



CITY OF LEEDS, ALABAMA

BOARD OF ZONING ADJUSTMENTS AGENDA

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

September 27, 2022 @ 5:00 PM

CALL TO ORDER:

ROLL CALL:

DETERMINATION OF QUORUM:

APPROVAL OF MINUTES FROM PREVIOUS MEETING(S):

1. Approval of Minutes from August 23, 2022

OLD BUSINESS:

2. A22-000012 - An application by Julie Waters, Applicant, Thomas & Cynthia D Haisten, Property Owners, to allow for creative wellness services and consulting (ind and group training, exercise, art, etc) in the I-2, Heavy Industrial District, at 1689 10th St, Leeds, AL 35094, TPID 2500211028004001, Jefferson County.
3. A22-000013 - An application by Carl Chamblee, Jr, Esq., Applicant, Joseph M. Rich, Property Owner, to allow for Painting of Automobile body parts indoor facility - Light Manufacturing in the T-5, Urban District in place of the required I-1, Light Industrial District at 7310 Parkway Dr, Leeds, AL 35094, TPID 2500202001042000, Jefferson County.

OTHER BUSINESS:

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. Approval of Minutes from August 23, 2022



CITY OF LEEDS, ALABAMA

BOARD OF ZONING ADJUSTMENTS MINUTES

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

August 23, 2022 @ 5:00 PM

CALL TO ORDER:

5:00 pm

ROLL CALL:

PRESENT

Board Member Mike McDevitt
Board Member Brad Pool
Board Member Andrea Howard
Board Member Mark Musgrove
Board Member Gerald Miller

ABSENT

Board Member Andy Watkins

DETERMINATION OF QUORUM:

Quorum determined.

APPROVAL OF MINUTES FROM PREVIOUS MEETING(S):

Motion made by Board member Andrea Howard to approve minutes as written. Seconded by Board Member Mark Musgrove.

Voting Yea: Board Member McDevitt, Board Member Pool, Board Member Howard, Board Member Musgrove, Board Member Miller

1. Approval of July 26th BZA Minutes

Motion made by Board Member Howard, Seconded by Board Member Musgrove to approve the minutes as presented.

Voting Yea: Board Member McDevitt, Board Member Pool, Board Member Howard, Board Member Musgrove, Board Member Miller

OLD BUSINESS:

None.

OTHER BUSINESS:

2. A22-000010 - A request by Hisaul Gutierrez, Applicant, Thomas & Cynthia Haisten, Property Owners, to allow the operation of a retail/wholesale - indoor in the I-1, Light Industrial District at 1685 10th St, 35094, TPID - 2500211028004001, Jefferson County.

Mr. Hisual Gutierrez, applicant, presented the case to the Board.

Motion made by Board Member Pool, Seconded by Board Member Musgrove to approve the request subject to the following conditions:

1. All storage must be inside - no outside storage permitted.
2. The variance is for the term that the applicant is the lessee of the property;
3. The property owner must maintain a city business license and remain compliant with city regulations.

Voting Yea: Board Member McDevitt, Board Member Pool, Board Member Howard, Board Member Musgrove, Board Member Miller

3. A22-000008 - A request by Ashley McCormick, Applicant, Daniel & Ashley McCormick, Property Owners, to allow the keeping of backyard chickens and bees at 1055 Kings Forest Dr, Leeds, AL 35094, TPID 2500191002057000, Jefferson County.

Ashley McCormick, applicant, presented the case to the board.

Motion made by Board Member Musgrove, Seconded by Board Member Howard to allow up to four (4) hives for bees.

Motion made Board Member Pool, Seconded by Board Member Musgrove to deny the element of the request to deny the request for chickens. Voting Yea: Musgrove, Pool, Howard, Miller. Voting No: McDivett.

Voting Yea: Board Member McDevitt, Board Member Pool, Board Member Howard, Board Member Musgrove, Board Member Miller

4. A22-000006 - A request by Jeff Freeman, Applicant and Property Owner to allow for the replacement of an existing accessory building in the front yard at 8552 Covington Way, Leeds, AL 35094, TPID: 26051500001012085, St. Clair Co.

