CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION

AGENDA

APRIL 11, 2019

6:00 P.M.

Roll Call.

Pledge of Allegiance

Approval of Minutes: March 14, 2019

Final Plats

Consent Agenda

(1) P-0219-05 Cathryn Pryor & Joel Abbott Are Requesting A Sixty Day Extension For Final Plat Approval For Resurvey Of Lots 7 And 8 Rosement Subdivision. The Purpose for This Request Is to Adjust A Common Lot Line. The Property Is Owned By Cathryn Pryor & Joel Abbott and Is Zoned Vestavia Hills R-2.

(2) P-0419-16 Brett Hollett Is Requesting Final Plat Approval For A Resurvey Of Lot 10 And The East ½ Of Lot 11, Block 9 Of Biltmore Estates. The Purpose for This Request Is to Resurvey Five Lots Into One. The Property Is Owned By Village Gardens, LLC and Is Zoned Vestavia Hills B-2.

(3) P-0419-17 Bruce Winter Is Requesting Final Plat Approval For Winter-Vesthaven Resurvey. The Purpose for This Request Is to Amend A Lot Line. The Property Is Owned By Jim McLane and Is Zoned Vestavia Hills R-1.

(4) P-0419-18 Shades Mountain Baptist Church Is Requesting Final Plat Approval For Shades Mountain Baptist Church Resurvey #2. The Purpose for This Request Is to Combine Lots. The Property Is Owned By Shades Mountain Baptist Church and Is Zoned Vestavia Hills Inst-1.

(5) P-0419-20 Holle Revocable Trust Is Requesting Final Plat Approval For Holle Subdivision. The Purpose for This Request Is to Subdivide One Lot Into Two. The Property Is Owned By Holle Revocable Trust and Is Zoned Vestavia Hills E-2.
(6) P-0419-21 8001 Liberty Parkway LLC is requesting **Final Plat Approval** for **8001 Liberty Parkway Survey**. The purpose for this request is to survey a lot out of acreage. The property is owned by 8001 Liberty Parkway LLC and is zoned Vestavia Hills PUD-PB.

**Rezoning/Conditional Use Recommendations**

(7) P-0419-15 Eric T. Brosch is requesting **Conditional Use Approval** for a **9.5 Foot (Avg.) High Fence** for the property located at **1320 Willoughby Rd.** The property is owned by Eric T. Brosch and is zoned Vestavia Hills R-2.
The Planning and Zoning Commission of the City of Vestavia Hills met in regular session on this date at 6:00 P.M. following posting/publication as required by Alabama law. The roll was called with the following:

**MEMBERS PRESENT:**
- Erica Barnes, Chair
- Blaine House, Vice-Chair
- Greg Gilchrist
- Fred Goodwin
- Jonathan Romeo
- Rusty Weaver
- Cheryl Cobb
- Hasting Sykes

**MEMBERS ABSENT:**
- Lyle Larson

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

**APPROVAL OF MINUTES**

Mrs. Barnes stated that the minutes of the meeting February 14, 2019 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. Goodwin – yes
- Mr. Romeo – yes
- Mr. Weaver – yes
- Mr. House – yes
- Mr. Sykes – yes
- Mr. Gilchrist – yes
- Ms. Cobb – yes
- Mrs. Barnes – yes

Motion carried.

**Final Plats**
Consent Agenda

(1) P-0319-12 Audrey D. Day, III Is Requesting Final Plat Approval For Resurvey Of Lot 3 And The North ½ Of Lot 4, Block 10 Biltmore Estates. The Purpose for This Request Is to Resurvey 1.5 Lots. The Property Is Owned By Audrey D. Day, III and Is Zoned Vestavia Hills R-2.

(2) P-0319-13 Village Gardens, LLC Is Requesting Final Plat Approval For Village Gardens. The Purpose for This Request Is to Resurvey Five Lots Into One. The Property Is Owned By Village Gardens, LLC and Is Zoned Vestavia Hills B-2.

(3) P-0319-14 Jim McLane Is Requesting Final Plat Approval For McLane’s Resurvey. The Purpose for This Request Is to Amend A Lot Line. The Property Is Owned By Jim McLane and Is Zoned Vestavia Hills R-1.

