

Barry Copeland



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Date: 2/4/19

Baldwin County Planning & Zoning Commission
22251 Palmer Street
Robertsdale, Alabama 36567

Re: Case No. Z-19001; Rezoning Request for Parcel ID No. 05-68-05-22-0-000-001.001

Dear Commissioners:

I am writing to oppose the above-referenced rezoning request directed to the southern portion of the homestead property of Al and Diane Sawyer on Fort Morgan Road (the “Sawyer Property”). My wife and I own the property adjoining the Sawyer Property on the west side and are currently building what will be our primary residence for our retirement. We were surprised to learn of the rezoning request and were alarmed to hear that the Sawyers were planning to put in a fish market and seafood restaurant alongside the southern 300 feet of our residential lot. I contacted Mr. Sawyer to discuss our concerns, but was unable to persuade him to abandon the request. For the reasons below, we are strongly opposed to the requested rezoning or any other commercial rezoning that would negatively impact the livability and value of our property, as the proposed fish market/eatery would clearly do.

Reasons for Opposition

1. General Objection to Commercial Rezoning.

Currently, a public road, Ewing Place, separates the Sawyer Property and our property from any commercial land, providing a buffer between residential and commercial. The proposed rezone, however, would provide no such buffer. Our residential lot would directly adjoin 300 feet of B-3 Commercial property. In all likelihood, the rezoned Sawyer Property would never again be rezoned to its current RSF-1 classification, and we could be living next to any number of permitted B-3 uses in the years to come, not just the currently proposed seafood market/eatery. For reasons that will be discussed, the currently proposed use is highly objectionable. But equally if not more objectionable are what I understand to be other B-3 uses that are permitted “as of right” (e.g. cemetery, funeral home, laboratory, appliance repair, laundromat, air conditioning repair, kennel, butane gas sales, car wash, exterminator business, firing range, lawnmower service, liquor store, night club, pawn shop, taxidermy shop, auto service station, bait store, etc.). The mere prospect of having any such business adjoining our residential lot, in the event the Sawyers or future owners decide to get out of the fish market business, will significantly and detrimentally affect the value of our property.

2. Air, Noise and Light Pollution.

With respect to the use currently proposed for the rezoned Sawyer property, we have specific objections. The proposed fish market/eatery would presumably have a kitchen that would be venting smoke to the surrounding area including our adjoining property. It would also require waste disposal associated with both the restaurant



business and the fish market. Even if the dumpster(s) were emptied daily, it would be virtually impossible to contain the odors - especially in the summer months – or to prevent the attraction of rats or other vermin, all of which would invariably spill over onto our property. The noise associated with heavy trash trucks, including piercing sound of the back-up signal would also be very disruptive. Assuming that they would be open during dinner hours, the requisite parking area would need to be well lighted. The lighting (from the establishment and the patron headlights) and noise from the evening operations would be very difficult to shield from our planned home, and would certainly diminish the ambience that we would expect in a residential neighborhood.

3. Wetlands Impact.

We understand the Sawyer Property proposed for rezoning contains wetlands adjacent to and extending onto our property. The planned development would necessarily impact those wetlands. Even if the Sawyers were able to secure wetland mitigation approval, the trucking in of fill dirt would cause the displacement of existing water and/or increase the discharge of rainwater from the Sawyer Property to ours, adversely affecting our wetlands and potentially flooding our driveway. At the very least, our drive into our lot will be transformed from what is now a scenic path through wetlands to what would essentially be an alley alongside a fish market.

4. Traffic.

The southern boundary of the proposed rezone fronts the right-of-way for Fort Morgan Road. Fort Morgan Road at that point is a two-lane paved road (one eastbound lane and one westbound lane) with no turn lane. With no turn lane, traffic wanting to enter the site from the west would be forced to stop in the eastbound lane while waiting to turn in the event of oncoming traffic from the east. This stoppage in a 55 mph speed zone could be hazardous and would cause delays in the eastbound traffic flow. If just a few cars were backed up in that eastbound lane, it would also block an eastbound exit from our driveway. Finally, the proposed rezone would expose our property, which is currently quite secluded, to unwanted pedestrian traffic. Currently, the only land access to our property is from Fort Morgan Road via our driveway. The proposed rezone would put a commercial business that invites the public to park their cars and freely walk along as much as 300 feet of the eastern boundary of our property – increasing the likelihood of trespass or other mischief.

5. Negative Property Value Impact.

There is no question that the requested rezone, which leaves no residential/commercial buffer, would adversely impact the value of our residential property and that of our neighbors. Our lot and the next two lots to the west are all bayfront lots that have (or in our case will have) very nice, large homes on the bluff overlooking Bon Secour Bay. Because of the elevation, these lots are some of the most desirable residential lots on the entire peninsula. I have consulted our realtor, who contacted his appraisers. For at least the reasons described above, I believe the value of our property would be significantly reduced, perhaps by 30% or more, if the proposed rezone and development were allowed. The reduction in value to the lots west of our property would also be significant, but sequentially less as our lot would serve as a buffer to the commercial use.



For all of the foregoing reasons, we strongly object to the requested rezoning and urge the Commission to deny the Sawyers' request.

Sincerely,

Barry L. Copeland
Owner – 9917 Fort Morgan Road

We have read the foregoing letter and agree that the requested rezoning of the Sawyers' lot would negatively impact the value of our homes. We therefore object to the requested rezoning.

Signature

Timothy Ramsey - 9911 AL HWY 180, Gulf Shores

Printed name and address

Signature

Printed name and address