

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

**AGENDA**

**APRIL 13, 2017**

**6:00 P.M.**

Roll Call.

Pledge of Allegiance

Approval of Minutes: March 9, 2017

**Preliminary Plats**

- (1) **P-0417-21** Liberty Park Joint Venture, LLP Is Requesting **Preliminary Plat Approval For Readjustment Of Land Use Boundaries At Liberty Park.** The Purpose For This Request Is To Adjust Land Use Boundaries. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PUD.

**Final Plats**

(2) **Consent Agenda:**

- A. **P-0417-20** Wade & Patti Burt Are Requesting **Final Plat Approval For A Resurvey of Lots 23 & 24 Altadena Park Subdivision.** The Purpose For This Request Is To Combine Lots. The Property Is Owned By Wade & Patti Burt and Is Zoned Vestavia Hills R-1.
- B. **P-0417-22** Liberty Park Joint Venture, LLP Is Requesting **Final Plat Approval For Old Overton-6<sup>th</sup> Sector Lot 120 Resurvey.** The Purpose For This Request Is To Amend Lot Lines. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PR-1.
- C. **P-0417-23** BC South, LLC Is Requesting **Final Plat Approval For Southbend Subdivision.** The Purpose For This Request Is To Create 45 Lots. The Property Is Owned By BC South, LLC and Is Zoned Vestavia Hills R-9.

**Rezoning/Conditional Use Recommendations:**

(3) **Annexation:**

- A. **P-0417-14** Jason Robinson Is Requesting **Rezoning** for **2419 Dolly Ridge Rd.** from **Jefferson County R-1 to Vestavia Hills R-2** For The Purpose Of Annexation.
- B. **P-0417-16** Charles Hunter & Stephanie Langer Are Requesting **Rezoning** for **2611 April Dr.** from **Jefferson County E-1 to Vestavia Hills E-2** For The Purpose Of Annexation.
- C. **P-0417-17** Joey L. & Pamela J. Snow Are Requesting **Rezoning** for **3139 Renfro Rd.** from **Jefferson County R-1 to Vestavia Hills R-2** For The Purpose Of Annexation.
- D. **P-0417-18** Curtis T. & Lisa V. Martin Are Requesting **Rezoning** for **2696 Altadena Rd.** from **Jefferson County E-1 to Vestavia Hills E-2** For The Purpose Of Annexation.
- E. **P-0417-19** Matthew & Jessica Jones Are Requesting **Rezoning** for **2470 Dolly Ridge Trl.** from **Jefferson County E-2 to Vestavia Hills R-1** For The Purpose Of Annexation.
- (4) **P-0417-15** Sign Gypsies Over the Mountain, LLC Is Requesting **Conditional Use Approval** For A Home Occupation Located At **4249 Paxton Pl.** The Property Is Owned By Sign Gypsies Over the Mountain And Is Zoned Vestavia Hills PR-1.

Time of Adjournment.

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

**MINUTES**

**MARCH 9, 2017**

**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  
Brian Wolfe  
Jim Brooks

**MEMBERS ABSENT:** Greg Gilchrist  
Blaine House  
Rusty Weaver

**OTHER OFFICIALS PRESENT:** Conrad Garrison, City Planner  
Christopher Brady, City Engineer  
George Pierce, City Councilman

**APPROVAL OF MINUTES**

Mr. Larson stated that the minutes of the meeting of February 9, 2016 are presented for approval.

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

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

**Consent Agenda/Final Plats:**

- A. **P-0317-09** David Acton Building Corp. Is Requesting **Final Plat Approval For A Resurvey of Lot 1 Estates At Caldwell Mill And Acreage.** The Purpose For This Request Is To Create a Three Lot Subdivision. The Property Is Owned By David Acton Building Corp. and Is Zoned Vestavia Hills R-1.
- B. **P-0317-12** John Michael Bodnar Is Requesting **Final Plat Approval For Cahaba Heights Corner.** The Purpose For This Request Is To Combine Two Parcels Into One. The Property Is Owned By John Michael Bodnar and Is Zoned Vestavia Hills B-1.2.
- C. **P-0317-13** Liberty Park Joint Venture Is Requesting **Final Plat Approval For Heritage Hills Phase III-Sector 3 Resurvey No. 2.** The Purpose For This Request Is To Amend Lot Lines. The Property Is Owned By Liberty Park Joint Venture and Is Zoned Vestavia Hills PR-1.

**MOTION** Mr. Burrell made a motion to recommend approval of items A- C. Second was by Mr. Goodwin. Motion was carried on a roll call; vote as follows:

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

**Amendments To Land Use Plans:**

Amendments to the Cahaba Heights Community Plan

Mr. Garrison and Mr. Brady briefly went over the final draft of the Blue Lake Area Study.

Mr. Goodwin inquired about notification and Mr. Garrison stated that proper notification had been filed.

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. Burrell made a motion to approve the amendments of the Cahaba Heights Community Plan. Second was by Mr. Brooks. Motion was carried on a roll call; vote as follows:

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

**Rezoning/Conditional Use Recommendations:**

**P-0317-07** Eiffel Partners, LLC/Len Shannon Are Requesting **Rezoning** for **3111 & 3115 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 and went over the conditions staff recommended for approval

Chad Bryant discussed the rezoning plan, site layout and building design.

A brief discussion ensued about Timberlake Rd.

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. Wolfe made a motion to recommend rezoning approval 3111 & 3115 Timberlake Rd. from Vestavia Hills R-1 to Vestavia Hills B-1 with the following conditions:

- A. Buildings must have frontage on Timberlake Rd.;
- B. Building height limited to two (2) stories;
- C. Buildings be designed in a residential style;
- D. Developers follow Blue Lake Area Study;
- E. Lots must be resurveyed and plat recorded for zoning to take effect.

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

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

**P-0317-10** Tammy Williamson Is Requesting **Rezoning Conditional Use Approval** For A Home Occupation Located At **4648 Jackson Loop** The Property Is Owned By Tammy Williamson And Is Zoned Vestavia Hills PR-1.

Mr. Garrison explained the background and location of the request and went over the conditions staff recommended for approval

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

**MOTION** Mr. Burrell made a motion to recommend approval of Conditional Use Approval for a home based business at 4648 Jackson Loop 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.

Second was by Mrs. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Burrell – yes

Mr. Wolfe – yes

Mr. Brooks – yes

Mrs. Cobb – yes

Mr. Larson – yes

Motion carried

**P-0317-11**

Black Box Management, LLC/Stuart Raburn Are Requesting **Rezoning** for **3700 Cahaba Heights Rd.** from **Vestavia Hills B-3 to Vestavia Hills R-9** For The Purpose Of Residential Development.

Mr. Garrison explained the background and location of the request and went over the conditions staff recommended for approval

David Stovall from Engineering Design Group discussed the rezoning plan, site layout and engineering design.

The Commission discussed the history of the property and its effects on the river.

Mr. Burrell stated he was concerned because he was uncertain that the storm water system could handle extreme rain events. He was also concerned that the additional traffic along Cahaba

River Rd. would cause unsafe conditions on the roadway. Mr. Burrell also stated he had concerns that the school system could not handle an increase of school children.

The Commission asked Mr. Brady of the City could look at traffic warning signals for the proposed entrance.

Chairman Larson opened the floor for a public hearing.

Janna Owens, Phd. and Peggy Gargis both spoke in opposition due to environmental concerns.

Josh Boyd spoke in support.

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

**MOTION** Mr. Wolfe made a motion to recommend rezoning approval of 3700 Cahaba Heights Rd. from Vestavia Hills B-3 to Vestavia Hills R-9 with the following conditions:

A. City Engineering to review traffic plans.

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

Mr. Goodwin – yes

Mr. Wolfe – yes

Mrs. Cobb – yes

Motion failed

Mr. Burrell – no

Mr. Brooks – 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: APRIL 13, 2017

- **CASE:** P-0417-21
- **REQUESTED ACTION:** Preliminary Plat Approval For Readjustment Of Land Use Boundaries At Liberty Park
- **ADDRESS/LOCATION:** Intersection of Liberty Parkway & South Liberty Road
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
- **REPRESENTING AGENT:** Schoel Engineering
- **GENERAL DISCUSSION:** Preliminary plat is to amend land use boundaries inside Liberty Park. As allowed by Section 709.9 of Ordinance 1838, Liberty Park Joint Venture may change the zoning up to 5% of the PUD through plat, which LPJV is doing here. The larger parent parcels will then be subdivided into smaller parcels for development by way of final plat. A detailed description and maps are attached.

Page 1 shows the original land use boundaries in 2003. Page 2 shows the previous adjustments made through preliminary plat. Page 3 shows the changes that will be made with this approval. Page 4 shows all land use areas after tonight's adjustment.

- **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

P0417-21//28-13-1-1-2  
1120 South Liberty Rd.  
Prelim. Map to adj. land use  
boundaries  
LPJV LP PUD

P & Z Application  
Preliminary Plat  
Page 3

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

---

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

NAME: Liberty Park Joint Venture, LLP

ADDRESS: 8000 Liberty Parkway, Suite 114

Birmingham, 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**

**Preliminary Plat Approval**

Explain reason for the request: Adjustment in land use boundaries

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

---

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

\_\_\_\_\_

\_\_\_\_\_

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

---

**VI. ZONING/REZONING:**

The above described property is presently zoned: Liberty Park PUD

2017 MAR 24 P 3:28

P0417-21//28-13-1-1-2  
1120 South Liberty Rd.  
Prelim. Map to adj. land use  
boundaries  
LPJV LP PUD

P & Z Application  
Preliminary Plat  
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] 3.23.17  
Owner Signature/Date

[Signature] 03-23-17  
Representing Agent (if any)/date

Given under my hand and seal  
this 23rd day of March, 2017.

[Signature]  
Notary Public

My commission expires 9th  
day of May, 2020.

---



March 23, 2017

Mr. Conrad Garrison  
City of Vestavia Hills  
1032 Montgomery Highway  
Vestavia Hills, AL 35216

P0417-21//28-13-1-1-2  
1120 South Liberty Rd.  
Prelim. Map to adj. land use  
boundaries  
LPJV                      LP PUD

**RE: Liberty Park Land Use Change History**

Dear Mr. Garrison:

This letter is intended to explain the past changes and current request for a land use change to the Liberty Park PUD.

There have been three minor land use changes that have occurred to-date. These are depicted on Sheet 2 of 4 of the Preliminary Plat titled "Readjustment of Land Use Boundaries at Liberty Park". As part of the Provence development there was a cumulative change of 0.2 Acres from PNC to PR-1 (See Detail C). The second change was associated with the latest expansion to the Enviro Services, LLC Waste Water Treatment Plant where there was a net 0.0 Acre change that was accomplished by a 0.8 Acre swap of property between PR-1 and PI (See Exhibit B). The third change was 0.13 Acre from PR-1 to PNC at the SW corner of Liberty Parkway and South Liberty Road (See Detail A).

The current request includes modifications to the PNC, PR-1, and PB boundaries within the area known as the "700 Acres" to achieve the goals of the latest Liberty Park Master Plan . The following is a list of each proposed change:

- 2.85 acres from PR-1 to PNC
- 1.46 acres from PB to PNC
- 29.22 acres from PB to PR-1
- 5.80 acres from PNC to PB

The above changes result in the following cumulative percentage changes in the land use areas:

- PNC has been reduced by 2.73%
- PB has been reduced by 4.89%
- PR-1 has been increased by 1.04%

The cumulative percentage changes for each land use is under 5% which classifies it as a minor change as stated in Section 709.9 B of the Vestavia Hills Zoning Ordinance (Ordinance Number 1838, adopted October 16, 2000).

Sincerely,  
Schoel Engineering

A handwritten signature in black ink, appearing to read "James M. Parsons", is written over a white background.

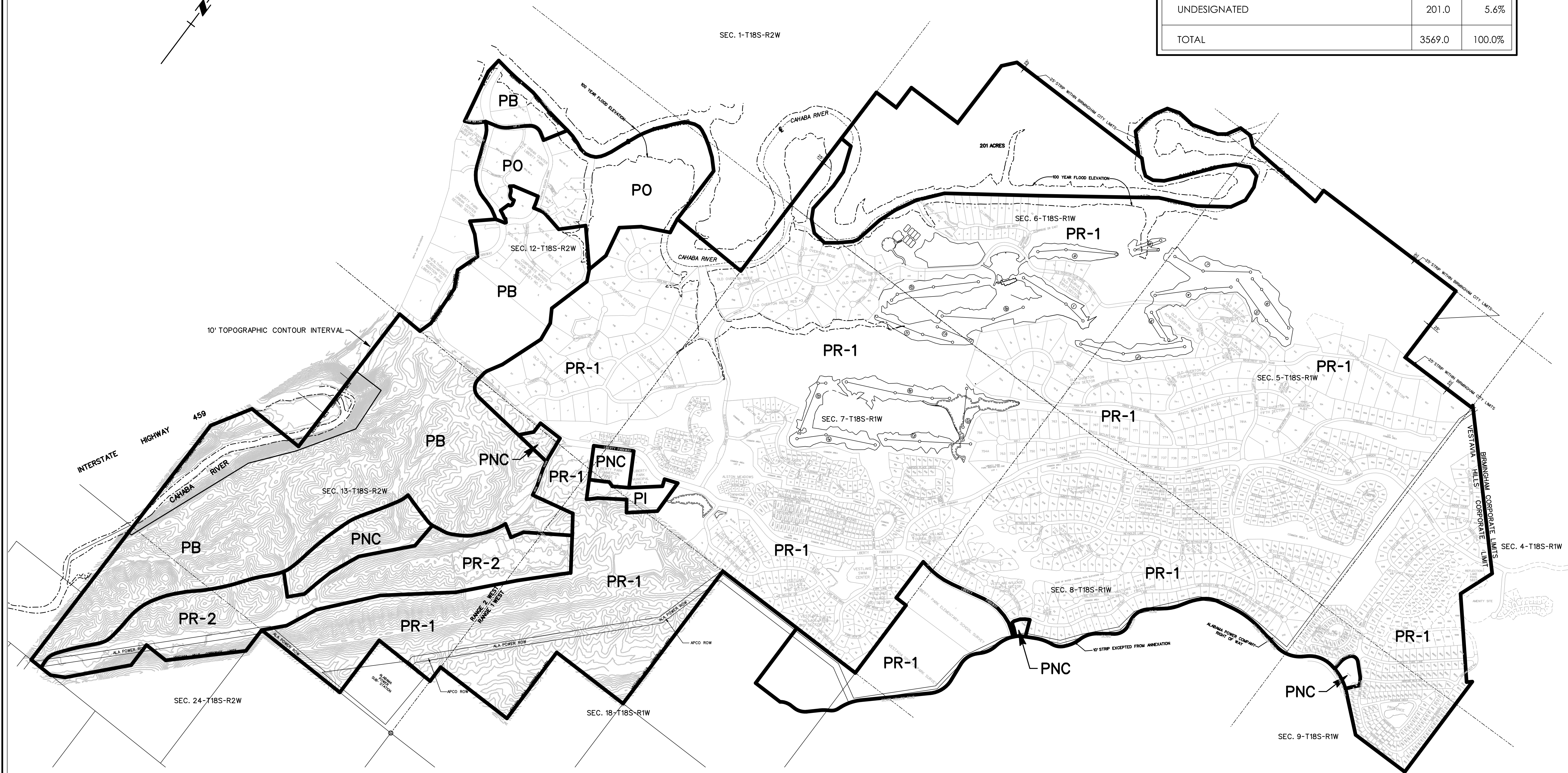
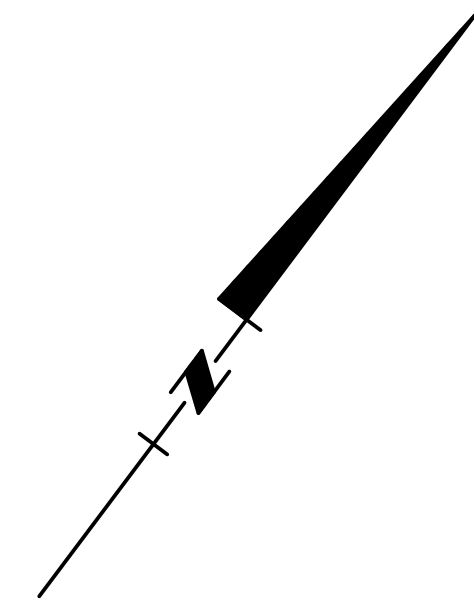
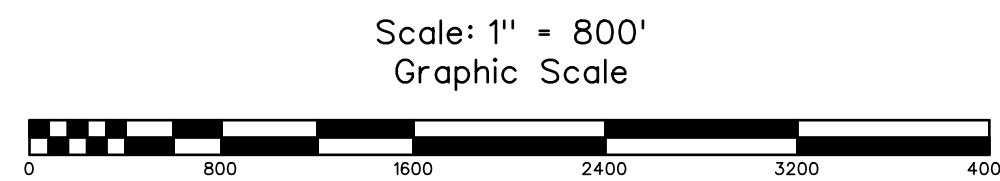
James M. Parsons, PE  
Asst. Director of Engineering  
AL Reg. No. 32451