Motion made by Board Member Howard, Seconded by Board Member Pool to approve the request as presented.

Voting Yea: Board Member McDevitt, Board Member Pool, Board Member Howard, Board Member Musgrove, Board Member Miller

ADJOURNMENT:

5:36 PM

Mr. Mike McDevitt, Chairman

Ms. Andrea Howard, Secretary

File Attachments for Item:

2. A22-000012 - An application by Julie Waters, Applicant, Thomas & Cynthia D Haisten, Property Owners, to allow for creative wellness services and consulting (ind and group training, exercise, art, etc) in the I-2, Heavy Industrial District, at 1689 10th St, Leeds, AL 35094, TPID 2500211028004001, Jefferson County.

6 NOTICE OF PUBLIC HEARING

City of Leeds, Alabama
Zoning Board of Adjustments

APPLICATION

An application for Zone space for creative wellness services and consulting (ind and group training, exercise, art, etc)

Zoning Board of Adjustments

The Zoning Board of Adjustments is vested with the responsibility and authority of authorizing variances which 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 #:	A22-000012
APPLICANT NAME:	Julie Watters
PROPERTY OWNER:	HAISTEN THOMAS & CYNTHIA D
TAX PARCEL ID#S:	2500211028004001
PROPERTY ADDRESS:	1689 10TH ST; LEEDS, AL 35094
PROPERTY ZONING:	I-2: HEAVY INDUSTRIAL 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: September 27, 2022
Time: 5:00 p.m.
Place: Leeds Annex Meeting Room
1412 9th St
Leeds, AL 35094

Public Information: Any interested persons or their representative 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

CASE NUMBER: _____

DESIGNATION OF AUTHORIZED AGENT/ATTORNEY-IN-FACT

The undersigned owner/owners of the property described in the application hereby designate Julie C. Waters 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.

Thomas J. Folsom
OWNER

OWNER

ADDRESS
385 Fish Trap Rd. Pell City, 35054
(205) 901-2144
TELEPHONE NUMBER

AUTHORIZED AGENT/ATTORNEY-IN-FACT:

