

ZONING BOARD OF ADJUSTMENT

CITY OF BIRMINGHAM

CASE NUMBER: ZBA2022-00006

South Eastlake

APPLICANT: Bishop Jose Perry Sr.

OWNER: Greater Emmanuel Temple Holiness Church

SUBJECT: Application requesting a Variance to allow a chain link fence in the front yard. A Variance to allow the fence to be a height of 8' ft instead of the 4' ft maximum. A Variance to allow for 7 pole signs, an attached sign, and a new LED pole sign that exceed the maximum signage allowed by the Zoning Ordinance.

PREMISES: 7901 2nd Avenue South, Birmingham, AL 35206, in the SW ¼ of Section 11, Township 17-S, Range 2-West. Council District 2.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Bishop Jose Perry Sr, on behalf of the owner, Greater Emmanuel Temple Holiness Church, for a Variance to allow the fence to be a height of 8' ft instead of the 4' ft maximum. A Variance to allow for 7 pole signs, an attached sign, and a new LED pole sign that exceed the maximum signage allowed by the Zoning Ordinance, for the property located at 7901 2nd Avenue South, Birmingham, AL 35206, in the SW ¼ of Section 11, Township 17-S, Range 2-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00006, 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. Lots 1 – 18 must be resurveyed into one lot and combined into one lot by the Subdivision Committee and recorded with the Jefferson County Probate Court within three 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 JANUARY 12, 2023, 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, January 17, 2023.



Timothy Gambrel

Chief Planner

ZONING BOARD OF ADJUSTMENT

CITY OF BIRMINGHAM

CASE NUMBER: ZBA2022-00064

Five Points South

APPLICANT: Brandon Grant Sr

OWNER: Hollie and Justin White

SUBJECT: Request for a Variance to allow for a Single-Family home to be setback 1.2 feet instead of the required 25 feet in the rear yard.

PREMISES: 1501 14th Street South Birmingham, AL 35205 situated in the SE ¼ of Section 01, Township 18-S, Range 3-W, Council District 3.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Brandon Grant Sr, on behalf of the owners, Hollie and Justin White, for a Variance to allow for a Single-Family home to be setback 1.2 feet instead of the required 25 feet in the rear yard and 0 feet instead of the required 5 feet in a side yard, for the property located at 1501 14th Street South Birmingham, AL 35205 situated in the SE ¼ of Section 01, Township 18-S, Range 3-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00064, 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 JANUARY 12, 2023, and as same appears of record in the Official Minutes of said Board.

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Timothy Gambrel

Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NUMBER: ZBA2022-00066

Central Park

APPLICANT: Shun Riggins

OWNER: Shun Riggins

SUBJECT: Application requesting a Variance to allow for an event center that abuts a Single-Family Dwelling District to be open until 2:00 am.

PREMISES: 1575 Bessemer Road, Birmingham, AL 35208, situated in the NE 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 Shun Riggins, the owner, for a Variance to allow for an event center that abuts a Single-Family Dwelling District to be open until 2:00 am, for the property located at 1575 Bessemer Road, Birmingham, AL 35208, situated in the NE ¼ of Section 07, Township 18-S, Range 3-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00066, 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. The parking spaces must be striped and shown on the site plan
4. Must meet the following landscape requirements:
 - a. Will need an evergreen shrub hedgerow along Burgin Avenue
 - b. Add 1 tree per 40' feet of street frontage along Burgin Avenue
5. 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 JANUARY 12, 2023, and as same appears of record in the Official Minutes of said Board.

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Timothy Gambrel

Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NUMBER: ZBA2022-00067

Central Park

APPLICANT: Elena Ghindoc

OWNER: Elena Ghindoc

SUBJECT: Application for a Rehearing of ZBA2022-00048 (Variance to allow a parking pad in the front yard instead of the side or rear yard area).

PREMISES: 4629 Avenue S, Birmingham, AL 35208, situated in the NE 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 Elena Ghindoc, the owner, for a Rehearing of ZBA2022-00048 (Variance to allow a parking pad in the front yard instead of the side or rear yard area), for the property located at 4629 Avenue S, Birmingham, AL 35208, situated in the NE ¼ of Section 07, Township 18-S, Range 3-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00067, be and the same is hereby **DENIED**.

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 JANUARY 12, 2023, and as same appears of record in the Official Minutes of said Board.

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Timothy Gambrel

Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NUMBER: ZBA2022-00074

Glen Iris

APPLICANT: Christopher Dishon

OWNER: Christopher Dishon

SUBJECT: Application requesting a Variance to allow for a 7.5' ft opaque pressure treated pine fence in the front yard along 5th St S.

PREMISES: 500 10th Avenue South, Birmingham, AL 35205, in the SE ¼ of Section 02, Township 18-S, Range 3-West. Council District 3.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Christopher Dishon, the owner, for a Variance to allow for a 7.5' ft opaque pressure treated pine fence in the front yard along 5th St S, for the property located at 500 10th Avenue South, Birmingham, AL 35205, in the SE ¼ of Section 02, Township 18-S, Range 3-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00074, 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 JANUARY 12, 2023, and as same appears of record in the Official Minutes of said Board.

