

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

JANUARY 12, 2017

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: December 8, 2016

Final Plats

(1) **Consent Agenda:**

- A. **P-0117-01** Liberty Park Joint Venture, LLP Is Requesting **Final Plat Approval** For **Liberty Park Town Village Commercial Subdivision**. The Purpose For This Request Is To Subdivide Acreage Into One Lot and To Amend The Zoning Boundry. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PR-1, PB, & PNC.
- B. **P-0117-03** Terry Sparks Is Requesting **Final Plat Approval** For **Lot 45 Beacon Hill Sparks Resurvey**. The Purpose For This Request Is To Resurvey Lot. The Property Is Owned By Terry Sparks and Is Zoned Vestavia Hills R-3.
- C. **P-0117-04** Jeff Gentry Is Requesting **Final Plat Approval** For **Gentry's Resurvey**. The Purpose For This Request Is To Resurvey Lot. The Property Is Owned By Jeff Gentry and Is Zoned Vestavia Hills R-2.

Rezoning/Conditional Use Recommendations:

- (2) **P-1216-48** Edward Jones & Marion Jones and Bobby & Judy Long Are Requesting **Rezoning** for **4557 & 4553 Pine Tree Circle** from **Vestavia Hills R-1 to Vestavia Hills B-1** For The Purpose Of Commercial Development.
- (3) **P-0117-02** Eric Eitzen Is Requesting **Rezoning Conditional Use Approval** For A Home Occupation Located At **517 Lake Colony Dr**. The Property Is Owned By Eric Eitzen And Is Zoned Vestavia Hills PR-1.

Time of Adjournment.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
MINUTES
DECEMBER 8, 2016
6:00 P.M.

The Planning and Zoning Commission of the City of Vestavia Hills met in regular session on this date at 6:00 P.M. following posting/publication as required by Alabama law. The roll was called with the following:

MEMBERS PRESENT:

Lyle Larson, Chairman
Cheryl Cobb
Fred Goodwin
Deloye Burrell
Greg Gilchrist
Brian Wolfe
Blaine House
Rusty Weaver
Jim Brooks

MEMBERS ABSENT:

OTHER OFFICIALS PRESENT:

Conrad Garrison, City Planner
Christopher Brady, City Engineer

APPROVAL OF MINUTES

Mr. Visintaner stated that the minutes of the meeting of November 10, 2016 are presented for approval.

MOTION Motion to approve minutes as presented was by Mr. Gilchrist and second was by Mr. Burrell. Voice vote as follows:

Mr. Goodwin – yes
Mr. Brooks – yes
Mr. Goodwin – yes
Mr. Wolfe – yes

Mr. Burrell – yes
Mr. Weaver – yes
Mr. Gilchrist – yes
Mr. Cobb – yes

Mr. Larson – yes
Motion carried

Consent Agenda/Final Plats:

- A. **P-1216-46** Mary Love Dearman Is Requesting **Final Plat Approval For Resurvey of Lots 12 and 13 of the Amended Map of Millbrook Estates** The Purpose For This Request Is To Resurvey Lot Lines. The Property Is Owned By Mary Love Dearman, Kondal Kyanam, and Ahana Vedre And Is Zoned Vestavia Hills E-2.

- B. **P-1216-49** Pamela Drake Barefield & Larry D. Argo Are Requesting **Final Plat Approval For Resurvey of Barefield’s Addition to Old Overton River Estates First Sector.** The Purpose For This Request Is To Resurvey Lots 405-B, 407, and 408. The Property Is Owned By Pamela Drake Barefield & Larry D. Argo And Is Zoned Vestavia Hills PR-1.

- B. **P-1216-50** April & Emmanuel Benetollo Are Requesting **Final Plat Approval For Resurvey of Lots 56 and 57, Amended Map of River Run, Sector 6.** The Purpose For This Request Is To Combine Lots. The Property Is Owned By April & Emmanuel Benetollo And Is Zoned Vestavia Hills R-2.

MOTION Mr. Gilchrist made a motion to recommend approval of items A, B, & C. Second was by Mr. Goodwin. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Burrell – yes
Mr. Brooks – yes	Mr. Weaver – yes
Mr. Goodwin – yes	Mr. Gilchrist – yes
Mr. Wolfe – yes	Mr. Cobb – yes
Mr. Larson – yes	
Motion carried	

Rezoning/Conditional Use Recommendations:

- (2) **P-1216-47** Andree Joyce Stoves Is Requesting **Rezoning for 3104 Timberlake Rd. from Vestavia Hills R-1 and Vestavia Hills B-1.2** For The Purpose Of Restaurant Development.

Mr. Garrison explained the background and location of the request.

Claude Tindle discussed the rezoning plan, site layout and building design.

Mr. Larson opened the floor for a public hearing.

Anne Jullian was concerned about traffic on Timberlake Rd.

Mr. Brady gave an update on road improvements in the area.

The Commission asked Mr. Brady if City signage could be installed to prevent traffic. Mr. Brady stated it could.

Mr. Larson closed the public hearing and opened the floor for motion.

MOTION Mr. Wolfe made a motion to recommend rezoning approval of 3104 Timberlake Rd. from Vestavia Hills R-1 To Vestavia Hills B-1.2 with the following condition:

1. Appropriate signage is installed to deter drivers from continuing down Timberlake Rd.

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

Mr. Goodwin – yes
Mr. Brooks – yes
Mr. Goodwin – yes
Mr. Wolfe – yes
Mr. Larson – yes
Motion carried

Mr. Burrell – yes
Mr. Weaver – yes
Mr. Gilchrist – yes
Mr. Cobb – yes

Conrad Garrison, City Planner

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

Date: **JANUARY 12, 2017**

- **CASE:** P-0117-01
- **REQUESTED ACTION:** Final Plat Approval For Liberty Park Town Village Commercial Subdivision
- **ADDRESS/LOCATION:** Intersection of Liberty Parkway & South Liberty Road
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
- **REPRESENTING AGENT:** Schoel Engineering
- **GENERAL DISCUSSION:** Plat is to resurvey acreage into one lot. Additionally, as allowed by the Liberty Park PUD, Liberty Park Joint Venture may change the zoning on land through plat on up to 5% of the PUD through plat, which LPJV is doing here. The land use change is required for the construction of a gas station.
- **LIBERTY PARK PUD:** This request is consistent with the policies and procedures of the Liberty Park PUD.
- **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:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted
 4. **Building Safety Review:** No problems noted

P0117-01//28-13-1-1-2
1120 South Liberty Rd.
Final Plat to divide into 2 lots
Liberty Park Joint Venture
PUD-PB

P&Z Application
Page 3

**CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
FINAL MAP APPLICATION**

II. APPLICANT INFORMATION: (owner of property)

NAME: Liberty Park Joint Venture

ADDRESS: 8000 Liberty Parkway, Suite 114

Vestavia, AL 35242

MAILING ADDRESS (if different from above)

PHONE NUMBER: Home _____ Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

Walter Schoel Engineering

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: Subdividing acreage into 2 lots

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

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

Being a subdivision of acreage situated in the SE 1/4 of the SE 1/4 of Section 12 and the NE 1/4 of the NE 1/4

of Section 13, Both in Township 18 South Range 1 West

Property size: _____ feet X _____ feet. Acres: 5.10+/-

VI. ZONING/REZONING:

The above described property is presently zoned: **PR-1**

P0117-01//28-13-1-1-2
1120 South Liberty Rd.
Final Plat to divide into 2 lots
Liberty Park Joint Venture
PUD-PB

P&Z Application
Page 4

VI. OWNER AFFIDAVIT:

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.

