

Agenda Planning Commission

City of Decatur, AL
December 18, 2012

Time: 3:15 PM
City Council Chambers

Commissioners: **Gil Aldrich**, *Chairman*; **Tracy Tubbs**, *Vice Chairman*; **Em Barran**, *Secretary*;
Gary Borden; **Chuck Ard**; **Eddie Pike**; **Collis Stevenson**; **Joseph Wynn**; **Nell Standridge**

1. CALL MEETING TO ORDER

2. APPROVAL OF MINUTES – November 20, 2012

3. PUBLIC HEARING

PAGE/MAP

REZONING REQUEST

- | | | |
|------------|---|-----|
| A. 1266-12 | (Southeast corner of the intersection of Wilson St. NW and Sycamore St. NW) | 1/6 |
| B. 1267-12 | (Northwest corner of Danville Rd. SW and 8 th St. SW) | 2/7 |

4. CONSENT APPROVALS

CERTIFICATES

- | | | |
|------------|--|---------|
| A. 3199-12 | Certificate to Consolidate
(North of Deerfoot Way SW and west side of Covington Drive SW) | 3/8-9 |
| B. 3200-12 | Certificate to Subdivide
(North of Boys Ranch Road and south and east of Boger Loop Road) | 3/10-11 |

ANNEXATION

- | | | |
|-----------|---|------|
| A. 336-12 | (North of Highway 20 and west side of Finley Island Road) | 4/12 |
|-----------|---|------|

BOND REVIEW

A. Manor Park

4/13

(South of Chapel Hill Road and on the east side of South Chapel Hill Road)

5. VARIANCE REQUEST

VARIANCE REQUEST

A. Variance Request to the Subdivision Regulations – Phillip Trivitt

4/14

AGENDA
ZONING COMMITTEE MEETING
December 11, 2013
11:00 AM
CITY HALL ANNEX – 308 CAIN ST. NE

Members: Kent Lawrence , BOZA; Tony Powell, Building Department; Tracy Tubbs , Planning Commission; Herman Marks , City Attorney; Karen Smith , Planner
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REZONING REQUEST 1266-12

Applicant: Berval and Sandra Bennett Zoning: R3 to B1
Owner: Same Acreage: .18 ACRES

Request: This is a request to rezone a .18 acre tract from R3 (single family residential) to B1 (neighborhood commercial)

Location: Southeast corner of the intersection of Wilson St. NW and Sycamore St. NW

Recomm: This request is not in conformance with the 2010 Plan. The committee is very concerned about the impact of doing a rezoning to commercial for such a small piece of property. They felt that it would be very difficult to have safe access to the property or meet the parking requirements. The Committee would like to hear from the neighborhood. The Committee would like to explore some form of access management standards for Wilson St. on this side of the river prior to any rezoning of property to commercial. Access to and from this property should be closely monitored as multiple curb cuts on to Wilson St. will not be safe and the turn into the access drive for this property is very close to Wilson St. there is little if any room for vehicle stacking.

Previously, recommended for this property were for it to remain residential and become a scenic easement and linear park to include the Old Bank and Founders Park. It was felt that this would accomplish the following list (from Planning Commission Minutes dated June29, 1999):

1. These properties would become “protective buffers” for the neighborhood – both for Vine St. and Historic Old Decatur neighborhoods.
2. Solve the rezoning/land use question along Wilson St. and Hwy. 20 that keeps resurfacing.
3. Provide the City with Scenic Corridor Entranceway from the West.

The Planning Department feels that this is still the best course of action for the property along Wilson St. The Planning Department would also like to explore some type of access management standards for Wilson St. from Sixth Ave. to Highway 67.

REZONING REQUEST 1267-12

Applicant: Todd Sitton
Owner: Vulcan Holding

Zoning: R2 to B1
Acreage: .42 acres

Request: This is a request to rezone a .42 acre tract from R2 (single family residential) to B1 (neighborhood commercial)

Location: Northwest corner of Danville Rd. SW and 8th St. SW

Recomm:

This property appears to have been annexed in the mid-sixties and grandfathered in as a commercial use. There have been two previous rezoning attempts for this property both times one of the concerns was the impact on the setbacks from the adjacent residential property. The rezoning would impact the building envelope significantly and allow the commercial use to be much closer to the residential use on the rear and to the street on the front. The neighborhood was also very concerned about a commercial use and it was recommended for denial both times. This is an obvious commercial use and has always been a commercial use. The Zoning Committee feels that this property should be zoned appropriately for the use that was there when it was annexed. The Planning Department concurs with this assessment but has concerns about a commercial zoning north of 8th St. SW and would like to hear from the neighborhood.

