



# ZONING BOARD OF ADJUSTMENT AGENDA

## CITY OF BIRMINGHAM

Randall L. Woodfin  
Mayor

Katrina R. Thomas  
Director

Meeting Date: Thursday, January 26, 2023  
Location: City Council Chambers, Third Floor, City Hall  
Time: 3:00PM  
Pre-Meeting: 2:30PM  
Pre-Meeting Location: City Council Chambers

### North Titusville

ZBA2022-00072

**Request:** Variance  
**Applicant:** MARK WILLIAMS  
**Owner:** FLORENCE WILLIE SR  
**Site Address:** 115 4TH AVE S 35205  
**Zip Code:** 35205  
**Legal Description:** LOT 1 BLK 30 RESUR OF LTS 1-16 WALKER LAND CO ADD TO BIRMINGHAM PB 229 PG 64  
**Premises/Geographic:** 115 4th Ave S  
**Description:** Application for a Variance to allow for a new sign that exceeds the maximum square footage allowed in a D-3, Single-Family Dwelling District.  
**Property Zoned:** D3 Unknown  
**Parcel Information:** Parcel #: 012900023016001000, SW1 of Section 02 , Township 18 S, Range 3 W

### Five Points South

ZBA2022-00078

**Request:** Modification  
**Applicant:** SPARTAN INVEST LLC  
**Owner:** OLIVER JOHN C  
**Site Address:** 1235 18TH AVE S 35205  
**Zip Code:** 35205  
**Legal Description:** LOT 9 BLK D ARDIS HEIGHTS  
**Premises/Geographic:** 1235 18th Ave S  
**Description:** Application requesting a Parking Modification to allow for 0 off-street parking spaces instead of the required 2 parking spaces for a duplex.  
**Property Zoned:** CR5 Contingency Multiple Dwelling District  
**Parcel Information:** Parcel #: 012900122009004000, NW1 of Section 12 , Township 18 S, Range 3 W

### Southside

ZBA2022-00081

**Request:** Modification  
**Applicant:** KEVIN FREEMAN  
**Owner:** ELEGANT EARTH WAREHOUSE LLC  
**Site Address:** 3401 5TH AVE S APT REAR 35222  
**Zip Code:** 35222  
**Legal Description:** LOTS 8 THRU 10 BLK 704 BHAM  
**Premises/Geographic:** 3401 5th Avenue South  
**Description:** Application requesting a parking modification to allow for 0 off-street parking spaces instead of the required 45 parking spaces.  
**Property Zoned:** M1 Light Industrial District  
**Parcel Information:** Parcel #: 012300311014003000, NE1 of Section 31 , Township 17 S, Range 2 W

### Woodlawn

ZBA2022-00082

**Request:** Variance  
**Applicant:** ERIC HALL  
**Owner:** MNP HOLDING CO INC  
**Site Address:** 5101 MESSER-AIRPORT HWY 35212  
**Zip Code:** 35212  
**Legal Description:** LOT 2 BAR-TON SUBDIVISION  
**Premises/Geographic:** 5101 Messer- Airport Hwy  
**Description:** Application for a rehearing of ZBA2022-00008: Application requesting a Variance to modify density requirements in a B-2 zoning district to allow for 146 studio apartment units instead of the 119 units allowed by the Zoning Ordinance.  
**Property Zoned:** CB2 Contingency General Business District  
**Parcel Information:** Parcel #: 012300212016007000, NW1 of Section 21 , Township 17 S, Range 2 W

**Woodlawn****ZBA2022-00086**

**Request:** Variance  
**Applicant:** ALEX PATTILLO  
**Owner:** SMI STEEL INC MARVIN F POER AND COM  
**Site Address:** 8 52ND ST N 35212  
**Zip Code:** 35212  
**Legal Description:** S 82 FT S OF LOTS 10 THRU 12 BLK 4 MONTGOMERY & PARKS SURVEY  
**Premises/Geographic:** 8 52nd St N  
**Description:** Application requesting a Variance to allow for an existing 8' foot tall solid, steel fence. A Variance to allow for the existing fence to have barbed wire along the top in a front yard.  
**Property Zoned:** R3 Single Family District  
**Parcel Information:** Parcel #: 012300213021020000, SW1 of Section 21 , Township 17 S, Range 2 W

**Ensley****ZBA2022-00087**

**Request:** Modification  
**Applicant:** JESSICA MCKINSTRY  
**Owner:** GEORGE ROBERT E  
**Site Address:** 1912 AVENUE G EN 35218  
**Zip Code:** 35218  
**Legal Description:** LOTS 17+18 BLK 19-F ENSLEY  
**Premises/Geographic:** 1912 Avenue G  
**Description:** Application for a Parking Modification to allow for 0 off-street parking spaces instead of the required 16 off-street parking spaces for a Child Care Center that has 6 employees and 60 children.  
**Property Zoned:** CB3 Contingency Community Business District  
**Parcel Information:** Parcel #: 012200313026006000, SW1 of Section 31 , Township 17 S, Range 3 W

**Roebuck Springs****ZBA2023-00001**

**Request:** Variance  
**Applicant:** REY WEYGAND  
**Owner:** HODGES JANE M  
**Site Address:** 405 HORNER DR 35206  
**Zip Code:** 35206  
**Legal Description:** LOT 27-A HODGES RESUR OF PT OF BLKS 27 & 41 1ST ADD TO ROEBUCK SPRINGS ALSO LOTS 27-E + 27F HODGES RESUR OF LOT 27-C  
**Premises/Geographic:** 405 Horner Drive  
**Description:** Application for a Variance to allow the lot size of Lot 1 to be 14,548 sq. ft. and Lot 2 to be 12,286 sq. ft. instead of the required 15,000 sq. ft. for a D-1 Zoning District and a Variance to allow for the lot width of Lot 2 to be 84.18 feet instead of the required 90 feet in a D-1 Zoning District, and a Variance to allow for the existing residence on Lot 3 to encroach 1 foot into the required 40 foot setback for a D-1 zoning district.  
**Property Zoned:** E1 Estate District  
**Parcel Information:** Parcel #: 012300013009006000, SW1 of Section 01 , Township 17 S, Range 2 W

**ZBA2023-00002**

**Request:** Variance  
**Applicant:** DANIEL SIGNS INC  
**Owner:**  
**Site Address:** 5263 HIGHWAY 280 SUITE 101 35242  
**Zip Code:** 35242  
**Legal Description:**  
**Premises/Geographic:** 5275 Highway 280  
**Description:** Application for a Variance to allow for an attached sign to be 384 sq. ft. instead of the allowed maximum square footage of 210 sq. ft. in the Highway 280 Overlay District.  
**Property Zoned:** CB2 Contingency General Business District  
**Parcel Information:** Parcel #: 039310001018020, SW1 of Section 31 , Township 18 S, Range 1 W

**Central Park****ZBA2023-00003**

**Request:** Variance  
**Applicant:** WAYNE HESTER  
**Owner:** SMITH GEORGINA HADDAD  
**Site Address:** 1923 BESSEMER RD EN 35208  
**Zip Code:** 35208  
**Legal Description:** NW 100 FT LOTS 1 & 2 BLK 22 CENTRAL PARK  
**Premises/Geographic:** 1923 Bessemer Road  
**Description:** Application for a Variance to repair a legal non-conforming structure that has been damaged by fire to the extent that the repair of that structure is valued at 50 percent or more of its current assessed value.  
**Property Zoned:** B2 General Business District  
**Parcel Information:** Parcel #: 012900071010001000, NE1 of Section 07 , Township 18 S, Range 3 W