

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

OCTOBER 8, 2020

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: September 9, 2020

Final Plats

Consent Agenda

- (1) **P-1020-33** Jeff Jantz Is Requesting **Final Plat Approval** For **Jantz Resurvey Of Block 8**. The Purpose for This Request Is to Resurvey Lot Lines. The Property Is Owned By Jeff Jantz and Is Zoned Vestavia Hills R-2.

- (2) **P-1020-34** Liberty park Joint Venture, LLP Is Requesting **Final Plat Approval** For **The Enclave**. The Purpose for This Request Is to Subdivide Acreage Into Four Lots And A Private Street. The Property Is Owned By Liberty park Joint Venture, LLP and Is Zoned Vestavia Hills PR-1.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
MINUTES
SEPTEMBER 10, 2020

6:00 P.M.

The Planning & Zoning Commission of Vestavia Hills met in regular session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. Due to the COVID-19 pandemic, in coordination with a Proclamation from Governor Ivey and pursuant to orders from the Jefferson County Health Department Official requiring social distancing along with limits of attendees, this meeting was held with a portion of the Commission digitally attending the meeting via remote computer locations utilizing a Zoom.com application. Staff and general public/audience members also were invited to attend via Zoom.com following publication pursuant to Alabama law. Chairman Barnes called the meeting to order and the City Planner called the roll with the following:

MEMBERS PRESENT*:

Erica Barnes, Chair
Jonathan Romeo*
Mike Vercher
David Maluff
Hasting Sykes*
Cheryl Cobb
Ryan Ferrell*
Rusty Weaver*

MEMBERS ABSENT:

Lyle Larson

OTHER OFFICIALS PRESENT:

Conrad Garrison, City Planner
Christopher Brady, City Engineer
**Member present via Zoom*

APPROVAL OF MINUTES

Mrs. Barnes stated that the minutes of the meeting August 13, 2020 are presented for approval.

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

Mr. Maloof– yes

Mr. Romeo – yes

Mr. Ferrell – yes
Ms. Cobb – yes
Mr. Weaver – yes
Motion carried.

Mr. Sykes– yes
Mr. Vercher – yes
Mrs. Barnes – yes

Final Plats

Consent Agenda

- (1) **P-0920-30** Erin Boryczka Is Requesting **Final Plat Approval For Boryczka Resurvey**. The Purpose for This Request Is to Subdivide One Lot Into Two. The Property Is Owned By Erin Boryczka and Is Zoned Vestavia Hills R-2.
- (2) **P-0920-31** Doug & Gale Acton Are Requesting **Final Plat Approval For Acton Place Resurvey No. 2**. The Purpose for This Request Is to Resurvey Lot Lines. The Property Is Owned By Doug & Gale Acton and Is Zoned Vestavia Hills A.
- (3) **P-0920-32** Suzanna Moseley Is Requesting **Final Plat Approval For Nicholls Canyon Resurvey No. 1**. The Purpose for This Request Is to Combine Lots. The Property Is Owned By Suzanna Moseley and Is Zoned Vestavia Hills R-2.

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

MOTION Ms. Cobb made a motion to approve items 1-3. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Maloof– yes
Mr. Ferrell – yes
Ms. Cobb – yes
Mr. Weaver – yes
Motion carried.

Mr. Romeo – yes
Mr. Sykes– yes
Mr. Vercher – yes
Mrs. Barnes – yes

Conrad Garrison, City Planner

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

Date: **JUNE 11, 2020**

- **CASE:** P-1020-33
- **REQUESTED ACTION:** Final Plat Approval For Jantz Resurvey Of Block 8
- **ADDRESS/LOCATION:** 2120 Chestnut Rd.
- **APPLICANT/OWNER:** Jeff Jantz
- **GENERAL DISCUSSION:** Plat is to resurvey two lots in the Biltmore Estates community. The applicant is seeking to merge Lot 9 and the West half of Lot 10. The purpose of this request is to meet current code and to have these lots officially merged and recorded in order to pull a building permit. The lot is zoned R-2 an applicant received a variance for lot size and lot width in September.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with the plan for low 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: Jeffrey Jantz

ADDRESS: 2120 Chestnut Rd.

