CITY OF VESTAVIA HILLS

PLANNING AND ZONING COMMISSION

AGENDA

JUNE 13, 2019

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: May 09, 2019

Final Plats

Consent Agenda

(1) **P-0419-19** Overton Investments, LLC Is Requesting A **Final Plat Approval** For **Resurvey Of Lots 8 And 9 Cove At Overton South.** The Purpose for This Request Is to Subdivide Two Lots Into Three. The Property Is Owned By Overton Investments, LLC and Is Zoned Vestavia Hills R-6.

(2) **P-0519-28** Sunview Partners, LLC Is Requesting **Final Plat Approval** For **Knollwood Court.** The Purpose for This Request Is to Subdivide Two Lots Into Ten. The Property Is Owned By Sunview Partners, LLC and Is Zoned Vestavia Hills R-9.

(3) **P-0619-31** Jon Culver And Tucker & Company Are Requesting **Final Plat Approval** For **Overton Investments Resurvey Of New Merkle.** The Purpose for This Request Is to Resurvey Lot Lines. The Property Is Owned By Jon Culver And Tucker & Company and Is Zoned Vestavia Hills R-9 & R-4.

(4) **P-0619-32** City Of Vestavia Hills Is Requesting **Final Plat Approval** For **Cahaba Heights Elementary Subdivision.** The Purpose for This Request Is to Amend Lot Lines. The Property Is Owned By City Of Vestavia Hills & Vestavia Hills School Board and Is Zoned Vestavia Hills Inst-1.

Rezoning/Conditional Use Recommendations

(5) **P-0219-23** Catherine Waters Is Requesting **Conditional Use Approval** for **A Home Occupation** Located At **621 Liberty Lake Dr**. The Property Is Owned By Catherine Waters and Is Zoned Vestavia Hills PR-1.

(6) **P-0619-30** Chase Beard, et al, Are Requesting **Rezoning** For **Magnolia Cove Subdivision** from **Jefferson County R-2 to Vestavia Hills R-9** For The Purpose Of Annexation.

CITY OF VESTAVIA HILLS

PLANNING AND ZONING COMMISSION

MINUTES

MAY 09, 2019

6:00 P.M.

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

MEMBERS PRESENT:	Blaine House, Vice-Chair Jonathan Romeo Rusty Weaver Cheryl Cobb Fred Goodwin Hasting Sykes
MEMBERS ABSENT:	Erica Barnes, Chair Lyle Larson Greg Gilchrist
OTHER OFFICIALS PRESENT:	Conrad Garrison, City Planner Christopher Brady, City Engineer

APPROVAL OF MINUTES

Mr. House stated that the minutes of the meeting April 11, 2019 are presented for approval.

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

Mr. Goodwin – yes	Mr. Sykes – yes
Mr. Romeo – yes	Mr. Weaver– yes
Ms. Cobb – abstained	Mr. House – yes

Motion carried.

Final Plats

Consent Agenda

(1) **P-0519-25** Unless U Is Requesting A **Final Plat Approval** For **Final Plat Of The Resurvey Of Lots 13, 14, & 15 Block 9, Of South Birmingham Heights.** The Purpose for This Request Is to Combine Lots. The Property Is Owned By Unless U and Is Zoned Vestavia Hills B-2.

(2) **P-0519-27** Overton Investments, LLC Is Requesting **Final Plat Approval** For **Overton Investments Resurvey No 1 Of Hermitage Forrest.** The Purpose for This Request Is to Resurvey Two Lots Into Five. The Property Is Owned By Overton Investments, LLC and Is Zoned Vestavia Hills R-9.

(3) **P-0519-28** Sunview Partners, LLC Is Requesting **Final Plat Approval** For **Knollwood Court.** The Purpose for This Request Is to Subdivide Two Lots Into Ten. The Property Is Owned By Sunview Partners, LLC and Is Zoned Vestavia Hills R-9.

(4) **P-0519-29** Suzanne Mosely Is Requesting **Final Plat Approval** For **Nicholls Canyon Subdivision.** The Purpose for This Request Is to Subdivide One Lot Into Three. The Property Is Owned By Suzanne Mosely and Is Zoned Vestavia Hills R-2.

Mr. Garrison stated that item #3 is being postponed until next month.

MOTION Mr. Weaver made a motion to approve items 1, 2, & 4. Second was by Ms. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Sykes – yes
Mr. Romeo – yes	Mr. Weaver– yes
Ms. Cobb – yes	Mr. House – yes

Motion carried.

<u>Rezoning/Conditional Use Recommendations:</u>

P-0519-22 Overton Investments, LLC Is Requesting **Rezoning** For **3038 Massey Rd.** from **Vestavia Hills RC-1 to Vestavia Hills R-9** For The Purpose Of New Residential Development.

Mr. Garrison explained the background of the request. He stated townhomes would replace a burned condo building.

Charles Kessler was present to explain the request. He stated that the 15 unit condo building would instead be 9 townhome units.

Mr. House asked Mr. Brady to explain the improvements on Massey Rd.

Mr. House opened the floor for a public hearing.

Sylvester and Chris Bissett, 3040 Massey Rd., expressed concerns about drainage and a purported easement in the rear of the property.

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

MOTION Mr. Weaver made a motion to recommend Rezoning From Vestavia Hills RC-1 to Vestavia Hills R-9 for The Property Located At 3038 Massey Road. Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Sykes – yes
Mr. Romeo – yes	Mr. Weaver– yes
Ms. Cobb – yes	Mr. House – yes
Motion carried.	

P-0219-23 Catherine Waters Is Requesting **Conditional Use Approval** for **A Home Occupation** Located At **621 Liberty Lake Dr**. The Property Is Owned By Catherine Waters and Is Zoned Vestavia Hills PR-1.

Case postponed until June.

P-0519-24 Paul & Gail Ausbeck Is Requesting **Rezoning** For **1109 Winward Ln.** from **Vestavia Hills R-2 to Vestavia Hills R-9** For The Purpose Of New Residential Development.

Mr. Garrison explained the background of the request. He stated the two lots are undersized and rather get a litany of variances the applicants will apply for a rezoning. The request also amends the common lot line.

Jason Kessler was present to answer any questions the Commission had.

Mr. House asked if the houses would have sewer. Mr. Kessler answered in the affirmative.

Ms. Cobb asked access to the homes. Mr. Kessler stated access would be granted in the rear.

Mr. House opened the floor for a public hearing.

Catherine Benefield, 1520 Canton Rd.; Allen & Mary Rodgers, 1912 Mission Rd.;Eric Dees, 111 Winward Ln.; Paul Newman, 1415 Heitford Ln.; Lisa Homes, and 1110 Mayland Ln. all spoke in opposition due to concerns about density.

Mr. House and Mr. Garrison both explained that the request is not changing density but setbacks.

Jeff Tenner, 1925 Mission Rd., asked if trees on the lot would be removed and if a rear buffer would be planted. Mr. Garrison stated that there are not landscaping requirements for a single family house.

A discussion ensued about the front setback. Mr. Kessler stated he could pull the front setback back to appease neighbors.

Mr. House closed the public hearing.

MOTION Mr. Weaver made a motion to recommend Rezoning From Vestavia Hills R-2 To Vestavia Hills R-9 for The Property Located At 1109 Winward Lane with the following conditions:

A) Front setback to be set at 35 feet along Winward Ln.

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

Mr. Goodwin – yes	Mr. Sykes – yes
Mr. Romeo – yes	Mr. Weaver– yes
Ms. Cobb – yes	Mr. House – yes

Motion carried.

Conrad Garrison, City Planner

CITY OF VESTAVIA HILLS

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

Date: **JUNE 13, 2019**

- **CASE: P-0419-19**
- **REQUESTED ACTION:** Final Plat Approval To Resurvey Lot 8 in Overton Cove
- **ADDRESS/LOCATION**: 3183 & 3187 Overton Cove
- **APPLICANT/OWNER:** Overton Investments
- **REPRESENTING AGENT:** Jason Kessler
- **GENERAL DISCUSSION:** Plat is to resurvey two lots in Overton Cove. The applicant intends to subdivide the two lots into three and to build 3 single family dwellings on the properties. There is a 20' sanitary sewer easement that runs through lots 8B and 9A, as well as a 20' utility easement that fronts all 3 lots. A sanitary sewer easement will be vacated by the City Council on 6/24. The lots are currently zoned R-6. Even after resurveying Lot 8 and Lot 9 into three lots, all three lots will still meet the density requirements under an R-6 zoning.
- **CAHABA HEIGHTS COMMUNITY PLAN:** This request is consistent with the plan for planned residential district.
- **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: Overton Investments, LLC

ADDRESS: 3505 Bent River Road
Birmingham, AL 35216

MAILING ADDRESS *(if different from above)*

2019 MAR 27 P 12: 15

PHONE NUMBER: Home 985-7171 Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:
Jason Kessler

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: To subdivide two lots into three lots

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

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

3183 & 3187 Overton Cove Vestavia, AL 35223

Property size: 180 feet X 165 feet. Acres: 0.68

VI. ZONING/REZONING:

The above described property is presently zoned: R3 per tax records

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.

3/26/19
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 26th day of March, 2019.

Jane B. Richardson
Notary Public

My commission expires 13th
day of March, 2020.

OWNER:
OVERTON INVESTMENTS, LLC
3505 BENT RIVER RD
BIRMINGHAM, AL 35216

SURVEYOR:
ENGINEERING DESIGN GROUP LLC
120 BISHOP CIRCLE SUITE 300
PELHAM, ALABAMA 35124
(205) 403-9158
CONTACT: RODNEY CUNNINGHAM, P.L.S.

