



**Vestavia Hills
Planning and Zoning Commission Agenda
September 14, 2023
6:00 PM**

1. Roll Call
2. Pledge Of Allegiance
3. Approval Of Minutes

Final Plats

4. FP-23-7 Aubrey Day Is Requesting **Final Plat Approval** For **Warrens Resurvey Of Bham Heights**. The Purpose For This Request Is To Combine Lots. The Property Is Owned By Aubrey Day and Is Zoned Vestavia Hills R-2.
5. FP-23-8 Taylor Burton Is Requesting **Final Plat Approval** For **Bellwood Drive Townhomes**. The Purpose For This Request Is To Subdivide Six Lots. The Property Is Owned By Taylor Burton and Is Zoned Vestavia Hills R-9.

Conditional Use

6. CU-23-1 Charlotte Trumbly Is Requesting **Conditional Use Approval** for **Short-Term Rentals** Located At **4525 Pine Tree Cir**. The Property Is Owned By Charlotte Trumbly and Is Zoned Vestavia Hills R-1.

SPECIAL NOTICE CONCERNING PLANNING AND ZONING MEETINGS

Due to the COVID-19 safety advice given by the ADPH, the P&Z Commission's meetings are available via video-conference and teleconference. If you choose not to attend in person, you may still participate. Following are instructions for options to participate remotely.

COMPUTER PARTICIPATION (view/participate in real time)

To participate in by videoconference, click <https://us02web.zoom.us/j/7970217974>. When the Zoom.us window opens in your browser, click "Allow" so that the page may open to a waiting room. The host will open the meeting and bring all into the meeting room at that time. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, activate the "Raise Hand" feature and unmute yourself by toggling the mute button. When the Chairman recognizes you and gives you the floor, state your name and address for the record and then you may address the Commission.

Using the icons on the Zoom screen, you can:

- Mute/unmute your microphone (far left)
- Turn on/off camera ("Start/Stop Video")
- View Participants – opens a pop-out screen that includes the "Raise Hand" icon that you may use to raise a virtual hand
- Change your screen name displayed in the participant list and video window
- Toggle between "speaker" and "gallery" views – "Speaker view" shows the active speaker; "Gallery view" tiles all of the meeting participants

TELEPHONE PARTICIPATION (view/participate in real time)

To participate by telephone, dial 312.626.6799 and enter the meeting ID: 7970217974. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, press *6 on your phone keypad to unmute yourself. Then state your name and wait for the Chairman to recognize you. When the Chairman recognizes you and gives you the floor, state your name and address for the record and then address the Council.

Zoom meetings may be recorded. By participating in the meeting, you are consenting to be recorded. Zoom-bombing is a cyber-crime and is punishable by law. In the event of an attendee intruding into any City of Vestavia Hills Zoom meeting, the online broadcast will be ended immediately. Council and/or board members may be readmitted but online attendees will not. Although Zoom-bombing is not a frequent occurrence, those wishing to make public comment should attend the meeting in person.

CITY OF VESTAVIA HILLS
PLANNING AND ZONING COMMISSION
MINUTES

AUGUST 10, 2023

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:

Lyle Larson, Acting Chairman
Mike Vercher, Chairman
Ryan Farrell
Rusty Weaver
Rick Honeycutt
David Maluff
Hasting Sykes

MEMBERS ABSENT:

Jonathan Romeo
Erica Barnes

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 July 13, 2023 are presented for approval.

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

Mr. Farrell – yes	Mr. Sykes – yes
Mr. Larson – yes	Mr. Weaver– yes
Mr. Honeycutt – yes	Mr. Maloof– yes
Mr. Vercher– yes	

Motion carried.

Final Plats

4. **PP-23-1** Paul Russell/Allison West Are Requesting **Final Plat Approval For Alta Glen Highlands First Addition**. The Purpose For This Request Is To Subdivide Three Lots. The Property Is Owned By Paul Russell and Is Zoned Vestavia Hills E-2.
5. **FP-23-5** Richard Stubbs Is Requesting **Final Plat Approval For McLaughlin And Weaver Add To Cahaba Heights Road**. The Purpose for This Request Is To Combine Lots. The Property Is Owned By Patrick McLaughlin & Patrick Weaver and Is Zoned Vestavia Hills R-4.
6. **FP-23-6** Phillip Young Is Requesting **Final Plat Approval For Resurvey Of Lots 4 & 5 Block 18 Of Biltmore Estates**. The Purpose for This Request Is To Resurvey Lot Lines. The Property Is Owned By Phillip Young and Is Zoned Vestavia Hills R-3.

Mr. Garrison explained the requests were ministerial and that item 4 is nearly all in Jefferson County.

Mr. Vercher opened the floor for a public hearing.

An adjoining property owner had questions about Item 4. Mr. Garrison stated that the applicant is present and they discuss outside of the meeting since the City will not be the permitting authority.

Mr. Vercher closed the public hearing and opened the floor for motions.

MOTION Mr. Weaver made a motion to approve items 4-6. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Farrell – yes	Mr. Sykes – yes
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Mr. Larson – yes Mr. Weaver– yes
Mr. Honeycutt – yes Mr. Maloof– yes
Mr. Vercher– yes
Motion carried.

Rezoning

RZ-23-9 Barrel, LLC/David Pace Is Requesting **Compatible Rezoning For 3512 Valley Cir. from Jefferson County E-2 to Vestavia Hills R-1** For The Purpose Of Annexation

Mr. Garrison explained the request was and stated it was for compatible rezoning.

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 3512 Valley Cir. from Jefferson County E-2 to Vestavia Hills R-1. Second was by Mr. Larson. Motion was carried on a roll call; vote as follows:

Mr. Farrell – yes Mr. Sykes – yes
Mr. Larson – yes Mr. Weaver– yes
Mr. Honeycutt – yes Mr. Maloof– yes
Mr. Vercher– yes
Motion carried.

