



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

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RANDALL L. WOODFIN
MAYOR

EDWIN REVELL
DIRECTOR

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

June 24, 2021

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

OTHERS PRESENT: Kimberly Spearl, Zoning Administrator
Angelica Moton, Planner
Julie Barnard, Office of the City Attorney
Kasandra Brundidge, Zoning Supervisor

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

Philip Foster made a motion to approve the ZBA minutes from the hearing held on June 10, 2021. Motion second by Gary Nash. All in favor. Motion passes.

Case #: ZBA2021-00019

Request: Special Exception/ Variance

Applicant: Charlie Beavers

Site Address: 4922 9th Ct N

Owner: Jason Powers Hugh & Holley Caldwell

Description: Special exception to allow a church in a D-3, Single Family Dwelling District and a variance to allow side yard setback 11.3ft instead of the required 25ft setback pursuant to Title 1, Chapter 9, Article VI.

Gary Nash made a motion to approve the special exception and variance request based upon the applicant meeting the six variance standards with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. All permits and certificate(s) of occupancy, if applicable, shall be obtained within two years of approval from the Board.



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3. The resurvey of lots 14 & 15 into one lot must be recorded within one year of the board's approval date.

Motion second by Philip Foster. Morris Newman, Gary Nash and Philip Foster voted Ay. Stanley Turner voted Nay. Motion passes.

Case #: ZBA2021-00023
Request: Special/Variance
Applicant: Jim Horwitz
Site Address: 2500 4th Ave S 35233
Owner: Graffeo Family Partnership LTD

Description: Special exception to allow an Opioid Replacement Therapy Treatment Facility within an I-1 (M-1) zoning district and variance to allow it within 1,000 linear feet of the lot line of a church or other place of worship and areas that are registered and listed on the National Register of Historic places as Historic Districts pursuant to Title 1, Chapter 4, Article 3, Section 5.C.3.B & G.

Philip Foster made a motion to approve the special exception to allow an Opioid Replacement Treatment Facility within an I-1(M-1) zoning District. Motion second by Gary Nash. All in favor. Motion passes.

Philip Foster made a motion to deny the variance to allow it within 1,000 linear feet of the lot line of a church or other place of worship and areas that are registered and listed on the National Register of Historic places as Historic Districts based upon the applicant not meeting the six variance standards. Motion second by Gary Nash. Morris Newman, Gary Nash and Philip Foster voted Ay. Stanley Turner voted Nay. Motion passes.

Case #: ZBA2021-00024
Request: Variance
Applicant: Cultural and Educational Advance
Site Address: 1025 4th Ave W 35204
Owner: Cultural and Educational Advance

Description: Variance to allow 6ft fence in the front yard area along 4th Avenue West instead of the 4ft maximum height requirement pursuant to Title 1 Chapter 4 Subsection 3.A.1



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Gary Nash made a motion to approve the variance request based upon the applicant meeting the six standards with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. All permits and certificate(s) of occupancy, if applicable, shall be obtained within one year of approval from the Board.
3. The installation of the fence shall be constructed as shown on the plans submitted.

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

Case #: ZBA2021-00025

Request: Special Exception/Variance

Applicant: Randal Scott

Site Address: 1300 10th St, Birmingham AL 35214

Owner: Peace Baptist Church

Description: Special exception to allow off-site parking for a place of worship in a D-3, Single Family District. Variance to allow the amount of off-site parking to exceed the actual needs of the place of worship as demonstrated by the parking plan and a variance to allow vacant property that is owned by the applicant adjacent to the place of worship on the same block face pursuant to Title 1, Chapter 4, Section 3. B & C page 128

Stanley Turner made a motion to approve the special exception and variance request based upon the applicant meeting the six standards with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. All permits and certificate(s) of occupancy, if applicable, shall be obtained within two years of approval from the Board.
3. A written and recorded parking covenant shall be submitted within 6 months of approval from the Board.
4. The parking lot shall be striped within 6 months of approval from the Board.

Motion second by Gary Nash. All in Favor. Motion passes.



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Case #: ZBA2021-00027
Request: Variance
Applicant: David Brandt
Site Address: 1101 22nd St N 35234
Owner: Birmingham Jefferson Civic

Description: A variance to allow a total of 241 sf of building signage located on the North Stadium facade instead of the 150 sf of signage allowed. A variance to allow a total of 5,885 sf of building on signage located on the South Stadium facade instead of the 150 sf of signage allowed. A variance to allow a total of 1,786 sf of building signage located on the East Stadium facade instead of the 150 sf of signage allowed. A variance to allow a total of 1,607 sf of building signage located on the West Stadium facade instead of the 150 sf of signage allowed. A variance to allow 3 freestanding signs along 12th Ave N on the north side of the property instead of the 2 freestanding signs allowed. A variance to allow 4 freestanding signs along 12th Ave N on the South side of the property instead of the 2 freestanding signs allowed. A variance to allow 2 directional monument signs (located at 6S.12- SW corner and 6S.68-SE corner) at the height of 10ft instead of the 8ft maximum height requirement. A variance to allow a monument sign located along Richard Arrington Jr. Blvd N on the South side of the property at the height of 22'8 ft instead of the maximum height requirement of 8ft.

Gary Nash made a motion to approve the variance requests based upon the applicant meeting the six standards with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. All permits and certificate(s) of occupancy, if applicable, shall be obtained within two years of approval from the Board.
3. Signs shall be permitted as shown on the plans submitted.

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



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Case #: ZBA2021-00028
Request: Variance
Applicant: Glenn Harnett
Site Address: 4425 Sicard Hollow Rd
Owner: Glenn Harnett

Description: Variance to allow the lot principal frontage on a private drive instead of a public street. Title 1, Chapter 1, Article III, Section 1, 113 page 21.

Gary Nash made a motion to approve the variance request based upon the applicant meeting the six standards with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.
2. All permits and certificate(s) of occupancy, if applicable, shall be obtained within two years of approval from the Board.

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

Case #: ZBA2021-00029
Request: Special Exception/Variance
Applicant: Chiquita Blair
Site Address: 547 Huffman Rd 35215
Owner: Parkway Realty

Description: Special Exception to allow an Event Center in a C-2 zoning district. A variance to allow an event center within 200 feet of a residential zoned district and a variance to extend the timeframe past 12:00am pursuant to Title 1, Chapter 4.D.2 pg 132

Gary Nash made a motion to denied the special exception and variance request based upon the applicant not meeting the six standards.

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

Angelica Moton
ZBA Planner
City of Birmingham