Hello All,

Enclosed please find your packet for the Zoom meeting January 4, 2021.

We have:
- 4 resurveys
- Annual review of sidewalk in-lieu fees
- Annual Election of planning commission officers (see attached by-laws)

If you receive any citizen inquiries regarding these cases the plans may be viewed by going to:
www.mtnbrook.org
- Calendar (upper right corner)
- Planning Commission (January 4, 2021)
- Meeting Information (for agenda) and Supporting Documents (to view proposed plans select link associated with the case number)

If you have any questions about these cases please don’t hesitate to give me a call at 802-3816 or send me an email at hazend@mtnbrook.org.

Looking forward to seeing you on Monday (on Zoom)!

Dana
MEETING AGENDA
CITY OF MOUNTAIN BROOK
PLANNING COMMISSION
JANUARY 4, 2021
PRE-MEETING: 5:00 P.M.
REGULAR MEETING: 5:30 P.M.
CITY HALL, 56 CHURCH STREET
MOUNTAIN BROOK, AL 35213

MEETING TO BE HELD VIRTUALLY USING ZOOM VIDEO CONFERENCING
(ACCESS INSTRUCTIONS ON MEETING WEBPAGE AT MTNBROOK.ORG)

1. Call To Order

2. Approval of Agenda

3. Approval of Minutes: December 7, 2020

4. Case P-20-35: Smith’s Resurvey of Rockridge Park being a Resurvey of Rockridge Park Lot 10 & 11 Resurvey as recorded in Map Book 250, Page 13, in the Office of the Judge of Probate, Jefferson County, Alabama; situated in the NE ¼ and SE ¼ of the NE ¼ of Section 5, Twp-18S, R-2W, Jefferson County, Alabama. 10 Country Club Road (carried over from December 7, 2020)

5. Case P-21-01: Mitchell’s Resurvey on Canterbury, being a Resurvey of the East 25 feet of Lot 284 and the West 75 Feet of 285, Mountain Brook Estates Canterbury Sector, and Blocks 2 and 4 Mountain Brook Village; located in the NW 1/4 of Section 8, Twp-18S, R-2W, Jefferson County Alabama. 2532 Canterbury Road

6. Case P-21-02: Resurvey of Lot 1-C of a Resurvey of Lot 1-B of 5th Addition to Office Park; as recorded in Map Book 225, Page 42, in the Office of the Judge of Probate, Jefferson County, Alabama; situated in the SW ¼ of the SW ¼ of Section 8, Twp-18S, R-2W, Jefferson County, Alabama. 500 Office Park Drive

7. Case P-21-03: Hancock’s Resurvey, being a Resurvey of Lot 22, 23, and 24, Block 2, and ½ of a vacated alley, McElwain as recorded in Map Volume 3, Page 47, in the Office of the Judge of Probate in Jefferson County Alabama; located in Section 34, Twp-17S, R-2W, Jefferson County, Alabama. – 1014 Euclid Avenue

8. Annual Review of Guideline for Sidewalk In-Lieu Fee

9. Annual Organizational Meeting – Election of Officers

10. Next Meeting: Monday, February 1, 2021

11. Adjournment
Planning Commission Application
PART I

Project Data

Address of Subject Property 100 COUNTRY CLUB RD, MTN. BROOK AL 35213

Zoning Classification RESIDENCE

Name of Property Owner(s) ROGER AND CATHERINE SMITH

Phone Number (205) 341-0686 Email TOOTHSMITH@ME.COM

Name of Representative Agent (if applicable)

JAMES LEWIS

Phone Number (205) 807-714 Email JIMMY@JAMESBLAINEHILL.COM

Name of Engineer or Surveyor PET WETZANO

Phone Number (205) 942-0086 Email JAMIE-WETZANO@C BELL SOUT.COM

Property owner or representative agent must be present at hearing

Plans

See applicable Section of the Zoning Ordinance for submittal requirements pertaining to your particular application. Applicable Code Section may be found in Part II, list of application types. Contact City Planner with any specific questions as to required plans submittal.
James B. Laughlin

October 30, 2020

Re: 10 Country Club Road resurvey

To whom it may concern,

I am writing on behalf of Roger and Catherine Smith regarding their request to resurvey Lots 10-A and 11-A to become a single parcel.

