



**THE CITY OF PHENIX CITY  
PLANNING COMMISSION AGENDA  
TUESDAY, DECEMBER 10, 2024  
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 November 12, 2024 Meeting Minutes
- 5) Approval of the November 26, 2024 Meeting Minutes
- 6) Rules for Addressing Planning Commission
- 7) Approval of Administrative Subdivision – 0.67+/- acres located at 3302 Summerville Road – Carole H. Cox, owner.
  - Staff Report
  - Developer’s Comments
  - Department Memo
- 8) Recommendation of Variance – 0.33+/- acres located at 298 Lee Road 451 – Michael Bowden, owner.
  - Staff Report
  - Developer’s Comments
  - Department Memo
- 9) Approval of Administrative Subdivision – 0.33+/- acres located at 298 Lee Road 451 – Michael Bowden, owner.
  - Staff Report
  - Developer’s Comments
  - Department Memo
- 10) Acceptance of Rezone – 0.69+/- acres located at the intersection of Silver Lake Drive & Explorer Road from a R-1 (Low Density Residential) to a R-1B (Low Density Residential)– Silver Terrace, LLC., owner.
  - Staff Report
  - Developer’s Comments
  - Department Memo

11) Acceptance of Annexation – 0.43+/- acres located at 3794 Highway 431/280 between Phenix Drive and Pierce Road – BC Stone Homes, LLC for George Uwanawich, owner.

- Staff Report
- Developer's Comments
- Department Memo

12) Acceptance of De-Annexation – 4.78+/- acres located on Misty Forest Drive – Kelvin Perkins, owner.

- Staff Report
- Developer's Comments
- Department Memo

13) Public Hearing and Recommendation of Preliminary Plat – 2.31+/- acres located near the intersection of Lakewood Drive & Summerville Road – Warr Development Company, Inc. (Spud Warr, Jr.), owner.

- Staff Report
- Developer's Comments
- Department Memo

14) Public Hearing and Recommendation of Conditional Use – 400 Brickyard Road – Joseph Jordan, owner.

- Staff Report
- Developer's Comments
- Department Memo

15) Old Business

16) New Business

17) Adjournment

**November 12, 2024**

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, November 12, 2024, at 5:15 PM EST in the Council Chambers at the Public Safety Building located at 1111 Broad Street, Phenix City, Alabama.

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

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

The third item on the agenda was the attendance call for City Personnel and Elected Officials. Chairman Sims asked Secretary Phillips-Wyatt to call roll for the City Employees. The following City Personnel were present in person. City Engineer / Public Works Director Angel Moore, Asst. Director of Engineering Michael Pattillo, Civil Engineer/PE Chris Casey, Graduate Engineer Andrew Patterson, Utilities Director John Spraggins, Chief Building Official Ray Rogers, Fire Chief Kris Kennedy, Public Safety Director Ray Smith, Economic Development Manager Shaun Culligan, City Attorney Jimmy Graham and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of October 22, 2024 meeting minutes. Chairman Sims asked if there was a motion to approve the written minutes and remove the recorded minutes. Member Davis made the motion to approve, seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed.

The fifth item on the agenda was Chairman Sims, who set the rules for addressing the Planning Commission.

The sixth item on the agenda was the Approval of Administrative Subdivision – 3.03+/- acres located at 28 Old Opelika Road - Timothy Johnson & River Smith, owners. City Engineer/Public Works Director Angel Moore reviewed the staff report with the members. Chairman Sims asked Secretary Phillips-Wyatt to read the department memo.

Memo

To: Planning Commission

From: Angel Moore, P.E./City Engineer/Public Works Director

Date: November 8, 2024

RE: Administrative Subdivision – 3.03+/- acres located at 28 Old Opelika Road

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

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

The seventh item on the agenda was the Approval of Administrative Subdivision – 2.53+/- acres located at 228 AL Hwy 165 – Cynthia Newbern and Rodney Lockhart, owners. City Engineer/Public Works Director Angel Moore reviewed the staff report with the members. Chairman Sims asked Secretary Phillips-Wyatt to read the department memo.

Memo

To: Planning Commission

From: Angel Moore, P.E./City Engineer/Public Works Director

Date: November 8, 2024

RE: Administrative Subdivision – 2.53+/- acres located at 228 AL Hwy 165

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

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

The eighth item on the agenda was the Acceptance of the Zoning Ordinance. Member Ivy made a motion to accept, seconded by Member Linsey. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed. City Engineer/Public Works Director Angel Moore stated that there would be a public hearing at the next meeting on the Zoning Ordinance and then it would go to City Council for final approval.

The ninth item on the agenda was Old Business. None.

The tenth item on the agenda was New Business: Approval of the 2025 Proposed Planning Commission Meeting Schedule. Members discussed. Member Ivy made a motion to approve with removing November 25, 2025 and December 23, 2025, seconded by Member Lindsey. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed.

The eleventh item on the agenda was Adjournment. Chairman Sims asked if there was a motion to adjourn. A motion to adjourn was made by Member Ivy, seconded by Member Lindsey. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Davis, Member Ivy, Member Lindsey, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. 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 November 26 2024.

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Chairman: Billy Sims

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Secretary: Eliza Phillips-Wyatt



**November 26, 2024**

The Planning Commission of the City of Phenix City, Alabama met on Tuesday, November 26, 2024, at 5:15 PM EST in the Council Chambers at the Public Safety Building located at 1111 Broad Street, Phenix City, Alabama.

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

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

The third item on the agenda was the attendance call for City Personnel and Elected Officials. Chairman Sims asked Secretary Phillips-Wyatt to call roll for the City Employees. The following City Personnel were present in person. City Engineer / Public Works Director Angel Moore, Asst. Director of Engineering Michael Pattillo, Civil Engineer/PE Chris Casey, Graduate Engineer Andrew Patterson, Chief Building Official Ray Rogers, Fire Chief Kris Kennedy, Public Safety Director Ray Smith, Economic Development Manager Shaun Culligan, City Manager Wallace B. Hunter, City Attorney Jimmy Graham and Recording Secretary Kathy Jo Davis.

The fourth item on the agenda was the approval of November 12, 2024 meeting minutes. Chairman Sims asked if there was a motion to approve the written minutes and remove the recorded minutes. Vice Chairman Taylor made the motion to approve, seconded by Member Ivy. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Ivy, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: Member McKissic. Motion thus failed due to no quorum.

The fifth item on the agenda was Chairman Sims, who set the rules for addressing the Planning Commission.

The sixth item on the Acceptance of a Preliminary Plat – 2.31+/- acres located at the intersection of Lakewood Drive & Summerville Road – Warr Development Company, Inc (Spud Warr, Jr), owner. City Engineer/Public Works Director Angel Moore reviewed the staff report with the members. Chairman Sims asked Secretary Phillips-Wyatt to read the department memo.

Memo

*To: Planning Commission*

*From: Angel Moore, P.E./City Engineer/Public Works Director*

*Date: November 22, 2024*

*RE: Acceptance of Preliminary Plat – 2.31+/- acres located at the intersection of Lakewood Drive & Summerville Road*

*The above referenced Preliminary Plat has been reviewed by the Building, Utilities, Fire and Engineering Departments. It is the recommendation of City Staff that this preliminary plat be accepted for consideration by the Planning Commission.*

Member Ivy made the motion to accept, seconded by Vice Chairman Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Ivy, Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed

The seventh item on the agenda was the Public Hearing and Recommendation of the Zoning Ordinance. Chief Building Official Ray Rogers came forward and stated that a copy of the Zoning Ordinance Draft has been on the City Website, Fast Forward Phenix City and ran a couple of times in the paper. Last check there were a little over 250 hits on the Fast Forward Phenix City and the couple of comments has been addressed. Mr. Rogers asks that if the Planning Commission was good with the draft if they would recommend for City Council to approve. Chairman Sims opened the public hearing. With no one coming forward the public hearing was closed. Chairman Sims asked if there was a recommendation for City Council to approve or deny. A motion to recommend approval was made by Member Ivy and seconded by Vice Chairman Taylor. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Ivy, Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed

The eighth item on the agenda was Old Business: At the last meeting the 2025 Planning Commission Meeting Scheduled was voted on. Since the meeting it was found that the November 11, 2025 meeting falls on Veterans Day and the city offices will be closed. Members discussed. Vice Chairman Taylor made a motion to approve with changing November 11, 2025 to Wednesday, November 12, 2025 and removing November 25, 2025 and December 23, 2025, seconded by Member McKissic. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Ivy, Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. Nays: None. Abstain: None. Motion thus passed.

