

STATE OF ALABAMA

SHELBY COUNTY

SHELBY COUNTY PLANNING COMMISSION

MINUTES

Regular Meeting – April 2, 2007, 7:00 P.M.

Members Present: Rachel Garrett, Chairwoman; Ralph Thomas, Vice Chairman; Bob Land; Robert Taylor; and Kenneth Wilder.

Members Absent: Russ Hale and Bill Kinnebrew.

Staff Present: David Hunke, Planning Services Supervisor; Tom Wilkins, Senior Planner; Sharman Brooks, Planner II.

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

The meeting was called to order at approximately 7:08 p.m. by Rachel Garrett, Chairwoman. Ms. Garrett introduced the members of the Shelby County Planning Commission and staff. There were four (4) additional people present.

1. Approval of the Minutes of the Regularly Scheduled Meeting of March 19, 2007.

Commissioner Land made a motion to approve the Minutes of the Meeting of March 19, 2007 with the changes as noted. The Motion was seconded by **Commissioner Wilder** and by a unanimous vote of five (5), (Commissioners Garrett, Thomas, Land, Taylor and Wilder) in favor, the Minutes of the Meeting of March 19, 2007 were approved.

2. V-01-07, Myers/Hobbs - Substandard Lot Variance

Purpose: A request from Billy Myers and Joyce Hobbs, owners, for the approval of a variance to permit the resurvey of Lots 25 and 26, Indian Valley, 3rd Sector, 19,072.50 and 18,070.52 square feet, respectively, into Lots 25-A and Lot 26-A, 24,550 and 17,066 square feet, respectively, instead of the minimum 20,000 square feet required in the E-2 Zone District; a variance of Article IX, Section 2, pursuant to Article XXIII, Section 3.

Location: The subject properties are located at 2524 and 2520 Titonka Road, Lots 25 and 26, Indian Valley, 3rd Sector, lying north of Valleydale Road and east of Heatherwood Drive in the North Shelby – I 65 Corridor Zoning Beat, within the "E-2, Estate District", and situated in the NE quarter of Section 16, Township 19 South, Range 2 West; Parcel Identification Numbers 10-5-16-0-004-010.000 and 10-5-16-0-004-011.000.

The case was introduced by Sharman Brooks. The applicant, Billy Myers, stated that he and the co-applicant, Joyce Hobbs, have been aware of the encroachment for many years. They agreed to correct the situation to preclude any issues that could arise in the sale of either property. Ms. Hobbs was present and acknowledged her concurrence. No one else was present to speak either in favor of or in opposition to the request.

Commissioner Land made a motion to *Grant* the variance. The motion was seconded by **Commissioner Wilder** and by a unanimous vote of five (5), (Commissioners Garrett, Thomas, Land, Taylor and Wilder) in favor, the following resolution was approved:

WHEREAS, Billy Myers and Joyce Hobbs, have petitioned the Shelby County Planning Commission for the approval of a variance to permit the resurvey of Lots 25 and 26, Indian Valley, 3rd Sector, 19,072.50 and 18,070.52 square feet, respectively, into Lots 25-A and Lot 26-A, 24,550 and 17,066 square feet, respectively, instead of the minimum 20,000 square feet required in the E-2 Zone District; a variance of Article IX, Section 2, pursuant to Article XXIII, Section 3; and,

WHEREAS, the subject property is located at 2524 and 2520 Titonka Road, Lots 25 and 26, Indian Valley, 3rd Sector, in the North Shelby – I 65 Corridor Zoning Beat, within the "E-2, Estate District"; and situated in the NE quarter of Section 16, Township 19 South, Range 2 West; Parcel Identification Numbers 10-5-16-0-004-010.000 and 10-5-16-0-004-011.000; and,

WHEREAS, the maps and documents submitted illustrate the encroachment of the improvements of Lot 25 onto Lot 26; and,

WHEREAS, the Planning Commission finds that the evidence and testimony presented demonstrates that the reduced lot size of Lot 26, Indian Valley, 3rd Sector will not diminish or impair the established property values within the surrounding area;

NOW, THEREFORE, BE IT RESOLVED, that Case No. **V-01-07**, a request for the approval of a variance to permit the resurvey of Lots 25 and 26, Indian Valley, 3rd Sector, 19,072.50 and 18,070.52 square feet, respectively, into Lots 25-A and Lot 26-A, 24,550 and 17,066 square feet, respectively, instead of the minimum 20,000 square feet required in the E-2 Zone District; a variance of Article IX, Section 2, pursuant to Article XXIII, Section 3, for property located at 2524 and 2520 Titonka Road, Lots 25 and 26, Indian Valley, 3rd Sector; Parcel Identification Numbers 10-5-16-0-004-010.000 and 10-5-16-0-004-011.000 is hereby **GRANTED**.

Commissioner Garrett stated that she would like to read into the Minutes a resolution commemorating **Commissioner Ken Wilder's** service as Chairman of the Shelby County Planning Commission. **Commissioner Thomas** made a motion to adopt the resolution. The Motion was seconded by **Commissioner Taylor** and by a vote of four (4), (Commissioners Garrett, Thomas, Land and Taylor) in favor, and **Commissioner Wilder** abstaining, the following Resolution was approved:

WHEREAS, Kenneth F. Wilder, has rendered distinguished service as a member of the Shelby County Planning Commission since January of 1999; and,

WHEREAS, Commissioner Wilder has tirelessly served the last year as Chairman of the Planning Commission; and,

WHEREAS, under his able leadership and guidance Shelby County has completed the drafting and implementation the new Subdivision Regulations of Shelby County; and,

WHEREAS, Shelby County has benefited greatly from his valuable leadership and guidance as the Chairman of the Planning Commission and looks forward to his continued service as a Planning Commissioner for years to come;

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that said Commission hereby recognizes and publicly expresses its appreciation and gratitude to Kenneth F. Wilder for his service to Shelby County and its citizens.

Adopted unanimously on this 2nd day of April 2007.

There being no further business, **Commissioner Thomas** made a motion to adjourn. The motion was seconded by **Commissioner Wilder** and by a unanimous vote of five (5), (Commissioners Garrett, Thomas, Land, Taylor and Wilder) in favor, the meeting was adjourned.

ADJOURNMENT 7:30 P.M. April 2, 2007.

David Hunke, AICP
Planning Services Supervisor

Rachel Garrett, Chairwoman,
Shelby County Planning Commission