



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

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RANDALL L. WOODFIN
MAYOR

KATRINA THOMAS
DIRECTOR

ZONING BOARD OF ADJUSTMENT MINUTES
Conference Room 215
3:00PM
September 14, 2023

MEMBERS PRESENT: Scottie McClaney, Chairman
Wanda Wright
Robert Littleton
Lissy Frese
Phillip Foster

OTHERS PRESENT: Kimberly Spearl, Zoning Administrator
Kasandra Brundidge, Zoning Enforcement Supervisor
Brandon Hammond
Dedra Campbell
Jonathan Hogan

The Chairman, Scottie McClaney, called the Zoning Board of Adjustment meeting to order.

Case #: ZBA2023-00022

Request: Variance

Applicant: Ventura Foods

Site Address: 3900 Vanderbilt Road 35217

Owner: Ventura Foods

Description: Application for a Variance for a 10ft galvanized chain link fence with 3 strands of barbed wire on top.

Robert Littleton made a motion to approve the variance without 3 strands of barbed wire on top because the applicant met the six variance standards. The motion to approve was made with 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.



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3. Submission and approval of a right-of-way use agreement if the fence is installed in City of Birmingham right-of-way.

Motion second by Wanda Wright.

All in favor.

Motion passes.

Requests approved.

Case #: ZBA2023-00026

Request: Variance

Applicant: Rutherford Yeates III

Site Address: 5652 Crestwood Blvd. 35212

Owner: Melof Bruce & Melof Mary

Description: Variance for a 6ft and 8ft aluminum fence in a front yard along Crestwood Boulevard and 57th Street South

Lissy Frese made a motion to approve the variance request because the applicant met all six variance standards. The motion to approve was made with 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. Resurvey the lots into 1 via the City's Subdivision Committee.
4. Fence along Crestwood Boulevard-subject to site plan provided.

Motion second by Phillip Foster.

All in favor.

Motion passes.

Request approved.

Case #: ZBA2023-00032

Request: Special Exception

Applicant: Cynthia Perlman

Site Address: 1409 33rd Street North 35234

Owner: Smith Sandra J.

Description: Special exception to transfer ownership of a legal, non-conforming communal living facility.



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Lissy Frese made a motion to approve the special exception because the special exception will not tend to impair the health, safety, convenience, or comfort of the public. The motion to approve was made with 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. Compliance with the conditions for communal living facilities from the City's Zoning Ordinance.

Motion second by Phillip Foster.

All in favor.

Motion passes.

Request approved.

Case #: ZBA2023-00038

Request: Variance

Applicant: MBA Engineers

Site Address: 3209 Ensley Avenue 35208

Owner: Shiland Dorothy B TTEE (50%)

Description: Variance for front door signage and window signage on the south elevation of the building and two (2) attached signs on walls that are not adjacent to street or highway frontage (south and east elevations).

Phillip Foster made a motion to approve the variance because the applicant met all six variance standards. The motion to approve was made with 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.

Motion second by Robert Littleton.

All in favor.

Motion passes.

Request approved.