NAME

ADDRESS

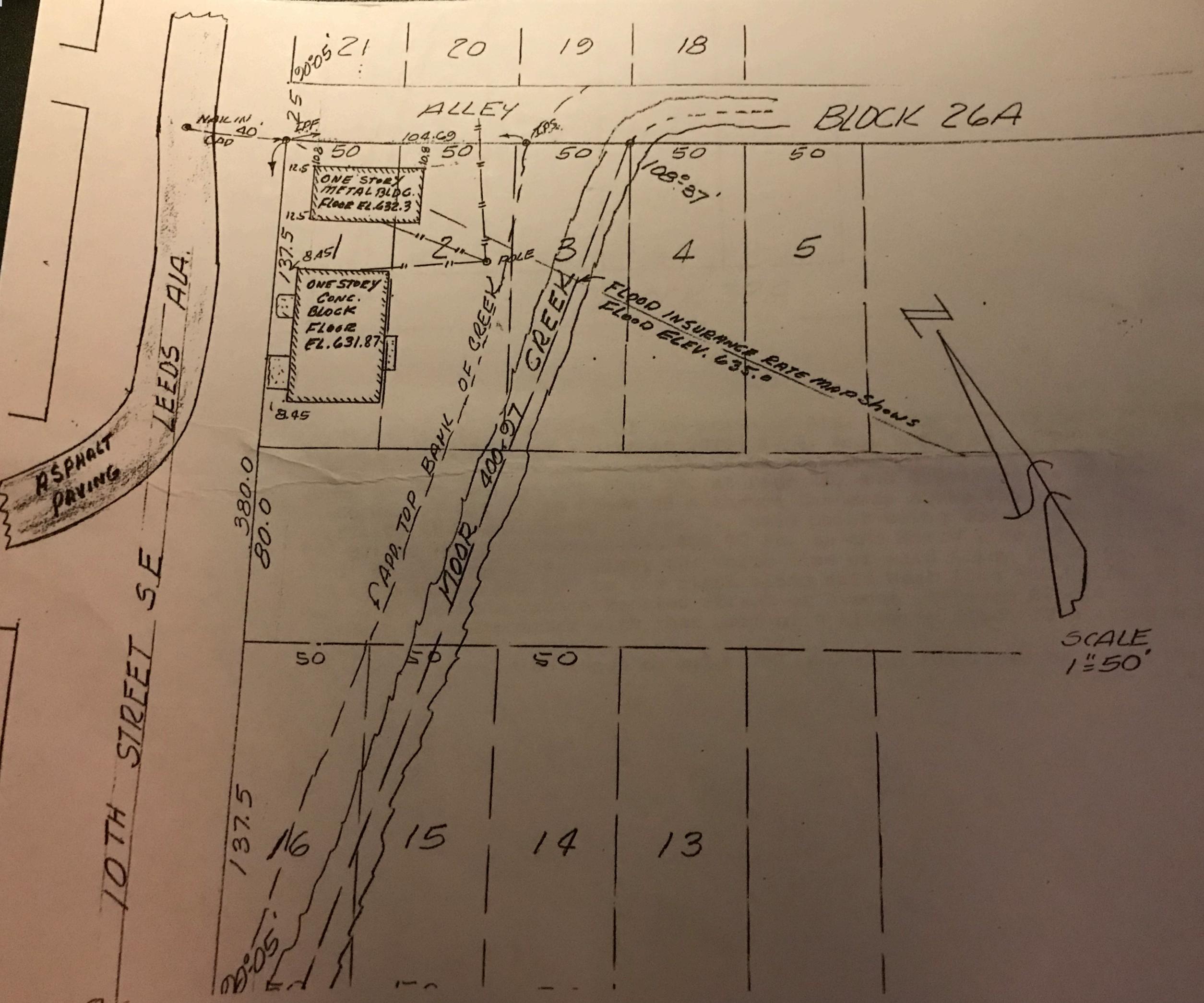
TELEPHONE NUMBER

State of Alabama

I, the undersigned Notary Public, hereby certify that _____, 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 _____ day of _____, 20____.

Commission Expires: _____



200205 / 3471

THIS INSTRUMENT PREPARED BY:
WEATHINGTON & MOORE, P.C.
Post Office Box 310
Moody, AL 35004

Send Tax Notice To:
Thomas Haisten
1260 Lanewood Circle
Leeds, AL 35094

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA
JEFFERSON COUNTY

39.000.00

KNOW ALL MEN BY THESE PRESENTS, That in consideration of EIGHTY THOUSAND AND NO/100 (\$80, 000.00) DOLLARS consideration, to the undersigned Grantor or Grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we WALLACE C. ISBELL, A MARRIED MAN (herein referred to as Grantors) do grant, bargain, sell and convey unto THOMAS HAISTEN AND CYNTHIA D. HAISTEN (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 County, Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

- SUBJECT TO: 1. Easement for utility lines on portion of property, formerly a public road, as shown by recorded map.
- 2. Mineral and mining rights and rights incident thereto recorded in Volume 431 page 60 in the Probate Office of Jefferson County, Alabama.
- 3. Rights of upstream and downstream riparian owners with respect to Moor Creek bordering subject property.

\$41,000.00 of the above consideration was paid by mortgage loan closed simultaneously herewith.

The herein conveyed property does not constitute any portion of the homestead of the grantor nor that of his spouse.

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 for such survivor forever, together with every contingent remainder and right of reversion.

