

**Vestavia Hills
City Council Agenda
July 14, 2014
5:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Joe Comer, Horizon Church
4. Pledge Of Allegiance
5. Announcements, Candidate and Guest Recognition
6. City Manager’s Report
7. Councilors’ Reports
8. Introduction – Sheila Phillips, Vestavia Hills Board of Education
9. Presentation – Jefferson-Blount-St. Clair Mental Health Authority – James Crego
10. Presentation – Update On Recreational Lighting - Trane
11. Approval of Minutes – June 19, 2014 (Work Session) and June 23, 2014 (Regular Meeting)

Old Business

12. Ordinance Number 2502 – An Ordinance To Amend Chapter 8 Of The Vestavia Hills Code Of Ordinances, Republished 2014 Entitled “Licenses And Business Regulations” To Add An Article To Establish A NAICS Code, Operating Standards And Definitions For Mobile Food Units Operating Within The City Of Vestavia Hills, Alabama And To Provide For Penalties For Violation Thereof (*public hearing*)

New Business

13. Resolution Number 4603 - A Resolution Accepting A Bid For Thermal Imaging Cameras For The Vestavia Hills Fire Department
14. Resolution Number 4604 - A Resolution Amending Resolution Number 4599 To Redirect Library Grant Funding For Construction Of A Parking Lot Adjacent To The Library In The Forest

New Business (Requesting Unanimous Consent)

15. Resolution Number 4606 - A Resolution Authorizing The City Manager And Mayor To Execute And Deliver An Agreement With The Vestavia Hills Board Of Education For Development Of The School Parcel At Patchwork Farms (*public hearing*)

First Reading (No Action Taken At This Meeting)

16. Resolution Number 4605 - A Resolution Authorizing The City Manager To Execute And Deliver An Agreement With Goodwyn Mills And Cawood For Preliminary Geotechnical Work At Wald Park (*public hearing*)
17. Ordinance Number 2503 – Rezoning – 1836 Shades Crest Road; Rezoning From Jefferson County E-2 To Vestavia Hills R-1; Compatible Zoning For Annexation; Bradshaw Family, LLC; Michael Wedgworth, Representing (*public hearing*)
18. Ordinance Number 2504 – Conditional Use Approval – 2564 Altadena Road; Conditional Use Approval To Allow Up To 12 Urban Hens; Will Roth, Owner (*public hearing*)
19. Ordinance Number 2505 – Rezoning – 3790 Poe Drive; Lots 5 And A Portion Of Lot 4, Block 3, Glass 3rd Addition To New Merkle; Rezone From Vestavia Hills R-4 To Vestavia Hills R-9; Overton Investments, LLC (*public hearing*)
20. Ordinance Number 2506 – Annexation – 90-Day Final – 4668 Caldwell Mill Road; Layne And Amy Savoie, Owners (*public hearing*)
21. Ordinance Number 2507 – Rezoning – 4668 Caldwell Mill Road; Rezoning From Jefferson County E-2 To Vestavia Hills R-1; Compatible Zoning For Annexation; Layne And Amy Savoie, Owners (*public hearing*)
22. Ordinance Number 2508 – Annexation – 90-Day Final – 2640 Dolly Ridge Road; Willard And Ruth Bowers, Owner (*public hearing*)
23. Ordinance Number 2509 – Rezoning – 2640 Dolly Ridge Road; Rezone From Jefferson County E-1 To Vestavia Hills E-2; Compatible Zoning For Annexation; Willard And Ruth Bowers, Owners (*public hearing*)
24. Ordinance Number 2510 – Annexation – 90-Day Final – 2760 Altadena Lake Drive; Lot 3, Block 5, First Addition, Altadena Valley Fifth Sector; Lynn R. Smitherman, Trustee, Owner (*public hearing*)
25. Ordinance Number 2511 – Rezoning – 2760 Altadena Lake Drive; Lot 3, Block 5, First Addition, Altadena Valley Fifth Sector; Rezone From Jefferson County R-1 To Vestavia Hills R-2; Compatible Zoning For Annexation; Lynn Smitherman, Trustee, Owner (*public hearing*)

26. Ordinance Number 2512 – 90-Day Final – 3700 Altadena Circle; Lot 8, Ridge Forest; Ralph And Alison McCall, Owners (*public hearing*)
27. Ordinance Number 2513 – Rezoning – 3700 Altadena Circle; Lot 8 Ridge Forest; Rezone From Jefferson County A-1 To Vestavia Hills A; Compatible Zoning For Annexation; Ralph And Alison McCall, Owners (*public hearing*)
28. Ordinance Number 2514 – Annexation – 90-Day Final – 3548 Valley Circle; Lot 12, Block 3, Dolly Ridge Estates, 2nd Add; Benjamin And Carol Byrket, Owners (*public hearing*)
29. Ordinance Number 2515 – Rezoning – 3548 Valley Circle; Lot 12, Block 3, Dolly Ridge Estates 2nd Add; Rezone From Jefferson County R-1 To Vestavia Hills R-2; Benjamin And Carol Byrket, Owners (*public hearing*)
30. Ordinance Number 2516 – Annexation – 90-Day Final – 2400 Rocky Ridge Road; Lot 105, Buckhead, 4th Sector; Michael And Donya Rumore (*public hearing*)
31. Ordinance Number 2517 – Rezoning – 2400 Rocky Ridge Road; Lot 105, Buckhead, 4th Sector; Rezone From Jefferson County E-2 To Vestavia Hills R-1; Compatible Zoning For Annexation; Michael And Donya Rumore, Owners (*public hearing*)
32. Ordinance Number 2518 – Annexation – 90-Day Final – 2835 Acton Road; Lot 1, Adams Resurvey; Brantley P. Bowden, Owner (*public hearing*)
33. Ordinance Number 2519 – Rezoning – 2835 Acton Road; Lot 1, Adams Resurvey; Rezone From Jefferson County R-1 To Vestavia Hills R-2; Compatible Zoning For Annexation; Brantley P. Bowden, Owner (*public hearing*)
34. Ordinance Number 2520 – Annexation – 90-Day Final – 2468 Kenvil Circle; Lot 42, Buckhead, 2nd Sector; Tara Adams, Owner (*public hearing*)
35. Ordinance Number 2521 – Rezoning – 2568 Kenvil Circle; Lot 42, Buckhead, 2nd Sector; Rezone From Jefferson County E-2 To Vestavia Hills R-1; Tara Adams, Owner (*public hearing*)
36. Citizens Comments
37. Executive Session
38. Motion For Adjournment

CITY OF VESTAVIA HILLS
CITY COUNCIL
WORK SESSION
MINUTES
JUNE 19, 2014

The City Council of Vestavia Hills met in a regularly scheduled work session on this date at 5:00 PM following posting/publishing pursuant to Alabama law. The Mayor called the work session to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Alberto C. Zaragoza, Jr.
Steve Ammons, Mayor Pro-Tem
John Henley
George Pierce
Jim Sharp

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Wendy Appling, Deputy City Clerk
Jim St. John, Fire Chief
Brian Davis, Public Services Director
Christopher Brady, City Engineer

The Mayor welcomed the persons in attendance.

Mr. Doug Neil gave an update on the Northport project at Patchwork Farms.

Mr. Downes gave an update on upcoming projects, developments, etc., and briefed the Council on various issues.

There being no further business, the meeting adjourned at 7:00 PM.

Alberto C. Zaragoza, Jr.
Mayor

Attested by:

Wendy Appling
Deputy City Clerk

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

JUNE 23, 2014

The City Council of Vestavia Hills met in regular session on this date at 5:00 PM. The Mayor called the meeting to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Alberto C. Zaragoza, Jr.
Steve Ammons, Mayor Pro-Tem
George Pierce
John Henley
Jim Sharp

OTHER OFFICIALS PRESENT:

Rebecca Leavings, City Clerk
Melvin Turner, Finance Director
Dan Rary, Police Chief
Tim Holcomb, Asst. Police Chief
Jim St. John, Fire Chief
Marvin Green, Asst. Fire Chief, Operations

Invocation was given by John Turner, Shades Mountain Baptist Church. Will Wortheimer, Boy Scout Troop 76, led the Pledge of Allegiance.

ANNOUNCEMENTS, GUEST RECOGNITION

- Steve Ammons stated that he is running for Jefferson County Tax Collector and asked for support in the November general election.

CITY MANAGER REPORT

- Mr. Downes stated that the revenue estimates for the tag renewals have remained consistent enough for him to recommend additional personnel for the Finance Department to handle the additional duties this task has brought to them. He stated there is a Resolution on the agenda tonight to allow him to hire someone as soon as possible.
- Mr. Downes stated that the City is focusing on maintenance to the City park facilities and fields, etc. He stated that they have begun a formal evaluation process and will retain outside professional consultation on the best and most

efficient ways to keep the park facilities and fields in good repair. He indicated that he is working with the Public Services Director to address the needs of the department in regard to the required maintenance.

PROCLAMATION

The Mayor presented a proclamation designating July 13, 2014 as “Bruster’s Ice Cream Day” and congratulating Bruster’s Ice Cream on 25 years of ice cream business. Mr. Downes read the proclamation.

Linda Parker of Brusters accepted the Proclamation and invited everyone to their birthday party on July 13, 2014.

PROCLAMATION

The Mayor presented a proclamation designating the week of June 22-28, 2014, as “Municipal Clerk’s Week” in honor of Municipal Clerks within the state. Mr. Downes read the proclamation and presented it to Municipal Clerk, Rebecca Leavings.

COUNCILOR REPORTS

- Mayor Zaragoza announced the groundbreaking ceremony for the new City Hall facility will be held on the site on June 25, 2014 at 9 AM. Everyone is invited to attend.
- Mr. Henley stated that the new Superintendent of Education, Shelia Phillips, is scheduled to officially begin her term of employment on August 1, 2014.
- Mr. Pierce announced that the 33rd annual I Love America Day sponsored by the Chamber of Commerce will be held Wednesday, July 2, 2014 with free swimming, activities for the kids and the movie “Frozen” that evening.

FINANCIAL REPORTS

Mr. Turner presented the financial reports for month ending May 2014. He read and explained the balances.

APPROVAL OF MINUTES

The minutes of June 9, 2014 (Regular Meeting) were presented for approval.

The Mayor stated that there were two corrections to change “Mayor Pro-Tem” to “Mayor”. He opened the floor for a motion.

MOTION Motion to amend the minutes to read “Mayor” instead of “Mayor Pro-Tem” was by Mr. Pierce. Second was by Mr. Ammons. Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	motion carried.

MOTION Motion to dispense with the reading of the minutes of the meeting of June 9, 2014 (Regular Meeting) and approve them as amended was by Mr. Henley and second by Mr. Pierce. Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	motion carried.

OLD BUSINESS

ORDINANCE NUMBER 2501

Ordinance Number 2501 – Conditional Use Approval – 709 Vestavia Lake Drive; Conditional Use Approval For The Purpose Of Raising And/Or Harvesting Domestic Hens With Restrictions; Andy And Larue Lockhart (*public hearing*)

MOTION Motion to approve Ordinance Number 2501 was by Mr. Sharp and second was by Mr. Henley.

Mr. Downes explained that this is a request for the ability to raise chickens in a residential area. He stated that this was recommended by the Planning Commission with several conditions which are written into the Ordinance. He read over the conditions.

Mr. Pierce asked why the owner settled on 6 chickens.

Andy and Larue Lockhart, petitioners, were present in regard to this request.

Mr. Lockhart explained that the chicken coop they wish to purchase is made for 6 hens and that’s the number they felt comfortable with keeping.

Discussion ensued concerning the number of eggs expected, prior experience in raising this type of animal, security against predators, and why the Commission recommendation was not unanimous.

Mr. Sharp stated that two of the Commission members just felt this was not a good use for residential areas.

RESOLUTION NUMBER 4601

Resolution Number 4601 - A Resolution Accepting A Bid For Construction Of An Additional Parking Lot For The Library In The Forest And Authorizing The City Manager To Execute And Deliver Any And All Documents In Order To Finalize Said Construction (*public hearing*)

MOTION Motion to approve Resolution Number 4601 was by Mr. Ammons and second was by Mr. Pierce.

Mr. Downes stated that this accepts the lowest bid package for construction of the additional parking at the Library in the Forest. He explained the bid results, indicated that Veterans was the lowest bid package and how the construction would be expensed. He also stated that this Resolution allows the execution of the agreements following the approval of the City Attorney.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	motion carried.

RESOLUTION NUMBER 4602

Resolution Number 4602 - A Resolution Approving Amending the Fiscal Year 2013-2014 Budget for Additional Personnel In The Finance Department For The City of Vestavia Hills

MOTION Motion to approve Resolution Number 4602 was by Mr. Pierce and second was by Mr. Ammons.

Mr. Downes stated that the Resolution allows him to hire a clerk for the Finance Department to perform the tag administration duties. The details of the clerk were provided to explain the amendment.

The Mayor stated that when this process was begun, there was no way to know if additional staffing would be needed. Now it has been proven that there needs to be a clerk performing these duties and that the additional income will pay for this clerk.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	motion carried.

FIRST READING (NO ACTION TO BE TAKEN AT THIS MEETING)

The Mayor stated that the following Resolutions and/or Ordinances will be presented at a public hearing at the Council’s next regularly scheduled meeting on July 14, 2014 at 5 PM.

- Ordinance Number 2502 – An Ordinance To Amend Chapter 8 Of The Vestavia Hills Code Of Ordinances, Republished 2014 Entitled “Licenses And Business Regulations” To Add An Article To Establish A NAICS Code, Operating Standards And Definitions For Mobile Food Units Operating Within The City Of Vestavia Hills, Alabama And To Provide For Penalties For Violation Thereof (*public hearing*)

CITIZENS COMMENTS

None.

MOTION Motion to adjourn was by Mr. Pierce and second was by Mr. Henley. Meeting adjourned at 5:45 PM.

Alberto C. Zaragoza, Jr.
Mayor

Attested by:

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 2502

AN ORDINANCE TO AMEND CHAPTER 8 OF THE VESTAVIA HILLS CODE OF ORDINANCES, REPUBLISHED 2014 ENTITLED “LICENSES AND BUSINESS REGULATIONS” TO ADD AN ARTICLE TO ESTABLISH A NAICS CODE, OPERATING STANDARDS AND DEFINITIONS FOR MOBILE FOOD UNITS OPERATING WITHIN THE CITY OF VESTAVIA HILLS, ALABAMA AND TO PROVIDE FOR PENALTIES FOR VIOLATION THEREOF

WITNESSETH THIS ORDINANCE NUMBER 2502 WHICH IS CONSIDERED AND APPROVED ON THIS THE 14th DAY OF JULY, 2014.

WITNESSETH THESE RECITALS

WHEREAS, on April 28, 2014, the City Council of the City of Vestavia Hills (“City”) adopted and approved Ordinance Number 2498 to adopt a Code of Ordinances for the City of Vestavia Hills as republished in 2014; and

WHEREAS, Chapter 8 of the Vestavia Hills Code of Ordinance, republished 2014, (“City Code”) entitled “Licenses and Business Regulations” sets forth the requirements for operation of commercial businesses within the City of Vestavia Hills; and

WHEREAS, the Mayor and City Council have determined that establishing standards for the operation of Mobile Food Units is intended to promote the public health, safety and welfare by amending Article 8 to establish standards and a definition for the operation of Mobile Food Units within the City to be detailed as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. Chapter 8 of the City’s Code is hereby amended for the addition of the following:

Article X - Establishing Standards and Definitions for Mobile Food Units

Section 1. Definitions.

Mobile Food Unit – A self-contained vehicle, trailer or pushcart that serves prepared foods or prepares and serves food in various locations of the City.

Section 2. Standards and Requirements for Operation.

1. All Mobile Food Unit operators shall obtain an annual business license issued by the City of Vestavia Hills Finance Department prior to

commencing any food sales in the City. Said license shall be assigned the NAICS code 722330 and shall be subject to the Schedule 5A as detailed in Section 8-37, License Classifications. Said license shall be provided for both the Mobile Food Unit as well as the commissary from which the food is obtained.

2. In addition to an annual business license all Mobile Food Unit operators shall obtain an annual operating permit for each unit to be issued by City of Vestavia Hills City Clerk, unless otherwise exempted in this Chapter. Permits shall be issued for the period beginning January 1 and ending December 31 of each year. This permit shall be posted in a visible location on the Mobile Food Unit at all times while in operation. In order to obtain said permit, operators shall submit copies of all required and current health department approvals for both commissary and each Mobile Food Unit and current City business license. Applicant shall be responsible for having each unit inspected and approved by the City's Fire Marshal prior to issuance of permit.
3. All Mobile Food Units must be located off the public rights-of-way.
4. Location and/or operation of all Mobile Food Units shall be only in areas and/or districts zoned non-residential.
5. Mobile Food Unit operators shall have approval of the property owner for each location at which the Mobile Food Unit operates. This approval shall be in writing, signed by the property owner and must be made available for inspection upon request of any City Official at any time during the operation of the Mobile Food Unit.
6. No Mobile Food Unit shall be allowed to operate in excess of eight (8) hours per day; operational meaning food sales (excluding food prep).
7. No Mobile Food Unit shall be allowed to operate in excess of three (3) consecutive days in any one location. During days of non-operation, the Mobile Food Unit and all associated vehicles, etc., must be removed from the premises.

8. Hours of operation for all Mobile Food Units shall be limited to 6:00 AM to 9:00 PM, local time.
9. No Mobile Food Unit shall operate on more than two (2) individual sites within the City per day.
10. No more than one (1) Mobile Food Unit shall operate on the same site per day unless specially approved festivals, celebrations, etc., and at the approval of the City Manager.
11. Mobile Food Units shall not be located within two hundred (200) feet of the main entrance of the nearest restaurant during the restaurant's posted hours of operation.
12. Mobile Food Units shall be located a minimum of five (5) feet away from any fire hydrant, sidewalk, utility boxes, handicap ramps and/or building entrances.
13. Mobile Food Unit operators are responsible for the proper disposal of waste and trash associated with the operation. Operators shall remove all waste and trash every 24 hours to maintain the health and safety of the public and to prevent any adverse odors. City trash receptacles shall not be used for this purpose.
14. All associated equipment, including trash receptacles, must be located within three (3) feet of the Mobile Food Unit.
15. No fire lanes, vehicular access ways or pedestrian walkways may be obstructed or encroached upon by the Mobile Food Unit.
16. No amplified microphones or bull horns, no flashing lights or any other distraction shall be permitted as a part of the Mobile Food Unit operation.
17. Mobile Food Units shall not occupy parking spaces required to fulfill the minimum requirements of a principal use, unless the hours of operation of the principal use do not coincide with those of the Mobile Food Unit except at the approval of the Zoning Official.
18. Signage is limited to signage located on Mobile Food Unit. No portable signage is allowed.

Section 3. Penalties.

Any person violating any provision of this article may be issued a citation by the Vestavia Hills Police Department or at the request of the Finance Director or his designee be issued a summons and shall be required to appear in the Vestavia Hills Municipal Court. Upon conviction, any person shall be subject to any fines and other applicable court costs which may be assessed by the Vestavia Hills Municipal Court.

Section 4. Exceptions.

The City Manager shall, at his discretion, be authorized to issue an exemption to any Mobile Food Unit who is operating in an organized civic event, festival, celebration, non-profit event or any other event where it is deemed as being in the public's interest in order to exempt the operator of the Mobile Food Unit from business license fees and permitting requirements; however, all operators are still responsible for the collection and remittance of sales taxes associated with the sale of said inventory, as well as inspection of food preparation facilities by the Fire Marshal.

Section 5. Severability.

If any part, section or subdivision of this resolution shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this resolution, which shall continue in full force and effect notwithstanding such holding.

Section 6. Effective Date:

This Ordinance Number 2502 shall become effective August 1, 2014 following adoption and publishing/posting pursuant to Alabama law.

DONE, ORDERED, ADOPTED and APPROVED this the 14th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 2502 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 7th day of July 14, 2014, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 4603

A RESOLUTION ACCEPTING A BID FOR THERMAL IMAGING CAMERAS

WHEREAS, the City of Vestavia Hills invited bids for thermal imaging cameras for the Vestavia Hills Fire Department; and

WHEREAS, bids were received on July 8, 2014 and read aloud publicly with the results tabulated and detailed in a memorandum to the City Manager from the Fire Chief dated July 9, 2014, a copy of which is marked as "Exhibit A" attached and incorporated into this Resolution Number 4603; and

WHEREAS, the above-described memorandum recommends the acceptance of Argus Thermal Imaging bid based on the bid information obtained and citing the fact that this was the lowest bid with no exceptions to bid specifications; and

WHEREAS, the Mayor and City Council agree it is in the best public interest to accept said bid.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The bid package submitted by Argus Thermal Imaging is hereby accepted as presented; and
2. This Resolution Number 4603 shall become effective upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 14th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

BID SUMMARY

BID-2014-04

BID: Thermal Imaging Cameras and Extra Chargers

BID OPENED: July 8, 2014
2:00 PM

PEOPLE PRESENT FOR BID OPENING

1. Rebecca Leavings, City Clerk
2. Jim St. John, Fire Chief
3. Ryan Farrell, VH Fire Department
4. Rita Hosmer, VH Finance Department
5. Tommy Johnson; Argus Cameras

BIDDERS:

1. Argus Cameras:
 - a. Camera A - \$6,499.00; no exceptions
 - b. Camera B - \$6,128.00 each; no exceptions
 - c. Charger - \$463 each; no exceptions
2. Kenco Fire Equipment
 - a. Camera A - \$3,947 each with exceptions
 - b. Camera B - \$3,822.00 each with exceptions
 - c. Chargers - \$3,822.00 each
3. Mitchell and Associates
 - a. Camera A - \$4,755.00 each with exceptions
 - b. Camera B - \$4,755.00 each with exceptions
 - c. Chargers - \$1,950.00 each
4. NAFECO – No Bid
5. Sunbelt Fire Equipment – No Bid

**VESTAVIA HILLS FIRE DEPARTMENT
513 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216
(205) 978-0225
(205) 978-0205 (FAX)**

**JAMES R. ST. JOHN
FIRE CHIEF**

MEMORANDUM

TO: Jeff Downes, City Manager
FROM: Jim St. John
DATE: July 9, 2014
RE: Thermal Imager Bid Recommendation

We received three bids on the specifications for thermal imagers to be purchased with the FY 2014 Assistance to Firefighters Grant. Argus was the only bidder that did not take an exception or instance of deviation from the specifications.

Argus Thermal Imaging bid \$6,499.00 for "Camera A" with no listed exceptions, \$30,640 or \$6,128.00 each for "Camera B" with no listed exceptions and \$1,389.00 or \$463 each for "Additional Camera Charger".

Kenco Fire Equipment bid \$3,947.00 for "Camera A", \$19,110 or \$3,822.00 each for "Camera B" and \$3,822.00 for "Additional Camera Charger". The bid deviated from our specifications in a number of instances, notably the camera is not compliant with NFPA 1801, 2013 edition. The Assistance to Firefighters Grant guidance states that all requested equipment shall meet or exceed any voluntary national, state, and/or DHS-recognized consensus standards.

Mitchell and Associates bid \$4,755.00 for "Camera A", \$23,775.00 or \$4,755.00 each for "Camera B" and \$1,950.00 for "Additional Camera Charger". The bid deviated from our specifications in a number of instances, notably the camera is not compliant with NFPA 1801, 2013 edition. The Assistance to Firefighters Grant guidance states that all requested equipment shall meet or exceed any voluntary national, state, and/or DHS-recognized consensus standards.

Based upon thorough review of the specifications, and considering the exceptions taken by the bidders, I recommend that the bid by Argus for \$38,528.00 be accepted.

RESOLUTION NUMBER 4604

A RESOLUTION AMENDING RESOLUTION 4599 TO ALLOW FOR LIBRARY GRANT FUNDING TO PARTIALLY FUND CONSTRUCTION OF ADDITIONAL PARKING FOR THE LIBRARY IN THE FOREST

WHEREAS, on June 9, 2014, the City Council of the City of Vestavia Hills adopted and approved Resolution Number 4599 to allow expenditure of grant funding from the Public School and College Authority (“PSCA”) to fund construction of an ADA compliant ramp and/or additional technology for the Library; and

WHEREAS, the City has received bids for construction of a parking lot adjacent to the Library in the Forest in order to provide additional parking for the Library; and

WHEREAS, construction costs have exceeded original estimates and the City Manager has recommended that \$150,000 of the PSCA awarded grant be utilized to assist in funding the construction of the parking lot in lieu of an ADA compliant ramp or additional technology; and

WHEREAS, the Mayor and City Council find it is in the best public interest to redirect a portion of the PSCA in an amount not to exceed \$150,000 for construction of the parking lot adjacent to the Library in the Forest.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The City Manager is hereby authorized to utilize \$150,000 of the PSCA grant for construction of a parking lot adjacent to the Library in the Forest; and
2. This Resolution Number 4604 shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 14th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 4606

A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH THE VESTAVIA HILLS BOARD OF EDUCATION FOR DEVELOPMENT OF THE SCHOOL PARCEL AT PATCHWORK FARMS

WHEREAS, the Vestavia Hills Board of Education (“Board”) owns 22.19 acres of the development known as Patchwork Farms; and

WHEREAS, the City of Vestavia Hills (“City”) has retained Daniel Realty Company, LLC, an Alabama limited liability company (“Daniel”) to act as the master developer and broker for the endeavor; and

WHEREAS, said agreement is marked as “Exhibit A” and is attached and incorporated into this Resolution Number 4606 as though written fully therein; and

WHEREAS, the City Manager has reviewed the agreement and recommended acceptance; and

WHEREAS, the Mayor and City Council find it is in the best public interest to accept the City Manager’s recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The Mayor and City Manager are hereby authorized to execute and deliver said agreement with the Vestavia Hills Board of Education; and
2. This Resolution Number 4606 shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 14th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

AGREEMENT OF PURCHASE AND SALE

THIS **AGREEMENT OF PURCHASE AND SALE** (this "Agreement") is entered into as of July _____, 2014 (the "Effective Date") by and between **THE BOARD OF EDUCATION OF THE CITY OF VESTAVIA HILLS, ALABAMA** ("Seller"), and **CITY OF VESTAVIA HILLS, ALABAMA**, an Alabama municipal corporation ("Purchaser").

WHEREAS, Seller is the owner of a certain parcel of real estate located in Jefferson County, Alabama, which is comprised of approximately 22.19 acres and which is more fully described on Exhibit A attached hereto and made a part hereof (said parcel of land, together with all improvements thereon and all rights, including appurtenances pertaining thereto, is hereinafter referred to as the "Property");

WHEREAS, the Property is a part of the proposed Patchwork Farms mixed use development ("Patchwork Farms"), and in furtherance of the development of Patchwork Farms, Purchaser and Daniel Realty Company, LLC, an Alabama limited liability company ("Daniel"), have entered into that certain Master Development and Brokerage Services Agreement dated April 30, 2014 (the "Patchwork Development Agreement"); and

WHEREAS, in connection with its efforts to develop Patchwork Farms, Seller desires to sell, and Purchaser desires to purchase, the Property.

NOW THEREFORE, the parties hereto agree as follows:

1. **Purchase and Sale.** For and in consideration of One and No/100 Dollars (\$1.00) in hand paid by Purchaser to Seller and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Seller, Seller agrees to sell, and Purchaser agrees to purchase, all (and not less than all) of the Property for the Purchase Price (as defined below) and on the terms and conditions hereinafter set forth.

2. **Purchase Price.** The purchase price for all of the Property shall be Three Million Four Hundred Eighty-Three Thousand Eight Hundred Sixty-Eight and 12/100 Dollars (\$3,483,868.12) (the "Purchase Price"). The Purchase Price shall be paid to Seller in cash at Closing, subject to the adjustments and prorations set forth below.

3. **Closing.**

(a) Subject to the terms and provisions of Section 3(b) below, the consummation of the sale by Seller and the purchase by Purchaser of the Property (the "Closing") shall take place at the offices of Purchaser, 513 Montgomery Highway, Vestavia Hills, Alabama 35216 at 10:00 a.m. Central Standard/Daylight Savings Time on the date selected by Purchaser on or before one hundred eighty (180) days following the Effective Date (the "Closing Date").

(b) Purchaser shall have the right to extend the Closing Date for three (3) additional six (6) month periods each (collectively, the "Extensions") as follows:

(i) Purchaser may extend the Closing Date for an additional 180-day period (thereby extending the Closing Date to the date which is 360 days following the Effective Date (the "First Extended Closing Date")) by (1) providing Seller with written notice of its election to extend the Closing Date on or before the initial Closing Date and (2) remitting to Seller the additional sum of Twenty-Five Thousand and No/100 Dollars (\$25,000.00) (the "First Extension Fee");

(ii) Purchaser may extend the Closing Date, as extended to the First Extended Closing Date, for an additional 180-day period (thereby extending the Closing Date to the date which is 540 days following the Effective Date (the “Second Extended Closing Date”)) by (1) providing Seller with written notice of its election to extend the Closing Date on or before the First Extended Closing Date and (2) remitting to Seller the additional sum of Twenty-Five Thousand and No/100 Dollars (\$25,000.00) (the “Second Extension Fee”); and

(iii) Purchaser may extend the Closing Date, as extended to the Second Extended Closing Date, for an additional 180-day period (thereby extending the Closing Date to the date which is 720 days following the Effective Date) by (1) providing Seller with written notice of its election to extend the Closing Date on or before the Second Extended Closing Date and (2) remitting to Seller the additional sum of Twenty-Five Thousand and No/100 Dollars (\$25,000.00) (the “Third Extension Fee”).

