



## Baldwin County Planning & Zoning Commission Agenda

Thursday, May 4, 2023

4:00 p.m.

Baldwin County Central Annex

Main Auditorium

22251 Palmer Street

Robertsdale, Alabama

[Email-planning@baldwincountyal.gov](mailto:Email-planning@baldwincountyal.gov)

1. **Call to order.**
2. **Invocation.**
3. **Pledge of Allegiance.**
4. **Roll call.**
5. **Approval of meeting minutes:**
  - April 6, 2023 Work Session Minutes
  - April 6, 2023 Meeting Minutes
6. **Announcements/Registration to address the Commission.**

## **7. Consideration of Applications and Requests: Rezoning Cases**

### **a.) Case, Z23-8 and PRD23-1, Retirement Systems of Alabama Property**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting to rezone 7.2+/- acres from OR to RSF-1 to allow residential development of the property and PRD site plan approval for a 6-lot single-family Planned Residential Development, The Oaks at the Colony.

Location: Subject property is located south of Battles Road and East of Scenic Hwy 98, in Planning District 19.

**PLEASE USE THE LINK BELOW TO VIEW ALL COMMENT RECEIVED ON THESE CASES:**

[Z23-8 and PRD23-1 Comments](#)

### **b.) Case, Z23-9, Mako Forestry Corp. Property**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting to rezone 3.06+/- acres from B-3 to RR to allow forestry-related equipment to be stored on the property.

Location: Subject property is located east of County Road 95 in Elberta, in Planning District 32.

### **c.) Case, Z23-11, Torres Property**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting to rezone 1.56+/- acres from RSF-2 to B-2 to allow for expansion of the parking lot for the adjacent restaurant.

Location: Subject property is located at 19089 Leonard Vaughn Ln in Fairhope, in Planning District 8.



**d.) Case, Z23-12, Scopolites Property**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting to rezone the west 205 feet of lot 2 from RSF-E to B-2 to allow office-warehouse use.

Location: Subject property is located east of Bishop Road and north of Gayfer Road Ext. in Fairhope, in Planning District 37.

**8. Old Business: Rezoning**

**9. Consideration of Applications and Requests: Subdivision Cases**

**a.) Case, SV23-1, Ducklings Tiny House Community Variance**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting variance approval from several sections of the Baldwin County Subdivision Regulations related to Ducklings Tiny House Community.

Location: Subject property is located at 24657 County Road 38 approximately 3.6 miles east of the Baldwin Beach Express on the north side of County Road 38.

**b.) Case, SV23-4, D R Horton Property Variance**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting variance approval from article 5, section 5.1.1 of the Baldwin County Subdivision Regulations as it pertains to building setbacks.

Location: The subject property is located in the Magnolia Estates Subdivision on the corner of Headlands Lane and Cavendish Drive, in the Foley area.

**c.) Case, PUD23-1 and CSP23-3, Brinks Willis Mobile Home Park**

*Disclosure of Prior Outside Communication –Pursuant to Article VI,  
Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Final Site Plan Approval and Commission Site Plan Approval for a 15-lot Mobile Home Park, Brinks Willis Mobile Home Park.

Location: Subject property is located on the south side of County Road 65, west of James Road in the Foley area.

**d.) Case, PUD23-5, Rivers Crest Estates**

*Disclosure of Prior Outside Communication –Pursuant to Article VI,  
Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Final Site Plan Approval for a 109-lot development, River Crest Estates.

Location: Subject property is located on the west side of River Road North in the Foley area.

**e.) Case, PUD23-6, Oak Ridge RV Park**

*Disclosure of Prior Outside Communication –Pursuant to Article VI,  
Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Final Site Plan Approval for a 166-site RV Park, Oak Ridge RV Park.

Location: Subject property is located on the east side of Hwy 287, north of Louis Cooper Rd. It is north of Bay Minette.

**f.) Case, SPP23-4, Mill Creek Subdivision, Phase I**

*Disclosure of Prior Outside Communication –Pursuant to Article VI,  
Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Preliminary Plat Approval for a 103-lot subdivision, Mill Creek Subdivision, Phase I.

Location: Subject property is located on the south side of County Rd. 34, east of Ted Lysek Rd and west of Davis Rd. It is a quarter mile west of the Town of Summerdale.

**g.) Case, SPP23-2, Tealwood Estates Subdivision, Phase 1-7**

*Disclosure of Prior Outside Communication –Pursuant to Article VI,  
Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Preliminary Plat Approval for a 636-lot subdivision, Tealwood Estates Subdivision, Phase 1-7.

Location: Subject property is located on the north side of Underwood Rd., east of County Road 9 and Fish River, and west of County Road 49.

**h.) Case, SPP23-3, Gaineswood Subdivision**

*Disclosure of Prior Outside Communication –Pursuant to Article VI,  
Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Preliminary Plat Approval for a 174-lot subdivision, Gaineswood Subdivision,

Location: Subject property is located on State Highway 181 between County Road 32 and County Road 24 on the west side of State Highway 181.

**i.) Case, SPP23-7, Autumn Lakes**

*Disclosure of Prior Outside Communication –Pursuant to Article VI,  
Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Preliminary Plat Approval for a 209-lot subdivision, Autumn Lakes.

Location: Subject property is located on the east side of County Rd 95, south of Kaiser Ln. and .25 miles north of US Hwy 98.

**j.) Case, SPP23-8, BFLC Lawrence Creek Subdivision**

*Disclosure of Prior Outside Communication –Pursuant to Article VI,  
Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Preliminary Plat Approval for a 4-lot subdivision, BFLC Lawrence Creek Subdivision.

Location: Subject property is located on the north side of US Hwy 90, one and a half miles east of County Rd. 87.

**k.) Case, SPP23-14, BFLC Eightmile Creek East Phase V Subdivision**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Preliminary Plat Approval for a 5-lot subdivision, BFLC Eightmile Creek East PH V Subdivision,

Location: Subject property is located south of Linholm Road and east of Goat Cooper Road N intersection in the Wilcox area.

**l.) Case, SPP23-16, BFLC Eightmile Creek East Phase IV Subdivision**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Preliminary Plat Approval for a 5-lot subdivision, BFLC Eightmile Creek East PH IV Subdivision,

Location: Subject property is located south of Linholm Road on the east side of Goat Cooper Road N in the Wilcox area.

**m.) Case, SC23-7, Caver Subdivision**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Preliminary Plat Approval for a 3-lot subdivision, Caver Subdivision,

Location: Subject property on the west side of Bohemian Hall Rd., north of County Road 48, and less than 2 miles southwest of Silverhill.

**10. Old Business: Subdivision**

**a.) Case, PUD22-19, Clear Creek RV Resort**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Planned Unit Development approval of a 259/unit RV Park, Clear Creek RV Resort.

Location: Subject property is located south of Doc McDuffie Rd, east of the Foley Beach Express, in the Foley area.

**11. Consideration of Applications and Requests: Commission Site Plan Approval**

**a.) Case, CSP23-12, Loxley Boat & RV Storage**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Commission Site Plan Approval for a boat and RV storage facility.

Location: Subject property is located west of Hwy 59 and east of Rawls Rd in Loxley. The property is zoned B-3 in Planning District 12.

**12. Old Business: Commission Site Plan Approval**

**a.) Case, CSP22-41, Ecovery, LLC**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws*

Purpose: The applicant is requesting Commission Site Plan Approval to allow construction of a 28,560 sq. ft. building on the parcel. The property is zoned M-1 in Planning District 12.

Location: Subject property is located on the east of Railroad Ave and south of Black Devine Rd.

**13. New Business:**

**14. Public Comments:**

**15. Reports and Announcements:**

Staff Reports:

Legal Counsel Report:

Next Regular Meeting: ***June 1, 2023***

**16. Adjournment.**

# 7.a) Z23-8 / PRD23-1 RSA PROPERTY

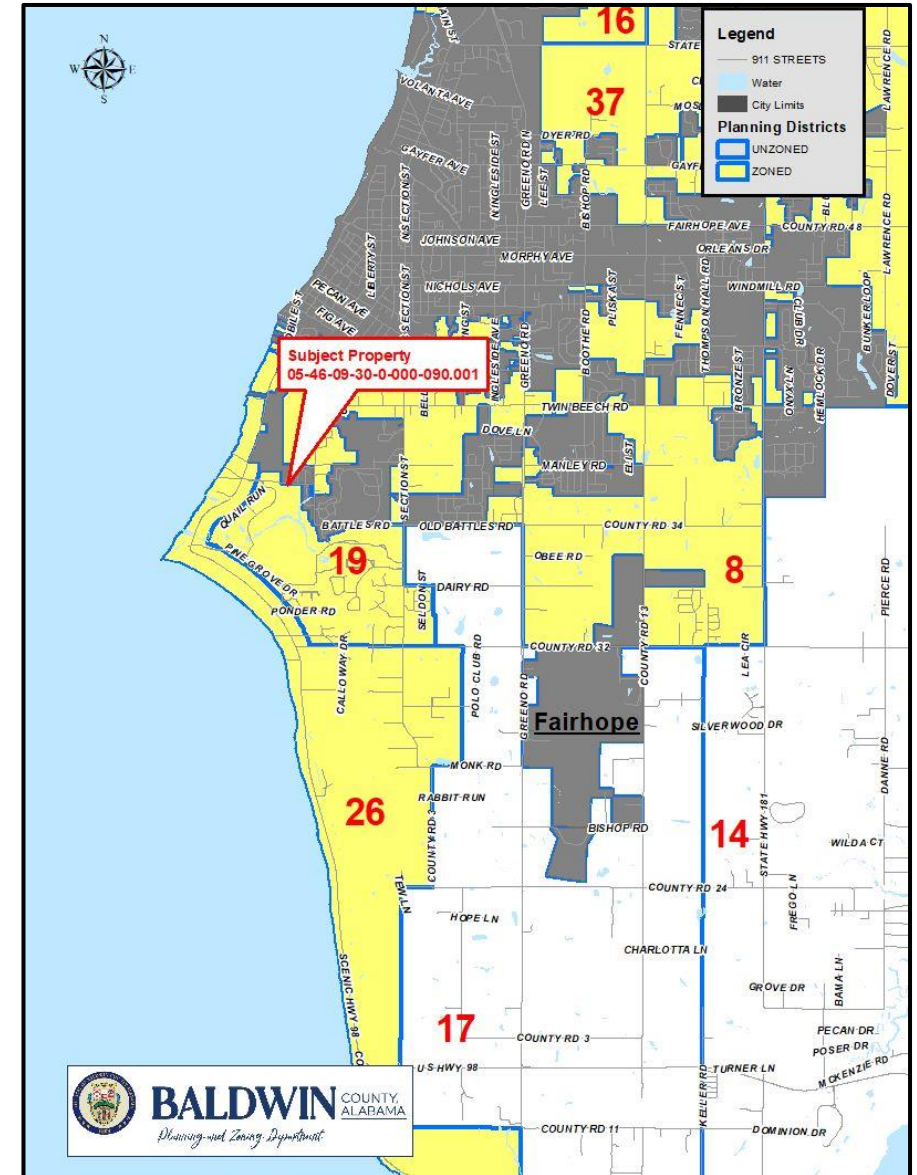
Lead Staff: Celena Boykin, Senior Planner

Request before Planning Commission:

**Rezone 7.2+/- acres from OR to RSF-1 and consider a Planned Residential Development (PRD) site plan on the same property**

To view maps/plats in higher resolution please visit the "Upcoming Items" Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>



**Planning District:** 19

**Zoned:** OR, Outdoor Recreation District

**Location:** Subject property is located south of Battles Road and East of Scenic Hwy 98.

**Current Use:** Undeveloped land between existing golf course fairways.

**Acreage:** 7.2 +/- acres

**Physical Address:** NA

**Applicant:** Melissa Currie – Goodwyn, Mills, & Cawood, LLC

**Owner:** RSA

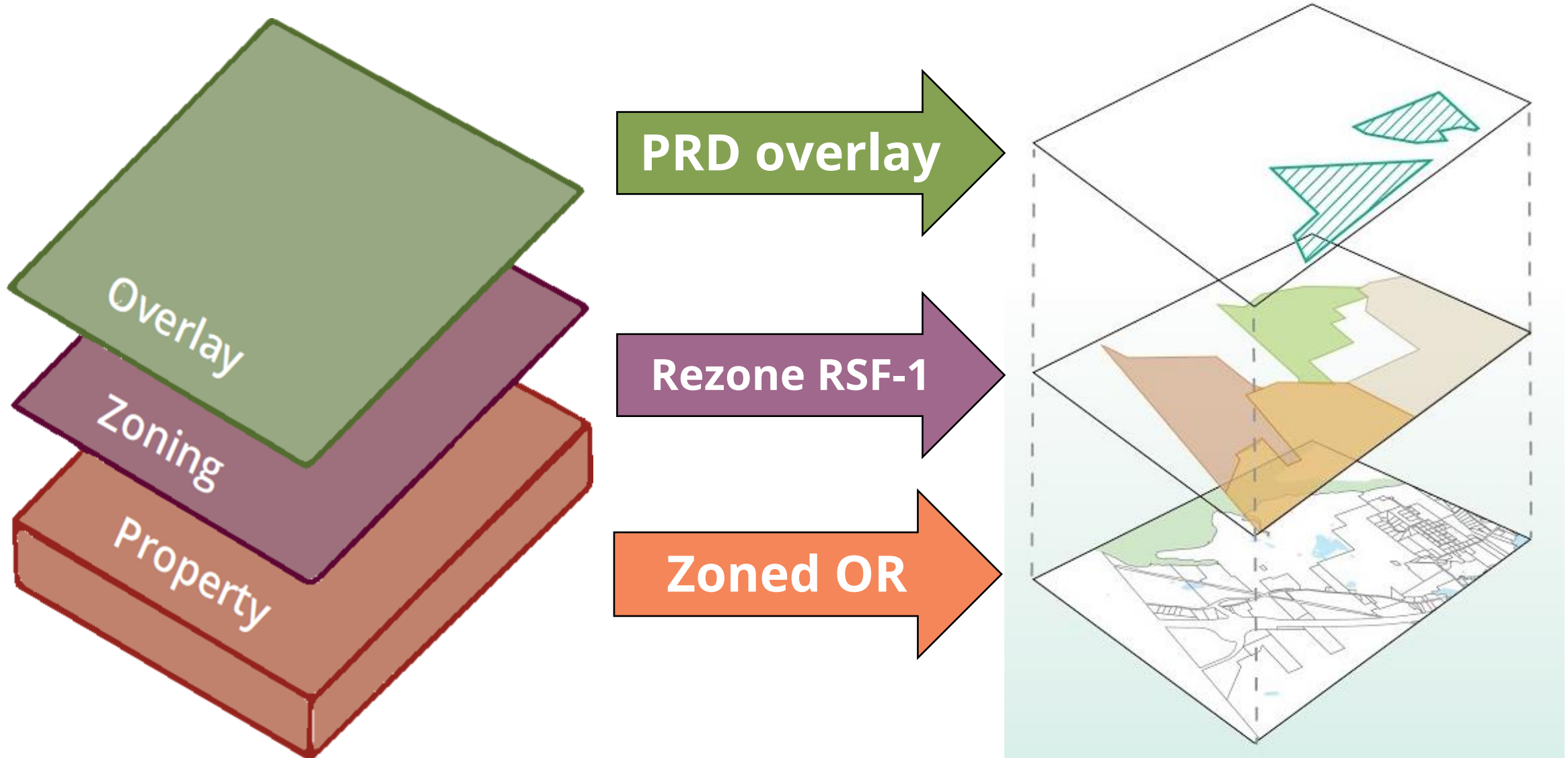
**Proposed Zoning:** RSF-1, Residential Single-Family District with a PRD