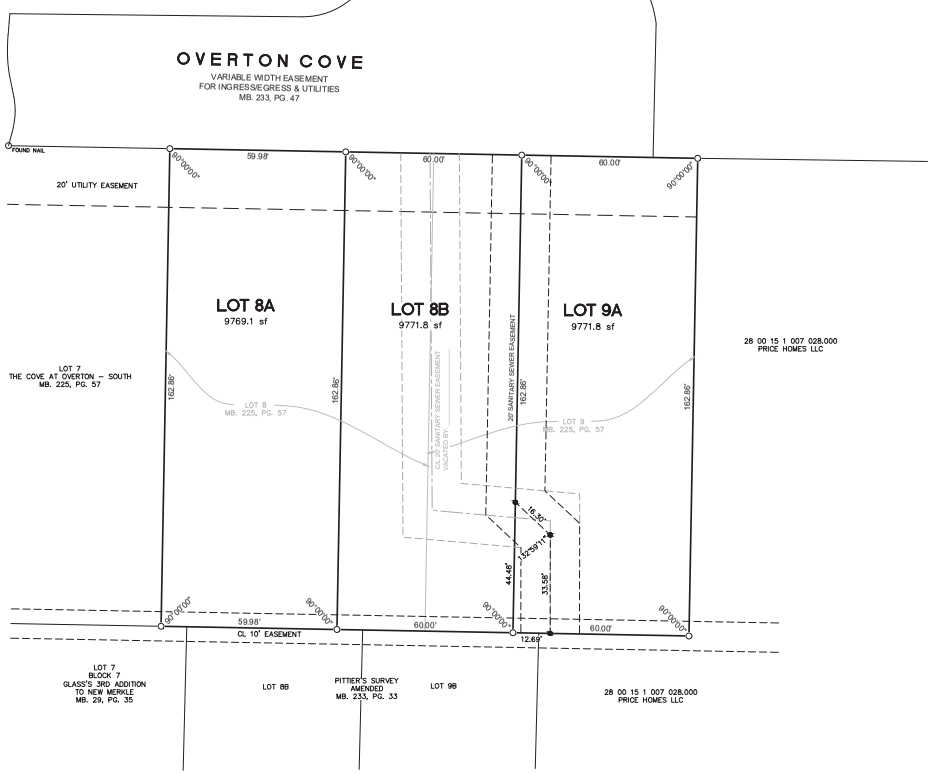
RESURVEY OF LOTS 8 AND 9
COVE AT OVERTON SOUTH

BEING A RESURVEY OF LOTS 8 AND 9, ACCORDING TO THE COVE AT OVERTON -SOUTH, AS RECORDED IN MAP BOOK 225, PG. 57.

PURPOSE OF THIS RESURVEY IS TO TAKE 2 LOTS INTO 3 LOTS.

SITUATED IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA

ALABAMA WEST ZONE, NAD 83
GRID NORTH



VICINITY MAP
N.T.S.

NOTES:

1. ALL EASEMENTS AND RIGHT-OF-WAY OF WHICH THE SURVEYOR HAS KNOWLEDGE HAVE BEEN SHOWN HERON.
2. BEARINGS SHOWN HEREON ARE RELATIVE TO THE ALABAMA STATE PLANE COORDINATE SYSTEM GRID AZIMUTH (ALABAMA WEST ZONE) (NAD 83) AND WERE DETERMINED USING GPS OBSERVATION.
3. CONTRACTOR" AND/OR DEVELOPER ARE RESPONSIBLE FOR PROVIDING BUILDING SITES FREE OF DRAINAGE PROBLEM.
4. NO FURTHER SUBDIVISION OF ANY PARCEL SHOWN HEREON SHALL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE CITY OF VESTAVIA PLANNING COMMISSION.

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

STATE OF ALABAMA
COUNTY OF JEFFERSON

THE UNDERSIGNED, RODNEY K. CUNNINGHAM, A REGISTERED LAND SURVEYOR, STATE OF ALABAMA, AND OVERTON INVESTMENTS, LLC, 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 MAP OF LANDS SHOWN THEREIN AND KNOWN AS **"RESURVEY OF LOTS 8 AND 9 COVE AT OVERTON SOUTH"** 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 LENGTH, WIDTH AND NAME OF EACH STREET, AS WELL AS THE NUMBER OF EACH LOT AND BLOCK; SHOWING THE RELATIONS OF THE LANDS TO THE COVE AT OVERTON SOUTH, AS RECORDED IN MAP BOOK 225, PAGE 57, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA; AND THAT IRON PINS HAVE BEEN FOUND IRON OR SET AT ALL LOT CORNERS AND CURVE POINTS AS SHOWN AND DESIGNATED BY SMALL SOLID CIRCLES ON SAID PLAT OR MAP. SAID OWNER ALSO CERTIFIES THAT IT IS THE OWNER OF SAID LANDS AND THAT THE SAME IS NOT SUBJECT TO A MORTGAGE.

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.

SURVEYOR:

RODNEY K. CUNNINGHAM
ALABAMA LIC. NO:26013

ALABAMA LICENSED 26013 PROFESSIONAL LAND SURVEYOR RODNEY KEITH CUNNINGHAM

STATE OF ALABAMA
COUNTY OF SHELBY

I, RICHARD EARL STUBBS, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT RODNEY K. CUNNINGHAM, WHOSE NAME IS SIGNED TO THE FOREGOING CERTIFICATE AS SURVEYOR, AND WHO IS KNOWN TO ME, ACKNOWLEDGE BEFORE ME ON THIS DATE THAT BEING DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, HE EXECUTED THE SAME VOLUNTARILY, FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ 2019.

NOTARY PUBLIC MY COMMISSION EXPIRES DEC. 13, 2021

RICHARD EARL STUBBS NOTARY PUBLIC ALABAMA STATE AT LARGE

OWNER: OVERTON INVESTMENTS, LLC

BY: JASON KESSLER: MANAGING MEMBER

STATE OF ALABAMA
COUNTY OF _____

I, _____ A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT JASON KESSLER, WHOSE NAMES ARE SIGNED TO THE FOREGOING CERTIFICATE AS MANAGING MEMBER OF OVERTON INVESTMENTS, LLC, AND WHO IS KNOWN TO ME, ACKNOWLEDGE BEFORE ME ON THIS DATE THAT BEING DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY, FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ 2019.

NOTARY PUBLIC MY COMMISSION EXPIRES

APPROVED BY: _____
CITY ENGINEER DATE:

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

APPROVED BY: _____
MANAGER AND CITY CLERK DATE:

APPROVED IN FORMAT ONLY:

_____ _____
DIRECTOR OF ENVIRONMENTAL SERVICES DATE

ENVIRONMENTAL SERVICES DEPARTMENT APPROVAL INDICATES THAT THIS DOCUMENT HAS BEEN REVIEWED FOR PROVISIONS OF FUTURE OR EXISTING 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.

REVISIONS	DATE

U:\PROJECTS\KESS0055 COVE AT OVERTON SOUTH\Survey\Cad\Dwg\KESS0055 RA.dwg

DRAWN BY: MBA
CHECKED BY: RKC
PROJECT No.: KESS0055
DATE: March 27, 2019
SCALE: 1" = 20'

PROJECT: RESURVEY OF LOTS 8 AND 9 COVE AT OVERTON SOUTH

TITLE: FINAL PLAT

120 BISHOP CIRCLE, SUITE 300
PELHAM, AL 35124
TEL - (205) 403-9158
FAX - (205) 403-9175

EDG
ENGINEERING DESIGN GROUP, LLC
CIVIL ENGINEERING • LAND SURVEYING
(205) 403-9158

SHEET NO.
1 OF 1

CITY OF VESTAVIA HILLS

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

Date: **MAY 9, 2019**

- **CASE: P-0519-28**
- **REQUESTED ACTION:** Final Plat Approval To Resurvey Two Lots on Sunview Drive.
- **ADDRESS/LOCATION**: 3009 & 3017 Sunview Drive
- **APPLICANT/OWNER:** Sunview Partners, LLC
- **REPRESENTING AGENT:** Bob Easley
- **GENERAL DISCUSSION:** Plat will complete the Knollwood Court rezoning and dedicate Knollwood Ct. as a private street.
- **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

2019 APR 24 P 1:15

II. APPLICANT INFORMATION: (owner of property)

NAME: Sunview Partners, LLC

ADDRESS: 1914 18th Avenue Birmingham, AL 35205

MAILING ADDRESS *(if different from above)* Same

PHONE NUMBER: Home 205-865-1197 Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: Bob Easley, PE

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: Final Plat submittal in accordance with the approved preliminary plat

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

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

3009 & 3017 Sunview Drive

Property size: 264 wide feet X 305 deep feet. Acres: 1.9 +/-

VI. ZONING/REZONING:

The above described property is presently zoned: R9

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.

Sunview Partners, LLC

Owner Signature/Date
Manager

Representing Agent (if any)/date

Given under my hand and seal
this 23rd day of April, 2019.

Sazia Naz
Notary Public

STATE OF ALABAMA NOTARY PUBLIC
SAZIA NAZ
My Commission Expires
August 21, 2022

My commission expires 21st
day of August, 2022.

