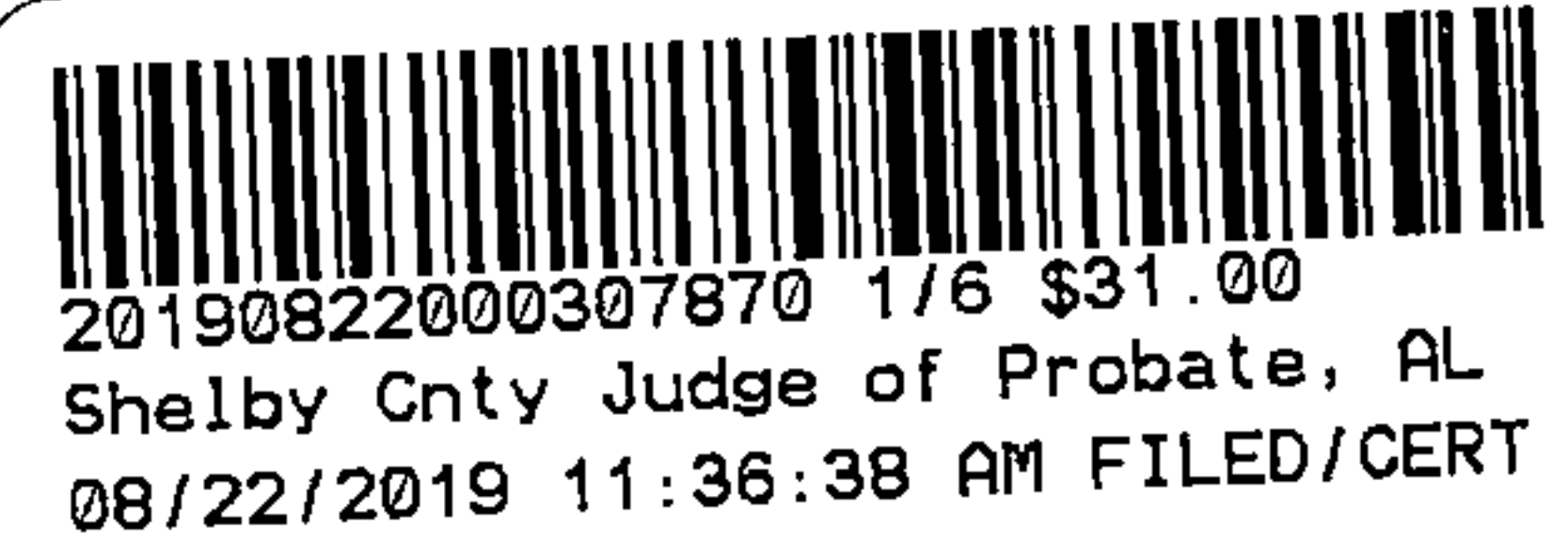


RESOLUTION
of the
Shelby County Planning Commission

V18-004

Shoal Creek Lot 131A Variance



WHEREAS, George Thompson, representing the property owner, Nancy Thompson, has petitioned the Shelby County Planning Commission for approval of a side yard variance of 25 feet to reduce the required setback from 75 feet to 50 feet along the golf course (#14 fairway – southwest property line) and for approval of a side yard variance of 50 feet to reduce the required setback from 75 feet to 25 feet along the golf course (#15 fairway – southeast property line) for the construction of a single family home; a variance of Section 3, Article X.A, pursuant to Section 3, Article XXIII; and,

WHEREAS, The subject property is zoned E-1 SD and is located at 12 Baltusrol Court in the Shoal Creek Subdivision. Parcel Identification No. 58-03-7-26-0-000-031.000; and,

WHEREAS, the subject property is identified as Lot 131A of the Shoal Creek Subdivision in the Chelsea North – Dunnivant Valley South – Westover North Zoning Beat, situated in Section 35, Township 18 South, Range 1 West; and,

WHEREAS, Shoal Creek is a master planned community and thus setbacks were established in the 2015 master plan approved by the Planning Commission on July 20th, 2015; and,

WHEREAS, the Shoal Creek master plan requires a 75 foot setback from all lot lines adjacent to the golf course; and,

WHEREAS, The Shoal Creek Association Board of Directors and the Shoal Creek Architectural Committee have presented written approval of the request for setback variances; and,

WHEREAS, the Planning Commission recognizes the unusual topography and shape of lot 131A; and,

WHEREAS, the Planning Commission has determined that the special circumstances or conditions applying to the building or land in question are peculiar to such premises and do not apply generally to other land or buildings in the area of Shoal Creek Subdivision; and,

WHEREAS, the granting of this application is necessary for the construction of a single family home comparable in size and character to other homes located in the Shoal Creek Subdivision; and,

