



**Baldwin County Planning and Zoning Commission
Meeting Minutes
Thursday, October 7, 2021**

I. CALL TO ORDER

Chairman Steve Pumphrey called to order the regular meeting of the Baldwin County Planning and Zoning Commission at 4:02 p.m. on October 7, 2021 at the Baldwin County Central Annex Main Auditorium, 22251 Palmer Street, Robertsedale, Alabama.

II. OPENING

Chairman Pumphrey opened the meeting with an invocation and prayer. He also led the pledge of allegiance.

III. ROLL CALL

Chairman Pumphrey conducted a roll call. The following members were present: Steve Pumphrey, Robert Davis, Plumer Tonsmeire, Michael Mullek, Greg Seibert, Bill Booher, and Ernie Church. Members Daniel Nance, Brandon Bias, and Jason Padgett were absent. County Attorney Brad Hicks was also present. Chairman Pumphrey welcomed new commission member Ernie Church.

Staff present included Matthew Brown, Buford King, DJ Hart, Linda Lee, Ashley Campbell, Weesie Jeffords, Crystal Bates, Fabia Waters, and Paula Bonner.

IV. APPROVAL OF THE MINUTES

Robert Davis made a motion to approve the September 2, 2021 work session and meeting minutes. Plumer Tonsmeire seconded the motion. All members voted aye. **The motion to approve the September 2, 2021 Planning Commission work session and meeting minutes carries on a vote of 6-0.**

V. ANNOUNCEMENTS/REGISTRATION

Chairman Pumphrey explained the public hearing registration and meeting procedures.

VI. CONSIDERATION OF APPLICATIONS AND REQUESTS – REQUESTS TO TABLE

a.) CASE S-21067 DOGWOOD ESTATES PHASE I PRELIMINARY PLAT APPROVAL

Request for preliminary plat approval for a 72-lot subdivision on approximately 25.16 acres located on the northeast intersection of the Baldwin Beach Express along County Road 36. The subject property is unzoned in Planning District 18.

Buford King reported a request from the applicant to table the case to a future meeting and the recommendation by staff to table.

Bill Booher made a motion to table the application. Robert Davis seconded the motion. All members voted aye. **Motion to table Case S-21067 to a future meeting carries on a vote of 6-0.**

b.) CASE S-21090 DOGWOOD EXPRESS PRELIMINARY PLAT APPROVAL

Request for preliminary plat approval for a 1-lot subdivision on approximately 65.16 acres located on the northeast intersection of the Baldwin Beach Express along County Road 36. The subject property is unzoned in Planning District 18.

Buford King reported a request from the applicant to table the case to a future meeting and the recommendation by staff to table.

Ernie Church made a motion to table the application. Greg Seibert seconded the motion. All members voted aye. **Motion to table Case S-21090 to a future meeting carries on a vote of 6-0.**

VII. CONSIDERATION OF APPLICATIONS AND REQUESTS – REZONING CASES

a.) CASE P-21009 FORT MORGAN VOLUNTEER FIRE DEPARTMENT PROPERTY CONDITIONAL USE APPROVAL REQUEST

Ernie Church recused himself from this case. Linda Lee presented the request for Conditional Use Approval to allow a new fire station to be built on approximately 0.81 acres located on the south side of State Highway 180 east of Our Road. The subject property is zoned RSF-1 in Planning District 25.

Mrs. Lee reported recommendation of approval subject to conditions by staff. Michael Ludvigsen was present to represent the applicant. There was no one present in opposition.

Plumer Tonsmeire made a motion to approve subject to conditions. Michael Mullek seconded the motion. Ernie Church was recused. All other members voted aye.

Motion to approve Case P-21009 request for Conditional Use Approval with the conditions listed below carries on a vote of 5-0.

- **Approval shall be for this location only.**
- **A variance from the wetland setback requirement is granted by the Board of Adjustment.**
- **A Baldwin County Site Plan Approval and building permit shall be obtained no later than six (6) months from the date of Conditional Use**

approval. The Planning Commission may grant additional time if deemed necessary.

- If signage is proposed, a Sign Permit application demonstrating compliance with Article 16 of the zoning ordinance, shall be submitted to and approved by the Planning and Zoning Department.
- Storm water facilities are to be installed and inspected prior to the start of construction.
- Any major changes and/or additions shall result in further review and approval by the Planning Commission.

Mr. Church returned to his place with the commission.

b.) CASE Z-21033 KITTRELL PROPERTY REZONING REQUEST

Request to rezone approximately 14.71 acres from RSF-1 to RA to allow agricultural uses of the property. The subject property located on the south side of US Highway 98 east of Hillcrest Road in Planning District 33.

Linda Lee presented the request and reported recommendation of approval by staff. Douglas Bailey was present to answer questions. There was no one present in opposition.

Michael Mullek made a motion to recommend approval. Ernie Church seconded the motion. All members voted aye. **Motion to recommend approval of Case Z-21033 rezoning request from RSF-1 to RA carries on a vote of 6-0.**

c.) CASE Z-21034 LAZZARI PROPERTY REZONING REQUEST

Request to rezone approximately 27.66 acres from RSF-E to RA to allow an open-air storage facility on the parcel. The subject property located on the south side of County Road 64 east of McBride Road in Planning District 15.

