

**ORDINANCE NO. 2021-09-21-1026**

**AN ORDINANCE REZONING A PARCEL OF PROPERTY FROM AP TO RN AND  
REDUCING THAT PORTION ZONED HC TO 3 ACRES**

WHEREAS, the Town of Westover adopted a comprehensive zoning ordinance on December 21, 2004, and

WHEREAS, certain property located approximately at the intersection of US Hwy 280 and Hwy 51, in the municipality and is currently owned by Cecile Erwin and Inez Smith.

WHEREAS, after holding a public hearing on the matter, the Westover Planning Commission has recommended that, at the request of the property owner, this parcel be rezoned from the AP, Agricultural District to RN, Residential Neighborhood and reducing that portion zoned HC, Highway Commercial to 3 acres and

WHEREAS, the City Council has held a public hearing on the Westover Planning Commission's recommendation and carefully considered the said recommendation and the comments thereon;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE  
CITY OF WESTOVER, ALABAMA, AS FOLLOWS:**

Section 1. That the zoning district boundaries be amended so as to rezone the following property from AP to RN and that such rezoning be reflected on the Zoning Map of the Town of Westover:

Rezone Parcel 08 9 29 0 001 033.000 from AP, Agricultural Preserve, except for that portion of the parcel which is currently zoned HC, Highway Commercial, to RN, Residential Neighborhood and to reduce that portion of HC zone to 3 acres.

Provided, however, that such rezoning is subject to the following condition:

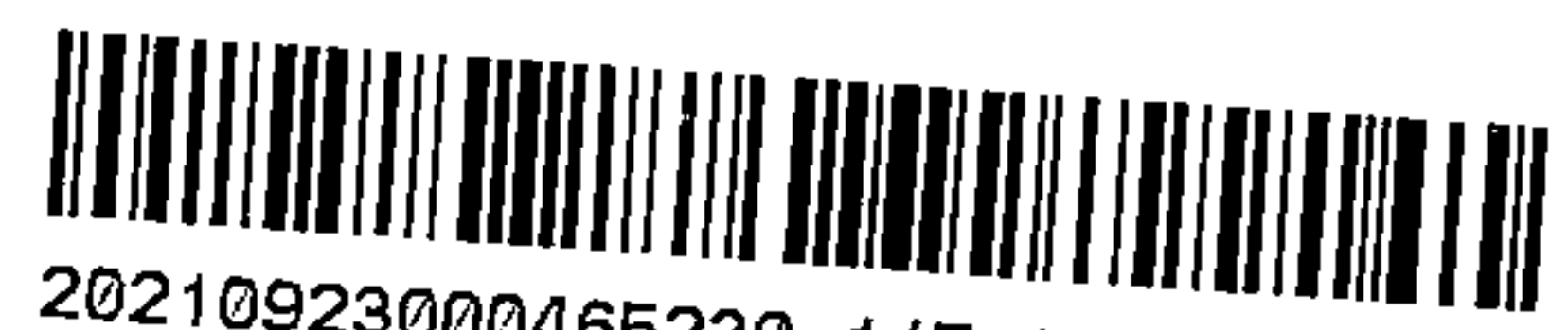
- A. Compliance with the rules, regulations, policies, and procedures of the City of Westover, and

Section 2. That the City Clerk be directed to post this ordinance as required by law.