RZ-23-10 Taylor Burton Is Requesting **Rezoning For 2551 & 2553 Rocky Ridge Rd. from Jefferson County R-6 & Court Odered Vestavia Hills O-1 to Vestavia Hills O-1** For The Purpose Of Annexation & Office Development.

Mr. Garrison explained the request and states it involved altering a court ordered office zoning and rezoning a neighboring parcel for annexation. He also stated two staff recommendations.

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 2551 & 2553 Rocky Ridge Rd. from Jefferson County R-6 & Court Odered Vestavia Hills O-1 to Vestavia Hills O-1 conditioned on the site plan presented and that the office be designed in a residential style. Second was by Mr. Sykes. Motion was carried on a roll call; vote as follows:

Mr. Farrell – yes Mr. Sykes – yes
Mr. Larson – yes Mr. Weaver– yes
Mr. Honeycutt – yes Mr. Maloof– yes
Mr. Vercher– yes
Motion carried.

Conrad Garrison, City Planner



VESTAVIA HILLS

Planning and Zoning Commission Planners Report

MEETING DATE

September 14, 2023

AGENDA ITEM

FP-23-7 Aubrey Day Is Requesting **Final Plat Approval** For **Warrens Resurvey Of Bham Heights**. The Purpose For This Request Is To Combine Lots. The Property Is Owned By Aubrey Day and Is Zoned Vestavia Hills R-2.

BACKGROUND

The applicant is seeking to combine lots in order to meet current building and zoning codes. The new lot meets the minimum requirements for R-2 zoning.

PLANNER'S REVIEW/RECOMMENDATION

ATTACHMENTS

1. app
2. scan973_Wed_Aug_16_2023_16-03-37

Conrad Garrison
City Planner

Final Plat Application	Applicant	Primary Location
FP-23-7	 ray weygand	929 OAKLAWN DR
Submitted On: Aug 11, 2023	 2059420086	VESTAVIA HILLS, AL 35216
	@ office@weygandsurveyor.com	

Project Information

Property Address	Parcel ID Number
929 OAK LAWN DR	28 00 30 1 008 008.000
Legal Description	Current Zoning Classification
LOTS 15 THRU 17 BLK 5 SOUTH BHAM HEIGHTS LAND CO	RESIDENTIAL
Acreage	Application Submission Date
0.51	8/11/2023
Reason for Request	
COMBINING 3 LOTS INTO 1	

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	Company Name
AUBREY DAY	--
Mailing Address	Owner Email
929 OAK LAWN DRIVE	--
Phone Number	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.
2057922372	--
Representative for Owner	Company Name
RAY WEYGAND	WEYGAND SURVEYORS
Email	Mailing Address of Representative
OFFICE@WEYGANDSURVEYOR.COM	--
Phone No. of Representative	
2059420086	

Surveyor Information

Name

RAY WEYGAND

Company

WEYGAND SURVEYORS

Mailing Address

173 OXMOOR RD

Phone Number

2059420086

Registration Number

--

Email

OFFICE@WEYGANDSURVEYOR.COM

LEGEND

SQ. FT.....SQUARE FEET
AC.....ACRES
+/-.....MORE OR LESS
Δ.....DELTA ANGLE
d.....DEFLECTION ANGLE
T.....TANGENT
R.....RADIUS
CH.....CHORD
L.....LENGTH
ESMT.....EASEMENT
EX.....EXISTING
M.B.....MAP BOOK
PG.....PAGE
FND.....FOUND
ROW.....RIGHT-OF-WAY
O.....REBAR SET
MIN.....MINIMUM
C.....CENTERLINE
D.B.....DEED BOOK
+.....NOT TO SCALE

WARRENS RESURVEY OF BHAM HEIGHTS

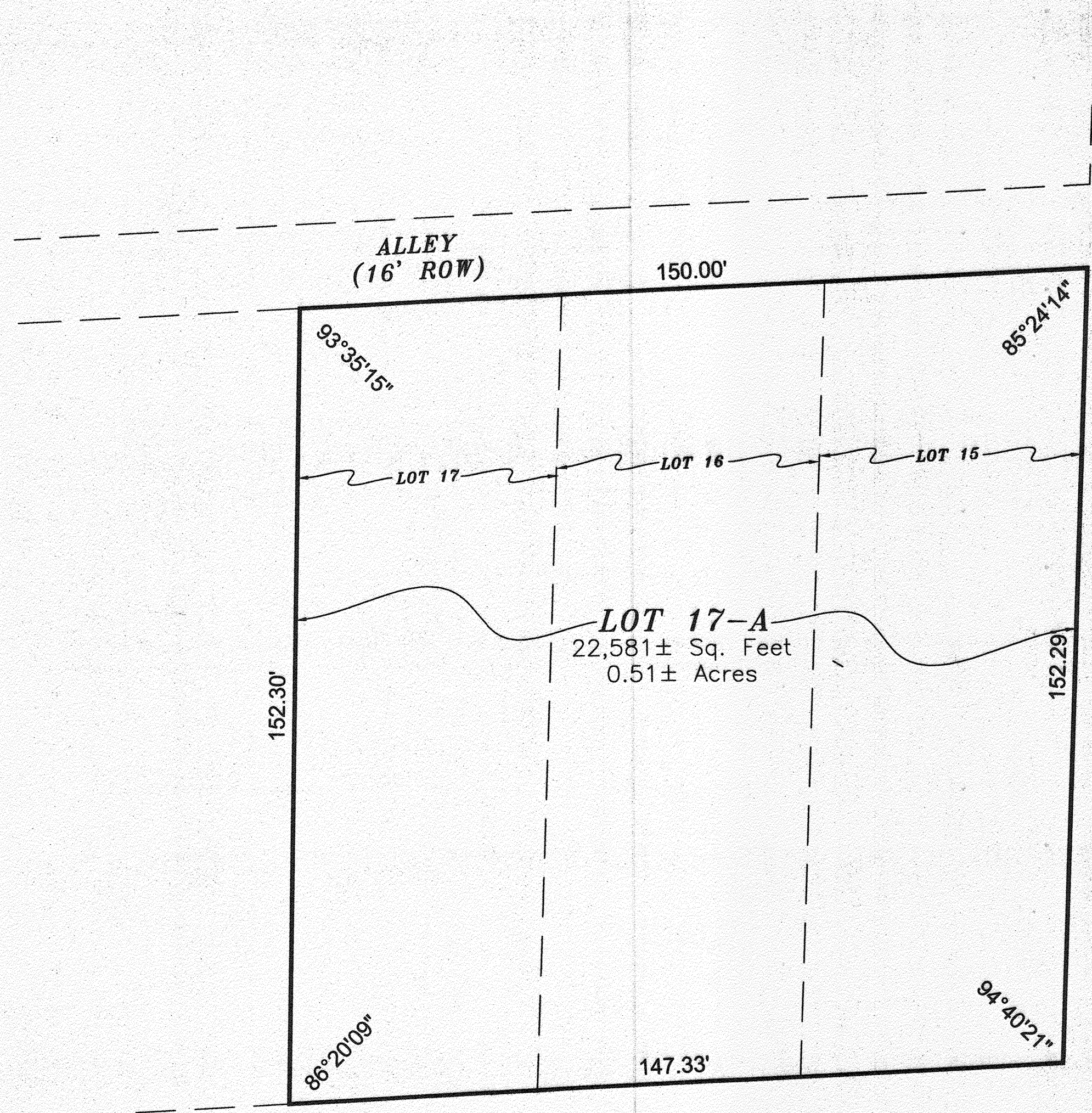
BEING A RESURVEY OF LOTS 15-17 BLOCK 5 BHAM HEIGHTS LAND CO, AS RECORDED IN MAP BOOK 7 PAGE 14 IN THE OFFICE OF THE JUDGE OF PROBATE JEFFERSON COUNTY, ALABAMA