**Applicant's Request:** Rezone to RSF-1 to allow for a proposed 6 lot PRD and later subdivision.

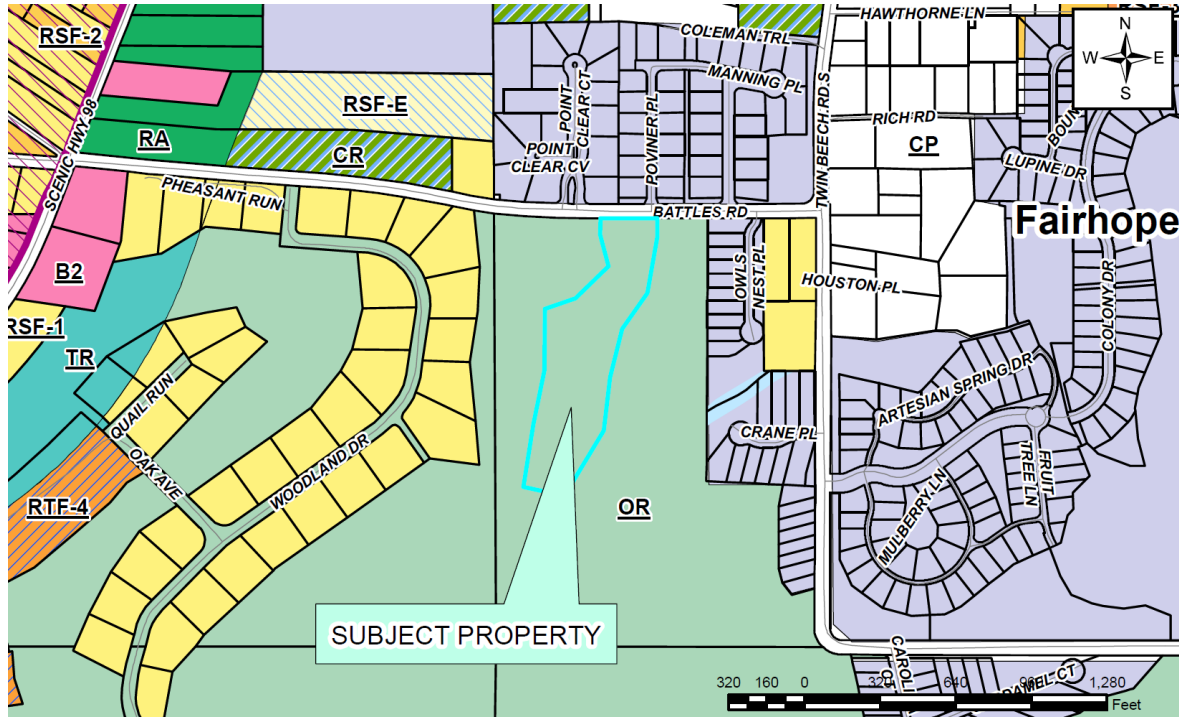
**Online Case File Number:** The official case numbers for this application is Z23-8 and PRD23-1, however, when searching the online CitizenServe database, please use Z23-000008 and PRD23-000001.



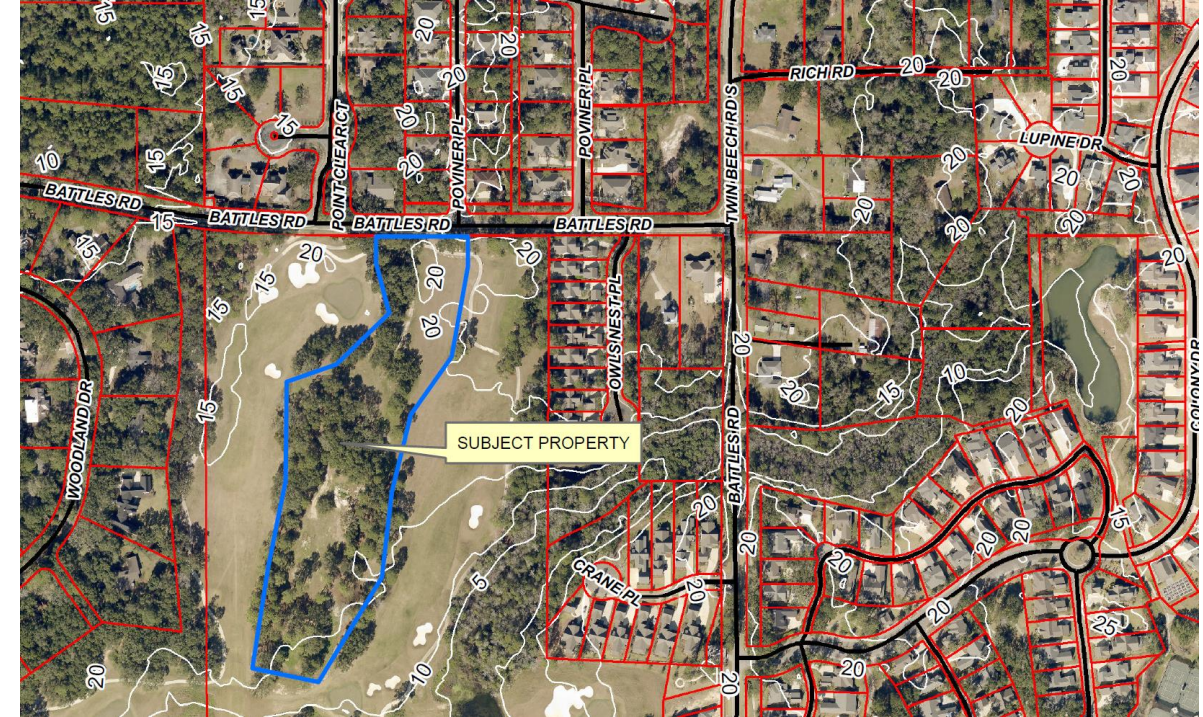
# Zoning Overlay



# Locator Map



# Site Map



## Adjacent Zoning

North	City of Fairhope – R-1, Low Density and PUD, Planned Unit Development
South	OR, Outdoor Recreation District
East	OR, Outdoor Recreation District
West	OR, Outdoor Recreation District

## Adjacent Land Use

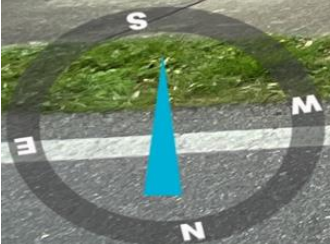
Battles Road and Residential
Golf Course
Golf Course
Golf Course



# Property Images

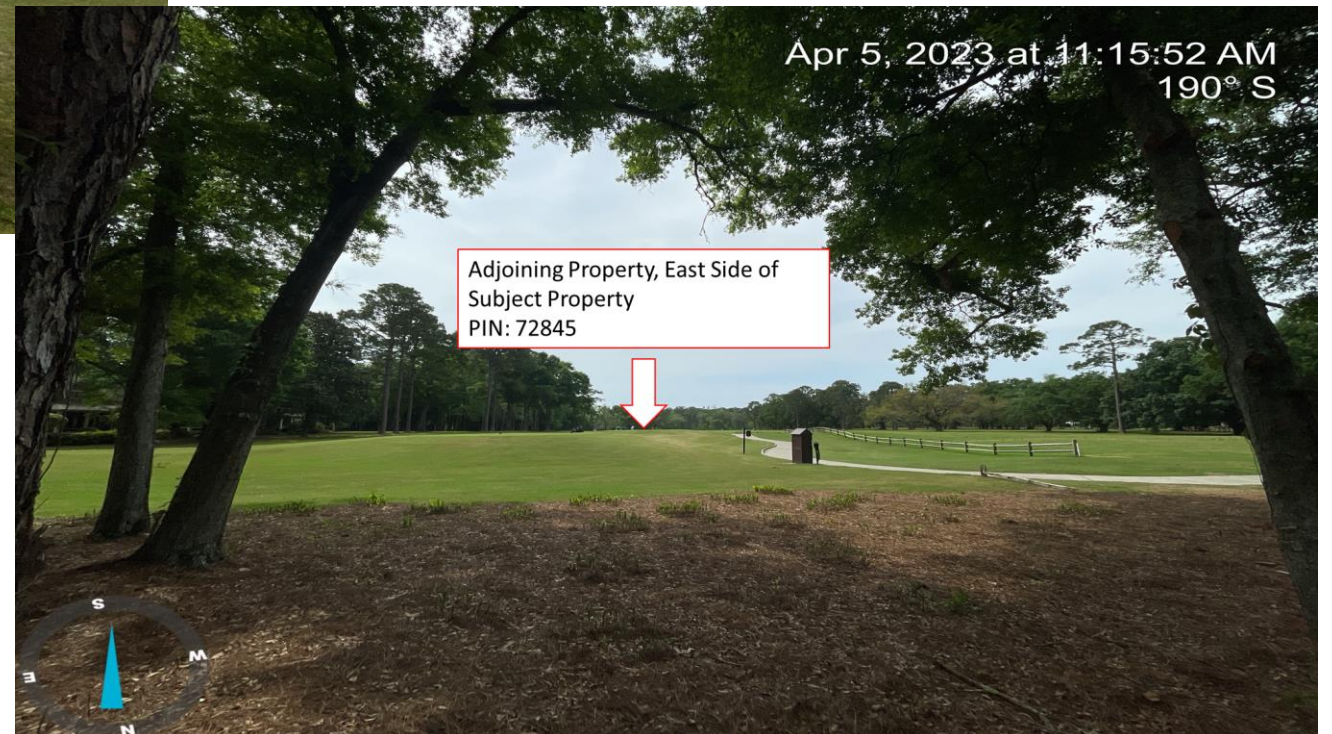
Apr 5, 2023 at 11:14:21 AM  
191° S

Subject Property





# Property Images





# Property Images













# Current Zoning Requirements

## Section 6.2 OR, Outdoor Recreation District

6.2.1 *Generally.* This zoning district is intended to provide for outdoor recreation activities.

6.2.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted, conditioned on the Commission Site Plan Approval requirements of Section 18.9:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Outdoor recreation uses.
- (d) The following institutional uses: church or similar religious facility.
- (e) The following agricultural uses: Silviculture.
- (f) Accessory structures and uses.

6.2.3 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-Feet
Maximum Height of Structure in Habitable Stories	2½
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	20-Feet
Minimum Lot Area	3 Acres
Maximum Impervious Surface Ratio	.80
Minimum Lot Width at Building Line	210-Feet
Minimum Lot Width at Street Line	No Minimum



# Proposed Zoning Requirements

## Section 4.2 RSF-1, Single Family District

4.2.1 *Generally*. This zoning district is provided to afford the opportunity for the choice of a low density residential environment consisting of single family homes on large lots.

4.2.2 *Permitted uses*. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.

(e) Accessory structures and uses.

(f) The following institutional use: church or similar religious facility.

4.2.3 *Conditional Use Commission Site Plan Approval*. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed by the site plan approval process:

(a) Outdoor recreation uses.

(b) The following institutional uses: day care home; fire station; school (public or private).

(c) The following general commercial uses: country club.

(d) The following local commercial use: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

4.2.4 *Special exception*. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception: Not Applicable

4.2.5 *Area and dimensional ordinances*. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-Feet
Maximum Height in Habitable Stories	2 ½
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	30,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Minimum Lot Width at Street Line	50-Feet
Maximum Ground Coverage Ratio	.35

# Proposed Zoning Requirements - PRD

## Article 9 Planned Development Districts

### Section 9.1 Purpose

It is the purpose of this article to permit Planned Developments which are intended to encourage the development of land as planned communities, encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open areas; accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of these ordinances; provide for an efficient use of land resulting in smaller networks of streets and utilities where access to regional systems is impractical and thereby lowering development and housing costs; and provide a stable environmental character compatible with surrounding areas.

*Definitions.* Words and phrases used in this section shall have the meanings as set forth in this section. Words and phrases not defined in this section but defined elsewhere in the zoning ordinances shall be given the meanings as set forth in such ordinances. All other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise.

*Large scale planned developments:* A development of contiguous acres or more, that is under unified control developed as a whole in a single development operation or series of development stages. A large scale planned development less than 5 acres is exempt from these provisions. Large Scale Planned Developments are required to obtain Conceptual Site Plan approval (reviewed by the Planning Commission and recommendation sent to the County Commission for consideration), and then obtain Final Site Plan approval for development, as outline herein.

*Small scale planned developments:* A development of land, occupying at least 5 acres and less than 1000 contiguous acres, that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. A small scale planned development containing 4 units or less is exempt from these provisions. Small Scale Planned Developments are required to obtain Final Site Plan approval as outlined herein.

### Section 9.2 Planned Developments, Generally

9.2.1 *Unified control.* The parcel or parcels of land for a Planned Development shall be in unified control, and shall be owned or controlled by a single person, corporation, agency, or like organization. The applicant shall provide the county appropriate and necessary documents to indicate ownership. No application shall be considered until this section is fully complied with. An application must be filed by the owner or authorized agent of the property included in the project.

A subdivision application will be required after PRD approval

ownerships, the approved final development plan shall be binding on all owners and any successors. The developer shall maintain and provide for unified control of the Planned Development until the project is complete. The entity designated to provide unified control shall ensure that all conditions of development are met. Individual properties may be sold after appropriate approvals and recordings have been completed and that proper recordings have been made which insures the continuance of the Planned Development as approved. Responsibility for unified control may be assigned to an individual or entity such as a homeowner's association that will provide for the maintenance of any common property and improvements.

9.2.2 Specific variations in off-street parking and loading requirements, sign requirements, landscaping requirements and area and dimensional requirements, including lot sizes, lot widths, setbacks and building height, may be approved by the County Commission, upon recommendation by the Planning Commission, and shall be shown on the approved Final Site Plan.

9.2.3 Where a planned development involves the subdivision of land, a subdivision plat shall be approved in accordance with the procedures established in the Baldwin County Subdivision Regulations.

9.2.4 *Approval of a planned development.* Approval of a large scale Planned Residential Development conceptual plan, small scale Planned Residential Development and Planned Industrial Development final site plan shall constitute a zoning map amendment for the subject property. The zoning designation "PRD" or "PID" shall be assigned on the official zoning map for the respective planning district.

### Section 9.3 Planned Residential Developments

9.3.1 *Permitted uses.* Within the "Planned Residential Development" districts, the following uses and structures designed for such uses may be permitted as shown on the approved site plan:

- (a) Single family dwellings including manufactured housing and mobile homes.
- (b) Two family dwellings.
- (c) Multiple family dwellings including townhouses.
- (d) Non-residential land uses in accordance with limitations and restrictions contained herein.
- (e) Maintenance facilities and utility facilities.
- (f) Accessory structures and uses.



