

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

NOVEMBER 9, 2021

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: October 14, 2021

Final Plats

Consent Agenda

- (1) **P-1121-45** KADCO Homes, LLC Is Requesting **Final Plat Approval** For **Oakview Lane Townhomes**. The Purpose for This Request Is to Create Seven Townhome Lots. The Property Is Owned By KADCO Homes, LLC and Is Zoned Vestavia Hills R-9.

Conditional Use

- (2) **P-1121-46** Shades Mountain Baptist Church Is Requesting **Conditional Use Approval** for Two Duplex Buildings Located At **2017 Columbiana Rd**. The Property Is Owned By Vestavia MZL, LLC and Is Zoned Vestavia Hills B-1.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
MINUTES
OCTOBER 14, 2021
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
Rick Honeycutt
Mike Vercher*
Ryan Farrell
Lyle Larson*
Hasting Sykes*
Jonathan Romeo*
David Maluff

MEMBERS ABSENT:

Rusty Weaver

OTHER OFFICIALS PRESENT:

Conrad Garrison, City Planner
Christopher Brady, City Engineer

**Member present via Zoom*

APPROVAL OF MINUTES

Mr. Vercher stated that the minutes of the meeting September 9, 2021 are presented for approval.

MOTION Motion to approve minutes was made by Mr. Farrell and second was by Mr. Honeycutt. Voice vote as follows:

Mr. Maloof – yes	Mr. Farrell – yes
Mr. Romeo – yes	Mr. Larson – yes
Mr. Sykes – yes	Mr. Vercher– yes
Mr. Honeycutt – yes	Mrs. Barnes – yes

Motion carried.

Final Plats

(1) **P-1021-42** Waffle House, Inc Is Requesting **Final Plat Approval For Resurvey Lots 1 And 2 Vestavia Waffle House**. The Purpose for This Request Is to Combine. The Property Is Owned By Waffle House, Inc and Is Zoned Vestavia Hills B-2.

(2) **P-1021-43** Rowena C. Shaw Is Requesting **Final Plat Approval For Shaw’s Addition To Dolly Ridge Estates Plat No. 3**. The Purpose for This Request Is To Combine Lots. The Property Is Owned By Rowena C. Shaw and Is Zoned Vestavia Hills E-2.

Mr. Garrison explained the request and stated all items are ministerial.

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

MOTION Motion to approve items 1-2 was made by Mr. Honeycutt and second was by Mr. Maloof. Voice vote as follows:

Mr. Maloof – yes	Mr. Farrell – yes
Mr. Romeo – yes	Mr. Larson – yes
Mr. Sykes – yes	Mr. Vercher– yes
Mr. Honeycutt – yes	Mrs. Barnes – yes

Motion carried.

Rezoning/Annexations

(4) **P-1021-39** Jordan Huffman and Jack & Deborah Stadifer Are Requesting **Compatible Rezoning For 2621 & 2625 Red Bud Ln.** from **Jefferson County E-1 to Vestavia Hills E-2** For The Purpose Of Annexation.

(5) **P-1021-40** Keith & Taylor Cargal Are Requesting **Compatible Rezoning For 2429 Altadena Rd. from Jefferson County R-1 to Vestavia Hills R-2** For The Purpose Of Annexation.

Mr. Garrison explained the background of the request. He stated the applications are compatible rezoning.

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

MOTION Mr. Larson made a motion to recommend Rezoning from JC E-1 to Vestavia Hills E-2 for the property located at 2621 & 2625 Red Bud Ln. Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

Mr. Maloof – yes	Mr. Farrell – yes
Mr. Romeo – yes	Mr. Larson – yes
Mr. Sykes – yes	Mr. Vercher– yes
Mr. Honeycutt – yes	Mrs. Barnes – yes

Motion carried.

MOTION Mr. Honeycutt made a motion to recommend Rezoning from JC R-1 to Vestavia Hills R-2 for the property located at 2429 Altadena Rd. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Maloof – yes	Mr. Farrell – yes
Mr. Romeo – yes	Mr. Larson – yes
Mr. Sykes – yes	Mr. Vercher– yes
Mr. Honeycutt – yes	Mrs. Barnes – yes

Motion carried.