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

- Mr. Goodwin – yes
- Mr. Romeo – yes
- Mr. Weaver – yes
- Mrs. Barnes – yes
- Mr. Sykes – yes
- Mr. Larson – yes
- Ms. Cobb – yes

Motion carried.

Rezoning/Conditional Use Recommendations:


Mr. Garrison explained the background of the request. Mr. Brady explained the improvements the owners have made to the property to mitigate flooding issues.

Alton Parker was present to answer any questions.

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 Mr. Gilchrist made a motion to recommend Conditional Use Approval For Automotive Sales, Automotive Services-Major And Minor, Including Mechanical And Collision Repair for The Property Located At 1476 Montgomery Hwy. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:
Mr. Goodwin – yes  Mr. Sykes – yes
Mr. Romeo – yes  Mr. Gilchrist – yes
Mr. Weaver – yes  Ms. Cobb – yes
Mr. House – yes  Mrs. Barnes – yes
Motion carried.

P-0319-07  St. Stephen’s Episcopal Church Is Requesting **Conditional Use Approval** For **Four Beehives** for The Property Located At **3788 Crosshaven Dr.** The Property Is Owned By St. Stephen’s Episcopal Church and Is Zoned Vestavia Hills R-4.

Mr. Garrison explained the background of the request. He stated the Church was constructing a public garden and would like hives to help pollinate the flowers.

Chris Williams was present to answer any questions.

Ms. Cobb asked how high the fence would be. Mr. Williams answered 6’.

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**  Mr. Gilchrist made a motion to recommend Conditional Use Approval For An Installation Of Four Beehives Surrounded by a Six Foot High Fence for The Property Located At 3788 Crosshaven Drive. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

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

P-0319-08  Jonathan B. Culver Is Requesting **Rezoning** for **3784 Poe Dr.** from **Vestavia Hills R-4 to Vestavia Hills R-9** For The Purpose Of New Residential Development.

P-0319-09  Tucker And Company, LLC Is Requesting **Rezoning** for **3785 Glass Dr.** from **Vestavia Hills R-4 to Vestavia Hills R-9** For The Purpose Of New Residential Development.

Mr. Garrison explained the background of the request. The rezoning was requested so the lot on Glass Dr. may access a sewer line, per Jefferson County requirements.

Jason Kessler and Chris Tucker were present to answer any questions.

Ms. Cobb asked if a septic system is an option. Mr. Tucker states the County denied the septic permit.

Mrs. Barnes opened the floor for a public hearing.
Alfred Kirkpatrick, 3787 Glass Dr., asked was concerned about drainage. Mr. Brady explained the City drainage requirements.

Mrs. Barnes closed the public hearing and opened the floor for a motion.

**MOTION**  Mr. Gilchrist made a motion to recommend Rezoning From Vestavia Hills R-4 To Vestavia Hills R-9 for The Property Located At 3784 Poe Dr. with the following conditions:

A) Rezoning is for detached residential use only;
B) Rezoning based on lot layout and setbacks presented;
C) Rezoning based on covenants presented.

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

- Mr. Goodwin – yes
- Mr. Romeo – yes
- Mr. Weaver – yes
- Mr. House – yes
- Mr. Sykes – yes
- Mr. Gilchrist – yes
- Ms. Cobb – yes
- Mrs. Barnes – yes

Motion carried.

**MOTION**  Mr. Gilchrist made a motion to recommend Rezoning From Vestavia Hills R-4 To Vestavia Hills R-9 for the property located At 3984 & 3988 Natchez Drive conditioned on the sire plan presented.

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

- Mr. Goodwin – yes
- Mr. Romeo – yes
- Mr. Weaver – yes
- Mr. House – yes
- Mr. Sykes – yes
- Mr. Gilchrist – yes
- Ms. Cobb – yes
- Mrs. Barnes – yes

Motion carried.

**P-0319-10**  Arthur Powell Is Requesting Rezoning for 3984 & 3988 Natchez Dr. from Vestavia Hills R-4 to Vestavia Hills R-9 For The Purpose Of New Residential Development.

Mr. Garrison explained the background of the request. He stated the duplex’s would be replaced by single family homes.