[Signature] 12-21-16
Owner Signature/Date

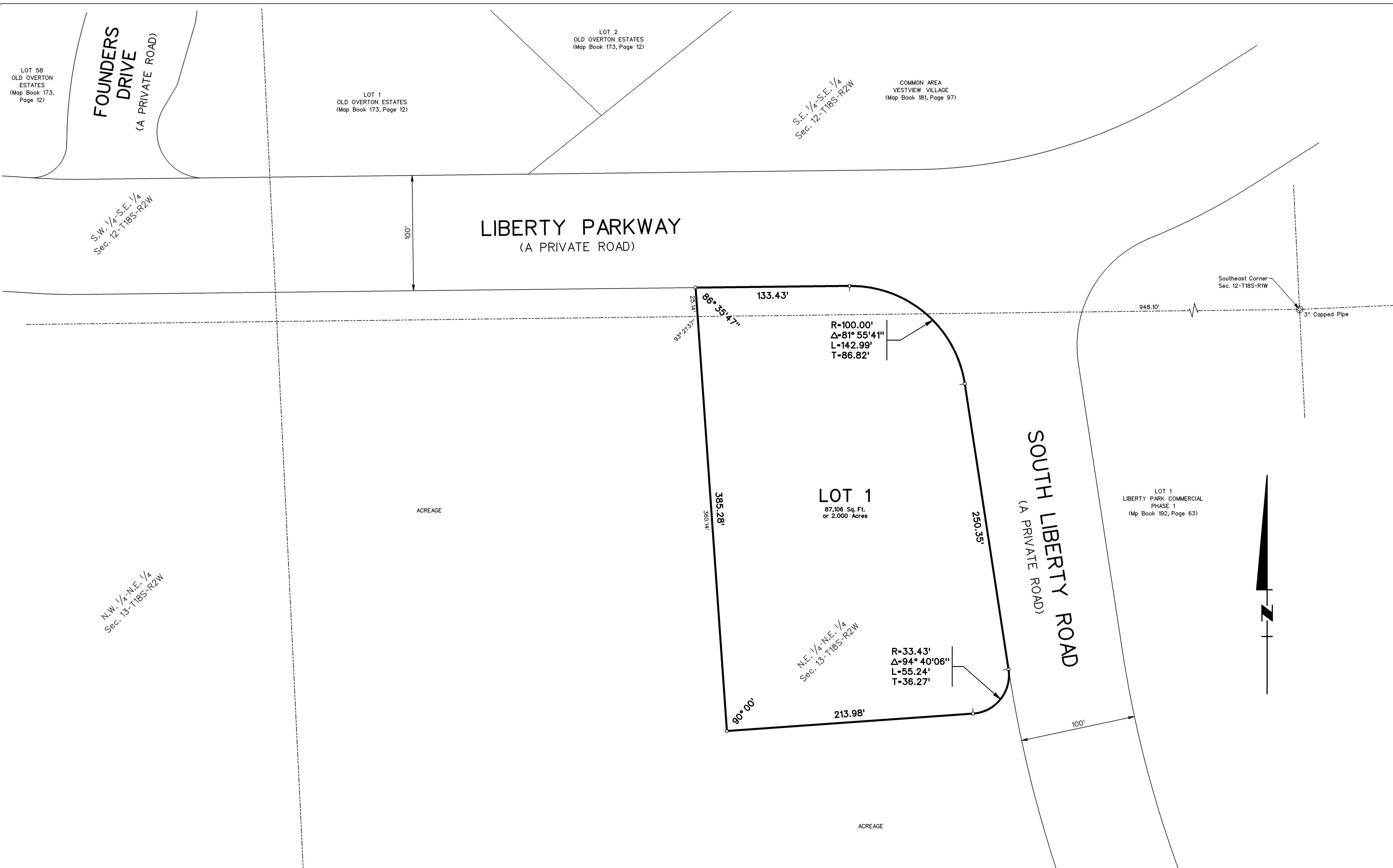
[Signature] 12/21/16
Representing Agent (if any)/date

Given under my hand and seal
this 21st day of December, 2014.

[Signature]
Notary Public



My commission expires 24th
day of October, 2018.



STATE OF ALABAMA
JEFFERSON COUNTY

I, Joseph F. Breighner, Jr., a Registered Professional Land Surveyor in the State of Alabama, and Liberty Park Joint Venture, LLP, Owner, hereby certify that this plat or map was made pursuant to a survey made by said Surveyor and that said survey and this plat or map were made at the instance of said Owner; that this plat or map is a true and correct plat or map of the lands shown therein and known or to be known as LIBERTY PARK TOWN VILLAGE COMMERCIAL SUBDIVISION, showing the subdivisions into which it is proposed to divide said lands, giving the length and angles of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearing, width, length, and name of each street, as well as the number of each lot and block and showing the relation of the lands to Liberty Park Commercial Phase I, as recorded in Map Book 192, Page 63, Vestview Village, as recorded in Map Book 181, Page 97 and Old Overton River Estates, as recorded in Map Book 173, Page 12, all in the office of the Judge of Probate of Jefferson County, Alabama and the government survey of the S.E. 1/4 of the S.E. 1/4 of Section 12 and the N.E. 1/4 of the N.E. 1/4 of Section 13, both in Township 18 South, Range 2 West, Jefferson County, Alabama; and that iron pins or other appropriate monumentation have been installed at all lot corners (or reference points to lot corners) and curve points as shown and designated by small open circles on said plat or map. This survey and drawing of the parcel described hereon, were made by individuals under my supervision, based on knowledge and information in accordance with commonly accepted procedures consistent with applicable standards of practice and 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. Said Owner also certifies that they are the Owner of said lands and that the same are not subject to any mortgage.

WALTER SCHOEL ENGINEERING COMPANY, INC.



Joseph F. Breighner, Jr., Alabama License No. 17518

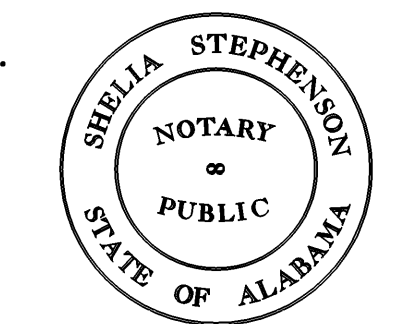
LIBERTY PARK JOINT VENTURE, LLP
A Limited Liability Partnership, Owner

By: Shawn Arterburn
Its Vice President of Development

STATE OF ALABAMA
JEFFERSON COUNTY

I, Shelia Stephenson, as Notary Public in and for said County and State, do hereby certify that Joseph F. Breighner, Jr., whose name is signed to the foregoing certificate as Surveyor, who is known to me, acknowledged before me, on this date that after having been duly informed of the contents of said certificate, he executed the same voluntarily as such Surveyor with full authority therefor.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the _____ day of _____, 2017.



Notary Public
My Commission Expires: _____

STATE OF ALABAMA
JEFFERSON COUNTY

I, _____, as Notary Public in and for said County and State, do hereby certify that Shawn Arterburn, whose name as Vice President of Development of Liberty Park Joint Venture, LLP, A Limited Liability Partnership, is signed to the foregoing certificate as Owner, who is known to me, acknowledged before me, on this date that after having been duly informed of the contents of said certificate, he executed the same voluntarily as such officer with full authority therefor.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the _____ day of _____, 2017.

