

**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 Kniphfer, 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)

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AGENDA
JEFFERSON COUNTY COMMISSION
ZONING HEARING
TUESDAY, JANUARY 10, 2012
IMMEDIATELY FOLLOWING THE REGULAR SESSION
WHICH BEGINS AT 9:00 A.M.
ROOM 270, BIRMINGHAM COURTHOUSE

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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

FAX: 595-5014

Date: 12/9/11

Invoice #: 12I064

Charges

assessed to:

Jefferson County Commission

(signature)

Address:

Attn: Virginia Doyle

City:

Zip Code:

Phone:

Service Date:

Animal Control #:

Charges for City of

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: