

STATE OF ALABAMA  
SHELBY COUNTY

SHELBY COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting – December 19, 2005, 7:00 P.M.

**Members Present:** Bob Land, Chairman; Kenneth Wilder, Vice Chairman; Ralph Thomas, Rachel Garrett, Bill Kinnebrew, Doug Hale, and Robert Taylor.

**Staff Present:** Ray Hamilton, Development Services Manager; Todd McDonald, Supervisor of Planning Services, Tom Wilkins, Senior Planner; Michele O'Neal, Planner II.

The meeting was called to order at approximately 7:00 p.m. by Bob Land, Chairman. The Chairman introduced the members of the Shelby County Planning Commission and staff. There were approximately twenty (12) people present at this meeting.

**WORK SESSION**

A work session was held prior to the regular meeting at 6:00 p.m. All interested parties were invited to attend. Note: This was not a public hearing.

**PUBLIC HEARING**

**1. Approval of Minutes of November 21, 2005 Regular Meeting**

**Commissioner Thomas** made a motion to approve the minutes of the November 21, 2005 meeting. The motion was seconded by **Commissioner Kinnebrew** and by a unanimous vote, the Minutes of the Meeting of November 21, 2005 were *Adopted*.

**2. Case No. MP-05-05 Saunders Bridge Master Plan**

*Purpose:* This is a request from Jackie Davis, Surveying Solutions, Inc., for the approval of a *master plan* for a 350-acre development that will have up to 50 single-family residential lots. The subject property is not in a zoned area.

*Location:* The property is located on Twin Pines Road, County Highway 45, and is situated in the SW ¼ of Section 16, Township 19 South, Range 2 West; parcel identification numbers 58-04-6-23-0-000-003.000, 58-04-6-23-0-000-003.011, 58-04-6-23-0-000-003.013, 58-04-6-23-0-000-006.000, 58-04-7-26-0-000-002.000, 58-04-8-27-0-000-001.002.

The case was presented by Jackie Davis. Ms. Davis stated that the owners purchased this property to permit the construction of large homes on generally 3 acre lots. This remote property is densely wooded land surrounding a lake with 10,068 linear feet of shoreline and a smaller lake having 1,918 linear feet of shoreline. The property is gently rolling to steeply sloping up Copper Mountain. The 3 acre lot size is targeted to permit a rural street design and generally no curbs.

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The property will be covenanted to ensure the quality of the development and will likely have limitations on clearing the properties.

**Commissioner Hale** made a motion to *Approve* this master plan. The motion was seconded by **Commissioner Thomas** and, by a unanimous vote, the following resolution was approved:

**WHEREAS**, Jackie Davis, Surveying Solutions, Inc., representing the owners, Arlington Properties, has petitioned the Shelby County Planning Commission for the approval of a master plan to be called **Saunders Bridge**; the proposed private development will contain up to 50 single family residential lots on a 360 acre tract of land; and,

**WHEREAS**, the subject property is located in northeast Shelby County, on Twin Pines Road, County Highway 45, and is situated in the S ½ of Section 23, the NW ¼ of Section 26, and the NE ¼ of Section 27, Township 18 South, Range 1 East; parcel identification numbers 58-04-6-23-0-000-003.000, 58-04-6-23-0-000-003.011, 58-04-6-23-0-000-003.013, 58-04-6-23-0-000-006.000, 58-04-7-26-0-000-002.000, 58-04-8-27-0-000-001.002; and,

**WHEREAS**, the Planning Commission has found that the above captioned private residential development is similar to the uses of the surrounding properties and is not inconsistent with the Comprehensive Plan of Shelby County;

**NOW, THEREFORE, BE IT RESOLVED**, that **Case No. MP-05-05**, a request for the approval of a master plan to be called **Saunders Bridge**, a private development containing up to 50 single family residential lots on a 360 acre tract of land, located in northeast Shelby County, situated in the S ½ of Section 23, the NW ¼ of Section 26, and the NE ¼ of Section 27, Township 18 South, Range 1 East, 8-04-6-23-0-000-003.000, 58-04-6-23-0-000-003.011, 58-04-6-23-0-000-003.013, 58-04-6-23-0-000-006.000, 58-04-7-26-0-000-002.000, 58-04-8-27-0-000-001.002 is hereby *APPROVED*.

### **3. Case No. V-06-05, Yeager Front-and-Rear Variance Request**

*Purpose:* This is a request from Doug Palmer, on behalf of property owner Eric Yeager, for the approval of a variance to permit the construction of a single family residence having a 37.6 foot rear yard setback instead of the minimum 40 feet required in the "E-1, Estate District", a variance of Article VIII, Section 3 pursuant to Article XXIII, Section 3.2.

*Location:* The subject property is located on Double Oak Lane, Lot 24, Mountain Crest Estates, Map Book 32, Page 76, and situated in the NE ¼ of Section 27, Township 19 South, Range 2 West; parcel identification number 58-10-8-27-0-002-024.000.

The case was presented by the applicant, Doug Palmer, representing the property owner, Eric Yeager. Mr. Palmer stated that the house was originally sited on the property based upon the preliminary plat, which reflected a lot depth of 122.22 feet, whereas the lot is only 119.7 feet deep. The property abuts the Oak Mountain State Park. In addition to the narrowness of the lot, it has a slope in excess of 29% in places. The applicants request relief from the rear yard setback requirements.

**Commissioner Thomas** made a motion to *Grant* the requested variance. The motion was seconded by **Commissioner Kinnebrew** and by a vote of four (4) in favor and three (3) opposed, the following resolution was approved:

**WHEREAS**, Doug Palmer, representing the property owner, Eric Yeager, has petitioned the Shelby County Planning Commission to grant a variance to permit the construction of a single family residence in an "E-1", Estate District, having a 37.6 foot rear

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setback instead of the minimum 40 feet required; a variance of Article VIII, Section 3, pursuant to Article XXIII, Section 3.2; and,

**WHEREAS**, the subject property is located on Double Oak Lane, Lot 24, Mountain Crest Estates, Map Book 32, Page 76, and situated in the NE ¼ of Section 27, Township 19 South, Range 2 West; parcel identification number 58-10-8-27-0-002-024.000; and,

**WHEREAS**, the Planning Commission has determined that the evidence presented demonstrates that owing to the topography of the subject property, a literal enforcement of the setback requirements of the Zoning Regulations will result in an unnecessary hardship, and,

**WHEREAS**, the Commission has determined that granting the variance will not impair the spirit of the ordinance;

**NOW, THEREFORE, BE IT RESOLVED**, that **Case No. V-06-05**, application for a variance to permit the construction of a single family residence in an "E-1", Estate District, having a 37.6 foot rear setback instead of the minimum 40 feet required; a variance of Article VIII, Section 3, pursuant to Article XXIII, Section 3.2, located on Double Oak Lane, Lot 24, Mountain Crest Estates, situated in the NE ¼ of Section 27, Township 19 South, Range 2 West; parcel identification number 58-10-8-27-0-002-024.000, is hereby **GRANTED**.

There being no further business, **Commissioner Garrett** made a motion to adjourn. The motion was seconded by **Commissioner Thomas** and by a unanimous vote, the meeting was adjourned.

**ADJOURNMENT 8:05 – December 21, 2005**

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Todd McDonald,  
Planning Services Supervisor

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James R. Land, Chairman  
Planning Commission