



SHELBY COUNTY PLANNING REVIEW BOARD PURPOSE & PROCEDURES

In accordance with Act No. 89-673 of the Legislature of Alabama, as amended, the Shelby County Commission has appointed a five (5) member Planning Review Board (PRB) to review decisions of the Shelby County Planning Commission brought by any aggrieved party within 15 days after the Planning Commission's action on a subject case. The purpose of the PRB is to determine if there is sufficient reason to request that the Planning Commission reconsider its earlier decision. The PRB will only consider those issues specifically addressed in the written appeal and information discussed as part of the public hearing (new information may NOT be presented to the PRB).

Review Board Members (or designee):

Shelby County Manager, Planning & Community Development
Shelby County Engineer
Shelby County Manager, Environmental Services
Shelby County - Manager, Water Services
Shelby County Director, Development Services, Chairman

Appeal:

15 days from the date of the Planning Commission decision, the Appellant must submit a written appeal based on the information provided and discussed as part of the public hearing. The written appeal should be sent to the Shelby County Department of Development Services at 1123 County Services Drive, Pelham, Alabama 35124. Please call 205.620.6650 with any questions.

Who can be the Appellant?

Anyone – a property owner, adjoining property owner, applicant or other interested party - aggrieved by the Planning Commission decision may provide a written appeal to the Planning Review Board. The appeal must be based on information provided and discussed as part of the Public Hearing. No new information may be provided as part of the appeal.

Primary Notice (Full Packet):

The primary notice will be sent **10 calendar days** prior to the date of the Planning Review Board Meeting. The primary notice is a full information packet that will be mailed or emailed containing: (1) a notice stating the date, time, location and purpose of the meeting; (2) a copy of the written Appeal; (3) the Planning Review Board's Purpose and Procedures; (4) the Planning Commission Resolution and Draft Minutes; (5) Staff Report; and (6) Site Map(s). The full information packet will be sent to the following parties:

- Appellant(s)
- Property Owner(s) and/or Case Applicant
- Planning Review Board Members

Secondary Notice (Abbreviated Packet):

The secondary notice will be sent 10 calendar days prior to the date of the Planning Review Board Meeting. The secondary notice is an abbreviated packets that will be mailed or emailed containing: (1) a notice stating the date, time, location and purpose of the meeting; (2) a copy of the Appealing Petition; and (3) the Planning Review Board's Purpose and Procedures. The packet will be sent to the following parties:

- Adjacent property owners
- Shelby County Commissioners
- Shelby County Planning Commissioners
- Shelby County Reporter

Date and Location:

Planning Review Board Meetings will be set on an as needed basis, during regular business hours in the Community Room on the 2nd floor in the County Services Building, 1000 County Services Drive, Pelham, Alabama or other designated location. A Planning Commission member will be in attendance at all Planning Review Board Meetings. A PRB member will attend Planning Commission meetings when the PRB remands a case to the Planning Commission.

Fees:

Planning Review Board Meeting:

\$100.00 Filing fee and 1st Class postage for notifications to adjoining property owners (checks made payable to Shelby County Commission)

These fees shall be paid by the Appealing Petitioner at the time of submission of the appeal.

Planning Commission Rehearing (if applicable):

Appealing Petitioner will be billed for the required APO notices/legal advertisement fees upon receipt of invoice from newspaper. (The APO notice/advertising fee must be paid upon demand or case will be removed from the agenda.)

Applicable certified mailing fees per recipient for subdivision cases only, (checks payable to Shelby County Commission.) These fees shall be paid by the Appealing Petitioner at the time the case is remanded to the Planning Commission for rehearing.

Meeting Procedures:

Quorum: 3 members

Open Meetings: All meetings are open to the public; however, this is NOT a public hearing. Comments will not be heard from the floor. If you wish to speak as an interested party, you must sign up prior to the start of the meeting.

Recording: All procedures will be recorded and minutes drafted of the proceedings; approval of minutes shall be by consent of the PRB.

Exhibits: All exhibits must be submitted on a flash drive for presentation and ease of review by all parties.

Presentations: Chairman calls meeting to order, provides an overview of the meeting, calls roll

	<u>Total Allowed Time</u>
Appellant (primary speaker, plus others)	15 min.
Questions by Review Board	10 min.
Respondent (primary speaker, plus others)	15 min.
Questions by Review Board	10 min.
Interested Parties (speakers who sign up prior to the start of meeting; 15 minutes is allowed per side)	30 min.
Respondent’s closing presentation	5 min.
Appellant’s closing presentation	<u>5 min.</u>
	1.5 hours

Review of the Appeal: The PRB will only consider those issues specifically addressed in the written appeal and that information provided and discussed as part of the public hearing.

Decision: The PRB will either request that the Planning Commission rehear the case or will determine there is not sufficient reason to request a rehearing. The decision will be made immediately.

If, after the meeting the aggrieved party is not satisfied with the PRB’s decision, the case may be appealed to the Circuit Court (filing must be done within 30 days of the Planning Review Board decision, see Article XXIII Section 4 of the *Zoning Regulations of Shelby County, Alabama* and Section 15 of the *Enabling Legislation of Shelby County, Alabama* (as amended by Act 89-673)).