

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

**AGENDA**

**JANUARY 12, 2023**

**6:00 P.M.**

Roll Call.

Pledge of Allegiance

Approval of Minutes: December 8, 2022

**Final Plats**

**Consent Agenda**

- (1) **FP-22-13** Jerome Williams Is Requesting **Final Plat Approval For Resurvey Of Monroes Add To Vestavia Hills**. The Purpose for This Request Is to Amend A Lot Line. The Property Is Owned By Jerome Williams & Ben Henderson and Is Zoned Vestavia Hills R-2.
  
- (2) **FP-22-14** Liberty Park Joint Venture, LLP Is Requesting **Final Plat Approval For Bray Town Center Phase I**. The Purpose for This Request Is To Amend Lot Lines. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PB.
  
- (3) **FP-22-15** Liberty Park Joint Venture, LLP Is Requesting **Final Plat Approval For The Bray Townhomes At Liberty Park Resurvey No. 1**. The Purpose for This Request Is To Resurvey Lot Lines. The Property Is Owned By Liberty Park Joint Venture, LLP and Is Zoned Vestavia Hills PR-1.
  
- (4) **FP-22-16** Drew Gunnells Is Requesting **Final Plat Approval For A Resurvey Of ½ Lot 15 And Lot 16, Block 8, Biltmore Estates**. The Purpose for This Request Is To Resurvey Lot Lines. The Property Is Owned By Drew Gunnells and Is Zoned Vestavia Hills R-2.

**Rezoning**

- (5) **RZ-22-10** Jeff Lett Is Requesting **Rezoning for 3951 Wall St. from Vestavia Hills R-4 To Vestavia Hills B-2** For A Swim School.

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

**DECEMBER 8, 2022**

**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 Vercher called the meeting to order and the City Planner called the roll with the following:

**MEMBERS PRESENT:**

Mike Vercher, Chairman  
Lyle Larson  
Jonathan Romeo  
Erica Barnes  
Hasting Sykes  
Ryan Farrell  
Rusty Weaver

**MEMBERS ABSENT:**

Rick Honeycutt  
David Maluff

**OTHER OFFICIALS PRESENT:**

Conrad Garrison, City Planner  
Christopher Brady, City Engineer

*\*Appeared via Zoom*

**APPROVAL OF MINUTES**

Mr. Vercher stated that the minutes of the meeting November 10, 2022 are presented for approval.

**MOTION** Motion to approve minutes was made by Mrs. Barnes and second was by Mr. Larson. Voice vote as follows:

Mr. Farrell – yes	Mr. Sykes – yes
Ms. Barnes – yes	Mr. Larson – yes
Mr. Romeo – yes	Mr. Weaver– yes
Mr. Vercher– yes	
Motion carried.	

### **Rezoning**

(1) **RZ-22-8** Mark Hancock Is Requesting **Rezoning** for **4553 Pine Tree Cir.** from **Vestavia Hills B-1.2 To Vestavia Hills O-1** For The Purpose Of Office Development.

Mr. Garrison explained that the request was for a leftover parcel from a defunct B-1.2 commercial development to rezone to an office project.

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

**MOTION** Mr. Weaver made a motion to recommend Rezoning for 4553 Pine Tree Cir. from Vestavia Hills B-1.2 to Vestavia Hills O-1 as presented. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Farrell – yes	Mr. Sykes – yes
Ms. Barnes – yes	Mr. Larson – yes
Mr. Romeo – yes	Mr. Weaver– yes
Mr. Vercher– yes	Motion carried.

(2) **RZ-22-8** Mark Hancock Is Requesting **Rezoning** for **4553 Pine Tree Cir.** from **Vestavia Hills B-1.2 To Vestavia Hills O-1** For The Purpose Of Office Development.

Mr. Garrison explained that the request was for an office project.

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

**MOTION** Mr. Weaver made a motion to recommend Rezoning for 4553 Pine Tree Cir. from Vestavia Hills B-1.2 to Vestavia Hills O-1 as presented. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

**MOTION** Ms. Barnes made a motion to recommend Rezoning for 3105 Blue Lake Dr. from Vestavia Hills R-1 to Vestavia Hills O-1 as presented. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Farrell – yes  
Ms. Barnes – yes  
Mr. Romeo – yes  
Mr. Vercher– yes

Mr. Sykes – yes  
Mr. Larson – yes  
Mr. Weaver– yes  
Motion carried.

Conrad Garrison, City Planner

**Final Plat Application**

**Applicant**

**Primary Location**

**FP-22-13**

 Ray Weygand

1752 SHADES CREST RD  
VESTAVIA HILLS, AL 35216

 2059420086

Submitted On: Dec 19, 2022

@ ray@weygandsurveyor.com

**Project Information**

**Property Address**

1752 SHADES CREST RD

**Parcel ID Number**

29 00 25 2 001 054.000 & 29 00 25 2 001 055.000

**Legal Description**

LOTS 4-A & 3-A MONROES ADD TO VESTAVIA HILLS

**Current Zoning Classification**

R-2

**Acreage**

2.35

**Application Submission Date**

19-19-2022

**Reason for Request**

MOVE LOT LINE BETWEEN NEIGHBORS

**Owner Information**

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

**By clicking this box, I hereby declare that the above information is true and that am the current owner of this property and I will represent this case.**

true

**Owner Name**

JEROME WILLIAMS

**Company Name**

--

**Mailing Address**

1752 SHADES CREST RD

**Owner Email**

--

**Phone Number**

205-542-3600

**By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.**

true

**Representative for Owner**

RAY WEYGAND

**Company Name**

WEYGAND SURVEYORS, INC.

**Email**

ray@weygandsurveyor.com

**Mailing Address of Representative**

169 OXMOOR RD HOMEWOOD, AL 35209

**Phone No. of Representative**

205-942-0086

**Surveyor Information**

**Name**

RAY WEYGAND

**Company**

WEYGAND SURVEYORS, INC.

**Mailing Address**

169 OXMOOR RD HOMEWOOD, AL 35209

**Phone Number**

205-942-0086

**Registration Number**

24973, CA-54

**Email**

ray@weygandsurveyor.com



City of Vestavia Hills, AL

01/06/2023

FP-22-13

## Planning Review

Final Plat Application

**Status:** Complete

**Became Active:** 12/19/2022

**Assignee:** Conrad Garrison

**Completed:** 12/27/2022

### Applicant

Ray Weygand  
ray@weygandsurveyor.com  
169 Oxmoor Rd  
Birmingham, AL 35209  
2059420086

### Primary Location

1752 SHADES CREST RD  
VESTAVIA HILLS, AL 35216

### Owner:

JEROME WILLIAMS  
1752 SHADES CREST RD VESTAVIA HILLS, AL  
35216

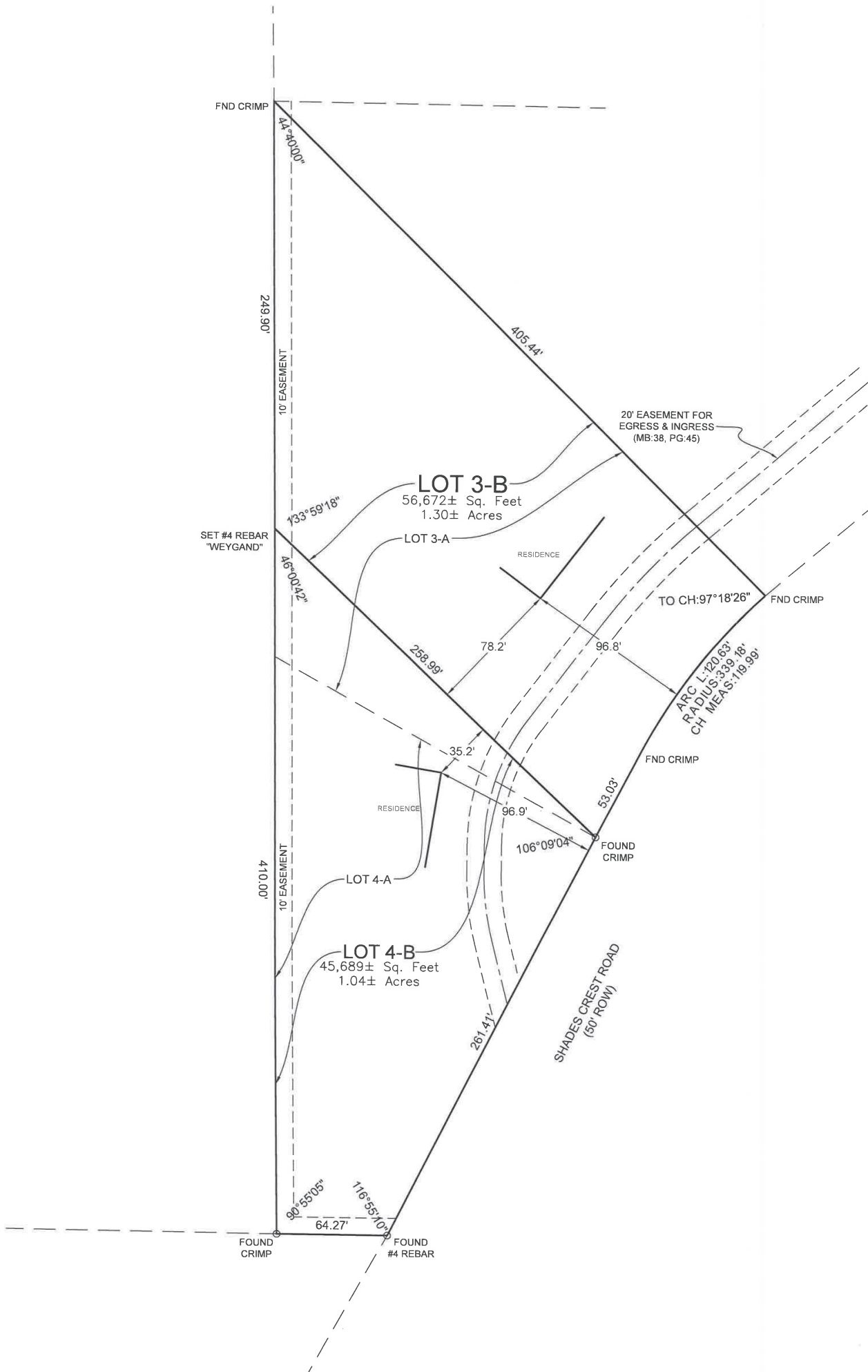
### Comments

**Conrad Garrison, Jan 3, 2023 at 3:32pm**

Resurvey will amend the common lot line between 3-B & 4-B. Lots will still meet the minimum requirements for R-2 zoning. All existing easements to remain.







**Final Plat Application**


**Applicant**

**Primary Location**

**FP-22-14**

 Shelia Stephenson

11000 LIBERTY PKWY

 205-313-1152

VESTAVIA HILLS, AL 35242

Submitted On: Dec 21, 2022

 sstephenson@schoel.com

**Additional Locations**

10031 LIBERTY PKWY, VESTAVIA HILLS AL 35242

**Project Information**

**Property Address**

11000 Liberty Pkwy

**Parcel ID Number**

28-00-12-4-003-026.000, 28-00-13-1-000-001.002, 28-00-13-2-000-001.000, 28-00-12-3-000-001.004, 28-00-12-4-003-028.000

**Legal Description**

Metes and bounds

**Current Zoning Classification**

x

**Acreage**

15.14

**Application Submission Date**

12/20/22

**Reason for Request**

Subdivide acreage into seven lots and public roads

**Owner Information**

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

**By clicking this box, I hereby declare that the above information is true and that am the current owner of this property and I will represent this case.**

--

**Owner Name**

Liberty Park Joint Venture LLP

**Company Name**

--

**Mailing Address**

1000 Urban Center Drive, Suite 235 Vestavia, AL 35242

**Owner Email**

--

**Phone Number**

205-945-6458

**By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.**

true

**Representative for Owner**

--

**Company Name**

Schoel Engineering Compnay, Inc.