KNOLLWOOD COURT

Being a subdivision of acreage situated in the
SE 1/4 of the SW 1/4 Section 15, Township 18 South,
Range 2 West, Jefferson County, Alabama

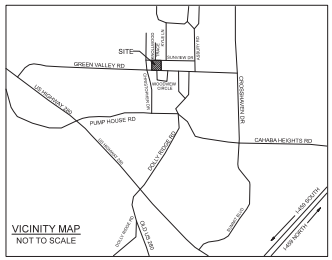
SCALE : 1" = 30'

DATE: 23 April 2019

0 30 60 90

OWNER/DEVELOPER: SUNVIEW PARTNERS, LLC
1914 18th AVENUE SOUTH
BIRMINGHAM, ALABAMA 35205
(205) 865-1197
CONTACT: Bobby Adams

SURVEYOR: ALABAMA ENGINEERING COMPANY, INC.
1214 ALFORD AVENUE, SUITE 200
HOOVER, ALABAMA 35226
(205) 803-2161
CONTACT: Bob Easley



VICINITY MAP
NOT TO SCALE

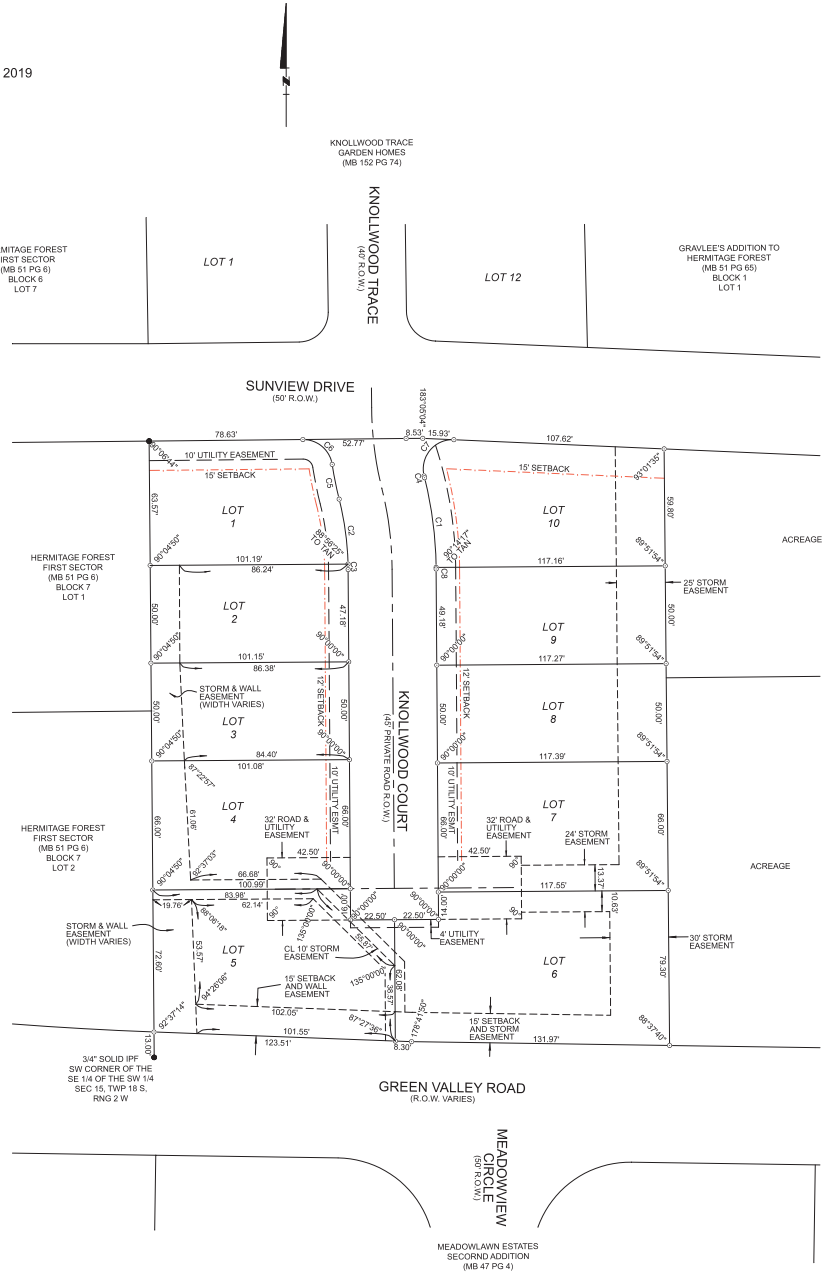
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	197.50'	46.31'	13°26'01"
C2	152.50'	33.57'	12°36'43"
C3	152.50'	2.82'	1°03'35"
C4	152.50'	0.97'	0°21'47"
C5	197.50'	18.14'	5°15'47"
C6	15.00'	21.41'	81°47'04"
C7	15.00'	27.80'	106°12'00"
C8	197.50'	0.82'	00°14'17"

NOTES:
1. THIS SUBDIVISION IS PRIVATE, ALL ROADS, STORM DRAINAGE, AND SANITARY SEWER WITHIN THIS SUBDIVISION WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
2. SETBACKS ARE SHOWN AS THEY CURRENTLY EXIST, HOWEVER THEY ARE SUBJECT TO CHANGE IF APPROVED BY THE CITY OF VESTAVIA HILLS.
3. ALABAMA POWER COMPANY EASMENT IN DEED 2789 PAGE 98 AFFECTS THESE PARCELS. ALABAMA POWER COMPANY EASMENT IN DEED 4826 PAGE 214 INCLUDES A LEGAL DESCRIPTION THAT IS NOT REPRODUCABLE.
4. EACH LOT OWNER IS RESPONSIBLE FOR VERIFYING SOIL CONDITIONS PRIOR TO ANY FURTHER CONSTRUCTION ON THEIR LOT. SOIL OUTSIDE OF THE FOOTPRINT OF THE ORIGINAL HOUSE LOCATION MAY NOT BE SUITABLE TO SUPPORT HOUSE ADDITIONS, SWIMMING POOLS, ETC. BEFORE ANY FUTURE CONSTRUCTION IS PERFORMED, THE LOT OWNER SHOULD CONSULT A QUALIFIED GEOTECHNICAL ENGINEER TO DETERMINE IF SOILS ARE SUITABLE FOR THE PROPOSED CONSTRUCTION.

UTILITY PROVIDERS

ELECTRICITY - ALABAMA POWER COMPANY
WATER - BIRMINGHAM WATER WORKS AND SEWER BOARD
TELEPHONE - AT&T
SANITARY SEWER - JEFFERSON COUNTY ENVIRONMENTAL SERVICES

FLOOD NOTE: By graphic plotting only, this property is in Zone "X", of the Flood Insurance Rate Map 01073C0578H dated September 3, 2010, Jefferson County, Alabama. No field surveying was performed to determine this zone and the exact designation can only be determined by an elevation certificate.



_____ DATE_____
CHAIRMAN VESTAVIA HILLS PLANNING AND ZONING COMMISSION

_____ DATE_____
CITY ENGINEER

_____ DATE_____
CITY CLERK

_____ DATE_____
ACKNOWLEDGED BY

DIRECTOR, ENVIRONMENTAL SERVICES DEPARTMENT
(For Recording Purposes Only)

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 in the future. Any change in any Right of Way or Easement boundaries after this date may VOID this approval.

State of Alabama
County of Jefferson

The Undersigned, Garry Bannister, Registered Land Surveyor, State of Alabama, _____ as _____ of Sunview Partners, LLC, owners hereby certify that this plat or map was made to a survey and this plat or map is a true and correct maps of lands shown therein and known as KNOLLWOOD COURT 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 angles, length, width and name of each street, as well as the number of each lot an 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 owners also certify that they are the owners of said lands and that the same are not subject to any mortgage, except a mortgage held by PROGRESS BANK.

BY: FOR CITY REVIEW ONLY
Garry Bannister, PLS Date
Alabama Registration No. 24325

BY: _____
OWNER Date

Further, I hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

PLAT ACKNOWLEDGED BY:

_____ DATE: _____
PROGRESS BANK

State of Alabama
County of Jefferson

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

Given under my hand and seal this _____ day of _____, 2019.

_____ My Commission Expires _____
Notary Public

State of Alabama
County of Jefferson

I, the undersigned, a Notary Public in and for said County and State hereby certify that _____ as _____ of Sunview Partners, LLC., is signed to the foregoing plat, and who is known to me, acknowledged before me on this day that, being informed of the contents thereof, he as such person and with full authority, executed the same voluntarily.

Given under my hand and seal this _____ day of _____, 2019.

_____ My Commission Expires _____
Notary Public

State of Alabama
County of Jefferson

I, the undersigned, a Notary Public in and for said County and State hereby certify that _____, whose name as _____ PROGRESS BANK, is signed to the foregoing plat, and who is known to me, acknowledged before me on this day that, being informed of the contents thereof, he as such person and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this _____ day of _____, 2019.

_____ My Commission Expires _____
Notary Public

CITY OF VESTAVIA HILLS

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

Date: **JUNE 13, 2019**

- **CASE: P-0619-31**

- **REQUESTED ACTION:** Final Plat Approval To Resurvey Three Lots, 2 On Poe Drive & 1 On Glass Drive.

- **ADDRESS/LOCATION**: 3784 & 3782 Poe Drive; 3785 Glass Drive

- **APPLICANT/OWNER:** Jon Culver & Tucker and Company

- **REPRESENTING AGENT:** Charles Kessler

- **GENERAL DISCUSSION:** Plat is to resurvey three lots in accordance with previously approved resurvey. This final plat is also tied into an upcoming BZA case to make 3782 Poe Drive compliant with city code. 3784 Poe Drive & 3785 Glass Drive are zoned R-9 and 3782 Poe Drive is zoned R-4.

- **CAHABA HEIGHTS COMMUNITY PLAN:** This request is consistent with the plan for planned residential district.

- **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

MAY 21 P 2:01

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
FINAL MAP APPLICATION

II. APPLICANT INFORMATION: (owner of property)

NAME: Jon Culver & Tucker and Company

ADDRESS: 3782 & 3784 Poe Drive — 3785 Glass Drive

Vestavia, AL 35223 — Vestavia, AL 35223

MAILING ADDRESS *(if different from above)* Tucker - 507 Yorkshire Dr.
Homewood, AL 35209

PHONE NUMBER: Home 447 - 3839 Culver
422 - 1614 Tucker
Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: To resurvey parts of each lot to allow for the sewer lateral to be tied on to 3785 Glass Dr. to provide sewer.

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

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

3782 & 3784 Poe Drive — 3785 Glass Drive

Lots 8 & 9 Glass 3rd Add. to New Merkle — Lot 29 (same subdivision)

Property size: 60 / 60 / 60 feet X 145 / 145 / 145 feet. Acres: 0.60 total

VI. ZONING/REZONING:

The above described property is presently zoned: R9 & R3

3784 Poe — 3782 Poe
3785 Glass

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. I, also, understand that I am asking for a variance based on the Zoning Code only and not on any or all covenants that are on the subject property.

5/17/19 — *Owner Signature/Date*

5/16/19 — *Representing Agent (if any)/date*

Given under my hand and seal
this 5 day of 17, 20 19.

STATE OF ALABAMA NOTARY PUBLIC
ALEXIS M. ODOM
My Commission Expires
October 23, 2022

Notary Public
My commission expires October
day of 23, 20 22.

