

Meeting – March 11, 2021
Location - WebEx
Time - 2:00PM
Pre-Meeting - 1:00PM
WebEx

Neighborhood: Forest Park Staff Planner Moton ZBA2021-00003

Request: Parking Modification
Applicant: Scott Phillips
Owner: Turn Key Homes LLC
Site Address: 430 41st St S
Zip Code: 35222
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
Property Zoned: B-2 General Business District
Parcel Information: Parcel #:012300293017028003, SW of Section 29, Township 17 S, Range 2 W

Modification:

Modification to allow 0 off street parking spaces instead of the required 63 off street parking spaces.

Neighborhood Meeting:

The Forest Park Neighborhood Association has voted to support the request.

Public Notices:

Public notices were mailed on March 18, 2021.

Staff Analysis:

The parcel is located at 430 41st St S resides within the B-2, General Business District. The applicant is purposing a new restaurant and bar with outdoor seating. According to Title 1 Chapter 5 Section 4.O, it requires 1 parking space per 100sf of GFA for a bar/ restaurant (5,370sq ft) requiring 54 spaces, and 1 parking space per 5 fixed seats (80) requiring 16 parking spaces. However, with the 10% deduction for a nearby transit and deductions for bike racks leaves them with 63 required parking spaces. There is an existing parking on the property per ZBA2015-00050 that allows for 18 parking spaces instead of the required 54 parking spaces. The applicant is eliminating the 18 parking spaces on site to allow for outdoor seating during the Covid pandemic. There are other parking modification within the 1,320ft radius such as:

1. ZBA2009-00044, 4036 5th Ave S, Modification to allow 0 on-site parking spaces instead of the 25 required for bar, café and office (upstairs) uses. **25 spaces lacking**
2. ZBA2017-00059, 400 41st St S, Parking modification to allow '0' parking spaces instead of the 10 parking spaces required for a retail use. **10 spaces lacking**
3. ZBA2017-00073, 4022 4th Ave S, a modification for parking to allow 4 parking spaces instead of the 48 required for a multi-tenant use at 4022 4th Avenue South. **44 spaces lacking**
4. ZBA2004-00123, 4125 4th Ave S, modification to allow the subdivision having no off-street parking.
5. ZBA2013-00057, 4105 4th Ave S, Modification to allow 9 of the required 24 parking spaces. **15 spaces lacking**

6. ZBA2014-00012, 4100 4th Avenue South 35222, Modification to allow 9 parking spaces instead of the required 13 parking spaces in order to open a new restaurant pursuant. 4 spaces lacking.

The applicant have provided images on several days at several different times, within 2-3 blocks of the property in each direction and google images within 0.3 miles of public parking and a more detail parking study; therefore, staff supports the request.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the modification request. Therefore, staff believes the request has merit for approval and as such, should be **APPROVED** with the following conditions:

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

PARCEL ID: 012300293017032000

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

DATE: Tuesday, February 9, 2021 10:45:30 AM

OWNER: TURN KEY HOMES LLC

ADDRESS: PO BOX 130932

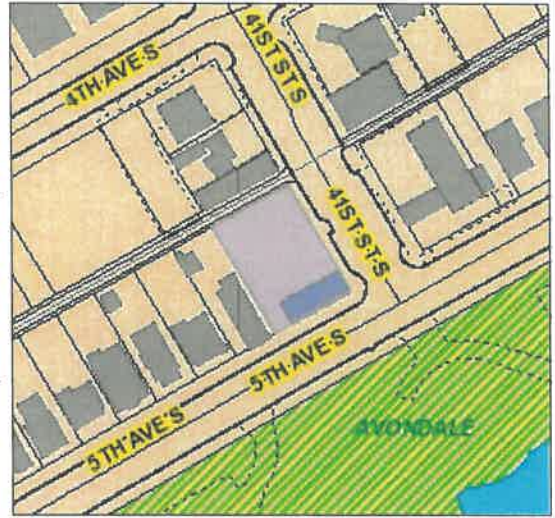
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35213

SITE ADDR:

CITY/STATE: , AL

ZIP:



LAND: \$322,000.00

BLDG: \$473,400.00

OTHER: \$0.00

AREA: 13,783.93

ACRES: 0.32

SUBDIVISION INFORMATION:

NAME AVONDALE

BLOCK: 15

LOT: 6

Section: 29-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: Avondale Park

Commercial Revitalization District: 41st Street

Fire District: Not in Fire District

Flood Zones: Not in Flood Zones

Tax Increment Financing District: Not in Tax Increment Financing District

Neighborhoods: Forest Prk (1401)

Communities: Red Mountain (14)

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

Zoning Outline: B2

Demolition Quadrants: DEM Quadrant - 3

Impaired Watersheds: Impaired Watershed - Upper Village Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

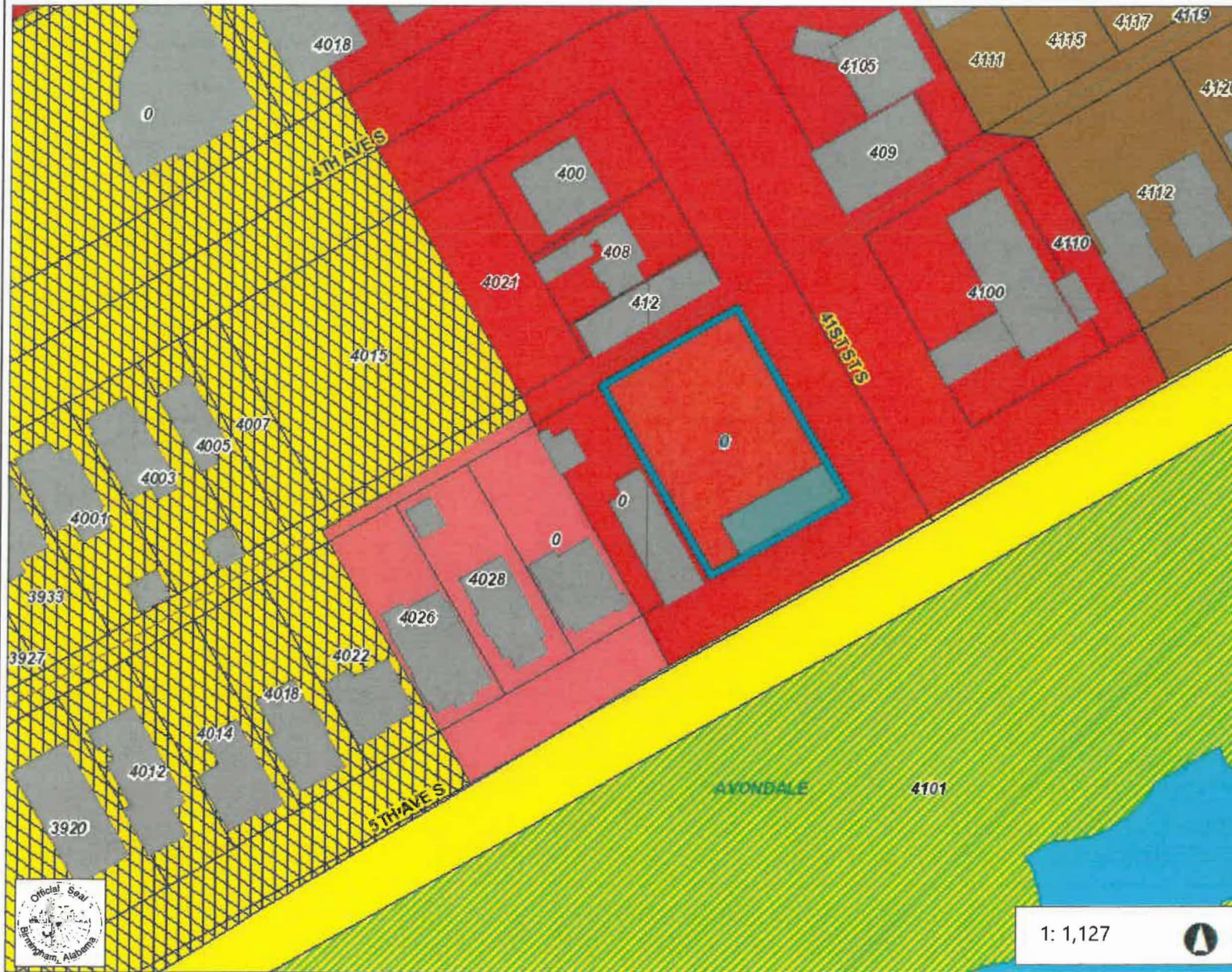
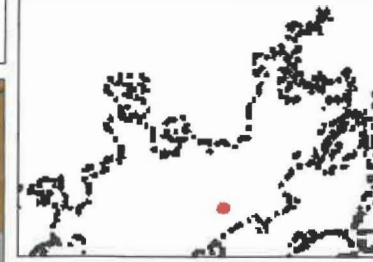
Tax Delinquent Property: Not in Tax Delinquent Property

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

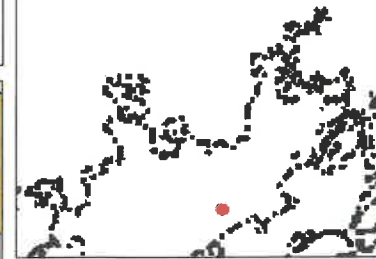


1: 1,127



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



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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



1: 1,127



187.8 0 93.88 187.8 Feet



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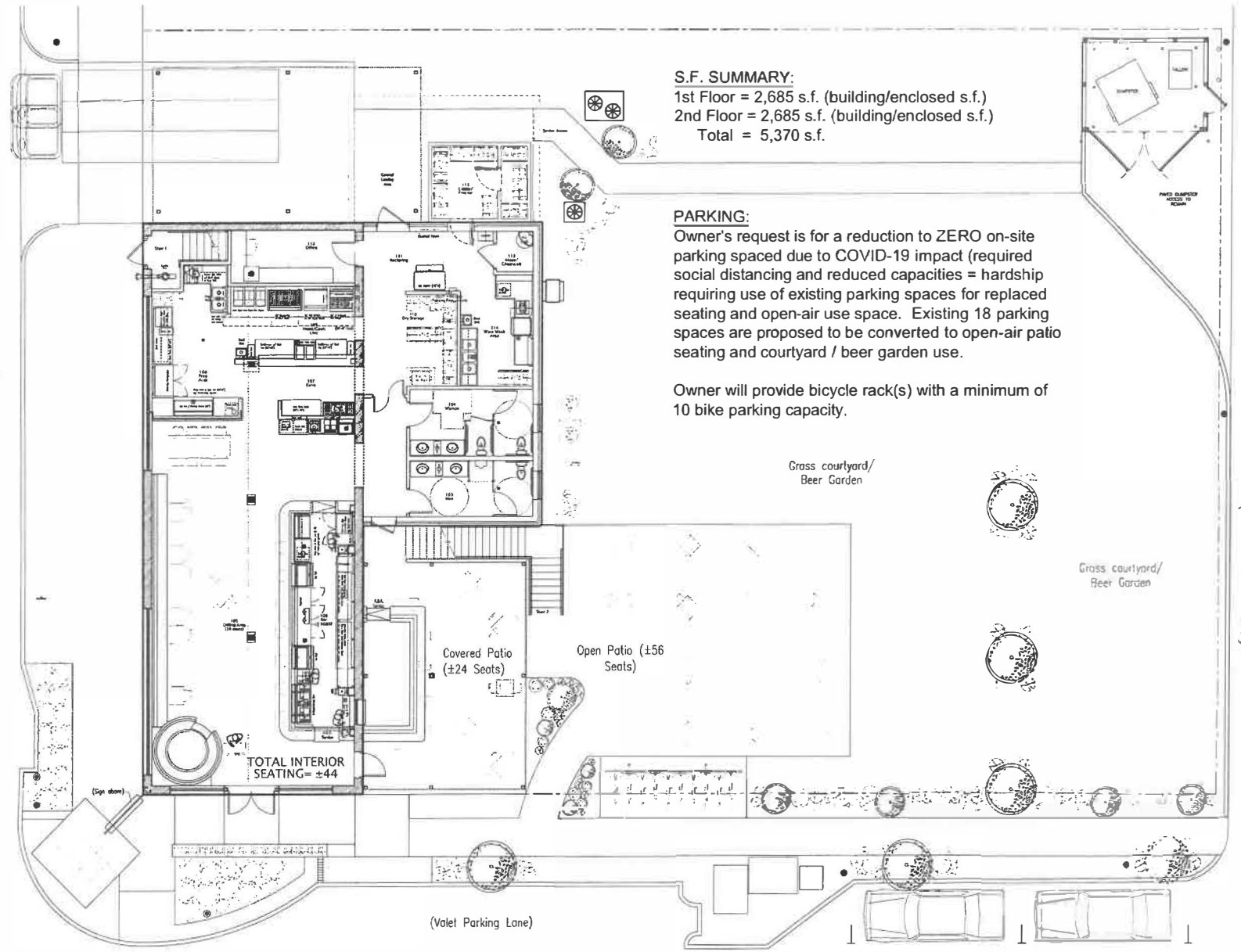
Notes

Google Maps 430 41st St S



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 ft

5th Ave S.