WHEREAS, reducing the front yard setback requirement 75 feet to 50 feet along the golf course (#14 fairway - southwest property line) and reducing the required setback from 75 feet to 25 feet along the golf course (#15 fairway - southeast property line) will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Shelby County; and,

NOW, THEREFORE, BE IT RESOLVED by the Shelby County Planning Commission that the application of George Thompson, representing the property owner, Nancy Thompson, for approval of a side yard variance of 25 feet to reduce the required setback from 75 feet to 50 feet along the golf

course (#14 fairway – southwest property line) and for approval of a side yard variance of 50 feet to reduce the required setback from 75 feet to 25 feet along the golf course (#15 fairway – southeast property line) to permit the construction of a single family residential home in the E-1 SD, Single-Family Estate Special District; a variance of Section 3, Article X.A, pursuant to Section 3, Article XXIII for property located at Lot 131A, Shoal Creek Subdivision, in the Chelsea North – Dunnivant Valley South – Westover North Zoning Beat and situated in Section 35, Township 18 South, Range 1 West; Parcel Identification No. 58-03-7-26-0-000-031.000 be, and the same is hereby *Approved*, subject to:

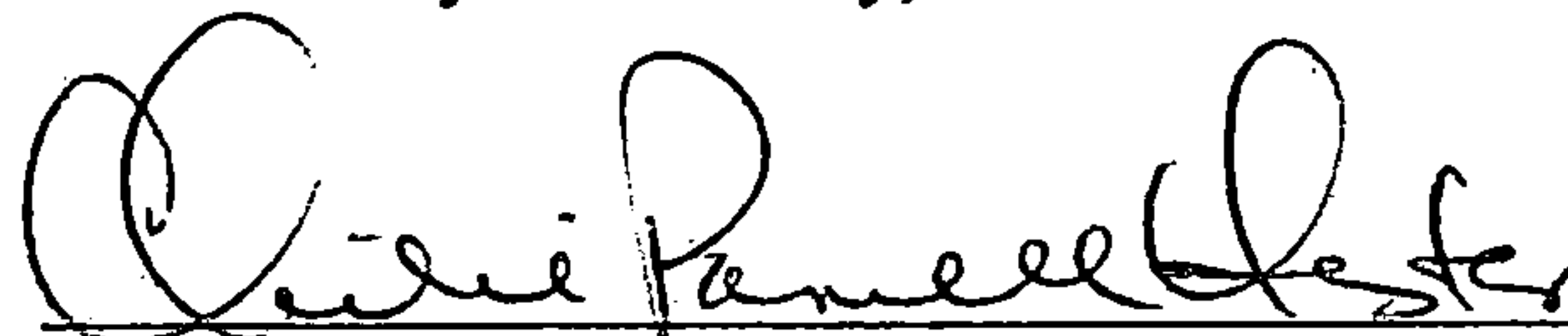
- Compliance with the regulations, policies and guidelines of Shelby County.

STATE OF ALABAMA

SHELBY COUNTY

I, Christie Pannell-Hester, technical advisor to the Shelby County Planning Commission, do hereby certify that the above is a true and correct copy of a resolution adopted by the Shelby County Planning Commission at its meeting held on February 18th, 2019

GIVEN UNDER MY HAND on this the 19th day of February, 2019



Christie Pannell-Hester, Planning Services Supervisor
Department of Development Services



20190822000307870 2/6 \$31.00
Shelby Cnty Judge of Probate, AL
08/22/2019 11:36:38 AM FILED/CERT

Baltusrol
Court
(Private
Drive)

Lot 130

Delta = $64^{\circ}32'17''$
Radius = 50'
Arc = 56.32'

Thompson Realty
03 7 26 0 000 028.00
MB 7, Pg 120

Lot 132

The 2002 Rithhie
Management Trust
03 7 26 0 000 030.000
MB 6, Pg 150

54.19FT

Lot 131

Lot 131 A
118183.05 SQ. FT.

The Shoal Creek Club
03 7 26 0 000 032.000
MB 6, Pg 150

25.47FT
 $122^{\circ}31'05''$

$04^{\circ}43'43''$

4169.39'
Map
 $45^{\circ}40'26''$
Calculated

$90^{\circ}00'00''$

Golf Course

A Zone
X Zone
Acreage

CRANKS @ 50'
YELLOW @ 25'
WHITE STAKES & RED FLAG
454.03'

Golf Course - A
 $04^{\circ}13'52''$

To be included as part
of the Golf Course
18963.12 SQ. FT.

IPS
 $32^{\circ}24'23''$
 $143.44'$
 $41.56'10.7''$



20190822000307870 3/6 \$31.00
Shelby Cnty Judge of Probate, AL
08/22/2019 11:36:38 AM FILED/CERT

wers.



