

# REPORT TO THE SHELBY COUNTY PLANNING COMMISSION

## Department of Development Services

November 15, 2021

Case No. SN21-031

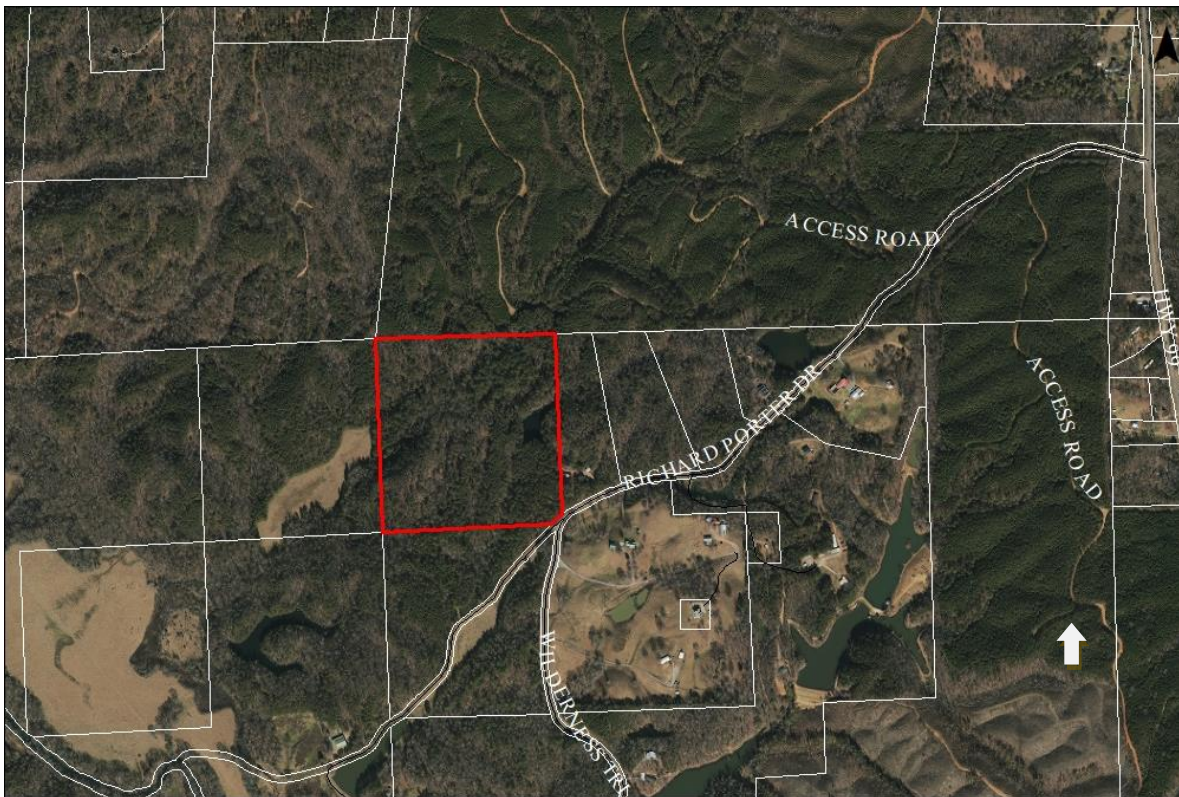
### Timber Lake Estates A Rural Subdivision

This is a request from David Comer, Oz Enterprises, property owner, for approval of a final plat to subdivide 40.04 acres into four 10-acre lots for residential use to be known as Timber Lake Estates Rural Subdivision. The subject property is unzoned and located to the northwest of the intersection of Richard Porter Drive and Wilderness Trail; Parcel Identification Number 58-33-3-08-0-000-002.001.

### DISCUSSION

#### Site Description

The subject parcel is located at the fork in the road on Richard Porter Drive and Wilderness Lane approximately one mile south of County Road 99 in the southeast portion of the County. Richard Porter Drive is a paved road with a 50-foot prescriptive right-of-way, located two miles northwest of the intersection of Highway 145 and County Road 99, which travels southwest from County Road 99 for approximately one mile toward the subject property where it transitions to Wilderness Trail and continues south. Wilderness Trail is also a paved road with a 50-foot prescriptive right-of-way. Properties in the surrounding area include single-family residences on an average parcel size of 10 acres or larger, heavily wooded undeveloped property and timberland.