And I (we) do for myself (ourselves) and 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

Copy

PLAN FOR WELLNESS SPACE @ 1689 10th St Leeds

PLOT PLAN for 1689 10th St Leeds
10th Ave

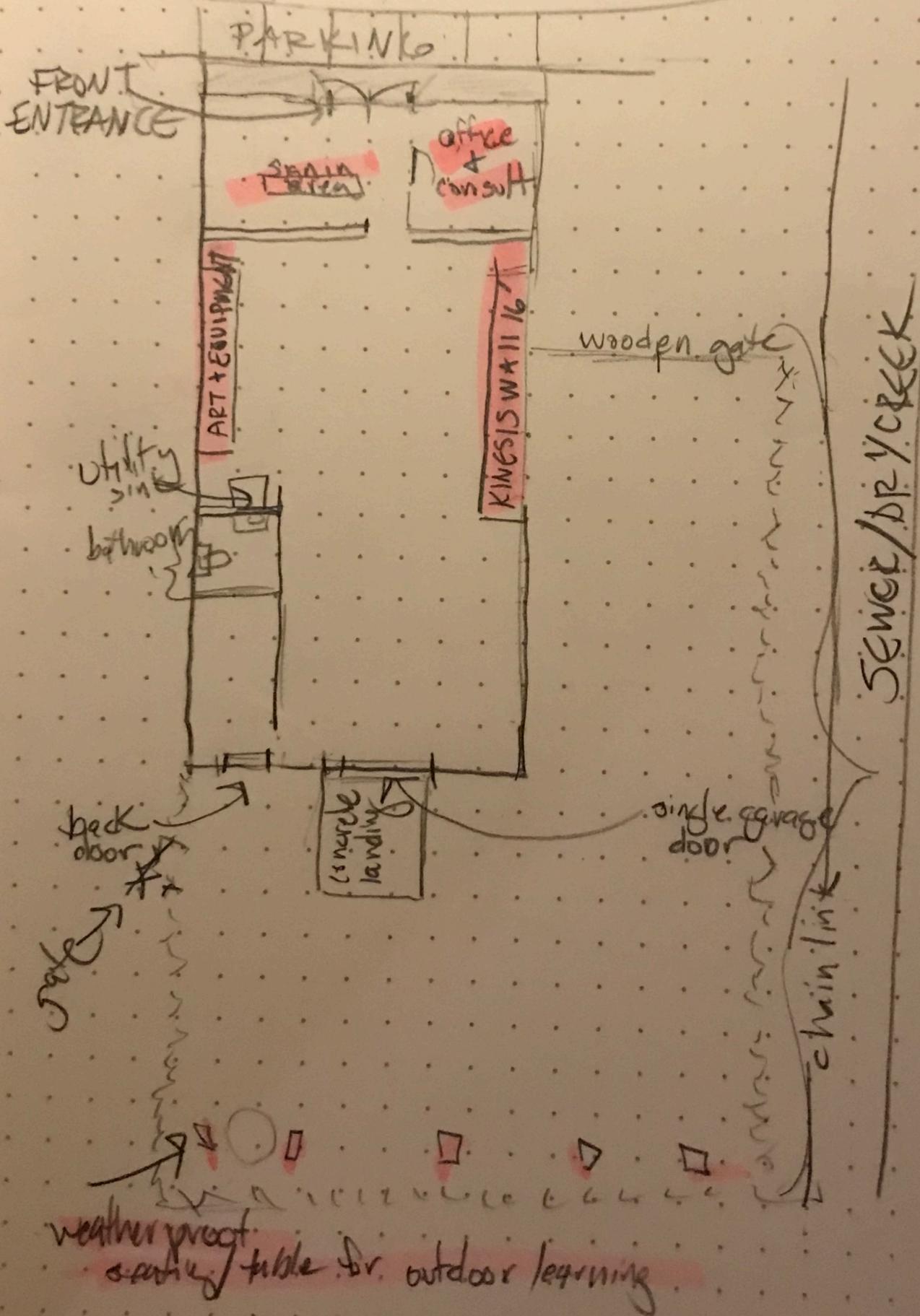


EXHIBIT "A"

part of Lots 1, 2 & 3, Block 26 A and Lots 15 & 16, Block 32 A, according to the Map and Survey of Leeds, as recorded in the Office of the Judge of Probate of Jefferson County, Alabama, in Map Book 10, at page 21, and described as follows:

Begin at the NW corner of Lot 1, in Block 26 A thence Easterly along the North line of said Block 26 A 150.00 feet to the NE corner of Lot 3, said point being the Center line of Moor Creek; thence 108°37' to the right Southwest 400.97 feet to the North line of Alley in Block 32 A, thence 71°23' to the right West along the North line of said Alley 21.45 feet to the West line of said Block 32 A, thence 89°55' to the right along said West line 380.00 feet to the point of beginning.

Also being a part of a Vacated Street or Avenue between Blocks 26 A & 32 A lying north-west of Moor Creek together with that part of an Alley in Block 32 A, lying north-west of Moor Creek.

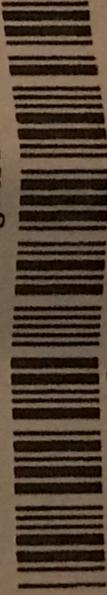
State of Alabama - Jefferson County

I certify this instrument filed on:

2002 APR 05 A.M. 11:24

Recorded and \$		Mtg. Tax
and \$	39.00	Deed Tax and Fee Amt.
\$	9.50	Total \$ 48.50

MICHAEL F. BOLIN, Judge of Probate



200205/3471

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 GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have set my (our) hand(s) and seal(s) this 20th day of March, 2002.

Wallace C. Isbell
WALLACE C. ISBELL

STATE OF ALABAMA
ST. CLAIR COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Wallace C. Isbell whose name(s) IS signed to the foregoing conveyance, and who IS known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20th day of March, 2002.

Emily L. Lundy
Notary Public

My Commission Expires:

9-29-02

Copy

NOTICE OF PUBLIC HEARING

City of Leeds, Alabama
Zoning Board of Adjustments

APPLICATION

An application for Zone space for creative wellness services and consulting (ind and group training, exercise, art, etc)

Zoning Board of Adjustments

The Zoning Board of Adjustments is vested with the responsibility and authority of authorizing variances which 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 #:	A22-000012
APPLICANT NAME:	Julie Watters
PROPERTY OWNER:	HAISTEN THOMAS & CYNTHIA D
TAX PARCEL ID#S:	2500211028004001
PROPERTY ADDRESS:	1689 10TH ST; LEEDS, AL 35094
PROPERTY ZONING:	I-2: HEAVY INDUSTRIAL 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: September 27, 2022
Time: 5:00 p.m.
Place: Leeds Annex Meeting Room
1412 9th St
Leeds, AL 35094

Public Information: Any interested persons or their representative 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:

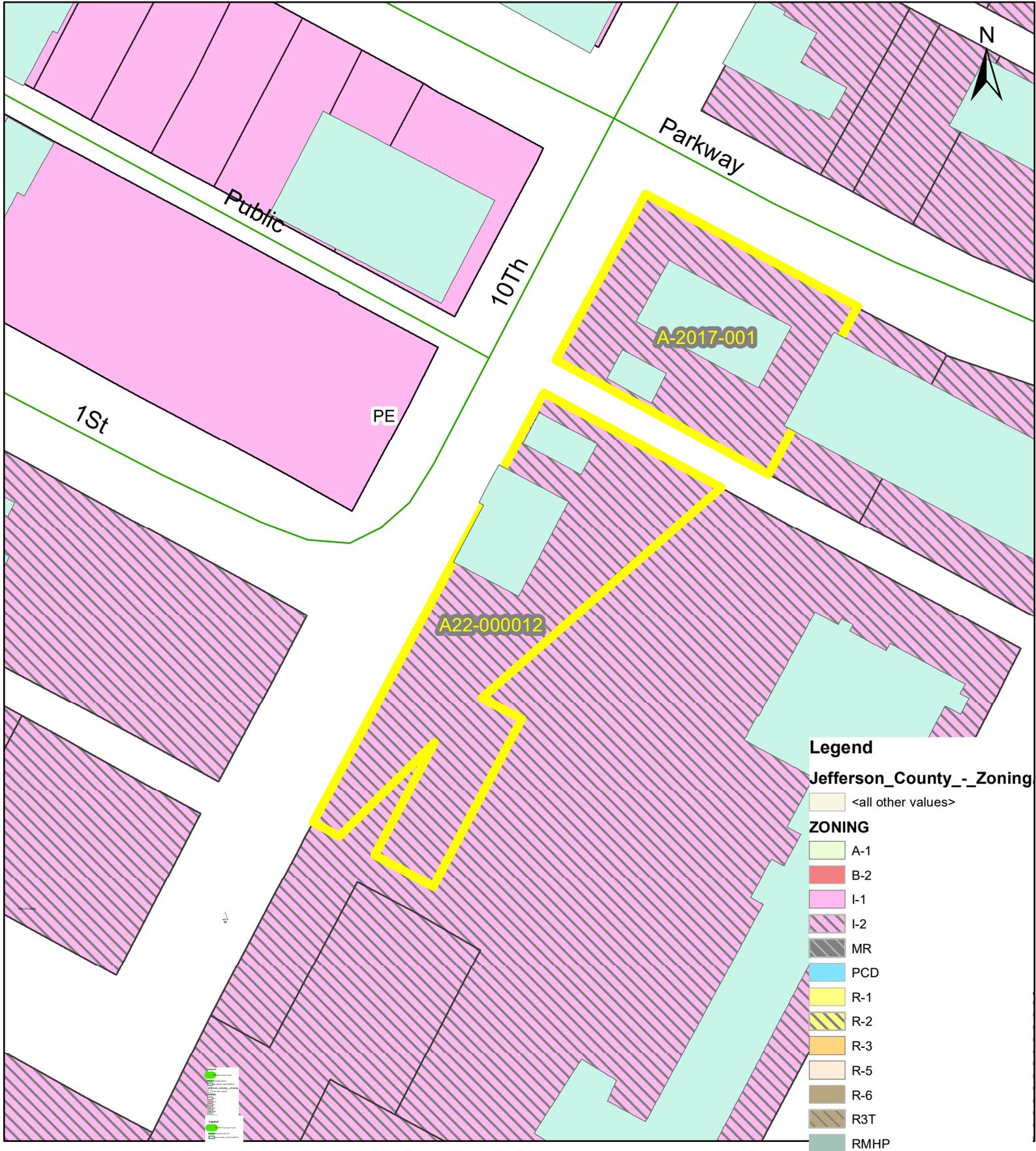
Phone: 205-699-0943

E-mail: development@leedsalabama.gov

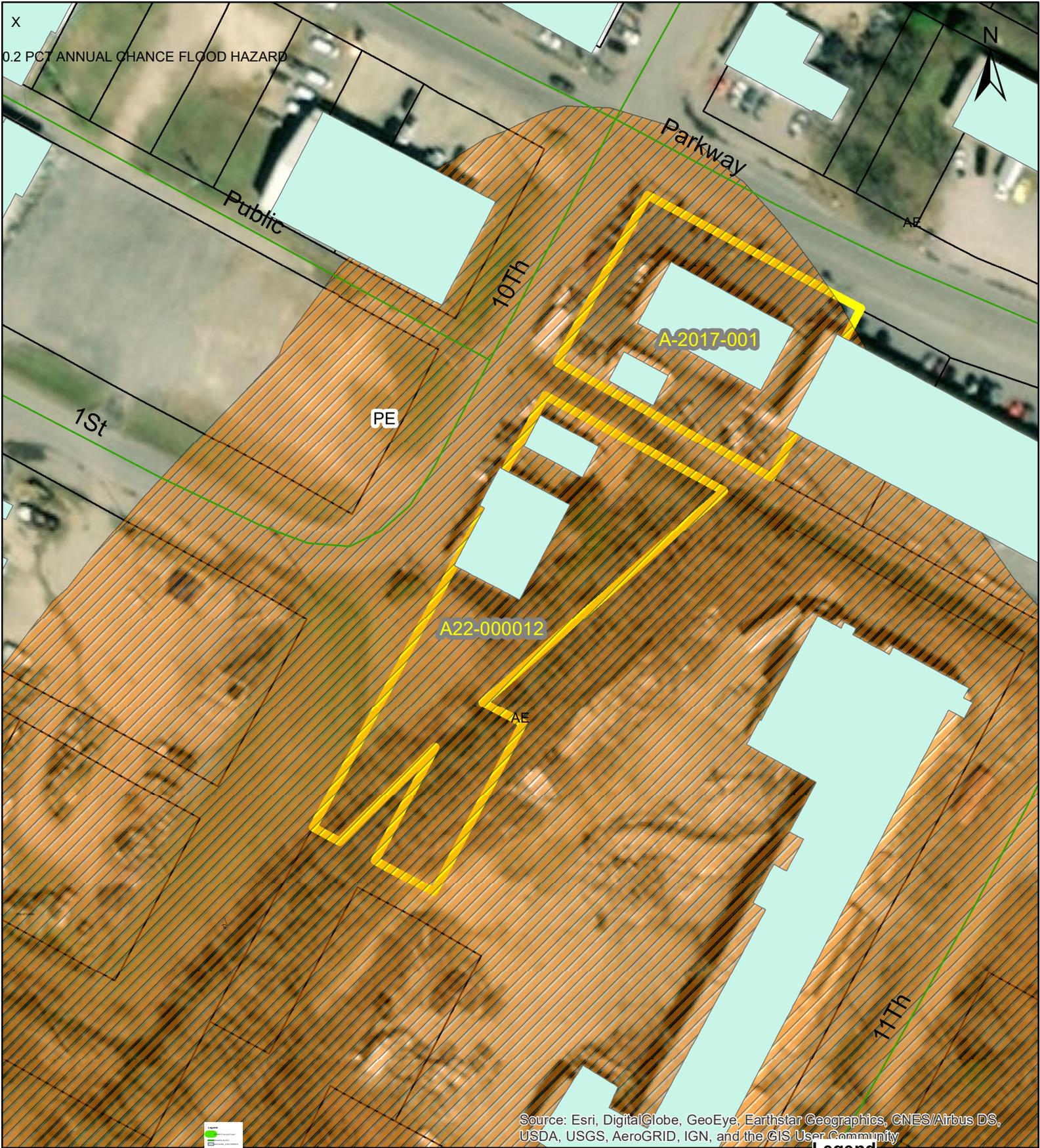
Mailing Address:

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

A22-000012
1689 10TH ST
2500211028004001
ZONING



A22-000012
1689 10TH ST
2500211028004001
FLOODWAY



File Attachments for Item:

3. A22-000013 - An application by Carl Chamblee, Jr, Esq., Applicant, Joseph M. Rich, Property Owner, to allow for Painting of Automobile body parts indoor facility - Light Manufacturing in the T-5, Urban District in place of the required I-1, Light Industrial District at 7310 Parkway Dr, Leeds, AL 35094, TPID 2500202001042000, Jefferson County.

NOTICE OF PUBLIC HEARING

City of Leeds, Alabama
Zoning Board of Adjustments

APPLICATION

An application for Painting of Automobile body parts indoor facility - Light Manufacturing in the T-5, Urban District in place of the required I-1, Light Industrial District.