Conditional Use

(6) **P-1021-41** Mike Mahaffey Is Requesting **Conditional Use Approval** for a **Veterinary Clinic and Pet Grooming** Located At **678 Montgomery Hwy.** The Property Is Owned By Vestavia MZL, LLC and Is Zoned Vestavia Hills B-1.

Mr. Garrison explained the background of the request. He stated the request would allow for a veterinarians practice and dog grooming. The staff recommendation is that overnight boarding not be allowed. Mr. Mahaffey agreed.

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

With the Commission finding that the application met all nine criteria as defined in Section 13.3.4 of the Vestavia Hills Zoning Ordinance

MOTION Mr. Farrell made a motion to recommend Conditional Use Approval for a veterinary clinic and pet grooming for 678 Montgomery Hwy. with the following conditions:

1. Overnight boarding of animals is prohibited.

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

Mr. Maloof – yes

Mr. Farrell – yes

Mr. Romeo – yes

Mr. Larson – yes

Mr. Sykes – yes

Mr. Vercher– yes

Mr. Honeycutt – yes

Mrs. Barnes – yes

Motion carried.

Conrad Garrison, City Planner

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

Date: NOVEMBER 9, 2021

- **CASE:** P-1121-45
- **REQUESTED ACTION:** Final Plat Approval For Oakview Lane Townhomes
- **ADDRESS/LOCATION:** 4224 & 4228 Oakview Ln.
- **APPLICANT/OWNER:** KADCO Homes, LLC
- **GENERAL DISCUSSION:** Plat will subdivide Lots 30 & 31 into Lots 1-7 to complete previously approved townhome rezoning. All lots are zoned R-9.
- **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: KADCO Homes, LLC

ADDRESS: 3505 Bent River Rd.

Birmingham, AL 35216

BILLING ADDRESS (if different from above) _____

PHONE: 205-369-5787 Email JKessler84@gmail.com

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

Jason Kessler

PHONE: ↑ Email ↑

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

NAME: Same as above

ADDRESS: _____

MAILING ADDRESS (if different from above) _____

PHONE: _____ Email _____

IV. ACTION REQUESTED

Final Plat Approval: (reason must be provided)

Explain reason for the request: To record approved R9 map

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

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

4224 & 4228 Oakview Lane Vestavia, AL 35293

Lots 30 & 31 Block 2 New Merkle Heights

Property size: 181' feet X 165' feet. Acres: 0.67

VI. ZONING/REZONING:

The above described property is presently zoned: R9

VII. OWNER AFFIDAVIT:

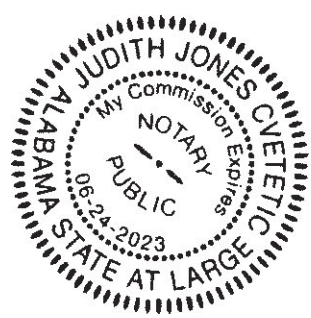
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. **Application must be signed by the owner of the property before a Notary and original submitted to the Office of the Clerk; no copies will be accepted.**

[Signature] 10/20/21
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 20th day of October, 2021.

[Signature]
Notary Public



My commission expires 24th
day of June, 2023.

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

Date: NOVEMBER 9, 2021

- **CASE:** P-1121-46
- **REQUESTED ACTION:** Conditional Use Approval for Two Duplex Buildings
- **ADDRESS/LOCATION:** 2017 Columbiana Rd.
- **APPLICANT/OWNER:** Shades Mountain Baptist Church
- **GENERAL DISCUSSION:** The applicant is seeking conditional use approval for two duplex buildings to house missionaries for under one year. Currently, there is an older house on site which will be removed and the duplexes built at the same location. The duplexes will be accessed by an already constructed bridge over a creek which will be reinforced and improved. A description of the applicant's request is attached.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with plan for institutional use.
- **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:
 1. Conditioned on the site plan presented;
 2. Residents may not stay longer than one (1) year.
 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
PLANNING AND ZONING COMMISSION
Conditional Use Application