The ninth item on the agenda was New Business: None.

The tenth item on the agenda was Adjournment. Chairman Sims asked if there was a motion to adjourn. A motion to adjourn was made by Vice Chairman Taylor, seconded by Member McKissic. Upon said motion being put to a vote, the following vote was recorded: Yeas: Member Ivy, Member McKissic, Chairman Sims, Vice Chairman Taylor and Member Phillips-Wyatt. 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 December 10, 2024.

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Chairman: Billy Sims

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Secretary: Eliza Phillips-Wyatt

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

**STEVE BAILEY**  
Councilmember District 1

**EDDIE N. LOWE**  
Mayor

**VICKEY F. CARTER**  
Councilmember District 2

**ARTHUR L. DAY, JR.**  
Councilmember District 3

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

## Item No. 7

### Type of Request: Administrative Subdivision

#### General Information

**Applicant:** Carole H. Cox  
**Surveyor of Record:** Barrett-Simpson, Inc.  
**Site Location:** 3302 Summerville Rd.  
**Acreage:** 0.67 +/- acres  
**Number of Lots:** From 1 lot to 2 lots  
**Current Zoning:** R-1 Low Density Residential  
**Current Use of Property:** Residential (Existing Home)  
**Proposed Use of Property:** Existing Home & Single Family Residential  
**District:** One (1)  
**Survey Plat:** Attached  
**City Services:** Phenix City Water & Sewer, Fire, Police, Street & Drainage

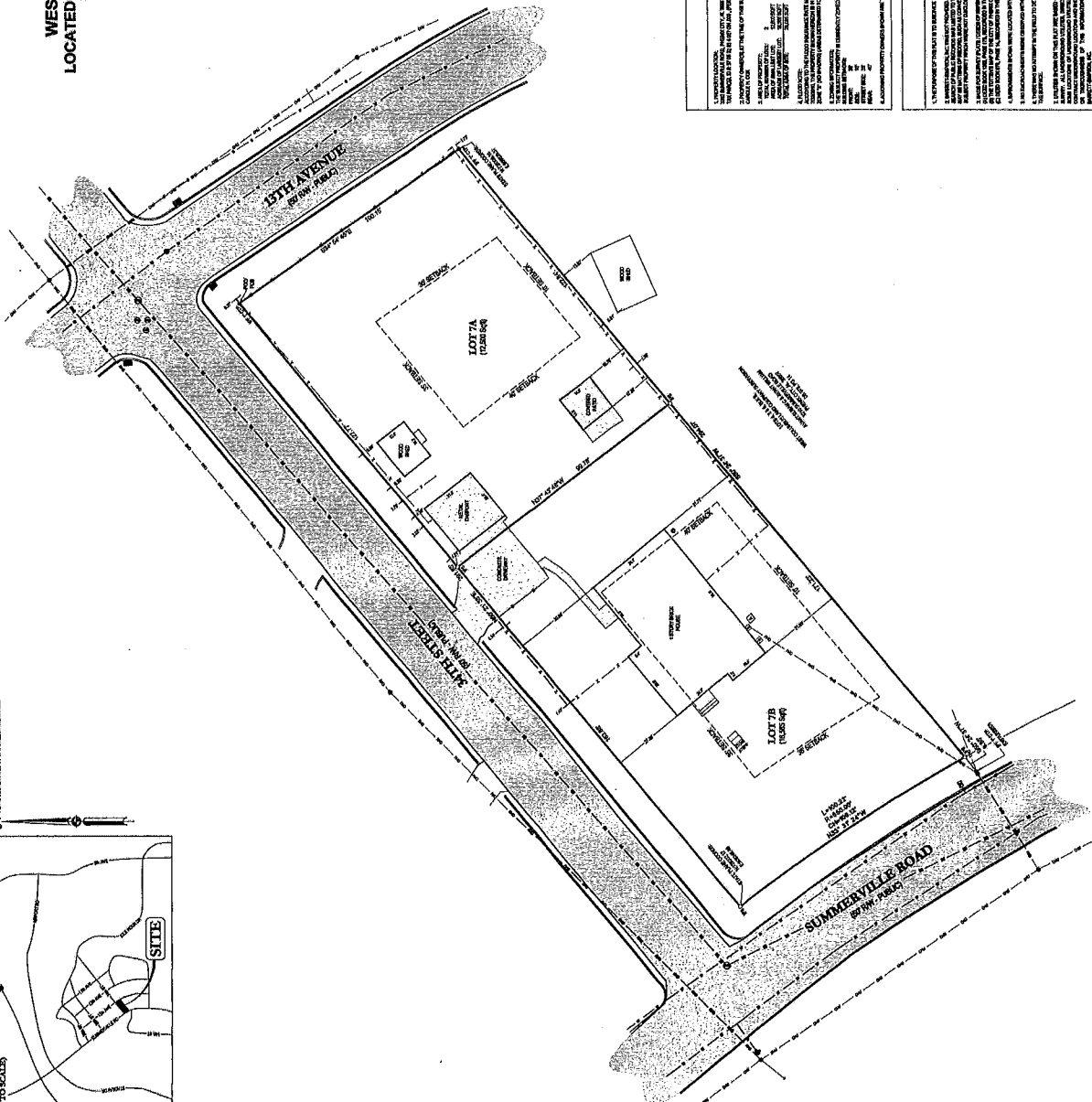
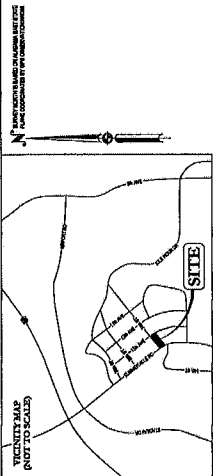
#### Staff Comments

None.

#### Engineer/Owner Comments

None.

**PLAT OF PROPERTY DIVISION FOR  
CAROLE H. COX  
LOT 7, BLOCK B,  
WEST COLUMBUS LAND COMPANY SUBDIVISION  
LOCATED IN SECTION 3, TOWNSHIP 17 NORTH, RANGE 30 EAST  
PHENIX CITY, RUSSELL COUNTY, ALABAMA**



**RECORDING INFORMATION**  
THIS INSTRUMENT IS SUBJECT TO THE RECORDS OF PHENIX CITY, ALABAMA. THE INSTRUMENT NUMBER IS 11-20-21.

**PHENIX CITY ENROLLED NOTES**  
THIS INSTRUMENT IS SUBJECT TO THE RECORDS OF PHENIX CITY, ALABAMA. THE INSTRUMENT NUMBER IS 11-20-21.

**CERTIFICATIONS**  
I, the undersigned, being duly sworn, depose and say that I am the owner of the above described property and that I am the person who has caused this instrument to be executed and recorded.

**LEGEND**  
ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.  
ALL DIMENSIONS ARE TO BE TAKEN FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE SPECIFIED.  
ALL DIMENSIONS ARE TO BE TAKEN FROM THE CORNER OF THE ROAD UNLESS OTHERWISE SPECIFIED.

**SURVEYOR'S INFO**  
BARRETT-SIMPSON, INC.  
1000 W. COLLETT AVENUE, SUITE 100  
PHENIX CITY, ALABAMA 36060  
TEL: (334) 841-1111  
FAX: (334) 841-1112  
WWW.BSINC.COM

**SITE NOTES**  
1. THE PROPERTY IS BEING PLATED IN PHENIX CITY, ALABAMA.  
2. THE PROPERTY IS BEING PLATED IN PHENIX CITY, ALABAMA.  
3. THE PROPERTY IS BEING PLATED IN PHENIX CITY, ALABAMA.