**Email**

sstephenson@schoel.com

**Mailing Address of Representative**

1001 22nd Street South Birmingham, AL 35205

**Phone No. of Representative**

205-313-1152

---

## Surveyor Information

**Name**

Mark Clark

**Company**

Schoel Engineering Company

**Mailing Address**

1001 22nd Street S Birmingham, AL 35205

**Phone Number**

205-313-1140

**Registration Number**

19251

**Email**

mclark@schoel.com



City of Vestavia Hills, AL

01/06/2023

FP-22-14

## Planning Review

Final Plat Application

**Status:** Complete**Became Active:** 12/21/2022**Assignee:** Conrad Garrison**Completed:** 12/27/2022

---

### Applicant

Shelia Stephenson  
sstephenson@schoel.com  
1001 22nd Street South  
Birmingham, AL 35205  
205-313-1152

### Primary Location

11000 LIBERTY PKWY  
VESTAVIA HILLS, AL 35242

### Owner:

Liberty Park Joint Venture, LLP  
1000 Urban Center Dr Vestavia, AL 35242

---

### Additional Locations

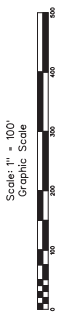
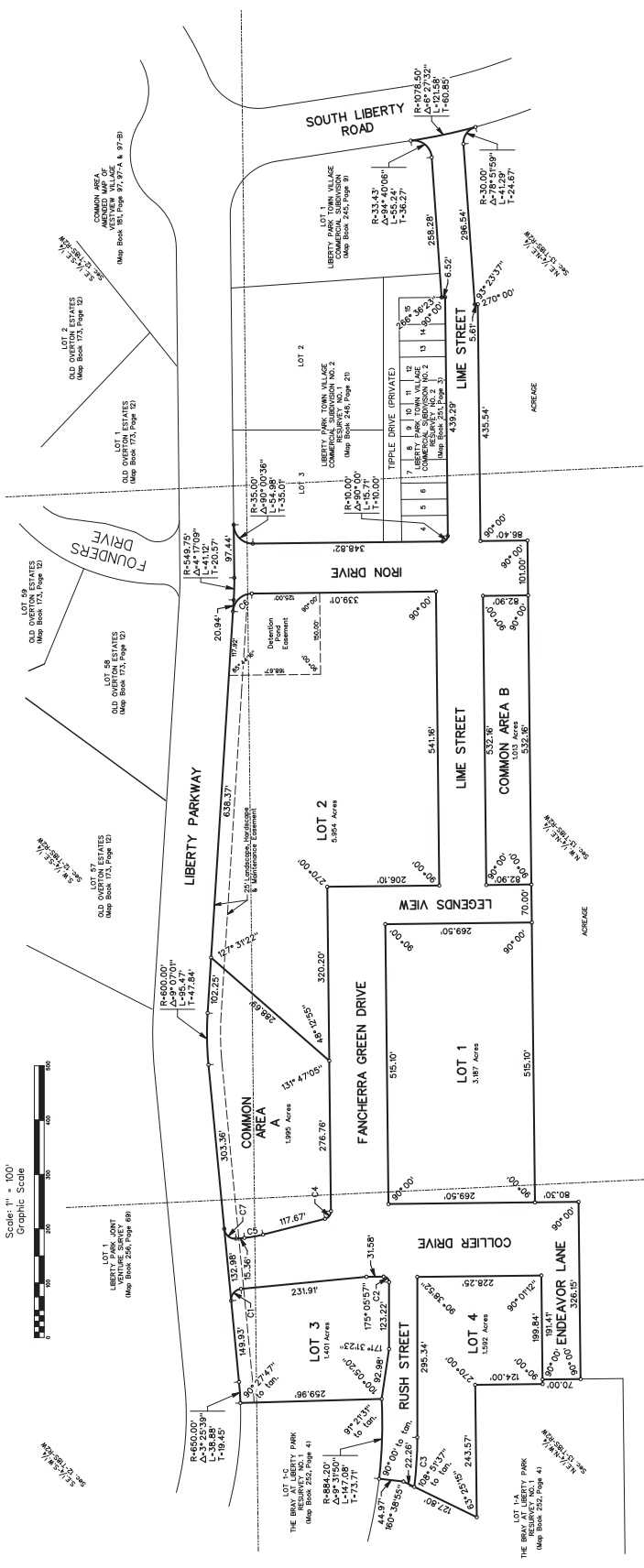
10031 LIBERTY PKWY, VESTAVIA HILLS AL  
35242

---

### Comments

**Conrad Garrison, Jan 3, 2023 at 4:23pm**

Plat continues development of Bray development. Plat creates Lots 1-4 and Common Areas A-B. Plat also begins of dedicating streets in Liberty Park to the City. Plat meets the minimum requirements of the Liberty Park PUD.



C1	R-30.00° Δ-89°59'11" L-230.00'	C2	R-271.50° Δ-7°03'04" L-45.00'	C3	R-271.50° Δ-8°00'49" L-320.00'
C2	R-10.00° Δ-90°56'55" L-110.00'	C4	R-14.50° Δ-76°21'51" L-114.00'	C6	R-35.00° Δ-85°44'18" L-322.49'

**OWNER:**  
 LIBERTY PARK JOINT VENTURE, LLP  
 1000 URBAN CENTER DRIVE, SUITE 235  
 VESTAVIA, ALABAMA 35242  
 (205) 945-6458

- UTILITY SERVICE PROVIDERS:
- Water - Public Water System provided by Birmingham Water Works.
  - Sewer - Provided by Enviro Services, LLC, a private utility.
  - Gas - Sabine Energy.
  - Power - Alabama Power Company.
  - Telephone - AT&T.

- NOTES:
- Access to utilities for installation, maintenance and repair shall be governed by private agreement between the owner and the utility company.
  - This property is not located within the 100-year flood area and is in Unshaded Zone "X" (area of special hazard) on the Flood Hazard Risk Map of Jefferson County, Alabama, according to Federal Flood Insurance Program, 44 CFR 1.101, National Flood Insurance Act of 1968, as amended by the Federal Flood Management Agency, 07/23/2007/11, dated September 24, 2007, as published by the Flood of Emergency
  - The purpose of this plat is to subdivide acreage into seven lots and public roads.

**STATE OF ALABAMA**  
**JEFFERSON COUNTY**

I, Mark E. Clark, a Notary Public in and for said County and State, do hereby certify that Jeff Venture, LLP, whose name as Vice President of Liberty Park Joint Venture, LLP, is a signatory to the foregoing certificate as owner who certifies he executed the same voluntarily as such officer with full authority therefore.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Matthew Hittle Planning & Zoning Commission

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Matthew Hittle City Engineer

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Matthew Hittle City Clerk

APPROVED IN FORMAT ONLY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Jefferson County Department of Health

APPROVED IN FORMAT ONLY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 Director of Environmental Services  
 Environmental Services Department approval indicates that assessments have been conducted for future Jefferson County in the sign-off-map or easement boundaries. Other than this date, any void, this approval, Environmental Services understands that the maps serve this property or are used by others.




**Final Plat Application**

**Applicant**

**Primary Location**

**FP-22-15**

 Shelia Stephenson

 205-313-1152

 sstephenson@schoel.com

3400 U1 FELDSPAR CIR  
VESTAVIA HILLS, AL 35242

Submitted On: Dec 21, 2022

**Additional Locations**

- 3418 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3426 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3432 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3440 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3444 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3452 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3460 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3469 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3463 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3447 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3441 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3421 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3415 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3468 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3404 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3412 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3409 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3403 FELDSPAR CIR, VESTAVIA HILLS AL 35242
- 3540 BRAYFIELD LN, VESTAVIA HILLS AL 35242
- 3548 BRAYFIELD LN, VESTAVIA HILLS AL 35242
- 3550 U1 BRAYFIELD LN, VESTAVIA HILLS AL 35242

**Project Information**

**Property Address**

Feldspar Circle & Brayfield Ln

**Parcel ID Number**

--

**Legal Description**

Lots B, C, E, F, G, H, I, J, K, L, 1151, 1155, 1156, 1160, 1161, 1165, 1166, 1170, 1171, 1175, 1176, 1179, 1180, 1183, 1184, 1187, 1188, 1191, 1192, 1196 The Bray Townhomes at Liberty Park (MB 259 Pg 45)

**Current Zoning Classification**

PR-1

**Acreage**

3.25

**Application Submission Date**

12/21/22

**Reason for Request**

Resurvey 20 lots and 10 common area lots to accommodate larger end units for the townhome buildings

**Owner Information**

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

**By clicking this box, I hereby declare that the above information is true and that am the current owner of this property and I will represent this case.**

**Owner Name**

Liberty Park Joint Venture LLP

**Mailing Address**

1000 Urban Center Drive, STE 235 Vestavia, AL 35242

**Phone Number**

205-945-6458

**Representative for Owner**

--

**Email**

sstephenson@schoel.com

**Phone No. of Representative**

205-313-1152

**Company Name**

--

**Owner Email**

--

**By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.**

true

**Company Name**

Schoel Engineering Compnay, Inc.

**Mailing Address of Representative**

1001 22nd St S Birmingham, AL 35205

---

**Surveyor Information**

**Name**

Mark Clark

**Mailing Address**

1001 22nd St S Birmingham, AL 35205

**Registration Number**

19251

**Company**

Schoel Engineering Compnay

**Phone Number**

205-313-1140

**Email**

mclark@schoel.com



City of Vestavia Hills, AL

01/06/2023

FP-22-15

## Planning Review

Final Plat Application

**Status:** Complete

**Became Active:** 12/21/2022

**Assignee:** Conrad Garrison

**Completed:** 12/27/2022

### Applicant

Shelia Stephenson  
sstephenson@schoel.com  
1001 22nd Street South  
Birmingham, AL 35205  
205-313-1152

### Primary Location

3400 U1 FELDSPAR CIR  
VESTAVIA HILLS, AL 35242

### Owner:

Liberty Park Joint Venture, LLP  
1000 Urban Center Dr Vestavia, AL 35242

### Additional Locations

3404 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3412 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3418 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3426 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3432 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3440 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3444 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3452 FELDSPAR CIR, VESTAVIA HILLS AL  
35242



3460 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3469 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3463 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3447 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3441 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3421 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3415 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3409 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3403 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

3540 BRAYFIELD LN, VESTAVIA HILLS AL  
35242

3548 BRAYFIELD LN, VESTAVIA HILLS AL  
35242

3550 U1 BRAYFIELD LN, VESTAVIA HILLS AL  
35242

3468 FELDSPAR CIR, VESTAVIA HILLS AL  
35242

---

## Comments

**Conrad Garrison, Jan 4, 2023 at 11:44am**

Liberty Park is amending the size of the end units in the Bray townhome development. The plat makes these changes as well the resulting changes to the adjacent common areas. The lots and common areas being amended are highlighted in bold. There are no changes to roads.