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Timothy Gambrel

Chief Planner

ZONING BOARD OF ADJUSTMENT

CITY OF BIRMINGHAM

CASE NUMBER: ZBA2022-00078

Five Points South

APPLICANT: Spartan Invest LLC

OWNER: Spartan Invest LLC

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

PREMISES: 1235 18th Ave S, Birmingham, AL 35205 situated in the NW ¼ of Section 12, Township 18-S, Range 3-W, Council District 3.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Spartan Invest, the owner, for a Parking Modification to allow for 0 off-street parking spaces instead of the required 2 parking spaces for a duplex, for the property located at 1235 18th Avenue South, Birmingham, AL 35205, in the NW ¼ of Section 12, Township 18-S, Range 3-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00078, be and the same is hereby **CONTINUED**.

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 JANUARY 12, 2023, and as same appears of record in the Official Minutes of said Board.

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ZONING BOARD OF ADJUSTMENT

CITY OF BIRMINGHAM

CASE NUMBER: ZBA2022-00080

Central City

APPLICANT: Matt Foley of Williams Blackstock Architects

OWNER: Auburn University

SUBJECT: Application for a Variance to allow for an internally illuminated projecting sign that exceeds the maximum square footage allowed by the zoning ordinance. A Variance to allow for the projecting sign to be elevated 23 feet off the ground instead of the required 18 feet.

PREMISES: 2013 – 2015 4th Avenue North, Birmingham, AL 35203 situated in the NW ¼ of Section 36, Township 17-S, Range 3-W, Council District 5.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Matt Foley of Williams Blackstock Architects, on behalf of the owner, Auburn University, for a Variance to allow for an internally illuminated projecting sign that exceeds the maximum square footage allowed by the zoning ordinance and a Variance to allow for the projecting sign to be elevated 23 feet off the ground instead of the required 18 feet, for the property located at 2013 – 2015 4th Avenue North, Birmingham, AL 35203 situated in the NW ¼ of Section 36, Township 17-S, Range 3-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00080, 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 JANUARY 12, 2023, and as same appears of record in the Official Minutes of said Board.

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**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NUMBER: ZBA2022-00081

Southside

APPLICANT: Kevin Freeman

OWNER: T. Daniel Belser

SUBJECT: Application requesting a Parking Modification to allow for 11 off-street parking spaces instead of the required 45 parking spaces.

PREMISES: 3401 5th Avenue South, Birmingham, AL 35222 situated in the NE ¼ of Section 31, Township 17-S, Range 2-W, Council District 5.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Kevin Freeman on behalf of the owner, T. Daniel Belser, for a Parking Modification to allow for 11 off-street parking spaces instead of the required 45 parking spaces, for the property located at 3401 5th Avenue South, Birmingham, AL 35222 situated in the NE ¼ of Section 31, Township 17-S, Range 2-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00081, be and the same is hereby **CONTINUED**.

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 JANUARY 12, 2023, and as same appears of record in the Official Minutes of said Board.

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Timothy Gambrel
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**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NUMBER: ZBA2022-00083

Wylam

APPLICANT: LaCrystal Bradley of Life Changing Kids

OWNER: Clyde Anderson

SUBJECT: Application for a Variance to allow for the installation of an existing playground in the front yard along 7th Avenue.

PREMISES: 4600 7th Avenue, Birmingham, AL 35224 situated in the NE ¼ of Section 02, Township 18-S, Range 4-W, Council District 9.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of LaCrystal Bradley of Life Changing Kids, on behalf of the owner, Clyde Anderson, for a Variance to allow for the installation of an existing playground in the front yard along 7th Avenue, for the property located at 4600 7th Avenue, Birmingham, AL 35224 situated in the NE ¼ of Section 02, Township 18-S, Range 4-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00083, 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 JANUARY 12, 2023, and as same appears of record in the Official Minutes of said Board.

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Timothy Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NUMBER: ZBA2022-00084

Eastwood

APPLICANT: Mykea Jones of Blissful Crossings LLC

OWNER: Gisel McRae Cooper

SUBJECT: Application for a Special Exception to operate an event center in a B-2, General Business District.

PREMISES: 1680 Montclair Road, Birmingham, AL 35210 situated in the NE ¼ of Section 26, Township 17-S, Range 2-W, Council District 2.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Mykea Jones of Blissful Crossings LLC, on behalf of the owner, Gisel McRae Cooper, for a Special Exception to operate an event center in a B-2, General Business District, for the property located at 1680 Montclair Road, Birmingham, AL 35210 situated in the NE ¼ of Section 26, Township 17-S, Range 2-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00084, 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 JANUARY 12, 2023, and as same appears of record in the Official Minutes of said Board.

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Timothy Gambrel
Chief Planner

**ZONING BOARD OF ADJUSTMENT
CITY OF BIRMINGHAM**

CASE NUMBER: ZBA2022-00085

Overton

APPLICANT: Bob Easley of Alabama Engineering Company

OWNER: Big Oak Ranch Inc.

SUBJECT: Application for a Variance to allow parking in the front yard and a Variance to allow excess parking over the maximum allowed.

PREMISES: 5100 Cahaba River Road, Birmingham, AL 35243 situated in the NW ¼ of Section 35, Township 18-S, Range 2-W, Council District 2.

BE IT RESOLVED by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Bob Easley of Alabama Engineering Company, on behalf of the owner, Big Oak Ranch Inc, for a Variance to allow parking in the front yard and a Variance to allow excess parking over the maximum allowed, for the property located at 5100 Cahaba River Road, Birmingham, AL 35243 situated in the NW ¼ of Section 35, Township 18-S, Range 2-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00085, 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 JANUARY 12, 2023, and as same appears of record in the Official Minutes of said Board.

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Timothy Gambrel

Chief Planner