



CITY OF LEEDS, ALABAMA

PLANNING AND ZONING COMMISSION AGENDA

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

November 26, 2019 @ 3:00 PM

CALL TO ORDER:

ROLL CALL:

DETERMINATION OF QUORUM:

OLD BUSINESS:

NEW BUSINESS:

1. Z-2019-008 - A request by Michael & Janie Myrick, Applicant, Jack A., Janie & Michael G. Myrick ETAL, Owners, to rezone certain parcels of property from R-2, Single-Family District to R-5, Garden Home District. TPID(s) 2605161001037000; 2605161001042000; 2605161001040000; 2500164001001.000, 1730 Jones St., Leeds, AL 35094 - Site Only, Jefferson and St. Clair Co.

PUBLIC ADDRESS:

OTHER BUSINESS:

ADJOURNMENT:

CHAIRPERSON'S COMMUNICATION:

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.

NOTICE OF PUBLIC HEARING

City of Leeds, Alabama
Planning and Zoning Commission

Application for Rezoning

Site Address: 1730 Jones St, Leeds, AL 35094

APPLICATION

An application has been filed with the City of Leeds Planning and Zoning Commission requesting the **Rezoning** of a certain parcel(s) of property from R-2, Single Family Dwelling, to R-5, Garden Home District.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission is an advisory body to the City of Leeds City Council. The recommendation of the Planning and Zoning Commission is non-binding and final determination of this request for rezoning is vested solely with the City Council.

CASE #:	Z-2019-008
APPLICANT NAME:	MICHAEL MYRICK & JANIE MYRICK
PROPERTY OWNER:	MYRICK JACK A JR & JANIE P; MYRICK MICHAEL G ETAL
TAX PARCEL ID:	2605161001037000; 2605161001042000; 2605161001040000; 2500164001001.000
SITE ADDRESS:	1730 Jones St., Leeds, AL 35094 – Site Only Jefferson CO & St. Clair Co
CURRENT ZONING:	R-2, SINGLE FAMILY RESIDENTIAL DISTRICT

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission will hold a public hearing on the proposed rezoning. The hearing is scheduled on

Date: Thursday, November 26, 2019
Time: 3:00 p.m.
Place: Leeds Civic Center Meeting Room
1000 Park Drive
Leeds, AL 35094

Public Information: Any interested persons or their representative may appear at the meeting and comment on the application – Comments are limited to two (2) minutes. Written comments may also be mailed to the Commission.

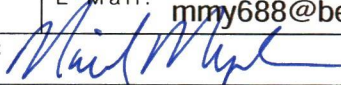

For more information about the application and related issues or to schedule an appointment:

Contact Info:
Phone: 205-699-0943
E-mail: Development@leedsalabama.gov

Mailing Address:
Leeds Planning and Zoning Commission
Development Services
1404 9th Street
Leeds, AL 35094

REZONING APPLICATION FOR THE CITY OF LEEDS, ALABAMA
DEPARTMENT OF INSPECTION SERVICES- ZONING DIVISION
 1040 PARK DRIVE, LEEDS, AL 35094 P.205.699.2585 F. 205.699.6558
INSPECTIONS@LEEDSALABAMA.GOV * leedsalabama.gov

Part 1. Application	
Name of Applicant: Michael Myrick & Janie Myrick	
Mailing Address: Po Box 100066 Birmingham, Al 35210	
Telephone: 205-215-0095	E-mail: mmy688@bellsouth.net
Signature: 	
Date Application Filed: 10/25/19	Requested Hearing Date: 11/12/19

Part 2. Parcel Data		
Owner of Record: Michael Myrick & Janie Myrick		
Owner Mailing Address: Po Box 100066 Birmingham, Al 35210		
Site Address: 1730 Jones Street Leeds, Al 35094		
Tax Parcel ID # 26-05-16-1-001-037.000	Existing Zoning: R-2	Proposed Zoning: R-5
Telephone: 205-215-0095	E-Mail: mmy688@bellsouth.net	
Signature of Authorization by Owner:  		

Also, 26-05-16-1-001-040.000, 26-05-16-1-001-042.000 & 25 00 16 # 001 001.000

Part 3. Request
Reason for Request: Rezone land for a garden home community
Proffer of rezoning conditions (if any) N/A

Part 4 Enclosures (Check all required enclosures with this application)
<input checked="" type="checkbox"/> Application Fee
<input checked="" type="checkbox"/> Reason for Request
<input checked="" type="checkbox"/> Legal Description of the subject Property
<input checked="" type="checkbox"/> Vicinity Map
<input checked="" type="checkbox"/> Availability of Required Utilities
<input type="checkbox"/> Public Hearing Notices
<input checked="" type="checkbox"/> Site Plan
<input type="checkbox"/> Proffer of rezoning conditions (if any)

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.