# THE BRAY TOWNHOMES AT LIBERTY PARK RESURVEY NO. 1

BING A RESURVEY OF LOTS 1151, 1155, 1161, 1165, 1170, 1174, 1175, 1179, 1180, 1183, 1184, 1187, 1191, 1192, AND COMMON AREAS B, C, E, F, G, H, I, K, AND L, THE BRAY TOWNHOMES AT LIBERTY PARK (COMMON MAP BOOK 259, PAGE 45) SITUATED IN THE EAST 1/2 OF THE N.E. 1/4 OF SECTION 13, TOWNSHIP 18 SOUTH, RANGE 2 WEST AND THE N.W. 1/4 OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 1 WEST JEFFERSON COUNTY, ALABAMA.

REVISIONS:

NO.	DATE	DESCRIPTION
1	10/22/2022	ORIGINAL SURVEY
2	10/22/2022	CHECKED BY D.S. & A.W.C.
3	10/22/2022	REVISIONS TO THE SURVEY
4	10/22/2022	REVISIONS TO THE SURVEY
5	10/22/2022	REVISIONS TO THE SURVEY

**FINAL PLAT**



**STATE OF ALABAMA**  
**LIBERTY PARK COMMERCIAL**  
 (Map Book 192, Page 63)



**SCHIBEL ENGINEERING & SURVEYING, INC.**  
 1000 CENTRE STREET, SUITE 100  
 BIRMINGHAM, ALABAMA 35203  
 205.961.1234

**LIBERTY PARK JOINT VENTURE, LLP**  
 1000 URBAN CENTER DRIVE, SUITE 235  
 VESTAVIA, ALABAMA 35242  
 (205) 945-6458

**HARRIS DOYLE HOMES**  
 3111 TIMBERLAKE DRIVE  
 BIRMINGHAM, ALABAMA 35243  
 (205) 307-5366

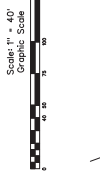
**STATE OF ALABAMA**  
 JEFFERSON COUNTY

**APPROVED BY HAND AND OFFICIAL SEAL, THIS DAY OF OCTOBER 2022.**

**APPROVED BY HAND AND OFFICIAL SEAL, THIS DAY OF OCTOBER 2022.**

**APPROVED BY HAND AND OFFICIAL SEAL, THIS DAY OF OCTOBER 2022.**

**APPROVED BY HAND AND OFFICIAL SEAL, THIS DAY OF OCTOBER 2022.**



- NOTES:**
1. The area shown on this plat is shown to be within the boundaries of the original survey.
  2. The area within all symbols is subject to assessments for storm drainage.
  3. This property is not to be located within the 100-year flood area and is in flood zone "A". Landowners are advised to consult the Alabama Department of Environmental Management for more information on the flood hazard insurance program and to obtain the Flood Hazard Insurance Certificate from the Alabama Department of Environmental Management.
  4. The plat shows the boundaries of the survey as shown on the plat. The plat shows the boundaries of the survey as shown on the plat.
  5. All common areas (Lots B, C, E, F, G, H, I, K, and L) are not to be used for any other purpose other than the residential use of the townhomes. All other roads and alleys depicted on this plat are for utility.
  6. The front of all townhomes are subject to a 5-foot-wide utility easement.

- UTILITY SERVICE PROVIDERS:**
1. Water - Alabama Water Services provided by Birmingham Water Bureau.
  2. Sewer - Provided by Enviro Services, LLC, a private utility.
  3. Gas - Brix Energy.
  4. Power - Alabama Power Company.
  5. Telephone - AT&T.

**OWNER:**  
**LIBERTY PARK JOINT VENTURE, LLP**  
 1000 URBAN CENTER DRIVE, SUITE 235  
 VESTAVIA, ALABAMA 35242  
 (205) 945-6458




**OWNER:**  
**HARRIS DOYLE HOMES**  
 3111 TIMBERLAKE DRIVE  
 BIRMINGHAM, ALABAMA 35243  
 (205) 307-5366

**Final Plat Application**

**Applicant**

**Primary Location**

**FP-22-16**

 Rodney Shiflett  
 205-669-1205  
 mpd9@aol.com

2104 CHESTNUT RD  
VESTAVIA HILLS, AL 35216

Submitted On: Dec 22, 2022

**Project Information**

**Property Address**

2104 Chestnut Rd

**Parcel ID Number**

28 00 19 1 010 008.000

**Legal Description**

1/2 Lot 15, Lot 16, Blk 8 Biltmore Estates

**Current Zoning Classification**

R-3

**Acreage**

1.26

**Application Submission Date**

12/22/2022

**Reason for Request**

1 and 1/2 lots combined to add screen porch to existing residence

**Owner Information**

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

**By clicking this box, I hereby declare that the above information is true and that am the current owner of this property and I will represent this case.**

true

**Owner Name**

Drew Gunnells

**Company Name**

--

**Mailing Address**

2104 Chestnut Road

**Owner Email**

drewgunnells@gmail.com

**Phone Number**

205-612-0770

**By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.**

--

**Representative for Owner**

--

**Company Name**

--

**Email**

mpd9@aol.com

**Mailing Address of Representative**

--

**Phone No. of Representative**

--

**Surveyor Information**

**Name**

Rodney Shiflett

**Company**

Shiflett Surveying

**Mailing Address**

P.O. Box 204, Columbiana, AL 35051

**Phone Number**

205-669-1205

**Registration Number**

21784

**Email**

mpd9@aol.com



City of Vestavia Hills, AL

01/06/2023

FP-22-16

## Planning Review

Final Plat Application

**Status:** Complete**Assignee:** Conrad Garrison**Became Active:** 12/22/2022**Completed:** 12/27/2022

---

### Applicant

Rodney Shiflett  
mpd9@aol.com  
P.O. Box 204  
Columbiana, AL 35051  
205-669-1205

### Primary Location

2104 CHESTNUT RD  
VESTAVIA HILLS, AL 35216

### Owner:

Drew Gunnells  
2104 Chestnut Rd Vestavia Hills, AL 35216

---

### Comments

**Conrad Garrison, Jan 4, 2023 at 11:58am**

Plat will combine half of Lot 15 and all of Lot 16 to bring property into conformance. Owner will need a variance for lot size and width, which will occur in January of 2023. Map can be signed after variance.

FINAL PLAT OF

**A RESURVEY OF 1/2 LOT 15  
AND LOT 16, BLOCK 8,  
BILTMORE ESTATES**

**AS RECORDED IN MAP BOOK 17, PAGE 59, IN THE OFFICE OF THE  
JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA.**

A SUBDIVISION SITUATED IN THE NE 1/4 OF SECTION 19, TOWNSHIP 18 SOUTH, RANGE 2  
WEST, JEFFERSON COUNTY, ALABAMA  
0.26 TOTAL ACREAGE OF SUBJECT PROPERTY

PREPARED BY:  
DREW & SARA GUNNELLS  
CHESTNUT ROAD  
VESTAVIA HILLS, AL 35216  
205-669-1205

PREPARED BY:  
RODNEY SHIPLETT  
CHESTNUT ROAD  
COLUMBIANA, AL 35051  
205-669-1205

STATE OF ALABAMA  
JEFFERSON COUNTY  
JANUARY 2, 2023

I, the undersigned, a Notary Public in and for said county and state, do hereby certify that Rodney Shiplett, whose name is affixed to the contents of said certificate, does execute same voluntarily as such individual with full authority thereat.



In witness hereof, said surveyor executed these presents this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: Rodney Shiplett Date: 01/02/2023

By: \_\_\_\_\_ Date: \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

I, the undersigned, a Notary Public in and for said county and state, do hereby certify that Drew Gunnelles, whose name is affixed to the contents of said certificate, does execute same voluntarily as such individual with full authority thereat.

In witness hereof, said surveyor executed these presents this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: Drew Gunnelles Date: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

I, the undersigned, a Notary Public in and for said county and state, do hereby certify that Sara Gunnelles, whose name is affixed to the contents of said certificate, does execute same voluntarily as such individual with full authority thereat.

In witness hereof, said surveyor executed these presents this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: Sara Gunnelles Date: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

I, the undersigned, a Notary Public in and for said county and state, do hereby certify that \_\_\_\_\_, whose name is affixed to the contents of said certificate, does execute same voluntarily as such individual with full authority thereat.

In witness hereof, said surveyor executed these presents this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_ Date: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

THE PURPOSE OF THIS  
RESURVEY IS TO COMBINE  
LOTS, FOR RESIDENTIAL USE.

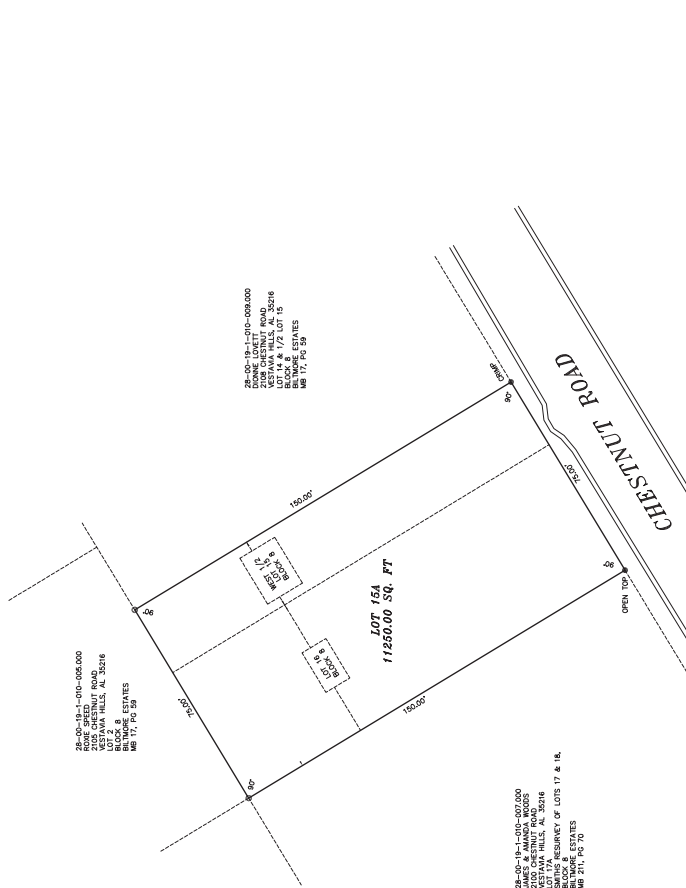
NOTES:  
A. This property is zoned R-3, building setbacks are as follows:  
Front - 20 feet  
Side - 10 feet  
Rear - 10 feet  
Owner has filed for the following encroachments:  
Lot area reduced from required 15,000 sq. ft. to 11,224 sq. ft.  
50' setback reduced from required 15' to 11'.  
50' setback reduced from required 20' to 40'.  
B. This entire property is located in Flood Zone "X" on a stream  
channel, as shown on the Flood Insurance Rate Map # 17022C  
dated by the Federal Emergency Management Agency, 2020.

