

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

JUNE 8, 2017

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: April 13, 2017; May 11, 2017

Final Plats

(1) **Consent Agenda:**

- A. **P-0617-30** Burcham Harwell Investments, LLC Is Requesting **Final Plat Approval** For **Resurvey Lot 6 & 7, Block 13 Biltmore Estates**. The Purpose For This Request Is To Combine Lots. The Property Is Owned By Burcham Harwell Investments, LLC and Is Zoned Vestavia Hills R-3.
- B. **P-0617-30** Liberty Park Joint Venture, LLP Is Requesting **Final Plat Approval** For **Vestlake Cove Resurvey No. 2**. The Purpose For This Request Is To Combine Lots. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PR-1.

Rezoning/Conditional Use Recommendations:

- (2) **P-0617-29** William & Jill Smith Are Requesting **Rezoning** for **3308 Misty Lane** from **Jefferson County E-2 to Vestavia Hills R-1** For The Purpose Of Annexation.

Time of Adjournment.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

MINUTES

APRIL 13, 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: Brian Wolfe, Acting Chairman
Cheryl Cobb
Fred Goodwin
Deloye Burrell
Jim Brooks
Greg Gilchrist

MEMBERS ABSENT: Lyle Larson, Chairman
Blaine House
Rusty Weaver

OTHER OFFICIALS PRESENT: Conrad Garrison, City Planner
Christopher Brady, City Engineer

APPROVAL OF MINUTES

Mr. Wolfe 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. Gilchrist. Voice vote as follows:

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

Consent Agenda/Final 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.

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

Shawn Arterburn explained the changes to the plan.

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

MOTION Mr. Gilchrist made a motion to recommend approval of Preliminary Plat Approval For Readjustment Of Land Use Boundaries At Liberty Park. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

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

Consent Agenda/Final Plats:

- 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-6th 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.

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

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

- 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.

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

Mr. Goodwin – yes	Mr. Burrell – abstained
Mr. Gilchrist – yes	Mr. Brooks – yes
Mrs. Cobb – yes	Mr. Wolfe – yes
Motion failed.	

Amendments To Land Use Plans:
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.

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

MOTION Mr. Burrell made a motion to recommend rezoning approval of 2419 Dolly Ridge Rd. from Jefferson County R-1 to Vestavia Hills R-2. Second was by Mr. Brooks. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Brooks – yes
Mr. Wolfe – yes

MOTION Mr. Gilchrist made a motion to recommend rezoning approval of 2611 April Dr. from Jefferson County E-1 to Vestavia Hills E-2. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Brooks – yes
Mr. Wolfe – yes

MOTION Mr. Gilchrist made a motion to recommend rezoning approval of 3139 Renfro Rd. from Jefferson County R-1 to Vestavia Hills R-2. Second was by Mr. Brooks. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Brooks – yes
Mr. Wolfe – yes

MOTION Mrs. Cobb made a motion to recommend rezoning approval of 2696 Altadena Rd. from Jefferson County E-1 to Vestavia Hills E-2. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Brooks – yes
Mr. Wolfe – yes

MOTION Mr. Gilchrist made a motion to recommend rezoning approval of 2470 Dolly Ridge Trl. from Jefferson County E-2 to Vestavia Hills R-1. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Brooks – yes
Mr. Wolfe – yes

Rezoning/Conditional Use Recommendations:

- (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.

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

Amber Nix stated her business sets up signs on home owners lawns for birthday's, celebration's, etc.

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

MOTION Mr. Gilchrist made a motion to recommend approval of Conditional Use Approval for a home based business at 4249 Paxton Pl. 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 Mr. Brooks. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes

Mr. Gilchrist – yes

Mrs. Cobb – yes

Motion carried

Mr. Burrell – yes

Mr. Brooks – yes

Mr. Wolfe – yes

Conrad Garrison, City Planner

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

MINUTES

MAY 11, 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
Brian Wolfe
Cheryl Cobb
Fred Goodwin
Deloye Burrell
Blaine House
Rusty Weaver

MEMBERS ABSENT:

Jim Brooks
Greg Gilchrist

OTHER OFFICIALS PRESENT:

Conrad Garrison, City Planner
Christopher Brady, City Engineer

APPROVAL OF MINUTES

Mr. Larson stated that the minutes of the meeting of April 13, 2017 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. Weaver – abstained

Mrs. Cobb – yes

Mr. Larson – yes

Motion Failed

Mr. Burrell – yes

Mr. House – abstained

Mr. Wolfe – yes

Consent Agenda/Final Plats:

- (1) **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.

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.

Scott Fallin, 2343 Crossgate Trl. was concerned about drainage. Mr. Brady explained city regulations regarding drainage.