FOR OFFICE USE ONLY	
Application Number:	Date Received:
Received by:	Scheduled Public Hearing Date:

This instrument was prepared by

(VOL 93 PAGE 625)

REAL 452 PAGE 3

(Name) Willard O. Jackson, Attorney

(Address) Leeds, Alabama

Form 1-1-1 Rev. 1-66

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR—LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA }
JEFFERSON COUNTY } KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Ten and NO/100-----(\$10.00)-----DOLLARS

and other good and valuable consideration to the undersigned grantor or grantors in hand paid by the GRANTEEES herein, the receipt whereof is acknowledged, we,

Edwin G. Goss and wife, Jo Ann M. Goss

(herein referred to as grantors) do grant, bargain, sell and convey unto

John A. Myrick, Jr. and wife, Janie Patton Myrick

(herein referred to as GRANTEEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in Jefferson and St. Clair County, Alabama to-wit:

Parcel #26-05-16-1-001-042.000
From the SW corner SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 16, T 17 S, R 1 E, the point of beginning of the within described property, run South 88° 48' W, 150.00 feet; thence North 3° 26' W, 554.98 feet; thence North 80° 42' E, 551.96 feet; thence North 80° 27' E, 956.42 feet to point 20 feet west of east line of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$; thence South 2° 45' E, 71.00 feet to the center of Cahaba Creek; thence follow the center of said creek southwesterly to where the said creek intersects the south line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 16, T 17, R 1; thence west along the south line of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the point of beginning, being a part of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 16, T 17 S, R 1 E, St. Clair County, Alabama.

A L S O

Parcel #25-00-16-4-001-001.000
Part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 16, T 17 S, R 1 E, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the NW corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section, run thence eastwardly along the north line of said $\frac{1}{4}$ - $\frac{1}{4}$ section to the center line of Cahaba Creek; run thence southwestwardly along the center line of said Cahaba Creek to a point which lies south 47° 56' East, 310.86 feet from the NW corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; run thence North 47° 56' West for a distance of 310.86 feet to the point of beginning.

TO HAVE AND TO HOLD to the said GRANTEEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; 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 GRANTEEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, WE have hereunto set OUR hand(s) and seal(s), this 29th day of July, 1968

WITNESS:

Douglas L. Liggins (Seal)

Charles Murray (Seal)

Edwin G. Goss (Seal)



(Name) Willard O. Jackson, Attorney

(Address) Leeds, Alabama

Form 1-1-5 Rev. 1-56

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR—LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA } KNOW ALL MEN BY THESE PRESENTS,
JEFFERSON COUNTY }

That in consideration of Ten and NO/100-----(\$10.00)-----DOLLARS

and other good and valuable consideration to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, Edwin G. Goss and wife, Jo Ann M. Goss (herein referred to as grantors) do grant, bargain, sell and convey unto John A. Myrick, Jr. and wife, Janie Patton Myrick

(herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in Jefferson and St. Clair County, Alabama to-wit:

From the SW corner SE 1/4 of NE 1/4 of Sec. 16, T 17 S, R 1 E, the point of beginning of the within described property, run South 88 0 48' W, 150.00 feet; thence North 3 0 26' W, 554.98 feet; thence North 80 0 42' E, 551.96 feet; thence North 80 0 27' E, 956.42 feet to point 20 feet west of east line of said SE 1/4 of NE 1/4; thence South 2 0 45' E, 71.00 feet to the center of Cahaba Creek; thence follow the center of said creek southwesterly to where the said creek intersects the south line of the SE 1/4 of the NE 1/4 of Sec. 16, T 17, R 1; thence west along the south line of said SE 1/4 of the NE 1/4 to the point of beginning, being a part of the SE 1/4 of NE 1/4 and SW 1/4 of NE 1/4 of Sec. 16, T 17 S, R 1 E, St. Clair County, Alabama.

A L S O

Part of the NE 1/4 of the SE 1/4 of Sec. 16, T 17 S, R 1 E, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the NW corner of said 1/4-1/4 section, run thence eastwardly along the north line of said 1/4-1/4 section to the center line of Cahaba Creek; run thence southwestwardly along the center line of said Cahaba Creek to a point which lies south 47 0 56' East, 310.86 feet from the NW corner of said 1/4-1/4 section; run thence North 47 0 56' West for a distance of 310.86 feet to the point of beginning.

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; 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 GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 29th day of July, 1968.

WITNESS: Gordon L. Figgles (Seal), Charles Murray (Seal), J. Bernard Owen, Jr. (Seal)

Edwin G. Goss (Seal), Jo Ann M. Goss (Seal)