SCALE: 1" =20'

SCALE IN FEET

20' 10' 0 20' 40'

North

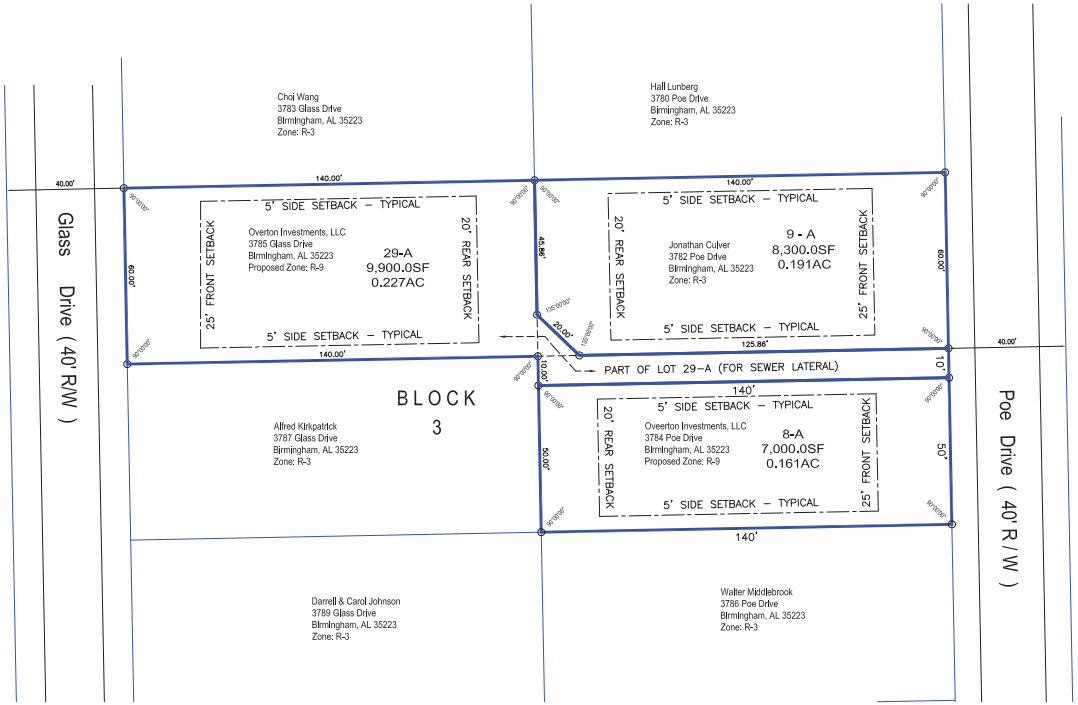
FINAL PLAT

FOR

OVERTON INVESTMENTS RESURVEY NO1 OF NEW MERKLE

Being a Resurvey of Lot 29 & Lot 8, BLOCK 3, NEW MERKLE, as recorded In Map Book 29, Page 35, In the Probate Office of Jefferson County, Alabama

PURPOSE: TO RESURVEY THREE EXISTING LOTS INTO 3 SINGLE FAMILY LOTS



STATE OF ALABAMA
CITY OF VESTAVIA

We, the undersigned, Karl L. Hager as surveyor, AND OVERTON INVESTMENTS, LLC as Owners, do hereby state that the foregoing plat or map is an accurate survey of the subdivision to be known as OVERTONS RESURVEY NO. 1 OF NEW MERKLE and all monuments have been erected as represented and said plat or map of the property shown hereon shows the streets, avenues, and other public ways, and the number and dimensions of each lot and shows the relation of the land so plotted to the government survey of Jefferson County, Alabama.

In witness whereof, we have hereunto set our hands this the _____ day of _____, 2019.

_____
Karl L. Hager. PLS
Alabama Reg. No. 11848

STATE OF ALABAMA
CITY OF VESTAVIA HILLS

I, _____ A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE HEREBY CERTIFY THAT KARL L. HAGER, WHOSE NAME IS SIGNED TO THE FOREGOING CERTIFICATE AS SURVERYOR, WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE, THAT AFTER HAVING BEEN DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, THEY EXECUTED THE SAME VOLUNTARILY AS SUCH INDIVIDUALS WITH FULL AUTHORITY THEREOF.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____

_____
NOTARY PUBLIC
MY COMMISSION

EXPIRES:_____

_____
CHARLES KESSLER JR., MEMBER - OWNER LOT 29-A & 8-A
OVERTON INVESTMENTS, LLC

STATE OF ALABAMA
COUNTY OF _____

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE HEREBY CERTIFY THAT CHARLES KESSLER, WHOSE NAME AS MEMBER OF OVERTON INVESTMENTS, LLC IS SIGNED TO THE FOREGOING RECORD MAP; CONVEYANCE, HE, AS SUCH MEMBER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION IN THE CAPACITIES SET OUT HEREIN.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____

_____
NOTARY PUBLIC
MY COMMISSION

EXPIRES:_____

ENVIRONMENTAL SERVICES DEPARTMENT APPROVAL INDICATES THAT EASEMENTS HAVE BEEN DEDICATED FOR CURRENT AND FUTURE JEFFERSON COUNTY SANITARY SEWERS, HOWEVER THIS DOES NOT MEAN SANITARY SEWERS HAVE BEEN BUILT OR WILL BE BUILT IN THE FUTURE. ANY CHANGES IN THE RIGHT-OF-WAY OR EASEMENT BOUNDARIES AFTER THIS DATE MAY VOID THIS APPROVAL.

_____
DIRECTOR
JEFFERSON COUNTY ENVIRONMENTAL SERVICES

DATE:

APPROVED:

_____
CITY CLERK, VESTAVIA HILLS ALABAMA

APPROVED:

_____
CHAIRMAN PLANNING COMMISSION
CITY OF VESTAVIA HILLS, ALABAMA

_____
Jonathan Culver - OWNER LOT 9-A

APPROVED:

_____
CITY ENGINEER

STATE OF ALABAMA
COUNTY OF _____

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE HEREBY CERTIFY THAT Jonathan Culver, WHOSE NAME AS OWNERIS SIGNED TO THE FOREGOING RECORD MAP; CONVEYANCE, HE, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION IN THE CAPACITIES SET OUT HEREIN.

GIVEN UNDER MY HAND AND SEAL THIS ____ DAY OF _____

_____
NOTARY PUBLIC
MY COMMISSION

EXPIRES:_____

DATE: APRIL 23, 2019

PREPARED BY:
HAGER COMPANY, INC.
1825-D 12TH AVENUE
Phone:(205) 229-1738 - keithlhager@icould.com

CITY OF VESTAVIA HILLS

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

Date: **JUNE 13, 2019**

- **CASE: P-0619-32**

- **REQUESTED ACTION:** Final Plat Approval To Resurvey Lots At Cahaba Heights Elementary School

- **ADDRESS/LOCATION**: 4401 & 4405 Dolly Ridge Road

- **APPLICANT/OWNER:** City of Vestavia Hills

- **REPRESENTING AGENT:** Pat Boone

- **GENERAL DISCUSSION:** Plat is to resurvey lots at Cahaba Heights Elementary School site, the parcels including the school and the park. This resurvey will move forward with the various conveyances between the City of Vestavia Hills and the Vestavia Hills Board of Education. This action is also taken in pursuit of the Vestavia Hills Community Spaces plan.

- **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)

Fee waived for City Project

NAME: City of Vestavia Hills

ADDRESS: 1032 Montgomery Hwy Vestavia Hills, AL 35216

MAILING ADDRESS *(if different from above)* "

PHONE NUMBER: Home → Office 205-978-0100

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: Pat Boone

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: Conveyances were unanimously Approved by BOE & CC.

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

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

Cahaba Heights Park & School reconciliation

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

VI. ZONING/REZONING:

The above described property is presently zoned: [illegible]

2019 MAY 29 P 1:45

VI. OWNER AFFIDAVIT:

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

_____ _____

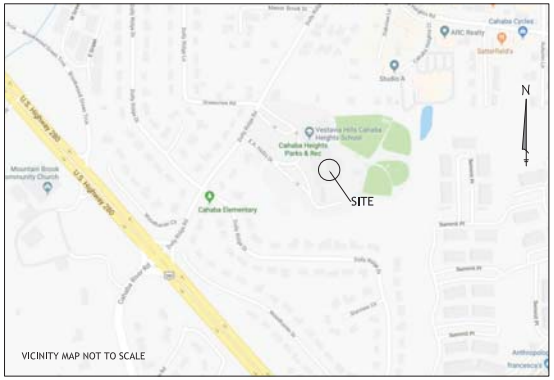
Owner Signature/Date *Representing Agent (if any)/date*

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

_____

Notary Public

My commission expires _____
day of _____, 20_____.



CAHABA HEIGHTS ELEMENTARY SUBDIVISION

SITUATED IN THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ AND THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$, SECTION 22, TOWNSHIP 18 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY ALABAMA.

THE STATE OF ALABAMA

JEFFERSON COUNTY

The Undersigned Jason E. Bailey, Registered Land Surveyor, State of Alabama, the City of Vestavia Hills, and the Vestavia Hills Board of Education, owners, hereby certify that this plat or map was made pursuant to a survey made by said surveyor and this said survey and this plat or map were made at the instance of said owner(s); that this plat or map is a true and correct map of lands shown therein and known as "Cahaba Heights Elementary Subdivision" showing the lands 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 described in Deed Book 200304 Page 5172, Deed Book 200309 Page 3918, and to the survey of Lot 3 of Hollis Crossings as recorded in Map Book 242 Page 64 in the Probate Office of Jefferson County, Alabama; 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 certify that it is the Owner of said lands and that the same are not subject to any mortgage.

_____	_____	_____
Jason E. Bailey, PLS	City of Vestavia Hills	Vestavia Hills Board of Educatioon
AL Reg # 28567	1204 Montgomery Highway	1204 Montgomery Highway
Date _____	Vestavia Hills, Al 35216-2810	Vestavia Hills, Al 35216
	Date _____	Date _____

STATE OF ALABAMA

JEFFERSON COUNTY

I, _____, as Notary Public in and for said County and State, do hereby certify that Jason E. Bailey, whose name is signed to the foregoing certificate as a surveyor, who is known to me, acknowledged before me, on this date, that after having been duly informed of the contents of said certificates, the executed same voluntarily as such individuals (or in any other capacities) with full authority thereof.

