



The vacant lot along Chester between Maple and Merrill only will be open to visitors of the city's historic Allen House because of city regulations. (Photo by Allen Schlossberg)

Keep out

B'ham drivers barred from vacant Baldwin lot

By ALICE COLLINS

Barriers will go up sometime this week to stop public parking on Birmingham's vacant Baldwin School site along Chester between Maple and Merrill.

Most of the parking at the site — although previously tolerated by the city administration — is in violation of Birmingham's open parking station ordinance and its zoning ordinance.

City Manager Robert Kenning said following Monday night's City Commission meeting that the ordinance would be enforced just as soon as barriers can be placed at the entrance off of Chester.

The only parking that will be allowed is that generated by visitors to the city's historic Allen House across Southfield Road from the site. However, it will only be permitted on the western portion of the site which is surfaced and drained. That use does not conflict with the ordinances.

Kenning had been directed by the Commission to make a status report on the parking situation at Baldwin.

HE DESCRIBED to the Commission Monday night how the vacant lot had gradually been taken over by public parking.

"We were in error" in allowing it, said Kenning. But by the time he realized the extent of the parking situation, Kenning reported, he decided against enforcing the ban on public parking. He based his decision on the belief that proposed construction of senior housing would resolve the site problem.

"It's getting awfully easy for the administration to say we were in error," declared Mayor Pro Tem Robert Kelly. "I'd like to hear you say something was done right."

"Now the public is going to get beat over the head," Kelly continued, "strictly due to the administration not enforcing the law when it doesn't suit its purpose."

"I WOULD LIKE to take exception to that statement," responded Kenning. "As an administrator I've always been very forthright when informing the Commission if I feel something is in error."

"Many decisions are made by this administration daily," continued Kenning. "Your remarks," he said looking at Kelly, "are entirely inconsistent with the facts."

In his report, Kenning suggested four

possible ways of handling the parking situation at Baldwin. His alternatives were to discontinue parking on the total site until the zoning is changed; rezone the north half for parking; take immediate steps to establish a surface lot on the site under special assessment procedures; and resolve Allen House parking by using only the surfaced and drained western portion.

"I OBJECT to being drawn into this," said Mayor Bert Jackson. "We have an ordinance and this is an administrative matter and I'm not an administrator."

Kelly said to Kenning, "Eliminate the errors, clear it up yourself with your own staff. Quit coming to us. Be an administrator, that's what we need — an administrator."

"WITH THE Commission's approval," answered Kenning, "I would like to submit for the public a report on all of the action that's taken place (with the Commission and the administration in regard to the Baldwin site parking.)"

"If we are to be charged," declared Kenning, "I would like the opportunity to publicly submit all of the facts."

In 1973 the city, in an agreement with Jacobson's, purchased the Baldwin and Hill School site from the Birmingham Board of Education.

At the time, it was intended that the city improve the northern part for a public surface parking lot until it could construct a permanent parking structure, or allow Jacobson's to acquire it, according to Kenning.

Under the city's zoning designation for that section, only parking associated with municipal uses, such as the city's Allen House, is permitted.

The city's open parking station ordinance prohibits all parking except on paved and maintained lots.

Allen House parking has been permitted on the lot for years and, according to Kenning's report, the Commission, by resolution in 1977, granted permission for routine approval of parking associated with the Allen and Hunter houses.

"EARLY IN 1977" said Kenning, "there was an activity at the Allen House which utilized the Baldwin site for parking. Following that, the chains were not put back across the lot entrance."

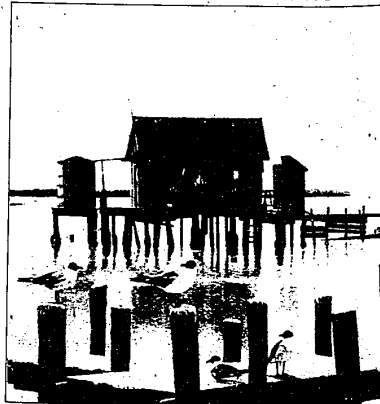
"Without official permission, people attending St. James Church started

parking on this site."

