



# **CITY OF LEEDS, ALABAMA**

## **BOARD OF ZONING ADJUSTMENTS AGENDA**

Leeds Civic Center Meeting Room -1000 Park Drive, Leeds, Alabama 35094

**January 28, 2020 @ 5:00 PM**

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**CALL TO ORDER:**

**ROLL CALL:**

**DETERMINATION OF QUORUM:**

**APPROVAL OF MINUTES FROM PREVIOUS MEETING(S):**

**OLD BUSINESS:**

**OTHER BUSINESS:**

1. A-2020-001 - A request by Toney Abernathy, Applicant and Owner, at 8040 Washington Ave, Leeds, AL 35094, TPID 2500171010015000, Zoned, R-2 Single Family District, Jefferson County, to waive the maximum accessory building size for such building. The proposed accessory building will be 117 sq. ft. larger than that permitted by ordinance. (An Accessory building may no be larger than 25% of the gross floor area of the principal structure)

**ADJOURNMENT:**

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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.

A2020-001

VARIANCE APPLICATION FOR THE CITY OF LEEDS, ALABAMA  
DEPARTMENT OF INSPECTION SERVICES- ZONING DIVISION  
1404 9<sup>TH</sup> STREET, LEEDS, AL 35094 P.205.699.2585  
leedsalabama.org

<b>Part 1. Application</b>	
Name of Applicant: <u>TONY Abernathy</u>	
Mailing Address: <u>8040 Washington Ave.</u>	
Telephone: <u>205-369-0010</u>	E-mail: <u>hound431@gmail.com</u>
Signature: <u>Toney Abernathy</u>	

<b>Part 2. Parcel Data</b>		
Owner of Record: <u>Toney ABERNATHY</u>		
Owner Mailing Address: <u>8040 Washington Ave. Leeds AL. 35094</u>		
Site Address: <u>SAME AS ABOVE</u>		
Tax Parcel ID # <u>25 00 171010 015,000</u>	Existing Zoning: <u>Residential</u>	Existing Land Use: <u>Res</u>

<b>Part 3. Request</b>
Section of Ordinance for which variance is requested:
Nature of Variance with reference to applicable zoning provision:

<b>Part 4 Enclosures (Check all required enclosures with this application)</b>
<input checked="" type="checkbox"/> Vicinity Map showing location of the property
<input checked="" type="checkbox"/> Plan drawn to scale and dimensioned, showing property boundaries and proposed Development Layout
<input checked="" type="checkbox"/> Copy of Deed as recorded in the Judge of Probate Office
<input type="checkbox"/> Application Fee \$120.00

**NOTICE: The completed application and all required attachments must be filed at least 30 (thirty) days prior to the Leeds Zoning Board of Adjustments Public Hearing. A representative must be present at the hearing.**

<b>OFFICE USE ONLY</b>	
Application Number:	Date Received: <u>12/17/2019</u>
Received By: <u>RF</u>	Scheduled Public Hearing Date:

132794 (88699)

THIS INSTRUMENT PREPARED BY:  
S. Kent Stewart  
Stewart & Associates, P.C.  
2700 Highway 280 South, Second Floor  
Birmingham, Alabama 35223

WARRANTY DEED (Without Survivorship)

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF Jefferson )

That in consideration of

NINE THOUSAND FIVE HUNDRED DOLLARS & 00/100  
9,500.00

to the undersigned grantor(s),

Joe D. Cunningham and wife, Mable A. Cunningham  
in hand paid by  
Toney D. Abernathy, a single person

(hereinafter referred to as grantee(s) the receipt whereof is hereby acknowledged, the said grantor(s) do hereby grant, bargain, sell and convey unto the said grantee(s) the following described real estate, situated in

Jefferson County, Alabama, to-wit:

THIS DEED IS BEING REFILED TO CORRECT LEGAL DESCRIPTION

Lots 1, 2, 3, 4, 5 and 6, Block 9, according to the Map of Washington Land Company's Addition to Russell Heights #3 being a subdivision of the SW 1/4 of NE 1/4, S 17, T 17 S, R 1 E as recorded in the Probate Office of Jefferson County, Alabama.  
TAX ASSESSOR'S NOTE: For assessment purposes, assess in name of grantee(s) named above, at  
Route 4, Box 574  
Leeds, Alabama 35084

TO HAVE AND TO HOLD, to the said GRANTEE(S), their assigns forever.