Minutes
Subdivision Committee
December 11, 2012

CONSENT AGENDA

Certificates

3199-12 Certificate to Consolidate

Applicant: Donald Gandenberger
Owner: Same

Zoning: R-2, SF Residential
Acreage: Approx. 1.5 acres

Request: Consolidate Lots 3, 4, & 5 of Deerfoot Estates, Addition No. 4 into one tract of
Approximately 1.5 acres

Location: North of Deerfoot Way SW and west side of Covington Drive SW

Conds: 1. Payment of recording fees

Pt of Info: Any relocation of utilities will be at the owner's expense.

Recomm: Approval with stated condition

3200-12 Certificate to Subdivide

Applicant: Ron Bullard
Owner: Estate of Ora Lena Bullard

Zoning: Outside Corp Limits
Acreage: 23.41 acres

Request: Subdivide 23.41 acres into three tracts of 15.79 acres, 4.35 acres and 3.27 acres

Location: North of Boys Ranch Road and south and east of Boger Loop Road

Conds: 1. Provide radius or cut-off at intersection (County Engineer)
 2. Dedicate 30' of ROW on each side of the centerline of Boys Ranch Road -
 appears property extends to south side of the road (County Engineer)
 3. Applicant's to sign dedication of right of way block
 4. Dedicate a 20' electrical easement (10' either side) for an existing line on Tract I

Pt of Info: Any relocation of utilities will be at the owner's expense.

***2. This property has been subdivided by certificate four times – No further
subdivision of this property will be permitted without a minor plat.***

Recomm: Approval with stated conditions

Annexation

336-12

Applicant: Angela J. Maidment
Owner: Estes Express Lines

Zoning: Outside Corp Limits
Acreage: 5.4 acres

Request: Annex Estes Express Lines Carrier into the corporate limits of Decatur.

Location: North of Highway 20 and west side of Finley Island Road

Conds: None

Recomm: Approval

Bond Review

Manor Park

Applicant: Philip Trivitt
Owner: Same

Zoning: R-3, SF Residential
Acreage: 10.14 acres

Request: Bond review for the completion of sidewalks in Manor Park Subdivision
(LOC Initial Issue Date: 3/10/2010 - Expiration Date: 2/28/2013 – Amt: \$18,000)

Location: South of Chapel Hill Road and on the east side of South Chapel Hill Road

Recomm: The Subdivision Committee recommends extending the LOC until such time as development build out requires construction.

END CONSENT AGENDA

Variance Request to the Subdivision Regulations

Applicant: Philip Trivitt
Owner: Same

Zoning: R-5, Pending R-1E, SF Estate
Acreage: 13.09 acres

Request: Variance to Subdivision Regulations to allow the applicant to build one single family dwelling on a tract of land that has no access to public right of way at this time. Access would be gained from an existing easement written into the applicant's deed.

Location: South of Chapel Hill Road SW and east of South Chapel Hill Road

Conds:

1. No further subdivision of this property would be permitted until access to public right of way is available.
2. All infrastructure must be in place (water, sewer, electric) prior to a building permit being issued.

Recomm: The Subdivision Committee recommends approval subject to the stated conditions.