  
Larry H. Riggins, Mayor

  
Bonnie Meacham, City Clerk - Treasurer

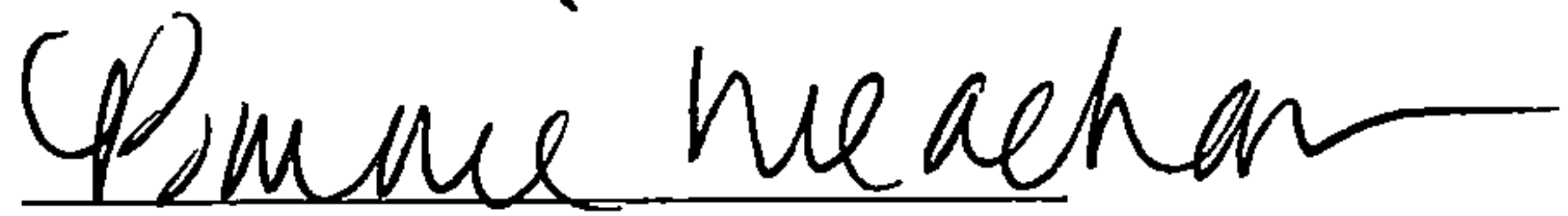
Passed and approved this 21<sup>st</sup> day of September, 2021.

  
20210923000465230 1/7 \$40.00  
Shelby Cnty Judge of Probate, AL  
09/23/2021 12:04:03 PM FILED/CERT

**CERTIFICATE OF CLERK**

I, the undersigned, Clerk of the City of Westover, Alabama, do hereby certify that the above and foregoing Ordinance was duly adopted by the City Council of the City of Westover at its regular meeting on September 21, 2021.

WITNESS my hand and seal this 21st day of September, 2021.

  
City Clerk - Treasurer



20210923000465230 2/7 \$40.00  
Shelby Cnty Judge of Probate, AL  
09/23/2021 12:04:03 PM FILED/CERT

**ZONING APPLICATION**  
Town of Westover Development Services

This application for use with: Property Rezoning, Conditional Uses,  
Zoning Variances, and Special Exceptions

CASE # \_\_\_\_\_

**PROPERTY INFORMATION**

Parcel ID 08-9-29-0-0001-033.000 Current Base Zoning AP & HC Current Overlay Zoning \_\_\_\_\_  
Township 19 S Range 1 E Section 29 No. of Acres 53  
General Location / Address Northwest corner of intersection Hwy 280 and County road 51

**CONTACT INFORMATION**

Applicant Name Jay Sawyer Company Brasher Holdings LLC  
Phone 479-220-7936 Fax \_\_\_\_\_ Email jay.sawyerii23@gmail.com  
Address 2500 Southlake Park suite 100  
Street Address  
Hoover AL 35244  
City State ZIP

Property Owner (if other than applicant) Cecile Erwin & Inez Smith  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

**TYPE OF REQUEST** (See also Sections 1-4 on reverse side as applicable)

PROPERTY REZONING ☒ Complete Section 1. ZONING VARIANCE ☐ Complete Section 3.  
CONDITIONAL USE ☐ Complete Section 3. SPECIAL EXCEPTION ☐ Complete Section 4.

**Note:** No zoning application shall be considered complete until this application form, an accurate legal description, all applicable plans and specifications, and all applicable fees have been submitted to Town of Westover Development Services. For questions, call (205) 678-3375.

**ACKNOWLEDGMENT**

I, the undersigned Applicant, have reviewed a copy of the applicable zoning requirements as set forth in the Zoning Ordinance of the Town of Westover. I understand that I must be present on the date of the hearing; the Planning Commission will not take any action on a case in which there is no one officially representing the property owner(s).

I further understand that payment of these fees does not entitle me to approval of this request and that no refund of these fees will be made.

Applicant Signature [Signature] Date 7-9-21  
Please Print Name Jay Sawyer

**APPLICATION FEE**

Application fee is \$100; fee for the required legal advertisement will be billed to the applicant upon receipt of invoice from newspaper. The advertising fee must be paid upon demand or case will be removed from the agenda. Make check payable to "Town of Westover".

| Office Use Only                     |  |                                     |                   |
|-------------------------------------|--|-------------------------------------|-------------------|
| Amount Paid _____                   | Receipt No. _____  | Date _____                          | Received By _____ |
| Application Date _____              | Pre-Application Meeting <input type="checkbox"/> Yes <input type="checkbox"/> No | Pre-App Mtg. Date _____             |                   |
| For Rezoning or Conditional Use:    |  | For Variance or Special Exception:  |                   |
| Planning Commission Mtg. Date _____ |  | Board of Adjustment Mtg. Date _____ |                   |

20210923000465230 3/7 \$40.00  
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**ZONING APPLICATION**  
Town of Westover Development Services

This application for use with: Property Rezoning, Conditional Uses,  
Zoning Variances, and Special Exceptions

CASE # \_\_\_\_\_

**DESCRIPTION OF REQUEST**

**Section 1 – PROPERTY REZONING**

The applicant hereby applies for rezoning from AP & HC to RN.