And I (we) do for myself (ourself) and for my (our) heirs, executors, and administrators covenant with the said GRANTEE(S), their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances (except as above noted), that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEE(S), their heirs and assigns forever, against the lawful claims of all persons.

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_  
STATE OF Ohio )

*Joe D. Cunningham*  
Joe D. Cunningham  
*Mable A. Cunningham*  
Mable A. Cunningham

STATE OF ALABAMA, JEFFERSON COUNTY  
I hereby certify that no mortgage tax or deed tax has been collected on this instrument.  
*George R. Reynolds*  
Judge of Probate  
"NO TAX COLLECTED"

STATE OF Ohio )

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said State and in said County, hereby certify that Joe D. Cunningham and wife, Mable A. Cunningham whose name(s) are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, the same was executed voluntarily on the day the same bears date.

Given under my hand and official seal on this 7 day of AUGUST, 1989.

*Brian Hirko*  
\_\_\_\_\_  
Notary Public

BRIAN HIRKO, Notary Public  
State of Ohio, Cuyahoga County  
My commission expires April 24, 1994

My commission expires:  
STATE OF ALA. JEFFERSON CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON

1989 DEC 15 PM 3:47

RECORDED & MFG. TAXES & DEED TAX HAS BEEN PAID ON THIS INSTRUMENT  
*George R. Reynolds*  
JUDGE OF PROBATE

1989 AUG 14 AM 10:32  
RECORDED & MFG. TAXES & DEED TAX HAS BEEN PAID ON THIS INSTRUMENT  
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COUNTY OF )

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Joe D. Cunningham  
*Mable A. Cunningham*  
Mable A. Cunningham

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*Brian Hirko*  
Notary Public

BRIAN HIRKO, Notary Public  
State of Ohio, Cuyahoga County  
My commission expires April 24, 1994

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DEED TAX HAS BEEN PD. ON THIS INSTRUMENT  
*George R. Reynolds*  
JUDGE OF PROBATE

550

I, Toney Abernathy am asking the board for permission to remove two existing utility sheds and replace with one new shed of equal size set within my property lines with all set backs and ordinance obeyed. The building I am asking variance for is 117sq. ft. larger than the 25%, which is equal to 5 feet in width.



# Jefferson County Parcel...

Print X

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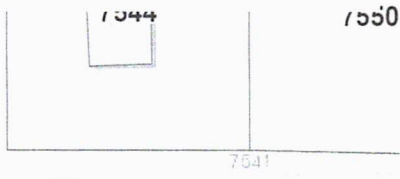
Legend Layers Basemap gallery Measure Details Share