Given under my hand and seal this_____day of_____2019.

_____

Notary Public

STATE OF ALABAMA

JEFFERSON COUNTY

I, _____, as Notary Public in and for said County and State, do hereby certify that an authorized representative of the City of Vestavia Hills, whose name is signed to the foregoing certificate as a owner, who is known to me, acknowledged before me, on this date, that after having been duly informed of the contents of said certificates, the executed same voluntarily as such individuals (or in any other capacities) with full authority thereof.

Given under my hand and seal this_____day of_____2019.

_____

Notary Public

STATE OF ALABAMA

JEFFERSON COUNTY

I, _____, as Notary Public in and for said County and State, do hereby certify that an authorized representative of the Vestavia Hills Board of Education, whose name is signed to the foregoing certificate as a owner, who is known to me, acknowledged before me, on this date, that after having been duly informed of the contents of said certificates, the executed same voluntarily as such individuals (or in any other capacities) with full authority thereof.

Given under my hand and seal this_____day of_____2019.

_____

Notary Public

_____

P&Z Chairman

_____

City Clerk

_____

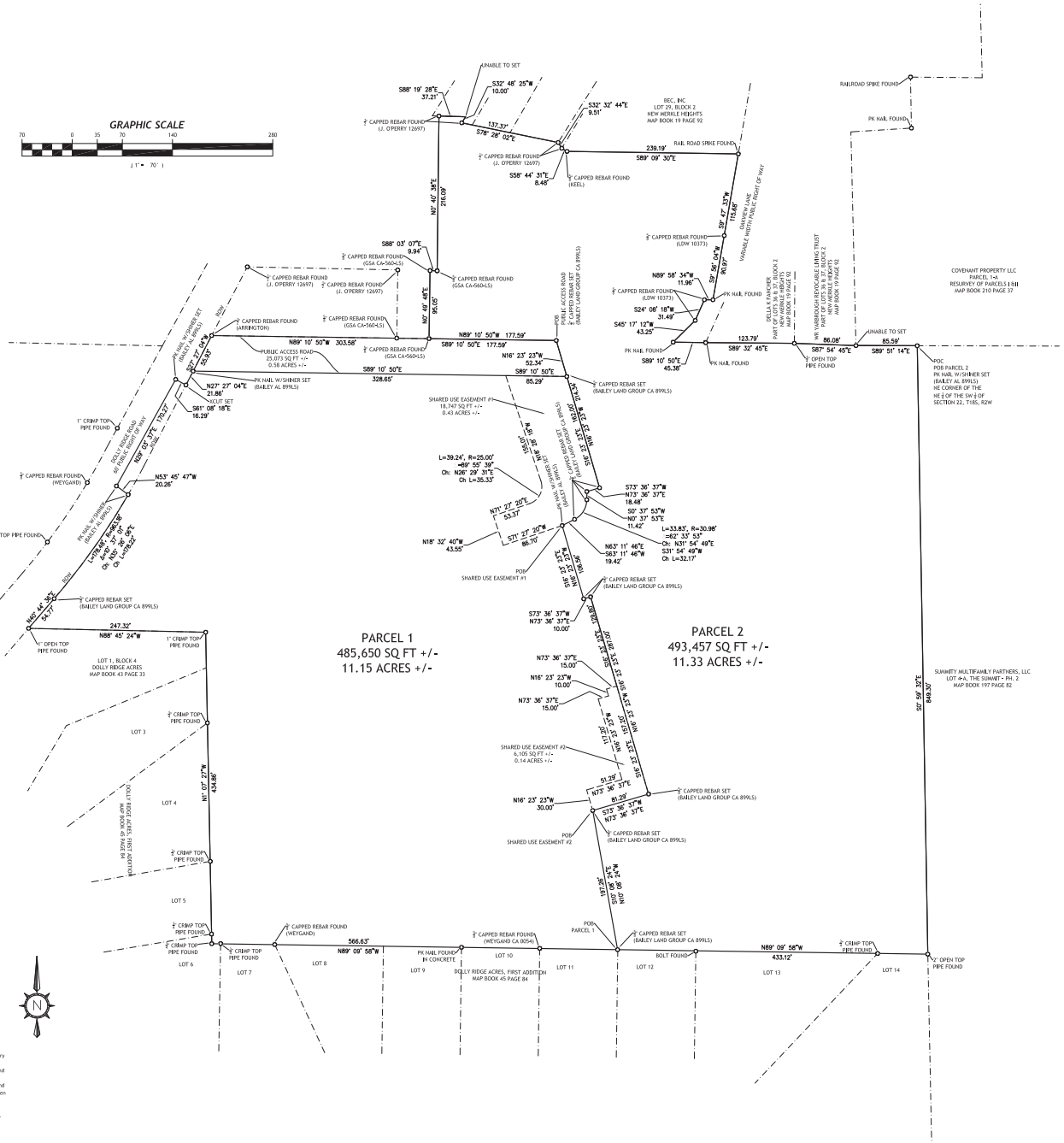
City Engineer

APPROVED IN FORMAT ONLY:

_____

Director of Environmental Services Date

Environmental Services Department approval indicates that this document has been reviewed for provision of future or existing 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. For the consideration aforesaid, the undersigned do grant, bargain, sell and convey unto said County the right and privilege of a perpetual use of said lands for such public purpose, together with all rights and privileges necessary or convenient for the full use and enjoyment thereof, including the right of ingress to and egress from said strip and the right to cut and keep clear all trees, undergrowth and other obstructions on the lands of the undersigned adjacent to said strip when deemed reasonably necessary for the avoidance of danger in and about said public use of said strip, and the right to prohibit the construction or maintenance of any improvement or obstruction (except fencing) or the placement of spoil or fill dirt or heavy equipment or heavy objects on, over, across or upon said area herein conveyed without the written permission from Jefferson County.



CITY OF VESTAVIA HILLS

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

Date: **MAY 9, 2019**

- **CASE: P-0519-23**

- **REQUESTED ACTION:** Conditional Use Approval For Home Occupation

- **ADDRESS/LOCATION**: 621 Liberty Lake Drive

- **APPLICANT/OWNER:** Catherine Waters

- **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 and the apartment complex 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: Catherine Waters

ADDRESS: 621 Liberty Lake Drive
Vestavia, AL 35242

MAILING ADDRESS *(if different from above)*

PHONE NUMBER: Home 205-801-5588 Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

2019 APR -1 P 3:47

III. ACTION REQUESTED

Request that the above described property be approved conditional use approval pursuant to Section 7.1 of the Vestavia Hills Zoning Code.

Current Zoning of Property: VH PUD PR-1

Requested Conditional use For the intended purpose of: Work from home - author home occupation as per attached

(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 3, Liberty Park Common 192/63

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.

Catherine Waters 3/25/19
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 25th day of March, 2019.

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

P0519-23//Colonial Grand at LP
621 Liberty Lake Drive
Cond. Use for home occupation
Catherine Waters PUD

April 1, 2019

City of Vestavia Hills
Vestavia Hills City Hall
Vestavia Hills, AL 35216

Dear City Council,

I would like to work from home as an author. I do manage my website from home and would like to be able to store a box of books in my house to take individual orders to the post office for delivery. I will not be having delivery trucks coming to my apartment for work purposes. There will be no signage. I am asking for permission in order to fulfill orders and pay the appropriate taxes to the city of Vestavia, Jefferson County, and Alabama.

Thank you for considering this request.

Sincerely,

C. Waters

Catherine Waters, PhD

CITY OF VESTAVIA HILLS

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

Date: **JUNE 13, 2019**

- **CASE: P-0619-30**

- **REQUESTED ACTION:** Rezoning JC R-2 to Vestavia Hills R-9

- **ADDRESS/LOCATION**: Magnolia Cove Estates

- **APPLICANT/OWNER:** Multiple Applicants

- **GENERAL DISCUSSION:** The subdivision was recently annexed into the City with the passage of Ordinance 2842 on 4/22/19. Applicants are seeking to rezone Magnolia Cove Estates from JC R-2 to R-9. A compatible rezoning would be VH R-1, however, the lots and homes within the subdivision would not meet the minimum requirements. The setbacks for the lots are illustrated in the recorded plat. There is also construction underway to construct homes on the lots that are currently empty. There are 13 total lots in the subdivision. All current easements will remain.

- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistant with the plan for medium density re

- **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.

P0619-30//4000052001022.001
Magnolia Cove Estates
Rezone to VH R-9
Multiple Owners

JCR2

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: CRB CONSTRUCTION ET. AL.

ADDRESS: 1945 HOOVER CT, HOOVER, AL 35226

MAILING ADDRESS *(if different from above)* _____

PHONE NUMBER: Home _____ Office 205-862-8371

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: R2 - Jefferson County

To: R9

For the intended purpose of: RESIDENTIAL DWELLINGS

(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.)

MAGNOLIA COVE

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.

4/15/19

Owner Signature/Date *Representing Agent (if any)/date*

Given under my hand and seal this 15th day of April, 2019

LAURA LOWE NOTARY PUBLIC ALABAMA STATE AT LARGE

Laura Lowe

Notary Public

My commission expires 14th day of November, 2019.

LAURA LOME
NOTARY
PUBLIC
ALABAMA STATE AT LARGE

P0619-30//4000052001022.001
Magnolia Cove Estates
Rezone to VH R-9
Multiple Owners JCR2

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: DAVID DOWNARD

ADDRESS: 2409 MAGNOLIA COVE RD

BIRMINGHAM, AL 35243

MAILING ADDRESS *(if different from above)* _____

PHONE NUMBER: Home 966-1270 Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

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 P.M. in the Council Chamber of the Municipal Center.