(c) Purchaser shall provide to Seller at least five (5) days prior written notice of the Closing Date selected by Seller for the Closing. To the extent paid by Purchaser to Seller, the First Extension Fee, the Second Extension Fee and the Third Extension Fee (collectively, the “Extension Fees”) shall be applied to the Purchase Price payable by Purchaser to Seller at the Closing.

(d) In the event Purchaser fails to timely exercise any of the Extensions and deposit the applicable Extension Fees with Seller, Purchaser shall be deemed to have irrevocably elected to cancel and terminate this Agreement in which event all Extension Fees, if any, previously deposited by Purchaser with Seller shall be retained by Seller and except for any indemnification and other obligations of Purchaser under this Agreement which expressly survive the termination of this Agreement, neither party shall have any further obligations or liabilities to the other hereunder.

4. **Master Development Rights.**

Seller shall have the right to approve the master plan (the “Master Plan”) to be developed for Patchwork Farms, which shall include appropriate limits on density, land use and related restrictions, and will be submitted to Purchaser and Seller for approval. The Closing is expressly conditioned upon the following: (i) the Master Plan must be completed and approved by the Purchaser and Seller and (ii) restrictive covenants approved by Seller and consistent with the provisions of the Master Plan must have been recorded encumbering all of the property comprising Patchwork Farms, either through a separate document or an amendment to The Patchwork Farm Commercial Declaration of Covenants, Conditions and Restrictions dated April 4, 2012 and recorded in Bk: LR201212, Page 19387 in the Office of the Judge of Probate of Jefferson County, Alabama (the “Declaration”). With the approval of Seller, the Declaration shall be amended to add the Property to the terms and provisions thereof and shall be the form of the restrictive covenants for the Patchwork Farms (other than the five (5) single-family lots within Patchwork Farms which Purchaser has previously sold to a third party purchaser and which are subject to separate restrictive covenants). Purchaser and Seller agree to cooperate to facilitate the adoption of any amendments or modifications as may be necessary to the current PUD zoning ordinance for Patchwork Farms and the related restrictive covenants required to support the development of the approved Master Plan.

5. **Other Opportunities; Right of First Refusal.**

(a) Seller may, at any time prior to the Closing, accept a bona fide offer from a third party to purchase the Property, on such terms as it shall consider appropriate in its sole discretion (the transfer contemplated by such an acceptance being herein referred to as a “Proposed Sale”).

(b) If Seller receives a bona fide offer for a Proposed Sale that it intends to accept, Seller shall first give Purchaser written notice (a "Right of First Refusal Notice") of the terms of any Proposed Sale. Purchaser shall have five (5) days after its receipt of the Right of First Refusal Notice to give written notice to Seller of its election to either:

(i) Purchase the Property on the terms of the Proposed Sale, including without limitation a purchase price equal to the purchase price of the Proposed Sale; or

(ii) Not purchase the Property.

(c) Purchaser shall be deemed to have elected its alternative under subsection (c)(ii) above upon its failure to give to Seller written notice of its election under subsection (c)(i) above within such five (5) day period, in which case Seller shall be free to consummate the Proposed Sale free and clear of this Agreement, and upon such closing, this Agreement shall terminate.

(d) Notwithstanding anything herein to the contrary, the right of first refusal granted to Purchaser shall expire on the date this Agreement expires or is terminated.

6. **Notice.** Any notices required of either party under this Agreement shall be delivered in person or by a prepaid nationally recognized courier service, addressed to the other party at the address given in this Agreement, and the same shall be deemed to have been received on the day it is delivered, or on the day of refusal to accept delivery. Notices required under this Agreement shall be sent to the following addresses:

If to Seller:

The Board of Education of the City of Vestavia Hills, Alabama
1204 Montgomery Highway
Vestavia Hills, AL 35216-2810
Attention: Superintendent

If to Purchaser:

The City of Vestavia Hills, Alabama
513 Montgomery Highway
Vestavia Hills, AL 35216
Attention: City Manager

7. **Title; Deed.** At the Closing, Seller agrees to convey the Property to Purchaser by a duly executed and acknowledged statutory warranty deed (the "Deed") which shall be subject to the following (collectively, the "Permitted Exceptions"): (i) ad valorem taxes for the then current year, (ii) easements, covenants and other encumbrances of record, (iii) the current zoning classification, (iv) mineral and mining rights not owned by Seller, and (v) matters that would be disclosed by a current survey of the Property.

8. **Default.**

(a) In the event that Seller shall fail to consummate the transaction as contemplated herein for any reason other than Purchaser's default, then Purchaser may, as its sole and exclusive remedy, either (i) enforce this Agreement and the purchase and sale transaction contemplated herein by specific performance or (ii) terminate this Agreement, whereupon any Extension Fees paid to Seller shall be

promptly returned to Purchaser, this Agreement shall be deemed canceled and terminated and, except for the indemnification and other obligations of Purchaser which expressly survive the termination of this Agreement, neither party shall have any further obligation or liability to the other hereunder. Purchaser hereby expressly waives any right to seek or obtain any monetary judgment or damages against Seller in the event of any default hereunder by Seller and acknowledges and agrees that no other damages, rights or remedies shall be collectible, enforceable or available to Purchaser.

(b) If, at any time after the expiration of the Inspection Period, Purchaser shall fail to perform its obligation to close the transaction contemplated herein for any reason other than Seller's default, then any Extension Fees, if any, paid by Purchaser to Seller shall be retained by Seller as liquidated damages in which event this Agreement shall automatically be deemed terminated and canceled and, except for the indemnification and other obligations of Purchaser which expressly survive the termination of this Agreement, neither party shall have any further obligation or liability to the other hereunder. Because of the difficulty, inconvenience and uncertainty of ascertaining actual damages, no other damages, rights or remedies shall in any case be collectible, enforceable or available to Seller and Seller agrees to accept and retain any Extension Fees, if any, paid to Seller by Purchaser as its total damages and relief hereunder in the event Purchaser fails to close the purchase and sale transaction contemplated herein.

9. **Intentionally Deleted.**

10. **Taxes.** The Property is exempt from ad valorem taxes and there shall be no proration of ad valorem taxes for the Property at the Closing.

11. **Condition of Property; Property Purchased "As-Is".** The Property shall be sold and conveyed "as is" and "with all faults", and Seller has not made, does not make, and hereby disclaims any and all express or implied representations and warranties regarding or relating to the condition, suitability for any particular purpose, susceptibility to flooding, value, marketability, zoning of the Property, or with respect to use and occupancy restrictions, compliance with environmental laws and laws and regulations relating to hazardous substances, toxic wastes and underground storage tanks, and all legal requirements affecting or relating to the Property. Purchaser acknowledges that (i) Purchaser is not relying on any warranties or representations with respect to the physical condition of the Property or with respect to the operations of the Property; and (ii) Purchaser is not relying on any information provided by Seller, and that Purchaser has made, or will make prior to the Closing Date, an independent investigation of all matters relating to the Property and the ownership and operation of the Property. The terms and covenants of this Section 11 shall survive the Closing or any termination of this Agreement.

12. **Transfer Costs; Title Insurance.** Each party shall pay its respective attorney's fees. Purchaser shall pay for the cost of obtaining an owner's title insurance policy, the cost of an ALTA survey, if required by Purchaser, and all recording and documentary fees and taxes resulting from the conveyance of the Property.

13. **Assignment.** Purchaser may not assign this Agreement or any of its rights hereunder without the express written consent of Seller. Any assignment in violation of the restriction on assignment in this Section 13 shall be void and of no force and effect. Notwithstanding the forgoing, Purchaser may assign all of its rights hereunder to Daniel or a wholly owned subsidiary of Daniel. In no event shall Purchaser be released from its duties and obligations hereunder unless expressly released in writing by Seller.

14. **Inspection.** Upon execution of this Agreement, Purchaser is hereby granted the right to enter onto the Property from time to time for the purpose of inspecting the Property; provided, however,

that Purchaser shall conduct no invasive testing, investigations, or evaluations on the Property without the prior written consent of Seller. In performing its inspections, Purchaser agrees not to damage the Property and shall indemnify, defend and hold Seller, its successors, assigns, officers, employees and agents, harmless from and against any cost, claim, loss, liability, judgment, lien or other expense, including attorney fees and for bodily injury, personal injury, death or property damage, which shall arise as a consequence of Purchaser's exercise of its rights under this Agreement. This indemnity shall survive the Closing or the termination of this Agreement. In the event Purchaser fails to close the transaction contemplated herein for any reason, upon request by Seller, Purchaser shall furnish, at no cost to Seller, copies of all surveys, soil test results, engineering, environmental and other studies and reports relating to Purchaser's inspections of the Property, which obligation shall survive the termination of this Agreement.

15. **Authority.** Seller represents and warrants, to and for the benefit of Purchaser that Seller has the authority and power to convey the Property in accordance with the terms of this Agreement and the individuals signing this Agreement and all documents executed or to be executed by Seller are and shall be duly authorized to sign the same on Seller's behalf and bind Seller thereto.

16. **Brokerage: Real Estate Commissions.** Purchaser shall pay all real estate commissions, broker's commissions, and other related fees and expenses owing to Daniel under the Patchwork Development Agreement, if any, resulting from the Closing of the transaction contemplated by this Agreement. Seller shall pay to Daniel, at Closing, a closing fee of One Hundred Fifty Thousand and No/100 Dollars (\$150,000) if and only if the Closing occurs between Seller and Purchaser pursuant to the terms of this Agreement. Purchaser and Seller each represent and warrant to the other that, except for Daniel, such party has dealt with no other broker, agent or other person in connection with this transaction and that no broker, agent or other person other than the foregoing brought about this transaction, and Purchaser and Seller agree to indemnify and hold the other party harmless from and against any claim by any other broker, agent or other person claiming a commission or other form of compensation by virtue of having dealt with such party with regard to this transaction. The terms and covenants of this Section 16 shall survive the Closing or any termination of this Agreement.

17. **Governing Law.** The terms and conditions of this Agreement shall be construed, interpreted and enforced in accordance with the laws of the State of Alabama.

18. **Entire Agreement.** This Agreement contains the entire agreement between the parties with respect to the transactions provided for herein, and the parties hereto agree that no other representations have been made by either party.

19. **Time is of the Essence.** Time is of the essence of this Agreement and of the performance of each and every covenant contained herein.

20. **Successors and Assigns.** This agreement shall be binding upon the personal representatives, executors, administrators, heirs and assigns of Seller, and inure to the personal representatives, executors, administrators, heirs and assigns of Purchaser.

21. **Possession.** Possession of the Property shall be given on the Closing Date, free of any tenancy, leases or rights of occupancy other than any such rights arising out of the Permitted Exceptions.

IN WITNESS WHEREOF, the parties have executed or caused this Agreement to be executed by their duly authorized representative as of the Effective Date.

SELLER:

THE BOARD OF EDUCATION OF THE CITY OF VESTAVIA HILLS, ALABAMA

By: _____
Name: _____
Its: _____

By: _____
Name: _____
Its: _____

PURCHASER:

THE CITY OF VESTAVIA HILLS, ALABAMA

By: _____
Name: _____
Its: _____

EXHIBIT A

(Legal Description of Property)

A parcel of land situated in the NW ¼ of Section 34, Township 18 South, Range 2 West, Jefferson County, Alabama, Birmingham Division, being more particularly described as follows: Begin at the Northwest corner of the SE ¼ of the NW ¼ of Section 34, Township 18 South, Range 2 West, being a found 3" capped pipe; thence in a Southerly direction along the West line of said ¼-¼ section a distance of 324.26 feet to a 2" capped pipe found; thence 53 degrees 35'00" to the left in a Southeasterly direction a distance of 714.00 feet to a 2" pipe found; thence 131 degrees 38'56" to the left in a Northwesterly direction a distance of 199.55 feet to a 2" capped pipe found; thence 87 degrees 53'00" to the right in a Northeasterly direction a distance of 633.40 feet to a GSA capped rebar found on the Westerly right of way line of Old Caldwell Mill Road, being the P.C. (point of curve) of a curve to the left having a radius of 1884.86 feet and a central angle of 6 degrees 26'44"; thence 60 degrees 05'11" to the left (angle measured to tangent) in a Northeasterly direction along the arc of said curve and along the Westerly right of way line of said Old Caldwell Mill Road a distance of 212.04 feet to a GSA capped rebar found being the P.T. (point of tangent); thence tangent to said curve in a Northeasterly direction and along the Westerly right of way line of said Old Caldwell Mill Road a distance of 64.91 feet to a GSA capped rebar found, being the P.C. (point of curve) of a curve to the left having a radius of 188.59 feet and a central angle of 57 degrees 02'48"; thence in a Northeasterly, Northerly and Northwesterly direction along the arc of said curve and along the Westerly right of way line of said Old Caldwell Mill Road a distance of 187.77 feet to a WSE capped rebar set, being the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northwesterly direction and along the Southerly right of way line of said Old Caldwell Mill Road a distance of 146.63 feet to a GSA capped rebar found, being the P.C. (point of curve) of a curve to the left having a radius of 379.44 feet and a central angle of 20 degrees 23'12"; thence in a Northwesterly direction along the arc of said curve and along the Southerly right of way line of said Old Caldwell Mill Road a distance of 135.01 feet to a GSA capped rebar found; being the P.T. (point of tangent); thence tangent to said curve in a Northwesterly direction and along the Southerly right of way line of said Old Caldwell Mill Road a distance of 134.32 feet to a GSA capped rebar found, being the P.C. (point of curve) of a curve to the right having a radius of 2637.29 feet and a central angle of 3 degrees 21'00"; thence in a Northwesterly direction along the arc of said curve and along the Southerly right of way line of said Old Caldwell Mill Road a distance of 154.20 feet to a GSA capped rebar found, being the P.T. (point of tangent); thence tangent to said curve in a Northwesterly direction and along the Southerly right of way line of said Old Caldwell Mill Road a distance of 226.04 feet to a WSE capped rebar set; thence 0 degrees 45'28" to the right in a Northwesterly direction and along the Southerly right of way line of said Old Caldwell Mill Road a distance of 148.81 feet to a GSA capped rebar found; thence 80 degrees 15'29" to the left in a Southwesterly direction (leaving said right of way line) a distance of 689.17 feet to the Point of Beginning.

RESOLUTION NUMBER 4605

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH GOODWYN MILLS AND CAWOOD FOR PRELIMINARY GEOTECHNICAL WORK AT WALD PARK

WHEREAS, the City Manager has a proposal for preliminary geotechnical work at Wald Park – Phase I Environmental Site Assessment Services for an amount estimated at \$11,500, a copy of which is marked as “Exhibit A” and is attached and incorporated into this Resolution Number 4605 as though written fully therein; and

WHEREAS, the City Manager has reviewed the proposal and recommended acceptance in an amount not to exceed \$11,500; and

WHEREAS, the Mayor and City Council find it is in the best public interest to accept the City Manager’s recommendation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The City Manager is hereby authorized to execute and deliver an agreement with Goodwyn Mills and Cawood for preliminary geotechnical work at Wald Park- Phase I Environmental Site Assessment in an amount not to exceed \$11,500; and
2. This Resolution Number 4605 shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



GOODWYN | MILLS | CAWOOD

July 8, 2014

Mr. Conrad Garrison, City Planner
 City of Vestavia Hills
 513 Montgomery Hwy.
 Vestavia Hills, AL 35216

RE: Proposal for Preliminary Geotechnical Investigation and
 Phase 1 Environmental Site Assessment Services
Wald Park – Vestavia Hills, Alabama

Dear Mr. Garrison:

Goodwyn Mills and Cawood (GMC) appreciates the opportunity to submit a proposal for the above described services for the Wald Park Planning Project located on U.S. Highway 31 in Vestavia Hills. We have prepared this proposal for your review and comment, and we look forward to working with you throughout the planning of this project. This proposal will define the professional team we propose for the project, the general scope of the work, and our scope of services along with the compensation structure. Our project team is composed of professionals committed to planning a facility that meets your needs and the goals that will be established for the project. For your review and information, the following consultants are proposed for the project team:

A> PROJECT TEAM:

Geotechnical Engineer: *Goodwyn, Mills and Cawood, Inc. (GMC)*
 Environmental Engineer: *GMC*

B> PROJECT SCOPE & SCHEDULE:

In accordance with our previous conversations to date, we have the following understanding of the Project Scope and the primary work items requiring our involvement:

PROJECT SCOPE:

The proposed scope of work includes a preliminary geotechnical investigation of the subsurface conditions at various locations throughout the city owned property of Wald Park and the Public Works Shop buildings located on U.S. Highway 31. We currently are not planning to perform any borings within the limits of the Board of Education property immediately adjacent to Wald Park as part of this scope. GMC will also perform a Phase 1 Environmental Site Assessment of the same subject properties.

C> CONSULTANT SERVICES:

Preliminary Geotechnical Investigation: We have included the investigation of the subsurface conditions of the subject property. The purpose of our exploration is to characterize the subsurface material encountered for future planning and development. We understand that fill has been placed over the years to develop the site, and that the area of the existing maintenance buildings may have been filled with debris.

Field Exploration: We are proposing to drill borings at the locations shown on the attached Proposed Boring Location Plan. We have assumed boring depths based on existing site features, however, the actual boring depths may vary due to the material encountered. The following table summarizes our proposed borings and depths.

GOODWYN, MILLS AND CAWOOD, INC.

2701 1st Avenue South, Suite 100

Birmingham, AL 35233

Tel 205.879.4462 Fax 205.879.4493

GMCNETWORK.COM

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NO. OF BORINGS	DEPTH (feet)	TOTAL (feet)
3	15	45
7	20	140
6	30	180
16		365

The boring locations will be staked in the field by GMC. Soil test borings will be drilled to the above proposed depths or to auger refusal, whichever is encountered first. Split-spoon sampling and standard penetration testing will be conducted at standard intervals in the borings. No rock will be cored in the borings. Each borehole will be backfilled with soil cuttings from the drilling process and/or asphalt patch upon completion. Groundwater levels will be recorded from the open boreholes prior to backfilling.

Laboratory Testing: A geotechnical engineer will visually classify soil samples obtained from the drilling process. Selected soil samples will be retained for laboratory testing. Classification tests consisting of Atterberg limit determinations, grain size analyses, and natural moisture contents will be performed.

Reporting: All work will be performed under the direction of an Alabama registered professional engineer specializing in geotechnical engineering. Once the field and laboratory investigations are complete, we will provide you with a written report that will include the following:

- A brief summary of our test procedures and the results of all field and laboratory testing.
- A review of the site conditions and geologic setting.
- A review of subsurface soil stratigraphy including the individual Boring Logs, Subsurface Diagrams, and a Boring Location Plan.
- A general discussion and recommendations for site preparation, excavation considerations, cut and fill slope recommendations, preparation of existing soils for proposed construction activities, and construction of compacted fills.
- Information regarding groundwater conditions, along with recommendations for controlling groundwater in excavations during construction.

Phase 1 Environmental Site Assessment: GMC's Phase I Environmental Site Assessments (ESA's) are prepared in compliance with the American Society for Testing and Materials (ASTM) E 1527-13 Standard which includes the All Appropriate Inquiries Rule (AAI). The purpose of the Phase I ESA is to investigate the referenced site for evidence of hazardous or regulated non-hazardous materials contamination. A Phase I ESA does not include any testing or sampling of materials (i.e. soil, water, air, building materials, etc.). Our proposed course of action is as follows:

- A historical review of the use and improvements made to the subject site.
- A review of applicable building, zoning, planning, sewer, water, fire and environmental department records that would have information on or have an interest in the property and neighboring sites.
- An investigation of the subject property and neighboring properties with regard to the Environmental Protection Agency's (EPA) National Priorities List (NPL) or Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) list and similar state lists.
- An inspection of the site and all improvements with a visual inspection for hazardous materials and regulated non-hazardous materials.

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- A review of available information to determine whether present owners or tenants have stored, created or discharged hazardous materials or waste, and, if applicable, a review of whether appropriate procedures and safeguards have been observed.
- A written report summarizing the findings with conclusions as to the potential environmental degradation believed to be associated with the property.
- If the Phase I ESA reveals recognized environmental conditions that warrant additional assessments, then a proposal for those services will be submitted separately at that time.

D> DELIVERABLES:

- Report of Preliminary Geotechnical Investigation - 3
- Report of Phase 1 Environmental Site Assessment - 3
- Digital copies provided upon request

E> PROJECT SCHEDULE:

We approach each project with a professional level of diligence, and we strive to maintain our schedule commitments and improve upon them where possible; however, from time to time circumstances outside of our control such as weather will influence project schedules. The following table shall serve as an estimate of the durations we anticipate will be required to provide the above scopes of work as defined herein:

	ESTIMATED DURATION:	DEADLINE:
Prelim. Geotech. Invest.	30 days from Notice to Proceed	TBD
Phase 1 ESA	30 days from Notice to Proceed	TBD

F> COMPENSATION:

	FEE CALCULATION		TYPE
CONSULTANT SERVICES:	Prelim. Geotech. Invest.	= \$9,000.00	LS
	Phase 1 ESA	= \$2,500.00	LS

ADDITIONAL SERVICES:

Additional services are services outside of the scope noted herein, or services that were not anticipated at the writing of this agreement, or are special services requested by the Owner. Should additional Services be required during this project, we will notify the Owner prior to commencing said work. Unless negotiated to the contrary, approved Additional Services shall be calculated as follows:

- GMC In-house design/ administration: Per hourly rate schedule absent a pre-determined lump sum. Updated annually in July.

Design Consultants: 1.2 times the invoice amount submitted to the Engineer

PAYMENT TERMS:

Professional services will be invoiced monthly in accordance with the percentage completion for each component of the provided services. Payment is due 30 days from the invoice date, and is consider past-due thereafter. Past-due invoices will accrue interest at a rate of one percent (1%) per month.

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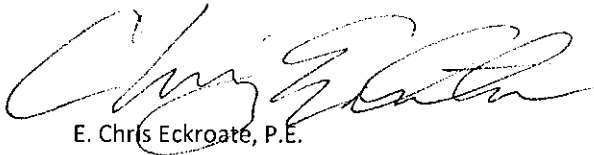
LIABILITY INSURANCE:

Goodwyn Mills & Cawood Inc. maintains Workmen's compensation, comprehensive commercial general liability, and professional liability (E&O) insurance coverage. A copy of our insurance certificate is available upon request.

We appreciate the opportunity to work with you over the course of this project, and trust our proposal is consistent with your expectations. Please feel free to contact me at your convenience to discuss the terms of this proposal and any questions or concerns you may have.

Sincerely:

GOODWYN, MILLS AND CAWOOD, INC.



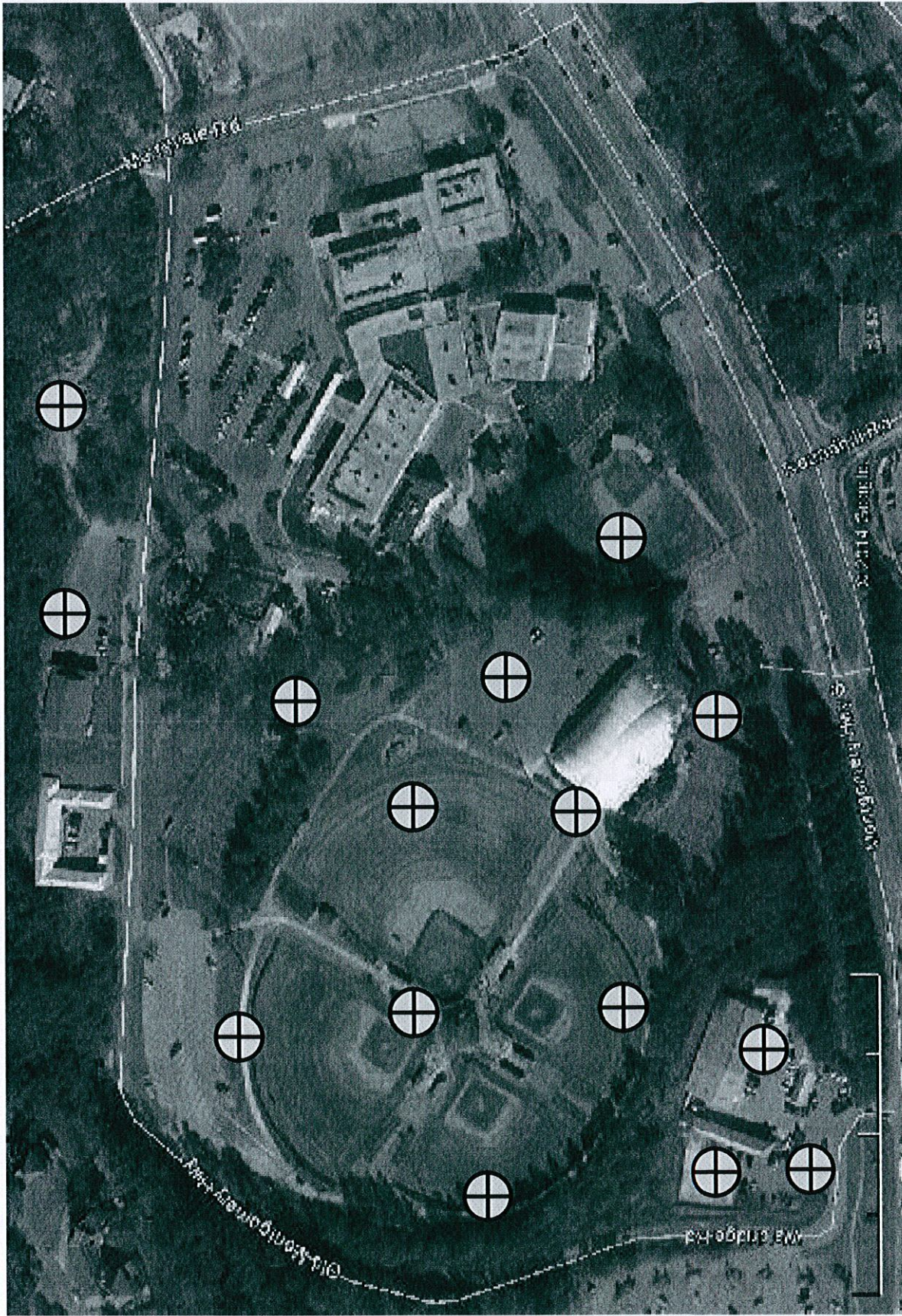
E. Chris Eckroate, P.E.
Director of Civil Engineering
Birmingham Division

Accepted By:

City of Vestavia Hills

Print Name, Title


Date: _____



⊕ Proposed Boring Location

REF. SHEET:
 DESCRIPTION: Proposed Boring Locations
 Wald Park
 Vestavia Hills, Alabama

GMC # 07-3-14
 DATE:
 DRAWN BY:

 GOODWYN | MILLS | CAWOOD
 2701 1st Ave South, Suite 100 | Birmingham, AL 35233
 Tel 205.979.4402 | GMCNETWORK.COM

ORDINANCE NUMBER 2503

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF A PARCEL OF PROPERTY FROM JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 to Vestavia Hills R-1;

1836 Shades Crest Road
Bradshaw Family, LLC, Owner(s)

More Particularly Described as Follows:

PARCEL I:

A lot or parcel of Land located in the SW 1/4 of the SE 1/4 of Section 24, Township 18 South, Range 3 West, Jefferson County, Alabama, Birmingham Division, being Tract #17, and described as: Begin at the Northwest corner of the Northwest quarter of the Southwest quarter of Section 19, Township 18 South, Range 2 West; thence in a Southerly direction along the West boundary of said 1/4-1/4 section a distance of 385.60 feet; thence turning an angle of 52°00' to the right in a Southwesterly direction a distance of 1047.88 feet; thence turning an angle of 10°00' to the left in a Southwesterly direction of 667.5 feet; thence turn an angle of 6°25' to the left in a Southwesterly direction a distance of 614.84 feet; thence turning an angle of 16°15' to the right in a Southwesterly direction a distance of 248.5 feet; thence turning an angle of 16°12'30" to the left in a Southwesterly direction a distance of 109.30 feet to point of beginning of land herein described; with this as a beginning point; thence turning an angle of 114°12'29" and run in a Southeasterly direction for a measured distance of 401.84 feet to an existing 1/2" rebar being on the Northwest right of way line of Shades Crest Road; thence turn an angle to the right of 127°16'41" and run in a Southwesterly direction along the Northwest right of way line of said Shades Crest Road for a distance of 61.97 feet to an existing iron rebar set by Weygand and being the point of beginning of a curve, said curve being

concave in a Northwesterly direction and having a central angle of $35^{\circ}44'$ and a radius of 452.50 feet; thence turn an angle to the right and run in a Southwesterly and Westerly direction along the arc of said curve for a distance of 282.21 feet to an existing iron rebar set by Weygand and being the point of ending of said curve; thence run in a Westerly direction along the North right of way line of Shades Crest Road and along a line tangent to the end of said curve for a distance of 94.90 feet to an existing iron rebar set by Weygand; thence turn an angle to the right of 90° and run in a Northerly direction for a distance of 5.0 feet to an existing iron rebar set by Weygand and still being on the North right of way line of Shades Crest Road; thence turn an angle to the left of 90° and run in a Westerly direction along the North right of way line of said Shades Crest Road for a distance of 40.50 feet to an existing cross cut in a driveway and the point of beginning of a curve, said latest curve being concave in a Southerly direction and having a central angle of $8^{\circ}13'29''$ and a radius of 507.52 feet; thence turn an angle to the left and run in a Westerly direction along the arc of said curve for a distance of 72.85 feet to an existing iron rebar set by Weygand; thence turn an angle to the right ($95^{\circ}22'33''$ from the chord of last mentioned curve) and run in a Northerly direction for a distance of 30.88 feet to an existing 2" capped iron pipe; thence turn an angle to the right of $32^{\circ}12'13''$ and run in a Northeasterly direction for a distance of 249.50 feet, more or less, to the point of beginning.