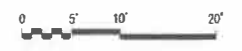


S.F. SUMMARY:
1st Floor = 2,685 s.f. (building/enclosed s.f.)
2nd Floor = 2,685 s.f. (building/enclosed s.f.)
Total = 5,370 s.f.

PARKING:
Owner's request is for a reduction to ZERO on-site parking spaced due to COVID-19 impact (required social distancing and reduced capacities = hardship requiring use of existing parking spaces for replaced seating and open-air use space. Existing 18 parking spaces are proposed to be converted to open-air patio seating and courtyard / beer garden use.

Owner will provide bicycle rack(s) with a minimum of 10 bike parking capacity.

41st Street S.



(Alley Access)

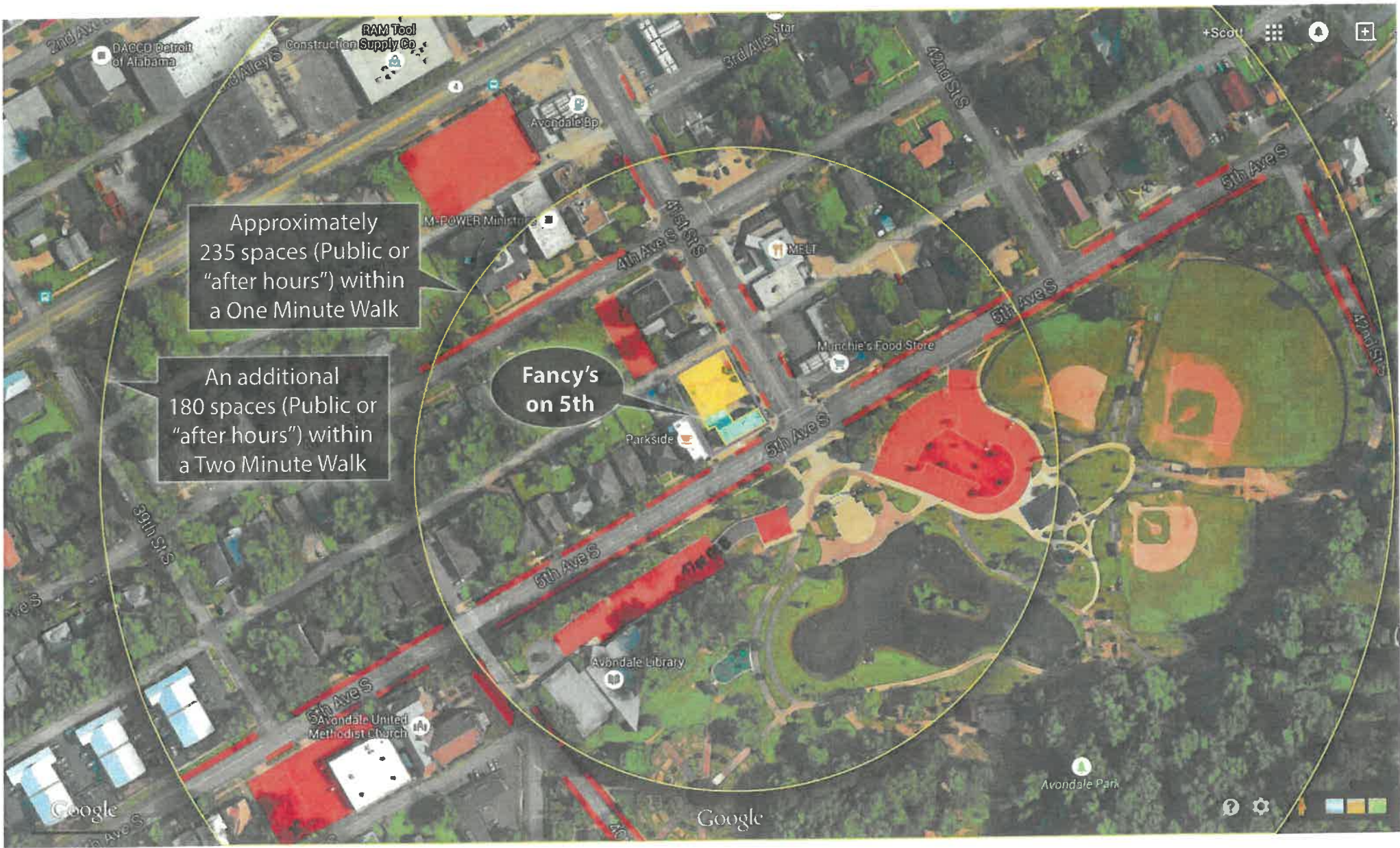
Google Maps 485 41st St S



Image capture: Feb 2019 © 2021 Google



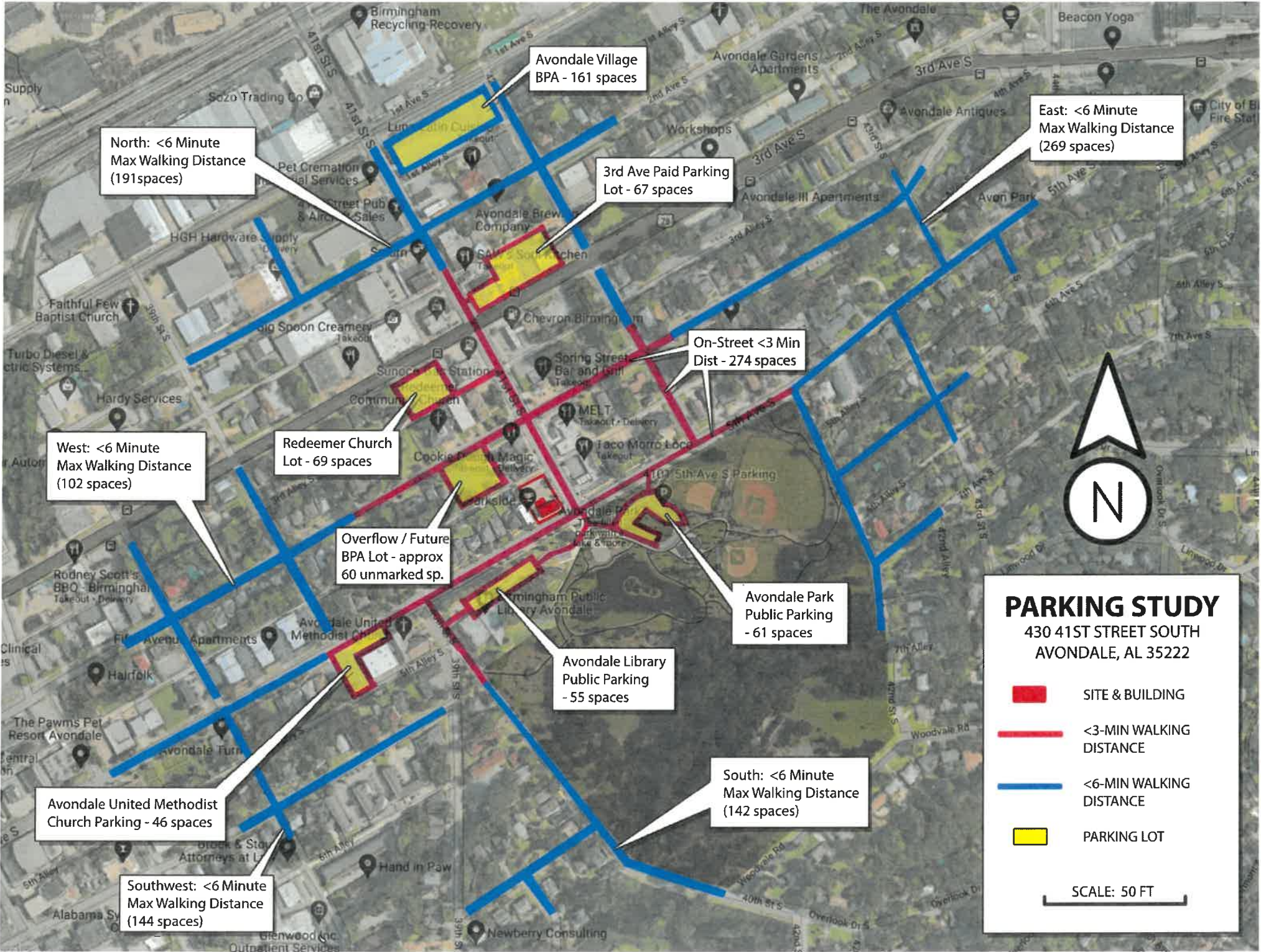
Existing - 18 on-site spaces



Approximately 235 spaces (Public or "after hours") within a One Minute Walk

An additional 180 spaces (Public or "after hours") within a Two Minute Walk

Fancy's on 5th





Avondale Village / Birmingham Parking Authority
Public (Paid) Parking Lot is 1,332 feet from the
Subject Property at 430 41st Street S.

PARKING STUDY	430 41ST STREET SOUTH AVONDALE, AL 35223		
Date: Friday 3/12/2021	<u>Parking Supply</u>	<u>Occupied</u>	<u>Available</u>
Time: 7:30pm-8:30pm			
<u>On-Street Spaces @ 0 to <3 min walking distances:</u>			
5th Ave S (39th to 41st St)	61	15	46
40th St (South of 5th Ave)	17	3	14
5th Ave S (41st to 42nd)	41	7	34
4th Ave S (39th to 41st St)	59	9	50
4th Ave S (41st to just past 42nd)	40	28	12
41st Street S	26	22	4
42nd Street S	30	8	22
	274	92	182
<u>Parking Lot Spaces @ 0 to <3 min walking distances:</u>			
Avondale Public Library	55	0	55
Avondale Park	61	9	52
BPA Overflow Lot on 4th Ave S	60	16	44
3rd Ave S Paid Parking Lot	67	61	6
Avondale UMC Parking Lot - 5th Ave S	46	1	45
Redeemer Church Parking Lot - 3rd Ave S	69	7	62
	358	94	264
<u>Parking Spaces @ 3 min to <6 min walking distances:</u>			
BPA Parking Lot - Avondale Village	161	46	115
South area by Avondale Park (39th to 40th St - see map)	143	14	129
Southwest area (5th & 6th Ave S, 38th St - see map)	144	21	123
West area (4th Ave S, 38th & 39th St - see map)	102	37	65
North area (2nd Ave S, 40th, 41st, & 42nd St - see map)	191	124	67
East area (4th thru 7th Ave S., 42nd thru 44th St - see map)	269	68	201
	1010	310	700
TOTAL: (w/in a 6 minute walk of Subject Property)	<u>Parking Supply</u> 1642	<u>Occupied</u> 496	<u>Available</u> 1146

PARKING STUDY	430 41ST STREET SOUTH AVONDALE, AL 35223		
Date: Saturday 3/13/2021			
Time: 12:30pm-1:45pm	<u>Parking Supply</u>	<u>Occupied</u>	<u>Available</u>
<u>On-Street Spaces @ 0 to <3 min walking distances:</u>			
5th Ave S (39th to 41st St)	61	27	34
40th St (South of 5th Ave)	17	11	6
5th Ave S (41st to 42nd)	41	21	20
4th Ave S (39th to 41st St)	59	37	22
4th Ave S (41st to just past 42nd)	40	30	10
41st Street S	26	23	3
42nd Street S	30	13	17
	274	162	112
<u>Parking Lot Spaces @ 0 to <3 min walking distances:</u>			
Avondale Public Library	55	22	33
Avondale Park	61	36	25
BPA Overflow Lot on 4th Ave S	60	20	40
3rd Ave S Paid Parking Lot	67	65	2
Avondale UMC Parking Lot - 5th Ave S	46	8	38
Redeemer Church Parking Lot - 3rd Ave S	69	10	59
	358	161	197
<u>Parking Spaces @ 3 min to <6 min walking distances:</u>			
BPA Parking Lot - Avondale Village	161	59	102
South area by Avondale Park (39th to 40th St - see map)	143	27	116
Southwest area (5th & 6th Ave S, 38th St - see map)	144	25	119
West area (4th Ave S, 38th & 39th St - see map)	102	39	63
North area (2nd Ave S, 40th, 41st, & 42nd St - see map)	191	115	76
East area (4th thru 7th Ave S., 42nd thru 44th St - see map)	269	58	211
	1010	323	687
<u>TOTAL: (w/in a 6 minute walk of Subject Property)</u>	<u>Parking Supply</u>	<u>Occupied</u>	<u>Available</u>
	1642	646	996

