

CITY OF LEEDS, ALABAMA

BOARD OF ZONING ADJUSTMENTS AGENDA

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

July 26, 2022 @ 5:00 PM

CALL TO ORDER:

ROLL CALL:

DETERMINATION OF QUORUM:

APPROVAL OF MINUTES FROM PREVIOUS MEETING(S):

1. Minutes

OLD BUSINESS:

OTHER BUSINESS:

- 2. A22-000009 A request by Lindsey Griffin, Applicant, and Owner, to allow for the keeping of fowl (chickens) AT 8024 4th Ave, 35094, in the T-3 Sub-Urban Zone instead of the required A-1, Agriculture district, TPID 2500212020003000, Jefferson County.
- 3. A22-000003 A request by Maria Gomez, Applicant and, Owner, to operate a non-home occupation business at 7541 Poplar Ave, 35094, in the R-2, Single Family District instead of the required B-2 General Business District, TPID: 2500281001035000, 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. Minutes



CITY OF LEEDS, ALABAMA

BOARD OF ZONING ADJUSTMENTS MINUTES

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

May 24, 2022 @ 5:00 PM

CALL TO ORDER:

Called to order at 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:

A quorum was present

APPROVAL OF MINUTES FROM PREVIOUS MEETING(S):

1. Minutes - Feb 2022

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

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

OLD BUSINESS:

2. Executive Session

Motion made by Board Member Pool to conduct an executive session, Seconded by Board Member Howard.

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

Attorney Barnett identified the intention behind the Executive Session was to discuss pending litigation.

Executive session began 5:10pm and Board returned at 5:21pm.

3. A22-000004 - A request by Shameka Carpenter, applicant, Samuel Howard Jackson, Jr., property owner, for a special exception to allow a daycare in the R-3, Multi-Family District, at 1081 Montevallo Rd, Leeds, AL 35094, TPID 2500201014021002, Jefferson County

Mike McDevitt: Uh, Now I Call case A22-00004 by Shameka Carpenter, applicant, Samuel Howard Jackson, Jr., property owner, for a special exception to all ow a daycare in the R-3, Multi-Family District, at 1081 Montevallo Road and that is in Jefferson County. Is the applicant here.

Shameka Carpenter: Hi, that is me.

McDevitt: Can you give us your name and address please.

Carpenter: Are you wanting my home address or the...

McDevitt: Your home address.

Carpenter: Okay, I am Shameka Hunter Carpenter my address is 506 Forest way and that is

in Leeds Alabama, 35094.

McDevitt: Thank you, Is there a question by the applicant.

Mark Musgrove: Ms. Carpenter

Carpenter: Yes

Musgrove: This, ah, this property has been made aware to us that it is in litigation with the

City. Can you enlighten us on that at this time?

Carpenter: I will, I actually don't know anything about the litigation. Or what actually I just went to inquire about the property to see if I can rent the property and go along with what I'm trying

to open up.

McDevitt: It is going to be a child daycare, right?

Carpenter: Yes, childcare center.

Musgrove: With the litigation ongoing on this property, I'm going to make a motion to deny the

request.

Carpenter: Can I ask a question?

Musgrove: Not right now.

McDevitt: I've got a motion, and we need to hear that first. Um.

Julie R Miles: Can I speak?

McDevitt: Is there a second?

Gerald Miller: Second

McDevitt: I have a motion by Mr. Musgrove, it's seconded by Mr. Miller to deny this case

based on the fact that there is pending litigation. Any further discussion?

McDevitt: All those in favor say aye...

Miles: I, I have a question...

McDevitt: Aye

Pool: Aye

Howard: Aye

Musgrove: Aye

Miller: Aye

Miles: Can I...

McDevitt: Opposed?...

Miles: ask a question...

McDevitt: It's Unanimous.

Miles: Why would it affect her leasing the property if you're in litigation.

McDevitt: I'm sorry, if you can hold on a second, please. Uh, so that has been denied.

Attorney Scott Barnett: Mr. Chairman, I can answer her question.

McDevitt: Yes, Please

Miles: You know....

Barnett: After the meeting if you like?...

Miles: we know because...

McDevitt: Yes, after the meeting...

Miles: we have been working...

Barnett: Yeah, yeah...

Miles: on it like months and nobody said anything about it to us.

McDevitt: Yeah, so if you don't mind you can get with our attorney after the...