Established in 1888

WALTER SCHOEL ENGINEERING COMPANY, INC.  
1001 22nd Street South • Birmingham, Alabama 35205  
P 205-323-6166 • F 205-328-2252 • schoel.com

LAND USE AREAS 2003

PUD LAND USE DISTRICT	ACREAGE	% OF TOTAL
PR-1 (PLANNED SINGLE FAMILY RESIDENTIAL)	2528.4	70.8%
PR-2 (PLANNED MULTI FAMILY RESIDENTIAL)	145.0	4.1%
PO (PLANNED OFFICE)	120.0	3.4%
PNC (PLANNED NEIGHBORHOOD COMMERCIAL)	54.7	1.5%
PB (PLANNED BUSINESS)	508.7	14.3%
PI (PLANNED LIGHT INDUSTRIAL)	11.2	0.3%
UNDESIGNATED	201.0	5.6%
<b>TOTAL</b>	<b>3569.0</b>	<b>100.0%</b>



**READJUSTMENT OF LAND USE  
BOUNDARIES AT LIBERTY PARK**

SITUATED IN SECTIONS 1, 12, 13 AND 24, TOWNSHIP 18 SOUTH, RANGE 2 WEST  
AND SECTIONS 4, 5, 6, 7, 8, 9, AND 18, TOWNSHIP 18 SOUTH, RANGE 1 WEST  
JEFFERSON COUNTY, ALABAMA

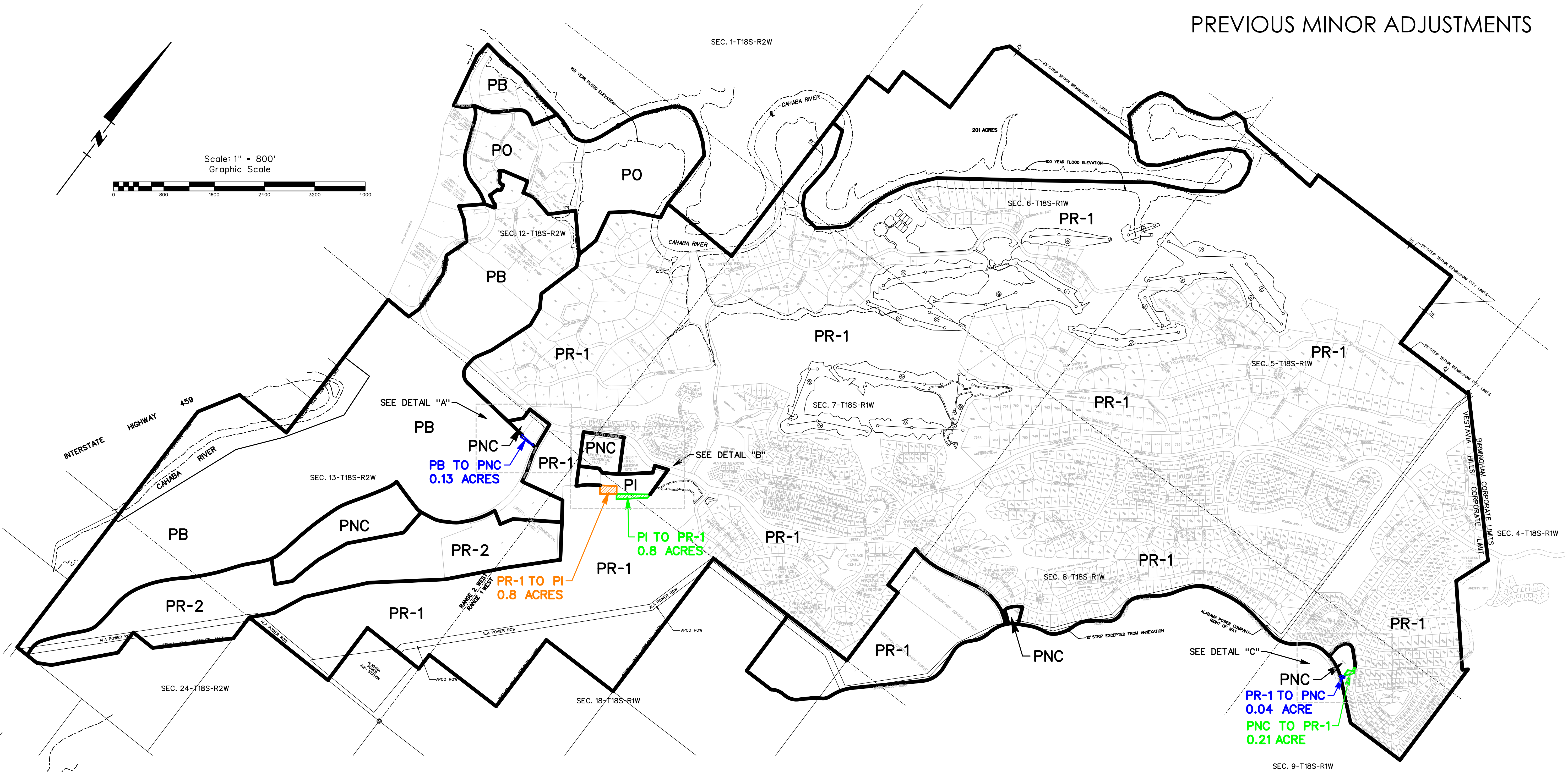
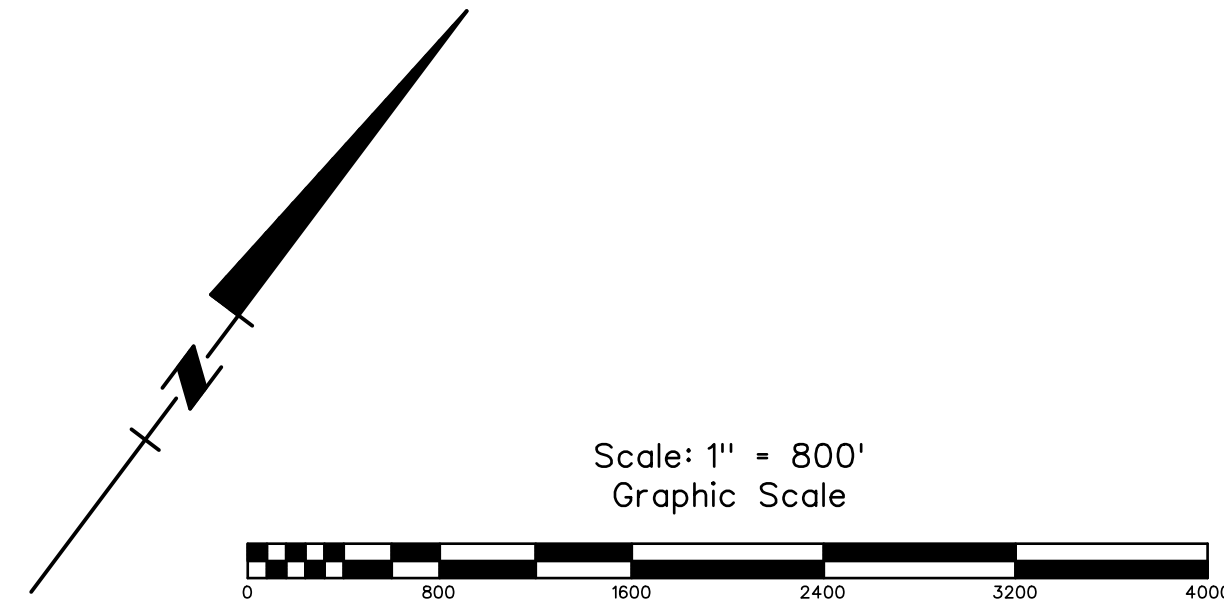
REVISIONS:

**PRELIMINARY  
PLAT**

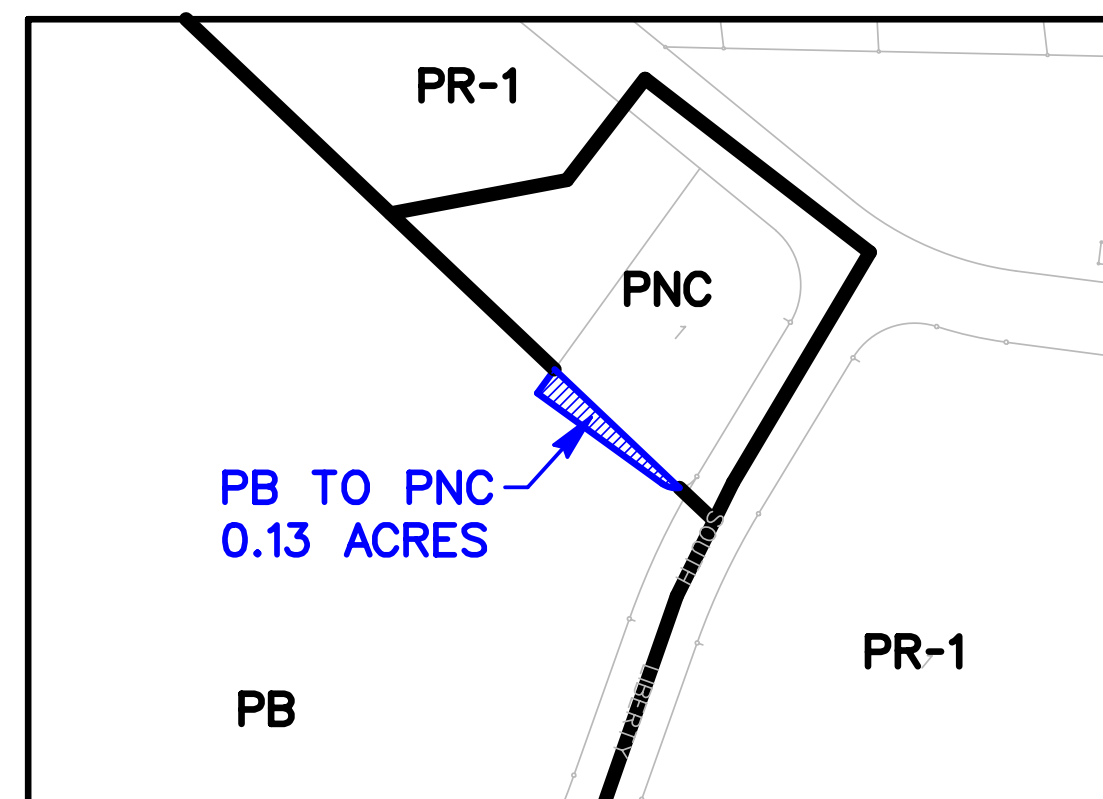
DATE: APRIL, 2017  
DRAWN BY: J.W.H.  
CHECKED BY: J.F.B.  
FILE NAME: Preliminary Plat  
Land Use 1.dgn

g:\LIB\16\227\Survey\Exhibit\

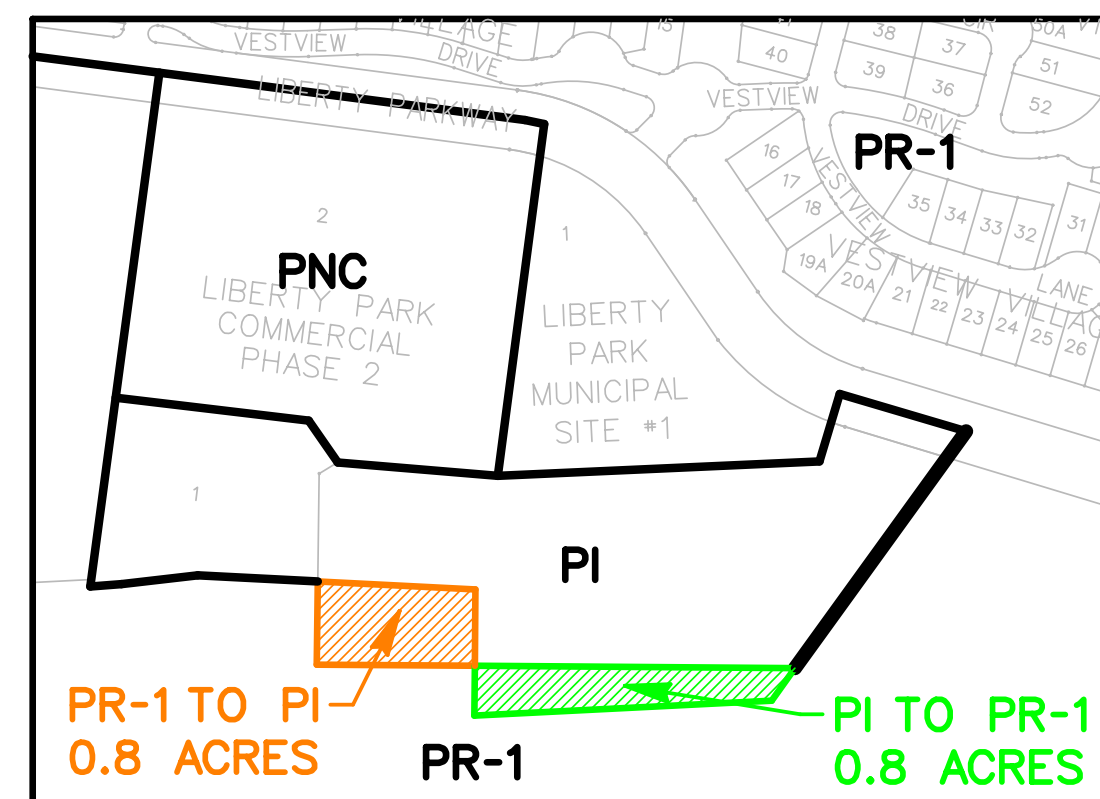
PREVIOUS MINOR ADJUSTMENTS



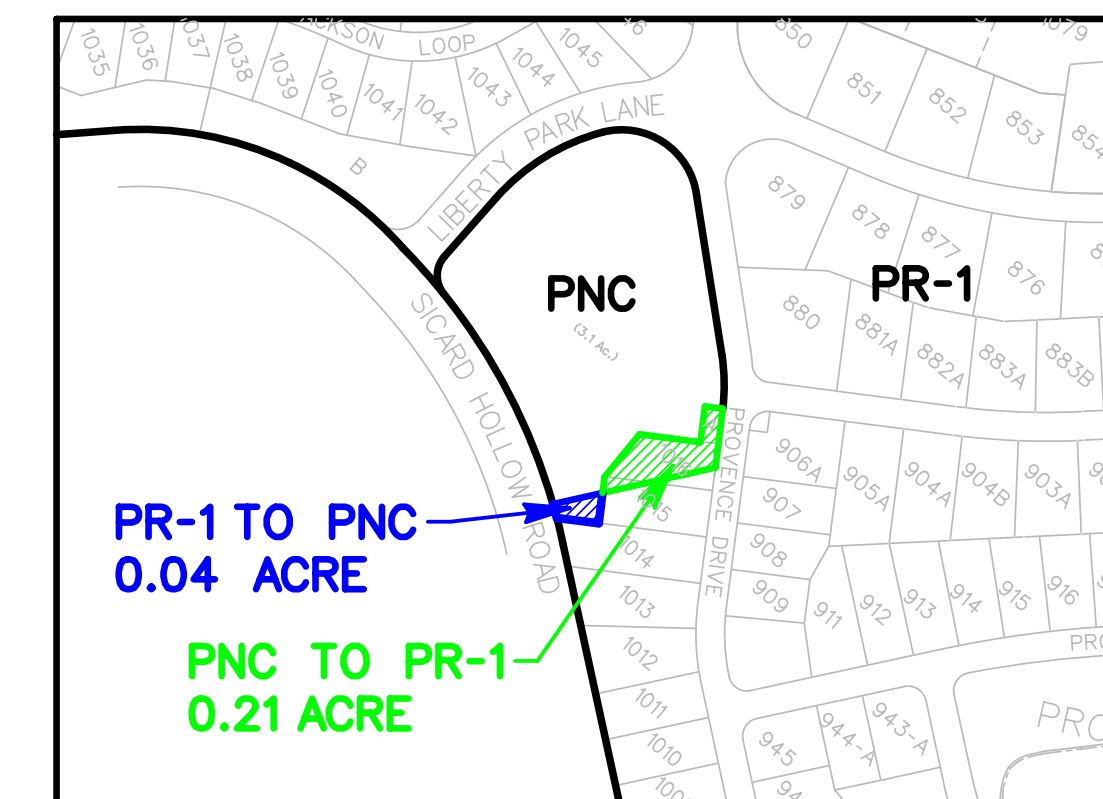
DETAIL "A"  
NOT TO SCALE



DETAIL "B"  
NOT TO SCALE



DETAIL "C"  
NOT TO SCALE



READJUSTMENT OF LAND USE  
BOUNDARIES AT LIBERTY PARK

SITUATED IN SECTIONS 1, 12, 13 AND 24, TOWNSHIP 18 SOUTH, RANGE 2 WEST  
AND SECTIONS 4, 5, 6, 7, 8, 9, AND 18, TOWNSHIP 18 SOUTH, RANGE 1 WEST  
JEFFERSON COUNTY, ALABAMA