LEGEND  
● - 8" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 12" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 18" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 24" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 30" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 36" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 42" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 48" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 54" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 60" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 66" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 72" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 78" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 84" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 90" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 96" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 102" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 108" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 114" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 120" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 126" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 132" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 138" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 144" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 150" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 156" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 162" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 168" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 174" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 180" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 186" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 192" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 198" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 204" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 210" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 216" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 222" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 228" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 234" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 240" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 246" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 252" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 258" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 264" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 270" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 276" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 282" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 288" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 294" DIA. POLYETHYLENE GLYCOL CONCRETE  
○ - 300" DIA. POLYETHYLENE GLYCOL CONCRETE

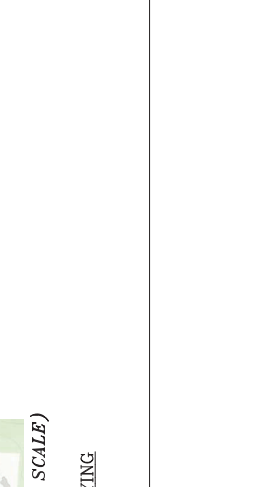
28-05-19-11-010-000-000  
ROAD OPENED AT ROAD  
VESTAVIA HILLS, AL 35216  
BLOCK 8  
BILTMORE ESTATES  
MB 17, PG 59

28-05-19-11-010-000-000  
2108 CHESTNUT ROAD  
LOT 14 & 1/2 LOT 15  
BILTMORE ESTATES  
MB 17, PG 59

28-05-19-11-010-000-000  
2108 CHESTNUT ROAD  
LOT 17 & 1/2 LOT 18  
BILTMORE ESTATES  
MB 21, PG 70



SCALE: 1" = 20'






VICINITY MAP (NOT TO SCALE)  
**RODNEY SHIPLETT SURVEYING**  
COLUMBIANA, ALABAMA 35051  
TEL. 205-669-1205 #22426

**Rezoning Application****RZ-22-10**

Submitted On: Dec 8, 2022

**Applicant**

 Frank Skidmore  
 205-901-7288  
 fspec001@gmail.com

**Primary Location**

3951 WALL ST  
VESTAVIA HILLS, AL 35243

**Property Information****Subject Property Address**

3951 Wall Street

**Tax Parcel ID Number**

--

**Legal Description**

Vacant Lot

**Existing Parking Spaces**

0

**Proposed Parking Spaces**

20

**Submission Date**

12/08/2022

**Type of Project**

New Commercial Development

**Action Requested:****From Existing Zoning Classification**

R4

**To Requested Zoning Classification**

B2

**For the Intended Purpose of:**

Building an Indoor Swimming Pool

**Acreage of Subject Property**

0.4 acres

**Acreage of Property to be Disturbed**

0.4 acres

**Setbacks****Front**

30

**Back**

30

**Side**

5

**Open Space**

12678

**Lot Coverage Percentage**

24

**Tree Save Plan - I acknowledge that a if this is a new non-residential development or is a residential development in excess of 3 units, that I am required to submit a tree save plan concurrent with this application (excludes PUDs).**

true

**Owner Information**

Applications must be either submitted by the owner of the property or a representative duly appointed by the owner by way of a notarized letter and/or power of attorney.

**Property Owner Name**

Jeff Lett

**Company Name**

--

**Owner Address City State Zip**

4025 North Cahaba Drive, Vestavia, Alabama 35243

**Owner's Phone Number**

2053810208

By checking this box, I hereby affirm that I am the representative of the owner duly authorized to represent this petition for rezoning. Simultaneously with this application, I am submitting notarized documentation from the owner which authorizes me to represent this case. If no authorization is provided, this application cannot be processed.

true

**Email Address of Owner**

jefflett28@gmail.com

**Owner Representative/Responsible Party**

Frank Skidmore

**Company Name**

--

**Contact Email of Responsible Party**

fspec001@gmail.com

**Mailing Address of Responsible Party**

3524 Brookwood Road, Mountain Brook Alabama 35223

**Phone No. of Responsible Party**

2059017288

**Email Address of Responsible Party**

fspec001@gmail.com

**Project Engineer Information (if applicable)**

**Name**

--

**Company**

--

**Mailing Address**

--

**Phone Number**

--

**Email**

--





City of Vestavia Hills, AL

01/06/2023

RZ-22-10

## Planning Review

Rezoning Application

**Status:** Complete**Became Active:** 12/08/2022**Assignee:** Conrad Garrison**Completed:** 12/08/2022

---

### Applicant

Frank Skidmore  
fspec001@gmail.com  
3524 Brookwood Road  
Mountain Brook, AL 35223  
205-901-7288

### Primary Location

3951 WALL ST  
VESTAVIA HILLS, AL 35243

### Owner:

Jeff Lett

---

### Comments

**Conrad Garrison, Jan 6, 2023 at 11:04am**

Request is to rezone property on the corner of Wall St. and Bearden Ct. for a swim school. The school would operate 7 AM-8 PM. The proposed building would be 4,000 sq. ft. and front Bearden Ct. No access will be allowed on Wall St. A description of the request is attached.

The Cahaba Heights Community Plan calls for this lot to be higher-density residential use.



City of Vestavia Hills, AL

01/06/2023

RZ-22-10

## Engineering Review

Rezoning Application

**Status:** Complete**Became Active:** 12/08/2022**Assignee:** Christopher Brady**Completed:** 12/21/2022

---

### Applicant

Frank Skidmore  
fspec001@gmail.com  
3524 Brookwood Road  
Mountain Brook, AL 35223  
205-901-7288

### Primary Location

3951 WALL ST  
VESTAVIA HILLS, AL 35243

### Owner:

Jeff Lett

---

### Comments

**Christopher Brady, Dec 21, 2022 at 10:03am**

- 1) Review of preliminary traffic generation does not show significant impact to area roadways. However, some minor widening of Bearden at property frontage may be warranted as part of this development.
- 2) Engineering recommendation is to limit access to Bearden only with no driveway access Wall Street.
- 3) Stormwater requirements will require engineering documentation of pre vs post and mitigation measures to limit impact to area drainage system.
- 4) Engineering reviews and final comments to be addressed as part of permit review.

Kiwi Swim School, LLC  
3951 Wall Street Site Plan

**Summary of Document:** We are requesting a site rezoning for 3951 Wall Street from residential to commercial. A site plan is required for submission of a rezoning request. On this page, we have detailed a brief description of the site plan.

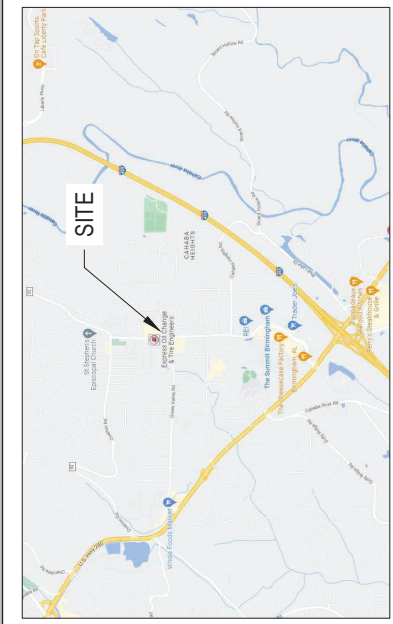
**Description of Site Plan:** A site plan was prepared by Bryan Pressnell, Forty 4 Engineering Design. A building of principle length 95 feet and principal width 41 feet is included on the lot with appropriate setbacks. A small “bump-out” area (7x15 feet) also maintains appropriate setbacks. The footprint of the building is 4000 square feet. Twenty parking spaces are included on the site. Behind the building, an area for rolling trash containers is included. The nature of the business does not involve substantial generation of trash and a dumpster will not be required. An accessory structure (shed) will securely keep pool chemicals and provide additional lot storage capacity. A separate landscaping plan is also included.

We are verbally instructed to submit online; we include a checklist of items included in this document below:

Below is a checklist of all information needed in order to process your request. This information must be supplied in its entirety or the item will not be properly filed and will (a) not be accepted by the Office; or (b) not be presented to the Commission. Acceptance by the Clerk does not constitute acceptance of complete and proper filing. **Please submit this checklist with your application.**

Applicant must submit all documentation designed by an “\*”. The remaining information is supplied by staff.

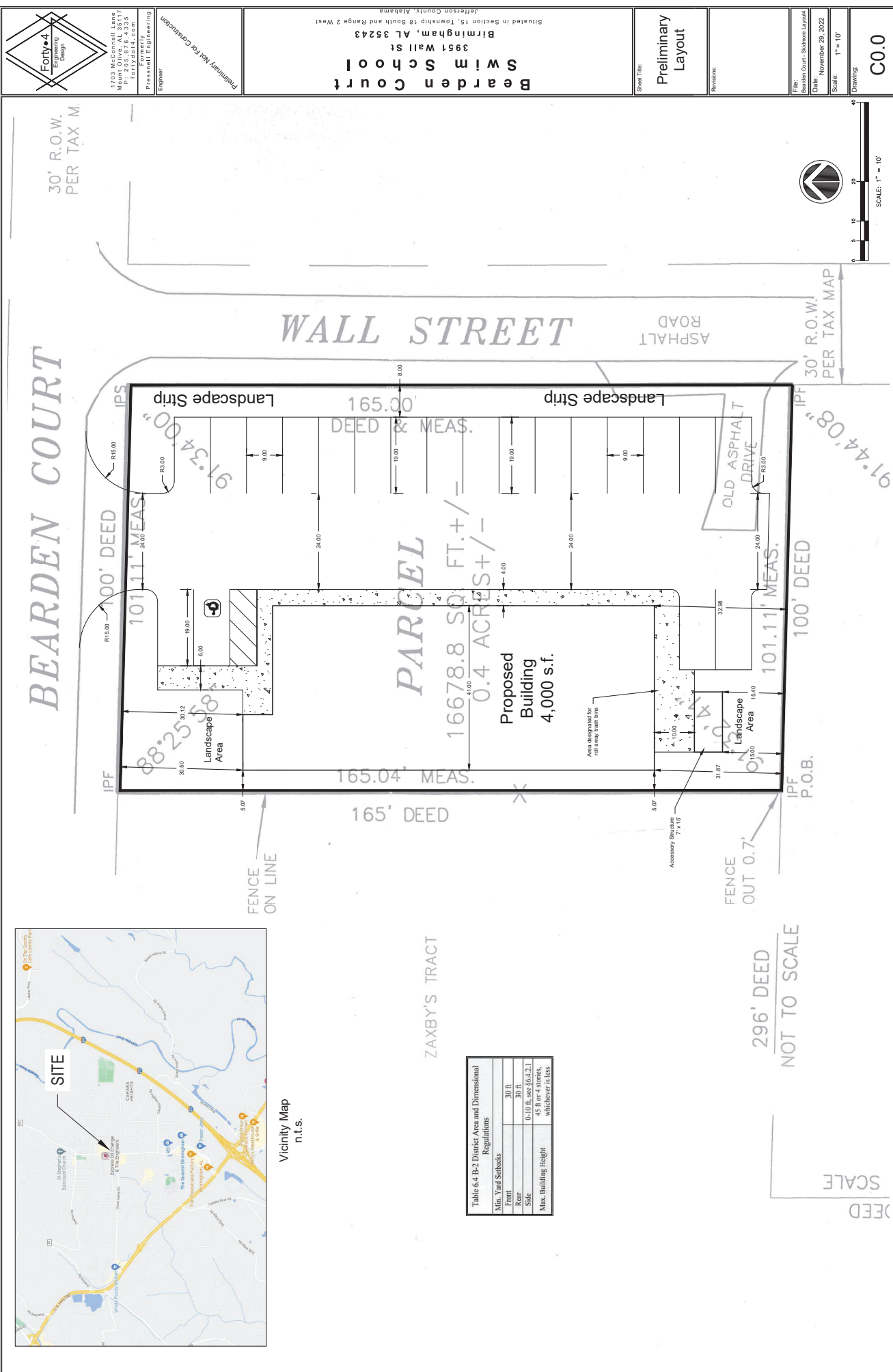
*	<input checked="" type="checkbox"/>	\$100 Application Fee
*	<input checked="" type="checkbox"/>	Application (original) completed with owner’s signature notarized and representing agent designated (if applicable)
*	<input checked="" type="checkbox"/>	One (1) vicinity sketch
*	<input checked="" type="checkbox"/>	Development plan and/or site plan for intended use of property if subsequent development is intended
*	<input type="checkbox"/>	Proposed Tree Save plan, if applicable
*	<input checked="" type="checkbox"/>	Proposed landscaping plan, if applicable
*	<input type="checkbox"/>	One (1) electronic copy (.pdf format) of all materials burned on CD or thumb drive



Vicinity Map  
n.t.s.

