In response to COVID-19 social distancing mandates, the meeting was held via audio conferencing.

The meeting of the Planning Commission of the City of Mountain Brook, Alabama, was held on Monday, November 2, 2020, at 5:30 p.m., via audio conferencing. The roll was marked as follows:

Members Present: 
Rob Walker, Chairman
Carey Hollingsworth, Vice-Chairman
Barney Lanier
Frank Lassiter
Graham Smith

Absent: 
Philip Black
Michael Mouron, Secretary

Also present: 
Whit Colvin, City Attorney
Dana Hazen, Director of Planning, Building and Sustainability
Tyler Slaten, City Planner
Glen Merchant, Building Official
Tammy Reid, Administrative Analyst

1. **Call to Order:** Chairman Walker called the meeting to order at approximately 5:30 p.m., there being a quorum present.

2. **Approval of Agenda:** Chairman Walker presented the agenda for consideration.

   Motion: Mr. Lanier, motion to approve the agenda as printed.
   Second: Mrs. Graham
   Aye: Carey Hollingsworth
   Barney Lanier
   Frank Lassiter
   Graham Smith
   Rob Walker
   
   Nay: None
   
   Motion carries.

3. **Approval of Minutes:** Mr. Walker presented the October 5, 2020 minutes.

   Motion: Mr. Hollingsworth, motion to approve the October 5, 2020, minutes as printed.
   Second: Mr. Lassiter
   Aye: Carey Hollingsworth
   Barney Lanier

4. **Case P-20-29: 120 Cherry Street/Teresa Howell**

Request for the installation of a private driveway in a portion of an unpaved public alley right-of-way. **120 Cherry Street (Carry Over from the October 5, 2020, meeting.)**

Mrs. Hazen stated that this request was withdrawn by the applicant prior to the meeting.

There were no public comments.

5. **Case P-20-24: 2422 Park Lane South/Larry Lavender**

Lavender Resurvey of Park Lane South, being a Resurvey of the East Half of Lot 7, Lot 6, and the West Half of Lot 5, Block 9, of the First Addition to South Highlands, as recorded in Map Volume 7, Pages 105 and 106, in the Judge of Probate Office, Jefferson County, Alabama; situated in the SE ¼ of Section 6, Twp-18S, R-2W, Jefferson County, Alabama. (**Carry Over from the October 5, 2020, meeting.**)  

Ray Weygand, Weygand Surveyors, 169 Oxmoor Road, Homewood, represented the applicant, Larry Lavender. The requested resurvey is a simple clean-up resurvey combining portions of legacy lots. This case was carried over from the October meeting to allow time for resolution of a 2-foot discrepancy within the subdivision up and down the street. The matter has been resolved to within approximately ¼”. There are no changes to the proposed plat. The requested corrections were made to the final plat.

Public Comments: None.

Mr. Walker called for a motion.

Motion: Mrs. Smith, motion to approve the resurvey as submitted.
Second: Mr. Lassiter  
Aye: Carey Hollingsworth
Barney Lanier
Frank Lassiter
Graham Smith
Rob Walker
Nay: None

Motion carries

6. **Case P-20-25: 411 Abingdon Lane/William Hazelrig**

Abingdon Road Resurvey, being a Resurvey of Lot 2-A of a Resurvey of Abingdon Estates, Dunn Sector, as recorded in Map Book 123, Page 11, and Lot 15, Abingdon, as
Ray Weygand, Weygand Surveyors, 169 Oxmoor Road, Homewood, represented the applicant, William Hazelrig. Mr. Weygand stated this case carried over from the October meeting. The property is one tax parcel divided into three separate lots.

Chairman Walker noted that the plat adjusted one line to the east and that the easement was made wider. Mr. Weygand said that the driveway is very long with a parking pad on one side. Two and one-half feet were added to each side of the driveway for a total easement width of 30 feet.

Public Comment:

Frank Galloway III, 2200 Woodcrest Place, Birmingham, stated that he is an attorney representing Bill and Shannon Blount, 4125 Abington Lane. He said that should the commission find that the proposed plat meets all subdivision regulations, the Blount’s would like to have noted in the record that there is a restrictive covenant burdening the number of houses that can be built on the property; it is understood that the City does not enforce private covenants, but by not objecting to the resurvey, they are not waving their rights to enforce the covenant. Whit Colvin, City Attorney, stated that the City does not enforce private covenants among homeowners.

