



**CITY OF OPELIKA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING AGENDA**

300 Martin Luther King Blvd.

March 11, 2025

TIME: 9:00 AM

1. VARIANCE

1. Mac Jones, authorized representative for Freedom Builders Inc., property owner, 825 Asheton Drive, R-3 zoning district, Requesting a 6.7 foot variance from the minimum 30-foot front yard setback requirement to construct a single family home.
2. Michael Maher, authorized representative for Hayley Investments LLC, property owner, R-2 zoning district, Requesting a setback variance for lots in the Arrowhead at Forest Hills Subdivision to a minimum of 15 feet front yard, 10 feet side yard, 30 feet rear yard and 15 feet side yard on street.

“In compliance with the Americans with Disabilities Act, the City of Opelika will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the ADA Coordinator 72 hours prior to the meeting at (334)705-5130.”



ZONING BOARD OF ADJUSTMENT MINUTES

300 Martin Luther King Blvd.

August 13, 2024

TIME: 9:00 AM

A. APPROVAL OF MINUTES

The City of Opelika Zoning Board of Adjustments held the regular meeting August 13, 2024 in the Meeting Chambers located at the Opelika Municipal Court, 300 MLK Boulevard. Certified letters were mailed out to all adjacent property owners for related issues for meeting dates.

MEMBERS PRESENT: Chairman Wilbert Payne, Mrs. Raven Harvis, Mr. Chris Anthony, Mrs. Angela George, Mrs. Micah Melnick, and Mr. Brandon Hilyer.

MEMBERS ABSENT: Mrs. Tipi Miller.

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mrs. Rachel Dennis, Planner
Mrs. Claire Barber, Planning and Zoning Technician

CALL TO ORDER: Chairman Payne called the meeting to order at 9:00 a.m.

ROLL CALL: Payne, Harvis, George, Melnick, Anthony, and Hilyer.

Approval of Zoning Board of Adjustment Minutes July 9, 2024

RESULT:	Passed
MOVER:	Angela George
SECONDER:	Raven Harvis
AYES:	Hilyer, Melnick, Harvis, George, Payne, Anthony
NAYS:	None
ABSTAIN:	None

B. VARIANCE

1. David Slocum, authorized representative for Kiwi, LLC, 1911 Century Blvd., Requesting a 13-foot side yard on street (Century Blvd) variance from the minimum 25-foot side yard on street requirement in a C-2, GC-P zoning district.

Mr. Mosley presented the staff report to the Zoning Board for the requested 13-foot side yard on street (Century Blvd) variance from the minimum 25-foot side yard on street requirement. He stated that a hardship is not present to provide that allows for staff to recommend a variance. The proposed variance would not impact adjoining neighbors or encroach into any easements. A 13-foot variance would provide the ability to keep the fully constructed patio area and exterior refrigerator with the addition of mature landscaping and other screening to screen the exterior refrigerator from Century Blvd. view. The rear (adjacent to residential) and side (Century Blvd.) landscape buffer is required to be installed as required by the zoning ordinance Landscape Regulations 10.6, D 1 & 2. Strictly enforcing the ordinance would require

the covered patio addition and exterior refrigerator to be removed.

Chairman Payne opened the public hearing.

Mrs. Harvis asked if the City was planning on putting sidewalks along there?

Mr. Mosley stated that at some point the City will probably look at sidewalks through there. He stated that sidewalks are typically put in the right-of-way or over the utility easement.

Mrs. George asked for insight on the freezer being outside.

Mr. Mosley stated that this is not uncommon. He stated that staff prefers for freezers to go on the back or the side that is not on the road, but that this site is built almost to the maximum extent possible and there isn't room in the back. He stated that it could be screened using several different options, but that landscaping was probably the best option in this case. He stated that originally the plans had a concrete patio and an awning, which would have been fine. He stated that the problem was the vertical structure. He noted that ABC requires a physical barrier for where alcohol sales can go.

Mrs. Melnick asked if this was a visibility issue or an aesthetic issue?

Mr. Mosley stated that it's not really a visibility issue. He stated that we typically maintain a separation between the road and the nearest building.

Mr. Hilyer asked if this would be an issue with the Fire or Police Department?

Mr. Mosley stated no. He stated that it is not close enough to another structure that fire would move from one structure to another.

David Slocum, authorized applicant, stated that this was a series of miscommunications and it was not intentional. He stated that originally there was a version of the landscape plan that the General Contractor gave to the landscape installer before the site was permitted, and he was never given an updated drawing after the site was permitted. He stated that the landscape installer now has the correct drawing and everything will be installed according to the plan. He stated that what they are proposing is, in addition to the landscaping that is on the approved landscape plan, to put 10-foot tall arborvitaes in front of the cooler. He stated that the cooler is about 8 feet tall, and the trees will be 10 feet from day one. He stated that the cooler has already been painted to match the building and the developer is willing to do what needs to be done in addition to this. He noted that there are still 25 feet of green space from the cooler to the street.

Chairman Payne closed the public hearing.

Motion to approve the 13-foot side yard on street (Century Blvd) variance subject to the addition of a 10-foot arborvitaes landscaping screen around the cooler and additional landscaping

RESULT: Passed

MOVER: Brandon Hilyer

SECONDER: Angela George

DISCUSSION: Mr. Hilyer asked if the arborvitaes would surround the cooler?

David Slocum stated yes they will.

Mrs. George asked if this was adjacent to residential?

Mr. Mosley stated that there is residential behind this. He stated that they still need to plant the back landscaping and that staff will ensure this happens.

AYES: Hilyer, Melnick, Harvis, George, Payne, Anthony

NAYS: None

ABSTAIN: None

2. Daryl Bledsoe, 1728 1st Avenue, C-2 zoning district, Requesting a 2 foot variance from the minimum 10-foot setback requirement from another structure for an accessory structure in the rear yard.

Mr. Mosley presented the staff report to the Zoning Board for the requested 2 foot variance from the minimum 10-foot setback requirement from another structure for an accessory structure in the rear yard. He stated that the setback variance request is not from a property line, therefore the request does not impact the adjacent property owner as much as the current situation. The carport was installed 17 feet from the nearest property line (side property line). Also, the 18x36 cover is not parallel to the house and therefore the entire side of the carport is not 8 feet from the house. The carport was installed at the end of the driveway perpendicular to the house. Therefore, the corner of the carport (as well as a one or two foot section of the side wall) is less than 10 feet from the house not the entire side wall, and the remaining side of the carport cover meets the minimum 10 foot setback.

