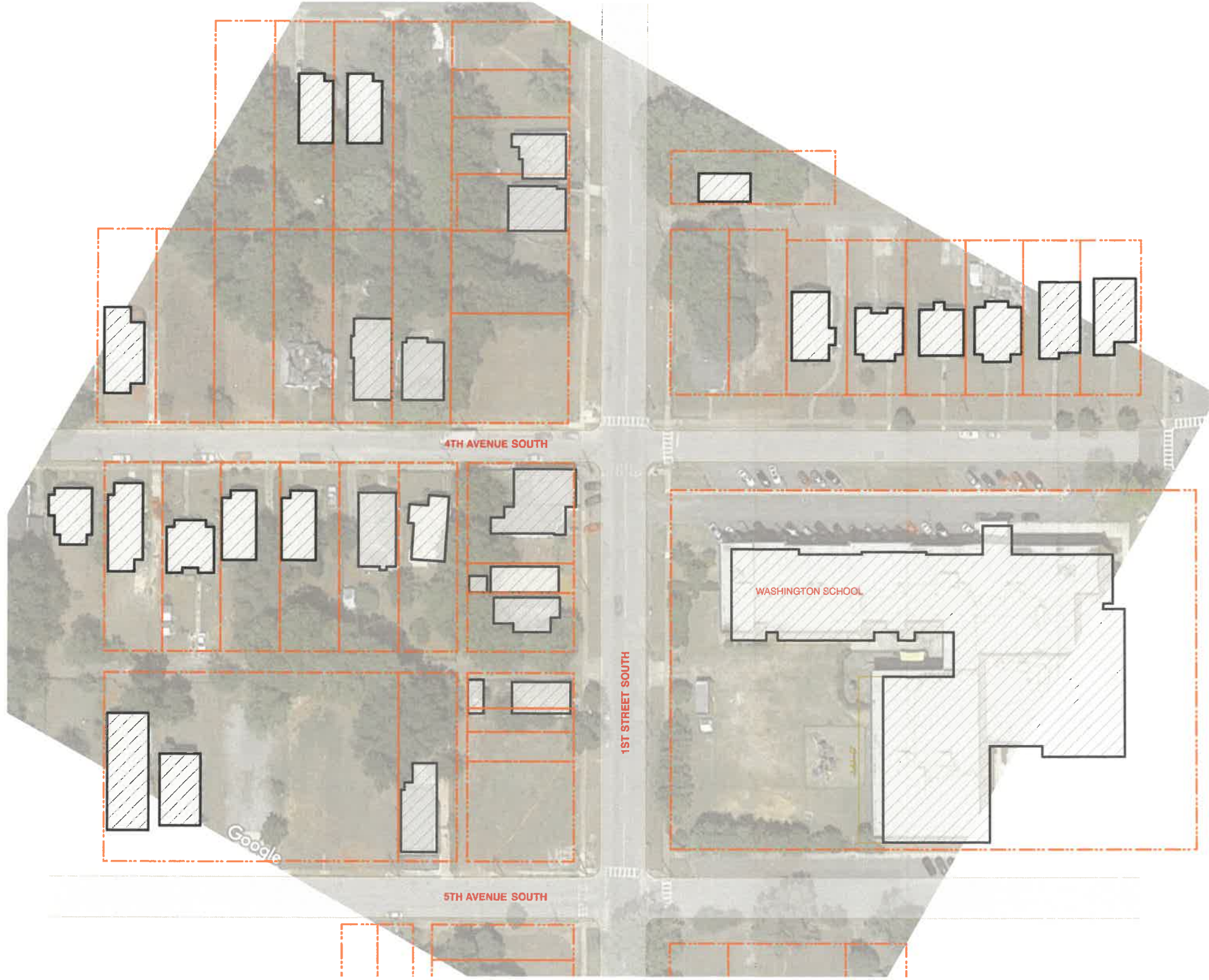
SCALE: NTS
 DATE: 05 NOV 20

E1

design
 initiative

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

(205)757-8311



design
initiative

DIAGRAM: NEIGHBORHOOD CONTEXT

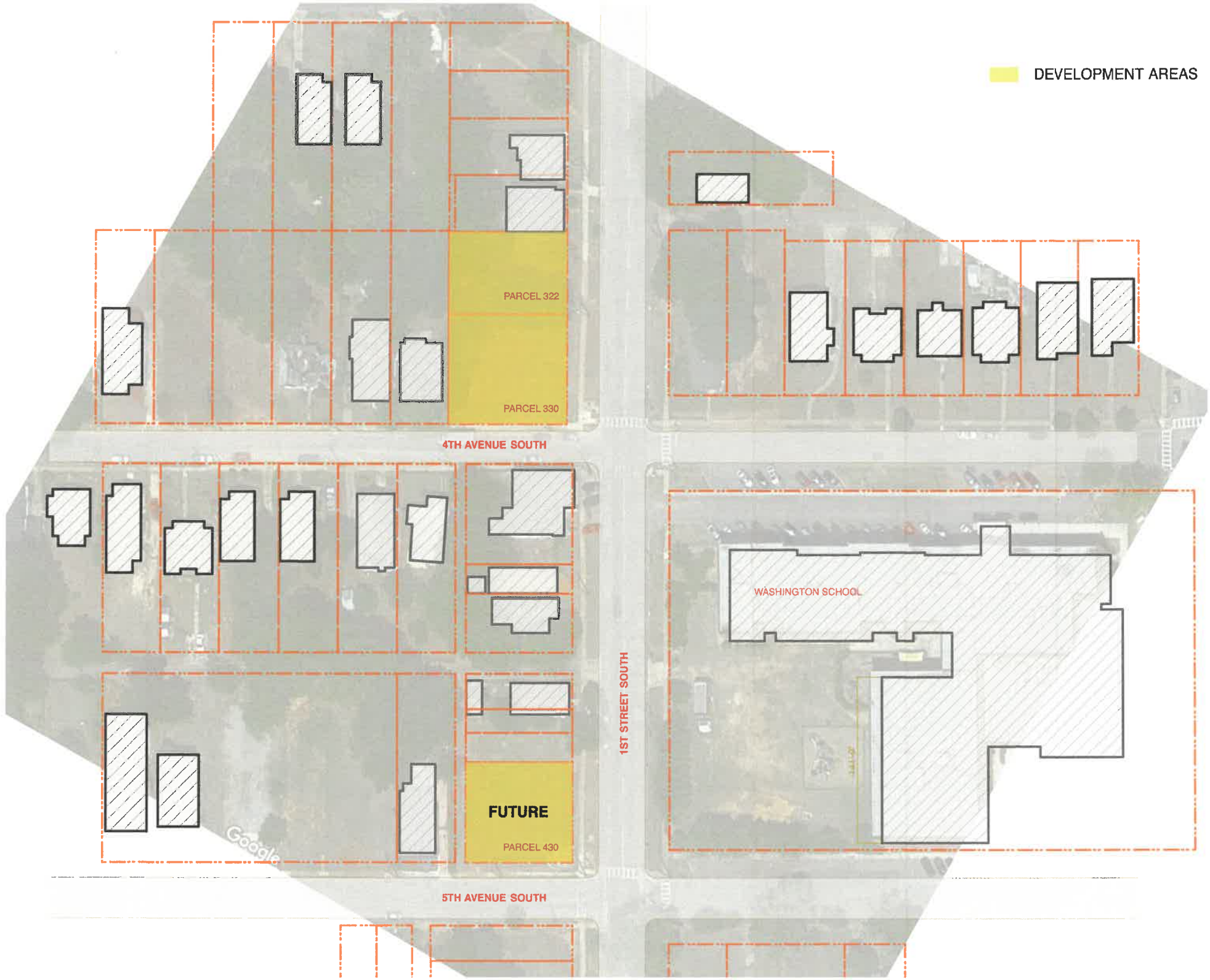
1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: 1:100
DATE: 05 NOV 20