Add custom title

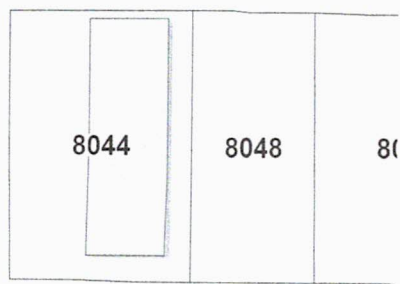
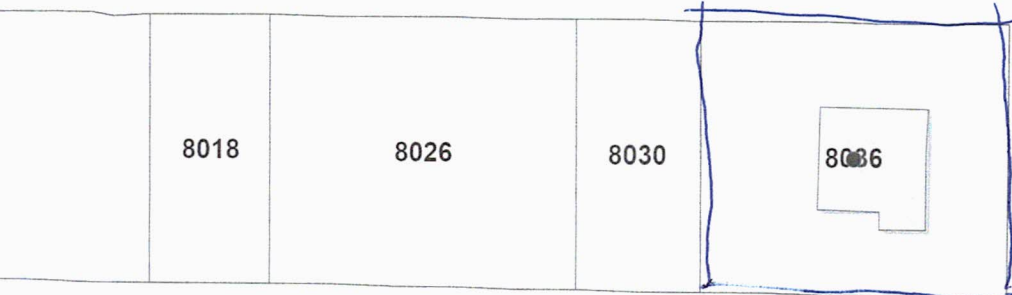
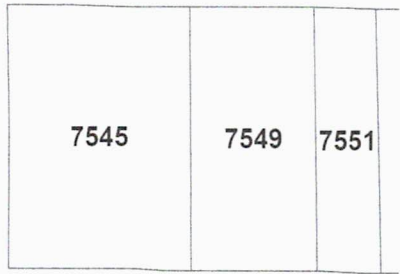
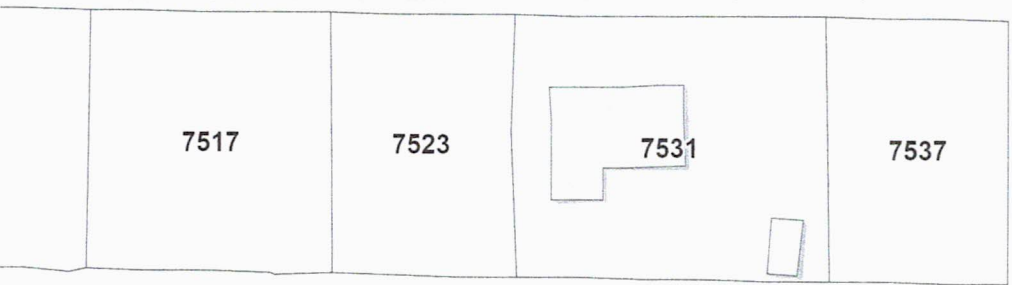
Add legend to output

Printout



ALABAMA AVE

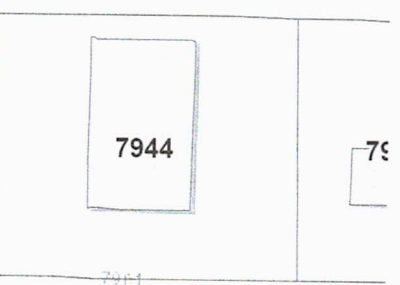
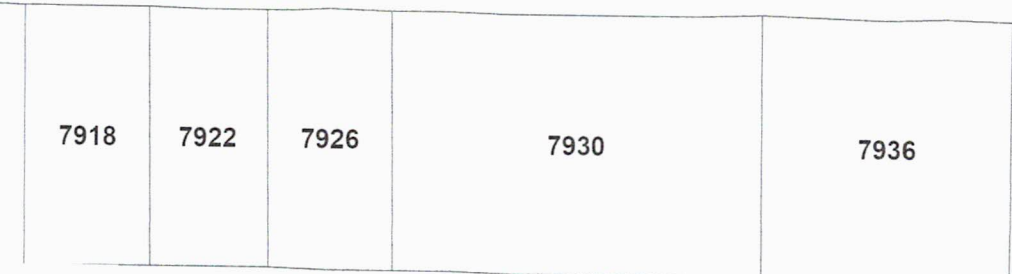
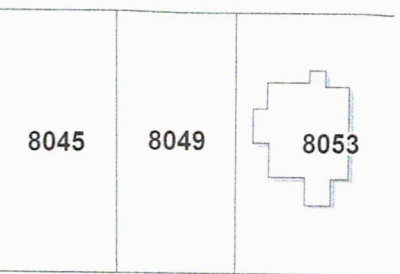
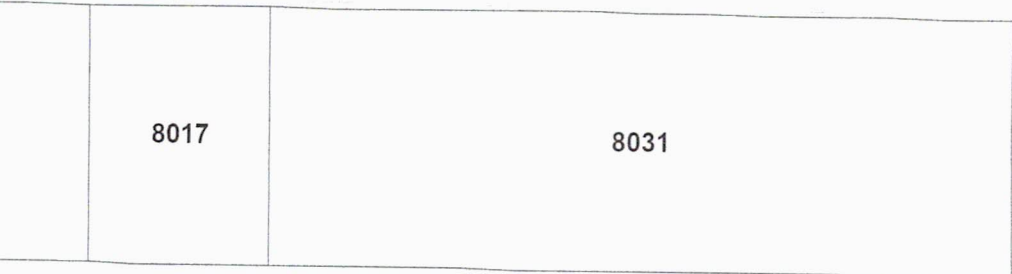
ALABAMA AVE