Vestavia, AL 35216

BILLING ADDRESS (if different from above) same

PHONE : 205-942-0086 Email office@weygandsurveyor.com

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

PHONE : _____ Email _____

III. BILLING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)

NAME: Weygand Surveyors

ADDRESS: 169 Oxmoor Rd.

Homewood, AL 35209

MAILING ADDRESS (if different from above) _____

PHONE: 942-0086 Email same as above

P1020-33//2800191010012.000
2120 Chestnut Rd.
Final Map to combine lots
Jeff Jantz

IV. ACTION REQUESTED

Final Plat Approval: (reason must be provided)

Explain reason for the request: _____

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

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

2120 Chestnut Rd. Vestavia, AL - Lot 9 E
E ~~1000~~ 35 Ft OF lot 10 BLK 8 Biltmore ests

mb- 17
Pg- 59

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

VI. ZONING/REZONING:

The above described property is presently zoned: _____

VII. 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. **Application must be signed by the owner of the property before a Notary and original submitted to the Office of the Clerk; no copies will be accepted.**

Owner - MB 9/15/2020

K Howell - Representing Agent

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 8 day of September, 2020.

Kay Russom
Notary Public

My commission expires November 8, 2020
day of _____, 20____.

JANTZ RESURVEY OF BLOCK 8

BEING A RESURVEY OF LOT 9 AND THE EAST 30 FEET OF LOT 10, BLOCK 8, OF
 BILMIRE ESTATES AS RECORDED IN MAP JEFFERSON COUNTY, ALABAMA
 OF THE JUDGE OF PROBATE, JEFFERSON COUNTY, ALABAMA
 BEING SITUATED IN THE SOUTH HALF OF THE S.E. 1/4
 SECTION 19, TOWNSHIP 18 SOUTH, RANGE 2 WEST,
 JEFFERSON COUNTY, ALABAMA

WEYGAND SURVEYORS, INC.
 189 W. UNIVERSITY BLVD., SUITE 200
 PRICHARD, ALABAMA 36069
 PHONE (205) 842-3008 FAX (205) 842-0282

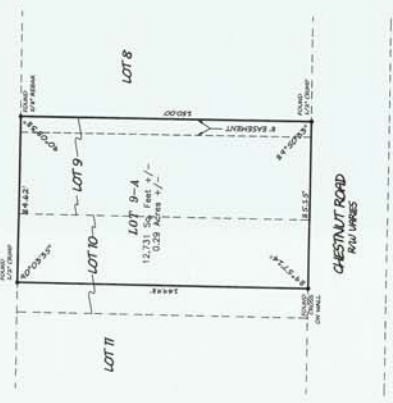


SCALE: 1" = 30'

DATE: AUGUST 2020



STATE OF ALABAMA
 JEFFERSON COUNTY
 I, Roy Weygand, a Notary Public in and for said County and State hereby certify that Roy Weygand, whose name is signed to the foregoing certificate, is qualified to perform the same voluntarily on the day the same were done.



VICINITY MAP
 (NOT TO SCALE)



NOTE:
 THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA
 (ZONE 'X') AS PER MAP NO. 8105-008H, DATED SEPTEMBER 3, 2016.



STATE OF ALABAMA
 JEFFERSON COUNTY

The undersigned, Roy Weygand, Registered Land Surveyor, State of Alabama, and Jeffrey Jantz, the Owner, hereby certify that this plat or map was made pursuant to a survey made according to the provisions of the Alabama Surveying Act, and that this plat or map is a true and correct plat or map of land shown proposed to divide said lands, giving the length and bearing of each line, and showing the location of each corner, and showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, on Section 19, Township 18 South, Range 2 West, showing the relation of the lands in the government survey of points as shown and designated by small open circles on said plat or map. I, Roy Weygand, heretofore a Notary Public in and for said County and State, and now a Notary Public in and for said County and State, do hereby certify that I am qualified to perform the same voluntarily on the day the same were done.