**SURVEYOR'S NOTES**  
1. THE PROPERTY IS BEING PLATED IN PHENIX CITY, ALABAMA.  
2. THE PROPERTY IS BEING PLATED IN PHENIX CITY, ALABAMA.  
3. THE PROPERTY IS BEING PLATED IN PHENIX CITY, ALABAMA.

NO.	DESCRIPTION	DATE
1	ORIGINAL COPY	11/20/21
2	PHENIX CITY	11/20/21
3	ALABAMA	11/20/21
4	INDEXED COPY	11/20/21

**LEGAL DESCRIPTION**  
A certain parcel of land in the West Columbus Land Company Subdivision, located in Section 3, Township 17 North, Range 30 East, Phoenix City, Russell County, Alabama, containing approximately 102,000 square feet of land, more or less, as shown on the attached plat.









**PHENIX CITY**

*Alabama*

DEPARTMENT OF  
**ENGINEERING / PUBLIC WORKS**

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

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

**STEVE BAILEY**  
Councilmember District 1

**EDDIE N. LOWE**  
Mayor

**VICKEY F. CARTER**  
Councilmember District 2

**ARTHUR L. DAY, JR.**  
Councilmember District 3

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

## MEMORANDUM

To: Planning Commission

From: *M.P. For A.M.*  
Angel Moore, P.E., City Engineer/Public Works Director

Date: December 6, 2024

RE: Administrative Subdivision – 0.67 +/- acres located at 3302 Summerville Rd.

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



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

**STEVE BAILEY**  
Councilmember District 1

**EDDIE N. LOWE**  
Mayor

**VICKEY F. CARTER**  
Councilmember District 2

**ARTHUR L. DAY, JR.**  
Councilmember District 3

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

## Item No. 8

**Type of Request: Waiver**

### General Information

<b>Applicant:</b>	Michael S. Bowden
<b>Surveyor of Record:</b>	Barrett-Simpson, Inc.
<b>Site Location:</b>	298 Lee Rd. 451
<b>Acreage:</b>	0.33 +/- acres
<b>Number of Lots:</b>	From 1 lot to 2 lots
<b>Current Zoning:</b>	None (Planning Jurisdiction)
<b>Current Use of Property:</b>	Vacant
<b>Proposed Use of Property:</b>	Single Family Residential for Lot 63A
<b>District:</b>	None
<b>Survey Plat:</b>	Attached
<b>City Services:</b>	Phenix City Water & Sewer

### Staff Comments

None.

### Engineer/Owner Comments

None.

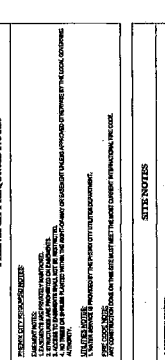
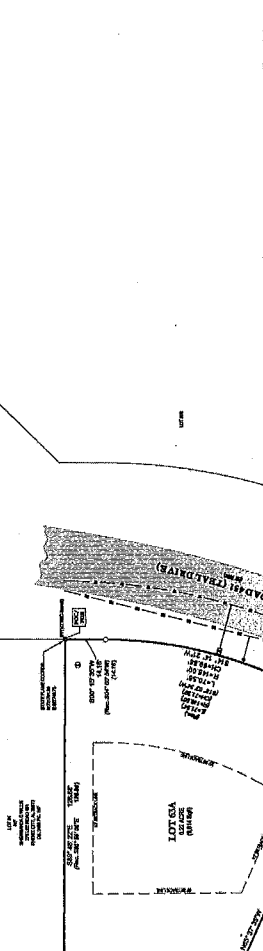
**PLAT OF PROPERTY DIVISION FOR  
MICHAEL S. BOWDEN  
LOT 63, MALLARD CREEK, PHASE II  
LOCATED IN SECTION 7, TOWNSHIP 17 NORTH, RANGE 30 EAST  
LEE COUNTY, ALABAMA**

Rec'd 11-26-04  
11am

THIS PLAT WAS PREPARED BY MICHAEL S. BOWDEN, A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF ALABAMA, AND IS SUBJECT TO THE JURISDICTION OF THE BOARD OF PROFESSIONAL SURVEYORS OF THE STATE OF ALABAMA.

**RECORDING INFORMATION**

THIS PLAT WAS PREPARED BY MICHAEL S. BOWDEN, A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF ALABAMA, AND IS SUBJECT TO THE JURISDICTION OF THE BOARD OF PROFESSIONAL SURVEYORS OF THE STATE OF ALABAMA.



**CERTIFICATIONS**

I, MICHAEL S. BOWDEN, A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF ALABAMA, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY AND THAT I AM NOT PROVIDING ANY CONCEALED INFORMATION TO ANY PARTY.

**GENERAL NOTES**

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

2. ALL BEARINGS ARE TRUE BEARINGS.

3. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR IRON BOLTS.

4. ALL DIMENSIONS ARE TO BE TAKEN TO THE CENTER OF THE LOT.

**NOTES RECORDED LOT 63**

1. THE SURVEY WAS MADE BY MICHAEL S. BOWDEN, A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF ALABAMA, ON 11/26/04.

2. THE SURVEY WAS MADE FOR THE PURPOSE OF DIVIDING LOT 63 INTO TWO LOTS, LOT 63A AND LOT 63B.

3. THE SURVEY WAS MADE IN ACCORDANCE WITH THE ALABAMA SURVEYING ACT.

**SURVEYOR'S NOTES**

1. THE SURVEY WAS MADE BY MICHAEL S. BOWDEN, A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF ALABAMA, ON 11/26/04.

2. THE SURVEY WAS MADE FOR THE PURPOSE OF DIVIDING LOT 63 INTO TWO LOTS, LOT 63A AND LOT 63B.

3. THE SURVEY WAS MADE IN ACCORDANCE WITH THE ALABAMA SURVEYING ACT.

**LEGEND**

1. LOT 63A (1.00 AC)

2. LOT 63B (1.00 AC)

3. LOT 64 (1.00 AC)

4. LOT 65 (1.00 AC)

5. EASEMENT

6. BOUNDARY

7. CORNER

8. ROAD

9. CREEK

10. FENCE

11. UTILITY

12. ETC.

**SUBJECT'S INFO**

NAME: MICHAEL S. BOWDEN  
ADDRESS: 1234 5th Street, N. Lee County, AL 36901  
PHONE: 334-123-4567  
E-MAIL: m.bowden@leeal.com

**SUBJECT'S CERTIFICATES**

I, MICHAEL S. BOWDEN, HEREBY CERTIFY THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

**RECORDING INFORMATION**

THIS PLAT WAS PREPARED BY MICHAEL S. BOWDEN, A PROFESSIONAL SURVEYOR LICENSED IN THE STATE OF ALABAMA, AND IS SUBJECT TO THE JURISDICTION OF THE BOARD OF PROFESSIONAL SURVEYORS OF THE STATE OF ALABAMA.

**LEGEND**

1. LOT 63A (1.00 AC)

2. LOT 63B (1.00 AC)

3. LOT 64 (1.00 AC)

4. LOT 65 (1.00 AC)

5. EASEMENT

6. BOUNDARY

7. CORNER

8. ROAD

9. CREEK

10. FENCE

11. UTILITY

12. ETC.

**LEGEND**

1. LOT 63A (1.00 AC)

2. LOT 63B (1.00 AC)

3. LOT 64 (1.00 AC)

4. LOT 65 (1.00 AC)

5. EASEMENT

6. BOUNDARY

7. CORNER

8. ROAD

9. CREEK

10. FENCE

11. UTILITY

12. ETC.



**Request for Waiver**

**Name of Applicant(s):** Michael S. Bowden

**Name of Engineering Firm (If Applicable):** Barrett-Simpson, Inc.

**Owner Information:**

**Name:** Michael S. Bowden

**Address:** 1217 7th Avenue, Phenix City, AL 36867

**Phone:** 334-297-7777

**Email:** mbowden7@aol.com

**Location of Property:** Lot 63, Mallard Creek, Phase II

**State in Detail Why a Waiver Is Being Requested:**

In the course of surveying Lot 63 it was discovered the residence built on Lot 62, Mallard Creek, Phase II was built across the North property line onto Lot 63, Mr. Bowden's property. We reported this to Mr. Bowden. Mr. Bowden contacted his attorney Mr. William J. Benton, Jr. to pursue contacting Mr. Calvin Mosley the homeowner on Lot 62. At this point Mr. Bowden and Mr. Benton have exhausted all means to persuade Mr. Calvin Mosley to acknowledge the error made by the contractor/builder of his home and agree to a compromise of a Property Re-Division(Re-Plat) to adjust the property line to clear up this error. Mr. Bowden is proposing a Re-Plat of his Lot 63 dividing it into two parcels to clear up the encroachment so that he may move forward with constructing a new residence for sale on the remainder of his lot. This replat would divide off a portion of Lot 63 with the encroachment from Mr. Mosley's residence located on this parcel. It however creates a parcel without the required road frontage according to Lee County Subdivision Regulations.