He stated that moving an 18'x 36' structure two feet to meet minimum setbacks seems excessive and burdensome. Staff is inclined to recommend approval of this variance since the request does not involve less open space for the adjacent property owner. Due to the metal construction of the carport, it does not pose a building or fire code issue. (The carport is 100% metal, a noncombustible material, so the Building Code's minimum 10 foot separation requirement between two structures does not apply.) While there is no true hardship for this variance, staff does not feel the 2 foot variance from the minimum 10 foot setback from another structure would be detrimental in this case. In this case requiring additional separation between the structures would put the accessory structure slightly closer to the neighbor. While that would meet all codes, it may be a less desirable outcome for the adjoining property owner.

Chairman Payne opened the public hearing.

Daryl Bledsoe, applicant, stated that he hired someone to make sure everything was level so that everything would be ready. He stated that it was on a preexisting slab, and he thought everything was ready.

Mr. Anthony asked if he had heard back from the contractor?

Daryl Bledsoe stated that he has tried to contact him and hasn't heard back.

Mr. Mosley stated that staff has also tried to reach out to the contractor to make them aware of the requirements, but that staff hasn't heard back from them.

Chairman Payne closed the public hearing.

Motion to approve the 2 foot variance from the minimum 10-foot setback requirement from another structure for an accessory structure in the rear yard.

RESULT: Passed

MOVER:	Raven Harvis
SECONDER:	Brandon Hilyer
AYES:	Hilyer, Melnick, Harvis, George, Payne, Anthony
NAYS:	None
ABSTAIN:	None

C. ADJOURN

Motion to adjourn at 9:38 a.m.

RESULT:	Passed
MOVER:	Chris Anthony
SECONDER:	Angela George
AYES:	Hilyer, Melnick, Harvis, George, Payne, Anthony
NAYS:	None
ABSTAIN:	None

_____ Wilbert Payne, Chairman

_____ Matt Mosley, Secretary

CITY OF OPELIKA - BZA
STAFF REPORT
March 11, 2025

Applicant: Mac Jones, authorized representative for
Freedom Builders, Inc. property owner

Property: 825 Asheton Drive

Existing Zone: R-3

Request: Front Yard Setback Variance

The applicant desires to build a 2,707 square foot single family home on Lot 4 as shown on site plan. Lot 4 is 14,320 square feet in Asheton Village, a new 45 lot single family home subdivision (4 lots are open space lots). The subdivision was approved at the August 2024 Planning Commission meeting.; two building permits have been issued so far.

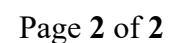
The 45 lot subdivision includes an existing 100' wide Alabama Power easement crossing through lots as shown on page 2 (site plan also in packet). Alabama Power prohibits a variance request for an easement encroachment for any type of permanent or temporary structure (home, sheds, gazebos, etc.).

The easement cuts across 9 lots. Four of the 9 lots (Lots 5, 10, 35, and 36) are labeled "open space" lots. The remaining 5 lots (Lots 3, 4, 6, 34, and 37) are buildable lots. Four of the 5 buildable lots meet all minimum lot size, lot width, and setback requirements; Lot 4 meets all lot requirements except for the minimum 30 foot front setback. The power easement on Lot 4 covers about 95% of the rear yard area; the rear corner of the proposed house is 1 foot from the power easement line. No structure, temporary or permanent, is allowed in the rear yard.

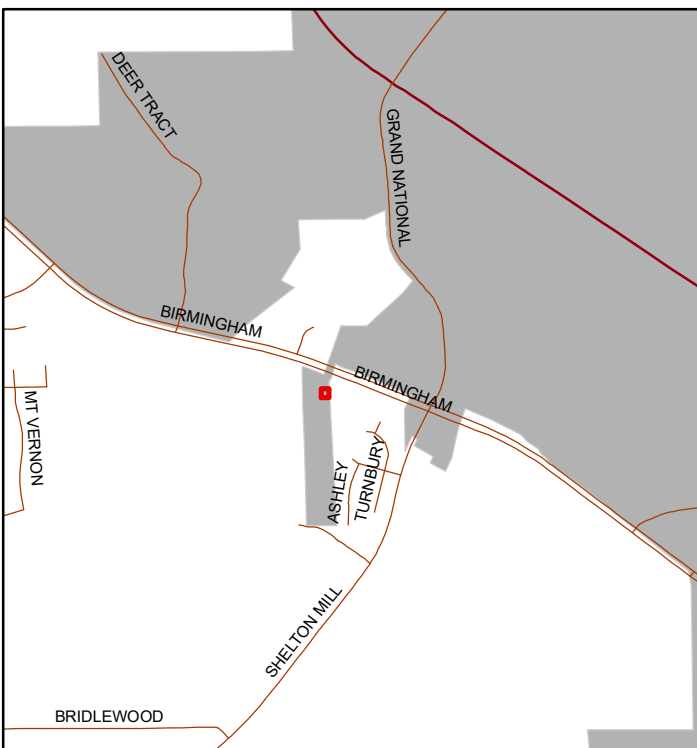
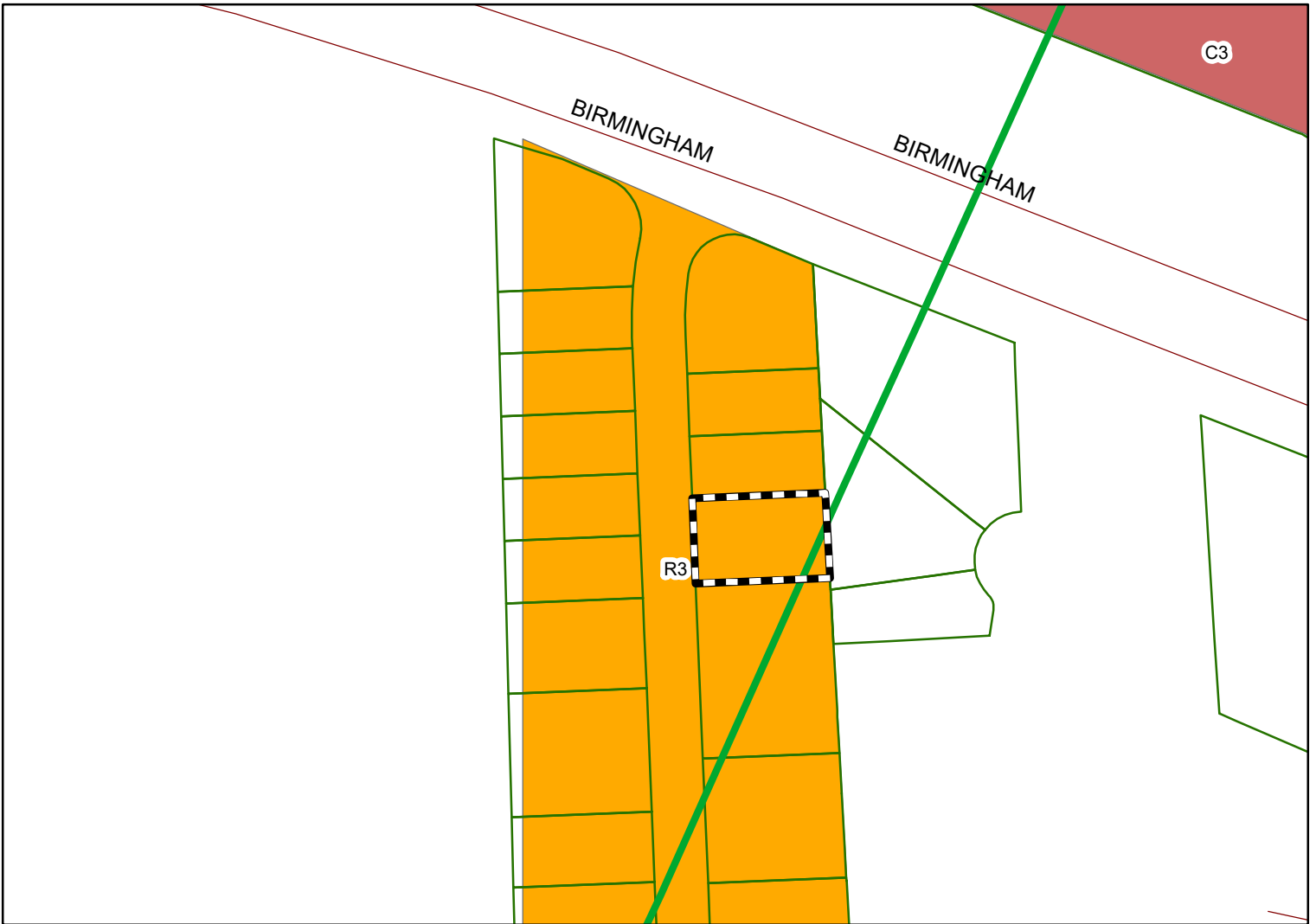
The applicant's original variance request for Lot 4 shows the house encroaching 6.7 feet into the minimum 30 foot setback, or the house is 23.3 feet from the front property line. There were concerns that the home would be too close to the front property line compared to other homes setback at the 30 foot minimum.