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 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**. Applications must be completed in its entirety and must contain all pertinent information in order to be considered. Acceptance by the Clerk does not constitute acceptance of complete and proper filing. All applicants are encouraged to present their request to the Zoning Staff on any Tuesday at 9 AM in the Executive Conference Room, City Hall, prior to submitting for a Conditional use.
- (3) This application must be filled out in its entirety completely, including 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. Postage Fees for notification for Planning and Zoning and for City Council meetings along with applicable publication fees will be billed to applicant at a later date. The applicant is responsible for all notification fees. ***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: Shades Mountain Baptist Church

ADDRESS: 2017 Columbiana Road
Birmingham, AL 35216

PHONE: 205-822-1670 EMAIL: tboston@shades.org

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: Tom Boston

PHONE: 205-822-1670 EMAIL: tboston@shades.org

P1121-44//29-00-25-3-001-008.000
2017 Columbiana Rd.
Cond. Use to build 2 duplexes
Shades Mtn. Baptist Church

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

NAME: Shades Mountain Baptist Church
ADDRESS: 2017 Columbiana Road
Birmingham, AL 35216
PHONE: 205-822-1670 EMAIL: tboston@shades.org

III. ACTION REQUESTED

Request that the above described property be approved conditional use approval pursuant to Section Table 6; section 13.3 of the Vestavia Hills Zoning Code.

Current Zoning of Property: Institutional

Requested Conditional use For the intended purpose of: For the sole purpose of creating much
needed housing for furloughed missionaries, in keeping with our long-standing focus on global missions work. Homes will be
occupied for approximately 6-12 months at a time.

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

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

Seeking to remove existing deteriorating house from a 6 acre piece of the southeastern corner of our 20 acre parcel
replace it with the above mentioned missionary housing. See attached for full legal description for size.

Property size: 453 feet X 575 feet. Acres: 6


****All applications must contain a full legal description of subject property.****

V. INFORMATION ATTACHED:


- Attached Checklist complete with all required information.
- Application fees submitted.

P1121-44//29-00-25-3-001-008.000
2017 Columbiana Rd.
Cond. Use to build 2 duplexes
Shades Mtn. Baptist Church

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. ****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 Signature/Date
Tom Boston, Mgr. of Admin. / SHADES MOUNTAIN BAPTIST CHURCH
Representing Agent (if any)/date
Given under my hand and seal
this _____ day of _____, 20____.



Notary Public
My commission expires 5
day of June, 20 24.