Jason Kessler was present to answer any questions and explained the request.

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**  Mr. Gilchrist made a motion to recommend Rezoning from Vestavia Hills R-4 to Vestavia Hills R-9 for the property located At 3984 & 3988 Natchez Drive conditioned on the sire plan presented. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

- Mr. Goodwin – yes
- Mr. Sykes – yes
Mr. Romeo – yes  Mr. Gilchrist – yes
Mr. Weaver – yes  Ms. Cobb – yes
Mr. House – yes  Mrs. Barnes – yes
Motion carried.

Lamar Advertising Is Requesting **Conditional Use Approval** For A **Digital Buildboard** for The Property Located At **1506 Montgomery Hwy.** The Property Is Owned By Royal Automotive and Is Zoned Vestavia Hills B-3.

Mr. Garrison explained the background of the request.

Tom Trailor was present to answer any questions and explained the request. He stated 6 billboards in the City would be removed if approval is granted for the new digital billboard.

Mrs. Barnes asked if the new billboard would meet all appropriate codes. Mr. Trailor stated it would.

Mr. Goodwin asked what the height of the billboard would be. Mr. Trailor stated it would be 50’.

Mrs. Barnes if there are any compatible examples near by. Mr. Trailor stated there is a digital billboard in the City on the other side of I-65.

Ms. Cobb asked how many advertising slots would be on the billboard per minute. Mr. Trailor stated there would be 6-8 slots with any unsold available to the City.

Mrs. Barnes asked what the development schedule would be. Mr. Trailor stated if the application is approved the old signs would be dismantled within 90 days and then the new structure would be built after.

Mr. Goodwin inquired on the length of the ground lease for the sign. Mr. Trailor stated it would be for 10 years with automatic renewals.

Mr. House stated he did not believe that the application did not meet all 10 requirements listed in the zoning ordinance, specifically #1, 3, & 5.

Other members of the Commission agreed.

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**  Mr. Gilchrist made a motion to recommend Conditional Use Approval For The Digital Billboards for The Property Located At 1506 Montgomery Highway with the following condition:

a) The six (6) billboards presented must be dismantled before the new digital billboards constructed.

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

Mr. Goodwin – no  Mr. Sykes – yes
Mr. Romeo – yes  Mr. Gilchrist – yes
Mr. Weaver – yes  Ms. Cobb – no
Mr. House – no  Mrs. Barnes – no

Motion failed due to the application not meeting the requirements stated in Section 13.3.4.1, 3, & 5.

Conrad Garrison, City Planner
CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date:    FEBRUARY 14, 2019

- **CASE:** P-0219-05

- **REQUESTED ACTION:** Final Plat Approval To Resurvey Lots 7 and 8 of Rosemont Subdivision and to adjust the common lot line.

- **ADDRESS/LOCATION:** Rosemont Place

- **APPLICANT/OWNER:** Cathryn Pryor/ Joel Abbott & Che Abbott

- **REPRESENTING AGENT:** Jason Kessler

- **GENERAL DISCUSSION:** Plat is to grant what is currently part of Lot 7, with Lot 8’s driveway on it to Lot 8. In return, Lot 7 will have a piece of Lot 8. The lots are currently zoned R-1.

- **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: Cathryn Pryor / Joel Abbott & Cle Abbott

ADDRESS: 1966 and 1976 Rosewood Place

Vestavia Hills, AL 35243

MAILING ADDRESS (if different from above)

PHONE NUMBER: Home 915-2323  
Office 910-3333

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

Jason Kessler 364-5187

III. ACTION REQUESTED

Final Plat Approval

Adjust common lot line

Explain reason for the request: To grant what is currently part of Lot 7, with Lot 8's driveway on it, to Lot 8. In return Lot 7 will receive a piece of Lot 8.

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

Lots 7 & 8 Rosewood Subdivision

Property size: ________ feet X ________ feet. Acres: Lot 7 - 24194

Lot 8 - 26594

VI. ZONING/REZONING:

The above described property is presently zoned: R-1
VI. OWNER AFFIDAVIT:

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

Cathryn Prince 1/18/2019
Chee Abbott 1/18/2019
Jull D. Worley 1/18/2019
 Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 18th day of January, 2019.