The applicant provided a smaller floor plan and revised the site plan. The variance request is now 3.7 feet. The applicant explained that if the 30 foot setback is required for Lot 4 then a much smaller home would be required. The concern is the smaller home would not meet the size, design, and value of the other 40 homes in the neighborhood. The home would have a lower price and obviously smaller compared to the other 40 homes. The applicant said a 3.7 foot variance is a smaller house than the other homes, but workable concerning the value and price of homes in the subdivision.

The 100' power easement crosses over nine lots in the 45 lot subdivision - four open space lots are unbuildable, five lots are buildable. The hardship is not created from physical features such as steep slopes or wetland areas that usually warrant a variance, but there are some unique conditions. (1) The subdivision was designed to avoid a variance because of the easement, and therefore the lay-out resulted in four lots labeled "open space" or unbuildable lots (totaling 1.2 acres). (2) The easement crosses over four of the five buildable lots and four lots meet the minimum lot area and setback requirements except for Lot 4. (3) The applicant revised the floor plan for Lot 4 to reduce the variance three feet from a 6.7 foot variance request to 3.7 foot variance. As explained in the report, if the 30' front setback is required the home would have a lower price and obviously appear smaller compared to the other 40 homes. (4) The building pads for each lot near Lot 4 are tiered 3 to 4 feet (steps-down). A three foot variance may not be noticeable with the change in elevation. (5) A house will not be constructed on the adjacent Lot 5; Lot 5 is an open space-detention pond lot. Staff believes the 3.7 foot variance request is minimal. **Planning staff recommends a 3.7 foot front yard setback variance granted from the minimum 30 foot front yard setback requirements.**



FREEDOM BUILDERS VARIANCE REQUEST
825 ASHETON DRIVE
FRONT SETBACK



The applicant is requesting a 3.7 foot front yard setback variance from the minimum 30 foot front setback requirement. A 100 foot wide Alabama Power transmission line runs across a portion of the property.



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without



000087-2025

**APPLICATION FOR
VARIANCE (Section 4.2A)**
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



DATE: 2/4/2025	Zoning Board of Adjustment Meeting Date: 3-11-2025
Case Number:	Meeting Deadline: 2-18-2025

PART I. OWNER / APPLICANT INFORMATION

Freedom Builders Inc	140 Village Circle	Jennie 404-353-2119
Owner Name	Address	Phone
Mac Jones	140 Village Circle	706-536-7070
Agent Name (if applicable)	Address	Phone

PART II. PARCEL INFORMATION

Street Address: 825 Asheton Drive Asheton Village lot 4

Current Zoning: Residential

Current Land Use: Residential

Type of Variance Sought: _____ Sign _____ Parking ☒ Setback _____ Other _____

PART III. Provide a Brief Description and Reason for the Variance (attach a zoning map or site plan)

Due to Alabama Power easement in rear of lot 4 house placement will require a 6.7 feet movement over front setback.
This allows house to sit on lot without infringement on the power easement.

Setback	Required	Proposed	Amount of Variance
Front	30	23.3	6.7 feet
Side	10	10	
Side	10	30	
Rear	25	59.7	

PART IV.

- 1) Are there extraordinary and/or exceptional conditions to the particular property, which make a variance necessary? There is a 100' Georgia power easement on rear of property and moving the house to the proposed front set back of 23.3 will allow the house to fit on lot without infringing the easement.

2) Would the strict application of this ordinance produce an unwarranted hardship not generally shared by others? Yes
Maintaining the current front setback will not allow house placement on lot.

