



**THE CITY OF PHENIX CITY
PLANNING COMMISSION AGENDA
TUESDAY, August 23, 2022
5:15 PM EST**

- 1) Welcome, Call to Order, and Roll Call
- 2) Approval of Agenda
- 3) Acknowledge City Council and City Personnel Present
- 4) Approval of the August 9, 2022 Meeting Minutes
- 5) Rules for Addressing Planning Commission
- 6) Administrative Subdivision Replat – 2.70 +/- acres located at 535 Lee Road 315, Elizabeth R. Smith Cornelius Estate, owner.
 - Staff Report
 - Developer’s Comments
 - Department Memo
- 7) Acceptance of Rezone – 9.73 +/- acres located at Gardner Way off of Whiterock Road, South of Hwy 80, Whiterock, LLC, and owner.
 - Staff Report
 - Developer’s Comments
 - Department Memo
- 8) Public Hearing and Recommendation of Conditional Use Application – 1325 Broad Street, Rachel Alley, owner.
 - Staff Report
 - Developer’s Comments
 - Department Memo
- 9) Public Hearing and Recommendation of Annexation – 2.2 +/- acres of property located off Highway 280/431, Scott Lindstrom, owner.
 - Staff Report
 - Developer’s Comments
 - Department Memo
- 10) Waiver Request – 33 +/- acres located at 3810 Sandfort Road, Tarver Antonio L. & Tanisha Miller, owners.
 - Staff Report
 - Developer’s Comments
 - Department Memo

11) Old Business

12) New Business

13) Planning Director Report

14) Adjournment

August 9, 2022

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, August 9, 2022, at 5:15 PM EST in the Martin Idle Hour Park Community Center located at 3743 Moon Lake Drive, Phenix City, Alabama.

Chairman Howard called the meeting to order and asked Secretary Eliza Phillips to call the roll. Upon roll call, the following members answered present: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson Member Lindsey, Member McKissic, Member Sims, Member Taylor and Secretary Eliza Phillips. Members not present:

The **second** item on the agenda was the Approval of the Agenda. Member Vice Chairman Davis, made the motion to approve, seconded by Member Sims. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, Member McKissic, Member Sims, Member Taylor and Secretary Eliza Phillips. Nays: None. Abstain: None. Motion thus passed.

The **third** item on the agenda was the attendance call for City Personnel and Elected Officials. Chairman Howard asked Secretary Phillips to call roll for the City Employees. The following City Personnel were present in person: City Councilmember Vickey Carter Johnson, Asst. Director of Engineering Michael Pattillo, Graduate Engineer Chris Casey, Graduate Engineer Andrew Patterson, Utilities Director Charles Woody, Utilities Engineer John Spraggins, Deputy Building Official Ray Rogers, Fire Chief Kris Kennedy, Economic Development Manager Shaun Culligan, City Planner Tracie Hadaway, and City Attorney Jimmy Graham and Recording Secretary Jennifer Lowman

The **fourth** item on the agenda was the approval of July 26, 2022 minutes. Chairman Howard asked if there was a motion to approve the written minutes and remove the recorded minutes. A motion to approve was made by Member Ivy, seconded by Member Sims. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson, Member Lindsay, Member Taylor, and Member Phillips. Abstain: Member McKissic. Motion thus passed.

The **fifth** item on the agenda is Chairman Howard, who set the rules for addressing the Planning Commission.

The **sixth** item on the agenda was an Acceptance of Annexation Request – 2.2 +/- acres located off Hwy 280/431, Adjacent to Norfolk Southern Corp., Scott Lindstorm, owners. Planning Director Tracie Hadaway reviewed the staff report with the members. Chairman Howard asked Member Phillips to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: August 5, 2022

Re: Acceptance of Annexation Request – 2.2 +/- acres located off Hwy 280/431, Adjacent to Norfolk Southern Corp., Scott Lindstorm, owners.

The above referenced Acceptance of Annexation and Pre-Zone of C-4 has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Zoning Ordinance for approval.

A motion to approve was made by Member Sims, seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, Member McKissic, Member Sims, Member Taylor and Member Phillips. Abstain: None, Nays: None. Motion thus passed.

The seventh item on the agenda was an Public Hearing and Recommendation of Conditional Use Application – 616 13th Street, Beverly Espy, U Save it Pharmacy Authorized Agent, owner. Planning Director Tracie Hadaway reviewed the staff report with the members. Chairman Howard asked Member Phillips to read the department memo.

Memo

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: August 5, 2022

Re: Public Hearing and Recommendation of Conditional Use Application – 616 13th Street, Beverly Espy, U Save it Pharmacy Authorized Agent.

Chairman Howard opened the Public Hearing. Ms. Beverly Espy, Authorized Agent, 616 13th Street, Phenix City, Alabama - stated, U save It have been around a long time and they wanted to be closer to the downtown area for better visibility. Member Johnson- Planning Commission Member asked about the signage ordinance at the U Save It new location and what will they do with exciting location. Chairman Howard closed the Public Hearing

The above-referenced Conditional Use Application has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Department and meets the minimum requirements the Zoning Ordinance for approval.

A motion to approve was made by Member Ivy, seconded by Member Sims. Upon said motion being put to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, Member McKissic, Member Sims, Member Taylor and Member Phillips. Abstain: None, Nays: None. Motion thus passed.

The eighth item on the agenda was Old Business

The ninth item on the agenda was New Business

The tenth item on the agenda was the Planning Director Report –We will have the vision plan for review.

The eleventh item on the agenda was Adjournment. Chairman Howard asked if there was a motion to adjourn. A motion to adjourn was made by Member Johnson, seconded by Member Sims. Upon said being to a vote, the following vote was recorded: Yeas: Vice Chairman Davis, Chairman Howard, Member Ivy, Member Johnson, Member Lindsey, Member McKissic, Member Sims, Member Taylor and Member Phillips. Nays: None. Abstain: None. Motion thus passed. There being no further business to come before the Planning Commission, the meeting was adjourned until the next scheduled meeting on August 23, 2022.

Chairman – Pat Howard

Vice Chairman - Jimmy Davis



PHENIX CITY *Alabama*

DEPARTMENT OF
ENGINEERING / PUBLIC WORKS

601 12th Street | Phenix City, AL 36867 | Ph: 334-448-2760 | Fx: 334-291-4848 | phenixcityal.us

DR. R. GRIFF GORDY
Mayor Pro Tem / At Large

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY CARTER JOHNSON
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

WALLACE B. HUNTER, City Manager
MELONY LEE, City Clerk
ANGEL MOORE, P.E., City Engineer
Director of Engineering / Director of Public Works

Item No. 6

Type of Request: Administrative Subdivision

General Information

Applicant:	Elizabeth R. Smith Cornelius Estate
Surveyor of Record:	McBride & McGill, Inc.
Site Location:	535 Lee Rd. 315
Acreage:	2.70 +/- acres
Number of Lots:	3
Current Zoning:	None (Planning Jurisdiction)
Current Use of Property:	Vacant & Residential
Proposed Use of Property:	Single Family Residential
District:	None
Survey Plat:	Attached
City Services:	Phenix City Water

Staff Comments

None

Engineer/Owner Comments

None



DR. R. GRIFF GORDY
Mayor Pro Tem / At Large

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY CARTER JOHNSON
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

WALLACE B. HUNTER, City Manager

MELONY LEE, City Clerk

TRACIE H. HADAWAY, Planning Director | SHAUN CULLIGAN, Economic Development Mgr.

MEMORANDUM

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: August 18, 2022

RE: Administrative Subdivision – 2.70 +/- acres located at 535 Lee Rd. 315

The above referenced Administrative Subdivision has been reviewed by the Planning, Building, Utilities, Fire and Engineering Departments and meets the minimum requirements of the Subdivision Regulations for approval.