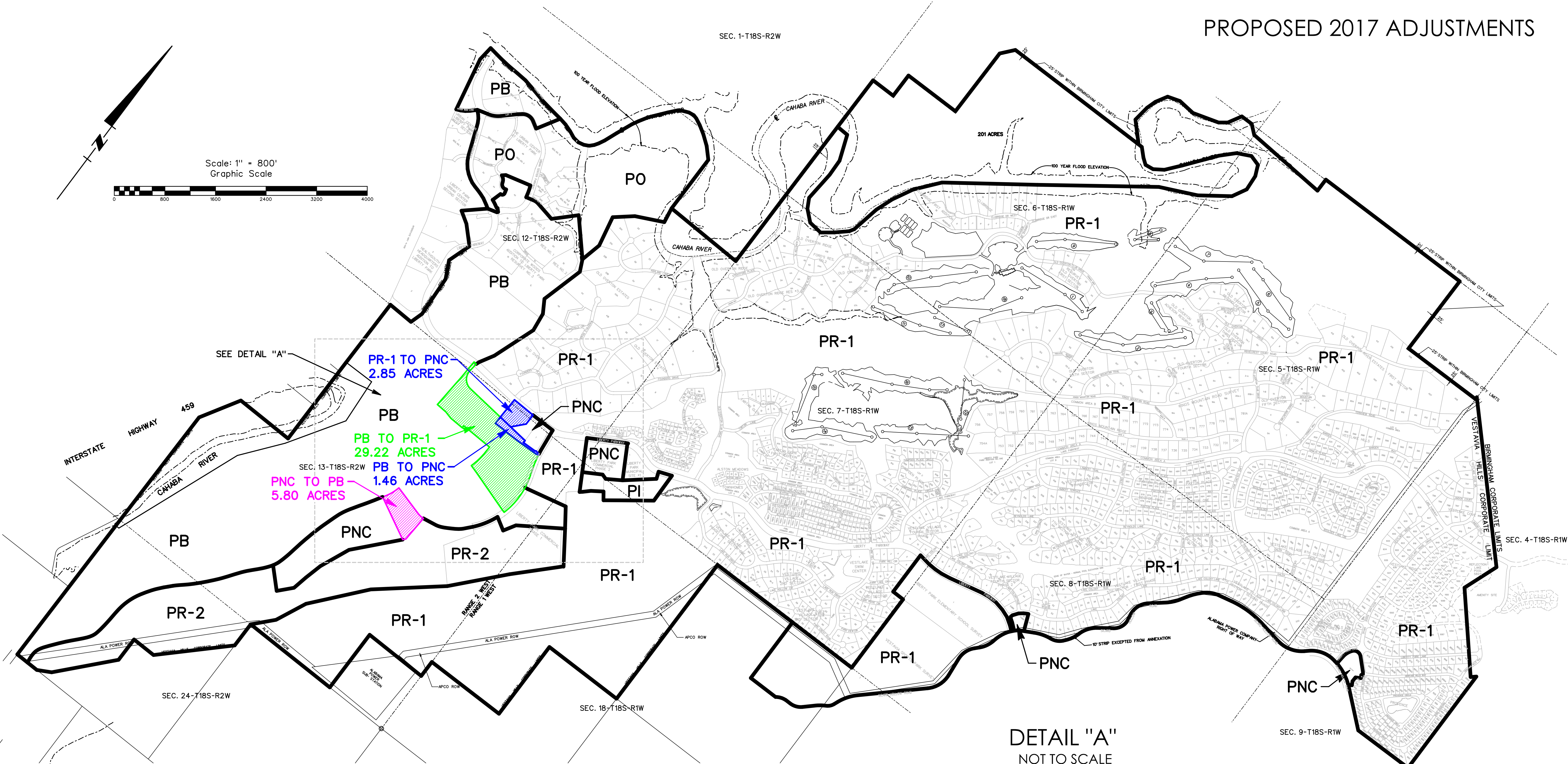
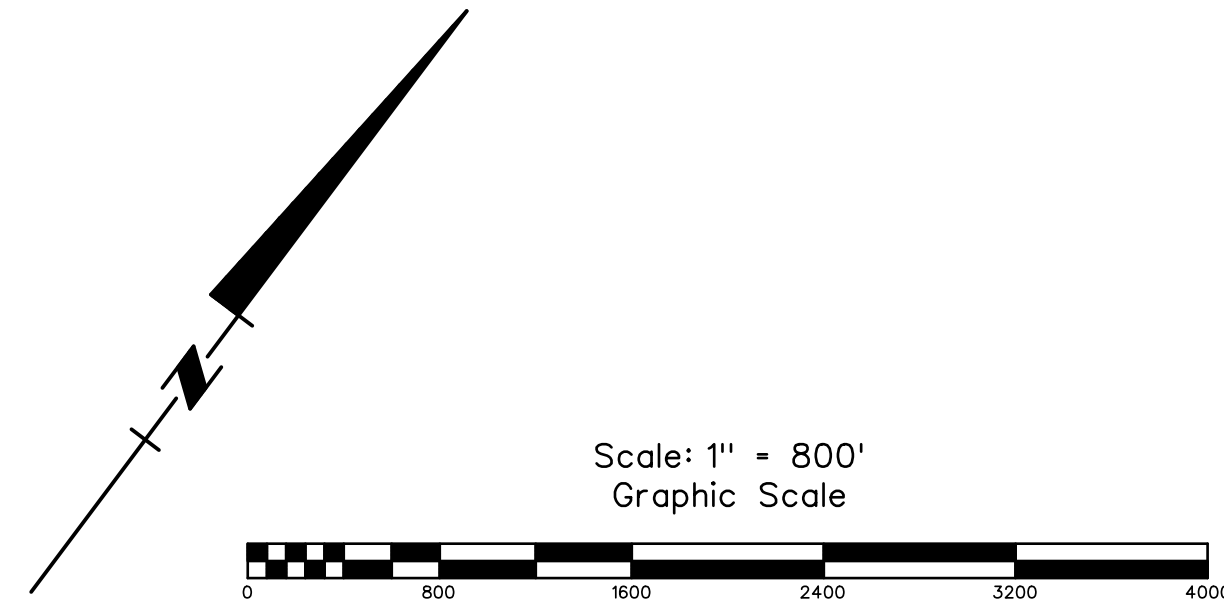
REVISIONS:

PRELIMINARY  
PLAT

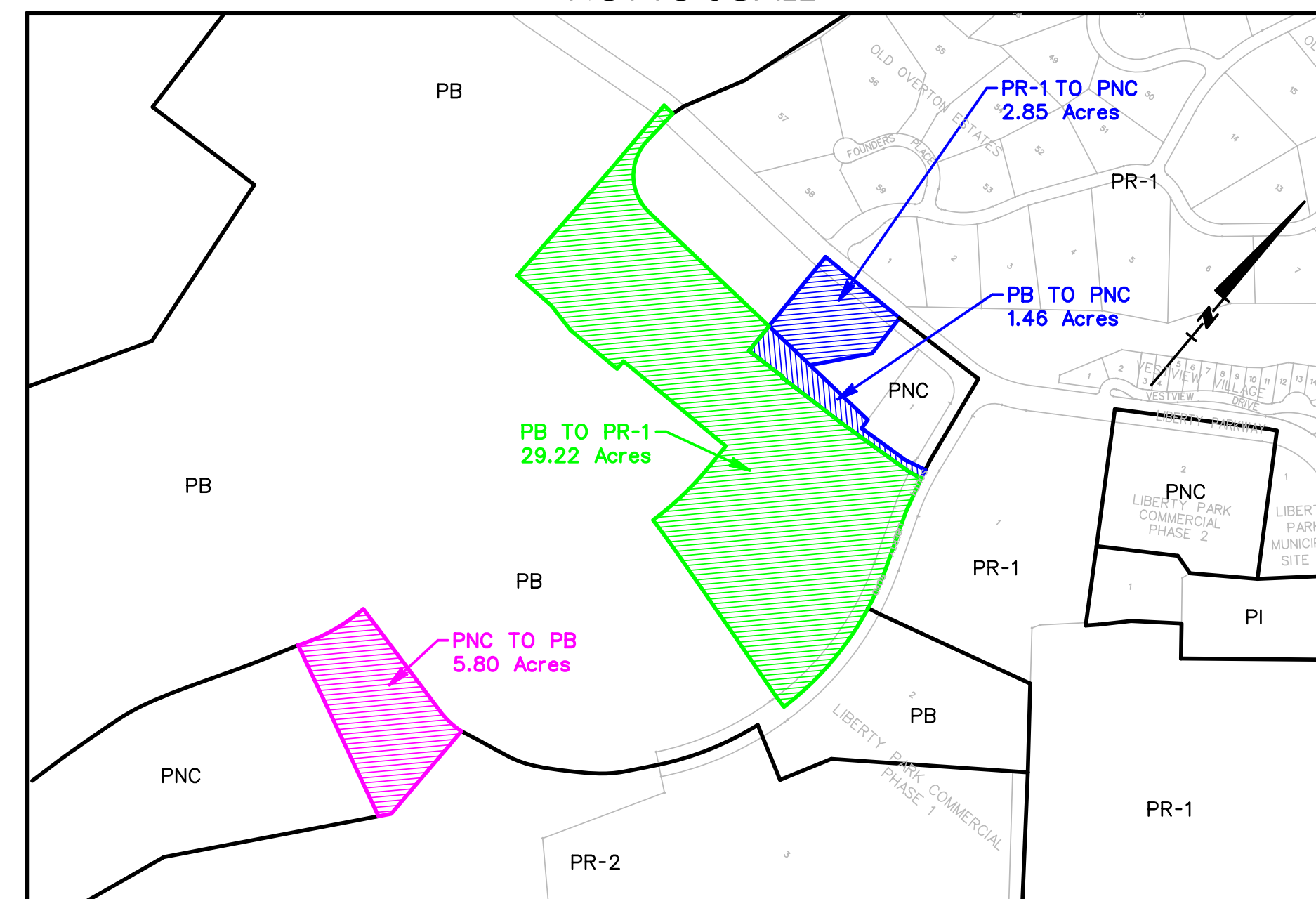
DATE: APRIL 2017  
DRAWN BY: J.W.H.  
CHECKED BY: J.F.B.  
FILE NAME: Preliminary Plat  
Land Use 2.dgn

g:/LIB/16/227/Survey/Exhibit/

PROPOSED 2017 ADJUSTMENTS



DETAIL "A"  
NOT TO SCALE



READJUSTMENT OF LAND USE  
BOUNDARIES AT LIBERTY PARK

SITUATED IN SECTIONS 1, 12, 13 AND 24, TOWNSHIP 18 SOUTH, RANGE 2 WEST  
AND SECTIONS 4, 5, 6, 7, 8, 9, AND 18, TOWNSHIP 18 SOUTH, RANGE 1 WEST  
JEFFERSON COUNTY, ALABAMA

REVISIONS:


PRELIMINARY  
PLAT

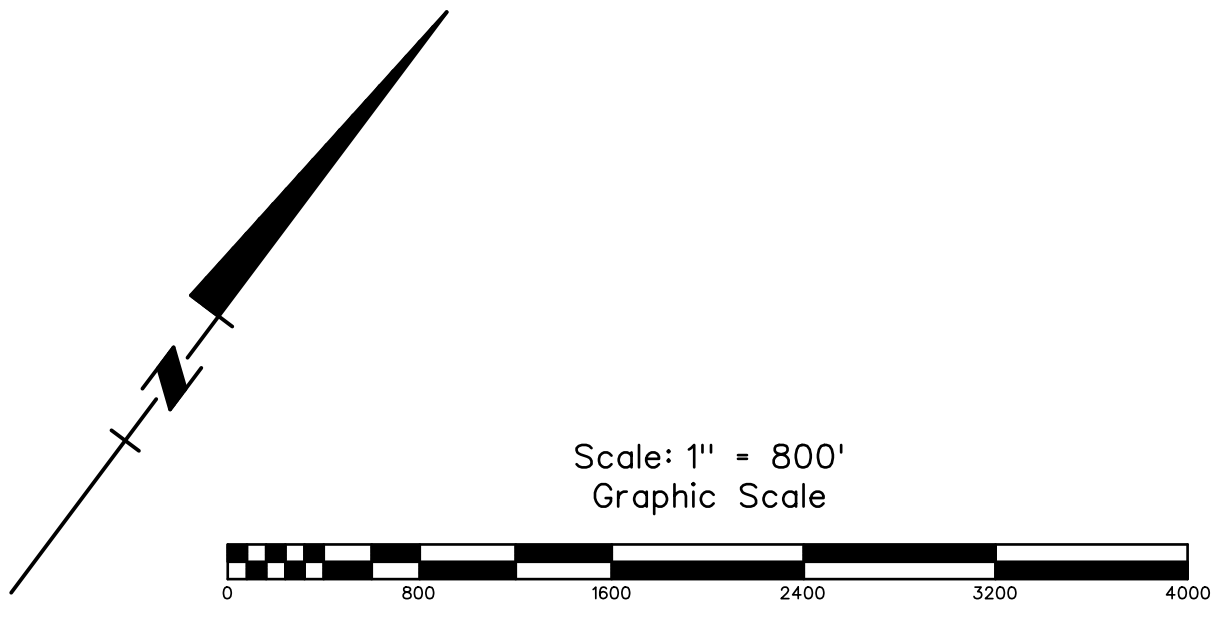
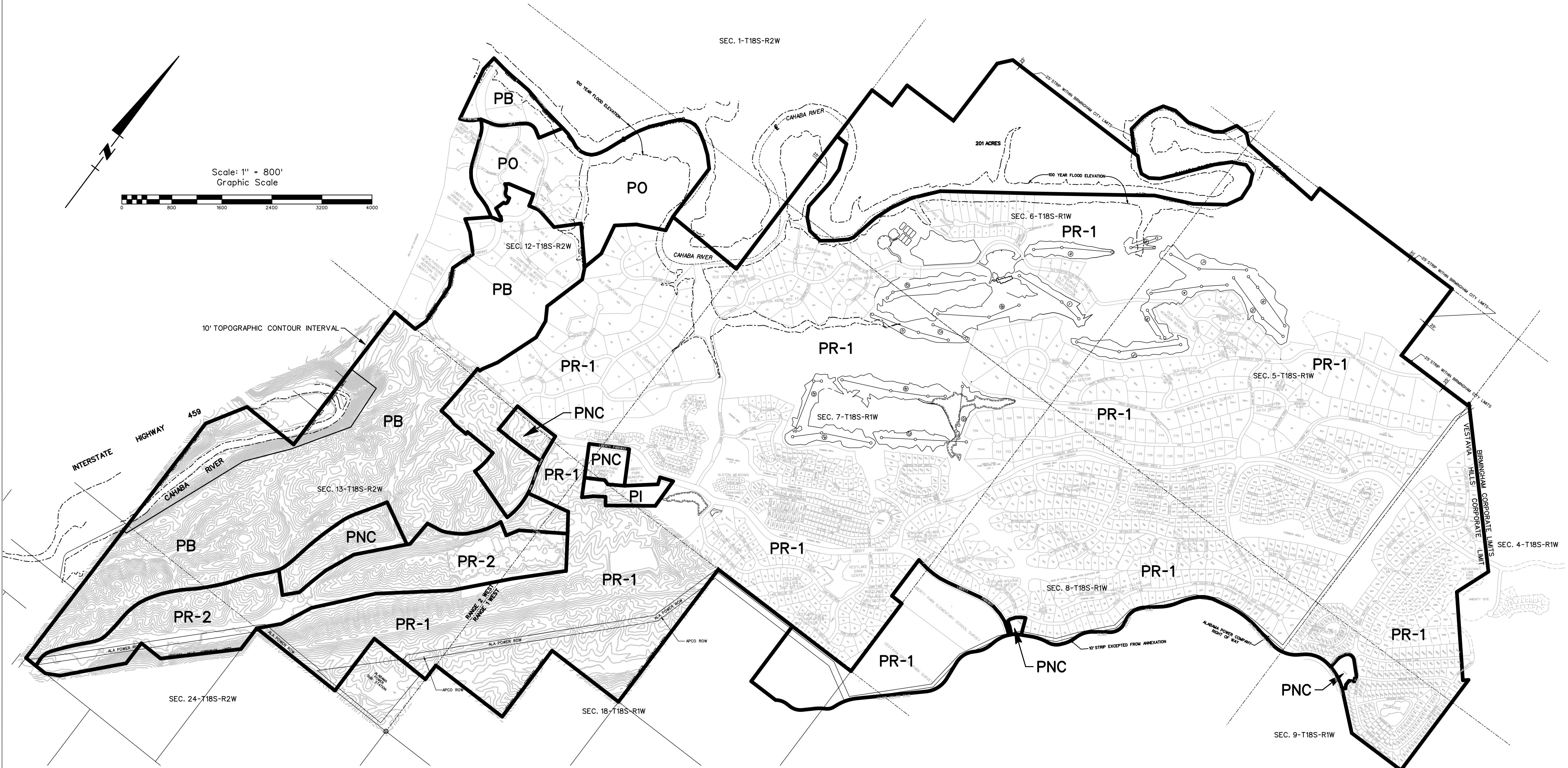
DATE: APRIL, 2017  
DRAWN BY: J.W.H.  
CHECKED BY: J.F.B.  
FILE NAME: Preliminary Plat  
Land Use 3.dgn