3) Will the proposed variance alter the character of the area? If so, how? No

Provide the Names and Addresses of ALL adjoining Property Owners:

<u>Lot 5 / 805 Asheton Drive</u>	<u>2 H Properties 306 Gracestone Lane Auburn Al 36830</u>
<u>Lots 3, 40 and 41</u>	<u>Freedom Builders Inc 140 Village Circle Senoia Ga 30276</u>
<u>Lot 46</u>	<u>Andrew Lacey and Cupid Christopher</u> <u>686 Shelton Cove Lane</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

FEES:		
Total Number of Adjoining Property Owners 5	X \$7.00 =	35.00
	+ Fee	\$75.00
	TOTAL	110.00

PART V.

I hereby request that the Zoning Board of Adjustment review a variance request for my property located at (street address) 825 Asheton Drive. Enclosed are the true and accurate names and addresses of all adjacent property owners. I understand that the City may require additional information, or waive certain requirements, in order to make a decision on the request at any time during the process.

Jennie Loper
Signature

2/1/2025
Date

CITY OF OPELIKA - BZA
STAFF REPORT
March 11, 2025

Applicant: Hayley Investments, LLC, Property Owner
Mike Maher, Precision Surveying, Representative

Property: Arrowhead at Forrest Hills Subdivision

Existing Zone: R-2 (low density residential)

Request: A 20 foot from variance from the 35 foot front setback to allow a 15 foot front setback, a 5 foot variance from the 15 foot side setback to allow a 10-foot side yard setback, and a 10 foot variance from the side yard on street setback to allow a 15-foot side yard on street setback.

The applicant is requesting multiple variances on the buildable lots within this subdivision. The subdivision contains 51 lots. Thirteen of these lots are non-buildable due to the presence of floodplain. The subdivision is located in the R-2 zone and was approved in July 2023 and recorded in August 2023. The setbacks for the R-2 zone are:

Front: 35 feet
Side: 15 feet
Rear: 30 feet
Side Street: 25 feet

The plat was recorded with a note (Note 6). This note states that the setbacks are:

Front: 15 feet
Side: 10 feet
Rear: 30 feet
Side Street: 15 feet

Zoning precedent states that the more restrictive setback be applied. This would mean the R-2 zone is the legally required setback. However, this creates confusion for the people that have purchased the lots expecting the less restrictive setbacks. While the setbacks were noted as being incorrect during the initial review at preliminary plat, the note was on the plat reviewed by Planning Commission and ultimately signed by City officials.

All of the lots meet the minimum requirements for the R-2 zone and the could potentially use the R-2 setbacks. However, the error on the plat will likely follow these lots well into the future

through transactions moving forward. To prevent later confusion, staff is joining with the applicant to reduce the setbacks to match those on the plat. The only way to achieve this is through a variance on Lots 1-38.

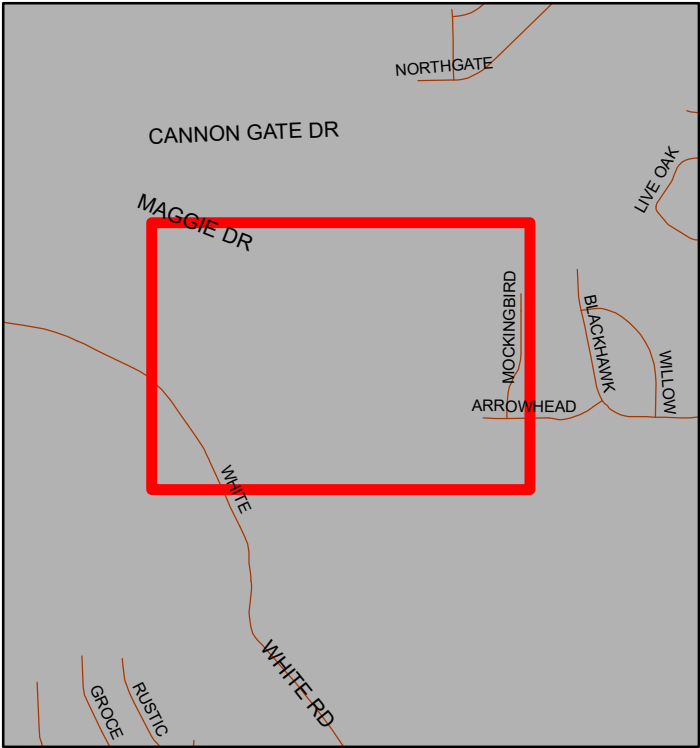
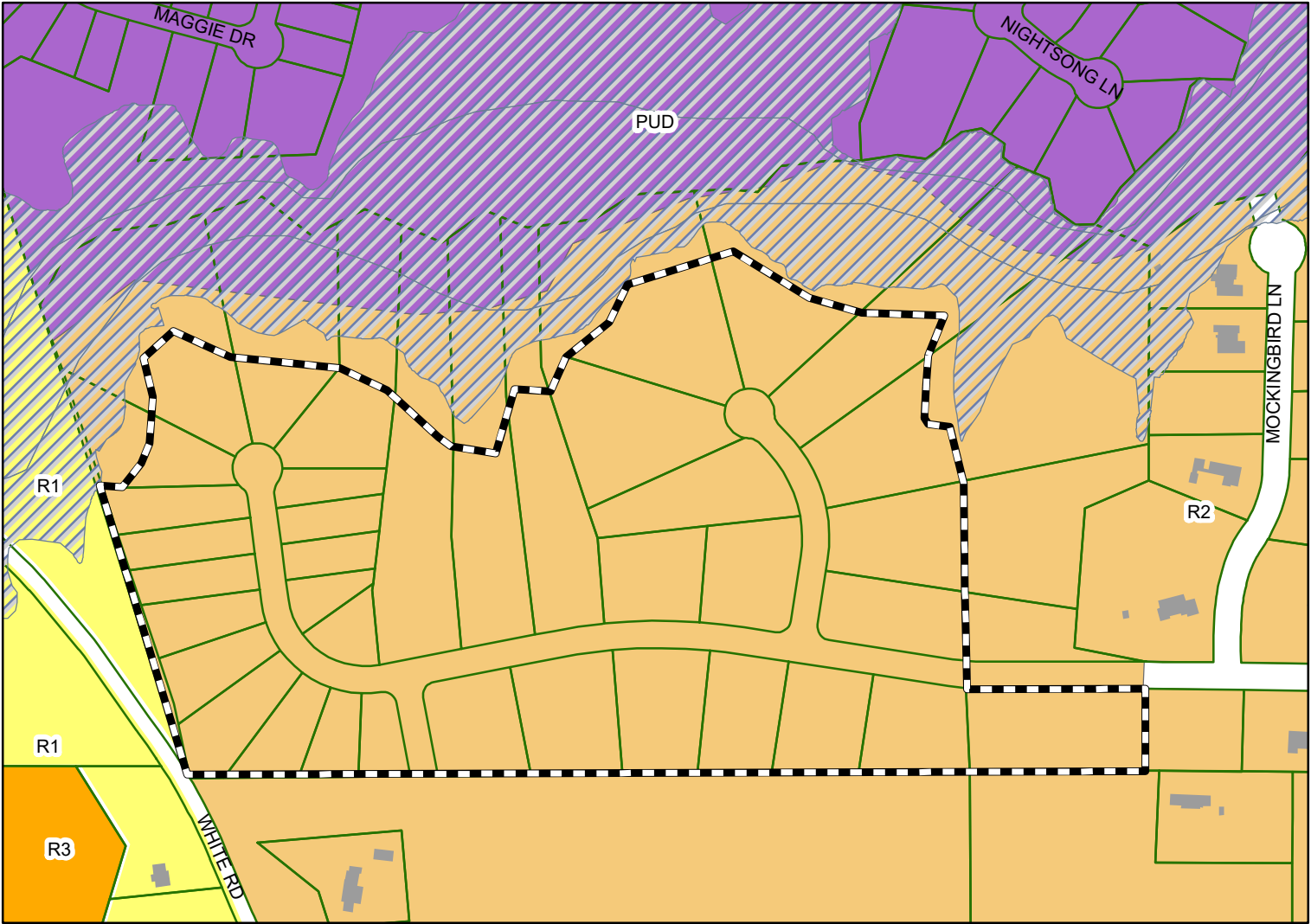
Staff reviewed the proposed setbacks to determine how this might affect adjoining property owners. There are two homes currently either constructed or under construction. All lots were sold with the setbacks on the lot listed. The homes that are under construction all meet the R-2 standards with one being 125 feet off the front property and one being approximately 55 feet from the front property line. Because the rear setbacks are the same as R-2, there is only one location where a lot within this subdivision would be adjacent to a lot outside the subdivision with a non-compliant setback from an R-2 standpoint. In most cases open space lots and streams are also between these lots and adjacent residential sites. Lot 38 has the potential to have a home closer to a residential lot than allowed in the R-2 zone on the east side. However, Lot 38 is almost two acres in size and the adjacent lot is vacant.