REZONING REQUEST NO. 1266-12 FROM R-3 TO B-1 .18 ACRES



LOCATION MAP

Legend



bldg

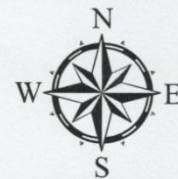


SUBJECT PROPERTY

PROPERTY ZONED R-3

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

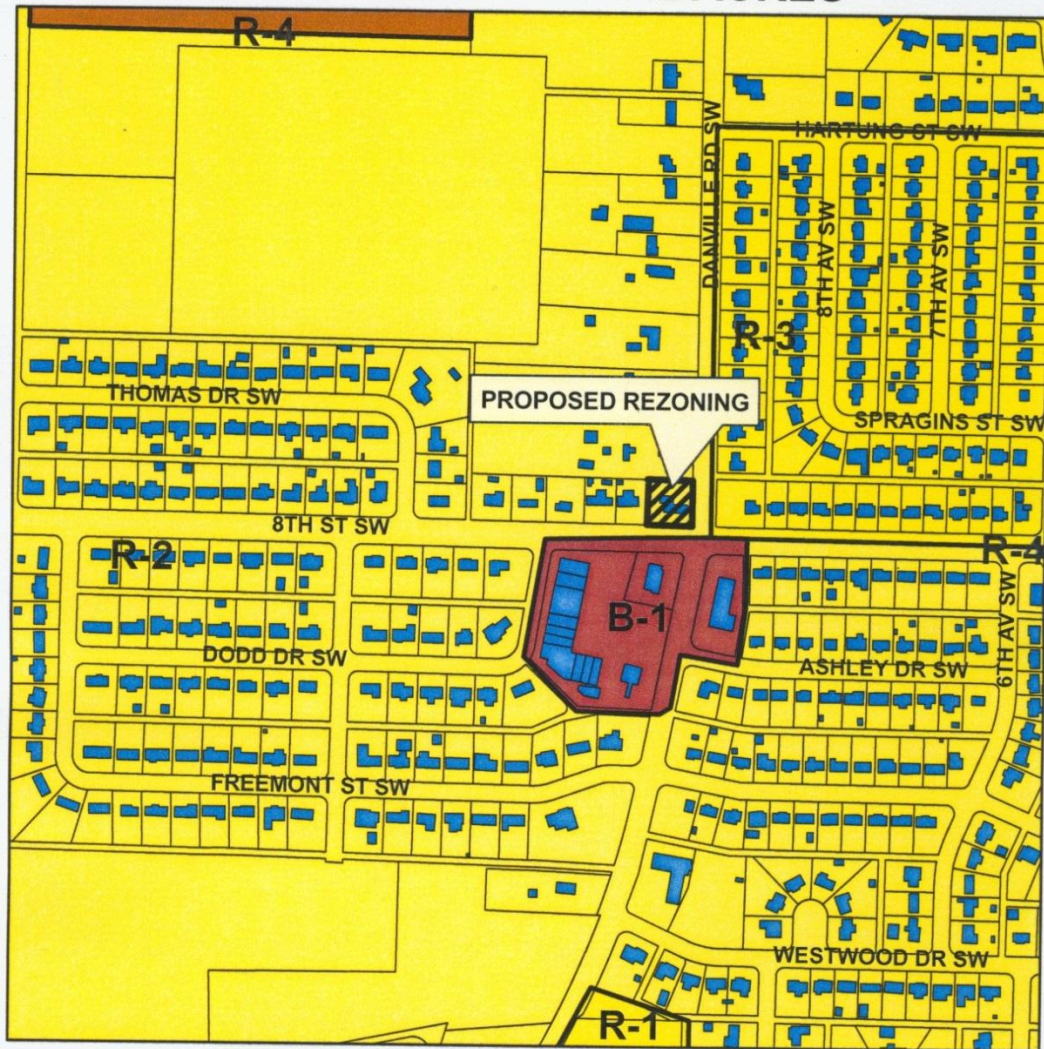
APPLICANT :BERVAL AND SANDRA BENNETT



DRAWING NOT TO SCALE

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REZONING REQUEST NO. 1267-12 FROM R-2 TO B-1 .42 ACRES



LOCATION MAP

Legend



bldg



SUBJECT PROPERTY

PROPERTY ZONED R-2

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

APPLICANT : TODD SITTON FOR VULCAN HOLDING LLC



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CERTIFICATE TO CONSOLIDATE NO. 3199-12