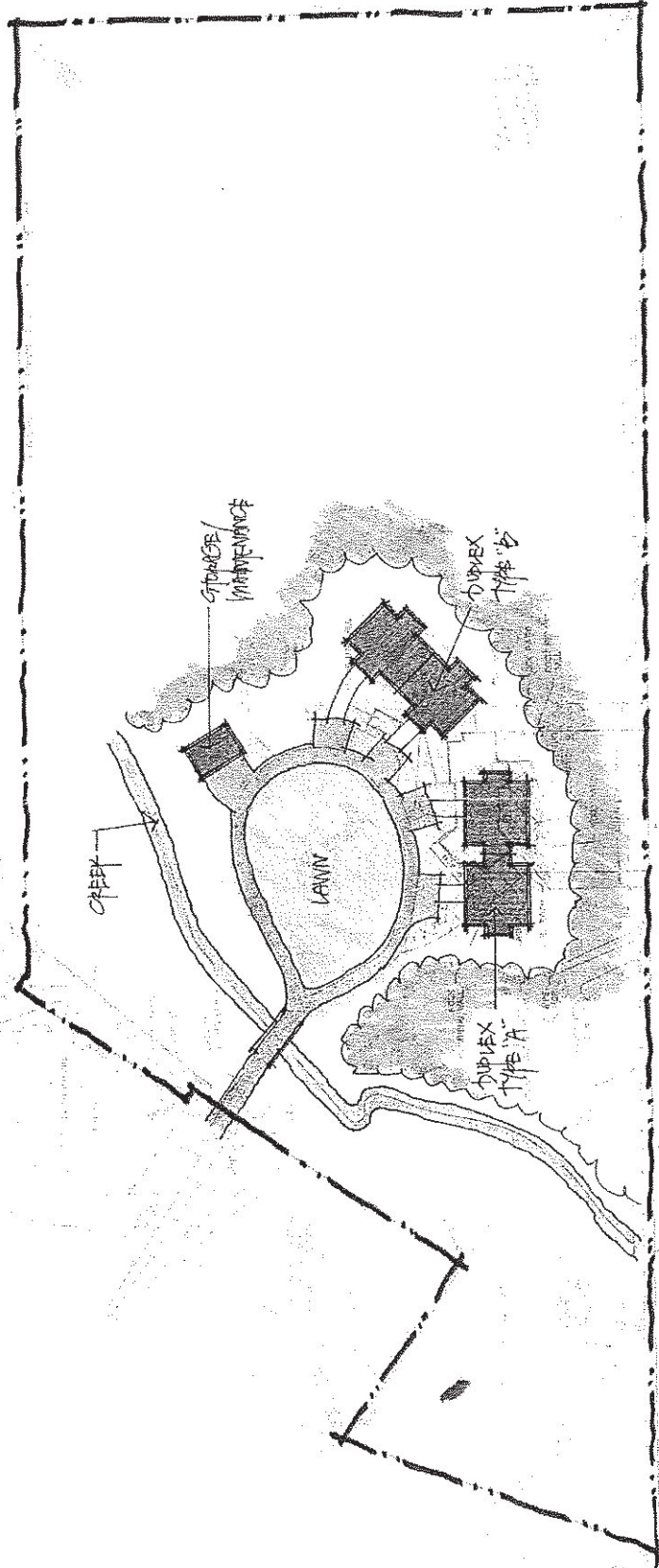
www.shades.org

October 7, 2021

To Whom it may concern:

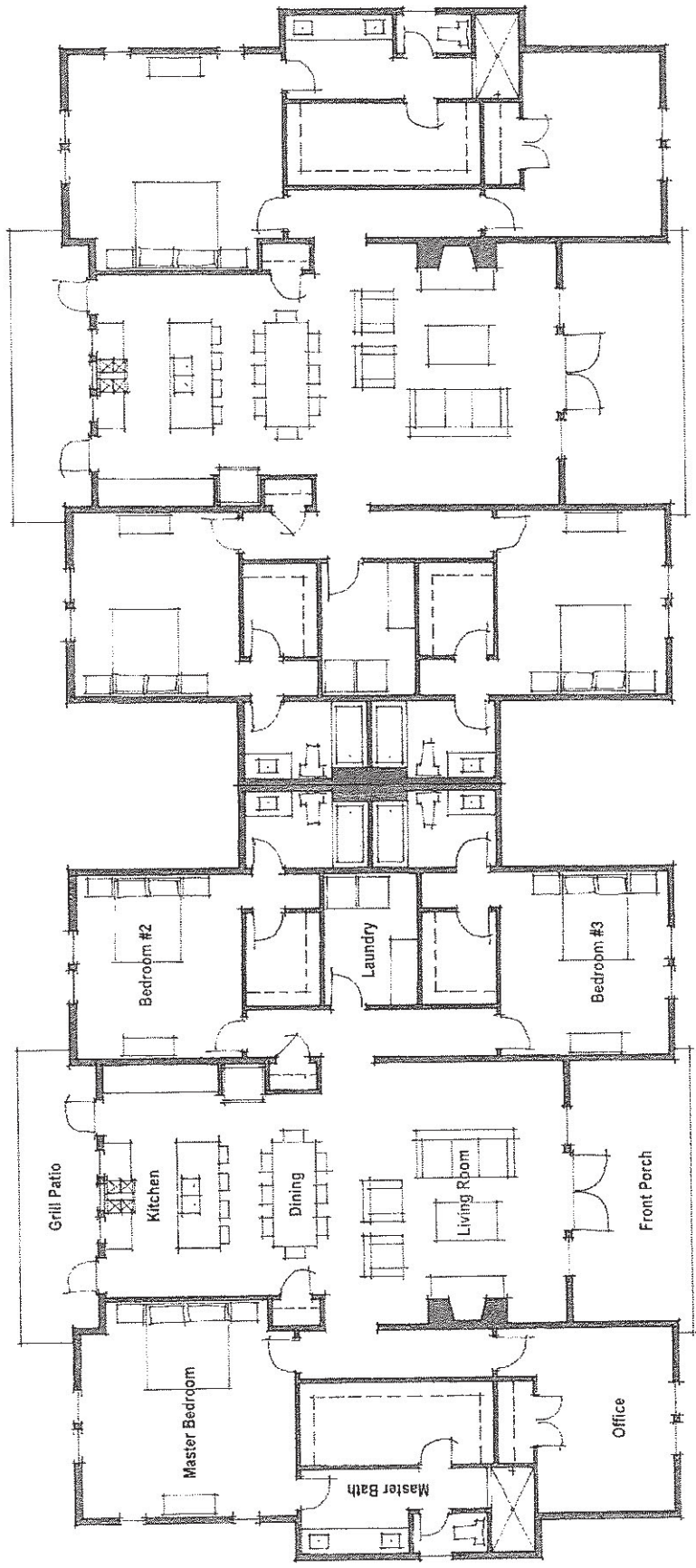
Shades Mountain Baptist Church, located at 2017 Columbiana Road, Birmingham, AL 35216, respectfully requests Conditional Use Approval for the purpose of building two duplexes to provide much needed housing for furloughed missionaries. Our goal is to remove an existing, deteriorating house from a 6-acre section at the southeastern corner of our 20-acre institutional parcel and replace it with two new duplexes. The sole purpose of these new homes is to provide a secluded and restful setting for missionary families to use, free of charge, for periods of time lasting approximately 6-12 months. Because the plan is to provide a private, secluded living situation for these families, we plan to remove as few existing trees as possible. This building plan is in keeping with our long-standing and strong focus on global missions and the care and support of missionaries as they carry out their work.