# Proposed Zoning Requirements - PRD

9.3.2 *Required zoning districts.* A Planned Residential District may be established under the following zoning designations:

RA: Rural Agricultural District  
RSF-E: Residential Single Family Estate District  
**RSF-1: Single Family District**  
RSF-2: Single Family District  
RSF-3: Single Family District  
RSF-4: Single Family District  
RTF-4: Two Family District  
RSF-6: Single Family District  
RTF-6: Two Family District  
RMF-6: Multiple Family District  
RMH: Residential Manufactured Housing Park District  
HDR: High Density Residential District  
RV-1: Recreational Vehicle Park District  
RV-2: Recreational Vehicle Park District

In Planning District 10, a Planned Residential District may also be established in the Rural District (RR) zone.

9.3.3 *Commercial land uses.* Commercial land uses including institutional uses, office and professional service uses, local commercial uses and general commercial uses may not occupy more than twenty (20) percent of the gross acreage of the PRD. The following location criteria shall be met to the County's satisfaction:

- (a) The location of commercial land uses demonstrates a rational development scheme.
- (b) The commercial land use is centrally located and interrelated to the development as a whole.
- (c) The commercial land use is located in the interior of the development, uses that front an exterior or a perimeter street or road should be limited.
- (d) Commercial zoning classifications are shown on the conceptual plan and final development plan.

9.3.4 *Open space and common area reservation.* A minimum of 20% of the gross land area of the planned development shall be set aside for permanent open space for passive and/or active recreation such as parks, recreational facilities, pedestrian ways, and/or for conserving sensitive elements of the site.

- (a) Unless constructed as an amenity, stormwater detention ponds, retention ponds, or similar holding basins for stormwater shall not be counted in determining open space. Steep slopes, internal street, rights-of-way

Requested rezoning  
from OR to RSF-1  
(Case Z23-8)

driveways, off-street parking areas, and off-street loading areas or similar uses shall not be counted in determining open space.

(b) All jurisdictional wetlands located within the development shall be set aside in the required open space.

(c) A minimum of fifty (50) percent of the required open space must be usable for passive or active recreation purposes. The usable open space shall not include steep slopes, streams, ponds, watercourses, wetlands, floodways and/or floodplains.

9.3.4.1 The required open space may be owned in common by the residents of the development. Any open space set aside for conservation shall be subjected to a conservation easement granted to a qualified land trust, conservation organization or government agency. Such conservation easement shall be in legal form satisfactory to the County.

9.3.4.2 Open space, common area or recreational facilities shall be provided in a manner which coincides with each development phase of a project. The amount and type shall be adequate to serve the needs of the residents or users within each phase.

9.3.5 *Development density.* All provisions concerning maximum density permitted in the underlying zoning district are applicable to Planned Residential Developments therein and shall not be exceeded. Land reserved for non-residential uses shall not be included in the allowable development density. Land set aside for open space shall be included in the allowable development density. For mixed use buildings where the gross floor area used for non-residential uses exceeds ten (10) percent of the total gross floor area, the entire footprint shall be considered as land reserved for non-residential uses.

9.3.6 *Development area.*

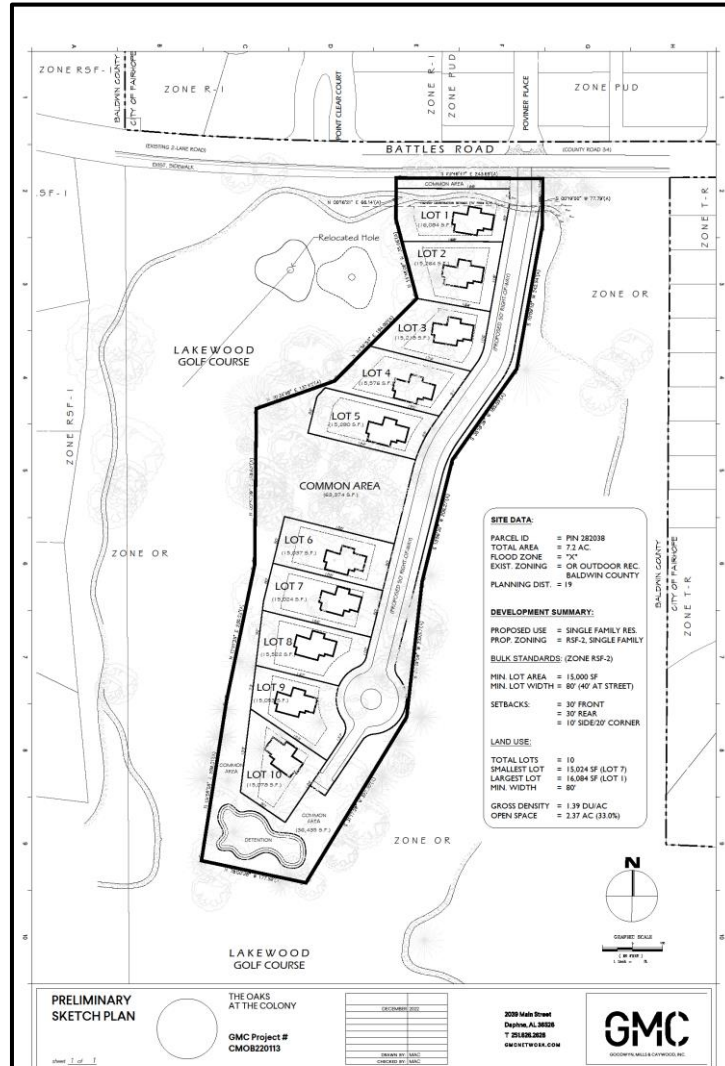
(a) *Development area, small scale.* A small scale planned residential development, occupying a minimum of five (5) contiguous acres and less than ten (10) contiguous acres may be established within those Planning Districts which permit planned residential developments (See Section 2.3: Establishment of Zoning in Planning District).

(b) *Development area, large scale.* A large scale planned residential development, occupying one thousand (1,000) contiguous acres or more may be established within those Planning Districts which permit planned residential developments (See Section 2.3: Establishment of Zoning in Planning Districts).

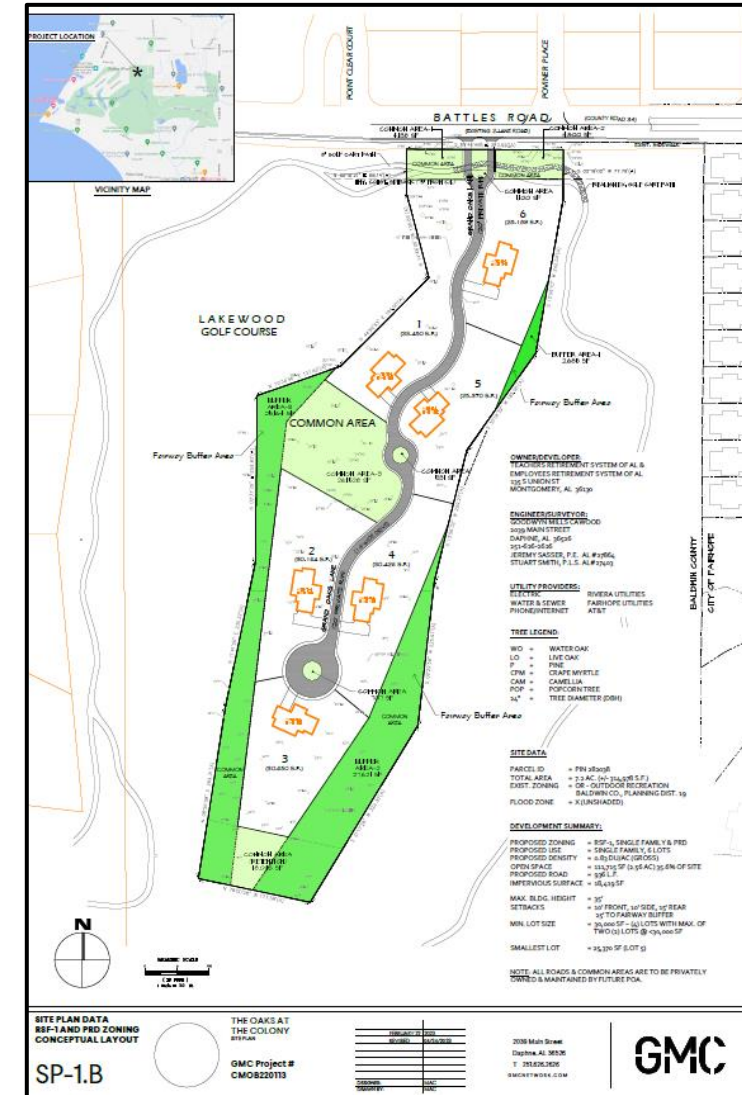
Subject  
Property is  
7.2 acres

# Previous Proposals for the Subject Property

Previously Requested RSF-2 zoning:  
**10-lot** single-family subdivision  
(Scheduled for February 2023 – withdrawn)

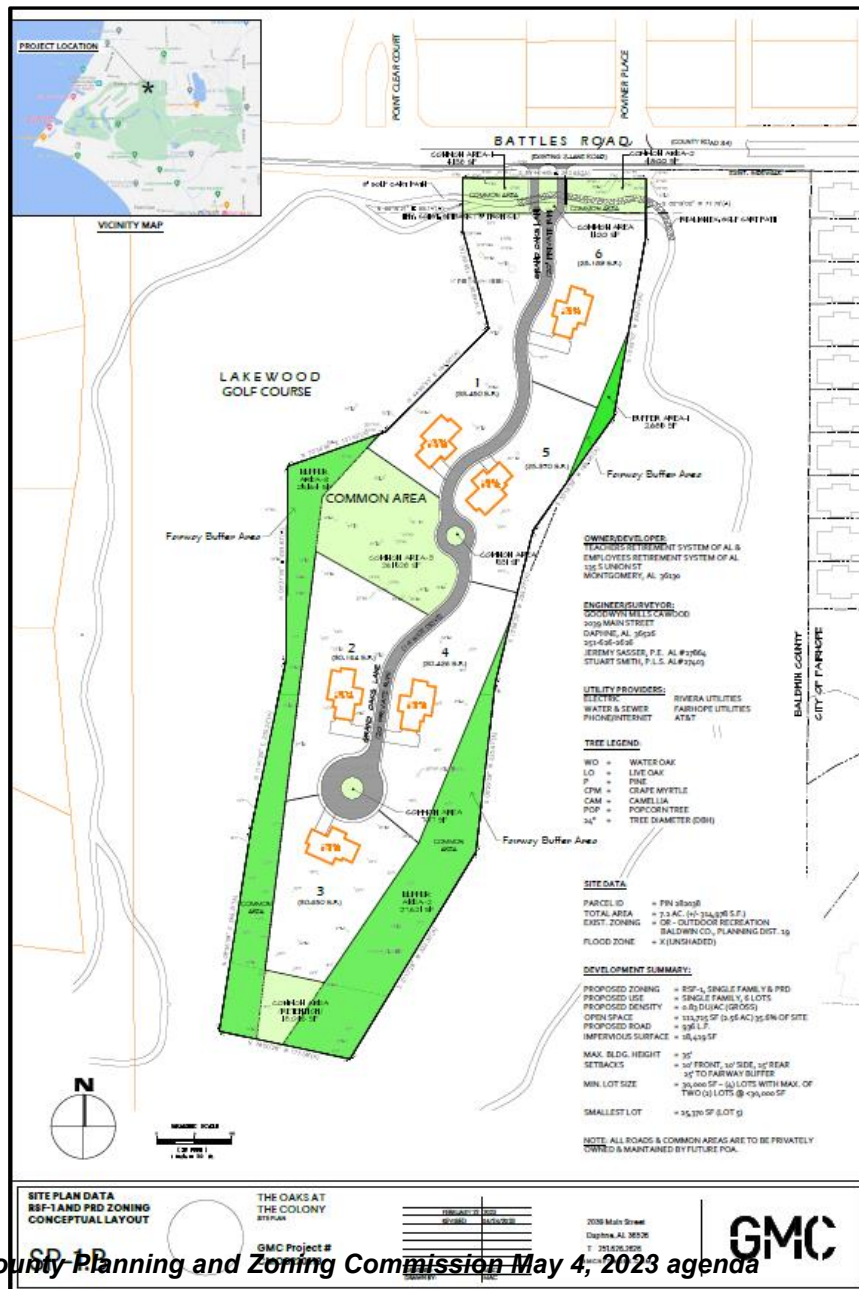


Proposed RSF-1 zoning with PRD:  
**6-lot** single-family PRD





# Proposed PRD



# PRD Request Summary

PRDs allow for flexibility and creativity in planning developments. The following variations from the requirements of RSF-1 zoning have been requested.

	RSF-1	PRD Request
Lot size	30,000 SF	25,370 SF <small>smallest lot</small> 33,450 SF <small>largest lot</small>
Lot width	100 ft.	N/A (exceed 100 ft)
Setback lines	30 ft. front 30 ft. rear 10 ft. side	10 ft. front 15 ft. rear 10 ft. side
Density	1.45 units/acre	0.83 units/acre

PRDs are used to “exchange” reduced lot dimensions for a higher quality development than what is otherwise required by the zoning ordinance.

The approving body decides whether the developer is exchanging sufficient quality for the reduced lot dimension they are requesting.

Examples of items provided by the developer might include:

- Open space
- Amenities
- Landscaping
- Walking Paths

# PRD Open Space Requirements

**TOTAL AREA: 7.2 ac**

OPEN SPACE (20% of total area, detention cannot be counted):

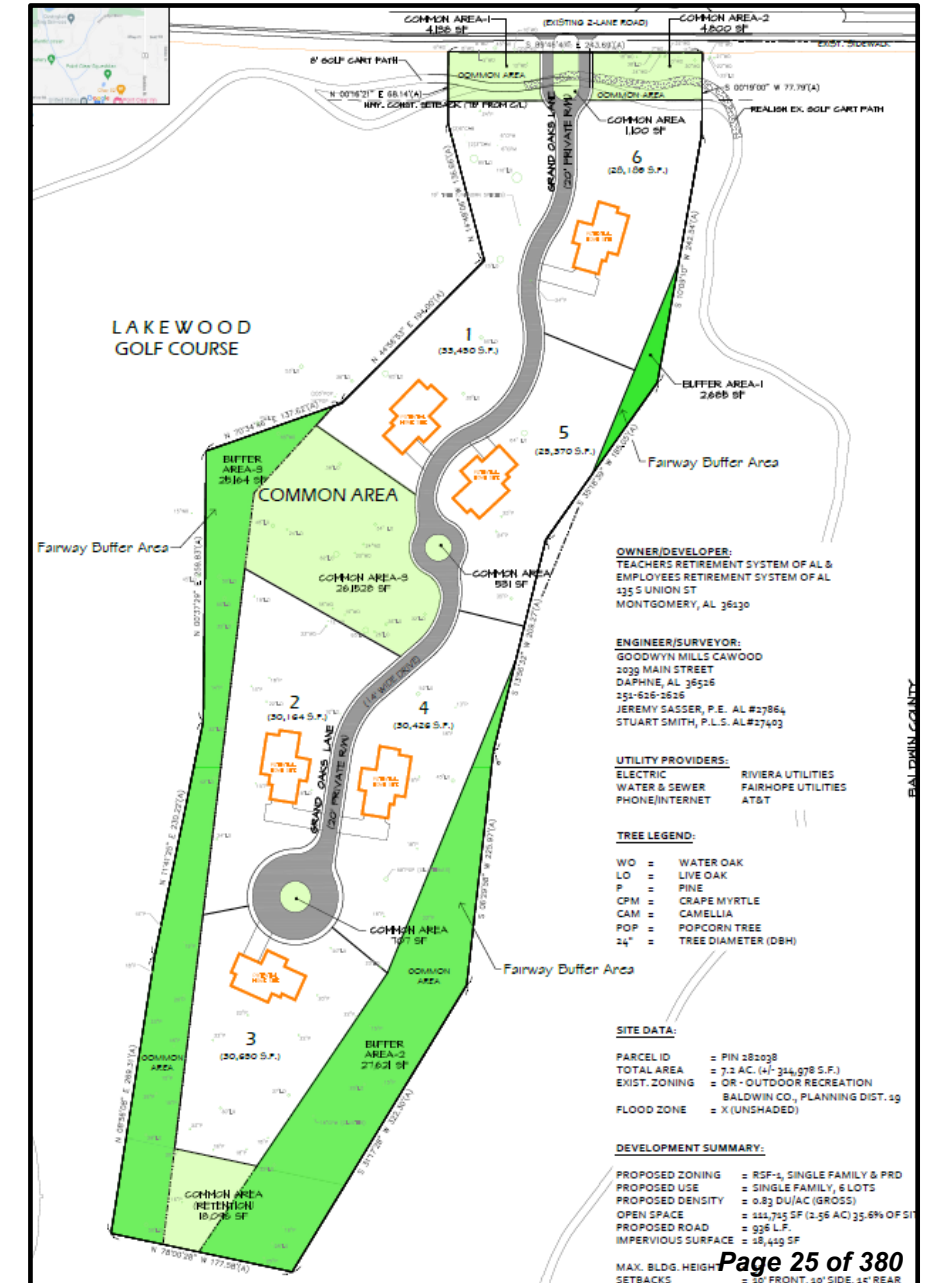
REQUIRED:  $7.2 \times 0.2 = 1.44$  **acres**