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

MOTION Mr. Weaver made a motion to recommend approval of Final Plat Approval For Southbend Subdivision. Second was by Mr. House. Motion was carried on a roll call; vote as follows:

- | | |
|-------------------|-------------------------|
| Mr. Goodwin – yes | Mr. Burrell – abstained |
| Mr. Weaver – yes | Mr. House – yes |
| Mrs. Cobb – yes | Mr. Wolfe – yes |
| Mr. Larson – yes | |
| Motion Carried | |

Consent Agenda/Final Plats:

- A. **P-0517-25** Crosshaven 6, LLC Is Requesting **Final Plat Approval** For **Crosshaven Center Addition To Vestavia Hills**. The Purpose For This Request Is To Combine Lots. The Property Is Owned By Crosshaven 6, LLC and Is Zoned Vestavia Hills B-1.2.
- B. **P-0517-26** ARGCO, LLC Is Requesting **Final Plat Approval** For **Greenhalgh Resurvey**. The Purpose For This Request Is To Resurvey Two Lots Out Of Acreage And Add An Ingree/Egress Easement. The Property Is Owned By ARGCO, LLC and Is Zoned Vestavia Hills B-3.
- C. **P-0517-27** Jon Hinds Is Requesting **Final Plat Approval** For **Jon Hinds’ Resurvey Of Lot 3 And S 1/2 Of Lot 4, Block 3 Glass’s 3rd Addition To New Merkle**. The Purpose For This Request Is To Resurvey Lot Lines. The Property Is Owned By Jon Hinds and Is Zoned Vestavia Hills R-4.
- D. **P-0517-28** Jane M. Hinds Is Requesting **Final Plat Approval** For **Hinds Resurvey**. The Purpose For This Request Is To Resurvey Lot Lines. The Property Is Owned

By Jane M. Hinds and Is Zoned Vestavia Hills R-4.

MOTION Mr. Wolfe made a motion to recommend approval of items A - D. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Burrell – yes
Mr. Weaver – yes	Mr. House – yes
Mrs. Cobb – yes	Mr. Wolfe – yes
Mr. Larson – yes	
Motion Carried	

Rezoning/Conditional Use Recommendations:

(3)
2.

P-0816-34 Reconsideration of June Pryor Is Requesting Rezoning for 3111 Pine Tree Dr. from Vestavia Hills R-1 and Vestavia Hills O-1 For The Purpose Of Office Development.

Mr. Wolfe 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 rezoning approval of 2419 Dolly Ridge Rd. from Jefferson County R-1 to Vestavia Hills R-2. Second was by Mr. Brooks. Motion was carried on a roll call; vote as follows:

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

MOTION Mr. Gilchrist made a motion to recommend rezoning approval of 2611 April Dr. from Jefferson County E-1 to Vestavia Hills E-2. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

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

MOTION Mr. Gilchrist made a motion to recommend rezoning approval of 3139 Renfro Rd. from Jefferson County R-1 to Vestavia Hills R-2. Second was by Mr. Brooks. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Brooks – yes
Mr. Wolfe – yes

MOTION Mrs. Cobb made a motion to recommend rezoning approval of 2696 Altadena Rd. from Jefferson County E-1 to Vestavia Hills E-2. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Brooks – yes
Mr. Wolfe – yes

MOTION Mr. Gilchrist made a motion to recommend rezoning approval of 2470 Dolly Ridge Trl. from Jefferson County E-2 to Vestavia Hills R-1. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Brooks – yes
Mr. Wolfe – yes

Rezoning/Conditional Use Recommendations:

- (3) **P-0816-34** Reconsideration of June Pryor Is Requesting **Rezoning** for **3111 Pine Tree Dr.** from **Vestavia Hills R-1 and Vestavia Hills O-1** For The Purpose Of Office Development.

Mr. Garrison explained the background and stated that since the owners had changed the architecture it would need P&Z approval.

Charlie Lazor, architect for the project, presented the new design for the building.

Mr. Goodwin asked questions about the sustainability features of the building and its relationship to cost.

Mr. Larson stated the Commission specifies a residential style but not a specific residential style.

MOTION Mr. Burrell made a motion to approve changes to the rezoning plan for 3111 Pine Tree Dr. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – no
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Brooks – yes
Mr. Wolfe – yes

Conrad Garrison, City Planner

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

Date: **JUNE 8, 2017**

- **CASE:** P-0617-30
- **REQUESTED ACTION:** Final Plat Approval For Resurvey Lot 6 & 7, Block 13 Biltmore Estates
- **ADDRESS/LOCATION:** 2121 Hickory Rd.
- **APPLICANT/OWNER:** Burcham Harwell Investments, LLC
- **REPRESENTING AGENT:** Randall Burcham
- **GENERAL DISCUSSION:** Plat is to resurvey/combine lots to match deeded lot so applicant may obtain a building permit. Lots meet minimums for R-3 zoning.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with the plan for medium density residential.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted
 4. **Building Safety Review:** No problems noted

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

II. APPLICANT INFORMATION: (owner of property)

NAME: Burcham Harwell Investments LLC

ADDRESS: ~~2339 Arbor Glenn~~
2121 Hickory Rd Vestavia 35216

MAILING ADDRESS (if different from above) 2339 Arbor Glenn
Hoover AL 35244

PHONE NUMBER: Home _____ Office 205-393-1022

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: combine lots

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: R3

P0617-30//28-19-4-3-2
2121 Hickory Rd.
Final Map to combine lots
Burcham Harwell Investments, LLC
R3

P&Z Application
Page 4

VI. OWNER AFFIDAVIT:

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

[Signature] 5/23/17
Owner Signature/Date

Representing Agent (if any) date

Given under my hand and seal
this _____ day of _____, 20____.