Kenning said he was unaware of the situation for some time, and by the time he discovered it, it was being used for general public parking.

He let it go, he said, because of the proposed senior housing on the southern part of the lot. At the present time, however, there are no building plans for that section of the lot.

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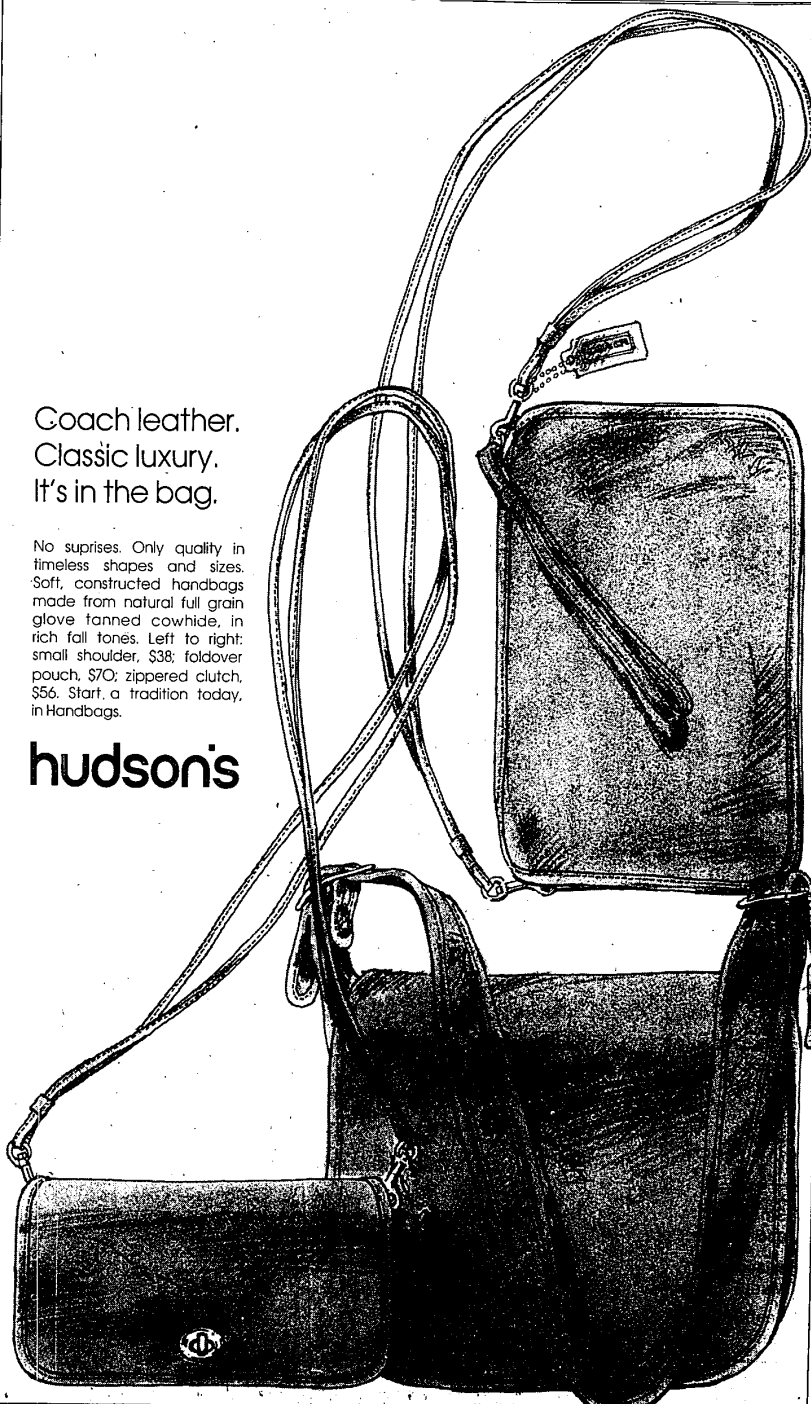
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