SITUATED IN THE NE ¼ OF SECTION 30, TOWNSHIP 18 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA

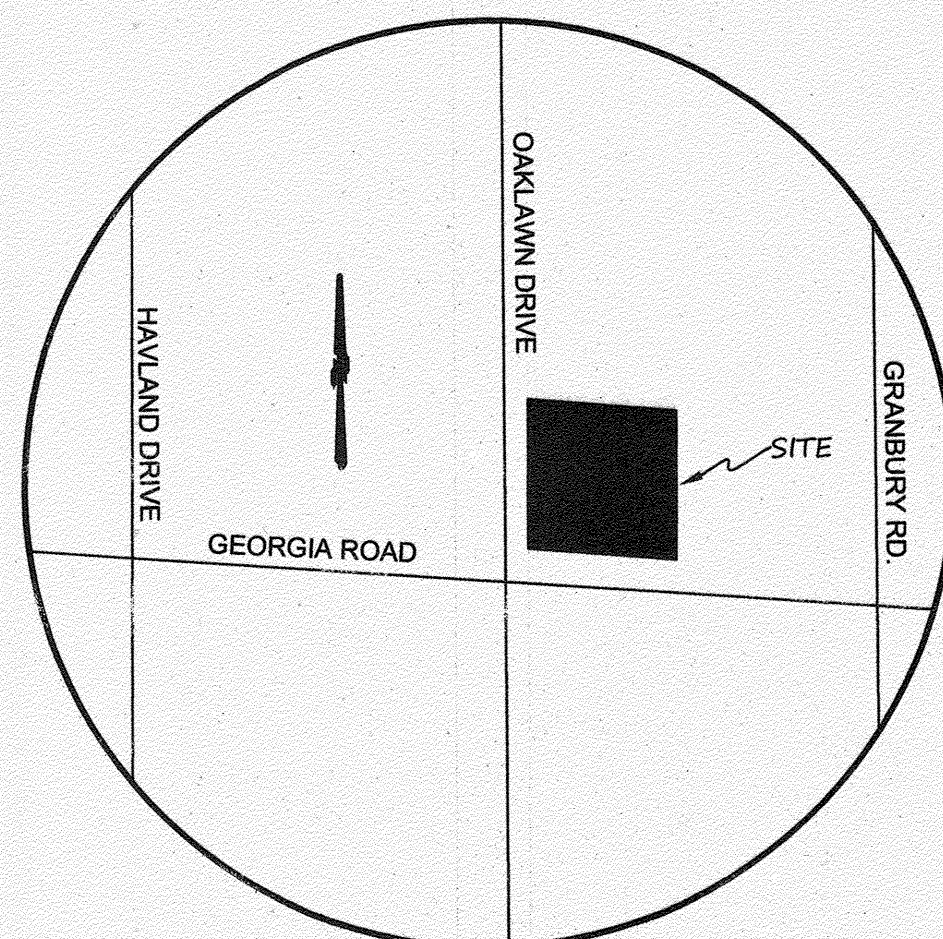
SCALE: 1"=20'

WEYGAND SURVEYORS, INC.
Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road, Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087

DATE: JUNE 2023



VICINITY MAP
(NOT TO SCALE)



NOTE:

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE "X") AS PER MAP NO. 01073C0558J, DATED SEPTEMBER 24, 2021.

WEYGAND
SURVEYORS

State of Alabama
Jefferson County)

The undersigned, Ray Weygand, Registered Land Surveyor, State of Alabama, and, Aubrey D. Day III, Member (Smith Day Properties), hereby certify that this plat or map was made pursuant to a survey made by said surveyor, and that this plat or map was made at the instance of said owner, that this plat or map is a true and correct plat or map of land shown therein and known or to be known as WARRENS RESURVEY OF BHAM HEIGHTS, showing the subdivisions into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block, and showing the relation of the lands to the maps of BHAM HEIGHTS LAND COMPANY (MB 7, PG 41) and to the government survey of Section 30, Township 18 South, Range 2 West, and that iron pins have been installed at all lot corners and curve points as shown and designated by small open circles on said plat or map. I, Ray Weygand, state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief. Said owners also certify that they are the owners of said land, and that the same is not subject to any mortgage.