Table 6-4 B-2 District Area and Dimensional Regulations	
Min. Yard Setbacks	30 ft
Front	30 ft
Rear	30 ft
Side	0-10 ft, see §6.4.2.1
Max. Building Height	45 ft for 4 stories, whichever is less

296' DEED  
NOT TO SCALE



**Forty•4**  
Engineering  
Design

1703 McCannell Lane  
Birmingham, AL 35243  
P: 205.876.4335  
forty4e4.com

Professional Engineer  
Prakash Patel

Preliminary Not for Construction

**Bearden Court Swim School**  
3951 Wall St  
Birmingham, AL 35243

Situated in Section 15, Township 18 South and Range 2 West  
Jefferson County, Alabama

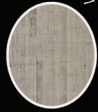
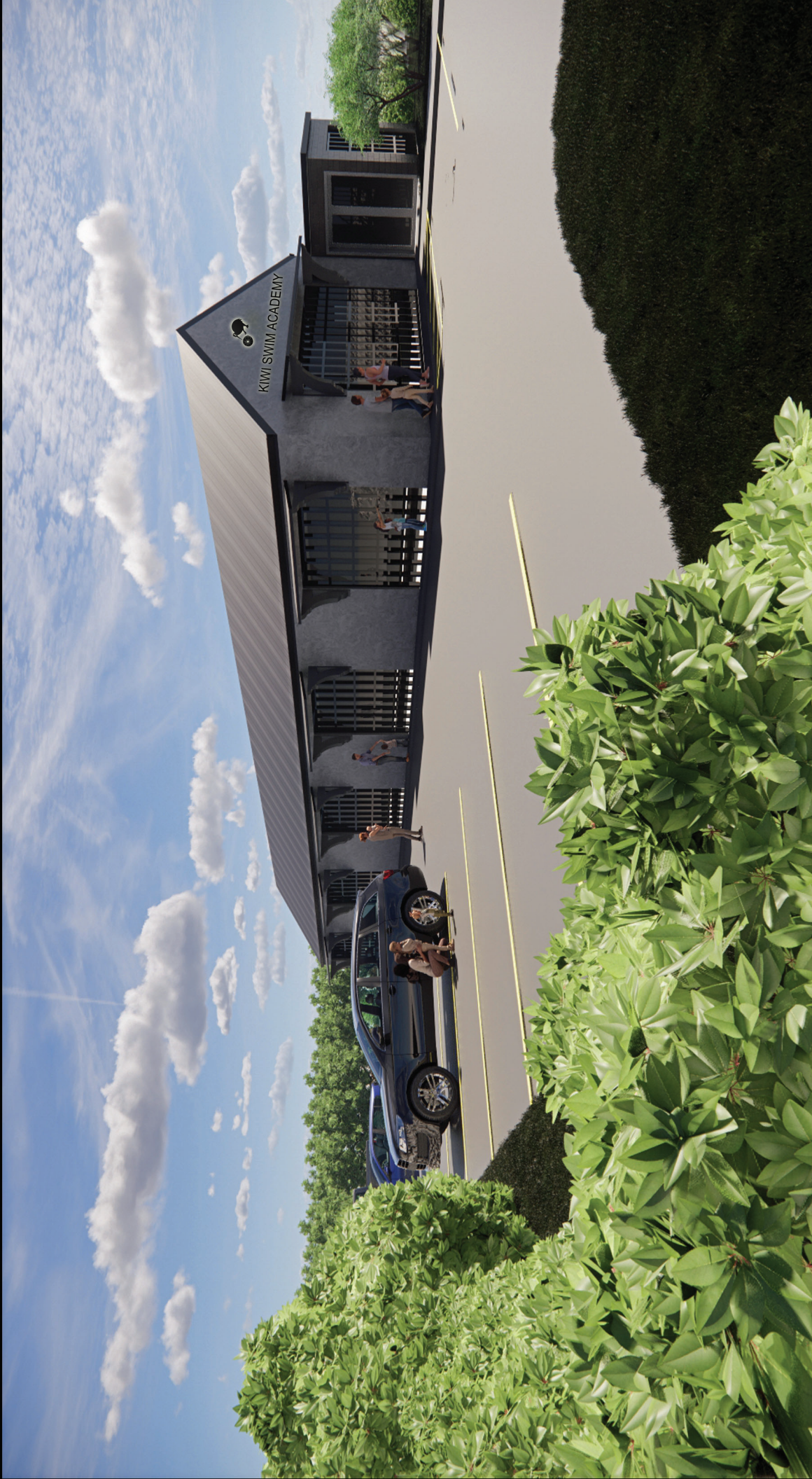
Sheet Title:  
**Preliminary Layout**

Revisions:

File:  
Bearden Court - Site/Landscape Layout.dwg  
Date:  
November 29, 2022  
Scale:  
1" = 10'  
Drawing:

**C0.0**

# KIWI SWIM ACADEMY



WALLS 1



ROOF



WALLS 2

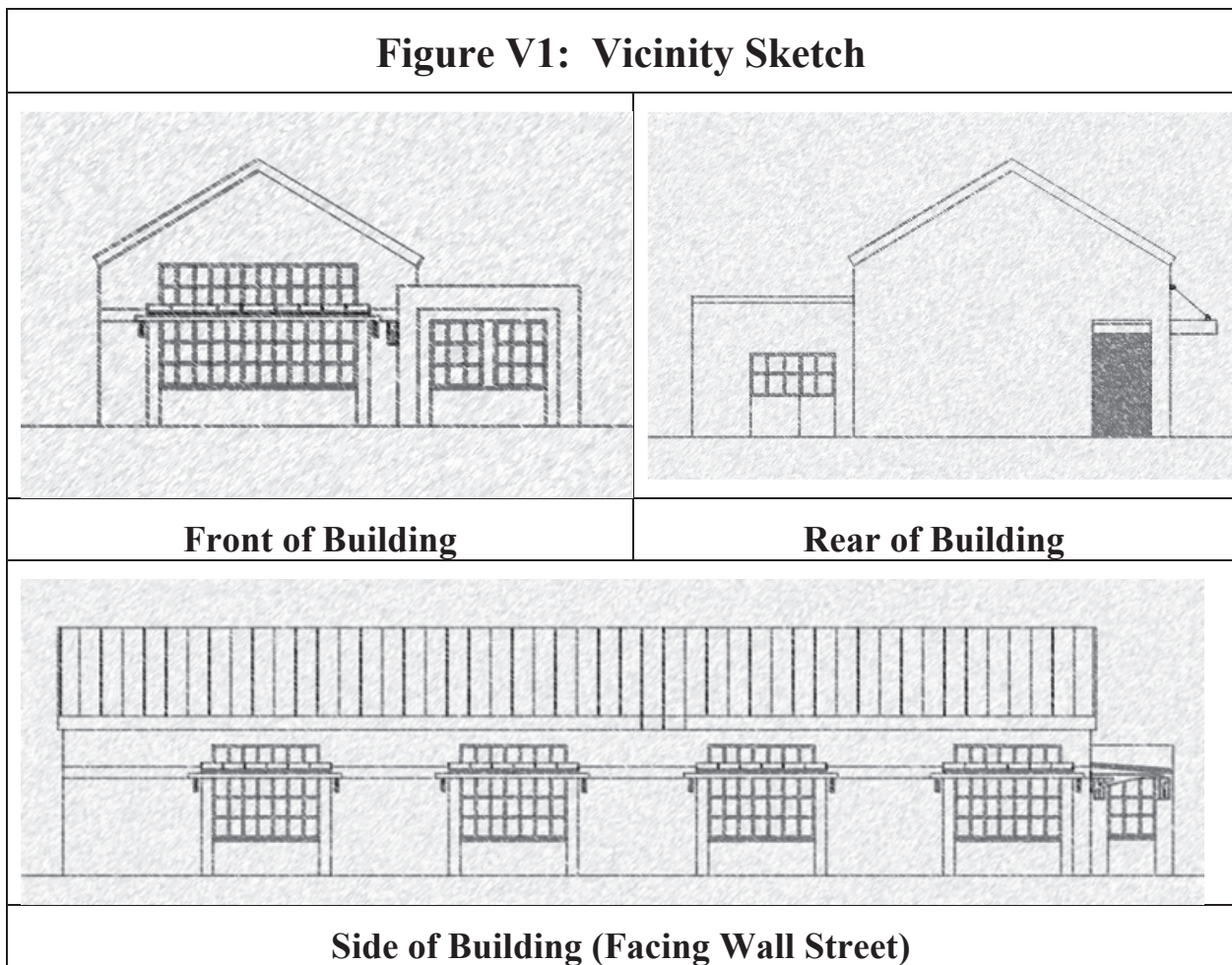


AWNING BASKETS

Kiwi Swim School, LLC  
3951 Wall Street Vicinity Sketch

**Summary of Document:** A vicinity sketch is required for submission for a rezoning, and is provided.

**Description Document:** We plan to construct a commercial building that will add value to the community. Specifically, we are planning to use architectural principles to provide an esthetically positive addition to Bearden Road. At present, a pressed concrete building is anticipated. Figure V1 presents an initial sketch. An initial CAD/architectural file has been developed sufficient to assist in initial engineering planning (ie with Bryan Pressnell) and to allow interactions with pool contracting companies. A professional architecture company is being engaged to develop a more detailed vicinity sketch in the near future.



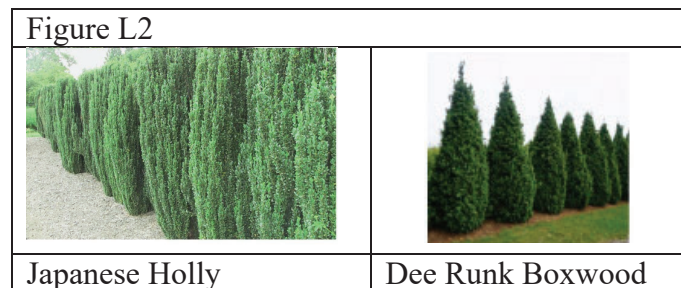
Kiwi Swim School, LLC  
3951 Wall Street Tree Save and Landscaping Plan

**Summary of Regulation:** Vestavia has municipal codes to preserve trees in the community. According to city code, as part of any request for a land disturbance permit for a new subdivision with a minimum of five (5) lots, the applicant shall include, as a part of the application, a tree save plan that will preserve as many trees in the development as practical (Tree Permit 9.6.5, subsection 2). Additionally, code states any person wishing to remove, relocate, destroy, or otherwise damage a Protected Tree shall, under the provisions of this subsection, make written application to the DRB, which application shall include a landscape plan as provided before in said application or other information that adequately explains the request (Tree Permit 9.6.5, subsection 1). Kiwi Swim School, LLC, interprets these regulations to indicate that a Landscaping Plan is required. In this plan, we will cover:

- 1) Landscaping plans for 3951 Wall Street, and
- 2) Our plans for trees on the site, including plantings to mitigate any removed trees

**Trees and Foliage On Site:** Six living trees with Tree Caliper greater than 6 inches have been located on the lot, of the following caliper (in inches): 19”, 15”, 9.5”, 15”, 33”, 36”. Two crepe myrtle plants with dimensions of trunks less than the 6 inch caliper are also present on the lot. A dead tree is also located on the lot. The existing trees and foliage will be removed.