PROVIDED: **2.55 acres**

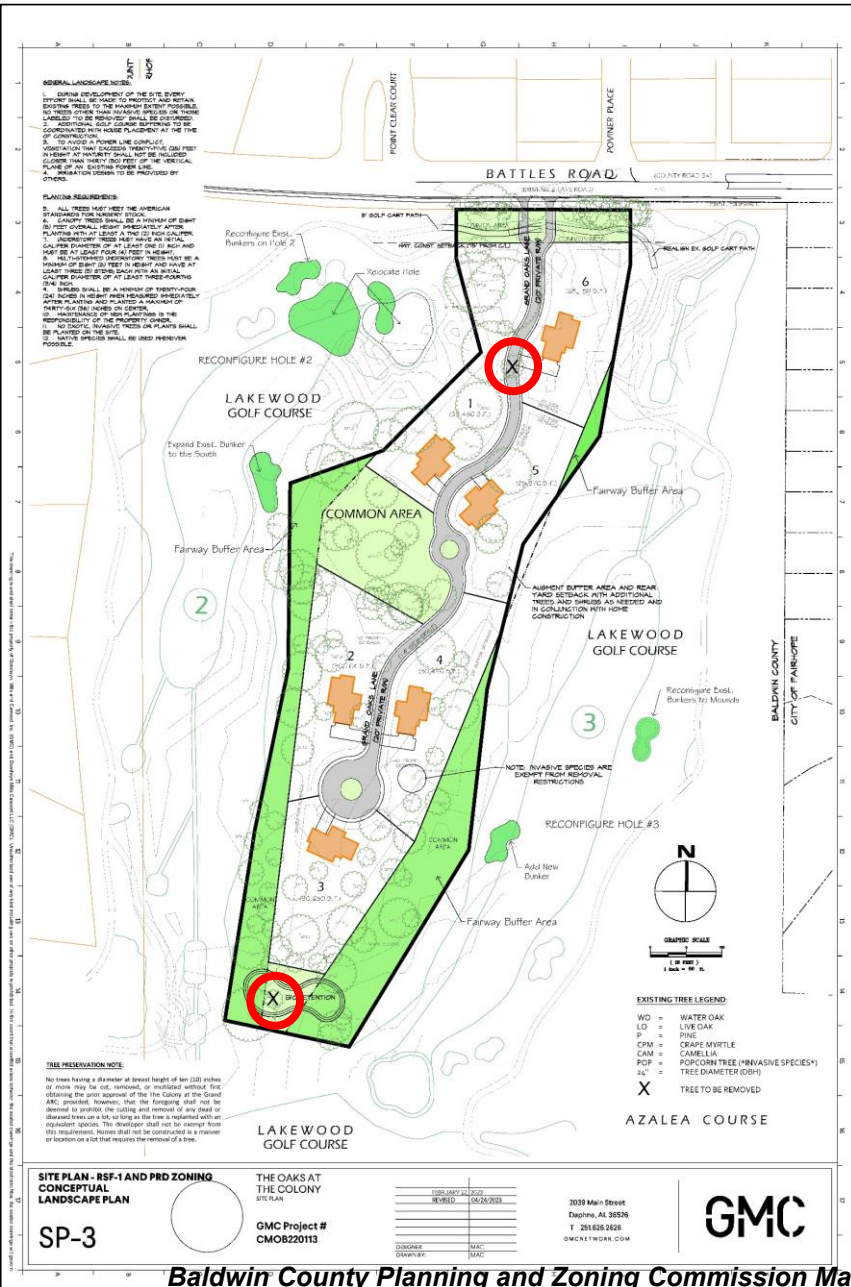
"USEABLE" OPEN SPACE (50% of open space):

REQUIRED:  $1.44 \times 0.5 = 0.72$  **acres**

Revision requested from the Applicant, but common areas 1, 2, and 3 appear to total 0.78 acres.



# Landscape Plan



## EXISTING TREE LEGEND:

WO	=	WATER OAK
LO	=	LIVE OAK
P	=	PINE
CPM	=	CRAPE MYRTLE
CAM	=	CAMELLIA
POP	=	POPCORN TREE (*INVASIVE SPECIES*)
24"	=	TREE DIAMETER (DBH)
X	=	TREE TO BE REMOVED

1. DURING DEVELOPMENT OF THE SITE, EVERY EFFORT SHALL BE MADE TO PROTECT AND RETAIN EXISTING TREES TO THE MAXIMUM EXTENT POSSIBLE. NO TREES OTHER THAN INVASIVE SPECIES OR THOSE LABELED "TO BE REMOVED" SHALL BE DISTURBED.



# Utilities



## RIVIERA UTILITIES

413 East Laurel Avenue - Foley, AL 36535  
Phone (251) 943-5001

3/2/2023

Barbara Garner  
GMC  
2039 Main Street  
Daphne, AL 36526

RE: The Oaks at Fairhope

This letter is to confirm that based on the site plan received; Riviera Utilities is able to provide electric service to The Oaks at Fairhope project located in Fairhope, AL.

Riviera Utilities requires a 10' easement along all side property lines and a 15' easement along all front and rear property lines. Please ensure all property plats reflect the easements.

Upon final design, Riviera Utilities will provide estimates for service fees and system installation requirements to meet all Riviera specifications. Please contact the following Riviera employees concerning costs and requirements.

Name	Department	Email
Scott Sligh	Electric	<a href="mailto:ssligh@rivierautilities.com">ssligh@rivierautilities.com</a>

If you have any questions or comments, contact Riviera Utilities at 251-943-5001.

Thank you,

James Wallace



March 1, 2023

GMC  
2039 Main St  
Daphne, AL 36526

Sherry Sullivan  
Mayor

Council Members:  
Kevin G. Boone  
Jay Robinson  
Jack Burrell, ACOMO  
Jimmy Conyers  
Corey Martin

Lisa A. Hanks, MMC  
City Clerk

Kimberly Creech  
Treasurer

Based on review of the sketch plan for PIN 282038, The Oaks at the Colony.

**Water and Sewer are available with Fairhope Public Utilities.** Upgrades will be required at the Developer/Owner's expense.

Water/Wastewater Superintendent

161 North Section St.  
PO Drawer 429  
Fairhope, AL 36533

251-928-2136 (p)  
251-928-6776 (f)  
[www.fairhopeal.gov](http://www.fairhopeal.gov)



AT&T Alabama  
2155 Old Shell Rd  
Mobile, AL 36607  
[www.att.com](http://www.att.com)  
T: 251.471.8361  
F: 251.471.0410  
w.mitchell@att.com

November 18, 2022

Barbara Garner  
GMC Engineering

RE: Service Availability – The Oaks at the Colony Subdivision

Dear Ms. Garner,

This letter is in response to your request for information on the availability of service at the above location by AT&T.

This letter acknowledges that the above referenced property is located in an area served by AT&T. Any service arrangements for this location will be subject to later discussions and agreements between the developer and AT&T. Please be advised that this letter is not a commitment by AT&T to provide service to this location.

Please contact me at the phone number included in this letter with any questions.

Thank you for contacting AT&T.

Sincerely,

Wade Mitchell  
Manager, OSP Planning and Design  
AT&T Alabama  
2155 Old Shell Rd  
Mobile, Alabama 36607  
Gulf District/ Mobile Office

USA  
Proud Sponsor of the U.S. Olympic Team



# Documents Submitted

STATE OF ALABAMA )  
COUNTY OF BALDWIN )

## TWELFTH AMENDMENT TO THE COLONY AT THE GRAND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

### 1.08 LANDSCAPING AND TREES.

(a) Cutting of Trees and Other Plant Life. No trees having a diameter at breast height of ten (10) inches or more may be cut, removed or mutilated without first obtaining the prior approval of the ARC; provided, however, that the foregoing shall not be (i) applicable to the cutting and removal of any trees situated within ten (10) feet of the foundation of any Dwelling or any driveways or parking areas for a Lot, (ii) deemed to prohibit the cutting and removal of any dead or diseased trees on a Lot or (iii) applicable to Developer. The provisions of this Section 1.08 shall be applicable at all times, including, without limitation, at the time of construction of a Dwelling on a Lot and after completion of construction of a Dwelling on a Lot. The terms and provisions of this Section 1.08 are in addition to the provisions of Section 5.06 of the Declaration.

(b) Obstructions. No plant materials shall be placed or permitted on any Lot if the same would interfere with or obstruct traffic sight-lines for any of the following: (i) determination of whether any such obstruction exists shall be made by the ARC; (ii) shall be final, conclusive and binding on all Owners.

(c) Rocks and Rock Walls. No rocks, rock walls or other substantial obstructions shall be placed on any Lot as a front or side yard border to prevent vehicles from parking on or passing over any portion of such Lot or to otherwise impede or limit access to the same unless approved in writing by the ARC. Any walls, including retaining walls, to be constructed shall be approved by the ARC.

(d) Native Plants. Each Owner shall, to the extent practicable, incorporate into the landscaping plan for his or her Dwelling the natural plant life and shall otherwise take such steps which would, to the extent practicable, preserve the natural plant life, wild flowers and natural environment, including natural drainage channels on any Lot. The ARC may from time to time promulgate rules and regulations adopted to protect the natural plant life which must be utilized on any Lot or Dwelling, which rules and regulations shall include that a minimum dollar amount be established and utilized as a landscaping budget for each Dwelling.

BALDWIN COUNTY, ALABAMA  
TIM RUSSELL, PROBATE JUDGE  
Filed/Cert. 6/11/2012 3:46 PM  
TOTAL \$ 206.00  
108 Pages

1343219



## THE COLONY AT THE GRAND DECLARATION OF COVENANTS, CONDITIONS AND

### TREE PRESERVATION NOTE: **Note Added to Landscape Plan**

No trees having a diameter at breast height of ten (10) inches or more may be cut, removed, or mutilated without first obtaining the prior approval of the The Colony at the Grand ARC; provided, however, that the foregoing shall not be deemed to prohibit the cutting and removal of any dead or diseased trees on a lot, so long as the tree is replanted with an equivalent species. The developer shall not be exempt from this requirement. Homes shall not be constructed in a manner or location on a lot that requires the removal of a tree.





---

## THE OAKS AT THE COLONY

---

Point Clear, Alabama



APRIL 24, 2023  
GOODWYN MILLS CAWOOD  
2039 Main Street | Daphne, AL 36526

### 1. Introduction

This application seeks approval of a Planned Residential Development (PRD) to allow the construction of a six (6)-lot single family development on an approximate 7-acre site within Baldwin County, Alabama, in the Point Clear area. Also submitted for concurrent review is a Rezoning Application to amend the underlying zoning from OR to RSF-1.

The site is to be known as "The Oaks at the Colony" and will be a private subdivision with all improvements privately owned and maintained by the future homeowner association. The site is located in Planning District 19 and contains one parcel (PIN 282038). It lies on the south side of Battles Road across from Point Clear Court and Poviner Place, and is bounded on the east by Fairway No. 2 and on the west by Fairway No. 3 of the Lakewood Golf Course (see Figure 1).

### 2. Application Description

The Oaks at the Colony proposes six (6) lots, which is the maximum that will be allowed for development on the site (refer to the attached Site Plans in Appendix A and D). The gross density that could potentially be achieved with the requested RSF-1 zoning using the minimum lot size of 30,000 square feet yields a total of 10.5 lots. The six lots proposed is well below this threshold, and the resulting density of 0.83 du/ac is much lower than the existing density of surrounding development as described above. Additionally, of the site's total area of 7.2-acres, 2.56 acres are designated as open space (or 35.6 percent), which exceeds the minimum requirement of 20 percent for PRD developments.



---

## THE OAKS AT THE COLONY

---

Point Clear, Alabama



APRIL 24, 2023  
GOODWYN MILLS CAWOOD  
2039 Main Street | Daphne, AL 36526

### *Target Market*

New homes in the Oaks at the Colony will be custom built with an anticipated target market of golf enthusiasts and/or affluent families. Homes will be individually built, custom designed homes on large lots and, therefore, more comparable to those in the existing Woodlands neighborhood to the west and dissimilar to the homes in the Owl's Nest neighborhood which are tract-built, nearly identical homes on small lots. Recent sales of homes along the adjoining fairways (see Figure 3) range from \$755,000 (sold on 10/27/2020 on Owl's Nest Place) to \$2.3 million (sold on 06/23/2021 on Woodland Drive). In addition to this data, homes currently for sale in these neighborhoods include a 2-bedroom/2-bath cottage for \$800,000 on Battles Road and a 4-bedroom/6-bath brick home on Woodland Drive for \$1.8 million. Thus, an anticipated sales price of homes in the Oaks at the Colony is \$900,000 and above. It should be noted that

future home prices in the Oaks at the Colony will be dictated by market conditions at the time of completion, and the information provided herein is for reference purposes only.



---

## THE OAKS AT THE COLONY

---

Point Clear, Alabama



APRIL 24, 2023  
GOODWYN MILLS CAWOOD  
2039 Main Street | Daphne, AL 36526

### 3. Planned Development Statement

Ownership for the subject The Oaks at the Colony planned development is held initially by the property owner who will obtain permits and construct improvements. An amenities and stormwater agreement will be put in place to allow residents to use and be responsible for the maintenance of all common and stormwater areas located throughout the development. Documents to assure the maintenance and continued protection of the PRD, amenities, private drives, and open space will be recorded with governing articles. These documents will also contain guidelines for landscaping, specific maintenance and improvements to the fairway buffers, fencing, signage, and entry gates if constructed. The owner/applicant will have The Oaks at the Colony brought under the purview of the existing Covenants, Conditions, and Restrictions (CCRs) in place at The Colony at the Grand, with certain amendments to be determined as the project advances. Regarding protection for existing trees, see Section 1.08 of the Rules and Regulations of The Colony (and in Exhibit B to the original CCRs).