In Witness Whereof, the said Ray Weygand has set his name and seal, and Aubrey D. Day III, as Member (Smith Day Properties), have caused these presents to be executed on their behalf, this the 20 day of JUNE, 2023.

By: Ray Weygand
Reg. L.S. #24973

By: Aubrey D. Day III
Member (Smith Day Properties)

State of Alabama
Jefferson County)

I, Dawn Mins, as Notary Public in and for said County and State, do hereby certify that Ray Weygand, whose name is signed to the foregoing certificate as Land Surveyor, who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, he executed same voluntarily and with full authority therefor.

Given under my hand and seal this 18th day of JUNE, 2023.

By: Dawn Mins
Notary Public - Commission Expires: 6/18/25

State of Alabama
Jefferson County)

I, Dawn Mins, as Notary Public in and for said County and State, do hereby certify that Aubrey D. Day III Member (Smith Day Properties), whose name is signed to the foregoing certificate as Member Found Properties LLC, Owner, who is known to me, acknowledged before me, on this date, that being informed of the contents of said certificate, he executed same voluntarily and with full authority therefor.

Given under my hand and seal this 18th day of JUNE, 2023.

By: Dawn Mins
Notary Public - Commission Expires: 6/18/25

APPROVED FOR RECORDING Purposes only

City Engineer

Vestavia Hills Planning & Zoning Commission

Manager and City Clerk

Joh
Jefferson County Health Department

6/29/23
Date

Environmental Services Department approval indicates that this document has been reviewed for provision of future or existing sanitary sewers; however this does not mean sanitary sewers have been built or will be built in the future. Any change in Right of Way or Easement boundaries after this date may void this approval.

Dolan
DIRECTOR OF ENVIRONMENTAL SERVICES

8/16/2023
Date

NOTES:
ALL EASEMENTS ON THIS MAP ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, STORM DITCHES, PRIVATE TELEVISION CABLE SYSTEMS, AND MAY BE USED FOR SUCH PURPOSES TO SERVE PROPERTY BOTH WITHIN AND WITHOUT THIS SUBDIVISION (UNLESS OTHERWISE NOTED). NO PERMANENT STRUCTURE OR OTHER OBSTRUCTION SHALL BE LOCATED WITHIN THE LIMITS OF A DEDICATED EASEMENT.

BUILDER IS RESPONSIBLE FOR THE DRAINAGE ON EACH LOT AND IN AND AROUND EACH BUILDING AND FOR ALL SOIL CONDITIONS. THIS ENGINEER/LAND SURVEYOR IS NOT RESPONSIBLE FOR EITHER.

BUILDER WILL BE RESPONSIBLE FOR ADJUSTING THE LIDS OR TOP ELEVATION FOR ALL MANHOLES AND YARD INLETS ON EACH LOT

THE LOT OWNER/BUILDER SHALL USE APPROPRIATE METHODS, WHETHER PIPES, UNDERDRAIN, DITCHES GRADING OR OTHER MEANS, TO PROVIDE A BUILDING SITE FREE OF SURFACE OR SUBSURFACE DRAINAGE PROBLEMS WITHOUT ADVERSELY AFFECTING ADJACENT LOTS.

THE LOT OWNER/BUILDER SHALL FIELD VERIFY THE LOCATION AND ELEVATION OF SANITARY SEWER SERVICE LINE OR SEPTIC TANK LOCATION PRIOR TO CONSTRUCTION OF BUILDING FOUNDATION

ELEVATION OF ALL SANITARY SEWER LATERALS TO EACH LOT SHOULD BE VERIFIED BY BUILDER PRIOR TO SETTING LOWEST FLOOR OF RESIDENCE TO BE SERVICED.

NO HOUSE SHALL HAVE A FINISHED FLOOR ELEVATION LESS THAN TWO (2) FEET ABOVE TOP OF ANY ADJACENT STORM SEWER WITHOUT ENGINEER'S APPROVAL.

NO FENCE SHALL IMPEDE THE FLOW OF WATER IN ANY DRAINAGE WAY.

WEYGAND SURVEYORS, INC. IS NOT RESPONSIBLE FOR SOIL COMPACTIONS AND DID NOT CONDUCT ANY SURFACE AND SUBSURFACE INVESTIGATIONS.

NORTH ARROW SHOWN ON THIS MAP IS NOT TRUE NORTH AND SHOULD ONLY BE CONSIDERED AS APPROXIMATE.



VESTAVIA HILLS

Planning and Zoning Commission Planners Report

MEETING DATE

September 14, 2023

AGENDA ITEM

FP-23-8 Taylor Burton Is Requesting **Final Plat Approval** For **Bellwood Drive Townhomes**. The Purpose For This Request Is To Subdivide Six Lots. The Property Is Owned By Taylor Burton and Is Zoned Vestavia Hills R-9.

BACKGROUND

Plat finalizes Ordinance 3030, which rezoned the parent parcel to R-9 for a townhome development. Plat meets the requirements of the Ordinance.