PARKING STUDY	430 41ST STREET SOUTH AVONDALE, AL 35223		
Date: Saturday 3/13/2021			
Time: 7:30pm-8:30pm	<u>Parking Supply</u>	<u>Occupied</u>	<u>Available</u>
<u>On-Street Spaces @ 0 to <3 min walking distances:</u>			
5th Ave S (39th to 41st St)	61	29	32
40th St (South of 5th Ave)	17	11	6
5th Ave S (41st to 42nd)	41	16	25
4th Ave S (39th to 41st St)	59	22	37
4th Ave S (41st to just past 42nd)	40	24	16
41st Street S	26	26	0
42nd Street S	30	12	18
	274	140	134
<u>Parking Lot Spaces @ 0 to <3 min walking distances:</u>			
Avondale Public Library	55	8	47
Avondale Park	61	11	50
BPA Overflow Lot on 4th Ave S	60	19	41
3rd Ave S Paid Parking Lot	67	63	4
Avondale UMC Parking Lot - 5th Ave S	46	11	35
Redeemer Church Parking Lot - 3rd Ave S	69	12	57
	358	124	234
<u>Parking Spaces @ 3 min to <6 min walking distances:</u>			
BPA Parking Lot - Avondale Village	161	55	106
South area by Avondale Park (39th to 40th St - see map)	143	18	125
Southwest area (5th & 6th Ave S, 38th St - see map)	144	24	120
West area (4th Ave S, 38th & 39th St - see map)	102	38	64
North area (2nd Ave S, 40th, 41st, & 42nd St - see map)	191	140	51
East area (4th thru 7th Ave S., 42nd thru 44th St - see map)	269	51	218
	1010	326	684
<u>TOTAL: (w/in a 6 minute walk of Subject Property)</u>	<u>Parking Supply</u>	<u>Occupied</u>	<u>Available</u>
	1642	590	1052

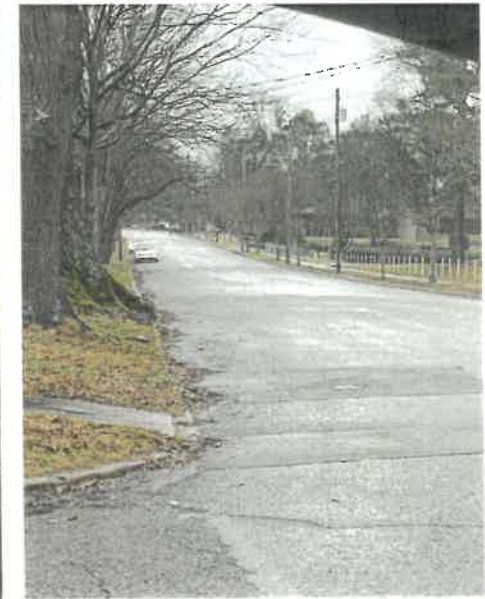
PARKING STUDY	430 41ST STREET SOUTH AVONDALE, AL 35223		
Date: Saturday 3/20/2021			
Time: 12:30pm-1:45pm	<u>Parking Supply</u>	<u>Occupied</u>	<u>Available</u>
<u>On-Street Spaces @ 0 to <3 min walking distances:</u>			
5th Ave S (39th to 41st St)	61	41	20
40th St (South of 5th Ave)	17	14	3
5th Ave S (41st to 42nd)	41	28	13
4th Ave S (39th to 41st St)	59	47	12
4th Ave S (41st to just past 42nd)	40	37	3
41st Street S	26	26	0
42nd Street S	30	18	12
	274	211	63
<u>Parking Lot Spaces @ 0 to <3 min walking distances:</u>			
Avondale Public Library	55	19	36
Avondale Park	61	28	33
BPA Overflow Lot on 4th Ave S	60	22	38
3rd Ave S Paid Parking Lot	67	64	3
Avondale UMC Parking Lot - 5th Ave S	46	4	42
Redeemer Church Parking Lot - 3rd Ave S	69	5	64
	358	142	216
<u>Parking Spaces @ 3 min to <6 min walking distances:</u>			
BPA Parking Lot - Avondale Village	161	68	93
South area by Avondale Park (39th to 40th St - see map)	143	31	112
Southwest area (5th & 6th Ave S, 38th St - see map)	144	24	120
West area (4th Ave S, 38th & 39th St - see map)	102	41	61
North area (2nd Ave S, 40th, 41st, & 42nd St - see map)	191	118	73
East area (4th thru 7th Ave S., 42nd thru 44th St - see map)	269	48	221
	1010	330	680
TOTAL: (w/in a 6 minute walk of Subject Property)	<u>Parking Supply</u> 1642	<u>Occupied</u> 683	<u>Available</u> 959

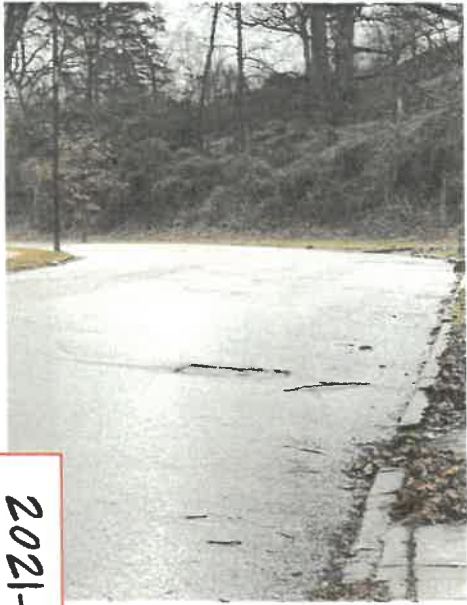
PARKING STUDY	430 41ST STREET SOUTH AVONDALE, AL 35223		
Date: Saturday 3/19/2021			
Time: 7:30pm-8:30pm	<u>Parking Supply</u>	<u>Occupied</u>	<u>Available</u>
<u>On-Street Spaces @ 0 to <3 min walking distances:</u>			
5th Ave S (39th to 41st St)	61	35	26
40th St (South of 5th Ave)	17	10	7
5th Ave S (41st to 42nd)	41	14	27
4th Ave S (39th to 41st St)	59	29	30
4th Ave S (41st to just past 42nd)	40	33	7
41st Street S	26	25	1
42nd Street S	30	10	20
	274	156	118
<u>Parking Lot Spaces @ 0 to <3 min walking distances:</u>			
Avondale Public Library	55	12	43
Avondale Park	61	13	48
BPA Overflow Lot on 4th Ave S	60	14	46
3rd Ave S Paid Parking Lot	67	66	1
Avondale UMC Parking Lot - 5th Ave S	46	14	32
Redeemer Church Parking Lot - 3rd Ave S	69	17	52
	358	136	222
<u>Parking Spaces @ 3 min to <6 min walking distances:</u>			
BPA Parking Lot - Avondale Village	161	61	100
South area by Avondale Park (39th to 40th St - see map)	143	21	122
Southwest area (5th & 6th Ave S, 38th St - see map)	144	33	111
West area (4th Ave S, 38th & 39th St - see map)	102	35	67
North area (2nd Ave S, 40th, 41st, & 42nd St - see map)	191	127	64
East area (4th thru 7th Ave S., 42nd thru 44th St - see map)	269	63	206
	1010	340	670
<u>TOTAL: (w/in a 6 minute walk of Subject Property)</u>	<u>Parking Supply</u> 1642	<u>Occupied</u> 632	<u>Available</u> 1010

2021-02-07 - 1230pm-100pm (Sun Mid-day)

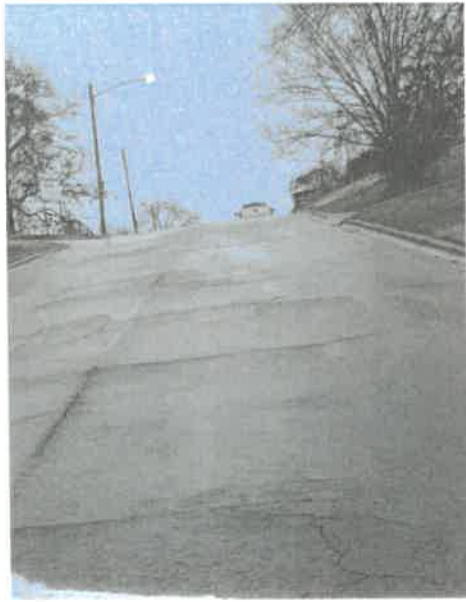


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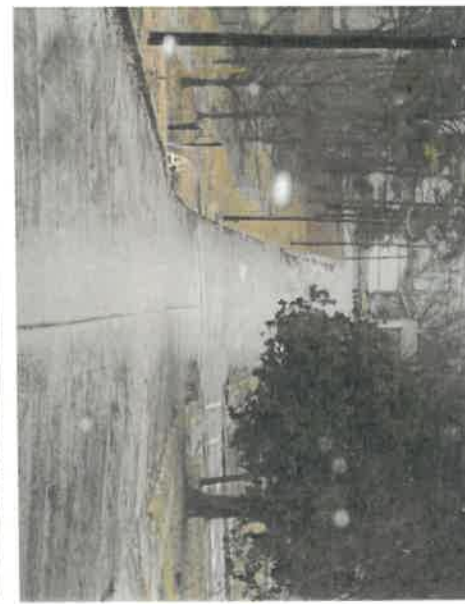




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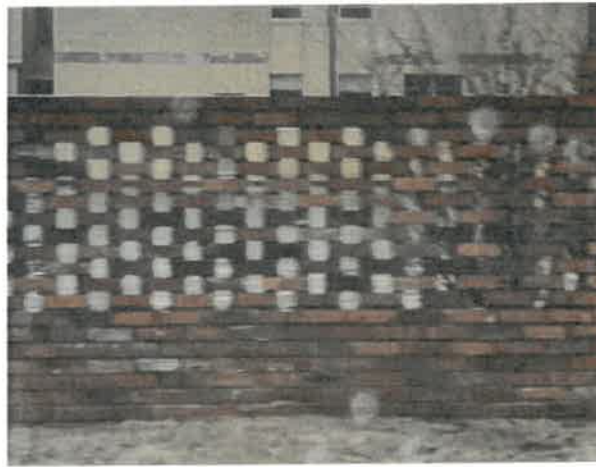
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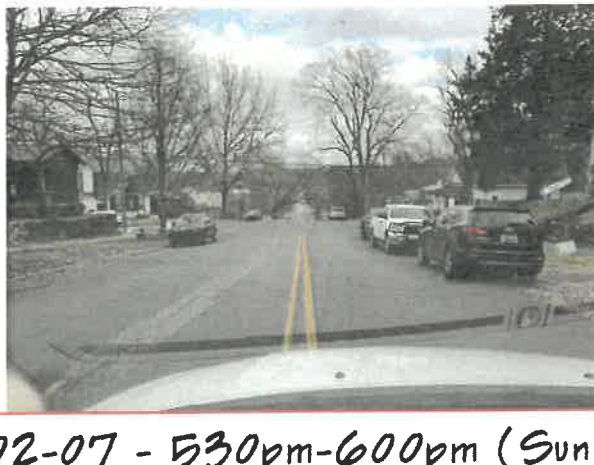
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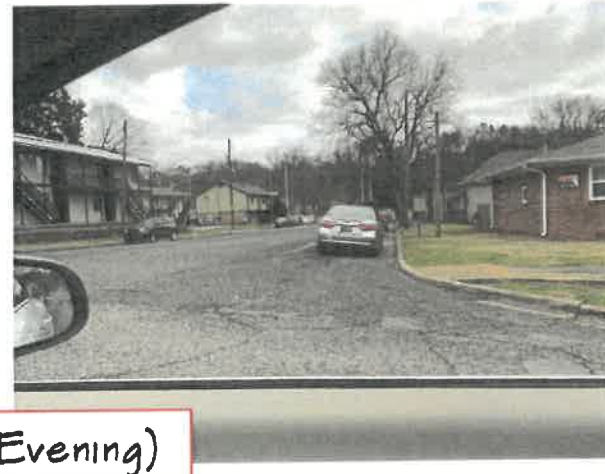
2021-02-07 - 1230pm-100pm (Sun Mid-day)