E2

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

(205)757-8311



design
initiative

DIAGRAM: DEVELOPMENT AREA

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: 1:100
DATE: 05 NOV 20

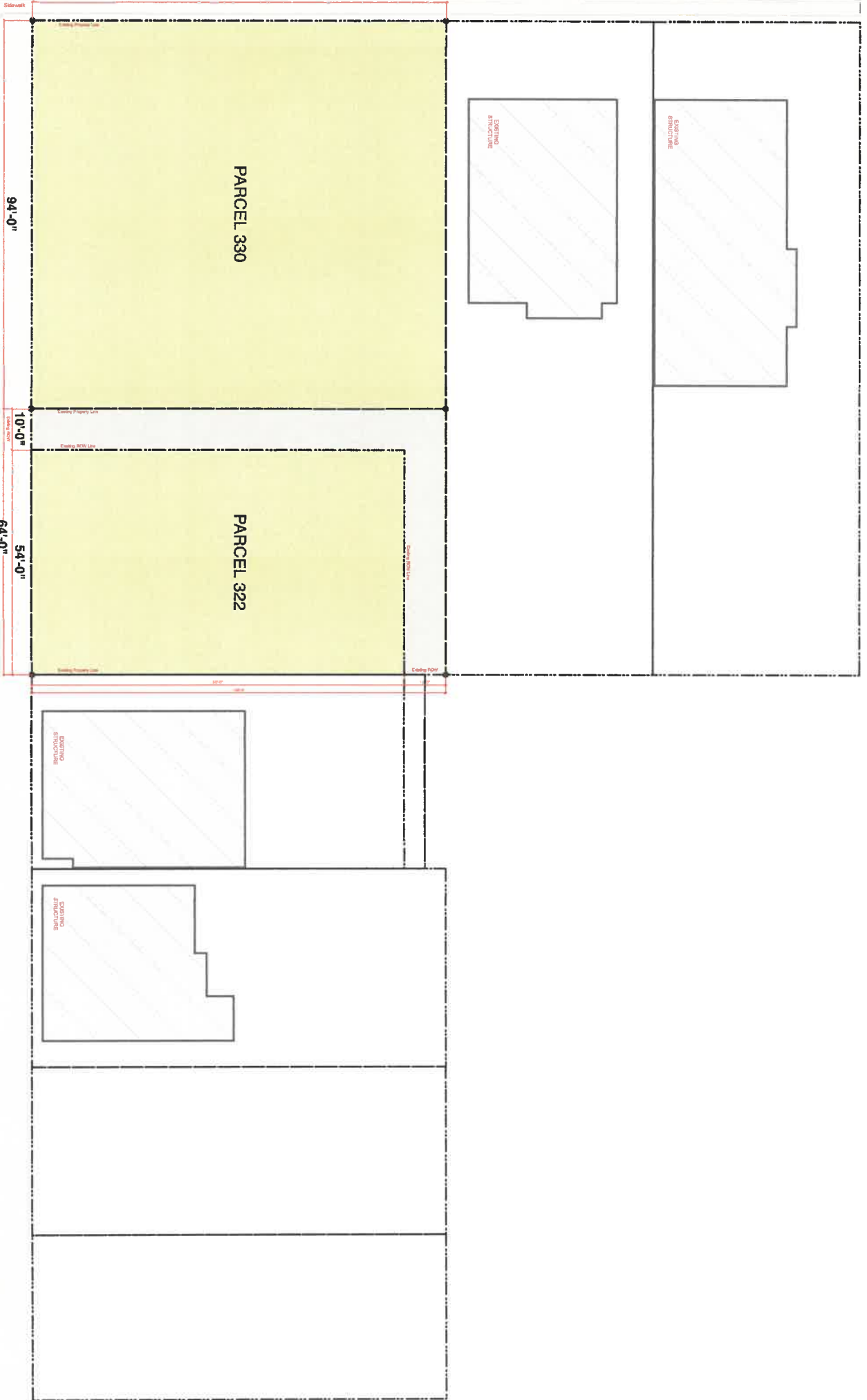
E4

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

(205)757-8311

4TH AVENUE SOUTH

100'-0"



