

TOWN OF CEDAR BLUFF, ALABAMA
REZONING APPLICATION

Property owners in the Town of Cedar Bluff who wish to request a change in the zoning classification that applies to one or more specific properties must complete a Rezoning Application form. To apply for a rezoning, please complete the following application and return the form with all necessary supporting documents to Town Hall. Incomplete applications will not be processed. For additional information, please call the Town of Cedar Bluff at 256-779-6121 during regular business hours.

Applicant Information:

Name of Applicant: Roger A. Russell II

Mailing Address: 3535 Old Hwy 9
Cedar Bluff, AL 35959

Business Hours Telephone #: (706) 244-5404

Fax # (If available): (____) _____ - _____

Property Information:

Owner(s) of Record: Roger A. Russell II and Melanie L. Russell

Street Address of Subject Property: 3535 Old Hwy 9
Cedar Bluff, AL 35959

Tax Map & Lot Number of Property: ^{Parcel #} 16-09-29-4-000-077.000

Size of Subject Property: 1/2 ☒ Acres [] Square Feet

Current Zoning Classification of Subject Property: R1

Proposed Zoning Classification of Subject Property: C2

Current Use of Subject Property: residential

Proposed Use of Subject Property: residential / commercial

Is the Subject Property Being Considered for Annexation? [] Yes ☒ No

----- FOR TOWN OF CEDAR BLUFF USE ONLY -----

Zoning Administrator's Information:

Date Filed: 4-27-26

Received By: Jenni Burt

Application Fee Received: \$ 100- [] Cash [☒] Check # _____
100.00

Application Fee..... ~~\$50.00~~

Date Reviewed: _____

Zoning Administrator's Signature: _____

Planning Commission Action: [] Recommend Approval
[] Recommend Denial

Planning Commission Findings:

Planning Commission Chairman's Signature: _____

04/27/2026

We, Roger A. Russell II and Melanie L. Russell are requesting that the residence at 3535 Old Hwy 9, Cedar Bluff, AL 35959 which is currently zoned as R1 be rezoned as commercial. We reside at this residence and operate our commercial businesses Russell Freight Services, LLC and Russell Rents, LLC from the residence. We perform minor repairs on our own trucking equipment on an as needed basis and operate a trailer rental business to provide services to our community.

Grove St

1/2 Acre
total lot
size

put
it
up

shed

Bus. use
Repairs
on comm.
equip

land
area

residence
& Bus.
Off.

Porch

Porch

Driveway

St.
Cross

3535 Old Hwy 9
residential / commercial

TOWN OF CEDAR BLUFF, ALABAMA

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Applicant Information:

Name of Applicant: BILLY JOHNSON
 Mailing Address: 990 CR131, LOT-5
CEDAR BLUFF, AL 35959
 Business Hours Telephone #: (256) 979-5144
 Fax # (If available): () -

Property Information:

Owner(s) of Record: BILLY & DENISE JOHNSON
 Street Address of Subject Property: 990 CR131, LOT-5
CEDAR BLUFF AL 35959
 Tax Map & Lot Number of Property: LOT-5 OF BLOCK B OF McELRATH SUBD.
PLAT BOOK 8, PAGE 78
 Size of Subject Property: 2 ☒ Acres ☐ Square Feet
 Current Zoning Classification of Subject Property: JOSEPH RV CP
 Proposed Zoning Classification of Subject Property: JOHNSON RV CP
 Current Use of Subject Property: RESIDENTIAL & CAMPGROUND
 Proposed Use of Subject Property: RESIDENTIAL & CAMPGROUND
 Is the Subject Property Being Considered for Annexation? ☒ Yes ☐ No

ANNEX OUT OF CITY
BECAUSE NEIGHBOR IS COUNTY,
AND I LIVE ON COUNTY ROAD,

----- FOR TOWN OF CEDAR BLUFF USE ONLY -----

Zoning Administrator's Information:

Date Filed: 4-27-26

Received By: Karen Wadden

Application Fee Received: \$ 100.00 [] Cash [] Check # 129
100.00

Application Fee..... ~~\$50.00~~

Date Reviewed: _____

Zoning Administrator's Signature: _____

Planning Commission Action:

[] Recommend Approval

[] Recommend Denial

Planning Commission Findings:

Planning Commission Chairman's Signature: _____

SEND TAX NOTICES TO:

Billy A. Johnson, Jr.

