

**CITY OF VESTAVIA HILLS**  
**PLANNING AND ZONING COMMISSION**

**AGENDA**

**JULY 14, 2016**

**6:00 P.M.**

Roll Call.

Pledge of Allegiance

Approval of Minutes: June 9, 2016

**Final Plats**

(1) **Consent Agenda:**

- A. **P-0716-32** Chris Freeman Is Requesting **Final Plat Approval** For **Freemans Biltmore Estate Resurvey**. The Purpose For This Request Is To Resurvey Lot Lines. The Property Is Owned By Chris Freeman and Is Zoned Vestavia Hills R-3.

Time of Adjournment.

**CITY OF VESTAVIA HILLS**  
**PLANNING AND ZONING COMMISSION**

**MINUTES**

**JUNE 7, 2016**

**5:00 P.M.**

The Planning and Zoning Commission met in a public work session in the North Conference Room at City Hall.

**MEMBERS PRESENT:**

Lyle Larson, Chairman  
Fred Goodwin  
Deloye Burrell  
Jim Brooks  
Jim Sharp  
Greg Gilchrist  
Blaine House  
Brian Wolfe

**MEMBERS ABSENT:**

Bill Visintainer

**OTHER OFFICIALS PRESENT:**

Conrad Garrison, City Planner  
Christopher Brady, City Engineer  
Rebecca Leavings, City Clerk

The Commission met to review cases on the June agenda, No action was taken.

**CITY OF VESTAVIA HILLS**  
**PLANNING AND ZONING COMMISSION**

**MINUTES**

**JUNE 9, 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  
Bill Visintainer  
Brian Wolfe  
Fred Goodwin  
Deloye Burrell  
Greg Gilchrist  
Jim Sharp  
Blaine House

**MEMBERS ABSENT:**

Jim Brooks

**OTHER OFFICIALS PRESENT:**

Conrad Garrison, City Planner  
Christopher Brady, City Engineer

**APPROVAL OF MINUTES**

Mr. Larson stated that the minutes of the meeting of May 12, 2016 are presented for approval.

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

Mr. Goodwin – yes  
Mr. Gilchrist – yes  
Mr. Wolfe – yes  
Mr. House – yes  
Motion carried.

Mr. Burrell – yes  
Mr. Sharp – yes  
Mr. Visintainer – yes  
Mr. Larson – yes

**Consent Agenda/Final Plats:**

- A. **P-0616-29** Kadco, LLC Is Requesting **Final Plat Approval** For **Resurvey of Lot 7 Rosemont Subdivision**. The Purpose For This Request Is To Add Recorded Easements To Lot. The Property Is Owned By Kadco, LLC and Is Zoned Vestavia Hills R-1.
  
- B. **P-0616-30** Stewart Abel Is Requesting **Final Plat Approval** For **Stewart Abel Living Trust Resurvey**. The Purpose For This Request Is To Amend Lot Lines. The Property Is Owned By Stewart Abel and Is Zoned Vestavia Hills B-2.

**MOTION** Mr. Gilchrist made a motion to approve items A & B. 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. Sharp – yes       |
| Mr. Wolfe – yes     | Mr. Visintainer – yes |
| Mr. House – yes     | Mr. Larson – yes      |
| Motion carried.     |                       |

**Final Plats:**

- C. **P-0616-31** Steelemont, LLC Is Requesting **Final Plat Approval** For **Steelemont Estates Subdivision Phase II**. The Purpose For This Request Is To Create 27 Lots from Three Existing Lots and Four Acreage Parcels. The Property Is Owned By Steelemont, LLC and Is Zoned Vestavia Hills R-9.

Brian Harris, engineer for the project, updated the Commission on the project and answered neighbors questions regarding drainage and landscaping.

**MOTION** Mr. Gilchrist made a motion to approve item C. 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. Sharp – yes       |
| Mr. Wolfe – yes     | Mr. Visintainer – yes |
| Mr. House – yes     | Mr. Larson – yes      |
| Motion carried.     |                       |



**Rezoning/Conditional Use Recommendations:**

- (2) **P-0616-27** City of Vestavia Hills Is Requesting **Rezoning** for **1280 Montgomery Hwy.** from **Unzoned to Vestavia Hills B-2** For The Purpose Of Commercial Development.

Mr. Garrison explained the background and location of the request. He stated that Public Works Facility was to be sold and a retail center would take its' place.

Mr. Brady answered any technical questions the Commission had.

A discussion ensued about sidewalks.