The site design submitted with this application may be modified slightly if deemed necessary through detailed engineering, but will not deviate substantially from the approved plan. Such minor modifications may include, for example, the size and configuration of stormwater areas, shifts in lot lines, small adjustments to the private road, or location of homesites.

# Wetlands



## Goodwyn Mills Cawood

11 North Water Street  
Suite 15250  
Mobile, AL 36602

T (251) 460-4006  
F (251) 460-4423

www.gmcnetwork.com

April 25, 2023

Melissa Currie  
GMC

**RE: Waters of the U.S. Delineation Summary  
The Oaks at the Colony  
Baldwin County, Alabama**

Melissa:

On April 21, 2023, representatives of Goodwyn Mills Cawood, LLC (GMC) performed a waters of the U.S. including wetlands and stream delineation at the above referenced project site. The approximate 7.2-acre lot is further described as being located south of Battles Road in Baldwin County, Alabama (Figure 1). The center coordinates of the site are latitude 30d29'24.79"N and longitude -87d55'07.91"W (Figures 1 and 2). The entire project area is located within the Fly Creek Watershed (HUC 31602050205).

Please find below a list of information that can be found in the attachments:

### Appendix I - Figures

- Figure 1 – USGS Quadrangle Map
- Figure 2 – General Location Aerial Map
- Figure 3 – Soils Map
- Figure 4 – National Wetlands Inventory Map
- Baldwin County Parcel Viewer Potential Wetland Map

### Appendix II – Photographs

### Appendix III – Data Sheets

On behalf of GMC, a Professional Wetland Scientist (PWS) traversed jurisdictional waters of the U.S. including streams and wetlands, regulated by the U.S. Army Corps of Engineers (USACE). Jurisdictional streams are classified as perennial, intermittent, or ephemeral. Wetland areas were delineated in accordance with the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the 2010 Regional Supplement to the Corps Wetland Delineation Manual: Eastern Mountains and Piedmont Region. The wetlands were delineated by visually inspecting the site, and by comparing soil colors against the Munsell color chart to determine whether the soils meet the USACE criteria of hydric soils. The wetland boundaries were flagged according to the three required wetland criteria (vegetation, hydrology, and soils). All waters of the U.S. identified on site were surveyed with a mapping grade (sub meter) Trimble Geo7x GPS system. A summary of the resources found on site is below.

Following the site visit, it was confirmed that no wetlands or jurisdictional streams are located on the site and the entire 7.2-acre lot consists entirely of uplands. Representative photographs are provided in Appendix II. Wetland Data Sheets are provided in Appendix III detailing the soil types, vegetation and hydrology present on the site.



Should you have any questions or need additional information, please feel free to contact me anytime either by phone or by email at lee.walters@gmcnetwork.com.

Sincerely,  
GOODWYN, MILLS AND CAWOOD, LLC

Lee Walters  
Professional Wetland Scientist

Following the site visit, it was confirmed that no wetlands or jurisdictional streams are located on the site and the entire 7.2-acre lot consists entirely of uplands. Representative photographs are provided in Appendix II. Wetland Data Sheets are provided in Appendix III detailing the soil types, vegetation and hydrology present on the site.

# Factor Summary:

- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.

<div><div></div><div>#1</div></div> <div>Compatible with development pattern?</div>	<div><div></div><div>#2</div></div> <div>Change of conditions since originally zoned?</div>	<div><div></div><div>#3</div></div> <div>Proposal conform to Master Plan?</div>	<div><div></div><div>#4</div></div> <div>Conflicts with public improvements?</div>	<div><div></div><div>#5</div></div> <div>Adverse affect to traffic?</div>	<div><div></div><div>#6</div></div> <div>Consistent with development pattern?</div>
<div><div></div><div>#7</div></div> <div>Logical expansion of adjacent zoning?</div>	<div><div></div><div>#8</div></div> <div>Timing appropriate given development trends?</div>	<div><div></div><div>#9</div></div> <div>Environmental or Historic impact?</div>	<div><div></div><div>#10</div></div> <div>Adverse impact on health, safety, &amp; wellness?</div>	<div><div></div><div>#11</div></div> <div>Other appropriate matters?</div>	



# Staff Analysis and Findings

## 1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

The subject property is currently zoned OR, Outdoor Recreation District. Though undeveloped property, the parcel is situated within, and functions as part of, a golf course. Prior to 2006, the property was physically part of the Golf Course property, until subdivided out. The adjacent properties to the west, east, and south are also zoned OR and are portions of a golf course. The properties to the north are in the City of Fairhope and have the zonings of R-1, Low Density Residential and PUD. Fairhope's R-1 zoning has the same minimum lot size as our RSF-2, 15,000 square feet. A development trend in this area appears to be a mixture of residential and outdoor recreation.

Recognizing the unique character of this unincorporated community, staff places little weight on the development trends within the corporate limits of the City of Fairhope. In evaluating compatibility, staff considers, among other things, whether the proposed use would overwhelm and intrude on the existing residential community. While low density residential development alone would not create an intrusion into this residential community, staff believes that a residential development is "wedged" between active golf fairways could have a disrupting and intrusionary impact on the community. In a previous analysis, staff noted that the disrupting and intrusionary qualities could potentially be abated through a zoning site plan approval. The Applicant has submitted a new proposal with a 40% reduction in lots (10 lots to 6 lots) and a corresponding site plan that will ensure the preservation of existing trees.

While staff understand that the development of a relatively small area of land between two golf fairways will continue to have some intrusionary aspects, on balance, staff believes that, with the accompanying site plan approval, a rezoning to RSF-1 is appropriate and that therefore **factor one encourages approval** of this rezoning request, subject to the health, safety and welfare considerations in factor 10.

## 2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Planning District 19 zoning map was adopted in June of 2021. There has been a single rezoning in District 19 since the June 2021 adoption of zoning. This case involved the rezoning of 1.31 Acres from RSF-1 (30,000 sf) to RSF-2 (15,000 sf).

A rezoning may be appropriate when the proposed use contributes to and supports neighborhood/community stability. Stable neighborhoods slowly change -- if at all -- over a period of time and any changes should not be forced through the introduction of incompatible uses.

While this neighborhood/community has experienced growth and development over the past two decades, much of this growth has occurred within the corporate limits of the City of Fairhope. Relatively little growth and development has occurred within those zoned areas of the unincorporated community. The nearest unincorporated zoning classification is RSF-1 (30,000 sf) and staff believes that RSF-1 zoning fits the development pattern of this community. Therefore, staff believes **factor two encourages approval** of this rezoning request.

## 3.) Does the proposed zoning better conform to the Master Plan?

Under the methodologies used in the current Master Plan, a future land use designation of Public and Semi-Public would be provided for this parcel based on its current zoning of Outdoor Recreation (OR). However, since this district became zoned after the 2013 Master Plan, there is currently no future land use designation assigned to the subject property. The Public and Semi-Public designation includes institutional uses; recreational uses; and transportation, communication, and utility uses.

Though given little weight in our analysis due to the lack of a formal future land use designation and because the proposed rezoning does not conform to the presumed future land use designation from the current Master Plan, **factor three encourages denial** of the rezoning request.

# Staff Analysis and Findings

## 4.) Will the proposed change conflict with existing or planned public improvements?

Staff is unaware of any planned public improvements or any conflicts with existing public improvements. Staff believes that **factor four tends to encourage approval** of the rezoning request.

## 5.) Will the proposed change adversely affect traffic patterns or congestion?

The subject property is located on Battles Road which is a County maintained road. Per the Federal Highway Administration, the functional classification of Battles Road is Major Collector. Major Collectors gather traffic from Local Roads and funnels them to the Arterial network.

A traffic count was taken by the Baldwin County Highway Department in 2021 just west of the subject property on Battles Road, recorded Average Daily Traffic (ADT) of 1,990 vehicles. With only 6 lots being proposed, the traffic generation (approximately 60 trips per day) is not anticipated to adversely affect traffic patterns or congestion. The County Engineer may require a traffic study if traffic concerns become an issue during a future subdivision approval process.

Staff believes that **factor five tends to encourage approval** of the rezoning request.





March 4-10, 2021

ADT: 1990  
85th Speed: 44 MPH  
Average Speed: 38 MPH  
Highest Recorded Speeds: 76+ (6 Vehicles)  
10 MPH Pace Speed: 36-45 MPH (56.7%)  
Percent of Vehicles > 35 MPH: 70.4%

This is within Fairhope Police Departments Jurisdiction



# Baldwin County Highway Department

## Battles Road - Between Scenic 98 and Twin Beach Road South





# Staff Analysis and Findings

**6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community?**

**&**

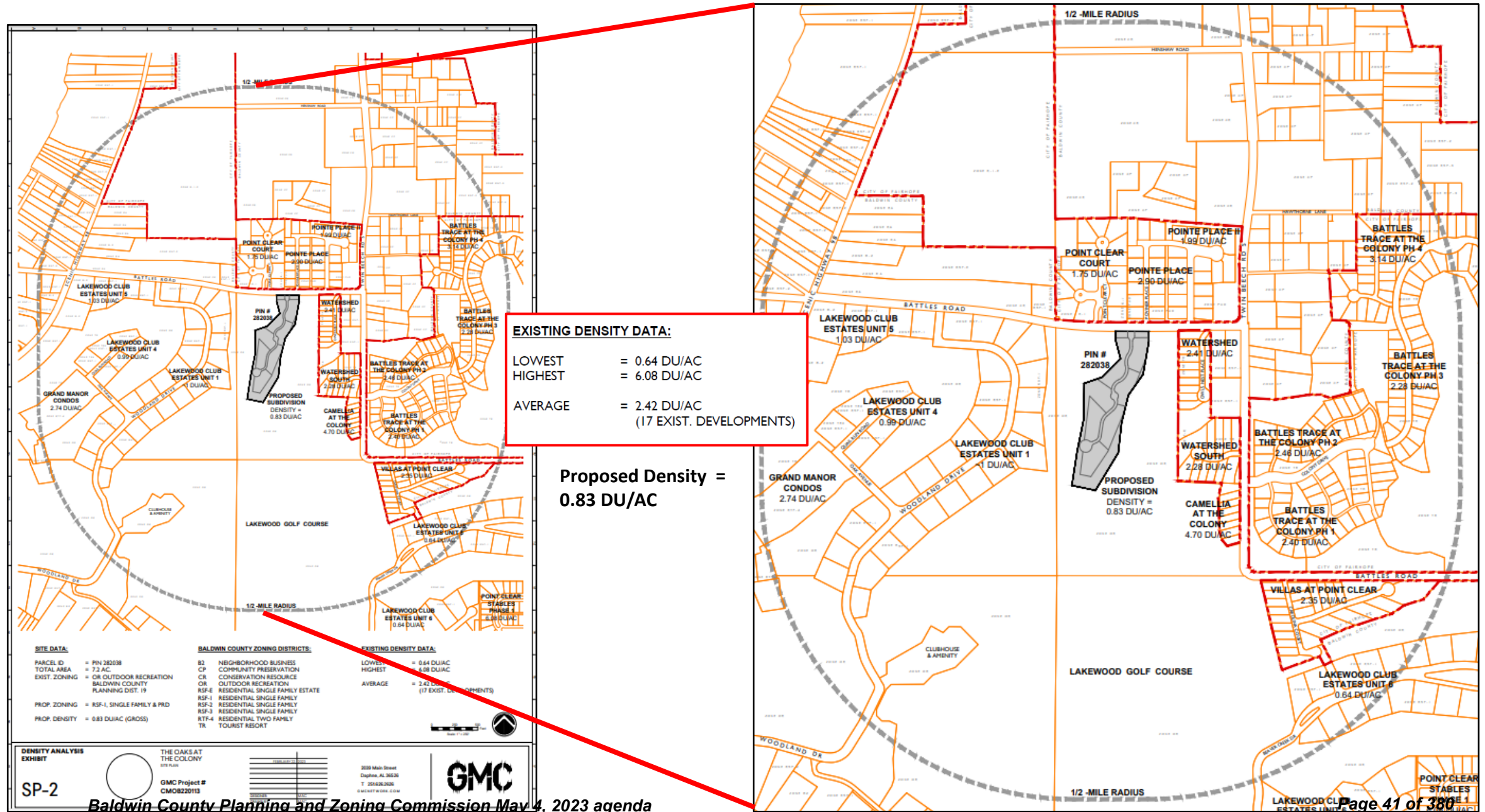
**7.) Is the proposed amendment the logical expansion of adjacent zoning districts?**

The subject property is located in an area that has a diversity of residential zonings with a large amount of OR zoning that supports outdoor activities for many of these residential developments. This parcel was previously part of an active golf course and, if the proposed development is ultimately approved and constructed, the resulting homes will be surrounded by the still active golf course. As previously noted, several relatively recent developments have been approved within the corporate limits of the City of Fairhope. While the density and character of developments within the City limits are by no means irrelevant, primary emphasis is given to the density and character of the unincorporated, existing zoned areas. Staff believes the RSF-1 zoning request is representative of the local development patterns in the unincorporated zoned areas.

Given the immediate proximity to an outdoor recreation facility, Staff believes a residential rezoning on the subject property would require special care to ensure a transition between residential and OR uses. Special considerations may involve changes to the existing golf course, landscape buffers, and unique site layouts. Staff believes that, with the accompanying site plan approval described herein, a rezoning to RSF-1 is appropriate and that therefore **factors six & seven encourage approval** of this rezoning request, subject to the health, safety and welfare considerations in factor 10.



# Proposed Subdivision (1/2 Mile Radius)



# Staff Analysis and Findings

## 8.) Is the timing of the request appropriate given the development trends in the area?

Given the relatively stable nature of this unincorporated residential, golf course community staff believes that development trends do not tend to support or oppose and RSF-1 zoning. Therefore, staff believes that **factor eight neither encourages nor discourages** the rezoning request.

## 9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?

Staff is unaware of any actionable environmental conditions. The Alabama Department of Environmental Management (ADEM) provided no comments. However, a review of historic imagery supports the historic value of this property including a number of apparent historic trees. Tree cover is a highly valued character feature of this unincorporated community. With the landscape plan proposed as part of the PRD site plan application, the applicant is proposing removal of native trees in only two limited areas. On this basis, staff believes that **factor nine tends to encourage approval** of this rezoning request.