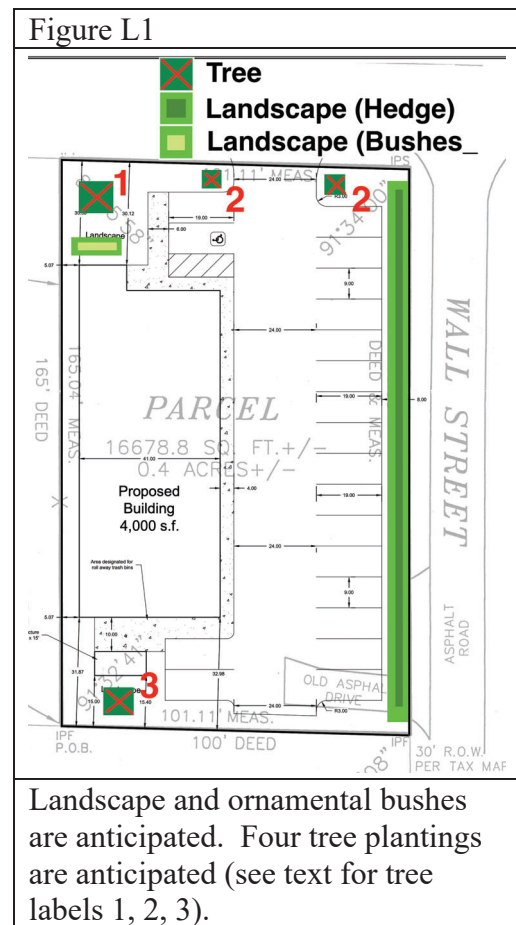
**Landscaping Plan:** Landscaping is planned including a hedge-like border along Wall Street, 4 planted trees, and an ornamental bush in front of the location is planned. Figure L1 (Landscape 1) shows anticipated location of landscaping. Along the right border of the landscape we anticipate placing a hedge. Two possible plantings are considered (Figure L2). We are consulting a gardner to select a hedge variety that provides an evergreen barrier with sustainable qualities in terms of care and maintenance.



Trees (labelled 1, 2, 3 in red) are planned as follows:

1. Tree with large growth potential (e.g. oak).
2. Two Japanese Maples, Dogwood, or similar small/medium trees
3. Tree with moderate growth potential (e.g. Big Leaf Magnolia)

The plan described above will increase the amount of non-grass planting on the property. A small amount of turf is also anticipated.



Kiwi Swim School, LLC  
3951 Wall Street Traffic Statement

**Summary of Document:** During a preliminary review session with members of the Vestavia City Council, a request for a traffic assessment was requested. The purpose of this document is to define expected traffic at the swim school site. Traffic to and from the site, according to the site plan, will enter and exit on Bearden Court.

**Basis for Estimated Traffic:** About 4 swim instructors will be in the pool at any given time. Lesson mix is divided between babies and infants (typically solo lessons), and older children (up to 4 students per lesson). With this mix, and accounting for cancellations, up to 2.5 children per coach are expected per lesson block, or 10 children per half hour. At peak times, this would lead to 20 children per hour. Half of children come as solo lessons (1 child, 1 car). Half of children come in pairs or more (estimate 1 car, 2 children). We expect therefore at peak times 15 cars per hour might be present. While we assume all 15 cars will park, it would be common for some of individuals to drop off children and one parent (or nanny) and conduct some limited errands at the local restaurants or grocer. Further, among parkers with a single child, individuals who do park will park for the duration of the lesson and leave.

**Estimating Traffic, and Peak Times:**

Based on experience, we estimate the majority of automobile traffic to our site will occur in the morning between the hours of 830 AM and 11 AM, and after 2 PM, with a relative lull in child-related traffic between 11-2 (a common nap-time for clients). Peak season for swim lessons is in the spring, leading up to the summer. Less lessons are expected in the late fall, early winter, and around holidays. Lessons typically end at 8 PM. Lessons occur in half hour increments and will be staggered, and therefore traffic is anticipated to move in and out of the site throughout the hour. Table T1 shows our estimated auto traffic numbers per hour during peak summer season (Maximum) and more normal traffic at other times of year (Minimum and Average). Less traffic is anticipated at other times of year. While some clients will park, some clients may drop off children and conduct an errand – such as driving by a local restaurant or grocer. We assume, based on experience, that 30-50% of clients will have multiple clients in one car (siblings, or carpool).

Table T1: Estimated Car Count

Hourly*	Minimum	Maximum	Average
7-8	0	6	3
8-9	0	8	4
9-10	6	15	9
10-11	8	15	9
11-12	6	12	8
12-1	0	6	0
1-2	0	6	0
2-3	0	6	0
3-4	6	15	8
4-5	8	15	12
5-6	8	15	12
6-7	4	9	6
7-8	4	6	4
<b>Total</b>	50	134	75

\*Lessons are scheduled typically on the half hour, leading to typically 2 cohorts of vehicles every hour. During peak season lessons on 15-minute increments over 4-5 swim coaches can buffer any issues with flow. Not all traffic leads to parking as there are local amenities (restaurants, grocer) that will lead our clients to conduct some errands during lessons.





**City of Vestavia Hills  
Office of the City Clerk**

**OWNER AFFIDAVIT (This form must be notarized):**

I do hereby declare that the following statements are correct concerning the subject property located at: 3951 Wall Street, Vestavia Hills, AL 35243, Vestavia Hills, Alabama and that statements submitted in my application are true and that I am: *(please check all that apply).*

the Property Owner and representing myself in said request.

the Property Owner, but I am authorizing a Representing Agent by the name of: Frank Skidmore to represent me in the following request:

And am requesting: (please check)

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Rezoning Request | <input type="checkbox"/> Request for Variance   |
| <input type="checkbox"/> Preliminary Plat Approval   | <input type="checkbox"/> Special Exception      |
| <input type="checkbox"/> Final Plat Approval         | <input type="checkbox"/> Design Review Approval |
| <input type="checkbox"/> Conditional Use Approval    |   |

Signed: Jeff Lett JEFF Lett 10/4/2022  
Owner Signature/Date

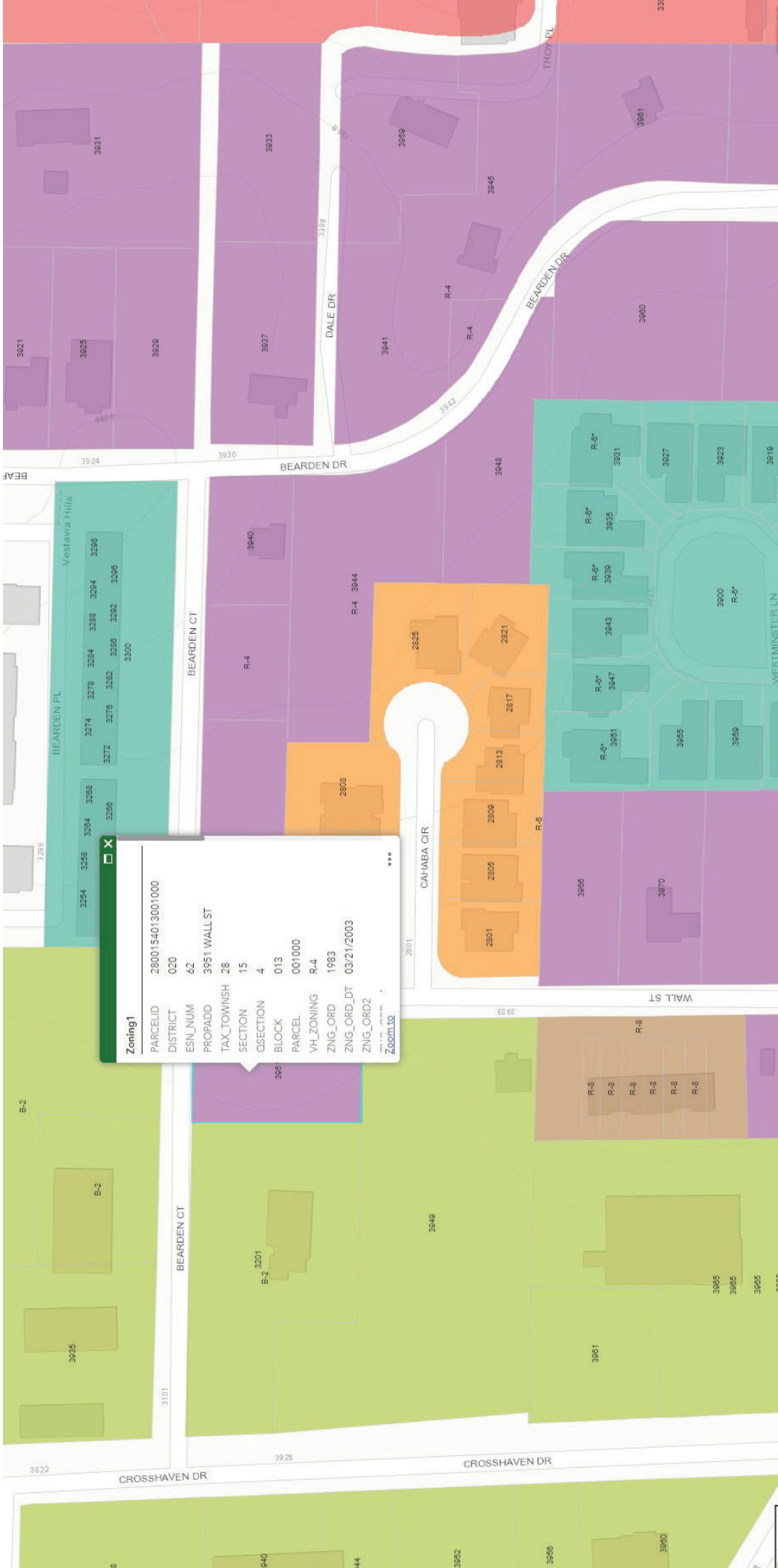
**STATE OF ALABAMA**  
**COUNTY OF** Shelby

Given under my hand and seal  
this 04 day of Oct, 2022.

Wendy Wilkinson Coppock  
Notary Public



My commission expires 22nd day of December, 2025.