g:\LIB\16\227\Survey\Exhibit\



LAND USE AREAS AFTER 2017 READJUSTMENT

PUD LAND USE DISTRICT	ACREAGE	% OF TOTAL	CHANGE IN ACREAGE	% OF CHANGE	NEW ACREAGE TOTAL	NEW % OF TOTAL
PR-1 (PLANNED SINGLE FAMILY RESIDENTIAL)	2528.4	70.8%	26.37	1.04%	2554.8	71.6%
PR-2 (PLANNED MULTI FAMILY RESIDENTIAL)	145.0	4.1%	0.00	0.00%	145.0	4.1%
PO (PLANNED OFFICE)	120.0	3.4%	0.00	0.00%	120.0	3.4%
PNC (PLANNED NEIGHBORHOOD COMMERCIAL)	54.7	1.5%	-1.49	-2.73%	53.2	1.5%
PB (PLANNED BUSINESS)	508.7	14.3%	-24.88	-4.89%	483.8	13.5%
PI (PLANNED LIGHT INDUSTRIAL)	11.2	0.3%	0.00	0.00%	11.2	0.3%
UNDESIGNATED	201.0	5.6%	0.00	0.00%	201.0	5.6%
<b>TOTAL</b>	<b>3569.0</b>	<b>100.0%</b>			<b>3569.0</b>	<b>100.0%</b>



**READJUSTMENT OF LAND USE BOUNDARIES AT LIBERTY PARK**

SITUATED IN SECTIONS 1, 12, 13 AND 24, TOWNSHIP 18 SOUTH, RANGE 2 WEST AND SECTIONS 4, 5, 6, 7, 8, 9, AND 18, TOWNSHIP 18 SOUTH, RANGE 1 WEST, JEFFERSON COUNTY, ALABAMA

REVISIONS:


**PRELIMINARY PLAT**

DATE: APRIL 2017  
DRAWN BY: J.W.H.  
CHECKED BY: J.F.B.  
FILE NAME: Preliminary Plat Land Use 4.dgn

g:\LIB\16\227\Survey\Exhibit\

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

Date: APRIL 13, 2017

- **CASE: P-0417-20**
- **REQUESTED ACTION:** Final Plat Approval for For A Resurvey of Lots 23 & 24 Altadena Park Subdivision
- **ADDRESS/LOCATION:** 2625 & 2629 Altadena Park Cir.
- **APPLICANT/OWNER:** Wade & Patti Burt
- **REPRESNTING AGENT:** Weygand
- **GENERAL DISCUSSION:** Applicants are seeking to resurvey Lots 23 & 24 into 23A to build home. Lots meet all requirements of R-1 zoning.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive Plan for 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:** No issues.
  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:** Wade and Patti Burt

**ADDRESS:** 2625 Altadena Park Circle and 2629 Altadena Park Circle

Vestavia, AL 35243

**MAILING ADDRESS (if different from above)** 2519 Ivy Glenn Drive Vestavia, AL 35243

**PHONE NUMBER:** Home: 205-401-9669

Office: 205-747-4032

**NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:** Ray Weygand

---

**III. ACTION REQUESTED**

**Final Plat Approval**

Explain reason for the request: Resurvey of Lot 23 and Lot 24 Altadena Park Subdivision to combine into one Lot Designated as Lot 23 A in order to construct new home across both Lot 23 and Lot 24

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

---

**IV. PROPERTY DESCRIPTION: (address, legal description, etc.)** Lot 23 and Lot 24 Altadena Park Subdivision as recorded in Map Book 229 Page 77 in the Office of the Judge of Probate Jefferson County Alabama

Property size: \_\_\_\_\_ feet X \_\_\_\_\_ feet. Acres: 1.32 +/-

2017 MAR 27 P 4: 37

**VI. ZONING/REZONING:**

P0417-20//28-33-3-15 & 14  
2625 & 2629 Altadena Park Circle  
Final Map to Combine Lots  
Wade & Patti Burt

The above described property is presently zoned:

**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.

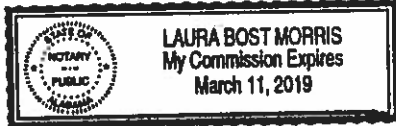
*Wade Burt 3/27/17*  
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal  
this 27 day of March, 2017.

*Laura Best Morris*  
Notary Public

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



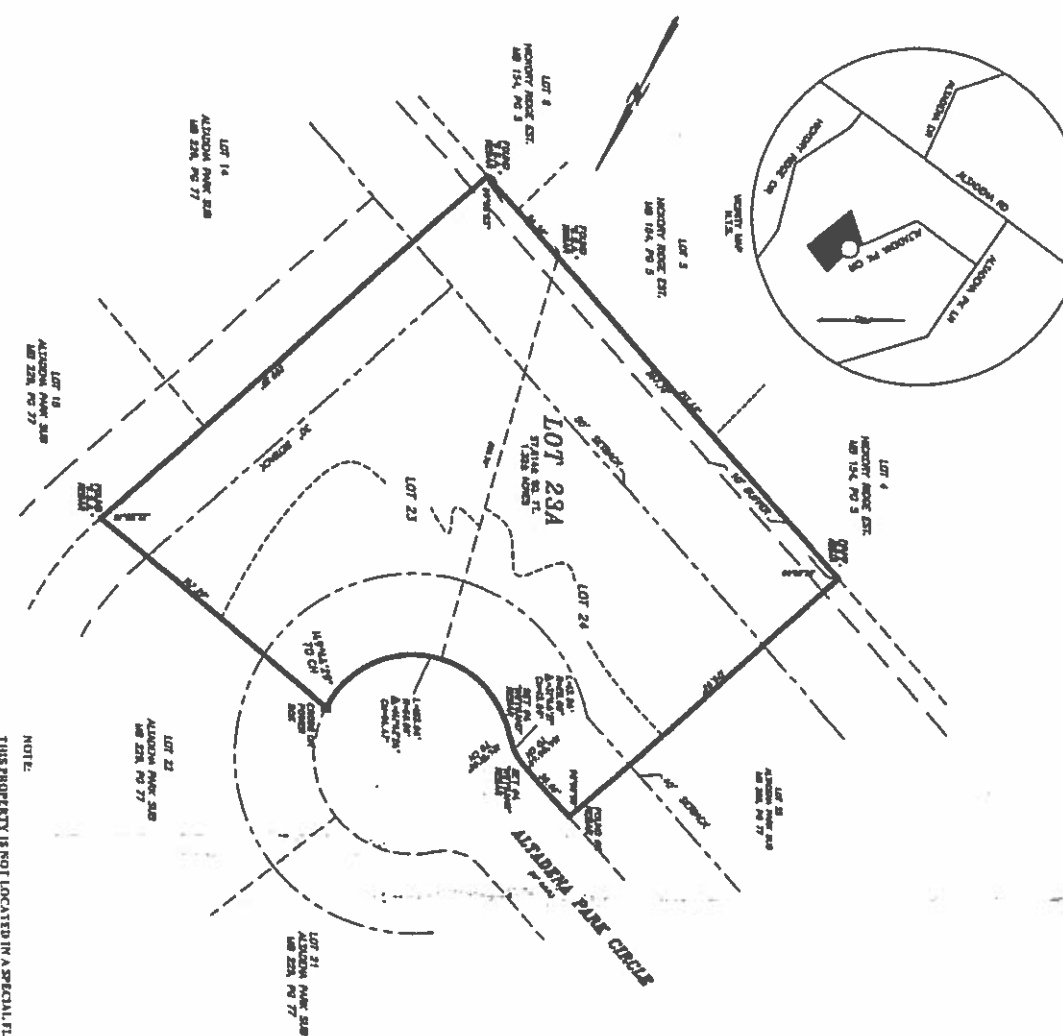
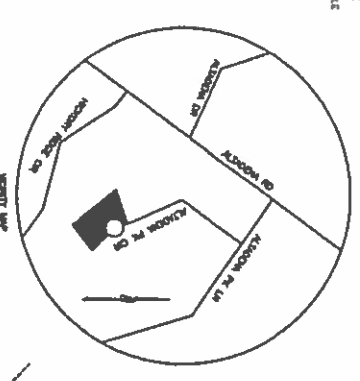
P0417-20/28-33-15 & 14  
 2625 & 2629 Altadena Park Circle  
 Final Map to Combine Lots  
 Wade & Patti Burt

RESURVEY OF LOTS 23 & 24, ALTADENA PARK SUBDIVISION

AS RECORDED IN MAP BOOK 229, PAGE 77 IN THE OFFICE OF THE JUDGE OF PROBATE JEFFERSON COUNTY, ALABAMA SITUATED IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 2 WEST JEFFERSON COUNTY, ALABAMA

WEGGARD SURVEYORS, INC.  
 Roy Weggard, Reg. L.S. #24873  
 169 Domino Road, Homewood, AL 35209  
 Phone: (205) 942-0088 Fax: (205) 942-0087

SCALE: 1"=30'



NOTE:  
 THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE "X") AS PER MAP NO. 892726K47N, DATED SEPTEMBER 03, 2018.

STATE OF ALABAMA  
 COUNTY OF JEFFERSON  
 I, \_\_\_\_\_, Clerk of the Court, do hereby certify that the foregoing is a true and correct copy of the original as recorded in the office of the Clerk of the Court, Jefferson County, Alabama, on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

WITNESSED my hand and the seal of said Court at the City of Montgomery, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CLERK OF COURT

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 WYTHELL SMALL AUSTON & EMMI CHAMBERS  
 ATTORNEYS AT LAW

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 JEFFERSON COUNTY ENGINEER & SURVEYOR

NOTICE: This map is a true and correct copy of the original as recorded in the office of the Clerk of the Court, Jefferson County, Alabama, on this \_\_\_\_\_ day of \_\_\_\_\_, 2018. The original is on file in the office of the Clerk of the Court, Jefferson County, Alabama, and is available for inspection by the public during regular business hours.

NOTE: This property is not located in a special flood hazard area (zone "X") as per map no. 892726K47N, dated September 03, 2018.

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

Date: APRIL 13, 2017

- **CASE:** P-0417-22
- **REQUESTED ACTION:** Final Plat Approval For Old Overton-6th Sector Lot 120 Resurvey
- **ADDRESS/LOCATION:** 7290 Kings Mountain Rd
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
- **REPRESENTING AGENT:** Schoel Engineering
- **GENERAL DISCUSSION:** Plat is to resurvey rear lot line. Golf course fairway encroaches on lot. Lot is currently undeveloped.
- **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

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

---

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

NAME: Liberty Park Joint Venture, LLP

ADDRESS: 8000 Liberty Parkway, Suite 114  
Birmingham, AL 35242

MAILING ADDRESS (if different from above) \_\_\_\_\_

PHONE NUMBER: Home \_\_\_\_\_ Office \_\_\_\_\_

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: \_\_\_\_\_  
Walter Schoel Engineering Company, Inc.

---

**III. ACTION REQUESTED**

**Final Plat Approval**

Explain reason for the request: To adjust the rear lot lines of Lot 120

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

---

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

Lot 120, Old Overton 6th Sector MB192 PG 87

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

---

**VI. ZONING/REZONING:**

The above described property is presently zoned: \_\_\_\_\_

2017 MAR 23 PM 3:08

**VI. OWNER AFFIDAVIT:**

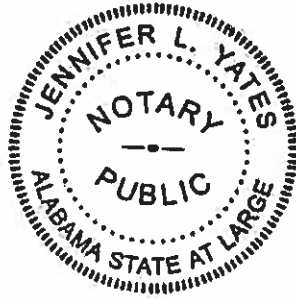
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing.

[Signature] 3.21.2017      [Signature]  
Owner Signature/Date      Representing Agent (if any)/date

Given under my hand and seal  
this 21st day of March, 2017.

Jennifer L. Yates  
Notary Public

My commission expires 9th  
day of MAY, 2020.





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

Date: APRIL 13, 2017

- **CASE: P-0417-23**
- **REQUESTED ACTION:** Final Plat Approval for Southbend Subdivision
- **ADDRESS/LOCATION:** Wisteria Rd. & Rocky Ridge Rd.
- **APPLICANT/OWNER:** BC South, LLC
- **REPRESENTING AGENT:** Taylor Burton
- **GENERAL DISCUSSION:** Applicants are requesting final plat approval for the Southbend subdivision. The preliminary plat was approved by this Commission on 8/14/15. City Council approved the R-9 rezoning with the approval of Ordinance 2596 on 9/28/15.

The final plat is consistent with the preliminary plat and rezoning application.

- **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:** No recommendation

2. **City Engineer Review:** Will review roadway before map is recorded.

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: BC South, LLC \_\_\_\_\_

ADDRESS: 3239 Lorna Road \_\_\_\_\_

Birmingham, AL 35216 \_\_\_\_\_

MAILING ADDRESS (if different from above) \_\_\_\_\_

PHONE NUMBER: Home \_\_\_\_\_ Office (205) 822-7936

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

Taylor Burton

---

**III. ACTION REQUESTED**

**Final Plat Approval**

Explain reason for the request: \_\_\_\_\_

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

---

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

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

---

**VI. ZONING/REZONING:**

The above described property is presently zoned: \_\_\_\_\_

2017 MAR 23 P 1:06

P0417-23//40-6-4-2-34, 35 & 36  
3375 Wisteria Dr./2312 & 2320  
Rocky Ridge Rd.  
Final Map for South Bend  
BC South, LLC

P&Z Application  
Page 4

VI. OWNER AFFIDAVIT:

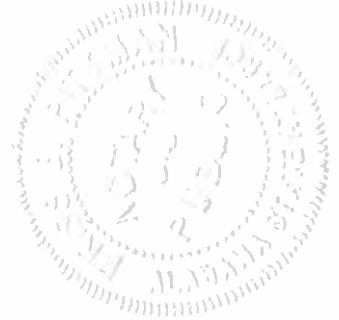
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing.

Taylor Burton      3/21/2017      Taylor Burton  
*Owner Signature/Date*      *Representing Agent (if any)/date*

Given under my hand and seal  
this 21<sup>st</sup> day of March, 2017.

Prince B. Pittman  
*Notary Public*

My commission expires 14<sup>th</sup>  
day of December, 2018.



SOUTH BEND SUBDIVISION

LYING IN THE SE 1/4 OF SECTION 6 TOWNSHIP 19 SOUTH, RANGE 2 WEST JEFFERSON COUNTY, ALABAMA

SURVEYOR'S NOTES

- 1. This is a Record Plat, made on the ground under the supervision of an Alabama Registered Land Surveyor. Date of field survey is March 14, 2016. 2. The following surveying instruments were used at time of field visit: Nikon NPL-352, Total Station, Reflectless and Hiper-4 Legacy E RTK, GD 1HZ. 3. Bearings are based on Alabama West North State Plane Coordinates NAD 83. 4. No underground utilities, underground encroachments or building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown. 5. This survey was conducted for the purpose of a Record Plat only, and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity. 6. Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data. 7. This Survey was conducted without the benefit of Abstract Title search. 8. Survey shown hereon conforms to the Minimum Requirements as set forth by the State Board for a Class "A" Survey. 9. Field data upon which this map or plat is based has a closure precision of not less than one-foot in 15,000 feet (1:15,000) and an angular error that does not exceed 10 seconds times the square root of the number of angles traversed. Field traverse was not adjusted. 10. 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.

FLOOD NOTE

The subject property appears to lie Zone "AE" and "X" in the Flood Insurance Rate Map Community Panel No. 01073C 0566H, Jefferson County, which bears an effective date of September 3, 2010. Zone "AE", Base Flood Elevation determined and Zone "X" is Areas determined to be outside the 0.2% chance annual floodplain.

