

# REPORT TO THE SHELBY COUNTY PLANNING COMMISSION

## Department of Development Services

October 18, 2021

Case No. SN21-024

### A Resubdivision of Lot 9-E of Whispering Pines Farms

This is a request from Eraka Sims, property owner, for approval of a final plat to resubdivide Lot 9-E of Whispering Pines Farms, containing 24.29 acres, into three lots for residential use to be known as A Resubdivision of Lot 9-E of Whispering Pines Farms. The subject property is zoned A-1, Agricultural District and located at 390 County Road 13, Helena; Parcel Identification Number 58-25-1-12-0-000-005.007.

### DISCUSSION

#### Site Description

The subject property is located at 390 County Road 13 in a primarily rural area of western Shelby County. Developments in the area include single-family residential homes, farms and large tracts of timberland. All parcels in the surrounding area of the subject parcel are zoned A-1, Agricultural District. Parkview Farms Rural Subdivision and Taylor Family Subdivision are located to the northeast of the subject parcel. South of the subject property includes large tracts of timberland.



Whispering Pines Farms subdivision was developed in 1983 as a 16-lot subdivision on approximately 662 acres. The original development was recorded in Map Book 8 Page 125. In 1989, an amended version of the final plat was reviewed and recorded with 22 lots in Map book 13, page 131.

Since 1989, many of the lots have been resubdivided. Each resubdivision of property has maintained a minimum lot size of three acres or larger. The subject property has been zoned A-1 since the adoption of zoning in Beat 5 in 1991, and is now part of the North Shelby I-65 Corridor Zoning Beat. The dimensional requirements for the A-1 zoning district are shown in the table below.

Max. Height of Structures		Minimum Yards				Minimum Lot Area Per Family	Minimum Lot Width
Stories	Feet	Front	Rear	One Side	Total Both Sides		
2 ½	35 feet	40 feet	40 feet	20 feet	50 feet	1 acre	150 feet



The existing conditions of the subject property indicate it has been maintained as a pasture/field over the years including an existing driveway, located in the north west corner, with access to County Road 13. The subject property is fenced along the County Road 13 right-of-way, south along the eastern property line and on the western side of the property at the existing drive. The fence terminates at a creek that traverses the subject property from east to west. An established tree line transects the property from north to south with outcroppings of larger vegetated areas along the

existing creek bed and the southern property line. These mature trees and other understory vegetation are located along what may be wet weather creeks or irrigation ditches that have matured over time and feed into Whispering Pines Lake; however, there is no Federal Emergency Management Agency (FEMA) designated flood plain located on the subject property. No residential or accessory structures are located on the subject property.

**Proposed Resubdivision**

The applicant proposes to divide Lot 9-E, consisting of 24.29 acres into three lots for residential use. Proposed Lot 9F is located in the area adjoining County Road 13 and contains 5.50 acres of mostly pasture land. Lot 9F is shown with a new driveway access to Hwy 13. Lots 9G and 9E are proposed as 50-foot wide flag lots that will utilize the existing driveway access to County Road 13. Lot 9G occupies the southwestern pasture area and contains 10.21 acres. Lot 9H occupies the southeastern pasture area and contains 8.57 acres. The proposed plat is shown on the following page.



**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 *Helena High School Attendance Zone*.

**Conclusion**

The proposed resubdivision meets the requirements of the *Shelby County Zoning Regulations* and *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.