990 County Road 131
Cedar Bluff, AL 35959

WARRANTY DEED
STATE OF ALABAMA, COUNTY OF CHEROKEE

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, to the undersigned grantors, in hand paid by the grantees herein, the receipt of which is acknowledged, We, Danny Weese, a married man and wife Rachel Weese, a married woman (hereinafter "Grantors"), grant bargain, sell, and convey unto Billy A. Johnson, Jr. and Denise M. Johnson, for and during their joint lives and upon the death of either of them to the survivor of them (hereinafter "Grantees"), the following described real estate situated in Cherokee County, Alabama, to-wit:

Lot Number 5 of Block B of McElrath Subdivision as the same appears of record in Plat Book 8 at page 78 in the Probate Office of Cherokee County, Alabama.

The above described lot lies and is situated in the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 35, Township 9 South, Range 10 East, in Cherokee County, Alabama.

Said lands are conveyed subject to the right of Alabama Power Company, a corporation, to flood, cover or surround with water from time to time that portion of said lands hereinabove described and hereby conveyed which would either be covered with or which either alone or together with other land would be entirely surrounded by waters of the Coosa River or its tributaries should such river or its tributaries be raised and backed up to that certain datum plane of 575 feet above mean sea level as established by the United States Coast and Geodetic Survey as adjusted in January 1955, together with rights of ingress and egress over and across such lands. The easement acquired by Alabama Power Company prevents the erection of any habitable structures or structures to house livestock, or the disturbance of the lands lying below the said 575 foot contour line.

There is reserved and excepted a right of way for a road, twenty feet in width and extending evenly off the West end of the lot of land hereby conveyed.

Said lands being situated in Cherokee County, Alabama.

Together with all other exceptions and reservations of record.

SAID PROPERTY IS NOT THE GRANTORS' HOMESTEAD.

TO HAVE AND TO HOLD to Grantees, Grantees' successors and assigns forever.

Grantors' title is derived from that conveyance recorded in the Probate Office of Cherokee County in Instrument Number 206905.

Grantors grant and convey ownership of the property described above to the Grantees, as joint tenants with full and unrestricted right of survivorship and not as tenants in common, along with all of its rights and appurtenances, including any right, title, and interest of Grantors in

... of these and backed up to that certain datum plane of 575 feet above mean sea level as established by the United States Coast and Geodetic Survey as adjusted in January 1955, together with rights of ingress and egress over and across such lands. The easement acquired by Alabama Power Company prevents the erection of any habitable structures or structures to house livestock, or the disturbance of the lands lying below the said 575 foot contour line.

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Grantors' title is derived from that conveyance recorded in the Probate Office of Cherokee County in Instrument Number 206905.

Grantors grant and convey ownership of the property described above to the Grantees, as joint tenants with full and unrestricted right of survivorship and not as tenants in common, along with all of its rights and appurtenances, including any right, title, and interest of Grantors in adjacent streets, alleys, and rights-of-way. On the death of either Grantee, the surviving Grantee shall be immediately vested with the entire fee simple title to the property hereby conveyed and described in this deed.

