

CITY OF TRUSSVILLE
PLANNING AND ZONING BOARD

SEPTEMBER 14, 2020

The Planning and Zoning Board of the City of Trussville met for a workshop session on Thursday, September 10 at 7:00 p.m. at Trussville City Hall. Chairman Darrell Skipper presiding.

Those members present were as follows:

Chairman Darrell Skipper
Mr. Ryan Dawkins
Mr. Brett Isom
Mr. Jim Meads
Mr. Ralph Robson
Mr. Steve Turner
Councilman Jef Freeman
City Clerk Lynn Porter

Absent: None

The workshop was convened and the Board received the agenda and supporting documentation for the Planning and Zoning Board meeting to be held on Monday, September 14, 2020. The Board members reviewed the agenda and the applications to be considered at that meeting, and determined the order for consideration.

There being no further business, the workshop was adjourned.

The Planning and Zoning Board of the City of Trussville, Alabama met in regular session on Monday, September 14, 2020 at Trussville City Hall at 6:00 p.m. Chairman Darrell Skipper presided over the meeting, and City Clerk Lynn Porter served as recording secretary.

Chairman Skipper called the meeting to order, and the following members answered present to roll call:

Chairman Darrell Skipper
Mr. Brett Isom
Mr. Ralph Robson
Mr. Steve Turner
Councilman Jef Freeman
City Clerk Lynn Porter

Absent: Mr. Ryan Dawkins
Mr. Jim Meads

Chairman Skipper introduced the minutes of the July 14, 2020 and the August 10, 2020 meetings for approval. Ralph Robson moved the minutes be approved, seconded by Steve Turner, and the motion carried.

A resurvey of Lots 3, 4, 5, and 6 of the Second Amended Map, Mountain Ridge Estates, First Sector was presented by Preston Kelley of Black Jack Farms. Mr. Kelley stated they are purchasing Lot B which is formerly the backs of these lots. There is a ridge and a 100-foot elevation drop from the developed portion of these lots, but it connects two tracts that Black Jack Farms owns of the other side of the ridge. Unbeknownst to them until recently, is the fact that a part of their hose trail crosses this property.

Ralph Robson pointed out that, as shown, Lot B appears to be landlocked with no access to a public road.

Mr. Kelley stated if they need to resurvey their property to show access, they will do so.

A public hearing was opened, and there being no comment, the hearing was closed.

Wayne Sullivan pointed out there is a 50-foot utility and ingress/egress easement on the west side of this property.

Jeff Freeman moved this plat be approved, seconded by Ralph Robson, and the vote was unanimous.

The Resurvey of Los 2-A & 3-A Resurvey of Walker City, Block 17 on Smith Sims Rd was presented. This is to slightly reposition the interior lot line between these two lots.

A public hearing was opened, and there being no comment, the hearing was closed.

Anderson Small Farms Resurvey 1 was presented. Mr. James Thomas stated he lives at 112 Anderson Circle and wishes to purchase the property behind his home down to the Cahaba River from the city.

Chairman Skipper asked if Mr. Thomas understands that there is a maintenance easement to Lot 43-A across this property, and Mr. Thomas answered yes. Mr. Thomas stated about two-thirds of this property is a wetlands.

A public hearing was opened, and there being no comment, the hearing was closed. Ralph Robson moved this plat be approved, seconded by Steve Turner, and the vote was unanimous.

Amari Addition to Trussville at 4873 Houser Drive at the intersection of Houser Drive and Delaney Lane was presented by Mr. John Amari. This action will create one lot from an approximately two-acre lot. The property is zoned R-2. Mr. Amari stated he has no immediate plans to develop this property, but with five kids and a bunch of grandkids, one of them might want to build there.

Ralph Robson asked if Mr. Amari lived there and he replied no. He stated he lives in the area, but not in this house.

Chairman Skipper asked can you get a house on this lot? He stated his concern is that Delaney Lane is narrow and the property is low by the road.

Mr. Amari stated there are three houses on Delaney Lane now. This lot is .8 acres

Lynn Porter asked was Tract A north of House Drive also a part of this property and was told yes.

