Land Planning and Development Services
Emergency Management Agency
Board of Registrars and Courts
Inspection Services
Committee Meeting January 5, 2012
Commission Meeting January 10, 2012

Commissioners Present:

   Commissioner Bowman
   Commissioner Brown
   Commissioner Carrington
   Commissioner Knight
   Commissioner Stephens

A. INSPECTION SERVICES
   Bill Mullins, Director of Inspection Services & Storm Water

B. LAND PLANNING & DEVELOPMENT SERVICES
   Frank Humber, Director of LPDS

1. Beverage Case (1) - NOT A PUBLIC HEARING

   As requested, additional information was submitted to our office from the ABC Board
   regarding the arrest of the Applicant on September 25, 2011 for the sale of
   alcohol on Sundays, sale of tobacco to a minor and then by Etowah County Drug
   Task Force for Possession of Controlled Substance Methadrone (bath salts). This
   information is contained in the beverage case binders.

   B-2011-014  Y M LLC, applicant, Yassen Muflahi, member/store manager d/b/a, Heflin
               Mini Mart, request approval of an 050 – Retail Beer (Off Premise Only) and 070 – Retail
               Table Wine (Off Premise Only) License on Parcel ID# 22-07-1-009-006.000 in Sec 07,
               Twp 17, Range 3W. Zoned C-1 (Commercial) (Site Location: 760 Heflin Avenue, East,
               Birmingham, AL 35214) (FORESTDALE)

ZONING HEARING IMMEDIATELY FOLLOWING COMMISSION MEETING

2. The following case was recommended for APPROVAL WITH CONDITIONS OR MODIFICATIONS by the Jefferson County Planning & Zoning Commission:
**Z-2011-025**  Brentwood Properties, Inc., owners; Randy Brooks, agent, requests a change of zoning on Parcel ID#s 38-28-2-1-24, 25, 26, 27, 28, 29, 30, 36, 37, 38, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 39, 40, 41, 42, (Lots 6-12, and 83-85 in Meadow Lake Phase I; Lots 86-95 and 149-158 in Meadow Lake Phase II; and Lots 159-162 in Meadow Lake Phase I); Parcels 38-28-2-1-1 & 18.1, and 38-21-3-27-1-4.0, in Sections 28 and 21, Twp 19 Range 4 West from R-2 to R-G for a re-platting of an existing subdivision, and an addition to said subdivision. (Site Addresses: 5221, 5225, 5229, 5232, 5228, 5224, and 5220 Meadow Lake Circle; 5194, 5190, 5186, 5178, 5172, 5168, 5164, 5160, 5156, 5152, 5148, 5144, 5138, 5135, 5139, 5143, 5149, 5155, 5163, 5167, 5171, 5175, 5179, 5183, 5187, 5191, and 5195 Meadow Lake Trail, Bessemer, AL 35020; and Site Only Address: 1301 Delta Street, Bessemer, AL 35020)(EASTERN VALLEY)(60 Acres M/L)

**RECOMMENDATION:** Approval with conditions/modifications:

**Contingency:** Submission of an interim drainage plan and analysis to, and its approval by, the Department of Roads and Transportation; and to be further subject to the following:

**Covenants:**

1. The development shall be limited to no more than 90 lots;
2. a 15-foot planted buffer shall be installed and maintained along the western boundary; and,
3. one level residences shall be 1,400 square feet of heated and cooled space, and two level homes shall be a minimum of 1,600 square feet of heated and cooled space.

**There was opposition at the Planning & Zoning Commission hearing; however, opposition was directed toward drainage issues caused by NOT building out this subdivision. They were not opposed to the larger homes and a decrease in density.**

**Z-2011-026**  ALAWEST-AL, LLC, owners; Dewayne Kennedy, agent, requests a change of zoning on Part of Parcel ID# 19-1-0-0-2 in Section 1 Twp 17 Range 6 West from I-3 (Industrial) to I-3(S) (Strip Mining) for expansion of a coal fine recovery operation. (Site Address: 2875 McCarty Town Road, Quinton, AL 35130) (SKELTON CREEK) (80 Acres M/L)

**RECOMMENDATION:**

Approval with **Covenants:**

1. There shall be no blasting on the property;
2. all fines recovered east of Skelton Creek shall be routed directly to Alabama Highway 269;
3. a roadway maintenance and repair agreement and surety bond, in an amount to be determined by the Department of Roads & Transportation, shall be posted to cover any damages to McCarty Town Road; and,
4. the applicant/property owner shall file a petition to rezone the properties involved in the operation to A-1 (Agriculture), C-U (Current Use) or other appropriate classification within 24 months or upon reclamation of the property.

There was **NO** opposition at the Planning & Zoning Commission hearing.

**Z-2011-027** Roy Pennington, owner, requests a change of zoning on Parcel ID# 14-28-4-2-29 (Lots 203, 205, 207, 209, 211, 213, and 215 of Burgin Survey) in Section 28 Twp 16 Range 3 West from R-6 (Single Family) to I-1 (Light Industrial) for compliance for an automotive upholstery shop. (Site Address: 3730 Shady Grove Road, Fultondale, AL 35068) (COALBURG) (1.2 Acres M/L)

**RECOMMENDATION:** Approval with **Covenants:**
1. The property shall be used for an automobile upholstery shop only; and,
2. the property owner shall maintain compliance with the terms of the I-1 (Light Industrial) District in that there shall be no inoperable vehicles or other junk kept on the property.