1ST STREET SOUTH

PARCEL 330
Owner: S&W 10.3

PARCEL 322
Owner: S&W 10.3



SITE PLAN: EXISTING BLOCK

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: 1/32"=1'-0"
DATE: 05 NOV 20

E5



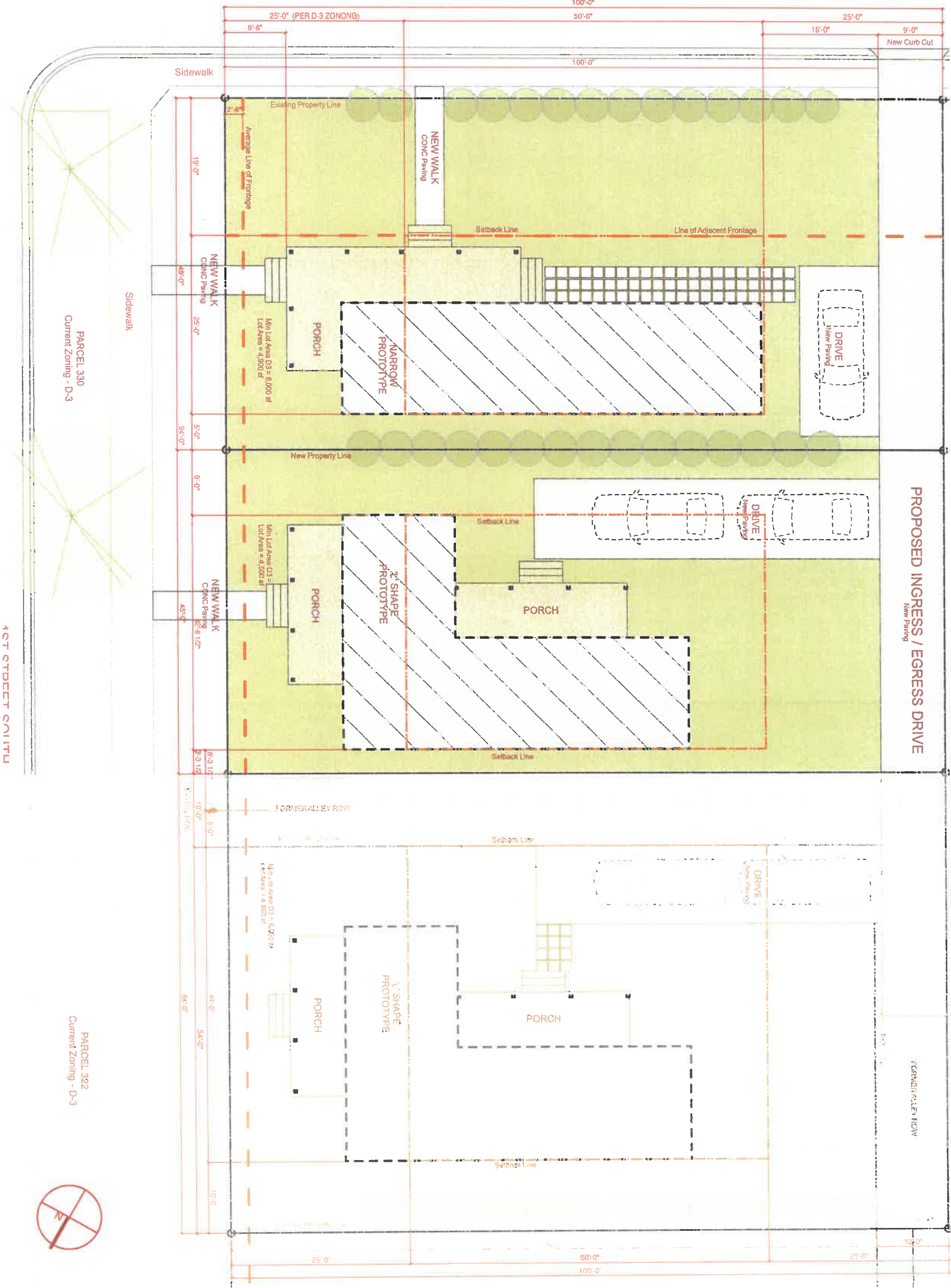
SITE PLAN: EXISTING SITE

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: 1/16"=1'-0"
DATE: 05 NOV 20