Legend



LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

APPLICANT: DONALD J. AND Karryne M. GANDENBERGER



DRAWING NOT TO SCALE

 SUBJECT PROPERTY

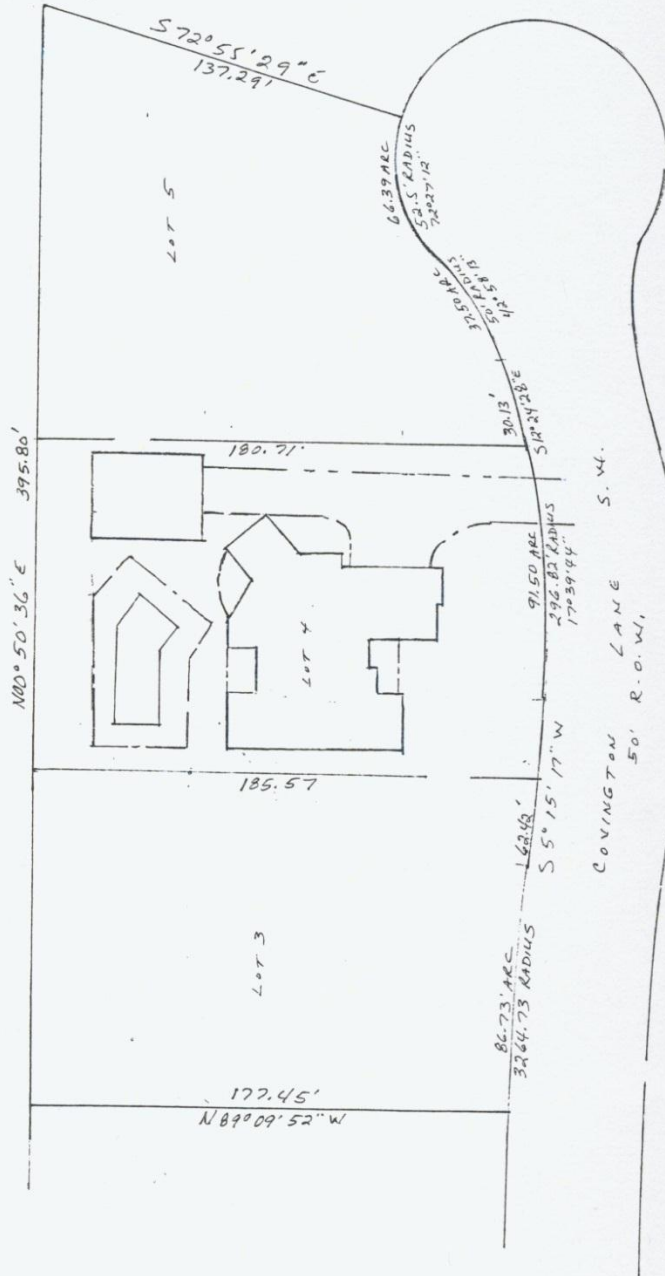
ZONED R-2

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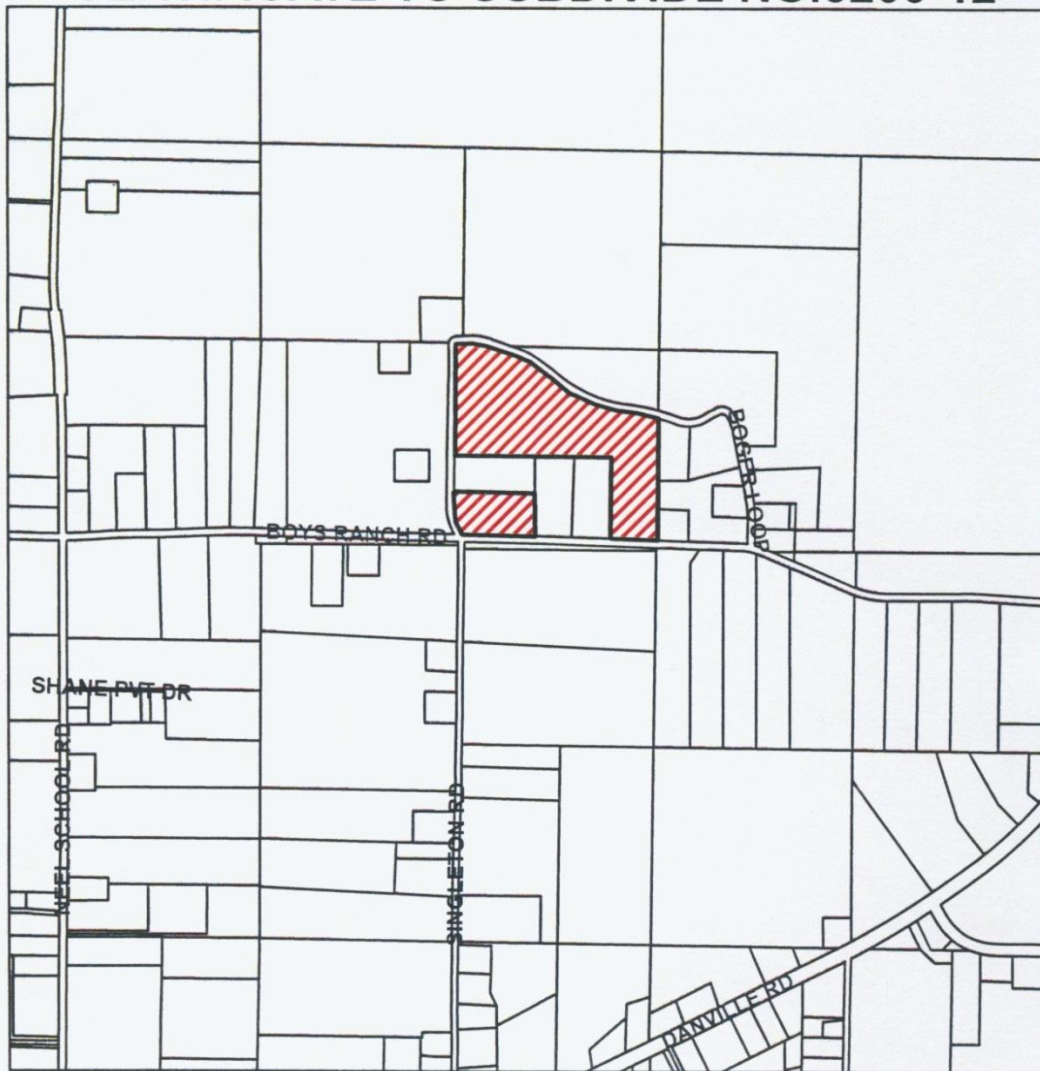
CERTIFICATE TO CONSOLIDATE NO.3199-12