Proposed use of property Residential Subdivision

*Please attach a written Justification Statement for this rezoning (i.e. why the current zoning may no longer be appropriate).*

**Section 2 – CONDITIONAL USE**

Zoning District \_\_\_\_\_

Proposed Conditional Use \_\_\_\_\_

**Section 3 – ZONING VARIANCE**

Zoning District \_\_\_\_\_ Proposed Use/Improvements \_\_\_\_\_

The applicant hereby applies for a variance from the requirements of the Town of Westover Zoning Ordinance as described following:

*Please attach a written Justification Statement for this variance (i.e. why the proposed use or improvements can not be accomplished according to the requirements of the Town of Westover Zoning Ordinance).*

**Section 4 – SPECIAL EXCEPTION**

Zoning District \_\_\_\_\_

Type of Special Exception (please select from the following):

☐ Building on Lot of Record

☐ Reduction in parking requirements

☐ Resumption, extension, reconstruction, or change of a Non-conforming Use

☐ Special Exception Use

☐ Erection, extension and use of a structure, or use of a premises for a Public Utility Facility

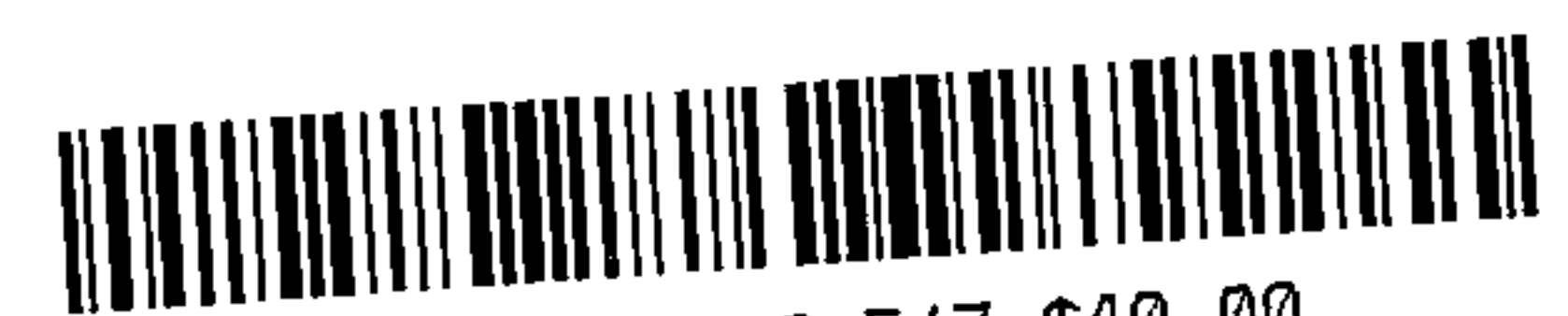
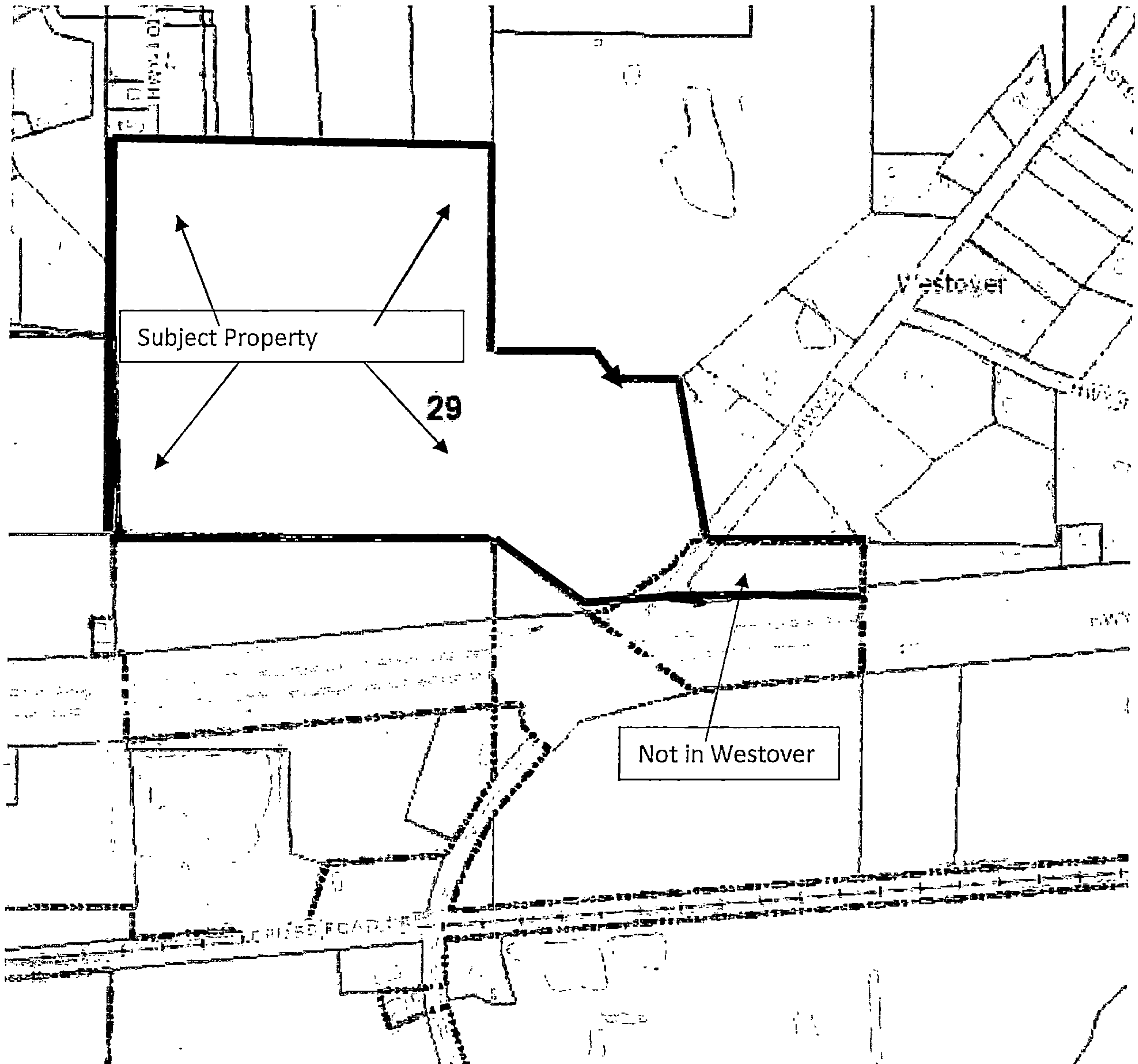
☐ Unclassified Use

Please describe the desired Special Exception below:



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# PROPOSED REZONING OF PARCEL # 08 9 29 0 001 033.000



20210923000465230 5/7 \$40.00  
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**CURRENT ZONING: RN**

**CURRENT ZONING:** RA

STINE, A. & J. B. 1987

2  
CURRENT ZONING

**CURRENT ZONING: RA**

2015.12.15

CUKRENI ZDNIING: AN

المجلس الأعلى للدراسات والبحوث

**CURRENT ZONING: RN**

**REFERENCE**

**CURRENT ZONING: RN**

**CURRENT ZONING: AP**

# CONGRATULATIONS!

**CURRENT ZONING: RM**

RECEIVED  
FEBRUARY 27 1968

20210923000465230 6/7 \$40.00  
Shelby Cnty Judge of Probate, AL  
09/23/2021 12:04:03 PM FILED/CERT