PARCEL II:

That part of the SW $1/4$ of the SE $1/4$ of Section 24, Township 18, South, Range 3 West, more particularly described as follows: Begin at the Northeast corner of the NE $1/4$ of SE $1/4$ of said Section 24, thence in a Southerly direction along the East boundary of said quarter-quarter section 386.60 feet; thence turn an angle of $52^{\circ}00'$ to the right in a Southwesterly direction 1047.88 feet; thence turning an angle of $10^{\circ}00'$ to the left in a Southwesterly direction 667.5 feet; thence turning an angle of $8^{\circ}25'$ to the left in a Southwesterly direction 614.84 feet; thence turning an angle of $16^{\circ}15'$ to the right in a Southwesterly direction 248.50 feet to the most Westerly corner of Tract No. 16, as conveyed by Tennessee Land Company to W. B. Crow and J. R. Crow by deed dated the 7th day of September, 1943; said most Westerly corner being point of beginning of boundary of tract of land herein described; thence turning an angle of $130^{\circ}04'$ to the left in a Southeasterly direction along the Southwest boundary of said Tract No. 16, 460.9 feet to the Southeast corner thereof; thence turning an angle of $126^{\circ}31'$ to the right in a Southwesterly direction 124.43 feet to the most Easterly corner of Tract No. 17, as conveyed by Tennessee Land Company to W. B. Crow and J. R. Crow by the above mentioned deed; thence turning an angle of $53^{\circ}29'$ to the right in a Northwesterly direction along the Northeast boundary of said Tract No. 17, 431.1 feet to the Northwest corner thereof; thence turning an angle of

113°51'30" to the right in a Northeasterly direction 109.3 feet to point of beginning.

PARCEL III:

Commence at the Southwest corner of the SW 1/4 of SE 1/4, Section 24, Township 18 South, Range 3 West, and run East along the South line of said quarter-quarter section a distance of 523.7 feet; thence turn an angle of 45°01' to the left and run Northeasterly a distance of 59.8 feet; thence turn an angle of 36°48' to the right and run Northeasterly a distance of 202 feet, more or less, to a point; thence turn an angle of 90°00' to the left and run Northwesterly a distance of 30 feet to point of intersection with the Northerly right of way line of Shades Crest Road as now located, being the point of beginning of herein described property; thence turn an angle of 90°00' to the left and run Southwesterly a distance of 43 feet, more or less, to the point of beginning of a curve to the left having a central angle of 36°48' and a radius of 508.3 feet; thence Southeasterly and along arc of said curve a distance of 76 feet, more or less, to point of intersection with an extension of the Easterly property line of the Tennessee Coal & Iron Division in the SW 1/4 of SE 1/4, Section 24; thence Northwesterly and along said extended property line a distance of 36 feet, more or less, to point of intersection with the Northerly right of way line of said Shades Crest Road; thence Easterly and Southeasterly along said Northerly right of way line a distance of 124 feet, more or less, to the point of beginning.

APPROVED and ADOPTED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

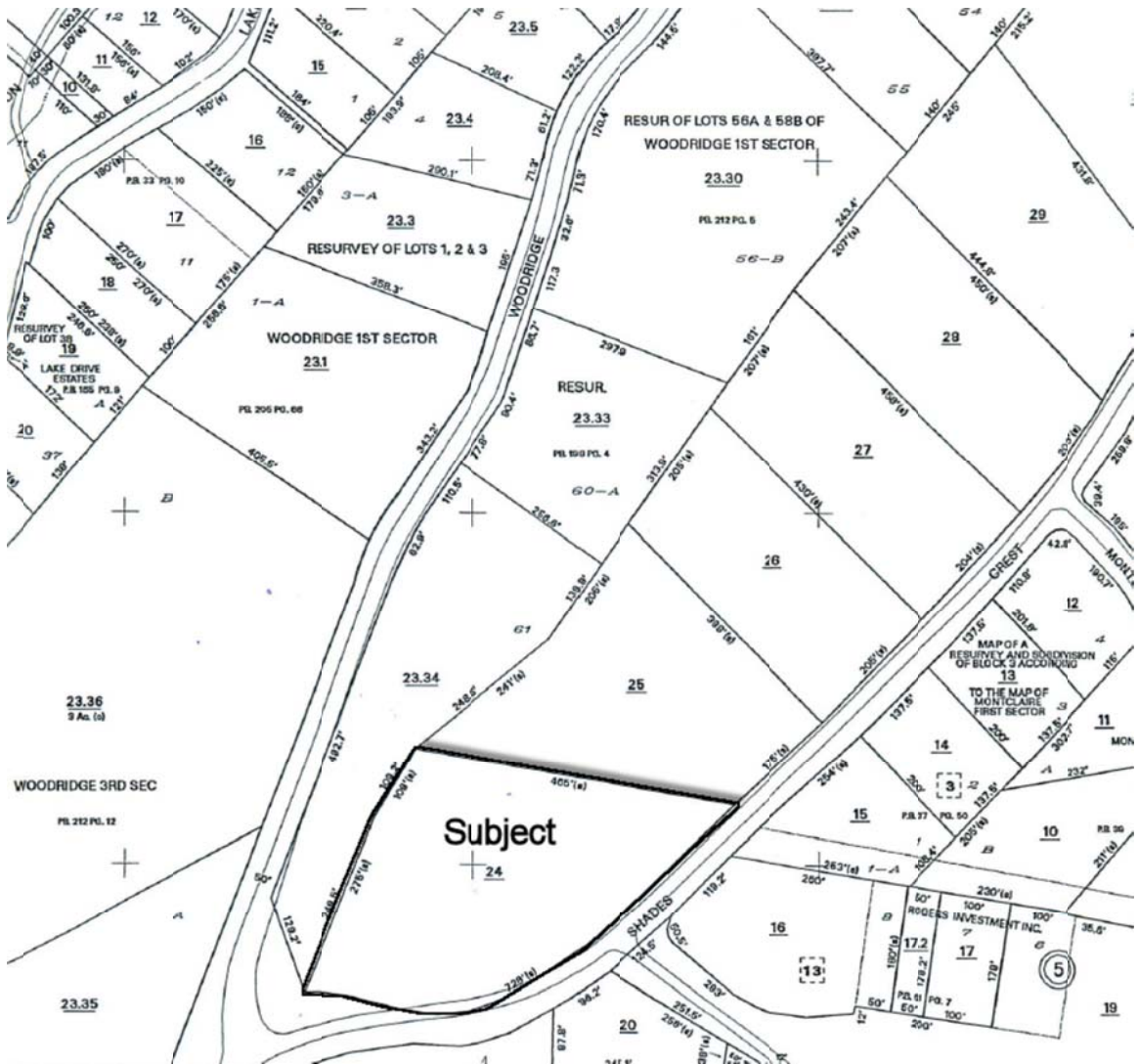
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2503 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE:** P-0614-25
- **REQUESTED ACTION:** Rezoning Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 1836 Shades Crest Rd.
- **APPLICANT/OWNER:** Bradshaw Family, LLC, 4154 Crosshaven Dr. Vestavia Hills, AL 35243
- **GENERAL DISCUSSION:** This particular property was annexed in 1999 when Mrs. Moon had just retired and we had Lou Falkenberry, Assistant to the Mayor as “Acting” City Clerk. They completed the annexation but didn’t know about the requirement to rezone to the compatible zoning. The house was eventually sold and was demolished and the land has been on the market for a while. The applicant wishes to sell the property and build 2 homes on it, however, City will not allow it until the lot(s) rezone to the City zoning and builds under City regulations and restrictions. This is something that is standard in all zonings. He has ample property to build 2 homes and meet all aspects of the City’s zoning code which exceeds the restrictions in the County’s zoning code. A subdivision plat will follow in the coming months.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan for neighborhood development.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.

4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

MOTION Mr. Gilchrist made a motion to approve Rezoning of 1836 Shades Crest Rd. from Jefferson County E-2 to Vestavia Hills R-1 For Residential Use. Second was by Mr. Goodwin. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Gilchrist – yes

Mrs. Fancher – yes

Motion carried.

Mr. Burrell – yes

Mr. Brooks – yes

Mr. House – yes

ORDINANCE NUMBER 2504

AN ORDINANCE GRANTING A CONDITIONAL USE APPROVAL FOR THE INTENDED PURPOSE OF RAISING AND HOUSING HENS

WHEREAS, on December 13, 2010 the City Council of the City of Vestavia Hills, Alabama approved and adopted Ordinance Number 2331 entitled the Vestavia Hills Zoning Code and establishing a conditional use approval for certain uses not permissible by right in zoning classifications; and

WHEREAS, on April 25, 2014, William Roth submitted an application for conditional use approval to raise a maximum of twelve (12) hens on his property located at 2564 Altadena Road, Vestavia Hills, Alabama; and

WHEREAS, the property located at 2564 Altadena Road is presently zoned Vestavia Hills E-2 (low density residential district); and

WHEREAS, Table 5 of the Vestavia Hills Zoning Code sets forth the permissible uses within an E-2 classification; and

WHEREAS, the Vestavia Hills Planning and Zoning Commission at its regular meeting of June 12, 2014 voted to recommend approval of the request as presented, with certain stipulations by a vote of six (6) in favor and zero (0) against; and

WHEREAS, a copy of said application dated April 25, 2014 is attached and hereby incorporated into this Ordinance Number 2504.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. Conditional Use Approval is hereby approved for William Roth, for use of the property located at 2564 Altadena Road to raise and house chickens with the following conditions:
 - (1) Maximum of twelve (12) hens may be allowed at any time;
 - (2) Coop must be permanently placed and shall not be moved to other portions of the property;
 - (3) No roosters shall occupy the premises at any time;
 - (4) Hens and/or eggs shall not be used for a commercial purpose;

- (5) This conditional use approval is location and owner specific and if Mr. Roth shall ever vacate the premises said conditional use shall be considered null and void;
- (6) If Mr. Roth vacates the conditional use by not raising any hens for a period of more than one (1) year, said conditional use is considered null and void; and
- (7) If Mr. Roth experiences any predators lured by said hens, he shall notify the Vestavia Hills Police Department immediately.

ADOPTED and APPROVED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

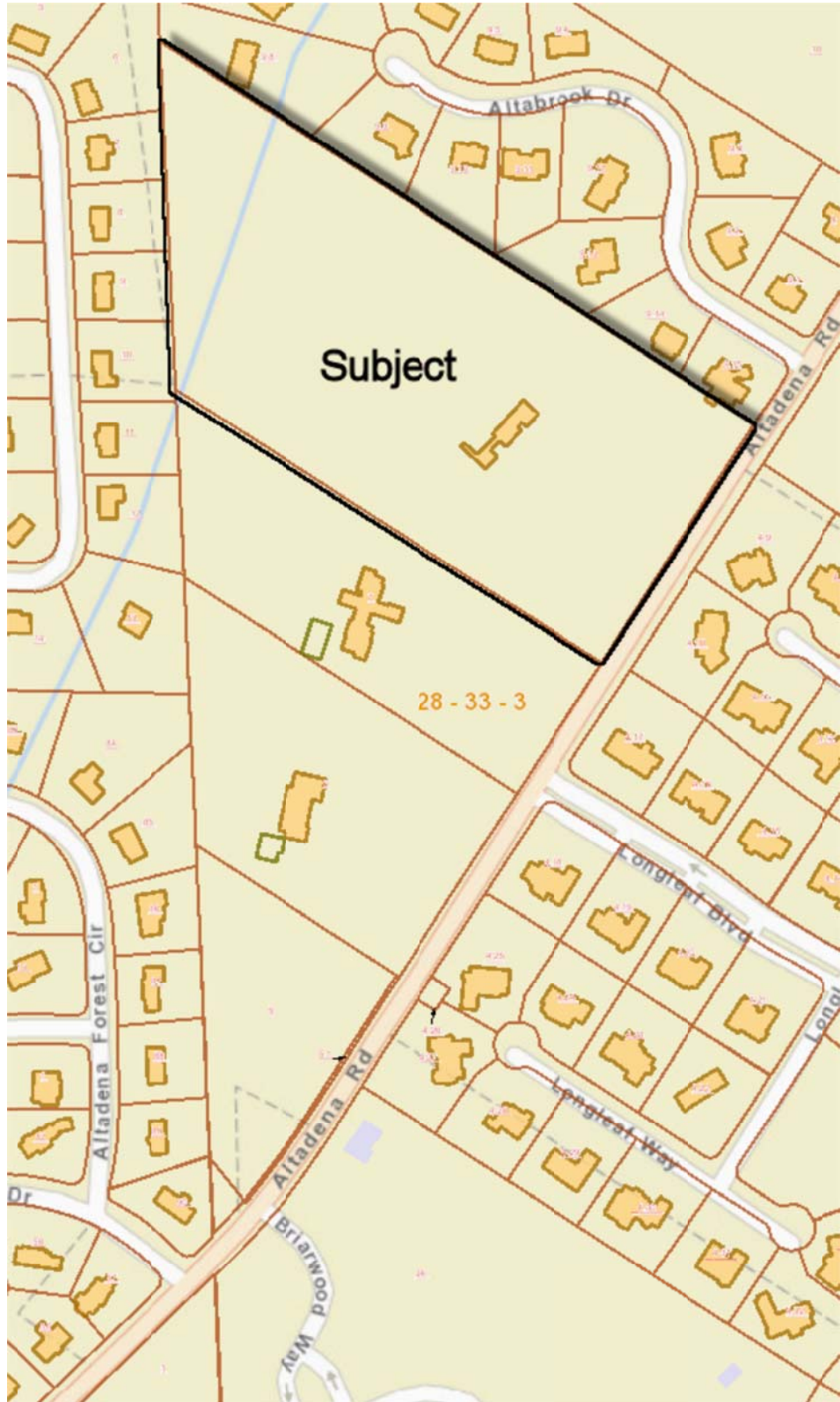
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as Acting City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2504 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



CITY OF VESTAVIA HILLS

APPLICATION

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

- (1) The Vestavia Hills Planning and Zoning Commission meets regularly on the second Thursday of each month at 6:00 PM in Council Chambers at the Municipal Center.
- (2) All materials and information relating to a zoning/rezoning request or conditional use approval before the Planning and Zoning Commission must be submitted to the Office of the City Clerk no later than **25 working days prior to the scheduled meeting at which it shall be considered**. All information relating to Preliminary Map approvals must be submitted to the Office of the City Clerk no later than 20 days prior to the scheduled meeting at which is shall be considered. All information relating to Final Map approvals must be submitted to the Office of the City Clerk no later than 15 days prior to the scheduled meeting at which it is to be considered.
- (3) This application must be filled out in its entirety complete with zip codes.
- (4) All applicable fees shall accompany this application prior to its being considered complete. Fees include an application fee of \$100.00 along with applicable postage per property owner to be notified for Commission meeting. Fees may also include notification fees for City Council meeting and publication fees which will be billed to applicant at a later date. ***No permits will be issued until all fees have been paid.*
- (5) Appropriate plats and maps with proper legal description shall accompany this application. **Please refer to attached checklist.**

II. APPLICANT INFORMATION: (owner of property)

NAME: William Stanley Roth

ADDRESS: 2564 Altadena Road
Vestavia, AL 35243

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home 205-288-6468 ← Office 205-943-5711

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

2014 APR 25 P 5:25

III. ACTION REQUESTED

///

Request that the above described property be approved conditional use approval pursuant to Section _____ of the Vestavia Hills Zoning Code.

Current Zoning of Property: _____

Requested Conditional use For the intended purpose of:

RAISING PET Chickens (1/2 max)

(Example: From "VH R-1" to "VH O-1" for office building)

if additional information is needed, please attached full description of request

IV. PROPERTY DESCRIPTION: (address, legal, etc.)

Beg at NW Cor of Lot 3 of Bissell add to Altadena Forest th N 613 ft th sely 1248 ft

th swly along Altadena Rd. 500 ft - Parcel ID 28-33-3-0-8.000RR-00

Property size: 500 feet X 1000 feet. Acres: 12 Acres

V. INFORMATION ATTACHED:

Attached Checklist complete with all required information.

Application fees submitted.

VI. I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing.



Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 25th day of April, 20 14.

Bonita Carlisle
Notary Public

My commission expires 27
day of August, 20 17.

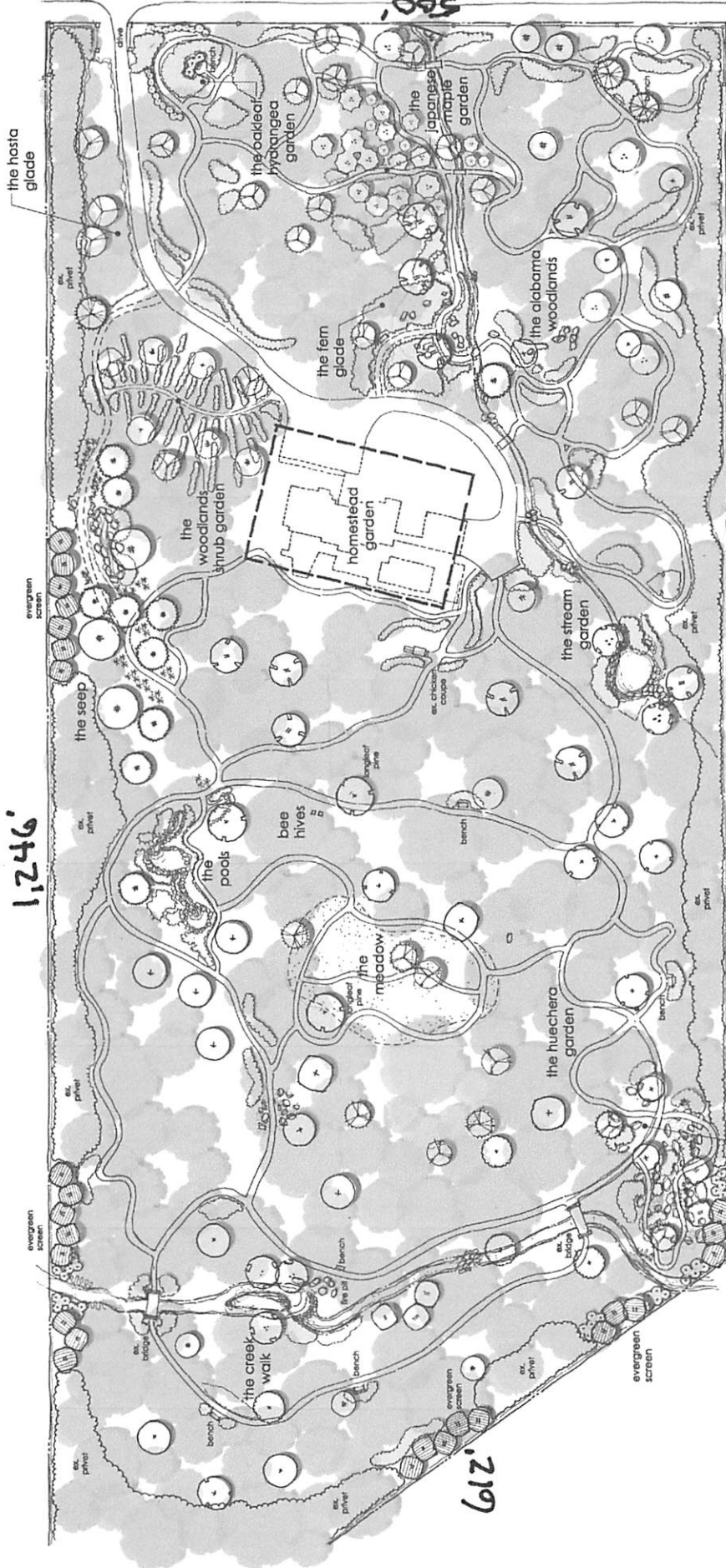
P0614-22//28-33-3-8
 2564 Altadena Rd.
 Cond. Use for Chickens
 William Roth

ROTH ESTATE - 2564 ALTADENA ROAD
 VESTAVIA HILLS, ALABAMA
 SCHEMATIC MASTER PLAN



//

1,246'



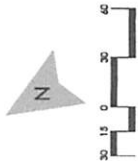
612'

892'

Altadena road

550'

BEECH FOREST | RIPARIAN CORRIDOR | BEECH FOREST | UPLAND PINE & HARDWOOD FOREST | UPLAND HARDWOOD FOREST



P0614-22//28-33-3-8
2564 Altadena Rd.
Cond. Use for Chickens
William Roth

Ordinance No. 2504 - Application

// //

William Stanley Roth, Jr.
2564 Altadena Road
Vestavia, AL 35243

Rebecca Leavings

City Clerk - City of Vestavia Hills

513 Montgomery Highway

Vestavia Hills, AL 35216

rleavings@ci.vestaviahills.al.us

Re: Request for Conditional Use Approval - 2564 Altadena Road - Covenants
Statement

There are no restrictive covenants on the property.

Please accept this as my Signed Statement.

A handwritten signature in blue ink, which appears to read "William Stanley Roth, Jr.", is written over a horizontal line. To the right of the signature, the date "4/28/2014" is handwritten in blue ink.

William Stanley Roth, Jr.

2564 Altadena Road

Vestavia, AL 35243

205-288-6468 cell

CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE:** P-0614-22
- **REQUESTED ACTION:** Conditional Use approval for chickens
- **ADDRESS/LOCATION:** 2564 Altadena Rd.
- **APPLICANT/OWNER:** William Stanley Roth. 2564 Altadena Rd. Vestavia Hills, AL 35243
- **GENERAL DISCUSSION:** Parcel is a 12.27 acre lot with a single family lot on Altadena Rd. Applicant seeks up to 12 chickens with a coop. Applicant currently has bee hives, which have been there for a number of years
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan for residential uses.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation:
 1. No more than twelve (12) hens may be allowed;
 2. Coop must be permanent;
 3. No roosters may be kept;
 4. Hens or eggs may not be used for commercial purposes.
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

MOTION: Motion to recommend approval of Conditional Use Application P-0614-22 for urban hens at 2564 Altadena Rd. was made by Mr. Gilchrist with the following conditions:

1. No more than twelve (12) hens may be allowed;
2. Coop must be permanent;
3. No roosters may be kept;
4. Hens or eggs may not be used for commercial purposes.

Second was made by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Burrell – yes

Mr. Gilchrist – yes

Mr. Brooks – yes

Mrs. Fancher – yes

Mr. House – yes

Motion carried.

ORDINANCE NUMBER 2505

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF A PARCEL OF PROPERTY FROM VESTAVIA HILLS R-4 TO VESTAVIA HILLS R-9

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills R-4 to Vestavia Hills R-9;

3790 Poe Drive
Lot 5 and N ½ of Lot 4, Block 3, Glass 3rd Addition to New Merkle
Overton Investments LLC, Owner(s)

APPROVED and ADOPTED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

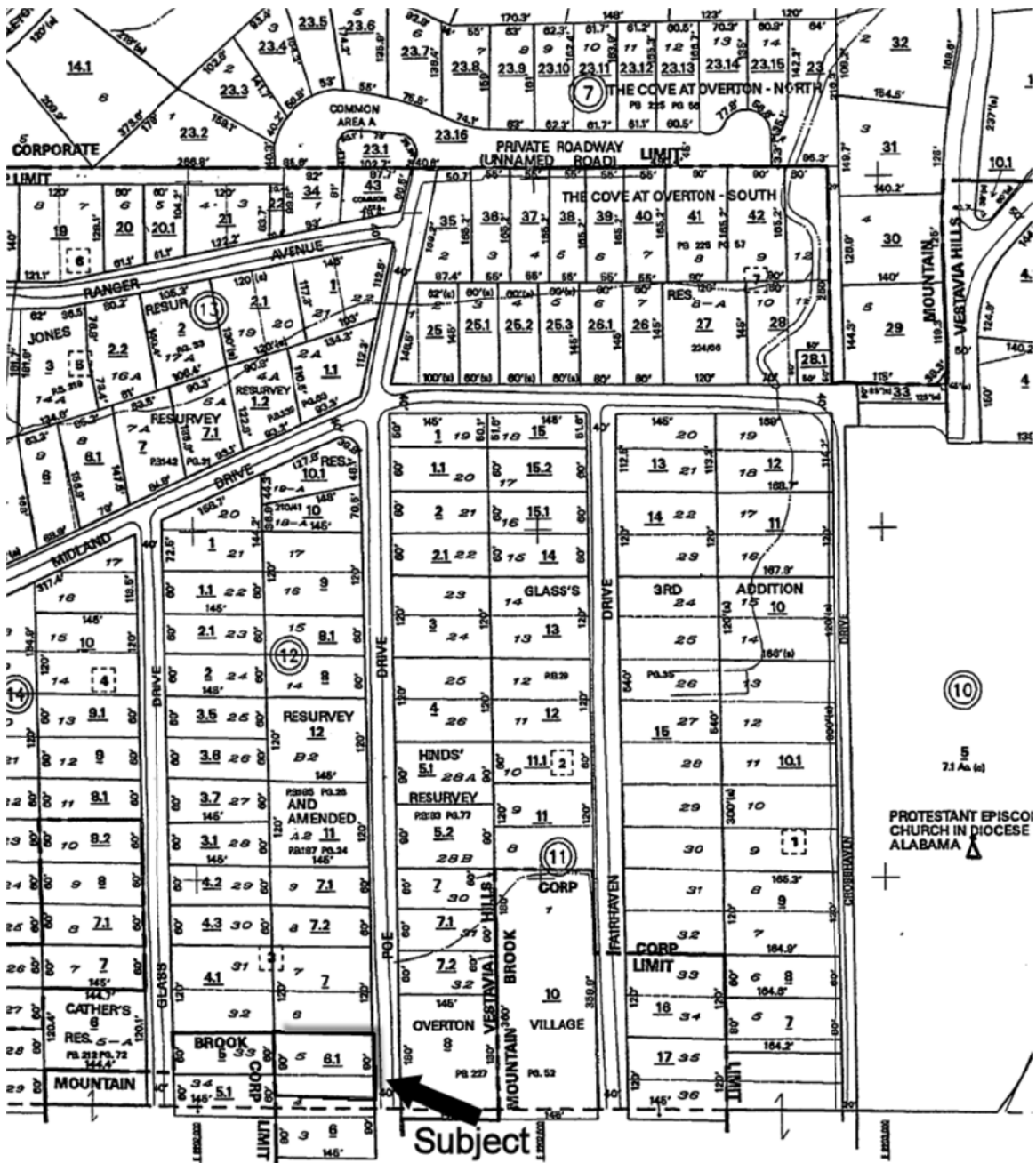
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2505 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