THE STATE OF ALABAMA COUNTY OF JEFFERSON

The undersigned Andrew Kramer, Registered Land Surveyor, State of Alabama, and Daniell Taylor Burton, representative of BC South, LLC, owner hereby certify that this plat or map was made pursuant to a survey and this plat or map is a true and correct map of lands shown therein and known as SOUTH BEND SUBDIVISION showing the subdivisions into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearings, 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 open circles on said plat or map. Said owner also certifies that he is the owner of said lands and that the same are not subject to any mortgage, except a mortgage held by the following mortgagee: Trustmark National Bank.

BY: Andrew Kramer, Surveyor PLS NO. 29990 DATE: \_\_\_\_\_

OWNER:

Name: Daniell Taylor Burton Representative of BC South, LLC DATE: \_\_\_\_\_

MORTGAGEE:

Name: Ben Hendrix Representative of Trustmark National Bank DATE: \_\_\_\_\_

STATE OF ALABAMA COUNTY

I, \_\_\_\_\_ as Notary Public in and for said County and State, do hereby certify that Andrew Kramer, whose name is signed to the foregoing certificate as Land Surveyor, who is known to me, acknowledged before me, on this date, that after having been duly informed of the contents of said certificates, he executed same voluntarily as such Land Surveyor and with full authority thereof.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: Notary Public (seal) My commission expires: \_\_\_\_\_

STATE OF ALABAMA COUNTY

I, \_\_\_\_\_ as Notary Public in and for said County and State, do hereby certify that Daniell Taylor Burton, representative of BC South, LLC, whose name is signed as Owner, who is known to me, acknowledged before me, on this date, that after having been duly informed of the contents of said certificates, he executed same voluntarily and with full authority thereof.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: Notary Public My commission expires: \_\_\_\_\_

STATE OF ALABAMA COUNTY

I, \_\_\_\_\_ as Notary Public in and for said County and State, do hereby certify that Ben Hendrix, representative of Trustmark National Bank, whose name is signed as Mortgagee, who is known to me, acknowledged before me, on this date, that after having been duly informed of the contents of said certificates, he executed same voluntarily and with full authority thereof.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: Notary Public My commission expires: \_\_\_\_\_

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 Easement Boundaries after this date may void this approval.

Director of Environmental Services DATE: \_\_\_\_\_ Jefferson County, Alabama

BY: JEFFERSON COUNTY HEALTH DEPARTMENT DATE: \_\_\_\_\_

Having reviewed this plat, and the associated improvements by the owner for dedication to the City of Vestavia Hills (as secured by bonds), I \_\_\_\_\_ as City Engineer, recommend approval and acceptance by the Planning and Zoning Commission, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Having reviewed this plat, and considered the recommendations of the City Engineer, the Planning and Zoning Commission hereby, by majority vote, (accepts the plat for recording) and recommends the City Council accept the dedications shown thereon, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_, Chairman

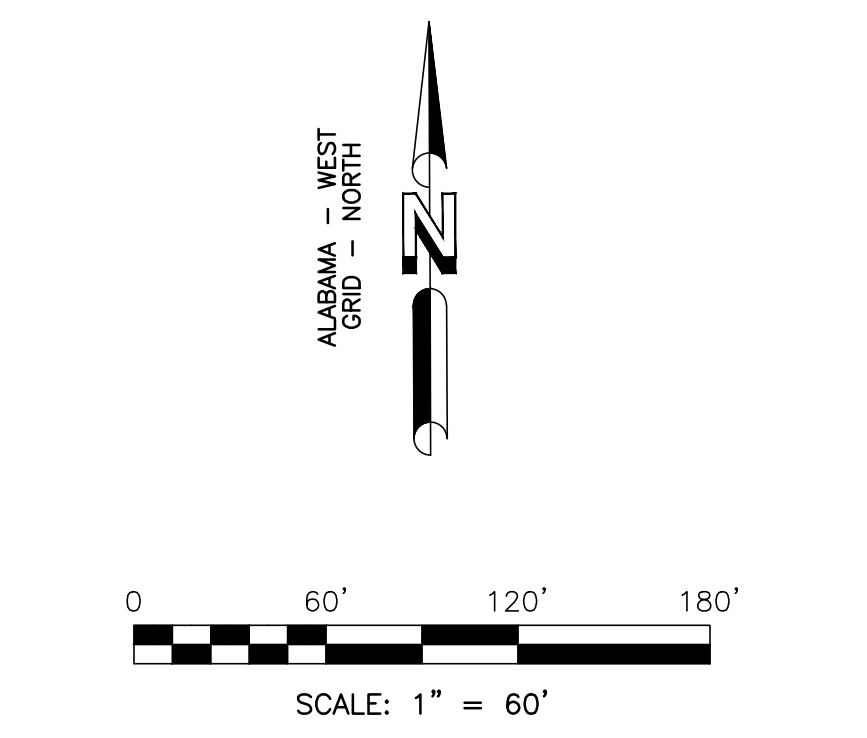
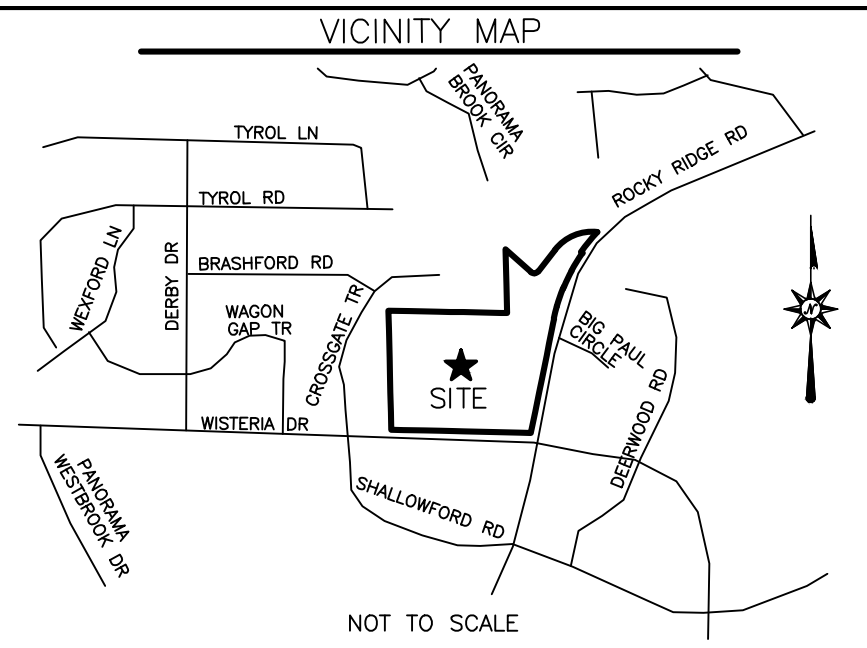
BE IT RESOLVED, by the Vestavia Hills City Council that the assent of the body be, and the same hereby is, given to the dedication of the streets, alleys, and public grounds as shown on plat or map of SOUTH BEND SUBDIVISION, which said plat or map is certified to have been made by Andrew Kramer as surveyor, at the instance of Daniell Taylor Burton, Vice President and Representative of BC South, LLC, as owner, and recommended by the Planning and Zoning Commission and; said plat or map being further identified by a recital of the approval of the City Council.

By: \_\_\_\_\_ City Clerk, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: VESTAVIA HILLS CITY ENGINEER DATE: \_\_\_\_\_

By: VESTAVIA HILLS PLANNING & ZONING COMMISSION DATE: \_\_\_\_\_

By: VESTAVIA HILLS MANAGER DATE: \_\_\_\_\_



SETBACKS: FRONT (STANDARD) - 20' OFF BACK OF CURB FRONT (SPECIAL) - 15' OFF BACK OF CURB (LOTS: 1, 10, 11, 12, 13, 14, 15, 16, 31, 32, 38, 39 & 45) REAR - 25' SIDE - 0' (15' MINIMUM BETWEEN HOUSES) LEGEND: O = 5/8" CAPPED REBAR SET, \* = FOUND PROPERTY MARKER, --- ROW, = RIGHT-OF-WAY

Table with 3 columns: Lot No., Acres, Sq. Feet. Lists lots 1 through 45 and common areas CA 1, CA 2, and CA 3.

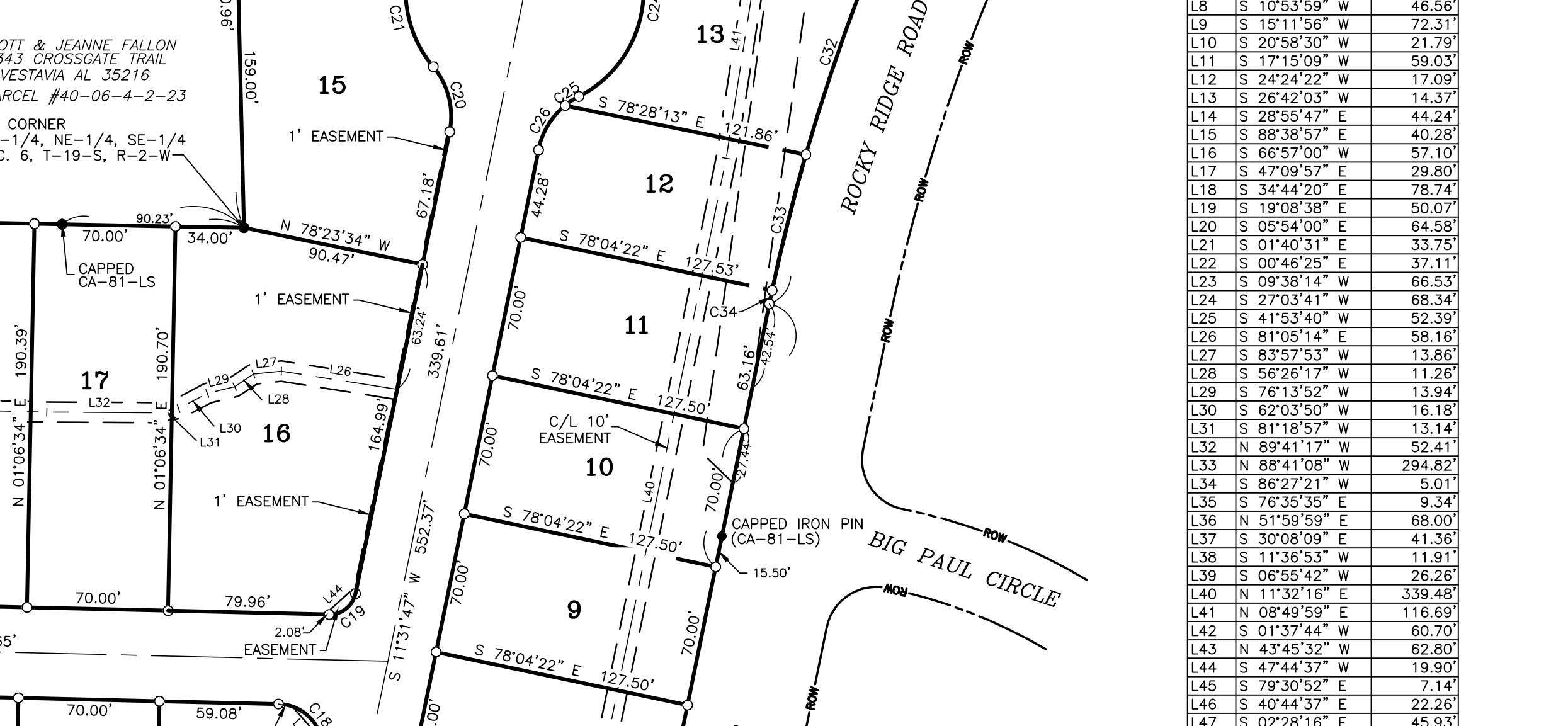
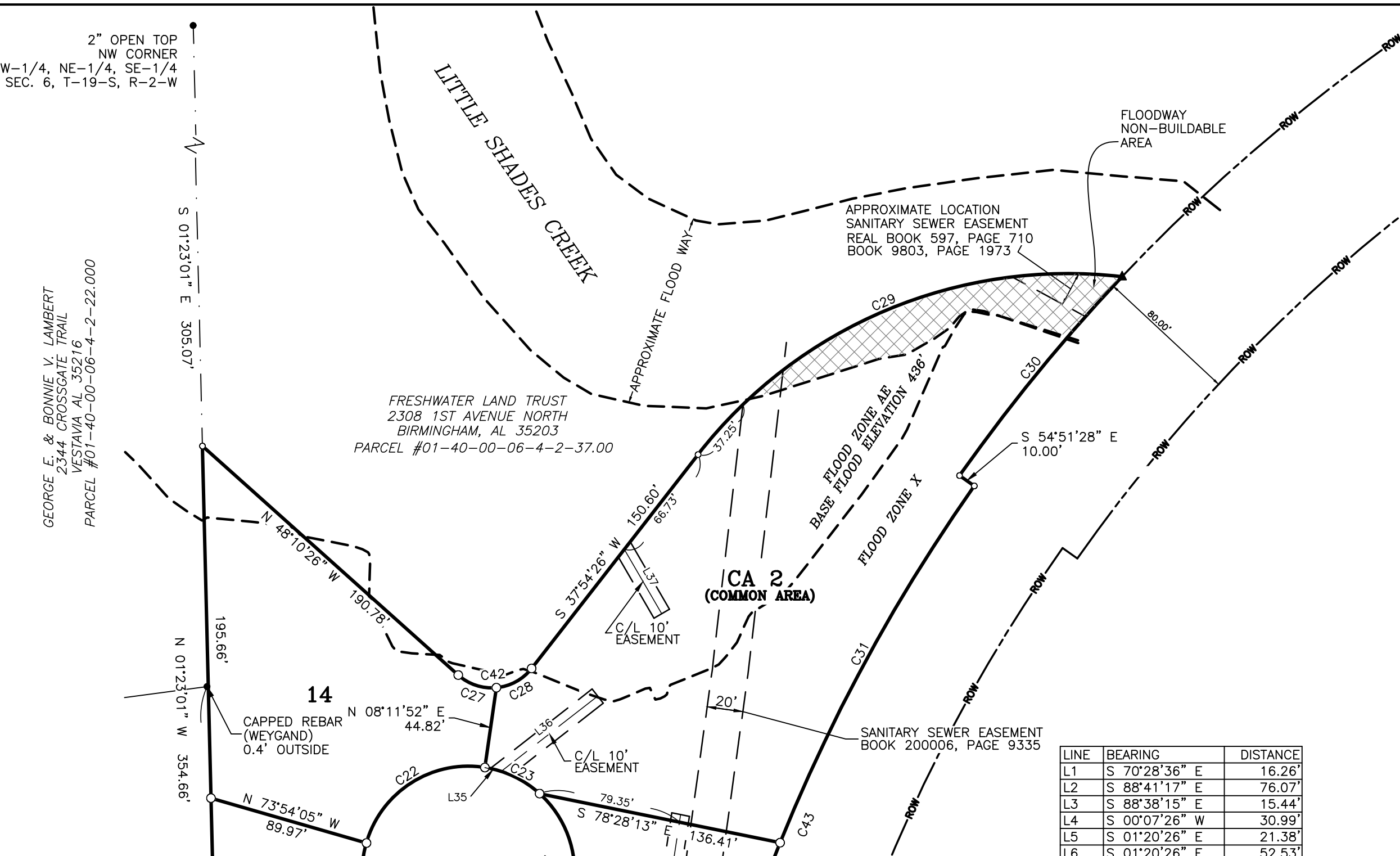


Table with 5 columns: CURVE, RADIUS, ARC LENGTH, CHORD BEARING, CHORD LENGTH, DELTA ANGLE. Lists curve data for various lots and easements.

Project information sidebar including PROJECT NO. 07-0909.1, DRAWN BY: JS, CHECKED BY: AAK, FIELD CREW: N/A, APPROVED BY: AAK, DATE: 03/16/17, SCALE: 1" = 60', SHEET 1 OF 1, and logos for ALTA SURVEY and SMW Engineering Group, Inc.

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

Date: APRIL 13, 2017

- **CASE: P-0417-14**
- **REQUESTED ACTION:** Rezoning from Jefferson County R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 2419 Dolly Ridge Rd.
- **APPLICANT/OWNER:** Jason Robinson
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 2/27/17 with the passage of Ordinance 2694. Applicant is requesting the compatible rezoning as part of the annexation process.
- **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.