Linda Lee presented the request and reported recommendation of approval by staff, adding that any future commercial use on the subject property will likely receive a recommendation of denial. Hunter Smith was present to represent the applicant. There was no one present in opposition.

After discussion between commission members and staff Greg Seibert made a motion to recommend approval. Robert Davis seconded the motion. All members voted aye. **Motion to recommend approval for Case Z-21034 rezoning request from RSF-E to RA carries on a vote of 6-0.**

d.) CASE Z-21035 TWIN OAKS CO. PROPERTY REZONING REQUEST

Request to rezone approximately 4.22 acres from B-3 to B-4 to allow more diverse commercial development on the parcel. The subject property located in the median of the Foley Beach Express in Planning District 30.

DJ Hart presented the request and reported recommendation of approval by staff. Tom

Granger was present to represent the applicant. There was no one present in opposition.

Michael Mullek made a motion to recommend approval. Plumer Tonsmeire seconded the motion. All members voted aye. **Motion to recommend approval of Case Z-21035 rezoning request from B-3 to B-4 carries on a vote of 6-0.**

e.) PROPOSED LAND DISTURBANCE ORDINANCE

FOR FLOOD PRONE AREAS OR TERRITORIES WITH PROBABLE EXPOSURE TO FLOODING IN UNINCORPORATED BALDWIN COUNTY

A new proposed land disturbance ordinance that would help control filling, grading, dredging, and similar land disturbance activities which may increase flood damage or erosion, by applying the land disturbance requirements of the Baldwin County Zoning Ordinance within areas displayed on a new Hydric Potential Map.

Matthew Brown presented the proposed new Land Disturbance Ordinance and reported recommendation of approval by staff. There was no one present to speak in favor or opposition.

Robert Davis made a motion to recommend approval. Greg Seibert seconded the motion. All members voted aye. **Motion to recommend approval of the new Proposed Land Disturbance Ordinance carries on a vote of 6-0.**

VIII. CONSIDERATION OF APPLICATIONS AND REQUESTS – SUBDIVISION CASES

a.) CASE S-20070 VERNANT PARK ESTATES PRELIMINARY PLAT APPROVAL

Request for preliminary plat approval for a 12-lot subdivision on approximately 55.95 acres located on the east side of Vernant Park Road and north of County Road 12 South. The subject property is zoned RA in Planning District 21.

Mary Booth presented the case and reported recommendation of approval by staff contingent on wetlands being addressed by the applicant. David Diehl and Rhett Croppier signed up in favor. There was no one present in opposition.

Robert Davis made a motion to approve with the contingencies set in place by staff. Greg Seibert seconded the motion. All members voted aye. **Motion to approve Case S-20070 contingent on the wetlands being addressed by the applicant carries on a vote of 6-0.**

b.) CASE S-21057 SAVANNAH ESTATES PHASE I VARIANCE REQUEST

Request for a variance from the Baldwin County Subdivision Regulations as it pertains to a lot size to allow development of a 96-lot subdivision on approximately 44.18 acres located on the east side of County Road 54, north of County Road 64. The subject property is zoned RSF-2 with PRD in Planning District 15.

Buford King presented the case and reported recommendation of approval by staff. There was no one present in favor or opposition.

Greg Seibert made a motion to approve the variance. Ernie Church seconded the motion. Bill Booher abstained. Michael Mullek voted nay. All other members voted aye. **Motion to approve Case S-21057 Savannah Estates Phase I Subdivision Variance Request carries on a vote of 4-1.**

c.) CASE S-21078 PARK VIEW PHASE I SUBDIVISION PRELIMINARY PLAT APPROVAL

Request for Preliminary Plat Approval for a 78-lot subdivision on approximately 34.44 acres located on the north side of Camelia Road west of West Boulevard. The subject property is unzoned in Planning District 14.

Buford King presented the case and reported recommendation of approval by staff. David Diehl and Rhett Croppier were present to represent the applicant. There was no one present in opposition.

Greg Seibert made a motion to approve the request. Robert Davis seconded the motion. All members voted aye. **Motion to approve Case S-21078 Park View Phase I Subdivision Development Permit / Preliminary Plat Approval carries on a vote of 6-0.**

d.) CASE S-21091 LOT 1 SILVER CREEK ESTATES VARIANCE REQUEST APPROVAL

Request for a variance as it pertains to submission of a wetland delineation requirement on approximately 5.7 acres located on the northeast intersection of East Boulevard and Camellia Road in the Silverhill area. The subject property is unzoned in Planning District 14.

Mr. King presented the case and reported recommendation of denial by staff. Justin Palmer spoke in favor of the request. Jennifer Regan signed up in favor but did not speak. Tillman Brown spoke in opposition. Baldwin County Natural Resource Planner Ashley Campbell answered commission questions.

Plumer Tonsmeire made a motion to deny the variance request. Greg Seibert seconded the motion. All members voted aye. **Motion to deny Case S-21091 Lot 1 Silver Creek Estates Subdivision Variance Request carries on a vote of 6-0.**

VIII. OLD BUSINESS

There was no new business.