Notary Public
My Commission Expires: _____

APPROVED: _____ DATE: _____
Vestavia Hills Planning & Zoning Commission

APPROVED: _____ DATE: _____
Vestavia Hills City Engineer

APPROVED: _____ DATE: _____
Vestavia Hills City Clerk

APPROVED: _____ DATE: _____
Jefferson County Department of Health

APPROVED IN FORMAT ONLY:

Director of Environmental Services _____ Date _____

Environmental Services Department approval indicates that easements have been dedicated for future Jefferson County sanitary sewers however this does not mean sanitary sewers have been built or will be built in the future. Any change in the Right-of-Way or Easement boundaries after this date may void this approval. Environmental Services acknowledges that the mains serving this property are owned by others.

File: G:/LIB/16/215/SURVEY/Docs/Liberty Park Town Village Commercial Subdivision.dwg

LIBERTY PARK TOWN VILLAGE COMMERCIAL SUBDIVISION

BEING A SUBDIVISION OF ACREAGE SITUATED IN
THE S.E. 1/4 OF THE S.E. 1/4 OF SECTION 12
AND THE N.E. 1/4 OF THE N.E. 1/4 OF SECTION 13,
BOTH IN TOWNSHIP 18 SOUTH, RANGE 2 WEST
JEFFERSON COUNTY, ALABAMA

SCALE: 1" = 50'

JANUARY, 2017



UTILITY SERVICE PROVIDERS:

1. Water - Public Mains System provided by Birmingham Water Works.
2. Sanitary - Provided by Enviro Services, LLC, a private utility.
3. Gas - Alabama Gas Corporation.
4. Power - Alabama Power Company.
5. Telephone - BellSouth Telecommunications.

NOTES:

1. Access to utilities for installation, maintenance and repair shall be governed by private agreement between the owner and the utility company.
2. All roads shown on this plat are private and are not dedicated by this plat.
3. The area within all setbacks is subject to easements for storm drainage.

LIBERTY PARK JOINT VENTURE, LLP

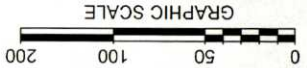
A LIMITED LIABILITY PARTNERSHIP
8000 LIBERTY PARKWAY, SUITE 114
BIRMINGHAM, ALABAMA 35242
(205) 945-6438

WALTER SCHOEL ENGINEERING COMPANY, INC.

1001 22ND STREET SOUTH
BIRMINGHAM, ALABAMA 35205
(205) 323-6166



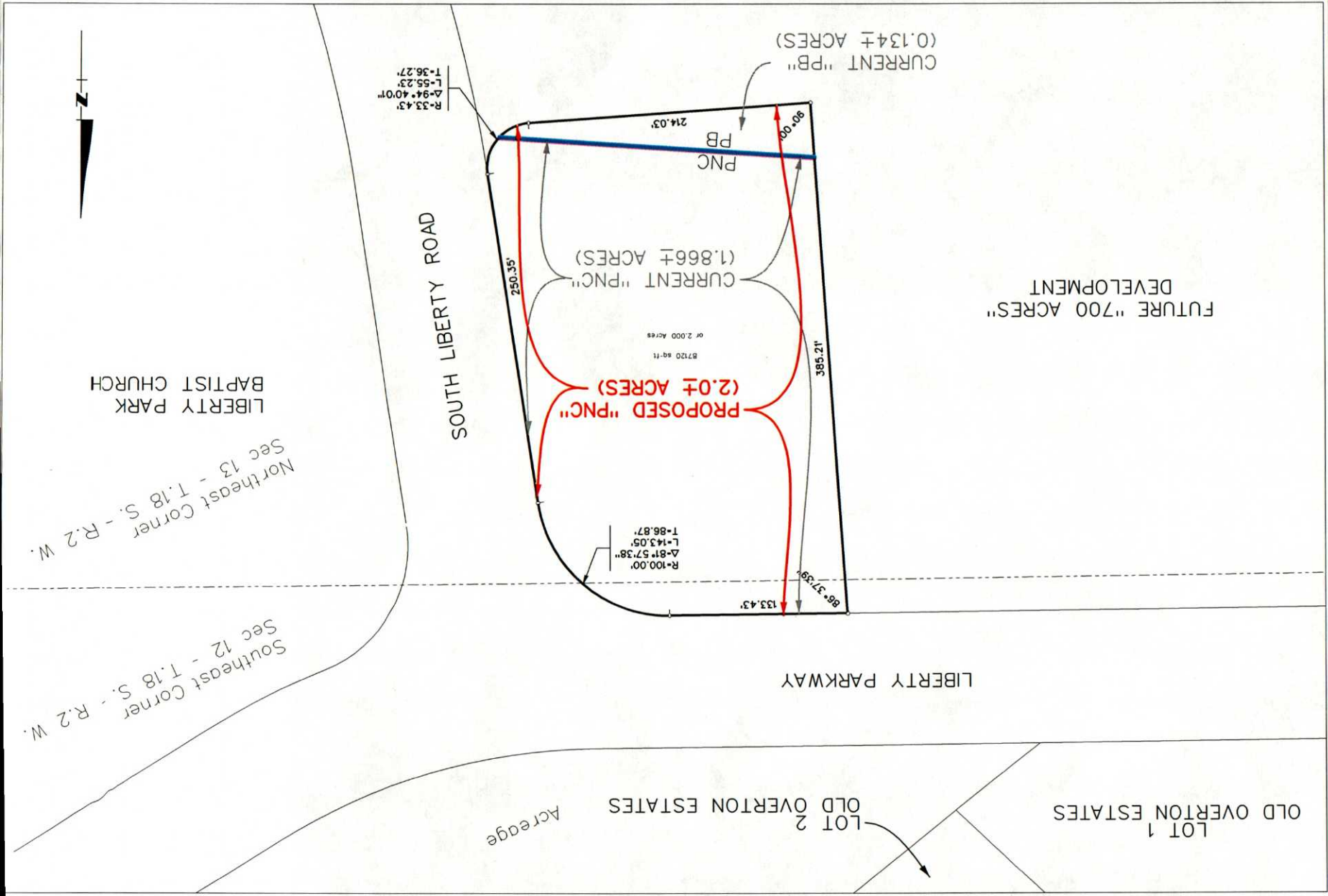
PROPOSED MINOR ZONING
BOUNDARY CHANGE
LIBERTY PARK JOINT VENTURE - 700 ACRES
VESTAVIA HILLS, ALABAMA



NOVEMBER 23, 2016

EXHIBIT 1

P0117-01//28-13-1-1-2
1120 South Liberty Rd.
Final Plat to divide into 2 lots
Liberty Park Joint Venture
PUD-PB



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

Date: JANUARY 12, 2017

- **CASE:** P-0117-02
- **REQUESTED ACTION:** Final Plat Approval For Lot 45 Beacon Hill Sparks Resurvey
- **ADDRESS/LOCATION:** 1969 Hickory Rd.
- **APPLICANT/OWNER:** Terry Sparks
- **REPRESENTING AGENT:** Andrew Lange
- **GENERAL DISCUSSION:** Plat is to resurvey lot to match deeded lot so applicant may obtain a building permit.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This 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:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted
 4. **Building Safety Review:** No problems noted

**CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
PRELIMINARY MAP APPLICATION**

2011 DEC 20 P 2:30

II. APPLICANT INFORMATION: (owner of property)

NAME: Terry Sparks
ADDRESS: 1969 Hickory Rd.
Vestavia Hills, AL 35216
MAILING ADDRESS (if different from above) SAME

PHONE NUMBER: Home 205-862-4745 Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

Andrew M. Lange (Drake Homes LLC)
2700 19th Place South Suite 200 Homewood 35209

paying postage

III. ACTION REQUESTED

Preliminary Plat Approval

Explain reason for the request: Resurvey of lot that is
currently as three separate parcels.
if additional information is needed, please attached full description of request

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

Part of lot 45, Beacon Hill, as Rec. in office of Judge
of Probate, Telf. Co., MB 26, P 34, (see Attached)

Property size: 135 feet X 163 feet. Acres: 21,019 sq .48 Acre

VI. ZONING/REZONING:

The above described property is presently zoned: R-3

P0117-03//28-19-3-5-5
1969 Hickory Rd.
Prelim. Map to combine lots
Terry Sparks

VI. OWNER AFFIDAVIT:

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.