**State Facts Upon Which The Waiver Is Relying Upon:**

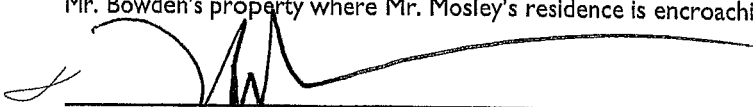
Without the approval of this waiver and a replat of Lot 63, Lot 63 cannot be used to construct a new residence or be sold because of the encroachment from Lot 62. After surveying the property Barrett-Simpson, Inc and Mr. Benton have exhausted all known remedies to allow Mr. Bowden to use his property for the sale and/or construction of a new residence on his property. Mr. Bowden is asking for this waiver to remedy this matter.

**List Any Attachments To This Petition:**

Plat of Property Division for Michael S. Bowden, Lot 63, Mallard Creek, Phase II

**Provide A Short Explanation On Why You Believe The Waiver Should Be Approved:**

This is a unique situation where the original contractor built the residence for Lot 62 over the property line onto Lot 63 and the original mortgage company did not require an as-built mortgage survey before closing. The encroachment from Lot 62 onto Lot 63 is more than a mere inconvenience, as it has resulted in at least one loss of a sales contract for this lot. Without this variance Lot 63 is rendered unsellable. This waiver and the proposed replat allows Mr. Bowden & Mr. Mosley to possibly later to negotiate for the purchase of the portion of Mr. Bowden's property where Mr. Mosley's residence is encroaching.

  
\_\_\_\_\_  
**Signature of Owner**

\_\_\_\_\_  
**Date**

\* Include documentation verifying proof of ownership of the property for which the waiver is being requested.

**MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, NOVEMBER 13, 2024**

The Lee County Commission convened an organizational session at the Courthouse in Opelika, Alabama, Wednesday, November 13, 2024 pursuant to *Code of Alabama* §11-3-1. The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Doug Cannon, Ross Morris, Tony Langley, and Richard LaGrand. Elected officials in attendance: Opelika Mayor Gary Fuller, City Council President Eddie Smith, Sheriff Jay Jones, Revenue Commissioner Oline Price and Coroner Daniel Sexton. News media in attendance: Opelika-Auburn news reporter Alex Husting.

Judge English had the honor of swearing-in of new Commissioner Jeff Drury and returning Commissioners Doug Cannon and Richard LaGrand. Commissioner Drury was joined by his wife Susan, who held the family Bible, and his children for his swearing-in. Commissioner Cannon was joined by his wife Amanda and their grandchildren who held the family Bible for his swearing-in. Judge English then performed the swearing-in of Commissioner Richard LaGrand who was joined by his wife Katie and a friend holding the Bible for the memorable occasion. Commissioner Drury joined the others on the bench.

Judge English gave an update on the General and Constitutional Election held Tuesday, November 5, 2024. He said it was the lowest turnout for a Presidential election in 24 years at 54.5%. Judge English said he does not do it alone; that it involves many county employees and recognized IT Director Amanda Sides and her staff; Maintenance Director Jerry Lynch and his staff. Judge English said Mrs. Sides and her staff worked for about a month getting the poll books ready for the election. He said the maintenance department handles delivery of the voting machines, tables, chairs and supply boxes with the election materials to all the 25 precincts in the county on the days leading up to the election and recovers them promptly beginning the day afterwards. Judge English said he would be remiss not to recognize all the poll workers who work a 14-hour plus day on Election Day for a mere \$125, saying most do it because they feel a sense of civic duty, not for the money. Judge English said his staff helped by answering the phones on election day, and three worked election night handling the incoming returns. He said all in all the election went well with only a few hitches. Judge English asked for a show of hands from audience members who voted in the morning, with several raising their hands, saying that based on the morning turnout he was concerned but as the day went on the lines evened out. Judge English also recognized the work of the Board of Registrars saying they register and remove voters and said if anyone has any concerns over their voter registration, to contact them. Last, but not least, he thanked Sheriff Jones, saying his deputies were fully deployed, working traffic and security during the day and then assisting poll workers in closing down the poll pads. Once finished, they return closing materials from each of the 25 precincts. Judge English said there were a total of 134,144 registered voters. Judge English said he, Sheriff Jones and Circuit Clerk Mary Roberson finished counting provisional votes yesterday. Commissioner Cannon thanked everyone involved in making the election successful. Commissioner LaGrand thanked

**MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, NOVEMBER 13, 2024**

all of the poll workers saying he would like to find a way to increase the poll worker pay. Judge English recognized the next Probate Judge Jere Colley and new District Judge Samantha Copelan who were in attendance.

Next, EMA Director Rita Smith said a new requirement by the Commission Office is to notify the Commissioners of any grants. Mrs. Smith said they were awarded a Homeland Security grant totaling \$174,672 for new LED light towers. Mrs. Smith said the units are trailer mounted and combined with a diesel generator. The units will provide lighting support during future elections at polling locations, preplanned events, and on emergency scenes. Mrs. Smith said the department plans to purchase 10-12 units with the exact number determined by the cost on the final quote. Mrs. Smith said they will strategically place the lights at volunteer fire departments to help with rapid response saying the units have security and a locking mechanism on them. Mrs. Smith said no action is needed tonight; it is just to inform the Commission.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: listings of claims, procurement card transactions listing and a copy of the October 28, 2024 minutes. Additionally, an updated listing of claims for ratification was presented prior to the meeting. Commissioner Cannon made a motion, seconded by Commissioner Morris, to approve the consent agenda items as provided. The motion carried on a vote of 4-1 with Commissioner Drury abstaining.

Under Old Business, Mrs. Smith said the contract with First Due was reviewed by County Attorney Stan Martin and the Commission should have a copy of the latest revision. Mrs. Smith said Mr. Martin had concerns over Item #18 saying First Due would not remove it. Mr. Martin said Item #18 references limited liability, saying he has a general objection to it but does not feel that the county will be sued over the contract. Mrs. Smith deferred discussion of the contract to EMA Deputy Director Austin Jones saying Mr. Jones will be able to explain the details better. Mr. Jones said it is management software which will be used by all the volunteer fire departments. Mr. Jones said the departments will be able to monitor hydrant maintenance and share information among participating departments. He added that this will be the first time all agencies will be on the same platform, saying some departments were using outdated software and some were using paper and pen. Commissioner Drury questioned if the \$10,300 is a one-time cost. Mr. Jones said it is for the software system initial integration and includes training. Mr. Jones said each department will receive one-on-one training including the EMA staff. Commissioner Drury questioned if it is cloud based. Mr. Jones concurred. Commissioner Langley said it will be a great tool especially with all the departments utilizing one platform. Mrs. Smith added that the Commission Office issued a purchase order for the software on October 8. Commissioner Cannon made a motion, seconded by Commissioner Langley, to authorize the Chairman to sign the contract with First Due. The motion carried on a vote of 4-1

**MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, NOVEMBER 13, 2024**

with Commissioner LaGrand voting “No”.

Next, Mrs. Smith asked the Commission to table the item to the next agenda concerning a one-time supplement for her deployment. Commissioner Cannon made a motion, seconded by Commissioner Morris to table the item. The motion carried unanimously.

Judge English stated that the Commission’s regular meeting schedule has to be set after the election of any commissioners according to *Code of Alabama* §11-3-8(a). Commissioner Morris made a motion to continue the meeting schedule at 5:00 pm on the second and last Monday of each month, as occasionally adjusted by the holiday schedule. The motion was seconded by Commissioner LaGrand and carried unanimously.