# Staff Analysis and Findings

1950



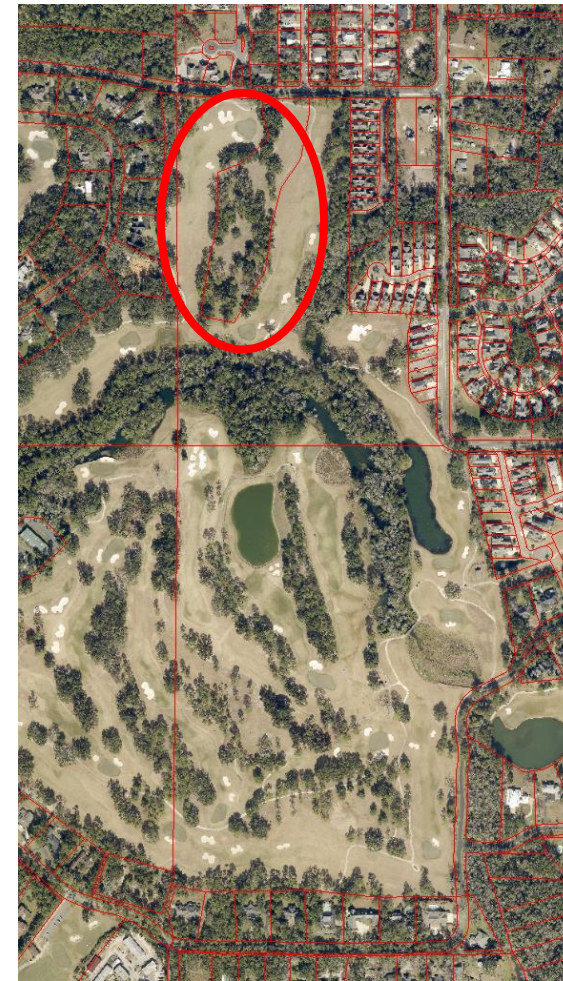
1966



2001



2022





## **10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?**

Staff recognizes the potential of this development having effects on health, safety, and welfare. This proposed development is not what is typically among residential golf courses. The proposal includes a single row of homes with fairways on both sides. Traditional residential golf course designs generally include two rows of homes with an access road between two fairways.

Staff does not purport to have expertise in the area of golf course design. However, the Applicant has provided an analysis from a reputable golf course architect who has represented that “the risk of errant golf balls in The Oaks is no greater than what one might experience at other recently developed residential golf course communities.” Without compelling evidence to the contrary, staff believes that factor ten would tend to encourage approval of this rezoning request, with accompanying site plan. However, given its lack of expertise, staff will defer heavily to the Planning Commission and County Commission’s evaluation of the expert opinion(s) related to this factor.



# Golf Study

## CLYDE JOHNSTON DESIGNS, INC.

GOLF COURSE ARCHITECTURE

March 9, 2023

To Whom It May Concern:

I was contacted by RSA representatives to review a proposed sketch plan for six homesites on 7.2 acres located between golf holes 2 & 3 of the Azalea Course at the Lakewood Club, in order to determine whether the design and layout met appropriate best practices for residential developments adjoining golf courses. The sketch plan is identified as "THE OAKS AT THE COLONY" and prepared by GMC.

### Methodology

I reviewed a detailed survey of the property in question, which depicted:

1. The rear lot lines for properties along Woodland Drive.
2. All the golf hole features; tees, fairway, bunkers, green, cart path, trees and the topography.
3. The rear lot lines of properties to the east of golf hole 3, which is also the dividing line between Baldwin County and the City of Fairhope.
4. The Battles Road right of way and property north of the road.

From the survey data, I was able to establish the centerline of both golf holes in the same manner that I establish a centerline for new golf courses and for golf course renovations. This centerline runs from the middle of the back tee to the middle of the fairway to the middle of the green. With each golf hole centerline, I could establish the outer limits of the golf hole corridor based on commonly accepted dimensions in the golf course design industry.

In my opinion as an architect specializing in golf course design, it is best practice to maintain the following corridor distances for residential lots adjoining golf course fairways, such as the property at issue here:

1. A 75-foot circle radius around the middle of the back tee.
2. A 175-foot circle radius around the turning point or middle of the fairway.
3. A 175-foot circle radius around the middle of the proposed new green
4. The circles are then connected by tangent lines to form the outside limits of the golf hole corridor.

For a historical perspective, when these two golf holes were built, the dimensions commonly used to establish the outer corridor lines were much shorter. Due to the introduction of more advanced golf equipment in the early 1990's, golf course architects took a more defensive stance with respect to liability and safety, and most of the golf course design industry adopted a slightly wider golf hole corridor, particularly as to the landing area and green. I will note that the golf hole corridor widths will probably not contain 100% of all golf shots. However, the risk from errant golf balls in the proposed development is no greater than it is in the other residential developments adjacent to golf holes along the Lakewood golf course.

31 McINTOSH ROAD  
HILTON HEAD ISLAND, SOUTH CAROLINA 29926  
(843) 384-3806

**Homesite 1:** Based on the relocation of the 2nd green as shown on GMC's plan, this homesite has very little risk of having a golf ball enter the lot due to the distance from the green and the fact that there are quite a few trees between the home and the golf hole to stop/deflect any errant shots. Another factor is that most golfers are hitting a shorter, more accurate iron shot into the green as opposed to the common use of the driver from the tee.

**Homesite 2:** This homesite has a very low risk of errant shots and would only be impacted by a terrible tee shot, or a tee shot that hits a tree and ricochets onto the homesite. I will note that there is a fairway bunker on the right side of hole two that will make most golfers aim a little more left with their tee shot in order to avoid it.

**Homesite 3:** This homesite is low risk but could potentially be impacted by an errant shot hit to the third green. The homesite is located an appropriate distance from that green. The homesite is also adjacent to the White and Teal tees of the second hole but the likelihood of being impacted by a tee shot would be extremely rare.

**Homesite 4:** This homesite is located to the right of golf hole 3 and is positioned opposite the landing area for almost all golfers. This homesite has a very low risk of errant shots as it is the appropriate distance from the center of the golf hole and is also well protected by trees.

**Homesite 5:** This homesite is located midway between the tees and the landing area of the golf hole. It is the appropriate distance from the third golf hole and therefore a very low risk factor.

**Homesite 6:** This homesite is located to the right of the back three tees of the third hole and has very little to no chance of being impacted by an errant golf shot.

### About the Author

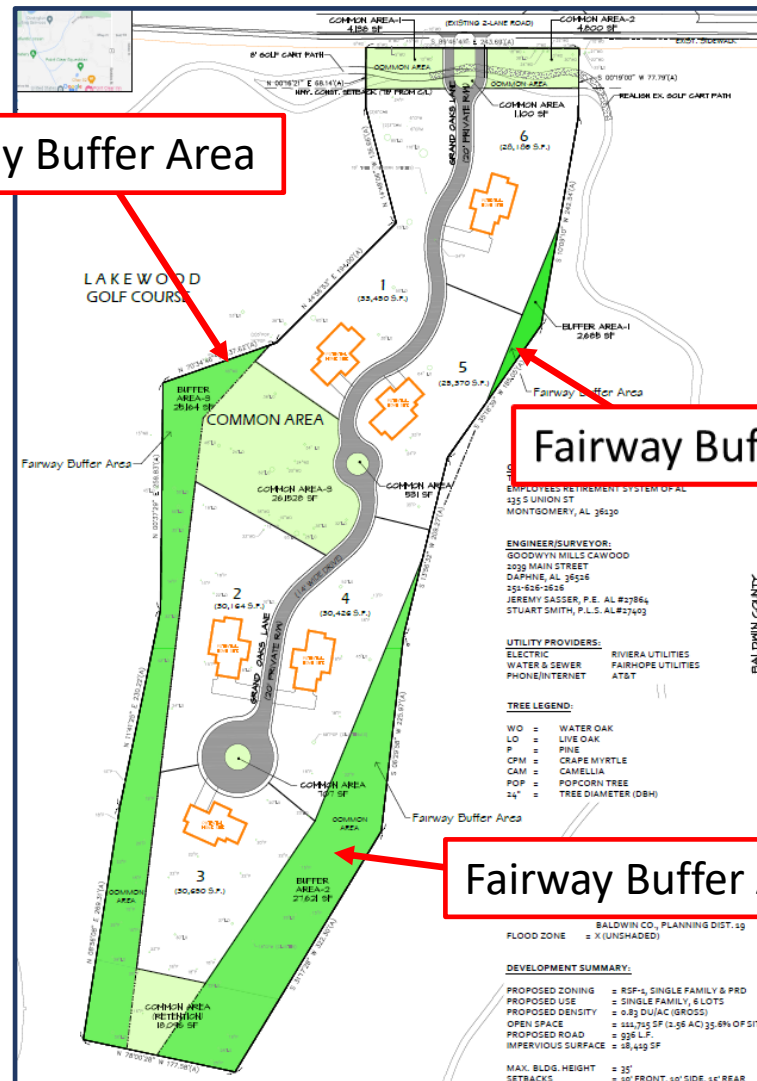
Clyde Johnston, ASGCA, is a golf course architect based on Hilton Head Island, South Carolina with 49 years of professional experience. He is a member and past president of the American Society of Golf Course Architects. Johnston is also a member of the Lowcountry Golf Hall of Fame. Johnston has been involved in over 200 golf course projects with both new golf courses and renovations of existing golf courses. He established Clyde Johnston Designs, Inc. in 1987 to provide golf course design, land planning and golf course consultation primarily in the southeastern United States. Prior to having his own firm, Johnston apprenticed with established golf course architects Willard Byrd, Ron Kirby and Gary Player.

Johnston grew up in the golf business as the son of longtime North Carolina golf professional C.B. "Johnny" Johnston, PGA, who also dabbled in golf course design. Johnston himself has been playing golf for 66 years.



# Fairway Buffers

## Proposed Design

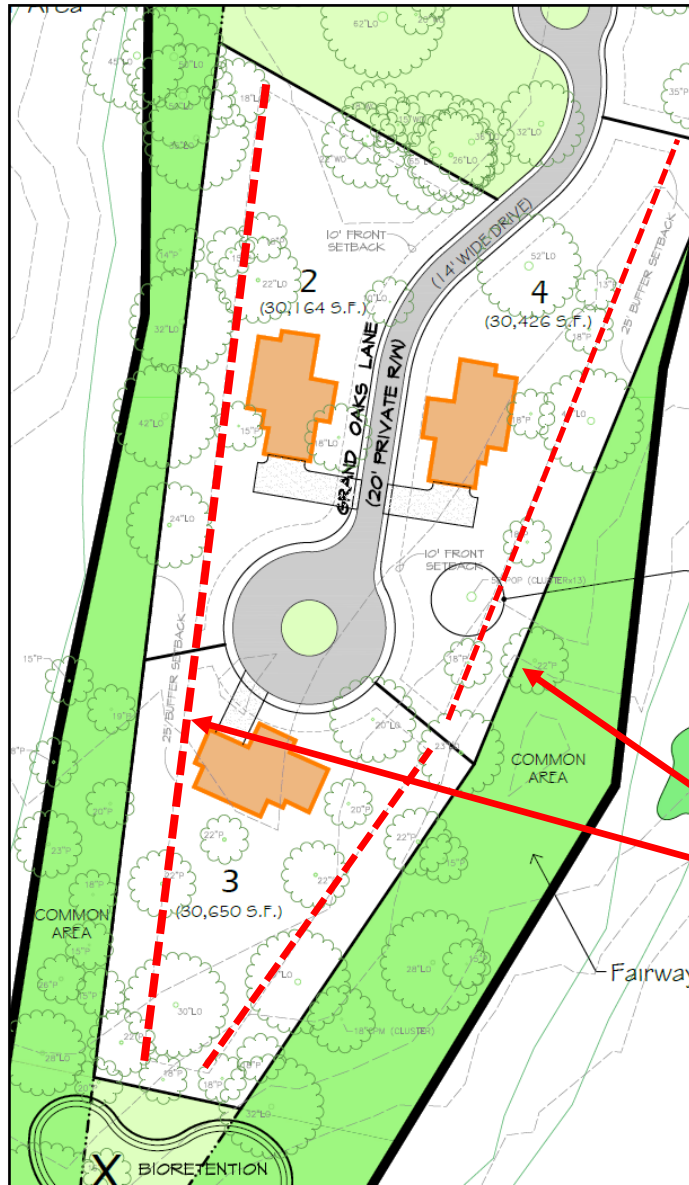


## Typical Design

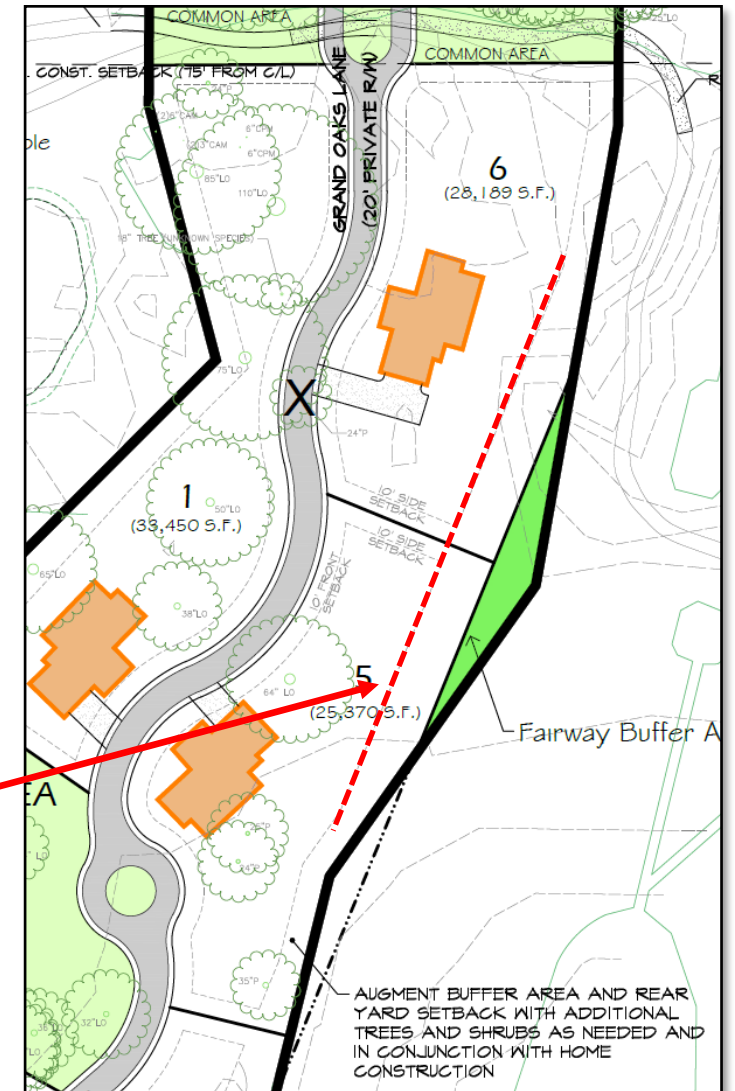




# Additional Buffer Setback



25' Fairway Buffer Setback



# Adjustments to Golf Course

**CLYDE JOHNSTON DESIGNS, INC.**  
GOLF COURSE ARCHITECTURE

April 21, 2023

Mr. Marshall Gardner  
Maynard Nexsen  
11 North Water Street  
RSA Battle House Tower  
Suite 24290  
Mobile, AL 36602

Re: The Oaks at The Colony

Dear Marshall:

While I don't believe other modifications to golf holes 2 and 3 are necessary, other than relocation of the green on hole 2, the suggestions to changing the bunkers on holes 2 and 3 are acceptable.

The fairway bunker on hole 2 can be expanded in size to the south.

The existing fairway bunker on the left side of hole 3 will be eliminated and changed into mounds. A new fairway bunker will be added to the right side of the fairway to further discourage golfers from hitting in that direction.