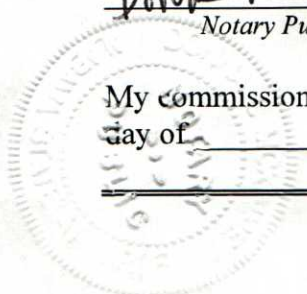
Terry Sparks 12-19-16
Owner Signature/Date

[Signature] 12/20/16
Representing Agent (if any)/date

Given under my hand and seal
this 19th day of December, 2016.

[Signature]
Notary Public

My commission expires 6-3-20
day of _____, 20____.



I, GARRY BANNISTER, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, AND THE UNDERSIGNED AS AN AUTHORIZED REPRESENTATIVE OF THE OWNER OF THE LANDS SHOWN HEREON HEREBY STATE THAT THIS PLAT OR MAP WAS MADE PURSUANT TO A SURVEY MADE BY SAID SURVEYOR AND THAT SAID SURVEY AND THIS PLAT OR MAP WERE MADE AT THE INSTANCE OF SAID OWNER. GARRY BANNISTER, SURVEYOR, FURTHER STATES THAT THIS PLAT OR MAP IS A TRUE AND CORRECT MAP OF LANDS SHOWN THEREIN AND KNOWN AS OR TO BE KNOWN AS "LOT 45 BEACON HILL SPARKS RESURVEY" SHOWING THE DIVISIONS INTO WHICH IT IS PROPOSED TO DIVIDE SAID LANDS, GIVEN THE LENGTH AND ANGLES OF THE BOUNDARIES OF EACH LOT AND ITS NUMBER, SHOWING THE STREETS, ALLEYS, AND PUBLIC LANDS GIVEN THE LENGTH, WIDTH AND NAME OF EACH STREET, AS WELL AS THE NUMBER OF EACH LOT AND BLOCK AND THAT IRON PINS HAVE BEEN INSTALLED AT ALL LOT CORNERS AS SHOWN AND DESIGNATED BY SMALL OPEN CIRCLES ON SAID MAP OR PLAT. SAID OWNER ALSO CERTIFIES THAT IT IS THE OWNER OF SAID LANDS AND THAT THE SAME ARE NOT SUBJECT TO A MORTGAGE EXCEPT A MORTGAGE FROM WELLS FARGO HOME MORTGAGE.

LOT 45 BEACON HILL SPARKS RESURVEY

Being a resurvey of part of Lot 45 according to the plat of Beacon Hill as recorded in MB. 26, PG. 34 in the office of the Probate Judge of Jefferson County, Alabama and situated in the Southwest 1/4 of Section 19, Township 18 South, Range 2 West, in the City of Vestavia Hills, Alabama

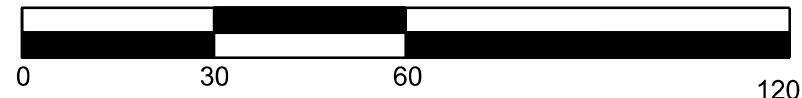


SURVEY FOR CITY REVIEW AND COMMENT ONLY

DATE _____
 Garry Bannister, PLS
 Alabama Reg. No. 24325
 Further, I hereby 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.

SCALE : 1" = 30'

December 28, 2016



Notes:

- The purpose of this resurvey is to create a single lot out of the portion of Lot 45, Beacon Hill, that is described in the deed recorded in Bk: LR:200613, Pg:27767 in the Office of the Judge of Probate of Jefferson County, Alabama.
- This property is located within Flood Zone X (outside the special flood hazard area).

State of Alabama
 County of Jefferson

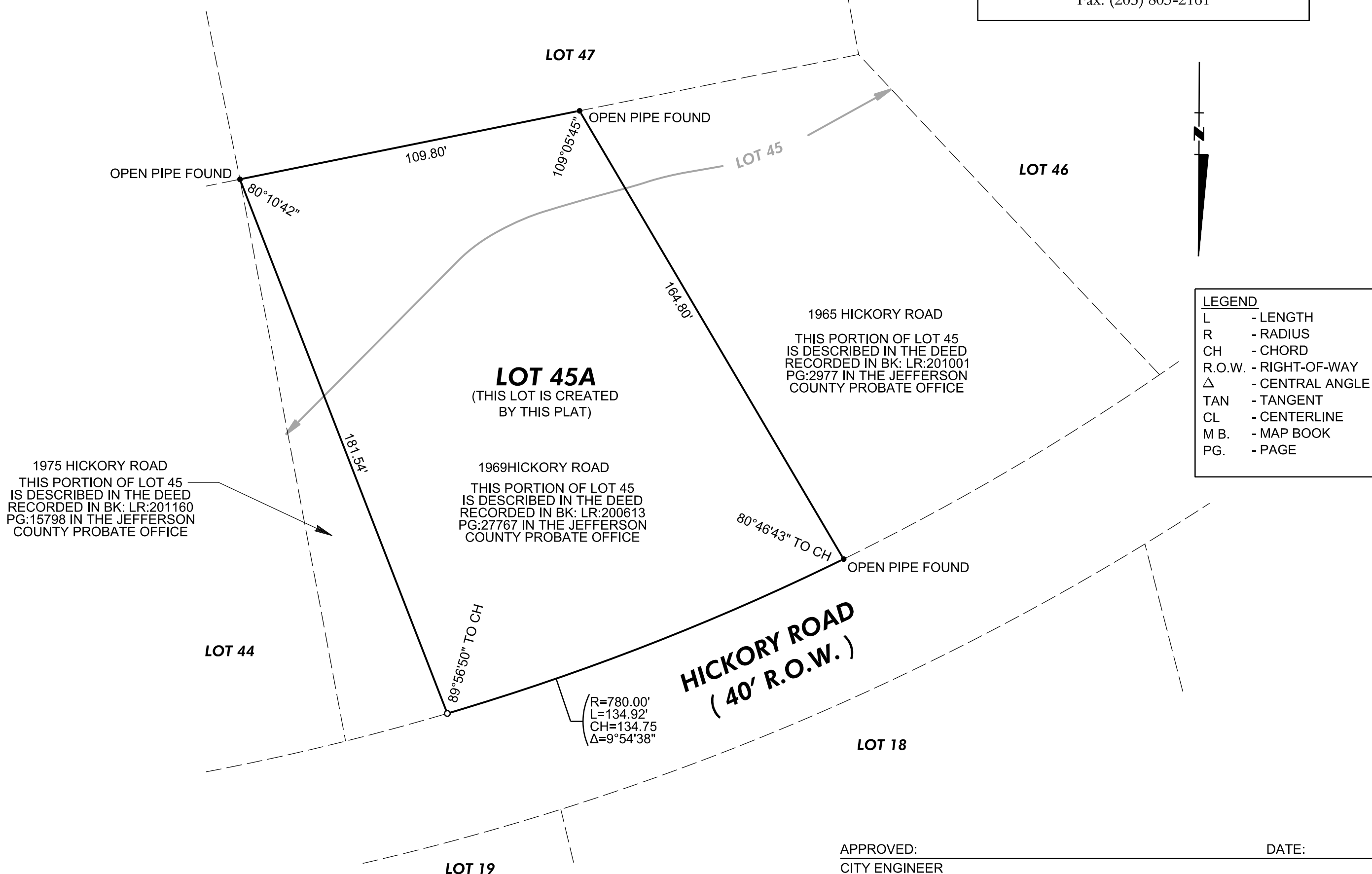
I, the undersigned, a Notary Public in and for said County and State hereby certify that Garry Bannister, whose name as surveyor is signed to the foregoing plat, and who is known to me, acknowledged before me on this day that, being informed of the contents thereof, he executed the same voluntarily.

