



# 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**  
**August 12, 2021**

**MEMBERS PRESENT:** Robert Littleton, Acting Chairman  
Henry Penick  
Philip Foster  
Madelaine Bowie

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

Acting Chairman, Robert Littleton, called the Zoning Board of Adjustment and Appeals meeting to order.

Case #: ZBA2021-00030

Request: Modification

Applicant: Darrell Harris

Site Address: 7 55<sup>th</sup> Place S 35212

Owner: Slutty Vegan INC

Description: Modification to allow 0 off-street parking spaces instead of the required 19 parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3

Philip Foster made a motion to approve the parking modification based upon the applicant providing documents that shows surplus parking 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 Henry Penick. All in favor. Motion passes.



# CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

**RANDALL L. WOODFIN**  
MAYOR

**EDWIN REVELL**  
DIRECTOR

Case #: ZBA2021-00031

Request: Variance

Applicant: MFinch & WPerry Solutions, INC

Site Address: 9147 Parkway East

Owner: Mcleod Properties

Description: Variance to allow the building frontage to extend 52 feet across the lot off of Parkway East instead of the building frontage extending 75 percent of the lot frontage at 131 feet pursuant to Title 1, Chapter 3, Article 1, Section 3. A variance to allow a 50 foot setback from Parkway East and 80 foot setback from Eubank Ct instead of the required 0-foot setback pursuant Title, Chapter, Article 1, Section 3. C. and a variance to allow parking in the front yard off of Eubank Ct.

Henry Penick made a motion to deny the request, based upon the applicant not meeting the six variance standards. Motion second by Madelaine Bowie. All in favor. Motion passes.

Case #: ZBA2021-00032

Request: Special Exception

Applicant: Mike Gibson

Site Address: 222 6<sup>th</sup> Ave SW

Owner: Mary JO O'Neill

Description: Special Exception to allow remote parking pursuant to Chapter 5 Article 1 section 8.

Philip Foster made a motion to approve the special exception based upon the applicant not causing harm to safety and health of the public and meeting the requirements of the special exception 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 60 days of approval from the Board.

Motion second by Madelaine Bowie. All in Favor. Motion passes.



# CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

**RANDALL L. WOODFIN**  
MAYOR

**EDWIN REVELL**  
DIRECTOR

Case #: ZBA2021-00033  
Request: Variance  
Applicant: David Brandt  
Site Address: 1001 19<sup>th</sup> St N  
Owner: Bham Jefferson Civic Center

Description: A variance to allow a total of 163sf of building signage for all North facing building signage instead of the 150 sf of signage allowed. A variance to allow a total of 422 sf of building signage for all South facing building signage instead of the 150 sf of signage allowed. Variance to allow the height of 2 directional monument signs at 10ft instead of the maximum height of 8ft.

Philip Foster 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 Henry Penick. All in Favor. Motion passes.

Case #: ZBA2021-00034  
Request: Variance  
Applicant: Clay Smith & Kyle D'Agostoni  
Site Address: 2250 Bessemer Rd  
Owner: Five West Property, LLC

Applicant requested a continuance for the case.

Case #: ZBA2021-00035  
Request: Variance  
Applicant: Paul Roderick  
Site Address: 1634 15<sup>th</sup> Ave S 35205  
Owner: Paul Roderick

Description: Variance to allow an accessory structure in the rear yard more than 30% of the required rear yard.

He



# CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

**RANDALL L. WOODFIN**  
MAYOR

**EDWIN REVELL**  
DIRECTOR

Henry Penick made a motion to deny the variance request based upon the applicant not meeting the six standards.

Motion second by Philip Foster. Robert Littleton, Philip Foster and Henry Penick voted AY and Madelaine Bowie voted Nay. Motion passes.

Case #: ZBA2021-00036  
Request: Variance/ Modification  
Applicant: Clint Carmichael  
Site Address: 2308 1<sup>st</sup> Ave S  
Owner: Hardwick CO Inc

Description: Modification to allow 0 off street parking spaces instead of the required 71 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3. A variance to allow an outdoor exercise yard within 20 feet of dwelling zone district instead of the required 50 foot setback pursuant to Title 1, Chapter 4, Section B.2

Madelaine Bowie made a motion to approve the modification and variance request based upon the applicant not causing harm to the safety and health of the public and 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.

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

Case #: ZBA2021-00037  
Request: Modification  
Applicant: Antwaun Pledger-Payton  
Site Address: 604 9<sup>th</sup> St N  
Owner: Stonewall Corp

Description: Modification to allow 0 off street parking spaces instead of the required 7 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3.

Henry Penick made a motion to approve the modification based upon the applicant providing evidence that shows surplus parking with the following conditions:



# CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

**RANDALL L. WOODFIN**  
MAYOR

**EDWIN REVELL**  
DIRECTOR

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 Madelaine Bowie. All in Favor. Motion passes.

Case #: ZBA2021-00038

Request: Variance

Applicant: Walter F. Scott III

Site Address: 2151 Warwick Dr

Owner: Karin E Callahan

Description: A variance to allow a 20 foot front yard setback instead of the required 40 foot setback pursuant to Title 2, Chapter 1, Section 2. Subsection 3

Henry Penick made a motion to approve the 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.

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

Angelica Moton  
ZBA Planner  
City of Birmingham