2021-02-07 - 1230pm-100pm (Sun Mid-day)



2021-02-07 - 530pm-600pm (Sun Evening)



2021-02-07 - 530pm-600pm (Sun Evening)



2021-02-07 - 500pm-530pm (Sun Evening)



2021-02-07 - 500pm-530pm (Sun Evening)



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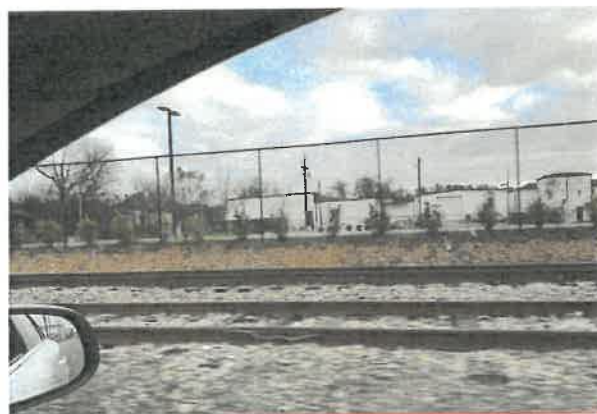
2021-02-07 - 500pm-530pm (Sun Evening)



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2021-02-07 - 500pm-530pm (Sun Evening)



2021-02-09 - 500pm-530pm (Tues Evening)



2021-02-09 - 500pm-530pm (Tues Evening)



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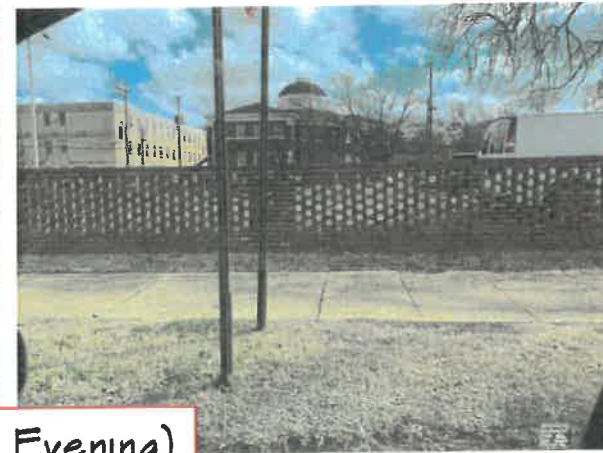
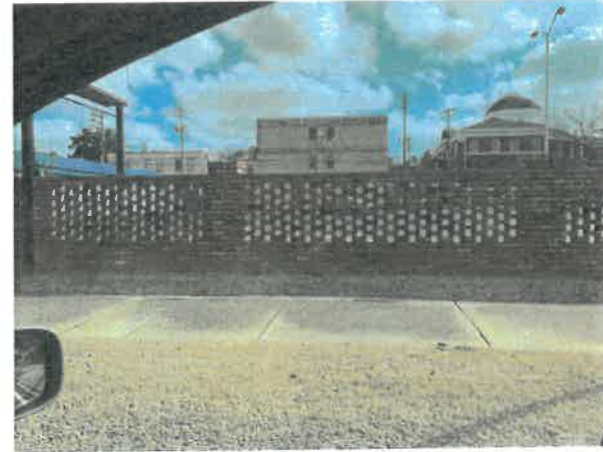
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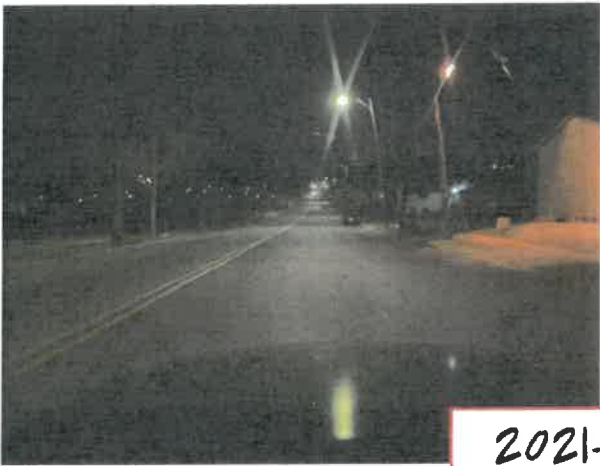
2021-02-09 - 500pm-530pm (Tues Evening)



2021-02-09 - 500pm-530pm (Tues Evening)



2021-02-09 - 730pm-800pm (Tues Night)



2021-02-09 - 730pm-800pm (Tues Night)



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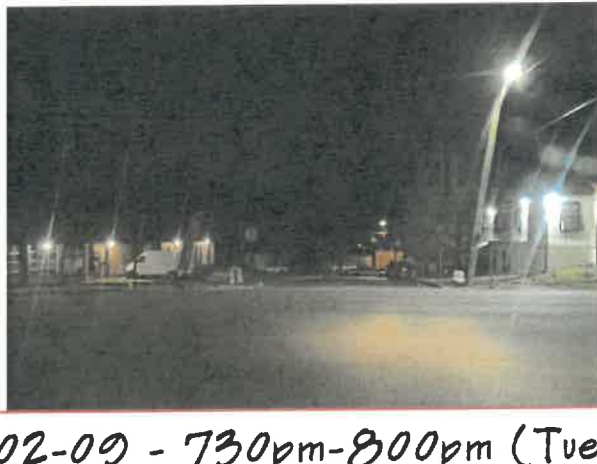
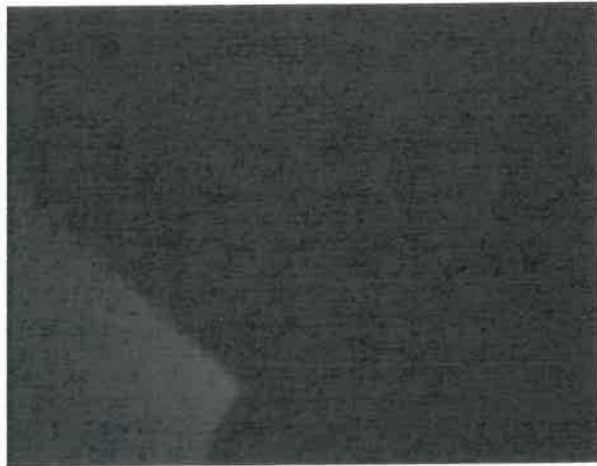
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Meeting – March 11, 2021
Location - WebEx
Time - 2:00PM
Pre-Meeting - 1:00PM
WebEx

Neighborhood: Southside Staff Planner Moton ZBA2021-00007

Request: Parking Modification
Applicant: Toby Rumbarger
Owner: Avenues of 3, LLC
Site Address: 230 31st St S
Zip Code: 35203
Description: Modification to allow 8 off street parking spaces instead of the required 48 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3
Property Zoned: M-1, Light Industrial District
Parcel Information: Parcel #: 012300312005006000, SW of Section 31, Township 17 S, Range 2 W

Modification:

Modification to allow 8 off street parking spaces instead of the required 48 off street parking spaces.

Neighborhood Meeting:

The Southside Neighborhood Association; waiting on vote.

Public Notices:

Public notices were mailed on March 22, 2021.

Staff Analysis:

The parcel is located at 230 31st St S resides within the M-1, Light Industrial District. The applicant is purposing restaurant. According to Title 1 Chapter 5 Section 4.O, it requires 1 parking space per 100sf of GFA for a restaurant (6,000 sf) requiring 60 spaces. However, with the 10% deduction for a nearby transit and deductions for bike racks leaves them with 48 required parking spaces and the applicant has 8 off-street parking spaces; therefore, they are lacking 40 parking spaces. There are other parking modification within the 1,320ft radius such as:

1. ZBA2020-00022, 3029 2nd Ave S, Modification to allow 3 off street parking spaces instead of the required 16 off street parking spaces. **13 lacking**
2. ZBA2019-00036, 5503 1st Ave N, Modification to allow 0 off street parking spaces instead of the required 32 off street parking spaces. **32 lacking**
3. ZBA2017-00001, 3000 3rd Ave S, Modification to allow 0 off-street parking spaces instead of the required 39 off-street parking spaces. **39 lacking**
4. ZBA2019-00022, 2900 4th Ave S, Modification to allow 5 off street parking spaces instead of the required 17 off street parking spaces. **12 lacking**
5. ZBA2020-000026, 3004 4th Ave S, Modification to allow 4 of the required off-street instead of the required 23 off- street parking spaces. **19 lacking**
6. ZBA2017-00090, 2901 4th Ave S, Modification to allow 112 off-street parking spaces instead of the required 233 parking spaces for a mixed-use development with retail space and residential units. **122 lacking**
7. ZBA2017-00074, 3213 2nd Ave S, Modification for parking to allow '0' parking spaces instead of the 117 parking spaces required for an event center use. **117 lacking**

The applicant has provided documentation of a parking study taken on Wednesday, Thursday and Saturday. Based upon the information provided, the applicant has proven there is surplus parking; therefore, staff recommends approval.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the modification request. Therefore, staff believes the request has merit for approval and as such, should be **APPROVED** with the following conditions:

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

PARCEL ID: 012300312005006000

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

DATE: Monday, March 22, 2021 9:56:44 AM

OWNER: AVENUE OF THREE LLC

ADDRESS: 3755 CORPORATE WOODS DRIVE

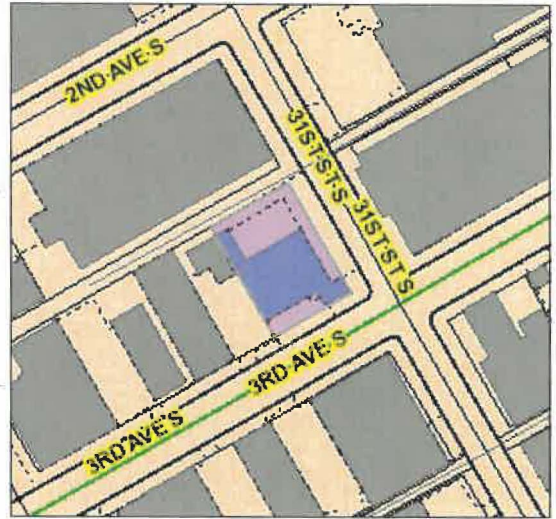
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35242

SITE ADDR: 230 31ST ST S

CITY/STATE: BHAM, AL

ZIP: 35233



LAND: \$308,000.00

BLDG: \$210,700.00

OTHER: \$0.00

AREA: 14,078.57

ACRES: 0.32

SUBDIVISION INFORMATION:

NAME BIRMINGHAM BLOCKS

BLOCK: 448

LOT: 18&

:

Section: 31-17-2W

Land Slide Zones: Not in Land Slide Zones

Historic Districts: North Lakeview Industrial

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: Impaired Watershed - Upper Village Creek

Strategic Opportunity Area: Not in Strategic Opportunity Area

RISE Focus Area: In RISE Focus Area

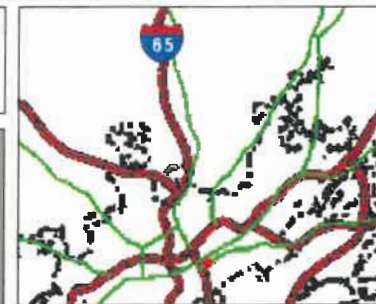
Tax Delinquent Property: Not in Tax Delinquent Property

EPA Superfund: Not in EPA Superfund

Opportunity Zones: In Opportunity Zones

Judicial Boundaries: JEFFERSON

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Legend

Centerline Labels

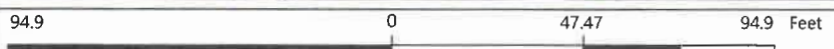
- Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp

Buildings

- Hydrology Lines
- Hydrology Areas
- Parcels
- ▨ City Parks
- Airport

Zoning Shaded

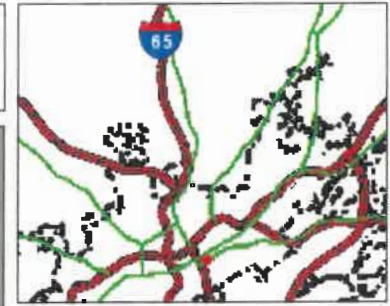
- ▨ R1; D1 - Single Family District - Cla
- ▨ R2; D2 - Single Family District - Cla
- ▨ R3; D3 - Single Family District; R3
- ▨ R4; D4 - Two Family District; R4
- ▨ R4A - Multiple Dwelling District
- ▨ R5; D5 - Multiple Family District; D5
- ▨ R6; D6 - Multiple Family District
- ▨ R7 - Multiple Family District



