



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

KATRINA THOMAS
DIRECTOR

ZONING BOARD OF ADJUSTMENT MINUTES
Conference Room 215
3:00PM
October 26, 2023

MEMBERS PRESENT: Scottie McClaney, Chairman
Philip Foster
Robert Littleton
Lissy Frese

OTHERS PRESENT: Kimberly Speerl, 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 #: ZBA2023-00035
Request: Special Exception
Applicant: Ortega Bell
Site Address: 1232 Erie Street WL 35224
Owner: Johnson Derrick Glenn Sr & Johnson Charlotte Faye
Description: Special Exception to resume a legal non-conforming use (Bar & Grill)

Philip Foster made a motion to approve the request because the applicant provided sufficient evidence to support the 6 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 seconded by Lissy Frese.
All in favor.



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

KATRINA THOMAS
DIRECTOR

Motion passes.
Requests approved.

Case #: ZBA2023-00036
Request: Variance
Applicant: Steven Crocker
Site Address: 1244 18th Avenue South 35205
Owner: Steven Crocker
Description: Variance for a 6ft fence in a front yard along 18th Avenue South

Lissy Frese made a motion to deny the request because the applicant did not provide sufficient evidence to support the 6 variance standards.

Motion seconded by Robert Littleton.
All in favor.
Motion passes.
Request denied.

Case #: ZBA2023-00042
Request: Variance
Applicant: David Derr
Site Address: 1676 Montclair Road 35210
Owner: Eastwood Village Shopping Center
Description: Variance for a Playground and Parking Modification for 287 parking spaces instead of the 298 required (playground will be removing the required spaces)

This case was continued until the applicant can attend a meeting.

Case #: ZBA2023-00043
Request: Variance
Applicant: Chapman Canopy
Site Address: 1416 Spaulding-Ishkooda Road 35211
Owner: Phan Hoang Vu
Description: Variance to allow signage on an existing canopy at a legal, non-conforming service station (Front Canopy Elevation=24SF of signage/Left Canopy Elevation=26SF of signage/Right Canopy Elevation=26SF of signage)



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

KATRINA THOMAS
DIRECTOR

Robert Littleton made a motion to approve the Variance because the applicant provided sufficient evidence to support the 6 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 Seconded by Lissy Frese.

All in favor.

Motion passes.

Request approved.

Case #: ZBA2023-00046

Request: Variance

Applicant: Wayne Hester

Site Address: 3030 13th Avenue South 35205

Owner: Thornhill Ruth F

Description: Variance for an 18ft rear yard setback (instead of 25ft) for construction of a new deck

Lissy Frese made a motion to approve the request because the applicant provided sufficient evidence to support the 6 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 seconded by Phillip Foster.

All in favor.

Motion passes.

Request approved.

Case # ZBA2023-00051

Request: Variance

Applicant: Fred Bryant



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

KATRINA THOMAS
DIRECTOR

Site Address: 600 4th Street SW 35211

Owner: Fred Bryant

Description: Variance for an 11ft front yard setback along Princeton Avenue SW for a new covered deck

Robert Littleton made a motion to approve the request because the applicant provided sufficient evidence to support the 6 variance standards. The motion to approve was made with the following conditions:

1. Review 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 Seconded by Lissy Frese.

All in favor.

Motion passes.

Request approved.

Case # ZBA2023-00052

Request: Variance

Applicant: Phil Amthor

Site Address: 4439 5th Avenue South 35222

Owner: Habshey Associates Inc.

Description: Variance to place the landscape buffer adjacent to the off-street parking area instead of at the property line

Lissy Frese made a motion to approve the variance requests because the applicant provided sufficient evidence to support the 6 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 by the Board.

Motion Seconded by Robert Littleton.

All in favor.

Motion passes.

Request approved.



CITY OF BIRMINGHAM

DEPARTMENT OF PLANNING, ENGINEERING & PERMITS

PUTTING PEOPLE FIRST

RANDALL L. WOODFIN
MAYOR

KATRINA THOMAS
DIRECTOR

Case # ZBA2023-00053

Request: Variance

Applicant: Daniel Signs

Site Address: 2000 20th Street South 35233

Owner: Baxley Marie Prat C/O Firestone Flo

Description: Variance request for the following: 1) 2.88SF attached sign with no frontage on a public street or highway (South Elevation); 2) 19.69SF projecting sign instead of the 8SF allowed (South Elevation); 3) 4.78SF projecting sign instead of the 8SF allowed (South Elevation); 3) 4.78SF projecting sign on the South Elevation (only 1 projecting sign is allowed per street or highway frontage); 4) 4SF projecting sign on the South Elevation (only 1 projecting sign is allowed per street or highway frontage); 5) 16SF projecting sign on the South Elevation (instead of the 8SF allowed and only 1 projecting sign is allowed per street or highway frontage); 6) 4SF projecting sign on the South Elevation (only 1 projecting sign is allowed per street or highway frontage); 7) 19.69SF projecting sign instead of the 8SF allowed (West Elevation); 8) 4.78SF projecting sign on the West Elevation (only 1 projecting sign is allowed per street or highway frontage); 9) 4SF projecting sign on the West Elevation (only 1 projecting sign is allowed per street or highway frontage)

Phillip Foster made a motion to approve the variance requests because the applicant provided sufficient evidence to support the 6 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 by the Board.

Motion Seconded by Robert Littleton.

Motion passes 3-1.

Request approved.