

STATE OF ALABAMA
SHELBY COUNTY
SHELBY COUNTY PLANNING COMMISSION MINUTES

April 18, 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; Brett Winford

Members Absent: Samuetta Nesbitt

Staff Present: David Willingham, Chief Development Officer; Christie Hester, Manager of Planning & Community Development; Sharman Brooks, Supervisor, Planning & MS4; Josh Osborne, Supervisor, Planning & MS4; Kristine Goddard, Senior Planner; John Slaughter, Chief Civil Engineer; Brenda Hungerford, Administrative Assistant

PUBLIC HEARING

Jim Davis, Chairman, called the meeting to order at 6:05 pm. Following roll call, **Commissioner Davis** stated there was a quorum with six Commissioners present. He introduced Commissioners and staff and reviewed the meeting procedures. There were approximately 68 audience members present.

1. Approval of the Minutes of the March 21, 2022, Planning Commission Regular Meeting

Commissioner O’Kelley made a motion to approve the meeting minutes of March 21, 2022; **Commissioner Norton** seconded the motion. **Commissioner Davis** called for a vote and the Planning Commission unanimously approved the meeting minutes of March 21, 2022, with a vote of six to zero (6-0).

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

2. Z22-004 – Valleydale Animal Clinic Relocation-Rezoning O-I(2) to A-1

This is a request from Jeffery Falone, Falone Properties, on behalf of Connor Farmer, High Pointe Properties, property owner, for approval of a change in the zone district boundaries for approximately 4.91 acres from O-I (2), Office and Institutional District (2), to A-1, Agricultural District, to develop a veterinarian clinic including an outdoor play yard. The subject property is located at 4914 Valleydale Road, approximately one-quarter mile southwest of Inverness Parkway; Parcel Identification Nos. 58-10-1-11-0-001-006.000 and 58-10-1-11-0-001-009.001.

Kristine Goddard gave a presentation on agenda item #2 based on the written staff report provided in the meeting information packet. She reported that Shelby County Development Services received a combination of more than 40 written and verbal comments from interested citizens and there had been discussion on the Social Media App, NextDoor. She distributed a copy of the written comments with a cover memo summarizing the comments as follows.

- General opposition to a change in the zoning designation
 - Current zoning designation specifically does not allow for the proposed use
 - An office use would be more in line with residential characteristics of the neighborhood
- General statements related to the traffic congestion already present on Valleydale Road

- Approximately nine written comments were generally supportive of the proposed change in zoning and use of the property for an animal clinic
 - Comments on the NextDoor App generally were favorable to the animal clinic use and, specifically, the applicant's clinic
- A direct concern related to the property developing as a veterinarian clinic
 - Size of the business; larger office equals more dogs
 - Barking dogs in the outdoor play area
 - Potential smell
- A concern about the drainage that currently runs through the property
 - If development of the property would adequately handle current and increased surface water on site
 - Possible contaminants entering the water related to animal waste

In response to questions by **Commissioners O'Kelley and Norton**, John Slaughter stated a center turn lane would be required and Kristine Goddard noted a church is allowed in either O-I, Office and Institutional District, or A-1, Agricultural District, zoning districts.

There being no further questions, **Chairman Davis** invited the applicant to speak.

Dr. Jeffrey Falone, residing at 164 Auburn Road in Indian Springs, stated he is the owner of Valleydale Animal Clinic and he gave thoughtful consideration before submitting this rezoning application. Dr. Falone shared some history of the animal hospital that has served the community since 1976, long before much development took place, and which he purchased with his wife in 2009. Dr. Falone explained that, in 2014, the County and City of Hoover notified him Valleydale Road would expand from two to four lanes nearby; that expansion was to be in their direction and the construction barrier would be completely across the front yard of their property up to the front porch. He further explained the road expansion would eliminate the clinic's parking lot, front yard, and staff parking; the clinic entrance was proposed to move ¼ mile, and it was very difficult and dangerous to get in/out. He noted they have been searching for a new location and about seven years ago decided to not make an offer on the very property under discussion tonight.