PLANNER'S REVIEW/RECOMMENDATION

ATTACHMENTS

1. app
2. Belmont_plat_Fri_Aug_18_2023_11-29-23

Conrad Garrison
City Planner

8/31/23, 3:38 PM

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Final Plat Application

FP-23-8

Submitted On: Aug 17, 2023

Applicant

Steven Gilbert

205-613-0375

@ shgilbert@bellsouth.net

Primary Location

3164 BELWOOD DR
VESTAVIA HILLS, AL 35243

Project Information

Property Address

3164 Belwood Drive

Parcel ID Number

28 00 22 1 006 009.000

Legal Description

COM N INTER OF CROSSHAVEN DR & BELLWOOD DR TH
W 374.9 FT TO POB TH CONT W 150 FT TH NW 150 FT TH E
256 FT TH S 104 FT TO POB

Current Zoning Classification

R 9

Acreage

0.39

Application Submission Date

August 17, 2023

Reason for Request

Build 5 townhomes

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

Taylor Burton

Company Name

BPS LLC

Mailing Address

3239 Lorna Road Hoover AL 35216

Owner Email

taylor@taylorburton.,com

Phone Number

205-8922-7936

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

Steven H. Gilbert

Company Name

Southeastern Surveyors Inc

Email

shgilbert@bellsouth.net

Mailing Address of Representative

5160 Scenic View Drive Birmingham AL 35201

Phone No. of Representative

205-613-0375

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Surveyor Information

Name

Steven H. Gilbert

Mailing Address

5160 Scenic View Drive Birmingham AL 35210

Registration Number

17507

Company

Southeastern Surveyors Inc.

Phone Number

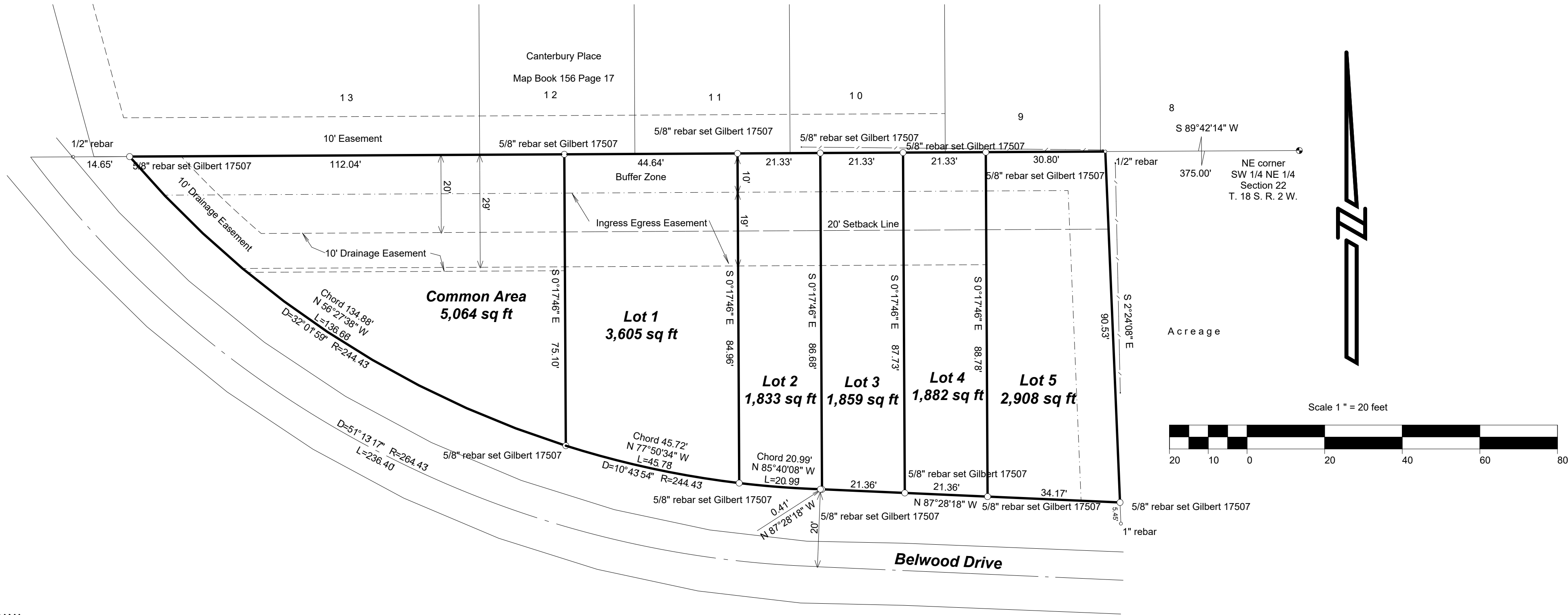
205-613-0375

Email

shgilbert@bellsouth.net

Belwood Drive Townhomes

SW 1/4 NE 1/4 Section 22
T. 18 S. R. 2 W.
Jefferson County, Alabama



STATE OF ALABAMA
JEFFERSON COUNTY

The undersigned, Steven H. Gilbert, a registered Land surveyor in the State of Alabama, and BPS Partners LLC as owner hereby certify that this is plat or map was made pursuant to a survey made by said surveyor and that said survey and this plat or map was made at the instance of said Owner; that this plat or map is a true and correct map of lands shown herein and known, or to be known as Belwood Drive Townhomes, showing the subdivisions into which it is proposed to divide said lands, giving the lengths and bearings of the boundaries of each lot and its number, showing the streets, alleys and public grounds, giving the bearings, width, and name of each street, as well as the number of each lot and block, and showing the relation to the lands so platted to the SW 1/4 of the NE 1/4 of Section 22, Township 18 South, Range 2 West in Jefferson County, Alabama; and that iron pins have been installed at all lot corners and curve points as shown and designated by small open circles on said plat or map. Said Owner also certifies that they are the owner of said lands and that the same is subject to a mortgage from Cadence Bank.

I hereby certify that this survey and map were prepared in accordance with current requirements of the Standards for Practice of Land Surveying in the State of Alabama, to the best of my knowledge, information, and belief. According to my survey of August 14, 2023.

