PLANNING AND ZONING COMMISSION

AGENDA

MAY 10, 2018

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: April 12, 2018

Final Plats

(1) P-0518-17 Suzanne Pizzitola Is Requesting Final Plat Approval For A Resurvey Of Lot 14 And The East ½ Of Lot 15, Block 12 Of Biltmore Estates. The Purpose For This Request Is To Resurvey Lot Lines. The Property Is Owned By Suzanne Pizzitola and Is Zoned Vestavia Hills R-3.

(2) **P-0518-19** Samuel C. Ferguson Is Requesting **Final Plat Approval** For **Ferguson's Resurvey.** The Purpose For This Request Is To Resurvey Two Lots Into One. The Property Is Owned By Samuel C. Fergson and Is Zoned Vestavia Hills R-3.

Time of Adjournment.

PLANNING AND ZONING COMMISSION

MINUTES

APRIL 12, 2018

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: Blaine House, Acting Chairman

Cheryl Cobb

Erica Williamson Barnes

Jim Brooks

MEMBERS ABSENT: Lyle Larson, Chairman

Fred Goodwin Deloye Burrell Greg Gilchrist Rusty Weaver

OTHER OFFICIALS PRESENT: Conrad Garrison, City Planner

Christopher Brady, City Engineer

The Chairman noted that due to a lack of a quorum, no business could be conducted so the meeting was recessed until April 18, 2018 at 6 PM.

Chairman Larson called the meeting from recess on April 18, 2018 with the following quorum present.

MEMBERS PRESENT: Lyle Larson, Chairman

> Fred Goodwin Cheryl Cobb Jim Brooks Greg Gilchrist Rusty Weaver

MEMBERS ABSENT: Blaine House

Erica Williamson Barnes

OTHER OFFICIALS PRESENT: Conrad Garrison, City Planner

Christopher Brady, City Engineer

Chairman Larson remembered the community services of long-time Commission member Deloye Burrell. He indicated that Mr. Burrell will be missed and offered thoughts and prayers for his family.

APPROVAL OF MINUTES

Mr. Larson stated that the minutes of the meeting of March 8, 2018 are presented for approval.

MOTION Motion to approve minutes was by Mr. Weaver and second was by Mr. Gilchrist.

Voice vote as follows:

Mr. Brooks – yes Mr. Goodwin – yes Mr. Weaver – yes Mrs. Cobb – yes Mr. Gilchrist – yes Mr. Larson – yes

Motion carried.

Final Plats

P-0418-13 Liberty Park, LLC Is Requesting Final Plat Approval For Corporate

> Woods Addition To Liberty Park Resurvey No. 6. The Purpose For This Request Is To Clarify Easements. The Property Is Owned By Liberty Park, LLC and Is Zoned Vestavia Hills PUD-PB.

Mr. Garrison explained the background and location of the request and stated the plat was needed to clarify already vacated easements.

Mr. Larson opened the floor for a public hearing. There being no one to address the Commission concerning this request, Mr. Larson closed the public hearing and opened the floor for a motion.

MOTION Mr. Gilchrist made a motion to approve Final Plat Approval For Corporate Woods Addition To Liberty Park Resurvey No. 6. Second was by Mr. Goodwin. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Weaver – yes
Mr. Gilchrist – yes
Mr. Larson – yes

Motion carried.

P-0418-16

Murphy Builders Is Requesting **Final Plat Approval** For **Thompson's Addition To Dolly Ridge Resurvey No. 1.** The Purpose For This Request Is To Resurvey Lot. The Property Is Owned By Murphy Builders and Is Zoned Vestavia Hills R-1.

Mr. Garrison explained the background and location of the request and stated the plat was needed to separate the lot from its' neighboring lots in the subdivision in order to gain septic approval from Jefferson County.

Mr. Larson opened the floor for a public hearing.

Mark David, 4500 Gayland Way asked if the resurveyed lot would exempt that lot from restrictive covenants. Mr. Larson stated he was unsure since the Commission did not have a copy of said covenants, but ultimately was immaterial to the request at hand.

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

MOTION Mr. Gilchrist made a motion to approve Final Plat Approval For Thompson's Addition To Dolly Ridge Resurvey No. 1. Second was by Mrs. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yesMr. Brooks – yesMr. Weaver – yesMrs. Cobb – yesMr. Gilchrist – yesMr. Larson – yes

Motion carried.