Dr. Falone was hopeful he could speak to the written concerns he received from Kristine Goddard prior to the meeting. Noting this lot is zoned commercial, just not for an animal clinic, he referenced another developer wanting to build a three-story office building or day care facility could do it and clear the entire lot right up to the rear fence. While he was aware of potential sounds and smells from a vet clinic, Dr. Falone opined the five-acre lot could absorb his clinic since the size would give them the freedom and space to be good neighbors. He recognized it does no good to be a bad neighbor or nuisance and they want this clinic to serve the surrounding community. Dr. Falone addressed the following points from the written concerns:

- Traffic congestion—With the current clinic located just one mile down the road, this would not increase the number of cars on Valleydale. If approved, he would likely be required to invest heavily in a turn lane.
- Drainage—They have planned for a detention pond on the property and commit to doing this well.
- Smell—He has been around many vet clinics/hospitals and they generally do not smell outside. Every feces that hits the ground is picked up, bagged, and put in the dumpster.
- Noise—He recognized that dogs bark and is aware of the sounds from dog parks, giving a couple examples where there is not a sound barrier as he is proposing. He noted their clinic is open 7 am to 6 pm. In 13 years, he has never had a complaint about sound. They are very intentional about leaving the large wooded buffer to absorb sound and sight.

Dr. Falone reiterated they want to do this well and will be a good neighbor; saying their goal is for clients to talk with other people about how Valleydale Animal Clinic does a good job.

Commissioner Davis opened the floor for public comment, asking if anyone wanted to speak in favor of the request.

Keith Krininger stated he lives at 2032 Lake Heather Drive and has been a customer of the clinic for many years with three dogs. He described the clinic as being very clean and well run, and wanted to voice his support for this request.

Dr. Alex Winke, residing at 612 Payton Drive, stated he began practicing at Valleydale in March 2015 and is currently the Managing Veterinarian. He spoke of their commitment to a high level of service to the community and their servant attitude. Dr. Winke spoke of the need to expand the clinic space and asked attendees to please have an open mind to this proposal.

Jerry Grant stated he lives at 190 Miller Circle, Indian Springs, and this clinic has cared for his pets since he was a kid; they appreciate the expertise and care. He spoke of being unable to board pups this spring break due to the clinic being completely full. He believes there is no other vet to provide this level of care and expertise and asked for an open mind. He asserted the amount of space and open land on this property, with a lot of woods as a buffer, would minimize the sound/smell people are concerned about.

Allison Brown stated she lives at 748 Highway 50, Vandiver, and has been a technician at Valleydale for two years. She expressed love for her job and the opportunity a new building would provide related to equipment and animal care. Ms. Brown also expressed appreciation for everyone who comes to Valleydale Animal Clinic.

Commissioner Davis asked if anyone wanted to speak in opposition to the request.

Amanda Gale stated she lives at 5161 Selkirk Drive and is a resident in the Inverness Master Homeowners Association (HOA) with approximately 770 homes. As a representative of the HOA, Ms. Gale stated they oppose this rezoning request. She discussed concern for road noise with the outdoor play area and referenced several nearby dog parks and boarding kennels. Ms. Gale played a recording of dogs parking she obtained after visiting these facilities. While she and the HOA strongly oppose this zoning request, Ms. Gale encouraged the Planning Commission to consider requiring tall wood fencing and as much buffer as possible to help minimize the sounds if they approve this request.

Laura Waldo stated she lives at 5185 Selkirk Drive and is a single mother of two children; one child is autistic with sensory challenges. She is very worried about her son's reaction to the sounds of barking dogs. She also mentioned traffic congestion would only get worse.

Amy Pruitt Watkins stated she lives at 2904 Coatbridge Lane; she has been a certified residential appraiser and now a real estate broker. She expressed opposition to the rezoning for several reasons but wanted to talk about the most important reason to her—the negative effect on home value. Ms. Watkins described how an appraiser could view a nearby animal clinic/kennel negatively as an adverse site condition because of barking dogs. She asked the Planning Commission to please protect the homeowners in this area by voting against the rezoning request.

In response to a question by **Commissioner Norton**, Ms. Watkins confirmed land use is the adverse site condition an appraiser would document.

Gary Franklin was in attendance to represent the First Christian Church of Birmingham, located at 4954 Valleydale Road, to speak against this rezoning for several reasons of concern. With the church being the closest neighbor, Mr. Franklin talked about the outdoor prayer garden that overlooks the property in question; this is where the church holds memorial/funeral services and prayer meetings. He expressed concern that barking animals could interfere with such services. While the clinic shows the outdoor play yard will be fenced, Mr. Franklin mentioned the church operates a preschool and there is concern an animal could get loose and be attracted to the kids on the playground—or on the nearby ball fields which the church leases for sporting and other events. On behalf of the church, Mr. Franklin respectfully requested the Planning Commission deny the application.