# CITY OF VESTAVIA HILLS

## APPLICATION

### PLANNING AND ZONING COMMISSION

2017 FEB 28

FEB 5 7

#### 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: Jason Robinson

ADDRESS: 2419 Dolly Ridge Rd.  
Vestavia, AL. 35243

MAILING ADDRESS (if different from above) \_\_\_\_\_

PHONE NUMBER: Home 205-240-5614 Office \_\_\_\_\_

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

**III. ACTION REQUESTED**

Request that the above described property be zoned/rezoned

From: JC R1

To: VH R2

For the intended purpose of: Annexation

(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.)**

see attached legal

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

**V. INFORMATION ATTACHED:**

Attached Checklist complete with all required information.

Application fees submitted.

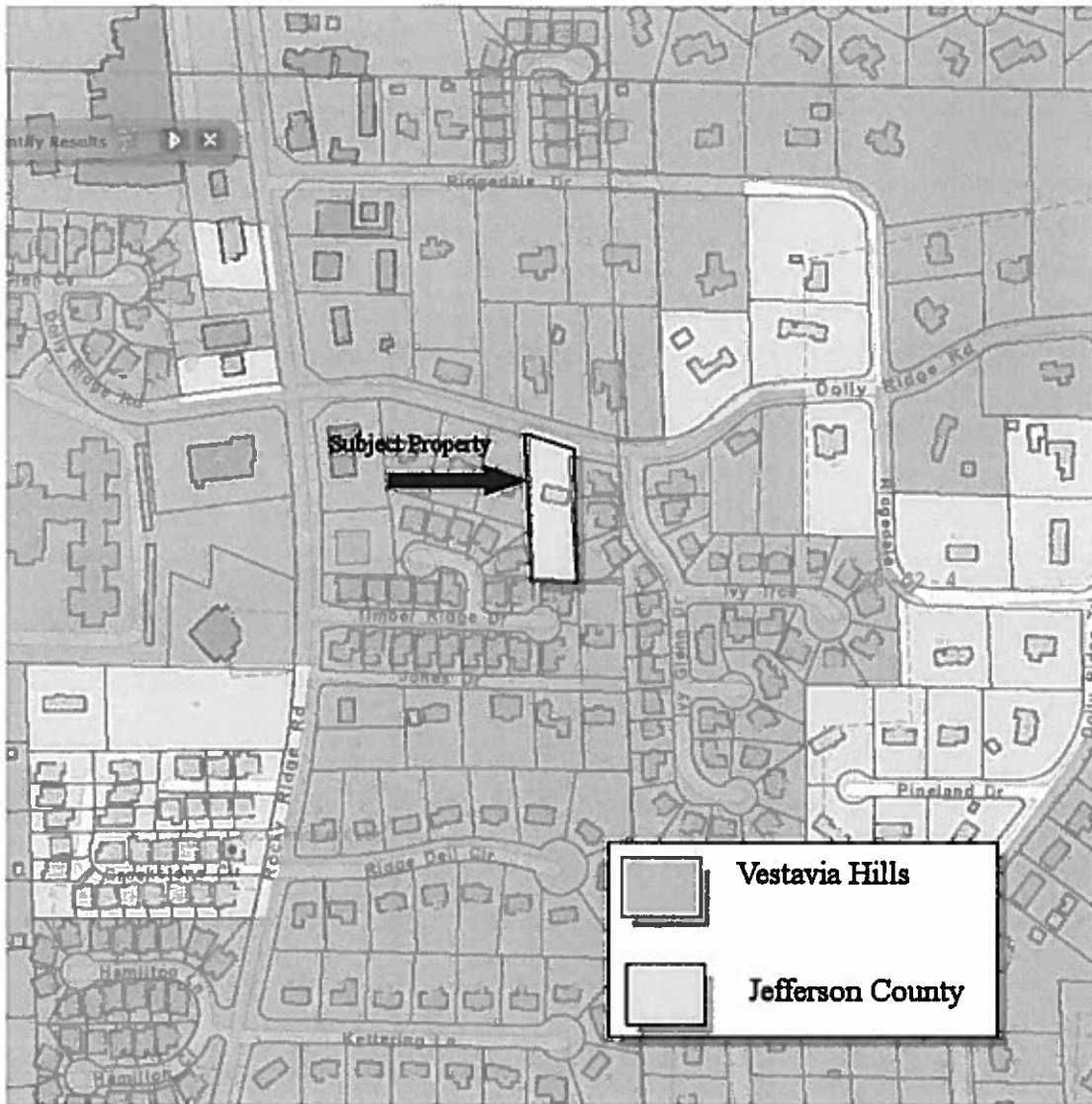
**VI.** I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing.

[Signature] 2/28/17  
Owner Signature/Date

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

Given under my hand and seal  
this 27th day of Feb, 2017.

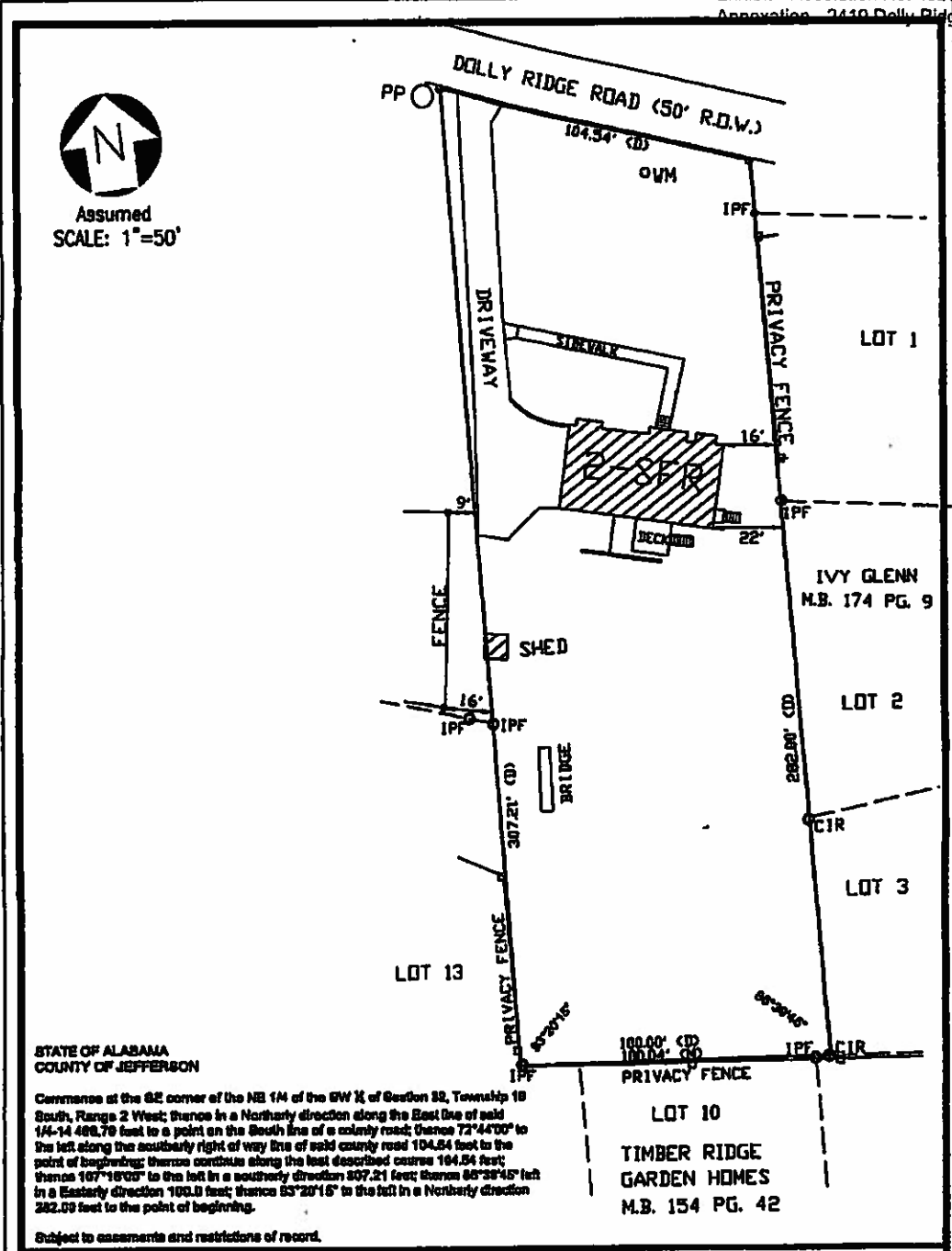
[Signature]  
Notary Public  
My commission expires 15th  
day of July, 2019.







Assumed  
 SCALE: 1"=50'



STATE OF ALABAMA  
 COUNTY OF JEFFERSON

Commence at the SE corner of the NE 1/4 of the SW 1/4 of Section 32, Township 19 South, Range 2 West; thence in a Northerly direction along the East line of said 1/4-1/4 488.79 feet to a point on the South line of a county road; thence 72°44'00" to the left along the southerly right of way line of said county road 104.54 feet to the point of beginning; thence continue along the last described course 104.54 feet; thence 107°18'00" to the left in a southerly direction 307.21 feet; thence 65°38'45" left in a Easterly direction 100.00 feet; thence 83°20'15" to the left in a Northerly direction 282.00 feet to the point of beginning.

Subject to encumbrances and restrictions of record.

SOURCE OF TITLE: BOOK 6825 PAGE 488 (JEFFERSON CO.)

DATE: 9 AUGUST 2016

"I hereby (or 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."

Surveyor's Signature: *Amos F. Reese*

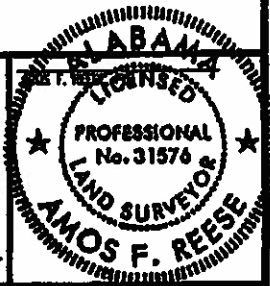
Alabama License No. 31576 Date *Aug 12, 2016*

TYPE: AS-BUILT

2419 Dolly Ridge Road  
 Birmingham, AL 35243

AMOS F. REESE  
 3586 GREAT OAK LANE  
 BIRMINGHAM, AL 35223  
 PHONE: 205.278.6596

- CH- CAPPED IRON ROD
- OFF- OPEN PIN FOUND
- IPF- IRON PIN FOUND
- CALC- CALCULATED
- (P)- PLAT DIMENSION
- (M)- MEASURED DIMENSION
- R/W- RIGHT OF WAY
- CONC- CONCRETE
- PP- POWER POLE
- FC- FENCE CORNER
- LP- LIGHT POLE
- PED- PEDESTAL
- WM- WATER METER
- PB- POWERBOX
- N- NORTH
- S- SOUTH
- W- WEST
- E- EAST
- POC- POINT OF COMMENCEMENT
- POB- POINT OF BEGINNING
- POINT SET
- POINT FOUND
- ⊞- POINT CALC.
- △- POINT NOT SET
- FENCE LINE
- - - EASEMENT LINE
- OVERHEAD POWER/TEL
- MH- MANHOLE



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

Date: APRIL 13, 2017

- **CASE: P-0417-16**
- **REQUESTED ACTION:** Rezoning from Jefferson County Jefferson County E-1 to Vestavia Hills E-2
- **ADDRESS/LOCATION:** 2611 April Dr.
- **APPLICANT/OWNER:** Charles Hunter & Stephanie Langer
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 3/13/17 with the passage of Ordinance 2699. Applicant is requesting the compatible rezoning as part of the annexation process.
- **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.

**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: Charles Hunter and Stephanie Langner

ADDRESS: 2611 April Dr.

Birmingham, AL 35243

MAILING ADDRESS (if different from above) \_\_\_\_\_

PHONE NUMBER: Home 205/718-4077 Office \_\_\_\_\_

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: N/A

---

**III. ACTION REQUESTED**

Request that the above described property be zoned/rezoned

From: E-1

To: E-2

For the intended purpose of: annexation

*(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.)**

\_\_\_\_\_  
\_\_\_\_\_

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

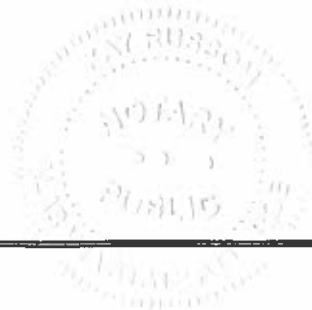
Stephanie Langner 3/21/17  
Owner Signature/Date

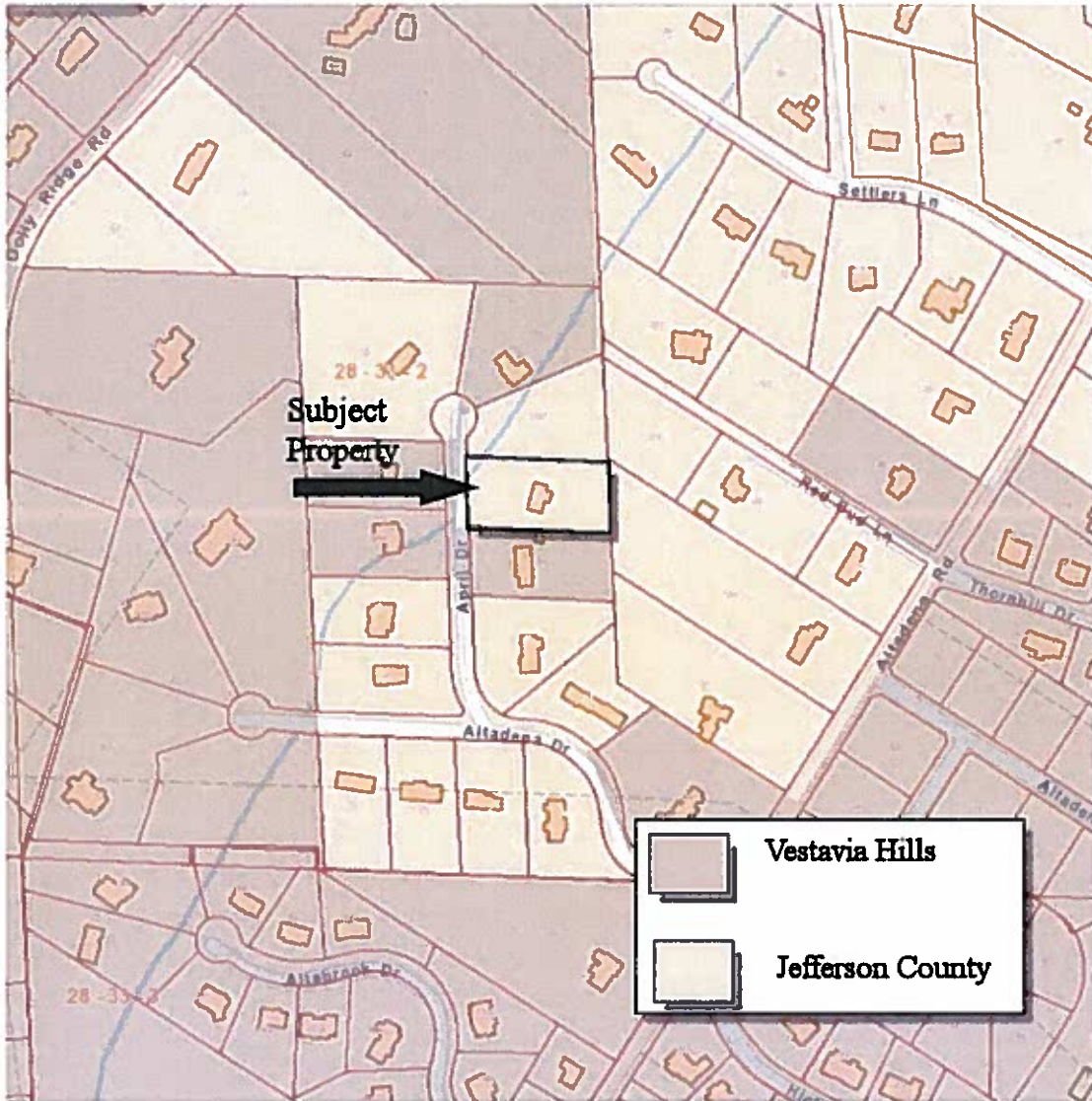
\_\_\_\_\_  
Representing Agent (if any)/date