Prior to May 6, 2019, the subject property was in fact a single parcel containing a single-family dwelling and was resurveyed in an effort to market the sale of the property.

The current property owners have plans to renovate and add onto the existing residence. Please know that all new work and proposed additions satisfy the zoning requirements for a 'Residence A' district.

Respectfully,

James B. Laughlin
Resurvey in existing Residence A zoning

Resurvey combining Lots 10A and 11A into one lot for the purpose of renovating and making additions to the existing single family dwelling on the property.

**Background:** On February 4, 2019, the planning commission approved Case P-19-04, a lot line adjustment between Lots 10 and 11 (one home site). The resulting resurvey transferred approximately 2,000 sf from Lot 10 to Lot 11, resulting in the “squaring up” of Lot 11 in preparation for single family development. In conjunction with the resurvey, the city council required covenants be recorded such that a minimum 70-foot front setback would be maintained along County Club Road, in the event that two houses were built on the two lots (10 and 11). Said covenants are not binding on the combining of the lots into one home site.

☑️ **May be approved as a final plat.**

☑️ Meets the Zoning Regulations for the Residence A district.

☑️ **Overall layout is acceptable,** with the final plat to fully comply with all applicable requirements of the Mountain Brook Subdivision Regulations.

☑️ No floodplain present.

- **Project Data:**

  NAME: Smith’s Resurvey of Rockridge Park

  CURRENT ZONING: Residence A

  OWNERS: William and Catherine Smith

  LOCATION: 10 Country Club Road
LOT 11
LOT SIZE: 17,915 SF
COVERAGE: 3,000 SF (17%)
IMPERVIOUS: 4,600 SF (26%)
HOUSE: 2-STORY, 4,800 SF

LOT 10
LOT SIZE: 30,000 SF
COVERAGE: 4,600 SF (15%)
IMPERVIOUS: 5,400 SF (18%)
HOUSE: 2-STORY, 8,000 SF

POTENTIAL SUBDIVISION
OF 10 COUNTRY CLUB ROAD
1" = 40'

COUNTRY CLUB ROAD
RIDGE DRIVE
EXISTING LOT LINE
Planning Commission Application
PART I

Project Data

Address of Subject Property  2532 CANTERBURY RD

Zoning Classification  RESIDENCE A

Name of Property Owner(s)  ROBERT MITCHELL

Phone Number________________________ Email grmitchell@icloud.com

Name of Representative Agent (if applicable)

RAY WEYGAND

Phone Number  205-942-0086  Email ray@weygandsurveyor.com

Name of Engineer or Surveyor  RAY WEYGAND

Phone Number  205-942-0086  Email ray@weygandsurveyor.com

⚠️ Property owner or representative agent must be present at hearing

Plans

⚠️ See applicable Section of the Zoning Ordinance for submittal requirements pertaining to your particular application. Applicable Code Section may be found in Part II, list of application types. Contact City Planner with any specific questions as to required plans submittal.
P-21-01

Resurvey in existing Residence A zoning

✔ “Clean-up” resurvey combining portions of legacy lots.

☑ May be approved as a final plat.

✔ Meets the Zoning Regulations for the Res-A district.

✔ Overall layout is acceptable, with the final plat to fully comply with all applicable requirements of the Mountain Brook Subdivision Regulations.

✔ No floodplain present.

✔ No relevant history or prior cases.

• Project Data:

  NAME: Mitchell’s Resurvey on Canterbury

  CURRENT ZONING: Residence A

  OWNER: Robert Mitchell

  LOCATION: 2532 Canterbury Road
MITCHELL'S RESURVEY ON CANTERBURY


LOCATED IN THE NW1/4 OF
SECTION 8, TOWNSHIP 18 S, RANGE 2 W
JEFFERSON COUNTY, ALABAMA

SCALE: 1" = 80'  DATE: DECEMBER 1993

LOT 284

7.5' EASEMENT

LOT 285

90°05'40"

36°00'27"

90°16'52"

FND.1" CRIMP

NOTE:

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE "X") AS PER MAP NO. 010758977, DATED SEPTEMBER 03, 2010.