We, Grantors do for ourselves and for our heirs, executors, and administrators covenant with Grantees, Grantees' successors and assigns that We are lawfully seised in fee simple of the premises; that it is free from all encumbrances, unless otherwise noted above; that We have a good right to sell and convey the property described; that We will, and our heirs, executors, and administrators shall, warrant and defend the same to Grantees, Grantees' successors and assigns forever, against all lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands this 15 day of June, 2022

Danny Weese
Danny Weese
Rachel Weese
Rachel Weese

STATE OF ALABAMA)
COUNTY OF CHEROKEE)

I, a Notary Public in and for said county and state, hereby certify that Danny Weese and Rachel Weese, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand this 15 day of June, 2022.



Katy Givens
Notary Public
Commission expires: 4/16/23

This instrument was prepared by: J. Shane Givens, whose address is 296 East Main Street, Centre, Alabama 35960.

REAL ESTATE SALES VALIDATION FORM

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Danny Weese & Rachel Weese

Grantee's Name Billy A. Johnson, Jr.
Denise M. Johnson

Mailing Address _____

Mailing Address 900 Co Rd 131
Cedar Bluff, AL 35959

Property Address 900 Co Rd 131
Cedar Bluff, AL 35959

Date of Sale June 15, 2022

Total Purchase Price \$ 222,500

or

Actual Value \$ _____

Or

Assessor's Market Value \$ _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☒ Sales Contract
☒ Closing Statement