Barnett: About 5 minutes after the meeting I'll, I don't mind at all talking to you about it.

Miles: Litigation shouldn't matter.

Carpenter: Sir, I have a question, and...

Miles: It's not to do with this business.

Barnett: Okay, I'll, I can talk to you afterwards no problem.

Miles: There is no.

Carpenter: So, we can't discuss it.

Miles: She needs to at least tell you what she has, can she do that?

Barnett: After the meeting, if, I have no...

Miles: I mean before the, I mean I know y'all denied it quickly because of the litigation

Barnett: Yeah, they've already, they've already decided, I don't want to hold their meeting up, there are other applicants asking this board, so I can talk to....

Miles: We are on this agenda twice and we need to be spoken for

Barnett: Afterwards I'll talk to you, otherwise, if that's not good enough, sorry, I'll be happy to talk to you afterwards.

Carpenter: How, how can ex..., how would that actually, I mean I don't know the firs...

Barnett: I will talk to you afterwards.

Miles: It's not about it, you can't I thought you tell her to come in, *inaudible* telling her to be this week with all her stuff, let her talk.

Barnett: You can talk to me afterwards, I'm not on this body, I'm just, I'm just their lawyer.

Carpenter: So, it just one person that says deny, and then everyone says okay and they, they didn't give me a chance to speak.

Miles: I don't think it's fair, do you think this is fair?

McDevitt: Well we can't, we, we have made a motion that's been approved by this board, it's, and it had to do with the fact that there's...

Carpenter: Thank you

McDevitt: Pending litigation...

Miles: So when, So when can she come back... so that becomes the question

McDevitt: So, you can get with staff about that, ah or

Inaudible, multiple people speaking

McDevitt: Thank you

Miles: I don't know why they didn't tell us that to begin with.

4. A22-000001 - A request by Steve Sarkady, Applicant, Jerry Limbaugh, Owner, for a special exception to allow a digital billboard at 1902 A.E. Moore Dr., Leeds, Al 35094, TPID 2602100002031001, St. Clair Co., Zoned I-1, Light Industrial

Steve Sarkady spoke about the case and his request.

Discussion about the timing of the changes on the alternating side of the sign, lumens and other sign characteristics.

Mr. Sarkady made a proffer to the City of Leeds for 1/2 slot on the sign, and to allow the City the opportunity to fill empty slots with additional announcements as availability allows.

Motion made by Board Member Howard to approve as presented with proffer from the applicant and that the applicant will maintain an active City of Leeds business license, Seconded by Board Member Pool.

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

Mr. Mike McDevitt, Chairman	Ms. Andrea Howard, Secretary
najoumou o. 10 pm	
Adjourned 5:46 pm	
ADJOURNMENT:	
None.	
OTHER BUSINESS:	
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File Attachments for Item:

2. A22-000009 - A request by Lindsey Griffin, Applicant, and Owner, to allow for the keeping of fowl (chickens) AT 8024 4th Ave, 35094, in the T-3 Sub-Urban Zone instead of the required A-1, Agriculture district, TPID 2500212020003000, Jefferson County.

7/22/22, 1:56 PM Letter View

OTICE OF PUBLIC HEARING

City of Leeds, Alabama Zoning Board of Adjustments

APPLICATION

An application for a use variance to allow the keeping of fowl (chickens) in the T-3 ub-Urban Zone instead of the required A-1, Agriculture 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 #: A22-000009

APPLICANT NAME: Lindsey Griffin

PROPERTY OWNER: HUGHES EVELYN MCCORD

TAX PARCEL ID#S: 2500212020003000

PROPERTY ADDRESS: 8024 4TH AVE; LEEDS, AL 35094

PROPERTY ZONING: T-3 Sub-Urban Zone

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: July 26, 2022 Time: 5:00 p.m.

Place: Leeds Annex Meeting Room

1412 9th St Leeds, AL 35094

Public Information: Any interested persons or 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 THIS INSTRUMENT PREPARED BY: BARNES & BARNES LAW FIRM, P.C.