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 #:	A22-000013
APPLICANT NAME:	CARL Chamblee, Jr., Esq.
PROPERTY OWNER:	RICH JOSEPH M
TAX PARCEL ID#S:	2500202001042000
PROPERTY ADDRESS:	7310 PARKWAY DR; 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:

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Leeds, AL 35094

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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

This instrument was prepared by:
SOUTH OAK TITLE TRUSSVILLE, LLC
5592 APPLE PARK DRIVE
BIRMINGHAM, ALABAMA 35235

Send Tax Notice To:
MICHAEL A. WINDHAM
7460 KINGS MOUNTAIN ROAD
VESTAVIA HILLS, ALABAMA 35242

STATE OF ALABAMA)
COUNTY OF JEFFERSON) GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That in consideration of THREE HUNDRED TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS & 00/100 (\$322,500.00) the amount of which is verified in the contract between the parties hereto; to the undersigned GRANTOR in hand paid by GRANTEE the receipt whereof is hereby acknowledged, I, JOSEPH M. RICH, a married man, whose address is 3534 Cherokee Road, Pell City, Alabama 35128, (hereinafter referred to as GRANTOR), do hereby grant, bargain, sell and convey unto MICHAEL A. WINDHAM, whose address is 7460 Kings Mountain Road, Vestavia Hills, Alabama 35242, (hereinafter referred to as GRANTEE), his heirs and assigns, the following described Real Estate, lying and being in the County of JEFFERSON, State of Alabama, with an address of 7310 Parkway Drive, Leeds, Alabama 35094, to wit

SEE ATTACHED EXHIBIT "A"

\$222,500.00 of the above recited purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

The property being conveyed is not the homestead of the grantor or grantor's spouse.

SUBJECT TO: (1) Taxes for the year 2022, and subsequent years. (2) Easements, restrictions, reservations, rights-of-way, limitations, covenants and conditions of record, if any. (3) Mineral and mining rights not owned by the Grantors, if any.

TO HAVE AND TO HOLD to the said GRANTEE, his heirs and assigns.

AND SAID GRANTOR, for said GRANTOR, GRANTOR'S heirs, successors, executors and administrators, covenant with GRANTEE, and with GRANTEE'S heirs and assigns, that GRANTOR IS lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as herein above set forth, and that GRANTOR will, and GRANTOR'S heirs, executors and administrators shall, warrant and defend the same to said GRANTEE, and GRANTEE'S heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTOR have hereunto set his hand and seal this the 16th day of May, 2022.

Joseph M. Rich (SEAL)
JOSEPH M. RICH

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that JOSEPH M. RICH, a married man, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance signed his name voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 16th day of May, 2022.

Sham S. Malone
Notary Public
My Commission Expires: 11/3/2024

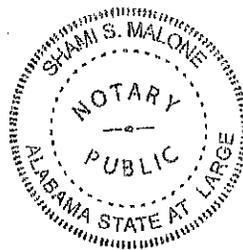


EXHIBIT "A"

COMMENCE AT THE NE CORNER OF THE NW1/4-NW1/4 IN SECTION 20, T-17-S, R-1-E, THENCE S01°22'56"W 962.18' ALONG THE EAST LINE OF SAID FORTY TO A POINT, THENCE LEAVING SAID FORTY LINE N88°56'34"W 353.50' TO A POINT, THENCE N89°31'04"W 415.79' TO A POINT, THENCE S07°53'56"W 90.00' TO A 1/2" REBAR CAPPED(HARRIS), SAID POINT BEING THE POINT OF BEGINNING, THENCE S07°53'56"W 267.39' TO A 1" BOLT ON THE NORTHEASTERLY R/W OF U.S. HIGHWAY #78 (R/W VARIES), THENCE N76°05'21"W 98.55' ALONG SAID R/W TO A 1/2" REBAR, THENCE LEAVING SAID R/W N07°53'56"E 265.26' TO A 1" BOLT, THENCE S77°19'26"E 98.35' TO THE POINT OF BEGINNING, CONTAINING 0.60 ACRES MORE OR LESS.

A22-000013
7310 PARKWAY DR
2500202001042000
AERIAL



A22-000013
7310 PARKWAY DR
2500202001042000
ZONING