Sheriff Jones presented a retail beer license application from Store 109 located in District 3. Sheriff Jones said no objections have been noted for the transfer of the license. Commissioner Drury made a motion, seconded by Commissioner LaGrand to approve the following Resolution approving the retail beer license application for Store 109 as presented.

**BE IT RESOLVED** the Lee County Commission hereby approves the retail beer license for Store 109 located at 10780 Lee Road 240, Phenix City, Alabama.

Next, Sheriff Jones presented an educational reimbursement request from Deputy Hayden Greenlee. Sheriff Jones said the three courses: Introduction to Physical Security (HLS 2302), Weapons of Mass Destruction (HLS 3301) and Leadership (LDR 3301) have been reviewed and pertain to his current position. Commissioner Langley made a motion, seconded by Commissioner Morris to approve the educational reimbursement request as presented. The motion carried unanimously.

Lee-Russell Council of Governments Director of Planning and Economic Development David Robison appeared to ask the Commission to appoint a commission representative to the Rural Planning Organization. Mr. Robison said it includes the eastern and western parts of Lee County. Mr. Robison said the center portion is under the Metropolitan Planning Organization and Commissioner Morris is the appointed representative for that area. Commissioner Cannon said he would like to appoint Commissioner Drury to that position. Mr. Robison said District 3 falls under the Columbus-Phenix City MPO, not this RPO’s jurisdiction. Judge English said former Commissioner Harris was appointed to it and questioned if Commissioner LaGrand would be willing to serve. Commissioner LaGrand questioned how many times the board meets. Mr. Robison said at most a few times a year. Commissioner Cannon made a motion, seconded by Commissioner Morris to appoint Commissioner LaGrand to serve as the Commission representative on the Rural Planning Organization. The motion carried unanimously.

**MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, NOVEMBER 13, 2024**

Chief Administrative Officer Holly Leverette presented a contract award for the ventilation project in the Probate Office deed room. Mrs. Leverette said ARPA funds may be used for ventilation projects designed to mitigate and prevent COVID-19 in public buildings. The Lee County Commission has identified, with assistance from an independent consultant, an eligible COVID-19 ventilation project at the Lee County Courthouse specifically in the deed room. An RFP was released in accordance with Treasury guidelines for expending these funds. Aircon Mechanical, LLC was the only contractor that submitted a proposal in response, which has been reviewed by the architect of record and is in compliance with the County's request. The proposal in the amount of \$40,350 plus the costs of testing associated with the construction project in the amount of \$1,250 for a total project cost of \$41,600. Commissioner Cannon made a motion, seconded by Commissioner Morris, to authorize the Chairman to sign the following Resolution to allocate \$41,600 in American Rescue Plan Act Funds for governmental services and to award the contract to Aircon Mechanical, LLC for \$40,350 for the deed room ventilation project as presented. The motion carried unanimously.

**RESOLUTION TO AWARD CONTRACT  
FOR DEED ROOM VENTILATION PROJECT AND FOR THE ALLOCATION AND  
EXPENDITURE OF AMERICAN RESCUE PLAN ACT FUNDS**

**WHEREAS**, Lee County, Alabama (the "County") has received American Rescue Plan Act fiscal recovery funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

**WHEREAS**, ARPA funds may be used for ventilation projects designed to mitigate and prevent COVID-19 in public buildings ("eligible COVID-19 ventilation projects"); and

**WHEREAS**, the Lee County Commission (the "Commission") has identified, with assistance from an independent consultant, an eligible COVID-19 ventilation project at the Lee County Courthouse ("the project"); and

**WHEREAS**, the County engaged an architect to provide design services in furtherance of the Project; and

**WHEREAS**, as part of the design of the Project, the County engaged Aircon Mechanical, LLC, to do a preliminary testing of the system, incurring a cost of \$1,250.00; and

**WHEREAS**, consistent with Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, codified as 2 U.S.C. Part 200, ("Uniform Guidance") for goods or services under the simplified threshold and the Alabama Public Works Law, codified in Title 39 of the Code of Alabama (1975), the County solicited quotes for construction services to make improvements to the ventilation system in the deed room located in the Lee County Courthouse consistent with CDC guidelines (the Project); and

**WHEREAS**, Aircon Mechanical, LLC was the only contractor that submitted a quote in response, which has been reviewed by the architect of record for compliance with the County's request; and

**WHEREAS**, the Commission has determined that using ARPA funds to cover the

**MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, NOVEMBER 13, 2024**

reasonable costs of the Project is a necessary, eligible, and reasonable use of these funds; and

**WHEREAS**, the County Commission is satisfied that the process and bid received was in substantial compliance with the Public Works Law.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION** as follows:

1) The Commission hereby allocates up to \$41,600 of the County's ARPA funds to cover costs associated with the construction of the Project, including \$1,250 for testing and \$40,350 for construction.

2) The Commission hereby accepts the quote of \$40,350 provided by Aircon Mechanical, LLC, and hereby awards Aircon Mechanical, LLC the contract to facilitate the construction of the eligible COVID-19 ventilation project defined herein.

3) The Commission further resolves to enter into a contract with Aircon Mechanical, LLC, in substantially the same format as provided in Addendum 1 hereto.

4) Upon the execution of the contract, the County Administrator is hereby authorized to expend ARPA funds consistent with the contract and this resolution in support of the Project.

5) Expenditure of the funds allocated herein shall be contingent on ongoing compliance with applicable state and federal procurement requirements, as well as the continued appropriation and availability of ARPA funds for this purpose. In no event shall funds allocated herein be used for any costs associated with the project that are not obligated on or before December 31, 2024 and expended on or before December 31, 2026.

**IN WITNESS WHEREOF**, the Lee County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 13<sup>th</sup> day of November, 2024.

Next, Mrs. Leverette presented a Customer Service Agreement for the Employee Assistance Program with AllOne Health. Mrs. Leverette said the Commission approved the employee assistance program as a new benefit for the 2025 benefits year. Mrs. Leverette said an employee assistance program (EAP) is a work-based intervention program designed to identify and assist employees in resolving personal problems (e.g. marital, financial or emotional problems; family issues; substance/alcohol abuse) that may be adversely affecting the employee's performance. Mrs. Leverette said the total cost is \$10,591.556 annually or \$1.89 per member per month with each employee receiving six free visits per year. Mrs. Leverette said the service includes everyone in a household whether the person is employed with the county or not. Mrs. Leverette said she and HR Director Lisa Ruffin reviewed several proposals from EAP providers and determined that AllOne Health can provide the services needed at this time. Additionally, Mrs. Leverette said Mr. Martin has reviewed the agreement and has the same concerns about mutual liability as he had with Mrs. Smith's contract. Mrs. Leverette recommended the Commission enter into the three-year agreement with AllOne Health as presented. Commissioner LaGrand said it would benefit all county employees. Commissioner LaGrand made a motion, seconded by Commissioner Morris, to authorize the Chairman to enter into a three-year Customer Service Agreement with AllOne Health as presented. The motion carried unanimously.



**MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, NOVEMBER 13, 2024**

County Engineer Justin Hardee presented final plat approval for Pecan Grove Subdivision. Mr. Hardee said the subdivision is located adjacent to Lee Road 246 in District 4. Mr. Hardee said the subdivision consists of eight lots with the smallest being 3.01 acres with no new infrastructure. Mr. Hardee said the subdivision meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations*. Mr. Hardee said adjacent property owners were notified of the development by letters sent out October 31, 2024, so they may attend and voice their support, opposition, or obtain more information. Mr. Hardee asked if anyone was in attendance on the matter. After no one answered, Commissioner Langley made a motion, seconded by Commissioner Drury, for final plat approval for Pecan Grove Subdivision. The motion carried unanimously.