While this variance is not ideal from a zoning standpoint, staff recognizes that this is likely to provide the simplest option to align the setbacks with those recorded on the plat. Ultimately, we feel this is will resolve confusion going forward and has very little likelihood of affecting any adjacent property owners.

Recommendation

Staff recommends approval of the proposed variances to allow the lot setbacks to reflect those on the plat.

ARROWHEAD AT FOREST HILLS VARIANCE REQUEST
ARROWHEAD DRIVE
PLATTED SETBACKS

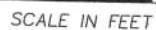


The applicant is requesting minimum building setbacks at 15 ft front, 10 feet side, and 30 feet rear in the R-2 zone. This matches the approved plat.



Subject Property

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**APPLICATION FOR
VARIANCE (Section 4.2A)**
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



DATE:	Zoning Board of Adjustment Meeting Date:
Case Number:	Meeting Deadline:

PART I. OWNER / APPLICANT INFORMATION

Hayley Investments LLC 902 FLORAL STREET OPELIKA, AL 36801 334-750-4626
Owner Name Address Phone

Michael Maher -- 2124 moores mill rd suite 110 334-821-0105
Agent Name (if applicable) Address Phone

PART II. PARCEL INFORMATION

Street Address: Arrowhead at Forrest Hills - Arrowhead Avenue

Current Zoning: R2

Current Land Use: Single Family Residential

Type of Variance Sought: Sign Parking X Setback Other

PART III. Provide a Brief Description and Reason for the Variance (attach a zoning map or site plan) The plat references a 15' front, 10' side, 15' side on street and 30' rear setbacks.
Applicant requests a variance of conform to the signed and recorded plat setbacks

Setback	Required	Proposed	Amount of Variance
Front	35	15	20
Side	15	10	5
Side	-	-	-
Rear	30	30	0

PART IV.

1) Are there extraordinary and/or exceptional conditions to the particular property, which make a variance necessary? The recorded plat references setbacks different from the zoned.

2) Would the strict application of this ordinance produce an unwarranted hardship not generally shared by others? All of the setbacks that abut adjoining neighbors conform to the zoning. All of the impact is within the boundaries of Arrowhead at Forrest Hills

3) Will the proposed variance alter the character of the area? If so, how? The subdivision was constructed with the platted setbacks in mind and will, therefore not change the character of the subject property

Provide the Names and Addresses of ALL adjoining Property Owners:

FEES:

Total Number of Adjoining Property Owners 4	X \$7.00 =	28
	+ Fee	\$75.00
	TOTAL	103.00

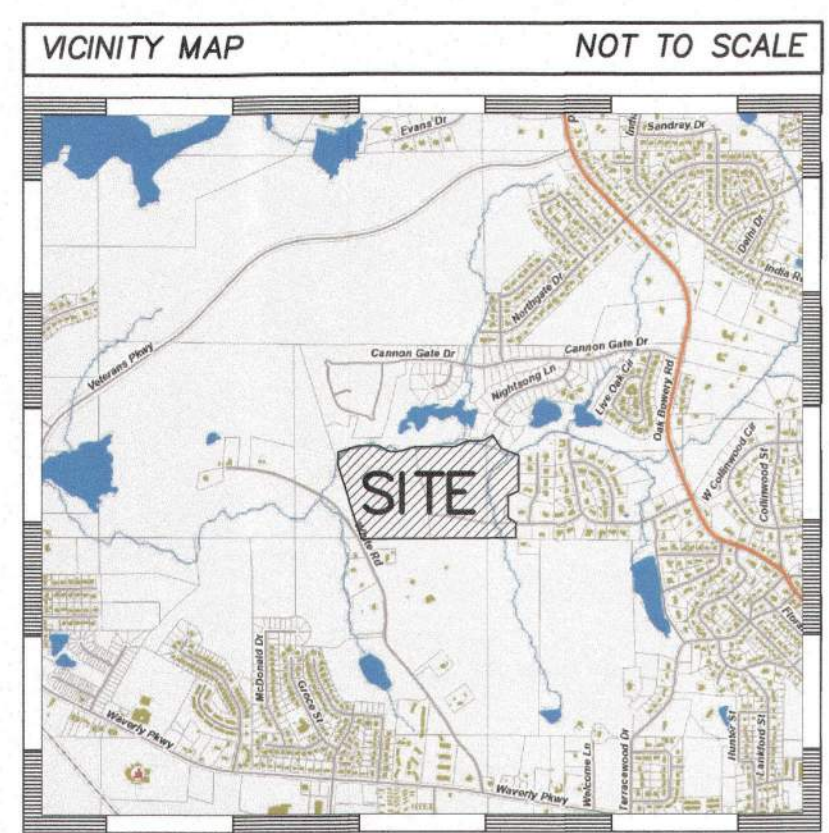
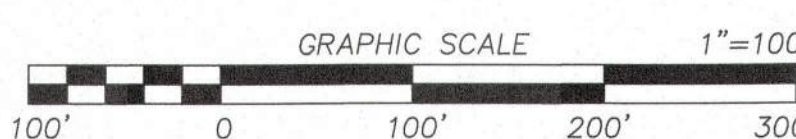
PART V.