Rezoning/Conditional Use Recommendations:

P-0418-14

Benjamin L. & Susanne G. Webb Are Requesting **Rezoning** for **3293 Overton Trail** from **Vestavia Hills R-5 to Vestavia Hills R-2** For The Purpose Of Single Family Development.

Mr. Garrison explained the background and location of the request. The property was zoned multifamily in Jefferson County. Later the property was annexed into the City and it was compatibly rezoned to R-5, multi-family despite the fact that a single-family home was constructed on the property. The owners wish to tear down the current structure and rebuild a new house and in order to do so, must rezone to a single-family zoning classification.

Benjamin Webb, owner, was present.

Mr. Larson opened the floor for a public hearing. There being no one to address the Commission concerning this request, Mr. Larson closed the public hearing and opened the floor for a motion.

MOTION Mr. Gilchrist made a motion to recommend rezoning approval for 3293 Overton Trail from Vestavia Hills R-5 to Vestavia Hills R-2. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Weaver – yes
Mr. Gilchrist – yes
Motion carried.

Mr. Brooks – yes
Mrs. Cobb – yes
Mrs. Cobb – yes
Mr. Larson – yes

P-0418-15

Estate of Ivorene Norris Is Requesting Rezoning for 3107 Timberlake Rd. from Vestavia Hills R-1 to Vestavia Hills O-1 For The Purpose Of Office Development.

Mr. Garrison explained the background and location of the request. He stated that this rezoning would be part of the Harris Doyle office development already approved on Timberlake Rd. and Blue Lake Dr. The building design and architecture would be consistent with the other projects in the development, with parking shared throughout.

Mr. Larson opened the floor for a public hearing.

Julie-Ann Julian, 3131 Timberlake Rd., would like to see the road improvements to extend to the end of Timberlake Rd. Mr. Garrison and Mr. Brady explained how the roads are improved based on the development.

There being no one to address the Commission concerning this request, Mr. Larson closed the public hearing and opened the floor for a motion.

MOTION Mr. Gilchrist made a motion to recommend rezoning approval for 3107 Timberlake Rd. from Vestavia Hills R-1 Vestavia Hills O-1 with the following conditions:

- 1. Building be designed as presented;
- 2. Rezoning will be contingent on resurvey.

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

Mr. Goodwin – yes
Mr. Weaver – yes
Mr. Gilchrist – yes
Mr. Larson – yes

Motion carried.

Conrad Garrison, City Planner

SYNOPSIS AND STAFF RECOMMENDATION CONCERNING APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: MAY 10, 2018

- <u>CASE</u>: P-0518-17
- **REQUESTED ACTION:** Final Plat Approval For A Resurvey Of Lot 14 And The East ½ Of Lot 15, Block 12 Of Biltmore Estates
- ADDRESS/LOCATION: 2118 Hickory Rd.
- **APPLICANT/OWNER:** Suzanne Pizzitola
- **REPRESENTING AGENT**: Andy Lange
- **GENERAL DISCUSSION:** Plat is to resurvey 1.5 lots into one lot so applicant may obtain a building permit. Applicant is also on the docket with the Board of Zoning Adjustment for a variance for lot size and lot width. Mylar cannot be signed without BZA approval.
- <u>VESTAVIA HILLS COMPREHENSIVE PLAN</u>: 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

P0518-17//2800191012007000 2118 Hickory Rd. Combine 2 Lots

Suzanne Pizzitola

P&Z Application Page 3

	CITY OF VESTAVIA HILLS PLANNING AND ZONING COMMISSION FINAL MAP APPLICATION	2018 APR
II.	APPLICANT INFORMATION: (owner of property)	
	NAME: Suzanne Pizzitola	P 2: h
	ADDRESS: 2118 Hickory Road	2
	Vestavia Hills, AL 35216	
	MAILING ADDRESS (if different from above)	_
	PHONE NUMBER: Home Office	
	NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:	
	Andy Lange Drike Homes LLC	
III.	ACTION REQUESTED	
	Final Plat Approval	
	Explain reason for the request: Existing house is currently two lots. Pesurveyed to one lot. **if additional information is needed, blease attached full description of request**	<u>o</u> u
IV.	PROPERTY DESCRIPTION: (address, legal description, etc.)	
211	2118 Hickory Road Vestavia 35216	
m e	Property size: feet X feet. Acres:	
VI.	ZONING/REZONING:	
	The above described property is presently zoned:	

P0518-17//2800191012007000 2118 Hickory Rd. Combine 2 Lots Suzanne Pizzitola

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.

Owner Signature Date Oiven under my hand and seal	Representing Agynt (if any) data
Hoberta Jean Martin My commission expires 31 day of July , 20 21.	ROBERTA JEAN MARTIN Notary Public Alabama State at Large

BOONE PATRICK H JR 2113 CHESTNUT ROAD BRADFORD MATTHEW T & ROBERT L RASBERRY JOHN T & MARY C VESTAVIA HILLS, AL 35216 PID # 28 00 19 1 012 004.001 2121 CHESTNUT ROAD 2117 CHESTNUT ROAD VESTAVIA HILLS, AL 35216 VESTAVIA HILLS, AL 35216 PID # 28 00 19 1 012 002.000 PID # 28 00 19 1 012 004.000 LOT 6 LOT 7 LOT 8 (5/8" REBAR) 75.00' 90°00'(R) 89°13'25"(M) TURNAGE ZACHARY P & KATHERINE W 2122 HICKORY ROAD VESTAVIA HILLS, AL 35216 PID # 28 00 19 1 012 008.000 **LOT 14-A** 11,267 Sq. Ft. LOT 13 KNIGHT ALEXANDER WEAVER 2112 HICKORY ROAD PROFESSIONAL VESTAVIA HILLS, AL 35216 PID # 28 00 19 4 004 007.000 MAG NAIL SET (1/2" REBAR) IN STUMP (WEYGAND) 74.86 74.85'(M) **HICKORY ROAD** 40' ROW SCALE: 1" = 20'1. Unless otherwise shown or stated, all easements shown hereon are for storm sewers, sanitary sewers, public utilities, or ingress and egress, and are to serve property both within and without this subdivision. LEGEND 2. Basis of bearing is based on plat. 3. Surface drainage not within the accepted and maintained Right-Of-Way will not IRON PIN FOUND be maintained by City of Vestavia Hills. - CONCRETE. (DESCRIPTION) 4. Contractor and/or developer are responsible for providing building sites free of D — DEED ○ - 1/2" CAPPED REBAR SET drainage problems.

5. No sub-surface investigation of geological conditions was performed by South

Central Surveying, LLC; therefore no reference whatsoever is made as to the

6. Consulted the latest Flood Insurance Rate Map (F.I.R.M.), Community Panel

Number 01073C0558H, dated September 3, 2010, and found that the parcel

shown DOES NOT lie in a special flood hazard area, Zone X.

suitability for residential construction.

A RESURVEY OF LOT 14 AND THE EAST 1/2 OF LOT 15, BLOCK 12 OF **BILTMORE ESTATES**

AS RECORDED IN MAP BOOK 17 PAGE 59

A SINGLE FAMILY RESIDENTIAL SUBDIVISION SITUATED IN THE SW 1/4 OF SECTION 19, TOWNSHIP 18 SOUTH, RANGE 2 WEST, CITY OF VESTAVIA HILLS, JEFFERSON COUNTY, ALABAMA.

OWNER: **SUZANNE PIZZITOLA** 2118 HICKORY ROAD VESTAVIA HILLS, AL 35216 PREPARED BY: SOUTH CENTRAL SURVEYING, LLC 156 SUNSET TRAIL ALABASTER, AL 35007 (205)-229-1993

STATE OF ALABAMA SHELBY COUNTY

The undersigned, William D. Callahan, Jr., Professional Land Surveyor, State of Alabama, and Suzanne Pizzitola. as 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 was made in the instance of said owner; that this plat or map is a true and correct map of lands shown therein known as A RESURVEY OF LOT 14 AND THE EAST 1/2 OF LOT 15, BLOCK 12 OF BILTMORE ESTATES, showing the sub-divisions into which it is proposed to divide said lands, giving the lengths and angles of each lot and its number, showing the streets, alleys and public grounds, giving the length and width and name of each street as well as the number of each lot and showing the relation of the lands to the recorded subdivision, and that iron pins have been installed at all lot corners and curve points as shown and are designated by small open circles on said plat or map. Said owners also certify that they are the owners of said lands and that the same are not subject to any mortgage. I further 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.

