

CITY OF TRUSSVILLE
PLANNING AND ZONING BOARD
AUGUST 2021 MINUTES

The Planning and Zoning Board of the City of Trussville met for a **workshop** session on **Thursday, August 5, 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
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*
Mr. Ralph Robson
Mr. Kris Reeves

Those absent: Police representative
Mr. Steve Turner

By the time Chairman Skipper convened the workshop, the Board members had received the drafted agenda and supporting documentation for the its scheduled August 9th regular session. The Board reviewed the agenda. Discussions ensued on various proposed items, except for Campbell Smith subdivision and the annexations. No proposal got removed from the drafted agenda. Joel Childers and Rodney Gibson of ESP Associates sought informal input from the Board regarding proposed lot redistribution among undeveloped sections of the Trussville Springs subdivision, zoned PUD (Planned Unit Development district) Childers did the presentation. Discussion ensued. In the end, Skipper told Childers to solicit input from the current Trussville Springs residents before bringing his plan back to the Board. The workshop adjourned by 7:15 pm.

The Planning and Zoning Board of the City of Trussville met in **regular session** on **Monday, August 9, 2021 at 6 pm** at Trussville City Hall, with Darrell Skipper's presiding.

The following members were present:

Mr. Brett Isom
Chairman Darrell Skipper
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*
Mr. Wayne Sullivan – City Engineer & board member
Mr. Steve Turner

Those absent: Police representative
Vice Chairman Jim Meads

Chairman Skipper opened the meeting by explaining Planning & Zoning's roles and responsibilities within city government. He then proceeded with proposed subdivisions.

The Board reviewed the drafted July 2021 minutes and accepted them without changes or corrections.

The Board reviewed 585 Simmons Drive property owner Richard Akel's proposed Akel's Survey subdivision, which would create three lots from one parcel. When asked by Skipper, Sullivan confirmed the proposed plat complied with subdivision regulations. The amended plat now included a single driveway easement for Lots 2 and 3, as suggested by the Board at the workshop. Skipper opened the public hearing on the matter then promptly closed it since nobody else spoke up. Robson moved and Turner seconded the motion to approve the proposed subdivision contingent upon a shared driveway easement in the southeast corner of the plat (Mermont Drive) and upon final re-zoning approval by ordinance. **UNANIMOUS**

The Board reviewed Claude Massey's proposed re-survey Chad Turner Plot Plan, to split off a 1.14-acre plot at the western edge of his Advent Circle-based property, so that his grandson Turner could build a new home. Turner's uncle Ken Lancaster (698 Chris Court) explained the applicant's intention and introduced a pair of accompanying family members. The property is zoned A-1 (Agricultural) and is adjacent to Wynwood Lakes subdivision, zoned R-1 (Single Family Residential) Lancaster acknowledged that the applicant intends only to build a driveway for a new house, not a street to other nearby residences. Skipper asked Weinrib, who confirmed that per November 14, 1994 minutes, the Planning & Zoning Board approved the Wynwood Lakes subdivision. In those minutes, the developer agreed to provide a road stub on Wynwood Cove in the event that a Massey relative wanted to build a future home on his property. Sullivan had provided Weinrib with a copy of the recorded plat. The subject stub, located in the right of way Lot 45 & 46 area, is part of the recorded plat found in Map Book 181 Page 71, recorded May 31, 1995 in the Jefferson County Probate Court office. Skipper opened the public hearing on the matter. Neighbor Chris Seay (7887 Wynwood Road) spoke up, indicating he trusts Sullivan's judgment. He wanted to be sure that the new owner/resident would not be a member of the Wynwood homeowner association. Skipper confirmed that Turner and no future owner would not be a member. The resident(s) would not pay dues and would not have access or privileges to the lake and common areas. He (they) would only enjoy street access and use. Skipper pondered the five-foot difference in side setbacks between A-1 and R-1 regulations. When asked by Skipper, Lancaster indicated that his nephew does not yet have any building plans. Since nobody else spoke up, Skipper closed the public hearing.

Dawkins moved and Sullivan seconded the motion to accept the proposed Chad Turner Plot Plan. **APPROVED BY 7-1 VOTE (Short dissenting)**

The Board reviewed the Trois Subdivision (6701 Service Road) application from Holland Homes. T.J. Johnson spoke up for the proposal revised to be a two-lot, rather than three-lot, subdivision. No Board member asked questions. Skipper opened the public hearing on the matter. Neighbor Wayne Hood (6670 Service Road) briefly spoke, stating "This is what we're hoping for" Neighbor Heather Davis (6673 Service Road) asked "Are they going to build this 1300-sq foot (small) house again?" Nobody answered her question. Since nobody else spoke up, Skipper closed the public hearing.