PHENIX CITY *Alabama*

PLANNING DEPARTMENT

931 Broad Street | Phenix City, AL 36867 | Ph: 334-448-2856 | Fx: 334-448-9022 | phenixcityal.us/edo

DR. R. GRIFF GORDY
Mayor Pro Tem / At Large

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY CARTER JOHNSON
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

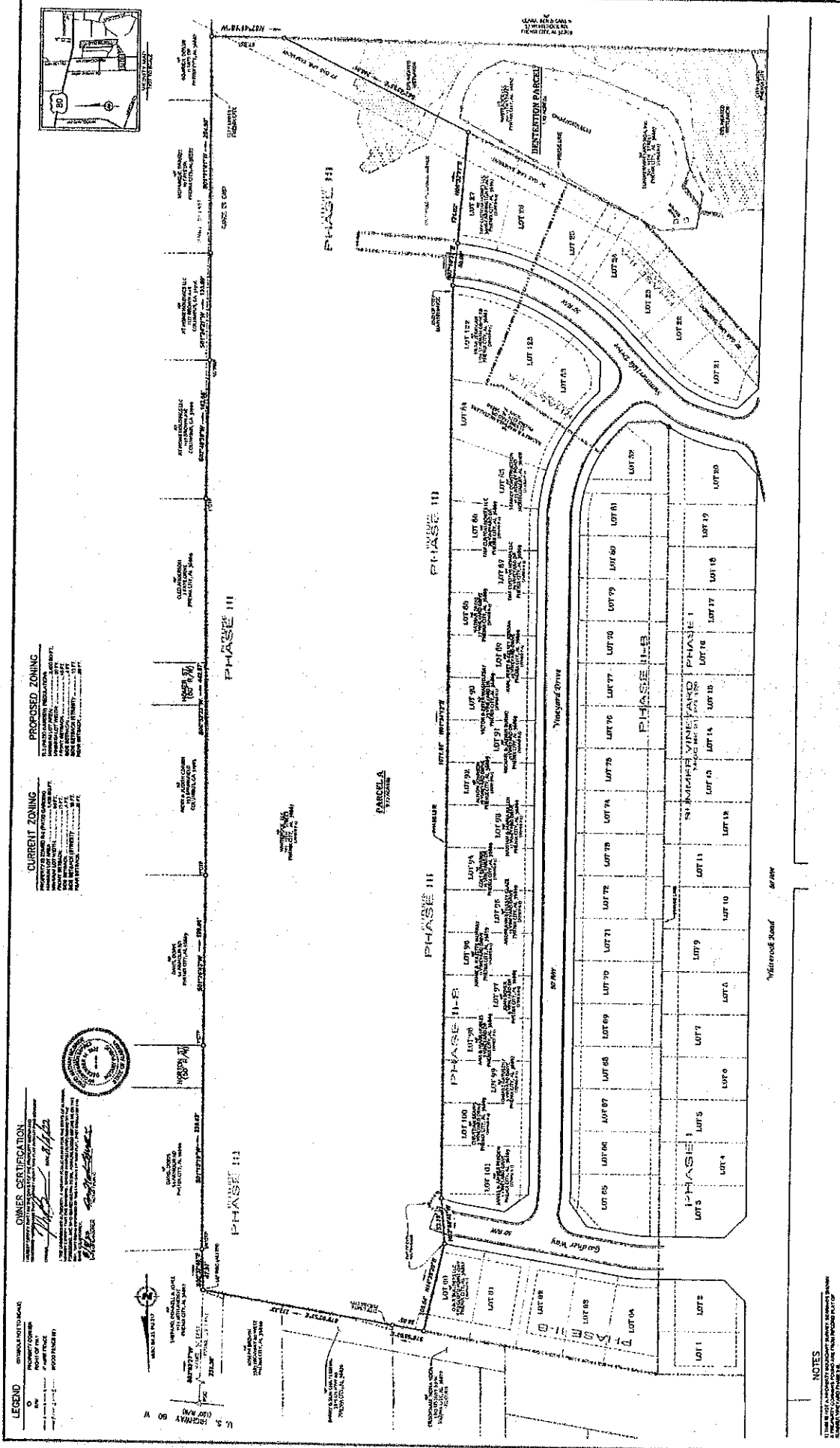
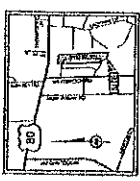
WALLACE B. HUNTER, City Manager

MELONY LEE, City Clerk

TRACIE H. HADAWAY, Planning Director | SHAUN CULLIGAN, Economic Development Mgr.

Staff Report No.	Agenda Item # 7
Type of Request:	Rezoning
Applicant:	Whiterock, LLC
Site Location:	Gardner Way, off of Whiterock Road, South of Highway 80
Current Zoning:	R-2
Acreage:	9.73 acres
Proposed Zoning District:	R-3
Future Land Use Map:	Suburban Residential Neighborhood
District:	City Council District 2
Survey Plat:	Attached
City Services:	None
Additional Information:	See Attached Staff Report
Engineer and or Owner Comment(s):	

PC94
R433
10/15/10



LEGEND

OWNER CERTIFICATION

CURRENT ZONING

PROPOSED ZONING

NOTES

REVISIONS

DATE

SCALE

SHEET NO.

1 OF 5

SUMMER VINEYARD
PHASE III
REZONE EXHIBIT
LYING IN SECTION 13, TOWNSHIP 17 NORTH, RANGE 23 EAST,
PRICHARD CITY, ALABAMA
MillerCoors LLC
10000 MILLERCOORS DRIVE
PRICHARD, ALABAMA 36062

McBride-McGill, LLC
Civil Engineering & Surveying
1000 Chandler Road, Prichard City, AL 36062
Professional Seal of James R. McGill
Professional Seal of James R. McGill

DATE: JUL 29, 2010
SCALE: 1" = 40'
SHEET NO. 1 OF 5

Planning Commission Staff Report

Date of Planning Commission: Acceptance of application on August 23, 2022

Project: Summer Vineyard, Phase III

Applicant: Whiterock, LLC

Property Owner: Whiterock, LLC

Location of Property: Gardner Way, off of Whiterock Road. South of Highway 80

Zoning Request: R-2 to R-3

Project Request: The applicant request to develop the remaining lots of Summer Vineyard under the R-3 zoning guidelines. The required minimum lot width in an R-3 zoning district is 50', the minimum lot width in an R-2 zoning district is 60'.

General Information:

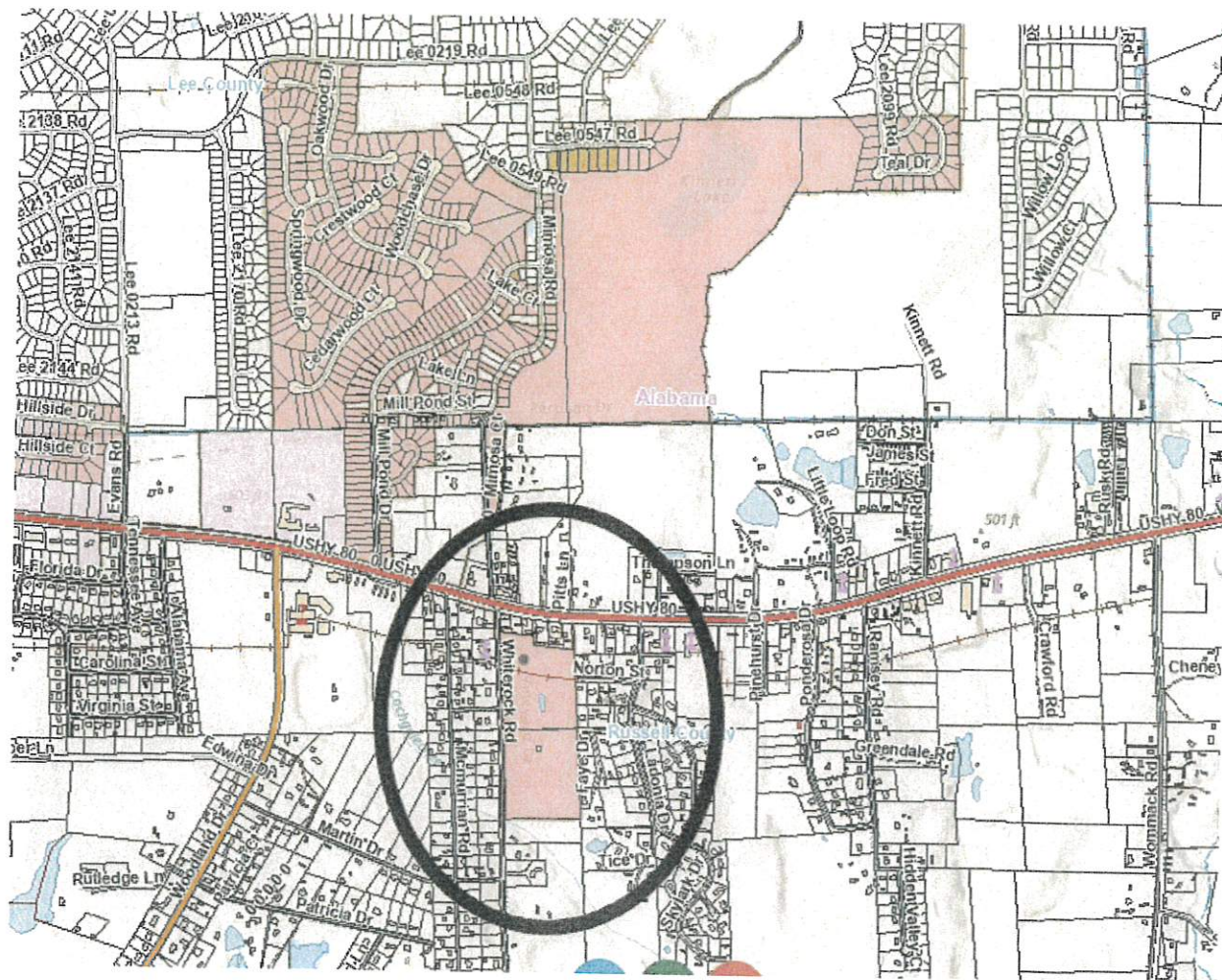
Background: The Planning Commission approved a Preliminary Plat for Summer Vineyard Subdivision Phase III on September 22, 2009. The City of Phenix City amended the Zoning Ordinance in May 2012 and July 2014 increasing the lot width for the R-2 zoning district (Medium Density Residential, Patio Garden Homes) from 50' to 60'. Subdivision Regulations also allowed one 24-month extension of an existing Preliminary Plat. Once a Preliminary Plat has been granted one extension, the Preliminary Plat shall expire after the extended time period. A final time extension for Summer Vineyard Subdivision was granted on May 23, 2017 and expired on June 14, 2019. Therefore, this uncompleted portion on Phase III is required to meet current Zoning Ordinance and Subdivision Regulations.