By: William	D. Callahan, Gr.	Date	4/10/2018
William D. Callal	han, Jr., P.L.S.		

I, the undersigned, a Notary Public in and for said county and state, do hereby certify that William D. Callahan, Jr., whose name is signed to the foregoing certificate as surveyor, and who is known to me, acknowledged before me, on

individual with full authority	,	tificate, does execute same voluntarily as such
Given under my hand and se	eal this theday of	, 2018.
Notary Public		
MY COMMISSION EXPIRES		
By: Suzanne Pizzitola, Owner	DATE	
name is signed to the foreg	oing certificate as owner, and who is kno	, do hereby certify that Suzanne Pizzitola, whose own to me, acknowledged before me, on this da bes execute same voluntarily as such individual
Given under my hand and se	eal this theday of	, 2018.

lotary Public		
Y COMMISSION EXPIRES		
estavia Hills City Engineer	Date	
estavia Hills Planning Commission	Date	

Vestavia Hills Manager Jefferson County Environmental Services Department hereby approves this record map for sanitary sewer purposes only. Such 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

Date

Easement Boundaries after this date may void this approval.

Director of Environmental Services Approved in Format Only

Ç _ CENTERLINE

D.B. - DEED BOOK.

M.B. - MAP BOOK

P.B. – PLAT BOOK

PG. – PAGE.

AC. – *ACRES*.

Ø – UTILITY POLE.

ROW - RIGHT OF WAY.

 $\rightarrow \rightarrow \rightarrow = FENCE$

-op- - OVERHEAD UTILITY LINE(S).

RESIDENTIAL & COMMERCIAL LAND 156 SUNSET TRAIL ALABASTER, ALABAMA 35007 PHONE 205-229-1993 EMAIL: buck@southcentralsurveying $\boldsymbol{\omega}$ outh

묾 RESUR 1/2 OF LOT 1 ESTATES EAST SHEET No.:

PROJECT NO: 18-03012

 $\circ f$

SYNOPSIS AND STAFF RECOMMENDATION CONCERNING APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: MAY 10, 2018

- <u>CASE</u>: P-0518-19
- **REQUESTED ACTION:** Final Plat Approval For Ferguson's Resurvey
- ADDRESS/LOCATION: 401 Fernwood Dr.
- **APPLICANT/OWNER:** Samuel C. Ferguson
- <u>REPRESENTING AGENT</u>:
- **GENERAL DISCUSSION:** Plat is to resurvey 2 lots into one lot so applicant may obtain a building permit. Lot meets in minimum requirement for an R-3 zoning.
- <u>VESTAVIA HILLS COMPREHENSIVE PLAN</u>: 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

P0518-19//2800194012004000 401 Fernwood Drive

Resurvey Lots Amy & Chris Ferguson R3

P&Z Application
Page 3

CITY OF VESTAVIA HILLS PLANNING AND ZONING COMMISSION FINAL MAP APPLICATION

II.	APPLICANT INFORMATION: (owner of property)
	NAME: Samuel C. Ferguson
	ADDRESS: 401 Fernwood Drive Verlavia Hills, AL 35216
	MAILING ADDRESS (if different from above)
	PHONE NUMBER: Home 205 - 838-8565 Office 205-876-354
	NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:
III.	ACTION REQUESTED
	Explain reason for the request: re Survey 6015
	if additional information is needed, please attached full description of request
<u>IV.</u>	PROPERTY DESCRIPTION: (address, legal description, etc.)
	Property size: feet X feet. Acres:
VI.	ZONING/REZONING:
	The above described property is presently zoned:

P0518-19//2800194012004000 401 Fernwood Drive

Resurvey Lots Amy & Chris Ferguson P&Z Application Page 4

OWNER AFFIDAVIT: 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 4/20/18	Representing Agent (if any)/date
Given under my hand and seal this 26 day of 4, 20 8.	
My Commission Expires My commission expires November 8, 2020	8
day of, 20	