Mr. Larson opened the floor for a public hearing.

Charles Farrell asked if there were any restrictive covenants on the property. Mr. House stated they had expired.

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

**MOTION** Mr. Gilchrist made a motion to recommend approval of Rezoning for 1280 Montgomery Hwy. from Unzoned to Vestavia Hills B-2 for the Purpose of Commercial Development. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Burrell – yes
Mr. Sharp – yes	Mr. Wolfe – yes
Mr. Visintainer – yes	Mr. Gilchrist – yes
Mr. House – yes	Mr. Larson – yes
Motion carried.	

- (3) **P-0616-28** City of Vestavia Hills Is Requesting **Conditional Use Approval** For A **Fleet Operations Facility** Located At **4750 Sicard Hollow Rd.** The Property Is Owned By City of Vestavia Hills And Is Zoned Vestavia Hills PR-1.

Mr. Garrison explained the background and location of the request. He stated that Public Works Facility was to be expanded to include fleet maintenance.

Mr. Brady answered any technical questions the Commission had and stated road improvements would be included.

Mr. Larson opened the floor for a public hearing.

Claude Saunders, of the Cotswald Subdivision. asked about traffic. Mr. Brady stated that traffic should improve.

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

**MOTION** Mr. House made a motion to recommend approval of Conditional Use Approval for a Fleet Operations Facility Located At 4750 Sicard Hollow Rd. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes  
Mr. Sharp – yes  
Mr. Visintainer – yes  
Mr. House – yes  
Motion carried.

Mr. Burrell – yes  
Mr. Wolfe – yes  
Mr. Gilchrist – yes  
Mr. Larson – yes

Conrad Garrison, City Planner

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

Date: **JULY 14, 2016**

- **CASE: P-0716-32**
- **REQUESTED ACTION:** Final Plat Approval for Freemans Biltmore Estate Resurvey
- **ADDRESS/LOCATION:** 2025 Chestnut Rd.
- **APPLICANT/OWNER:** Chris Freeman
- **REPRESENTING AGENT:**
- **GENERAL DISCUSSION:** Applicant is seeking to resurvey 1.5 lots into 1 for the purpose of obtaining a building permit.

Applicant is scheduled to receive a variance in July since the lot will not meet the minimum lot width of 100' and size of 15,000 sq. ft.

- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive Plan for Neighborhood, low/medium density single family 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:** Approval conditioned on the applicant receiving a variance from BZA.

**2. City Engineer Review:** I have reviewed the application and 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  
PLANNING AND ZONING COMMISSION  
FINAL MAP APPLICATION**

**II. APPLICANT INFORMATION: (owner of property)**

NAME: Chris Freeman

ADDRESS: 2025 Chestnut Rd.

Vestavia, AL 35214

MAILING ADDRESS (if different from above) 512 Eastwood PL

Vestavia, AL 35214

PHONE NUMBER: Home 205-413-5906 Office \_\_\_\_\_

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: \_\_\_\_\_

**III. ACTION REQUESTED**

**Final Plat Approval**

Explain reason for the request: Resurvey to one lot

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

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

2025 Chestnut Rd

Property size: \_\_\_\_\_ feet X \_\_\_\_\_ feet. Acres: \_\_\_\_\_

**VI. ZONING/REZONING:**

The above described property is presently zoned: R-3

**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.

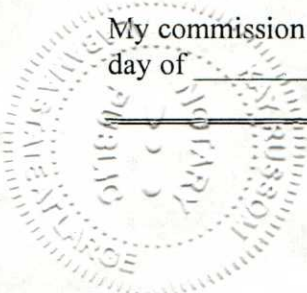
Chris Freeman 6/20/16  
Owner Signature/Date

\_\_\_\_\_  
Representing Agent (if any)/date

Given under my hand and seal  
this 20th day of June, 2016.

Kay Russom  
Notary Public My Commission Expires  
November 18, 2016

My commission expires \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.