(2) All plans and information relating to a zoning rezoning request must be submitted for approval to the Planning and Zoning Commission [illegible] to the Office of the City Clerk no later than 15 **working** days [illegible] the **scheduled meeting at which it shall be considered.** All information relating to Preliminary Map approval must be submitted to the Office of the City Clerk no later than 10 days prior to the scheduled meeting at which it shall be considered. All information relating to Final Map approval 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 [illegible]

(4) All applicable fees shall accompany this application prior to being [illegible] complete. Fees include an application fee of $10.00 along with appropriate postage. A property owner is to be notified for Commission [illegible] will be billed to applicant at a later date. **Appropriate fees must be paid before [illegible] has 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: [illegible]

ADDRESS: [illegible]

[illegible]

MAILING ADDRESS (if different from above): [illegible]

PHONE NUMBER: home [illegible] Office [illegible]

NAME OF REPRESENTATIVE, ATTORNEY OR OTHER AGENT: [illegible]

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: R-2 (COUNTY)

To: R-9 (CITY)

For the intended purpose of: RESIDENTIAL

(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.)

2409 MAGNOLIA COVE RD

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.

David Dominard
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 2nd day of MAY, 2019.

LAURA LOWE NOTARY PUBLIC ALABAMA STATE AT LARGE

Laura Lowe
Notary Public

My commission expires 14th
day of NOV., 2019.

NOTARY PUBLIC
LAURA LOWE
ALABAMA STATE AT LARGE

P0619-30//4000052001022.001
Magnolia Cove Estates
Rezone to VH R-9
Multiple Owners JCR2

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: KAY WATKINS

ADDRESS: 2416 MAGNOLIA COVE RD

BIRMINGHAM, AL 35243

MAILING ADDRESS *(if different from above)*

PHONE NUMBER: Home 501-762-2023 Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

2019 APR 25 P 1:07

CITY OF VESTAVIA HILLS

APPLICATION

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

(1) The Vestavia Hills Planning and Zoning Commission meets regularly on the second Thursday of each month at 6:00 PM in Council Chambers at the Municipal Center.

(2) All materials and information relating to a zoning rezoning request or conditional use approval before the Planning and Zoning Commission must be submitted to the Office of the City Clerk no later than 25 working **days prior to the scheduled meeting at which it shall be considered.** All information relating to Preliminary Map approvals must be submitted to the Office of the City Clerk no later than 20 days prior to the scheduled meeting at which it shall be considered. All information relating to Final Map approvals must be submitted to the Office of the City Clerk no later than 15 days prior to the scheduled meeting at which it is to be considered.

(3) This application must be filled out in its entirety complete with zip codes.

(4) All applicable fees shall accompany this application prior to its being considered complete. Fees include an application fee of $100.00 along with applicable postage per property owner to be notified for Commission meeting. Fees may also include notification fees for City Council meeting and publication fees which will be billed to applicant at a later date. **No permits will be issued until all fees have been paid.

(5) Appropriate plats and maps with proper legal description shall accompany this application. **Please refer to attached checklist.**

II. APPLICANT INFORMATION: (owner of property)

NAME: _____

ADDRESS: _____

_____

MAILING ADDRESS (if different from above) _____

_____

PHONE NUMBER: Home _____ Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

_____

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: R2

To: R9

For the intended purpose of: RESIDENTIAL

(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.)

2416 MAGNOLIA COVE RD

Property size: _____ feet X _____ feet. Acres: .23

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.

Owner Signature/Date

Representing Agent (if any)/date

LAURA LOWE NOTARY PUBLIC ALABAMA STATE AT LARGE

Given under my hand and seal this 25th day of April, 20 19.

Notary Public

My commission expires 14th day of Nov, 20 19.


NOTARY
PUBLIC
STATE AT LARGE

P0619-30//4000052001022.001
Magnolia Cove Estates
Rezone to VH R-9
Multiple Owners JCR2

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.**

2019 APR 25 P 1:08

II. APPLICANT INFORMATION: (owner of property)

NAME: MARTIN COGEN

ADDRESS: 2419 Magnolia Cove Rd
Birmingham, AL 35243

MAILING ADDRESS *(if different from above)* _____

PHONE NUMBER: Home 205-822-8485 ~~Office~~ Cell 205-835-3085

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

^	Prepare Ordinance for proposed rezoning to be presented to City Council complete with any applicable restrictions
^	Prepare Public Posting/Advertisement pursuant to Alabama law
^	Send Public Notification for Council meeting; notification to be sent both certified mail, return receipt requested and regular first class postage paid
^	Process invoice for reimbursement of postage and mail to owner/applicant along with notice of hearing
^	Schedule request for First Reading for City Council
^	Schedule request for Public Hearing for City Council
^	Place on Council Agenda for First Read; no action taken
^	Place on Council Agenda for Public hearing
^	Council Approved Request and Adopted Ordinance
^	Council Denied Request

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: R2

To: R4

For the intended purpose of: RESIDENTIAL

(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.)

2419 MAGNOLIA COVE RD

Property size: _____ feet X _____ feet. Acres: .245

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.

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 25th day of April, 2019.

LAURA LOWE NOTARY PUBLIC ALABAMA STATE AT LARGE

Laura Lowe
Notary Public
My commission expires 14th
day of Nov., 2019.


LAURA LOWE
NOTARY
PUBLIC
ALABAMA STATE AT LARGE

P0619-30//4000052001022.001
Magnolia Cove Estates
Rezone to VH R-9
Multiple Owners

JCR2

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: DAVID APCOCK

ADDRESS: 2408 MAGNOLIA COVE RD, BIRMINGHAM, AL 35243

MAILING ADDRESS *(if different from above)*

PHONE NUMBER: Home 542-6759 Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

2019 APR 25 P 1:07

^	Prepare Ordinance for proposed rezoning to be presented to City Council complete with any applicable restrictions
^	Prepare Public Posting/Advertisement pursuant to Alabama law
^	Send Public Notification for Council meeting; notification to be sent both certified mail, return receipt requested and regular first class postage paid
^	Process invoice for reimbursement of postage and mail to owner/applicant along with notice of hearing
^	Schedule request for First Reading for City Council
^	Schedule request for Public Hearing for City Council
^	Place on Council Agenda for First Read; no action taken
^	Place on Council Agenda for Public hearing
^	Council Approved Request and Adopted Ordinance
^	Council Denied Request

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: _____

To: _____

For the intended purpose of: _____

(Example: From "VH R-1" to "VH O-1" for office building)
if additional information is needed, please attached full description of request

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

2408- Magnolia Cove Rd.
Birmingham, AL 35243

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.

David C. Cole

Owner Signature/Date *Representing Agent (if any)/date*

Given under my hand and seal
this 25th day of April, 2019.

Laura Lowe
Notary Public

My commission expires 14th
day of Nov-, 2019.

LAURA LOWE NOTARY PUBLIC ALABAMA STATE AT LARGE

LAURA LOWE STATE OF ALABAMA
NOTARY PUBLIC

P0619-30//4000052001022.001
Magnolia Cove Estates
Rezone to VH R-9
Multiple Owners JCR2

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: John + Lynda Gay

ADDRESS: 2415 Magnolia Cove Rd
Birmingham AL 35243

MAILING ADDRESS *(if different from above)*

PHONE NUMBER: ~~Home~~ Cell 251-209-3845 Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

2019 APR 25 P 4:07

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: R2

To: R9

For the intended purpose of: RESIDENTIAL

(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.)

2445 Magnolia Cove Rd

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.

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal this 25th day of April, 2019.

Laura Lowe
Notary Public

My commission expires 14th day of Nov., 2019.


NOTARY
PUBLIC
STATE OF ALABAMA AT LARGE

P0619-30//4000052001022.001
Magnolia Cove Estates
Rezone to VH R-9
Multiple Owners JCR2

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: Phyllis Hamrick

ADDRESS: 2412 Magnolia Cove Rd

MAILING ADDRESS *(if different from above)*

PHONE NUMBER: Home 205-822-2708 Office 566-8262

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

2019 APR 25 P 1:07

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: R2

To: R9

For the intended purpose of: RESIDENTIAL

(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.)

2412 MAGNOLIA COVE RD

BIRMINGHAM, AL 35243

Property size: _____ feet X _____ feet. Acres: .240

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.

ALABAMA STATE AT LARGE NOTARY PUBLIC LAURA LOWE

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal this 25th day of April, 2019.

Laura Lowe
Notary Public

My commission expires 14th day of NOV., 2019.


LAURA LOWE
NOTARY
PUBLIC
STATE OF NEVADA

P0619-30//4000052001022.001
Magnolia Cove Estates
Rezone to VH R-9
Multiple Owners JCR2

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.**

2019 APR 25 P 1:07

II. APPLICANT INFORMATION: (owner of property)

NAME: THOMAS & JANE WALKER

ADDRESS: 2405 MAGNOLIA COVE RD

BIRMINGHAM, AL 35243

MAILING ADDRESS *(if different from above)* _____

PHONE NUMBER: Home 902-5092 Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: R2

To: R9

For the intended purpose of: RESIDENTIAL

(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.)

2405 Magnolia Cove Rd.

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.

Thomas G and Jane E. Walker
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal, this 25th day of April, 20 19.

LAURA LOWE NOTARY PUBLIC ALABAMA STATE AT LARGE

Laura Lowe
Notary Public

My commission expires 14th day of Nov., 20 19.


LAURA LOWE
NOTARY
PUBLIC
STATE OF ALABAMA

P0619-30//4000052001022.001
Magnolia Cove Estates
Rezone to VH R-9
Multiple Owners JCR2

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: RANDEL WALKER

ADDRESS: 2404 MAGNOLIA COVE RD

BIRMINGHAM, AL 35243

MAILING ADDRESS *(if different from above)*

PHONE NUMBER: Home 283-2353 Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

2019 APR 25 P 1:07

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 <u>working</u> 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. <u>Fees may also include notification fees for City Council meeting and publication fees which will be billed to applicant at a later date.</u> **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: _____

ADDRESS: _____

_____

MAILING ADDRESS (if different from above) _____

_____

PHONE NUMBER: Home _____ Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

_____

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: R2

To: R9

For the intended purpose of: RESIDENTIAL

(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.)