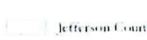
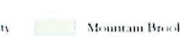


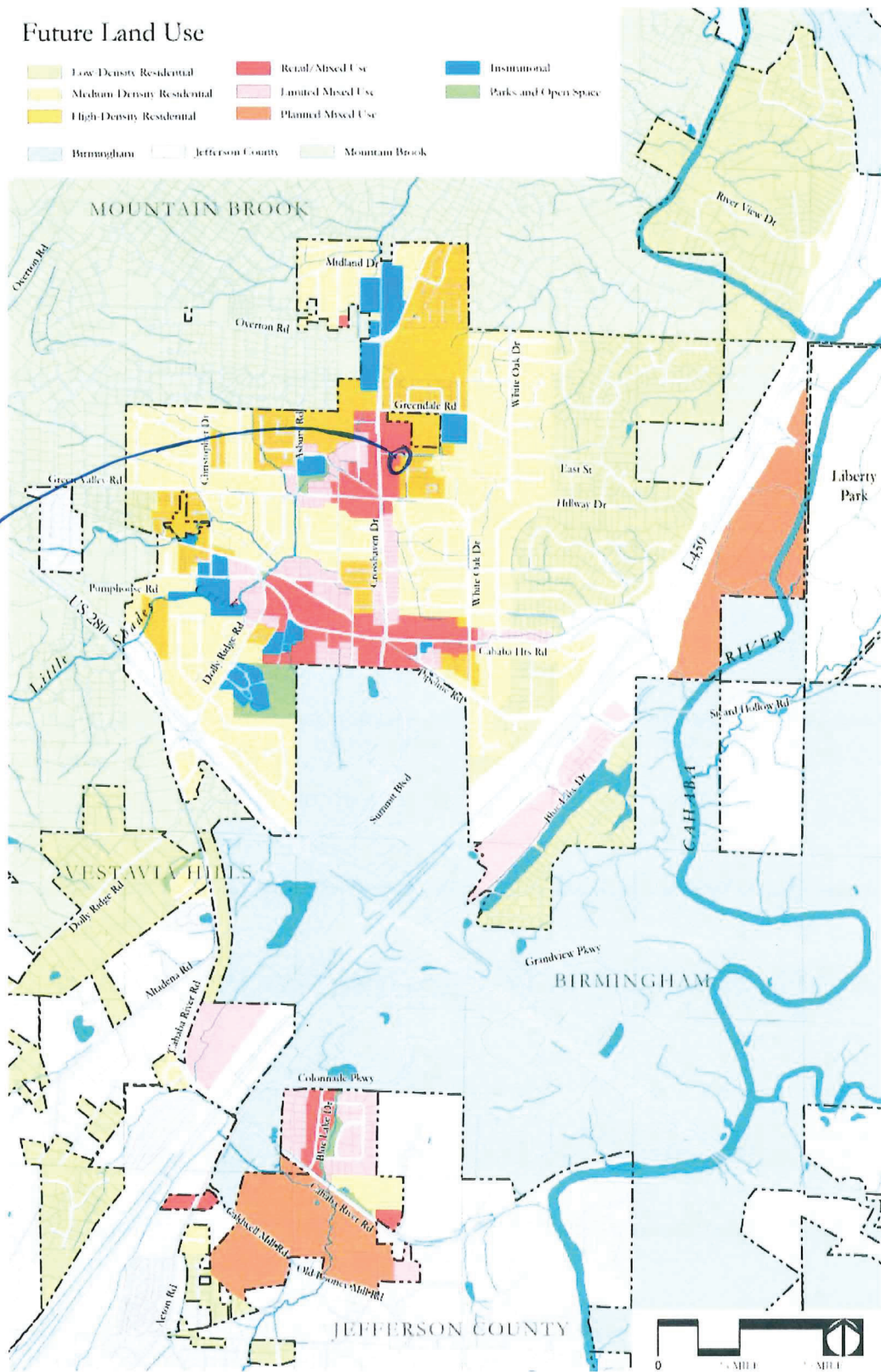
**Zoning1**

PARCELID	2800154013001000
DISTRICT	020
ESN_NUM	62
PROPADD	3951 WALL ST
TAX_TOWNSH	28
SECTION	15
QSECTION	4
BLOCK	013
PARCEL	001000
VH_ZONING	R-4
ZNG_ORD	1983
ZNG_ORD_DT	03/21/2003
ZNG_ORD2	

...  
Zoning

### Future Land Use

- |  |   |  |
|--|---|--|
|  Low Density Residential    |  Retail/Mixed Use  |  Institutional        |
|  Medium Density Residential |  Limited Mixed Use |  Parks and Open Space |
|  High Density Residential   |  Planned Mixed Use |  |
|  Birmingham                 |  Jefferson County  |  Mountain Brook       |



Subject Parcel

Figure 4: Future Land Use Map

**From:** [Susan Lester](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Wall Street Property  
**Date:** Thursday, January 5, 2023 5:01:16 PM

---

Mr. Garrison, I strongly object to the rezoning of the property on Wall Street. This is a residential street and should remain so. Zoning laws exist to protect neighborhoods for a reason. I am sure you do not want Vestavia property values to go down, nor do the rest of us. Susan Lester

Sent from my iPhone

**From:** [Joan Kendall](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Rezoning Wall Street Property  
**Date:** Monday, January 2, 2023 4:03:42 PM  
**Attachments:** [image0.jpeg](#)

---

Dear Mr. Garrison and Members of the Planning and Zoning Commission:

We have received two pieces of mail recently that pertain to the rezoning and use of the property on the corner of Wall Street and Bearden Court. One is from you and below is our second invitation from Kiwi Swim Academy — members of the community met with them in 2022.

We support a Kiwi Swim Academy for handicapped children in Vestavia Hills. However, we will advocate, as the majority of attendees did in our first meeting with them, that they find another location that doesn't require rezoning and encroach on our neighborhood.

Bear in mind, the property at issue is within 500 feet of at least five Westminster homes. The value of their homes will affect everyone's in Westminster.

We, along with many others, urge you not to rezone the property from residential to commercial in order to preserve the quality and winsomeness of our neighborhood.

Moreover, it is a cornerstone/keystone property protecting us now and in the future by preventing a domino effect and more congestion along narrow Wall Street.

Respectfully,  
Joan and Henry Kendall  
Lelie and Joe Hughes

**From:** [Chitra and Vinay KP](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Rezoning Request - Wall Street  
**Date:** Monday, January 9, 2023 12:48:04 AM

---

Mr. Garrison and the Planning and Zoning Committee -

We have received two pieces of mail pertaining to rezoning and use of property on the corner of Wall Street and Bearden Court - one from the City of Vestavia via certified mail and second from Kiwi Swim Academy.

As a mother of an infant, I support water safety in this community. However, I do not believe this is the best location due to the safety of young children as it encroaches on our neighborhood of Cahaba Circle. There are plenty of cars at this corner occupying space on the street and in the parking lots of Zaxby's and the dance studio. Adding another business in the intersection will further complicate to the congestion.

Please bear in mind that the property at issue is within a stones throw away from Cahaba Circle where there are many young children, including infants.

Wall Street does not have a solid infrastructure as there are countless of individuals who use Wall Street as a cut through road, speeding at unsafe levels. There have been plenty of times where I've feared being run over while walking with my child and/or my dog.

I am writing this email urging you to not rezone the property from residential to commercial to preserve the safety of our children and citizens in this neighborhood. In addition, the property at issue is considered a keystone property and if rezoned, will provide a domino effect of other issues and provide even more congestion to an already narrow and unsafe Wall Street.

Regards,  
Chitra Kirpalani

**From:** [Gayle Mason](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] 3951 Wall Street re-zoning  
**Date:** Monday, January 9, 2023 12:15:17 AM

---

Mr Garrison,

I live in the residential community around the corner from Wall Street .

I object to the re-zoning of the property located at 3951 Wall Street in Cahaba Heights. The community has been flooded with commercial businesses and traffic that have already caused major issues and infrastructure problems as it is. Wall Street is an extremely narrow street and any extra traffic brought into the community would be detrimental. It is traveled by car, children ride their bikes, and neighborhood walking by residents that live and play in this residential community. We don't want or need anymore Commercial properties getting any closer to our homes.

Sincerely,  
Gayle Mason

Gayle Mason  
Client Development

South Oak Title, LLC  
[2870 Old Rocky Ridge Rd., Suite 160](#)  
[Birmingham, AL 35243](#)  
Cell: 205.283.7698  
Email: [gayle@southoaktitle.com](mailto:gayle@southoaktitle.com)

Place a Title and/or schedule a Closing 24/7 at  
[gayle@southoaktitle.com](mailto:gayle@southoaktitle.com) and copy  
[orders@southoaktitle.com](mailto:orders@southoaktitle.com)

***\*\* PLEASE NOTE THAT ALL FUNDS FOR CLOSING NEED TO BE IN THE FORM OF CERTIFIED FUNDS/CHECK. In the rare event that a wire is required please call our office at [205-983-8100](tel:205-983-8100) for further instructions \*\****

**WARNING – FRAUDULENT FUNDING INSTRUCTIONS**

Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call South Oak Title immediately using contact information found from an independent source, such as the internet or your real estate agent or lender, to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

**From:** [Robin Kolber](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Zoning of property on Wall Street.  
**Date:** Friday, January 6, 2023 10:29:26 PM

---

Sir:

I strongly oppose the zoning from residential to commercial of the Swim Club or any other commercial development at the corner of Wall Street next to Zaxby's.

Thank you,  
The Kolbers  
3951 Westminster Lane  
Vestavia, AL. 35243

Sent from my iPad



KENNETH L. HICKMAN  
PAULA HAZELRIG HICKMAN  
3947 WESTMINSTER LANE  
BIRMINGHAM, ALABAMA 35243

(318) 286-5075

January 6, 2023

Members of the Planning and Zoning Commission  
City of Vestavia Hills  
c/o Mr. Conrad Garrison  
City Planner of Vestavia Hills  
1032 Montgomery Highway  
Vestavia Hills, Alabama 35216

Re; Public hearing for rezoning of 3951 Wall Street,  
Vestavia Hills, Alabama from R-4 to B-2  
Jeff Lett/Case RZ-22-10

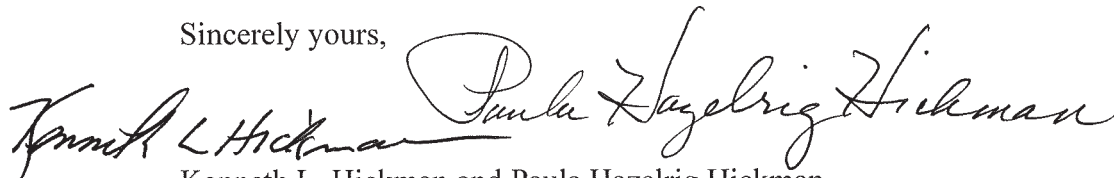
Members of the Planning and Zoning Commission:

We protest the rezoning of 3951 Wall Street in Vestavia Hills from R-4 to B-2. First, Vestavia's master zoning plan should be modified only in the event of compelling circumstances. Secondly, The requested rezoning is antithetical to the residential character of the neighborhood from Wall Street and running eastwardly. This lot is particularly impactful to the future character of the neighborhood because it is a corner lot. Its rezoning will encourage the mushrooming of business dealings on Wall Street, the exodus of families, the diminution of residential property values and the correlated loss of property taxes.

Crosshaven Drive is clearly commercial in nature. Lots that front on Crosshaven could logically be zoned commercial. However, 3951 Wall Street does not front on Crosshaven. Although a swimming pool seems fairly innocuous, we are mindful that once the lot is classified as B-2, the owner may by right construct and operate many kinds of businesses, including a gas station, laundromat, retail store, hotel, automotive repair service (minor) or convenience store. Such uses, and even an indoor swimming school, will generate additional traffic along Wall Street.

Thus, we urge you to deny the rezoning of 3951 Wall Street from R-4 to B-2.

Sincerely yours,

Handwritten signatures of Kenneth L. Hickman and Paula Hazelrig Hickman. The signature of Kenneth L. Hickman is on the left, and the signature of Paula Hazelrig Hickman is on the right, written in a cursive style.