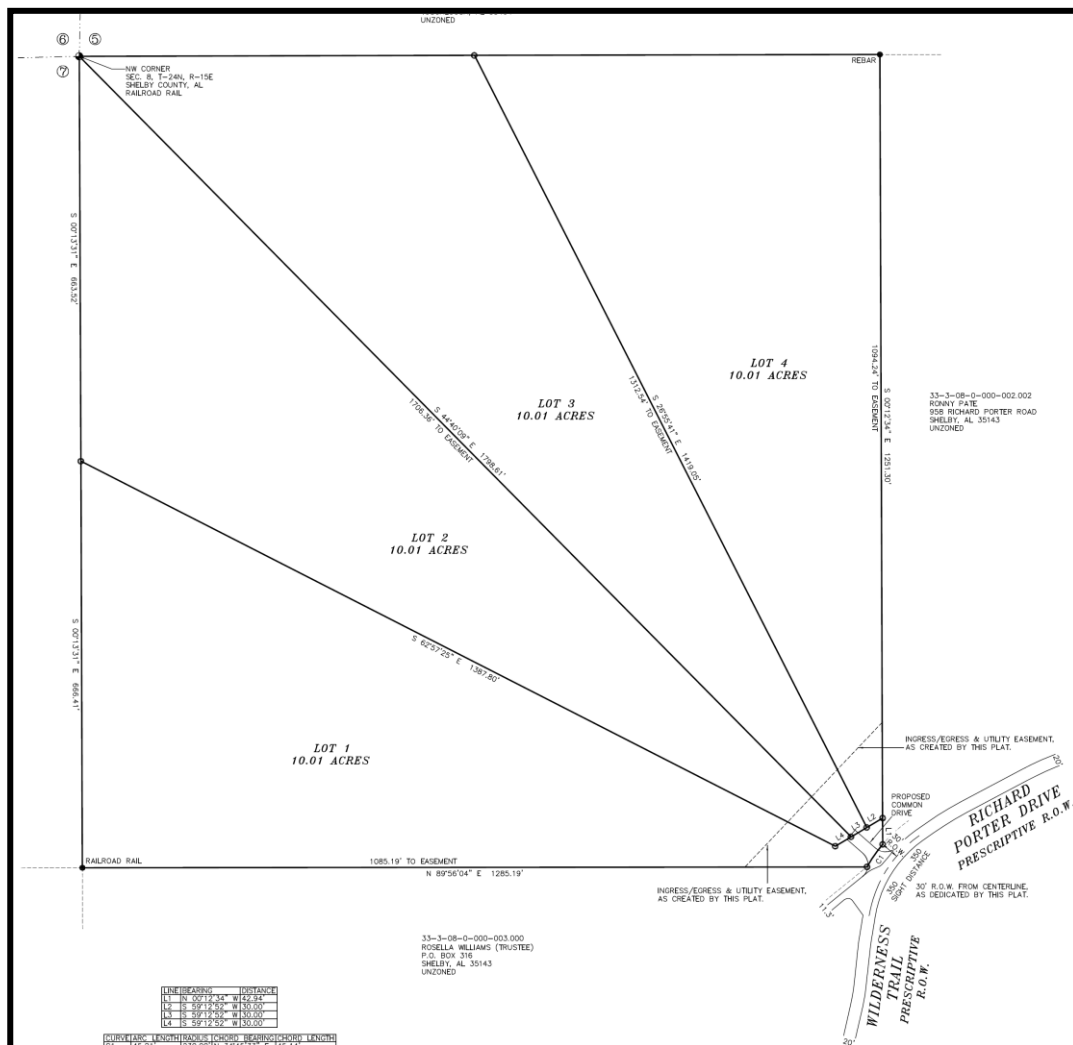
The subject site is located within the Coosa River Basin. Land disturbance should include Best Management Practices (BMPs) designed and installed in accordance with the *Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas* to prevent sediment from entering drainage ways or streams. If the disturbance area is one acre or greater, a NPDES Construction Stormwater permit should be acquired from ADEM prior to disturbance.

**Proposed Subdivision**

The applicant is requesting to subdivide 40.04 acres into four lots to create a rural subdivision. The *Subdivision Regulations of Shelby County*, state that a rural subdivision is:

“The subdivision of land into five lots or less that are not required to front on a paved public road, and require no internal infrastructure improvements. Each lot in a rural subdivision must total at least 10 acres. A proposed rural subdivision located within a beat that has no zoning must score as Tier II or Tier III in the Land Suitability Criteria (see §2.02). Rural subdivisions must meet the minimum access management requirements, as determined by the Shelby County Engineer, and require final plat approval by the Planning Commission.”