Zac Trader stated he lives at 5176 Selkirk Drive, adjacent to the subject property. He wanted to make two main points—his general opposition to the zoning application that he believes should be flat out denied; however, if the Planning Commission is considering approval, they should make restrictions since zoning changes should be to promote health, safety, morals, and general welfare. He asserted that Dr. Falone bears the burden of proving this change would promote those ideals. He wondered how the vet clinic would treat waste runoff and noted its current dumpster is not covered to prevent water from getting in. He wondered what health interest would allow them to move and triple in size. He stated that he likes to walk with the family and already experiences drivers going too fast, so he asserted safety could be impacted by even more traffic congestion. Mr. Trader asked the Planning Commission, in referencing general welfare, “the most broad category to rubberstamp just about anything,” to not do that but to think about the interest of nearby residents as well as the interest of the animal clinic. He believes there are five or six vet clinics within a two-mile radius of the proposed location. Mr. Trader asserted the Planning Commission should deny the request but if they are going to approve it, he asked them to consider what other zoning boards are doing and provided a few recent examples considered by the City of Hoover where approvals included multiple conditional use requirements or restrictions. In conclusion, Mr. Trader stated he would be fine with inside dogs but definitely has a problem with outside dog kennels.

David Shearin stated he lives at 3009 Summerwood Lane and appreciates the doctor being present to hear the public comments. He expressed concern about the dogs barking—while operating hours are during the day, there are many neighbors like him who are retired and home during the day—or they work remotely from home—and the sound of barking dogs would be very disruptive. He asked why the original zoning of A-1 was changed, and why another zoning change is being considered.

Responding to Mr. Shearin’s question, Kristine Goddard stated the property was originally zoned A-1, Agricultural District, before being changed to O-I (2), Office and Institutional District.

Steve Jager stated he owns the office building directly south and across the parking lot. Using the presentation map, Mr. Jager showed his location and talked about the current path of storm water running through the land identified for the proposed holding area, noting it runs under the medical clinic in the back of the parking lot. He expressed concern about water settling in the holding tank and smelling if it contains waste. Mr. Jager discussed the impacts of loud noise from barking dogs that could be disruptive for his leasing clients since there is no buffer zone—just a parking lot. He specifically mentioned a child psychologist and closing attorney whose practices require quiet, sensitive meetings. Mr. Jager then mentioned personal friendships with the kennel manager and Connor Farmer—for which he feels badly in opposing this request—but he is speaking out of concern if this request is granted and an animal clinic is developed at this location.

Rhonda Bush, residing at 2809 Downing Circle, showed where she lives on the presentation map. Ms. Bush referenced the social media chatter regarding this case, particularly the noise from barking dogs. While noting they would most likely hear intermittent barking at her home, she is concerned for the 75 homes much closer, using the presentation map to indicate the area. In talking with a real estate agent, Ms. Bush determined a high majority of homeowners nearby are empty nesters or retirees; she cited a few examples of individuals who would be impacted. Ms. Bush asserted a lot of study has gone into the negative effects of constant dog barking after a Google search on the health effects of environmental noise pollution and the effect of barking dogs on other dogs produced more than five million articles. She then talked about the claim of Valleydale Animal Clinic being in practice for 50 years—an internet search showed the clinic is now owned by Southern Vet Partners that is in the business of acquiring veterinary practices across multiple states, asserting it is a corporation that owns this practice and Dr. Falone is the Chief Medical Officer. In closing, Rhonda Bush implored the Planning Commission to deny this request, noting that if they are in favor of this type of clinic, there needs to be a different place better suited than the property discussed tonight.

Responding to comments made, Dr. Falone clarified that he is the founder of Southern Veterinary Partners that owns and manages a network of animal hospitals.

Dr. Falone announced his desire to withdraw this rezoning request, noting that clearly there is opposition from the very community they had hoped to serve with their relocation.

Commissioner Wilder commended the audience on their professionalism in presenting the comments, noting often situations like this can be more of a cat/dog fight. When he asked who owns pets, nearly every hand went up. Commissioner Wilder acknowledged the animal clinic must find a location that works for them.

John Slaughter clarified that the widening of Valleydale Road from Caldwell Mill is a City of Hoover project; the funding/acquisition is Hoover.