STATE OF ALABAMA } MADISON COUNTY }

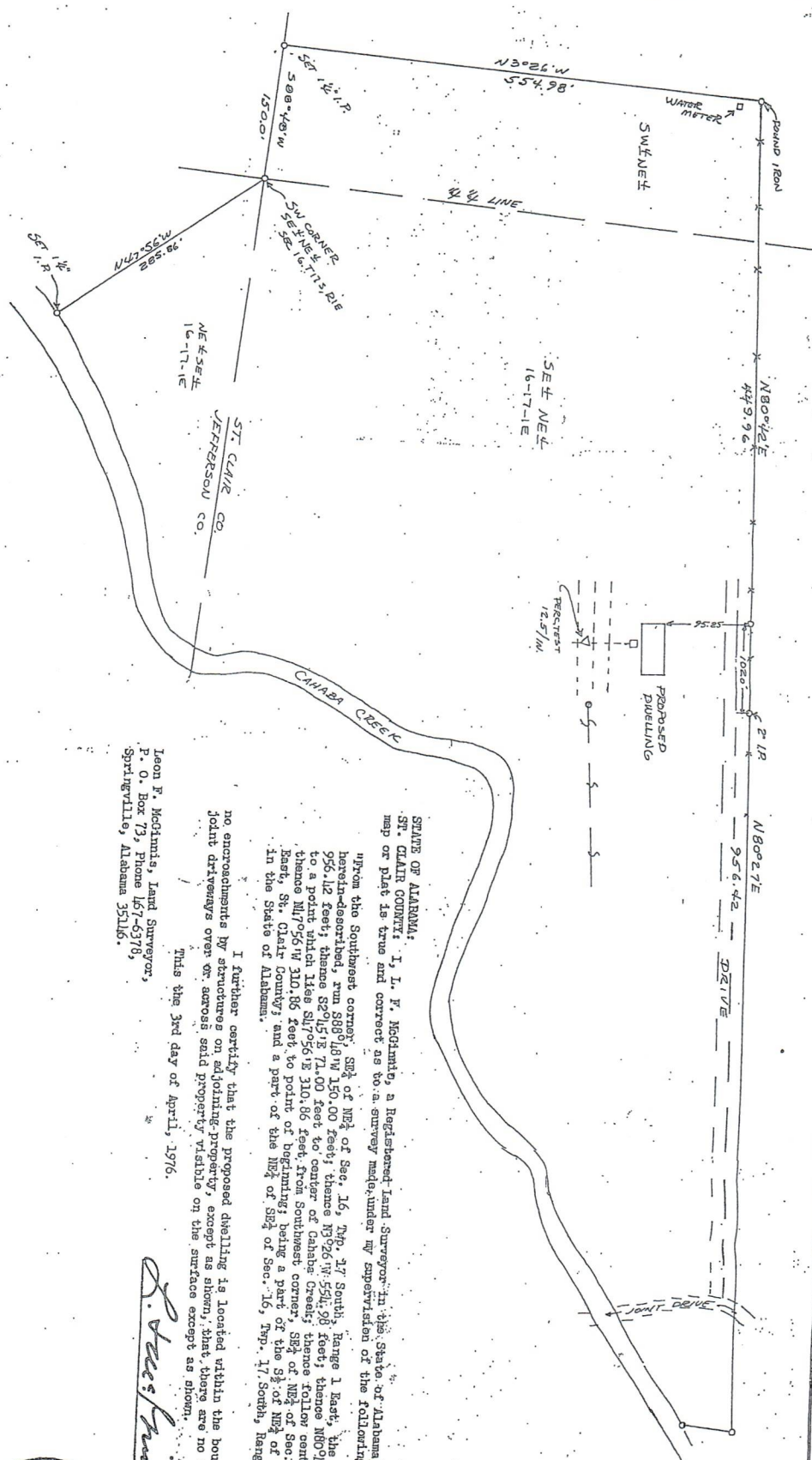
General Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Edwin G. Goss and wife, Jo Ann M. Goss whose name s. are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of July, 1968.

My Commission Expires Nov. 30, 1970

Notary Public seal with number 5 and signature Dallas M. Moor



STATE OF ALABAMA:
ST. CLAIR COUNTY:

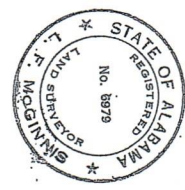
I, I. F. McGinnis, a Registered Land Surveyor in the State of Alabama, hereby certify that the within map or plat is true and correct as to a survey made under my supervision of the following described property:

Upon the Southwest corner, SE 1/4 of NE 1/4 of Sec. 16, Twp. 17 South, Range 1 East, the point of beginning of herein-described, run S89°18'18\"/>

no encroachments by structures on adjoining property, except as shown; that there are no easements, rights-of-way, or joint driveways over or across said property visible on the surface except as shown.

This the 3rd day of April, 1976.

Leon F. McGinnis, Land Surveyor,
 P. O. Box 73, Phone 457-6376,
 Springville, Alabama 35116.



1 1/2 / 160
 MAGNETIC DECL.

LEGAL DESCRIPTION

Parcels of land situated in and being part of the SE 1/4 of the NE 1/4 and a part of the SW 1/4 of the NE 1/4 of Section 16, Township 17 South, Range 1 East, St Clair County, Alabama, Pell City Division and being more particularly described as follows:

TRACT 1: Parcel #26-05-16-1-001-029.000

Commence at a 2" crimped pipe locally excepted as the NE corner of Section 16, Township 17 South, Range 1 East and run South 02° 44' 02" East a distance of 1415.44 feet; thence South 88° 38' 20" West a distance of 448.83 feet; thence South 88° 39' 46" West a distance of 605.32 feet to the Point of Beginning of the following tract of land; thence South 88° 42' 47" West a distance of 36.99 feet thence South 76° 06' 02" West a distance of 177.59 feet; thence North 13° 53' 58" West a distance of 451.05 feet; thence South 64° 23' 13" West a distance of 153.13 feet; thence South 02° 34' 24" East a distance of 1006.87 feet; thence North 79° 44' 13" East a distance of 12.00 feet; thence North 30° 33' 13" East a distance of 784.49 feet to the point of beginning.