P1121-44//29-00-25-3-001-008.000
2017 Columbiana Rd.
Cond. Use to build 2 duplexes
Shades Mtn. Baptist Church



PRELIMINARY SITE PLAN
1" = 80'

P1121-44//29-00-25-3-001-008.000
2017 Columbiana Rd.
 Cond. Use to build 2 duplexes
 Shades Mtn. Baptist Church

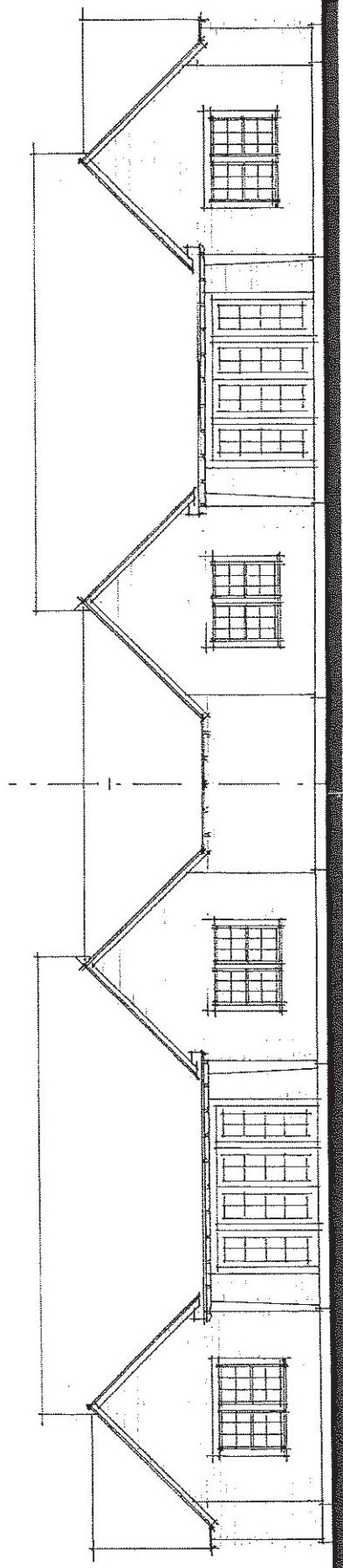


+/- 2300 sf per unit

FLOORPLAN - DUPLEX TYPE "A"