With no further discussion, **Commissioner Davis** called for a motion. **Commissioner O’Kelley** stated he fully agreed with Commissioner Wilder’s assessment of tonight’s discussion and he made a motion in **Case Z22-004 – Valleydale Animal Clinic Relocation – Rezoning from O-I(2) to A-1** to accept the Applicant’s request to withdraw this request; **Commissioner Wilder** seconded the motion. On a unanimous vote of six to zero (6-0), the Planning Commission approved the following resolution:

WHEREAS, Jeffery Falone, Falone Properties, on behalf of Connor Farmer, Highpointe Properties, property owner, has petitioned the Shelby County Planning Commission for approval of a change in the zone district boundaries for approximately 4.91 acres from O-I (2), Office and Institutional District (2), to A-1, Agricultural District, to develop a veterinarian clinic including an outdoor play yard; and,

WHEREAS, the subject properties are zoned O-I (2) district and located at 4914 Valleydale Road, approximately one-quarter mile southwest of Inverness Parkway; Parcel Identification Nos. 58-10-1-11-0-001-006.000 and 58-10-1-11-0-001-009.001; and,

WHEREAS, the primary purpose of zoning land is to provide for the public health, safety and welfare in the development of land by ensuring property is developed in an appropriate manner within the context of its immediate surroundings and the larger community of which it is a part; and,

WHEREAS, the O-I (2) district does not allow a clinic that provides for the treatment of animals; and,

WHEREAS, an animal clinic with open runs is a permitted use in the A-1, Agricultural District; and,

WHEREAS, members of the surrounding community provided written and verbal feedback regarding the proposed change in zoning; and,

WHEREAS, after numerous residents of the surrounding neighborhoods and businesses spoke at the public hearing in opposition of the proposed change in zoning, the applicant requested to withdraw his case; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the application of Jeffery Falone, Falone Properties, on behalf of Connor Farmer, Highpointe Properties, property owner, for approval of a rezoning from O-I (2), Office and Institutional District (2), to A-1, Agricultural District, to develop a veterinarian clinic including an outdoor play yard; Parcel Identification Nos. 58-10-1-11-0-001-006.000 and 58-10-1-11-0-001-009.001, be and the same is hereby **WITHDRAWN**.

3. Z22-005 – Seales Rezoning from A-1 to M-1

This is a request from Jason Seales, Farmhouse and Family, LLC, on behalf of Sheila S. Helton, property owner, for approval of a change in the zone district boundaries for approximately 4.63 acres from A-1, Agricultural District, to M-1, Light Industrial District, to develop a wholesale and retail furniture and home décor business. The subject property is located south of the intersection of Highway 12 and Aviator’s View Drive; Parcel Identification No. 58-22-9-31-1-001-002.000.

Josh Osborne gave a presentation on agenda item #3 based on the written staff report provided in the meeting information packet. He distributed one written comment regarding the desire to maintain the character of the community in the use of exterior building materials. Mr. Osborne provided additional information related to the

Airport Height Hazard Ordinance and clarified the proposed structure would be evaluated for compliance, should the rezoning be approved, during the site plan review process.

In response to a question by **Commissioner Norton**, Mr. Osborne confirmed the adjoining property across the street is within the city limits of Calera.

There being no further questions, **Commissioner Davis** invited the applicant to speak.

Jason and Alicia Seales, residing at 423 Poplar Ridge in Alabaster, explained they have owned a furniture and home décor business in the City of Alabaster for five years and have had to lease offsite space for storage needs. After searching for a new location within Shelby County to meet their needs, they are under contract for the subject property contingent on a zoning change. Alicia Seales stated they offer a good service to this community and it was important for them to continue working and serving Shelby County residents and adding to its economic development.

In response to a question by **Commissioner Winford** who was familiar with their current location and noted the business is run very well, Mr. Seales stated while there is a public retail component, the larger portion of their business is wholesale to stores in the southeast.

Commissioner Davis opened the floor for public comment and asked if anyone was present to speak in support; there was none. He then asked if anyone was present to speak in opposition to the request.

Howard Caplain stated he lives at 116 Crisfield Circle and is concerned with the Smokey Road traffic being like a parking lot in the morning and afternoon with all the new home development. Mr. Caplain stated curiosity about the height of any new building since an airport is nearby and whether this wholesale business would have a lot of deliveries, again concerned about traffic impacts.

