



Nay: Rob Walker  
None

Motion carries.

4. **Case P-19-27: 5313 Old Leeds Road, Shirley Fortenberry and Dena Bowden** **EXHIBIT 1**

Request for permanent zoning to Residence-A (temporary Residence-A zoning assigned at the time of annexation) for property located at 5313 Old Leeds Road.

History:

On December 14, 2015 the City Council approved Ordinance 1946, annexing the subject property into Mountain Brook. Per Ordinance 1347 temporary zoning of Res-A was automatically assigned for the interim period between annexation and the assignment of permanent zoning to the property.

The property is approximately 45,000 square feet in area (minimum square footage for Res-A zoning is 30,000), and meets the minimum road frontage of 100 feet on both roads. Res-A appears to be the most appropriate zoning classification for the subject property, given that most other single-family lots in the immediate vicinity are zoned Res-A, and given that the subject property does not meet the minimum zoning qualifications for Estate zoning.

The subject property is undeveloped, and is bound by protective covenants that were recorded in conjunction with the annexation.

Craig Parker, 2342 St. Joseph Road, Birmingham, represented the applicants and stated the request for permanent zoning to Residence-A for the property located at 5313 Old Leeds Road.

Public comments:

Chris Hoyt, 5309 Old Leeds Road, Mountain Brook, addressed the commission. He does not oppose the granting of the request, but expressed concerns regarding septic drainage on to his property from the subject property; he requests that proper inspections are done regarding this matter.

Mr. Walker called for a motion.

Motion: Mr. Black, a motion to recommend to the City Council approval of the request for permanent zoning to Residence-A. It is anticipated that the rezoning case will be heard by the City Council at its meeting of January 13, 2020.

Second: Mr. Lanier  
Aye: Philip Black  
Carey Hollingsworth  
Barney Lanier  
Frank Lassiter  
Rob Walker

Nay: None

Motion carries.

5. **Next Meeting:** January 6, 2020.
6. **Adjournment:** There being no further business to come before the Planning Commission at this time, the meeting stood adjourned at approximately 5:37 p.m.



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Tammy Reid, Administrative Analyst