Raige Marie McGill
Notary Public

My commission expires My Commission Expires:
day of October 25, 2020
CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: April 11, 2019

- **CASE:** P-0419-16
- **REQUESTED ACTION:** Final Plat Approval To Resurvey Lot 10 and 1/2 Of Lot 9 Of Biltmore Estates.
- **ADDRESS/LOCATION:** 2032 Chestnut Road
- **APPLICANT/OWNER:** Brett Hollett
- **REPRESENTING AGENT:** Andrew Lange

**GENERAL DISCUSSION:** Plat is to resurvey two lots in the Biltmore Estates community. The applicant is seeking to merge Lot 10 and the East half of Lot 9. 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. Combined lot does not meet lot size and width and will receive a variance on 4/18. Map can be signed after. The lots are currently zoned R-2.

- **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: Brett Hollett

ADDRESS: 2032 Chestnut Road
Vestavia 35216

MAILING ADDRESS (if different from above) 508 Eastwood Place

PHONE NUMBER: Home 205-482-2490 Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: Drake Homes - Andrew Lange

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: Combine lots

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

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

2032 Chestnut Road

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

VI. ZONING/REZONING:

The above described property is presently zoned:
VI. OWNER AFFIDAVIT:

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

[Signature]

Owner Signature/Date

[Signature]

Representing Agent (if any)/Date

Given under my hand and seal
this 19 day of March, 2019.

[Signature]

Notary Public

My commission expires 31
day of July, 2021.
CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date:  APRIL 11, 2019

- **CASE:** P-0419-17
- **REQUESTED ACTION:** Final Plat Approval of Winter-Vesthaven Resurvey
- **ADDRESS/LOCATION:** 1364 & 1372 Stacross Drive
- **APPLICANT/OWNER:** Bruce Winter
- **REPRESENTING AGENT:** Dave Arrington
- **GENERAL DISCUSSION:** Plat is to resurvey Lot 14A and Lot 15A on Starcross Drive to adjust the lot lines of the two properties. The lots are currently zoned R-1.
- **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: Bruce Winter

ADDRESS: 1364 Starcross Dr
          Vestavia, AL 35216

MAILING ADDRESS (if different from above)

PHONE NUMBER: Home 501-288-4388  Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request:

**if additional information is needed, please attach full description of request**

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

Res. Lots 14 + 15 Westhaven 5th Sect. 5th Add

Property size: _______ feet X _______ feet. Acres: 1.30 Acres / 0.11 Acres

VI. ZONING/REZONING:

The above described property is presently zoned: Residential
VI. OWNER AFFIDAVIT:

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

[Signature]

Owner Signature/Date

Representing Agent (if any) date

Given under my hand and seal
this 31 day of March, 2019.

________________________
Notary Public

My commission expires ____________
day of ______________________, 20____.
CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: APRIL 11, 2019

- **CASE:** P-0419-18
- **REQUESTED ACTION:** Final Plat Approval To Resurvey Two Lots Columbiana Road.
- **ADDRESS/LOCATION:** 2017 & 2053 Columbiana Road
- **APPLICANT/OWNER:** Shades Mountain Baptist Church
- **REPRESENTING AGENT:** Tom Boston
- **GENERAL DISCUSSION:** Plat is to resurvey Lot 1 and Lot 9 on Columbiana Road to combine the two properties. A 20’ sanitary sewer easement will exist through the center and a drainage easement at south end of the property. The lots are currently zoned Inst-1.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with the plan for institutional district.
- **STAFF REVIEW AND RECOMMENDATION:**
  1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

    **City Planner Recommendation:** No recommendation

  2. **City Engineer Review:** No problems noted.