**CURRENT ZONING: HC**

**CURRENT ZONING: HC**

AC: P1C7C47K1E  
P1C7C47K1E  
P1C7C47K1E

**CURRENT ZONING: HQ**

[illegible]

CURRENT ZONING: HC

**CURRENT ZONING: HC**

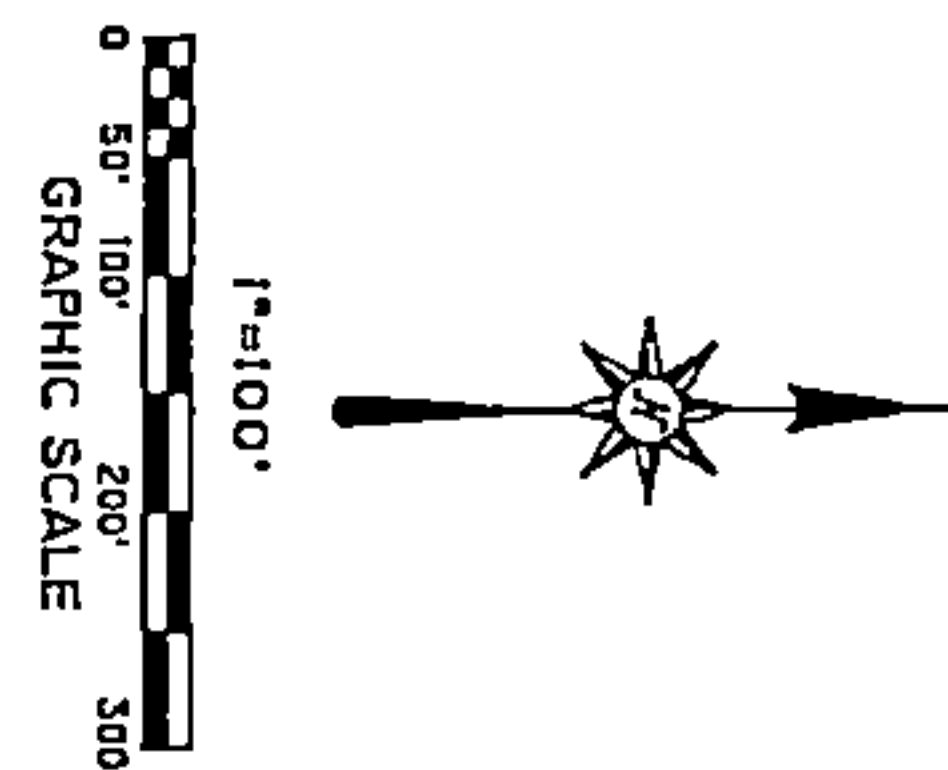
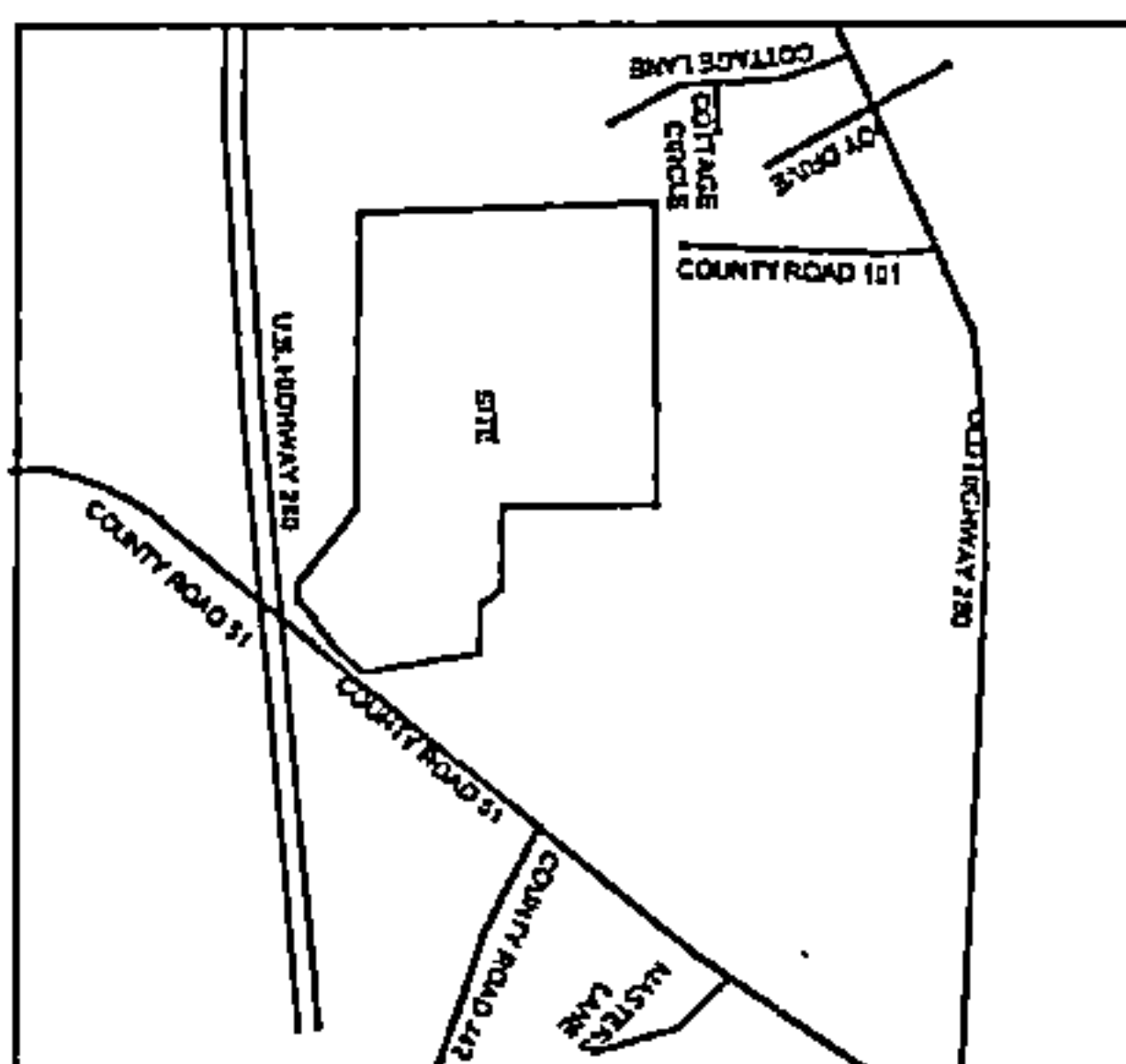
SR-280 WBN