1: 570

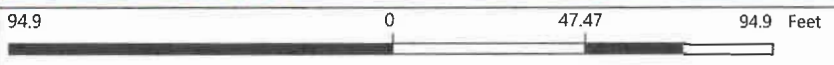
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Legend

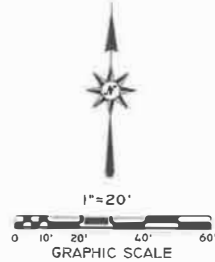
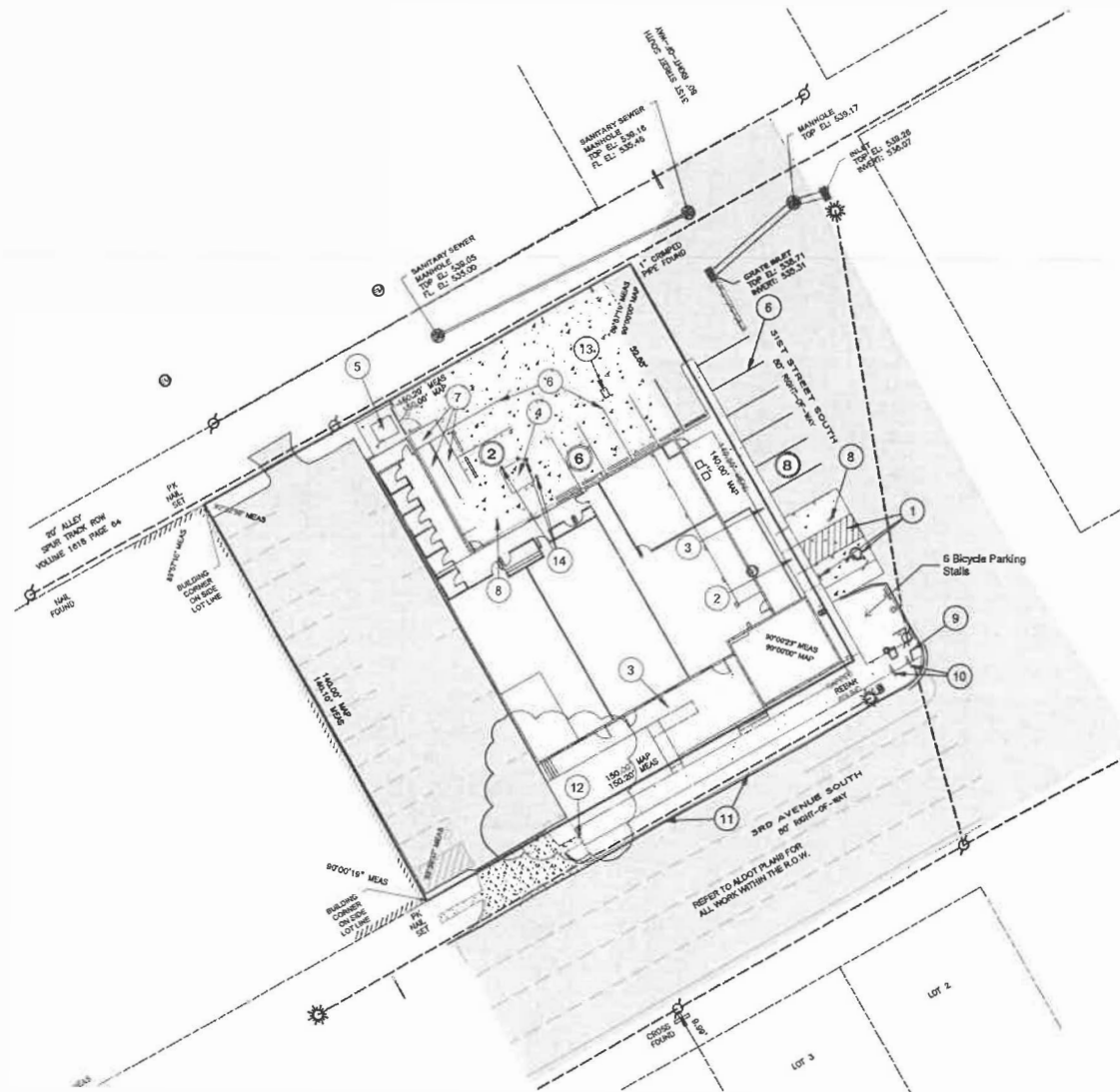
- Centerline Labels
- + Railroad
- Alleys
- Local Roads
- Arterials
- County Highways
- State Highways
- US Highways
- Interstates
 - Limited Access
 - Ramp
- Buildings
- Hydrology Lines
- Hydrology Areas
- Parcels
- City Parks
- Airport
- Adopted LandUse Plan
 - Residential-Low
 - Residential-Medium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



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1: 570

Notes



KEY NOTE LEGEND

- 1 ADA PARKING SPACE RECD. TYPICAL. SEE DETAIL FOR ADA SIGN ASILE AND SYMBOL. "Y" INDICATES UNACCESSIBLE SPACE.
- 2 ADA RAMP (TYPE II) RECD. SEE DETAIL.
- 3 CONCRETE SIDEWALK RECD. SEE DETAIL.
- 4 TRANSFORMER PAD RECD. CONTRACTOR SHALL COORDINATE WITH POWER COMPANY FOR EXACT LOCATION, TYPE, AND SIZE.
- 5 COVERED AND CURBED DUMPSTER ENCLOSURE REQUIRED. SEE PAD DETAIL. REFER TO ARCHITECTURAL PLANS FOR ENCLOSURE DETAILS.
- 6 4" WIDE PAINTED WHITE PARKING LOT STIPING REQUIRED. - TYPICAL.
- 7 ACCESS / DELIVERY RAMP REQUIRED. REFER TO ARCHITECTURAL PLANS FOR DETAILS.
- 8 CONCRETE PAVING REQUIRED. SEE DETAIL. - TYPICAL.
- 9 ADA RAMP (TYPE 3) RECD. SEE DETAIL.
- 10 RELOCATE EXISTING SIGN AS REQUIRED TO AVOID SIDEWALK CONFLICT.
- 11 1" CUBS AND CUTTER REQUIRED. - SEE DETAIL.
- 12 TIE TO EXISTING SIDEWALK.
- 13 REMOVE METAL LID AND REPLACE WITH CONCRETE TO BE FLUSH WITH EXISTING GRADE.
- 14 PIPE INCLAND REQUIRED. SEE DETAIL. THE CONTRACTOR SHALL CONTACT AND COORDINATE WITH AL. POWER THE EXACT NUMBER OF BOLLARDS AND PLACEMENT AS REQUIRED.

**STATE OF ALABAMA
SHELBY COUNTY**

A parcel of land situated in the NE 1/2 of Section 31, Township 17 South, Range 2 West of Jefferson County, Alabama, being more particularly described as follows:

Lots 17, 18, 19, and 20, in Block 448 according to the Survey of the City of Birmingham, as made by Elyton Land Company. Said parcel contains 21,920 square feet, or 0.48 acres, more or less.

I furthermore certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief, that the correct address is as follows: 230 3rd Street South, Birmingham, AL, according to my survey of December 18, 2020. Survey is not valid unless it is sealed with embossed seal or stamped in red.

MTTR
ENGINEERS, INC.
CONSULTING ENGINEERS-LAND SURVEYORS
2500 SOUTHLAKE PARK SUITE 100, HOOVER, AL 36244
TELEPHONE (205) 320-0114



SITE LAYOUT PLAN
SPEED SHOP
230 3RD STREET SOUTH
BIRMINGHAM, AL
THE BODNAR GROUP
VESTAVIA HILLS, AL

PRODUCT

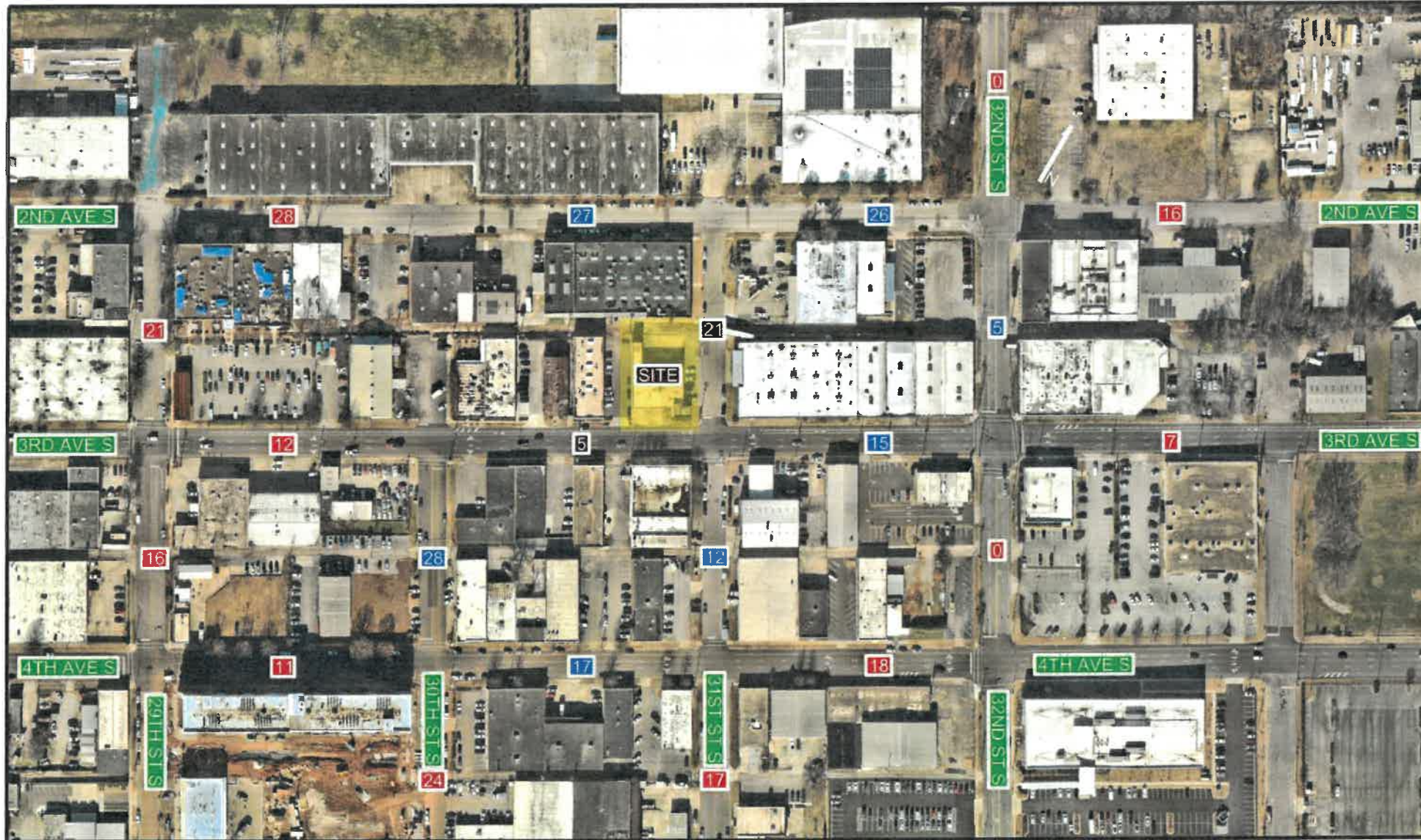
DISCUSS

DATE: 1/25/2021

JOB NO:
298004
FILE NAME:
298004.DWG
DATE:
1/25/2021
DRAWN:
E.T.
CHECKED:
O.A.R.
SCALE:
1"=20'
SHEET



Speedshop Redevelopment - On-Street Parking Inventory



LEGEND

- XX XX X Street Name
- XX Estimated Parking Inventory (Adjacent)
- XX Estimated Parking Inventory (1-Block)
- XX Estimated Parking Inventory (2-Block)

Estimated On-Street Parking Inventory

Zone	Estimated Inventory
Adjacent to Site	26 Spaces
1-Block Walk	130 Spaces
2-Block Walk	170 spaces