E6

4TH AVENUE SOUTH



PARCEL 330
Current Zoning - D-3

4CT STREET CULITU

PARCEL 322
Current Zoning - D-3



SITE PLAN: 330 1ST STREET SOUTH

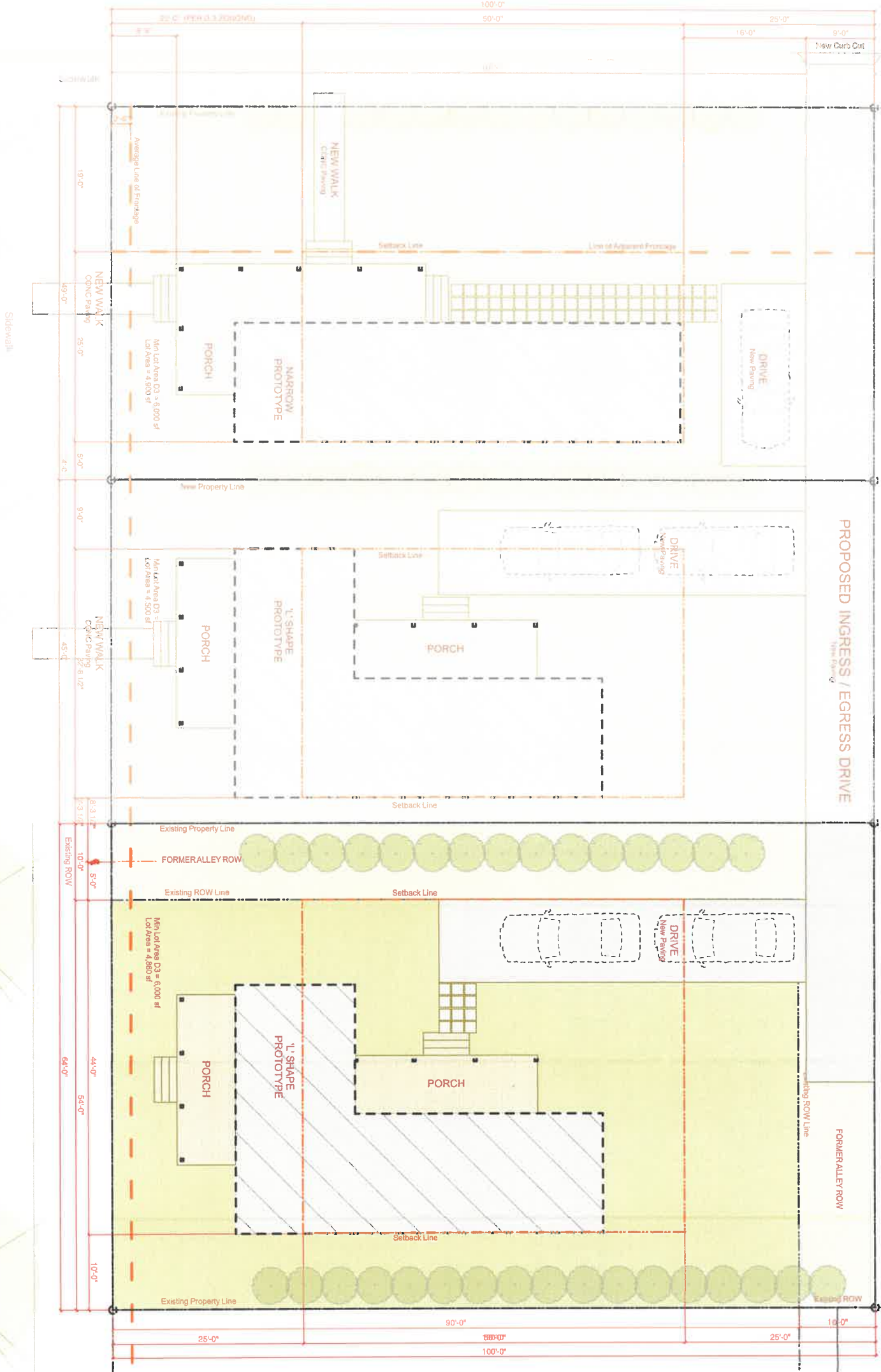
1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: 1/16"=1'-0"
DATE: 05 NOV 20

A0



4TH AVENUE SOUTH



SITE PLAN: 322 1ST STREET SOUTH

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: 1/16"=1'-0"
DATE: 05 NOV 20

A1





AERIAL PERSPECTIVE - PROTOTYPES ON FIRST STREET S.

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: NTS

DATE: 05 NOV 20

A2

design
initiative

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

(205)757-8311



PERSPECTIVE - PROTOTYPES ON CORNER OF 4TH AVE S. AND 1ST ST. S.

1ST STREET SOUTH - TITUSVILLE DEVELOPMENT
BIRMINGHAM, ALABAMA

SCALE: NTS
DATE: 05 NOV 20

A3

design
initiative

2405 1ST AVENUE SOUTH, SUITE 101, BIRMINGHAM, AL 35233

(205)757-8311

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

Neighborhood: Five Points South Staff Planner Moton ZBA2020-00074

Request: A variance to allow 1,211 SF of on premise signage instead of the 672 SF of on premise signage allowed pursuant Title 1, Chapter 4, Article V, Section 11, Subsection 7.1.a

Applicant: David Brandt
Owner: Red Mountain Theatre
Site Address: 1600 3rd Ave S
Zip Code: 35233
Description: A variance to allow 1,211 SF of on premise signage instead of the 672 SF of on premise signage allowed pursuant Title 1, Chapter 4, Article V, Section 11, Subsection 7.1.a

Property Zoned: M-1, Light Industrial District
Parcel Information: Parcel #: 012200363023004000, SW of Section 36, Township 17 S, Range 3 W

Variance:

A variance to allow 1,211 SF of on premise signage instead of the 672 SF of on premise signage

Neighborhood Meeting:

The Five Points South Neighborhood Association has been notified and waiting on the vote.

Public Notices:

Public notices were mailed on November 23, 2020.

Applicant's Justification:

The applicant provided documentation of the six (6) variance standard request questions. **Please see attached.**

Staff Analysis:

The subject property located at 1600 3rd Ave S is zoned M-1, Light Manufacturing District. The subject property is located in the Midtown Commercial Revitalization District and plans and permits will have to be reviewed by the Design Review Committee. The applicant is requesting to allow five removable vinyl banners each measuring in 140.00sf. These banners will be used to advertise different events happening within the theatre throughout the year. The banners will put the applicant 539 additional square feet of signage over the 672 square feet allowed.

The applicant has met the six variance standards based upon the use being a theatre and the need for more signage to advertise different events happening at the location.

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 sign permits and certificate of completion should obtain within two years of approval from the Board.
3. Approved as plans submitted the location of the vinyl banners.

11/18/2020

Red Mountain Theatre
1600 3rd. Ave. South
Birmingham, AL

Request for variance to be allowed 1211 total square feet of signage (allowed 672 per code). Overage is primarily due to event banners.

The variance request is to allow 539 additional square feet of signage to the already-allowed 672 aggregate square feet, for a total of 1,211 aggregate square feet of signage. This additional square footage request is due to the need for multiple, changeable event banners which, per Birmingham sign code, are considered signage.

Physical Characteristics of Property – The large size of the property and the number/amount of events held at the theatre are such that they require the use of changeable banner displays to inform the public of upcoming and current events.

Unique Characteristics – The need for event banners is unique to this property, due to the fact that it is a theatre, and puts on multiple shows and other productions throughout the year. The theatre is a major source of entertainment, culture and education to the community and it is critical that the public is clearly made aware of the various events the theatre holds.

Hardship Not Self-Imposed – the hardship of the need for these banners, and the announcement of up-and-coming events, is created due to the nature of the function of the theatre, or any theatre in general.

Financial Gain Not Only Basis – the presence of these banners serves to promote the awareness of the events that take place in the theatre, and also creates community awareness to promote the educational, historical and cultural experiences the theatre provides.

