

STATE OF ALABAMA
SHELBY COUNTY
SHELBY COUNTY PLANNING COMMISSION MINUTES

February 15, 2021 – 6:00 PM

Shelby County Services Building, Second Floor Community Room
1123 County Services Drive, Pelham, AL 35124

Members Present: Michael O’Kelley, Ad Hoc Chairman; Jim Davis; Bill Norton; Kenneth Wilder

Members Absent: Bill Kinnebrew, Chairman; Joseph Little, Vice Chairman; Samuetta Nesbitt

Staff Present: David Willingham, Chief Development Officer; Christie Hester, Manager, Planning & Community Development; Sharman Brooks, Supervisor, Planning & MS4; Heidi Lee, Civil Engineer

PUBLIC HEARING

In the absence of both the Chairman and Vice Chairman, the meeting was called to order and **Commissioner O’Kelley** volunteered to serve as Ad Hoc Chairman of the meeting; the Planning Commission agreed and appointed him to serve as Ad Hoc Chairman for this meeting.

Michael O’Kelley, Ad Hoc Chairman, noted there was a quorum and that no visitors were present.

1. Approval of the Minutes of the December 21, 2020, Planning Commission Regular Meeting

Commissioner Davis made a motion to approve the minutes of the December 21, 2020, meeting and **Commissioner Norton** seconded the motion. **Commissioner O’Kelley** called for a vote and the Planning Commission unanimously approved the minutes of the December 21, 2020, meeting with a vote of four to zero (4-0).

Note: The signed minutes retained by the Shelby County Development Services Department will have a complete meeting information packet including staff reports attached.

2. SN20-028 – A Resubdivision of Lot 1A of Marquess Family Subdivision

This is a request from Gary Marquess, property owner, for approval of a final plat to resubdivide part of Lot 1A containing 10.09 acres into two lots for residential use, to be known as A Resubdivision of Lot 1A of Marquess Family Subdivision. (Please note: Lot 1A has been the subject of a probated estate.) The subject property is zoned A-1, Agricultural District and is located at 414 Highway 63; Parcel Identification No. 58-28-4-20-0-000-020.000.

Sharman Brooks stated she had the staff presentation for agenda item #2, noting it did not include any additional information beyond the written staff report provided in the meeting information packet. There were no questions or discussion, and the presentation was not required since the applicant was not present and there were no other audience members in attendance.

With no further discussion, **Commissioner O’Kelley** called for a motion. **Commissioner Davis** made a motion in **Case SN20-028 – A Resubdivision of Lot 1A of Marquess Family Subdivision** that the evidence presented in the written staff report warrants Approval with conditions of the written staff report and **Commissioner Wilder** seconded the motion. By a unanimous vote of four to zero (4-0), the Planning Commission approved the following resolution:

WHEREAS, Gary Marquess, property owner, has petitioned the Shelby County Planning Commission for the approval of a final plat to resubdivide part of Lot 1A containing 10.09 acres into two lots for residential use, to be known as A Resubdivision of Lot 1A of Marquess Family Subdivision; and,

WHEREAS, the subject property is zoned A-1, Agricultural District and is located at 414 Highway 63; Parcel Identification No. 58-28-4-20-0-000-020.000; and,

WHEREAS, the subject property has been the subject of a number of subdivisions and splits via probated estates; and,

WHEREAS, the original Marquess Family Subdivision (Map Book 32, Page 75) was recorded in 2003 and included three lots; and,

WHEREAS, a resurvey of lots 1 and 2 was recorded in 2009 (Map Book 41, Page 88) that created Lot 1A (20.5 acres) and Lot 2A (7.4 acres); and,

WHEREAS, the subject property, Lot 1A of Marquess Family Subdivision, was the subject of two probated estates, instrument numbers 20160617000208980 and 20200814000351050; and,

WHEREAS, a probated estate in 2016 divided 1.4 acres from Lot 1A, leaving Lot 1A with approximately 19 acres; and,

WHEREAS, a second probated estate was executed in 2020 that divided Lot 1A into a 9.15-acre tract and a 10.09-acre tract; and,

WHEREAS, the property owner, Gary Marquess, is requesting to resubdivide the remaining 10.09 acres of Lot 1A into two lots, Lot 1C (6.09 acres) and Lot 1D (4.00 acres); and,

WHEREAS, the stated purpose of the resubdivision is for residential use and the applicant has confirmed the properties are intended for use by members of the Marquess family; and,

WHEREAS, the applicant has been informed that the proposed resubdivision will create the fifth and final lot of the Marquess Family Subdivision and no further subdivision will be permitted on any of the lots within the family subdivision; and,

WHEREAS, the final plat and documents meet the requirements of the Subdivision Regulations; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the request from Gary Marquess, property owner, for approval of a final plat to resubdivide part of Lot 1A containing 10.09 acres into two lots for residential use, to be known as A Resubdivision of Lot 1A of Marquess Family Subdivision located at 414 Highway 63; Parcel Identification No. 58-28-4-20-0-000-020.000 be, and the same is hereby *Approved* subject to:

- Applicant submitting a final plat for recording; and
- Compliance with the regulations, policies and guidelines of Shelby County.

ACTION ITEM

1. Election of Vice Chairman

In accordance with the *Bylaws of the Planning Commission of Shelby County, Alabama*, Section 3.b, the Planning commission shall elect a Vice Chairman during the last meeting in the month of February and the former Vice Chairman shall become the Chairman of the Planning Commission at the next meeting.

Commissioner O’Kelley opened the floor for nominations to elect a new Vice Chairman.

Commissioner Wilder nominated **Commissioner Davis** to serve as Vice Chairman of the Shelby County

Planning Commission for the 2021-2022 term and **Commissioner Davis** accepted the nomination. **Commissioner O’Kelley** seconded the nomination.

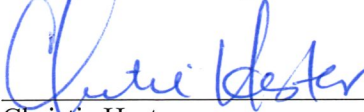
There being no further nominations, **Commissioner O’Kelley** called for a vote. **Commissioners Davis, Norton, O’Kelley, and Wilder** voted in favor of **Commissioner Davis** to serve as Vice Chairman. By a vote of 4-0, the Planning Commission elected **Commissioner Jim Davis** to serve as the Vice-Chairman of the Shelby County Planning Commission for the 2021-2022 term of office.

OTHER INFORMATION

Sharman Brooks provided a status update to the Planning Commission regarding pending legal matters.

Sharman Brooks confirmed the next scheduled meeting of the Planning Commission is Monday, March 1, 2021, noting the meeting agenda includes one case and will be held at the Shelby County Services Building.

There being no further business, **Commissioner Norton** made a motion to adjourn and **Commissioner Davis** seconded the motion. By a unanimous vote of four to zero (4-0) in favor, the Planning Commission meeting of February 15, 2021, adjourned at 6:07 pm.



Christie Hester
Manager, Planning & Community Development
Commission



Michael O’Kelley, Ad Hoc Chairman
Shelby County Planning