Steven H. Gilbert PLS 17507 Taylor Burton
5160 Scenic View Drive BPS Partners LLC Owner
Birmingham AL 35210 Suite 108
3239 Loma Road
Hoover AL 35216

STATE OF ALABAMA
JEFFERSON COUNTY

I, _____ as Notary Public in and for said County and State, do hereby certify that Steven H. Gilbert, whose name is signed to the forgoing certificate as Surveyor, who is known to me, on this date, that after having been duly informed of the contents of said certificate, he executed same voluntarily as such individuals (or in any other capacities) with full authority therefore.

Given under my hand and seal this _____ day of September 2023.

Notary Public

My commission expires _____.

STATE OF ALABAMA
JEFFERSON COUNTY

I, _____ as Notary Public in and for said County and State, do hereby certify that Taylor Burton of BPS Partners LLC whose name is signed to the forgoing certificate as Owner, who is known to me, on this date, that after having been duly informed of the contents of said certificate, he executed same voluntarily as such an individual (or in any other capacities) with full authority therefore.

Given under my hand and seal this _____ day of _____, 2023.

Notary Public

My commission expires _____.

STATE OF ALABAMA
JEFFERSON COUNTY

I, _____ as Notary Public in and for said County and State, do hereby certify that Cadence Bank whose name is signed to the forgoing certificate as mortgage holder, who is known to me, on this date, that after having been duly informed of the contents of said certificate, he executed same voluntarily as such an individual (or in any other capacities) with full authority therefore.

Given under my hand and seal this _____ day of _____, 2023.

Notary Public
My commission expires _____.

APPROVED: ☐

Date: _____
Vestavia Hills Planning & Zoning Commission

APPROVED: ☐

Date: _____
City Engineer

APPROVED: ☐

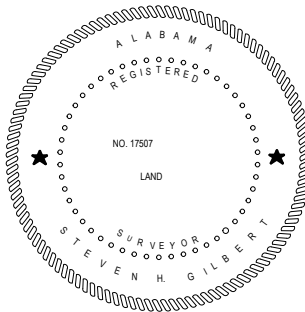
Date: _____ Vestavia Hills City Clerk

F.I.R.M. Map No. 01073 C 0578 J dated September 24, 2021 indicates this property lies outside of a flood hazard area.

DIRECTOR OF ENVIRONMENTAL SERVICES DATE

Environmental Services Department approval indicates that this document has been reviewed for provision of future or existing sanitary sewers; however this does not mean sanitary sewers have been built or will be built in the future. Any change in Right of Way or Easement boundaries after this date may void this approval.

This survey was performed with conventional equipment and techniques. Horizontal and vertical control was established by GPS observations using NAVD 1988 datum and bearings are based on Alabama State Plane Coordinates, West Zone. Corrections were obtained from the ALDOT CORS network.





VESTAVIA HILLS

Planning and Zoning Commission Planners Report

MEETING DATE

September 14, 2023

AGENDA ITEM

CU-23-1 Charlotte Trumbly Is Requesting **Conditional Use Approval** for **Short-Term Rentals** Located At **4525 Pine Tree Cir.** The Property Is Owned By Charlotte Trumbly and Is Zoned Vestavia Hills R-1.

BACKGROUND

Applicant is seeking a Conditional Use Permit for a short-term (AirBnB, VRBO) rental in the Blue Lake area on Pine Tree Cir. City ordinance defines "short-term" as anything under 6 months.

The rental has three bedrooms and a max occupancy of 10. The house will be outfitted with outdoor cameras and a noise meter. Applicant has other short-term rentals in the Birmingham metro.

The Building Safety and Fire Depts. have a list of requirements/improvements that the applicant intends to complete if the Conditional Use Permit is approved. Those lists are attached.

PLANNER'S REVIEW/RECOMMENDATION

ATTACHMENTS

1. app
2. 4525 Pine Tree Circle
3. Bldg
4. Fire
5. zoning

Conrad Garrison
City Planner

Conditional Use Application CU-23-1 Submitted On: Jul 7, 2023	Applicant 👤 Delaine Crim ☎ 323.352.6808 @ delainecrim@yahoo.com	Primary Location 4525 PINE TREE CIR VESTAVIA HILLS, AL 35243
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Owner Information A notarized Owner's Affidavit must be submitted with this Conditional Use Application before it can be processed. Please prepare this affidavit prior to submission or it will not be properly filed. All documents must be filed prior to the application date to be considered on the next meeting date. If any required information is received after the application date, the application will be held until the next month.	Property Owner: Charlotte Trumbly Mailing Address of Property Owner Including City, State, Zip Code: 210 Baron Dr, Chelsea, AL 35043 Property Owner Email: quiltingdyer@bellsouth.net Check Below if Property Owner is Responsible for Postage Costs --
---	--

Representing/Responsible Party Representing Agent: Delaine Crim Representing Agent Email: delainecrim@yahoo.com Check Below if Representing Agent is Responsible for Postage Charges true	Mailing Address of Representing Agent Including City, State, Zip: 605 Reynolds Way, Vestavia Hills, AL 35242 Representing Agent Telephone No.: 323.352.6808
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Property Information Property Address: 4525 Pine Tree Circle, Vestavia, AL 35243 Legal Description of Subject Property: Lot 22 Topfield Subdivision, MB 42, PG 72 Current Zoning Classification of Subject Property: R1 Requested Conditional Use Including Intended Use, Citing Appropriate Section of the Zoning Code, etc.: Short term rental (Airbnb/VRBO)	County Parcel ID Number: 28-00-27-4-001-029.000
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Explanation of Reasons for Conditional Use	
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Upon acceptance of an application, the Commission shall consider the application during a public hearing. The Commission shall, after the public hearing, make a recommendation to the Council. Following the recommendation by the Commission, the Council shall hold a public hearing regarding the application and upon completion of said hearing, shall approve with conditions or deny the request within the time limit required by law. The recommendation by the Commission may be to approve or deny the application, which said recommendation shall be advisory only. Zoning is a legislative matter decided by the Council. The Council shall not be bound by the recommendation of the Commission. A Conditional Use approval shall lapse and be of no effect if, after the expiration of one (1) year from the date of Council approval, no construction or change in use pursuant to such Conditional Use has taken place, provided that the Council may, for good cause shown, specify a longer period of time in conjunction with its action to approve a Conditional Use.