The presence of these banners will not create Injury to Neighboring Property or Harm To Public Welfare - They are non-lighted, and mounted directly flush to the building, so as to not protrude and cause any hinderance to vehicular traffic.

PARCEL ID: 012200363023004000

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

DATE: Wednesday, November 25, 2020 8:23:01 AM

OWNER: HENDERSON IVY WITTICHEN

ADDRESS: 2500 ACTON RD

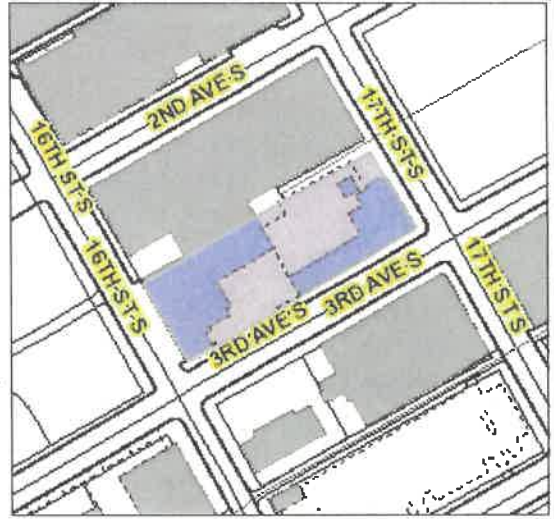
CITY/STATE: VESTAVIA AL

ZIP+4: 35243--4219

SITE ADDR: 1600 3RD AVE S

CITY/STATE: BHAM, AL

ZIP: 35233



LAND: \$2,352,000.00

BLDG: \$251,400.00

OTHER: \$0.00

AREA: 55,456.38

ACRES: 1.27

SUBDIVISION INFORMATION:

NAME BHAM-L 5-20 B 132 22-36-3

BLOCK: 132

LOT: 8-A

:

Section: 36-17-3W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Not in Historic Districts

Commercial Revitalization District: Midtown

Fire District: In Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: In Tax Increment Financing District

Neighborhoods: Five Pts So (1701)

Communities: Southside (17)

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

Zoning Outline: M1

Demolition Quadrants: DEM Quadrant - 1

Impaired Watersheds: Not in Impaired Watersheds

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

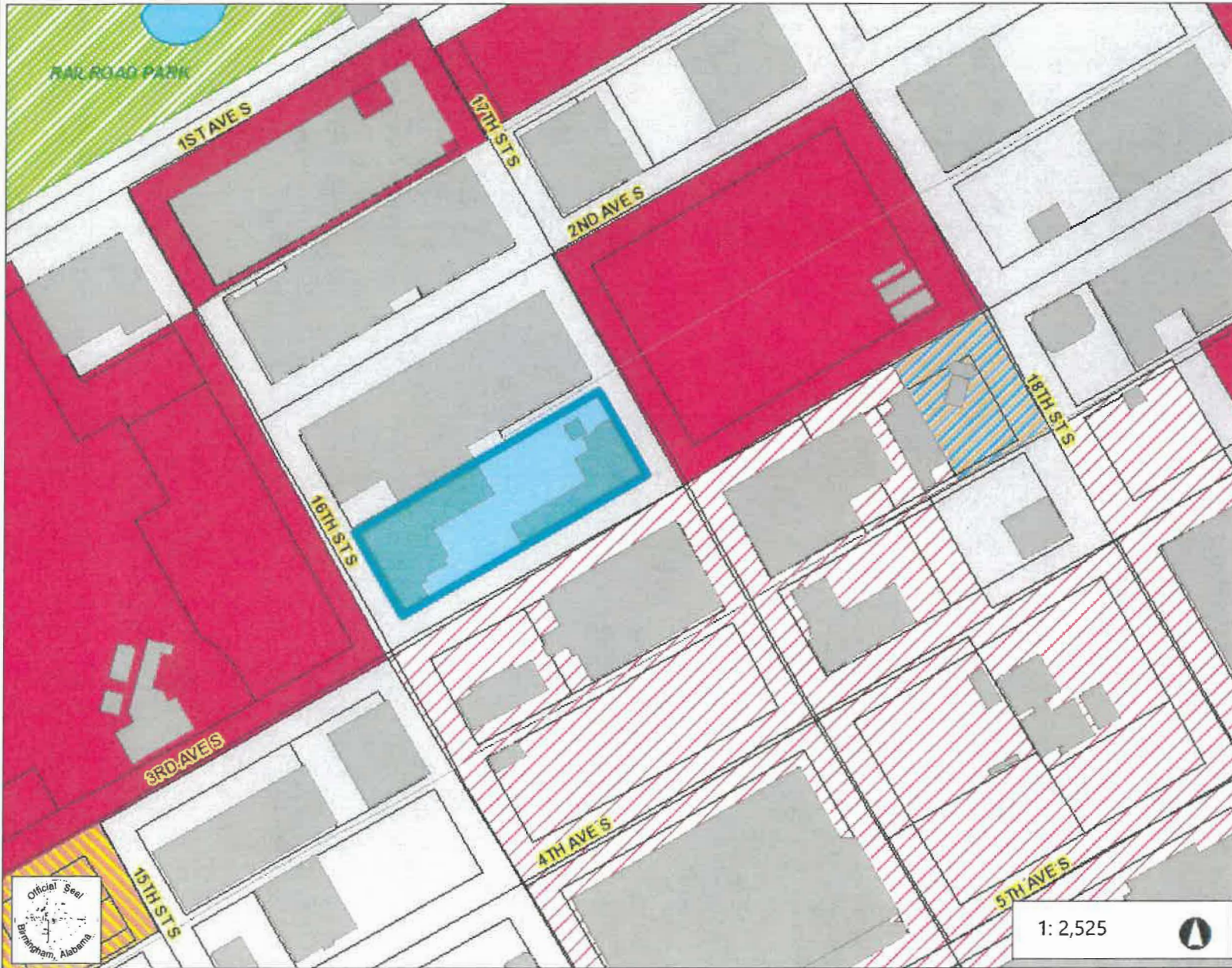
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