The applicant applied to the BOZA board for a variance to the minimum lot width requirements. On January 20, 2022, the BOZA board denied the variance.

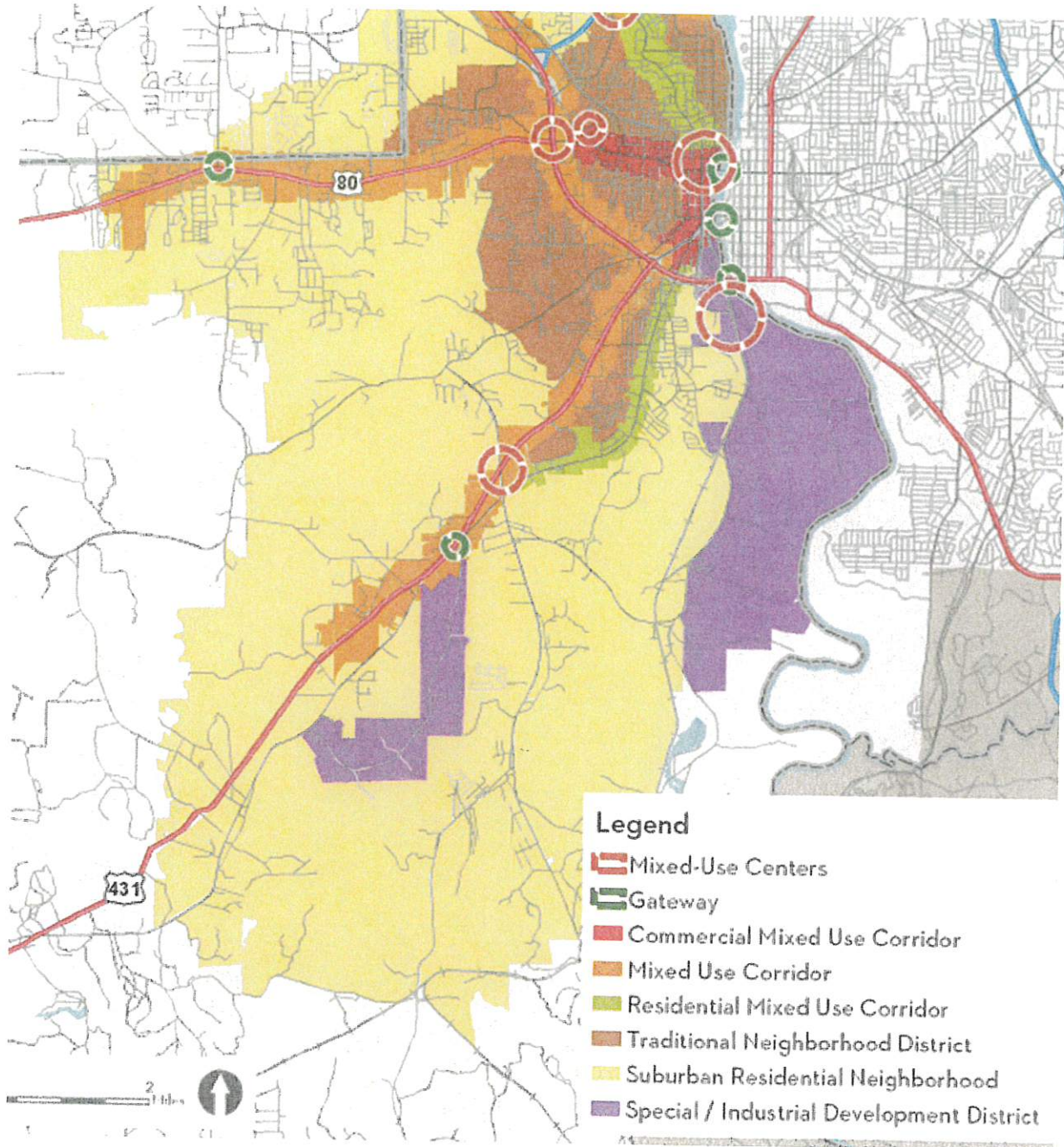
Zoning and Land Use:

Location	Current Zoning Classification	Existing Land Use	Future Land Use Map
Subject Property	R-2	Vacant	Suburban Residential Neighborhood
North of Subject Property	R-2, Unincorporated	Residential	Mixed-Use Corridor
East of Subject Property	Unincorporated	Residential	Suburban Residential Neighborhood
South of Subject Property	Unincorporated	Residential	Suburban Residential Neighborhood
West of Subject Property	R-2	Residential	Suburban Residential Neighborhood

Zoning Map:



Future Land Use Map:



Conformance with Comprehensive Plan:

Suburban Residential Neighborhood: Are districts that have been developed over the past twenty-to-thirty years in the form of suburban subdivisions and neighborhoods. These developments are typically more separated with undeveloped areas between them and have an internal street network. Within this district, housing is constructed on larger lots and typically the further away from downtown the neighborhood is located the larger the lot becomes.

Mixed Use Corridor: in the community, such as US-80, US 280/431 and Riverchase Drive, are based on higher traffic counts and larger development patterns that support regional commercial activity and uses. Land use along these corridors is composed of large and multi-

parcel developments such as retail centers and strip commercial centers. In some locations, there still might be a single-family residential component from when the corridor was not as heavily developed. Future residential uses along the corridor should be multi-family developments and small lot, higher density, single-family residential subdivisions located on collector roads off of the main corridor arterial road.



PHENIX CITY
Alabama

PLANNING DEPARTMENT

931 Broad Street | Phenix City, AL 36867 | Ph: 334-448-2856 | Fx: 334-448-9022 | phenixcityal.us/edo

DR. R. GRIFF GORDY
Mayor Pro Tem / At Large

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY CARTER JOHNSON
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

WALLACE B. HUNTER, City Manager

MELONY LEE, City Clerk

TRACIE H. HADAWAY, Planning Director | SHAUN CULLIGAN, Economic Development Mgr.

MEMORANDUM

To: Planning Commission
From: Tracie Hadaway; Planning Director
Date: August 19, 2022
RE: Acceptance of Rezoning Application

The above referenced application for a rezoning request has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements for acceptance of the application

PHENIX CITY

Alabama

PLANNING DEPARTMENT

931 Broad Street | Phenix City, AL 36867 | Ph: 334-448-2856 | Fx: 334-448-9022 | phenixcityal.us/edo

DR. R. GRIFF GORDY
Mayor Pro Tem / At Large

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY CARTER JOHNSON
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

WALLACE B. HUNTER, City Manager
MELONY LEE, City Clerk

TRACIE H. HADAWAY, Planning Director | SHAUN CULLIGAN, Economic Development Mgr.

Staff Report No.	Agenda Item # 8
Type of Request:	Conditional Use
Applicant:	Rachel Alley
Site Location:	1325 Broad Street
Current Zoning:	C-1 Core Commercial District
Proposed Use:	Bakery and Bistro
Future Land Use Map:	Commercial Mixed Use/Downtown Development
District:	City Council District 1
City Services:	Phenix City Utilities
Additional Information:	See Attached Staff Report
Engineer and or Owner Comment(s):	

Conditional Use

Applicant: Rachel Alley

Location of Property: 1325 Broad Street

Proposed Use: Bakery and Bistro

Current Zoning: C-1

Future Land Use: Commercial Mixed Use/Downtown Development

Conditional uses are those that have some special effect, which differs from the potential impacts of permitted uses or exceeds them in intensity, or have a uniqueness such that their effect upon the surrounding environment cannot be determined in advance of a use being proposed in a particular location.

