

**STATE OF ALABAMA**

**COUNTY OF BALDWIN**

**RESOLUTION # 2025-061**

DETERMINATION OF THE BALDWIN COUNTY COMMISSION, REGARDING **CASE No. PRD24-000007 Bear Creek Subdivision (PRD) Site Plan** SUCH DETERMINATION AS AUTHORIZED PURSUANT TO SECTION 45-2-261 THROUGH SECTION 45-2-261.18, CODE OF ALABAMA (1975).

**WHEREAS**, Dwayne Smith has petitioned the Baldwin County Commission to rezone certain property, in Planning (Zoning) District No. 22, for property identified herein and described as follows:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 7 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA, RUN THENCE SOUTH 00 DEGREES 29 MINUTES 59 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, FOR A DISTANCE OF 282.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 29 MINUTES 59 SECONDS WEST, FOR A DISTANCE OF 2389.94 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE DEPARTING SAID EAST LINE OF SAID NORTHWEST QUARTER, RUN SOUTH 89 DEGREES 51 MINUTES 14 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, FOR A DISTANCE OF 805.53 FEET TO THE NORTHWEST CORNER OF KOONTZ FAMILY DIVISION (AMENDED), AS RECORDED WITHIN SLIDE 2123-A, PROBATE COURT RECORDS, SAID BALDWIN COUNTY, ALABAMA; THENCE NORTH 48 DEGREES 33 MINUTES 53 SECONDS WEST ALONG THE NORTHERLY BOUNDARY OF THAT CERTAIN PARCEL CONVEYED BY INSTRUMENT NUMBER 2016227, SAID PROBATE RECORDS, FOR A DISTANCE OF 677.12 FEET; THENCE NORTH 79 DEGREES 25 MINUTES 17 SECONDS WEST ALONG SAID NORTHERLY BOUNDARY, FOR A DISTANCE OF 1311.84 FEET TO THE EAST RIGHT-OF-WAY LINE OF ALABAMA HIGHWAY NO. 83 (80 FOOT RIGHT-OF-WAY); THENCE NORTH 00 DEGREES 03 MINUTES 01 SECONDS EAST ALONG SAID EAST RIGHT-OF-WAY LINE, FOR A DISTANCE OF 461.78 FEET TO THE SOUTH LINE OF THAT ONE CERTAIN PARCEL CONVEYED BY INSTRUMENT NO. 1307090, SAID PROBATE RECORDS; THENCE DEPARTING SAID RIGHT-OF-WAY RUN SOUTH 89 DEGREES 59 MINUTES 18 SECONDS EAST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 334.93 FEET TO THE EAST LINE OF SAID PARCEL CONVEYED BY INSTRUMENT NO. 1307090 ; THENCE NORTH 00 DEGREES 01 MINUTES 09 SECONDS WEST ALONG SAID EAST LINE, FOR A DISTANCE OF 390.37 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 05 SECONDS WEST, FOR A DISTANCE OF 334.98 FEET TO THE AFORESAID EAST RIGHT-OF-WAY LINE OF ALABAMA HIGHWAY NO. 83 (80 FOOT RIGHT-OF-WAY); THENCE NORTH 00 DEGREES 00 MINUTES 41 SECONDS EAST ALONG SAID EAST RIGHT-OF-WAY LINE, FOR A DISTANCE OF 282.16 FEET TO THE SOUTH LINE OF THAT ONE CERTAIN PARCEL CONVEYED BY INSTRUMENT NO. 935095, SAID PROBATE RECORDS; THENCE NORTH 89 DEGREES 51 MINUTES 34 SECONDS EAST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 310.12 FEET TO THE EAST LINE OF SAID PARCEL CONVEYED BY INSTRUMENT NO. 935095, SAID PROBATE RECORDS; THENCE NORTH 00 DEGREES 00 MINUTES 52 SECONDS EAST, ALONG SAID EAST LINE, AND CONTINUING ALONG SAID LINE EXTENDED ACROSS THE EAST LINES OF THE FOLLOWING PARCELS CONVEYED BY INSTRUMENT NO'S. 2085780, 2053217 AND 1609631, FOR A DISTANCE OF 533.29 FEET TO THE NORTHWEST CORNER OF THAT ONE CERTAIN PARCEL CONVEYED BY INSTRUMENT NO. 1513886; THENCE NORTH 89 DEGREES 08 MINUTES 36 SECONDS EAST, ALONG THE NORTH LINE OF SAID PARCEL, FOR A DISTANCE OF 2313.014 FEET TO THE POINT OF BEGINNING.

PARCEL MORE PARTICULARLY DESCRIBED HEREIN CONTAINING 116.31 ACRES MORE OR LESS.

Otherwise known as tax parcel numbers, **05-53-04-20-0-000-002.000 and 002.004** as found in the office of the Revenue Commissioner of Baldwin County, Alabama; and

**WHEREAS**, the petitioner has requested a Planned Residential Development (PRD) Site Plan Approval for a residential development; and

**WHEREAS**, the Baldwin County Planning and Zoning Commission held a public hearing on December 5, 2024 and voted to recommend **Denial** of the PRD request; and

**WHEREAS**, the Baldwin County Commission held a public hearing on January 21, 2025; 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. 22 Official Map, have been met; now therefore

**BE IT RESOLVED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED**, That the petitioner's request for Planned Residential Development (PRD) Site Plan Approval (Case No. PRD24-000007, as herein identified and described and as found within the confines of Planning (Zoning) District No.22 which amends the Planning (Zoning) District Boundary designations of the Planning (Zoning) District No. 22 Official Map, is hereby **APPROVED with the following conditions:**

1. Approval of the rezoning request from RA to RSF-1.
2. If PRD24-07 is approved, it overrides PRD24-06 and PRD24-06 is rendered null, void, and of no effect.
3. The parcels must be under common control before applying for a Preliminary Plat.
4. The Traffic Impact Study shall be conducted while public and private schools that will serve the proposed development are in session.
5. Details for all amenities must be submitted during preliminary plat review.
6. Fire flow must meet ISO requirements for home spacing (1,000 gpm at 20 psi for spacing between 11-20 feet). If building setbacks must be increased, the amount of open space reflected on the site plan must be maintained.

DONE, Under the Seal of the County Commission of Baldwin County, Alabama, on this the **21<sup>st</sup>** day of **January** **2025.**

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Commissioner Matthew P. McKenzie, Chairman

ATTEST

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Roger H. Rendleman, County Administrator