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 - 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

Notes

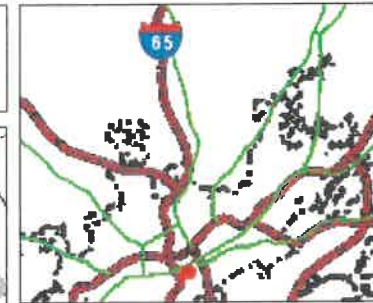


420.9 0 210.45 420.9 Feet

1: 2,525



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



1: 2,525

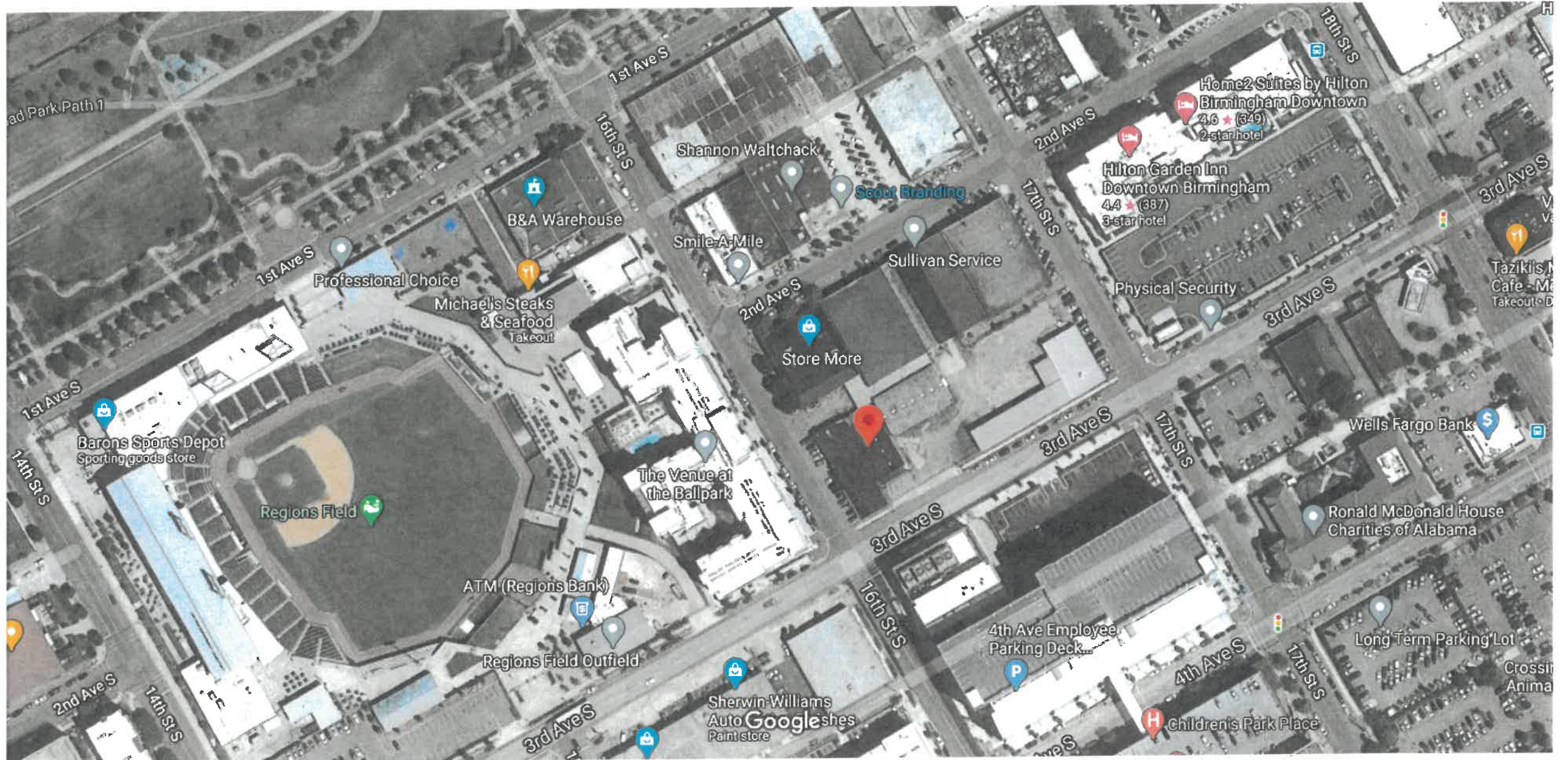


420.9 0 210.45 420.9 Feet