2404 MAGNOLIA COVE RD

Property size: _____ feet X _____ feet. Acres: .234

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.

Owner Signature/Date *Representing Agent (if any)/date*

Given under my hand and seal this 15th day of April, 2019.

Notary Public

My commission expires November 14th day of _____, 2019.

ALABAMA STATE AT LARGE NOTARY PUBLIC LAURA LOWE

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: _____

To: _____

For the proposed purpose of: _____

(Example: From "SFR-1" to "THO-1" for a duplex)
If additional information is needed, please attach a description of request

---

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

_____

_____

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

V. INFORMATION ATTACHED:

☐ Attached (Check if complete with all required information.

☐ Application fee 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, Date Representative's Name, Title

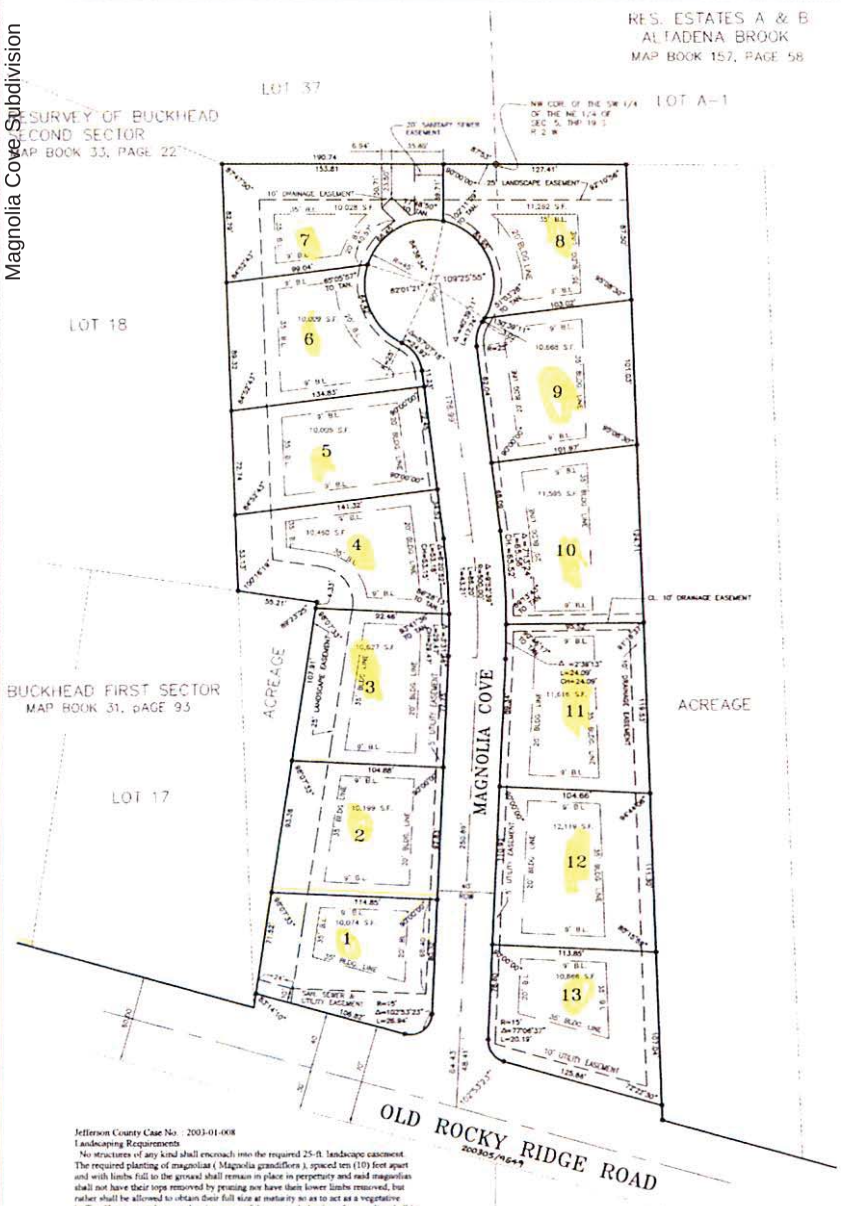
Given under my hand and seal
this _____ day of _____, 20__.

_____
Notary Public

My commission expires _____
day of _____, 20__.

LAURA J. HOME
NOTARY PUBLIC
STATE AT LARGE

Magnolia Cove Subdivision



GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

MAGNOLIA COVE ESTATES

BEING SITUATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 & THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 19 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA

PREPARED BY:
REYNOLDS SURVEYING, INC.
1572 Montgomery Highway, Suite 108
Birmingham, Alabama 35216
(205) 823-7900 Fax: (205) 979-7635

PREPARED FOR:
Harold Stephens
Managing Partner
Rocky Ridge LLC
2070 Montevallo Road SW
Birmingham, Alabama 35211
(205) 290-4667

DESIGN ENGINEERING BY:
(DYE) ENGINEERING
714 SOUTH 30TH STREET
BIRMINGHAM, AL 35233
(205) 251-4500

JEFFERSON COUNTY ENVIRONMENTAL SERVICES HEREBY APPROVES THIS RECORD MAP FOR SANITARY SEWER PURPOSES ONLY. ANY CHANGE IN ANY RIGHT OF WAY OR EASEMENT BOUNDARIES AFTER THIS DATE MAY VOID THIS APPROVAL.

JEFFERSON COUNTY COMMISSION DOES NOT ACCEPT RESPONSIBILITY FOR MAINTENANCE OF ANY ROAD(S) WITHIN THIS SUBDIVISION. ROAD(S) MUST BE APPROVED TO COUNTY STANDARDS TO BE ELIGIBLE FOR COUNTY MAINTENANCE.

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.

NOTES:
1. ALL EASEMENTS SHOWN ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS AND/OR OPEN STORM DRAINS TO SERVE PROPERTY BOTH WITHIN AND WITHOUT THE SUBDIVISION.
2. SURFACE DRAINAGE EASEMENTS NOT WITHIN THE DEDICATED RIGHT OF WAY ARE NOT MAINTAINED BY JEFFERSON COUNTY.

APPROVED: JEFFERSON COUNTY PLANNING & ZONING COMMISSION — DATE 5-6-5
JEFFERSON COUNTY PLANNING & ZONING COMMISSION

APPROVED: Robert T. Ingram — DATE 5-6-5
CHAIRMAN, JEFFERSON CO. PLANNING & ZONING COMMISSION

APPROVED: — DATE 5/6/05
DIRECTOR OF ENVIRONMENTAL SERVICES

APPROVED: In Format Only — DATE 7/11/05
DIRECTOR OF ROADS & TRANSPORTATION/COUNTY ENGINEER

APPROVED: Frank E. Hunter — DATE 6-2-05
DIRECTOR OF LAND DEVELOPMENT

STATE OF ALABAMA
JEFFERSON COUNTY

THE UNDERSIGNED, ROBERT REYNOLDS, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, AND HAROLD STEPHENS, MANAGING PARTNER OF ROCKY RIDGE LLC, AS OWNER, HEREBY CERTIFY THAT THIS PLAT OR MAP WAS MADE PURSUANT TO A SURVEY MADE BY SAID SURVEYOR AND THAT SAID SURVEY AND THIS PLAT OR MAP WERE MADE AT THE INSTANCE OF SAID OWNER; THAT THIS PLAT OR MAP IS A TRUE AND CORRECT MAP OF THE LAND SHOWN THEREON AND KNOWN OR TO BE KNOWN AS "MAGNOLIA COVE ESTATES", SHOWING THE SUBDIVISIONS INTO WHICH IT IS PROPOSED TO DIVIDE SAID LANDS, GIVING THE LENGTHS AND BEARINGS OF THE BOUNDARIES OF EACH LOT AND ITS NUMBER, SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS, GIVING THE BEARINGS, WIDTH AND NAME OF EACH STREET, AS WELL AS THE NUMBER OF EACH LOT AND BLOCK AND SHOWING THE RELATION OF THE LANDS SO PLOTTED TO THE RESURVEY OF BUCKHEAD, SECOND SECTOR, AS RECORDED IN MAP BOOK 33, PAGE 22, IN THE OFFICE OF THE JUDGE OF PROBATE IN JEFFERSON COUNTY, ALABAMA, AND THAT IRON PINS THAT 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 THEY ARE THE OWNERS OF SAID LANDS AND THAT THE SAME ARE NOT SUBJECT TO ANY MORTGAGE.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS THE 13th DAY OF April, 2005.

BY: Robert Reynolds
ROBERT REYNOLDS
REG. NO. 25657

BY: Harold Stephens
HAROLD STEPHENS, OWNER
MANAGING PARTNER
ROCKY RIDGE LLC

STATE OF ALABAMA
JEFFERSON COUNTY

I, James D. Wood, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT ROBERT REYNOLDS, WHOSE NAME IS SIGNED TO THE FOREGOING CERTIFICATE AS SURVEYOR, BEING KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE, THAT AFTER HAVING BEEN DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, HE EXECUTED SAME VOLUNTARILY WITH FULL AUTHORITY.

