

STATE OF ALABAMA

COUNTY OF BALDWIN

RESOLUTION # 2021-014

DETERMINATION OF THE BALDWIN COUNTY COMMISSION, REGARDING **Case No. Z-20040, Gates VI, LLC Property** SUCH DETERMINATION AS AUTHORIZED PURSUANT TO SECTION 45-2-261 THROUGH SECTION 45-2-261.18, CODE OF ALABAMA (1975).

WHEREAS, Byron Burkhalter, has petitioned the Baldwin County Commission to rezone certain property, in Planning (Zoning) District No. 15, for property identified herein and described as follows:

A PORTION OF LOT 1, AUDUBON PARK SUBDIVISION, RESUBDIVISION OF LOTS 1, 2 AND 3, AS PER PLAT RECORDED ON SLIDE NO. 2040-B OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE RESTER & COLEMAN CAPPED REBAR FOUND AT THE NORTHEAST CORNER OF LOT 1, AUDUBON PARK SUBDIVISION, RESUBDIVISION OF LOTS 1, 2 AND 3, AS PER PLAT RECORDED ON SLIDE NO. 2040-B OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA; SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64; THENCE ALONG THE EAST BOUNDARY OF SAID LOT 1, AUDUBON PARK SUBDIVISION, RESUBDIVISION OF LOTS 1, 2 AND 3, RUN S 01°29'21" W 405.00 FEET TO A RESTER & COLEMAN CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 1, AUDUBON PARK SUBDIVISION, RESUBDIVISION OF LOTS 1, 2 AND 3; THENCE ALONG THE SOUTH BOUNDARY OF SAID LOT 1, AUDUBON PARK SUBDIVISION, RESUBDIVISION OF LOTS 1, 2 AND 3, RUN WEST 203.92 FEET TO A RESTER & COLEMAN CAPPED REBAR; THENCE CONTINUING ALONG SAID SOUTH BOUNDARY OF LOT 1, AUDUBON PARK SUBDIVISION, RESUBDIVISION OF LOTS 1, 2 AND 3, RUN NORTH 36.00 FEET TO A RESTER & COLEMAN CAPPED REBAR; THENCE CONTINUING ALONG SAID SOUTH BOUNDARY OF LOT 1, AUDUBON PARK SUBDIVISION, RESUBDIVISION OF LOTS 1, 2 AND 3, RUN WEST 201.36 FEET TO A RESTER & COLEMAN CAPPED REBAR; THENCE CONTINUING ALONG SAID SOUTH BOUNDARY OF LOT 1, AUDUBON PARK SUBDIVISION, RESUBDIVISION OF LOTS 1, 2 AND 3, RUN SOUTH 36.00 FEET TO A RESTER & COLEMAN CAPPED REBAR; THENCE CONTINUING ALONG SAID SOUTH BOUNDARY OF LOT 1, AUDUBON PARK SUBDIVISION, RESUBDIVISION OF LOTS 1, 2 AND 3, RUN WEST 188.91 FEET TO A POINT; THENCE RUN N 00°30'41" E 404.88 FEET TO A POINT ON THE AFOREMENTIONED SOUTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF BALDWIN COUNTY HIGHWAY NO. 64 RUN EAST 601.11 FEET TO THE POINT OF BEGINNING. CONTAINING 234,717 SQUARE FEET OR 5.39 ACRES, MORE OR LESS.

Otherwise known as tax parcel numbers, **05-43-05-21-0-000-005.001 (part of)**, as found in the office of the Revenue Commissioner of Baldwin County, Alabama; and

WHEREAS, the petitioner has requested that the property herein identified be rezoned from B-2, Neighborhood Business District, to HDR, High Density Residential District; and

WHEREAS, the Baldwin County Planning and Zoning Commission held a public hearing on November 5, 2020, and voted to recommend approval of the rezoning request; and

WHEREAS, the Baldwin County Commission held a public hearing on December 1, 2020; and

WHEREAS, the requirements of SECTION 45-2-261 THROUGH SECTION 45-2-261.18, CODE OF ALABAMA (1975), regarding procedures to consider this rezoning request, which would affect the Planning (Zoning) District Boundary designations of the Planning (Zoning) District No. 15 Official Map, have been met; now therefore

BE IT RESOLVED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That the petitioner's request to rezone the property (Case No. Z-20040, Gates VI, LLC Property) as herein identified and described and as found within the confines of Planning (Zoning) District No. 15 from B-2, Neighborhood Business District, to HDR, High Density Residential District which amends the Planning (Zoning) District Boundary designations of the Planning (Zoning) District No. 15 Official Map, is hereby **APPROVED**.

DONE, Under the Seal of the County Commission of Baldwin County, Alabama, on this the 1st day of **December 2020.**

Honorable Joe Davis, III, Chairman

ATTEST

Wayne Dyess, County Administrator