

ZONING BOARD OF ADJUSTMENT

CITY OF BIRMINGHAM

CASE NUMBER: ZBA2022-00049

Highland Park

APPLICANT: Tripp Watson ESQ

OWNER: Equity Trust Company, FBO John L Kalousek

SUBJECT: Hearing two appeals of the Director of the Department of Planning, Engineering, and Permits decision that the subject property has lost its legal non-conforming use of multi-family apartments due to fire damage that exceeds 50% or more of its current replacement value and remaining vacant for 2 or more years.

PREMISES: 1025 30th Street South, Birmingham, AL 35205, in the SE ¼ of Section 31, Township 17-S, Range 2-West. Council District 3.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Tripp Watson ESQ, on behalf of the owner, John L Kalousek, appealing the decision of the Director of the Department of Planning, Engineering, and Permits decision that the subject property has lost its legal non-conforming use of multi-family apartments due to fire damage that exceeds 50% or more of its current replacement value and remaining vacant for two or more years, for the property located at 1025 30th Street South, Birmingham, AL 35205, and situated in the SE ¼ of Section 31, Township 17-S, Range 2-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00049, in which the Board found that the applicant presented sufficient evidence that the structure did not lose its legal non-conforming status, therefore, be and the same request to overturn the Director's decision is hereby **GRANTED**.

I, Timothy Gambrel, Technical Advisor to the Zoning Board of Adjustment of the City of Birmingham, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Board of Adjustment of the City of Birmingham at its meeting on SEPTEMBER 8, 2022, and as same appears of record in the Official Minutes of said Board.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Zoning Board of Adjustment of the City of Birmingham, on this day, September 12, 2022.



Timothy Gambrel

Chief Planner

ZONING BOARD OF ADJUSTMENT

CITY OF BIRMINGHAM

CASE NUMBER: ZBA2022-00050

Central Park

APPLICANT: Foresite Construction LLC

OWNER: Tony and Teresa Petelos

SUBJECT: A special exception to allow a monopole telecommunications facility in a Mixed-Use Medium zoning district and a variance to allow the setback of the communications tower to be 53.31 feet instead of the required 200 feet setback.

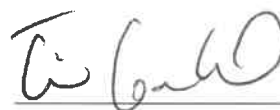
PREMISES: 2017 Warrior Road, Birmingham, AL 35208, in the SW ¼ of Section 05, Township 18-S, Range 3-West.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Foresite Construction LLC, on behalf of the owners, Tony and Teresa Petelos, for a Special Exception to allow a monopole telecommunications facility in a Mixed-Use Medium zoning district and a Variance to allow the setback of the communications tower to be 53.31 feet instead of the required 200 foot setback, for the property located at 2017 Warrior Road, Birmingham, AL 35208, in the SW ¼ of Section 05, Township 18-S, Range 3-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00050, be and the same is hereby **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to ensure 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 B-Standard Landscaping Buffer, pursuant to Title 1, Chapter 6, Section 7, Figure 1.06.302, must be installed along the western property line where the subject property abuts a parcel being used as residential housing.

I, Timothy Gambrel, Technical Advisor to the Zoning Board of Adjustment of the City of Birmingham, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Board of Adjustment of the City of Birmingham at its meeting on SEPTEMBER 8, 2022, and as same appears of record in the Official Minutes of said Board.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Zoning Board of Adjustment of the City of Birmingham, on this day, September 12, 2022.



Timothy Gambrel

Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NUMBER: ZBA2022-00052

Central Park

APPLICANT: Tiffani Shaw

OWNER: Senior Housing

SUBJECT: A special exception to allow the transfer of ownership of an existing legal non-conforming communal living facility.

PREMISES: 1517 Bessemer Road, Birmingham, AL 35208, in the SE ¼ of Section 07, Township 18-S, Range 3-West. Council District 8.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Tiffani Shaw, on behalf of the owner, Senior Housing, for a special exception to allow the transfer of ownership of an existing legal non-conforming communal living facility, for the property located at 1517 Bessemer Road, Birmingham, AL 35208, in the SE ¼ of Section 07, Township 18-S, Range 3-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00052, be and the same is hereby **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to ensure 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.

I, Timothy Gambrel, Technical Advisor to the Zoning Board of Adjustment of the City of Birmingham, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Board of Adjustment of the City of Birmingham at its meeting on SEPTEMBER 8, 2022, and as same appears of record in the Official Minutes of said Board.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Zoning Board of Adjustment of the City of Birmingham, on this day, September 12, 2022.



Timothy Gambrel

Chief Planner

ZONING BOARD OF ADJUSTMENT

CITY OF BIRMINGHAM

CASE NUMBER: ZBA2022-00053

Sun Valley

APPLICANT: Nakesha Davis

OWNER: Willie Riley

SUBJECT: A special exception to allow the resumption of a legal non-conforming event center.

PREMISES: 2341 Carson Road, Birmingham, AL 35215, in the NW ¼ of Section 13, Township 16-S, Range 2-West. Council District 1.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Nakesha Davis, on behalf of the owner, Willie Riley, for a special exception to allow the resumption of a legal non-conforming event center, for the property located at 2341 Carson Road, Birmingham, AL 35215, in the NW ¼ of Section 13, Township 16-S, Range 2-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00053, be and the same is hereby **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to ensure 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 City of Birmingham police officer must be on duty for any event larger than 50 people.

I, Timothy Gambrel, Technical Advisor to the Zoning Board of Adjustment of the City of Birmingham, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Board of Adjustment of the City of Birmingham at its meeting on SEPTEMBER 8, 2022, and as same appears of record in the Official Minutes of said Board.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Zoning Board of Adjustment of the City of Birmingham, on this day, September 12, 2022.



Timothy Gambrel

Chief Planner

ZONING BOARD OF ADJUSTMENT

CITY OF BIRMINGHAM

CASE NUMBER: ZBA2022-00054

East Avondale

APPLICANT: Willow Homes

OWNER: Emile Hughes

SUBJECT: A variance to allow the density requirement for multi-family in an R4-A zone district to be 2,330 sq. ft. instead of the required 2,500 sq. ft.

PREMISES: 4236 2nd Avenue South, Birmingham, AL 35222, in the SW ¼ of Section 29, Township 17-S, Range 2-West. Council District 5.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Willow Homes, on behalf of the owner, Emile Hughes, for a variance to allow the density requirement for multi-family in an R4-A zone district to be 2,330 sq. ft. instead of the required 2,500 sq. ft. for the property located at 4236 2nd Avenue South, Birmingham, AL 35222, in the SW ¼ of Section 29, Township 17-S, Range 2-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00054, be and the same is hereby **GRANTED** subject to the following conditions:

1. Review by the appropriate zoning inspector to ensure 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.

I, Timothy Gambrel, Technical Advisor to the Zoning Board of Adjustment of the City of Birmingham, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Zoning Board of Adjustment of the City of Birmingham at its meeting on SEPTEMBER 8, 2022, and as same appears of record in the Official Minutes of said Board.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Zoning Board of Adjustment of the City of Birmingham, on this day, September 12, 2022.



Timothy Gambrel

Chief Planner