GIVEN UNDER MY HAND AND SEAL THIS THE 13th DATE OF April, 2005

NOTARY PUBLIC James D. Wood
Com. Exp. Date: 8/6/08

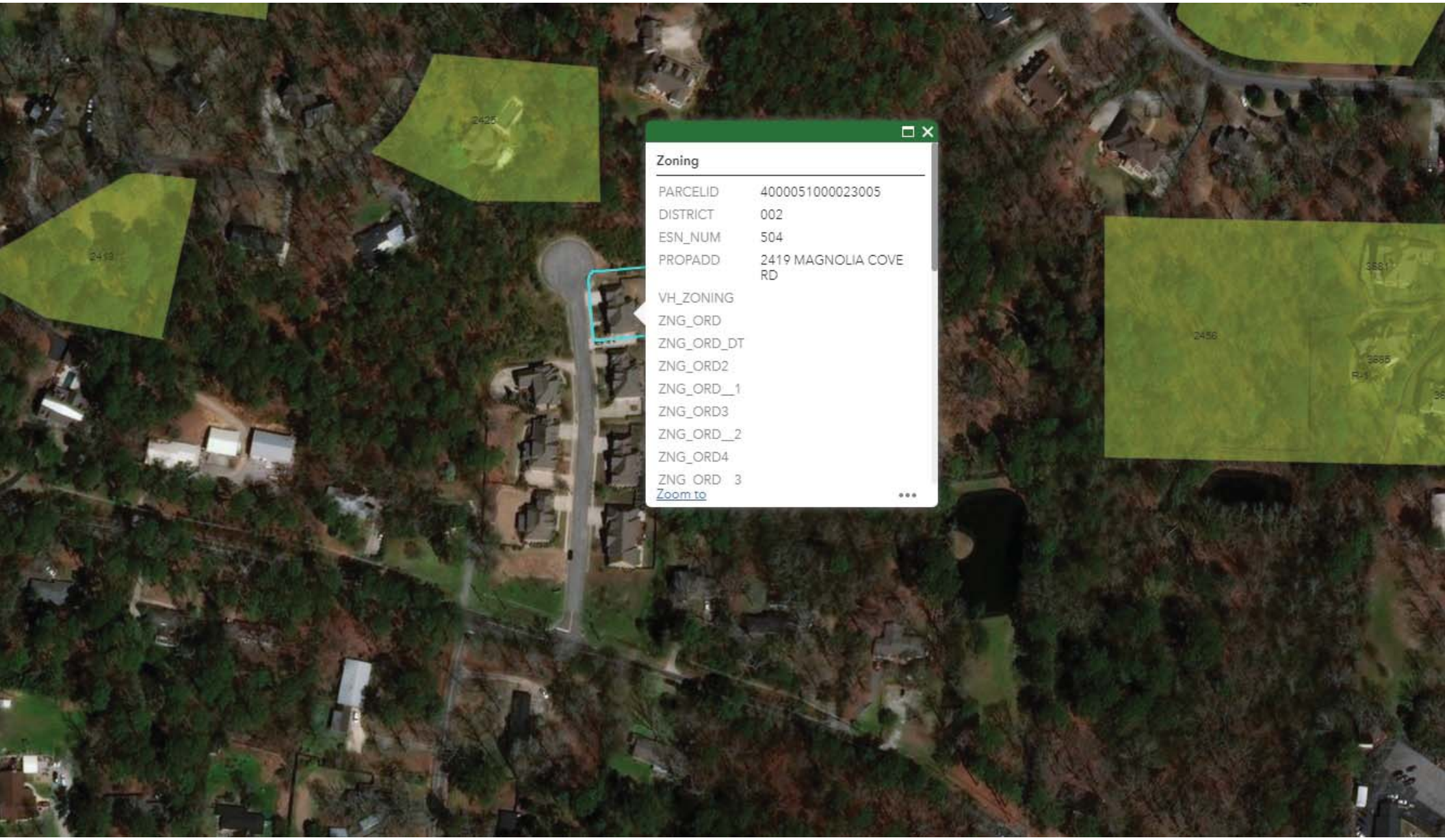
STATE OF ALABAMA
JEFFERSON COUNTY

I, James D. Wood, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT HAROLD STEPHENS, WHOSE NAME IS SIGNED TO THE FOREGOING CERTIFICATE AS OWNER, BEING KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DATE, THAT AFTER HAVING BEEN DULY INFORMED OF THE CONTENTS OF SAID CERTIFICATE, HE EXECUTED SAME VOLUNTARILY WITH FULL AUTHORITY.

GIVEN UNDER MY HAND AND SEAL THIS THE 13th DATE OF April, 2005

NOTARY PUBLIC James D. Wood
Com. Exp. Date: 8/6/08

Jefferson County Case No.: 2003-01-008
Landscaping Requirements
No structures of any kind shall encroach into the required 25-ft. landscape easement. The required planting of magnolias (Magnolia grandiflora), spaced ten (10) feet apart and with limbs full to the ground shall remain in place in perpetuity and said magnolias shall not have their tops removed by pruning nor have their lower limbs removed, but rather shall be allowed to obtain their full size at maturity so as to act as a vegetative buffer. The perpetual care and maintenance of the required planting of magnolias shall be the sole responsibility of the owner of the property on which the magnolia(s) are located. If at any time a required magnolia dies or becomes diseased it shall be replaced with a healthy, new magnolia of the same species and cultivar, not less than five(5) feet in height at time of planting with limbs full to the ground. Such replacement shall be the sole responsibility of the property owner.


2425
2419
2456
3661
3665
R-1
Zoning
PARCELID 4000051000023005
DISTRICT 002
ESN_NUM 504
PROPADD 2419 MAGNOLIA COVE RD
VH_ZONING
ZNG_ORD
ZNG_ORD_DT
ZNG_ORD2
ZNG_ORD__1
ZNG_ORD3
ZNG_ORD__2
ZNG_ORD4
ZNG_ORD__3
Zoom to

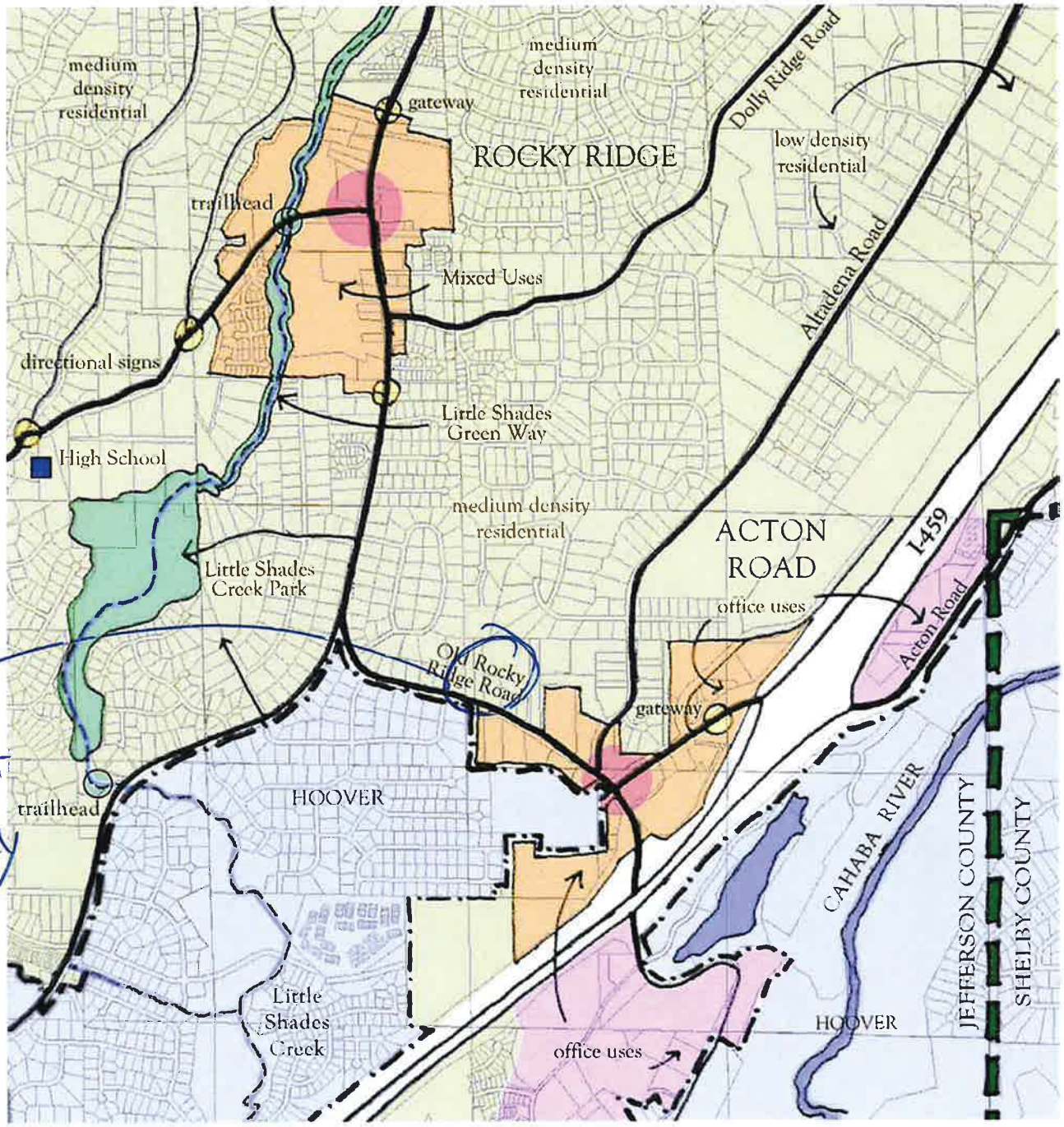


Figure 21: Rocky Ridge Road / Acton Road West
Land Use Analysis

Neighborhood - primarily low / medium density single-family residential areas with higher densities near village center(s). Other uses may include schools, places of worship, recreational areas, and open space.

Village Center - mixed use centers with highest densities in core areas. Mix of uses should include retail and service businesses, professional offices, high density residential areas, institutions, recreation areas, and public spaces.

Commercial Core - primarily high density, retail and service business areas with professional offices and multi-family residences on upper floors or on periphery. Other uses may include institutions and public space.

Gateways and Nodes - Gateways are entryways into the community or village enhanced with consistent signage, landscaping, and other elements. Nodes are sites, such as transit stops, where public spaces, signage, and other public design elements should be considered.

Professional Offices - primarily professional office uses. Density should vary according to surroundings. Other uses may include retail and services (supporting offices and employees), places of worship, public spaces, and open space.

Recreation and Open Space - public and private recreation facilities and preserved natural spaces. Recreation facilities may be active, passive or combined. Open spaces are areas preserved in a natural state and may include passive recreational uses.

Trailheads - Trailheads are public sites along a trail, where bike racks, seating, parking, and public amenities are provided for trail users.

Schools - School facilities administrated by the Vestavia Hills School System.

N W E S

500 0 500 1000 1500 feet