- LEGEND**
- SQ. FT.....SQUARE FEET
  - AC.....ACRES
  - +/-.....MORE OR LESS
  - Δ.....DELTA ANGLE
  - d.....DEFLECTION ANGLE
  - T.....TANGENT
  - R.....RADIUS
  - CH.....CHORD
  - L.....LENGTH
  - ESMT.....EASEMENT
  - EX.....EXISTING
  - M.B.....MAP BOOK
  - PG.....PAGE
  - FND.....FOUND
  - ROW.....RIGHT-OF-WAY
  - O.....REBAR SET
  - MIN.....MINIMUM
  - C.....CENTERLINE
  - D.B.....DEED BOOK
  - .....NOT TO SCALE

**FREEMANS BILTMORE ESTATES RESURVEY**

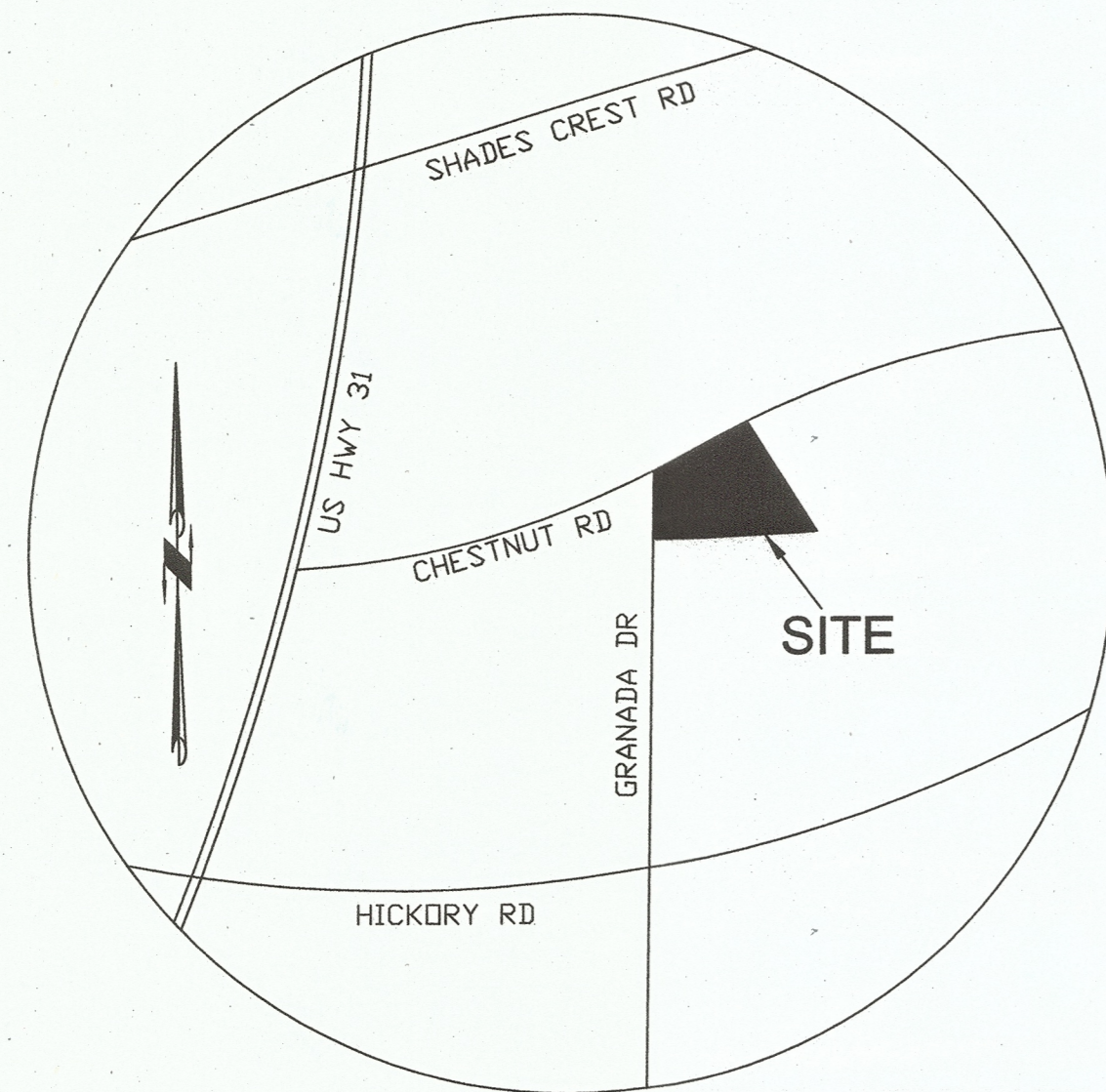
BEING A RESURVEY OF LOT 18 AND THE NORTH HALF OF LOT 17, BLOCK 11 OF BILTMORE ESTATES AS RECORDED IN MAP BOOK 17, PAGES 59 & 60 IN THE OFFICE OF THE JUDGE OF PROBATE JEFFERSON COUNTY, ALABAMA

