

**CITY OF TRUSSVILLE**  
**PLANNING AND ZONING BOARD**  
**JULY 2021 MINUTES**

The Planning and Zoning Board of the City of Trussville met for a **workshop** session on **Thursday, July 8, 2021** just after at 6 pm at Trussville City Hall.

Those members present were as follows:

Mr. Brett Isom  
Mr. Wayne Sullivan – City Engineer & board member  
Mr. Steve Turner  
Chairman Darrell Skipper  
Vice Chairman Jim Meads  
Mr. Ryan Dawkins  
Mr. Dan Weinrib, City Clerk & Recording Secretary  
Fire Inspector Jesse Clifton  
Councilor Ben Short  
Mr. J.R. Malchus – Inspection Services *Ex Officio*

Those absent: Police representative  
Mr. Kris Reeves  
Mr. Ralph Robson

By the time Chairman Skipper convened the workshop, the Board members had received the drafted agenda and supporting documentation for the its scheduled July 12th regular session. The Board reviewed the agenda. Discussions ensued on various items, except for Longmeadow Phase C Sector 2 final plat, Carrington Lakes Sector 10 final plat and Lot 1 Smith Roofing Survey. Skipper and the Board rehashed the histories behind Trois Subdivision, Addition to Cahaba Cove and Re-subdivision of Lots 1 & 2 of Williams Estates Subdivision. As the Board reviewed the proposed Ridge at Tutwiler subdivision, former PZ member Johnny Tarassoli briefed the Board about his lawsuit with applicant Gilmer's father regarding the subject properties. Because property owner Richard Akel also wants to re-zone his property for which he wants to subdivide, he and the Board mutually agreed to delay consideration until August. Malchus and Weinrib promised the Board they would update the neighbors immediately.

Malchus asked for informal input from the Board about common areas within any home owners association. The property taxes on one particular common area within Trussville went unpaid. An investor bought the lien at a tax sale years ago and may attempt to convert it into full ownership. Malchus asked whether common areas within HOAs would be eligible for residential building permitting by a private owner. The Board informally agreed that **common areas cannot be permitted unless PZ approves a new subdivision proposal.** The meeting adjourned at or around 7:15 pm.

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The Planning and Zoning Board of the City of Trussville met in **regular session** on **Monday, July 12, 2021 at 6 pm** at Trussville City Hall, with Darrell Skipper's presiding.

The following members were present:

Mr. Brett Isom  
Chairman Darrell Skipper  
Vice Chairman Jim Meads  
Mr. Ryan Dawkins  
Mr. Dan Weinrib, City Clerk & Recording Secretary  
Fire Inspector Jesse Clifton

Councilor Ben Short  
Mr. Kris Reeves  
Mr. Ralph Robson  
Mr. J.R. Malchus – Inspection Services *Ex Officio*

Those absent: Police representative  
Mr. Wayne Sullivan – City Engineer & board member  
Mr. Steve Turner

Chairman Skipper opened the meeting by announcing the withdrawal of two proposed subdivision items from the agenda - Addition to Cahaba Cove and The Ridge at Tutwiler. After explaining Planning & Zoning's roles and responsibilities within city government, he proceeded with proposed subdivisions.

T.J. Johnson, head of community development for Holland Homes LLC, briefly addressed the Board and the audience about the Trois Subdivision. At its May meeting, the Board unanimously rejected it for public safety reasons. Subsequently, Johnson met with Malchus and Sullivan to address sight distances and safety concerns, then re-submitted plans featuring two driveways, each with turn-around parking pads so that no driver would ever have to back out into Service Road. Meads asked whether the shared driveway for two of the three proposed lots required an easement. ("Yes")

Skipper opened the public hearing. Neighbor Andrew Rains (6682 Service Road) posed questions about setbacks, residential square footage, buffers ("no buffers required" Skipper answered) and the power pole. Rains suggested the subdivision be two lots, rather three. Neighbor Heather Davis (6673 Service Road) expressed her opposition based on the proposed houses' aesthetics and construction quality, public safety and the presence of the power pole. Neighbor Lisa Townsend (6672 Service Road) expressed her opposition, stating her belief that there would be no market for these proposed small houses so "we'll wind up with crappy renters." Neighbor Tom Davis (husband of Heather) opposed the idea because of safety reasons. Neighbor Wayne Hood (6670 Service Road) expressed disappointment in the proposed houses ("It looks great in East Lake") He stated that he preferred a two-lot proposal rather than three, to force the developer to build a bigger house. Since nobody else in the audience spoke up, Skipper closed the public hearing.