[Signature]
Notary Public

My commission expires 14th
day of Oct, 2017.



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

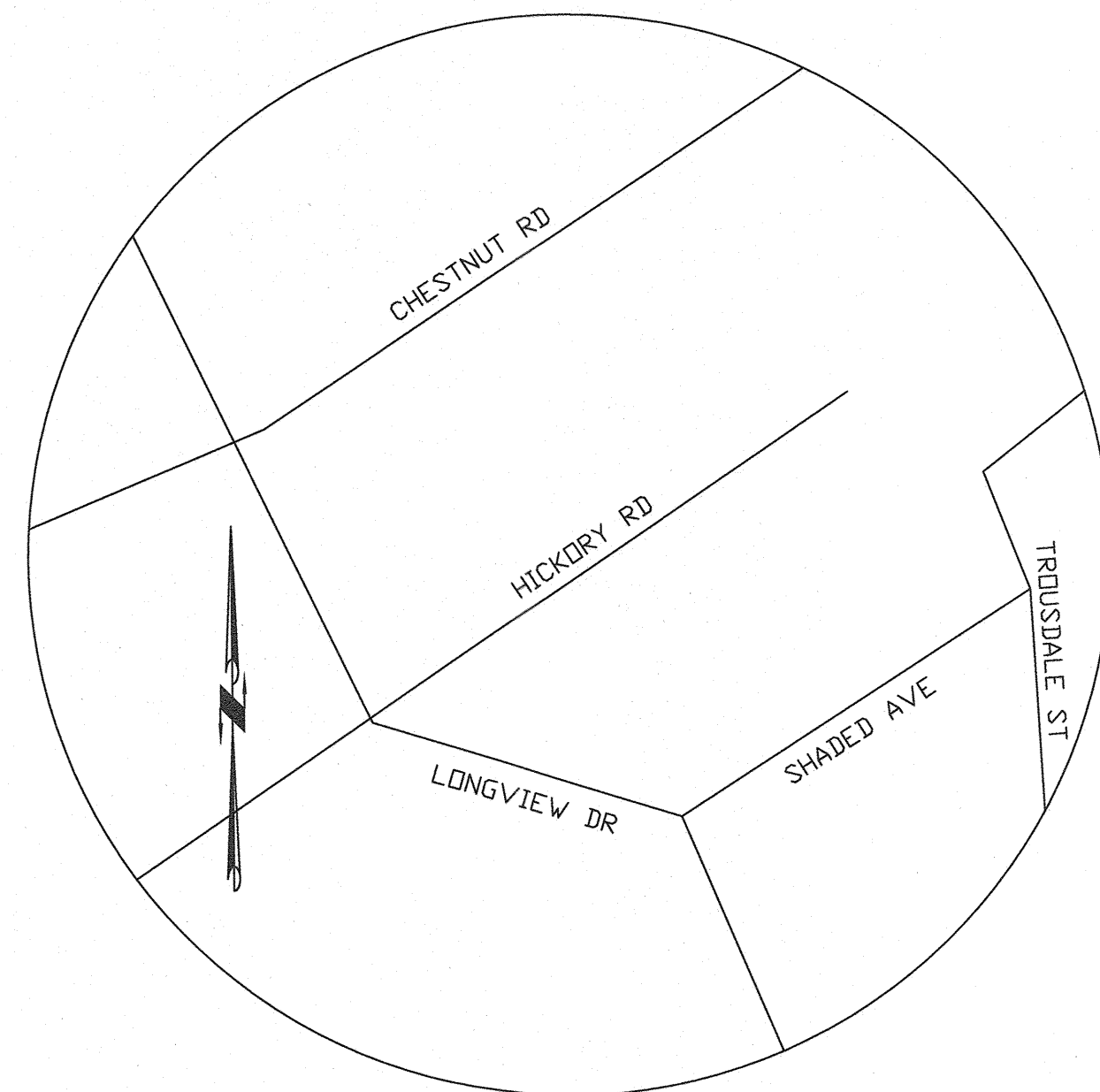
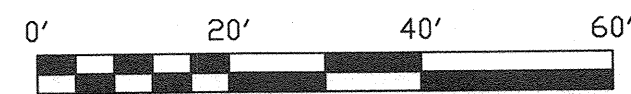
RESURVEY LOT 6 & 7, BLOCK 13 BILTMORE ESTATES