1/8" = 1'
120' x 46'

60' x 46'



FRONT ELEVATION - DUPLEX TYPE "A" alternate
1/8" = 1'



Vestaview Ln

Vestaview Ln

Vestav

Columbiana Rd

Old Columbiana Rd

Old Columbiana Rd

Shades Mountain Baptist Church

Columbiana Rd

Old Columbiana Rd

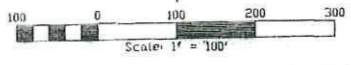
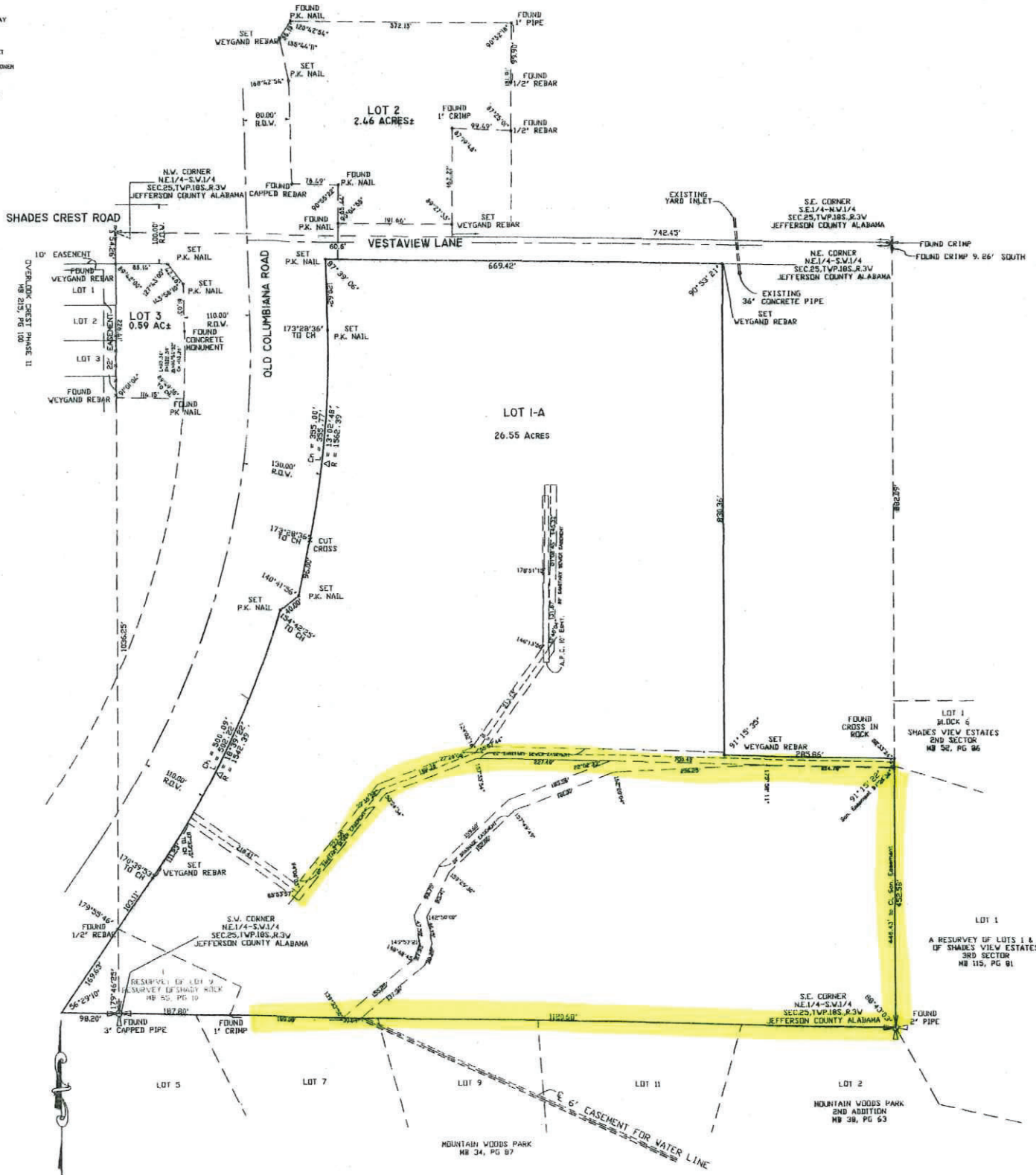
Columbiana Rd