Thomas Hart stated he lives across the street at 177 Crisfield Circle and, when hearing about furniture manufacturing, he wondered how involved it would be, how many employees there would be, and he was concerned about loud noise from manufacturing equipment.

Mr. Seales explained they currently have four full-time and two part-time employees, and do zero manufacturing. He noted part of his reason for requesting the M-1 zoning was to allow light manufacturing in the future but they have zero plans for lumber milling—this would be more assembly of products. He mentioned the current products are mostly overseas imports; he hopes, at some future point, to offer USA-made products if they could get finished materials in to be assembled.

With no further discussion, **Commissioner Davis** called for a motion. **Commissioner Norton** made a motion in **Case Z22-005 – Seales Rezoning from A-1 to M-1** that the evidence presented in the written staff report and presentation warrants Approval; **Commissioner Winford** seconded the motion. On a unanimous vote of six to zero (6-0), the Planning Commission approved the following resolution:

WHEREAS, Jason Seales, Farmhouse and Family, LLC, on behalf of Sheila S. Helton, property owner, has petitioned the Shelby County Planning Commission for approval of a change in the zone district boundaries for approximately 4.63 acres from A-1, Agricultural District, to M-1, Light Industrial District, to develop a wholesale and retail furniture and home décor business; and,

WHEREAS, the subject property is located south of the intersection of Highway 12 (Smokey Road) and Aviators View Drive; Parcel Identification No. 58-22-9-31-1-001-002.000; and,

WHEREAS, the A-1 district does not allow a wholesale and retail furniture and home décor business; and,

WHEREAS, a wholesale and retail furniture and home décor business is a permitted use in the M-1, Light Industrial District; and,

WHEREAS, the primary purpose of zoning land is to provide for the public health, safety and welfare in the development of land by ensuring property is developed in an appropriate manner within the context of its immediate surroundings and the larger community of which it is a part; and,

WHEREAS, members of the surrounding community provided written and verbal feedback regarding the proposed change in zoning prior to and in attendance; and,

WHEREAS, the surrounding property owners did not express opposition to the proposed change only that the character of the surrounding area be preserved with future construction; and,

WHEREAS, adjacent properties in the City of Calera to the north is zoned B-2 General Business and to the east is zoned M-1 Light Industrial; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the application of Jason Seales, Farmhouse and Family, LLC, on behalf of Sheila S. Helton, property owner, for approval of a change in the zone district boundaries for approximately 4.63 acres from A-1, Agricultural District, to M-1, Light Industrial District, to develop a wholesale and retail furniture and home décor business located south of the intersection of Highway 12 (Smokey Road) and Aviators View Drive; Parcel Identification No. 58-22-9-31-1-001-002.000, be and the same is hereby **APPROVED**.

4. V22-001 – Mt Laurel Lot 22-14 Front Yard Variance

This is a request from Ken Underwood, on behalf of Town Builders Inc., property owner, for approval of a 17-foot front yard variance from the requirement that either the porch or conditioned space must touch the 4-foot setback line from the right-of-way for the construction of a single-family home. The subject property is zoned SD, Special District, and located at 66 Nolen Street in the Mt Laurel subdivision; Parcel Identification No. 58-09-1-02-2-002-016.000.

Josh Osborne gave a presentation on agenda item #4 based on the written staff report provided in the meeting information packet and he distributed one written public comment previously emailed to the Planning Commission.

There being no questions, **Commissioner Davis** invited the applicant to speak.

Ken Underwood stated he resides at 577 Shoal Ridge Drive in Leeds. Mr. Underwood explained that EBSCO has a set of house plan designs from which to choose in Mt Laurel and he asked the architect to determine which of those plans could be built on this lot. He stated the Mt Laurel Architecture Review Committee has approved this variance and noted the house next door to this lot also required a variance prior to building. He asserted that neighbor knew someone would most likely build a house on this lot.

Commissioner Davis opened the floor for public comment and asked if anyone was present to speak in support; there was none. He then asked if anyone was present to speak in opposition to the request.