Chairman Skipper asked is there an existing concrete drive to the house and was told yes.

Wayne Sullivan stated the County took over maintenance of this road many years ago due to the number of houses. The City inherited it when the property was annexed.

Mr. Joan Waldron, 6550 Riverbend Drive, stated this is behind her property. She stated she is concerned about the slope, as they get the water. She stated she sees issues with the construction, and percolation is a problem in the area. She stated she assumed there would only be one house. The drainage goes to the Cahaba. Trees are there now, but will be disturbed, and it could damage the roots of trees near her property. There is a lot of bed rock and she is concerned about blasting. She requested this be denied.

Mr. Terry Waldron, 6550 Riverbend Drive, stated there is a drainage easement that get wide when it rains. This is only 300-yards from the Cahaba River. Three of the five houses on his street have had to have their septic systems redone.

Ms. Terrie Maske, 4610 Delaney Lane, stated this is a neighborhood, not a subdivision. Other lots are more than one acre. Ms. Maske stated she gets drainage from Sherman Oaks that washes out her driveway. She stated this rental property is full of junk. She stated she did not think there was room for another house. She stated she feels this will damage the house already on the lot with additional drainage. She stated her family formerly owned this lot and it was always wet. She stated she was not sure where the driveway would go.

Ms. Amy Braiser, 4615 Delaney Drive, stated she has lived in her home for twenty-one years and has worked to get the road paved, and it grateful it has been done. She stated she fears heavy traffic will damage the road. Water lines will have to be extended and drainage will be needed to divert the water. This is a small neighborhood and she loves it. She stated they work hard to maintain their property. They also have had trouble with percolation due to water running down. She stated she did not want their neighborhood divided, but rather wanted them to stay close. She stated she felt the damage from drainage would be destructive.

Mr. John Amari stated her lot is higher than this property, so he did not understand her concern. He stated he has no current plans to build anything, but wants it for family.

Chairman Skipper stated the development on Riverbend is lower than this property. Ms. Brasier's property is higher.

Mr. Amari stated he did not want water coming onto this lot - especially if one of his kids or grandkids occupies it.

Chairman Skipper asked how he plans to access the lot and was told off of Delaney Lane.

Steve Turner asked if he had had a perk test done?

Ralph Robson stated he remembered that the Riverbend development had a lot of percolation problems.

Mr. Amari stated, if he had a problem with percolation, he would not be able to get a permit.

Ms. Brasier asked why he wanted to subdivide the lot if he did not plan to build now?

Chairman Skipper stated, as a property owner, he has a right to make a request.

The public hearing was closed.

Brett Isom stated the plat meets the minimum requirements for subdivision and zoning, and moved this plat be approved, and the motion died due to lack of a second.

Chairman Skipper stated his concern from his visit to the site would be that he could not turn around on Delaney and there were deep ditches on either side of the road. He moved the plat be denied, seconded by Jef Freeman, and upon a roll call vote, the results were as follows:

Yeas: Members Skipper, Robson, Turner, and Freeman

Nays: Members Isom and Porter

Mr. Amari stated it would be better if he withdrew the matter until he had a plan, and was told a vote had already been taken.

Russell's Resurvey at 96 Cherokee Lane was presented. This is to reposition the interior lot line between the lots at 96 and 100 Cherokee Lane.

A public hearing was opened, and there being no comment, the hearing was closed. Ralph Robson moved this plat be approved, seconded by Steve Turner, and the vote was unanimous.

The Michalke Resurvey on Advent Circle was presented by Mr. Matthew Michalke. This is a seven-acre lot that will be divided for family. The existing house is undergoing renovation. Mr. Michalke presented a layout showing the positions of the existing and proposed homes.

Chairman Skipper asked the zoning and was told A-1. He stated the location of the proposed driveway will need to have the sight distance checked.

Steve Turner asked would this be stick-built construction or a mobile home and was told stick-built construction.