PLAT FOR CERTIFICATE TO CONSOLIDATE
CLIENT - DWAYNE GARDENBERGER
FIELD SURVEY 10-2-12

DANNY HILL
2202 MARTINWOOD LN SW
DECATUR, AL



CERTIFICATE TO SUBDIVIDE NO.3200-12



LOCATION MAP

Legend



corplm

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

APPLICANT: RONNIE W. BULLARD FOR THE ESTATE OF ORA LENA
BULLARD



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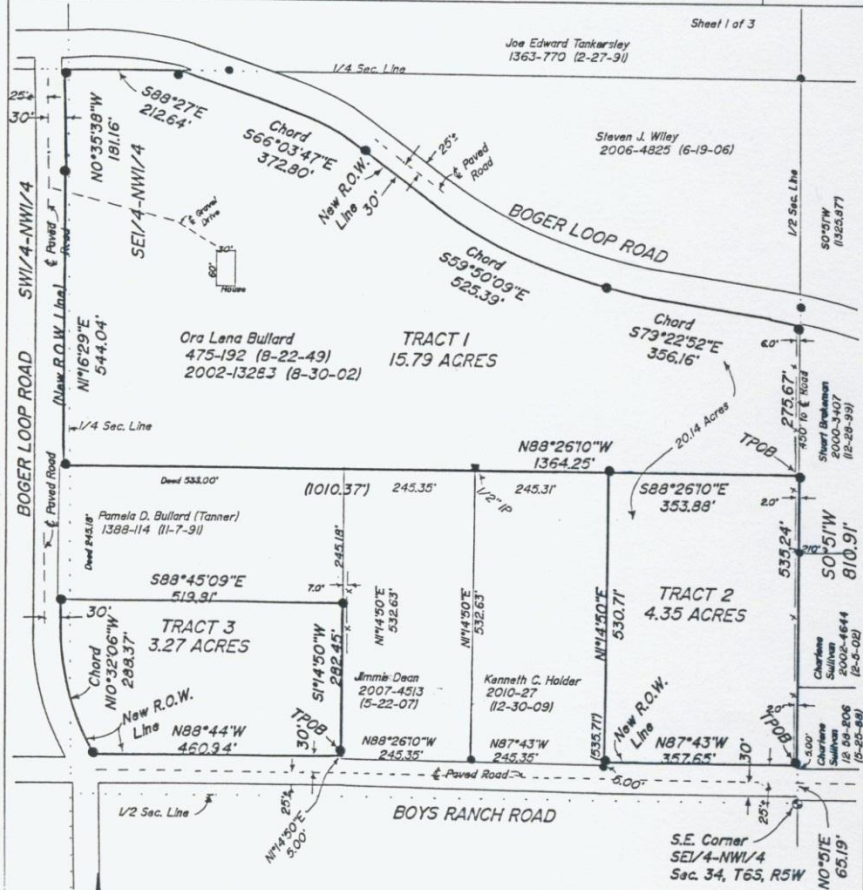
 SUBJECT PROPERTY