SQUARE FEET LEGEND

FERGUSON'S RESURVEY

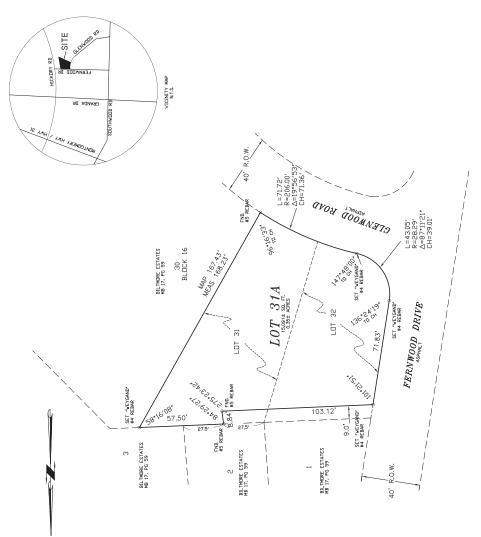
State of Alabama) Jefferson County)

BEING A RESURVEY OF LOTS 31 AND 33 OF BILTHORE ESTATES AS RECORDED IN MAP BOOK 17. PAGE 59
AS RECORDED IN HE OFFICE OF THE UDDEG OF PROBATE. LEFTERSON COUNTY. ALBANARAKCET THE NORTH 19 FEET
TAKEN EVENLY OF THE NORTH 310E OF LOT 32 AND THE NORTH 19 FEET TAKEN EVENLY OFF THE NORTH 310E
THAT OF LOT 51. WITCH LIES WEST OF A LINE BEGINNEN AT THE CENTER OF THE SOUTH LINE OF LOT 2 AND
THAT OF LOT 51. WITCH HES VIEW AND PARALLEL WITH THE WEST LINE OF SAID LOT 31.

SITUATED IN SECTION 19, TOWNSHIP 18 SOUTH, RANGE 2 WEST JEFFERSON COUNTY, ALABAMA

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





IN WINNESS WHIREOFF, we have forements only transfer that the property of the	the description (Ed. Support) described fathered, the event sold and the event of the extreme that the forest the event of the even of	A. Oronez, do brethy certify that the froepoling is a true and with the width of each street, awante and other public ways. If this, and that same is not subject to any mortgage, I. Ray at requirements of the Standards of Practice for Surveying in
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Julinean Crossos) July Care and the Line of Council of	Notary Public - My Commission Expires:	
APPROVID Visits in this better the control of the	state or Atabatia) Jefferson County)	
Give mode my limit and stal file	. a Notary Publis in and for easil County and State, the brings in and for easil County and State, do hereby certify that Am certificate as Owner, and who is known to me, acknowledged betwee me, on this date, that being informed of the with full authority therefor.	S. Ferguson, whose name is signed to the foregoing ontents of said certificate, they executed same voluntarily and
APPROVID. Vestra's III. Faming & Zoning Commission Vestra's III. Faming & Zoning Commission APPROVID. Works Montge and City Carls M	day of	By:
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Vester is HIIs Planning & Zoning Commission APPROVED Manager and Cry Creek Montger and Cry Cry Creek Montger and Cry Cry Creek Montger and Cry Creek Montger and Cry	APPROVED:	
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DATE: DA	Manager and City Clerk	
DATE.	NOTE: Euricomental Services Department approval indicates that ensements have been dedicated for future better analists; sewers have been built or will be built in the future. Any change in the Right-of-Way or approval	fferson County suntury sewers however this does not issement boardaries after this date may void this
Property Communication of the	10 American Country Environmental Sarvisous	
		DATE

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

THE LOT OWNER BUILDER SIALL USE APPROPRIATE METHODS, WHETHER PIPES, UNDERDRAINS, DITCHES, GRADING OR OTHER MEANS TO PROVIDE A BULLIDING SITE RRE OF SURRACE OR SUBSURFACE DRAINAGE PROBLEMS WITHOUT ADVERSELY AFFICTING AJACKET LOTS. BUILDER WILL BE RESPONSIBLE FOR ADJUSTING THE LIDS OR TOP ELEVATION FOR ALL MANHOLES AND VARD INLETS ON EACH LOT.

ELEVATION OF ALL SANITARY SEWER LATERALS TO EACH LOT SHOULD BE VERIFIED BY BUILDER PRIOR TO SETTIN LOWEST FLOOR OF RESIDENCE TO BE SERVICED. THE LOT OWNER BUILDER SHALL FIELD VERIFY THE LOCATION AND ELEVATION OF OR SEPTIC TANK LOCATION PRIOR TO CONSTRUCTION OF BUILDING FOUNDATIONS.

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.

NOTE:

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE "X") AS PER MAP NO. 01073C05S8H, DATED SEPTEMBER 3, 2010.