Given under my hand and seal this _____ day of _____, 2016.

My Commission Expires _____
 Notary Public

Alabama Engineering Co., Inc.

2 Office Park Circle, Suite 11
 Birmingham, Alabama 35223
 Phone: (205) 803-2161
 Fax: (205) 803-2161



State of Alabama
 County of Jefferson

I, the undersigned, a Notary Public in and for said County and State hereby certify that Terry and Anne Sparks, whose name is signed to the foregoing plat as an owner of Lot 45A and who are known to me, acknowledged before me, on this date that after having being duly informed of the contents of said certificates, they executed the same voluntarily as such individuals with full authority thereof.

Given under my hand and seal this _____ day of _____, 2016.

My Commission Expires _____
 Notary Public

DATE _____
 BY: TERRY L. SPARKS, OWNER LOT 45A

DATE _____
 BY: ANNE M. SPARKS, OWNER LOT 45A

State of Alabama
 County of Jefferson

I, the undersigned, a Notary Public in and for said County and State hereby certify that _____ whose name is signed to the foregoing plat as an authorized representative of Wells Fargo Home Mortgage, acknowledged before me, on this date that after having being duly informed of the contents of said certificates, and executed the same voluntarily as such individual with full authority thereof.

Given under my hand and seal this _____ day of _____, 2016.

My Commission Expires _____
 Notary Public

Acknowledged by:

DATE _____
 Wells Fargo Home Mortgage

APPROVED: _____ DATE: _____
 CITY ENGINEER

APPROVED: _____ DATE: _____
 CHAIRMAN VESTAVIA HILLS PLANNING & ZONING COMMISSION

APPROVED: _____ DATE: _____
 CITY CLERK

ACKNOWLEDGED BY:

DATE _____
 DIRECTOR, ENVIRONMENTAL SERVICES DEPARTMENT

Environmental Services Department approval indicates that easements have been dedicated for future Jefferson County sanitary sewers, however this does not mean sanitary sewers have been built or will be built in the future. Any change in any Right of Way or Easement boundaries after this date may VOID this approval.

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

Date: JANUARY 12, 2017

- **CASE:** P-0117-04
- **REQUESTED ACTION:** Final Plat Approval For Gentry's Resurvey
- **ADDRESS/LOCATION:** 312 Granada Dr.
- **APPLICANT/OWNER:** Jeff Gentry
- **REPRESENTING AGENT:** Gary Smith
- **GENERAL DISCUSSION:** Plat is to resurvey lot to match deeded lot so applicant may obtain a building permit. Applicant will obtain a variance for lot width before signature and recording.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This 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:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted
 4. **Building Safety Review:** No problems noted

**CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
FINAL MAP APPLICATION**

2016 DEC 28 P 4: 30

II. APPLICANT INFORMATION: (owner of property)

NAME: Jeff Gentry

ADDRESS: 312 Granada Dr
Vestavia, AL 35216

MAILING ADDRESS (if different from above) 3409 WaterOak Dr.
Vestavia 35243

PHONE NUMBER: Home _____ Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____
Gary Smith Jr

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: re survey

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

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

312 Granada Dr.

Property size: _____ feet X _____ feet. Acres: _____

VI. ZONING/REZONING:

The above described property is presently zoned: R-2

VI. OWNER AFFIDAVIT:

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.

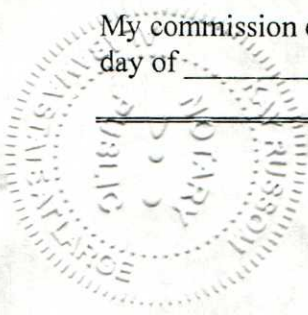
Jeff Gentry 12/28/2016
Owner Signature/Date Representing Agent (if any)/date

Given under my hand and seal
this 28 day of December, 2016.

Kay Russon
Notary Public

My Commission Expires
November 8, 2020

My commission expires _____
day of _____, 20____.



GENTRY'S RESURVEY

P0117-04/28-19-4-7-11
312 Granada Drive
Final Map to combine lots
Jeff Gentry

OF

LOTS 7 & THE S 1/2 OF LOT 6, BLOCK 10
BILTMORE ESTATE AS RECORDED IN MAP BOOK 17, PAGE 59

STATE OF ALABAMA
COUNTY OF JEFFERSON

THE UNDERSIGNED, KARL HAGER, A REGISTERED PROFESSIONAL LAND SURVEYOR, AND JEFF AND RACHEL GENTRY, OWNERS HEREBY CERTIFY THAT THIS PLAT OR MAP WAS MADE AT THE INSTANCE OF SAID OWNERS; CITY OF VESTAVIA HILLS, THAT THIS PLAT OR MAP IS A TRUE AND CORRECT MAP OF LANDS SHOWN THEREIN AND KNOWN AS GENTRY'S RESURVEY OF LOTS 7, AND THE SOUTH 1/2 OF LOT 6, BLOCK 10, BEACON HILL 1ST ADDITION AS RECORDED IN MAP BOOK 31, PAGE 61, SHOWING THE SUBDIVISIONS INTO WHICH IT IS PROPOSED TO DIVIDE SAID LANDS, GIVING THE LENGTH AND ANGLES OF THE BOUNDARIES OF EACH LOT, SHOWING THE STREETS, ALLEYS, AND PUBLIC GROUNDS, GIVING THE LENGTH, WIDTH AND NAME OF EACH STREET, AS WELL AS THE NUMBER OF EACH LOT AND BLOCK, AND SHOWING THE RELATION OF THE LANDS TO THE GOVERNMENT SURVEY; AND THAT IRON PINS HAVE BEEN INSTALLED AT ALL LOT CORNERS AND CURVE POINTS AS SHOWN AND DESIGNATED BY SMALL CIRCLES ON SAID PLAT OR MAP. SAID OWNER OWNERS CERTIFIES THAT THEY ARE THE OWNERS OF SAID LANDS AND THAT THE SAME ARE NOT SUBJECT TO MORTGAGE.

JEFF GENTRY, OWNER _____ DATE _____ RACHEL GENTRY, OWNER _____ DATE _____

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY JEFF GENTRY, OWNER WHOSES NAME IS SIGNED TO THE FORGOING CERTIFICATE AS OWNER AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE, THAT AFTER HAVING BEEN DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, HE EXECUTED SAME VOLUNTARILY AS SUCH INDIVIDUAL WITH FULL AUTHORITY THEREOF.

GIVEN UNDER MY HAND AND SEAL, THIS THE _____ DAY OF _____, 2016

NOTARY PUBLIC:
MY COMMISSION EXPIRES ON: _____

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY RACHEL GENTRY, OWNER WHOSES NAME IS SIGNED TO THE FORGOING CERTIFICATE AS OWNER AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE, THAT AFTER HAVING BEEN DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, HE EXECUTED SAME VOLUNTARILY AS SUCH INDIVIDUAL WITH FULL AUTHORITY THEREOF.