I hereby request that the Zoning Board of Adjustment review a variance request for my property located at (street address) Arrowhead avenue. Enclosed are the true and accurate names and addresses of all adjacent property owners. I understand that the City may require additional information, or waive certain requirements, in order to make a decision on the request at any time during the process.

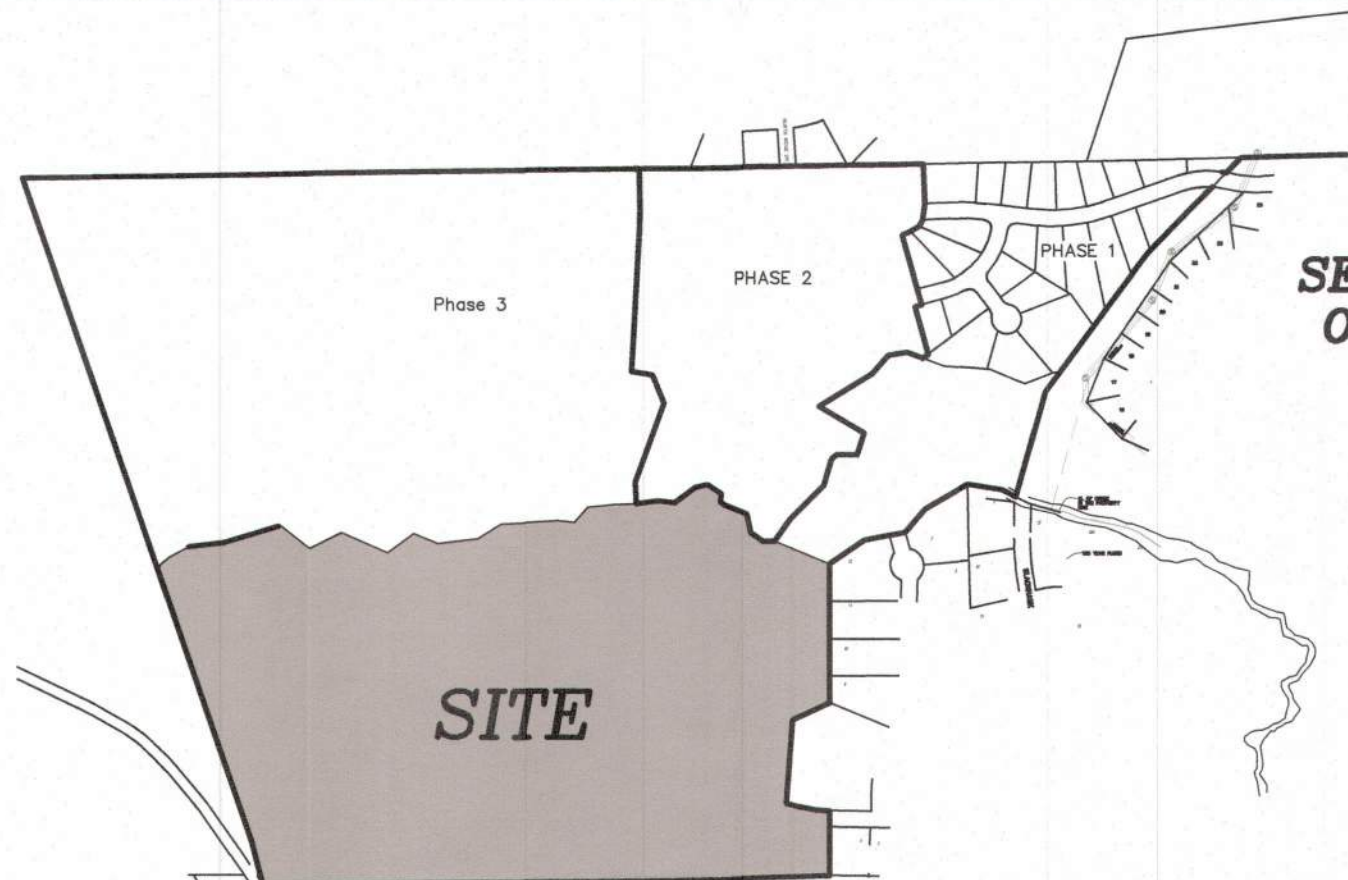

Signature Michael Mahen

Date 2-19-2025

LEGEND
(M) = MEASURED
(R) = RECORDED
OTIP = OPEN TOP PIPE
CTP = CRIMPED TOP PIPE
IPF = IRON PIN FOUND
IPS = IRON PIN SET (CA-788)
CA-788 = PRECISION SURVEYING
● = IRON PIN FOUND
○ = 1/2" REBAR SET (CA-788)
HUB SET
CALCULATED POINT
CONCRETE MONUMENT
POWER POLE
WIRE FENCE
WOOD FENCE
CHAIN LINK FENCE