LOT 37
BLOCK 3
GLASS 3RD ADDITION
TO NEW MERKLE
MAP BOOK 29, PAGE 35

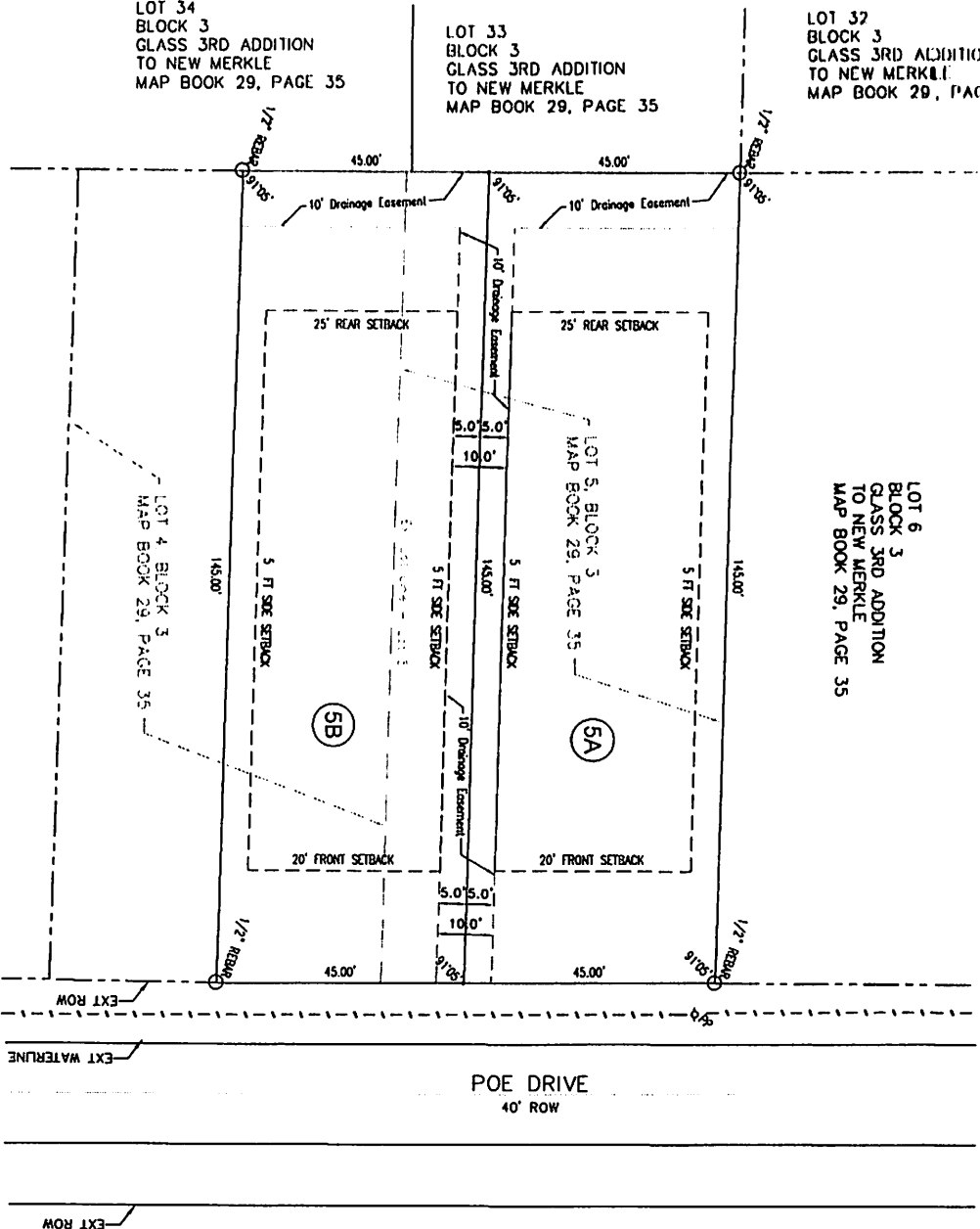
LOT 33
BLOCK 3
GLASS 3RD ADDITION
TO NEW MERKLE
MAP BOOK 29, PAGE 35

LOT 34
BLOCK 3
GLASS 3RD ADDITION
TO NEW MERKLE
MAP BOOK 29, PAGE 35

LOT 6
BLOCK 3
GLASS 3RD ADDITION
TO NEW MERKLE
MAP BOOK 29, PAGE 35

LOT 5, BLOCK 3
MAP BOOK 29, PAGE 35

LOT 4, BLOCK 3
MAP BOOK 29, PAGE 35



Proposed Rezoning
Scale: 1" = 20'

POE DRIVE
40' ROW



Scale: 1"=20.0'

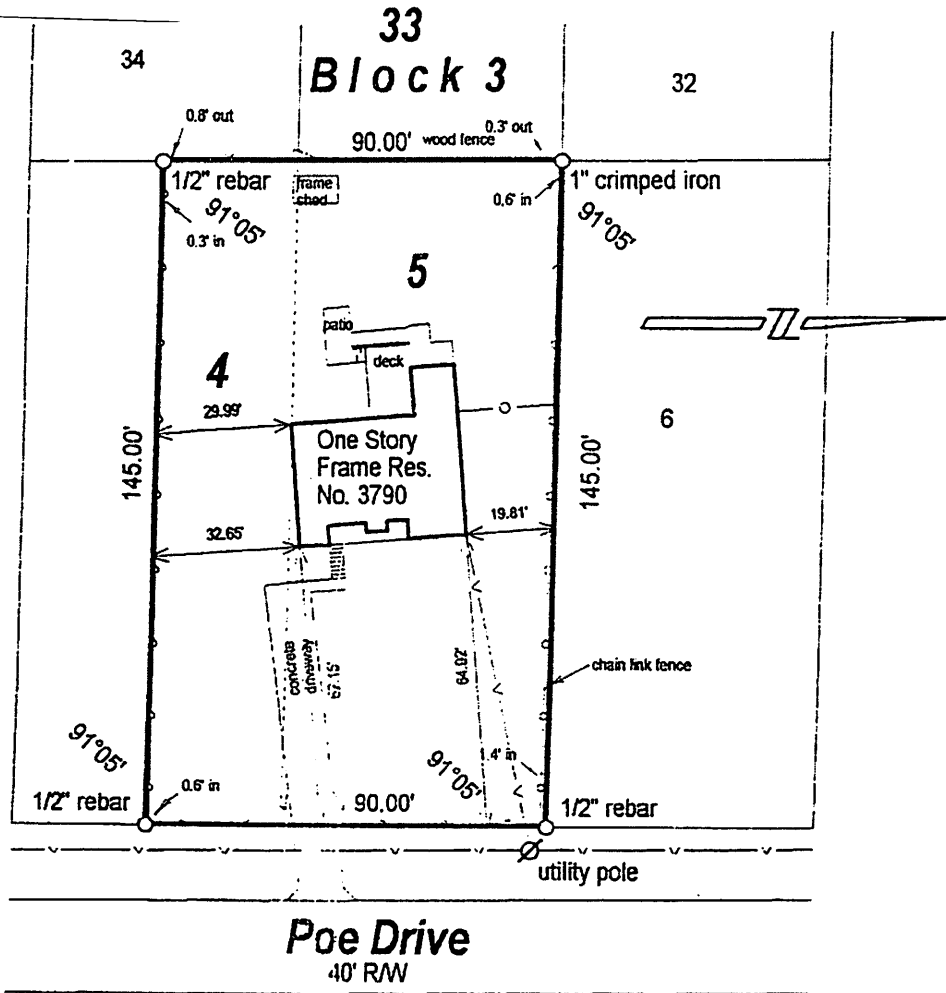
PROPERTY DATA:
ADDRESS:
3790 POE DRIVE,
BIRMINGHAM, AL

REQUESTED ZONE: R-9
REQUESTED SETBACKS:
FRONT: 20'
SIDE: 5'
REAR: 25'

KADCO HOMES		
PROPOSED REZONING		
April 25, 2014	SHEET: 1 OF 1	JOB NO: 14-032
		A

P0614-26//28-15-1-12-6-1
3790 Poe Drive
Rezoned to R-9
Overton Investments, LLC
R4

P0614-26//28-15-1-12-6-1
 3790 Poe Drive
 Rezone to R-9
 Overton Investments, LLC
 R4



STATE OF ALABAMA
 JEFFERSON COUNTY

Mario McCormick

I, Steven H. Gilbert, a Professional Land Surveyor in the State of Alabama, hereby certify that the following is a true and correct copy of a map or plat of a survey made by me of the following described property:

Lot 5, and the North 1/2 of Lot 4, Block 3, Glass 3rd Addition to New Merkle, as recorded in Map Book 29, Page 35, in the Probate Office of Jefferson County, Alabama.

The sole purpose of this survey is for use as a Mortgage Loan Certificate Survey or Mortgage Loan Closing Survey showing the existence or non-existence of encroachments into or out of said property. I further certify that the building(s) now erected on said property are within the boundaries of same except as may be shown; that there are no encroachments from adjacent property except as shown; that there are no Rights-of-way, Easements, or joint driveways over or across said land visible on the surface, except as shown; that there are no utility poles, guy wires, lines, structures, or supports therefor (excepting those that serve the premises only), except as shown; that I have consulted the Federal Insurance Administration Flood Hazard Boundary maps and found this property IS NOT located in a Flood Hazard Area; and that all parts of this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama to the best of my knowledge, information, and belief.

This survey is invalid unless sealed in red ink.

FIRM Map No. 01073C0501E January 20, 1999

Project No. 991115
 Ordered by: Melanie Henshaw, RealtySouth
 Vestavia North Office
 Joy Boston to Mario McCormick
 As built or Loan Closing Survey
 3790 Poe Drive
 Birmingham, Alabama
 November 17, 1999

Steven H. Gilbert

Scale 1" = 40 feet
 SOUTHEASTERN SURVEYORS, INC.
 Steven H. Gilbert, P.L.S.
 Alabama Reg. Land Surveyor No. 17507
 5160 Scenic View Drive
 Birmingham, Alabama 35210
 (205) 956-7125 Fax(205) 956-7146

CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE: P-0614-26**
- **REQUESTED ACTION:** Rezoning Vestavia Hills R-3 to Vestavia Hills R-9
- **ADDRESS/LOCATION:** 3790 Poe Dr.
- **APPLICANT/OWNER:** Overton Investments, LLC, 3505 Bent River Rd. Birmingham, AL 35216
- **GENERAL DISCUSSION:** Applicant is seeking to build a 2 lot subdivision on Poe Dr. in Cahaba Heights. Setbacks for the subdivision would be Front: 20', Side: 5', Rear: 25'. There is currently a house on the lot which would be removed. Applicant will follow up with a subdivision plat.
- **CAHABA HEIGHTS COMMUNITY PLAN:** The request is consistent with the plan for medium density residential.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** Applicant needs to submit drainage and access plans for review and approval.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** A/C units must be located in the rear of buildings.

P&Z Recommendation:

MOTION Mr. Gilchrist made a motion to approve Rezoning of 4668 Caldwell Mill Rd. from Vestavia Hills R-3 to Vestavia Hills R-9 For Residential Use, subject to City Engineer approval on drainage and access. Second was by Ms. Fancher. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Mrs. Fancher – yes
Motion failed.

Mr. Burrell – no
Mr. Brooks – yes
Mr. House – yes

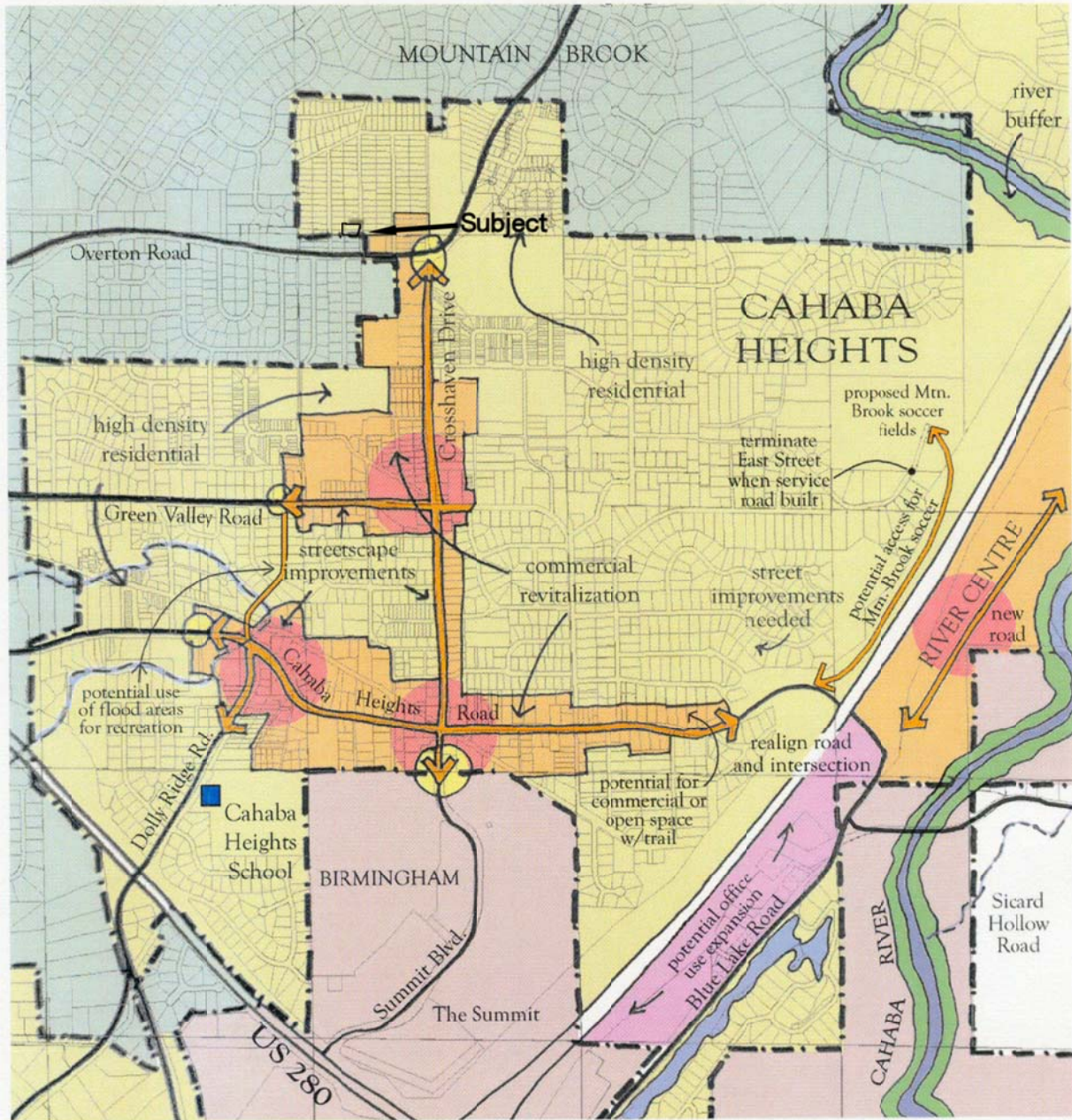
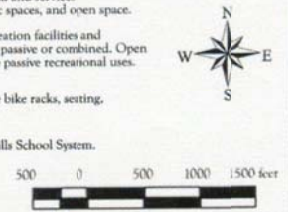


Figure 19: Cahaba Heights
Land Use Analysis

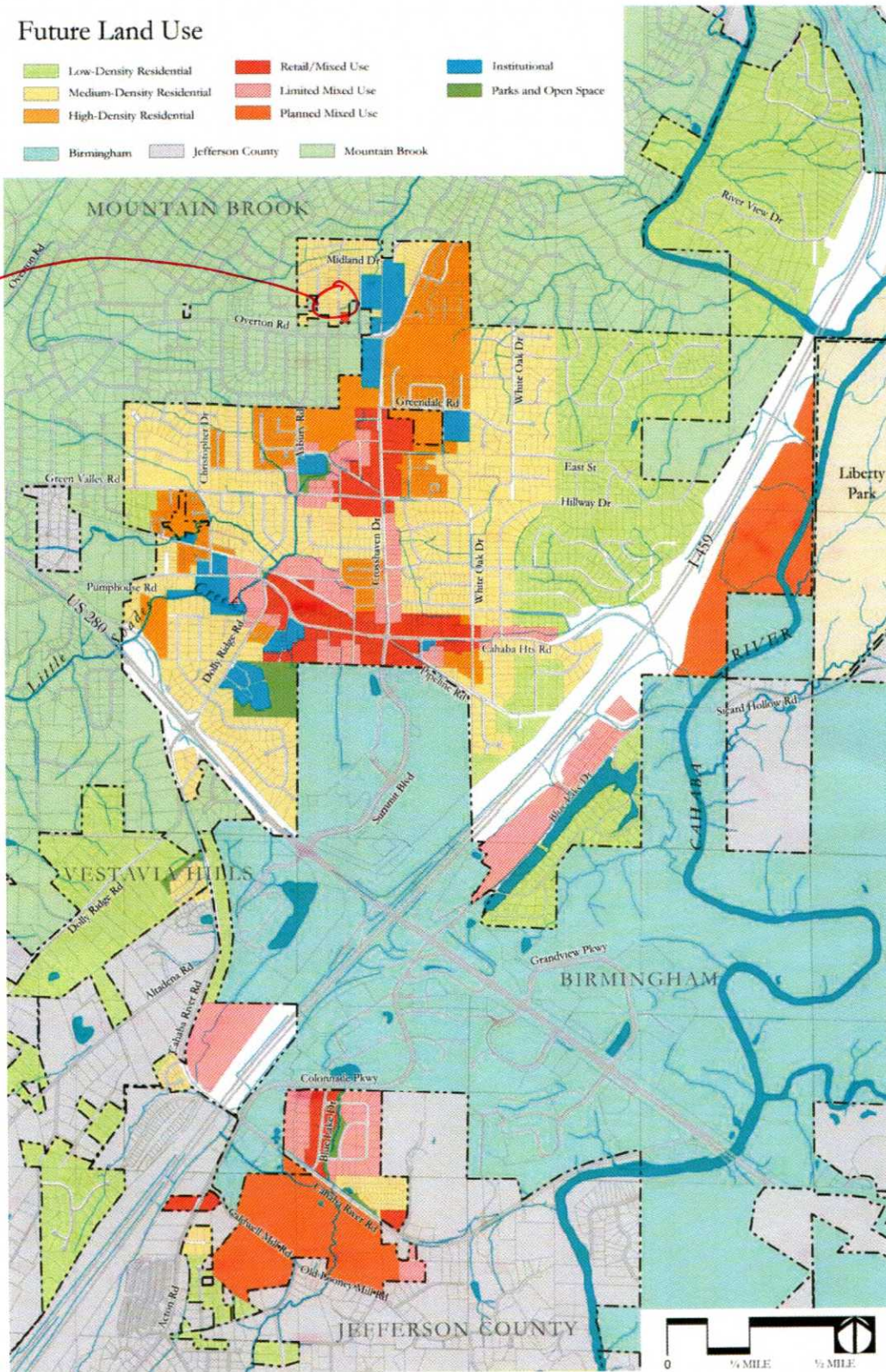
- Neighborhood - primarily low / medium density single-family residential areas with higher densities near village center(s). Other uses may include schools, places of worship, recreational areas, and open space.
- Village Center - mixed use centers with highest densities in core areas. Mix of uses should include retail and service businesses, professional offices, high density residential areas, institutions, recreation areas, and public spaces.
- Commercial Core - primarily high density, retail and service business areas with professional offices and multi-family residences on upper floors or on periphery. Other uses may include institutions and public space.
- Gateways and Nodes - Gateways are entryways into the community or village enhanced with consistent signage, landscaping, and other elements. Nodes are sites, such as transit stops, where public spaces, signage, and other public design elements should be considered.

- Professional Offices - primarily professional office uses. Density should vary according to surroundings. Other uses may include retail and services (supporting offices and employees), places of worship, public spaces, and open space.
- Recreation and Open Space - public and private recreation facilities and preserved natural spaces. Recreation facilities may be active, passive or combined. Open spaces are areas preserved in a natural state and may include passive recreational uses.
- Trailheads - Trailheads are public sites along a trail, where bike racks, seating, parking, and public amenities are provided for trail users.
- Schools - School facilities administered by the Vestavia Hills School System.



Future Land Use

- | | | |
|--|---|--|
|  Low-Density Residential |  Retail/Mixed Use |  Institutional |
|  Medium-Density Residential |  Limited Mixed Use |  Parks and Open Space |
|  High-Density Residential |  Planned Mixed Use | |
|  Birmingham |  Jefferson County |  Mountain Brook |



Subject Property

Figure 4: Future Land Use Map

ORDINANCE NUMBER 2506

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 14th day of April, 2014, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

4668 Caldwell Mill Road
See Attached Exhibit A for Legal Description
Layne and Amy Savoie, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2506 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk

Exhibit A

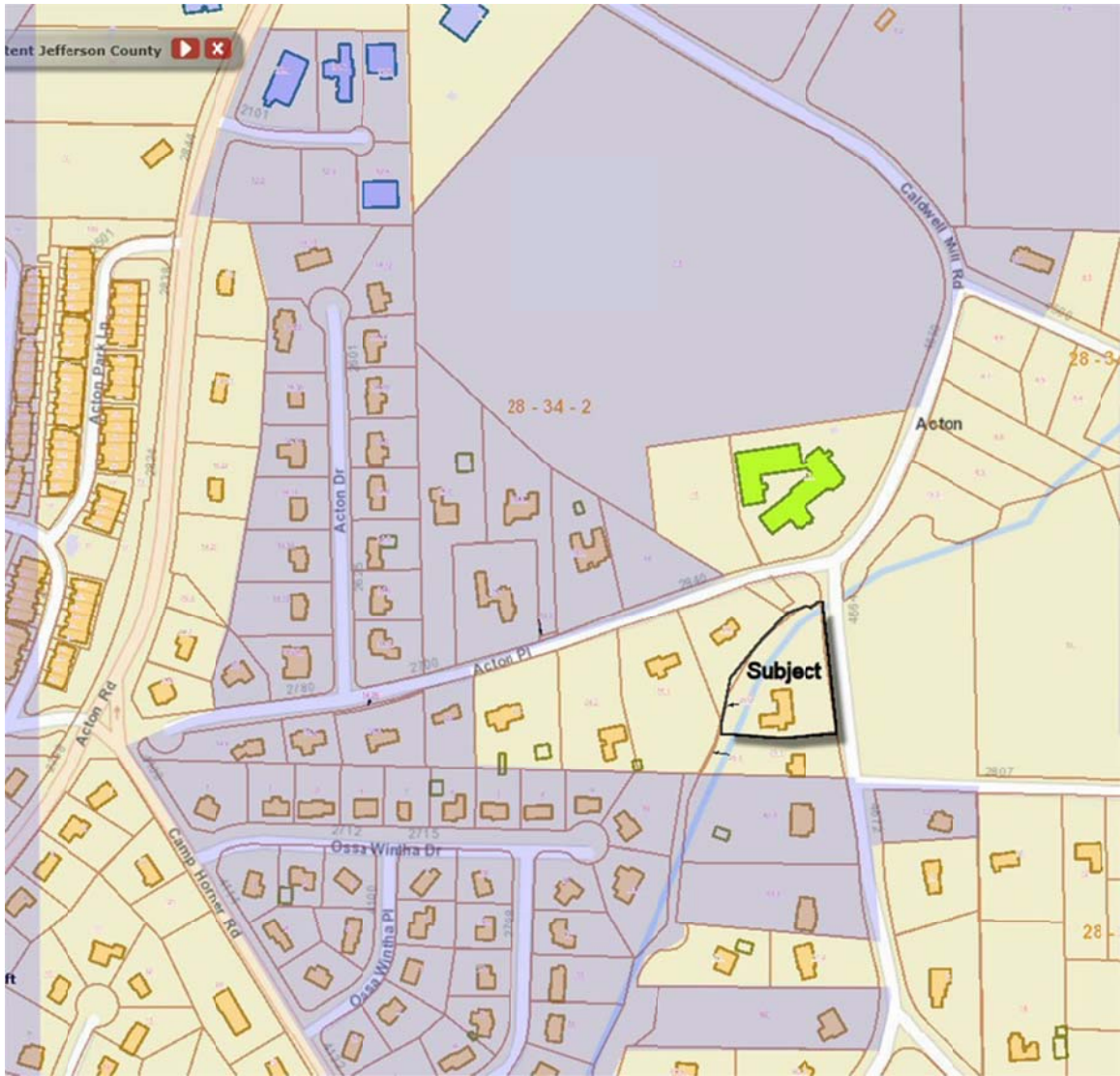
4668 Caldwell Mill Road

More particularly described as follows:

Commence at the Southwest corner of the Southeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West, Jefferson County, Alabama, run thence east along the south line of said quarter quarter section to the center of the Caldwell Mill Road, the point of beginning; thence northerly along the center of said Caldwell Mill Road to the center of the branch; thence run southwesterly along the center of the branch to the South line of said quarter quarter section; thence East to the point of beginning.

Less and except:

Commence at the Southwest corner of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West; thence run east along the south line of said $\frac{1}{4}$ section line for a distance of 650.87 feet to the point of beginning; thence continue along the last described course for a distance of 390.47 feet to the centerline of Old Caldwell Mill Road; thence turn $100^{\circ}14'23''$ left and run Northwesterly along centerline of said Old Caldwell Mill Road for a distance of 121.69 feet; thence turn $89^{\circ}01'18''$ left and run southwesterly for a distance of 146.88 feet; thence turn $12^{\circ}54'02''$ right and run northwesterly for a distance of 175.76 feet to the centerline of a branch; thence turn $61^{\circ}58'34''$ left and run southwesterly along centerline of said branch for a distance of 29.13 feet; thence turn $9^{\circ}45'11''$ left and continue southwesterly along centerline of said branch for a distance of 88.89 feet to the point of beginning.



Annexation Committee Petition Review

Property: 4668 Caldwell Mill Road

Owners: Layne + Amy Sawie

Date: 2-27-14

1. The property in question is contiguous to the city limits.
Yes No Comments: _____
2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 299,000.. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 21 Number in city ~~21~~ 15
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 4668 Caldwell Mill Rd


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH schools Yes No _____ Comments: one child

Other Comments: _____



George Pierce
Chairman

PARCEL #: 28 00 34 2 000 025.000
OWNER: SAVOIE AMY & LAYNE
ADDRESS: 4668 CALDWELL MILL RD VESTAVIA AL 35243-2532
LOCATION: 4668 CALDWELL MILL RD BHAM AL 35243

[111-C0] Baths: 3.0 H/C Sqft: 2,700
 18-040.0 Bed Rooms: 3 Land Sch: A416
 Land: 123,900 Imp: 175,100 Total: 299,000
 Acres: 0.000 Sales Info: 11/01/2011
\$303,500

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2013 ▾

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: DISABILITY CODE:
 MUN CODE: 01 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE \$0.00
 OVR ASD VALUE: \$0.00

CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$293,600.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$123,850
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3

BLDG 001 111 \$175,100

TOTAL MARKET VALUE [APPR. VALUE: \$299,000]: \$298,950
 Assesment Override:

MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$29,900	\$194.35	\$0	\$0.00	\$194.35
COUNTY	3	1	\$29,900	\$403.65	\$0	\$0.00	\$403.65
SCHOOL	3	1	\$29,900	\$245.18	\$0	\$0.00	\$245.18
DIST SCHOOL	3	1	\$29,900	\$0.00	\$0	\$0.00	\$0.00
CITY	3	1	\$29,900	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	1	\$29,900	\$152.49	\$0	\$0.00	\$152.49
SPC SCHOOL2	3	1	\$29,900	\$502.32	\$0	\$0.00	\$502.32

TOTAL FEE & INTEREST: \$833.53

ASSD. VALUE: \$29,900.00

\$1,497.99

GRAND TOTAL: \$2,331.52

DEEDS

INSTRUMENT NUMBER
[201108-27124](#)
[412-914](#)

DATE
 11/02/2011
 03/21/1968

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
12/26/2013	2013	-	\$2,331.52
	2012		\$0.00
20091117	2009	***	\$1,260.51
20081103	2008	***	\$1,281.44
20071107	2007	***	\$1,269.23
20031204	2003	***	\$898.19
20021113	2002	***	\$765.65
20011011	2001	***	\$765.65
19961218	1996	***	\$723.80

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward it to the next department on the list as soon as is reasonably possible. Please forward completed form to the City Clerk's office.

Location: 4668 Caldwell Mill Road

Engineering:

Date: 2/12/2014 Initials: C Brady

Caldwell Mill Road, 4668 – no significant concerns noted; survey submitted suggests the roadway may be prescriptive; restricted bridge borders this property; at this time, it is anticipated Caldwell Mill Road, including bridge, will continue to be under Jefferson County maintenance.