SITUATED IN THE N.E. ¼ OF SECTION 19, TOWN 18 SOUTH, RANGE 2 WEST JEFFERSON COUNTY, ALABAMA

SCALE: 1"=20'

DATE: JUNE 2016

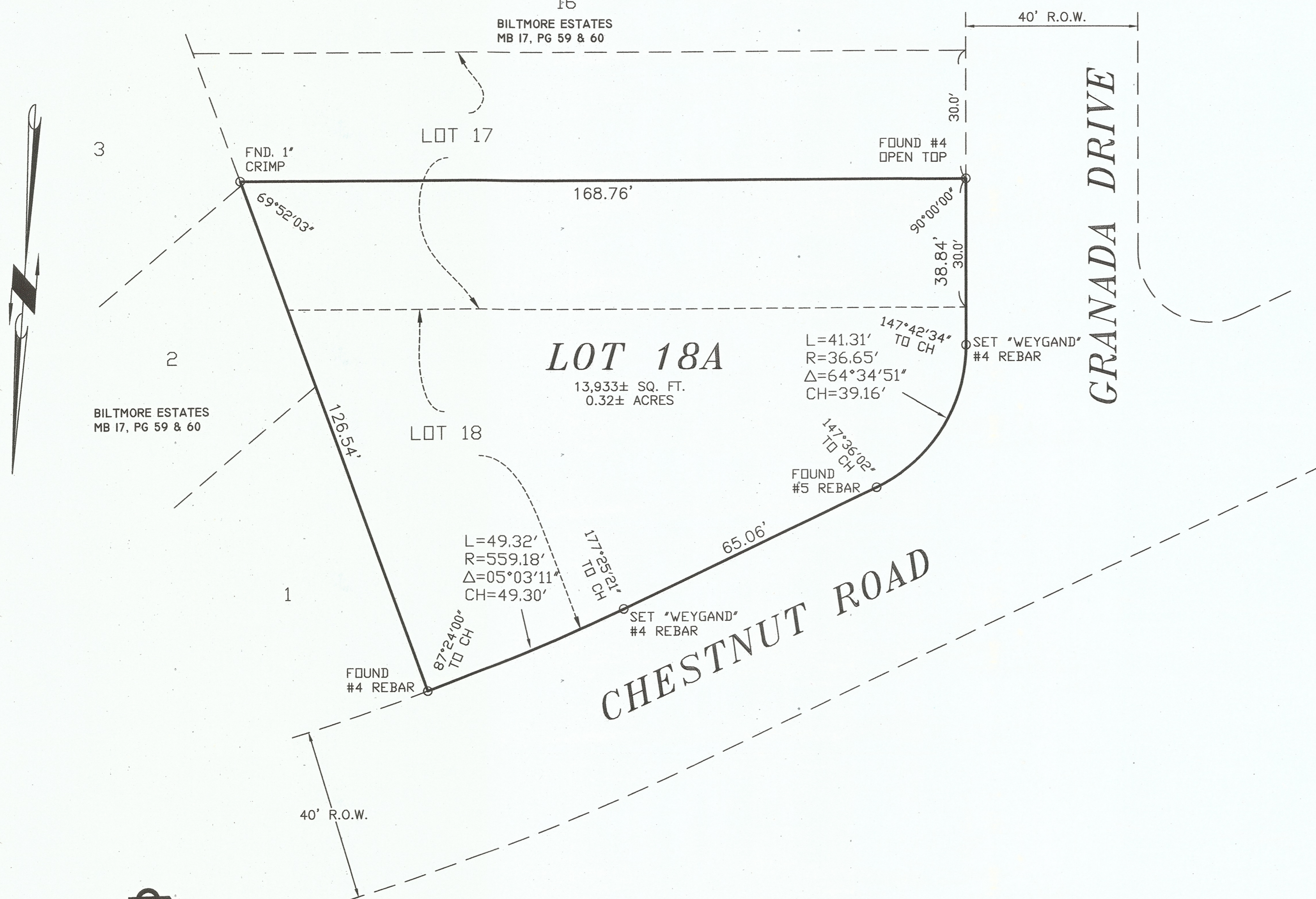
WEYGAND SURVEYORS, INC.  
 Ray Weygand, Reg. L.S. #24973  
 169 Oxmoor Road, Homewood, AL 35209  
 Phone: (205) 942-0086 Fax: (205) 942-0087



VICINITY MAP N.T.S.