Jimmy Calvert stated he is the adjacent property owner at 68 Nolan Street and distributed photos of his sunset view marked up to show the lost view with the proposed garage. Mr. Calvert explained that he purchased this parcel for the sunset view and this variance would take something of pleasure away from him and allow the adjacent lot to be sold to someone else for pleasure. He further explained that when searching for a lot in Mt Laurel, his builder had discouraged consideration of Lot 22-14 due to the topography without mentioning a potential variance. Mr. Calvert stated when choosing his lot, he did not expect someone to build on a slab foundation with a garage obstructing his view since they all have underground garages and room to build; he had asked they consider moving the garage to the other side so it would not take away his view and something of value. Mr. Calvert expressed appreciation for the variance granted on his lot to keep his house in line with the house next door.

In response to questions by **Commissioners Norton and Winford**, **Commission O’Kelley** clarified that Mr. Calvert’s 18-foot front yard variance includes the required 4-foot setback line, and noted that Mt Laurel has several different building plans from which to choose. **Commissioner O’Kelley** asserted that the design process kept

condensing the footprint in an effort to accommodate the adjacent property, although they could have built a bigger house and still keep the garage in the same exact spot without any variance.

Commissioner Winford stated he looked at the Lot 22-14 and it is impossible to put a basement home on that lot.

Responding to Mr. Calvert's statement regarding a 10-foot minimum side setback in Urban Regulations and Setbacks, Kristine Goddard explained the design code was modified to allow a garage to be three feet from the side line and right up to the alley line. She added this modification was made in 2013 when Mr. Freeman brought a request to the Department; because it was an overall modification, it did not show up on individual housing plats.

In closing, Jimmy Calvert stated he believed there were other alternatives to build the house or move it to another lot so that he did not lose his view and there would be no impact to his home's value.

With no further discussion, **Commissioner Davis** called for a motion. **Commissioner Winford** made a motion in **Case V22-001 – Mt Laurel Lot 22-14 Front Yard Variance** that the evidence presented in the written staff report and presentation warrants Approval; **Commissioner Wilder** seconded the motion. The Planning Commission approved the following resolution on a vote of five to zero with one abstention by **Commissioner O'Kelley** who resides in Mt Laurel (5-0-1):

WHEREAS, Ken Underwood, on behalf of, Town Builders, Inc., property owner, has petitioned the Shelby County Planning Commission for approval of a front yard variance to increase the maximum setback from four (4) feet to 17 feet to the porch or conditioned space of the house for the construction of a single-family home; a variance of Section 3, Article XVIII; and,

WHEREAS, the subject property is located at 66 Nolen Street, Lot 22-14 in The Town of Mt Laurel, Parcel Identification No. 58-09-1-02-2-002-016.000; and,

WHEREAS, The Town of Mt Laurel is zoned SD, Special District; and,

WHEREAS, The Town of Mt Laurel is a master-planned community with setbacks established in *The Town of Mt Laurel Design Code Book* which predates the implementation of zoning in this area; and,

WHEREAS, setbacks for "House Type XI.C: Large House" require a maximum four-foot front yard setback from the right-of-way to the conditioned space; and,

WHEREAS, approval of this request will eliminate the need for additional grading and retention walls for the construction of a single-family home; and,

WHEREAS, in 2018, the adjoining Lot 22-15 received approval from the Planning Commission to construct a home with an 18-foot setback (V18-003); and,

WHEREAS, increasing the front yard setback requirement by 13 feet to the main body projection of the house meets all requirements of Section 3, Article XVIII, Section 3 Item d as required by the *Zoning Regulations of Shelby County, Alabama*; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the application of Ken Underwood, on behalf of Town Builders Inc., property owner, for approval of a front yard variance to increase the maximum setback from four (4) feet to 17 feet to the porch or conditioned space of the house for the construction of a single-family home; a variance of Section 3, Article XVIII in the SD, Special District of The Town of Mt Laurel; for property located at 66 Nolen Street, Lot 22-14; Parcel Identification No. 58-09-1-02-2-002-016.000, be and the same is hereby *Approved*, subject to:

- Compliance with the regulations, policies and guidelines of Shelby County, Alabama.

5. SD21-002 – Griffin Park at Eagle Point Special District – Amended Master Plan

This is a request from Patrick McLaughlin, T.E. Stevens Co., property owner, for approval to amend the Special District Master Plan of Griffin Park at Eagle Point to allow the resubdivision of Lot B-182, a 5.03-acre parcel, into two lots off Eagle Wood Court, thereby increasing the total number of residential lots from 305 to 306. The subject property is identified as part of the Griffin Park at Eagle Point Special District Master Plan and located at the end of Eagle Wood Court and zoned R-2-SD, Single Family Special District; Parcel Identification No. 58-09-3-08-0-002-001.002.