In Witness Whereof, we have hereunto set our hands this 17 day of August, 2020.

By: Roy Weygand
 Notary Public - My commission expires 08/17/2022

STATE OF ALABAMA
 JEFFERSON COUNTY

I, Deanna Duggan, a Notary Public in and for said County and State hereby certify that Roy Weygand, whose name is signed to the foregoing certificate, is qualified to perform the same voluntarily on the day the same were done.

On under my hand and seal this 17 day of August, 2020.

By: Deanna Duggan
 Notary Public - My commission expires 08/17/2022

STATE OF ALABAMA
 JEFFERSON COUNTY

I, Deanna Duggan, a Notary Public in and for said County and State hereby certify that Roy Weygand, whose name is signed to the foregoing certificate as Owner, and also Jeffrey Jantz, whose name is signed to the foregoing certificate as Notary Public, are qualified to perform the same voluntarily on the day the same were done.

On under my hand and seal this 17 day of August, 2020.

By: Deanna Duggan
 Notary Public - My commission expires 08/17/2022

APPROVED: _____ DATE: _____
 CITY ENGINEER

APPROVED: _____ DATE: _____
 VESTATA HILLS PLANNING & ZONING COMMISSION

APPROVED: _____ DATE: _____
 MANAGER & CITY CLERK

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

APPROVED: Roy Weygand DATE: 8/17/2020
 DIRECTOR OF 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. NO PERMANENT STRUCTURE OR OTHER OBSTRUCTION SHALL BE LOCATED WITHIN THE LIMITS OF A DEDICATED EASEMENT.

BUILDER IS RESPONSIBLE FOR THE DRAINAGE ON EACH LOT AND IN AND AROUND EACH BUILDING. BUILDER WILL BE RESPONSIBLE FOR ADJUSTING THE LBS OR TOP ELEVATION FOR ALL MANHOLES AND YARD INLETS ON EACH LOT.

THE LOT OWNER/BUILDER SHALL USE APPROPRIATE METHODS, WHETHER PNEUM, UNDERDRAIN, 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 BALDER 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 IMPERE 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: **OCTOBER 8, 2020**

- **CASE:** P-1020-34
- **REQUESTED ACTION:** Final Plat Approval For The Enclave
- **ADDRESS/LOCATION:** Vestlake Ridge Dr. & Jackson Loop
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
- **REPRESENTING AGENT:** Schoel Engineering
- **GENERAL DISCUSSION:** Final plat approval will allow the subdivision of four lots and a private street from acreage. Preliminary plat was approved in November 2019. The proposed lots meet the requirement of the PR-1 cluster development zoning.
- **LIBERTY PARK MASTER PLAN:** This request is consistent with the plan for residential development.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: No recommendation
 2. **City Engineer Review:** 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: 1000 Urban Center Drive, Suite 235

Vestavia, AL 35242

BILLING ADDRESS *(if different from above)* _____

PHONE : _____ Email _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

Schoel Engineering Company, Inc.

PHONE : (205) 313-1152 Email sstephenson@schoel.com

III. BILLING/RESPONSIBLE PARTY: (FOR PAYMENT OF FEES)

NAME: Schoel Engineering Company

ADDRESS: 1001 22nd Street South

Birmingham, AL 35205

MAILING ADDRESS *(if different from above)* _____

PHONE: (205) 313-1152 Email sstephenson@schoel.com

P1020-34//2700043000001.000
The Enclave
Final Map to create 4 lots & Private
Rd.
Liberty Park Joint Venture

IV. ACTION REQUESTED

Final Plat Approval: (reason must be provided)