BLOCK 11

16  
 BILTMORE ESTATES  
 MB 17, PG 59 & 60



State of Alabama)  
 Jefferson County)

We, the undersigned, Ray Weygand, Registered Land Surveyor, State of Alabama, and Chris Freeman, Owner, do hereby certify that the foregoing is a true and correct map or plat of FREEMANS BILTMORE ESTATES RESURVEY showing the number and dimensions of each lot and its angles with the width of each street, avenue and other public ways and showing the relation of the land to the government survey, and that iron pins have been set at each corner of all lots, and that same is not subject to any mortgage. I, Ray Weygand, hereby state 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.

IN WITNESS WHEREOF, we have hereunto set our hands, this 20 day of JUNE, 2016.

By: [Signature]  
 Ray Weygand  
 Reg. L.S. #24973

By: [Signature]  
 Chris Freeman - Owner

State of Alabama)  
 Jefferson County)

I, Jamie J Neely, Notary Public in and for said county and state, do hereby certify that Ray Weygand, whose name is signed to the foregoing certificate as Land Surveyor, and who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, he executed same voluntarily and with full authority therefor.

Given under my hand and seal this 20th day of June, 2016.

By: [Signature]  
 Notary Public - My Commission Expires: 7-7-16

State of Alabama)  
 Jefferson County)

I, Jamie J Neely, a Notary Public in and for said County and State, do hereby certify that Chris Freeman, whose name is signed to the foregoing certificate as Owner, and who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, he executed same voluntarily and with full authority therefor.

Given under my hand and seal this 20th day of June, 2016.

By: [Signature]  
 Notary Public - My Commission Expires: 7-7-16

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 City Engineer

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Vestavia Hills Planning & Zoning Commission

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Manager and City Clerk

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Jefferson County Department of Health

NOTE:  
 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

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Jefferson County Environmental Services

NOTES:  
 ALL EASEMENTS ON THIS MAP ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, STORM DITCHES, PRIVATE TELEVISION CABLE SYSTEMS, AND MAY BE USED FOR SUCH PURPOSES TO SERVE PROPERTY BOTH WITHIN AND WITHOUT THIS SUBDIVISION (UNLESS OTHERWISE NOTED).

BUILDER IS RESPONSIBLE FOR THE DRAINAGE ON EACH LOT AND IN AND AROUND EACH BUILDING AND FOR SOIL CONDITIONS. THIS ENGINEER/SURVEYOR IS NOT RESPONSIBLE FOR EITHER.

BUILDER WILL BE RESPONSIBLE FOR ADJUSTING THE LIDS OR TOP ELEVATION FOR ALL MANHOLES AND YARD INLETS ON EACH LOT.

THE LOT OWNER/BUILDER SHALL USE APPROPRIATE METHODS, WHETHER PIPES, UNDERDRAINS, DITCHES, GRADING OR OTHER MEANS TO PROVIDE A BUILDING SITE FREE OF SURFACE OR SUBSURFACE DRAINAGE PROBLEMS WITHOUT ADVERSELY AFFECTING ADJACENT LOTS.

THE LOT OWNER/BUILDER SHALL FIELD VERIFY THE LOCATION AND ELEVATION OF SANITARY SEWER SERVICE LINE OR SEPTIC TANK LOCATION PRIOR TO CONSTRUCTION OF BUILDING FOUNDATIONS.

ELEVATION OF ALL SANITARY SEWER LATERALS TO EACH LOT SHOULD BE VERIFIED BY BUILDER PRIOR TO SETTING LOWEST FLOOR OF RESIDENCE TO BE SERVICED.

NO HOUSE SHALL HAVE A FINISHED FLOOR ELEVATION LESS THAN TWO (2) FEET ABOVE TOP OF ANY ADJACENT STORM SEWER WITHOUT ENGINEER'S APPROVAL.

NO FENCE SHALL IMPEDE THE FLOW OF WATER IN ANY DRAINAGE WAY.

WEYGAND SURVEYORS, INC. IS NOT RESPONSIBLE FOR SOIL COMPACTIONS AND DID NOT CONDUCT ANY SURFACE OR SUBSURFACE INVESTIGATIONS.

NORTH ARROW SHOWN ON THIS MAP IS NOT TRUE NORTH AND SHOULD ONLY BE CONSIDERED AS APPROXIMATE.

NOTE:

**THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE "X") AS PER MAP NO. 01073C0558H, DATED SEPTEMBER 3, 2010.**