



CITY OF LEEDS, ALABAMA

BOARD OF ZONING ADJUSTMENTS AGENDA

City Hall Annex - 1412 9th St., Leeds, AL 35094

December 20, 2022 @ 5:00 PM

CALL TO ORDER:

ROLL CALL:

DETERMINATION OF QUORUM:

APPROVAL OF MINUTES FROM PREVIOUS MEETING(S):

OLD BUSINESS:

OTHER BUSINESS:

1. A22-000018 - A request by Tonya Kerr, Applicant, Frank Little, Property Owner, to allow a special event center in the B-2, General Business District, at 8008 Parkway Drive - per plan submitted -, 35094, TPID: 2500211024009.000, Jefferson County.
2. A22-000019 - A request by Jeffrey Dummier, Applicant, WALLEEDS, LLC, Owner to allow vape sales at 8525 Whitfield Ave Suite 131, Leeds, AL 35094, TPID 2602100004007000, St. Clair Co.
3. A22-000020- A request by Holly Rasco, applicant, to be permitted to have signage in excess of that permitted by a home occupation, located at 8233 Baker Ave, Leeds, AL 35094, TPID 2500162004001001, Jefferson County.

ADJOURNMENT:

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 205-699-2585.

File Attachments for Item:

1. A22-000018 - A request by Tonya Kerr, Applicant, Frank Little, Property Owner, to allow a special event center in the B-2, General Business District, at 8008 Parkway Drive - per plan submitted -, 35094, TPID: 2500211024009.000, Jefferson County.

Merch Event Boutique

8008 Parkway Dr.

Leeds, Al 35094

December 2022

Variance Justification Notice

Merch Boutique is requesting a special variance for our 8008 Parkway Dr. Location we would like to provide a space for clients to rent out party space for allotted times throughout the year. Parking for the event space will be on the street parking, however there is additional private parking available off the street. The private parking area is owned by the same person that owns the building where the boutique Event space is located. The event space will bring in foot traffic and revenue for the city of Leeds giving surrounding communities a taste of our Downtown small businesses.

Merch Boutique & the Merch Venue has just recently been purchased by myself & my business partner, that happens to be my daughter, this is a woman/ family-owned small business. The Event Venue was currently running without issue for a full year on the same street one block over. By granting this special variance we will continue to offer families & residents of Leeds the opportunity to continue using a location within their city for small events in the downtown area of Leeds.

We appreciate the opportunity to continue providing our home community services in our downtown area.

Thank You,

Tonya Kerr

Caylee Rich

Owners, Merch Boutique 8139 Parkway Dr. Leeds & Merch Event Boutique 8008 Parkway Dr. Leeds

A22-000018
8008 PARKWAY DR
2500211024009.000
AERIAL



City of Leeds, Alabama

1400 9th St
Leeds, AL 35094
leedsalabama.org

Authorized Agent Form

I/We authorize and permit the authorized agent listed below to act as my/our representative and agent in any manner regarding the issuance of a building permit which relates to property described as the tax parcel ID # listed below.

I/We understand that the agent representation may include but not be limited to decisions relating to the submittal, status, or conditions of this application. In understanding this, I/we release the City of Leeds from any liability resulting from actions made on my/our behalf by the authorized agent and representative. I hereby certify that the information stated on and submitted with this application is true and correct. I also understand that the submittal of incorrect information will result in the revocation of this application and any work performed will be at the risk of the property owner/applicant. I understand further that any changes made which vary from the approved plans will require obtaining an additional approval from the Building Official.

*NOTE: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to keep the owner(s) adequately informed as to the status of the application.

Parcel ID #: _____

911 Property Address (include city): _____

Authorized Agent

Printed Name: Tonya Kerr
Mailing Address: 8008 Parkway Dr.
Leeds AL 35094
Phone #: 205-767-9143
Email: Merch8139@gmail.com
Signature: Tonya Kerr

Property Owner

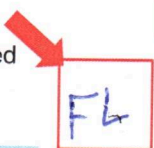
Printed Name: FRANK W. LITTLE
Mailing Address: P.O. BOX 961
LEEDS, AL 35094
Phone #: 205-515-0035
Email: fwlittle@WINDSTREAM.NET
Signature: Frank W Little

State Issued Photo ID

**** attach if not having property owner signature notarized ****

Attach a copy of the property owner's state issued photo ID (such as a driver's license) **OR** have a Notary Public notarize the property owner's signature on this form.

Property owner should initial inside this box if he/she will attach a copy of the state issued photo ID instead of having property owner signature notarized.



Notary Public

**** complete if not attaching a State Issued Photo ID ****

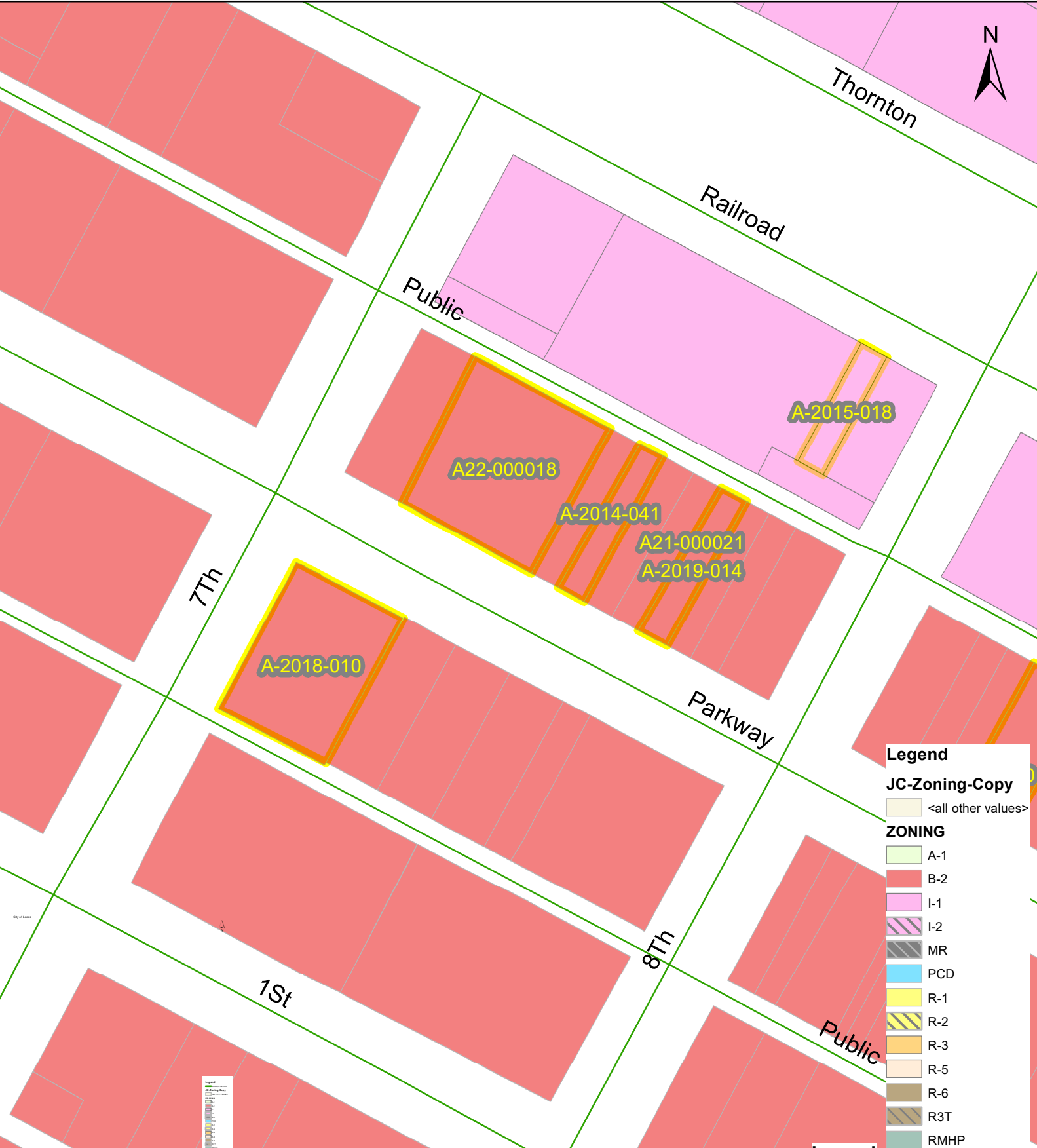
State of _____
County of _____
Subscribed and sworn to before me this _____ day of _____, _____ by the property owner listed above.
Notary Signature: _____