AS RECORDED IN MAP BOOK 17, PAGES 59 & 60 IN THE OFFICE OF THE JUDGE OF PROBATE
JEFFERSON COUNTY, ALABAMA

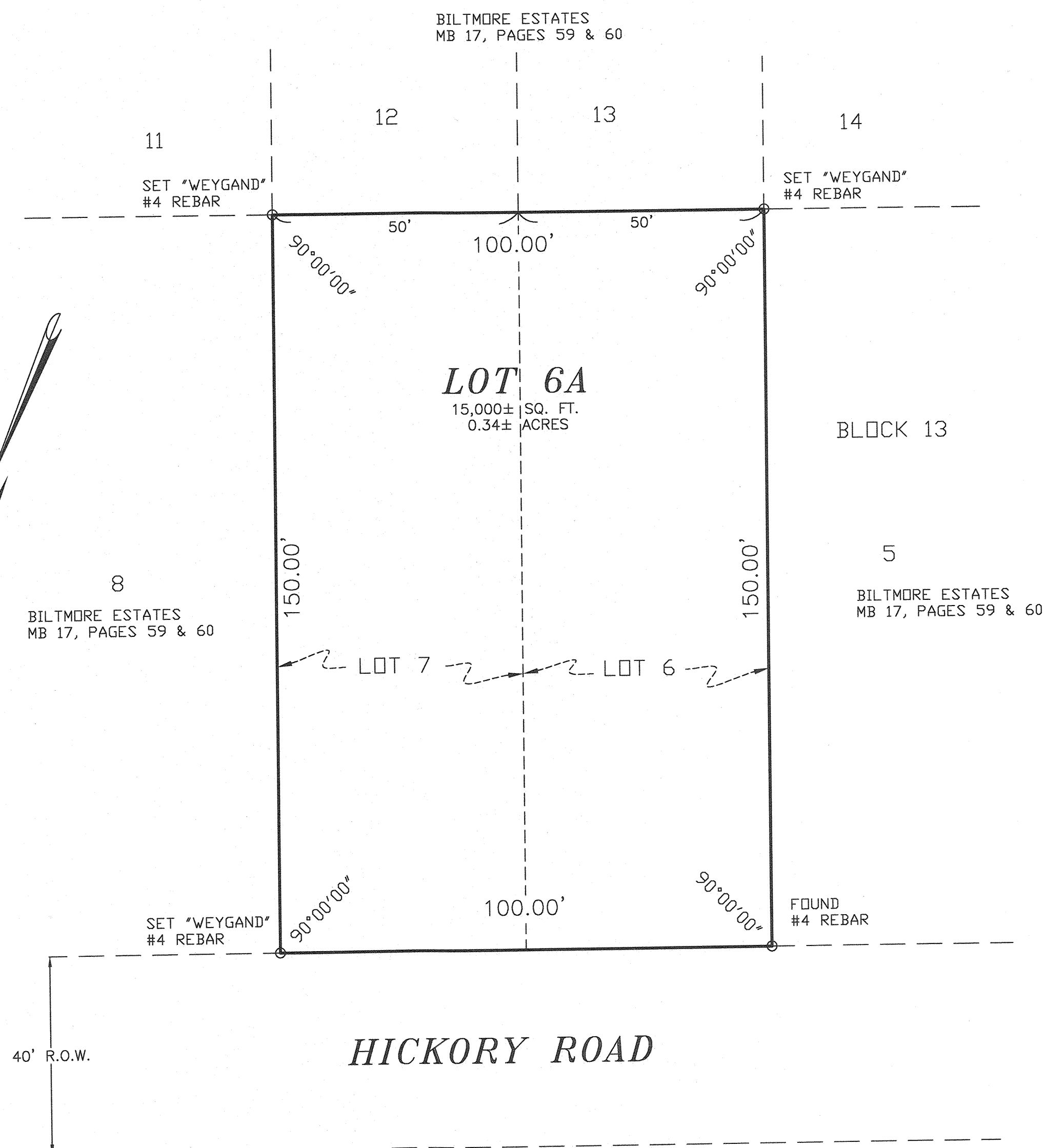
DATE: MAY 2017

SITUATED IN THE NORTH HALF OF THE SOUTHEAST ¼ OF
SECTION 19, TOWNSHIP 18 SOUTH, RANGE 2 WEST
JEFFERSON COUNTY, ALABAMA

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



VICINITY MAP
N.T.S.



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

State of Alabama
Jefferson County)

We, the undersigned, Ray Weygand, Registered Land Surveyor, State of Alabama, and Randall Burcham, Owner, do hereby certify that the foregoing is a true and correct map or plat of RESURVEY OF LOTS 6 & 7, BLOCK 13, BILTMORE ESTATES showing the number and dimensions of each lot and its angles with the width of each street, avenue and other public ways and showing the relation of the land to the government survey, and that iron pins have been set at each corner of all lots, and that same is not subject to any mortgage. I, Ray Weygand, hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

IN WITNESS WHEREOF, we have hereunto set our hands, this 23rd day of May, 2017.