The C-1, Core Commercial District consists of the traditional downtown area of Phenix City. As such it contains retail, office financial, government, food service and personal service facilities. All development in this district is subject to conditional use approval by the Planning Commission and City Council to ensure its compatibility with downtown development.

In particular the Planning Commission shall determine that satisfactory provisions have been made concerning the following:

- a. Access to and from the property and the proposed structure and/or uses, with particular attention to vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access.

The property has direct access to Broad Street (the existing residential-type structure). There is parking available on-site between the proposed bakery and the former tire shop that fronts on Fourteenth Street. The site has pedestrian?

- b. The location and accessibility of off-street parking and loading areas.

There is limited off-street parking/loading areas on this particular lot, however, the Zoning Ordinance states that "No off-street parking spaces are required for nonresidential uses in the C-1: Core Commercial District" Article VIII, Section 1.

- c. The location and accessibility of refuse and service areas and their potentially adverse effects upon surrounding properties.

There is sufficient room on the lot.

- d. The screening and buffering of potentially adverse views and activities from surrounding properties.

The location of a Bakery and Bistro in this location should not have any adverse impacts on the surrounding properties.

- e. Control of noise, glare, odor, surface water runoff, and other potentially disturbing impacts upon surrounding properties.

The Bakery and Bistro will be conducted in an existing building currently on the property. There should not be disturbing impacts on the surrounding property.

- f. The availability, location, and capacity of utilities.

Phenix City utilities are available to this site

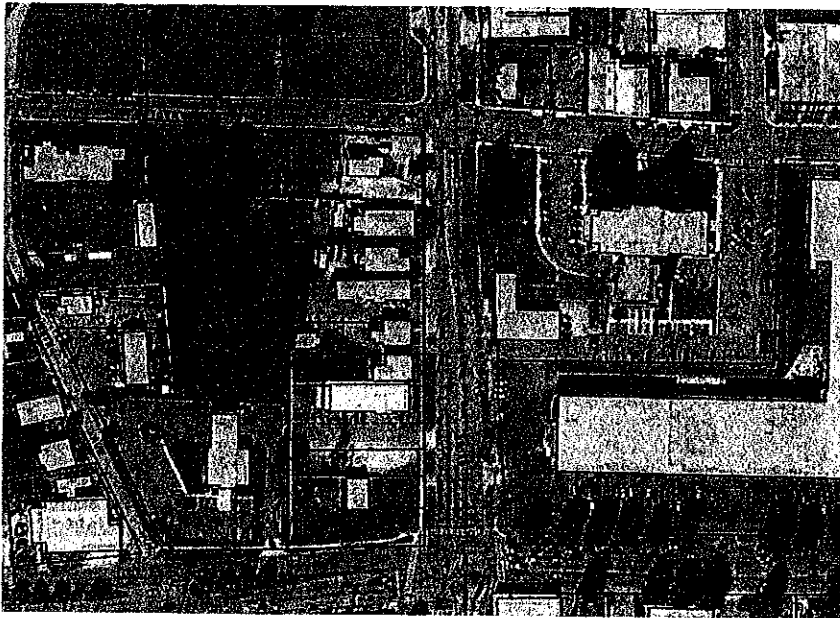
- g. The location and scale of signs and lighting with particular reference to traffic safety, glare, and visual compatibility with surrounding properties.

All signage will need to meet Article VI, Section 19. Signs and Outdoor Advertising in the Phenix City Zoning Ordinance.

- h. The bulk, density, and lot coverage of structures, and yards and open areas, with reference to their compatibility with the character of the surrounding area.

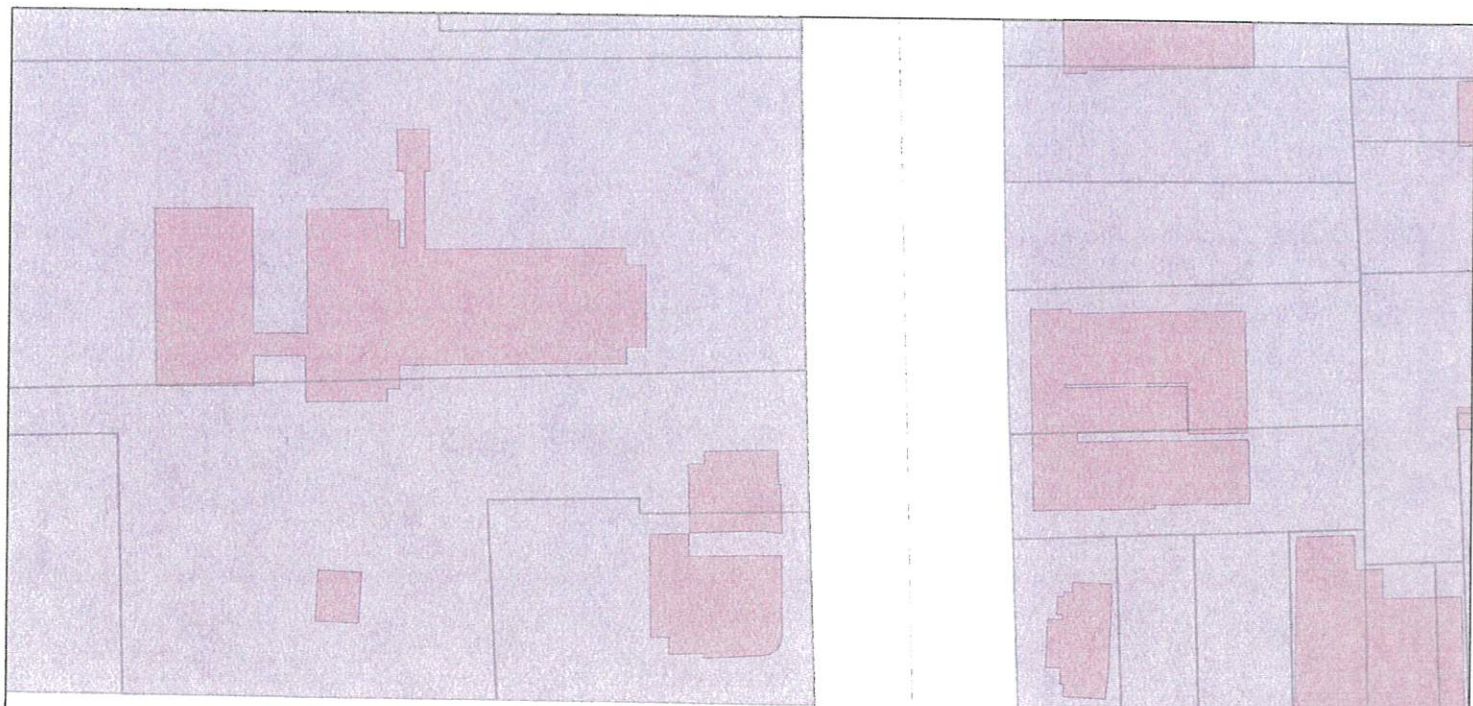
The existing structure is compatible with the character of the surrounding area.

Aerial Map with Parcel:

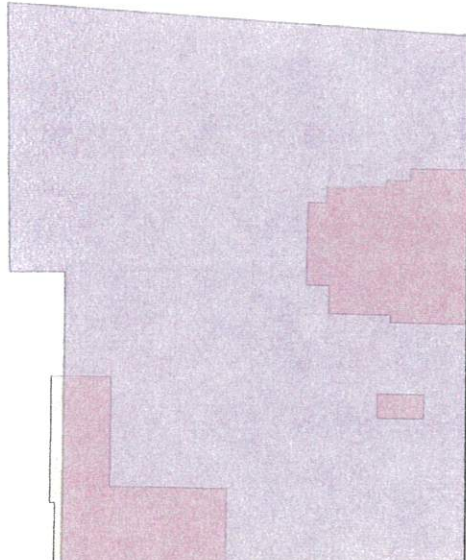
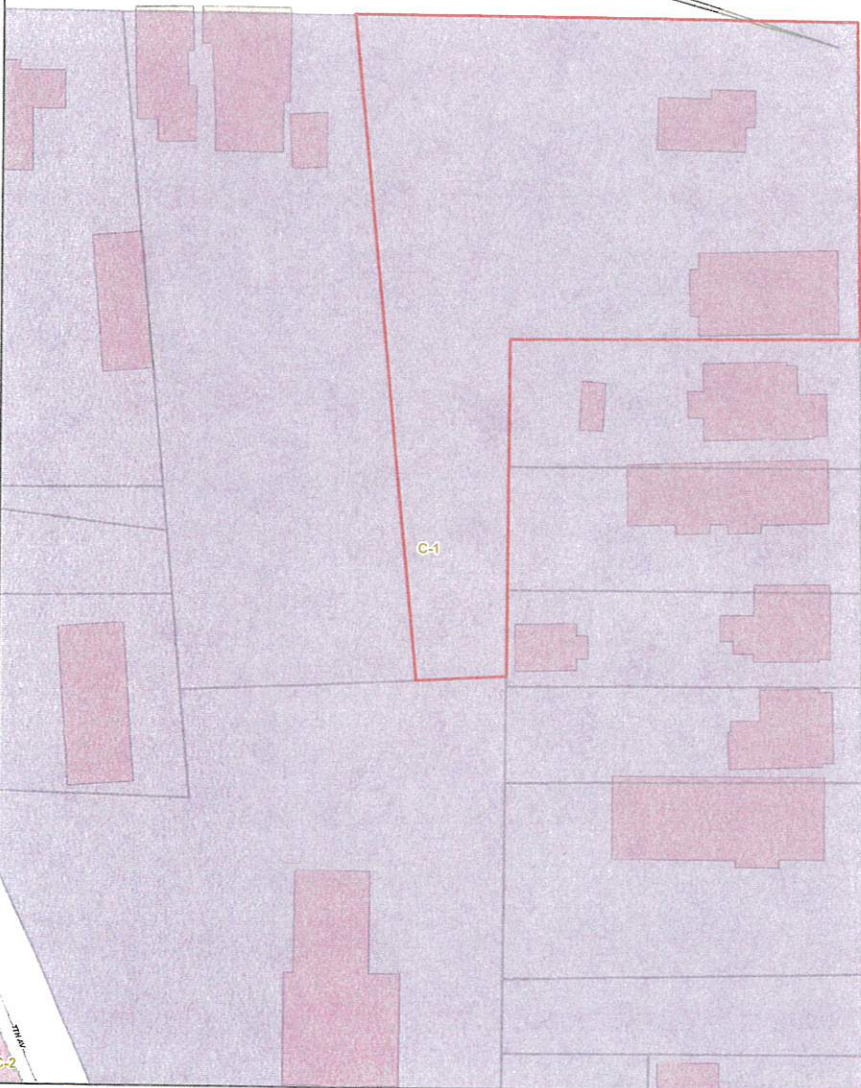


Additional Processes

Submittal of Architectural Drawings to Building Official Department for approval will be required.



1325 Broad St



Legend

Structures

FEATURE

- BUILDING
- BUILDING UNDER CONSTRUCTION
- RUINS

Zoning

Zoning Code

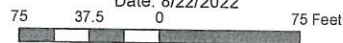
- A-1
- A-0
- C-1
- C-2
- C-3
- C-4
- M-1
- M-2
- MED
- PRD
- R-1
- R-1B
- R-2
- R-3
- Lee & Russell County Parcels



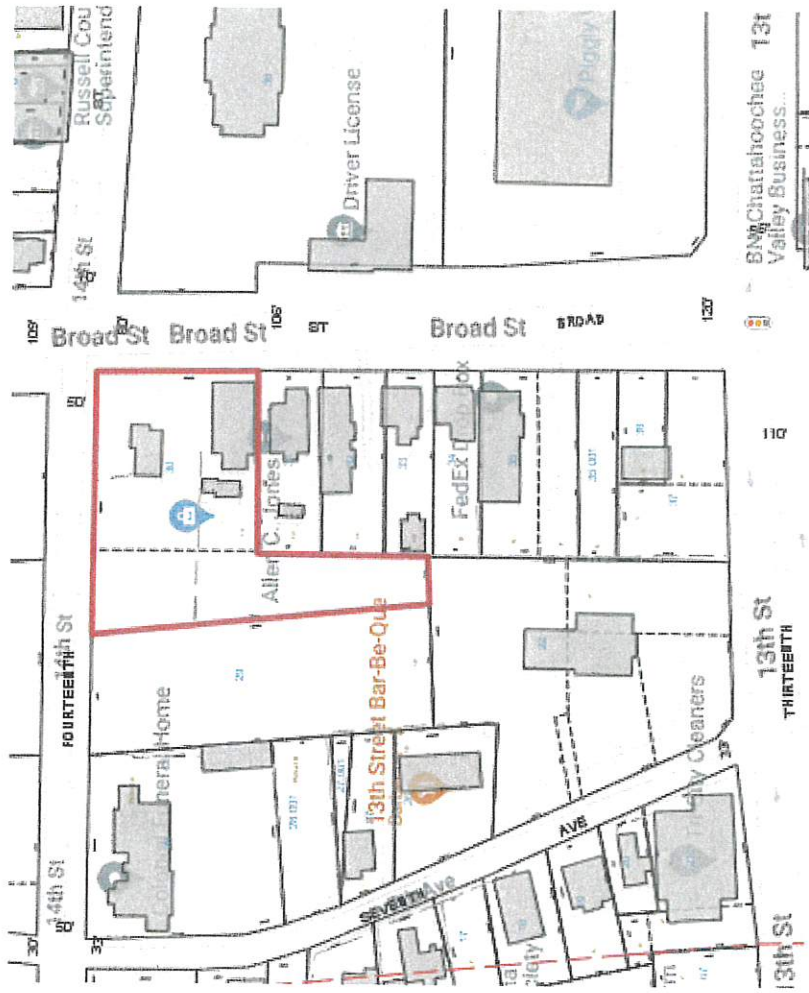
Conditional Use - 1325 Broad St

Prepared By: Engineering GIS
 Prepared For: Planning Commission

Date: 8/22/2022



Coordinate System: NAD 1983 StatePlane Alabama East FIPS 0101 Feet
 Projection: Transverse Mercator
 Datum: North American 1983
 False Easting: 656,166.6667
 False Northing: 0.0000
 Central Meridian: -85.8333
 Scale Factor: 1.0000
 Latitude Of Origin: 30.5000
 Units: Foot US



DR. R. GRIFF GORDY
Mayor Pro Tem / At Large

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY CARTER JOHNSON
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

WALLACE B. HUNTER, City Manager

MELONY LEE, City Clerk

TRACIE H. HADAWAY, Planning Director | SHAUN CULLIGAN, Economic Development Mgr.

MEMORANDUM

To: Planning Commission
From: Tracie Hadaway, Planning Director
Date: August 19, 2022
RE: Conditional Use – 1325 Broad Street

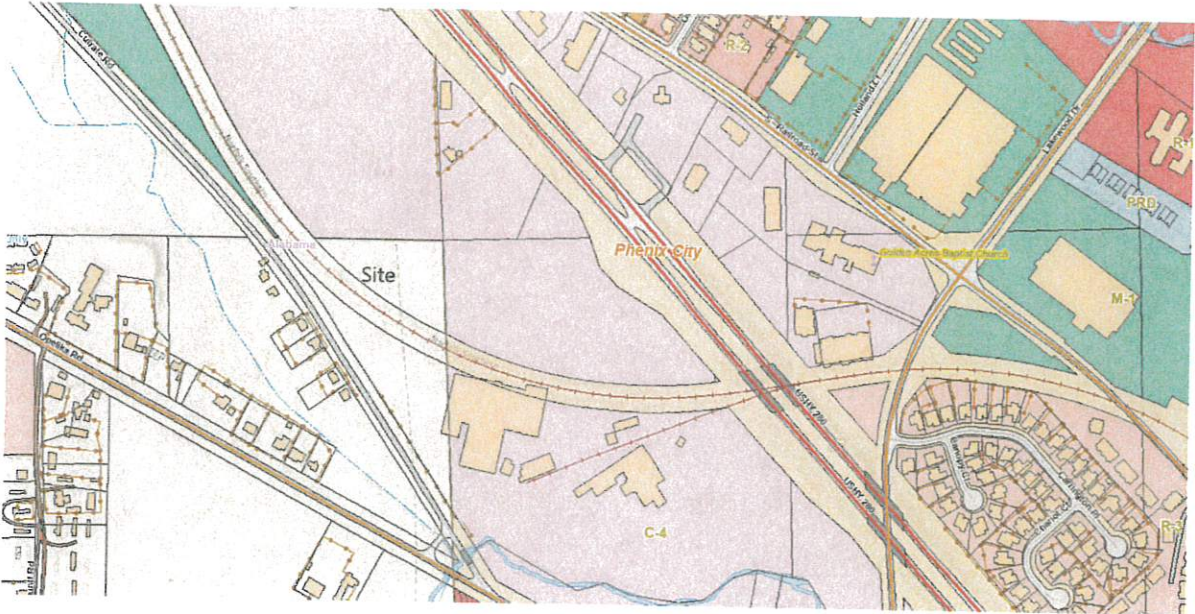
The above referenced Conditional Use Application has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Zoning Ordinance for approval.