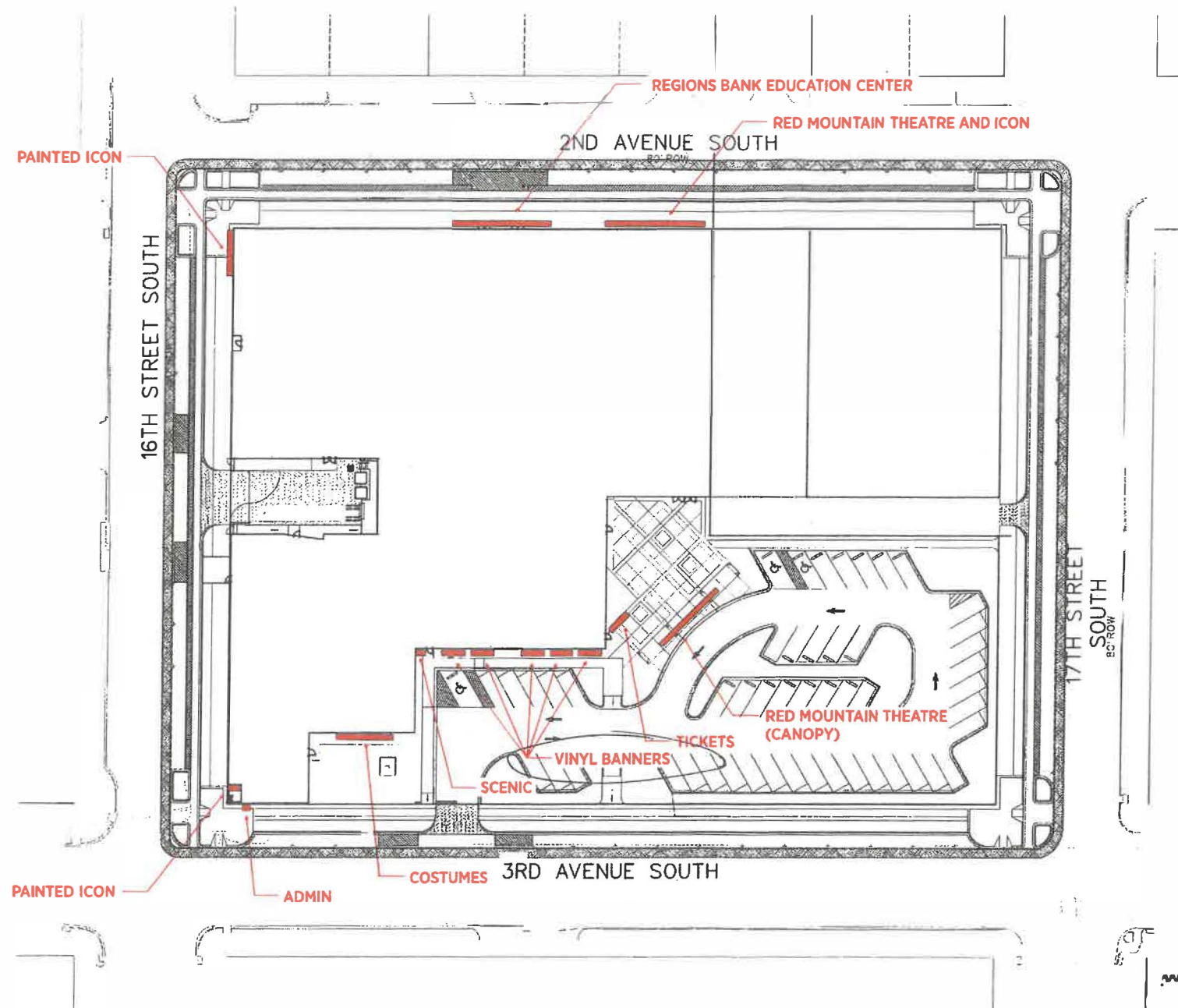
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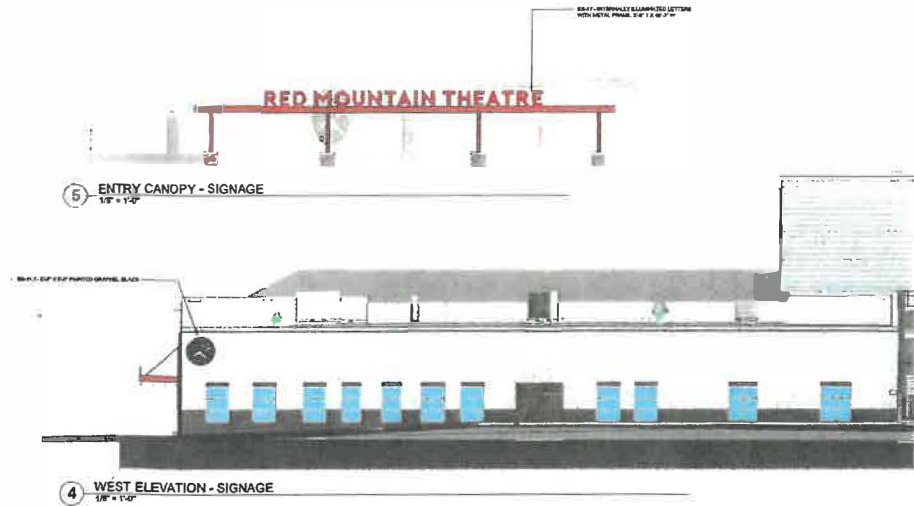
Notes

Google Maps 1600 3rd Ave S



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



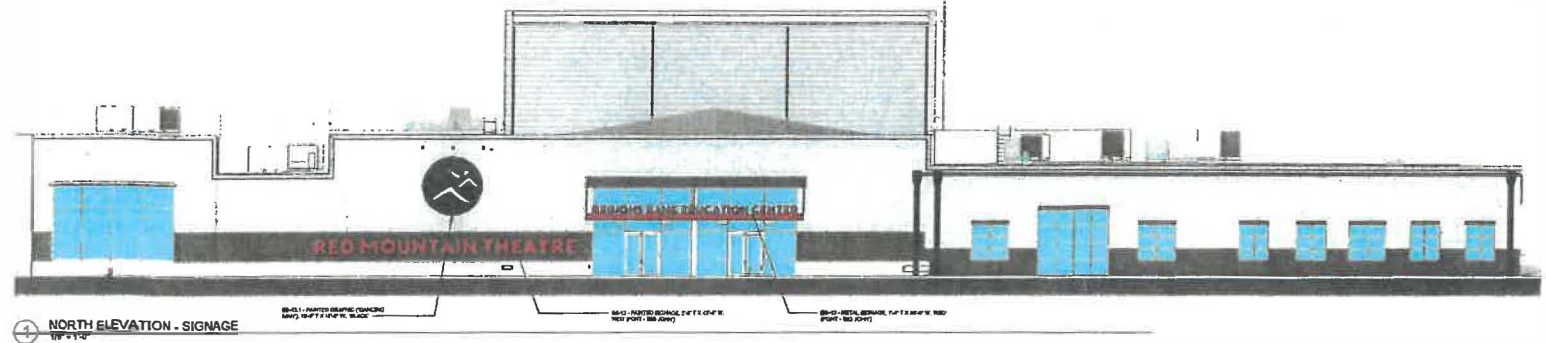
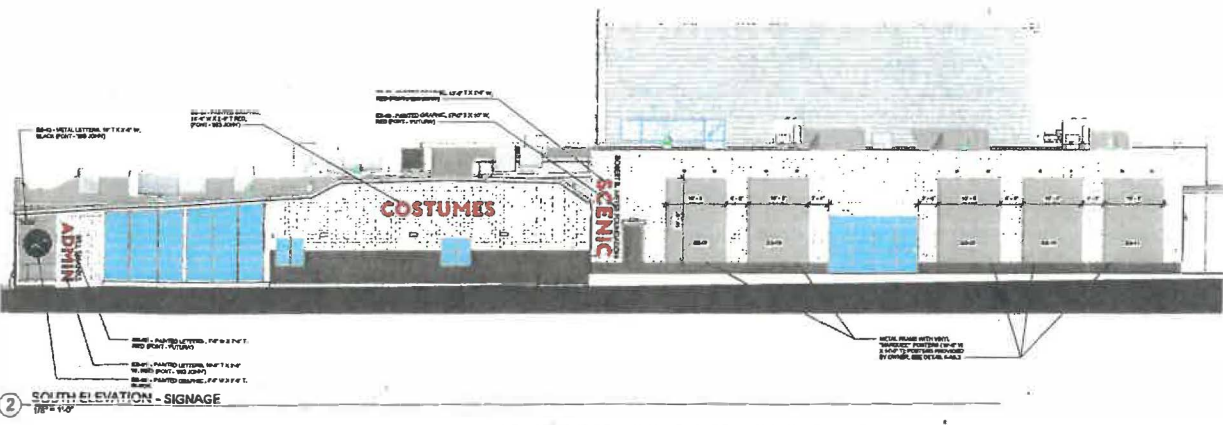
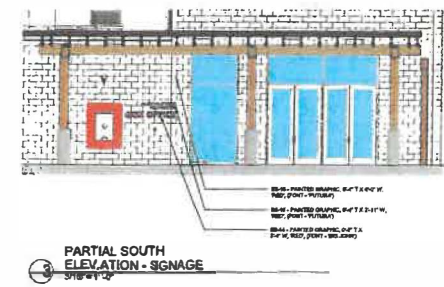