ZONED: RESIDENCE A
FRONT SETBACK --- 40 FEET
REAR SETBACK --- 40 FEET
SIDE SETBACK --- 15 FEET

CANTERBURY ROAD

60' R.O.W.
Planning Commission Application

PART I

Project Data

Address of Subject Property  500 Office Park Drive

Zoning Classification  Office Park District

Name of Property Owner(s)  500 Office Park, LLC

Phone Number  205-380-1055  Email  danl@grahamcompany.com

Name of Representative Agent (if applicable)

Dan Lovell, Member

Phone Number  205-380-1055  Email  danl@grahamcompany.com

Name of Engineer or Surveyor  Rick Nail, PE

Phone Number  205-488-0238  Email  rnel@lbym.com

Property owner or representative agent must be present at hearing

Plans

See applicable Section of the Zoning Ordinance for submittal requirements pertaining to your particular application. Applicable Code Section may be found in Part II, list of application types. Contact City Planner with any specific questions as to required plans submittal.
December 8, 2020

City of Mountain Brook
56 Church Street
Mountain Brook, AL 35213

Attention: Ms. Dana O. Hazen, MPA, AICP
Director of Planning, Building & Sustainability

Reference: 500 Office Park Circle
Planning Commission Application
Plat for Condominium Purposes

Dear Ms. Hazen:

Please let this letter serve as our request to be placed on the Planning Commission hearing for January 4, 2021 for the proposed condominium of the 2.23 Acre tract located at 500 Office Park Circle in Mountain Brook. This plat will create two buildings (Unit 1 at 9,181 SF and Unit 2 at 13,481 SF). All parking will be handled via reciprocal cross parking and access easements.

Let me know if you have any questions.

Sincerely,

[Signature]

Dan Lovell
Member, 500 Office Park, LLC

Enclosures
cc: Rick Nail, LBYD, Inc.
P-21-02

Resurvey in existing Office Park zoning

✓ The purpose of this survey is to convert Lot 1-C into a condominium plat with two units and common area.

Similar Background: On September 4, 2018, the planning commission approved P-18-28, which was a resurvey of Lot 1 and Lot 2 into Unit 1 and Lots 2A and 2B (revised condominium ownership) for the adjoining property to the immediate west (400 Office Park Drive).

✔ May be approved as a final plat.

✓ Meets the Zoning Regulations for the Office Park district.

✓ Overall layout is acceptable, with the final plat to fully comply with all applicable requirements of the Mountain Brook Subdivision Regulations.

✓ No floodplain present.

✓ No relevant history or prior cases.

• Project Data:

  NAME: Resurvey of Lot 1-C of a Resurvey of Lot 1-B of 5th Addition to Office Park

  CURRENT ZONING: Office Park District

  OWNERS: 500 Office Park, LLC

  LOCATION: 500 Office Park Drive
RESURVEY OF LOT 1-C
OF A RESURVEY OF LOT 1-B OF 5TH
ADDITION TO OFFICE PARK

STATE OF ALABAMA
COUNTY OF JEFFERSON

THE PURPOSE OF THIS SURVEY IS TO CONVERT LOT 1-C ACCORDING TO THE SURVEY OF Lot 1-B OF 5TH ADDITION TO OFFICE PARK, AS RECORDED IN MAP BOOK 225, PAGE 42, JEFFERSON COUNTY, ALABAMA.

THE UNDERSIGNED, JEFF D. ARRINGTON, A REGISTERED LAND SURVEYOR, STATE OF ALABAMA, AND 500 OFFICE PARK LLC, OWNER, HEREBY CERTIFY THAT THIS PLAT OR MAP WERE MADE AT THE INSTANCE OF SAID OWNER; THAT THIS PLAT SHOWS THE STREETS, ALLEYS AND PUBLIC GROUNDS, AND SHOWING THE RELATIONSHIP OF THE LANDS TO THE SURVEY OF A RESURVEY OF LOT 1-B OF 5TH ADDITION TO OFFICE PARK, AS RECORDED IN MAP BOOK 225, PAGE 42; 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.