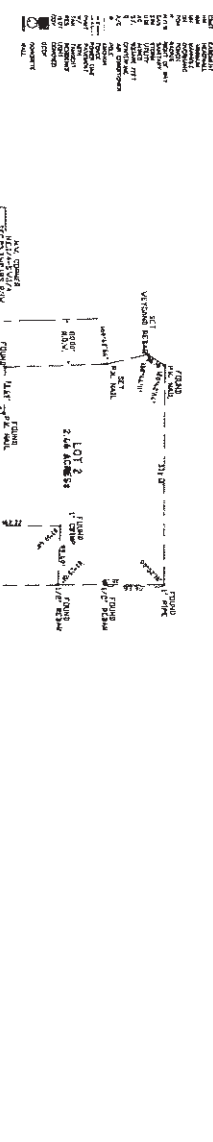
Old Columbiana Rd

Columbiana Rd

Flowerwood Dr Flowerwood Dr

- LEGEND**
- ASP ASPHALT
 - R.D.C. BUILDING
 - CALC. CALCULATED
 - MEAS. MEASURED
 - CH. CHORD
 - CHORD CHORD
 - 4. DEFLECTION
 - A. SETBACK
 - EMT. EASEMENT
 - HR. HEADWALL
 - HT. HANGAR
 - WH. WINDHOLE
 - CH. CHIMNEY
 - FOR. PORCH
 - RADIUS
 - R.O.W. RIGHT OF WAY
 - SA. SANITARY
 - STM. STORM
 - UTL. UTILITY
 - AC. ACRES
 - S.F. SQUARE FEET
 - CONTR. CONTROLLING
 - A/C. AIR CONDITIONER
 - POLE
 - ANCHOR
 - FENCE
 - POWER LINE
 - PAV. PAVEMENT
 - W. WALK
 - TAN. TANGENT
 - RES. RESIDENCE
 - LOT. LIGHT
 - COV. COVERED
 - DECK
 - CONCRETE
 - WALL





SHADES MOUNTAIN BAPTIST CHURCH RESURVEY #2

Situated in the SE 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4 of Section 225, Township 26S, Range 3 W, Jefferson County, Alabama

Being a resurvey of Lot 1 Shades Mountain Baptist Church and Lot 1 Resurvey of Lot 5 Resurvey of Shady Rock, WB 65 Pg. 10