☐ Appraisal
☐ Other _____

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 6/15/22

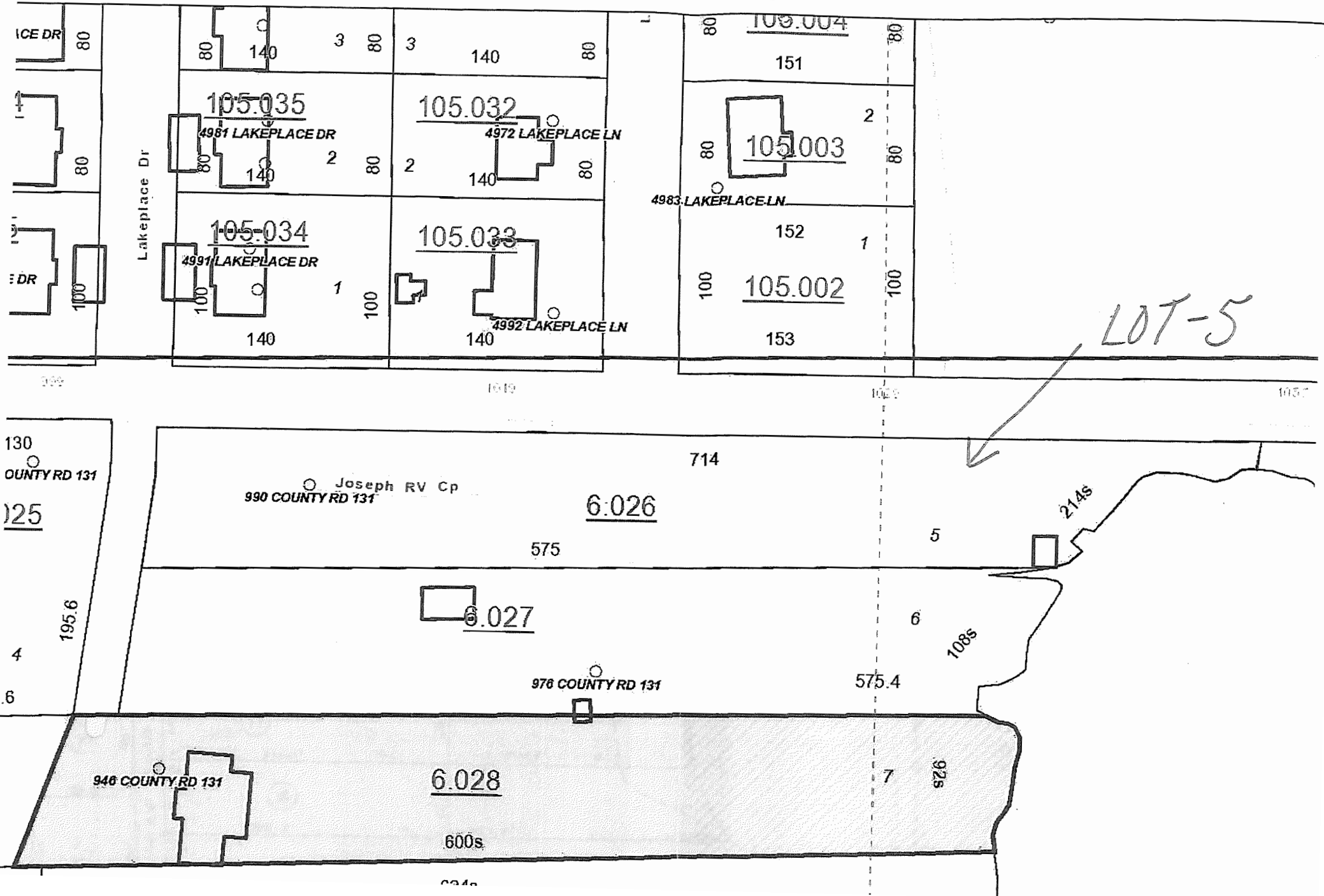
Print Kathy Givens

Sign [Signature]

Unattested
(verified by)

(Grantor/Grantee/Owner/Agent) circle one
Form RT-1

Viewer Map



Cedar Bluff Zoning Ordinance Proposed Home Size Changes

	Min Lot Size	Min Lot Width	Min Required Setbacks			Max Height	Max Building Area	Min Home Size
			Front	Rear	Side			
AG	5 acres	300 ft for 5 acres	40 ft	45 ft	15 ft	50 ft	25%	900 sq ft 1000 sq ft
RR	0.5acre	100 ft	31 ft	15 ft	10 ft	50 ft	NS	1000 sq ft
R1	15,000 sq ft / ½ acre	100 ft	30 ft	10 ft	10 ft	50 ft	NS	1000 sq ft
R2	10,000 sq ft 15,000 sq ft	75 ft for 10,000 sq ft 80 ft for 15,000 sq ft	25 ft	10 ft	8 ft	50 ft	NS	1000 sq ft 800 sq ft
R-3	8,000 sq ft (single family dwelling)	65 ft for 8,000 sq ft	25 ft	8	8	30	NS	800 sq ft
MHP¹	5,000 sq ft	40 ft	20 ft			20 ft	NS	600 sq ft 800 sq ft (Tiny Home maximum size)
ARU²								600 sq ft 800 sq ft Maximum size

NOTE: Tiny House vs. Small House: Structures between 400 and 1,000 square feet are often categorized as "small houses" rather than "tiny houses".

NOTE: Accessory Residential Units must adhere to requirements in Section 4.01 and 3.04 of the Cedar Bluff Zoning Ordinance.

Proposed Language Changes / Additions for Group Home

Group Home – Definition – no changes

§2.02.44 GROUP HOME: A dwelling that houses individuals who are not necessarily related by blood or marriage and who live and function as a single housekeeping unit under the supervision of one or more resident managers or resident manager teams. Group homes shall comply with the relevant standards contained in §4.03 of this Ordinance.

Change Section 4.03 in Article 4 to Reflect General Commercial District ONLY for rehabilitation facilities:

Section 4.03 – Group Homes

There are many types of group homes. Some are intended for short to medium stay. Others are intended for long stays or permanent dwelling. Examples are provided below – they are not intended to be all inclusive:

- Group homes serve specific populations who share similar needs, life experiences, or challenges. These groups include:
 - **Individuals with disabilities**: People with intellectual, developmental, or physical disabilities.
 - **Youth in transition**: Foster children, adolescents in the juvenile justice system, or runaways.
 - **Seniors**: Older adults who need help with daily activities but do not require nursing homes.
 - **People in recovery**: Individuals transitioning out of substance abuse treatment or psychiatric facilities.
- Unlike large institutional facilities or hospitals, a group home mimics a typical family setting.
 - **Size**: They usually house a small number of residents, typically between 4 and 10 people.
 - **Structure**: Residents live together as a single household, often sharing chores, meals, and common areas.
- The level of care is tailored to the residents' specific needs but always focuses on safety and skill-building.
 - **Staffing**: Trained caregivers or supervisors are present either 24/7 or during specific hours.
 - **Goals**: Services focus on developing daily living skills, managing health, and fostering independence.
 - **Care**: Assistance ranges from basic supervision to intensive therapeutic, behavioral, or medical care.

4.03.01 Permitted Uses:

Group Homes are permitted only as a *Conditional Use* in General Commercial (C2) zoning district, subject to Planning Commission and Town Council approvals.

NOTE: Group Homes are NOT permitted in the Town Center (TC) zoning district.

4.12.02: Development and Siting Standards

1. **Separation Requirements:** To prevent the oversaturation of social services in a single geographic area, no new group home shall be located within 1,000 feet of another group home, residential area, public school, church, or licensed daycare center.
2. **Occupancy Limits:** Occupancy shall not exceed the limits set by the Alabama Administrative Code for square footage per occupant (e.g., minimum open floor space per bed).
3. **Parking:** Off-street parking must be provided at a ratio of 1 space per staff member on duty, plus 1 space per 2 beds/clients.
4. **Operational Management:** Facilities must operate 24-hour on-site awake supervision, provide an onsite licensed security guard at all times and maintain an active community complaint protocol on file with the Town Clerk.

4.12.03. Special Use Permit Required

Group Homes shall require approval of a Special Use Permit by the Town Council following recommendation by the Planning Commission. In considering a Special Use Permit application, the Planning Commission and Town Council shall evaluate the following factors:

- A. Planned service offerings by the facility.
- B. Compatibility with surrounding land uses.
- C. Traffic generation and roadway capacity.
- D. Availability of emergency services.
- E. Adequacy of parking and internal circulation.
- F. Building size and site design.
- G. Landscaping, buffering, and screening.
- H. Proposed staffing levels to support 24x7 onsite operations, including staff experience levels.
- I. Lighting and security measures including provision for licensed security guard onsite 24x7.
- J. Compliance with all applicable state and federal licensing requirements.
- K. Certification by state or federal agencies (e.g. Alabama Alliance for Recovery Residences).
- L. Adequacy of water, sewer, and utility infrastructure.

4.12.04. Application Requirements for Special Use Permit

Applicants seeking approval for a Group Home shall submit the following written documents to the Enforcement Officer and Planning Commission:

- A. Planned facility occupancy levels.
- B. Site plan.

- C. Floor plan.
- D. Parking plan.
- E. Landscaping and buffering plan.
- F. Traffic impact statement if requested by the Planning Commission.
- G. Description of services to be provided, methods in which they will be provided, use of external specialists and expected outcomes.
- H. Description of proposed operations along with staffing plan for 24x7 operations including onsite supervisor and onsite licensed security guard alone with experience levels for proposed staff.
- I. Proof of proper certification or licensure from the appropriate Alabama state agency (e.g. Alabama Department of Mental Health) depending on the services provided.

4.12.05. Minimum Development Standards

All Group Homes shall comply with the following development standards:

- A. Minimum Lot Area: One (1) acre.
- B. Minimum Front Setback: Fifty (50) feet.
- C. Minimum Side Setback: Twenty-five (25) feet.
- D. Minimum Rear Setback: Twenty-five (25) feet.
- E. Parking: Parking shall be provided at the following minimum ratios:
 - 1. One space per employee on the largest shift.
 - 2. One space per two patient beds.
 - 3. One space per treatment room.
 - 4. Additional visitor parking as determined necessary by the Planning Commission.