WASHINGTON AVE

ALBANY ST

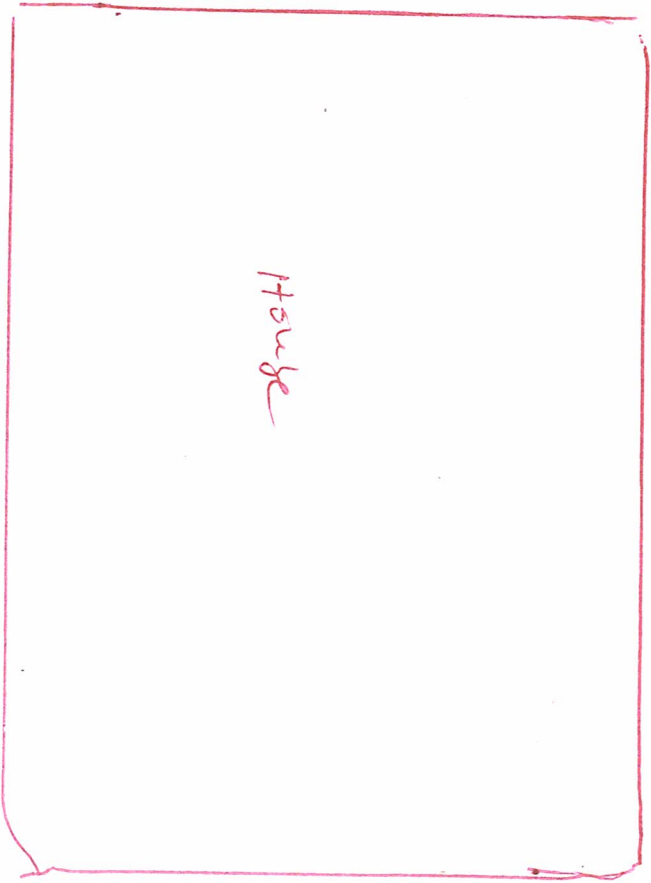
WASHINGTON AVE



Albany 1

Property line

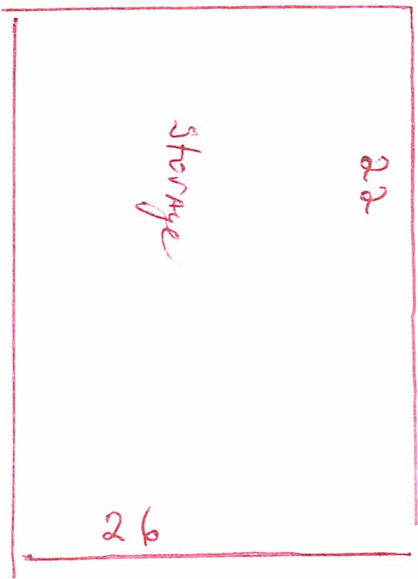
Washington



65 ft.