Staff Report

Date: August 19, 2022
Request: Application to Annexation a 2.2 acre tract and pre-zone to C-4

This is a 2.2 acre tract of land located to the rear of developed and developing commercial property off of Highway 280/431. The surrounding tracts are currently zoned C-4 and unzoned property to the rear of the property, which is owned and operated by Norfolk Southern

Zoning Map:



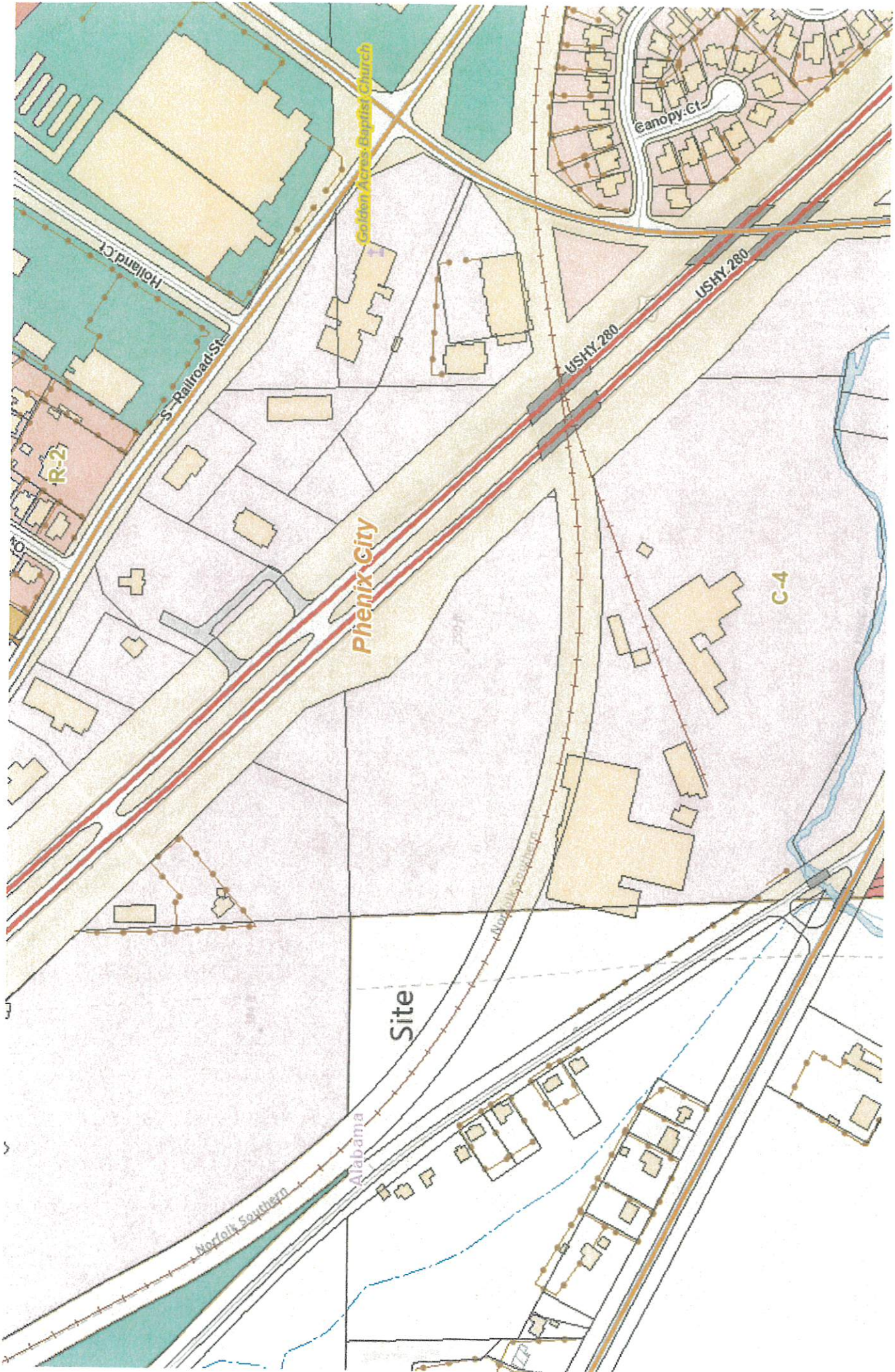
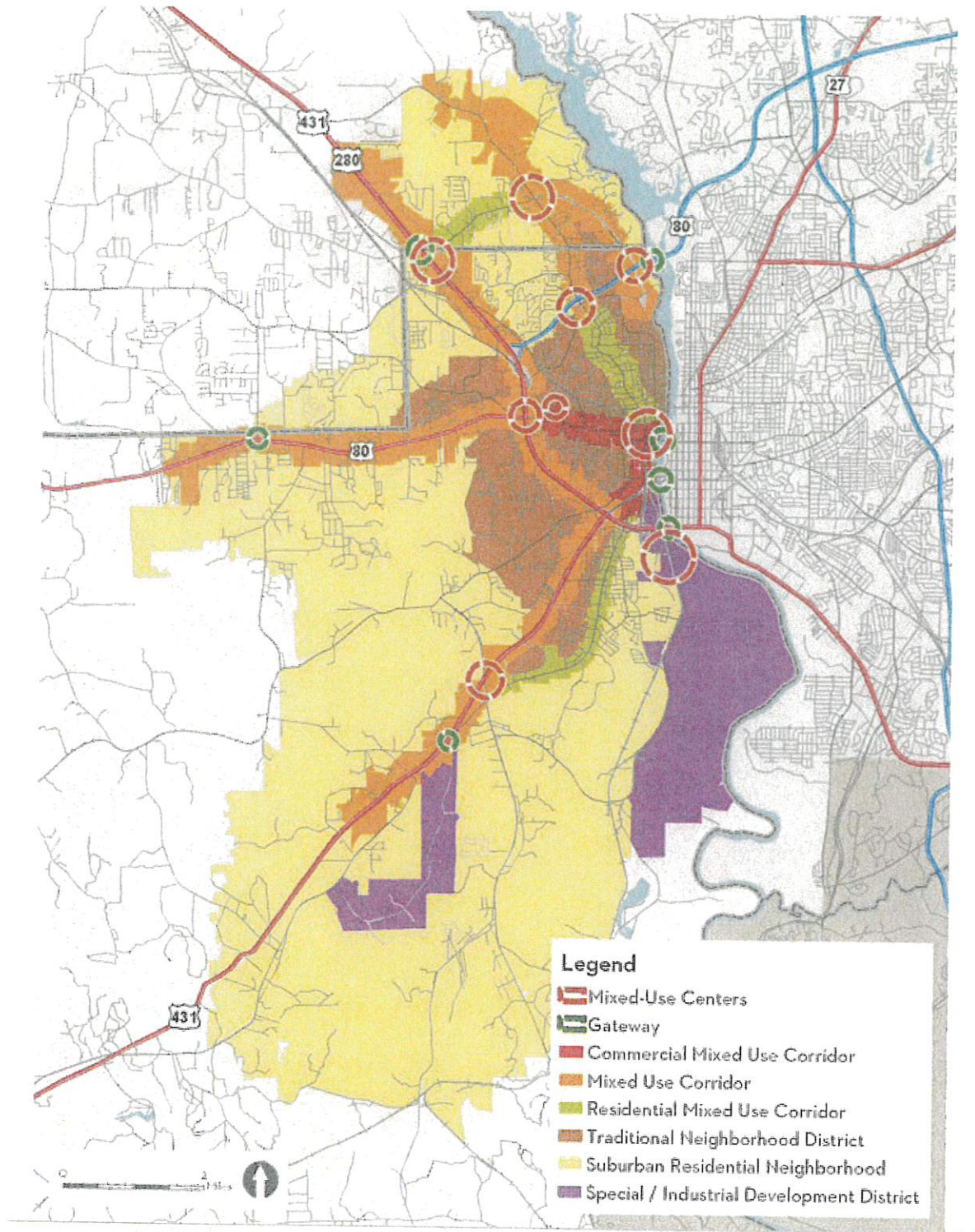


FIGURE 2 - FUTURE LAND USE





DR. R. GRIFF GORDY
Mayor Pro Tem / At Large

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY CARTER JOHNSON
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

WALLACE B. HUNTER, City Manager

MELONY LEE, City Clerk

TRACIE H. HADAWAY, Planning Director | SHAUN CULLIGAN, Economic Development Mgr.

