

City Hall  
Fayette, Alabama  
January 27, 2023

A special meeting of the City Council of the City of Fayette met at 12:00 o'clock, p.m. on January 27, 2023, in the Council Chambers of the City Hall.

Upon roll call the following were found to be present: Mayor Rod Northam, Councilmembers Virettia Whiteside, Eddy Campbell, Tommy Williams, Aliska Hughes-Monroe and Jerry Nichols. Also present were City Clerk Dawn Clapp, Police Chief Danny Jenkins, Fire Chief Shannon Taylor and City Attorney Dale Lawrence.

Also present were Mr. Bobby McCraw, Mr. Barrie Lowe, Mrs. Evelyn Howard, Mrs. Jerri Aldridge, Mr. C.T. Aldridge, Mr. John Cronkite, Mr. Brad Bull, Ms. Teresa Musgrove, Mrs. Amanda Olive, Mr. Russell Olive, Mr. Byron Long and Mrs. Lisa Long.

The opening prayer was given by Councilmember Tommy Williams.

The Pledge of Allegiance was led by Councilmember Tommy Williams.

Mayor Northam announced a quorum was present and the meeting was open for the transaction of business.

#### PUBLIC HEARING ON ZERO LOT LINE DEVELOPMENT

Mayor Northam stated this was the day and time scheduled for the public hearing on the zero lot line development proposed for 23<sup>rd</sup> Street NW.

Mr. Brad Bull, the developer, spoke to the Council concerning his proposed zero lot line development. He said there would be approximately 47 houses in the development with there being 3 to 4 houses per acre. He stated he plans to build two houses and once they sell, he would build more. Mr. Bull said the estimated average price for a house would be approximately \$177,000.00. The homes would be 1,100 to 1,300 square feet of heated living space with each having three bedrooms and two bathrooms. His expectation is that it will take seven to eight years to fill the 47 lots.

Mr. Bobby McCraw asked who was going to pay for the sewer. Fire Chief Shannon Taylor stated the developer would tap into the City's sewer. Chief Taylor said the developer would build the sewer to the City's specification and then at some point the City would take it over.

Mrs. Evelyn Howard asked several questions concerning the size of the lots and lot line requirements for each house.

Mr. Barrie Lowe expressed concern about the storm water runoff from the new development.

#### RESOLUTION 2023-02

Mayor Northam presented Resolution 2023-02 to the Council for their consideration. Resolution 2023-02 is as follows:

#### **RESOLUTION 2023-02**

#### **A RESOLUTION GRANTING TENTATIVE APPROVAL OF THE APPLICATION FOR A ZERO LOT LINE DEVELOPMENT TO BE LOCATED ON 23<sup>rd</sup> STREET NW, FAYETTE, ALABAMA**

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**THE PUBLIC WELFARE REQUIRING IT**, and under authority granted by the Code of Alabama, 1975, **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTE, AS FOLLOWS:**

1. That the City Council of the City of Fayette hereby grants tentative approval of the application submitted by Blue Creek Realty Group, LLC, Lisa Smith Long, Teresa Smith Musgrove and Patrick Simpson for a Zero Lot Line Development as set forth in Section 60.7 of the Zoning Ordinance of the City of Fayette, Alabama, adopted July 15, 1996.
2. That the proposed Zero Lot Line Development (single family homes) would be located on 23<sup>rd</sup> Street NW on the north side of said street near Houghton Acres and Northside Estates in Fayette, Alabama 35555 and is more particularly described as follows:

Commence at an iron stake located 9 feet North of the Southwest corner of the S ½ of the NW ¼, Section 29, Township 15 South, Range 12 West, Fayette County, Alabama, and run thence N 88°53'E a distance of 2406.5 feet to an iron stake located on the West edge

of the Fayette-Winfield Highway, also known and designated as U.S. Highway 43, this being the point of beginning of the tract of land herein conveyed; thence deflect an angle clockwise from back site of 100° 28' and run along the West right of way line a distance of 328.2 feet to an iron stake; thence run in a westerly direction 495 feet to an iron stake; thence run in a southeasterly direction a distance of 360.2 feet to an iron stake; thence deflect an angle clockwise from backsite of 116°30' and run for a distance of 275 feet to the point of beginning.