8107 PARKWAY DRIVE LEEDS, ALABAMA 35094 (205) 699-5000 Send Tax Notice To: LINDSEY C. GRIFFIN and JOHN FREDERICK STAKES JACQUELINE WARD STAKES 8024 4TH AVE LEEDS, AL 35094

WARRANTY DEED WITH RIGHT OF SURVIVORSHIP

State of Alabama JEFFERSON County

KNOW ALL MEN BY THESE PRESENTS, That in consideration of One Hundred Sixty Thousand and 00/100 (\$160,000.00) to the undersigned Grantors, EVELYN MCC. HUGHES, (hereinafter referred to as Grantors), in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, the said Grantors do by these presents, grant, bargain, sell and convey unto LINDSEY C. GRIFFIN and JOHN FREDERICK STAKES AND JACQUELINE WARD unto LINDSEY C. drantees), for and during their joint lives and upon the death of STAKES, (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:

LOT 9, BLOCK 21, IDABUREG ADDITION TO LEEDS, ALABAMA, AS RECORDED IN MAP BOOK 10, PAGE 21, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

Property address: 8024 4TH AVE, LEEDS, AL 35094

*The purchase price or actual value of this conveyance can be verified in the following documentary evidence: Closing Statement

EVELYN MCC HUGHES IS THE SURVIVING GRANTEE OF THAT CERTAIN DEED THAT WAS RECORDED IN ______. KERNEY D. HUGHES HAVING DIED ON OR ABOUT

Subject to:

1. Taxes for the current tax year and any subsequent years.



File Attachments for Item:

3. A22-000003 - A request by Maria Gomez, Applicant and, Owner, to operate a non-home occupation business at 7541 Poplar Ave, 35094, in the R-2, Single Family District instead of the required B-2 General Business District, TPID: 2500281001035000, Jefferson County.

7/22/22, 1:49 PM Letter View

DTICE OF PUBLIC HEARING

City of Leeds, Alabama Zoning Board of Adjustments

APPLICATION

An application for Permission to operate business in residential zone

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 #: A22-000003
APPLICANT NAME: Maria Gomez

PROPERTY OWNER: L T PROPMAN LLC TAX PARCEL ID#S: 2500281001035000

PROPERTY ADDRESS: 7541 POPLAR AVE; Leeds, AL 35094

PROPERTY ZONING: R-2: SINGLE FAMILY RESIDENTIAL DISTRICT

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1412 9th St 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 STATE OF ALABAMA **COUNTY OF JEFFERSON**

County Division Code: AL040 Inst. # 2019113888 Pages: 1 of 1 I certify this instrument filed on 10/30/2019 3:33 PM Doc: D QUITCLAIM DEED

Alan L.King, Judge of Probate
Jefferson County, AL. Rec: \$16.00
DeedTy: \$10.50
Clerk: PEEPLESC

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of TEN THOUSAND THIRTY-NINE DOLLARS AND NO/100 (\$10,039.00) and other good and valuable considerations in hand paid by Dewey W. Rich (hereinafter called the Grantee), the receipt whereof is hereby acknowledged, the Grantor, L.T. Propman, LLC, hereby RELEASES, QUITCLAIMS, GRANTS, SELLS, AND CONVEYS to Dewey W. Rich, Grantee, all of the Grantor's right, title, interest, and claim in or to the following described real estate, situated in Jefferson County, Alabama, to-wit:

> LOTS 18, 19, 20, 21, and 22 IN BLOCK 12 OF THE ANDREW ISBELL SUB-DIVISION OF LEEDS, ALABAMA AS RECORDED IN MAP BOOK 35, PAGE 32, PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

Parcel ID#: 0125002810010350000000 Address: 7541 Poplar Avenue, Leeds, Alabama 35094

Subject to ad valorem taxes for the current year and subsequent years. Subject to restrictions, reservations, conditions, and easements of record. Subject to any minerals or mineral rights leased, granted or retained by prior owners

TO HAVE AND TO HOLD to said GRANTEE forever.

Given under my hand and seal, this the 30th day of October, 2019.

Man IMal (Maraging Member) Mason Dillard, Grantor

Managing Member, L.T. Propman, LLC

STATE OF ALABAMA JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Mason Dillard 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, as such Managing Member and with full authority, executed the same voluntarily and as the act of said limited liability company.

A Vivep to der my hand and official seal this 30th day of October, 2019.

Dry Convission spires: 11/2/2021 Notary Public W

ME7ATERINENT PREPARED BY:

E. Martin Bybom

AUSTILL LEWIS PIPKIN & MADDOX, P.C.

