



# CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

**RANDALL L. WOODFIN**  
MAYOR

**KATRINA THOMAS**  
DIRECTOR

**ZONING BOARD OF ADJUSTMENT MINUTES**  
**City Council Chambers**  
**2:00PM**  
**March 24, 2022**

**MEMBERS PRESENT:** Philip Foster, Acting Chairman  
Brandon Littleton  
Lissy Frese  
Timothy Taylor

**OTHERS PRESENT:** Kimberly Speorl, Zoning Administrator  
Kasandra Brundidge, Zoning Supervisor  
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.

Lissy Frese made a motion to approve the minutes from February 10, 2022 and February 24, 2022 hearing. Motion second by Timothy Taylor. All in favor. Motion passes.

Case #: ZBA2021-00069

Request: Special Exception/ Modification

Applicant: Pamela Tubbs

Site Address: 1343 Bessemer Rd EN 35208

Owner: Mac Mccall

Description: Special Exception to allow an event center. A parking modification to allow for 31 parking spaces instead of the 40 spaces required.

Brandon Littleton made a motion to approve the special exception and modification request 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 and certificate(s) of occupancy, if applicable, shall be obtained within two years of approval from the Board.
3. Parking spaces must be striped within 30 days of approval from the Board as shown on the site plan submitted.

Motion second by Timothy Taylor. All in favor. Motion passes.

Case #: ZBA2021-00075

Request: Variance

Applicant: Abraham Zaqut

Site Address: 2254 Bessemer Rd 35208

Owner: Five Points West Shopping City

Description: A variance to allow a pawnshop within 2000 linear feet of another such business.

Lissy Frese made a motion to approve the variance request. Motion second by Brandon Littleton. All opposed. Motion fails.

Case #: ZBA2021-00082

Request: Variance

Applicant: Hector Guizar

Site Address: 1236 Birchwood St 35215

Owner: Guizar Hector

Description: Variance to allow an accessory structure (tree house) in the front yard instead of the required side or rear yard area. Variance to have a side yard setback of 2.6ft instead of the minimum 7ft required. Variance to allow an outdoor grill area in the front yard. Variance to allow parking in the front yard instead of the side or rear yard area.

Lissy Frese made a motion to approve the variance to allow an accessory structure (tree house) in the front yard instead of the required side or rear yard area. Motion second by Brandon Littleton. Timothy Taylor and Brandon Littleton voted Ay. Philip Foster and Lissy Frese voted Nay. Motion fails.

Lissy Frese made a motion to approve the variance to have a side yard setback of 2.6ft instead of the minimum 7ft required. Motion second by Brandon Littleton. All opposed. Motion fails.

Lissy Frese made a motion to approve the variance to allow an outdoor grill area in the front yard and variance to allow parking in the front yard instead of the side or rear yard



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area. Motion second by Brandon Littleton. Philip Foster and Lissy Frese voted Ay. Timothy Taylor and Brandon Littleton voted Nay. Motion fails.

Case #: ZBA2022-00010

Request: Variance

Applicant: Stan Weldy

Site Address: 12 Sunset Ln 35215

Owner: Five Corinth Construction

Description: Variance to allow the front yard setback at 32.2 feet instead of the 40 foot setback required. A variance to allow the rear yard setback at 9.3 feet instead of the 40 foot setback required.

Brandon Littleton made a motion to approve the variance requests 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 Timothy Taylor. All in favor. Motion passes.

Case #: ZBA2022-00011

Request: Variance

Applicant: John Forney

Site Address: 5556 12<sup>th</sup> Ave S 35222

Owner: Middleton Jordan O'brien & Kennedy

Description: Variance to allow the front yard setback at 17 feet instead of the 30 foot required setback.

Brandon Littleton made a motion to continue the case to the next hearing. Motion second by Lissy Frese. All in favor. Motion passes.

Case #: ZBA2022-00012

Request: Special Exception/Variance

Applicant: Ronnie Robinson

Site Address: 1700 3<sup>rd</sup> Ave W 35208

Owner: J B & Son Inc

Description: Special exception to allow an Event Center. A variance to allow the event center hours to extend past 12am. A variance to allow a 6ft fence in the front yard area.



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Brandon Littleton made a motion to approve the special exception and variance requests 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 Timothy Taylor. All in favor. Motion passes.

Case #: ZBA2022-00013

Request: Variance

Applicant: David Brandt

Site Address: 3680 Grandview Pkwy 35243

Owner: Grandview Physicians Plaza II

Description: Variance to allow 4 freestanding signs instead of 1 that is allowed.

Brandon Littleton made a motion to approve the variance request 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 Lissy Frese. All in Favor. Motion passes.

Case #: ZBA2022-00015

Request: Variance

Applicant: Hank Long

Site Address: 3560 Altamont Rd 35213

Owner: Dr./Mrs. Julian Thomas

Description: Variance to allow a parking pad in the front yard instead of the side or rear yard.

Lissy Frese made a motion to approve the variance request 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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Motion second by Brandon Littleton. All in Favor. Motion passes.