Explain reason for the request: Request to subdivide acreage into 4 lots and a private
road (Toffel Road) to be known as The Enclave
if additional information is needed, please attached full description of request

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

Acreage situated in the SW 1/4 of Section 4, 18S, 1W

Property size: _____ feet X _____ feet. Acres: 3.608

VI. ZONING/REZONING:

The above described property is presently zoned: _____

VII. 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. **Application must be signed by the owner of the property before a Notary and original submitted to the Office of the Clerk; no copies will be accepted.**

John A. Bonanno
John A. Bonanno
Owner Signature/Date
Vice President - Liberty Park
Devel. Committee.
Given under my hand and seal
this 21 day of September, 2020.

Joseph F. Bighetti 09/23/2020
Representing Agent (if any)/date

Kendall Howard
Notary Public

My commission expires 7
day of September, 2022.



P1020-34//2700043000001.000
The Enclave
Final Map to create 4 lots & Private
Rd.
Liberty Park Joint Venture

THE ENCLAVE

REVISIONS:
DATE: SEPTEMBER 2020
DRAWN BY: JPH
FIELD BOOK: A.B.B.
FILE NAME: The Enclave.dwg
DATE: 9/23/2020 10:35:30 AM

**FINAL
 PLAT**

STATE OF ALABAMA
 LIBERTY PARK JOINT VENTURE, LLC
 A LIMITED LIABILITY CORPORATION
 11000 Highway 201, Suite 100, Vestavia Hills, AL 35243
 David L. Stegeman, Esq., Attorney at Law
 11000 Highway 201, Suite 100, Vestavia Hills, AL 35243
 205-945-6448



SCHIEL ENGINEERING COMPANY, INC.
 11000 Highway 201, Suite 100, Vestavia Hills, AL 35243
 205-945-6448
 David L. Stegeman, Esq., Attorney at Law
 11000 Highway 201, Suite 100, Vestavia Hills, AL 35243
 205-945-6448



LIBERTY PARK JOINT VENTURE, LLC
 A LIMITED LIABILITY CORPORATION
 11000 Highway 201, Suite 100, Vestavia Hills, AL 35243
 David L. Stegeman, Esq., Attorney at Law
 11000 Highway 201, Suite 100, Vestavia Hills, AL 35243
 205-945-6448

STATE OF ALABAMA
 JEFFERSON COUNTY
 David L. Stegeman, Esq., Attorney at Law
 11000 Highway 201, Suite 100, Vestavia Hills, AL 35243
 205-945-6448

APPROVED: _____ DATE: _____
 APPROVED: _____ DATE: _____
 APPROVED: _____ DATE: _____
 APPROVED: _____ DATE: _____
 APPROVED: _____ DATE: _____



OWNER:
 LIBERTY PARK JOINT VENTURE, LLP
 1000 URBAN CENTER DRIVE, SUITE 235
 VESTAVIA HILLS, ALABAMA 35242
 (205) 945-6448

- NOTES:**
- Access to utilities for these lots, maintenance and repair shall be governed by private agreement between the owner and the utility company.
 - All roads shown on this plat are private and are not dedicated by this plat.
 - The purpose of this subdivision is to create four new lots and a private road from unimproved acreage. This plat is for the use of the lots shown on this plat only. It does not constitute an offer to sell or lease any part of the land shown on this plat. All sales, leases, or other agreements involving this land shall be subject to the terms and conditions of this plat.
 - The area within all setbacks is subject to easements for storm drainage.
 - Unless otherwise noted, all property corners shown are 5/8" rebar with a Schiel Engineering Company cap (LUM003).

- UTILITY SERVICE PROVIDERS:**
- Water - Public Water System provided by Birmingham Water Works.
 - Sanitary - Provided by Enviro Services, LLC, a private utility.
 - Gas - Spire Energy.
 - Power - Alabama Power Company.
 - Telephone - BellSouth Telecommunications.

