



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
October 28, 2021

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

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

Acting Chairman, Philip Foster, called the Zoning Board of Adjustment and Appeals meeting to order.

Robert Littleton made a motion to approve the minutes from the hearing held on October 14, 2021. Motion second by Madelaine Bowie. All in favor. Motion passes.

Case #: ZBA2021-00045

Request: Variance

Applicant: Sarah Grisworld

Site Address: 5405 Court I 35208

Owner: Sarah Grisworld

Description: Variance to allow an accessory structure in the front yard instead of the required rear and side yard. A variance to allow parking in the front yard instead of the driveway providing continuous access to a parking space in a side or rear yard or driveways must provide continuous access to a garage within house or an attached carport that is built of similar materials to the main structure. A variance from the parking space not being in the side yard or extending 18 feet beyond front edge of house. A variance to allow a driveway more than 20 feet instead driveways shall be no more than 12 feet wide at the right-of-way; except for driveways providing access to two-car garages, in which case, said driveway shall be no wider than 20 feet.

Henry Penick made a motion to continue the case. Motion second by Robert Littleton. All in favor. Motion passes.



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Case #: ZBA2021-00050

Request: Modification

Applicant: Thomasina Hardy

Site Address: 1155 Bankhead Hwy W 35204

Owner: National Eagle LLC

Description: Modification to allow 0 off-street parking spaces instead of the required 49 spaces. A special exception to allow an event center. A variance to allow an event center hour to extend past 12:00am pursuant to Title 1, Chapter 4.D.

The applicant requested to continue their case until the next schedule meeting on November 18, 2021.

Case #: ZBA2021-00051

Request: Variance

Applicant: Jasper Cornett

Site Address: 1232 22nd St S

Owner: 2222 Arlington Company LLC C/O Baye

Description: Variance to allow 2 ft side yard setback instead of the 5ft setback and a variance to allow a 20.10ft front yard setback instead of the required 25ft setback. Variance to allow a structure to have an additional 15 feet of height (per the bonus allowed in the R-6 zoning district)

Robert Littleton 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 shall be obtained within two years of approval from the Board.
3. Certificate of occupancy shall be obtained within two years from the receipts of the permits.
4. The development shall be constructed based upon the plans submitted.

Motion second by Henry Penick. All in Favor. Motion passes.

Case #: ZBA2021-00054

Request: Special Exception

Applicant: Abra Barnes

Site Address: 4322 3rd Ave S



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Owner: Abra Barnes

Description: Special exception to allow an event center. Special exception to allow remote parking. Variance to allow the hours to extend past 12am.

Robert Littleton made a motion to approve the special exceptions 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.
3. Written parking covenant recorded within 60 days of the approval date by the Board.
4. Remote parking areas shall be clearly marked RESERVED for the use served.

Motion second by Henry Penick. All in Favor. Motion passes.

Case #: ZBA2021-00055

Request: Variance

Applicant: Cynthia Rucker

Site Address: 2900 42nd Pl N

Owner: Cynthia Rucker

Description: A variance to allow a chain link fence in the front yard. A variance to allow an accessory structure in the front yard.

The case was continued to November 18, 2021 due to a lack of a quorum.

Case #: ZBA2021-00056

Request: Modification

Applicant: Alex Patillo

Site Address: 508 19th St 35218

Owner: City of Birmingham

Description: Parking modification to allow 29 off-street parking spaces instead of the required 44 off-street parking spaces.

Robert Littleton made a motion to approve the modification with the following conditions:

1. Review by the appropriate zoning inspector to insure compliance with the Board's decision.



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2. All permits shall be obtained within two years of approval from the Board.
3. Certificate of occupancy shall be obtained within two years from the receipts of the permits.

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

Case #: ZBA2021-00057

Request: Variance

Applicant: Joseph McClure

Site Address: 650 3rd Ave N 35204

Owner: Vickers John C

Description: Special exception to allow a communal living facility on a property zoned C-2 pursuant to Title 1, Chapter 4, Article III, Section 3.C.

Robert Littleton 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 decision of the Zoning Board of Adjustment.
2. Applicant must obtain a certificate of occupancy within three years from the date of approval.

Motion second by Henry Penick. All in Favor. Motion passes.

Case #: ZBA2021-00058

Request: Variance

Applicant: Kendra Lewis

Site Address: 9321 Parkway East

Owner: Interplan LLC

Description: Variance to exceed the maximum front yard setback of 6ft along Parkway East to 90.17 feet. Variance to exceed the maximum front yard setback of 6ft along Medford Road to 8.63 feet. A variance to allow parking in the front yard along Parkway East. A variance to allow a dumpster in the front yard along Medford Road.

Robert Littleton made a motion to continue the case. Motion second by Philip Foster. All in favor. Motion passes.



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Case #: ZBA2021-00059

Request: Variance

Applicant: New Era Baptist Church

Site Address: 5 Cotton Ave 35211

Owner: New Era Baptist Church

Description: Variance to allow a pole sign in a R-3 zoning district and a variance to allow it within 300 feet of residential zoned district.

Robert Littleton made a motion to approve the variance requests 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 Henry Penick. All in Favor. Motion passes.

Case #: ZBA2021-00060

Request: Special Exception

Applicant: DeAngel Eg

Site Address: 7001 Crestwood Blvd 414

Owner: Goldwynn Festival Center LLC

Description: Special exception to allow an event center.

Robert Littleton made a motion to approve 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.

Motion second by Henry Penick. All in Favor. Motion passes.



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Case #: ZBA2021-00061

Request: Modification

Applicant: Justin Collier

Site Address: 3008 4th Ave S

Owner: Wright Wheeler Compton Jr

Description: Parking modification to allow 0 off-street parking instead of the required 28 off-street parking spaces. Special Exception to allow remote parking.

Robert Littleton made a motion to continue the case. Motion second by Philip Foster. All in favor. Motion passes.

Angelica Moton
ZBA Planner
City of Birmingham