Next, Mr. Hardee presented the replat of Parcels 5 and 6 in Deep South Subdivision for final plat approval. Mr. Hardee said the subdivision is located adjacent to Lee Road 278, a dirt road, in District 4. Mr. Hardee said the replat is for three lots with the smallest lot being 3.33 acres. Mr. Hardee said the subdivision meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations*. Mr. Hardee said adjacent property owners were notified of the development by letters sent out October 31, 2024, so they may attend and voice their support, opposition, or obtain more information. Mr. Hardee asked if anyone was in attendance and there was no response. Commissioner Langley questioned if a parent lot is being split into three lots. Mr. Hardee said two lots are being split into three. Commissioner Langley made a motion, seconded by Commissioner LaGrand, to approve the replat of Parcels 5 and 6 in Deep South Subdivision as presented. The motion carried unanimously.

Last, Mr. Hardee presented a subdivision variance request for Lot 63 of Mallard Creek Subdivision. Mr. Hardee said Michael Bowden, owner of the lot, requested the variance to the *Lee County Subdivision and Land Management Regulations*. Mr. Hardee said Mr. Bowden is requesting a variance to section 5-3-6 of the regulations. Specifically, they request a variance to the road frontage requirement, which requires lots to have frontage on and access from an existing state, county, or city road. As required in Section 8-1 of the *Lee County Subdivision and Land Development Regulations*, the County Engineer shall review the variance application and the circumstances and make a recommendation in writing to the Commission at a regularly scheduled meeting. Mr. Hardee said the situation involves a home that was built across property lines which Mr. Bowden has been trying to resolve for three years and documentation was provided to Mr. Hardee and was verified. Mr. Hardee said it is a unique situation and feels the variance request should be granted. Commissioner Drury said he met with the developer, who explained the situation to him. Commissioner Cannon questioned the year the house was built. Mr. Eubanks of Barrett-Simpson spoke saying the house was built around 2005-2006. Mr. Eubanks said they have had similar issues with about six homes built over property lines in this subdivision. Commissioner Drury made a motion, seconded by Commissioner Cannon, to grant the variance

**MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, NOVEMBER 13, 2024**

**request for Lot 63 of Mallard Creek Subdivision as presented. The motion carried unanimously.**

Information Technology Director Amanda Sides presented an Information Services Acceptance Use Policy for Commission review and consideration. Mrs. Sides said the Information Systems Acceptance Use Policy has been designed to ensure compliance with national standards and meet the Criminal Justice Information Services (CJIS) requirements for the Lee County Sheriff's Office. This policy applies to all employees who utilize Electronic Technology Resources, as defined within the policy. It will be distributed through the ThreatAdvice system for Lee County Commission employees and the PowerDMS system for Lee County Sheriff's Office employees. Commissioner Cannon made a motion, seconded by Commissioner Morris, to approve the Information Services Acceptance Use Policy as presented. The motion carried unanimously.

At approximately 6:00 p.m., Commissioner Cannon made a motion, seconded by Commissioner Langley to adjourn. The motion carried unanimously.





Lee 2099 Rd

Lee 2099 Rd

Lee 0451 Rd

Lee 0451 Rd

Lee 0451 Rd

Lee 0451 Rd

Lee 0451 Rd

Lee 0451 Rd





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

**STEVE BAILEY**  
Councilmember District 1

**EDDIE N. LOWE**  
Mayor

**VICKEY F. CARTER**  
Councilmember District 2

**ARTHUR L. DAY, JR.**  
Councilmember District 3

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

# MEMORANDUM

**To:** Planning Commission  
**From:** *M.A.M.*  
Angel Moore, P.E., City Engineer/Public Works Director  
**Date:** December 6, 2024  
**RE:** Waiver Request – 0.33 +/- acres located at 298 Lee Rd. 451

The above referenced Waiver Request has been reviewed by the 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, given the unique circumstances surrounding this situation and the variance granted by the Lee County Commission, staff does not have any objection to this waiver request.



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Director of Engineering / Director of Public Works

## Item No. 9

### Type of Request: Administrative Subdivision

#### General Information

<b>Applicant:</b>	Michael S. Bowden
<b>Surveyor of Record:</b>	Barrett-Simpson, Inc.
<b>Site Location:</b>	298 Lee Rd. 451
<b>Acreage:</b>	0.33 +/- acres
<b>Number of Lots:</b>	From 1 lot to 2 lots
<b>Current Zoning:</b>	None (Planning Jurisdiction)
<b>Current Use of Property:</b>	Vacant
<b>Proposed Use of Property:</b>	Single Family Residential for Lot 63A
<b>District:</b>	None
<b>Survey Plat:</b>	Attached
<b>City Services:</b>	Phenix City Water & Sewer

#### Staff Comments

None.

#### Engineer/Owner Comments

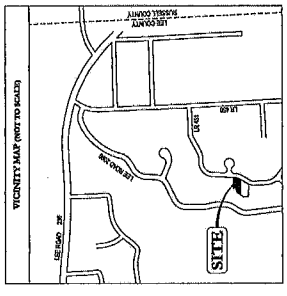
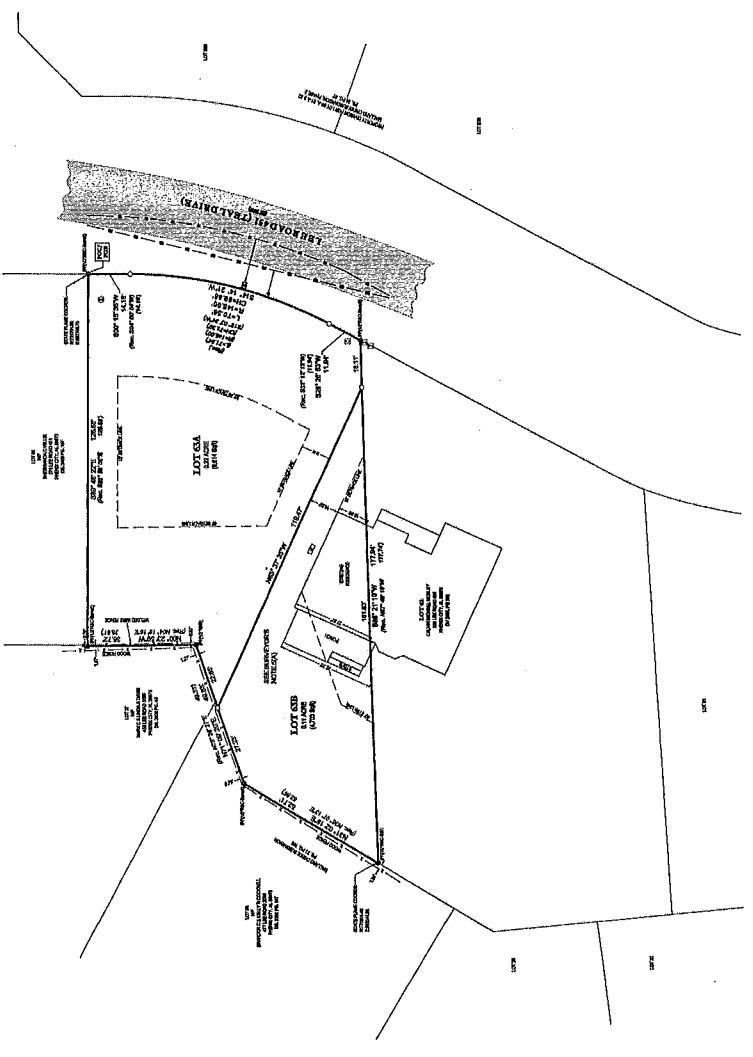
None.

**PLAT OF PROPERTY DIVISION FOR  
MICHAEL S. BOWDEN  
LOT 63, MALLARD CREEK, PHASE II  
LOCATED IN SECTION 7, TOWNSHIP 17 NORTH, RANGE 30 EAST  
LEE COUNTY, ALABAMA**

PC88 11-26-84  
11am

RECORDING INFORMATION

THIS PLAT WAS PREPARED BY MICHAEL S. BOWDEN, SURVEYOR, AND WAS RECORDED AT THE OFFICE OF THE COUNTY CLERK OF LEE COUNTY, ALABAMA, ON NOVEMBER 26, 1984.



**MICHIGAN CITY REQUIRED NOTES**

1. THE PROPERTY LOCATED ON THIS PLAT IS THE PROPERTY OF MICHAEL S. BOWDEN, SURVEYOR, AND WAS RECORDED AT THE OFFICE OF THE COUNTY CLERK OF LEE COUNTY, ALABAMA, ON NOVEMBER 26, 1984.