GIVEN UNDER MY HAND AND SEAL, THIS THE _____ DAY OF _____, 2016

NOTARY PUBLIC:
MY COMMISSION EXPIRES ON: _____

CERTIFIED THAT THIS PLAT IS AN ACCURATE SURVEY OF THE SUBDIVISION AND THAT ALL MONUMENTS HAVE BEEN ERECTED AS REPRESENTED.

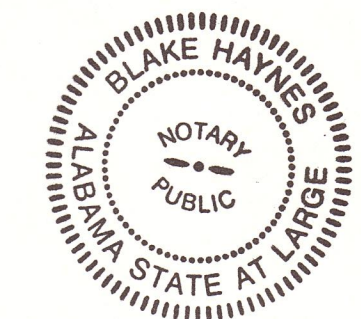
Karl Hager 12-15-16
KARL HAGER, LAND SURVEYOR DATE

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY KARL HAGER, AS SURVEYOR WHOSES NAME IS SIGNED TO THE FORGOING CERTIFICATE AS SURVEYOR AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE, THAT AFTER HAVING BEEN DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, HE EXECUTED SAME VOLUNTARILY AS SUCH INDIVIDUAL WITH FULL AUTHORITY THEREOF.

GIVEN UNDER MY HAND AND SEAL, THIS THE 15th DAY OF DEC., 2016

Blake Haynes
NOTARY PUBLIC
MY COMMISSION EXPIRES ON: 3-3-20



APPROVED _____ DATE _____
DIRECTOR JEFFERSON COUNTY ENVIRONMENTAL SERVICES

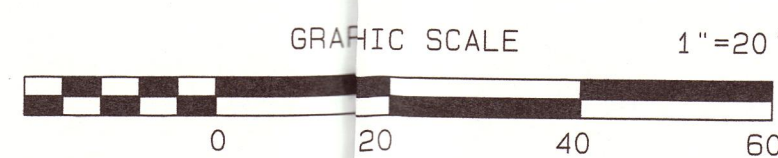
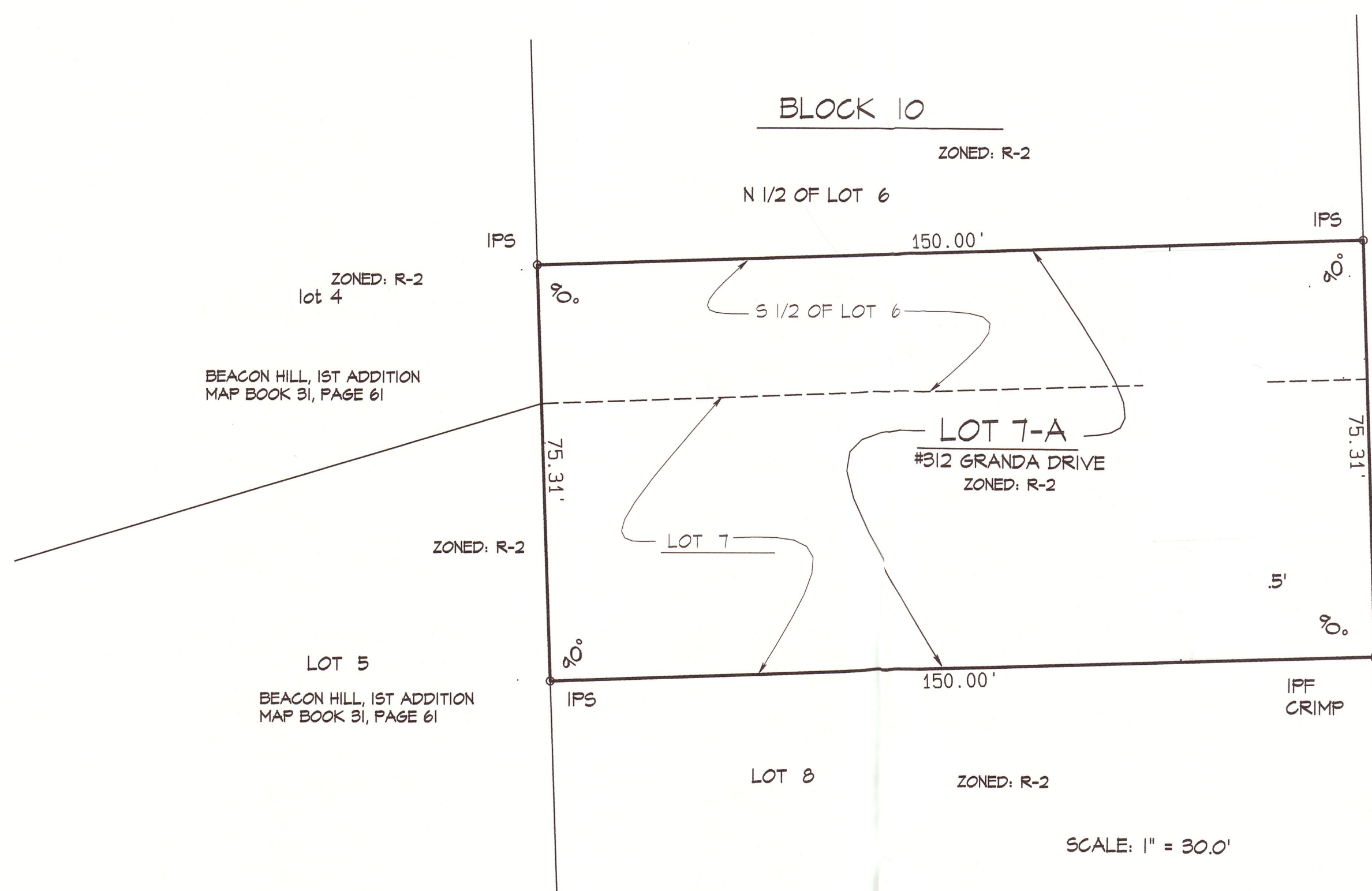
ENVIRONMENTAL SERVICES DEPARTMENT APPROVAL INDICATES THAT EASEMENTS HAVE BEEN DEDICATED FOR FUTURE JEFFERSON COUNTY SANITARY SEWERS HAVE BEEN BUILT OR WILL BE BUILT IN THE FUTURE. ANY CHANGE IN THIRIGHT OF WAY OR ANY CHANGE IN ANY RIGHT OF WAY OR EASEMENT BOUNDARIES AFTER THIS DATE MAY VOID THIS APPROVAL.

APPROVED: _____ DATE _____
CITY ENGINEER

APPROVED: _____ DATE _____
PLANNING AND ZONING CHAIRMAN

APPROVED: _____ DATE _____
CITY PLANNER

APPROVED: _____ DATE _____



REVISION	DATE
1	
2	
3	
4	
5	

PROJECT MANAGER: KARL HAGER
DRAWN BY: KARL HAGER
CHECKED BY: KARL HAGER
APPROVED BY: KARL HAGER
REG. NO.: 11848
REG. STATE: AL

HAGER COMPANY, INC
1825-D 12TH AVENUE N. RESENER, ALABAMA 35020 PH: 624-4235

ACCOUNT: 1876
DATE: 12-15-16
DESIGNED BY: KARL HAGER
DRAWN BY: KARL HAGER
CHECKED BY: KARL HAGER
APPROVED BY: KARL HAGER

GENTRY RESURVEY

DRAWING SHEET 1 OF 1

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

Date: JANUARY 12, 2017

- **CASE:** P-1216-48
- **REQUESTED ACTION:** Rezoning from Vestavia Hills R-1 To Vestavia Hills B-1
- **ADDRESS/LOCATION:** 4557 & 4553 Pine Tree Circle
- **APPLICANT/OWNER:** Edward Jones & Marion Jones and Bobby & Judy Long
- **REPRESENTING AGENT:** Len Shannon
- **GENERAL DISCUSSION:** Property is on the NE corner of Pine Tree Circle. Applicants are seeking rezoning to build three buildings (17,654 sq. ft. +/-). The proposed building meets all requirements of a B-1 zoning, including parking and buffering. The property is bordered on both sides by R-1 zoning. The applicants show no sidewalks but staff asks that sidewalks be installed or the applicants contribute to the sidewalk fund as a condition of rezoning. No renderings have been included, however, staff asked that building design be residential in nature as a condition of rezoning (the architect for the project has designed other projects in the Blue Lake area). A proposed site plan and landscaping plan are attached.
- **CAHABA HEIGHTS COMMUNITY PLAN:** The request is consistent with the Cahaba Heights Community Plan for limited mixed use.
- **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: Recommend approval with the following conditions:

 - A. Buildings be designed in a residential style;
 - B. Developers either build a sidewalk along their frontage or contribute to City sidewalk fund;
 - C. Lots must be resurveyed and plat recorded for zoning to take effect.