ZONING DISTRICT: M-1 – LIGHT INDUSTRIAL DISTRICT

Step 1: Proposed Development Program			
Land Use	Sub Type	Proposed Area	Total
Commercial	Restaurant	6,000 SF	6,000 SF
Step 2: City of Birmingham Zoning Code Parking Requirements			
Land Use	Minimum Parking Rate	Required Spaces	
Commercial	1 space / 100 sf GFA	60 spaces	
Minimum Total Parking Spaces		60 spaces	
Step 3: City of Birmingham Zoning Code Parking Reductions			
Reduction		Reduction Amount	Spaces Reduced
Adjacent Transit		10%	-6 spaces
Bicycle Parking		10%	-6 spaces
Total Parking Space Reduction		-12 spaces	
Total Parking Spaces Required		48 spaces	
Off-Street Parking		8 spaces	
Total Parking Spaces Lacking		40 spaces	
Step 4: Adjacent On-Street Parking Availability			
Proximity		Estimated Parking Inventory	
Adjacent to Site		26 spaces	
1-Block Walk		130 spaces	
2-Block Walk		170 spaces	



Figure 1: SpeedShop Redevelopment Site

PARKING OCCUPANCY (WEEKDAY 1)

Occupancy counts collected on Wednesday, February 24, 2021 at 6 pm & Thursday, February 25, 2021 at 12 and 3 pm

On Street Parking Location	Parking Supply			Open Spaces (Weekday)											
	Adjacent to Site	1-Block Walk	2-Block Walk	Adjacent to Site			1-Block Walk			2-Block Walk					
				Midday	Afternoon	Evening	Midday	Afternoon	Evening	Midday	Afternoon	Evening			
31 st St S (between 2nd & 3rd Ave S)	21			13	13	20									
3rd Ave S (between 30th & 31st St S)	5			4	3	1									
2nd Ave S (between 30th & 31st St S)		27					7	5	21						
2nd Ave S (between 31st & 32nd St S)		26					14	12	25						
3rd Ave S (between 31st & 32nd St S)		15					15	15	15						
4th Ave S (between 30th & 31st St S)		17					5	5	17						
30th St S (between 3rd & 4th Ave S)		28					13	7	15						
31st St S (between 3rd & 4th Ave S)		12					6	4	12						
32nd St S (between 2nd & 3rd Ave S)		5					2	5	5						
2nd Ave S (between 29th & 30th St S)			28								15	14	22		
2nd Ave S (between 32nd & 33rd St S)			16								7	9	12		
3rd Ave S (between 29th & 30th St S)			12								12	12	4		
3rd Ave S (between 32nd & 33rd St S)			7								7	7	7		
4th Ave S (between 29th & 30th St S)			11								4	2	0		
4th Ave S (between 31st & 32nd St S)			18								13	14	18		
29th St S (between 2nd & 3rd Ave S)			21								7	0	5		
29th St S (between 3rd & 4th Ave S)			16								11	9	9		
30th St S (between 4th & 5th Ave S)			24								17	15	24		
31st St S (between 4th & 5th Ave S)			17								12	9	17		
Totals	26	130	170	17	16	21	62	53	110	105	91	118			
Percent of Supply Unoccupied (open spaces/parking supply)				65%	62%	81%	48%	41%	85%	62%	54%	69%			

PARKING OCCUPANCY (WEEKDAY 2)

Occupancy counts collected on Wednesday, March 11, 2021 at 12, 3, and 6 pm

On Street Parking Location	Parking Supply			Open Spaces (Weekday)										
	Adjacent to Site	1-Block Walk	2-Block Walk	Adjacent to Site			1-Block Walk			2-Block Walk				
				Midday	Afternoon	Evening	Midday	Afternoon	Evening	Midday	Afternoon	Evening		
31 st St S (between 2nd & 3rd Ave S)	21			13	14	20								
3rd Ave S (between 30th & 31st St S)	5			4	3	3								
2nd Ave S (between 30th & 31st St S)		27					7	4	17					
2nd Ave S (between 31st & 32nd St S)		26					11	15	20					
3rd Ave S (between 31st & 32nd St S)		15					15	15	15					
4th Ave S (between 30th & 31st St S)		17					2	7	16					
30th St S (between 3rd & 4th Ave S)		28					16	8	17					
31st St S (between 3rd & 4th Ave S)		12					3	2	12					
32nd St S (between 2nd & 3rd Ave S)		5					5	3	5					
2nd Ave S (between 29th & 30th St S)			28								15	12	26	
2nd Ave S (between 32nd & 33rd St S)			16								4	5	10	
3rd Ave S (between 29th & 30th St S)			12								12	11	10	
3rd Ave S (between 32nd & 33rd St S)			7								7	7	7	
4th Ave S (between 29th & 30th St S)			11								0	2	3	
4th Ave S (between 31st & 32nd St S)			18								14	15	17	
29th St S (between 2nd & 3rd Ave S)			21								4	0	8	
29th St S (between 3rd & 4th Ave S)			16								14	12	6	
30th St S (between 4th & 5th Ave S)			24								12	14	23	
31st St S (between 4th & 5th Ave S)			17								12	10	17	
Totals	26	130	170	17	17	23	59	54	102	94	88	127		
Percent of Supply Unoccupied (open spaces/parking supply)				65%	65%	88%	45%	42%	78%	55%	52%	72%		

PARKING OCCUPANCY (WEEKEND)

Occupancy counts collected on Saturday, February 27, 2021 at 12, 3, and 6 pm

On Street Parking Location	Parking Supply			Open Spaces (Weekend)										
	Adjacent to Site	1-Block Walk	2-Block Walk	Adjacent to Site			1-Block Walk			2-Block Walk				
				Midday	Afternoon	Evening	Midday	Afternoon	Evening	Midday	Afternoon	Evening		
31 st St S (between 2nd & 3rd Ave S)	21			21	21	21								
3rd Ave S (between 30th & 31st St S)	5			5	2	3								
2nd Ave S (between 30th & 31st St S)		27					24	25	26					
2nd Ave S (between 31st & 32nd St S)		26					26	22	26					
3rd Ave S (between 31st & 32nd St S)		15					15	15	15					
4th Ave S (between 30th & 31st St S)		17					14	13	10					
30th St S (between 3rd & 4th Ave S)		28					22	13	6					
31st St S (between 3rd & 4th Ave S)		12					12	10	12					
32nd St S (between 2nd & 3rd Ave S)		5					5	5	5					
2nd Ave S (between 29th & 30th St S)			28								23	18	17	
2nd Ave S (between 32nd & 33rd St S)			16								13	13	15	
3rd Ave S (between 29th & 30th St S)			12								12	7	1	
3rd Ave S (between 32nd & 33rd St S)			7								7	7	7	
4th Ave S (between 29th & 30th St S)			9								3	0	1	
4th Ave S (between 31st & 32nd St S)			18								18	18	18	
29th St S (between 2nd & 3rd Ave S)			21								4	1	0	
29th St S (between 3rd & 4th Ave S)			16								14	11	8	
30th St S (between 4th & 5th Ave S)			24								24	24	24	
31st St S (between 4th & 5th Ave S)			17								16	15	17	
Totals	26	130	170	26	23	24	118	103	100	134	114	108		
Percent of Supply Unoccupied (open spaces/parking supply)				100%	88%	92%	91%	79%	77%	79%	67%	64%		

Meeting – March 11, 2021
Location - WebEx
Time - 2:00PM
Pre-Meeting - 1:00PM
WebEx

Neighborhood: Southside Staff Planner Moton ZBA2021-00008

Request: Parking Modification
Applicant: Toby Rumbarger
Owner: OZ-RBM Squared II, LLC
Site Address: 200 28th St S
Zip Code: 35233
Description: Modification to allow 6 off street parking spaces instead of the required 44 off street parking spaces pursuant to Title I, Chapter 9, Article VI, Section 6.A.3
Property Zoned: M-1, Light Industrial District
Parcel Information: Parcel #: 01230031208001000, SW of Section 31, Township 17 S, Range 2 W

Modification:

Modification to allow 6 off street parking spaces instead of the required 44 off street parking spaces.

Neighborhood Meeting:

The Southside Neighborhood Association; waiting on vote.

Public Notices:

Public notices were mailed on March 22, 2021.

Staff Analysis:

The parcel is located at 200 28th St S resides within the M-1, Light Industrial District. The applicant is purposing restaurant. According to Title 1 Chapter 5 Section 4.O, it requires 1 parking space per 100sf of GFA for a restaurant (5,400 sf) requiring 54 spaces. However, with the 10% deduction for a nearby transit and deductions for bike racks leaves them with 44 required parking spaces and the applicant has 6 off-street parking spaces; therefore, they are lacking 38 parking spaces. There are other parking modification within the 1,320ft radius such as:

1. ZBA2019-00056, 2901 2nd Ave S, Modification to allow 98 off street parking spaces instead of the required 137 off street parking spaces. **39 spaces lacking**
2. ZBA2019-00022, 2900 4th Ave S, Modification to allow 5 off street parking spaces instead of the required 17 off street parking spaces. **12 spaces lacking**
3. ZBA2013-00020, 2725 4th Ave S, Modification to allow 12 off street parking spaces instead of the required 50 spaces. **38 spaces lacking**
4. ZBA2013-00063, 2809 3rd Ave S, Modification to allow 22 parking spaces instead of the 34 required spaces. **12 spaces lacking**

The applicant has provided documentation of a parking study taken on Wednesday, Thursday and Saturday. Based upon the information provided, the applicant has proven there is surplus parking; therefore, staff recommends approval.

Staff Recommendation

Staff believes the applicant has provided sufficient evidence to support the modification request. Therefore, staff believes the request has merit for approval and as such, should be **APPROVED** with the following conditions:

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

PARCEL ID: 012300312028001000

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

DATE: Wednesday, March 24, 2021 10:38:31 AM

OWNER: OZ RBM SQUARED II LLC

ADDRESS: 108 HANOVER RD

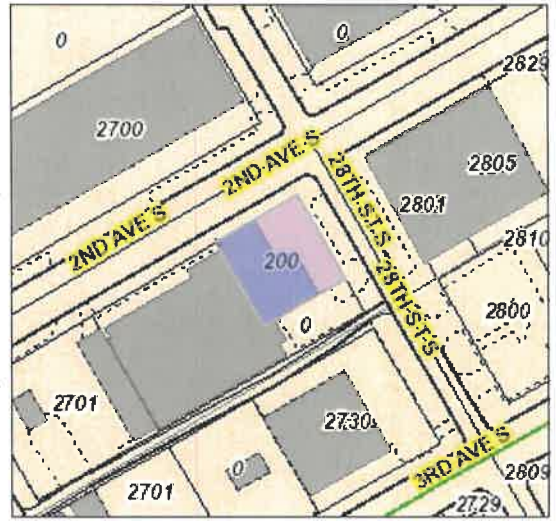
CITY/STATE: BIRMINGHAM AL

ZIP+4: 35209

SITE ADDR: 200 28TH ST S

CITY/STATE: BHAM, AL

ZIP: 35233



LAND: \$419,600.00

BLDG: \$341,100.00

OTHER: \$0.00

AREA: 10,198.50

ACRES: 0.23

SUBDIVISION INFORMATION:

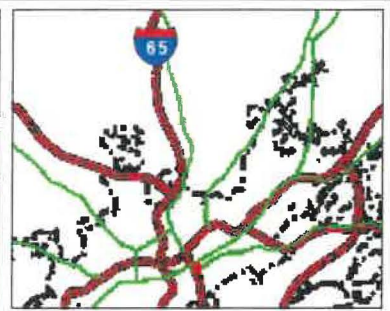
NAME BHAM RE BLK 221 23-31-2

BLOCK: 221

LOT: 2-A

Section: 31-17-2W
Land Slide Zones: Not in Land Slide Zones
Historic Districts: Not in Historic Districts
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

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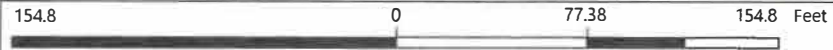


Legend

- Centerline Labels
- + Railroad
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- 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: 929