Police Department:

Date: 2-12-14 Initials: [Signature]

Comments: _____

Fire Department:

Date: 2-12-14 Initials: [Signature]

Comments: _____

Public Works:

Date: _____ Initials: _____

Comments: _____

STATE OF ALABAMA

JEFFERSON COUNTY

**PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA**

Date of Petition: 1/8/14

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in JEFFERSON County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

EXHIBIT "A"

LOT: 0. 25. 002

BLOCK: 000

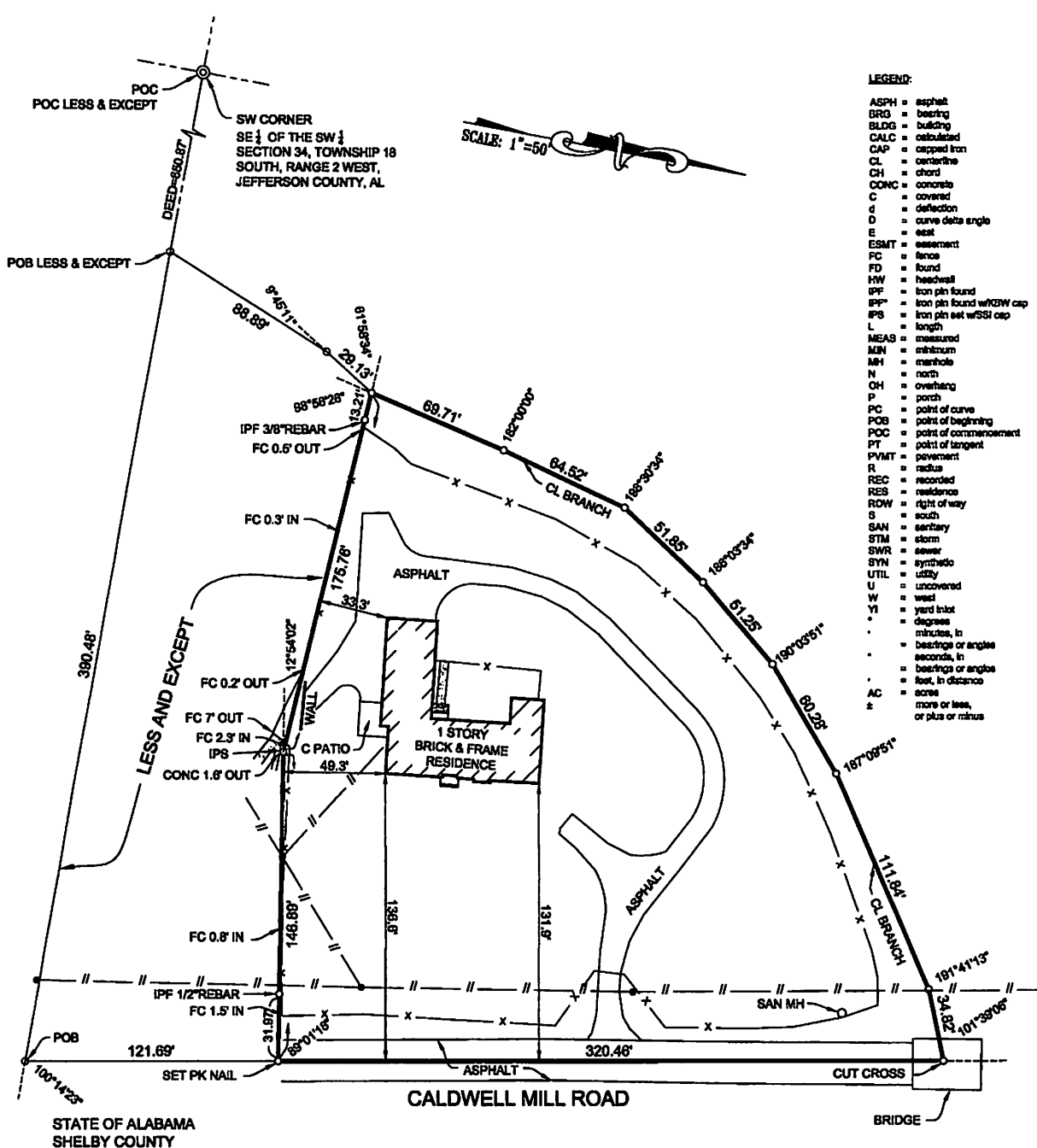
SURVEY: SEE ATTACHED SURVEY DATED 10/24/11

RECORDED IN MAP BOOK LR 201108 , PAGE 27124 IN THE
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: RESIDENTIAL

COMPATIBLE CITY ZONING: RESIDENTIAL

LEGAL DESCRIPTION (METES AND BOUNDS):



STATE OF ALABAMA
SHELBY COUNTY

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed a parcel of land situated in the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West, Jefferson County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West, Jefferson County, Alabama, run thence east along the south line of said quarter quarter section to the center of the Caldwell Mill Road, the point of beginning; thence northerly along the center of said Caldwell Mill Road to the center of the branch; thence run southwesterly along the center of the branch to the South line of said quarter quarter section; thence East to the point of beginning.

Less and except:

Commence at the Southwest corner of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West; thence run east along the south line of said $\frac{1}{4}$ section line for a distance of 650.87 feet to the point of beginning; thence continue along the last described course for a distance of 390.47 feet to the centerline of Old Caldwell Mill Road; thence turn $100^{\circ}14'23''$ left and run Northwesterly along centerline of said Old Caldwell Mill Road for a distance of 121.69 feet; thence turn $89^{\circ}01'18''$ left and run southwesterly for a distance of 148.88 feet; thence turn $12^{\circ}54'02''$ right and run northwesterly for a distance of 175.76 feet to the centerline of a branch; thence turn $61^{\circ}58'34''$ left and run southwesterly along centerline of said branch for a distance of 29.13 feet; thence turn $9^{\circ}45'11''$ left and continue southwesterly along centerline of said branch for a distance of 88.89 feet to the point of beginning.

I furthermore certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is located in flood Zone X unshaded according to F.I.R.M. community panel number 010217 0588 G, Jefferson County, Alabama; dated: 9-29-2006 that the correct address is as follows: 4868 Caldwell Mill Road according to my survey of October 24, 2011. Survey is not valid unless it is sealed with embossed seal or stamped in red.

SURVEYING SOLUTIONS, INC.
2232 CAHABA VALLEY DRIVE SUITE F
BIRMINGHAM, AL 35242
PHONE: 991-8865

Order No. 340506
Purchaser: Savole
Type of Survey: Mortgage Loan

Carl Daniel Moore, Reg. L.S. #12159

Date of Signature

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>L. Savoie</u>	Lot _____	Block _____	Survey _____
<u>[Signature]</u>	Lot _____	Block _____	Survey _____
_____	Lot _____	Block _____	Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

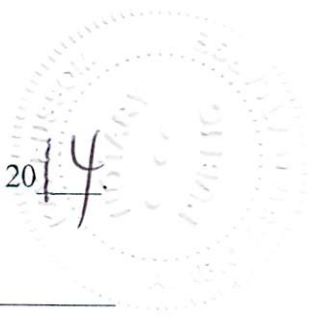
Jefferson COUNTY

Layne Savoie being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

[Signature]
Signature of Certifier

Subscribed and sworn before me this the 17th day of January, 2014.

Kay Russon
Notary Public



My commission expires: November 18, 2016

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION
1204 Montgomery Highway
Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): LAYNE & AMY SAVOIE
Address: 4668 CALDWELL MILL RD.
City: BIRMINGHAM State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	ISAAC SAVOIE	6	FIRST	✓	
2.	JOSEPH SAVOIE	3			✓
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": 8/1/14

ORDINANCE NUMBER 2507

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF A PARCEL OF PROPERTY FROM JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 to Vestavia Hills R-1;

4668 Caldwell Mill Road
See attached "Exhibit A" for Legal Description
Layne and Amy Savoie, Owner(s)

APPROVED and ADOPTED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2507 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk

Exhibit A

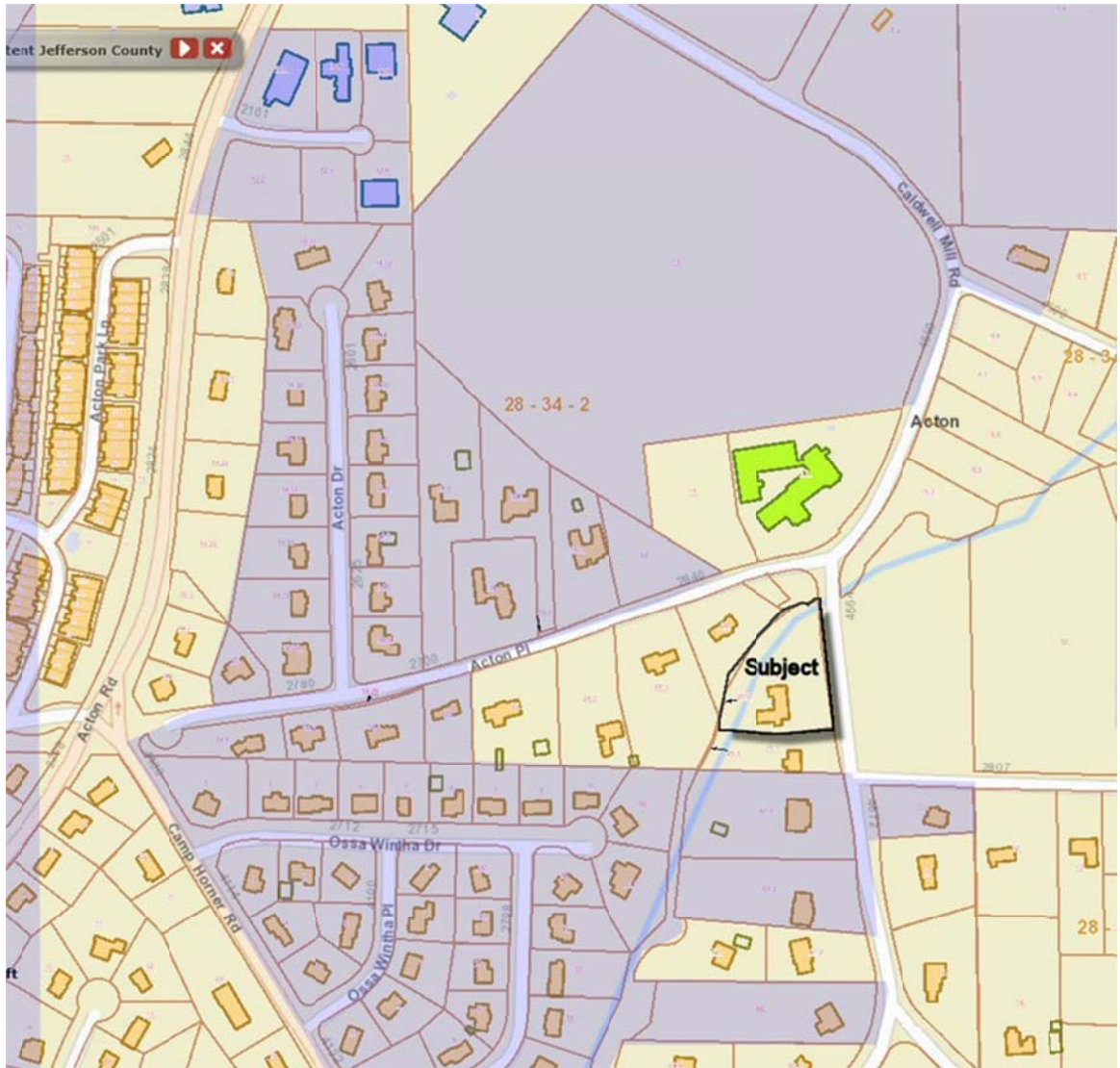
4668 Caldwell Mill Road

More particularly described as follows:

Commence at the Southwest corner of the Southeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West, Jefferson County, Alabama, run thence east along the south line of said quarter quarter section to the center of the Caldwell Mill Road, the point of beginning; thence northerly along the center of said Caldwell Mill Road to the center of the branch; thence run southwesterly along the center of the branch to the South line of said quarter quarter section; thence East to the point of beginning.

Less and except:

Commence at the Southwest corner of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West; thence run east along the south line of said $\frac{1}{4}$ section line for a distance of 850.87 feet to the point of beginning; thence continue along the last described course for a distance of 390.47 feet to the centerline of Old Caldwell Mill Road; thence turn $100^{\circ}14'23''$ left and run Northwesterly along centerline of said Old Caldwell Mill Road for a distance of 121.69 feet; thence turn $89^{\circ}01'18''$ left and run southwesterly for a distance of 146.88 feet; thence turn $12^{\circ}54'02''$ right and run northwesterly for a distance of 175.78 feet to the centerline of a branch; thence turn $61^{\circ}58'34''$ left and run southwesterly along centerline of said branch for a distance of 29.13 feet; thence turn $9^{\circ}45'11''$ left and continue southwesterly along centerline of said branch for a distance of 88.89 feet to the point of beginning.



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE: P-0614-16**
- **REQUESTED ACTION:** Rezoning Jefferson County E-1 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 4668 Caldwell Mill Rd.
- **APPLICANT/OWNER:** Layne Savoie, 4668 Caldwell Mill Rd. Vestavia Hills, AL 35243
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 4/14/14. Applicant is requesting the compatible rezoning as part of the annexation process.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

P&Z Recommendation:

MOTION Mr. Burrell made a motion to approve Rezoning of 4668 Caldwell Mill Rd. from Jefferson County E-1 to Vestavia Hills R-1 For The Purpose Of Annexation. Second was by Mr. Brooks. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Gilchrist – yes

Mrs. Fancher – yes

Motion carried.

Mr. Burrell – yes

Mr. Brooks – yes

Mr. House – yes

ORDINANCE NUMBER 2508

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 14th day of April, 2014, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2640 Dolly Ridge Road
See Attached Exhibit A for Legal Description
Willard and Ruth Bowers, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2508 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk

Exhibit A

2640 Dolly Ridge Road

More particularly described as follows:

THAT PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE 2 WEST SITUATED IN JEFFERSON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NW CORNER OF SAID 1/4-1/4 SECTION, RUN THENCE SOUTH ALONG THE WEST BOUNDARY OF SAID 1/4-1/4 SECTION 140 FEET; THENCE TURNING AN ANGLE LEFT OF 87 DEGREES 56' AND 30", RUN EASTERLY 288 FEET ALONG THE NORTHERLY LINE OF PROPERTY FORMERLY OWNED BY CARL J. MANN AND LOIS T. MANN AS PER DEED RECORDED IN DEED BOOK 6141, PAGE 9, AS IT APPEARS OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA; THENCE 13 DEGREES 32' AND 30" TO THE RIGHT AND SOUTHEASTERLY ALONG THE NORTHEAST LINE OF THE SAID CARL J. MANN AND WIFE, LOIS T. MANN, PROPERTY 130.91 FEET MORE OR LESS, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF DOLLY RIDGE ROAD; THENCE RUN IN A NORTHEASTERLY DIRECTION ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF DOLLY RIDGE ROAD 229 FEET MORE OR LESS TO THE NORTH LINE OF SAID 1/4-1/4 SECTION; THENCE WEST ALONG THE NORTH BOUNDARY LINE OF SAID 1/4-1/4 SECTION 539 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SITUATED IN JEFFERSON COUNTY, ALABAMA - BIRMINGHAM DIVISION.



Annexation Committee Petition Review

Property: 2640 Dolly Ridge Road
Owners: Willard + Ruth Bowers
Date: 2-27-14

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 539,900. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 9 Number in city 6
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2640 Dolly Ridge Rd


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation. Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials. Yes No _____ Comment _____

10. Are there any concerns from city departments? Yes _____ No Comments: _____

11. Information on children: Number in family 0; Plan to enroll in VH schools Yes _____ No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman

PARCEL #: 28 00 28 3 000 022.000 [111-C+] Baths: 4.5 H/C Sqft: 4,135
OWNER: BOWERS WILLARD L & RUTH A 18-012.0 Bed Rooms: 4 Land Sch: A414
ADDRESS: 2640 DOLLY RIDGE RD VESTAVIA AL 35243-2228 Land: 247,000 Imp: 292,900 Total: 539,900
LOCATION: 2640 DOLLY RIDGE RD BHAM AL 35243 Acres: 0.000 Sales Info: 04/01/1996
 \$290,000

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2013

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 3	OVER 65 CODE:	LAND VALUE 10%	\$247,000
EXEMPT CODE: 2-2	DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE: 01 COUNTY	HS YEAR: 0	CURRENT USE VALUE [DEACTIVATED]	\$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	<u>CLASS 2</u>	
OVR ASD VALUE: \$0.00		<u>CLASS 3</u>	
CLASS USE:		GARAGE WOOD OR 24WCBFA	\$20,200
FOREST ACRES: 0	TAX SALE:	BLDG 001 111	\$272,700
PREV YEAR VALUE: \$539,900.00	BOE VALUE: 0	TOTAL MARKET VALUE [APPR. VALUE: \$539,900]:	\$539,900
		Assesment Override:	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$54,000	\$351.00	\$4,000	\$26.00	\$325.00
COUNTY	3	1	\$54,000	\$729.00	\$2,000	\$27.00	\$702.00
SCHOOL	3	1	\$54,000	\$442.80	\$0	\$0.00	\$442.80
DIST SCHOOL	3	1	\$54,000	\$0.00	\$0	\$0.00	\$0.00
CITY	3	1	\$54,000	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	1	\$54,000	\$275.40	\$0	\$0.00	\$275.40
SPC SCHOOL2	3	1	\$54,000	\$907.20	\$0	\$0.00	\$907.20
						TOTAL FEE & INTEREST:	\$5.00
ASSD. VALUE: \$54,000.00			\$2,705.40		GRAND TOTAL:		\$2,657.40

DEEDS

INSTRUMENT NUMBER	DATE	PAYMENT INFO			AMOUNT
		PAY DATE	TAX YEAR	PAID BY	
9605-2269	04/15/1996	1/14/2014	2013	WILLARD L BOWERS	\$2,657.40
		1/25/2013	2012	WILLARD L. BOWERS	\$2,656.91
		20111119	2011	***	\$2,684.45
		20101231	2010	***	\$2,684.45
		20091231	2009	***	\$2,684.45
		20081231	2008	***	\$2,726.05
		20071231	2007	***	\$2,704.49
		20061215	2006	***	\$2,647.89
		20051109	2005	***	\$2,054.71
		20041231	2004	***	\$1,802.69
		20031231	2003	***	\$1,741.08
		20021231	2002	***	\$1,518.64
		20011231	2001	***	\$1,518.64
		20001231	2000	***	\$1,518.64
		19991231	1999	***	\$1,443.98

March 15, 2014
2640 Dolly Ridge Road
Birmingham, AL 35243

Mayor and City Council
City of Vestavia Hills

Re: Consideration of Annexation

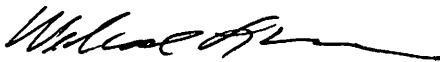
Thank you for considering us for annexation into Vestavia Hills. We are both retired from Alabama Power and have lived here since April 1996. We shop here, worship here at Mountain Chapel Methodist, eat out here and enjoy many of the amenities this community offers.

We considered annexation about 2 years ago after the annexation of the Cahaba Heights area. Friends living there said the increased property taxes were offset by not having to pay for many services. We inquired about annexation at that time and found that no applications were being accepted.

We know that being in Vestavia has a lot of advantages in terms of increased property value for resale, police protection, fire protection, and garbage service. These are the primary reasons for seeking annexation. We are 70 years old and know that at some point in the future we are going to be faced with possibly selling our home. We also know that with age comes more potential needs for services which Vestavia can supply.

Basically, we want to be a part of this community.

We thank you for consideration of this petition.



Willard Bowers



Ruth Ann Bowers

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 2/6/14

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Home phone 205-969-5955
cell phone 205-902-3734
email willardbowers@bellsouth.net

EXHIBIT "A"

LOT: _____

BLOCK: _____

SURVEY: _____

RECORDED IN MAP BOOK _____, PAGE _____ IN THE
PROBATE OFFICE OF _____ COUNTY, ALABAMA.

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

SEE ATTACHED DEED

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

Willard L. Bowers Lot _____ Block _____ Survey _____
Quinn A. Bowers Lot _____ Block _____ Survey _____
 _____ Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Willard L. Bowers being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Willard L. Bowers
Signature of Certifier

Subscribed and sworn before me this the 6 day of February, 2014.

[Signature]
Notary Public

My commission expires: 7-8-2014

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

1204 Montgomery Highway
Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____

Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Willard L. Bowers & Ruth A. Bowers

Address: 2640 Dolly Ridge Road

City: Birmingham State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.					
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

ORDINANCE NUMBER 2509

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF A PARCEL OF PROPERTY FROM JEFFERSON COUNTY E-1 TO VESTAVIA HILLS E-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-1 to Vestavia Hills E-2;

2640 Dolly Ridge Road
See attached "Exhibit A" for Legal Description
Willard and Ruth Bowers(s)

APPROVED and ADOPTED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2509 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk

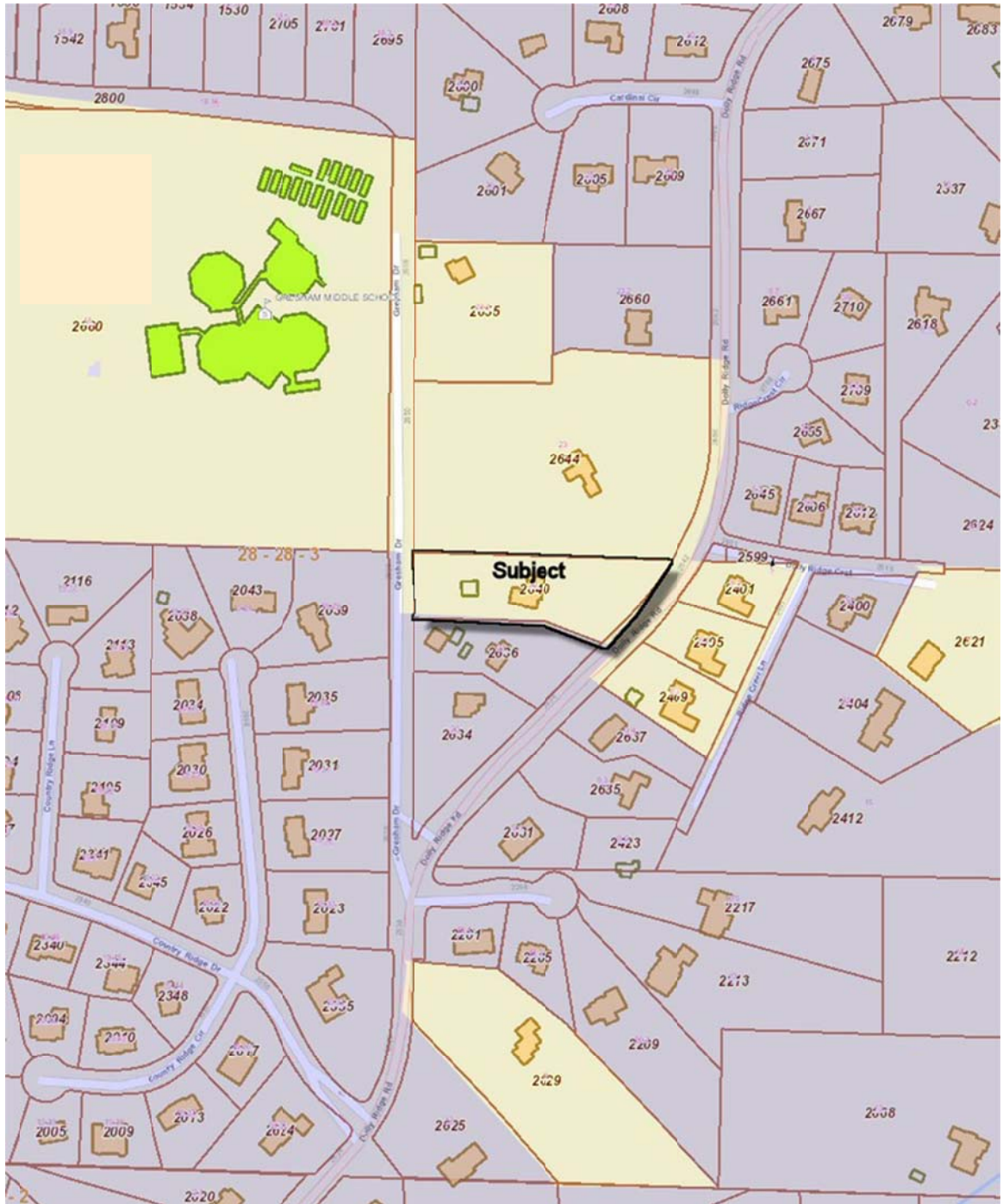
Exhibit A

2640 Dolly Ridge Road

More particularly described as follows:

THAT PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE 2 WEST SITUATED IN JEFFERSON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NW CORNER OF SAID 1/4-1/4 SECTION, RUN THENCE SOUTH ALONG THE WEST BOUNDARY OF SAID 1/4-1/4 SECTION 140 FEET; THENCE TURNING AN ANGLE LEFT OF 87 DEGREES 56' AND 30", RUN EASTERLY 288 FEET ALONG THE NORTHERLY LINE OF PROPERTY FORMERLY OWNED BY CARL J. MANN AND LOIS T. MANN AS PER DEED RECORDED IN DEED BOOK 6141, PAGE 9, AS IT APPEARS OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA; THENCE 13 DEGREES 32' AND 30" TO THE RIGHT AND SOUTHEASTERLY ALONG THE NORTHEAST LINE OF THE SAID CARL J. MANN AND WIFE, LOIS T. MANN, PROPERTY 130.91 FEET MORE OR LESS, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF DOLLY RIDGE ROAD; THENCE RUN IN A NORTHEASTERLY DIRECTION ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF DOLLY RIDGE ROAD 229 FEET MORE OR LESS TO THE NORTH LINE OF SAID 1/4-1/4 SECTION; THENCE WEST ALONG THE NORTH BOUNDARY LINE OF SAID 1/4-1/4 SECTION 539 FEET MORE OR LESS TO THE POINT OF BEGINNING.

SITUATED IN JEFFERSON COUNTY, ALABAMA - BIRMINGHAM DIVISION.



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE: P-0614-17**
- **REQUESTED ACTION:** Rezoning Jefferson County E-1 to Vestavia Hills E-2
- **ADDRESS/LOCATION:** 2640 Dolly Ridge Rd.
- **APPLICANT/OWNER:** Willard & Ruth Bowers, 4668 Caldwell Mill Rd. Vestavia Hills, AL 35243
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 4/14/14. Applicant is requesting the compatible rezoning as part of the annexation process.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

P&Z Recommendation:

MOTION Mr. Gilchrist made a motion to approve Rezoning of 2640 Dolly Ridge Rd. from Jefferson County E-1 to Vestavia Hills E-2 For The Purpose Of Annexation. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Burrell – yes

Mr. Gilchrist – yes

Mr. Brooks – yes

Mrs. Fancher – yes

Mr. House – yes

Motion carried.

ORDINANCE NUMBER 2510

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 14th day of April, 2014, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2760 Altadena Lake Drive
Lot 3, Block 5, First Addition; Altadena Valley Fifth Sector
Lynn Smitherman, Trustee, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

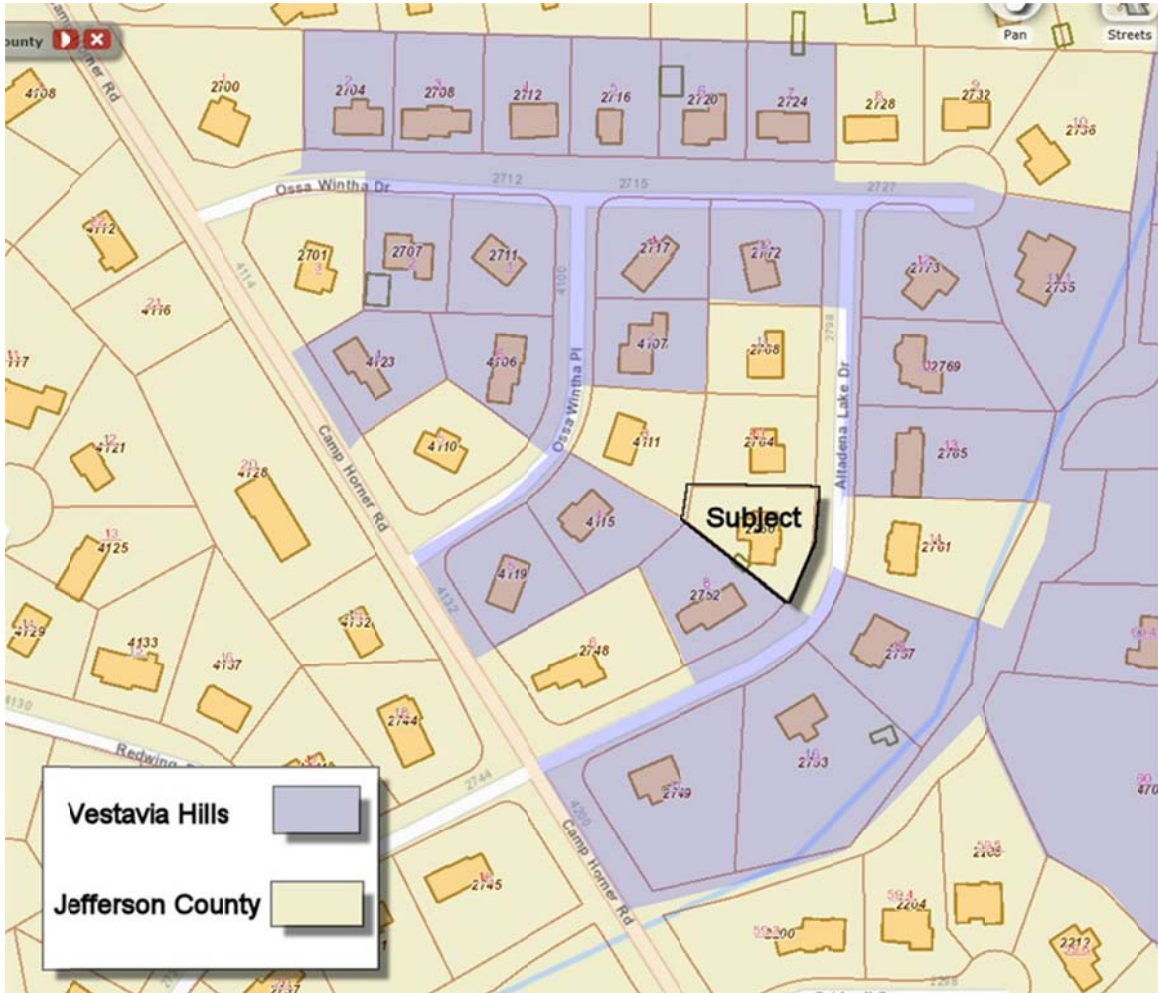
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2510 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 2760 Altadena Lake DR
Owners: Lynne S. Sherman Trustee
Date: 2-27-14

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 198,200. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 11 Number in city 6
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2760 Algodona Lake Dr


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family ~~2~~ 2; Plan to enroll in VH schools Yes No _____ Comments: one child

Other Comments: _____



George Pierce
Chairman

PARCEL #: 28 00 34 3 007 009.000
OWNER: REID TRUST
ADDRESS: 2760 ALTADENA LAKE DR VESTAVIA AL 35243-3005
LOCATION: 2760 ALTADENA LAKE DR BHAM AL 35243

[111-C-] Baths: 2.0 H/C Sqft: 2,019
 18-036.0 Bed Rooms: 3 Land Sch: L1
 Land: 63,000 Imp: 135,200 Total: 198,200
 Acres: 0.000 Sales Info: \$0

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2013 ▾

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 3	OVER 65 CODE: X	LAND VALUE 10%	\$63,000
EXEMPT CODE: 5-5	DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE: 02 COUNTY	HS YEAR: 0	CURRENT USE VALUE [DEACTIVATED]	\$0
SCHOOL DIST:	EXM OVERRIDE	CLASS 2	
OVR ASD VALUE: \$0.00	AMT: \$0.00	CLASS 3	
CLASS USE:		BLDG 001	111 \$135,200
FOREST ACRES: 0	TAX SALE:	TOTAL MARKET VALUE [APPR. VALUE: \$198,200]: \$198,200	
PREV YEAR VALUE:	\$198,200.00	Assesment Override:	
BOE VALUE: 0		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$19,820	\$128.83	\$19,820	\$128.83	\$0.00
COUNTY	3	2	\$19,820	\$267.57	\$19,820	\$267.57	\$0.00
SCHOOL	3	2	\$19,820	\$162.52	\$19,820	\$162.52	\$0.00
DIST SCHOOL	3	2	\$19,820	\$0.00	\$19,820	\$0.00	\$0.00
CITY	3	2	\$19,820	\$0.00	\$19,820	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$19,820	\$101.08	\$19,820	\$101.08	\$0.00
SPC SCHOOL2	3	2	\$19,820	\$332.98	\$19,820	\$332.98	\$0.00
ASSD. VALUE: \$19,820.00				\$992.98		GRAND TOTAL: \$0.00	

DEEDS

INSTRUMENT NUMBER	DATE	PAYMENT INFO			
		PAY DATE	TAX YEAR	PAID BY	AMOUNT
201102-25134	03/14/2011		2013		\$0.00
1038-23	02/12/1974		2012		\$0.00
		20061202	2006	***	\$538.46
		20051018	2005	***	\$665.18
		20041021	2004	***	\$624.42
		20031030	2003	***	\$595.36
		20021007	2002	***	\$548.91
		20011009	2001	***	\$548.91
		20001009	2000	***	\$548.91
		19991109	1999	***	\$453.41
		19981006	1998	***	\$368.52
		19971009	1997	***	\$368.52
		19961210	1996	***	\$485.93

EXHIBIT "C"

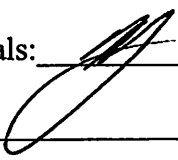
CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

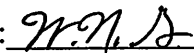
The following properties have requested to be annexed into the City. Please review this request and then forward it to the next department on the list as soon as is reasonably possible. Please forward completed form to the City Clerk's office.