Determination. Conditional Uses shall only be approved upon a finding by the Governing Body that all of the following criteria are satisfied. Please FULLY explain each of these conditions relative to this Conditional Use Request.

1. The use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the surrounding area:

I am very careful with who I allow to rent our properties and am always very quick to address any issues that arise during their stays. I proactively decline renters that have negative reviews and/or red flags of any kind. There are many hosts that accept any and all reservations, but I value my properties and belongings much more than the money that a risky guest would provide. I have a very strict "no party" policy in place and only allow registered guests at my properties. I also have enforced quiet hours between 10pm and 8am. I have outdoor cameras as well as a noise monitoring device at my properties that alert us when there is an issue of any kind.

2. The use is necessary or desirable and provides a service or facility that contributes to the general well-being of the surrounding area:

This property is unique in that it is located in an area that has mostly been converted to commercial use. Because of that, it would not be a hindrance to the surrounding area in any way. It would provide a house that families visiting the area would be able to rent instead of dividing themselves up amongst multiple hotel rooms. It would also provide a place that nearby businesses could rent for incoming clients.

3. The request is consistent with all applicable provisions of the Comprehensive Plan:

This area is almost all commercial and, of the several properties that are not, many are for sale advertising that they can be converted to commercial.

4. The request shall not adversely affect adjacent properties:

The constant upkeep and maintenance of the property required to operate a successful short term rental will not only NOT adversely affect the adjacent properties, but will be a nice addition to the area. The yard and overall property will be regularly groomed and kept to a very high standard.

5. The request is compatible with the existing or allowable uses of adjacent properties:

This is a very unique area of Vestavia, as the majority of the surrounding properties have already been approved to be used as commercial properties. Because of that, the remaining residents are well familiar with living in a mixed use area.

6. The request can demonstrate that adequate public facilities, including roads, drainage, potable water, sanitary sewer, and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed:

The public facilities that are already in place for this property will more than adequately suit a short term rental property and meet safety requirements.

7. The request can demonstrate adequate provision for maintenance of the use and associated structures:

The home is currently in excellent condition and will pass through a fire inspection and approval of occupancy if approved to be used as a short term rental.

8. The request has minimized, to the degree possible, adverse effects on the natural environment:

The house and large yard will not be changed. There will be no need to remove trees, etc..

9. The request will not create undue traffic congestion:

Traffic will not increase. It will be the same amount of vehicles coming and going as there would be if a long term tenant were occupying the property.

That such development will comply with all applicable regulations and conditions specified within this Ordinance:

If approved, we will pass through a fire inspection and approval of occupancy.

July 7, 2023

Re: 4525 Pine Tree Circle

To Whom It May Concern:

I am requesting to use the home located at 4525 Pine Tree Circle as a short term rental. This property is located in a very unique area of Vestavia, as it has almost all primarily been converted to commercial use. There are several residents that remain in the area, many of which have their homes for sale and are advertising that they can be used for commercial use. This is the ideal situation for a short term rental, because the neighbors are not only aware of the changing use in the area, but are also encouraging it.

Having short term rental properties available for families visiting the city is a valuable asset, as it allows people to gather far more easily than if they are divided amongst multiple hotel rooms. It also provides a place for businesses to house visiting clients that are coming for several days or weeks at a time and do not wish to stay in a hotel.

I have several short term rentals located in downtown Birmingham and are very careful with who I allow to stay at our properties. On the Airbnb platform, I am a superhost and take great pride in not only how my properties look, but also how they are operated. My homes are usually the most nicely kept in the neighborhood and because we are cleaning and maintaining them more often than normal, we are able to head off issues that many homeowners miss.

As for security, I have cameras on the outside of the homes and also use a noise monitoring device that alerts us if anyone is not adhering to our quiet hours or are being a problem at other times of the day. To be completely honest, I have never really had an issue of this kind with guests because I am very proactive to weed out problems ahead of time. I also have it set up that my guests have to agree to my "no parties" and "quiet hours" policies before they are able to book. I have gone above and beyond to put measures in place to lower the chance of having problem guests.

I am attaching photos of this home below. Please let me know if there is any additional information that I can provide or can answer any questions.

Thanks so much for your consideration,

Delaine Crim















City of Vestavia Hills, AL

Sep 7, 2023

CU-23-1

Building Official Review

Conditional Use Application

Status: Complete**Became Active:** Jul 7, 2023**Assignee:** Michael Roy**Completed:** Jul 27, 2023

Applicant

Delaine Crim
delainecrim@yahoo.com
605 Reynolds Way
Vestavia Hills, AL 35242
323.352.6808

Primary Location

4525 PINE TREE CIR
VESTAVIA HILLS, AL 35243

Owner:

Charlotte Trumbly
210 Baron Dr Chelsea, AL 35043

Comments

Michael Roy, Jul 27, 2023

A site meeting conducted with the building owner, the business owner, and the Fire Marshall. The Department of Building Safety has no issue with the conditional use for a short-term rental provided that:

- The owner engages a State of Alabama licensed architect to evaluate the improvements needed to bring the structure to an R-3 type occupancy in accordance with the 2021 International Building Code.
- The architect provides plans for the improvements bringing the structure in compliance with the features required in an R-3 occupancy to VHFD and the Building Safety Department for review. Some of the items that will be required to be addressed are providing emergency egress windows in each bedroom, removing or otherwise closing in the garage doors since the garage opens directly into the master bedroom and this is prohibited by code (it was noted that the garage is currently being used as a entertainment room but still has functional garage doors), a sprinkler system is installed to comply with the building and fire codes, smoke and carbon monoxide alarms are installed to comply with the code, verification is made that all plumbing fixtures meet current code standards (e.g., shower anti-scald mixing valves), and the cooking appliances are in compliance with Section 917.2 of the 2021 International Mechanical Code.
- Obtain the required permits and complete the required improvements.