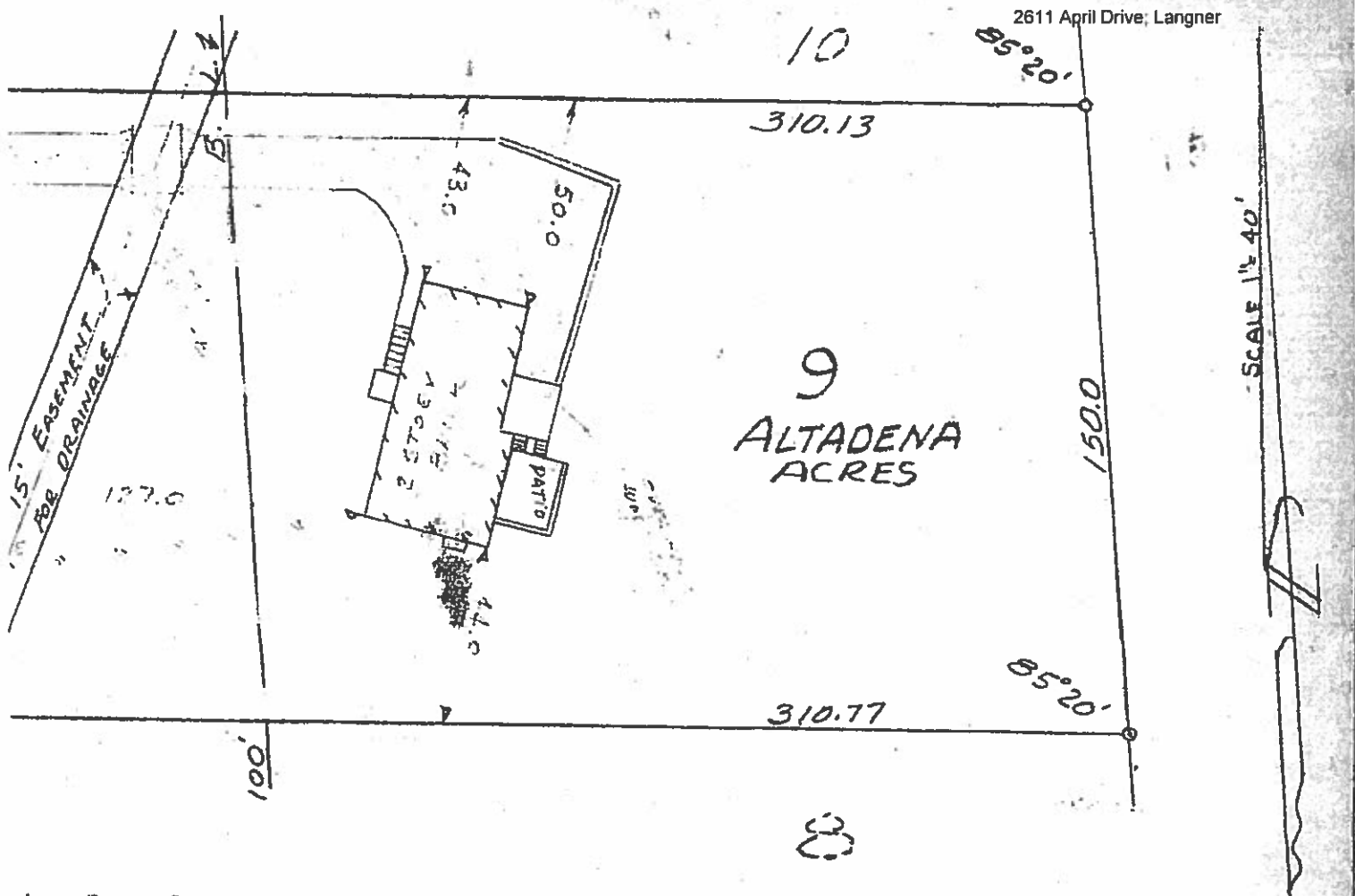
Given under my hand and seal  
this 21<sup>st</sup> day of March, 2017.

Kay Russon  
Notary Public

My commission expires \_\_\_\_\_ My Commission Expires  
day of \_\_\_\_\_, 20\_\_\_\_ November 8, 2020







I, B.G. Meade, Licensed Land Surveyor of B'ham. Ala. hereby certify that the foregoing is a true and correct Plat of; LOT-- 9, According to the Map and Survey of ALTADENA ACRES as shown on the Plat of the Judge of Probate of Jefferson County Ala. in Map Book 51, Page 73. that the building shown on said lot is within the lines of same, that there are no buildings on adjoining properties; that there are no rights of way, easements or over said premises except as shown; that there are no electric or gas wires (which serve the premises only) or structures or supports thereon and guy wires on or over said premises except as shown.

This is given on the 30th day of May 1967.

*B.G. Meade*  
 B.G. MEADE SURVEYOR REG. # 2829  
 6915 53rd. Ave. No. B'ham, Ala.  
 Tele. # 833-2983 & 836-2750

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

Date: APRIL 13, 2017

- **CASE: P-0417-17**
- **REQUESTED ACTION:** Rezoning from Jefferson County Jefferson County R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 3139 Renfro Rd.
- **APPLICANT/OWNER:** Joey L. & Pamela J. Snow
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 3/13/17 with the passage of Ordinance 2697. Applicant is requesting the compatible rezoning as part of the annexation process.
- **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.

P0417-17//40-6-3-7-3-1  
3139 Renfro Rd.  
Rezone to VH R-2  
Joey & Pamela Snow  
R-1

JC

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 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: Joey L. Snow and Pamela J. Snow

ADDRESS: 3139 Renfro Road

Birmingham, AL 35216

MAILING ADDRESS (if different from above) (same)

PHONE NUMBER: Home (205) 822-0303 Office (205) 942-2013

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



P0417-17//40-6-3-7-3-1  
3139 Renfro Rd.  
Rezone to VH R-2  
Joey & Pamela Snow  
R-1

JC

**III. ACTION REQUESTED**

Request that the above described property be zoned/rezoned

From: JCR1

To: VH R 2

For the intended purpose of: annexation

(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.)**

\_\_\_\_\_  
\_\_\_\_\_

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

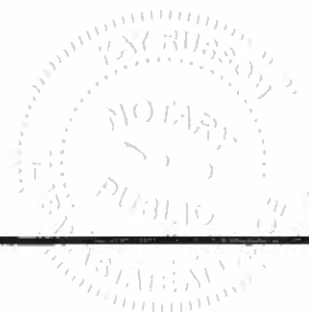
Pamela J. Snow  
Owner Signature/Date

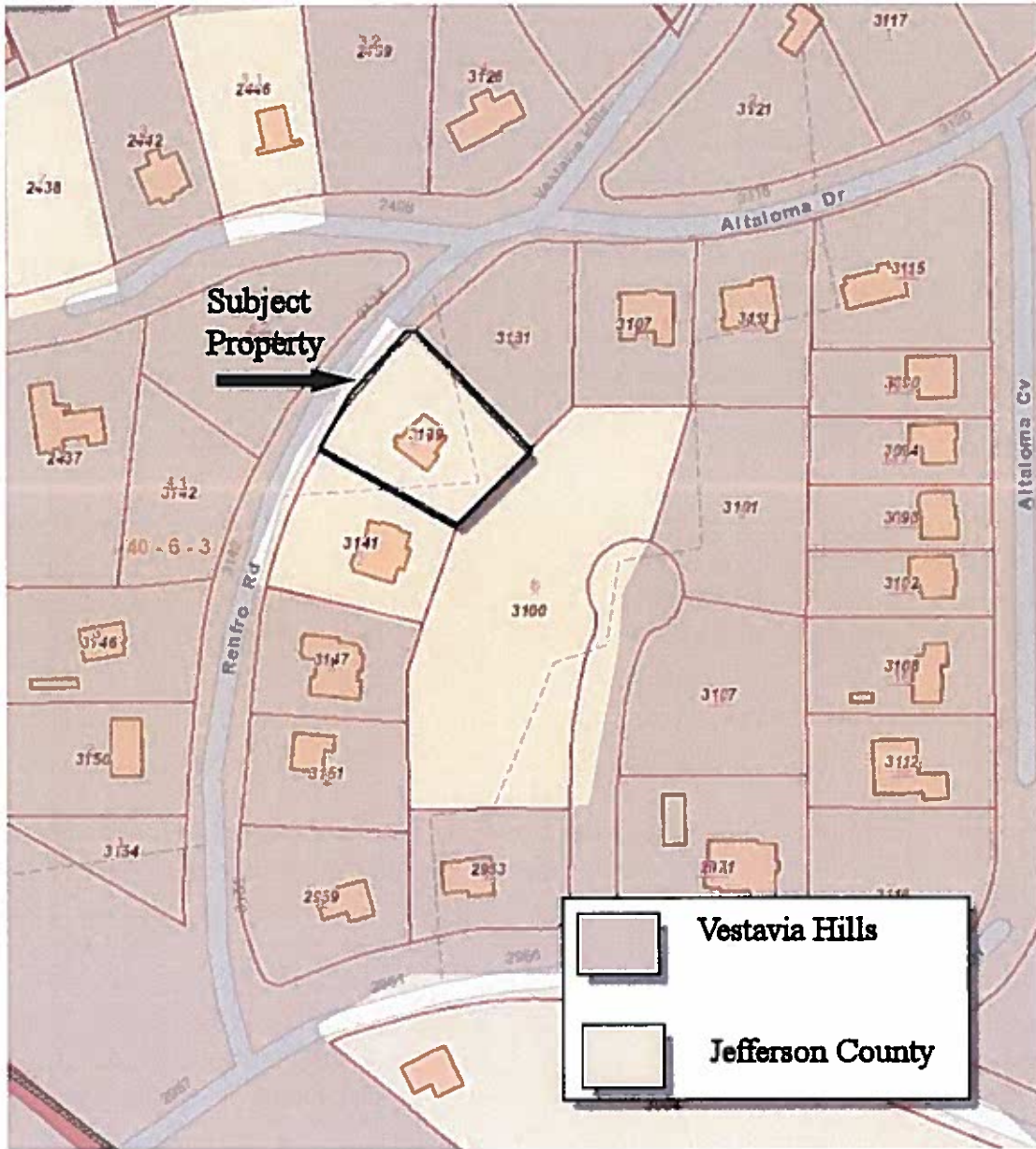
\_\_\_\_\_  
Representing Agent (if any)/date

Given under my hand and seal  
this 21<sup>st</sup> day of March, 2017.

Kay Russom  
Notary Public  
My commission expires \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.

Commission Expires  
November 8, 2020





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

Date: APRIL 13, 2017

- **CASE: P-0417-18**
- **REQUESTED ACTION:** Rezoning from Jefferson County Jefferson County E-1 to Vestavia Hills E-2
- **ADDRESS/LOCATION:** 2696 Altadena Rd.
- **APPLICANT/OWNER:** Curtis T. & Lisa V. Martin
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 3/13/17 with the passage of Ordinance 2698. Applicant is requesting the compatible rezoning as part of the annexation process.
- **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.

P0417-18//28-28-4-1-38  
2696 Altadena Rd.  
Rezone to VH E-2  
Curtis & Lisa Martin  
E-1

JC

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 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: Curtis T. + Lisa V. Martin

ADDRESS: 2696 Altadena Rd. Vestavia, AL 35243-4504

MAILING ADDRESS (if different from above) \_\_\_\_\_

PHONE NUMBER: Home (205) 529-2275 Office (205) 992-7757

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

P0417-18//28-28-4-1-38

2696 Altadena Rd.

Rezone to VH E-2

Curtis & Lisa Martin

JC

P&Z Application

Page 5

**III. ACTION REQUESTED** E-1

Request that the above described property be zoned/rezoned

From: Jefferson County E-1

To: Vestavia Hills E-2

For the intended purpose of: Annexation

(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.)**

Altadena Park Resur P Lot: 1A P BLK: S LOT: 05

BLK: 0 Map Book: 77 Map Page 3

Property size: \_\_\_\_\_ feet X \_\_\_\_\_ feet. Acres: 1.02

**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] 3/20/17  
Owner Signature/Date

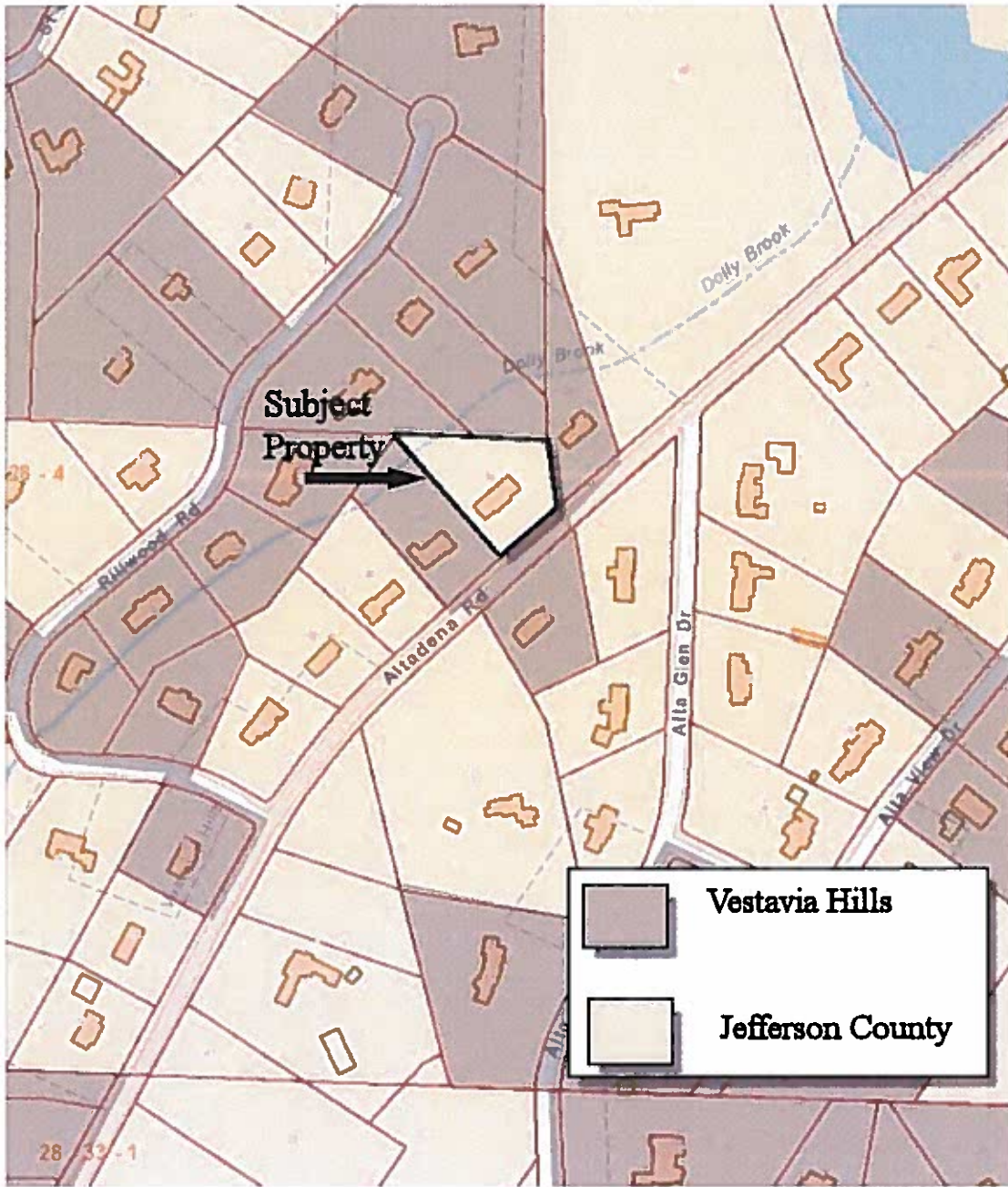
\_\_\_\_\_  
Representing Agent (if any) date

Given under my hand and seal  
this 20<sup>th</sup> day of March, 2017.

Mattie G. Clemon  
Notary Public  
My commission expires Jan. 31, 2019  
day of \_\_\_\_\_, 20\_\_\_\_.