The proposed subdivision contains four lots that are each 10.01 acres in size. Lots recorded in the proposed rural subdivision may not be further subdivided.



The subject property has approximately 45 feet of linear frontage along Richard Porter Drive. Proposed Lot 1 will maintain the existing frontage and access location as a part of its lot. Proposed Lots 2-4 will each maintain 30 feet of width at their front line adjoining Lot 1.

In unzoned areas a minimum lot width of 30 feet is required for all newly created lots along the frontage at the paved public road. Lots within a rural subdivision are not required to have frontage on the paved public road; however, it is a good design practice for the lots to maintain a minimum width of 30 feet at the access location which is typically a shared easement. The four proposed rural lots will share a single driveway access within an ingress/egress and utility easement that will be created when the plat is recorded and will maintain a minimum width of 30 feet at their most narrow point.

### **Community Facilities and Infrastructure**

Water service is not available from Shelby County. Sewer service is not available in the area. Children who may reside in this development will be in the *Shelby County High School Attendance Zone*.

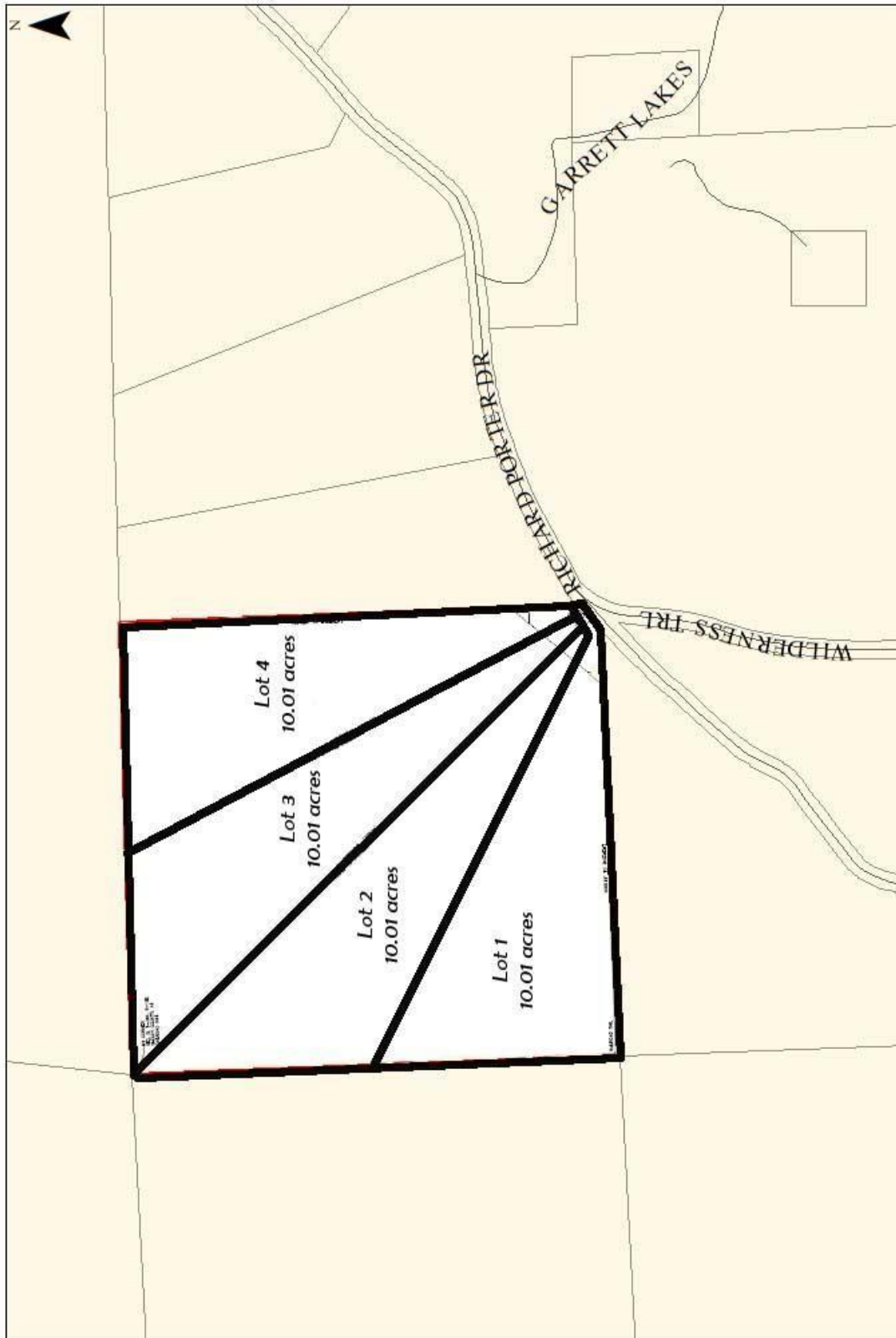
### **Conclusion**

The proposed subdivision meets the requirements of the *Subdivision Regulations of Shelby County*. **Approval** of the subdivision should be subject to:

- Applicant submitting a final plat for recording.
- Compliance with the regulations, policies and guidelines of Shelby County.



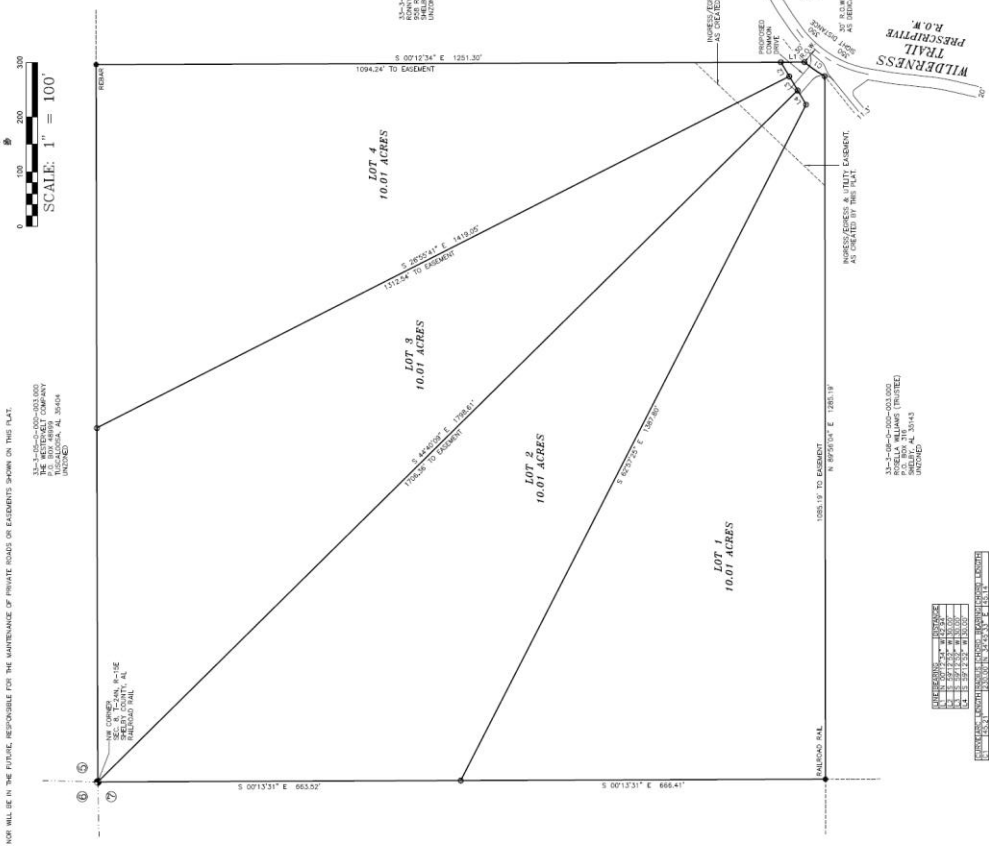
SN21-031 Timber Lake Estates Rural Subdivision  
Location Map



SN21-031 Timber Lake Estates Rural Subdivision

THE PURPOSE OF THIS SUBDIVISION IS  
 TO DIVIDE 40.04 ACRES INTO FOUR  
 LOTS FOR RESIDENTIAL USE.