THE COMMON AREA SHOWN ON THIS PLAT IS SUBJECT TO AN EASEMENT FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, AND ANY RELEVANT RESTRICTIONS ON SETBACKS, EASEMENTS, AND MATHMATICAL CLOSURE SHOWN ON THE RECORD MAP OF A RESURVEY OF LOT 1-B OF 5TH ADDITION TO OFFICE PARK, AS RECORDED IN MAP BOOK 225, PAGE 42.

NOTE:
- NO FURTHER SUBDIVISION OF ANY PARCEL SHOWN HEREON SHALL BE ALLOWED WITHOUT THE 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 THE RIGHT-OF-WAY OR EASEMENT SHOWN HEREON MAY VOID THIS APPROVAL.
- THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON THE LATEST FEDERAL INSURANCE RATE MAPS. A PANEL NUMBER IS SHOWN ON THE FEDERAL INSURANCE RATE MAPS.
- THE COMMON AREA SHOWN ON THIS PLAT IS SUBJECT TO AN EASEMENT FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, AND ANY RELEVANT RESTRICTIONS ON SETBACKS, EASEMENTS, AND MATHMATICAL CLOSURE SHOWN ON THE RECORD MAP OF A RESURVEY OF LOT 1-B OF 5TH ADDITION TO OFFICE PARK, AS RECORDED IN MAP BOOK 225, PAGE 42.

APPROVED IN FORM ONLY:
CHAIRMAN, MOUNTAIN BROOK PLANNING COMMISSION
SECRETARY, MOUNTAIN BROOK PLANNING COMMISSION

DRAFTED AND DESIGNED BY:
ARRINGTON ENGINEERING Co.

NOTES:
1. NO TITLE SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM AND LANDS SHOWN HEREON ARE NOT INSTRUCTIVE OF EASEMENTS OR RIGHTS OF WAY. RECORDS OR ABSTRACTS FILED WITH THIS DOCUMENT ARE NOT ABSTRACTED FOR EASEMENTS AND RIGHTS OF WAY.
2. THE PROPERTY SHOWN ON THIS PLAN IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON THE LATEST FEDERAL INSURANCE RATE MAPS.
3. THE PROPERTY SHOWN ON THIS PLAN IS LOCATED IN FLOOD ZONE "A" AS SHOWN ON THE LATEST FEDERAL INSURANCE RATE MAPS.
4. THE PROPERTY SHOWN ON THIS PLAN IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON THE LATEST FEDERAL INSURANCE RATE MAPS.
5. THE PROPERTY SHOWN ON THIS PLAN IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON THE LATEST FEDERAL INSURANCE RATE MAPS.

DRAFTED:
DIRECTOR OF ENVIRONMENTAL SERVICES

APPROVED:
CHAIRMAN, MOUNTAIN BROOK PLANNING COMMISSION
SECRETARY, MOUNTAIN BROOK PLANNING COMMISSION

NOTARY PUBLIC:
My Commission Expires:

NOTARY PUBLIC:
My Commission Expires:

NOTARY PUBLIC:
My Commission Expires:
Planning Commission Application
PART I

Project Data

Address of Subject Property 1014 EUCLID AVE

Zoning Classification RESIDENCE B

Name of Property Owner(s) MARK HANCOCK

Phone Number _____________________ Email _____________________

Name of Representative Agent (if applicable)
RAY WEYGAND

Phone Number 205-942-0086 Email ray@weygandsurveyor.com

Name of Engineer or Surveyor RAY WEYGAND

Phone Number 205-942-0086 Email ray@weygandsurveyor.com

⚠️ Property owner or representative agent must be present at hearing

Plans

⚠️ See applicable Section of the Zoning Ordinance for submittal requirements pertaining to your particular application. Applicable Code Section may be found in Part II, list of application types. Contact City Planner with any specific questions as to required plans submittal.
Resurvey in existing Residence B zoning

- Resurvey combining three lots into two lots, along with a portion of a previously vacated alley.