Johnson took the opportunity to reply back, stating that his company wants to be a good neighbor and that their proposed houses would be made with quality materials. The Board then deliberated. At one point, Skipper admonished Johnson that his company took a risk by starting residential construction prior to submitting its proposed subdivision when it was their true intent. The Board collectively considered its options. Dawkins moved and Short seconded the motion for approval of the proposed subdivision. **By a 1-6 margin** (Isom, in favor; the rest of the Board, in opposition) the motion to approve was **REJECTED** on the following grounds:

- The subdivision proposed is not harmonious, aka out-of-character, to the area
- It was presumptuous for the developer to start construction prior to submitting the subdivision plan
- Housing density
- Continuing public safety concerns
- The proposal conflicts with Subdivision Ordinance Code Article 1, Section 1 (Purpose) Point 3 ("These regulations are designed, intended, and should be administered in a manner to (h)armoniously relate the development of the various tracts of land to the existing community and facilitate the future development of adjoining tracts.") and Point 5 ("These regulations are designed, intended, and should be administered in a manner to (p)rovide the best possible design for each tract of land being subdivided.")
- The Board had no idea or expectation at the time it recommended annexation that the property get subdivided.

At Johnson's request, Short further elaborated on his public safety concerns, stating that as a patrol officer, he had worked several wrecks on that stretch of road. To him, having three homes with driveways there would create more opportunities for auto collisions.

Joel Childers of ESP Associates briefly addressed the Board about the proposed final plat for Longmeadow Phase C Sector 2. Skipper asked if the City had any bond for that subdivision. At the time, the city clerk did not know. After the meeting, he confirmed that the City currently had no bond. There was no Board discussion. Short moved and Isom seconded the motion for its approval, conditioned upon verification of a bond. **UNANIMOUS**

Rodney Cunningham of EDG (Engineering Design Group) briefly addressed the Board about the proposed final plat for Carrington Lakes Sector 10. Skipper asked whether Lot 1012's access would be on Carrington Lakes Parkway, not Blackjack Road ("Yes") which prompted him to note that it would cause a tight driveway fit with the gate entrance. Skipper asked if the city had any bond for that subdivision. At the time, the city clerk did not know. After the meeting, he confirmed that the city currently had no bond. Dawkins and Reeves suggested that Lots 1012 & 1013 be used as buffer common areas, instead of residences. Skipper also suggested that Lot 1011 could be altered to allow better driveway access to Lot 1012, since Lot 1011 can use Ridgeway Circle for its driveway. Its zoning is R1 single-family. Skipper stated that he notified the Carrington Lakes HOA. Its leadership showed no opposition to the plans. Meads moved and Dawkins seconded the motion for its approval, conditioned upon verification of a bond. **UNANIMOUS**

Joshua Howard of Sain Associates briefly addressed the Board about the proposed final plat for a proposed one-acre Lot 1 Smith Roofing. The proposal comes with the Industrial Development Board's favorable recommendation. Howard stipulated that the property would be exclusively for single-occupancy, single-tenant use. There would be no further subdivision. Skipper opened the public hearing then promptly closed it when nobody spoke up. Dawkins moved and Robson seconded the motion for its approval. **UNANIMOUS, except for Meads, who abstained since his firm performs work for the IDB**

James and Laura Jacobson addressed the Board about the proposed resubdivision of Lots 1 & 2 of the Williams Estates Subdivision. They purchased nine acres and intend to create two 4.5- acre lots in order to construct new homes for themselves and their grown daughter's family. Driveway access would only be to Mountain Ridge Road.

The couple readily agreed to these promises:

- no access to Ridge Parkway
- only one house per lot will be built
- no mobile or manufactured homes allowed
- no further residential development, including and particularly subdivisions.

Skipper opened the public hearing then promptly closed it when nobody spoke up. Dawkins moved and Robson seconded the motion for its approval. **UNANIMOUS**

With no further business, Skipper adjourned the meeting around 7:20 pm.