TRACT 2: Parcel #26-05-16-1-001-037.000

Commence at a 2" crimped pipe locally excepted as the NE corner of Section 16, Township 17 South, Range 1 East and run South 02° 44' 02" East a distance of 1415.44 feet to the Point of Beginning of the following tract of land; thence South 88° 38' 20" West a distance of 448.83 feet; thence South 88° 39' 46" West a distance of 605.32 feet; thence South 30° 33' 13" West a distance of 784.49 feet to a 2 inch open pipe found; thence North 81° 01' 13" East a distance of 339.47 feet; thence North 80° 56' 13" East a distance of 199.58 feet; thence North 80° 45' 13" East a distance of 300.80 feet; thence North 80° 43' 13" East a distance of 226.00 feet; thence North 80° 34' 13" East a distance of 213.31 feet; thence North 80° 58' 13" East a distance of 214.64 feet; thence North 02° 44' 02" West a distance of 463.04 feet to the point of beginning.

LESS AND EXCEPT that parcel acquired by Jones Street, LLC by quitclaim deed from Larry Alan Johnson filed on 3-24-03, in Deed Book 2003, page 2509 in the Probate Office of St. Clair County, Alabama. The grantor therein only had a tax interest as acquired by virtue of prior tax sale and tax deed dated 5-14-84 and attached to and made a part of the instrument referenced hereinabove. Said parcel being more particularly described as follows:

Commence at the NE corner of Section 16; thence run West 20 feet; thence run South 1450 feet to the point of beginning, thence West 110' x 50' X 100' x 50' to the point of beginning.

Said parcel also being referred to as Tax Parcel No. 59-26-05-16-0.001-038.

TRACT 3:

Parcel I: Parcel #26-05-16-1-001-040.000

Commence at a 2" crimped pipe locally excepted as the NE corner of Section 16, Township 17 South, Range 1 East and run South 02° 44' 02" East a distance of 1949.17 feet to the Point of Beginning of the following tract of land; thence South 02° 44' 02" East a distance of 682.87 feet; thence South 54° 20' 00" West a distance of 14.65 feet; thence North 35° 40' 00" West a distance of 167.00 feet thence North 54° 20' 00" East a distance of 21.00 feet; thence North 27° 24' 11" West a distance of 62.60 feet thence South 54° 20' 00" West a distance of 130.00 feet; thence North 35° 40' 00" West a distance of 324.04 feet to the centerline of Little Cahaba Creek; thence along the centerline of said creek the

following: North 04° 02' 22" East a distance of 92.52 feet; thence North 58° 25' 10" East a distance of 42.15 feet; thence North 80° 15' 27" East a distance of 59.79 feet; thence South 86° 23' 24" East a distance of 87.64 feet; thence North 62° 43' 30" East a distance of 32.11 feet; thence North 38° 04' 35" East a distance of 80.62 feet; thence North 44° 20' 46" East a distance of 117.11 feet; thence North 61° 08' 20" East a distance of 38.92 feet to the point of beginning.

LESS AND EXCEPT existing right of way of Jones Road (20' ROW).

PARCEL II: Parcel#26-05-16-1-001-037.000

That parcel acquired by Jones Street, LLC by quit claim deed from Larry Alan Johnson filed on 3-24-03, in Deed Book 2003, page 2509 in the Probate Office of St. Clair County, Alabama. The grantor therein only had a tax interest as acquired by virtue of prior tax sale and tax deed dated 5-14-84 and attached to and made a part of the instrument referenced hereinabove. Said parcel being more particularly described as follows:

Commence at the NE corner of Section 16, Township 17 South, Range 1 East, St. Clair County, Alabama, thence run West 20 feet thence run South 1450 feet to the point of beginning, thence West 110' x 50' x 100' X 50' to the point of beginning.

Said parcel also being referred to as Tax Parcel No. 59-26-05-16-0.001-038.