SHELBY COUNTY
DEPARTMENT OF DEVELOPMENT SERVICES
1123 COUNTY SERVICES DRIVE
PELHAM, ALABAMA 35124
(205) 620-6650
www.ShelbyAL.com

August 13, 2019

Ms. Merry Leach
Realty South
(via email)

Re: Case No. V18-004; Shoal Creek Lot 131A Yard Variance

Dear Ms. Leach,

On February 18, 2019, the Planning Commission reviewed the above referenced application for a variance of the required setbacks on lot 131A of Shoal Creek. The attached resolution is a copy of the signed resolution, as approved, by the Shelby County Planning Commission during their regular meeting on February 18, 2019.

The original, signed, resolution is retained in the case file and will be included with any application for construction of the referenced property. If you have any questions regarding the attached resolution please contact me directly.

Sincerely,

A handwritten signature in cursive script that reads "Kristine Goddard".

Kristine Goddard, AICP
Principal Planner



20190822000307870 4/6 \$31.00
Shelby Cnty Judge of Probate, AL
08/22/2019 11:36:38 AM FILED/CERT

Alex Dudchock
County Manager
Tel: (205) 670-6500

Chad Scroggins
Manager
Tel: (205) 620-6650

ACTIVE MEMBERS OF APA, AICP, COAA, IAEI, NFPA AND ICC



20190822000307870 5/6 \$31.00
Shelby Cnty Judge of Probate, AL
08/22/2019 11:36:38 AM FILED/CERT

December 17, 2018

Department of Development
1123 County Services Drive
Pelham, AL 35124

To Whom It May Concern:

This is to advise that the variance request submitted by George C. Thompson on behalf of Nancy S. Thompson for Lot 131 at Shoal Creek has been approved by the Shoal Creek Association's Architectural Committee and Shoal Creek Association Board. The approval includes a variance of 50' from the property line setback off of #15 of Shoal Creek Club golf course, moving the setback from 75' to 25'; it also includes a variance of 25' from the property line setback off of #14 of Shoal Creek Club golf course, moving the setback from 75' to 50'.

Should you have questions or need additional information, please call our office at 991-4653.

Yours truly,

Caroline Little
President, Shoal Creek Properties
Member, Shoal Creek Architectural Committee



August 8, 2019

Mr. and Mrs. Terry Morgan
3316 Forest Glen Drive
Birmingham, AL 35213

20190822000307870 6/6 \$31.00
Shelby Cnty Judge of Probate, AL
08/22/2019 11:36:38 AM FILED/CERT

Dear Mr. and Mrs. Morgan,

This letter addresses the Club Board's position regarding the requests listed in my letter to George and Nancy Thompson on November 20, 2018. The letter stated that the following requirements must be met prior to the closing of your purchase of Lot 131A:

- Addendum to the existing contract should be documented to include these changes and conditions.
- The Shoal Creek Board of Governors should receive a copy of the final contract with appropriate amendments that contemplate these changes within the contract.
- Replat of the lot with deeding of the .44 acres to Shoal Creek Club before closing.
- As per precedent, Shoal Creek Club (SCC), in concert with the Shoal Creek Architectural Committee (SCAC) and its governing guidelines, requests review of the proposed clearing and draft landscape plan prior to approval for any lot improvement/construction. Should any property need to be cleared that was not previously agreed upon, notice for review and approval must be given to the SCC and SCAC as per the guidelines.
- SCC, in concert with SCAC requests review of the site plan of the proposed home on the resurveyed lot as mandated by the SCAC New Construction guidelines. SCC also requests receipt of a foundation survey upon its completion and when required by Shelby County. Should the foundation survey differ from the proposed and SCAC approved site plan of the house no further work may be done on the home until the situation is remediated, unless prior approval was sought.
- SCC in concert with the SCAC request review of the final landscape plan, which shall be submitted to the SCAC after framing of the home concludes, in accordance with the SCAC guidelines.
- The Shoal Creek Club Board along with the Shoal Creek Architectural Review Committee reserve the right to approve or deny any changes to these parameters.

The Board acknowledges receipt of all the aforementioned except for final landscaping plans and the foundation survey. While our position is to allow the closing process to move forward, the Board expects to receive the final landscape plans as soon as they are available. We understand a foundation survey will be available for review after construction begins and when required by Shelby County.

In summary, the Board accepts that all other pre-construction requests of the 20 November 2018 letter have been satisfied. Prior to construction, you will of course be submitting your complete house plans to the Shoal Creek Architectural Committee. As Lot 131A abuts the golf course, the Club Board and the Club Golf Committee will expect to review said plans before approval.

On Behalf of the Shoal Creek Board of Governors,

Sincerely,

Clarence Pouncey
President
Shoal Creek