NO ZONE PJ ONLY

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CERTIFICATE TO SUBDIVIDE NO.3200-12

1222 MAIN STREET WEST		GURNEY'S SURVEYING COMPANY, INC.		HARTSELLE, AL 35640	
(256) 773-2882					
SCALE:	TITLE:	NO.			
1"=200'	Boundary Survey for 3 Tracts (23.41 Acres) in the	12-070			
	SE 1/2-NW 1/4, Section 34, T6S, R5W, Morgan County, AL	DATE:		11-23-12	
DRAWN BY:	Certificate to Subdivide				
AFG					



Charles M. Curtis
Dorothy W. Curtis
879-209 (3-10-73)



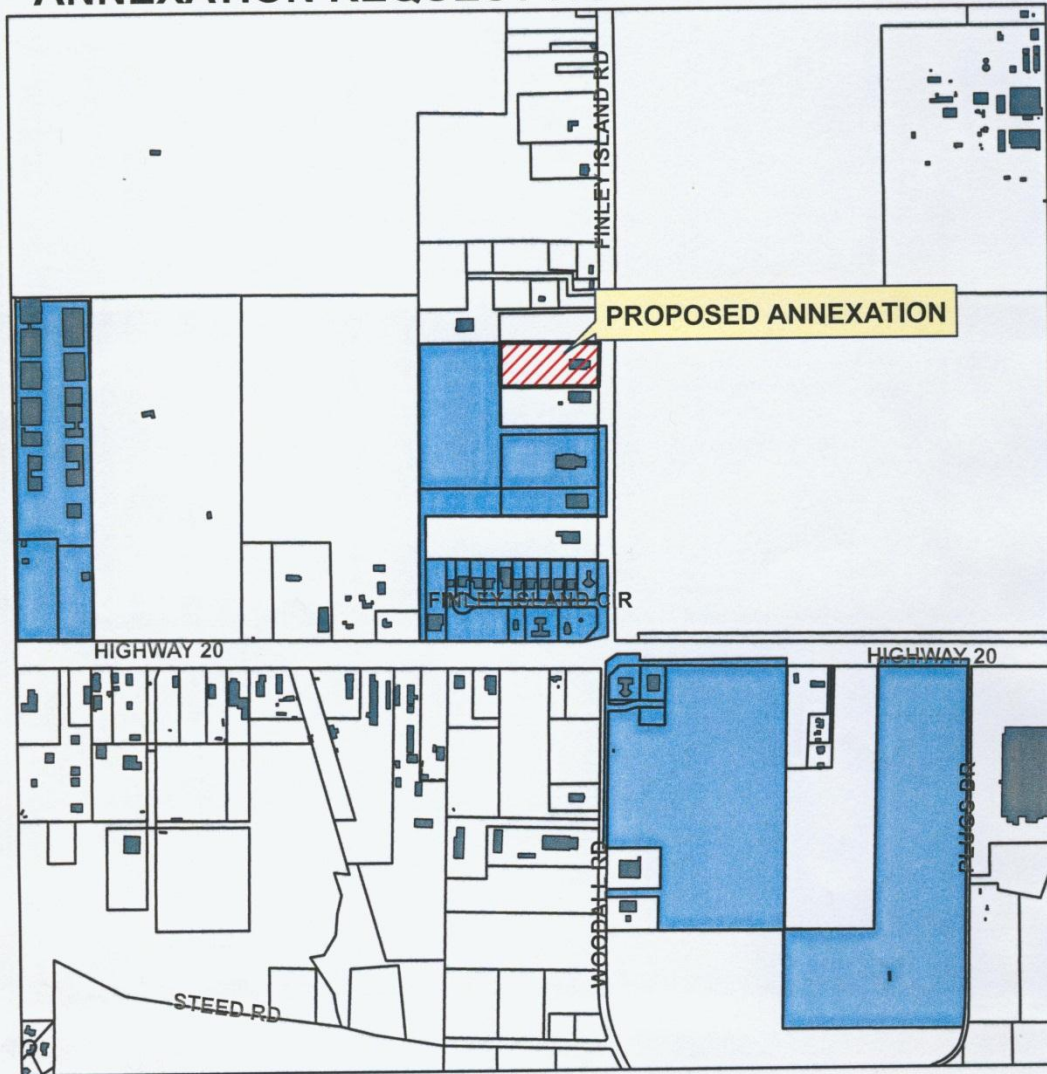
1"=200'
● = Set 1/2" Capped LP.
stamped Gurney LS-11C83
■ = Existing Marker
-X- = Fence
Date of Field Survey: 11-21-12
Bearings are true (astronomic)

DEDICATION
I, Ronnie W. Bullard, personal representative of the estate of Ora Lena Bullard, the owner of the property as shown on this plat, hereby dedicate the right of way for Boys Ranch Road and Boger Loop Road (as noted on this plat) for the use of the public.
Witness my hand, this the ___ day of ___, 2012.