- May be approved as a final plat.

- Meets the Zoning Regulations for the Res-B district.

- Overall layout is acceptable, with the final plat to fully comply with all applicable requirements of the Mountain Brook Subdivision Regulations.

- No floodplain present.

- No relevant history or prior cases.

- **Project Data:**

  NAME: Hancock’s Resurvey
  CURRENT ZONING: Residence B
  OWNER: Mark Hancock
  LOCATION: 1014 Euclid Avenue
HANCOCK'S RESURVEY

BEING A RESURVEY OF LOT 22, 23, AND 24, BLOCK 2 AND HALF OF A VACATED ALLEY, MCLAIN'S RESURVEY MAP VOLUME 3 PAGE 47 IN THE OFFICE OF THE JUDGE OF PROBATE IN JEFFERSON COUNTY, ALABAMA.

LOCATED IN SECTION 34, TOWNSHIP 11 SOUTH, RANGE 2 WEST

JEFFERSON COUNTY, ALABAMA

WEYAND SURVEYORS, INC.
Roy Weyand, Reg. L.S. 36975
160 Dempsey Road, Homewood, AL 35209
Phone (205) 440-3656 Fax (205) 440-3007

SCALE 1" = 100' DATED JANUARY 2015

NOTE: THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE "A") AS PER MFR NO. 0187C6857B, DATED SEPTEMBER 05, 2010.

ZONED: RESIDENCE B
FRONT SETBACK — 35 FEET
REAR SETBACK — 35 FEET
SIDE SETBACK — 12.5 FEET

NOTE: All easements shown on this plat are for public utilities, sanitary sewers, storm sewers, and storm drains and may be used for such purposes on serve property both within and without this subdivision. No permanent structure or other obstruction shall be located except by the Public Works Department, within the limits of a dedicated easement.
**Annual Review of Sidewalk In-Lieu Fee**

The attached *Guideline for Planning Commission – Fees-in-Lieu for Sidewalk Installation* provides that the fee will be evaluated by the planning commission at the beginning of each fiscal year to determine if it should be revised.

Also, the fee may be revised or modified at any time if market conditions or construction costs change materially, or if the planning commission should otherwise determine such a revision to be necessary or proper.

In 2017, the initial fee was established at a rate of $25/linear foot, which was the recommendation of Public Works, based on materials alone.

On November 5, 2018, the planning commission voted to increase the fee to $30/linear foot.

On November 4, 2019, Public Works indicated that $30/linear foot was still adequate and fair, so the planning commission voted to leave the amount the same.

2021 input from Public Works will be forwarded to the commission at the time of the meeting.
City of Mountain Brook

Guideline for Planning Commission - Fees-in-Lieu of Sidewalk Installation

WHEREAS in cases where the Subdivision Regulations of the City of Mountain Brook require the installation of sidewalks by the developer of a subdivision, Section 5.2.3 of the Subdivision Regulations indicates that in the case of cul-de-sacs or minor streets where sidewalks would be of less benefit than sidewalks in surrounding areas, the Planning Commission may lessen or waive sidewalk requirements and may instead require a fee-in-lieu so that the City may make sidewalk improvements on existing streets in the area surrounding the proposed subdivision, and

WHEREAS the Subdivision Regulations indicate that such fee-in-lieu shall be equal to the cost of sidewalk improvements that would otherwise have been required; and

WHEREAS the practice of the City has historically been to consult with the Public Works Department on a case by case basis to determine “the cost of the sidewalk improvements that would have otherwise been required” for purposes of setting the fee-in-lieu of sidewalk installation; and

WHEREAS the Planning Commission has determined that an equally effective and more efficient manner of making that determination would be to set a standard fee per linear foot based on market conditions and average cost of sidewalk installation by the City; and

WHEREAS the Public Works Department has indicated that, for the 2019-2020 fiscal year, the cost of sidewalk improvements is an average of $30/linear foot, based on market conditions in place at the time of this enactment, and that those costs are anticipated to remain in place for the remainder of the present fiscal year.