A public hearing was opened and Mr. David Gulledge, 3505 Old Leeds Court, was recognized representing adjoining property owners, who are close personal friends. Mr. Gulledge stated covenants are mentioned on the plat and asked if these exist? He stated the plat does not show the setback lines as required by the subdivision regulations. He stated he heard that there is a power line easement on the property. He asked was this true or not as an easement is not shown. He stated when you purchase an acreage lot you have an expectation of privacy. They have a large residential lot. The adjoining land is gently rolling, and they had an expectation it would remain so. He questioned the location of the driveway.

There being no additional comments, the public hearing was closed.

Mr. Michalke stated the new driveway was positioned next to the existing driveway for the adjoining property.

Chairman Skipper asked if they plan to use the 25-foot strip for access to both lots 1 and 2, and Mr. Michalke responded yes, to minimize the number of access points.

Ralph Robson asked the size of the adjoining lot, commenting it looks like around an acre.

Mr. Michalke was asked to have corrections made to the plat to be presented next month.

The Poston Survey situated at the end of Poston Road was presented by Ms. Sandy Mills, 202 Roundabout Drive. Ms. Mills explained that she is a real estate agent and has two lots within this plat listed for sale. This plat creates access to Poston Road from all lots on this plat.

A public hearing was opened and Mr. Derrick Morgan, stated he lives on Lot 34 in Cahaba Manor across from Lots 5 and 6. He stated he has issues with water currently. He stated his paperwork says there is an easement for utilities. If this property is divided, it will bring more traffic and equipment on this road. Mr. Morgan stated he put in a sump pump to fix the problem, and has built retaining walls to stop it. The water comes from this property to Lots 34 and 35 and on down.

Chairman Skipper stated access to Lots 5 and 6 does not change, and these lots will remain as is. Access to Lots 1 through 4 will be by Poston Road.

Mr. Morgan asked how this will affect the value of their homes? He asked, if approved, will the water issue be addressed? He stated more equipment and more homes will bring more water.

Pier Wilkerson, stated she lives on Lot 35 across from Mr. Morgan. She stated he gets the brunt of the water, but it comes across her lot, and conditions are similar.

Mr. Clyde Poston stated he lives on this property. He stated he was 80-years old, and the water has always run in the same direction that it does now. Before their subdivision was there, the water crossed this property.

Wayne Sullivan stated this was the natural drainage area, and there is no opportunity to turn the water in another direction.

Ralph Robson moved this plat be approved, seconded by Steve Turner. Councilman Freeman abstained, leaving five affirmative votes. The matter failed as six affirmative votes are required for approval.

Councilman Freeman stated he needed to see a better plan with setbacks and where the houses will be located on it before voting.

Ms. Mills stated the existing foundation on Lot 1 will be reused for one home. The property west of Lot 1 will be purchased by the Lot 1 owner to give access to the creek. There is one home proposed on the acreage lot by the prospective buyers. There are no plans for the fourth lot at this time.

Ralph Robson moved the annexation request on property at 8116, 8118, and 8166 North Lake Drive be recommended to be denied to the City Council as the Fire Department says they cannot provide service to the property, seconded by Brett Isom, and the vote was unanimous.

Ralph Robson moved the annexation request on property at 3155 Center Street be recommended to be denied to the City Council as there are numerous building and zoning violations. This was seconded by Brett Isom and the vote was unanimous.

The building report for August 2020 was presented as follows:

<u>Type</u>	<u>Construction</u>	<u>No.</u>	<u>Value</u>
Residential	New	23	7,967,413
	Additions & Alterations	12	355,521
Commercial	New	3	6,513,839
	Additions & Alterations	4	469,768

Councilman Freeman stated he would be on vacation next month, and will come off of the Board at the end of his term the end of October.

Chairman Skipper stated he appreciated Councilman Freeman fighting for the funds for updating the subdivision regulations and his service.

Councilman Freeman stated he did not think that people realize what this Board does. He thanked the Board for what they do.

No other business coming before the Board, a motion was made to adjourn.

Respectfully submitted,

Lynn B. Porter
City Clerk