Location: 2760 Altadena Lake Drive

Engineering: Date: 2/12/2014 Initials: C Brady

Altadena Lake Drive, 2760 – no concerns noted; majority of homes within this area are within City maintenance jurisdiction; roadway and drainage in fair/acceptable condition.

Police Department: Date: 2-12-14 Initials: 
Comments: _____

Fire Department: Date: 2.12.14 Initials: 
Comments: _____

Public Works: Date: _____ Initials: _____
Comments: _____

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: September 16, 2013

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Lynne Smitherman 215-5969
Michael Smitherman 260-7679

EXHIBIT "A"

LOT: 3
BLOCK: 5
SURVEY: First Addition Altadena Valley Fifth Sector

RECORDED IN MAP BOOK 79, PAGE 8 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: 3- Residential
COMPATIBLE CITY ZONING: ?

LEGAL DESCRIPTION (METES AND BOUNDS):

- Lot 3 Blk 5 1st Add Altadena Valley 5th Sector

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

Lynne Reid Smitherman, Trustee Lot 3 Block 5 Survey First Addition Altadena Valley Fifth Sector

____ Lot ____ Block ____ Survey ____

____ Lot ____ Block ____ Survey ____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Lynne Reid Smitherman, as Trustee, being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Lynne Reid Smitherman, Trustee
Signature of Certifier

Subscribed and sworn before me this the 1 day of October, 2013.

[Signature]
Notary Public

My commission expires: July 6, 2016

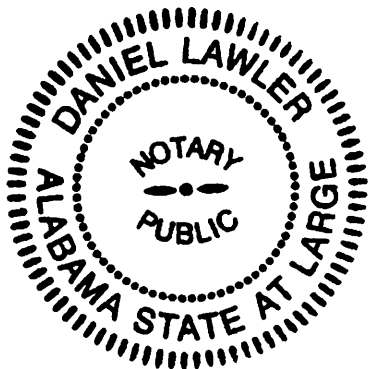


EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

1204 Montgomery Highway
Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Reid Trust

Address: 2760 Altadena Lake Drive

City: Birmingham State: AL Zip: 35243

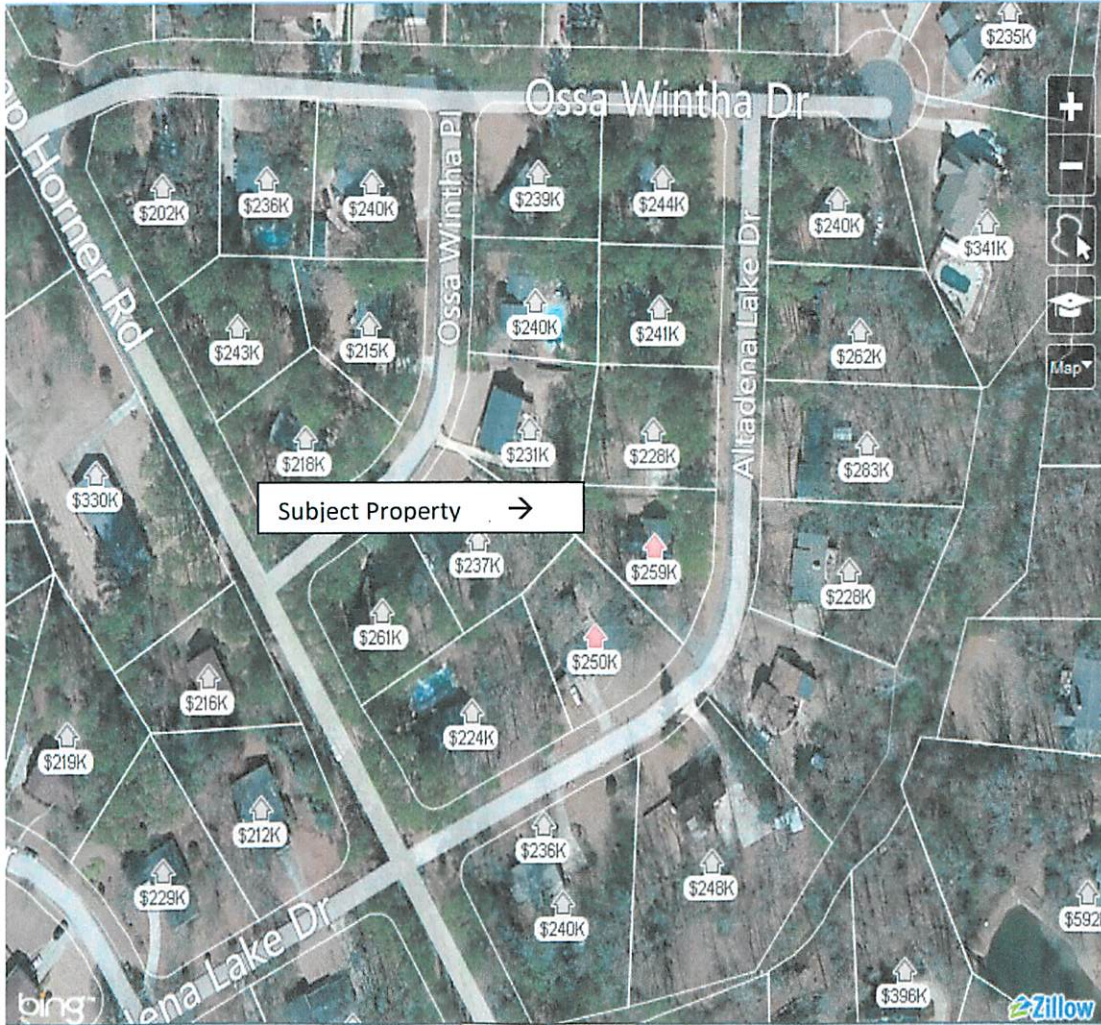
Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Patrick Tyler Smitherman	18	12 th		✓
2.	Dustin Michael Smitherman	16	10 th	✓	
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": 1/10/14

Vestavia Hills AL | Filter | Save Search



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www.bankatfirst.com

Vestavia Hills Real Estate 2 results.

Featured | Newest | Cheapest | more ▾

House For Sale | [2760 Altadena Lake Dr, Vestavia, AL](#)
\$259,000
 Zestimate®: \$227K | Price Cut: \$6,000 (Aug 8)
 3 beds, 2.0 baths, 1,662 sqft | 0.37 ac lot | Built in 1968
 30 Photos

House For Sale | [2752 Altadena Lake Dr, Vestavia, AL](#)
\$249,900
 Zestimate®: \$247K | Price Cut: \$5,000 (Aug 9)
 4 beds, 3.0 baths, 1,458 sqft | 0.42 ac lot | Built in 1968
 26 Photos

Tip: [save this search](#) to get email alerts when listings hit the market.

ORDINANCE NUMBER 2511

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF A PARCEL OF PROPERTY FROM JEFFERSON COUNTY R-1 TO VESTAVIA HILLS R-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County R-1 to Vestavia Hills R-2;

2760 Altadena Lake Drive
Lot 3, Block 5, First Addition, Altadena Valley Fifth Sector
Lynne Smitherman, Trustee, Owner(s)

APPROVED and ADOPTED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

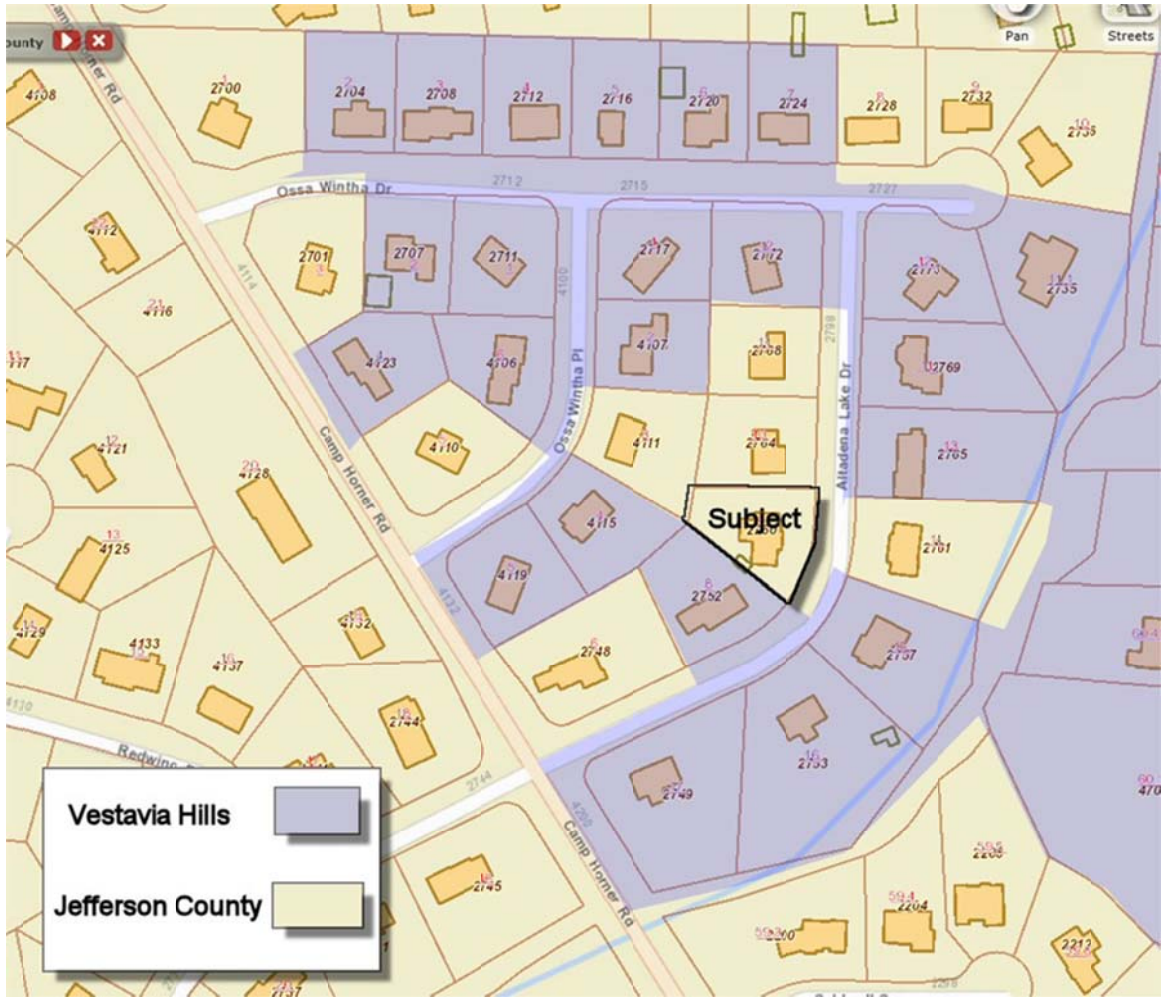
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2511 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE: P-0614-18**
- **REQUESTED ACTION:** Rezoning Jefferson County R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 2760 Altadena Lake Dr.
- **APPLICANT/OWNER:** Reid Trust, 2760 Altadena Lake Dr. Vestavia Hills, AL 35243
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 4/14/14. Applicant is requesting the compatible rezoning as part of the annexation process.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

P&Z Recommendation:

MOTION Ms. Fancher made a motion to approve Rezoning of 2760 Altadena Lake Dr. from Jefferson County R-1 to Vestavia Hills R-2 For The Purpose Of Annexation. Second was by Mr. Brooks. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Burrell – yes

Mr. Gilchrist – yes

Mr. Brooks – yes

Mrs. Fancher – yes

Mr. House – yes

Motion carried.

ORDINANCE NUMBER 2512

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 14th day of April, 2014, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

3700 Altadena Circle
Lot 8, Ridge Forest
Ralph and Alison McCall, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

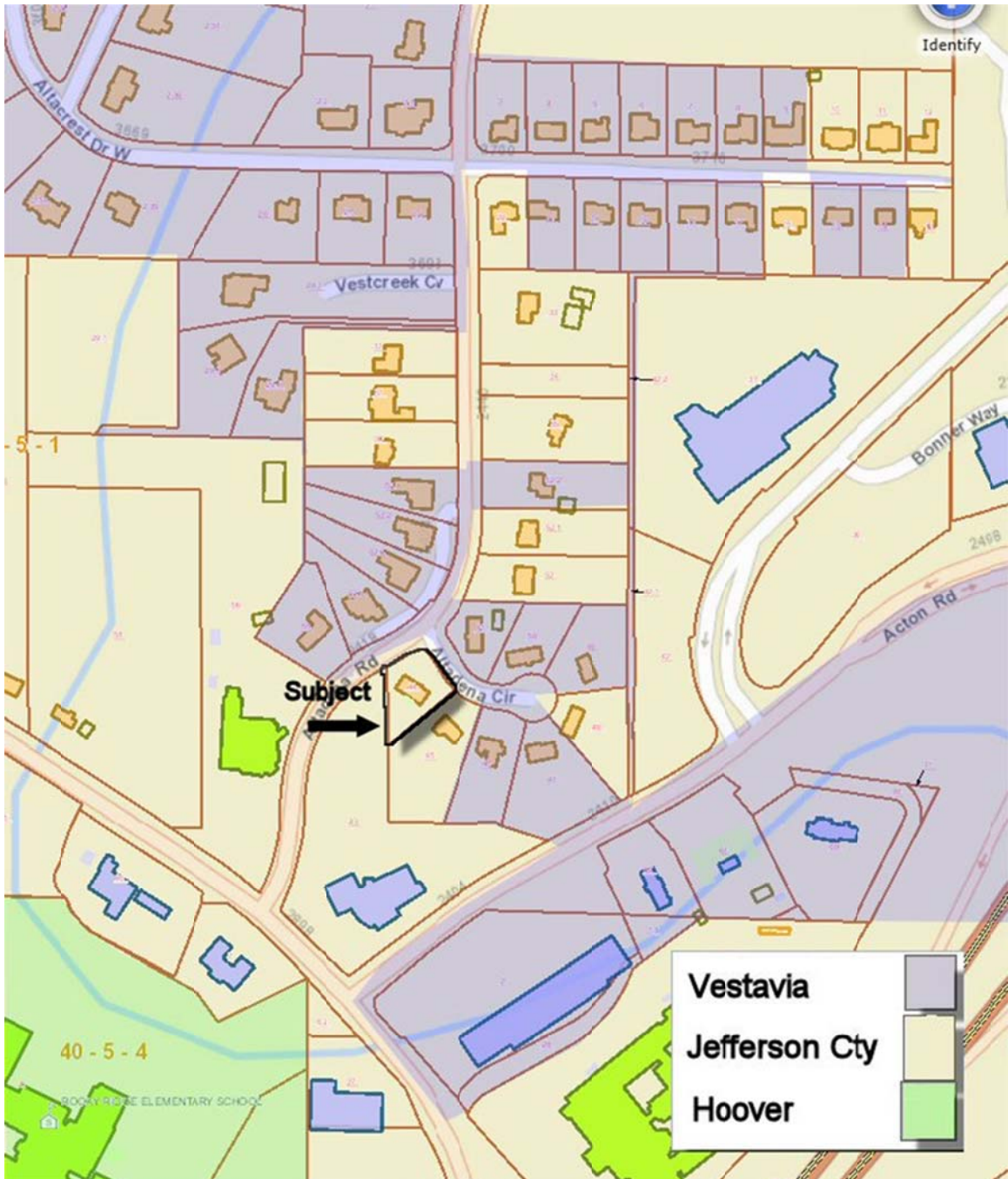
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2512 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 3700 Altadena Circle

Owners: R.D. McCall

Date: 2-27-14

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 195,800.. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 18 Number in city 9
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 3700 Altadena Circle


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH schools Yes No _____ Comments: one child

Other Comments: _____



George Pierce
Chairman

PARCEL #: 40 00 05 1 000 044.000
OWNER: MCCALL RALPH DUNCAN III &
ADDRESS: 3700 ALTADENA CIR VESTAVIA AL 35243-2904
LOCATION: 3700 ALTADENA CIR BHAM AL 35243

[111-C-] Baths: 2.0 H/C Sqft: 1,405
 18-015.0 Bed Rooms: 3 Land Sch: G1
 Land: 113,000 Imp: 82,800 Total: 195,800
 Acres: 0.000 Sales Info: 09/01/2008
\$170,387

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2013 ▾

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 3	OVER 65 CODE:	LAND VALUE 10%	\$113,000
EXEMPT CODE: 2-2	DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE: 02 COUNTY	HS YEAR: 0	CURRENT USE VALUE [DEACTIVATED]	\$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	<u>CLASS 2</u>	
OVR ASD VALUE: \$0.00		<u>CLASS 3</u>	
CLASS USE:		UTILITY STEEL 0	26SAPFL \$600
FOREST ACRES: 0	TAX SALE:	BLDG 001	111 \$82,200
PREV YEAR VALUE: \$195,800.00	BOE VALUE: 0	TOTAL MARKET VALUE [APPR. VALUE: \$195,800]: \$195,800	
		Assesment Override:	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$19,580	\$127.27	\$4,000	\$26.00	\$101.27
COUNTY	3	2	\$19,580	\$264.33	\$2,000	\$27.00	\$237.33
SCHOOL	3	2	\$19,580	\$160.56	\$0	\$0.00	\$160.56
DIST SCHOOL	3	2	\$19,580	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$19,580	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$19,580	\$99.86	\$0	\$0.00	\$99.86
SPC SCHOOL2	3	2	\$19,580	\$328.94	\$0	\$0.00	\$328.94

TOTAL FEE & INTEREST: \$5.00

ASSD. VALUE: \$19,580.00

\$980.96

GRAND TOTAL: \$932.96

DEEDS

INSTRUMENT NUMBER
[200811-5354](#)
[200106-4861](#)
[9803-4060](#)

PAYMENT INFO

DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
09/22/2008	12/11/2013	2013	WELLS FARGO	\$932.96
05/01/2001	12/20/2012	2012	WELLS FARGO	\$932.96
12/01/1997	20111209	2011	***	\$940.48
	20101014	2010	***	\$940.48
	20091207	2009	***	\$940.48
	20071231	2007	***	\$798.20
	20061231	2006	***	\$782.17
	20051231	2005	***	\$759.61
	20041116	2004	***	\$615.32
	20031122	2003	***	\$596.29
	20021129	2002	***	\$466.03
	20011117	2001	***	\$466.03
	20001104	2000	***	\$466.03
	19991206	1999	***	\$466.03
	19981118	1998	***	\$421.74

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward it to the next department on the list as soon as is reasonably possible. Please forward completed form to the City Clerk's office.

Location: 3700 Altadena Circle

2/12/2014 C Brady

Altadena Circle, 3700 – minor concerns noted; roadway and gutter along Altadena Circle are in poor condition and in need of maintenance; 5 of the 8 homes on this street are already in City; because majority of homes on this street are already within the City, this roadway already appears on the City's maintenance schedule.

Police Department:

Date: 2-12-14 Initials: 

Comments: _____

Fire Department:

Date: 2.12.14 Initials: 

Comments: _____

Public Works:

Date: _____ Initials: _____

Comments: _____

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 02/03/2014

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Ralph McCall 205-276-8225

EXHIBIT "A"

LOT: 8

BLOCK: _____

SURVEY: Ridge Forest

RECORDED IN MAP BOOK 54, PAGE 29 IN THE
PROBATE OFFICE OF _____ COUNTY, ALABAMA.

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

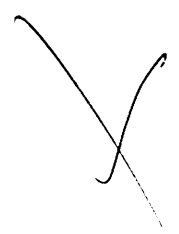


EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

1204 Montgomery Highway
Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Ralph D. McCall III and Alison Zeski McCall

Address: 3700 Albedena Circle

City: Vestavia State: Alabama Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Jackson Griffin McCall	5	Pre School	✓	
2.	Harrison Cole McCall	3	Day School		
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". August 2014

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u><i>[Signature]</i></u>	Lot <u>8</u> Block _____ Survey <u>Ridge Forest</u>
<u><i>Alison McCall</i></u>	Lot <u>8</u> Block _____ Survey <u>Ridge Forest</u>
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

[Signature] - Ralph McCall being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

[Signature]
Signature of Certifier

Subscribed and sworn before me this the 3rd day of February, 2014.

Kay Fussom
Notary Public

My Commission Expires
November 18, 2016

My commission expires: _____

ORDINANCE NUMBER 2513

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF A PARCEL OF PROPERTY FROM JEFFERSON COUNTY A-1 TO VESTAVIA HILLS A

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County A-1 to Vestavia Hills A;

3700 Altadena Circle
Lot 8, Ridge Forest
Ralph and Alison McCall, Owner(s)

APPROVED and ADOPTED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

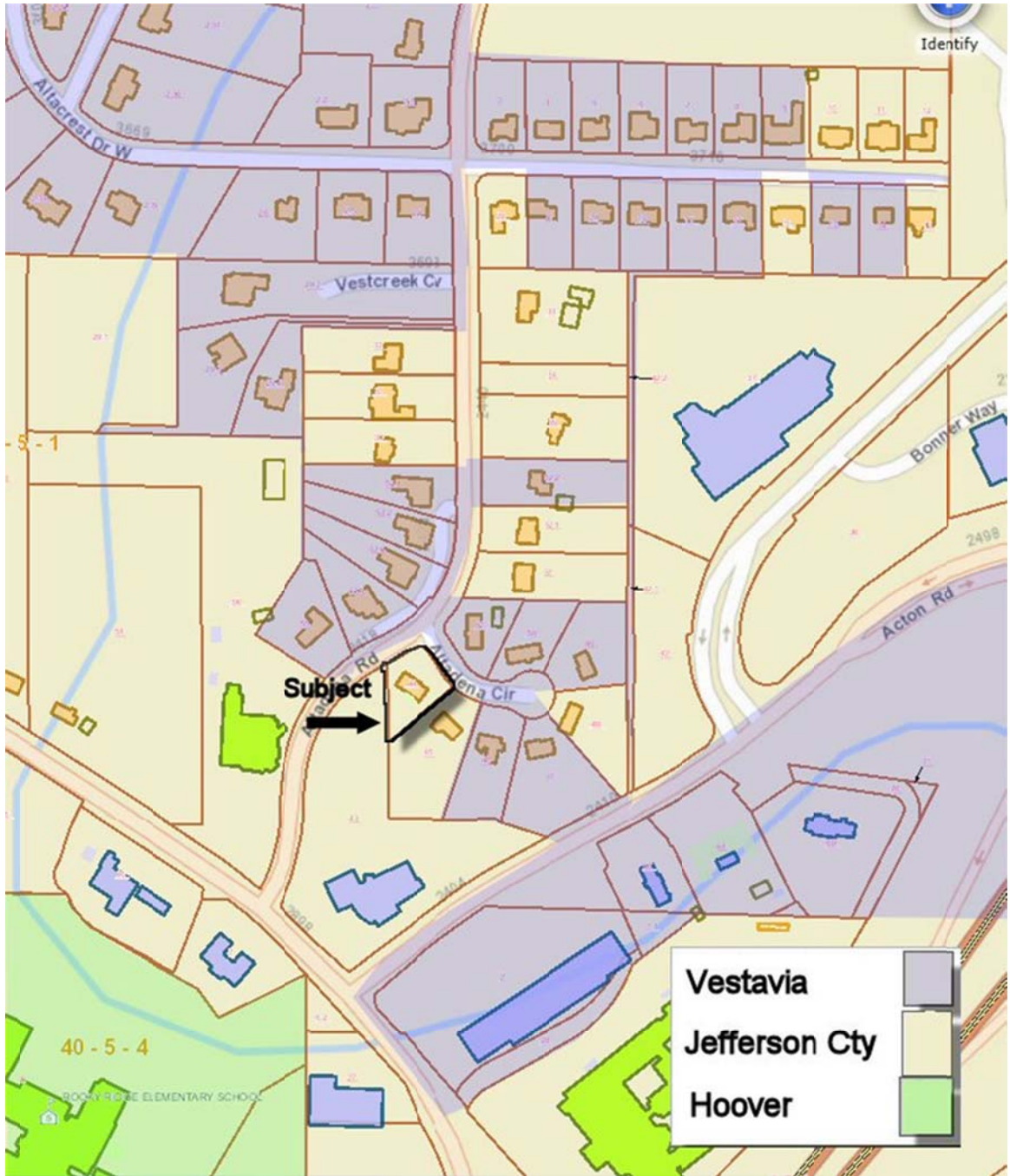
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2513 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE: P-0614-20**
- **REQUESTED ACTION:** Rezoning Jefferson County A-1 to Vestavia Hills A
- **ADDRESS/LOCATION:** 3700 Altadena Circle
- **APPLICANT/OWNER:** Ralph & Alison McCall, 3700 Altadena Circle Vestavia Hills, AL 35243
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 4/14/14. Applicant is requesting the compatible rezoning as part of the annexation process.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

P&Z Recommendation:

MOTION Mr. Burrell made a motion to approve Rezoning of 3700 Altadena Circle from Jefferson County A-1 to Vestavia Hills A For The Purpose Of Annexation. Second was by Mr. Gilchrist. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Gilchrist – yes

Mrs. Fancher – yes

Motion carried.