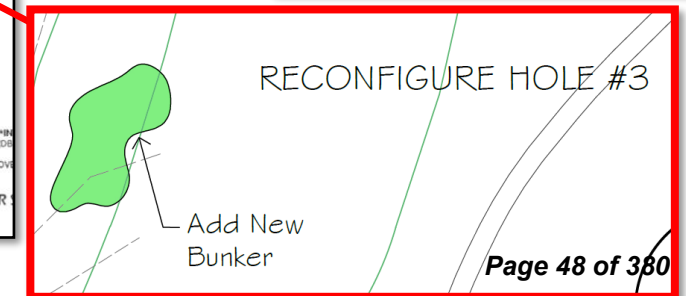
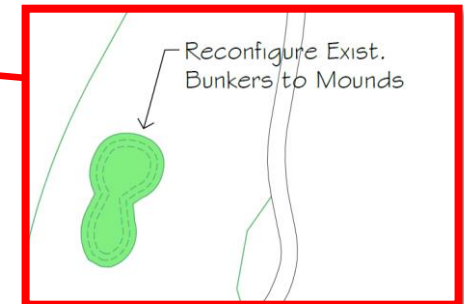
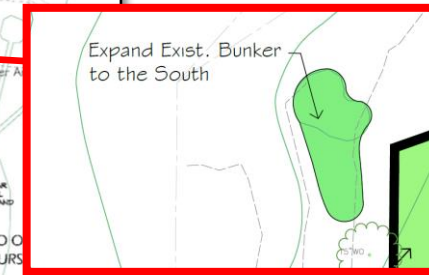
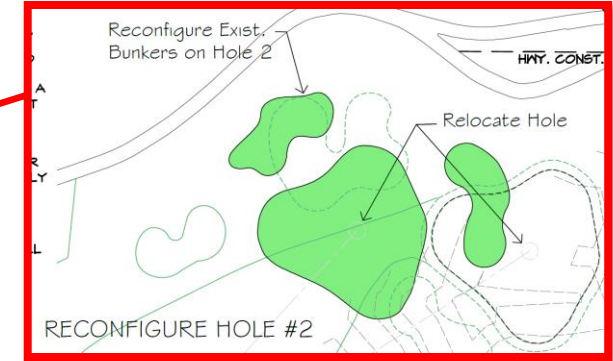
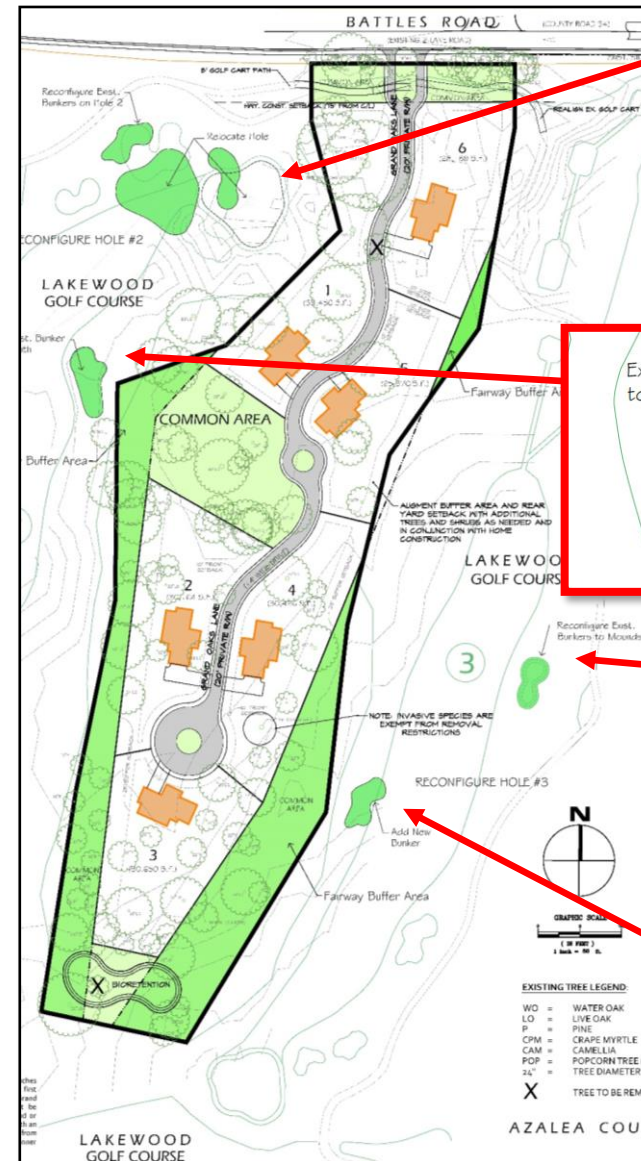
Sincerely,

*Clyde Johnston*

Clyde Johnston, ASGCA  
Golf Course Architect

31 MCINTOSH ROAD  
HILTON HEAD ISLAND, SOUTH CAROLINA 29926  
(843) 384-3806

**Baldwin County Planning and Zoning Commission May 4, 2023 agenda**



# Common Area Signage

1. Install signage where the common area meets the road to warn of the risk of errant golf balls to those who might use the common area for play or other leisure activities.

RESPONSE: The requested signage will be provided.





# City of Fairhope Timeline

November 4, 2019

RSA (GMC) requested initial zoning of TR, Tourist Resort District, condition upon annexation into the City of Fairhope. The proposal was for 7.23 acres with a 10 lot subdivision.

Fairhope staff recommended APPROVAL. Planning Commission TABLED the request.



December 2, 2019

Same request was brought back to the Planning Commission

Fairhope staff recommended APPROVAL. Planning Commission recommended Denial 7 to 1 with concerns of health, safety, and welfare.



February 10, 2020

Same request was brought to the City Council

Fairhope City Council Tabled this item at request of applicant. Item was never brought back to Council.



May 4, 2020

A request for a preliminary plat approval for a 10 lot subdivision, Watershed West.

Fairhope staff recommended APPROVAL. Planning Commission Denied the request 7 to 1 with concerns of health, safety, and welfare.

# Agency Comments

**ADEM, Scott Brown:** No Comments Received.

**Baldwin County Highway Department – Tyler Mitchell:**

- Any future subdivision of the property will need to meet the Baldwin County Subdivision Regulations in effect at that time.
- Battles Road is maintained by Baldwin County. Any connection to Battles Road will require a turnout permit from the Baldwin County Highway Department.
- Additional comments potentially forthcoming regarding drainage and road widths.

**Baldwin County Subdivision– Shawn Mitchell:**

Any future subdivision of the property will need to meet the Baldwin County Subdivision Regulations in effect at that time.

**City of Fairhope :** No Comments Received.

## Staff Recommendation

Staff recommends approval of the PRD (PRD23-1) to the Planning Commission with the following caveat/conditions:

- **Caveat:** Planning Commission and County Commission's evaluation of any expert opinion(s) provided related to the safety risks associated with errant golf balls.
- **Conditions:**
  1. Compliant open space/common area measurements;
  2. Clarification regarding retention/detention & engineer certification; &
  3. Safety signage along road for Common Area 3 displayed on Site Plan.

# Z23-8 / PRD23-1 RSA PROPERTY

## Staff Recommendation

Staff recommends the Planning Commission recommend **approval** of the zoning change from OR to RSF-1 (case Z23-8), conditioned on approval of the PRD site plan.



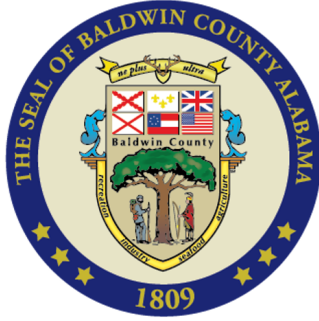
# Factor Summary:

- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.

<div><div></div><div>#1</div></div> <div>Compatible with development pattern?</div>	<div><div></div><div>#2</div></div> <div>Change of conditions since originally zoned?</div>	<div><div></div><div>#3</div></div> <div>Proposal conform to Master Plan?</div>	<div><div></div><div>#4</div></div> <div>Conflicts with public improvements?</div>	<div><div></div><div>#5</div></div> <div>Adverse affect to traffic?</div>	<div><div></div><div>#6</div></div> <div>Consistent with development pattern?</div>
<div><div></div><div>#7</div></div> <div>Logical expansion of adjacent zoning?</div>	<div><div></div><div>#8</div></div> <div>Timing appropriate given development trends?</div>	<div><div></div><div>#9</div></div> <div>Environmental or Historic impact?</div>	<div><div></div><div>#10</div></div> <div>Adverse impact on health, safety, &amp; wellness?</div>	<div><div></div><div>#11</div></div> <div>Other appropriate matters?</div>	

# Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.



# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## RE-ZONING REQUEST

### Z23-9, MAKO FORESTRY CORPORATION

### MAY 4, 2023

PRESENTED BY: CORY RHODES, PLANNER

# 7.b) Z23-9 MAKO FORESTRY CORPORATION

Lead Staff: Cory Rhodes, Planner

Request before Planning Commission:

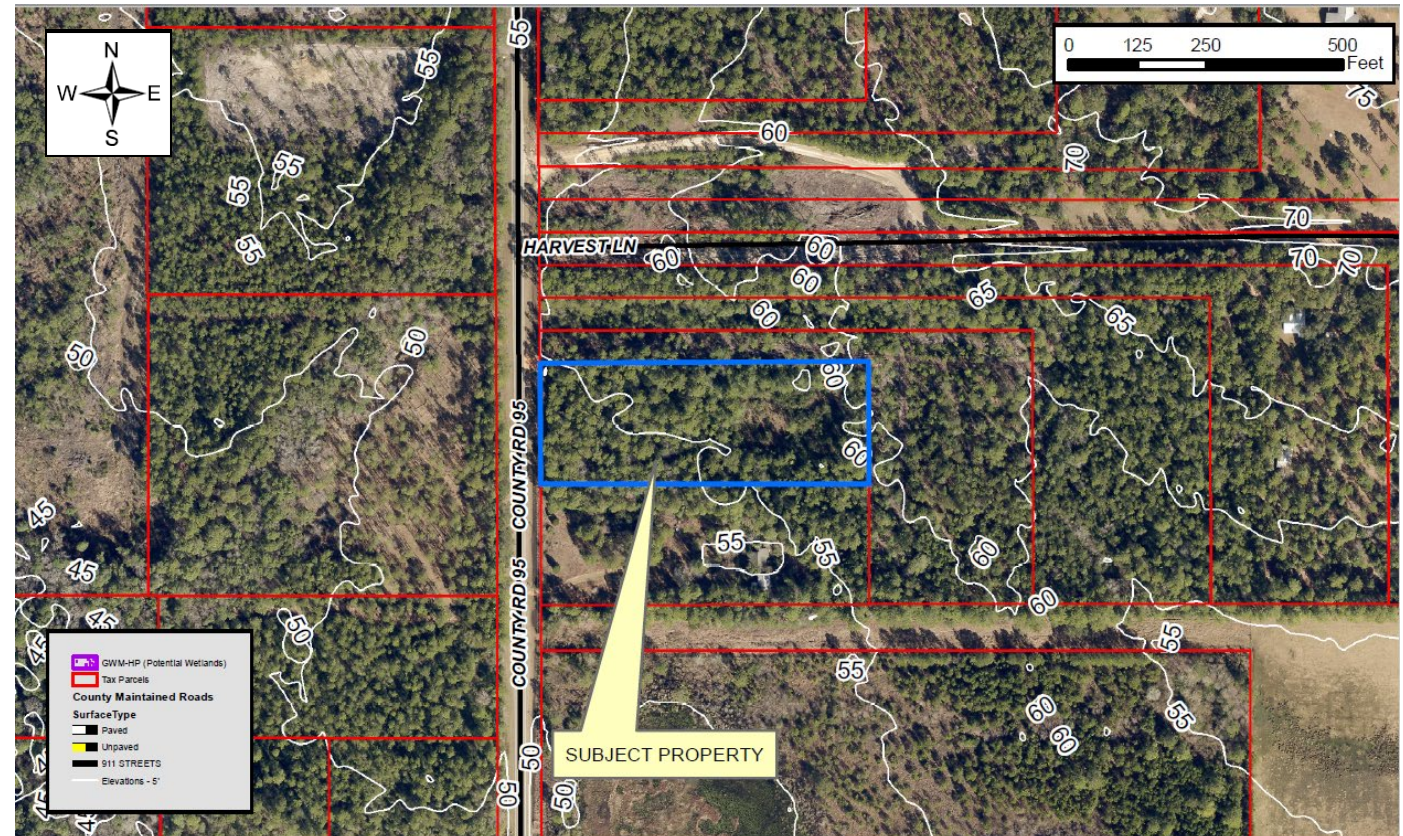
**Rezone 3.06 acres From B-3 to RR**

**Parcel #: 05-53-07-35-0-000-009.005**

**PIN #: 208666**

To view maps/plats in higher resolution please visit the "Upcoming Items" Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>



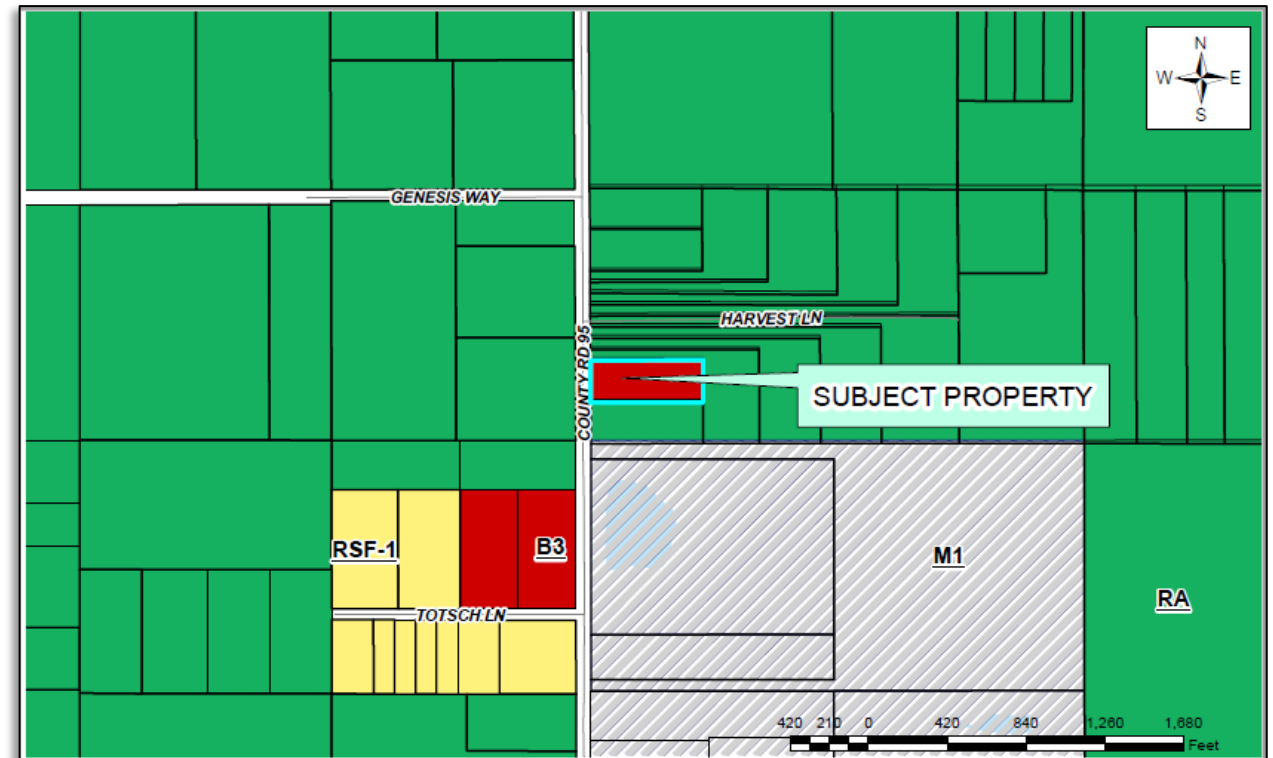


# Z23-9 MAKO FORESTRY CORPORATION

## RE-ZONING REQUEST FROM B-3 TO RR

Lead Staff: Cory Rhodes, Planner

- **Planning District:** 32    **Zoned:** B-3
- **Location:** Subject property is located east of County Road 95 in Elberta.
- **Current Use:** Vacant
- **Acreage:** 3.00 acres
- **Physical Address:** 11052 County Road 95 Elberta, AL 36530
- **Applicant:** Mako Forestry Corporation – Michael Manning
- **Owner:** Mako Forestry Corporation