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

By: [Signature]
Randall Burcham - Owner

State of Alabama
Jefferson County)

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

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

By: [Signature]
Notary Public - My Commission Expires: 7-7-18

State of Alabama
Jefferson County)

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

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

By: [Signature]
Notary Public - My Commission Expires: 7-7-18

APPROVED: _____ DATE: _____
City Engineer

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

APPROVED: _____ DATE: _____
Manager and City Clerk

APPROVED: _____ DATE: _____
Jefferson County Department of Health

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

APPROVED: _____ DATE: _____
Jefferson County Environmental Services

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

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

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

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

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

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

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

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

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

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

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

Date: **JUNE 8, 2017**

- **CASE:** P-0617-31
- **REQUESTED ACTION:** Final Plat Approval For Vestlake Cove Resurvey No. 2.
- **ADDRESS/LOCATION:** 940 & 941 Vestlake Cove Dr/
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
- **REPRESENTING AGENT:** Schoel Engineering
- **GENERAL DISCUSSION:** Plat is to combine lots. Setback lines will remain.
- **LIBERTY PARK MASTER PLAN:** This request is consistent with the plan for medium density residential.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted
 4. **Building Safety Review:** No problems noted

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

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 205-945-6458 _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

Walter Schoel Engineering _____

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: Combine two existing lots into one _____

Lots are not buildable without combining _____

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

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

Lots 800 & 801, Vestlake Cove (Map Book 222 Page 22) _____

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

VI. ZONING/REZONING:

The above described property is presently zoned: _____

P0617-31//27-4-2-1-9 & 10
940 & 941 Vestlake Cove Drive
Final Map to combine lots
Liberty Park Joint Venture

P&Z Application
Page 4

VI. OWNER AFFIDAVIT:

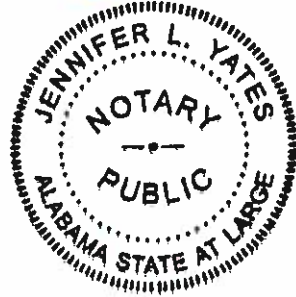
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing.

[Signature] 5.23.17
Owner Signature/Date

[Signature]
Representing Agent (if any)/date

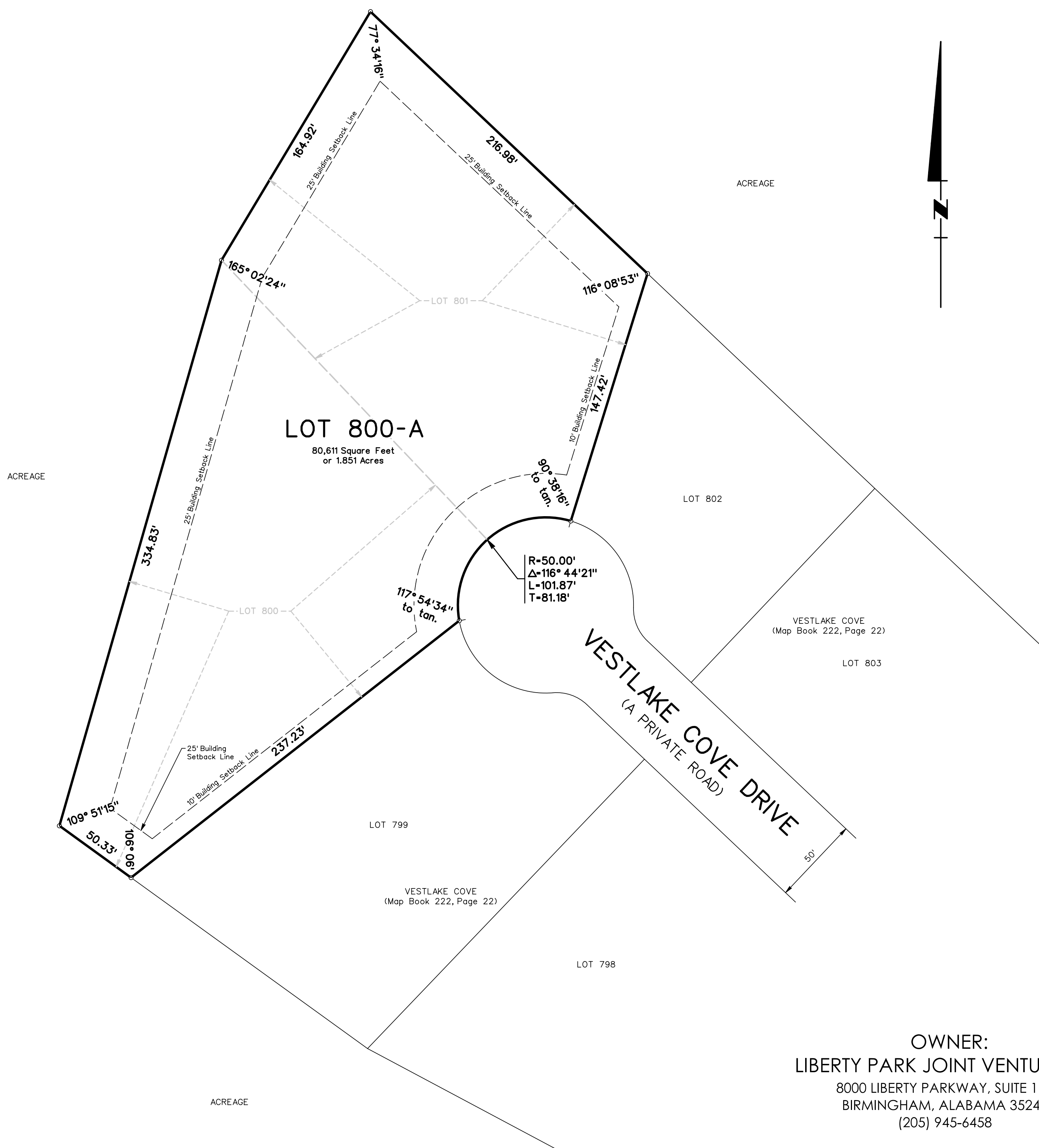
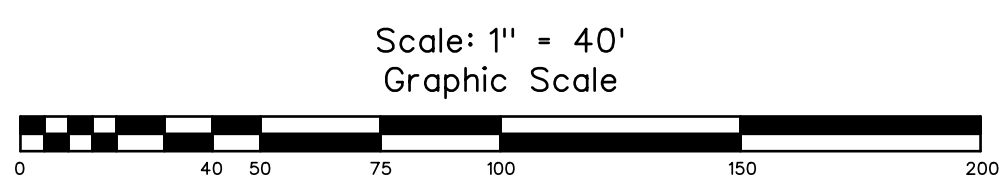
Given under my hand and seal
this 03rd day of May, 20 17.