Notary Public's Seal

CITY OF LEEDS BUILDING DEPARTMENT

www.LEEDSALABAMA.org
1400 9TH ST
LEEDS, AL 35094
205.699.0943

A22-000018
8008 PARKWAY DR
2500211024009.000
ZONE



File Attachments for Item:

2. A22-000019 - A request by Jeffrey Dummier, Applicant, WALLEEDS, LLC, Owner to allow vape sales at 8525 Whitfield Ave Suite 131, Leeds, AL 35094, TPID 2602100004007000, St. Clair Co.

NOTICE OF PUBLIC HEARING

City of Leeds, Alabama
Zoning Board of Adjustments

APPLICATION

An application for a special exception to allow the sale of vape products

Zoning Board of Adjustments

The Zoning Board of Adjustments is vested with the responsibility and authority of authorizing variances that will not be contrary to the public interest and where owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship.

| | |
|--------------------------|--|
| CASE #: | A22-000019 |
| APPLICANT NAME: | Jeffery Dummier |
| PROPERTY OWNER: | WALLEEDS LLC |
| TAX PARCEL ID#S: | 2602100004007.000 |
| PROPERTY ADDRESS: | 8525 Whitfield Avenue Suite 131; Leeds, AL 35094 |
| PROPERTY ZONING: | B-2 : GENERAL BUSINESS DISTRICT |

NOTICE IS HEREBY GIVEN that the Board of Zoning Adjustments will hold a public hearing on the proposed preliminary plat. The hearing is scheduled on:

Date: December 20, 2022
Time: 5:00 p.m.
Place: Leeds Annex Meeting Room
1412 9th St
Leeds, AL 35094

Public Information: Any interested persons or their representatives may appear at the meeting and comment on the application. Written comments may also be mailed to the Commission.

For more information about the application and related issues or to schedule an appointment:

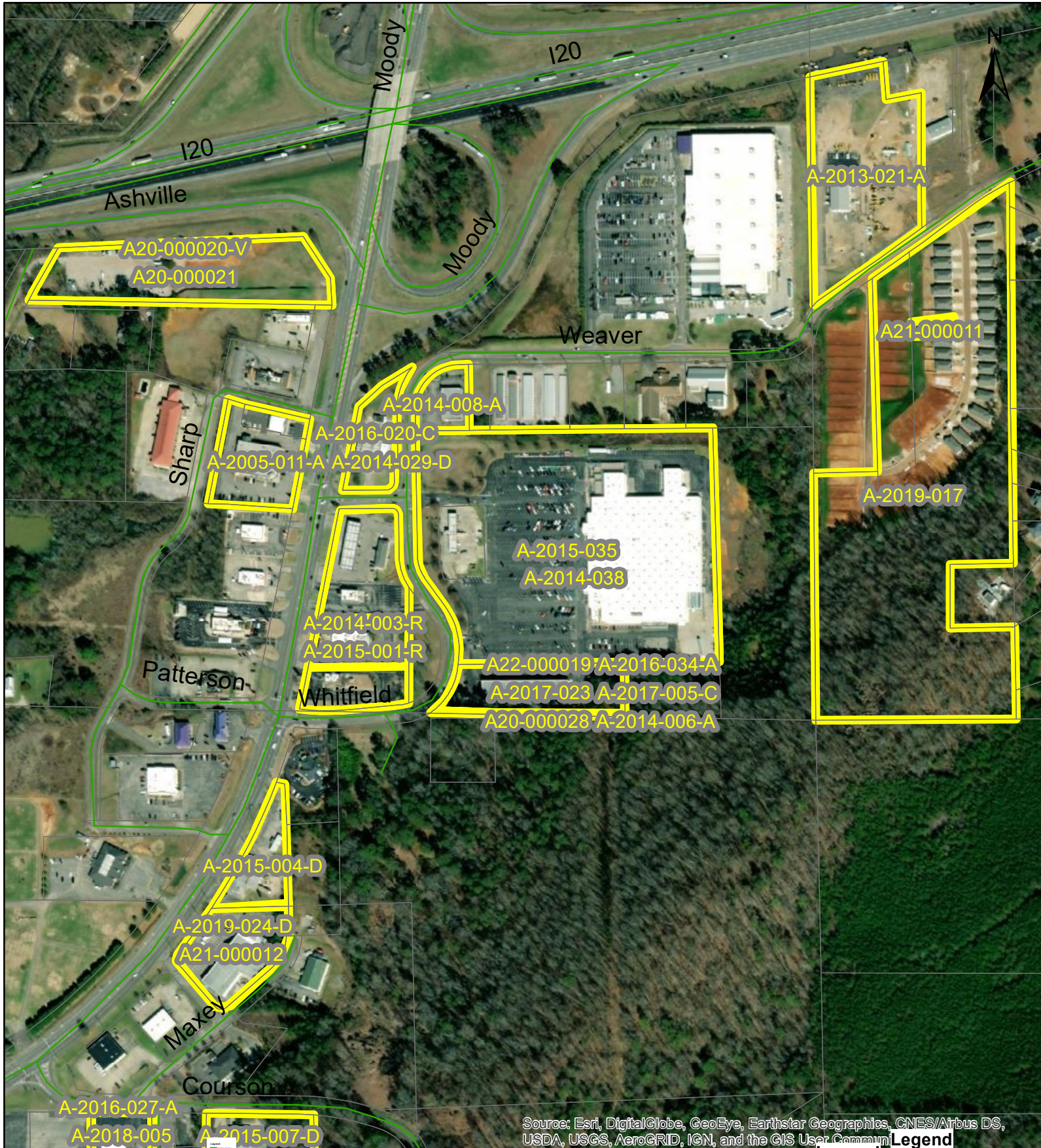
Phone: 205-699-0943

E-mail: development@leedsalabama.gov

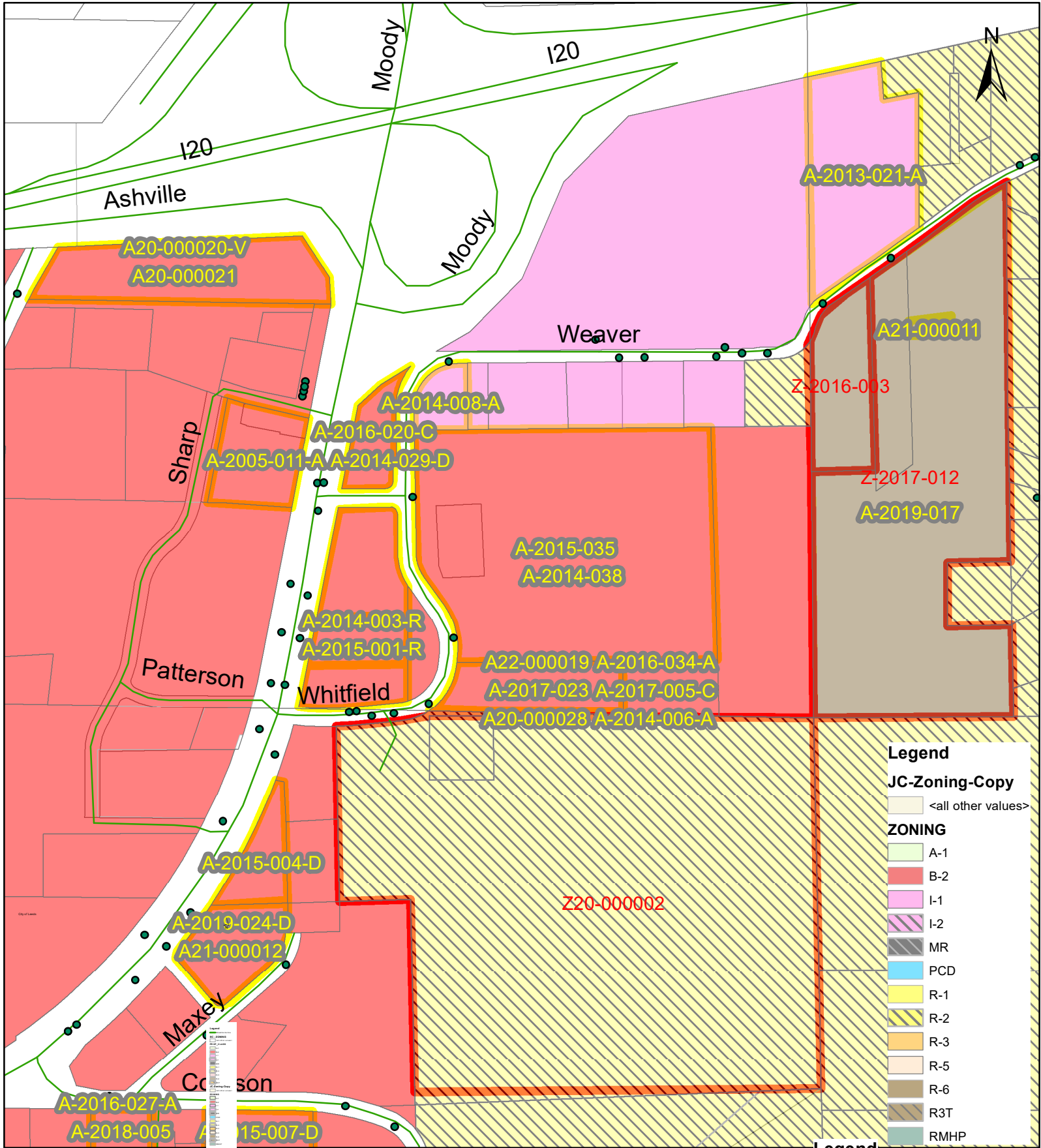
Mailing Address:

Leeds Zoning Board of Adjustments
c/o Development Services
1404 9th Street
Leeds, AL 35094

A22-000019 8525 WHITFIELD AVE AERIAL



A22-000019 8525 WHITFIELD AVE ZONE



Legend JC-Zoning-Copy

- <all other values>
- ZONING**
- A-1
- B-2
- I-1
- I-2
- MR
- PCD
- R-1
- R-2
- R-3
- R-5
- R-6
- R3T
- RMHP

Legend

CASE NUMBER: _____

DESIGNATION OF AUTHORIZED AGENT/ATTORNEY-IN-FACT

The undersigned owner/owners of the property described in the application hereby designate Jeffery Dummer as the authorized agent/attorney-in-fact with the following powers and authority to do all things that may be required in order to apply for a variance/rezoning on said property including but not limited to completion and execution of applications, receipt of notices, execution of acknowledgments, attendance and presentations of evidence at all hearings and execution of agreements. *for the purpose of allowing a Vape Shop.*

By Wahlocks, LLC
Greg Cervenka
OWNER Greg Cervenka, Sole Manager

OWNER _____

7004 Bee Caves Road, Ste 3-313

ADDRESS _____

Austin, TX 78746

(512) 485-4334 - Ben Mullin - Property Manager

TELEPHONE NUMBER _____

AUTHORIZED AGENT/ATTORNEY-FACT:

Jeffery Dummer
NAME _____

1400 21st way South
ADDRESS _____

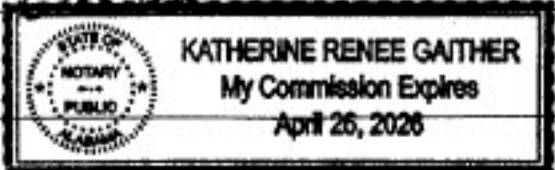
Birmingham AL 35205

205-939-0626
TELEPHONE NUMBER _____

State of Alabama

I, the undersigned Notary Public, hereby certify that Jeffery Dummer, Greg Cervenka, whose name(s) is/are signed to the foregoing DESIGNATION OF AUTHORIZED AGENT/ATTORNEY-IN-FACT has/have acknowledged to me under oath that they have read and understand the foregoing and executed same before me on this day.

Given under my hand and Official Seal this 17 day of November, 20 22.