4.12.06. Operational Requirements

- A. All group homes shall maintain all required state licenses, certifications, and permits.
- B. All group homes shall maintain all required Town licenses and permits.
- C. Failure to maintain required licensing shall constitute grounds for suspension or revocation of zoning approval.
- D. No facility shall create excessive noise, traffic, lighting, odors, or other nuisances adversely affecting adjacent properties.
- E. Facilities must operate 24-hour on-site awake supervision with an onsite licensed security guard on all shifts. Facility must maintain an active community complaint protocol on file with the Town Clerk

4.12.07 - Enforcement

Any violation of this Ordinance shall be subject to the enforcement provisions and penalties established by the Zoning Ordinance and applicable Alabama law.

Proposed Language for Rehabilitation Facilities

Definitions – Insert into Section 2.02 of the Zoning Ordinance

§2.02.85.05: Rehabilitation Facility (Inpatient/Residential): A licensed facility providing 24-hour medical clinical treatment, dispense medication, and manage specialized care. They are heavily regulated and licensed by state departments of health or social services. They must comply with strict medical zoning, healthcare building codes, and patient privacy laws.

§2.02.85.06: Rehabilitation Facility (Outpatient): A licensed facility providing non-residential medical clinical treatment (e.g. physical therapy or occupational therapy), dispense medication, and manage specialized care on a scheduled basis. They are heavily regulated and licensed by state departments of health or social services. They must comply with strict medical zoning, healthcare building codes, and patient privacy laws.

§2.02.85.07: Residential Care Facility: A residential care facility is a licensed group housing arrangement where individuals live on a short-term basis and receive daily support services in a home-like environment rather than an institutional hospital setting. They are heavily regulated and licensed by state departments of health or social services. They must comply with strict medical zoning, healthcare building codes, and patient privacy laws.

Insert into Article IV – Use Specific Requirements of Zoning Ordinance

4.12 - Rehabilitation Facilities

4.12.01: Purpose and Intent

The purpose of this section of the zoning ordinance is to establish land use regulations and development standards for licensed medical rehabilitation facilities and physical rehabilitation centers to ensure compatibility with surrounding neighborhoods, minimize impacts on public services, and comply with state and federal regulations.

4.12.02: Permitted and Conditional Uses

To comply with the federal [Fair Housing Act](#), the Town is classifying rehabilitation facilities carefully to avoid discrimination while protecting community health:

- A. **Outpatient Rehabilitation Facilities:** Permitted in General Commercial (C2) zoning district.
- B. **Inpatient/Residential Rehabilitation and Residential Care Facilities:** Permitted only as a *Conditional Use* in General Commercial (C2) district, subject to Planning Commission and Town Council approvals.

NOTE: Rehabilitation facilities are not permitted in the Town Center (TC) zoning district.

4.12.03: Development and Siting Standards

- A. **Separation Requirements:** To prevent the oversaturation of social services in a single geographic area, no new inpatient residential rehabilitation or residential care facility shall be located within 1,000 feet of another inpatient residential rehabilitation or residential care facility, residential neighborhood, public school, church, or licensed daycare center.
- B. **Occupancy Limits:** For residential facilities, occupancy shall not exceed the limits set by the Alabama Administrative Code for square footage per occupant (e.g., minimum open floor space per bed).
- C. **Parking:** Off-street parking must be provided at a ratio of 1 space per staff member on duty, plus 1 space per 2 beds/clients.
- D. **Operational Management:** Facilities must operate 24-hour on-site awake supervision, provide a 24 hour onsite licensed security guard and maintain an active community complaint protocol on file with the Town Clerk.