Jennifer L. Yates
Notary Public



My commission expires 9th
day of May, 20 20.





ACREAGE

ACREAGE

ACREAGE

OWNER:
 LIBERTY PARK JOINT VENTURE, LLP
 8000 LIBERTY PARKWAY, SUITE 114
 BIRMINGHAM, ALABAMA 35242
 (205) 945-6458

NOTES:

1. Access to utilities for installation, maintenance and repair shall be governed by private agreement between the owner and the utility company.
2. All roads shown on this plat are private and are not dedicated by this plat.
3. The purpose of this resurvey is to combine two existing lots into one new lot.

UTILITY SERVICE PROVIDERS:

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

STATE OF ALABAMA
 JEFFERSON COUNTY

I, Joseph F. Breighner, Jr., a Registered Professional Land Surveyor in the State of Alabama, and Liberty Park Joint Venture, LLP, Owner, hereby certify that this plat or map was made pursuant to a survey made by said Surveyor and that said survey and this plat or map were made at the instance of said Owner; that this plat or map is a true and correct plat or map of the lands shown therein and known or to be known as VESTLAKE COVE RESURVEY NO. 2, showing the subdivisions into which it is proposed to divide said lands, giving the length and angles of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearing, width, length, and name of each street, as well as the number of each lot and block and showing the relation of the lands to Vestlake Cove, as recorded in Map Book 222, Page 22 in the office of the Judge of Probate of Jefferson County, Alabama and being situated in the S.W. 1/4 of the N.W. 1/4 of Section 4, Township 18 South, Range 1 West, Jefferson County, Alabama and that iron pins or other appropriate monumentation have been installed at all lot corners (or reference points to lot corners) and curve points as shown and designated by small open circles on said plat or map. This survey and drawing of the parcel described hereon, were made by individuals under my supervision, based on knowledge and information in accordance with commonly accepted procedures consistent with applicable standards of practice and this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief; said Owner also certifies that they are the Owner of said lands and that the same are not subject to any mortgage.

WALTER SCHOEL ENGINEERING COMPANY, INC.

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



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

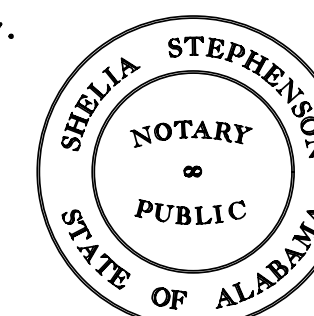
By: Shawn Arterburn
 Its Vice President of Development

STATE OF ALABAMA
 JEFFERSON COUNTY

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

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

Notary Public
 My Commission Expires: _____



STATE OF ALABAMA
 JEFFERSON COUNTY

I, _____, as Notary Public in and for said County and State, do hereby certify that Shawn Arterburn, whose name is signed to the foregoing certificate as Owner, who is known to me, acknowledged before me, on this date that after having been duly informed of the contents of said certificate, he executed the same voluntarily as such officer with full authority therefore.

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

Notary Public
 My Commission Expires: _____

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

APPROVED: _____ DATE: _____
 Vestavia Hills City Engineer

APPROVED: _____ DATE: _____
 Vestavia Hills City Clerk

APPROVED: _____ DATE: _____
 Jefferson County Department of Health

APPROVED IN FORMAT ONLY: _____

Director of Environmental Services _____ Date _____

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

VESTLAKE COVE RESURVEY NO. 2

BEING A RESURVEY OF LOT 800 AND LOT 801, VESTLAKE COVE
 (RECORDED IN MAP BOOK 222, PAGE 22)
 SITUATED IN THE S.W. 1/4 OF THE N.W. 1/4 OF SECTION 4, TOWNSHIP 18 SOUTH, RANGE 1 WEST
 JEFFERSON COUNTY, ALABAMA

REVISIONS:

FINAL PLAT

DATE: MAY, 2017
 DRAWN BY: J.W.H.
 CHECKED BY: J.F.B.
 FILE NAME:
 Vestlake Cove Resurvey No. 2.dgn

g:\JUB\13\158\Survey\Final Plat\

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

Date: **JUNE 8, 2017**

- **CASE: P-0617-29**
- **REQUESTED ACTION:** Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 3308 Misty Lane
- **APPLICANT/OWNER:** William & Jill Smith
- **REPRESENTING AGENT:**
- **GENERAL DISCUSSION:** Property is on Misty Lane, adjacent to Rocky Ridge Rd. Property began the annexation process by City Council with their approval of the overnight annexation (Ord. 3308) on 4/24/17. This is a compatible rezoning.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive 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:** 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

APPLICATION

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

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

II. APPLICANT INFORMATION: (owner of property)

NAME: WILLIAM AND JILL SMITH

ADDRESS: 3308 MISTY LANE
VESTAVIA, AL 35243

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home 205-914-9455 Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

P0617-29//28-20-4-2-12
3308 Misty Lane
Rezone to VH R-1
William & Jill Smith
E-2

JC

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: Jefferson County E2

To: VESTAVIA R1

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.)

LOT 1, THE WOODS AT ROCKY RIDGE

MAP BOOK 239, PAGE 57

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.

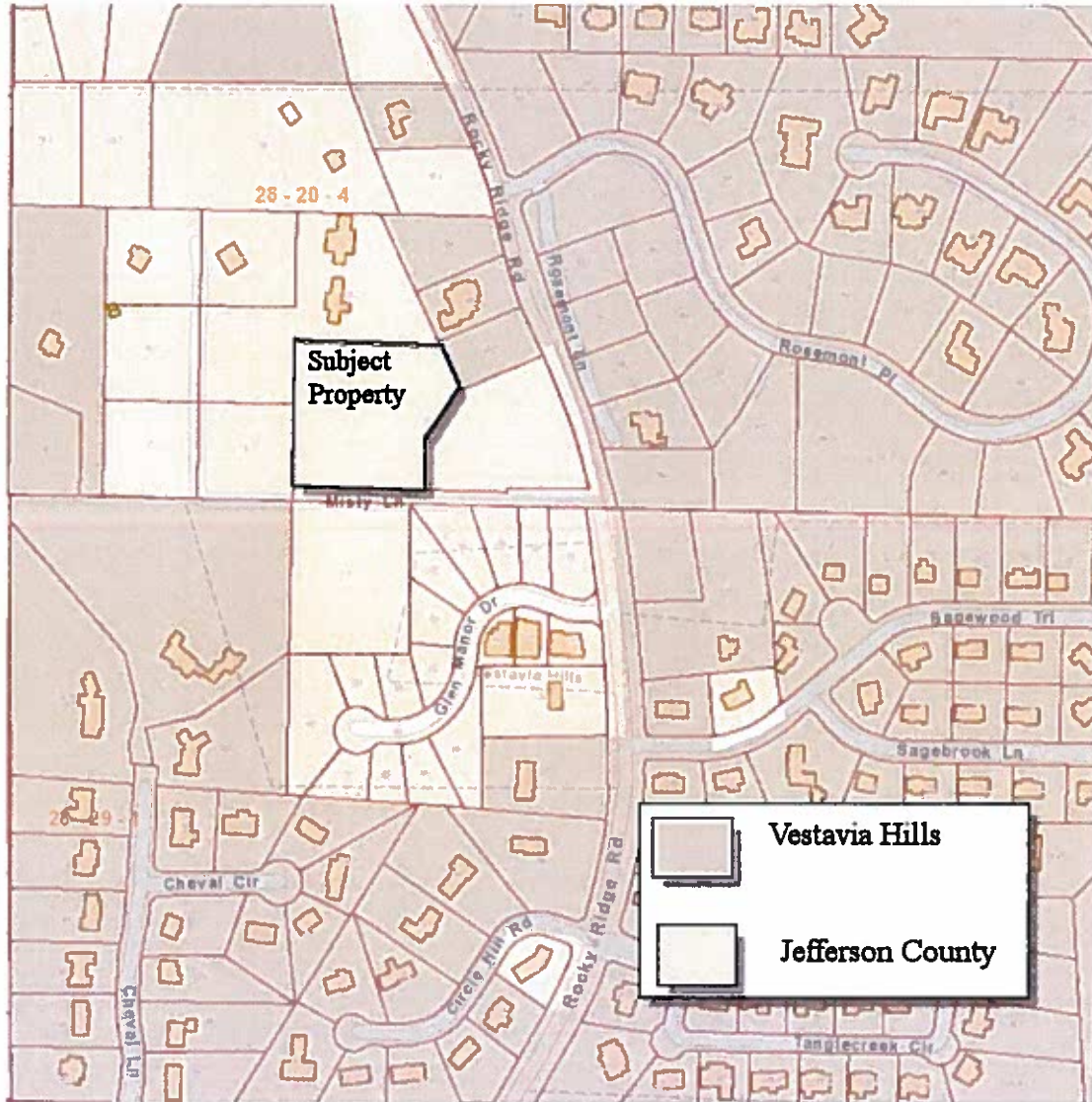
Jill R Smith 4/27/17
Owner Signature/Date