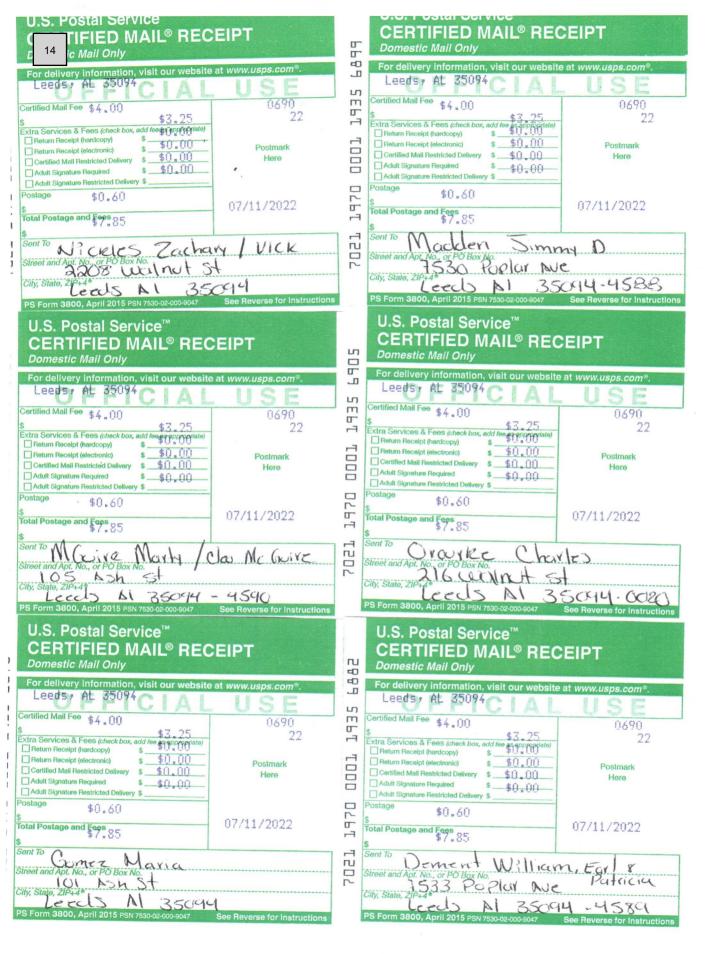
600 Century Park South

Suite 100

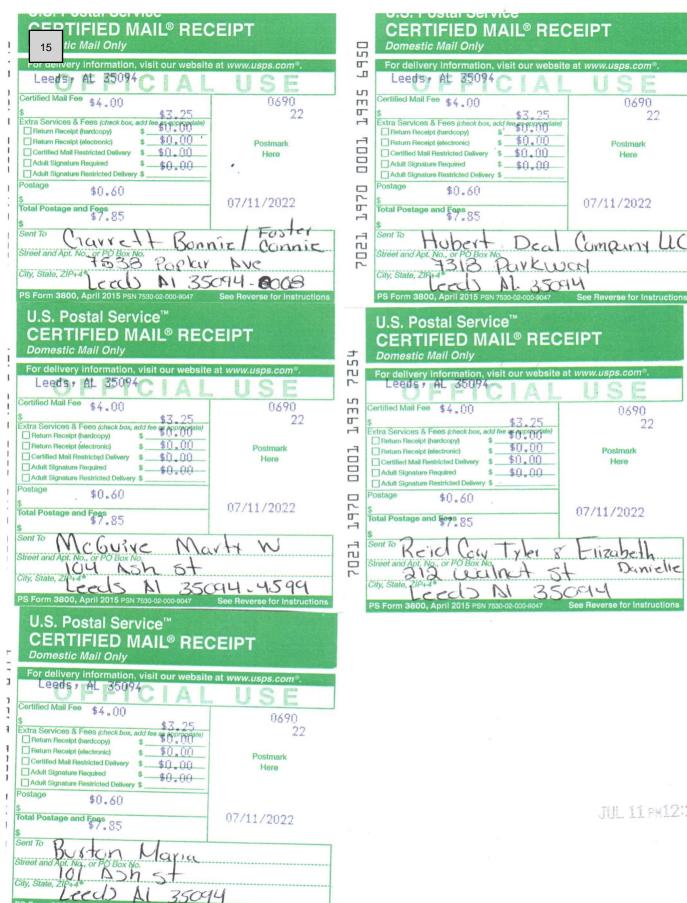
Birmingham, AL 35226

Grantee:

Dewey W. Rich 7541 Poplar Avenue Leeds, Alabama 35094



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