131042-42

671

2013 3039
Recorded in the Above
DEED Book & Page
03-26-2013 08:52:03 AM
Mike Bowling - Judge of Probate
St. Clair County, Alabama

**AFTER RECORDING,
RETURN TO:**

John A. Myrick
1730 Jones St
Leeds, AL 35094

[space above reserved for recorder's use only]

**THIS DOCUMENT
PREPARED BY:**

Hunton & Williams LLP
1445 Ross Avenue, Suite 3700
Dallas, Texas 75202
Attn: Adam B. Fritcher

SEND TAX NOTICE TO:

John A. Myrick
1730 Jones St
Leeds, AL 35094

who makes no representation as to
status of title or to matters which
would be disclosed by a current
survey

SPECIAL WARRANTY DEED

STATE OF ALABAMA §
 §
COUNTY OF ST. CLAIR §

KNOW ALL MEN BY THESE PRESENTS:

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of TEN AND NO/100 Dollars (\$10.00) and other good and valuable consideration to the undersigned Grantor paid by the Grantee herein, the receipt whereof is acknowledged, the said **LPP MORTGAGE LTD.**, a Texas limited partnership, whose mailing address is: c/o CLMG Corp., 7195 Dallas Parkway, Plano, Texas 75024 ("**Grantor**"), DOES GRANT, BARGAIN, SELL AND CONVEY unto **MICHAEL G. MYRICK, JOHN A. MYRICK and JANIE P. MYRICK**, as joint tenants with rights of survivorship (collectively, the "**Grantee**"), having an address of 539 Woodruff Parkway, Leeds, Alabama 35094, the real property situated in the County of St. Clair, State of Alabama, and more particularly described on Exhibit A attached hereto and made a part hereof for all purposes, together with all of Grantor's right, title and interest, if any, in and to all easements benefiting such real property (collectively, the "**Property**").

This Special Warranty Deed is made and accepted expressly subject to any and all matters of record, and any easements, exceptions, restrictions, rights of redemption and other encumbrances and any

2013 3040
Recorded in the Above
DEED Book & Page
03-26-2013 08:52:03 AM

and all matters that would be shown by a visual inspection and/or accurate survey of the Property, including, without limitation, the matters set forth in Exhibit B attached hereto and made a part hereof for all purposes (the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, unto Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee and its successors and assigns, against any person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise, subject to the Permitted Exceptions.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed to be effective as of the 21st day of March, 2013.

GRANTOR:

LPP MORTGAGE LTD.,
a Texas limited partnership

By: Property Acceptance Corp.,
a Texas corporation,
its general partner

By: *Michael D. Wyant*
Name: **Michael D. Wyant**
Its: **Its Authorized Signatory**

STATE OF TEXAS

§
§
§

COUNTY OF COLLIN

I, the undersigned authority, a Notary Public, in and for said county in said state, hereby certify that *Michael D. Wyant*, the Authorized Signatory of Property Acceptance Corp., a Texas corporation, the general partner of LPP MORTGAGE LTD., a Texas limited partnership, and whose name 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 Authorized Signatory and with full authority, executed the same voluntarily for and as the act of said corporation and said limited partnership.

Given under my hand and official seal this 18 day of March, 2013.

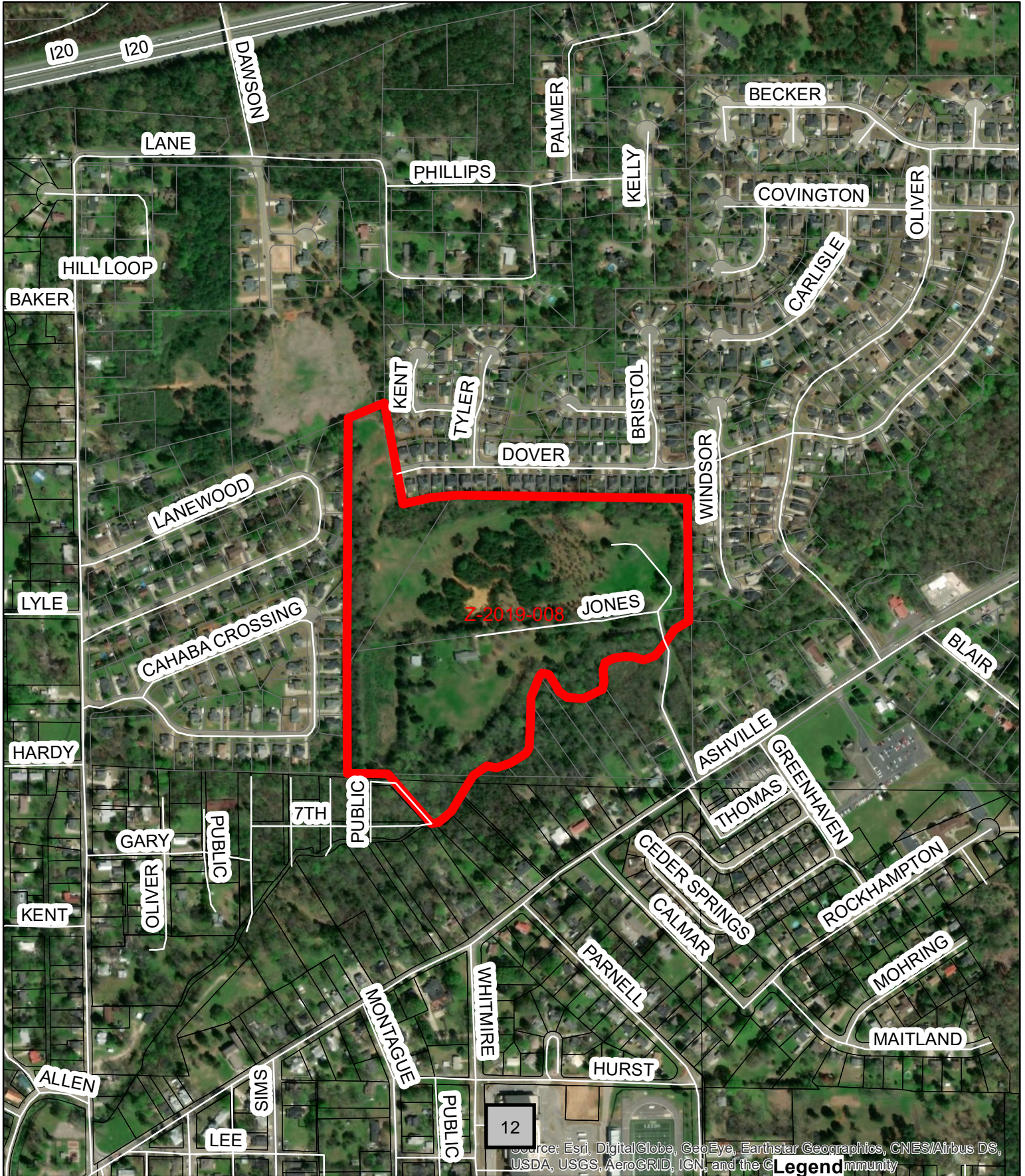
(Seal)