NOW THEREFORE be it established by the Planning Commission as follows:

1. In cases where the Subdivision Regulations require installation of sidewalks by a developer and where the Planning Commission has the jurisdiction and discretion to require a fee-in-lieu of such sidewalks, a fee of $30/linear foot will be utilized to establish the “cost of sidewalk improvements that would have otherwise been required,” except as may be otherwise provided herein.

2. The fee hereby established shall be effective immediately and remain in place until the Planning Commission determines otherwise.

3. The fee will evaluated at the beginning of each fiscal year to determine if it should be revised. The fee may also be revised or modified at any time if market conditions or construction costs change materially or if the Planning Commission should otherwise determine such a revision to be necessary or proper.
ARTICLE I. PURPOSE AND AUTHORIZATION

The objectives and purpose of the Planning Commission of Mountain Brook, Alabama, are those set forth by Title 11, Chapter 52, Code of Alabama 1975, and those powers and duties delegated to the Planning Commission in the City Code of the City of Mountain Brook, Alabama, in accordance with the above enabling law.

ARTICLE II. NAME

The Commission shall be known as the Mountain Brook Planning Commission.

ARTICLE III. OFFICE OF AGENCY

The office of the Mountain Brook Planning Commission shall be at Mountain Brook City Hall where all Commission records will be kept. Copies of all official documents, records, maps, etc., will be filed or recorded in the office of the Zoning Officer.

ARTICLE IV. MEMBERSHIP AND ATTENDANCE

Section 1. The membership and terms of office are those specified in State law.

Section 2. Any Commission Member who is absent from four (4) consecutive meetings will be expected to resign or show good and valid cause for the absences.

ARTICLE V. OFFICERS AND THEIR DUTIES

Section 1. The officers of the Commission shall consist of a Chairman, Vice Chairman and Secretary.

Section 2. The Chairman shall preside at all meetings and hearings of the Commission, and shall have the duties normally conferred by parliamentary usage on such officers. The Chairman shall have the authority to appoint committees, call special meetings, and generally perform such other duties as may be prescribed in these bylaws. The Chairman shall be authorized to vote upon all issues before the Commission.
Section 3. The Vice Chairman shall act for the Chairman in the latter’s absence from meetings of the Commission and shall have the authority to perform the duties prescribed for that office.

ARTICLE VI. MEETINGS

Section 1. Regular meetings shall be held on the first Monday of each month at 5:30 p.m. in the designated meeting place. In the event of conflict with holidays or other events, a majority vote of the members may change the date of a meeting.

Section 2. The agenda for each meeting shall be prepared and shall be distributed to the Commission or review.

Section 3. Special meetings may be called by the Chairman as the need arises. All members of the Commission shall be notified of such meetings.

Section 4. A majority (4) of the entire Planning Commission membership (7) shall constitute a quorum. A quorum must be present before a meeting can be held. Final subdivision approval shall require four (4) affirmative votes. All other Commission business shall require majority vote.

Section 5. All Commission meetings shall be open to the public.

Section 6. If so voted by the majority of the Commission members present, the Planning Commission may call an executive session.

Section 7. Unless otherwise specified, the latest edition of “Robert’s Rules of Order” latest addition shall govern the proceedings at each meeting of the Commission.

ARTICLE VII. ELECTION OF OFFICERS

Section 1. An annual organizational meeting shall be held in January, at which time officers will be elected. Each officer must be elected by a majority of those present and voting.

Section 2. Nominations may be made by any member of the Commission at the annual organizational meeting and the election of the Chairman, Vice Chairman and Secretary shall follow immediately thereafter.

Section 3. A candidate receiving a majority vote shall be declared elected and shall serve for one (1) year or until a successor takes office.
Section 4. Vacancies in offices shall be filled by regular election procedures as prescribed in the ordinance establishing the Commission.