Kristine Goddard provided a brief summary of the request for agenda item #5 based on the written staff report provided in the meeting information packet since there were no audience members present except for the applicant, who stated he had nothing to add.

Commissioner Davis opened the floor for public comment. No one spoke in support or opposition to the request.

With no further discussion, **Commissioner Davis** called for a motion. **Commissioner Norton** made a motion in **Case SD21-002 – Griffin Park at Eagle Point Special District – Amended Master Plan** that the evidence presented in the written staff report and presentation warrants Approval; **Commissioner Wilder** seconded the motion. The Planning Commission unanimously approved the following resolution on a vote of six to zero (6-0):

WHEREAS, Patrick McLaughlin, T.E. Stevens Co., property owner, has petitioned the Shelby County Planning Commission for approval to amend the Special District Master Plan of Griffin Park at Eagle Point to allow the subdivision of Lot B-182, a 5.03-acre parcel, into two lots off Eagle Wood Court, thereby increasing the total number of residential lots from 305 to 306; and,

WHEREAS, the subject property is zoned R-2-SD, Single Family Special District as part of the Griffin Park at Eagle Point Special District Master Plan and located at the end of Eagle Wood Court; Parcel Identification No. 58-09-3-08-0-002-001.002; and,

WHEREAS, Griffin Park at Eagle Point Special District was approved as a 304-lot single-family residential subdivision with varying lot sizes and an overall gross density of two (2) lots per acre; and,

WHEREAS, in September 2016, the Special District Master Plan for Griffin Park at Eagle Point was amended to increase the total lot count from 304 to 305 residential lots; and,

WHEREAS, all sectors and phases of Griffin Park at Eagle Point have been platted and recorded in accordance with the September 2016 Special District Master Plan; and,

WHEREAS, the proposed amendment will allow the subdivision of Lot B-182, a 5.03-acre parcel, into two lots off Eagle Wood Court, thereby increasing the total number of residential lots from 305 to 306; and,

WHEREAS, the applicant must submit a final plat for review and approval in compliance with the regulations, policies and guidelines of Shelby County, Alabama; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the application of Patrick McLaughlin, T.E. Stevens Co., property owner, or approval to amend the Special District Master Plan of Griffin Park at Eagle Point to allow the subdivision of Lot B-182, a 5.03-acre parcel, into two lots off Eagle Wood Court, thereby increasing the total number of residential lots from 305 to 306; located at the end of Eagle Wood Court; Parcel Identification No. 58-09-3-08-0-002-001.002, be and the same is hereby **APPROVED** subject to:

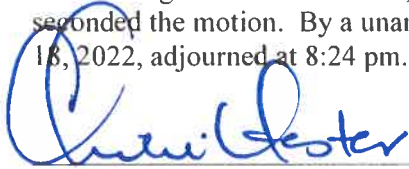
- Applicant submitting an application for final plat approval; and
- Any amendments, additions, deletions, alterations or changes to the approved Special District plan shall require the review and approval of an amendment to the approved Special District plan by the Shelby County Planning Commission.

DISCUSSION ITEMS

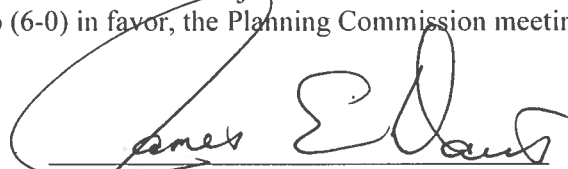
- Josh Osborne announced the hiring of a new planner, Andrew Harris, who will report to Kristine Goddard.
- Christie Hester provided a preview of the next three regularly scheduled Planning Commission meetings as follows:

<u>Meeting Date</u>	<u>Status</u>
May 2, 2022	Cancelled – No cases scheduled for public hearing
May 16, 2022	Discussion Item – Comprehensive Plan – Future Development Map
June 6, 2022	Anticipate one or two cases for public hearing

There being no further business, **Commissioner Norton** made a motion to adjourn and **Commissioner Little** seconded the motion. By a unanimous vote of six to zero (6-0) in favor, the Planning Commission meeting of April 18, 2022, adjourned at 8:24 pm.



 Christie Hester, Manager
 Planning & Community Development



 James Davis, Chairman
 Shelby County Planning Commission