**SITE NOTES**

1. THE PROPERTY LOCATED ON THIS PLAT IS THE PROPERTY OF MICHAEL S. BOWDEN, SURVEYOR, AND WAS RECORDED AT THE OFFICE OF THE COUNTY CLERK OF LEE COUNTY, ALABAMA, ON NOVEMBER 26, 1984.

**NOTE REGARDING LOT 63**

THE LOT 63 IS THE PROPERTY OF MICHAEL S. BOWDEN, SURVEYOR, AND WAS RECORDED AT THE OFFICE OF THE COUNTY CLERK OF LEE COUNTY, ALABAMA, ON NOVEMBER 26, 1984.

**SURVEYOR'S NOTES**

1. THE SURVEY WAS MADE BY MICHAEL S. BOWDEN, SURVEYOR, AND WAS RECORDED AT THE OFFICE OF THE COUNTY CLERK OF LEE COUNTY, ALABAMA, ON NOVEMBER 26, 1984.

**LEGEND**

1. BOUNDARY LINE

2. SURVEYOR'S NAME

3. DATE OF SURVEY

4. COUNTY

5. TOWNSHIP

6. RANGE

7. SECTION

8. LOT

9. AREA

10. BEARING

11. DISTANCE

12. CURVED DISTANCE

13. AREA OF CURVED DISTANCE

14. AREA OF LOT

15. AREA OF SECTION

16. AREA OF TOWNSHIP

17. AREA OF RANGE

18. AREA OF SECTION

19. AREA OF LOT

20. AREA OF SECTION

21. AREA OF TOWNSHIP

22. AREA OF RANGE

23. AREA OF SECTION

24. AREA OF LOT

25. AREA OF SECTION

**BARRETT-SIMPSON, INC.**  
SURVEYORS

1000 W. WASHINGTON STREET, SUITE 100  
MONTGOMERY, ALABAMA 36102

TEL: (205) 261-1111  
FAX: (205) 261-1112

DATE OF SURVEY: 11/26/84  
COUNTY: LEE  
TOWNSHIP: 17 NORTH  
RANGE: 30 EAST  
SECTION: 7  
LOT: 63





Lee 2099 Rd

Lee 2099 Rd

Lee 0451 Rd

Lee 0451 Rd

Lee 0451 Rd

Lee 0451 Rd

Lee 0451 Rd

Lee 0451 Rd



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

**STEVE BAILEY**  
Councilmember District 1

**EDDIE N. LOWE**  
Mayor

**VICKEY F. CARTER**  
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WALLACE B. HUNTER, City Manager  
SHANNON DAVIS, City Clerk  
ANGEL MOORE, P.E., City Engineer  
Director of Engineering / Director of Public Works

## MEMORANDUM

To: Planning Commission

From: *M.P. For A.M.*  
Angel Moore, P.E., City Engineer/Public Works Director

Date: December 6, 2024

RE: Administrative Subdivision – 0.33 +/- acres located at 298 Lee Rd. 451

---

The above referenced Administrative Subdivision has been reviewed by the Building, Utilities, Fire, and Engineering Departments and does not meet the requirements of Article IV, 5B which states that every lot shall abut a dedicated public street. However, a waiver request was submitted for a variance from this requirement. Staff has no issue with approval of the subdivision as submitted.



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

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Director of Engineering / Director of Public Works

## Item No. 10

**Type of Request: Rezone**

### General Information

<b>Applicant:</b>	Silver Terrace, LLC, owner
<b>Surveyor of Record:</b>	Barrett-Simpson, Inc.
<b>Site Location:</b>	Intersection of Silver Lake Dr. and Explorer Rd.
<b>Acreage:</b>	0.69 +/- acres
<b>Current Zoning:</b>	R-1 Low Density Residential
<b>Proposed Zoning Classification:</b>	R-1B Low Density Residential
<b>Current Use of Property:</b>	Vacant
<b>Proposed Use of Property:</b>	As allowed by R-1B Zoning
<b>District:</b>	One (1)
<b>Survey Plat:</b>	Attached
<b>City Services:</b>	Phenix City Water, Sewer, Streets & Drainage, Fire, Police

### Staff Comments

- Based on the 2023 Comprehensive Plan, the subject area is shown on the Future Land Use plan as low density residential.
- Given its location and the configuration of the intersection at Silver Lake Dr. and Explorer Rd., this property will only be allowed one driveway access onto Silver Leaf Loop.

### Engineer/Owner Comments

None







R-1B

R-1

R-1

Silver Lake Dr

Silver Lake Dr

Silver Lake Dr

Silver Lake Dr

Lakewood Park Dr

Silver Lake Dr





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

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ANGEL MOORE, P.E., City Engineer  
Director of Engineering / Director of Public Works

## MEMORANDUM

To: Planning Commission

From: *M.P. FOR A.M.*  
Angel Moore, P.E., City Engineer/Public Works Director

Date: December 6, 2024

RE: Acceptance of Rezone – 0.69 +/- acres located at the intersection of Silver Lake Dr. & Explorer Rd.

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The above referenced Rezone is under review by the Building, Utilities, Fire, and Engineering Departments. It is the recommendation of City Staff that this rezone be accepted for consideration by the Planning Commission.



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

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

## Item No. 11

### Type of Request: Annexation

#### General Information

<b>Applicant:</b>	BC Stone Homes for George Uwanawich
<b>Surveyor of Record:</b>	Harris-Gray, LLC
<b>Site Location:</b>	3794 US Hwy 431 N
<b>Acreage:</b>	0.43 +/- acres
<b>Proposed Zoning Classification:</b>	C-4 Highway Commercial
<b>Current Use of Property:</b>	Existing Dwelling
<b>Proposed Use of Property:</b>	Commercial Business (Office)
<b>District:</b>	One (1)
<b>Survey Plat:</b>	Attached
<b>City Services:</b>	Phenix City Water, Fire, Police

#### Staff Comments

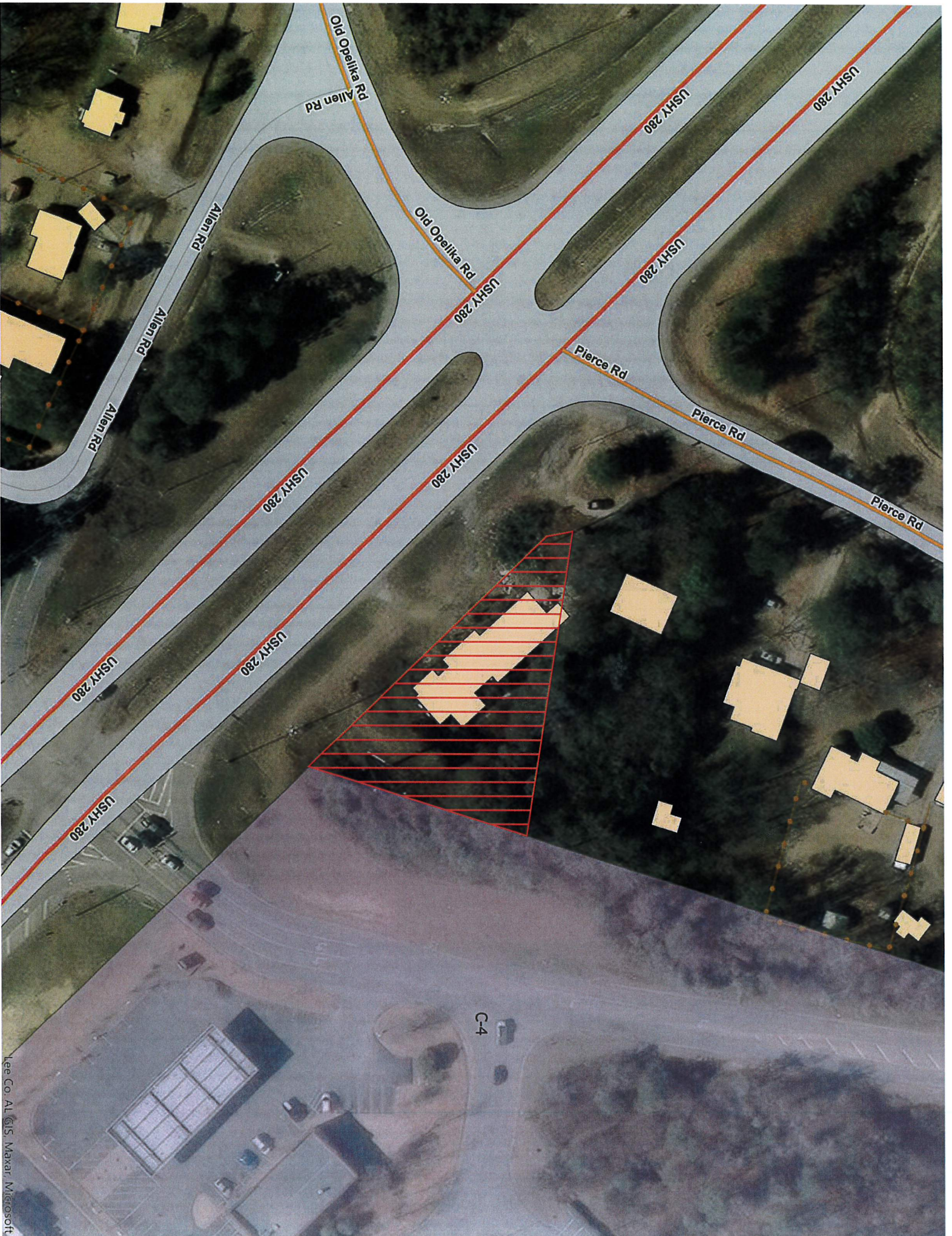
- Based on the 2023 Comprehensive Plan, the subject area is shown on the Future Land Use plan as highway commercial.
- The City currently has a moratorium on annexations, however, Mr. Stone went before City Council and was granted permission to move forward with this request.