Mr. Burrell – yes

Mr. Brooks – yes

Mr. House – yes

ORDINANCE NUMBER 2514

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 14th day of April, 2014, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

3548 Valley Circle
Lot 12, Block 3, Dolly Ridge Estates, 2nd Addition
Benjamin and Carol Byrket

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2514 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk

Annexation Committee Petition Review

Property: 3548 Valley Circle

Owners: Ben + Carol Byrket

Date: 2-27-14

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 186,520. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 14 Number in city 9
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 3548 Valley Circle


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman

3548 Valley Circle

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 3	OVER 65 CODE:	LAND VALUE 10%	\$80,620
EXEMPT CODE: 2-2	DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE: 02 COUNTY	HS YEAR: 0	CURRENT USE VALUE [DEACTIVATED]	\$0
SCHOOL DIST:	EXM OVERRIDE	<u>CLASS 2</u>	
OVR ASD VALUE: \$0.00	AMT: \$0.00	<u>CLASS 3</u>	
CLASS USE:		BLDG 001	111 \$105,900
FOREST ACRES: 0	TAX SALE:		
PREV YEAR VALUE:	\$186,500.00	BOE VALUE: 0	TOTAL MARKET VALUE [APPR. VALUE: \$186,500]: \$186,520
			Assesment Override:
			MARKET VALUE:
			CU VALUE:
			PENALTY:
			ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$18,660	\$121.29	\$4,000	\$26.00	\$95.29
COUNTY	3	2	\$18,660	\$251.91	\$2,000	\$27.00	\$224.91
SCHOOL	3	2	\$18,660	\$153.01	\$0	\$0.00	\$153.01
DIST SCHOOL	3	2	\$18,660	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$18,660	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$18,660	\$95.17	\$0	\$0.00	\$95.17
SPC SCHOOL2	3	2	\$18,660	\$313.49	\$0	\$0.00	\$313.49
TOTAL FEE & INTEREST:							\$5.00
ASSD. VALUE: \$18,660.00			\$934.87		GRAND TOTAL: \$886.87		

DEEDS

INSTRUMENT NUMBER	DATE	PAYMENT INFO			
		PAY DATE	TAX YEAR	PAID BY	AMOUNT
0-0	12/02/2002	11/19/2013	2013	CORELOGIC INC	\$886.87
200014-3829	11/30/2000	11/21/2012	2012	CORELOGIC INC	\$886.38
		20111216	2011	***	\$896.40
		20101201	2010	***	\$943.49
		20091207	2009	***	\$943.49
		20081120	2008	***	\$958.52
		20071117	2007	***	\$1,063.73
		20061202	2006	***	\$824.25
		20051119	2005	***	\$815.72
		20041120	2004	***	\$776.65
		20031122	2003	***	\$673.44
		20021103	2002	***	\$579.25
		20011121	2001	***	\$1,269.50
		20001206	2000	***	\$1,269.50

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward it to the next department on the list as soon as is reasonably possible. Please forward completed form to the City Clerk's office.

Location: 3548 Valley Circle

Engineering:

Date: 2/12/2014 Initials: C Brady

Valley Circle, 3548—minor concerns noted; narrow roadway and some drainage infrastructure issues within this area, but approximately 50% of homes already within City; with continued annexation, City should consider potential improvements to roadway and drainage infrastructure.

Police Department:

Date: 2-12-14 Initials: 

Comments: _____

Fire Department:

Date: 2.12.14 Initials: M.N.S.

Comments: _____

Public Works:

Date: _____ Initials: _____

Comments: _____

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE

CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: Dec 19 2013

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Carol 213-8729
Byrket

EXHIBIT "A"

LOT: 12

BLOCK: 3

SURVEY: Dolly Ridge Estates - 2ND Addition

RECORDED IN MAP BOOK 76, PAGE 82 IN THE

PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: JEFF R1

COMPATIBLE CITY ZONING: VEST. R2

LEGAL DESCRIPTION (METES AND BOUNDS):

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>Bonzykhet</u>	Lot <u>12</u> Block <u>3</u> Survey <u>Dolly Ridge - 2nd Add.</u>
<u>Carol Bykhet</u>	Lot <u>12</u> Block <u>3</u> Survey <u>Dolly Ridge - 2nd Add.</u>
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Shelby
Person COUNTY

Bonzykhet being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Bonzykhet
Signature of Certifier

Subscribed and sworn before me this the 18 day of November, 2013.

622
Notary Public

My commission expires: 5/16/16

- Car Tags
- ① 1A57C12
 - ② 1A94L97

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

1204 Montgomery Highway
Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Benjamin & Carol Byrket
Address: 3548 Valley Circle
City: Birmingham State: AL Zip: 35243

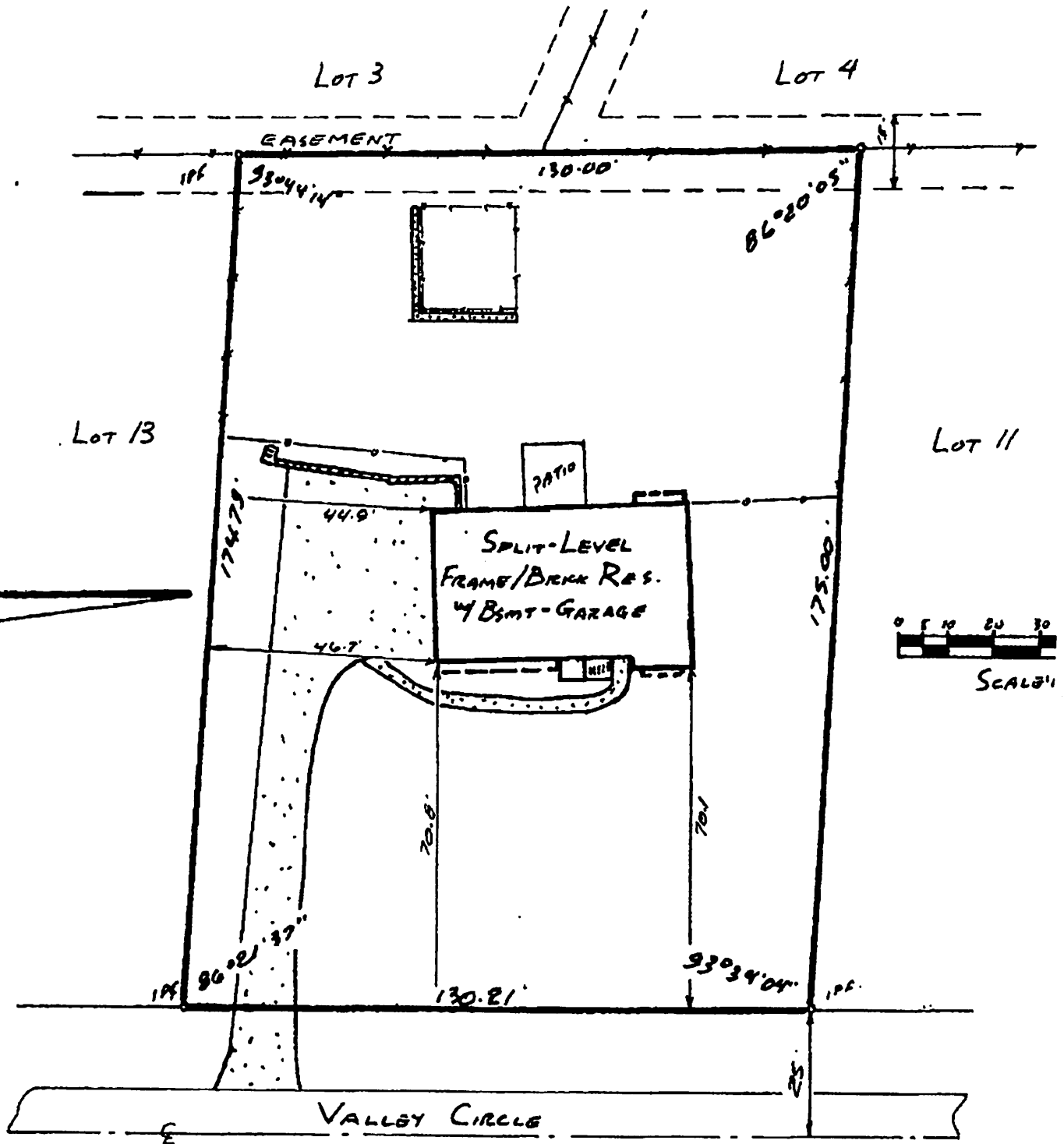
Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Madison Byrket	9	4 TH	✓	
2.	Emily Byrket	6	1 ST	✓	
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is

"yes": Madison : Aug. 2015
Emily : Aug. 2018



GRS
AB-7

ORDINANCE NUMBER 2515

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF A PARCEL OF PROPERTY FROM JEFFERSON COUNTY R-1 TO VESTAVIA HILLS R-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County R-1 to Vestavia Hills R-2;

3548 Valley Circle
Lot 12, Block 3, Dolly Ridge Estates, 2nd Addition
Benjamin and Carol Byrket

APPROVED and ADOPTED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

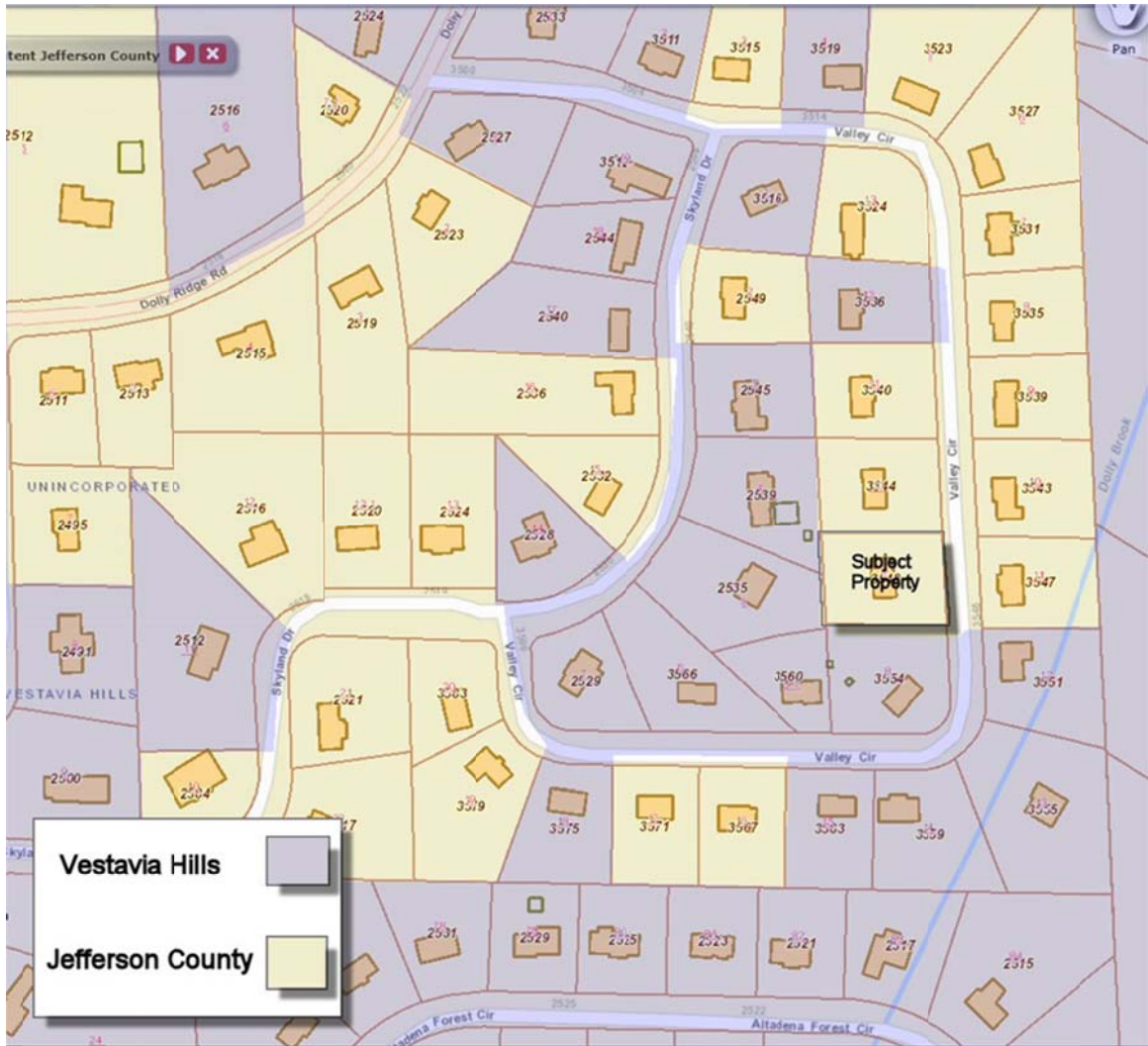
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2515 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE: P-0614-19**
- **REQUESTED ACTION:** Rezoning Jefferson County R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 3548 Valley Circle
- **APPLICANT/OWNER:** Benjamin Byrket, 3548 Valley Circle Vestavia Hills, AL 35243
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 4/14/14. Applicant is requesting the compatible rezoning as part of the annexation process.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

P&Z Recommendation

MOTION Mr. Goodwin made a motion to approve Rezoning of 3548 Valley Circle from Jefferson County R-1 to Vestavia Hills R-2 For The Purpose Of Annexation. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Burrell – yes

Mr. Gilchrist – yes

Mr. Brooks – yes

Mrs. Fancher – yes

Mr. House – yes

Motion carried.

ORDINANCE NUMBER 2516

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 14th day of April, 2014, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2400 Rocky Ridge Road
Lot 105, Buckhead, 4th Sector
Michael and Donya Rumore, Owners

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2516 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk

Annexation Committee Petition Review

Property: 2400 Rocky Ridge Road
Owners: Michael + Donya Rumore
Date: 2-27-14

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 288,000. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 24 Number in city 19
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2400 Rocky Ridge Road


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman

PARCEL #: 40 00 05 2 006 017.000 [111-C0] Baths: 2.5 H/C Sqft: 2,343
OWNER: RUMORE JOE 18-015.0 Bed Rooms: 2 Land Sch: L1
ADDRESS: 2400 ROCKY RIDGE RD BIRMINGHAM AL 35243 Land: 103,000 Imp: 185,000 Total: 288,000
LOCATION: 2400 ROCKY RIDGE RD BHAM AL 35243 Acres: 0.000 Sales Info: \$0

<< Prev Next >> [0 / 0 Records] Processing...

Tax Year : 2013 ▾

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS [MAPS](#)

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 2	OVER 65 CODE:	LAND VALUE 10%	\$0
EXEMPT CODE:	DISABILITY CODE:	LAND VALUE 20%	\$103,000
MUN CODE: 02 COUNTY	HS YEAR: 0	CURRENT USE VALUE [DEACTIVATED]	\$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	<u>CLASS 2</u>	
OVR ASD VALUE: \$0.00		BLDG 001 111	\$185,000
CLASS USE:		<u>CLASS 3</u>	
FOREST ACRES: 0	TAX SALE:	TOTAL MARKET VALUE [APPR. VALUE: \$288,000]:	\$288,000
PREV YEAR VALUE: \$288,000.00	BOE VALUE: 0	Assesment Override:	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	2	\$57,600	\$374.40	\$0	\$0.00	\$374.40
COUNTY	2	2	\$57,600	\$777.60	\$0	\$0.00	\$777.60
SCHOOL	2	2	\$57,600	\$472.32	\$0	\$0.00	\$472.32
DIST SCHOOL	2	2	\$57,600	\$0.00	\$0	\$0.00	\$0.00
CITY	2	2	\$57,600	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	2	\$57,600	\$293.76	\$0	\$0.00	\$293.76
SPC SCHOOL2	2	2	\$57,600	\$967.68	\$0	\$0.00	\$967.68

TOTAL FEE & INTEREST: \$15.00

ASSD. VALUE: \$57,600.00 \$2,885.76 **GRAND TOTAL: \$2,900.76**

DEEDS

INSTRUMENT NUMBER	DATE 1/1/1900	PAYMENT INFO		PAID BY	AMOUNT
		PAY DATE	TAX YEAR		
6278-125		1/15/2014	2013	UBS FINANCIAL SERVICES INC	\$2,900.76
		11/19/2012	2012	RUMORE JOE	\$2,900.76
		20111208	2011	***	\$2,935.83
		20101020	2010	***	\$2,935.83
		20091106	2009	***	\$2,935.83
		20081120	2008	***	\$3,071.10
		20071204	2007	***	\$2,800.56
		20061231	2006	***	\$2,746.45
		20051231	2005	***	\$2,642.24
		20041231	2004	***	\$2,335.63
		20031231	2003	***	\$2,246.45
		20021231	2002	***	\$1,936.84
		20011231	2001	***	\$1,936.84
		20001117	2000	***	\$1,936.84
		19991215	1999	***	\$1,936.84

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward it to the next department on the list as soon as is reasonably possible. Please forward completed form to the City Clerk's office.

Location: 2400 Rocky Ridge Road

Engineering:

Date: 2/12/2014 Initials: C Brady

Rocky Ridge Road, 2400 – no concerns noted; this property is at Rocky Ridge Road/ Old Rocky Ridge Road intersection which is anticipated to continue to be within Jefferson County maintenance responsibility; no significant maintenance concerns at this time.

Police Department:

Date: 2-12-14 Initials: 

Comments: _____

Fire Department:

Date: 2-12-14 Initials: MMJ

Comments: _____

Public Works:

Date: _____ Initials: _____

Comments: _____

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: Jan. 27, 2014

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Michael Rumore 205-835-5544

Donya Rumore 205-540-7472

✓

EXHIBIT "A"

LOT: 105 Buckhead

BLOCK: _____

SURVEY: Buckhead 4th sector

RECORDED IN MAP BOOK 37, PAGE 99 IN THE
PROBATE OFFICE OF Jeff COUNTY, ALABAMA.

COUNTY ZONING: E-2 estate zoning 40-5-2-6-17 (325.5174)
COMPATIBLE CITY ZONING: _____ Zoning

LEGAL DESCRIPTION (METES AND BOUNDS):

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
<u>Michael R. Moore</u>	Lot <u>105</u> Block _____ Survey <u>Buckhead 4th</u>
<u>Donya Furr</u>	Lot <u>105</u> Block _____ Survey <u>Buckhead 4th</u>
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Michael R. Moore being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

[Signature]
Signature of Certifier

Subscribed and sworn before me this the 28th day of January, 2016

[Signature]
Notary Public

My commission expires: 2/05/16



EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

1204 Montgomery Highway
Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition 1/27/14 Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Michael and Donya Rumore
Address: 2400 Rocky Ridge Road
City: Birmingham State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Adlay Elizabeth Rumore	6	KS	X	
2.	Amira Ann Rumore	2		X	
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": Aug 2014

Dear Mayor Zaragoza and Members of the Vestavia Hills City Council,

Thank you for your consideration of the annexation petition for our home. My family and I are very excited about the opportunity to become members of the Vestavia Hills community.

We moved into this home as a family of 3 (first child was not yet 2 at the time) at the end of 2009. We moved from a little neighborhood in Shelby County to be closer to family and my husband's job. For the first couple of years we lived here our focus was establishing my husband's business, which is located here in Vestavia Hills.

As a stay at home Mom I really wanted to explore Vestavia Hills and what it had to offer for a young family as we made the decision where to put down our permanent family roots. My daughter and I got involved in events at the library, playing in the beautiful parks, meeting friends and neighbors and really getting to know the city. In 2011 we welcomed our second daughter. All these things made the decision to request annexation into Vestavia Hills an easy one.

Now as our oldest daughter is approaching the end of her time at Ascension Episcopal Kindergarten we knew now is the time to officially become part of the city we have grown to love. We are very excited to finally be a part of the city we have lived just on the outside of for the past few years. We not only want our daughters to have the best education possible but we are looking forward to using the wonderful facilities Vestavia Hills has to offer. We can't wait to become pool members and have access to renting McCallum Park, which is right behind our house, for birthday parties and family events.

For me as a Mom who is home with small children most days the knowledge that Vestavia Hills Fire and Police will be just a phone call away is a wonderful comfort. We know many current police officers and I will feel much safer knowing, should an emergency happen, a friendly face will respond to my need instead of a county sheriff that at times has taken 10+ minutes to respond to an alarm or call.

As a family we are hoping to become active members of the volunteer community for not only the library and schools but also the sports and recreation as our oldest daughter is hoping to join the Little Rebels Cheerleaders and possibly the Vestavia Hills Swim team in the coming year. We plan to set up swimming lessons for both girls with one of the pool lifeguards as soon as school finishes in May.

We know we want this community to be our forever home. We have spent many hours in prayerful consideration about where we want our growing family to call home and over the past couple of years we have realized there could be nowhere better than Vestavia Hills, AL. We have made lifelong friends here and very much hope to grow those friendships through school and recreational activities within the city. We look forward to the day we can finally say with great pride we live in Vestavia Hills.

Thank you again for your time and consideration of our annexation request. I hope that this letter imparts our deep desire to become members of the City of Vestavia Hills. Have a blessed day.

Sincerely,
The Rumore Family
Michael, Donya, Adlay and Amira

ORDINANCE NUMBER 2517

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF A PARCEL OF PROPERTY FROM JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 to Vestavia Hills R-1;

2400 Rocky Ridge Road
Lot 105, Buckhead, 4th Sector
Michael and Donya Rumore, Owners

APPROVED and ADOPTED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

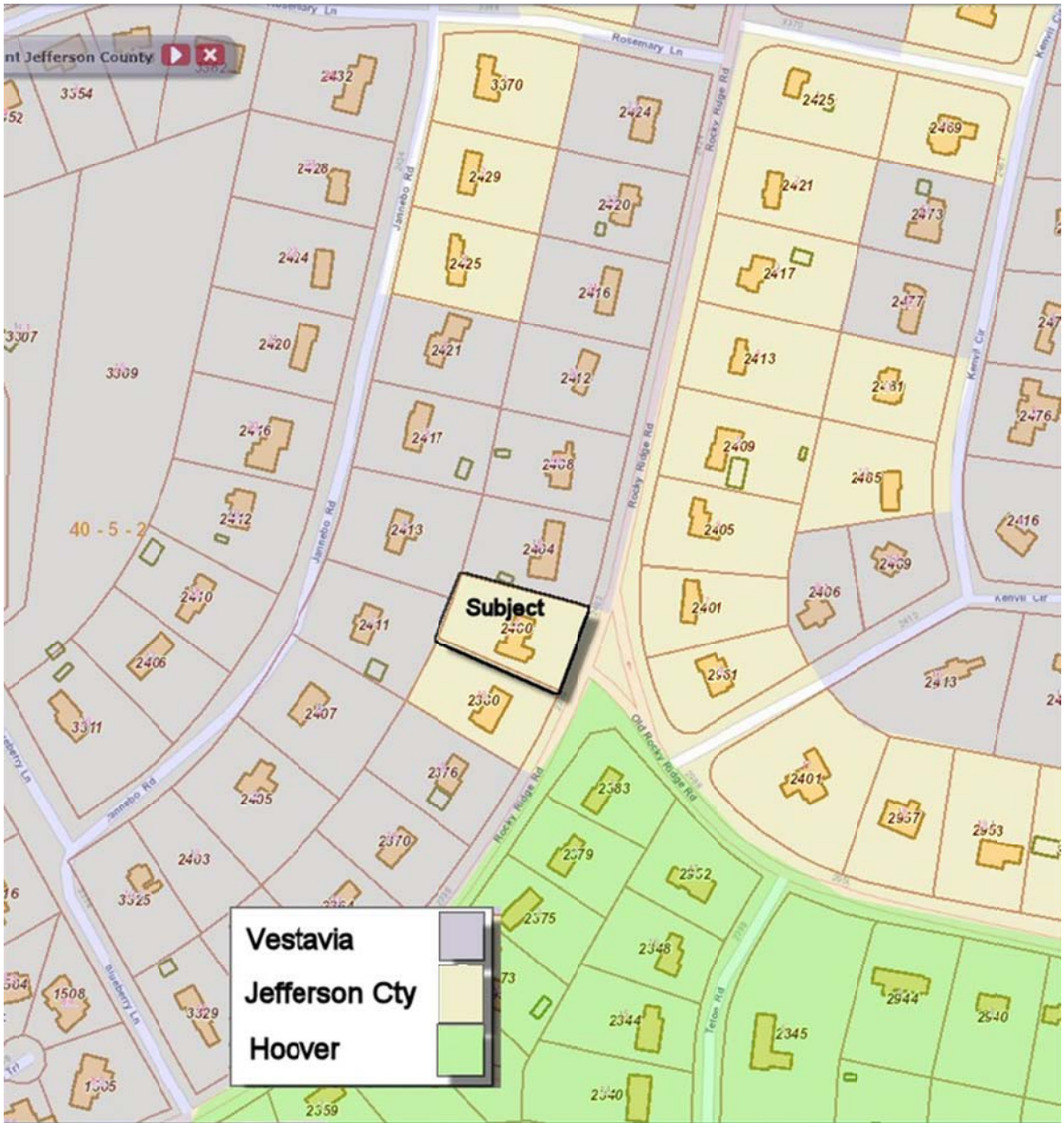
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2517 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE: P-0614-21**
- **REQUESTED ACTION:** Rezoning Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 2400 Rocky Ridge Rd
- **APPLICANT/OWNER:** Michael & Donna Rumore, 2400 Rocky Ridge Rd Vestavia Hills, AL 35243
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 4/14/14. Applicant is requesting the compatible rezoning as part of the annexation process.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

P&Z Recommendation:

MOTION Mr. Gilchrist made a motion to approve Rezoning of 2400 Rocky Ridge Rd. from Jefferson County E-2 to Vestavia Hills R-1 For The Purpose Of Annexation. Second was by Mr. Brooks. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Burrell – yes

Mr. Gilchrist – yes

Mr. Brooks – yes

Mrs. Fancher – yes

Mr. House – yes

Motion carried.

ORDINANCE NUMBER 2518

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 14th day of April, 2014, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2835 Acton Road
Lot 1, Adams Resurvey
Brantley P. Bowden, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

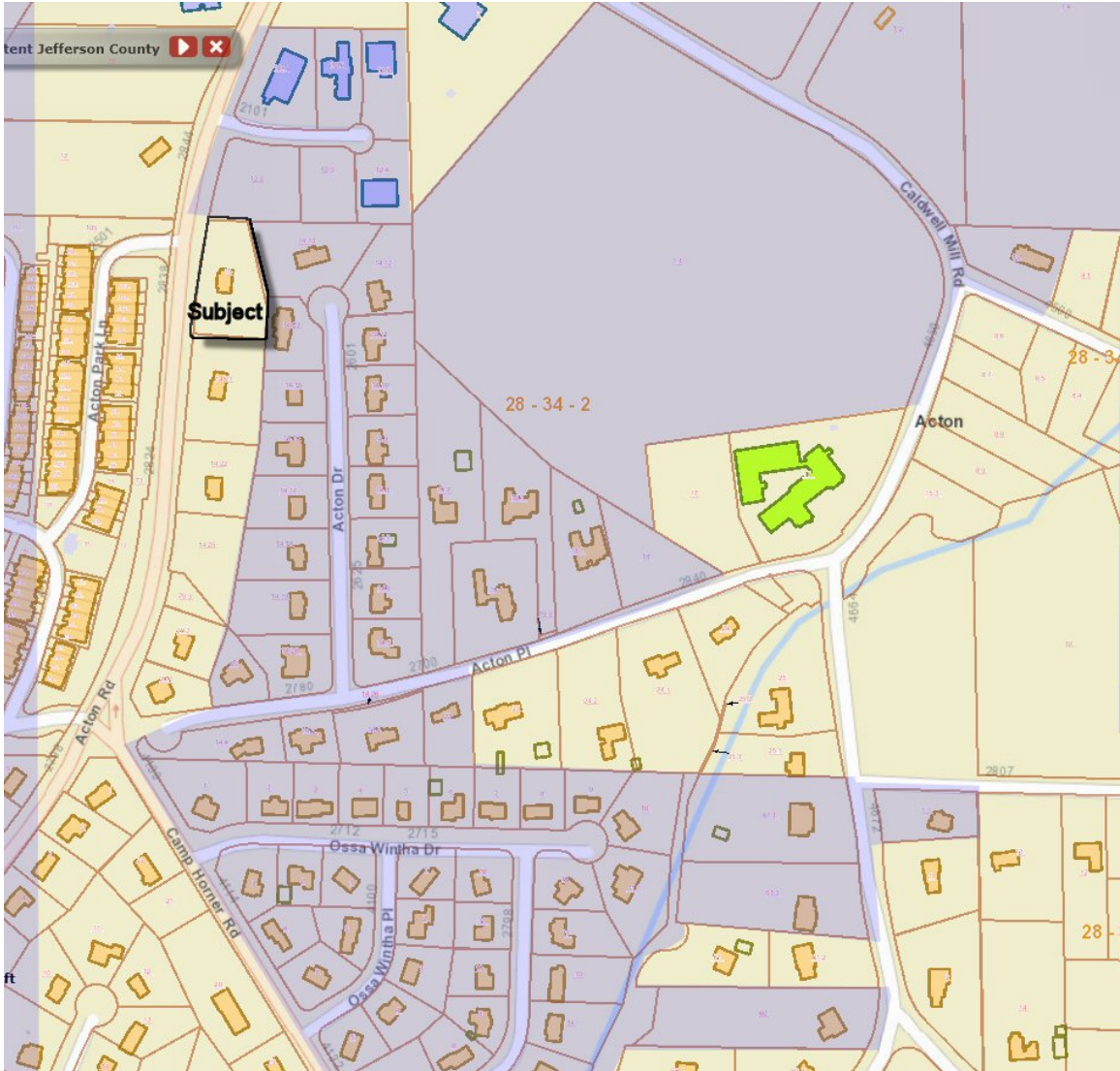
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2518 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 2835 Acton Road

Owners: Brantley P Bowden

Date: 2-27-14

1. The property in question is contiguous to the city limits.
Yes No Comments: _____
2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 309,800. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 1 Number in city 8
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2835 Acton Road


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman

PARCEL #: 28 00 34 2 000 014.000
OWNER: PEARSON BRANTLEY
ADDRESS: 2835 ACTON RD VESTAVIA AL 35243-2501
LOCATION: 2835 ACTON RD BIRMINGHAM AL 35243

[111-B0] Baths: 2.5 H/C Sqft: 2,291
 18-040.0 Bed Rooms: 3 Land Sch: L1
 Land: 116,800 Imp: 193,000 Total: 309,800
 Acres: 0.000 Sales Info: 09/01/2001
\$206,666

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2013 ▾

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE \$0.00
 OVR ASD VALUE: \$0.00

CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$309,800.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$116,760
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3

BLDG 001 111 \$193,000

TOTAL MARKET VALUE [APPR. VALUE: \$309,800]: \$309,760
 Assesment Override:

MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$30,980	\$201.37	\$4,000	\$26.00	\$175.37
COUNTY	3	2	\$30,980	\$418.23	\$2,000	\$27.00	\$391.23
SCHOOL	3	2	\$30,980	\$254.04	\$0	\$0.00	\$254.04
DIST SCHOOL	3	2	\$30,980	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$30,980	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$30,980	\$158.00	\$0	\$0.00	\$158.00
SPC SCHOOL2	3	2	\$30,980	\$520.46	\$0	\$0.00	\$520.46

TOTAL FEE & INTEREST: \$5.00

ASSD. VALUE: \$30,980.00

\$1,552.10

GRAND TOTAL: \$1,504.10

DEEDS

INSTRUMENT NUMBER

[200112-5836](#)

DATE

09/19/2001

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
1/4/2014	2013	BRANTLEY BOWDEN	\$1,504.10
1/11/2013	2012	PEARSON BRANTLEY	\$1,504.10
20111207	2011	***	\$1,522.65
20101231	2010	***	\$1,505.10
20091130	2009	***	\$1,505.10
20081020	2008	***	\$1,532.15
20071231	2007	***	\$1,373.35
20061012	2006	***	\$1,336.76
20051021	2005	***	\$1,162.42
20041029	2004	***	\$1,084.77
20031105	2003	***	\$986.58
20021016	2002	***	\$931.47
20011108	2001	***	\$931.47
20001104	2000	***	\$931.47
19991206	1999	***	\$931.47
19981115	1998	***	\$768.27

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward it to the next department on the list as soon as is reasonably possible. Please forward completed form to the City Clerk's office.