2. **City Engineer Review:** I have reviewed the application and will review drainage.
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.

P1216-48//28-27-4-1-21 & 22
4557 & 4553 Pine Tree Circle
Rezoning from R-1 to B-1
Jones & Long R-1

P&Z Application
Page 4

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 it 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: Edward G Jones + Marion J Jones

ADDRESS: 4557 Pine Tree Circle

Vestavia, AL 35243

MAILING ADDRESS (if different from above) 225 23rd Terrace N.W

Center Point, AL 35215

PHONE NUMBER: Home 205-853-3478 Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

P1216-48//28-27-4-1-21 & 22
4557 & 4553 Pine Tree Circle
Rezoning from R-1 to B-1
Jones & Long R-1

P&Z Application
Page 5

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: E2 R-1

To: B-1

For the intended purpose of: _____

(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.)

Lot 14 Topfield Sub.

Property size: 146 feet X 182 feet. Acres: .61

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.

x Edward G Jones

x Marcin Jones 10/31/16

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 31st day of October, 2016.

Hail Palmer
Notary Public

My commission expires May 16, 2017
day of June, 2017.

P1216-48//28-27-4-1-21 & 22
4557 & 4553 Pine Tree Circle
Rezoning from R-1 to B-1
Jones & Long R-1

F&Z Application
Page 4

CITY OF VESTAVIA HILLS

APPLICATION

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- (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: Bobby D + Judy Long

ADDRESS: 4553 Pine Tree Cir
Vestavia, AL

MAILING ADDRESS (if different from above) _____

256 Woodland Hills Drive, Springville, AL

PHONE NUMBER: Home 205-447-4553 Office 35146

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

P1216-48//28-27-4-1-21 & 22
4557 & 4553 Pine Tree Circle
Rezoning from R-1 to B-1
Jones & Long R-1

P&Z Application
Page 5

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: EA R-1

To: B-1

For the intended purpose of: _____

(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.)

Lot 15 Topfield Sub

Property size: 83.8 feet X 225[±]PR feet. Acres: 1.09

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.

Judy W Long
Owner Signature/Date

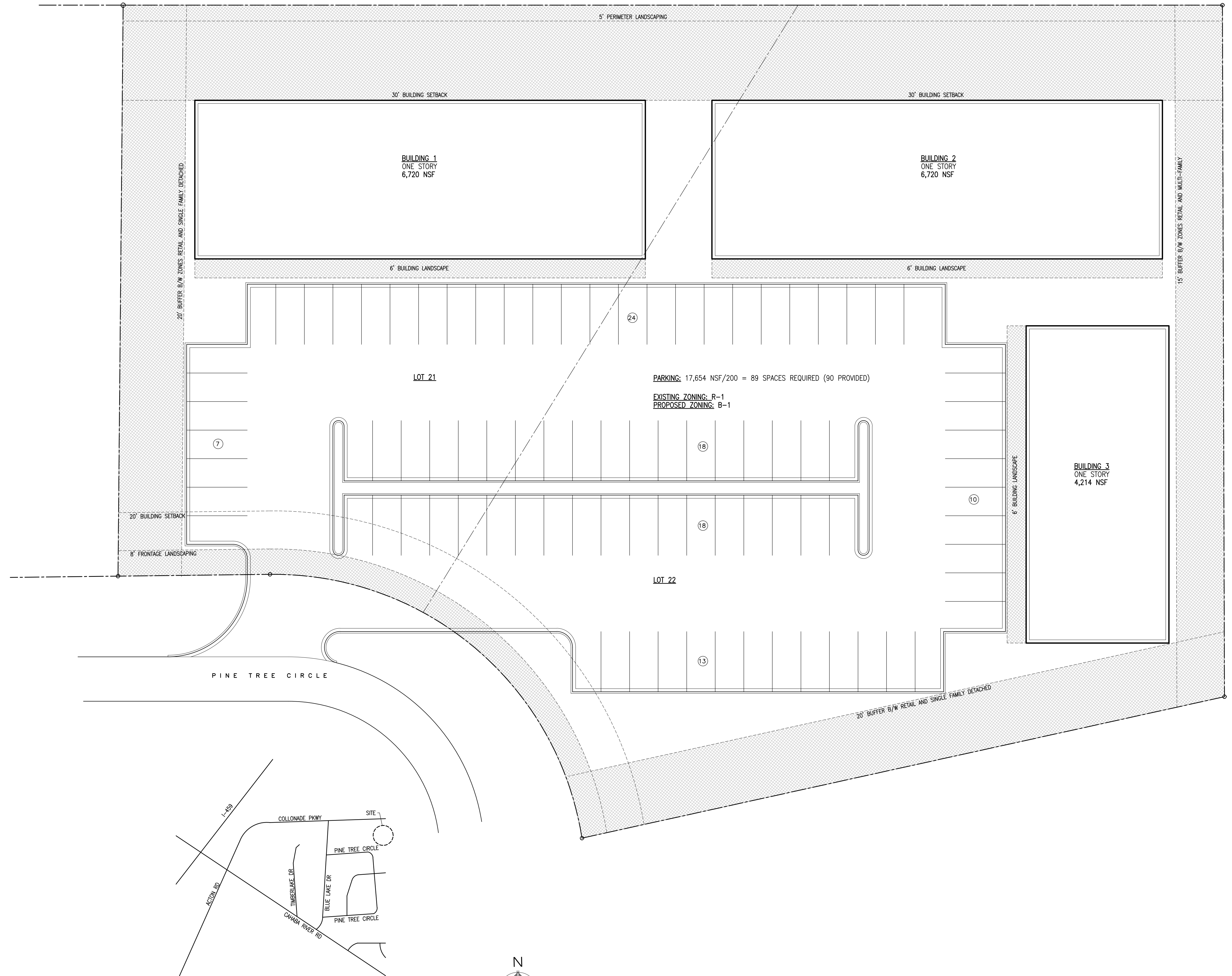
Representing Agent (if any)/date

Given under my hand and seal
this 1st day of November, 2016.

Felicia Rutledge
Notary Public

My commission expires 07-07-2019
day of _____, 20____.