IX. NEW BUSINESS

Approval of the 2022 Meeting Calendar

Mr. Brown presented the proposed calendar. Bill Booher made a motion to approve the Calendar. Ernie Church seconded the motion. All members voted aye. **Motion to approve the 2022 Meeting Calendar carries on a vote of 6-0.**

Chairman Pumphrey presented the suggestion of having work sessions prior to the regular meetings. Commission members present appeared in favor of pre-meeting work sessions and asked that a survey from absent members be conducted to get their feedback.

Mr. Mullek inquired about the time frame of public notices. Chairman Pumphrey stated the public notice process meets state law requirements. Mr. Brown reported signs are posted on the property three weeks prior.

X. PUBLIC COMMENTS

There were no public comments.

XI. REPORTS AND ANNOUNCEMENTS

Staff Reports: Mr. Brown reported all the recent amendments have passed. He also reported the transition to CitizenServe.

Legal Counsel Report: There were no counsel reports.

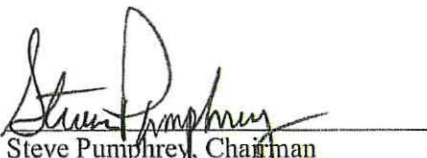
Next Regular Meeting: November 4, 2021

XII. ADJOURNMENT

As there was no further business the meeting adjourned at 6:03 p.m.


Paula S. Bonner, Planning Technician

11/4/21
Date


Steve Pumphrey, Chairman
Baldwin County Planning and Zoning Commission

11-4-21
Date

* A video recording of this meeting may be viewed on online at www.baldwincountyal.gov.

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

P-21009

Fort Morgan Volunteer Fire Department Property

Conditional Use Approval

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- Speakers shall be required to speak from the podium equipped with a microphone and will be expected to state their name and address for the record at the onset of their presentation.
- Speakers shall confine comments or questions solely to matters that pertain to the particular case and shall observe time limits.
- Profane, insulting or threatening language or gestures, or disruptive behavior of any kind shall not be tolerated. If such unacceptable behavior is engaged, the speaker may be asked by the Chair to cease and desist and/or may be directed to depart the meeting.

I would like to address the Planning Commission on the following:

P-21009, Fort Morgan Volunteer Fire Department Property, Conditional Use Approval

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Michael Ludvigsen

Name (Print Clearly)

Date 10-7-21

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

Z-21033

Kittrell Property

Rezone RSF-1 to RA

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I would like to address the Planning Commission on the following:

Z-21033, Kittrell Property

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Douglas A Bailey - applicant

Name (Print Clearly)

Date 10/7/21

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

Z-21034

Lazzari Property

Rezone RSF-E to RA

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I would like to address the Planning Commission on the following:

Z-21034, Lazzari Property

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

HUNTER SMITH

Name (Print Clearly)

Date 10/7/2021

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

Z-21035

Twin Oaks Co. Property

Rezone B-3 to B-4

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I would like to address the Planning Commission on the following:

Z-21035, Twin Oaks Co Property

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Tom Granger

Name (Print Clearly)

Date 10/7/21

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

S-20070

Vernant Park Estates

Preliminary Plat Approval

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I would like to address the Planning Commission on the following:

S-20070, Vernant Park Estates

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

DAVID DIERL (QUESTIONS)

Name (Print Clearly)

Date 10/7/2021

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

S-20070

Vernant Park Estates

Preliminary Plat Approval

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I would like to address the Planning Commission on the following:

S-20070, Vernant Park Estates

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Walt Crappa
Name (Print Clearly)

Date 10/7/21

NO OPPOSITION REGISTRATION FORM
BALDWIN COUNTY PLANNING COMMISSION
SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

S-21078

Park View Phase I

Preliminary Plat Approval

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I would like to address the Planning Commission on the following:

S-21078, Park View Phase I

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

DAVID DIEHL (QUESTIONS)

Name (Print Clearly)

Date 10/7/2021

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

S-21078

Park View Phase I

Preliminary Plat Approval

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I would like to address the Planning Commission on the following:

S-21078, Park View Phase I

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

RHETT CROPPER

Name (Print Clearly)

Date 10/7/21

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

S-21091

Lot 1, Silverhill Creek Estates


Variance Request Approval

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I would like to address the Planning Commission on the following:

S-21091, Silverhill Creek Estates

(If you want to speak on multiple items, you must fill out a separate registration form for each.)



Name (Print Clearly)

JUSTIN PALMER

Date

10/7/21

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

S-21091

Lot 1, Silverhill Creek Estates

Variance Request Approval

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I would like to address the Planning Commission on the following:

S-21091, Silverhill Creek Estates

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Name (Print Clearly)

Jennifer Regan

Date

10/7/21

OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

S-21091

Lot 1, Silverhill Creek Estates

Variance Request Approval

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I would like to address the Planning Commission on the following:

S-21091, Silverhill Creek Estates

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

TILMON BROWN

Name (Print Clearly)

Date 10/7/21