ACKNOWLEDGMENT
I, Frank W. Gurney, a Notary Public in and for Morgan County, Alabama, hereby certify that the above, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date, that being informed of the contents of this instrument, he executed the same voluntarily.
Given under my hand and official seal, this the ___ day of ___, 2012.

Notary Public

ANNEXATION REQUEST NO. 336-12 5.4 ACRES



Legend



LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

APPLICANT: ESTES EXPRESS LINE



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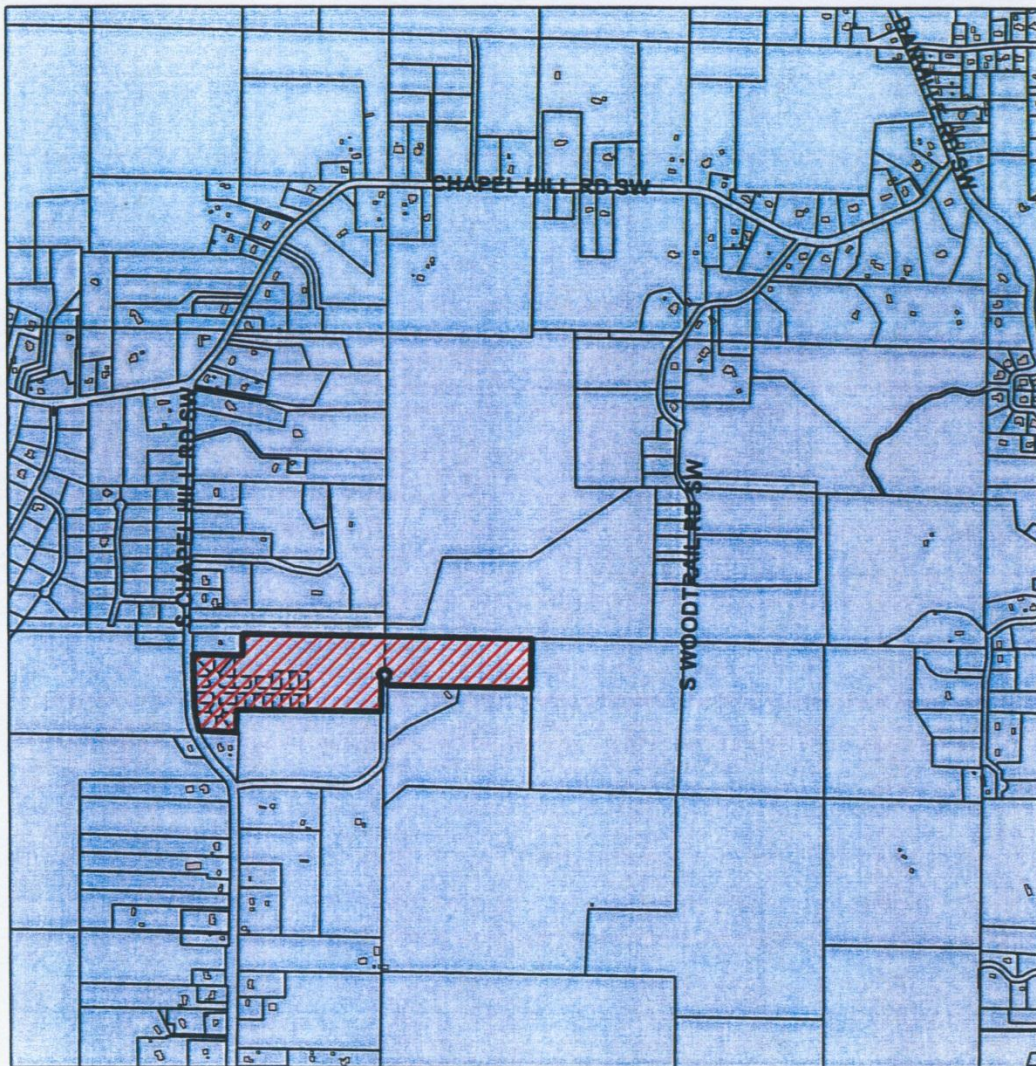