Katherine R. Gathier
Commission Expires: _____


4 + 2
(NTS)

This is to certify that this is a true and exact copy. This 5th day of November 2012
Andrew Weatherington
Judge of Probate

SEND TAX NOTICES TO:
WALLEEDS, LLC
3110 Manor Road, Suite G
Austin, TX 78723

STATUTORY WARRANTY DEED

STATE OF ALABAMA
COUNTY OF ST. CLAIR

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Two Million One Hundred Seventy-Five Thousand and 00/100 Dollars (\$2,175,000.00) to the undersigned grantor, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **P & N LEEDS, LLC (also known as P&N Leeds, LLC)**, an Alabama limited liability company (herein referred to as "Grantor"), hereby grants, bargains, sells, and conveys unto **WALLEEDS, LLC**, an Alabama limited liability company (herein referred to as "Grantee"), the real estate situated in St. Clair County, Alabama, and described on Exhibit "A" attached hereto.

[A portion of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.]

TO HAVE AND TO HOLD the described premises to Grantee, its successors and assigns forever.

AND THE GRANTOR will warrant and forever defend the right and title to the above described property unto the Grantee against the claims of Grantor and all others claiming by or under Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed on the 10th day of August, 2012.

P & N LEEDS, LLC (also known as P&N Leeds, LLC),
an Alabama limited liability company

By: *Mark A. Peeples*
Print Name: Mark A. Peeples
Title: Sole Member

STATE OF ALABAMA, ST. CLAIR COUNTY
I hereby certify that no mortgage tax or deed tax has been collected on this instrument.


Mike Bowling
Judge of Probate
"NO TAX COLLECTED"

2012 6648
Recorded in the Above
DEED Book & Page
08-22-2012 08:13:52 AM
Mike Bowling - Judge of Probate
St. Clair County, Alabama

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mark A Peoples, whose name as Manager of P & N LEEDS, LLC (also known as P&N Leeds, LLC), a limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such member, and with full authority, executed the same voluntarily, as an act of said company, acting in his/her capacity as aforesaid.

Given under my hand and official seal, this the 16th day of August, 2012.



NOTARY PUBLIC
My Commission Expires: 1/18/15

THIS INSTRUMENT PREPARED BY AND AFTER
RECORDATION SHOULD BE RETURNED TO:

Colin House
Engel, Hairston, & Johanson P.C.
P.O. Box 11405
Birmingham, AL 35202
(205) 328-4600

2012 6649
Recorded in the Above
DEED Book & Page
08-22-2012 08:13:52 AM

EXHIBIT "A"

Lot 3-A, according to the Resurvey of Century Village at Leeds, as recorded in Slide A-102-6, in the Probate Office of St. Clair County, Alabama, Pell City Division.

Together with and subject to ingress and egress and parking rights as reserved in that certain Amended and Restated Easements with Covenants and Restrictions ("ERC") documents recorded in Book 2000, page 2084.

SUBJECT TO:

- i. taxes and assessments for the year 2012, and subsequent years;
- ii. 50 foot Alabama Power Company easement as shown by recorded Map in Slide A-973;
- iii. 20 foot sanitary sewer easement crossing lot and 20 foot access easement in southwest corner of lot, as shown by recorded Map;
- iv. Amended and restated easements with covenants and restrictions affecting Land (ECR) as recorded in Book 2000, page 2084, in the Probate Office of St. Clair County, Alabama, Pell City Division;
- v. Right of Way granted to St. Clair County as set forth in Volume 128, Page 287;
- vi. Right of Way to Alabama Power Company as set out in instruments recorded in Volume 90, Page 141, and Deed Book 2001-4216;
- vii. Easements for ingress and egress for adjacent lot owner as shown on record map recorded in Slide A-102-6;
- viii. Agreement dated 3-23-2011 recorded in Record 2012 page 445 by and between P&N Leeds LLC, Hibbett Sporting Goods Inc and Aliant Bank;
- ix. Notes as shown on recorded maps; and
- x. coal, oil, gas and mineral and mining rights which are not owned by Grantor.