EXISTING  
TRAFFIC  
SIGNAL.

SR-280 EBR

CO RD 5

**CURRENT ZONING: HC**



0 50' 100' 200' 300'

GRAPHIC SCALE

**CURRENT ZONING MAP**  
**SUBDIVISION**  
U.S. HIGHWAY 280 & COUNTY ROAD 51  
WESTOVER, ALABAMA  
**BRASHER HOLDINGS LLC**

**MTR**

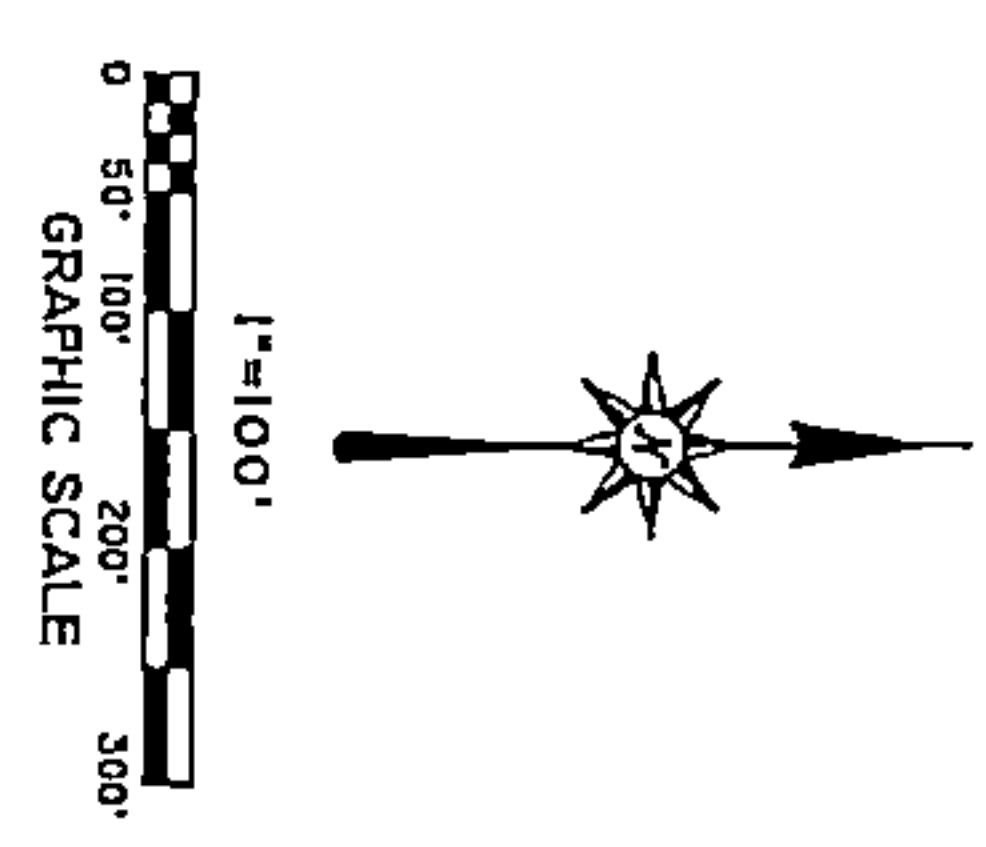
**MTTR  
ENGINEERS, INC.**  
CONSULTING ENGINEERS-LAND SURVEYORS  
2500 SOUTHLAKE PARK, SUITE 100, HOOVER, AL 35244  
TELEPHONE (205) 320-0114

[illegible]