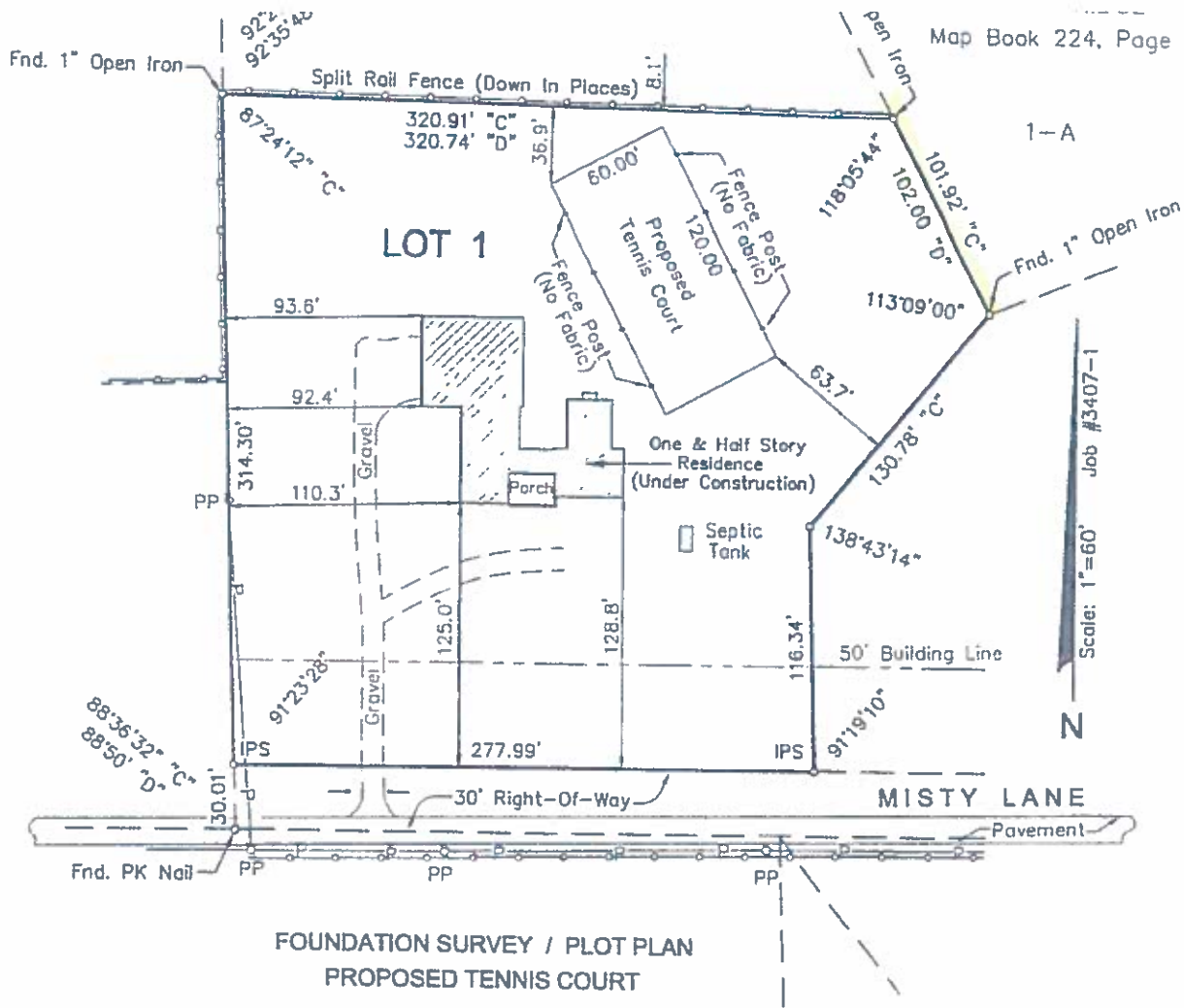
Representing Agent (if any)/date

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

Melissa N. Phipps
Notary Public
My commission expires ~~12/14~~ 14th
day of October, 2017.







FOUNDATION SURVEY / PLOT PLAN
PROPOSED TENNIS COURT

Description: LOT 1, THE WOODS AT ROCKY RIDGE, as recorded in Map Book 239, Page 57, in the Office of the Judge of Probate, Jefferson County, Alabama.

The correct address is: 3308 Misty Lane Birmingham, AL 35243

NOTE: IPS = Iron Pin Set (#5 Rebar)
PP = Power Pole
Fnd. = Found

STATE OF ALABAMA:
JEFFERSON COUNTY:

I, James R. Boatright, Sr., a Licensed Land Surveyor, do hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Land Surveying in the State of Alabama, to the best of my knowledge, information, and belief.

According to my survey this the 27th day of May, 2015



(Signature)
James R. Boatright, Sr., AL REG. NO. 17826
704 Mary Vann Lane, Birmingham AL 35215
Phone (205) 854-3669 Fax (205) 854-0071

80/78
82/17
82/73