



# CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

**RANDALL L. WOODFIN**  
MAYOR

**EDWIN REVELL**  
DIRECTOR

**ZONING BOARD OF ADJUSTMENT MINUTES**  
**WebEx/Teleconference**  
**2:00PM**

**March 11, 2021**

**MEMBERS PRESENT:** Morris Newman, Chairman  
Gary Nash  
Robert Littleton  
Stanley Turner  
Philip Foster

**OTHERS PRESENT:** Angelica Moton, Planner  
Kassandra Brundidge, Zoning Supervisor

Robert Littleton made a motion to approve ZBA minutes from hearings held on February 11, 2021 and to extend the emergency protocol for the months of April and May. Motion second by Stanley Turner. All in favor. Motion Passes.

Chairman, Morris Newman, called the Zoning Board of Adjustment and Appeals meeting to order.

Case #: ZBA2021-00003

Request: Modification

Applicant: Scott Phillips

Site Address: 430 41st St S

Owner: Turn Key Homes LLC

Description: Modification to allow 0 off street parking spaces instead of the required 63 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

The case was continued as requested by the applicant.

Case #: ZBA2021-00004

Request: Special Exception/ Variance

Applicant: Andy Rotenstrich



# CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

**RANDALL L. WOODFIN**  
MAYOR

**EDWIN REVELL**  
DIRECTOR

Site Address: 714 Gene Reed Rd

Owner: Huffman United Methodist

Description: Special exception to allow a wireless communication tower in a D2 zoning district pursuant to Title 1, Chapter 4, Article V, Section 1, Subsection 6.A.1.a.ii; Variance to allow a 130 FT wireless communication monopole instead of the maximum allowed height of 60 FT in a D2 zoning district pursuant to Title 1, Chapter 4, Article V, Section 1, Subsection 6.B.1.a, and Variance to allow a wireless communication tower to be located 59 FT from a protected residential lot instead of the minimum required distance of 200 FT pursuant to Title 1, Chapter 4, Article V, Section 1, Subsection 5.G.2.b.

Gary Nash made a motion to approve the case based upon the applicant providing evidence supporting the location of the cell tower and height with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. All permits should obtain within two years of approval from the Board.
3. Approved as plans submitted.

Motion second by Stanley Turner. All in favor. Motion passes.

Case #: ZBA2021-00005

Request: Variance

Applicant: Michael A. Benton

Site Address: 525 47<sup>th</sup> St S

Owner: Michael A. Benton

Description: Variance to allow a 18 ft front yard instead of the required 25ft front yard setback pursuant to Title 2, Chapter 1, Section 4, Subsection 3

Gary Nash made a motion to approve the case based upon the applicant meeting the six variance standards and the propose house setback is closely aligned with the existing houses with 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.

Motion second by Philip Foster. All in favor. Motion passes.



# CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

**PUTTING PEOPLE FIRST**

**RANDALL L. WOODFIN**  
MAYOR

**EDWIN REVELL**  
DIRECTOR

Angelica Moton  
ZBA Planner  
City of Birmingham