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Notes



Legend

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



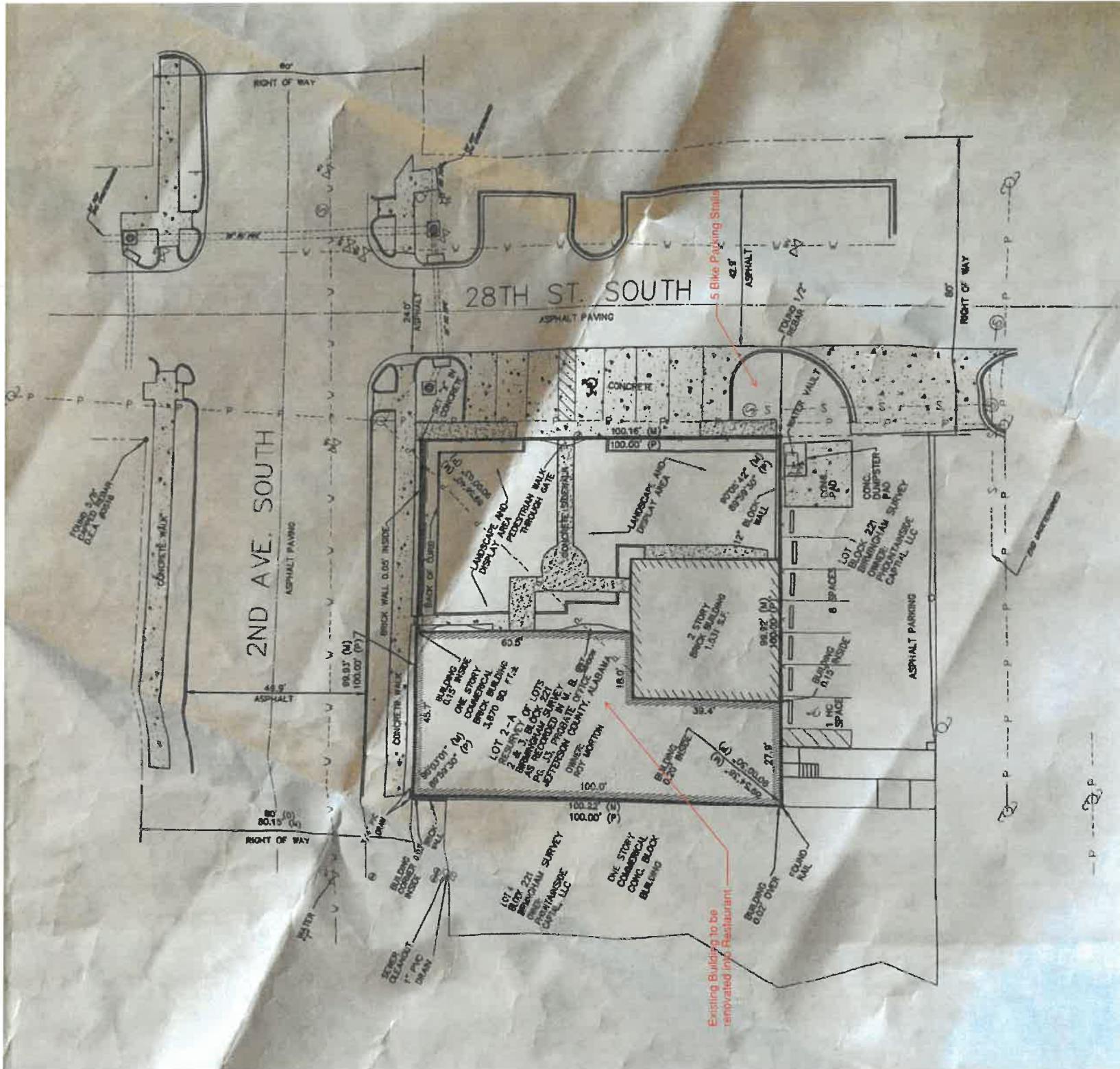
1: 1,238



206.4 0 103.18 206.4 Feet

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Notes



ZONING DISTRICT: M-1 – LIGHT INDUSTRIAL DISTRICT

Step 1: Proposed Development Program			
Land Use	Sub Type	Proposed Area	Total
Commercial	Restaurant	5,400 SF	5,400 SF
Step 2: City of Birmingham Zoning Code Parking Requirements			
Land Use	Minimum Parking Rate	Required Spaces	
Commercial	1 space / 100 sf GFA	54 spaces	
Minimum Total Parking Spaces		54 spaces	
Step 3: City of Birmingham Zoning Code Parking Reductions			
Reduction		Reduction Amount	Spaces Reduced
Adjacent Transit		10%	-5 spaces
Bicycle Parking		10%	-5 spaces
Total Parking Space Reduction		-10 spaces	
Total Parking Spaces Required		44 spaces	
Off-Street Parking		6 spaces	
Total Parking Spaces Lacking		38 spaces	
Step 4: Adjacent On-Street Parking Availability			
Proximity		Estimated Parking Inventory	
Adjacent to Site		34 spaces	
1-Block Walk		65 spaces	
2-Block Walk		139 spaces	



Figure 1: Architectural Heritage Building Redevelopment Site

Architectural Heritage Building Redevelopment On-Street Parking Inventory



LEGEND

- XXXXX Street Name
- XX Estimated Parking Inventory (Adjacent)
- XX Estimated Parking Inventory (1-Block)
- XX Estimated Parking Inventory (2-Block)

Estimated On-Street Parking Inventory

Zone	Estimated Inventory
Adjacent to Site	34 Spaces
1-Block Walk	65 Spaces
2-Block Walk	139 Spaces

PARKING OCCUPANCY (WEEKDAY 1)

Occupancy counts collected on Wednesday, February 24, 2021 at 6 pm and Thursday, February 25, 2021 at 12 and 3 pm

On Street Parking Location	Parking Supply			Open Spaces (Weekday)									
	Adjacent to Site	1-Block Walk	2-Block Walk	Adjacent to Site			1-Block Walk			2-Block Walk			
				Midday	Afternoon	Evening	Midday	Afternoon	Evening	Midday	Afternoon	Evening	
28th St S (between 2nd & 3rd Ave S)	24			11	10	12							
3rd Ave S (between 27th & 28th St S)	10			10	10	10							
2nd Ave S (between 28th & 29th St S)		25					15	17	22				
3rd Ave S (between 28th & 29th St S)		15					10	10	9				
28th St S (between 1st & 2nd Ave S)		25					7	13	18				
27th St S (between 1st & 2nd Ave S)			10							9	9	10	
27th St S (between 2nd & 3rd Ave S)			12							6	4	2	
28th St S (between 3rd & 4th Ave S)			6							4	3	6	
29th St S (between 2nd & 3rd Ave S)			21							7	0	5	
29th St S (between 3rd & 4th Ave S)			16							11	9	9	
2nd Ave S (between 29th & 30th St S)			28							15	14	22	
4th Ave S (between 27th & 28th St S)			10							6	5	20	
4th Ave S (between 28th & 29th St S)			23							17	14	17	
Totals	34	65	139	21	20	22	32	40	49	75	58	91	
Percent of Supply Unoccupied (open spaces/parking supply)				62%	59%	65%	49%	62%	75%	54%	42%	65%	

PARKING OCCUPANCY (WEEKDAY 2)

Occupancy counts collected on Wednesday, March 10, 2021 12, 3, and 6 pm

On Street Parking Location	Parking Supply			Open Spaces (Weekday)										
	Adjacent to Site	1-Block Walk	2-Block Walk	Adjacent to Site			1-Block Walk			2-Block Walk				
				Midday	Afternoon	Evening	Midday	Afternoon	Evening	Midday	Afternoon	Evening		
28th St S (between 2nd & 3rd Ave S)	24			9	9	17								
3rd Ave S (between 27th & 28th St S)	10			10	10	10								
2nd Ave S (between 28th & 29th St S)		25					16	18	23					
3rd Ave S (between 28th & 29th St S)		15					9	10	12					
28th St S (between 1st & 2nd Ave S)		25					4	9	18					
27th St S (between 1st & 2nd Ave S)			10							10	10	9		
27th St S (between 2nd & 3rd Ave S)			12							3	3	4		
28th St S (between 3rd & 4th Ave S)			6							3	4	4		
29th St S (between 2nd & 3rd Ave S)			21							4	0	8		
29th St S (between 3rd & 4th Ave S)			16							14	12	6		
2nd Ave S (between 29th & 30th St S)			28							15	12	26		
4th Ave S (between 27th & 28th St S)			10							11	6	12		
4th Ave S (between 28th & 29th St S)			23							15	13	19		
Totals	34	65	139	19	19	27	29	37	53	75	60	88		
Percent of Supply Unoccupied (open spaces/parking supply)				56%	56%	79%	45%	57%	82%	54%	43%	63%		

PARKING OCCUPANCY (WEEKEND)

Occupancy counts collected on Saturday, February 27, 2021 at 12, 3, & 6 pm

On Street Parking Location	Parking Supply			Open Spaces (Weekend)										
	Adjacent to Site	1-Block Walk	2-Block Walk	Adjacent to Site			1-Block Walk			2-Block Walk				
				Midday	Afternoon	Evening	Midday	Afternoon	Evening	Midday	Afternoon	Evening		
28th St S (between 2nd & 3rd Ave S)	24			12	14	15								
3rd Ave S (between 27th & 28th St S)	10			10	6	4								
2nd Ave S (between 28th & 29th St S)		25					23	21	23					
3rd Ave S (between 28th & 29th St S)		15					14	8	4					
28th St S (between 1st & 2nd Ave S)		25					24	23	24					
27th St S (between 1st & 2nd Ave S)			10								10	10	10	
27th St S (between 2nd & 3rd Ave S)			12								10	5	0	
28th St S (between 3rd & 4th Ave S)			6								1	4	4	
29th St S (between 2nd & 3rd Ave S)			21								4	1	0	
29th St S (between 3rd & 4th Ave S)			16								14	11	8	
2nd Ave S (between 29th & 30th St S)			28								23	18	17	
4th Ave S (between 27th & 28th St S)			10								13	10	14	
4th Ave S (between 28th & 29th St S)			23								21	17	15	
Totals	34	65	139	22	20	19	61	52	51	96	76	68		
Percent of Supply Unoccupied (open spaces/parking supply)				65%	59%	56%	94%	80%	78%	69%	55%	49%		

Meeting – March 11, 2021
Location - City Council Chambers, Third Floor, City Hall
Time - 2:00PM
Pre-Meeting - 1:00PM
Webex

Neighborhood: Five Points South Staff Planner Moton ZBA2021-00009

Request: Variance
Applicant: Karen Wilson
Owner: Highlands AL Partners LLC
Site Address: 2173 Highlands Ave S
Zip Code: 35205
Description: Variance for a 374 sq ft of a marketing banner instead of the maximum sign area shall not exceed 6% of building facade (height x length), nor shall its length exceed 50% of building length. No sign shall exceed 150 square feet pursuant to Title 1, Chapter 7, Section 5.1 page 273
Property Zoned: Q-B3, Qualified Community Business District
Parcel Information: Parcel #:012800062033002000, NW of Section 06, Township 18 S, Range 2 W

Variance:

Variance for a 374 sq ft of a marketing banner instead of the maximum sign area shall not exceed 6% of building facade (height x length), nor shall its length exceed 50% of building length. No sign shall exceed 150 square feet.

Neighborhood Meeting:

The Five Points South Association voted this request will not impact the neighborhood beyond the adjacent property owners and, therefore has no position.

Public Notices:

Public notices were mailed on March 18, 2021.

Applicant's Justification:

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

Staff Analysis:

The parcel located at 2173 Highland Ave S resides within the Q-B3, Qualified Community Business District. The property is located in the Five Points South commercial revitalization district. A master sign plan was approved for the property in 2019. The plan approved 2 marketing banners of 187.5 sq ft each (375 sq ft total) to be placed mid-way up the building on opposite ends. The proposed sign was reviewed and approved by Design review only for temporary use of 90 days.

Based upon the information provided, staff will not recommend this request; however, if approved, we would recommend for temporary use of no more than 90 calendar days.

Staff Recommendation

Staff believes the applicant has provided not provided enough evidence to support the variance request. Therefore, staff believes the request has merit for denial and as such, should be **DENIED.**



March 10, 2021

Dept of Planning
710 20th ST. North
Birmingham, Al. 35203

To whom it may concern:

We are requesting a variance to sign ordinance Section 5: "The total area of attached signs displayed on the premises must not exceed the following percentage of a signable area for this district: a) maximum sign face area shall not exceed 6% of building façade (height X length), nor shall its length exceed 50% of building length; b) no sign shall exceed 150 square feet."

A Master Sign Plan was approved for the Cortland Vesta apartments located at 2173 Highlands Ave. South in 2019. The plan approved 2 Marketing banners of 187.5 sq. ft. each to be placed mid-way up the building on opposite ends. (Total 375 sq ft) The sign ordinance changed since 2019 creating a need for a variance to size limit and percentage of building width which can be covered by signage.

The property owners decided it would be better to use one larger banner at the top of building for visibility to traffic on the nearby highway. (Elton B. Stephens Expressway) The total banner sq footage does not change and placing it at the top of the building is better for the street level aesthetics of the neighborhood.

We respectfully ask for your consideration and approval for this variance.

Respectfully,

A handwritten signature in blue ink that reads "Karen Wilson".

Karen Wilson for
Cortland & DeNyse Companies



Criteria response from Richard Swartz, DeNyse Companies

1. Physical Characteristics of the Property. The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic conditions, or other extraordinary and exceptional conditions of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property upon the strict application of any regulation enacted by the ordinance codified in this Ordinance.