SIGNAGE AREA AGGREGATE CALCULATION

TAG	DRAWING LOCATION	SIGN CONTENT	DESCRIPTION / MATERIAL	SIGN WIDTH	SIGN HEIGHT	SIGN AREA	
ES-00	SOUTH ELEVATION	RED MOUNTAIN THEATRE LOGO	PAINTED ON WALL SURFACE	5'-0"	5'-0"	18,825 SF	
ES-01	SOUTH ELEVATION	ADMBH	PAINTED ON WALL SURFACE	2'-0"	10'-0"	25.00 SF	
ES-02	SOUTH ELEVATION	BALL SHAWKS	PAINTED ON WALL SURFACE	1'-2"	7'-0"	7.00 SF	
ES-03	SOUTH ELEVATION	1880	METAL	10"	2'-0"	2.08 SF	
ES-04	SOUTH ELEVATION	COSTUMES	PAINTED ON WALL SURFACE	10'-0"	3'-0"	42.00 SF	
ES-05	SOUTH ELEVATION	SCENE	PAINTED ON WALL SURFACE	2'-0"	10'-0"	20.00 SF	
ES-06	SOUTH ELEVATION	ROBERT H. MEYER FOUNDATION	PAINTED ON WALL SURFACE	0'-10"	17'-0"	14.17 SF	
ES-07	SOUTH ELEVATION	(POSTER BANNER)	REMOVABLE VINYL BANNER	10'-0"	14'-0"	140.00 SF	
ES-08	SOUTH ELEVATION	(POSTER BANNER)	REMOVABLE VINYL BANNER	10'-0"	14'-0"	140.00 SF	
ES-09	SOUTH ELEVATION	(POSTER BANNER)	REMOVABLE VINYL BANNER	10'-0"	14'-0"	140.00 SF	
ES-10	SOUTH ELEVATION	(POSTER BANNER)	REMOVABLE VINYL BANNER	10'-0"	14'-0"	140.00 SF	
ES-11	SOUTH ELEVATION	(POSTER BANNER)	REMOVABLE VINYL BANNER	10'-0"	14'-0"	140.00 SF	
ES-11.1	WEST ELEVATION	RED MOUNTAIN THEATRE LOGO	PAINTED ON WALL SURFACE	5'-0"	5'-0"	18,825 SF	
ES-12	NORTH ELEVATION	RED MOUNTAIN THEATRE	PAINTED ON WALL SURFACE	43'-0"	2'-0"	108.75 SF	
ES-13	NORTH ELEVATION	REGIONS BANK EDUCATION CENTER	METAL LETTERS	35'-0"	1'-0"	45.81 SF	
ES-13.1	NORTH ELEVATION	RED MOUNTAIN THEATRE LOGO	PAINTED ON WALL SURFACE	10'-0"	10'-0"	78.8 SF	
ES-14	PARTIAL SOUTH ELEVATION	BOX OFFICE	PAINTED ON WALL SURFACE	0'-0"	0'-0"	0.00 SF	
I 15	PARTIAL SOUTH ELEVATION	FOUNDATION	PAINTED ON WALL SURFACE	2'-11"	0'-4"	0.98 SF	
ES-16	PARTIAL SOUTH ELEVATION	ALABAMA POWER	PAINTED ON WALL SURFACE	4'-0"	0'-4"	1.33 SF	
ES-17	SIGNAGE CANOPY	RED MOUNTAIN THEATRE	EXTERNALLY ILLUMINATED METAL LETTERS	49'-3"	2'-0"	108.15 SF	
						1210.78 SF	TOTAL

	ZONING	ORC
ALLOWED SIGNAGE AREA:	672 SF	614 SF
PROPOSED SIGNAGE AREA:	510.78 SF	510.78 SF
PROPOSED BANNER AREA:	700 SF	700 SF
REQUESTED VARIANCE:	538.78 SF	596.78 SF

SIGN CALCULATION



STATUS
■ Client Review

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RED MOUNTAIN THEATRE

THE GERSHWIN'S
**PORGY
AND
BESS**

APR. 12 - 21, 2018

REDMOUNTAINTHEATRE.ORG