Cindy Lewis
Notary Public for the State of Texas
(signature of Notary Public)

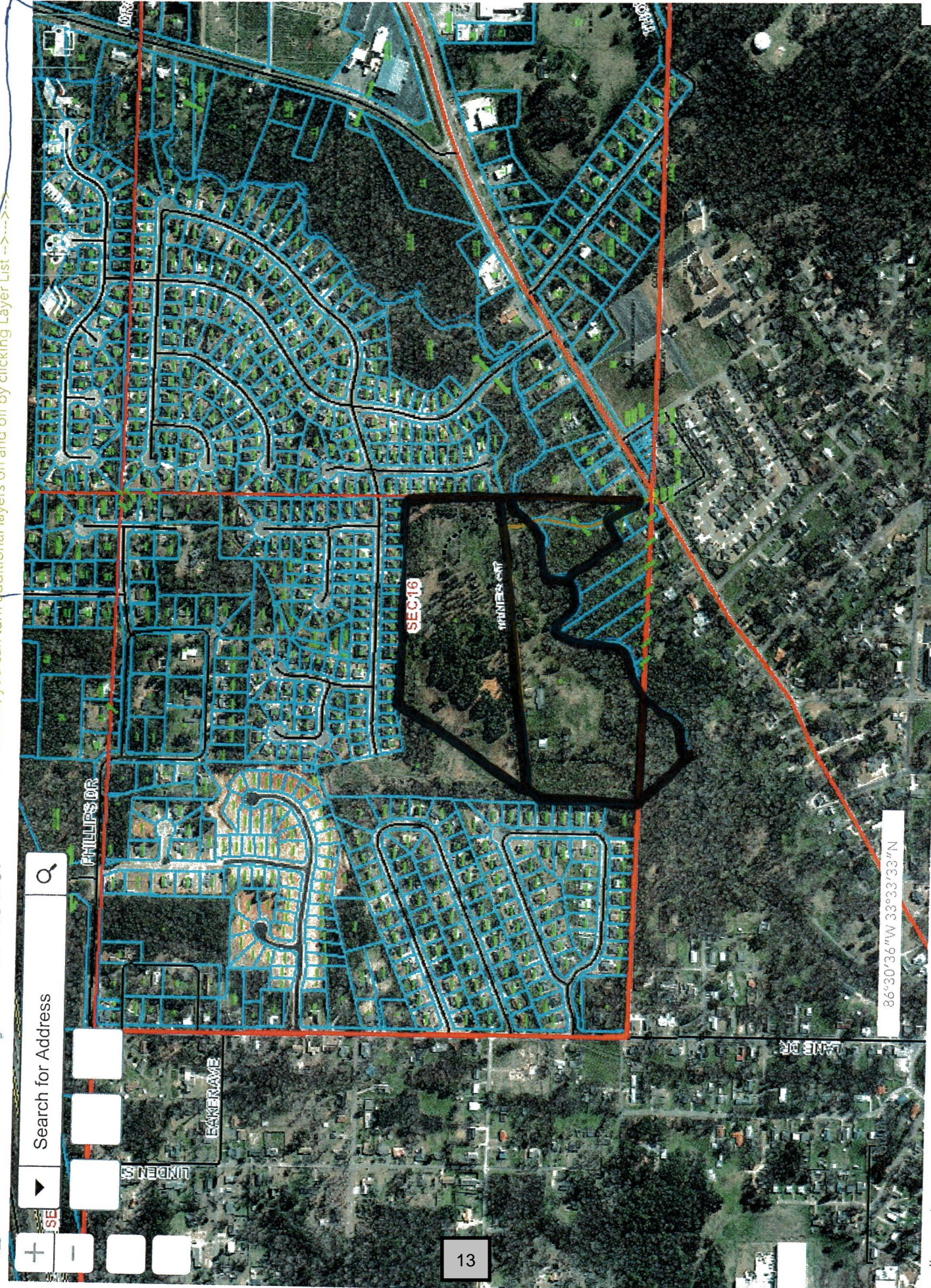
My Commission Expires: *Sept. 22, 2013*

Z-2019-008
1730 JONES ST.
260516001037000;2605161001042000;2605161001040000;
250016400100100



Remember, you can turn additional layers on and off by clicking Layer List ->

Map navigation controls including zoom in (+), zoom out (-), and a search bar with the text "Search for Address" and a magnifying glass icon.