#### Engineer/Owner Comments

None











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

**STEVE BAILEY**  
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Councilmember District 3

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SHANNON DAVIS, City Clerk  
ANGEL MOORE, P.E., City Engineer  
Director of Engineering / Director of Public Works

## MEMORANDUM

To: Planning Commission

From: *M.P. FOR A.M.*  
Angel Moore, P.E., City Engineer/Public Works Director

Date: December 6, 2024

RE: Acceptance of Annexation Request – 0.43 +/- acres located at 3794 US Hwy 431 N

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The above referenced Annexation request is under review by the Building, Utilities, Fire, and Engineering Departments. It is the recommendation of City Staff that this annexation request be accepted for consideration by the Planning Commission.



**PHENIX CITY**

*Alabama*

DEPARTMENT OF  
**ENGINEERING / PUBLIC WORKS**

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

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

**STEVE BAILEY**  
Councilmember District 1

**EDDIE N. LOWE**  
Mayor

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Councilmember District 3

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Director of Engineering / Director of Public Works

## Item No. 12

**Type of Request: De-annexation**

### General Information

<b>Applicant:</b>	Kelvin Perkins
<b>Surveyor of Record:</b>	Barrett-Simpson, Inc.
<b>Site Location:</b>	Off of Misty Forrest Dr.
<b>Acreage:</b>	4.78 +/- acres
<b>Current Zoning Classification:</b>	A-1 Low Density Residential and General Agricultural
<b>Current Use of Property:</b>	Vacant
<b>Proposed Use of Property:</b>	Residential
<b>District:</b>	Three (3)
<b>Survey Plat:</b>	Attached
<b>City Services:</b>	Phenix City Fire, Police

### Staff Comments

None

### Engineer/Owner Comments

None











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

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Councilmember District 3

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ANGEL MOORE, P.E., City Engineer  
Director of Engineering / Director of Public Works

## MEMORANDUM

To: Planning Commission

From: *M.F. For A.M.*  
Angel Moore, P.E., City Engineer/Public Works Director

Date: December 6, 2024

RE: Acceptance of De-annexation Request – 4.78 +/- acres located along Misty Forrest Dr.

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The above referenced application for de-annexation is under review by the Building, Utilities, Fire, and Engineering Departments. It is the recommendation of City Staff that this de-annexation request be accepted for consideration by the Planning Commission.



**PHENIX CITY**

*Alabama*

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## Item No. 13

**Type of Request: Preliminary Plat**

### General Information

<b>Applicant:</b>	Warr Development Company, Inc.
<b>Surveyor of Record:</b>	Strozier Services, LLC
<b>Site Location:</b>	Near the intersection of Lakewood Dr. & Summerville Rd.
<b>Acreage:</b>	2.31 +/- acres
<b>Number of Lots:</b>	7
<b>Current Zoning:</b>	R-1 Low Density Residential District
<b>Current Use of Property:</b>	Existing Home/Vacant
<b>Proposed Use of Property:</b>	Single-family Residential
<b>District:</b>	One (1)
<b>Survey Plat:</b>	Attached
<b>City Services:</b>	Phenix City Water & Sewer, Fire, Police, Streets & Drainage

### Staff Comments

None.

### Engineer/Owner Comments

None.







Summerville Rd

Summerville Rd

Summerville Rd

Summerville Rd

Summerville Rd

Lakewood Dr

Lakewood Dr

Lakewood Dr

Lakewood Dr

Iris Dr

Iris Dr

Iris Dr

43rd St

R-1

R-1

R-1

R-3

R-1

C-3

Lee Co. AI GIS MapServer Microsoft





**PHENIX CITY**

*Alabama*

DEPARTMENT OF  
**ENGINEERING / PUBLIC WORKS**

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

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

**STEVE BAILEY**  
Councilmember District 1

**EDDIE N. LOWE**  
Mayor

**VICKEY F. CARTER**  
Councilmember District 2

**ARTHUR L. DAY, JR.**  
Councilmember District 3

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

# MEMORANDUM

To: Planning Commission

From: *M.P. For A.M.*  
Angel Moore, P.E., City Engineer/Public Works Director

Date: December 6, 2024

RE: Recommendation of Preliminary Plat – 2.31 +/- acres located at the intersection of Lakewood Dr. & Summerville Rd.

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





**DR. R. GRIFF GORDY**  
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Director of Engineering / Director of Public Works

## Item No. 14

**Type of Request: Conditional Use**

### General Information

<b>Applicant:</b>	Joseph Lee Jordan
<b>Site Location:</b>	400 Brickyard Rd.
<b>Current Zoning:</b>	C-1 Core Commercial
<b>Current Use of Property:</b>	Vacant Business
<b>Proposed Use of Property:</b>	Event Venue
<b>District:</b>	Three (3)
<b>Survey Plat:</b>	Attached
<b>City Services:</b>	Phenix City Water, Sewer, Police, Fire, Streets & Drainage

### Staff Comments

All proposed businesses within the C-1 District are required to submit a Conditional Use Application.

### Engineer/Owner Comments

Owner has requested that this application be withdrawn from consideration.





Brickyard Rd

Brickyard Rd

Brickyard Rd

Brickyard Rd

Brickyard Rd

A/O

C

A/O



Christopher J. Casey, P.E.  
Civil Engineer  
City of Phenix City, Al  
1206 7th Avenue  
Phenix City, Al 36867

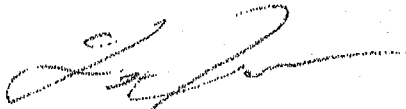
Good Afternoon Mr Casey,

This letter is to let you know that the contract for the purchase of 400 Brickyard Rd has been terminated and our petition for conditional use needs to be withdrawn.

Sorry for any inconvenience and we do appreciate the time and effort of the Economic Department.

We have included a copy of the termination and release.

Thank you,



Lee Jordan  
Blue Sky Realty



Sajdeep Ghotra





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ANGEL MOORE, P.E., City Engineer  
Director of Engineering / Director of Public Works

## MEMORANDUM

**To:** Planning Commission  
**From:** Angel Moore, P.E., City Engineer/Public Works Director  
**Date:** December 6, 2024  
**RE:** Conditional Use – 400 Brickyard Rd.

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The above referenced Conditional Use application has been reviewed by the Building, Utilities, Fire, and Engineering Departments. The applicant has requested that this application be withdrawn from consideration by the Planning Commission.