Turner moved and Sullivan seconded the motion to approve the proposed final Trois Subdivision plat. **UNANIMOUS**

The Board reviewed the Campbell Smith Subdivision (6286 Mountain Ridge Road) application from property owners and brothers-in-law John Campbell and Zac Smith. Smith spoke for the proposal, explaining that they plan to build new residences on their 6.3-acre lots. The third 1.5-acre lot is essentially a drainage area. The owners are open to the idea of selling it for a future single-family residence. Skipper opened the public hearing on the matter then promptly closed it since nobody else spoke up.

Short moved and Robson seconded the motion to approve the proposed Campbell Smith Subdivision. **UNANIMOUS**

The Board reviewed the Addition to Cahaba Cove Subdivision (106 Wildwood Drive) application from owner Willis Hollis. It would create six lots out of one parcel. Surveyor Rodney

Cunningham spoke up on its behalf. Robson asked and Cunningham provided a brief history of the property. Skipper pointed out that Lot 7's only road access would be to Roper Road, a frequently travelled two-lane road that passing drivers often treat as a speedway. Discussion among Board members ensued, which led to various contingency suggestions for any motion. Skipper opened the public hearing on the matter then promptly closed it since nobody else spoke up. More discussion among Board members ensued.

Dawkins moved and Robson seconded the motion for the approval of The Addition to Cahaba Cove Subdivision, with the following conditions:

- all newly constructed residences are required to have side-entry garages
- the setback of any residence on Lot 7 shall be consistent with other nearby R-2 residences
- the character and sizes of residences in this subdivision shall be compatible with the area
- the driveway for Lot 9 shall be constructed from Butternut Lane

UNANIMOUS

The Board reviewed the Lot 45-A survey application from Brett Burgin (592 Oak Drive East) He wanted to create a lot off his home parcel in order to design and build a new 1500-1750 square foot home for his in-laws, who currently live in Hueytown. Burgin told the Board that Alabama Power was willing to move its pole free of charge for him, to accommodate his plans.

The Board asked an array of questions:

- Does this meet the Still Oaks Subdivision covenants? (Robson) (*"Yes I checked"*)
- What about the size of the lots? (Robson)
- Do your plans meet the (R-2) setbacks? (Reeves) *Yes*
- Would this be sewer or septic? (Sullivan) *Septic*
- Have you checked with the County Health Department? (Turner) *No not yet*
- How many lots in that subdivision are right at 15,000 sq feet? (Isom, to Malchus) *I don't know*
- Are there any front-loaded garages in Still Oaks? (Robson, who stated that to the best of his knowledge there are only side-loaded)
- Do you plan to put in your own driveway? (Skipper) *Yes*
- Will the house be built on a basement? (Sullivan) *Yes*

Sensing deep skepticism of his plans, Burgin offered to withdraw his plans temporarily, in order to check with the county health department, consider moving the eastern boundary close to his existing driveway and check with his closing documents for existing subdivision covenants. The Board welcomed his withdrawal.

The Board then reviewed the only proposed rezoning matter, Akel's Survey. Applicant Richard Akel spoke up, seeking to get Lot 1 (Simmon Drive access) rezoned to C-2 Commercial and Lots 2 & 3 (Mermont Drive access) rezoned to R-1 Single Family. He assured the Board he would have a wooded buffer between all lots. Skipper opened the public hearing on the matter then promptly closed it since nobody else spoke up. Robson moved and Dawkins seconded the motion to recommend its approval to the City Council. **UNANIMOUS** Akel agreed to the City's timetable for public notifications prior to late September consideration.

The Board then reviewed three proposed annexations.

Applicant Keyton Hull, owner of vacated church property at 5137 Vann Valley Drive, spoke up for his wish to get annexed. He eventually wants the property re-zoned for an insurance or a law office, as well for residential use. The county has it zoned as Institutional so it would be annexed the same way. Robson moved and Reeves seconded the motion to recommend its annexation to the Council. **UNANIMOUS**

Applicants Malaya & Jonathan Boyer, owners of 6618 Advent Circle, were not present. Regardless, the Board proceeded. Short moved and Turner seconded the motion to recommend its annexation to the Council, zoned A-1 Agricultural. **UNANIMOUS**

Applicant Ashley D. Stegall, owner of 8440 Johnson Road, was not present. Regardless, the Board proceeded. Skipper asked about the property's proximity to a fire hydrant. The question remained unanswered since no Fire Department representative attended this meeting. Reeves moved and Dawkins seconded the motion to recommend its annexation to the Council, zoned A-1 Agricultural, with the no mobile or manufactured home stipulation. **UNANIMOUS**

Under Miscellaneous, Skipper mentioned the proposed rearrangement of undeveloped Trussville Springs lots, zoned PUD, which a developer discussed at the prior workshop. Skipper asked the city clerk to share the entire PUD zoning ordinance with the entire Board, in order to facilitate future discussions.

With no further business, Skipper adjourned the meeting around 7:10 pm.