Curve Table					Curve Table					Curve Table				
Curve #	Length	Radius	CHORD BEARING	CHORD DIST	Curve #	Length	Radius	CHORD BEARING	CHORD DIST	Curve #	Length	Radius	CHORD BEARING	CHORD DIST
C1	41.00	470.37	S87°21'32"E	40.99	C21	83.83	170.00	S21°38'55"E	82.99	C41	39.44	530.37	S83°25'33"E	39.43
C2	29.28	470.37	S83°04'43"E	29.27	C22	23.61	30.00	S15°01'42"W	23.01	C42	39.80	530.37	S87°42'22"E	39.79
C3	47.12	30.00	S36°17'43"E	42.43	C23	36.17	55.00	N18°44'17"E	35.52					
C4	115.00	330.00	N01°16'43"W	114.42	C24	47.71	55.00	N24°57'11"W	46.23					
C5	145.48	330.00	N23°53'28"W	144.30	C25	48.67	55.00	N75°09'08"W	47.09					
C6	40.08	330.00	N40°00'00"W	40.06	C26	49.69	55.00	S53°37'06"W	48.02					
C7	23.61	30.00	S20°55'49"E	23.01	C27	67.11	55.00	S07°13'09"E	63.03					
C8	41.51	55.00	N20°00'12"W	40.53	C28	10.03	55.00	S47°23'53"E	10.01					
C9	58.40	55.00	N72°02'42"W	55.70	C29	23.61	30.00	N30°04'15"W	23.01					
C10	57.55	55.00	S47°33'40"W	54.96	C30	44.53	230.00	S13°04'04"E	44.46					
C11	91.66	55.00	S30°09'30"E	81.42	C31	69.95	230.00	S27°19'36"E	69.68					
C12	10.25	55.00	S83°14'28"E	10.23	C32	69.87	230.00	S44°44'30"E	69.60					
C13	23.61	30.00	N66°01'46"W	23.01	C33	69.76	230.00	S62°07'57"E	69.49					
C14	156.91	270.00	N26°49'52"W	154.71	C34	69.62	230.00	S79°29'34"E	69.36					
C15	89.00	270.00	N00°44'20"W	88.60	C35	43.10	230.00	N86°27'59"E	43.04					
C16	47.12	30.00	N53°42'17"E	42.43	C36	46.07	30.00	N54°54'47"W	41.67					
C17	99.39	1230.00	N83°36'37"W	99.37	C37	46.98	30.00	S34°21'50"W	42.32					
C18	210.24	1230.00	S89°10'41"W	209.98	C38	118.25	1170.00	S81°58'19"W	118.20					
C19	111.73	1230.00	S81°40'44"W	111.70	C39	215.94	1170.00	N89°50'43"W	215.63					
C20	193.30	170.00	S68°20'59"E	183.05	C40	66.62	1170.00	N82°55'36"W	66.62					



ARROWHEAD at FOREST HILLS
being a redivision of
Cannon Gate Subdivision
Redivision of Parcel B
Phase 2 "Future Development"
SECTIONS 1, 2, AND 11 T 19 N R 26 E
OPELIKA LEE COUNTY ALABAMA

State of Alabama
Lee County

I, Michael T. Maher, a Licensed Land Surveyor of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of practice for the surveying in the State of Alabama to the best of my knowledge, information, and belief.

In witness whereof, I have hereunto set my hand and seal on this the 18 day of August, 2023.

Michael T. Maher, Alabama License No. 29993
Not a certified survey unless signed and stamped with my seal.

State of Alabama
Lee County

Hayley Investments LLC, owner of the real property shown on this plat, hereby join in the statement of Michael T. Maher, and certify that it was and is its purpose to subdivide the lands so plotted as shown,

In witness whereof, I Richard K. Hayley as manager of Hayley Investments LLC have hereunto set my hand on this the 21 day of August, 2023.

Richard K. Hayley as manager of Hayley Investments LLC

State of Alabama
Lee County

I, the undersigned authority, a Notary Public in and for said county, in said state, certify that Richard K. Hayley as manager of Hayley Investments LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

In witness whereof, I have hereunto set my hand and seal on this the 22 day of August, 2023.

Notary Public: Andrew Wall My commission expires: 9-09-2026

Approved by the Opelika City Planning Director, Opelika, Alabama:
Director: Johnny Date: 9/8/23

Approved by the Opelika City Planning Chairman, Opelika, Alabama:
Chairman: Luzia Clark Date: 8/24/23

Approved by the Opelika Utilities Board, Opelika, Alabama:
Opelika Utilities Board: Benjamin Date: 8/24/2023

Approved by the Opelika City Engineer, Opelika, Alabama:
Engineer: David Date: 8/30/2023

Reviewed by Opelika Power Services, Opelika, Alabama:
Opelika Power Services: Angie Date: 8/23/2023

Approved by the Opelika Public Works Department:
Public Works Director: Myra Date: 8-30-2023