4.12.04. Special Use Permit Required

Inpatient Residential Rehabilitation or Residential Care Facilities shall require approval of a Special Use Permit by the Town Council following recommendation by the Planning Commission. In considering a Special Use Permit application, the Planning Commission and Town Council shall evaluate the following factors:

- A. Planned service offerings by the facility.
- B. Compatibility with surrounding land uses.
- C. Traffic generation and roadway capacity.
- D. Availability of emergency services.
- E. Adequacy of parking and internal circulation.
- F. Building size and site design.
- G. Planned occupancy rates and staffing levels listing prior relevant experience for key staff members.
- H. Landscaping, buffering, and screening.
- I. Lighting and security measures including provision for licensed security guard onsite 24x7.
- J. Compliance with all applicable state and federal licensing requirements.
- K. Certification by state or federal agencies (e.g. Community Mental Health Center).
- L. Adequacy of water, sewer, and utility infrastructure.
- M. Impact upon nearby residential properties.

4.12.05. Application Requirements for Special Use Permit

Applicants seeking approval for an Inpatient Residential Rehabilitation or Residential Care Facility shall submit written documentation to the Enforcement Officer and Planning Commission for the following items:

- A. Site plan.
- B. Floor plan.
- C. Parking plan.
- D. Landscaping and buffering plan.
- E. Traffic impact statement if requested by the Planning Commission.

- F. Description of services to be provided, methods in which they will be provided, use of external specialists and expected outcomes.
- G. Description of proposed operations along with staffing plan for 24x7 operations including onsite supervisor and associated experience levels of proposed staff and onsite licensed security guard.
- H. Proof of proper certification or licensure from the [Alabama Department of Mental Health](#) or the [Alabama Department of Public Health](#), depending on the services provided.

4.12.06. Minimum Development Standards

All Medical Rehabilitation Facilities, Physical Rehabilitation Facilities, Treatment Facilities, and Residential Care Facilities shall comply with the following standards:

- A. Minimum Lot Area: One (1) acre.
- B. Minimum Front Setback: Fifty (50) feet.
- C. Minimum Side Setback: Twenty-five (25) feet.
- D. Minimum Rear Setback: Twenty-five (25) feet.
- E. Buffering: Where a facility adjoins residentially zoned property, a landscaped buffer not less than twenty (20) feet in width shall be installed and maintained.
- F. Access: Primary access shall be provided from a collector or arterial roadway whenever reasonably available.
- G. Parking: Parking shall be provided at the following minimum ratios:
 - 1. One space per employee on the largest shift.
 - 2. One space per two patient beds.
 - 3. One space per treatment room.
 - 4. Additional visitor parking as determined necessary by the Planning Commission.

4.12.07. Operational Requirements

- A. All facilities shall maintain any required state licenses, certifications, and permits as well as any required Town licenses or permits.
- B. Failure to maintain required licensing shall constitute grounds for suspension or revocation of zoning approval.
- C. No facility shall create excessive noise, traffic, lighting, odors, or other nuisances adversely affecting adjacent properties.
- D. Inpatient Rehabilitation or Residential Care facilities must operate 24-hour on-site awake supervision with an onsite licensed security guard. Facility must maintain an active community complaint protocol on file with the Town Clerk

Section 4.12.08 - Enforcement

Any violation of this Ordinance shall be subject to the enforcement provisions and penalties established by the Zoning Ordinance and applicable Alabama law.

Proposed Permitted Use Table Changes

Change Table 5.3 – RR Permitted Uses:

Remove row with the following wording:

Single-family group homes subject to §4.03	C
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Change Table 5.7 – R2 Permitted Uses:

Remove row with the following wording:

Two-family group homes	C
------------------------	---

Change Table 5.9 – R3 Permitted Uses:

Remove row with the following wording:

Multi-family dwellings (including group homes housing three or more families)	P
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Change Table 5.13 – C1 Permitted Uses:

Remove row with the following wording:

Group homes, subject to the standards established in §4.03	P
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Change Table 5.15 – C2 Permitted Uses:

Add Rehabilitation Facility (Outpatient) as a permitted use

Add Rehabilitation Facility (Inpatient), Residential Care Facility and Group Home as a conditional use.

Add Group Homes as a conditional use