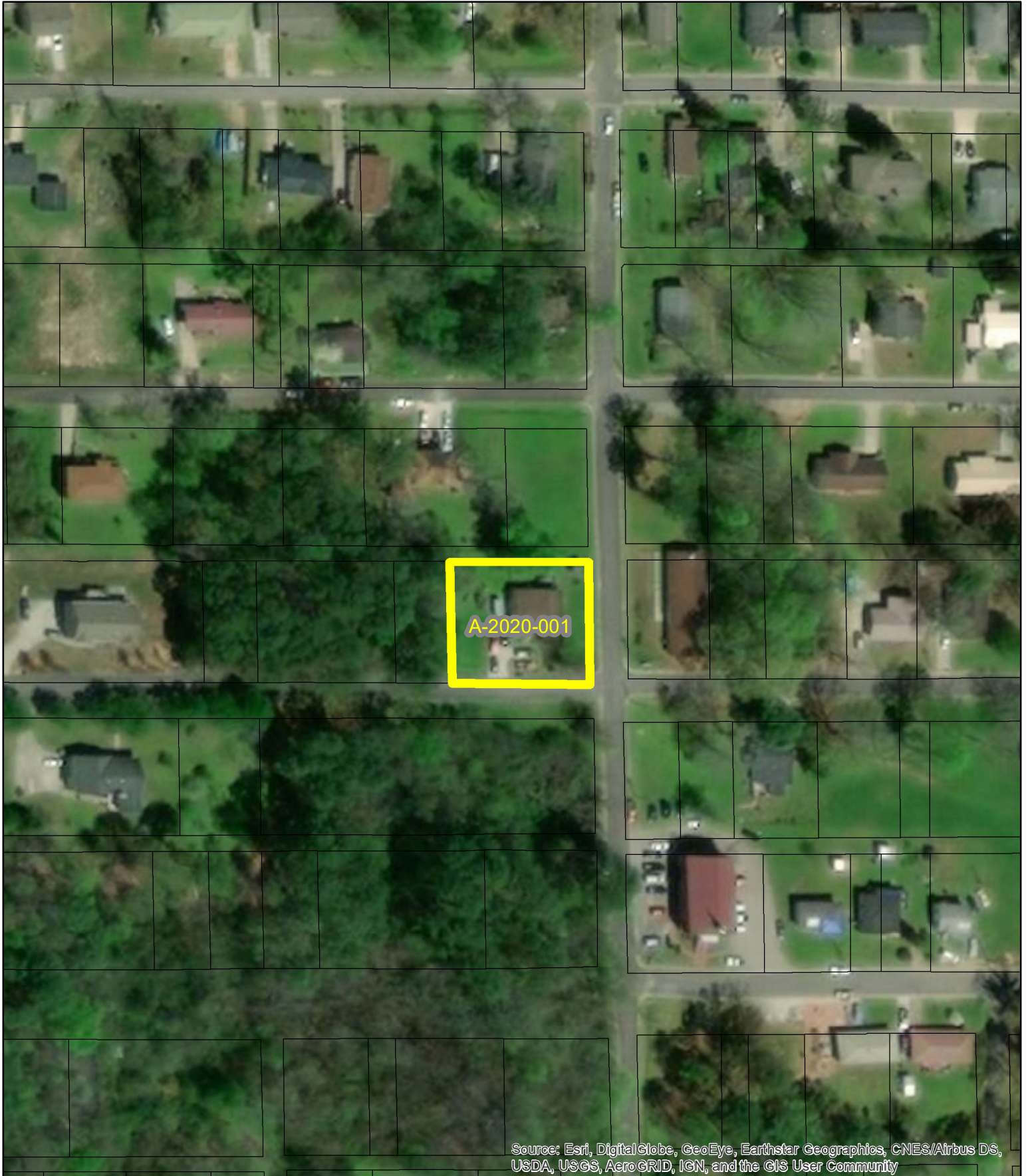
Property line

7 ft



walls 9 ft.  
Roof Highest Peak  
12' 3"

A-2020-001  
8040 WASHINGTON AVE  
2500171010015000  
AERIAL





A-2020-001  
8040 WASHINGTON AVE  
2500171010015000  
FLOOD


x  
A-2020-001

A-2020-001  
8040 WASHINGTON AVE  
2500171010015000  
ZONING