**CURRENT ZONING: RM**

**THE UNIVERSITY OF CHICAGO**



**PROPOSED ZONING: RN**

15-0511A PACS/FLOYD  
11/01/97 0104:00M 2200  
210000000.00 000000000.00

**CURRENT ZONING: HC**

**CURRENT ZONING: HC**

**CURRENT ZONING:** HC

SHEET 3 EASTING: 1000000  
 NORTHING: 1000000  
 CURRENT ZONING: HC

CURRENT ZONING HQ  
BAG TO REMAIN ZONED HQ

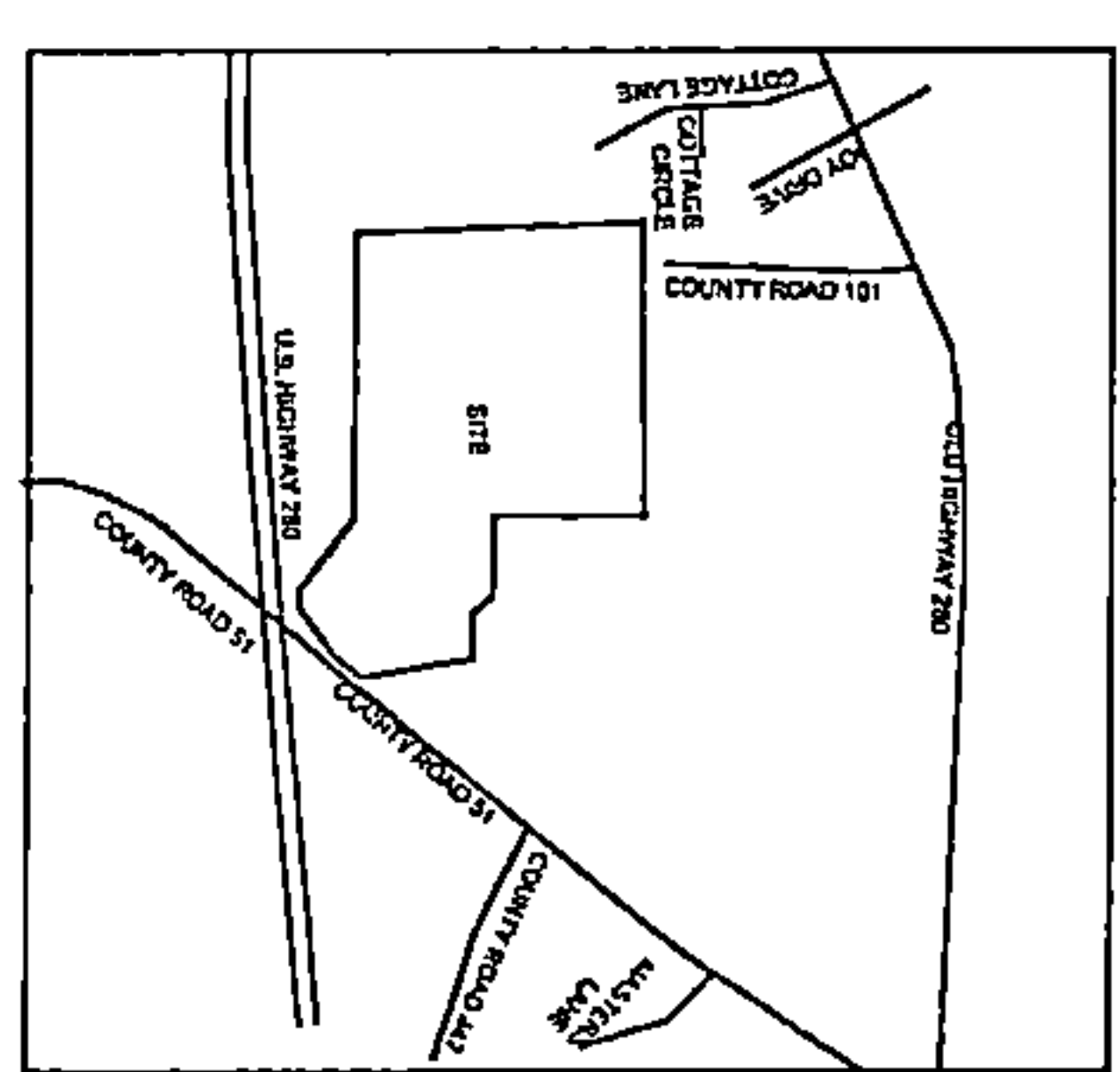
SR 230 WBR


SR 230 EBR

EXISTING TRAFFIC SIGNAL

CO RD 51

CURRENT ZONING: HC



|    |  |      |           |          |         |  |   |   |
|----|--|------|-----------|----------|---------|--|---|---|
| C1 | JOB NO.:   | DATE | REVISIONS | ENGINEER | PROJECT | <p><b>PROPOSED ZONING MAP</b></p> <p><b>SUBDIVISION</b></p> <p>U.S. HIGHWAY 280 &amp; COUNTY ROAD 51</p> <p>WESTOVER, ALABAMA</p> <p><b>BRASHER HOLDINGS LLC</b></p> |  <p><b>MTR</b></p> <p><small>ALLEN &amp; MEYER ENGINEERS &amp; SURVEYORS</small></p> | <p><b>MTTR</b></p> <p><b>ENGINEERS, INC.</b></p> <p>CONSULTING ENGINEERS-LAND SURVEYORS</p> <p>2500 SOUTHLAKE PARK, SUITE 100, HOOVER, AL 35244</p> <p>TELEPHONE (205) 320-0114</p> |
|    | FILE NAME:<br>COVER SHEET<br>DATE<br>DATE<br>DRAWN:<br>CHECKED:<br>SCALE:<br>SEE PLAN<br>SHEET |      |           |          |         |  |   |   |