Setbacks, parking areas, yards, landscaping and buffers will be consistent with those of surrounding neighborhoods. (Clarke Meadows & Oliver Crossing)

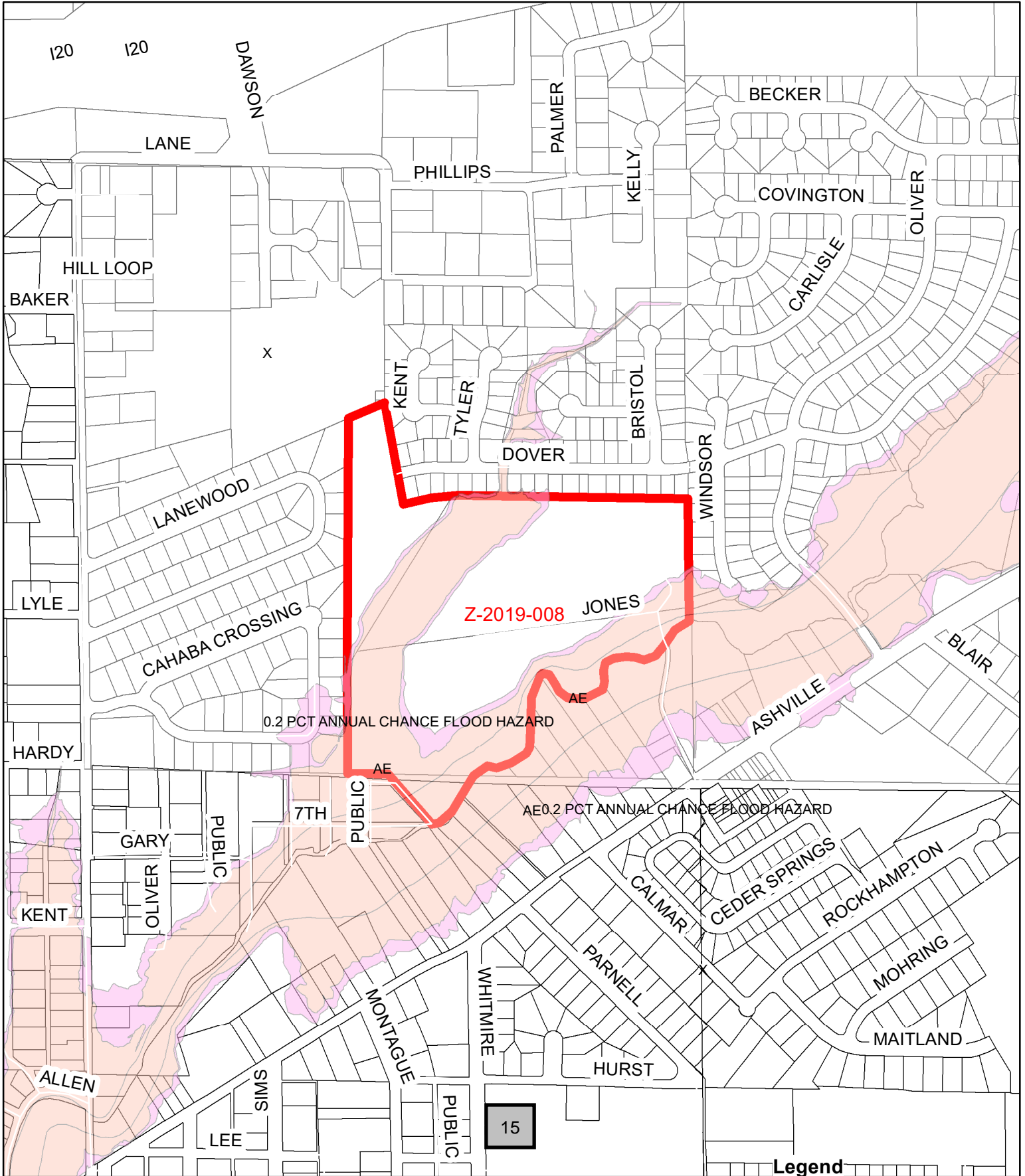
Utilities: Power line easement down east side of property line. Water line easement down the west side of property line. Sewer line along the creek on the southern border of the property.