Mr. Galloway noted that reference was made to one of the borders to the Blount’s property as a side border. It is understood that border determinations are not being set today; that is why setbacks are not listed on the plat. Mr. Colvin agreed that the City’s position regarding the designation of various yards is the responsibility of the Building Official and not determined by the Planning Commission at the time of subdivision. Appeals of such determinations would be heard by the Board of Zoning Adjustment.

Additional Public Comments: None.

Mr. Walker called for a motion.

Motion: Mr. Lanier, motion to approve the resurvey request as submitted.
Second: Mr. Lassiter
Aye: Carey Hollingsworth
     Barney Lanier
     Frank Lassiter
     Graham Smith
     Rob Walker
Nay: None

Motion carries

7. **Case P-20-23: 3103 Salisbury Road, Howard Downey and Angela Thornton**    EXHIBIT 3

Downey Resurvey of Rock House Circle, being a Resurvey of Lot 26 and the west half of Lot 25 of Rock House Circle, as recorded in Map Volume 19, Page 33, as recorded in the
Office of the Judge of Probate in Jefferson County, Alabama; located in the NW ¼ and in the SW ¼ of Section 5, Twp-18S, Range 2W, Jefferson County, Alabama

Ray Weygand, Weygand Surveyors, 169 Oxmoor Road, Homewood, represented the applicants, Howard Downey and Angela Thornton. He stated that the request is for a clean-up resurvey, making one legal lot. The easement note has been added to the plat.

Public Comments: None.

Mr. Walker called for a motion.

Motion: Mr. Lassiter, motion to approve the resurvey request as submitted.
Second: Mrs. Graham
Aye: Barney Lanier
Frank Lassiter
Graham Smith
Rob Walker
Nay: None

Motion carries.


Ball and Cooper Resurvey, resurvey of Lots 7A of Pine Ridge Lane Estates Resurvey of Lots 7 & 8 in Map Book 241, Page 42, and Lot 1 of First Addition to Pine Ridge Circle, Map Book 55, Page 75, located in the SE ¼ of Section 4, Twp-18S, R-2W and the NE ¼ of Section 9, Twp-18S, R-2W, Jefferson County, Alabama; located in SE ¼ of Section & NE ¼ of Section 9, Twp-18S, R-2W, Jefferson County, Alabama.

The applicants, Roger Ball, 101 Pine Ridge Circle and Claud Cooper, 19 Pine Ridge Lane, attended the meeting. Mr. Ball stated that he and Mr. Cooper have reached an agreement for him to purchase approximately 12,926 sf from Mr. Cooper. The purchase is beneficial to both parties because it will allow Mr. Cooper to square up his property lines and will allow Mr. Ball to expand his backyard to provide more room for his children to play; possibly build a treehouse. Both proposed lots meet the minimum lot requirements and building setbacks for the Res-A zoning district.

Mrs. Hazen reminded the applicant that a permit is required to install a treehouse and there are setback implications.

Public Comments: None.

Mr. Walker called for a motion.

Motion: Mr. Lanier, motion to approve the resurvey request as submitted.
Second: Mr. Hollingsworth
Aye: Carey Hollingsworth
Barney Lanier
Frank Lassiter
Graham Smith
9. **Case P-20-31: 3650 Bethune Drive, Mountain Brook High School**

Request to amend the master development plan for Mountain Brook High School.

Tommy Prewitt, Mountain Brook Schools, presented the request. Key points:

- The proposed alterations include the demolition of three classroom wings and the construction of three new classroom wings in the same footprint. Also, the existing band room will be expanded and a new counselor/academic advisor suite will be constructed. All of the proposed new construction will occur within the existing footprint.
- The second floor of the new classroom wing will extend (cantilever) over the rear drive; the Fire Department has reviewed this feature.
- The existing football practice field will be temporarily taken out of service to be used as a parking lot. No local streets will be used for accessing the site. All construction traffic will be directed via I-459.
- A new FEMA mandated storm shelter will be configured on the first floor.
- No increase in student or faculty population is proposed; no increase in on-site parking demand is anticipated.

Public Comments: None.

Mr. Walker called for a motion.

Motion: Mr. Lassiter, motion to approve the requested amendments to the master development plan for Mountain Brook High School.

Second: Mrs. Graham

Aye: Carey Hollingsworth
    Barney Lanier
    Frank Lassiter
    Graham Smith
    Rob Walker

Nay: None

Motion carries.

10. **Next Meeting:** December 7, 2020.

11. **Adjournment:** There being no further business to come before the Planning Commission at this time, the meeting stood adjourned.

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Tammy Reid, Administrative Analyst