



Zoning Board of Adjustment

Minutes

Department of Planning, Engineering, & Permits

RANDALL L. WOODFIN
MAYOR

KATRINA THOMAS
DIRECTOR

January 26, 2023
City Council Chambers
3:00 P.M.

Members Present

Chairwoman, Scottie Y. McClaney
Lissy Frese
Phillip Foster
Madelaine Bowie

Staff Present

Kim Speorl, Zoning Administrator
Jess Mays, ZBA Planner
Johnathen Hogan, Zoning Inspector
Kasandra Brundidge, Zoning Supervisor
Brandon Hammond, Zoning Inspector
Dedra Campbell, Zoning Inspector

Chairwoman Scottie McClaney called the meeting to order.

Mr. Phillip Foster made a motion to approve the minutes from the January 26, 2023 meeting. Ms. Lissy Frese seconded this motion. All in favor, motion passes. January 26 2023 minutes approved.

Case Number: ZBA2022-00072..... North Titusville Neighborhood

Applicant: Mark Williams

Site Address: : 115 4th Avenue South, Birmingham, AL 35205

Owner: Birmingham Board of Education

Description: Application for a Variance to allow for a new sign that exceeds the maximum height allowed in a D-3, Single-Family Dwelling District and a Variance to allow for the sign to be setback 79 feet from the property line instead of the required 200 feet

Lissy Frese made a motion to approve the request with the following conditions attached:

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 three years of approval from the Board.

Motion to approve was seconded by Phillip Foster.

All in favor, motion passes.

APPROVED.

Case Number: ZBA2022-00078.....Five Points South Neighborhood

Applicant: Spartan Invest LLC

Site Address: 1235 18th Avenue South, Birmingham, AL 35205

Owner: Spartan Invest LLC

Description: Application requesting a Parking Modification to allow for 0 off -street parking spaces instead of the required 2 parking spaces for a duplex.

WITHDRAWN

Case Number: ZBA2022-00081.....Southside Neighborhood

Applicant: Kevin Freeman

Site Address: 3401 5th Avenue South, Birmingham, AL 35222

Owner: T. Daniel Belser

Description: Application requesting a parking modification to allow for 0 off -street parking spaces instead of the required 45 parking spaces.

Phillip Foster made a motion to approve this case with the following conditions attached:

- 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 to approve was seconded by Madelaine Bowie.

All in favor, motion passes.

APPROVED.

Case Number: ZBA2022-00086.....Woodlawn Neighborhood

Applicant: Alex Pattillo

Site Address: 8 52nd Street North, Birmingham, AL 35212

Owner: SMI Steel Inc.

Description: Application requesting a Variance to allow for an exsisting 8' foot tall solid, steel fence. A Variance to allow for the exsisting fence to have barbed wire along the top in a front yard.

Madelaine Bowie made a motion to approve this case with the following conditions attached:

- 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.Lots 1-12 and acreage must be resurveyed into one lot and combined into one lot by the Subdivision Committee and recorded with the Jefferson County Probate Court within two years of approval from the Board.

Motion to approve was seconded by Lissy Frese.

All in favor, motion passes.

APPROVED.

Case Number: ZBA2022-00087.....Ensley Neighborhood

Applicant: Jessica McKinstry

Site Address: 1912 Avenue G, Birmingham, AL 35218

Owner: Jessica McKinstry

Description: Application for a Parking Modification to allow for 0 off-street parking spaces instead of the required 8 off-street parking spaces for a Child Care Center that has 6 employees and 60 children.

Madelaine Bowie made a motion to approve this case with the following conditions attached:

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.

Motion to approve was seconded by Lissy Frese.

All in favor, motion passes.

APPROVED.

Case Number: ZBA2023-00001.....Roebuck Springs Neighborhood

Applicant: Rey Weygand

Site Address: 405 Horner Drive, Birmingham, AL 35206

Owner: Richard L. Smith

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.

Lissy Frese made a motion to approve this case with the following conditions attached:

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.

Motion to approve was seconded by Madelaine Bowie.

All in favor, motion passes.

APPROVED.

Case Number: ZBA2023-00003.....Central Park Neighborhood

Applicant: Wayne Hester

Site Address: 1923 Bessemer Road, Birmingham, AL 35208

Owner: George Smith

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.

Phillip Foster made a motion to approve the request with the following conditions attached:

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 to reccomend was seconded by Madelaine Bowie.

All in favor, motion passes.

APPROVED.