Once the necessary improvements are completed, the Department of Building Safety is comfortable with the new use of the structure.



City of Vestavia Hills, AL

Sep 7, 2023

CU-23-1

Fire Department Review

Conditional Use Application

Status: Complete**Became Active:** Jul 7, 2023**Assignee:** Ryan Farrell**Completed:** Jul 25, 2023

Applicant

Delaine Crim
delainecrim@yahoo.com
605 Reynolds Way
Vestavia Hills, AL 35242
323.352.6808

Primary Location

4525 PINE TREE CIR
VESTAVIA HILLS, AL 35243

Owner:

Charlotte Trumbly
210 Baron Dr Chelsea, AL 35043

Comments

Ryan Farrell, Jul 13, 2023

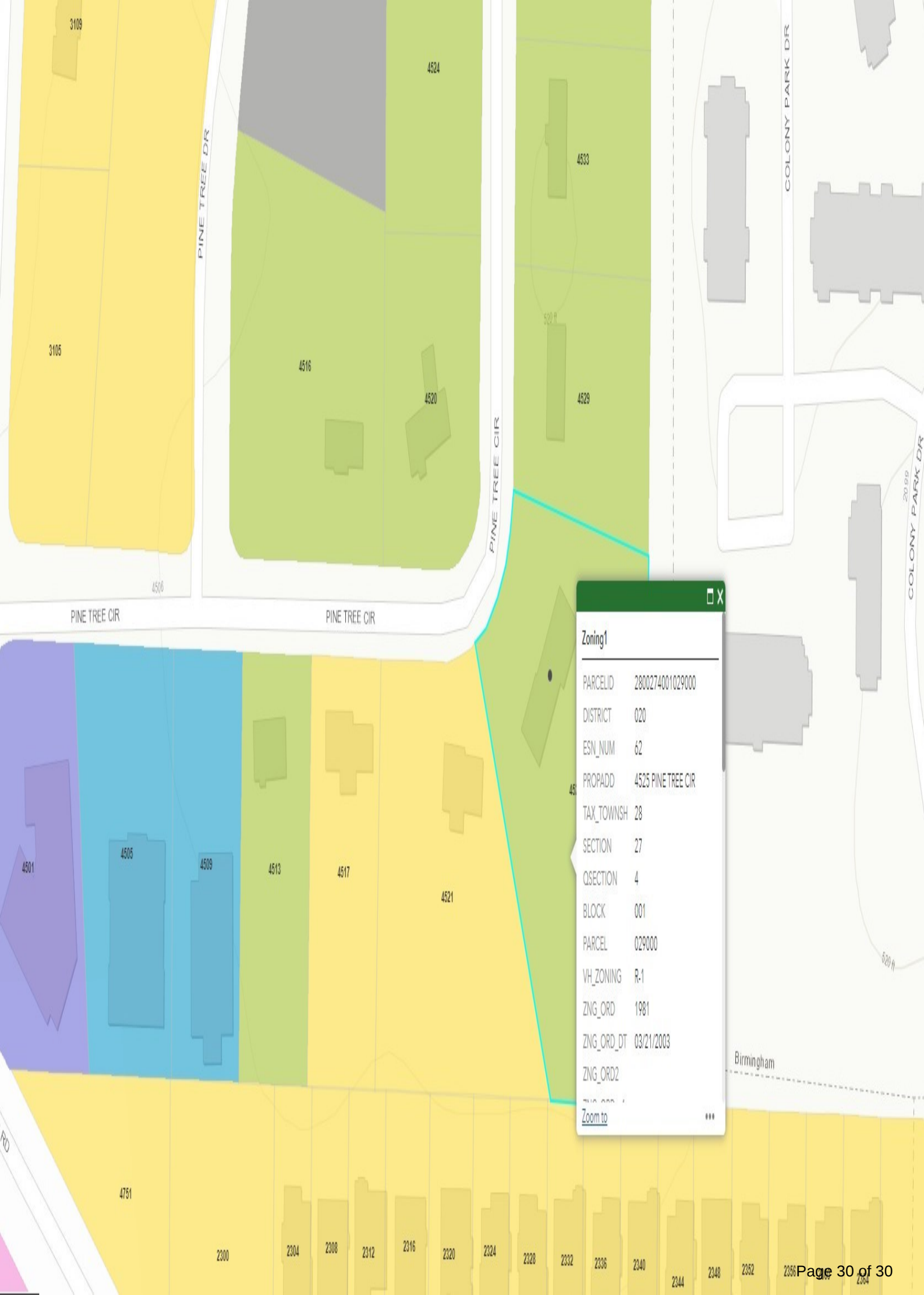
Site Meeting set for 0830 7/21/23

Ryan Farrell, Jul 25, 2023

Site meeting conducted with the owner. A summary of the discussion... VHFD has no issue with the conditional use for a sort term rental provided that:

- The owner engage a qualified design professional to evaluate the improvements needed to bring the structure to an R-3 type occupancy.
- Provide plans for improvements bringing the structure in line with the features required in an R-3 occupancy to VHFD and the Building Safety Department for review.
- Permit and complete the required improvements

Once the structure has had the necessary upgrades VHFD is comfortable with this structure being a short-term rental.



Zoning1

PARCELID

2800274001029000

DISTRICT

020

ESN_NUM

62

PROPADD

4525 PINE TREE CIR

TAX_TOWNSH

28

SECTION

27

QSECTION

4

BLOCK

001

PARCEL

029000

VH_ZONING

R-1

ZNG_ORD

1981

ZNG_ORD_DT

03/21/2003

ZNG_ORD2

Zoom to