SUBJECT PROPERTY

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MANOR PARK SUBDIVISION BOND REVIEW



LOCATION MAP

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PLANNING DEPARTMENT

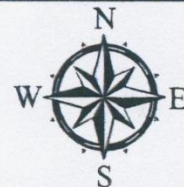
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 **SUBJECT PROPERTY**

ZONE R-3 AND R-5

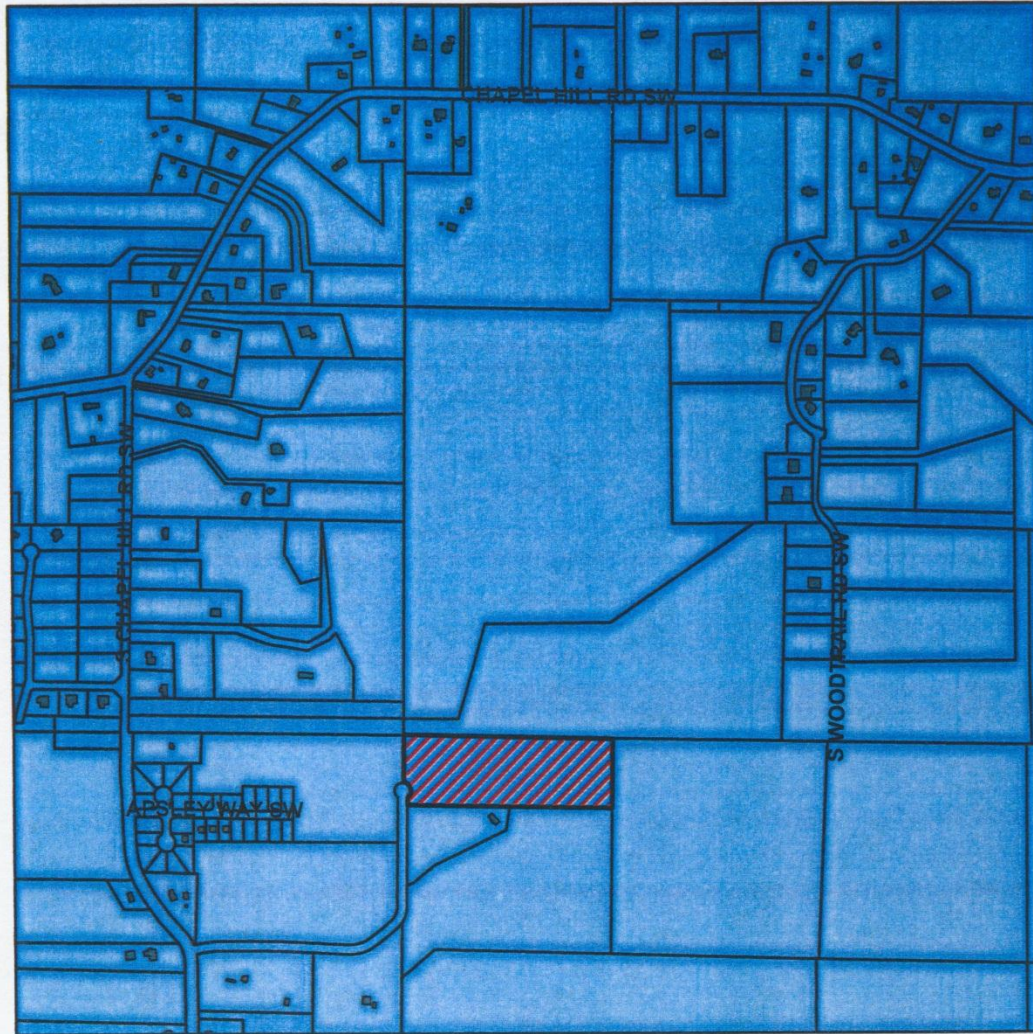
APPLICANT: PHILLIP TRIVITT



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VARIANCE REQUEST TO BUILD ONE SINGLE FAMILY DWELLING
ACCESS FROM EASEMENT ONLY



Legend



LOCATION MAP

PREPARED BY THE CITY OF DECATUR
PLANNING DEPARTMENT

APPLICANT: PHILIP K. TRIVITT



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 SUBJECT PROPERTY

ZONED R-5 (PENDING R-1E ZONING)

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