- SHELBY COUNTY NOTES:**
- A. ALL EXAMINERS ON THIS MAP ARE FOR PUBLIC UTILITIES, STANTUM SLOPE, STORM SEWERS, STORM DITCHES AND MAINE USED FOR SUCH PURPOSES TO DERIVE THE ADEQUACY OF THE PUBLIC UTILITY PLANS.
  - B. CONTRACTOR AND/OR DEVELOPER ARE RESPONSIBLE FOR PROVIDING BILLING SITES FREE OF DAMAGE PROBLEMS.
  - C. NO FURTHER SUBDIVISION OF ANY PAVED DRIVE/HEAVEN SHALL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE SHELBY COUNTY PLANNING COMMISSION.
  - D. DRAINAGE SHALL BE ATTRIBUTED TO THE LOTS SHOWN ON THIS PLAT. ANY DRAINAGE ACCROSS LOT BOUNDARIES SHALL BE INSTALLED BY INTERFAS.
  - E. THIS ENTIRE PROPERTY IS LOCATED IN FLOOD ZONE "X" AS SHOWN ON THE LATEST FEDERAL INSURANCE RATE MAP. (FIRM # 17033C DATED FEBRUARY 23, 2014).
  - F. MAINTENANCE OF ELEVATION FONDS AND ALL ASSOCIATED STRUCTURES AND APPURTENANCES ARE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
  - G. ANY CONSTRUCTION OF ENDOGEMENT IN A DESIGNATED FLOOD PLAIN MUST COMPLY WITH THE SHELBY COUNTY FLOOD DAMAGE PREVENTION ORDINANCE.
  - H. DEVELOPMENT SHALL BE COMPLETED AND APPROVED BY THE COUNTY ENGINEER. ALL REVISIONS MUST BE SUBMITTED TO THE COUNTY ENGINEER FOR REVIEW.
  - I. SHELBY COUNTY IS NOT BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE CANALS OR EXAMINERS SHOWN ON THIS PLAT.



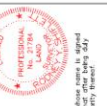
FINAL PLAT OF  
**TIMBER LAKE ESTATES RURAL  
 SUBDIVISION**

A RURAL SUBDIVISION SITUATED IN THE NW 1/4 OF SECTION 8, TOWNSHIP 24 NORTH, RANGE 15 EAST, SHELBY COUNTY, ALABAMA  
 40.04 TOTAL ACREAGE OF UNZONED SUBJECT PROPERTY

PREPARED FOR:  
 CC ENTERPRISES, LLC  
 309 HIGHWAY 310  
 COLUMBIANA, AL 35051

PREPARED BY:  
 RODNEY SHIPLETT  
 COLUMBIANA, AL 35051  
 205-669-1205

The undersigned, Rodney Shiplett, a Licensed Land Surveyor, State of Alabama and (CC Enterprises, LLC its client(s)) hereby certify that this plat is a true and correct copy of the original plat as shown to me by the client(s) and that I am duly qualified to prepare such a plat.



By Rodney Shiplett  
 State of Alabama, No. 21784, Commission Expires 10/31/24.

I, David Corner, a Notary Public in and for said county and state, do hereby certify that David Corner, whose name is signed on the plat, is a duly qualified land surveyor in and for the county and state of Alabama, and that he is duly qualified to prepare such a plat.

I, Bill Dicks, a Notary Public in and for said county and state, do hereby certify that Bill Dicks, whose name is signed on the plat, is a duly qualified land surveyor in and for the county and state of Alabama, and that he is duly qualified to prepare such a plat.

I, Bill Dicks, a Notary Public in and for said county and state, do hereby certify that Bill Dicks, whose name is signed on the plat, is a duly qualified land surveyor in and for the county and state of Alabama, and that he is duly qualified to prepare such a plat.

I, Bill Dicks, a Notary Public in and for said county and state, do hereby certify that Bill Dicks, whose name is signed on the plat, is a duly qualified land surveyor in and for the county and state of Alabama, and that he is duly qualified to prepare such a plat.

I, Bill Dicks, a Notary Public in and for said county and state, do hereby certify that Bill Dicks, whose name is signed on the plat, is a duly qualified land surveyor in and for the county and state of Alabama, and that he is duly qualified to prepare such a plat.

**VICINITY MAP (NOT TO SCALE)**  
 RODNEY SHIPLETT SURVEYING  
 309 HIGHWAY 310  
 COLUMBIANA, AL 35051  
 TEL: 205-669-1205 FAX: 205-669-1298

STATE OF ALABAMA  
SHELBY COUNTY  
OCTOBER 7, 2021

The undersigned, Rodney Shifflett, a Licensed Land Surveyor, State of Alabama and Oz Enterprises, LLC, as owner(s), hereby certify that this plat or map was made pursuant to a survey made by said surveyor and that said survey and this plat or map was made at the instance of said owner; that this plat or map is a true and correct map of lands shown therein known as, TIMBER LAKE ESTATES RURAL SUBDIVISION, showing the sub-divisions into which it is proposed to divide said lands, giving the lengths and bearings of each lot line and its number, showing the streets, alleys and public grounds, giving the length and width and name of each street as well as the number of each lot and showing the relation to the government survey, and that iron pins have been found or installed at all lot corners and curve points as shown and are designated by small open circles for set irons and small closed circles for found irons on said plat or map. Said owners also certifies that they are the owner of said lands and that the same is not subject to any mortgage, except a mortgage held by First Bank of Alabama. I further state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for the Practice of Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