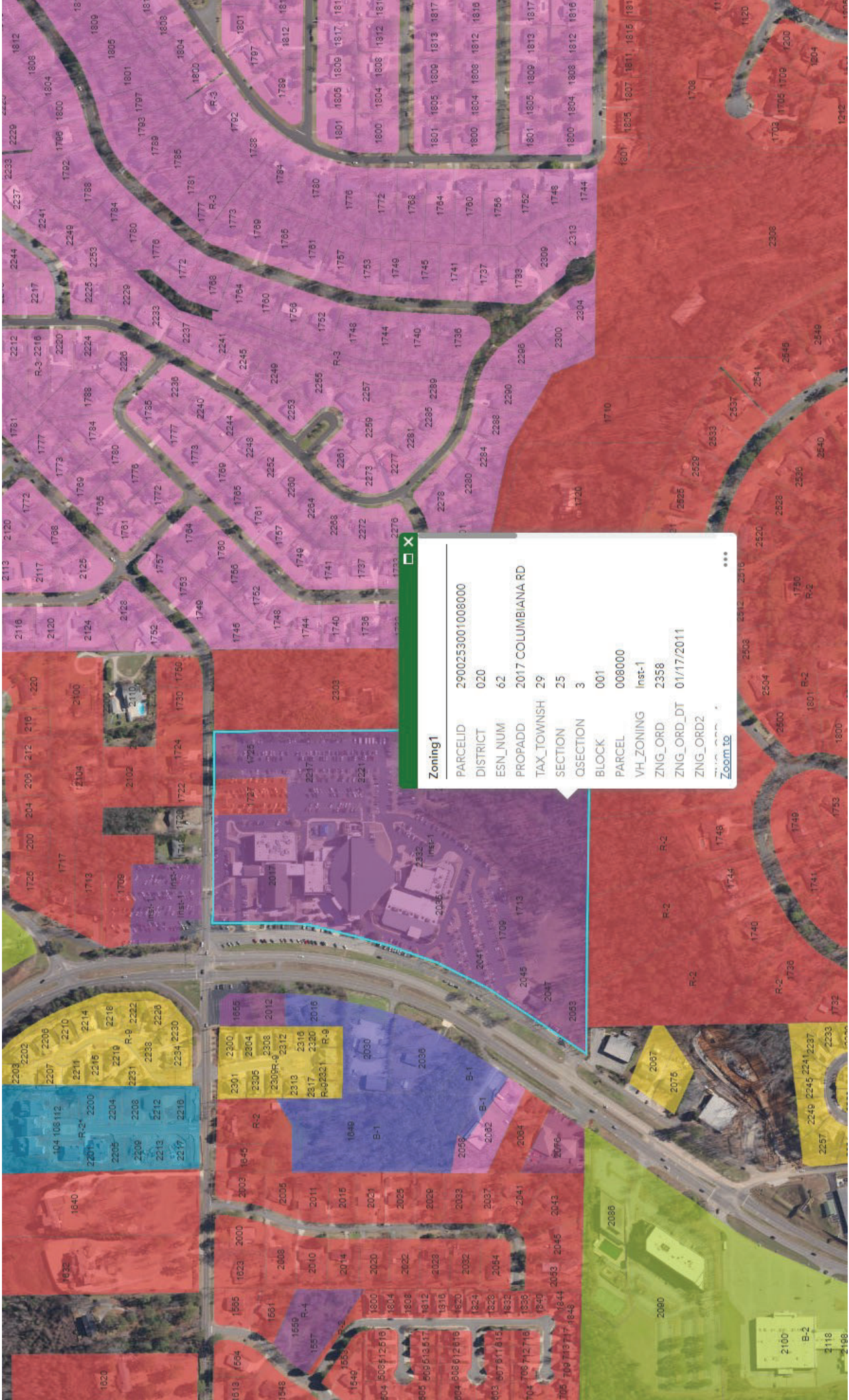
Weygard Surveyors, Inc.
1400 Church Road
Shades Mountain, Alabama 35898
(205) 942-0000

BY: *[Signature]* 10/5/2018
By: *[Signature]* 10/5/2018

APPROVED: *[Signature]* DATE: 10/11/19

APPROVED: *[Signature]* DATE: 9/11/19

NOTE: This is a final and complete set of plans for the construction of the project. The contractor shall verify all dimensions and locations of features shown on these plans before construction begins. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate agencies. The contractor shall be responsible for protecting all existing utilities and structures. The contractor shall be responsible for maintaining access to all adjacent properties. The contractor shall be responsible for restoring the site to its original condition after completion of the project. The contractor shall be responsible for all costs associated with the project, including but not limited to the cost of materials, labor, and permits. The contractor shall be responsible for all safety and environmental concerns. The contractor shall be responsible for all legal and contractual obligations. The contractor shall be responsible for all other matters related to the project. The contractor shall be responsible for all other matters related to the project.



Zoning1

PARCELID	2900253001008000
DISTRICT	020
ESN_NUM	62
PROPADD	2017 COLUMBIANA RD
TAX_TOWNSH	29
SECTION	25
OSECTION	3
BLOCK	001
PARCEL	008000
VH_ZONING	Inst-1
ZNG_ORD	2358
ZNG_ORD_DT	01/17/2011
ZNG_ORD2	

[Zoom to](#)