Location: 2835 Acton Road

Engineering:

Date: 2/12/14

Initials: C Brady

Acton Road, 2835 – no concerns noted; Acton Road right-of-way is anticipated to continue to fall under Jefferson County maintenance; roadway (4-lane) and drainage in good condition.

Police Department:

Date: 2-12-14 Initials: 

Comments: _____

Fire Department:

Date: 2.12.14 Initials: MM.S.

Comments: _____

Public Works:

Date: _____ Initials: _____

Comments: _____

STATE OF ALABAMA

_____ COUNTY

**PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA**

Date of Petition: Jan 18, 2014

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

EXHIBIT "A"

LOT: Lot 1P

BLOCK: S Lot 10

SURVEY: Adams Resurvey 28-34-2 P

RECORDED IN MAP BOOK 150, PAGE 82 IN THE

PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>Brantley Barden</u>	Lot <u>1</u>	Block <u>-</u>	Survey <u>Adams Resurvey</u>
_____	Lot _____	Block _____	Survey _____
_____	Lot _____	Block _____	Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Brantley P. Barden being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

[Signature]
Signature of Certifier

Subscribed and sworn before me this the 17 day of January, 2014.

Autumn Cherry
Notary Public

My commission expires: 4/20/16

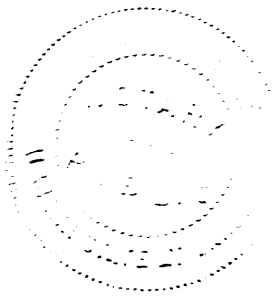


EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

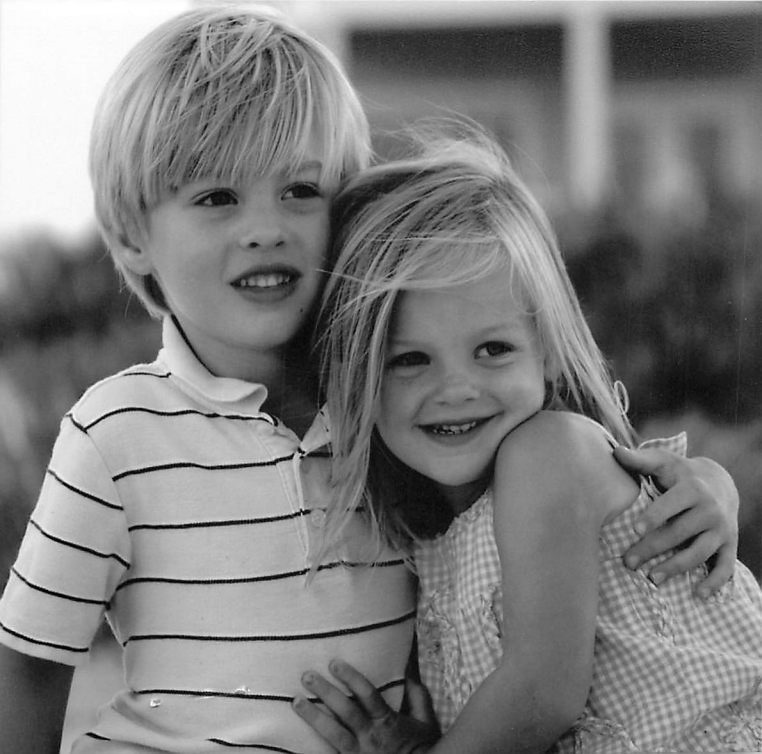
Name(s) of Homeowner(s): Brantley Pearson Bonden
Address: 2835 Acton Road
City: Birmingham/Vestavia State: Alabama Zip: 35243

Information on Children:

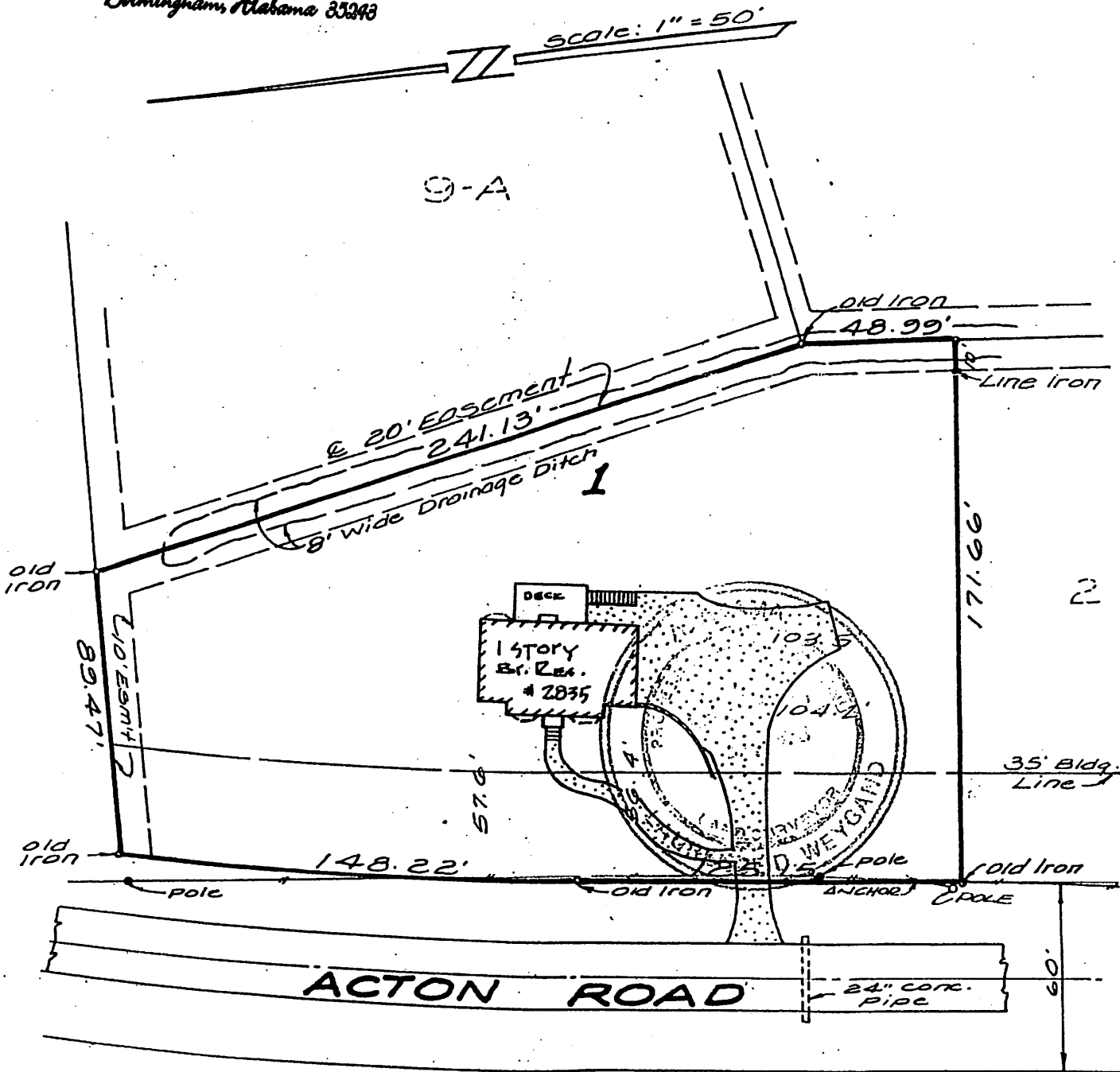
**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Tate B. Bonden (Tucker)	5	K4	X	
2.	Taylor Brittan Bonden	4	K3	X	
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". 2015/2016



Brantley Pearson Bowden
 2835 Acton Road
 Birmingham, Alabama 35298



STATE OF ALABAMA }
 JEFFERSON COUNTY }

I, Laurence D. Weygand, a registered Engineer-Land Surveyor, certify that I have surveyed Lot... 1, Block... ADAM'S RESURVEY as recorded in Map Volume... 150 Page... 82, in the office of the Judge of Probate... JEFFERSON... County, Alabama; that there are no rights-of-way, easements, or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said premises except as shown; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is not located in "a special flood hazard area", that there are no encroachments on said lot except as shown; that improvements are located as shown above; and that the correct address is as follows: 2835 ACTON ROAD; according to my survey of: MAY 12, 1987

MASSEY

Laurence D. Weygand, Reg. No. 10 373 phone: 871-7620

ORDINANCE NUMBER 2519

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF A PARCEL OF PROPERTY FROM JEFFERSON COUNTY R-1 TO VESTAVIA HILLS R-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County R-1 to Vestavia Hills R-2;

2835 Acton Road
Lot 1, Adams Resurvey
Brantley P. Bowden, Owner(s)

APPROVED and ADOPTED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

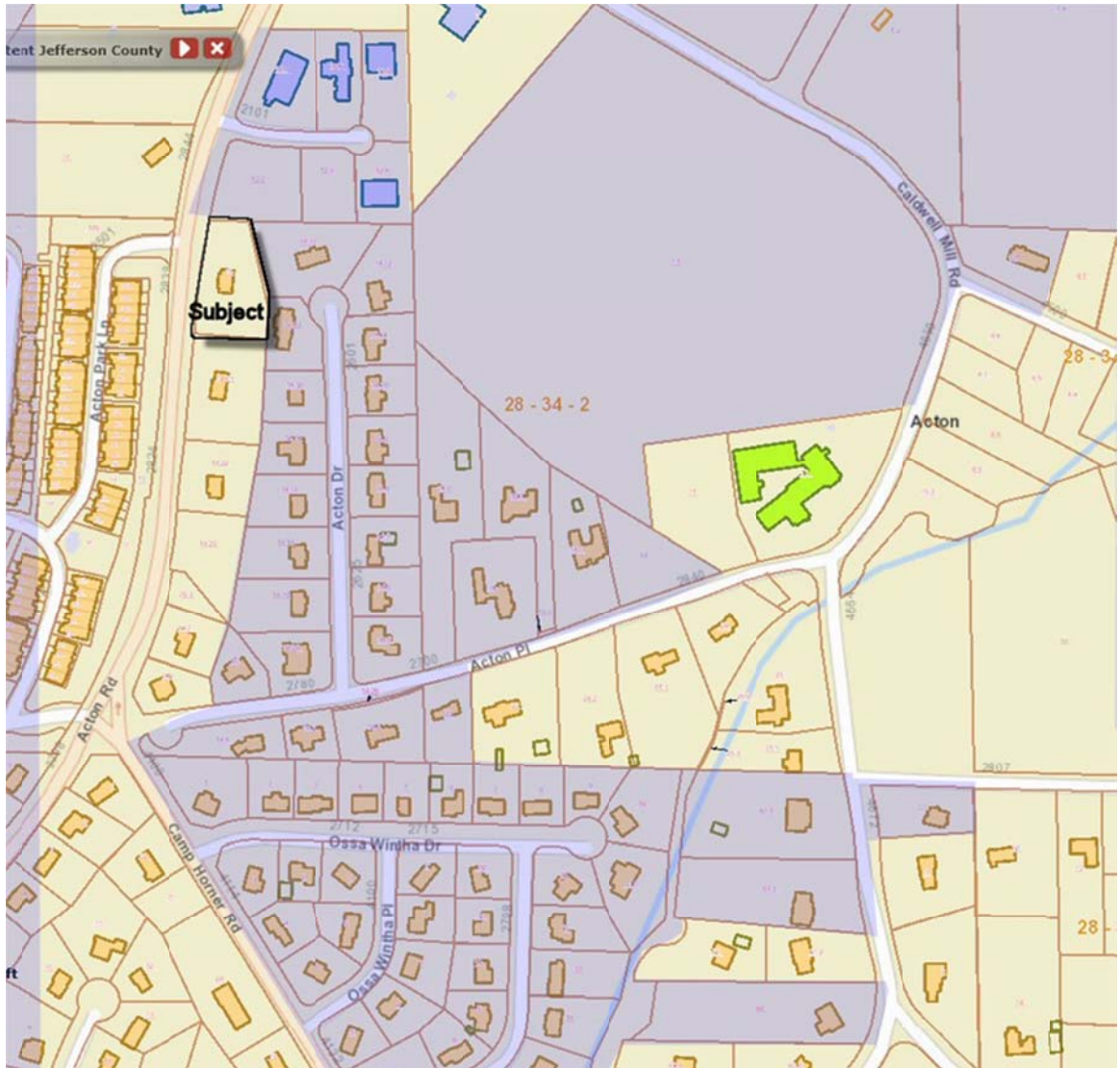
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2519 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE:** P-0614-23
- **REQUESTED ACTION:** Rezoning Jefferson County R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 2835 Acton Rd.
- **APPLICANT/OWNER:** Bentley Bowden, 2835 Acton Rd. Vestavia Hills, AL 35243
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 4/14/14. Applicant is requesting the compatible rezoning as part of the annexation process.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

P&Z Recommendation:

MOTION Mr. Goodwin made a motion to approve Rezoning of 2835 Acton Rd. from Jefferson County R-1 to Vestavia Hills R-2 For The Purpose Of Annexation. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Gilchrist – yes

Mrs. Fancher – yes

Motion carried.

Mr. Burrell – yes

Mr. Brooks – yes

Mr. House – yes

ORDINANCE NUMBER 2520

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 14th day of April, 2014, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2468 Kenvil Circle
Lot 42, Buckhead, 2nd Sector
Tara Adams

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

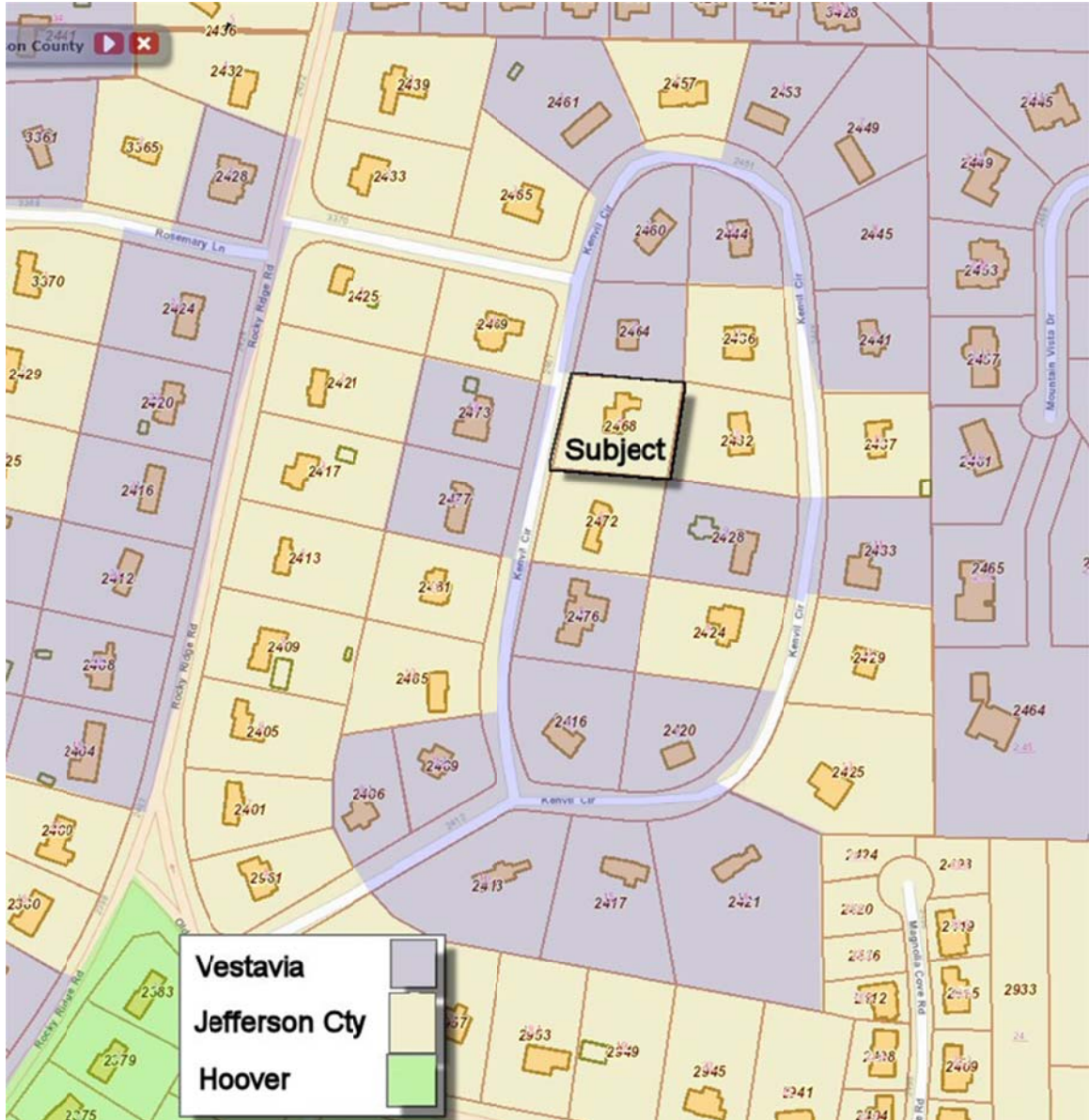
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2520 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 2468 Kenuil Circle

Owners: Tara Adams

Date: 2-27-14

1. The property in question is contiguous to the city limits.
Yes No Comments: _____
2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 205,500. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 12 Number in city 7
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2468 Kennebec Circle


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No Comments: _____

11. Information on children: Number in family one; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman

PARCEL #: 40 00 05 2 008 003.000
OWNER: ADAMS TARA TERESE
ADDRESS: 2468 KENVIL CIR VESTAVIA AL 35243-2857
LOCATION: 2468 KENVIL CIR BHAM AL 35243

[111-D+] Baths: 1.0 H/C Sqft: 1,642
 18-015.0 Bed Rooms: 3 Land Sch: L1
 Land: 109,100 Imp: 96,400 Total: 205,500
 Acres: 0.000 Sales Info: 06/01/1994
 \$109,500

<< Prev Next >> [0 / 0 Records] Processing...

Tax Year : 2013 ▾

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS [MAPS](#)

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 3	OVER 65 CODE:	LAND VALUE 10%	\$109,120
EXEMPT CODE: 2-2	DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE: 02 COUNTY	HS YEAR: 0	CURRENT USE VALUE [DEACTIVATED]	\$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	<u>CLASS 2</u>	
OVR ASD VALUE: \$0.00		<u>CLASS 3</u>	
CLASS USE:		CARPORT WOOD F 25WDWFA	\$1,400
FOREST ACRES: 0	TAX SALE:	BLDG 001 111	\$95,000
PREV YEAR VALUE: \$205,500.00	BOE VALUE: 0	TOTAL MARKET VALUE [APPR. VALUE: \$205,500]:	\$205,520
		Assesment Override:	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$20,560	\$133.64	\$4,000	\$26.00	\$107.64
COUNTY	3	2	\$20,560	\$277.56	\$2,000	\$27.00	\$250.56
SCHOOL	3	2	\$20,560	\$168.59	\$0	\$0.00	\$168.59
DIST SCHOOL	3	2	\$20,560	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$20,560	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$20,560	\$104.86	\$0	\$0.00	\$104.86
SPC SCHOOL2	3	2	\$20,560	\$345.41	\$0	\$0.00	\$345.41

TOTAL FEE & INTEREST: \$5.00

ASSD. VALUE: \$20,560.00 **\$1,030.06** **GRAND TOTAL: \$982.06**

DEEDS

INSTRUMENT NUMBER	DATE	PAYMENT INFO			
		PAY DATE	TAX YEAR	PAID BY	AMOUNT
9408-1496	06/22/1994	12/11/2013	2013	WELLS FARGO	\$982.06
		12/20/2012	2012	WELLS FARGO	\$981.57
		20111209	2011	***	\$990.58
		20101119	2010	***	\$990.58
		20091112	2009	***	\$990.58
		20090318	2008	***	\$1,040.18
		20071231	2007	***	\$871.84
		20061231	2006	***	\$852.80
		20051103	2005	***	\$827.26
		20050315	2004	***	\$711.05
		20031231	2003	***	\$659.92
		20030217	2002	***	\$549.72
		20020115	2001	***	\$541.68
		20001104	2000	***	\$536.68
		19991206	1999	***	\$536.68

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward it to the next department on the list as soon as is reasonably possible. Please forward completed form to the City Clerk's office.

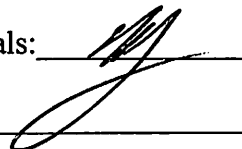
Location: 2468 Kenvil Circle

Engineering:

Date: 2/12/2014 Initials: C Brady

Kenvil Circle, 2468 – minor concerns noted; narrow substandard roadway width (16'), and drainage concerns related to aged piping and open ditches that will require periodic maintenance; over 50% of homes in neighborhood are already in City; City should anticipate a need in near future to invest in roadway and drainage improvements within this area with continued annexation.

Police Department:

Date: 2-12-14 Initials: 

Comments: _____

Fire Department:

Date: 2.12.14 Initials: M.M.G.

Comments: _____

Public Works:

Date: _____ Initials: _____

Comments: _____

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 6/14/13

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

(c) 205-908-8509

(h) 205-979-3565

\$100. fee pd by
Credit Card
6/14/13
K

EXHIBIT "A"

LOT: 42

BLOCK: 32, page 40

SURVEY: Buckhead Second Sector

RECORDED IN MAP BOOK 32, PAGE 40 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: Jefferson

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

Tara Adams Lot 42 Block _____ Survey Buckhead Second Sector

_____ Lot _____ Block _____ Survey _____

_____ Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Tara Adams being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Tara Adams
Signature of Certifier

Subscribed and sworn before me this the 6th day of June, 2013.

Brenda A Todd
Notary Public

My commission expires: 8.25.16

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

1204 Montgomery Highway
Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Tara Adams
Address: 2468 Kenvil Circle
City: Birmingham State: AL Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	<u>Violetta Aurelia Rohr</u>	<u>5</u>	<u>West R</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.				<input type="checkbox"/>	<input type="checkbox"/>
3.				<input type="checkbox"/>	<input type="checkbox"/>
4.				<input type="checkbox"/>	<input type="checkbox"/>
5.				<input type="checkbox"/>	<input type="checkbox"/>
6.				<input type="checkbox"/>	<input type="checkbox"/>

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": June 15, 2013

ORDINANCE NUMBER 2521

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF A PARCEL OF PROPERTY FROM JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 to Vestavia Hills R-1;

2468 Kenvil Circle
Lot 42, Buckhead, 2nd Sector
Tara Adams

APPROVED and ADOPTED this the 28th day of July, 2014.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

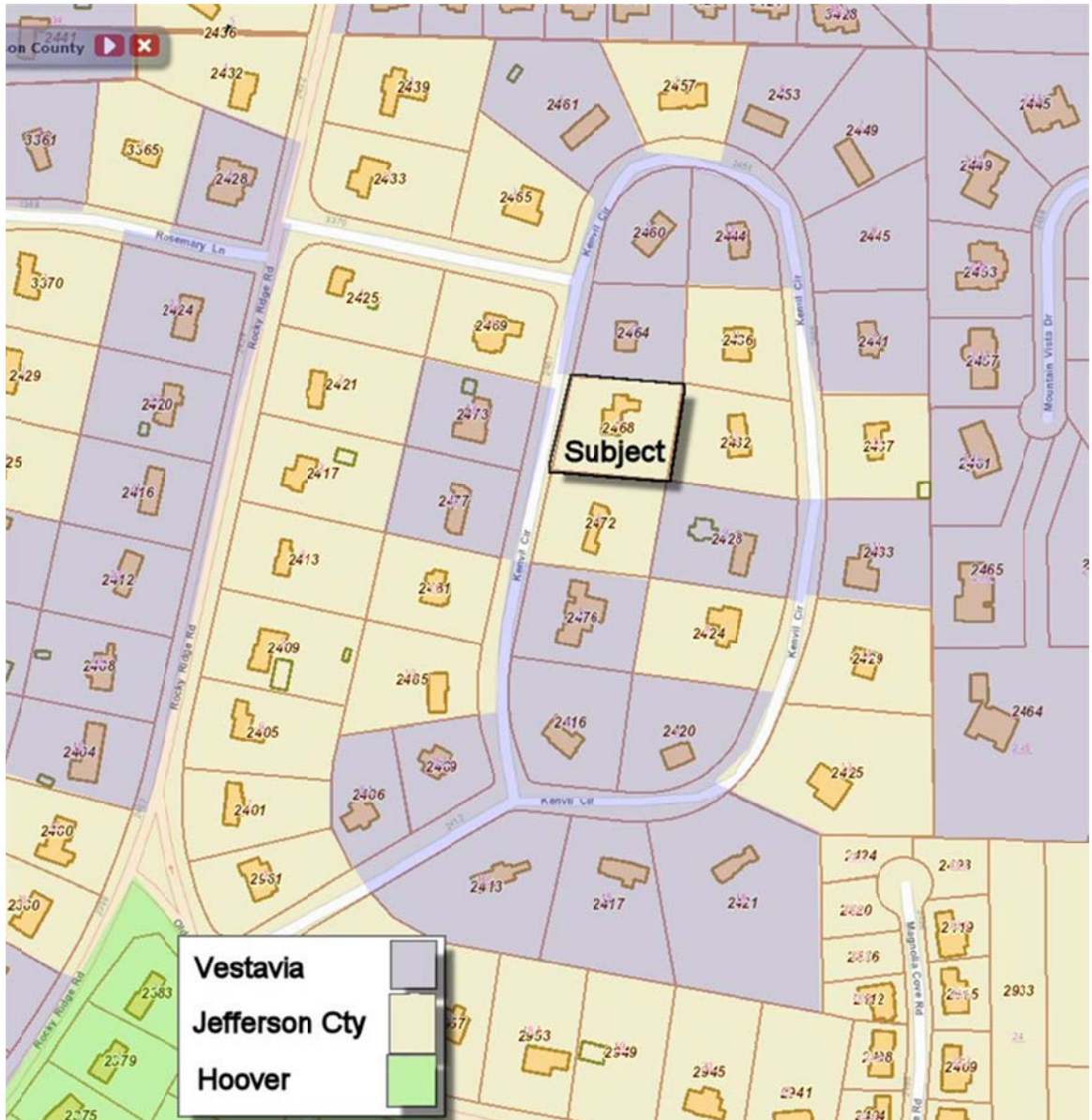
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2521 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 28th day of July, 2014 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills New Merkle House, Vestavia Hills Civic Center and Vestavia Hills Library in the Forest this the _____ day of _____, 2014.

Rebecca Leavings
City Clerk



CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: **JUNE 12, 2014**

- **CASE:** P-0614-24
- **REQUESTED ACTION:** Rezoning Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 2468 Kenvil Circle
- **APPLICANT/OWNER:** Tara Adams, 2468 Kenvil Circle Vestavia Hills, AL 35243
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 4/14/14. Applicant is requesting the compatible rezoning as part of the annexation process.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the plan.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
 3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

P&Z Recommendation:

MOTION Mr. Brooks made a motion to approve Rezoning of 2468 Kenvil Circle from Jefferson County E-2 to Vestavia Hills R-1 For The Purpose Of Annexation. Second was by Mr. Goodwin. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Burrell – yes

Mr. Gilchrist – yes

Mr. Brooks – yes

Mrs. Fancher – yes

Mr. House – yes

Motion carried.