One of the benefits of the location of this property is its exposure to freeway traffic. It presents a unique marketing opportunity. However, the distance to the freeway is a bit too far away for a banner of allowable size to be effective.

2. Unique Characteristics. The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area, that the granting of the application is necessary for the preservation and enjoyment of a property right, and not merely to serve as a convenience to the applicant.

There are few, if any multi-family properties that have the freeway exposure that Cortland Vesta has. In order to take advantage of this unique marketing opportunity which will keep the community fully rented, it is important to provide a consistent reminder that Cortland Vesta is available for rentals. No other rental community is in a position to market to these prospects.

3. Hardship Not Self-Imposed. The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property.

The hardship has not been created by any actions of any person.

4. Financial Gain Not Only Basis. Financial gain is not the sole basis for granting the variance.

By granting the variance it creates a safer environment for the freeway viewers of the message. If the message is slightly larger, traffic on the freeway will read it easier, process the messaging faster, and then be able to continue on safely on the freeway.

5. No Injury to Neighboring Property. The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

The variance for a slightly larger sign will have no effect on neighboring properties. The neighboring properties would not even know of the existence of the banner from their place of business or know whether the banner was larger than the current code allowance.

6. No Harm to Public Welfare. The granting of the variance will not be detrimental to the public welfare, increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of the City of Birmingham, and will not substantially impair the intent and purpose of this Ordinance.

A slightly larger banner will have no effect on the public welfare or create any harm. It is very much in keeping with the intent of the Ordinance.

PARCEL ID: 012800062033002000

SOURCE: TAX ASSESOR RECORDS **TAX YEAR:** 2019

DATE: Thursday, March 18, 2021 11:44:54 AM

OWNER: HIGHLAND AL PARTNERS LLC

ADDRESS: 3424 PEACHTREE RD NE

CITY/STATE: ATLANTA GA

ZIP+4: 30326

SITE ADDR: 2173 HIGHLAND AVE S

CITY/STATE: BIRMINGHAM, AL

ZIP: 35205



LAND: \$987,000.00

BLDG: \$28,574,800.00

OTHER: \$0.00

AREA: 38,152.26

ACRES: 0.88

SUBDIVISION INFORMATION:

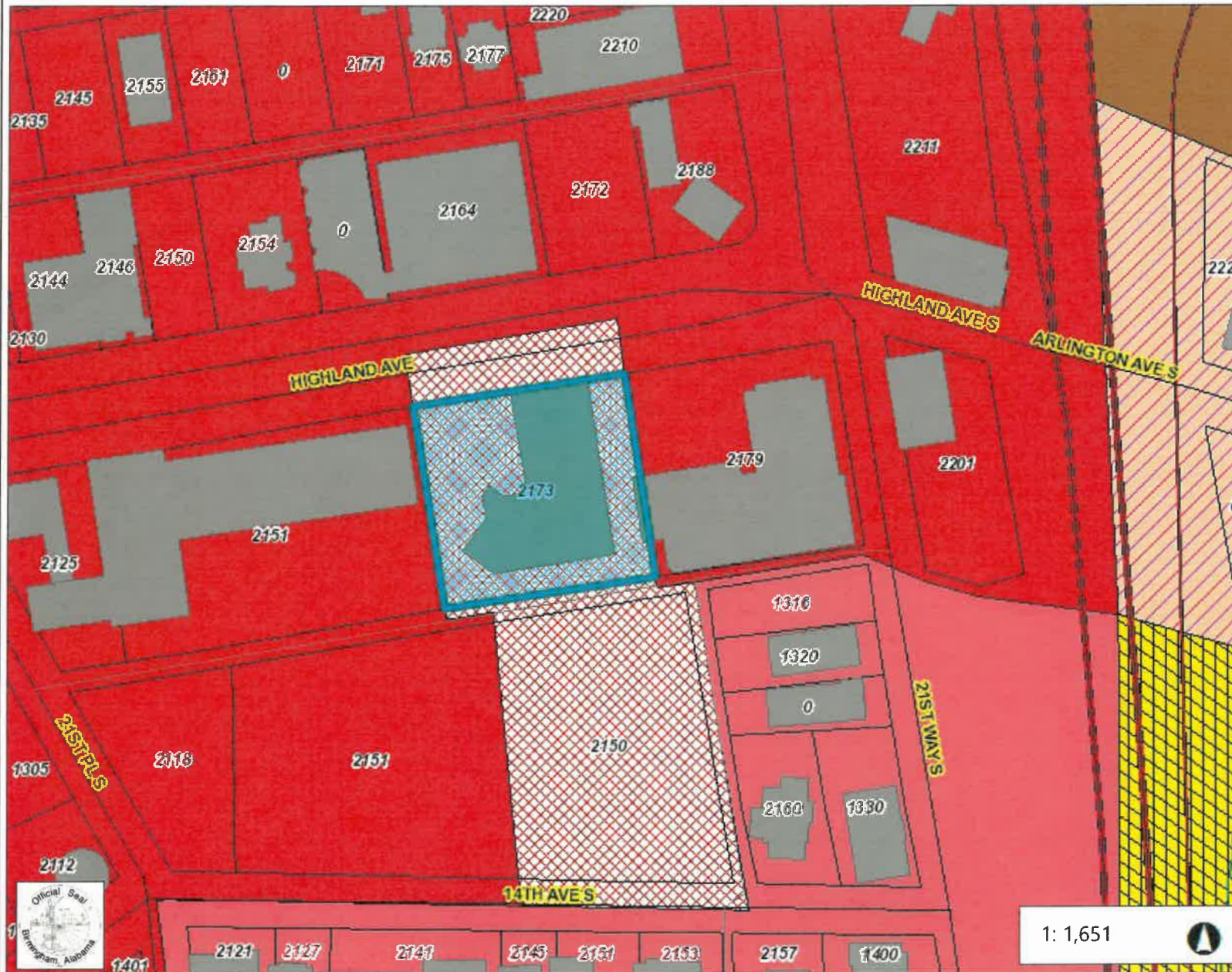
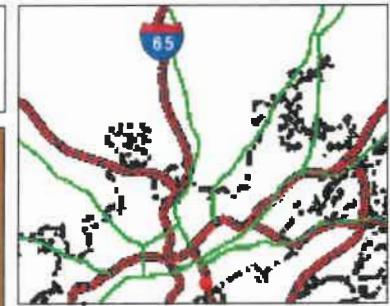
NAME HARBERT REALTY SRVS ADD T

BLOCK:

LOT: 1

Section: 6-18-2W
Land Slide Zones: In Land Slide Zones
Historic Districts: Not in Historic Districts
Commercial Revitalization District: Five Points South
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 - 3 (Councilor: Valerie A. Abbott)
Zoning Outline: QB3
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

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.

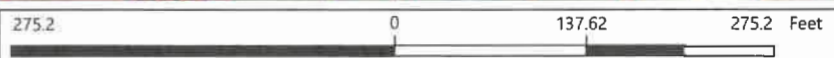


Legend

- 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

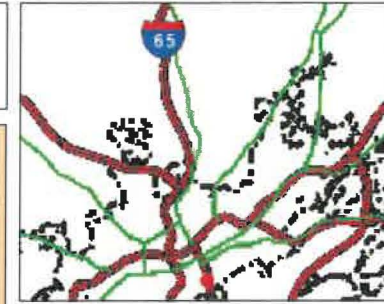


1: 1,651



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Notes



Legend

- Centerline Labels
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- 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: 1,651



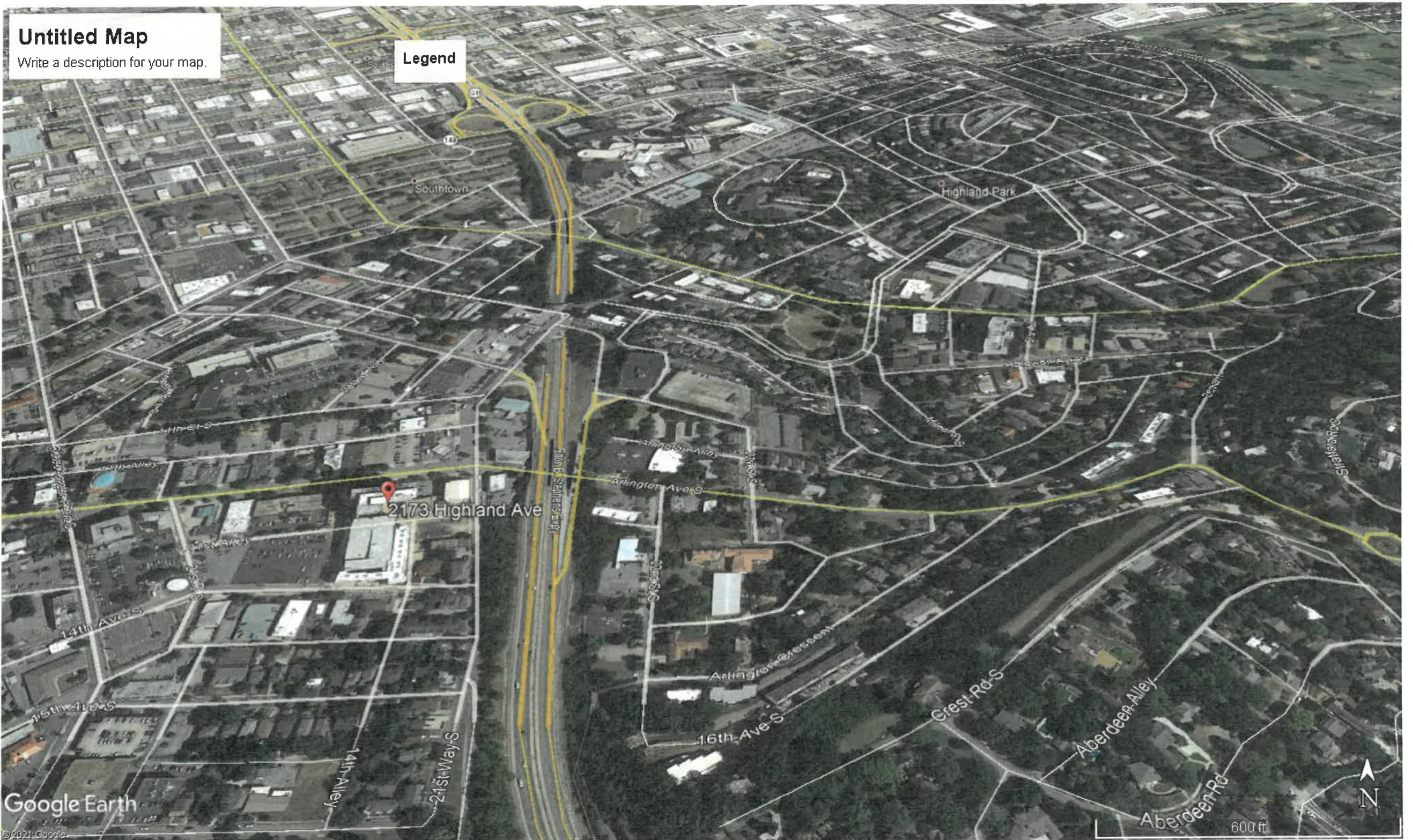
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Notes

Untitled Map

Write a description for your map.


Legend



2173 Highland Ave

Colors & Finishes

Colors shown here may not exactly match manufacturers color chart swatch or actual sample. Client to either provide samples or specifications for custom colors prior to production or approve DeNyse color samples or color specifications

C1  Digitally Printed Image (color match not required)

Fonts Used

Curves provided by client

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Management Company
Cortland

Property Name & Address
Vesta
Birmingham, AL

Sales Order Number
18318

DeNyse Representative
Richard Swartz

Designer
Jesse Black

Date
09.04.2020

Revision Date
3.3.2021 rs

0	3.3.2021 rs

Filepath
Z:\Drawings and Graphics\C\Cortland Partners\Vesta Birmingham AL\Production\Design\Banner v2.cdr

- Concept
- Preliminary
- Production

Marketing 1 - BANNER ID
Face: 8 oz. mesh banner with first surface applied digitally printed graphics, Hemmed edges and grommets ever 24".



Qty: 1

SF: 374 Sq. Ft.

375SF MAX ALLOWED



Scale
1/4" = 1'-0"



Customer Signature Required



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Management Company
Cortland

Property Name & Address
Vesta

building height is 915'

Sales Order Number
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Designer
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Date
09.04.2020

Revision Date
3.3.2021 rs

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