  3. **City Fire Marshal Review:** No problems noted

  4. **Building Safety Review:** No problems noted
CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
FINAL MAP APPLICATION

II. APPLICANT INFORMATION: (owner of property)

NAME: Shades Mountain Baptist Church
ADDRESS: 2017 Columbiana Road

Vestavia Hills, AL 35216

MAILING ADDRESS (if different from above)

PHONE NUMBER: Home Office 205-827-1670

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:

Tom Boston, Minister of Administration

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: Combining Lots

**if additional information is needed, please attach full description of request**

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

Res. of Lot 1 + Res. of Lot 9 of Shady Rock

Property size: _______ feet X _______ feet. Acres: 0.55 acres

VI. ZONING/REZONING:

The above described property is presently zoned: Institutional
VI. OWNER AFFIDAVIT:

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

[Signature]
Owner Signature/Date
3-25-19

Representing Agent (if any) date

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

[Signature]
Caroline England Thompson
Notary Public

My commission expires 25 day of July, 2021.

My Commission Expires: July 25, 2021
CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date:   APRIL 11, 2019

- **CASE:** P-0419-20

- **REQUESTED ACTION:** Final Plat Approval To Resurvey Lot On Dolly Ridge Road And Divide Into Two Lots

- **ADDRESS/LOCATION:** 4557 Dolly Ridge Road

- **APPLICANT/OWNER:** Holle Revocable Trust

- **REPRESENTING AGENT:** Bob Easley

- **GENERAL DISCUSSION:** Plat is to resurvey 7.5 acre lot at 4557 Dolly Ridge Road and subdivide into two lot (Lots 1 & 2). The lot width and lot size meet the minimum requirement for zoning. There is a 10’ wall easement at the Northwest end of Lot 2. The lots are currently zoned E-2.

- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with the plan for residential estate district.

- **STAFF REVIEW AND RECOMMENDATION:**

  1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

     **City Planner Recommendation:** No recommendation

  2. **City Engineer Review:** No problems noted.

  3. **City Fire Marshal Review:** No problems noted

  4. **Building Safety Review:** No problems noted
CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
FINAL MAP APPLICATION

II. APPLICANT INFORMATION: (owner of property)

NAME: Holle Revocable Trust, Co-Trustee Ray O. Acton

ADDRESS: 4557 Dolly Ridge Rd, Birmingham, AL 35243

MAILING ADDRESS (if different from above) Same

PHONE NUMBER: Home 205-602-6343 Office

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

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: To divide 7.5 acre parcel into 2 lots.

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

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

4557 Dolly Ridge Rd.

Property size: 377 wide feet x 945 deep feet. Acres: 7.53

VI. ZONING/REZONING:

The above described property is presently zoned: E1

VHEZ
VI. OWNER AFFIDAVIT:

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

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal this 27th day of MARCH, 2019.

Notary Public

My commission expires 300 day of MAY, 2022.
CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: APRIL 11, 2019

• CASE: P-0419-21

• REQUESTED ACTION: Final Plat Approval To Resurvey Lot On Liberty Parkway

• ADDRESS/LOCATION: 8001 Liberty Parkway

• APPLICANT/OWNER: 8001 Liberty Parkway, LLC

• REPRESENTING AGENT: Joseph Breighner, Jr

• GENERAL DISCUSSION: Plat is to resurvey acreage into one lot at 8001 Liberty Parkway. There is also a 20’ sanitary sewer easement running through the north end of the lot. The lots are currently zoned PUD-PB.

• VESTAVIA HILLS COMPREHENSIVE PLAN: This request is consistent with the plan for planned unit 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: 8001 Liberty Parkway LLC

ADDRESS: 3232 11th Ave North  Birmingham, AL 35234

MAILING ADDRESS (if different from above)

PHONE NUMBER: Home Office

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:
Schoel Engineering Company, Inc. 

III. ACTION REQUESTED

Final Plat Approval

Explain reason for the request: Survey acreage into 1 lot

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

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

8001 Liberty Parkway

Property size: feet X feet. Acres: 3.068

VI. ZONING/REZONING:

The above described property is presently zoned: PUD
VI. OWNER AFFIDAVIT:

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

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal this 27th day of March, 2019.

Notary Public

My commission expires 26th day of February, 2023.
CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: APRIL 11, 2019

- **CASE:** P-0419-15

- **REQUESTED ACTION:** Conditional Use Approval For Installation Of Privacy Fence

- **ADDRESS/LOCATION:** 1320 Willoughby Road

- **APPLICANT/OWNER:** Eric Brosch

- **GENERAL DISCUSSION:** The fence is currently constructed and used to block the line of sight from neighbor’s house into the backyard, living room, and kitchen. The privacy fence will be 9.5’ (at its peak) at the midway point of the fence. The applicant states that the neighbor’s kitchen window and back deck sit at an elevated position, at least 10’ above the applicant’s house. The applicant contends this would also prevent automobile exhaust and light pollution of the neighboring house from intruding into their yard. The property is currently zoned R-2.