2012 6650
Recorded in the Above
DEED Book & Page
08-22-2012 08:13:52 AM

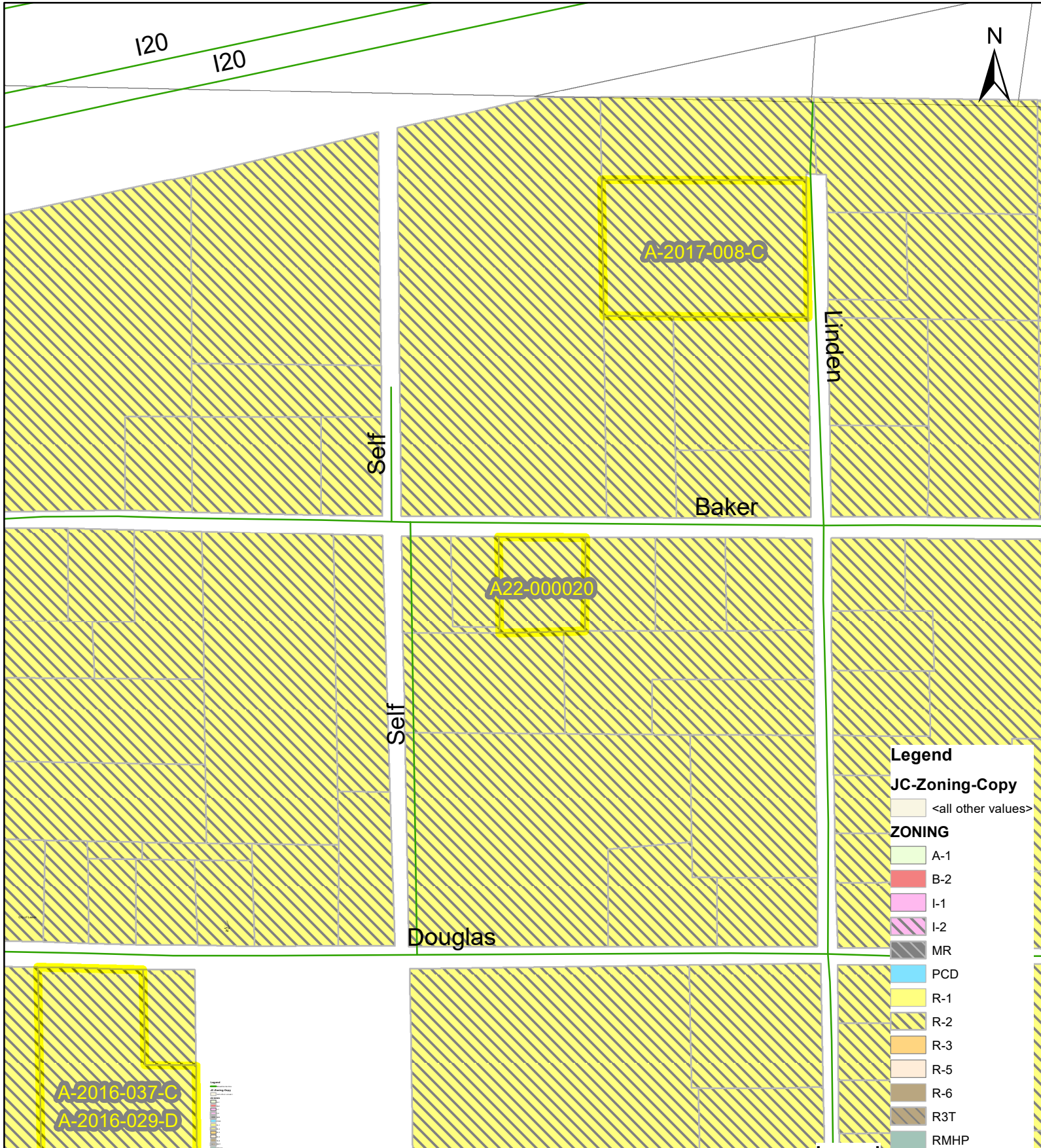
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A22-000020 8233 BAKER AVE STREET



A22-000020
8233 BAKER AVE
AERIAL



| Legend | |
|----------------|--------------------|
| JC-Zoning-Copy | |
| | <all other values> |
| ZONING | |
| | A-1 |
| | B-2 |
| | I-1 |
| | I-2 |
| | MR |
| | PCD |
| | R-1 |
| | R-2 |
| | R-3 |
| | R-5 |
| | R-6 |
| | R3T |
| | RMHP |

Legend

A22-000020 8233 BAKER AVE STREET

