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**ZONING BOARD OF ADJUSTMENT**

**CITY OF BIRMINGHAM**

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**CASE NUMBER:** ZBA2022-00072

**North Titusville**

**APPLICANT:** Mark Williams of Reliable Sign Service Inc.

**OWNER:** Birmingham Board of Education

**SUBJECT:** Application for a Variance to allow for a new sign that exceeds the maximum height allowed in a D-3, Single-Family Dwelling District.

**PREMISES:** 115 4<sup>th</sup> Avenue South, Birmingham, AL 35205, situated in the SW ¼ of Section 02, Township 18-S, Range 3-West. Council District 6.

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**BE IT RESOLVED** by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Mark Williams of Reliable Sign Service Inc., on behalf of the owner, Birmingham Board of Education, for a Variance to allow for an LED addition to an existing monument 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, for the property located at 115 4<sup>th</sup> Avenue South, Birmingham, AL 35205, situated in the SW ¼ of Section 02, Township 18-S, Range 3-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00072, 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.

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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 26, 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 27, 2023.



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Timothy Gambrel

Chief Planner

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**ZONING BOARD OF ADJUSTMENT**

**CITY OF BIRMINGHAM**

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**CASE NUMBER:** ZBA2022-00081

**Southside**

**APPLICANT:** Kevin Freeman

**OWNER:** T. Daniel Belser

**SUBJECT:** Application requesting a Parking Modification to allow for 0 off-street parking spaces instead of the required 45 parking spaces.

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

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**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 0 off-street parking spaces instead of the required 45 parking spaces, for the property located at 3401 5<sup>th</sup> 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 **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.
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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 26, 2023, and as same appears of record in the Official Minutes of said Board.

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Timothy Gambrel

Chief Planner

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**ZONING BOARD OF ADJUSTMENT**

**CITY OF BIRMINGHAM**

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**CASE NUMBER:** ZBA2022-00086

**Woodlawn**

**APPLICANT:** Alex Pattillo of Schoel Engineering

**OWNER:** CMC Steel Inc

**SUBJECT:** 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.

**PREMISES:** 8 52<sup>nd</sup> Street North, Birmingham, AL 35212 situated in the SW ¼ of Section 21, Township 17-S, Range 2-W, Council District 4.

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**BE IT RESOLVED** by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Alex Pattillo of Schoel Engineering, on behalf of the owner, CMC Steel Inc., for a Variance to allow for an existing 8' foot tall solid, steel fence and a Variance to allow for the existing fence to have barbed wire along the top in a front yard, for the property located at 8 52<sup>nd</sup> Street North, Birmingham, AL 35212 situated in the SW ¼ of Section 21, Township 17-S, Range 2-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00086, 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 1-12 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.

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**ZONING BOARD OF ADJUSTMENT**

**CITY OF BIRMINGHAM**

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**CASE NUMBER:** ZBA2022-00087

**Ensley**

**APPLICANT:** Jessica McKinstry

**OWNER:** Jessica McKinstry

**SUBJECT:** 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

**PREMISES:** 1912 Avenue G, Birmingham, AL 35218 situated in the SW ¼ of Section 31, Township 17-S, Range 3-W, Council District 9.

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**BE IT RESOLVED** by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Jessica McKinstry, 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, for the property located at 1912 Avenue G, Birmingham, AL 35218 situated in the SW ¼ of Section 31, Township 17-S, Range 3-West, according to the Zoning Board of Adjustment, Case No. ZBA2022-00087, 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.

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**ZONING BOARD OF ADJUSTMENT**

**CITY OF BIRMINGHAM**

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**CASE NUMBER:** ZBA2023-00001

**Roebuck Springs**

**APPLICANT:** Rey Weygand

**OWNER:** Richard L. Smith

**SUBJECT:** 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.

**PREMISES:** 405 Horner Drive, Birmingham, AL 35206 situated in the SW ¼ of Section 01, Township 17-S, Range 2-W, Council District 2.

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**BE IT RESOLVED** by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Rey Weygand, on behalf of the owner Richard L. Smith, 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, for the property located at 405 Horner Drive, Birmingham, AL 35206 situated in the SW ¼ of Section 01, Township 17-S, Range 2-West, according to the Zoning Board of Adjustment, Case No. ZBA2023-00001, 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.

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**ZONING BOARD OF ADJUSTMENT**

**CITY OF BIRMINGHAM**

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**CASE NUMBER:** ZBA2023-00003

**Central Park**

**APPLICANT:** Wayne Hester of Hester & Associates

**OWNER:** Don Smith

**SUBJECT:** 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.

**PREMISES:** 1923 Bessemer Road, Birmingham, AL 35208 situated in the NE ¼ of Section 07, Township 18-S, Range 3-W, Council District 8.

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**BE IT RESOLVED** by the Zoning Board of Adjustment of the City of Birmingham, Alabama, that the application of Wayne Hester of Hester & Associates on behalf of the owner, Don Smith, 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, for the property located at 1923 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. ZBA2023-00003, 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.

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Timothy Gambrel

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