In witness thereof, said surveyor executed these presents this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: Rodney Shifflett Date: \_\_\_\_\_  
Rodney Shifflett, P.L.S. #2784  
P.O. Box 204  
Columbiana, AL 35051  
205-669-1205

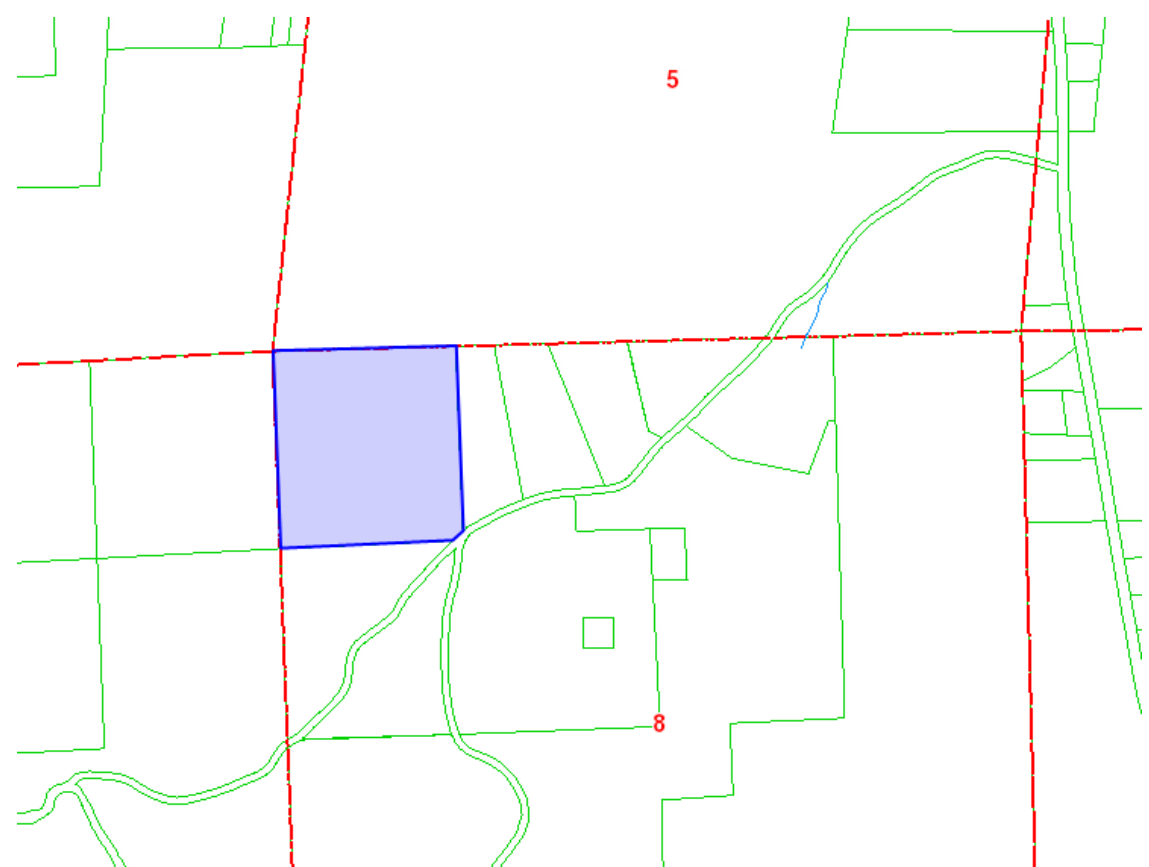
I, Heather Letts, a Notary Public in and for said county and state, do hereby certify that Rodney Shifflett, whose name is signed to the foregoing certificate as surveyor, and who is known to me, acknowledged before me, on this date, that after being duly informed of the contents of said certificate, does execute same voluntarily as such individual with full authority thereof.

Given under my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public \_\_\_\_\_ My Commission Expires \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
David Comer - Managing Member  
Oz Enterprises, LLC

I, the undersigned, a Notary Public in and for said county and state, do hereby certify that, David Comer, whose name is signed to the foregoing certificate as owner, and who is known to me, acknowledge



VICINITY MAP (NOT TO SCALE)