MEMORANDUM

To: Planning Commission
THH
From: Tracie Hadaway, Planning Director
Date: August 19, 2022
RE: Annexation Request and Pre-Zone to C-4 Request

The above referenced Annexation and Pre-Zone Request has been reviewed by the Planning, Building, Utilities, Fire, and Engineering Departments and meets the minimum requirements of the Zoning Ordinance for approval.



PHENIX CITY *Alabama*

DEPARTMENT OF
ENGINEERING / PUBLIC WORKS

601 12th Street | Phenix City, AL 36867 | Ph: 334-448-2760 | Fx: 334-291-4848 | phenixcityal.us

DR. R. GRIFF GORDY
Mayor Pro Tem / At Large

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY CARTER JOHNSON
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

WALLACE B. HUNTER, City Manager
MELONY LEE, City Clerk
ANGEL MOORE, P.E., City Engineer
Director of Engineering / Director of Public Works

Item No. 10

Type of Request: Waiver

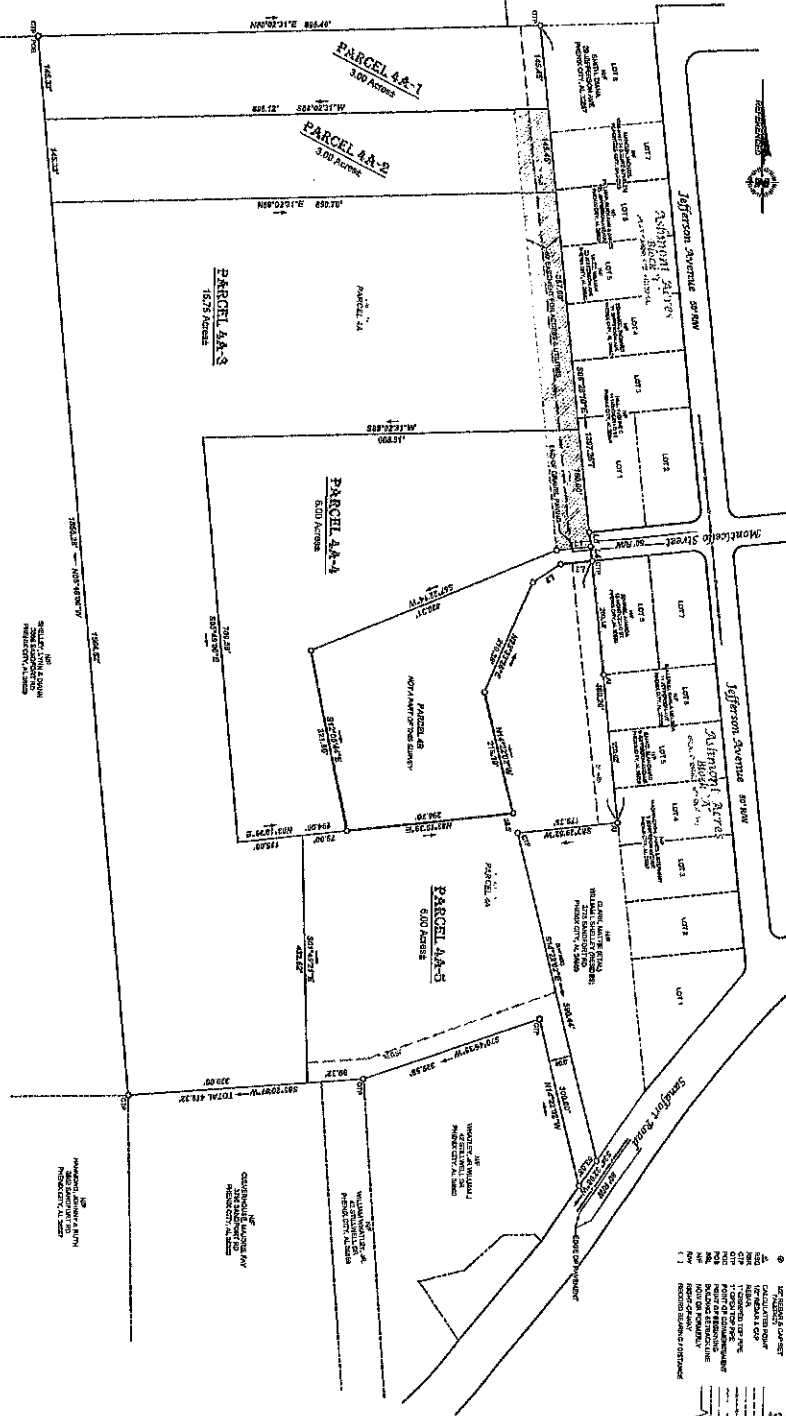
General Information

Applicant:	Antonio L. & Tanisha Tarver
Surveyor of Record:	McBride & McGill, Inc.
Site Location:	Next to 3810 Sandfort Rd.
Acreage:	33.75 +/- acres
Number of Lots:	5
Current Zoning:	None (Planning Jurisdiction)
Current Use of Property:	Vacant & Residential
Proposed Use of Property:	Single Family Residential
District:	None
Survey Plat:	Attached
City Services:	None

Staff Comments

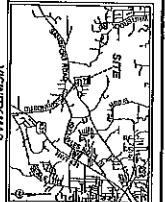
Engineer/Owner Comments

None



LEGEND

- 1. Existing Building
- 2. Proposed Building
- 3. Proposed Driveway
- 4. Proposed Walkway
- 5. Proposed Utility Lines
- 6. Proposed Fencing
- 7. Proposed Retaining Wall
- 8. Proposed Easement
- 9. Proposed Right-of-Way
- 10. Proposed Setback
- 11. Proposed Stormwater Management
- 12. Proposed Irrigation System
- 13. Proposed Landscape
- 14. Proposed Access
- 15. Proposed Site



NOTES

1. THIS SITE PLAN IS A PRELIMINARY SUBMITTAL OF A REQUEST FOR WATER RIGHTS AND IS SUBJECT TO THE REVIEW AND APPROVAL OF THE ALABAMA COMMISSION ON WATER RIGHTS. THE COMMISSION WILL CONSIDER THE INTERESTS OF ALL WATER USERS AND WILL ISSUE A DECISION ON THE MATTER. THE DECISION OF THE COMMISSION IS FINAL AND NOT SUBJECT TO APPEAL.

2. THE APPLICANT HAS BEEN ADVISED THAT THE ALABAMA COMMISSION ON WATER RIGHTS MAY REQUIRE THE APPLICANT TO OBTAIN A WATER RIGHTS PERMIT FROM THE ALABAMA COMMISSION ON WATER RIGHTS. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS FROM THE ALABAMA COMMISSION ON WATER RIGHTS.

3. THE APPLICANT HAS BEEN ADVISED THAT THE ALABAMA COMMISSION ON WATER RIGHTS MAY REQUIRE THE APPLICANT TO PROVIDE A FUNDING PLAN FOR THE ACQUISITION OF WATER RIGHTS. THE APPLICANT IS RESPONSIBLE FOR PROVIDING ANY NECESSARY FUNDING PLAN TO THE ALABAMA COMMISSION ON WATER RIGHTS.

4. THE APPLICANT HAS BEEN ADVISED THAT THE ALABAMA COMMISSION ON WATER RIGHTS MAY REQUIRE THE APPLICANT TO PROVIDE A PLAN FOR THE PROTECTION OF THE ENVIRONMENT. THE APPLICANT IS RESPONSIBLE FOR PROVIDING ANY NECESSARY PLAN TO THE ALABAMA COMMISSION ON WATER RIGHTS.

5. THE APPLICANT HAS BEEN ADVISED THAT THE ALABAMA COMMISSION ON WATER RIGHTS MAY REQUIRE THE APPLICANT TO PROVIDE A PLAN FOR THE PROTECTION OF PUBLIC HEALTH AND SAFETY. THE APPLICANT IS RESPONSIBLE FOR PROVIDING ANY NECESSARY PLAN TO THE ALABAMA COMMISSION ON WATER RIGHTS.

ZONING SETBACKS

REQUIREMENTS FOR ZONING SETBACKS:

- FRONT SETBACK: 10 FT.
- REAR SETBACK: 10 FT.
- SIDE SETBACK: 5 FT.
- MINIMUM SETBACK: 10 FT.

REQUEST FOR WATER

REQUEST FOR WATER RIGHTS:

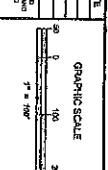
- APPLICANT: TANNER FAMILY
- PROJECT: REPLAT OF LAND ON SANDFORT ROAD
- DATE: 08/01/2022
- PROJECTED PERMITS: WATER RIGHTS PERMIT
- APPLICANT CONTACT: TANNER, JAMES W.
- PHONE: 205-338-1234
- ADDRESS: 1234 SANDFORT ROAD, SANDFORT, AL 36588

McBride & McGill, Inc.