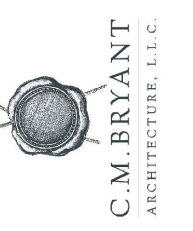




2 VICINITY MAP
 SCALE: NTS

1 SITE PLAN
 SCALE: 1/16"=1'-0"

NEW OFFICE BUILDINGS FOR:
SHANNON PINE TREE CIRCLE LOTS 21 & 22
 PINE TREE CIRCLE, VESTAVIA HILLS, ALABAMA, 35243



DATE: 11/02/18
 PREPARED BY: C.M. BRYANT ARCHITECTURAL, L.L.C.
 REVISIONS SUBMITTAL TO CITY



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

Date: JANUARY 12, 2017

- **CASE:** P-0117-02
- **REQUESTED ACTION:** Conditional Use Approval for a home based business
- **ADDRESS/LOCATION:** 517 Lake Colony Dr.
- **APPLICANT/OWNER:** Eric Eitzen
- **GENERAL DISCUSSION:** The applicant wishes to conduct a home based business in Liberty Park. As required by the Liberty Park PUD a conditional use permit is required for a home based business. A description of the applicants business, as well as an approval letter from Liberty Park is attached. The property is zoned PR-1.
- **LIBERTY PARK MASTER PLAN:** This request is consistent with the procedures of the Liberty Park PUD.
- **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: I recommend the Commission recommend approval with the following conditions:

1. Home occupations shall be conducted only in the principal dwelling. No more than twenty-five (25) percent, up to 500 sq. ft., of the dwelling may be used for a home occupation.
2. There shall be no outdoor display or storage associated with the home occupation and no commodities shall be sold on the premises other than by phone, mail or internet. No goods shall be delivered to a purchaser on the premises.
3. No sign may be attached to the dwelling or any part of the real estate advertising any home occupation.
4. No home occupation shall be permitted if it creates noise, odors, vibrations or traffic congestion, which interferes with the residential qualities of the neighborhood insofar as health, safety, morals, convenience and general welfare are concerned.

5. In order to be a permitted home occupation, the use must be one which is habitually, customarily, and commonly established as a reasonable incidental, accessory, subordinate and secondary use. The existing dwelling shall not be enlarged to accommodate the home occupation; nor shall any accessory structure be built for the purpose of operating the home occupation.

6. No home occupation shall be permitted that requires the operation or keeping on premises of a commercial vehicle.

7. No persons other than members of the family residing on the premises shall be employed by the home occupation.

8. Home occupations shall be limited to the hours between 7:00 a.m. and 10:00 p.m.

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.

CITY OF VESTAVIA HILLS

APPLICATION

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

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- (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: MR. ERIC L. EITZEN

ADDRESS: 517 LAKE COLONY DRIVE
VESTAVIA HILLS, AL 35242

MAILING ADDRESS (if different from above) —

PHONE NUMBER: Home (205) 969-3589 CELL (205) 915-2354
Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: NONE

III. ACTION REQUESTED

Request that the above described property be approved conditional use approval pursuant to Section 709.5.A.1.b of the Vestavia Hills Zoning Code.

OF ORDINANCE NUMBER 1838

Current Zoning of Property: VESTAVIA HILLS PUD-PR-1

Requested Conditional use For the intended purpose of: CONSULTING BUSINESS -

CONSTRUCTION COST ESTIMATING / PRECONSTRUCTION SERVICES

(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.)

LOT 17, VESTLAKE VILLAGE 4TH SECTOR PHASE 1, MAP VOLUME 188, pg 9
(LAKE COLONY) 517 LAKE COLONY DRIVE, VESTAVIA HILLS, AL 35242

Property size: ~206.3' feet X ~119.4' feet. Acres: 0.56

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.

[Signature]
Owner Signature/Date

N.A.
Representing Agent (if any)/date

Given under my hand and seal
this 7 day of December, 2016.

[Signature]
Notary Public

My commission expires 09-23-2019 / September
day of 23, 2019.





November 20, 2016

LIBERTY PARK JOINT VENTURE, LLP

8000 Liberty Parkway, Suite 114

Vestavia Hills, Alabama 35242

ATTN: Ms. Pam Eaton

Executive Administrator - Master Owners' Association

VIA E-MAIL: arc-moa@libertypark.com

RE: Conditional Use Approval
517 Lake Colony Drive, Vestavia Hills, AL 35242

Dear Ms. Eaton:

I am seeking to obtain a Conditional Use Approval from the City of Vestavia Hills' Planning and Zoning Commission and City Council, allowing me to conduct business as a Home Occupation in Liberty Park. As such, I am first writing to seek approval from Liberty Park Joint Venture, LLP in regard to this matter.

My wife and I have lived in Liberty Park since 2003, during which time I have worked as Director of Preconstruction and a Partner at Robins & Morton. I have since decided to form an independent consulting business for the purpose of providing preconstruction services. First, let me assure you that my business would perform no actual construction, nor does it involve the use or presence of any commercial vehicles or signage or any type of thing that would be noticeable. Simply stated, my business involves the preparation of construction cost estimates for construction projects. More specifically, the conduct of my business would involve me reviewing construction drawings and specifications for commercial construction projects using specialized software programs on my home computer and providing clients with a professional opinion of the probable cost of construction, and periodically, traveling to the clients' offices for an occasional meeting or presentation.

I am the sole proprietor of my business and I have no employees, so there would be no employees coming and going from my home. As mentioned, meetings with my clients would always be held in their places of business, so there would be no traffic of that sort, either. My business involves no storage of inventory or other goods. Nor, would there be any business deliveries to my home, as my clients provide me with digital construction drawings (sent by e-mail), rather than conventional paper drawings delivered by courier. My business involves no type of repair work, and does not require or involve the presence of any vehicles or large equipment or machinery. In summary, the operation of the business from my home would not be visually or otherwise noticeable in any respects to my neighbors or the casual observer.

I would sincerely appreciate your favorable consideration of my request. If you have any questions or if you need any references or additional information, I would be happy to provide it.

Sincerely,

Eric L Eitzen

Eric L. Eitzen
EITZEN Preconstruction Services

Attachments: Weygand Survey - Lot 17, Vestlake Village

November 21, 2016

Rebecca Leavings, City Clerk
City of Vestavia Hills
Vestavia Hills City Hall
Vestavia Hills, Alabama 35216

Re: Eric L. Eitzen
517 Lake Colony Drive
Vestavia Hills, AL 35242

Dear Ms. Leavings:

We are writing in connection with the above matter. We understand Mr. Eric L., Eitzen is in the process of applying for a conditional use within the PR-1 (Planned Single-Family Residential) classification of the Liberty Park PUD to allow him to conduct a home occupation as a consultant in his residence.

We have no objection to the granting of the conditional use to allow a home occupation in this case, provided such use is made subject to the following restrictions:

1. There shall be no customer, client or employee traffic to, at or near the residence that is generated, directly or indirectly, by the home occupation;
2. There shall be no pick ups or deliveries to the residence that are related, directly or indirectly, to the home occupation, including without limitation, pick ups and deliveries by overnight courier services and pick ups and deliveries of inventory, samples or other goods and services related, directly or indirectly, to the home occupation;
3. There shall be no signage on the property related, directly or indirectly, to the home occupation; and
4. In all respects, there shall be no means, visual or otherwise, by which a casual observer would become aware that the residence is being used for any purpose other than strictly residential.

The foregoing restrictions are in keeping with the intent and spirit of the Liberty Park PUD and with the overall plan of development for Liberty Park as addressed in the Covenants, Conditions and Restrictions that are applicable to the subject property.

Rebecca Leavings
November 21, 2016
Page 2

Therefore, we respectfully request that if the Planning and Zoning Commission votes to approve the conditional use applied for in the above referenced matter, such approval will be made subject to the above and foregoing restrictions.

If you have questions or comments regarding this matter, or if we can assist in any other way, please call me at 281-3542.

Very truly yours,

LIBERTY PARK JOINT VENTURE, LLP

By: _____


Samuel G. Lowrey, III
Project Manager
and Authorized Representative

cc: Kathryn Carver, Esq.