

ATTACHMENT A

BIRMINGHAM PLANNING COMMISSION

CITY OF BIRMINGHAM

CERTIFIED COPY OF RESOLUTION

Case No.: S-13-02

Appellant: George M. Munchus

Subject: An appeal of the Subdivision Committee's conditional approval of a Preliminary Plat resurveying two acreage tracts into 65 lots to be called Clairmont Park.

Premises: A parcel of land situated in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27 and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, and the NW diagonal half of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, all in Township 17 South, Range 2 West, Jefferson County, Alabama.

COMMISSION ACTION:

WHEREAS, the Birmingham Planning Commission has reviewed the Subdivision Committee's resolution, dated May 8, 2002, conditionally approving a Preliminary Plat resurveying two acreage tracts into 65 lots to be called Clairmont Park; and

WHEREAS, said Planning Commission has reviewed and evaluated the appellant's major grounds for an appeal of Case No. S-13-02 as set forth in the letter dated May 14, 2002 marked "Received, Birmingham Planning Commission, May 16, 2002, Case No. S-13-02"; and

WHEREAS, the Birmingham Planning Commission has held a public hearing to hear the comments and opinions of all parties concerned regarding this case and has given careful and thoughtful consideration to all of the above cited information; now therefore

BE IT RESOLVED by the Birmingham Planning Commission that said Commission hereby concurs with and upholds the action of the Subdivision Committee in this case and further amends it to require that the applicant:

1. Revise the Preliminary Plat to delete Lots 1 through 5, as well as the section of 13th Avenue South proposed for construction west of the gated entrance to the private roadway leading into the subdivision, so as to designate these lands as a common area to be retained in their natural wooded state.
2. Revise the Preliminary Plat to relocate the northernmost detention pond to former Lot 5.
3. Submit a geotechnical report for the entire subject property.
4. Define and clarify the legal responsibilities of property owners relative to the two common areas identified on the Preliminary Plat.

STATE OF ALABAMA JEFFERSON COUNTY

I, W. Thomas Magee, Technical Advisor to the Birmingham Planning Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Birmingham Planning Commission at its meeting held on June 5, 2002.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Birmingham Planning Commission this the 10th day of June 2002.


