

STATE OF ALABAMA
SHELBY COUNTY
SHELBY COUNTY PLANNING COMMISSION MINUTES

June 20, 2022 – 6:00 PM

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

Members Present: Jim Davis, Chairman; Michael O’Kelley, Vice Chairman; Joe Little; Bill Norton; Kenneth Wilder

Members Absent: Samuetta Nesbitt; Brett Winford

Staff Present: Christie Hester, Manager of Planning & Community Development; Josh Osborne, Supervisor, Planning & MS4; Kristine Goddard, Senior Planner; Andrew Harris, Planner; Brenda Hungerford, Administrative Assistant

PUBLIC HEARING

Jim Davis, Chairman, called the meeting to order at 6:00 pm. Following roll call, **Commissioner Davis** stated there was a quorum with five Commissioners present. He introduced the Commissioners and staff and reviewed the meeting procedures. The only audience member was the applicant for Case V22-002.

1. Approval of the Minutes of the June 6, 2022, Planning Commission Regular Meeting

Commissioner Wilder made a motion to approve the meeting minutes of June 6, 2022; **Commissioner Norton** seconded the motion. **Commissioner Davis** called for a vote and the Planning Commission approved the meeting minutes of June 6, 2022, with a vote of four to zero with **Commissioner O’Kelley** abstaining since he did not attend the meeting (4-0-1).

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

2. V22-002 – Shoal Creek Lot 31-A Front Yard Variance

This is a request from Derek Neece, property owner, for approval to reduce the required front yard setback from 100 feet to 90 feet for Lot 31-A, a variance of 10 feet, for the construction of a single-family home. The subject property is zoned E-1 SD, Single Family Estate Special District, and located at 1007 Carnoustie South in the Shoal Creek residential subdivision; Parcel Identification No. 58-03-8-34-0-001-001.005.

Kristine Goddard provided a summary of the request for agenda item #2 based on the written staff report provided in the meeting information, noting she received one public comment regarding this case from an individual who was against this request because they were generally opposed to any variance.

Ms. Goddard provided a brief history of the Shoal Creek 100-foot setbacks established in 2015 via an Amended Master Plan. She explained the applicant’s request was due to the lot’s topography and, if approved, placement of the house would result in less grading and allow the existing water flow patterns on this property to continue.

Commissioner O’Kelley opined the request is warranted, citing Lots 32A and 32B specifically and other houses to the north of this property as being much closer to the road.

Commissioner Norton wondered if the setbacks could be changed since there have been several requests of this nature. Ms. Goddard noted on multiple occasions staff has suggested Shoal Creek reconsider the setbacks. Sharman Brooks explained that staff has recommended to Caroline Little [President, Shoal Creek Properties/Member, Shoal Creek Architectural Committee] that the Shoal Creek HOA Board might want to inventory the lots not yet built in an effort to determine which may need a variance from the Planning Commission under the current setbacks and then adjust the overall requirements to eliminate the need for variances on the remaining lots.

Following discussion, **Commissioner Davis** asked staff to talk with Bill Justice, the County’s legal counsel, to determine whether it is appropriate for the Planning Commission to send a letter to the Shoal Creek HOA Board recommending a change in the setbacks, noting this would save both time and money for both the County and the property owner.

Commissioner Davis invited the applicant to speak; Derek Neece stated he appreciated the discussion and had nothing to add.

With no further discussion, **Commissioner Davis** called for a motion. **Commissioner O’Kelley** made a motion in **Case V22-002 – Shoal Creek Lot 31-A Front Yard Variance** that the evidence presented in the written staff report and presentation warrants Approval; **Commissioner Norton** seconded the motion. On a unanimous vote of five to zero (5-0), the Planning Commission approved the following resolution:

WHEREAS, Derek Neece, property owner, has petitioned the Shelby County Planning Commission for approval to reduce the required front yard setback from 100 feet to 90 feet for Lot 31-A, a variance of 10 feet, for the construction of a single-family home; and,

WHEREAS, the subject property is located at 1007 Carnoustie South in the Shoal Creek residential subdivision; Parcel Identification No. 58-03-8-34-0-001-001.005; and,

WHEREAS, Shoal Creek is a private, master planned golf community, zoned E-1 SD, Single Family Estate Special District; and,

WHEREAS, on June 20, 2015, the Shelby County Planning Commission approved an amendment to the Shoal Creek Master Plan that included the establishment of required setbacks; and,

WHEREAS, the Shoal Creek Master Plan requires a 100-foot setback from all lot lines adjacent to a public street; and,

WHEREAS, approval of the variance will reduce the amount of required grading and disruption to existing drainage patterns; and,

WHEREAS, on April 28, 2022, the Shoal Creek Association Board of Directors approved the variance request of 10 feet; and

WHEREAS, the Shoal Creek Architectural Review Committee approved the proposed 10-foot variance on May 2, 2022; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the application of Derek Neece, property owner, for approval to reduce the required front yard setback from 100 feet to 90 feet for Lot 31-A, a variance of 10 feet, for the construction of a single-family home; a variance of Section 3, Article XVIII in the established Special District for Shoal Creek; for property located at 1007 Carnoustie South in the Shoal Creek residential subdivision; Parcel Identification No. 58-03-8-34-0-001-001.005, be and the same is hereby *Approved*, subject to compliance with the regulations, policies and guidelines of Shelby County, Alabama.

DISCUSSION ITEMS

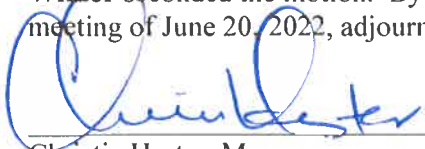
- **Shelby County Comprehensive Plan – Future Development Map**

Christie Hester spoke briefly about the progress made on the Future Development Map and answered Commissioners’ questions, noting an open house is planned for public review of the map.

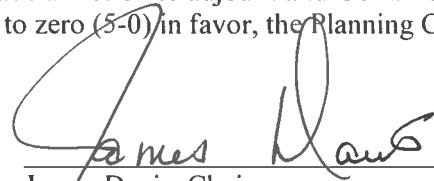
- **Next Meeting of the Planning Commission**

Christie Hester stated there would be one public hearing for a rezoning case at the next regularly scheduled meeting of the Planning Commission on July 18, 2022.

There being no further business, **Commissioner Norton** made a motion to adjourn and **Commissioner Wilder** seconded the motion. By a unanimous vote of five to zero (5-0) in favor, the Planning Commission meeting of June 20, 2022, adjourned at 6:16 pm.



Christie Hester, Manager
Planning & Community Development



James Davis, Chairman
Shelby County Planning Commission