Kenneth L. Hickman and Paula Hazelrig Hickman,  
owners of 3947 Westminster Lane, Vestavia Hills, AL

**From:** [patricia.adams@me.com](mailto:patricia.adams@me.com)  
**To:** [Conrad Garrison](#)  
**Cc:** [leliesun@gmail.com](mailto:leliesun@gmail.com); [joan.kendall@att.net](mailto:joan.kendall@att.net); [susanjlester@yahoo.com](mailto:susanjlester@yahoo.com)  
**Subject:** RE: [External] REZONING OF 3951 WALL STREET  
**Date:** Monday, January 9, 2023 11:41:14 AM

---

Mr. Garrison,

I live at 3963 Westminster Lane and strongly oppose the property listed above to be rezoned as commercial. I moved here from Mountain Brook, thinking that Vestavia had the same high standards with zoning as Mountain Brook. Cahaba Heights has always been a quaint area filled with charm and quiet roads. Since I have lived here, fast food is practically in my backyard and the traffic is horrible. I feel like I am living on Opporto Madrid at Eastwood Mall. Our neighborhoods must be protected from commercial use. It seems that Vestavia would like to make as much revenue as possible out of Cahaba Heights and are not willing to protect our neighborhoods which in turn lowers the value of our homes and the quality of life that we hold dearly. I would like to see more green spaces and parks.

Wall Street is a very narrow street lined with town homes and connected to a number of homes on the circle. There is enough traffic as it is and with Crosshaven being so congested with fast food restaurants, Wall Street is being used to bypass this traffic. Our neighborhood is no longer safe for walking or riding bikes.

I would hope the City of Vestavia would protect and enhance the beauty of our neighborhoods where families would yearn to live.

Sincerely,

Patti Adams

**From:** [Morris Newman](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Proposed Rezoning of Wall Street Property  
**Date:** Monday, January 9, 2023 2:50:55 PM

---

Dear Mr. Garrison and Members of the Planning and Zoning Commission:

We write to advise you of our opposition to the rezoning request for the property located at the corner of Wall Street and Bearden Court.

In summary form, we wish to point out that this property is a critical edge/keystone parcel, the residential zoning of which is essential to protecting the entire residential sector along and to the east and south of Wall Street.

We have heard it argued that the subject property is not economically viable as residential property. With all due respect, this argument is not viable. First there has, without question, been no serious attempt to market the site residentially. Second, while it may be true that it is “worth more” commercially, that is irrelevant.

This case proves exactly why zoning exists - to protect the integrity of residential neighborhoods - especially those, as here, that have been in existence for decades. If the sole calculus is what “zoning” classification brings the highest price, well then, zoning simply doesn’t exist. Here, if this edge “goes commercial” the likelihood of the collapse of the property values of the nearby homes is extraordinarily high. Simply put, this property MUST remain residential to protect the vast fine residential neighborhood behind it. At

the risk of belaboring the point, this is the most classic of classic cases for where residential zoning is essential. The value of the subject property is its value residentially, full stop.

We note that we support locating the Kiwi Swim Academy in Vestavia Hills. However, its location must be where it is appropriate under proper zoning. Kiwi can move - our homes and our neighborhood cannot.

We plan to attend the hearing Thursday evening. Nonetheless, please let us know if you have any questions for us concerning this matter and if we can in any manner be of service to you and the city.

Respectfully,  
Katrina and Morris Newman

**From:** [Josh Goldman](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Writing in support of 3951 Wall Street rezoning  
**Date:** Monday, January 9, 2023 10:11:49 PM

---

Dear Mr. Garrison,

I write in support of the rezoning of 3951 Wall Street to build a swim school.

My daughter Lily, who turned 3 today, has been a student of Coach Tracy's since she was 17 months old -- first at Samford, and then we followed her to the YMCA. After her first two months of lessons, she overcame the discomfort and grew to love the water, and Coach Tracy too. As a 2.5-year-old at the pool this past summer she was happily jumping into deep water by herself, without any floatation devices, and swimming back to the side and climbing out. Again, and again, and again. It is building her love of swimming, her confidence in the water, and -- most importantly -- the safety of being able to get herself out of the water. I am still devastated by the drowning death of 2-year-old Annie Montgomery in Homewood last year.

After the Samford pool closed, we had no lessons for months. It was really important to us that we be able to find year-round swim lessons, so that our daughter can continue to build her swimming skills and not just wait until next summer.

A new swim school will be a fantastic addition to our community and a great resource for families. I strongly support the proposed rezoning.

I cannot attend the meeting in person so I have written the comments above instead.

Respectfully submitted,  
Josh Goldman

**From:** [Barbara Ann Miller](#)  
**To:** [Kay Russom](#); [Conrad Garrison](#)  
**Subject:** [External] Support for the Rezoning of 3951 Wall St.  
**Date:** Tuesday, January 10, 2023 11:53:54 AM

---

Vestavia Hills Planning and Zoning Commission,

We would like to voice our support for the rezoning of property located at 3951 Wall St. for a swim school. Our daughter started taking swim lessons with Tracy JeShow in March of 2021 at almost 2 years old. Our child went from being terrified of the water to swimming independently in a matter of months. Our child gained confidence, endurance, and a healthy respect for water. We knew we wanted to give our child the ability to save herself should she have an unexpected encounter with water. Through Tracy's guidance and persistence, our child gained the invaluable ability to swim confidently, but also a new found love for swimming. At almost 4 now, our child is still taking swim lessons, but we have progressed to learning different stroke techniques and other skills that can only continue to grow her love for the water.

I tell you our experience to show that access to swim lessons can equip children with lifesaving skills but also give them confidence to enjoy water. We have all seen stories of unfortunate drownings, but with access to life saving swim lessons this can be prevented. We have followed Tracy from many different pool locations and it can be frustrating when access to pools is restricted or plans fall through. This is why we support the rezoning of this property to accommodate the Kiwi Swim Academy, to eliminate the dependence upon other pool locations. By supporting this rezoning, Vestavia Hills will be gaining an invaluable service to the community and surrounding areas that has the potential to save lives.

Barbara Ann and Bakari Miller

**From:** [Abraham Kunin](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Rezoning application RZ-22-10  
**Date:** Tuesday, January 10, 2023 9:17:39 PM

---

Dear Mr. Garrison,

I am writing in support of the above referenced rezoning application by Kiwi Swim School. My children, ages 7, 5, and 2, have been taking swim lessons with Tracy Jeshow continuously since my oldest was just over a year old. She has coached them to be confident in the water, and I now don't have to worry about them when we are at the pool.

As a longtime resident of the area surrounding Cahaba Heights, I frequent many of the area businesses, including Crestline Bagel, El Zun Zun, Pita Stop, Winn Dixie, Chick-Fil-A, and more. I would love to be able to drop my kids off for swim lessons while I do my grocery shopping or to go grab dinner with them after the lesson was over.

I strongly support the rezoning of the lot in question from Residential to B2 Commercial. With Zaxby's and Chick-Fil-A abutting the back of the lot, I can't imagine a lot of families choosing to live there. And the service that Kiwi Swim School will provide—teaching kids to swim and to save themselves if they fall into a pool—will certainly save lives in the future.

Please feel free to call me at 205-224-2206 if I can answer any questions.

Best regards,

Abraham Kunin  
3757 Wimbledon Dr  
Birmingham, AL 35223

**From:** [Courtney Smith](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Rezoning  
**Date:** Wednesday, January 11, 2023 4:56:47 PM

---

Hi Conrad,

My name is Courtney Smith and I live on Cahaba Circle. I will not be able to attend the meeting but I do oppose the rezoning.

Thank you,  
Courtney Smith  
(256) 458-3506



**From:** [Jonathan Burton](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Kiwi Swim Academy  
**Date:** Wednesday, January 11, 2023 10:42:38 PM

---

Hi Conrad,

My children's swim coach, Tracy Jeshow, is hoping to build a swim school in Cahaba Heights. Her coaching has been so valuable to my kids' safety and swimming abilities. My 3 and 5 year old children have each been taking lessons with her since they turned 1 and they have become phenomenal swimmers. I always watch my kids around pools but because of Tracy's lessons I'm 99% sure my children have all the tools to get out of the pool if they accid fall in. Bringing her swim school to Cahaba Heights can only be a positive to the community. I hope this helps in considering her zoning request.

Thank you,

Jonathan Burton

**From:** [Julie Morrow](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Zoning Board  
**Date:** Wednesday, January 11, 2023 10:50:38 PM

---

Hi Conrad,

Hope you guys had a nice holiday. I wanted to let you know that my kids are taking swim lessons with Coach Tracy, and she is fabulous! I don't know the details of the zoning, but I feel like Tracy is the kind of person that we want having a business in Vestavia. She has so much experience and passion for teaching swimming. My kids tried lessons with a franchise, and it was expensive and the coaches had very little experience. Quality swim lessons are hard to find and the good coaches are often hard to get a lesson with. I hope that you will consider allowing Tracy to teach the life saving skill of swimming in Vestavia!

-Julie Morrow (your neighbor)

Get [Outlook for iOS](#)

**From:** [Elizabeth Sellers](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Kiwi Swim Academy  
**Date:** Thursday, January 12, 2023 6:41:11 AM

---

Good morning Mr Garrison,

I am emailing in support of Kiwi Swim Academy. Coach Tracy has taught all 3 of my children to swim, and she offers a very unique and important program. One thing I have learned through my 3 children, is consistency with swim lessons is one of the main factors to see progress, and allowing her to build a space dedicated to teaching swimming will be crucial in providing consistency for many children. While swimming provides physical activity, its also a life saving skill that she is teaching and her number one focus is safety. Consistency is key to learning swimming, and therefore drowning prevention, and by allowing her to build Kiwi Swim Academy, Vestavia has the opportunity to partner with her in that. Our entire surrounding area will be better off by children learning to swim safely.

Thank you for your consideration

Elizabeth Sellers

--

Elizabeth Simmons Sellers  
[elizabeth.s.sellers@gmail.com](mailto:elizabeth.s.sellers@gmail.com)

**From:** [Megan True](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Swim school  
**Date:** Thursday, January 12, 2023 8:51:34 AM

---

I'm writing this in requests that you would consider the re-zoning of the lot in cahaba heights for the kiwi swim academy. Coach Tracey has been amazing. She's had such a positive impact on my son and my husband and I can rest peacefully at night knowing he has been taught the skills to prevent drowning and swim safely. We live in Vestavia and love this area. This would be a great addition and help the families of this area. Thanks for your consideration.

Megan True

**From:** [Halley Hutchens](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Coach Tracey  
**Date:** Thursday, January 12, 2023 9:45:10 AM

---

Hi Conrad!

My name is Halley Hutchens. 3 of my daughters take swim lessons from Tracey. My oldest started when she was 3 and is almost 7 now. I have always been amazed at how good Tracey is with our girls. She teaches them skills, safety and is fun! They have learned so much from her. I feel like swim lessons from her have been one of the best things we have done for our kids. I can't attend the meeting tonight so I wanted to let you know. Thanks!

-Halley Hutchens

Sent from my iPhone

**From:** [Katie Daniel](#)  
**To:** [Conrad Garrison](#)  
**Subject:** [External] Kiwi swim academy- reference rezoning  
**Date:** Thursday, January 12, 2023 10:02:58 AM

---

I am writing in favor of Application #RZ-22-10 for kiwi swim academy! As a mother of 3 that lives in the over the mountain area I can say that this is MUCH needed! I have friends that have lost children due to drowning and it is so important to have something conveniently located and easily accessible that provides awesome lessons to keep children safe around the water. My youngest is currently taking lessons with Mrs. Tracy and they have been monumental in teaching him to swim! He has taken from 3 other instructors in the past that were ineffective and she has been AMAZING!! I have searched for year round swim lessons and it's so hard to find. It's also hard to coordinate a location! Summer swim lessons fill up so quickly and many are left with no options. This solves all of those problems while facilitating community and bringing value to Vestavia! Please vote yes for this amazing swim academy that will help so many!!

Katie Daniel

--

Katie Daniel