Commence at an iron stake located 9 feet North of the southwest corner of the S ½ of the NW ¼, Section 29, Township 15 South, Range 12 West, Fayette County, Alabama, and run thence N 88°53'E a distance of 2131.5 feet to an iron stake, which is the point of beginning of the tract of land herein conveyed; thence deflect an angle clockwise from backsite of 63°30' and run in a Northwesterly direction a distance of 540.3 feet to an iron stake; thence deflect an angle of clockwise from a backsite of 116°30' and run in a westerly direction a distance of 600 feet to an iron stake; thence deflect an angle clockwise from backsite of 86°17' and run in a southerly direction a distance of 161.7 feet to an iron stake; thence deflect an angle clockwise from backsite of 273°43' and run in a westerly direction a distance of 582 feet to an iron stake; thence deflect an angle of 86°17' and run in a southerly direction of 322.6 feet to an iron stake; thence deflect an angle of 93°43' and run in an easterly direction a distance of 1391 feet to the point of beginning.

LESS AND EXCEPT THE FOLLOWING. A part of said Lot #3 being more particularly described as follows: beginning at the SE corner of said Lot #3, run Northerly along the East line of said Lot # 3 for a distance of 128 feet; thence deflect an angle of 97° 45' left and run a distance of 370 feet to a point on the West lot line and 20 feet SE of the NW Lot Corner of said Lot #3; thence run in a Southwesterly direction along said west lot line for a distance of 160 feet to the SW corner of said Lot #3; thence run East along the South line of said Lot #3 for a distance of 275 feet to the point of beginning.

ALSO that strip of land lying between the West line of the above described Lot and the centerline of a big ditch near the East line of Lot #4 of the Fenton and Maggie Shirley lands.

AND FURTHER LESS AND EXCEPT: a strip of land 15 feet in width taken uniformly off the East side of said Lot #3 which was previously deed to Alabama State Highway Dept. for use as a right of way for U.S. Highway No. 43.

Said lots being part of the Fenton and Maggie Shirley lands, a survey of which is of record and on file in the Office of the Judge of Probate, Fayette County, Alabama, in old map book #1 at page 96. (Deed dated 09/03/15 and recorded in Book 2015, page 2540)

ALSO LESS AND EXCEPT: Description for a 1.81 acre parcel of land situated in the South ½ of the NW ¼ of Section 29, Township 15 South, Range 12 West, Fayette County, Alabama, being more particularly described as follows:

Commence at an iron pipe 9 feet North of the Southwest corner of the S ½ of the NW ¼, Section 29, Township 15 South, Range 12 West, Fayette County, Alabama; thence run S 88°11'55"E for a distance of 2393.72 feet to a point on the Western right of way of U.S. Highway No. 43; thence turn Northerly along said Highway No. 43 with an interior angle right of 100°39'19" for a distance of 128.00 feet to an iron pipe, said iron pipe being the Point of Beginning of said parcel; thence continue along the western right of way of U.S. Highway No. 43 for a distance of 200.15 feet to a ½" rebar; thence turn with an interior angle right of 79°32'38" for a distance of 484.21 feet to a 1/2" iron pipe; thence turn with an interior angle right of 64°12'40" for a distance of 198.65 feet to an axle; thence turn with an interior angle right of 118°37'58" for a distance of 361.91 feet to the point of beginning. Having a closing angle of 97°36'43". (Deed dated 02/04/16 and recorded in Book 2016, page 810).

ADOPTED this the 27<sup>th</sup> day of January, 2023.

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Mayor

ATTEST:

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City Clerk

Councilmember Hughes-Monroe moved the Council adopt Resolution 2023-02. Upon the motion being seconded by Councilmember Nichols, the same was unanimously adopted.

ADJOURNMENT

There being no further business to come before the Council, upon the motion to adjourn being made by Councilmember Whiteside and seconded by Councilmember Hughes-Monroe, it was unanimously approved.

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Mayor

Attest:

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City Clerk