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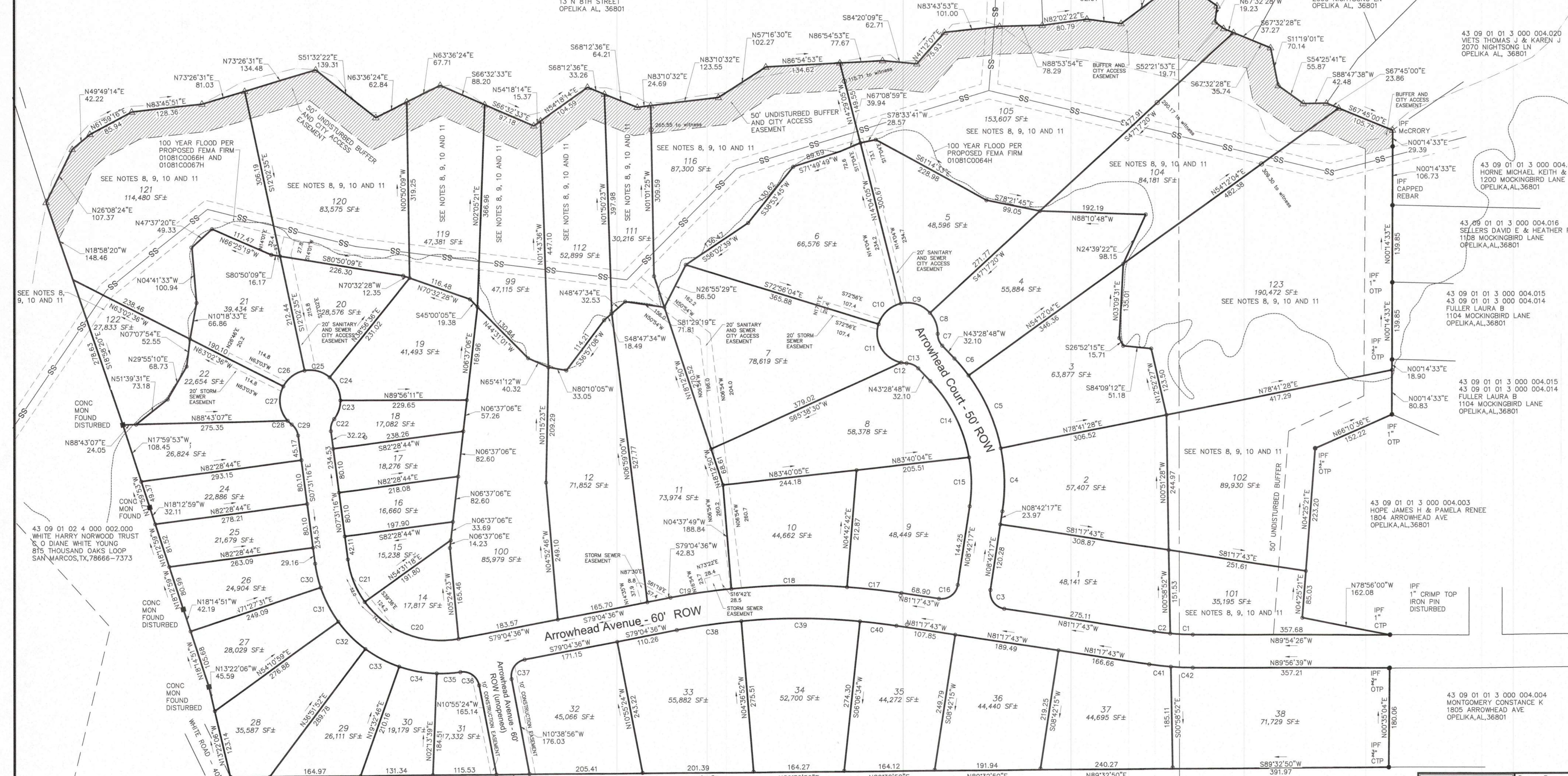
Public Works Director: Myra Date: 8-30-2023

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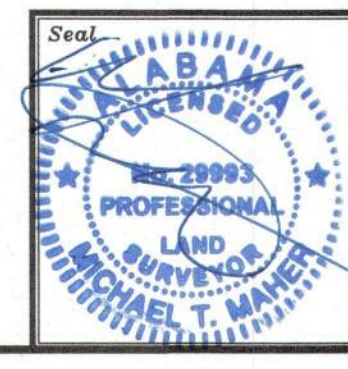
Public Works Director: Myra Date: 8-30-2023

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106
2,645,123 SF±
60.72 AC±



- NOTES:
1. BEARINGS BASED ON NAD 1983 ALABAMA EAST ZONE, US FOOT.
 2. SOURCES OF INFORMATION: CANNON GATE SUBDIVISION IN PLAT BOOK 29, PAGE 29 AND CANNON GATE SUBDIVISION, PHASE 2, REDIVISION OF PARCEL B, PLAT BOOK 43, PAGE 49.
 3. THE NORTHERN PORTION OF THIS PROPERTY IS LOCATED IN FLOOD ZONE AE PER FEMA FIRM 01081C0067G AND 01081C0066G DATED NOVEMBER 2, 2011. THE DEPICTED 100 YEAR FLOOD IS BASED ON THE PROPOSED FIRMS 01081C0066H AND 01081C0067H.
 4. THIS SITE IS SERVED WITH OPELIKA WATER.
 5. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF OPELIKA AND TO ANY UTILITY COMPANIES SERVING THE CITY OF OPELIKA FOR THE PURPOSE OF INSTALLING, OPERATING, AND MAINTAINING POLE LINES, GUY WIRES AND OTHER FACILITIES. EASEMENT TO BE TEN (10) FEET WIDE AND SHALL BE CENTERED ALONG THE FRONT AND SIDE LOT LINES OF EACH LOT.
 6. BUILDING SETBACK: FRONT = 15'; REAR = 30'; SIDE = 10'; SIDE ON STREET = 15'.
 7. FIELD WORK DATED 8-17-2023; OFFICE WORK COMPLETED 8-18-2023.
 8. LOT 1 MUST BE SOLD WITH LOT 101; LOT 2 MUST BE SOLD WITH LOT 102; LOT 3 MUST BE SOLD WITH LOT 103; LOT 4 MUST BE SOLD WITH LOT 104; LOT 5 MUST BE SOLD WITH LOT 105; LOT 6 MUST BE SOLD WITH LOT 106; LOT 11 MUST BE SOLD WITH LOT 111; LOT 12 MUST BE SOLD WITH LOT 112; LOT 13 MUST BE SOLD WITH LOT 113; LOT 19 MUST BE SOLD WITH LOT 119; LOT 20 MUST BE SOLD WITH LOT 120; LOT 21 MUST BE SOLD WITH LOT 121; LOT 22 MUST BE SOLD WITH LOT 122.
 9. LOTS 101 THROUGH 122 ARE TO BE SOLD WITH THEIR ADJACENT LOTS AND ARE SEPARATE FOR THE PURPOSE OF AVOIDING LOW-LYING AREAS AND 100 YEAR FLOOD PLANE. THEY ARE NOT BUILDABLE LOTS AND CANNOT BE CONVEYED WITHOUT THEIR ASSOCIATED LOT WHICH HAVE ROAD FRONTAGE.
 10. A BLANKET EASEMENT TO ACCESS LOTS 101 THROUGH 122 IS HEREBY GRANTED. SAID LOTS SHALL BE OWNED BY THEIR ASSOCIATED LOT AND MUST BE GRANTED ACCESS AS DETERMINED BY THE ROAD-FRONT LOT.
 11. NO HABITABLE STRUCTURES SHALL BE PLACED ON LOTS 101 THROUGH 122. SAID LOTS SHALL BE USED FOR RECREATION AND PRESERVATION AND A 50' BUFFER SHALL BE PRESERVED AT THE REAR OF LOTS 101 THROUGH 122.
 12. ALL LOTS MUST ADHERE TO CITY OF OPELIKA CODES AND FEMA CODES.



Drawn By:
MTM
Scale:
1"=100'
File Name:
20-554-SD1 FINAL
Date:
8-18-2023

PRECISION SURVEYING
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Sheet Title:
ARROWHEAD AT FOREST HILLS