There was **NO** opposition at the Planning & Zoning Commission hearing.

**NOTE:**
ALL PROPERTY OWNERS WITHIN 500 FEET HAVE BEEN NOTIFIED. SIGNS ARE POSTED ON ALL PROPERTIES. ALL ACREAGE IS APPROXIMATE.

C. **BOARD OF REGISTRARS**
   Barry Stephenson, Chairman

D. **EMA**
   Allen Knipfer, Director

E. **DISTRICT ATTORNEY/Bessemer**
   Arthur Green, Jr.

F. **PROBATE COURT**
   Judge Alan King

G. **FAMILY COURT**
   Jeff McGee, Court Administrator
H. YOUTH DETENTION
   Tommy Rouse, Director

I. STATE COURTS
   Judge Vowell

J. LAW LIBRARY
   Laura Covington, Law Librarian

K. ANIMAL CONTROL
   Commissioner Joe Knight
   3. Resolution to approve the extension of the month-to-month animal control agreement with Birmingham Jefferson Animal Control Services, Inc. an additional thirty days.

L. E-911
   Chief Howard Summerford

M. COUNTY ATTORNEY
   Jeff Sewell

N. JEFFERSON COUNTY CIRCUIT CLERK
   Annie-Marie Adams

O. COMMISSIONER JOE KNIGHT
MEMO

TO: Jefferson County Commission

FROM: Frank E. Humber, AICP
       Director of Land Planning and Development Services

DATE: January 3, 2012

SUBJECT: REVIEW: Alcoholic Beverage License – Off Premise Only (1)

As requested, additional information was submitted to our office from the ABC Board regarding the arrest of the Applicant on September 25, 2011 for the sale of alcohol on Sundays, sale of tobacco to a minor and then by Etowah County Drug Task Force for Possession of Controlled Substance Methadrone (bath salts). This information is contained in the beverage case binders.

NOT A PUBLIC HEARING

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There was opposition at the Planning & Zoning Commission hearing; however, opposition was directed toward drainage issues caused by NOT building out this subdivision. They were not opposed to the larger homes and a decrease in density.
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RECOMMENDATION: Approval with Covenants:
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4. the applicant/property owner shall file a petition to rezone the properties involved in the operation to A-1 (Agriculture), C-U (Current Use) or other appropriate classification within 24 months or upon reclamation of the property.

There was NO opposition at the Planning & Zoning Commission hearing.

Z-2011-027 Roy Pennington, owner, requests a change of zoning on Parcel ID# 14-28-4-2-29 (Lots 203, 205, 207, 209, 211, 213, and 215 of Burgin Survey) in Section 28 Twp 16 Range 3 West from R-6 (Single Family) to I-1 (Light Industrial) for compliance for an automotive upholstery shop. (Site Address: 3730 Shady Grove Road, Fultondale, AL 35068) (COALBURG) (1.2 Acres M/L)

RECOMMENDATION: Approval with Covenants:
1. The property shall be used for an automobile upholstery shop only; and,
2. the property owner shall maintain compliance with the terms of the I-1 (Light Industrial) District in that there shall be no inoperable vehicles or other junk kept on the property.

There was NO opposition at the Planning & Zoning Commission hearing.

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ALL ACREAGE IS APPROXIMATE.
RESOLUTION

WHEREAS, The Jefferson County Commission and the City of Birmingham entered into a month-to-month contract for animal control services with BJC Animal Control Services, Inc., beginning October 1, 2007; and

WHEREAS, said month-to-month contract requires the parties to give thirty (30) days notice prior to termination of said contract.

NOW THEREFORE BE IT RESOLVED THAT THE JEFFERSON COUNTY COMMISSION hereby approves the extension of the aforementioned contract for an additional thirty (30) days.
BJC ANIMAL CONTROL SERVICES, INC.
6227 5th Avenue North
Birmingham, Alabama 35212
PHONE: 591-6522

Invoice #: 127064  FAX: 595-5014  Date: 12/9/11
Charges assessed to: Jefferson County Commission
Address: __________________________________________________________________________
City: __________ Zip Code: __________ Phone: __________

Service Date: __________ Animal Control #: __________

Charges for City of Jefferson County Commission for Month of February 2012

1. Contracted Full Service: $34,132.55
2. Additional Animal Control Service: $ __________
3. Animal Boarding Charges: $ __________
4. Estimation Fee: $ __________
5. Trap Setting Fee: $ __________ (# Traps Set)
6. Animal Capture Fee: $ __________ (# of Animals)
7. Cleaning and Exclusion Fee: $ __________ (Description)
8. Materials Fee: $ __________ (Description)
9. Labor Fee: $ __________
10. Copying Fee: (.50/Copy) $ __________ (# of copies)
11. Postage Fee: $ __________
12. Other Fee: $ __________ (Description)
13. Total Charges: $34,132.55

Remarks: __________________________________________________________________________

If applicable, please find enclosed a description of assessed charges. Full payment is due upon receipt. Make check payable to BJC ANIMAL CONTROL SERVICES, INC. If you have any questions concerning this invoice, please call Steve Smith at 591-6524.

___________________________________________________________________________________
For BJC ANIMAL CONTROL SERVICES, INC. use only

Date Payment received: __________  Amount received: $ __________
Received by: _______________________________________________________________________
Date of Deposit: __________ Deposited by: _____________________________________________________________________