

STATE OF ALABAMA  
SHELBY COUNTY

SHELBY COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting – February 20, 2006, 7:00 P.M.

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

**Staff Present:** Todd L. McDonald, Supervisor of Planning Services, Tom Wilkins, Senior Planner; Michele O'Neal, Planner II, Sharman Brooks, Planner II, John Slaughter, Asst. County Engineer.

The meeting was called to order at approximately 6:00 p.m. by Bob Land, Chairman. The Chairman introduced the members of the Shelby County Planning Commission and staff. There were six (6) people present at this meeting.

**PUBLIC HEARING**

**1. Approval of Minutes of February 6, 2006 Regular Meeting**

**Commissioner Wilder** made a motion to approve the minutes of the February 6, 2006 meeting. The motion was seconded by **Commissioner Kinnebrew** and by a unanimous vote, the Minutes of the Meeting of February 6, 2006 were *Approved*.

**2. A Request to Remove Case No. P-01-05, Burch Development, (Site Plan Review), From the Table**

John Slaughter of the Highway Department stated that the application met the minimum requirements required for review of the proposed development. Michele O'Neal of the Department of Development Services stated that the site plan submitted by the applicants exceeded the minimum requirements of the Zoning Ordinance. Staff identified the fact that the case could be heard at the regularly scheduled meeting of March 6, 2006.

**Commissioner Hale** made a motion to *Remove this case from the Table*. The motion was seconded by **Commissioner Wilder** and, by a unanimous vote, the following resolution was approved:

**WHEREAS**, on October 1, 2001, the Shelby County Planning Commission approved the rezoning of a tract of property, located on the northwest side of the 2500 block of Valleydale Road, across from Southeastern Bible School, and situated in the SE ¼ of Section 16, Township 19 South, Range 2 West, parcel identifications #'s: 10 5 16 0 001 013.000, 10 5 16 0 001 014.000, 10 5 16 0 001 015.000, 10 5 16 0 001 016.000, 10 5 16 0 001 016.001, 10 5 16 0 001 017.000, and 10 5 16 0 001 018.000, from the "E-2", Estate District to the "O & I - (2)", Office and Institutional District (2), Case No. **Z-08-01**, to permit the development of an office facility; and,

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**WHEREAS**, in rezoning the subject property, the Planning Commission's Resolution specifically articulated that the Design Review Committee ensure that there will be a *minimum* 50 foot setback adjacent to all residential property, *undisturbed if possible*; and,

**WHEREAS**, on March 11, 2005, Rick Burch applied to the Shelby County Planning Commission for the favorable review of a site development plan for the construction of a 14 building office complex on the subject property; and,

**WHEREAS**, at the regularly scheduled meeting of September 19, 2005, the Planning Commission found that the evidence and testimony presented clearly showed that the applicant had disregarded the intent of the Planning Commission for the provision of an undisturbed buffer and has virtually destroyed any resemblance of a buffer to provide a reasonable assumption of privacy by the adjoining residential properties; and,

**WHEREAS**, on September 19, 2005 the Planning Commission approved a resolution that **Case No. P-01-05**, a request for the favorable review of a site development plan for the construction of a 11 building office complex on 8.12 acres in an "O & I - (2)", Office and Institutional District (2), be **TABLED** until the applicant can provide an acceptable landscaping plan, grading plan and demonstrate resolution of the repairs to the buffer that has been virtually eliminated; and,

**WHEREAS**, the applicant has subsequently submitted revised drawings and engineering reports that provide an acceptable landscaping plan, grading plan that demonstrates how resolution of the repairs to the buffer will be accomplished;

**NOW, THEREFORE, BE IT RESOLVED**, that **Case No. P-01-05**, Burch Development, application for favorable review of a site development plan for the construction of a 14 building office complex on the subject property be, and the same hereby is, *Removed From the Table* for consideration by the Shelby County Planning Commission at the regularly scheduled meeting of March 6, 2006.

### **3. Election of Vice-Chairman.**

**Commissioner Thomas** nominated **Commissioner Garrett** to serve as **Vice-Chairman** of the Planning Commission. The motion was seconded by **Commissioner Taylor**, and by a vote of six (6) in favor and one (1) abstention, **Commissioner Garrett** was elected to serve as **Vice-Chairman** of the Shelby County Planning Commission.

There being no further business, **Commissioner Kinnebrew** made a motion to adjourn. The motion was seconded by **Commissioner Wilder** and by a unanimous resolution, the meeting was adjourned.

**ADJOURNMENT 6:20 February 20, 2006.**

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Todd McDonald,  
Planning Services Supervisor

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James R. Land, Chairman  
Planning Commission