Professional Engineers, Architects & Planners

2025 Coated Road, Prichard, AL 36867
 252-377-1234
 www.mcbrideandmcgill.com

REV	REVISION DESCRIPTION	DATE
01	ISSUED FOR PERMIT REVIEW	08/01/2022



"Tanner Family Replat on Sandfort Road"

PRELIMINARY PLAT & WATER REPORT

PROPERTY BOUNDARY EXISTING OF THE FAMILY DIVISION OF SANDFORT ROAD, SANDFORT, ALABAMA

364702400-1-2024 JAMES W. TANNER & JAMES W. TANNER

DATE	08/01/2022
SCALE	1" = 50'
SHEET NO.	1 OF 1

STATE OF ALABAMA)
)
COUNTY OF RUSSELL)

AFFIDAVIT

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared TANISHA MILLER, whose name is signed to this Affidavit and who is known to me, and who being by me first duly sworn deposes on oath and says as follows:

1. My name is TANISHA MILLER and I am part owner of 33 acres of property more particularly described in Exhibit "A", and attached hereto.

2. I hereby state that the proposed lots as shown on the variance Exhibit prepared by McBride and McGill, Inc., dated August 16, 2022, will remain in the ownership of direct family members for a minimum period of two (2) years from the approval date of the subdivision as required by the Alabama Code of 1975.

3. I make this Affidavit to induce the Phenix City planning Commission to approve the variance that I have requested.

I hereby swear and affirm that the above statement is true and correct, is accurate and complete with no relevant information being omitted.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 18 day of August, 2022.

Tanisha Miller
TANISHA MILLER
DAVID NATHAN MCBRIDE
MY COMMISSION EXPIRES
DECEMBER 14, 2023
NOTARY PUBLIC
STATE OF ALABAMA

Sworn to and subscribed before me
this 18 day of August, 2022.
David Nathan McBride
Notary Public, State at Large
Commission Expires:

STATE OF ALABAMA)
)
COUNTY OF RUSSELL)

AFFIDAVIT

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared ANTONIO L. TARVER, whose name is signed to this Affidavit and who is known to me, and who being by me first duly sworn deposes on oath and says as follows:

1. My name is ANTONIO L. TARVER and I am part owner of 33 acres of property more particularly described in Exhibit "A", and attached hereto.

2. I hereby state that the proposed lots as shown on the variance Exhibit prepared by McBride and McGill, Inc., dated August 16, 2022, will remain in the ownership of direct family members for a minimum period of two (2) years from the approval date of the subdivision as required by the Alabama Code of 1975.


3. I make this Affidavit to induce the Phenix City planning Commission to approve the variance that I have requested.

I hereby swear and affirm that the above statement is true and correct, is accurate and complete with no relevant information being omitted.

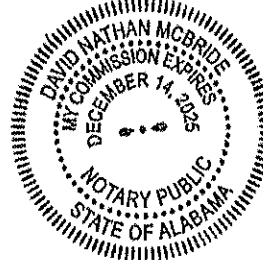
IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 18 day of August, 2022.



ANTONIO L. TARVER

Sworn to and subscribed before me
this 18 day of August, 2022.


Notary Public, State at Large
Commission Expires:



DEED 01248 PAGE 0100

STATE OF ALA.
RUSSELL CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON
DEED 01248 PG 0100-0102 2013 Oct
17 10:39AM
Alford M. Harden Jr.
JUDGE OF PROBATE

QUIT CLAIM DEED

STATE OF ALABAMA
COUNTY OF RUSSELL

INDEX	\$5.00
REC FEE	\$9.00
CERT	\$0.00
DEED TAX	
CHECK TOTAL	\$14.00
59719	Clerk: DIANE 10:41AM

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of ten dollars and other valuable considerations, in hand paid by Antonio L. Tarver and Tanisha Miller Tarver, the receipt of which is hereby acknowledged, the undersigned, The Venable Family, L.L.L.P., a Georgia Limited Liability Limited Partnership registered in the State of Alabama as The Venable Family, L.P., Grantors, hereby remise, release, quitclaim, grant, sell and convey to Antonio L. Tarver and Tanisha Miller Tarver, Grantees, whose address is 711 Lee Road 2095, Phenix City, Alabama 36870, for and during their joint lives as joint tenants 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 Russell County, Alabama, to-wit:

That certain tract or parcel of land containing 36.5 acres, more or less, located in the Northwest Quarter of Section 29, Township 17 North, Range 30 East, Russell County, Alabama, being more particularly described as follows, to-wit:

From the Northwest Corner of said Section 29, run thence North 87 degrees 30 minutes East, 880 feet along the dividing line between Sections 20 and 29, to an iron pin at the POINT OF BEGINNING; thence run North 87 degrees 30 minutes East along the dividing line between said Sections 20 and 29, 880 feet to an iron pin; thence South 07 degrees 01 minute East, 1397.47 feet to an iron pin; thence South 82 degrees 59 minutes West, 180 feet to an iron pin; thence South 14 degrees 58 minutes East, 590.44 feet to an iron pin on the Northerly margin of Sandfort Road; thence South 33 degrees 58 minutes West along the Northerly margin of Sandfort Road, 53.05 feet to an iron pin; thence North 14 degrees 58 minutes West, a distance of 300 feet to an iron pin; thence South 70 degrees 02 minutes West, 330.03 feet to an iron pin; thence South 84 degrees 58 minutes West, 420 feet to an iron pin; thence North 05 degrees 49 minutes West, 1854.22 feet to the iron pin at the POINT OF BEGINNING.

This quitclaim is given to convey any right said Grantor might have in subject property that might help perfect title in the Grantees.

To have and to hold unto the said Grantees, for and during their joint lives as joint tenants 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.

Witness our hands and seals this 10th day of October, 2013.

The Venable Family, L.L.L.P., a
Georgia Limited Liability Limited
Partnership registered in the state
of Alabama as The Venable Family, L.P.

BY: 
James H. Venable, General Partner

BY: 
Martha Bush Venable, General Partner

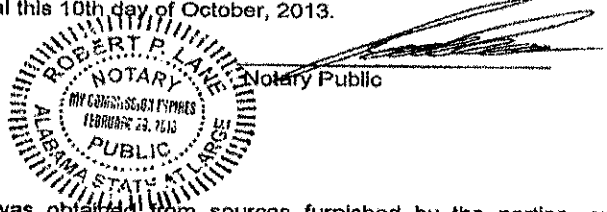
14

DEED 01248 PAGE 0101

STATE OF ALABAMA
COUNTY OF RUSSELL

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that James H. Venable and Martha Bush Venable, whose names as General Partners of The Venable Family, L.L.P., a Georgia Limited Liability Limited Partnership registered in the State of Alabama as The Venable Family, L.P., are signed to the foregoing conveyance, who are known to me, acknowledged before me on this day, that being informed of the contents thereof, they as such General Partners of said limited liability limited partnership and with full authority, executed the same voluntarily for and as the act of said limited liability limited partnership.

Given under my hand and seal this 10th day of October, 2013.



Prepared by: P. Bruce, Employee of
Funderburk and Lane
P. O. Box 1268
Phenix City, AL 36868
PB:\data\docs\T6B5-qc.deed

The description in this instrument was obtained from sources furnished by the parties, and Scrivener does not attest to its accuracy. No liability is assumed by the Scrivener for the status of title unless a title opinion was requested by one of the parties.



PHENIX CITY
Alabama

PLANNING DEPARTMENT

931 Broad Street | Phenix City, AL 36867 | Ph: 334-448-2856 | Fx: 334-448-9022 | phenixcityal.us/edo

DR. R. GRIFF GORDY
Mayor Pro Tem / At Large

STEVE BAILEY
Councilmember District 1

EDDIE N. LOWE
Mayor

VICKEY CARTER JOHNSON
Councilmember District 2

ARTHUR L. DAY, JR.
Councilmember District 3

WALLACE B. HUNTER, City Manager

MELONY LEE, City Clerk

TRACIE H. HADAWAY, Planning Director | SHAUN CULLIGAN, Economic Development Mgr.

MEMORANDUM

To: Planning Commission

From: Tracie Hadaway; Planning Director

Date: August 18, 2022

RE: Waiver Request – 33.75 +/- acres located next to 3810 Sandfort Rd.

The above referenced Waiver Request has been reviewed by the Planning, Building, Utilities, Fire and Engineering Departments and does not meet the minimum requirements of the Subdivision Regulations per Article IV, 5B which states that every lot shall abut a dedicated public street. However, this subdivision meets the requirements of a family division as defined in the code of Alabama 1975, Section 11-24-2(d).