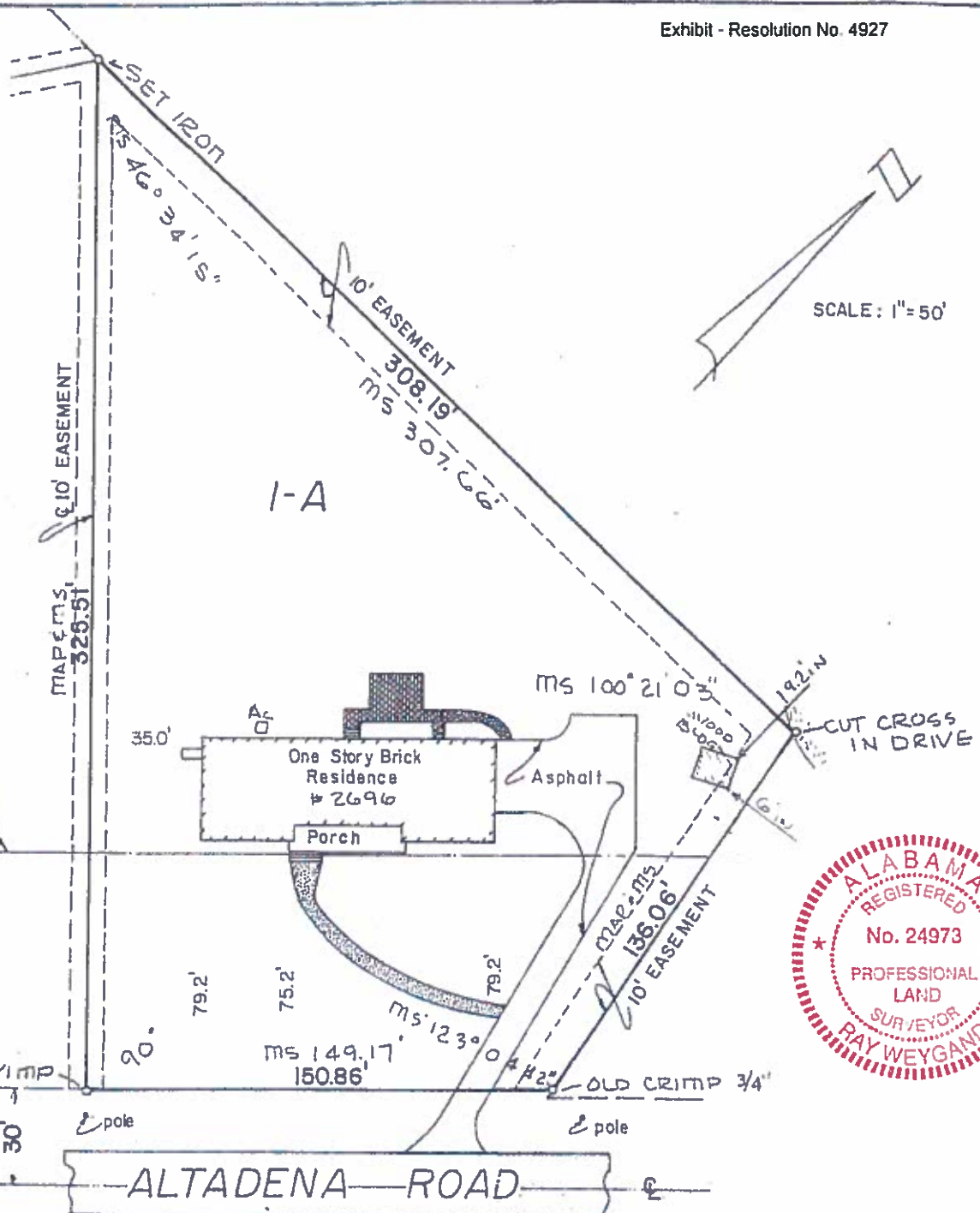
Mattie G Clemon  
Notary Public, Alabama State at Large  
My Commission Expires  
January 31, 2019





**LEGEND**

- ASP ASPHALT
- BLDG BUILDING
- CALC CALCULATED
- MEAS MEASURED
- CH CHORD
- LNG LONG CHORD
- d DEFLECTION
- Δ DELTA
- ESMT EASEMENT
- HW HEADWALL
- MIN MINIMUM
- MH MANHOLE
- OH OVERHANG
- POR PORCH
- R RADIUS
- R.O.W. RIGHT OF WAY
- SAH SANITARY
- STM STORM
- UTIL UTILITY
- AC ACRES
- S.F. SQUARE FEET
- CL CENTERLINE
- A/C AIR CONDITIONER
- ° POLE
- X— ANCHOR
- X— FENCE
- X— OVERHEAD UTILITY
- PVMT PAVEMENT
- W/ WITH
- TAN TANGENT
- RES RESIDENCE
- DLGT LIGHT
- COV COVERED
- ▨ DECK
- CONCRETE
- ▬ WALL
- COLUMN



STATE OF ALABAMA)  
JEFFERSON COUNTY)

"Closing Survey"

\* ALTADENA PARK & ACREAGE

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot I-A, RESURVEY OF LOT 1-A as recorded in Map Volume 17 Page 3, in the Office of the Judge of Probate, Jefferson County, Alabama. I 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; according to my survey of July 18, 2016. Survey invalid if not sealed in red.

Order No: 7011  
Purchaser: MARTIN  
Address: 2696 ALTADENA Rd

*[Signature]*  
Ray Weygand, Reg. L.S. #24973  
169 Oxmoor Road, Homewood, AL 35209  
Phone: (205) 942-0086 Fax: (205) 942-0087  
Copyright ©



Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are deed/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above.

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

Date: APRIL 13, 2017

- **CASE: P-0417-19**
- **REQUESTED ACTION:** Rezoning from Jefferson County Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 2470 Dolly Ridge Trl.
- **APPLICANT/OWNER:** Matthew & Jessica Jones
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 3/13/17 with the passage of Ordinance 2700. Applicant is requesting the compatible rezoning as part of the annexation process.
- **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.



## 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: Matthew & Jessica Jones

ADDRESS: 2470 Dolly Ridge Trail Vestavia, AL 35243

MAILING ADDRESS (if different from above) \_\_\_\_\_

PHONE NUMBER: Home 256-476-1988 Office 205-462-5496

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

---

2017 MAR 20 P 12:14

P0417-19//28-32-4-1-42  
2470 Dolly Ridge Trail  
Rezone to VH R-1  
Matthew & Jessica Jones  
JC E-2

**III. ACTION REQUESTED**

Request that the above described property be zoned/rezoned

From: JC E-2

To: VH R-1

For the intended purpose of: Annexation of property into the City of Vestavia Hills

*(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.)**

Residential address: 2470 Dolly Ridge Trail Vestavia, AL 35243

Lot 5, Block 2, Dolly Ridge Estate, 1<sup>st</sup> addition

Property size: 177.82 feet X 205.30 feet. Acres: 1/2 acre

**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.

Matthew Jones 3-17-2017  
Owner Signature/Date

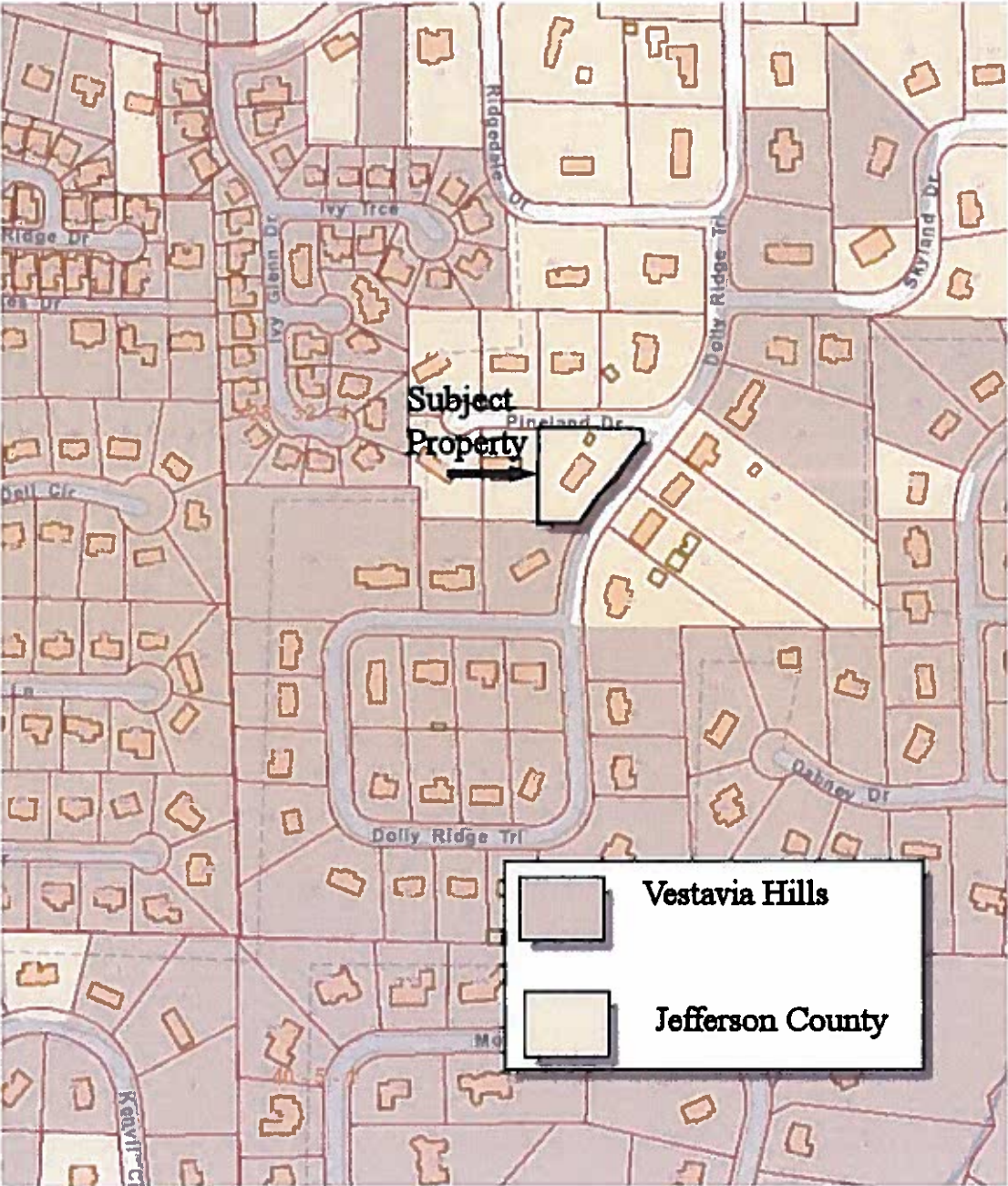
\_\_\_\_\_  
Representing Agent (if any)/date

Given under my hand and seal  
this 17 day of March, 2017.

Glacia Hunter  
Notary Public

My commission expires 20  
day of October, 2019.





STATE OF ALABAMA  
JEFFERSON COUNTY

"Clearing Survey"

I, Ray Weyland, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 5, BLOCK 1, DOLLY RIDGE ESTATES, 1ST ADDITION, as recorded in Map Volume 52, Page 50, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and clearing 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, according to my survey of OCTOBER 18, 2018. Survey needed in my stated in rec.

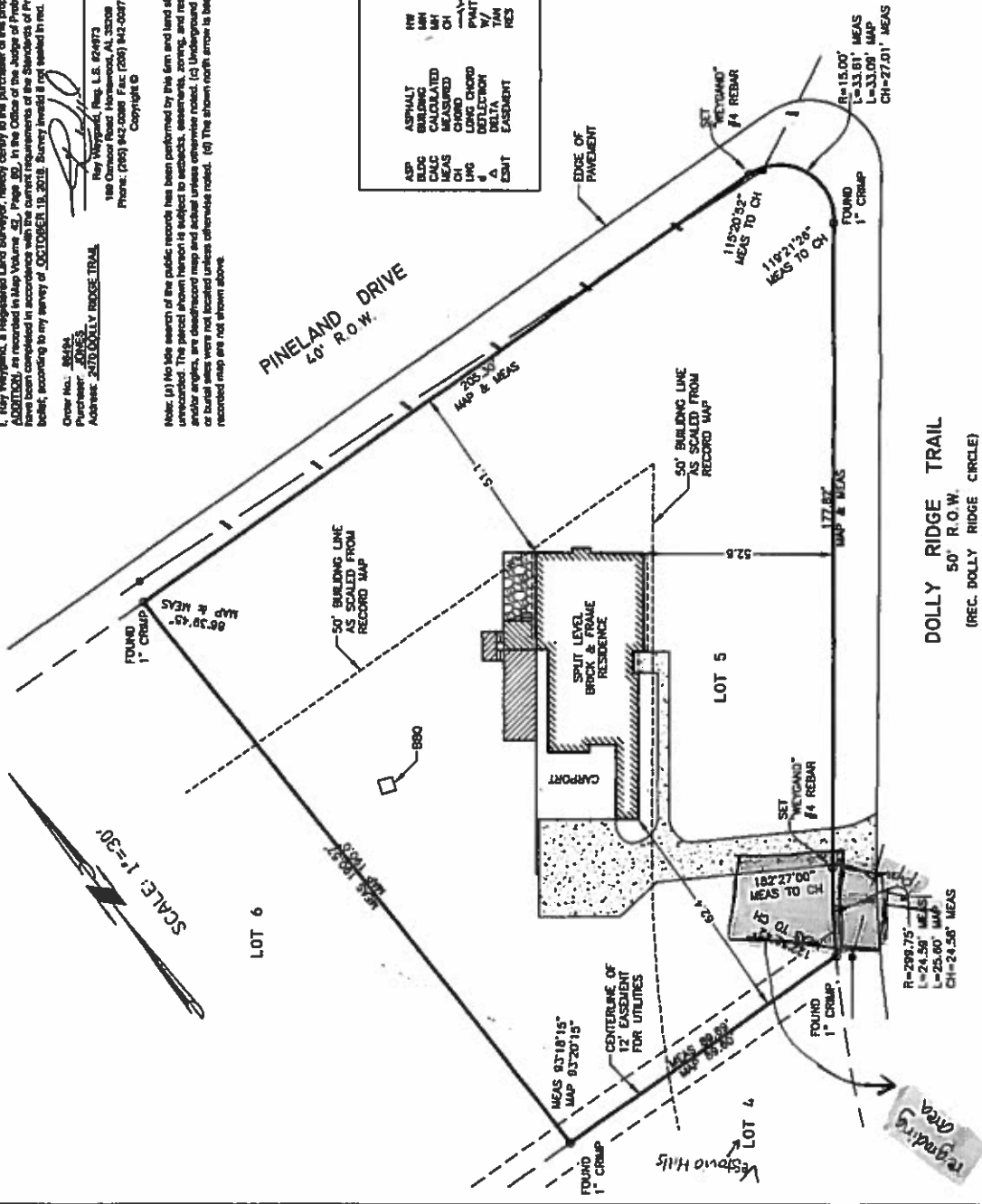
Order No.: 8644  
Purchaser: JONES  
Address: 2470 DOLLY RIDGE TRAIL

Ray Weyland, Reg. L.S. 644973  
180 Oronoco Road, Normal, AL 35708  
Phone: (205) 842-0088 Fax: (205) 842-0077  
Copyright ©

Note: (1) No title search of the public records has been performed by this firm and land shown herein was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown herein is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (2) All bearings and/or angles are deadeadhead map and actual unless otherwise noted. (3) Underground portions of foundations, footings, and/or other underground structures, utilities, curbs, sidewalks or burial sites were not located unless otherwise noted. (4) The shown north arrow is based on deadeadhead map. (5) This survey is not transferable. (6) Easements not shown on recorded maps are not shown above.



LEGEND			
ASPH	ASPHALT	HEAVY WALL	HEAVY WALL
BLDG	BUILDING	MANHOLE	MANHOLE
CALC	CALCULATED	POWER LINE	POWER LINE
MEAS	MEASURED	POUT WITH	POUT WITH
CH	CHORD	TANGENT	TANGENT
LONG	LONG CHORD	RES	RESIDENCE
DELTA	DELTA		
ESMT	EASEMENT		
ANCHOR	ANCHOR		
RADIUS	RADIUS		
RIGHT OF WAY	RIGHT OF WAY		
STATIONARY	STATIONARY		
UTILITY	UTILITY		
ACRES	ACRES		
SQUARE FEET	SQUARE FEET		
CENTERLINE	CENTERLINE		



P0417-19//28-32-4-1-42  
2470 Dolly Ridge Trail  
Rezone to VH R-1  
Matthew & Jessica Jones  
JC E-2

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

Date: APRIL 13, 2017

- **CASE:** P-0417-15
- **REQUESTED ACTION:** Conditional Use Approval for a home based business
- **ADDRESS/LOCATION:** 4249 Paxton Pl.
- **APPLICANT/OWNER:** Sign Gypsies Over the Mountain, LLC
- **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:

- (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: Sign Gypsies Over the Mountain LLC

ADDRESS: 4249 Paxton Place

Vestavia, AL 35242

MAILING ADDRESS (if different from above) \_\_\_\_\_

PHONE NUMBER: Home 205-967-3638 Office 205-901-4227

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

**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: home office

(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.)**

4249 Paxton Place

Vestavia, AL 35242

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

Aulu Shing  
Owner Signature/Date

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

Given under my hand and seal  
this 8 day of March, 2017.

Brenda Morey  
Notary Public

MY COMMISSION EXPIRES DECEMBER 9, 2018

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





P0417-15//27-5-4-47

4249 Paxton Place

Conditional Use

Amber Nix

PUD-PR-1

### Sign Gypsies Over the Mountain, LLC

Sign Gypsies Over the Mountain is a yard greeting business that rents plastic letters and graphics to create a greeting. The letters and graphics are delivered, set up, and taken down by Sign Gypsies. The greetings are usually rented for a 24 hour period time. Greetings are available for all types of celebrations: birthdays, birth announcements, sporting events, school functions, and wedding/anniversaries.



February 7, 2017

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

Re: Amber Nix  
4249 Paxton Place  
Vestavia Hills, AL 35242

Dear Ms. Leavings:

We are writing in connection with the above matter. We understand Amber Nix 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  
February 7, 2017  
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.