



Zoning Board of Adjustment

Minutes

Department of Planning, Engineering, & Permits

October 13, 2022
City Council Chambers
3:00 P.M.

Members Present

Chairwoman, Scottie Y. McClaney
Vice Chairwoman, Madelaine Bowie
Robert Littleton
Lissy Frese
Wanda Wright

Staff Present

Kim Speerl, Zoning Administrator
Jess Mays, ZBA Planner
Johnathen Hogan, Zoning Inspector
Kasandra Brundidge, Zoning Supervisor
Julie Barnard, Assistant City Attorney

The meeting was called to order and the floor was opened for Chair of the Zoning Board of Adjustment nominations.

Ms. Scottie Y. McClaney nominated her self for Chairwoman. Mr. Robert Littleton made a motion to approve. Ms. Madelaine Bowie seconded this motion. All in favor, motion passes. The floor was closed for nominations.

Ms. Scottie Y. McClaney is the elected Chairwoman of the Zoning Board of Adjustment.

Ms. Scottie Y. McClaney opened the floor for nominations for Vice Chair of the Zoning Board of Adjustment. Ms. Madelaine Bowie nominated herself. Ms. Lissy Frese made a motion to approve. Ms. Scottie Y. McClaney seconded this motion. All in favor, motion passes. The floor was closed for nominations.

Ms. Madelaine Bowie is the elected Vice Chairwoman of the Zoning Board of Adjustment.

Ms. Lissy Frese made a motion to cancel the October 27th meeting of the Zoning Board of Adjustment, to have the November meeting remain as November 10, 2022 and to have the December meeting remain as December 8, 2022. Mr. Robert Littleton seconded this motion. All in favor, motion passes.

Vice Chair Madelaine Bowie made a motion to approve the minutes from the September 22, 2022 meeting. Mr. Littleton seconded this motion. All in favor, motion passes. September 22, 2022 minutes approved.

Case Number: ZBA2022-000058.....Redmont Park Neighborhood

Applicant: Paul and Tammi Carus

Site Address: 2939 Berwick Road, Birmingham, AL 35213

Owner: Paul and Tammi Carus

Description: Application requesting a variance to allow for the corner of the house to encroach 5' feet into the side yard setback, making the side yard setback 10' feet instead of the required 15' 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 two years of approval from the Board.

Motion to approve was seconded by Vice Chair Madelaine Bowie.

All in favor, motion passes.

APPROVED.

Case Number: ZBA2022-000060.....Graymont Neighborhood

Applicant: Carlos Robinson of C&C Banners LLC

Site Address: 300 4th Avenue West, Birmingham, AL 35204

Owner: Greater Temple Missionary Baptist Church

Description: Application requesting a variance to allow for an LED pole sign to be installed in an R-3, Single-Family Residential, zoning district.

Vice Chair Madelaine Bowie 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 recommend was seconded by Wanda Wright.

All in favor, motion passes.

APPROVED.

Case Number: ZBA2022-000061.....Highland Park Neighborhood

Applicant: T. Michael Brown

Site Address: 39 Hanover Circle Birmingham, AL 35205

Owner: 39 Hanover Partners LLC

Description: Application requesting a Special Exception to allow for the construction of a 38-bed communal living facility to host overnight stays for short periods of time to assist persons suffering from eating disorders.

Robert Littleton 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 Vice Chair Madelaine Bowie.

All in favor, motion passes.

APPROVED.

Case Number: ZBA2022-00062.....Overton Neighborhood

Applicant: Bert Boykin

Site Address: 4590 Overton Road Birmingham, AL 35223

Owner: Cool Box Liberty Park LLC

Description: Request for a Parking Modification to allow for 21 parking spaces instead of the required 58 parking spaces for warehousing and office area. A request for a Special Exception to allow for a mini-storage warehouse in a C-2, General Commercial, 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 Wanda Wright.

All in favor, motion passes.

APPROVED.

Case Number: ZBA2022-00063.....Overton Neighborhood

Applicant: Katie Fitzjarrald

Site Address: 4616 Highway 280 Birmingham, AL 35242

Owner: Target Corporation

Description: Request for a Variance to allow for an expansion of wayfinding monument signs that exceeds the maximum allowed by the Zoning Ordinance

Mr. Robert Littleton made a motion to continue this case because there was not a representative present.

Motion to continue was seconded by Lissy Frese.

All in favor, motion passes.

CONTINUED.

Case Number: ZBA2022-000065.....Killough Springs Neighborhood

Applicant: Mike Gibson

Site Address: 9952 Parkway East Birmingham, AL 35215

Owner: Eric Guster

Description: Application requesting a parking modification to allow for 25 parking spaces instead of the required 44 parking spaces.

Vice Chair Madelaine Bowie 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 recommend was seconded by Wanda Wright.

Roll call vote was:

Chairwoman, Scottie Y. McClaney: Yes

Vice Chairwoman, Madelaine Bowie: Yes

Robert Littleton: No

Lissy Frese: Yes

Wanda Wright: Yes

Motion passes.

APPROVED.

Chairwoman Scottie McClaney adjourned the meeting.