Section 5. Resignations from the Commission shall be in written form and transmitted to the Chairman, who will then forward the same to the Mayor.

ARTICLE VIII COMMITTEES

Section 1. Special committees may be appointed by the Chairman for purposes and terms which the Commission approves. The Chairman shall terminate such committees once they have performed their functions and reported to the Commission.

Section 2. The Zoning Ordinance Review Committee shall consist of the City Zoning Officer, the City Council representative to the Planning Commission, the Chair of the Planning Commission and one Planning Commission Member who serves at the pleasure of the Chair. The Building Inspection Superintendent shall serve as an ex-officio member of this Committee. The Committee shall be chaired by one of its members who shall be designated by and serve in said capacity at the pleasure of the Chairman of the Planning Commission. Proposed revisions or additions to the classifications, categories or general regulations in the zoning ordinance may be referred to the Zoning Ordinance Review Committee for consultation before Planning Commission consideration. The Zoning Ordinance Review Committee may also consult with the Planning Commission on other needs or matters related to revision of the zoning ordinance.

ARTICLE IX. ORDER OF BUSINESS

Section 1. Unless otherwise determined by the chairman, the order of business at regular meetings shall be:

a. Call to Order
b. Approval of Agenda
c. Approval of Minutes of previous meeting
d. Old Business
e. New Business
f. Adjournment

Section 2. A motion must be made by a member of the Commission and passed in order to remove or continue any item on the agenda.
ARTICLE X.  HEARING

Section 1.  All public hearings prescribed by law shall be held in accordance with the requirements set forth for such hearings in the Zoning Ordinance and the Code of Alabama.

Section 2.  The Commission may hold public hearings, in addition to required hearings, when it determines that such hearings will be in the interest of the public.

Section 3.  A stenographer shall take down a summary of evidence, and/or the evidence shall be recorded by a sound-recording device, at each hearing before the Commission. A summary of the proceedings of the hearing shall be incorporated into the minute book of the Commission to be a permanent part of that record.

ARTICLE XI.  CONDUCTING THE PUBLIC HEARING

Section 1.  A summary of the question or issue shall be stated by the presiding officer at the opening of the public hearing. Comments shall be limited to the subject advertised for the hearing. In any event, the Commission shall have the privilege of speaking first. The presiding officer shall describe the method of conduct of the hearing.

Section 2.  The presiding officer shall first call for statements from the proponents. The opponents shall be given an opportunity to comment. The order is reversible at the discretion of the Commission. Whichever the case may be, each group shall make its presentation in succession without allowing an intermixture of comments either for or against the proposition. No proponent or opponent shall be allowed to comment more than two (2) times, unless the Chair determines otherwise. At his or her discretion, the Chair may also limit the item for comments to address an issue to an amount of time, which he or she considers to be reasonable.

Section 3.  All questions and comments from attendees may be directed to the Chair only after being properly recognized. Proponents and opponents may not question each other.

Section 4.  All persons recognized shall approach the podium in order to facilitate proper recording of comments. Before commenting on the subject of the hearing, each person shall give his or her name and address.
Section 5. The presiding officer shall assure an orderly hearing and shall take necessary steps to maintain order and decorum of the hearing at all times. The presiding officer shall reserve the right to terminate or continue the hearing in the event the discussion becomes unruly and unmanageable. The presiding officer has the authority to cause any disruptive persons to be removed from the hearing room.

ARTICLE XII

DISQUALIFICATION

No member of the Commission shall participate in a hearing as a Commission member or vote as a Commission member upon any matter in which he has a personal or financial interest, either direct or indirect in nature. In the event of such disqualification, a member will be excused from the item of business, and it shall be designated in the minutes.

ARTICLE XIII. AMENDMENTS

These bylaws may be amended by a two-thirds move of the voting membership of the Commission, but only after the proposed change has been read and discussed at a previous regular meeting. However, the bylaws may be changed at the meeting at which such change or changes are first discussed, by unanimous vote of the Commission. ¹