- **STAFF REVIEW AND RECOMMENDATION:**

  1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

     **City Planner Recommendation:** No recommendation

  2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.

  3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request.

  4. **Building Safety Review:** Not recommended over 8’
CITY OF VESTAVIA HILLS
APPLICATION
PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

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

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

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

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

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

II. APPLICANT INFORMATION: (owner of property)

NAME: Eric T. Brosch
ADDRESS: 1320 Willoughby Rd
Vestavia Hills, AL 35216
MAILING ADDRESS (if different from above)

PHONE NUMBER: Home 205-567-8722 Office 317-435-5145
NAME OF REPRESENTING ATTORNEY OR OTHER AGENT:
III. ACTION REQUESTED

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

Current Zoning of Property: Vesthaven Lot 8, 5th Sec, Block 3

Requested Conditional use For the intended purpose of: building a privacy fence

9.5 ft. high at the midway point of the fence. See survey for exact location.

(Example: From “VHR-1” to “VHO-1” for office building)

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

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

9.5 ft. high (at highest point) privacy fence at the NE end of house to block the line of site from our neighbor’s house into our backyard, living room and kitchen.

Property size: _________ feet X _________ feet. Acres: approx. 1 acre

V. INFORMATION ATTACHED:

☑ Attached Checklist complete with all required information.

☑ Application fees submitted.

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

Eric Brosch 2-19-19

Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal this 19 day of February, 2019.

Joan Licari Alfano

My commission expires 18 day of April, 2022.
Additional Justification:

The height of the privacy fence is necessary in order to block the line of site from our neighbor’s kitchen window and back deck (which sit at an elevated position at least 10 ft. above our house) into our house and backyard. From their kitchen window (40+ feet away) our neighbors could see our dog counter surfing on our kitchen countertops 20 ft. into our house. The fence height would also block out intrusive noise and exhaust fumes from our neighbor’s vehicles entering and exiting their garages as well as 6 flood lights from their house shining into ours. In summary, we are unable to enjoy any privacy in our own home.

Respectfully Submitted,

Eric T. Brosch

[Signature]

Notary Public
Albama State at Large
My Commission Expires
April 18, 2022

P0419-15//2800304013021.000
1320 Willoughby Rd.
Fence 9.5 ft. high
Eric Brosch
I, Rodney Shiflett, a Registered Professional Land Surveyor in the State of Alabama do hereby certify that this is a true and correct plat of my survey as shown hereon. That there are no visible encroachments of any kind upon the subject lot except as shown hereon, excluding utility service lines, wires or pipes that serve the subject lot only that are within dedicated easements or rights of way. That steel corners have been found or installed at all lot corners. I hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, the correct legal description being as follows:

Lot 8, Block 3 of 4th Addition to Vesthaven, 5th Sector, as recorded in Map Book 60, Page 41, in the Office of the Judge of Probate of Jefferson County, Alabama.

FENCE LOCATION SURVEY

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JOB NO. 18673

DATE 12/10/18 DATE OF FIELD SURVEY 12/7/18

ADDRESS 1320 WILLOUGHBY ROAD SCALE 1" = 50'

DRAWN BY H. LETTS CHECK BY R.Y.S.

RODNEY SHIFLETT SURVEYING
P.O. BOX 204
COLUMBIA, ALABAMA 35051
TEL. 205-669-1205 FAX. 205-669-1298
Hi Keith and Conrad

In November our neighbors installed a fence along the property line by our driveway that in many places is 10ft tall. It is not made of pressure treated wood but is made of interior wood. It does not fit with the neighborhood. They did not apply for a permit, and it is our understanding that a stop work order was placed on the work. I spoke with Conrad and he said a variance had not been applied for so I wanted to check on the status of the permit. Thank you for your help with this issue. The address is 1320 Willoughby Rd

Sent from my iPad