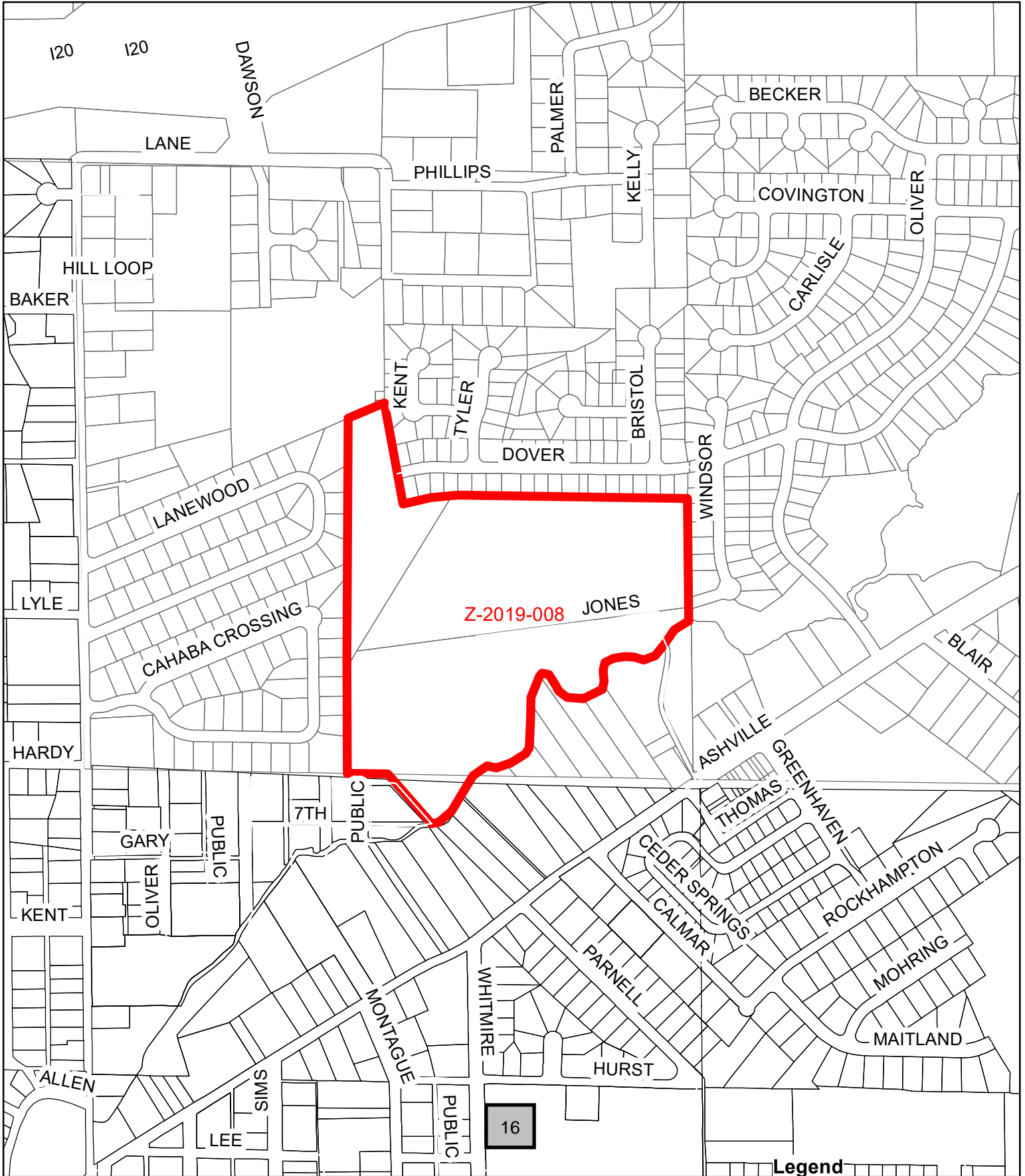
NOTES
 LOT DIMENSIONS - 80' x 125'
 LOT COUNT - APPROXIMATELY 147 LOTS

 <p>LBVD 5201 N. BARKS Huntsville, Alabama 35894-1000 Phone: (205) 551-4800 www.lbvd.com</p>	<p>LBVD, Inc. Civil Engineers 880 Woodlark Road Birmingham, AL 35213 Phone: (205) 551-4800</p>	<p>102-19-148</p>	<p>10/10/2019</p>	<p>EX.10</p>
	<p>Project Name COVE at CLARKE MEADOWS SMITH DOUGLAS HOMES LEEDS, AL 35094</p>	<p>14</p>	<p>NOT FOR CONSTRUCTION CHECK SET</p>	<p>10/10/2019</p>

Z-2019-008
1730 JONES ST.
260516001037000;2605161001042000;2605161001040000;
250016400100100



Z-2019-008
1730 JONES ST.
260516001037000;2605161001042000;2605161001040000;
250016400100100



Z-2019-008
1730 JONES ST.
260516001037000;2605161001042000;2605161001040000;
250016400100100