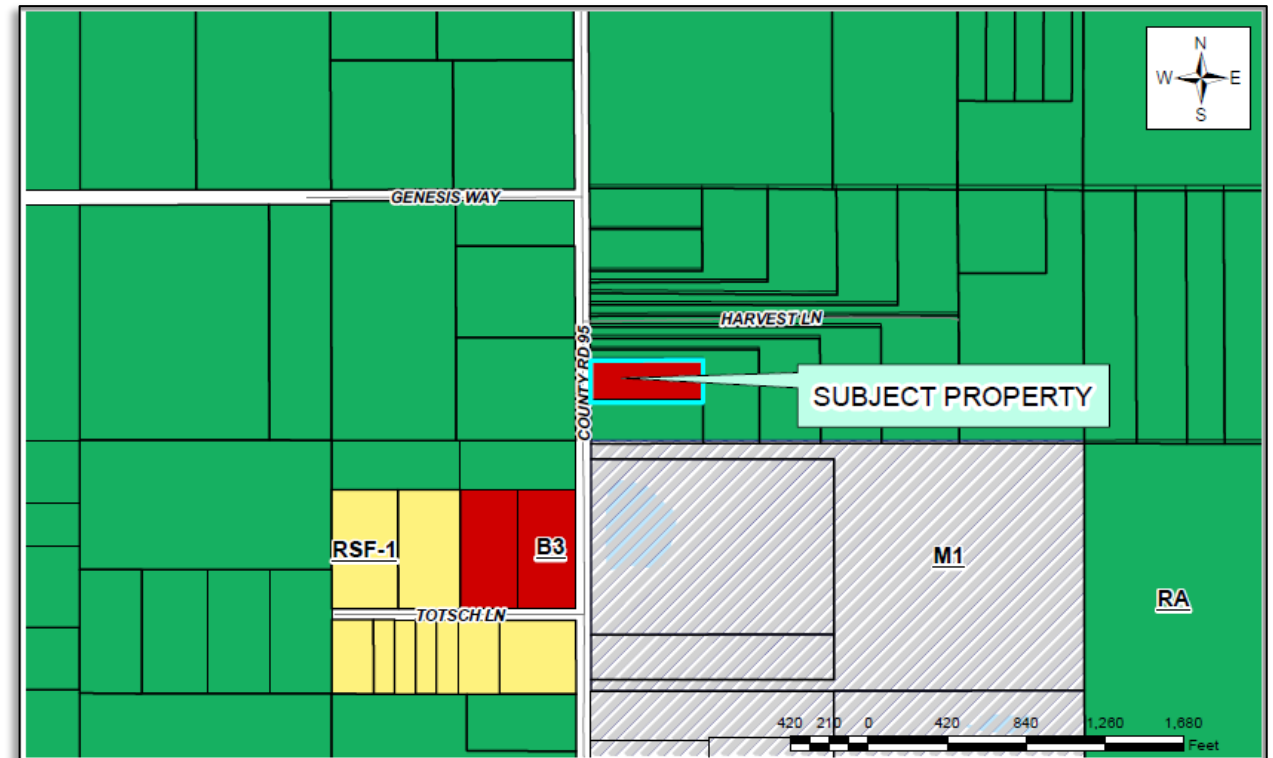


# Z23-9 MAKO FORESTRY CORPORATION

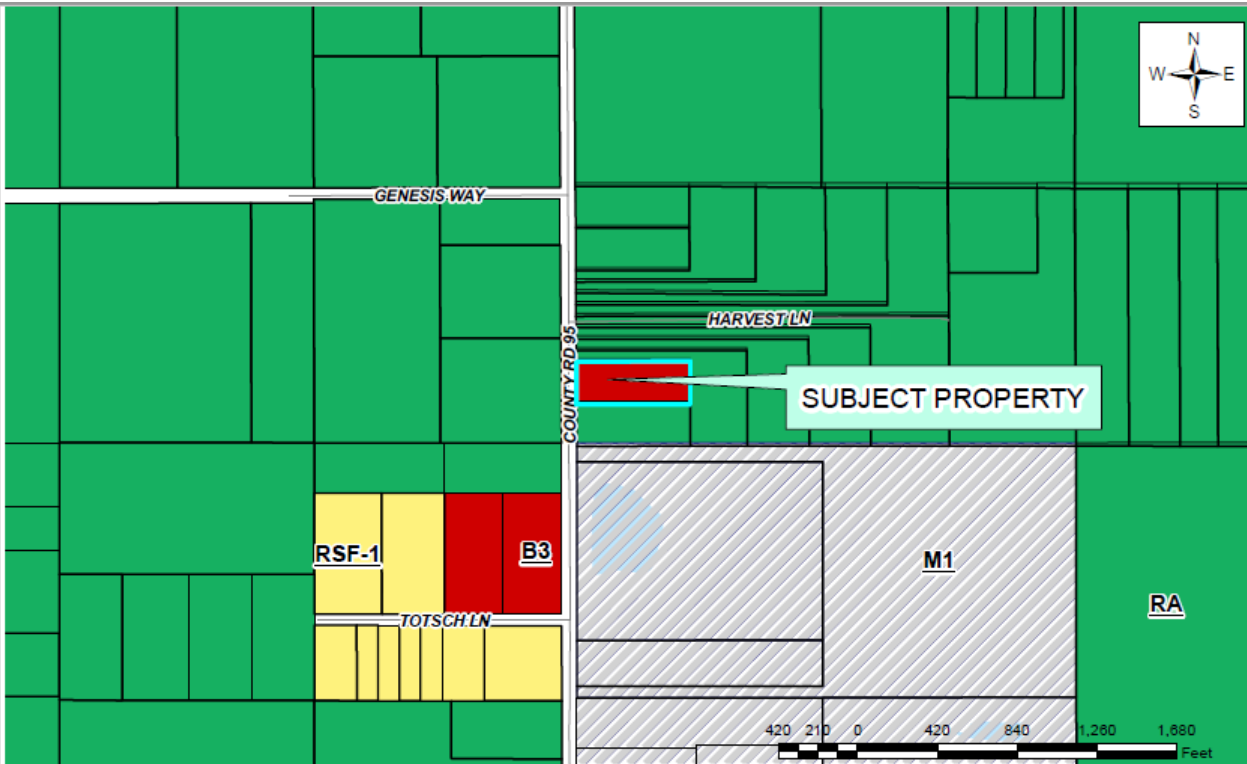
## REZONING REQUEST FROM **B-3** TO **RR**

Lead Staff: Cory Rhodes, Planner

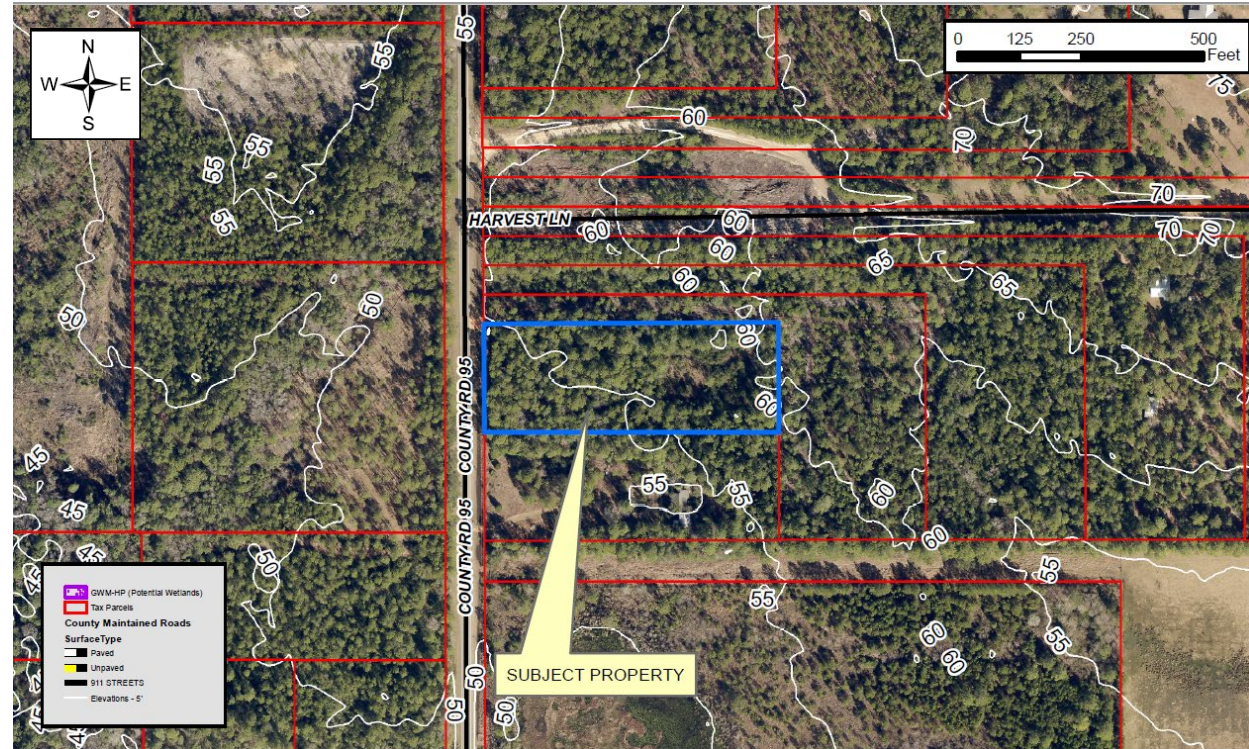
- **Proposed Zoning:** RR, Rural District
- **Proposed Use:** Agricultural
- **Applicant's Request:** The owner would like to be rezoned to rural to allow forestry-related equipment to be stored on the property, which is not allowed in the current zoning category.



# Locator Map



# Site Map



	Adjacent Zoning	Adjacent Land Use
North	RA, Rural Agricultural District	Residential
South	RA, Rural Agricultural District	Vacant
East	RA, Rural Agricultural District	Agricultural
West	RA, Rural Agricultural District	Vacant



# Property Images





# Property Images





# Property Images





# Property Images





# Current Zoning Requirements

## Section 5.3 B-3, General Business District

**5.3.1 Purpose and intent.** The purpose of this district is to provide for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district shall only be applied at appropriate locations: to conveniently meet these needs; in conformance with the goals, objectives and policies and location criteria of the Comprehensive Plan; compatible with the surrounding land uses and zoning districts; where it will not adversely impact the facilities and services of the County; where it will not set a precedent for the introduction of inappropriate uses into an area; and so as not to encourage non-residential strip development along streets

**5.3.2 Permitted uses.** The following uses are permitted as of right, or as uses accessory to permitted uses in the B-3, General Business District, conditioned on the Commission Site Plan Approval requirements of Section 18.9:

- |  |  |
|--|--|
| (a) All uses permitted by right under the B-2 zoning designation | (cc) Funeral home                        |
| (b) Air conditioning sales and service                           | (dd) Golf course                         |
| (c) Amusement arcade   | (ee) Golf driving range                  |
| (d) Animal clinic/kennel   | (ff) Grocery store                       |
| (e) Arboretum  | (gg) Landscape sales                     |
| (f) Auto convenience market                                      | (hh) Marine store and supplies           |
| (g) Automobile service station                                   | (ii) Miniature golf                      |
| (h) Bakery, wholesale  | (jj) Mini warehouse                      |
| (i) Ball field   | (kk) Night club, bar, tavern             |
| (j) Bicycle sales and service                                    | (ll) Nursery                             |
| (k) Bowling alley  | (mm) Office equipment and supplies sales |
| (l) Business machine sales and service                           | (nn) Park or playground                  |
| (m) Business school or college                                   | (oo) Pawn shop                           |
| (n) Butane gas sales   | (pp) Pet shop                            |
| (o) Cemetery   | (qq) Plumbing shop                       |
| (p) City hall or courthouse                                      | (rr) Printing/publishing establishment   |
| (q) Country club   | (ss) Restaurant sales and supplies       |
| (r) Department store   | (tt) Riding academy                      |
| (s) Discount/variety store                                       | (uu) Rug and/or drapery cleaning service |
| (t) Drug store   | (vv) Seafood store                       |
| (u) Elevator maintenance service                                 | (ww) Sign shop                           |
| (v) Exterminator service office                                  | (xx) Skating rink                        |
| (w) Farmer's market/truck crops                                  | (yy) Stone monument sales                |
| (x) Firing range   | (zz) Swimming pool (outdoor)             |
| (y) Fitness center or gym  | (aaa) Taxidermy                          |
| (z) Florist  | (bbb) Teen club or youth center          |
| (aa) Fruit and produce store                                     | (ccc) Tennis court (outdoor)             |
| (bb) Fruit and produce store                                     | (eee) YMCA, YWCA                         |

**5.3.3 Conditional Use Commission Site Plan Approval.** The following uses are permissible as Commission Site Plan Approval uses in the B-3: General Commercial District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*:

- |  |   |
|--|---|
| (a) Airport  | (y) Landfill  |
| (b) Ambulance/EMS service                            | (z) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies |
| (c) Amusement Park                                   | (aa) Manufactured housing sales, service and repair   |
| (d) Armory   | (bb) Marina   |
| (e) Auditorium, stadium, coliseum                    | (cc) Motorcycle sales service and repair  |
| (f) Automobile parts sales                           | (dd) Movie theatre  |
| (g) Automobile repair (mechanical and body)          | (ee) Radio/television tower   |
| (h) Automobile storage (parking lot, parking garage) | (ff) Railroad facility  |
| (i) Barge docking                                    | (gg) Recreational vehicle park  |
| (j) Boat sales and service                           | (hh) Recreational vehicle sales service, and repair   |
| (k) Broadcasting station                             | (ii) Restaurant, drive-in   |
| (l) Building materials                               | (jj) Restaurant, fast-food  |
| (m) Bus and railroad terminal facility               | (kk) Sewage treatment plant   |
| (n) College or university                            | (ll) Taxi dispatching station   |
| (o) Convalescent or nursing home                     | (mm) Taxi terminal  |
| (p) Correctional or penal institution                | (nn) Telephone exchange   |
| (q) Dog pound  | (oo) Water or sewage pumping station  |
| (r) Electric power substations                       | (pp) Water storage tank   |
| (s) Farm implements                                  | (qq) Wireless telecommunication facility  |
| (t) Flea market                                      | (rr) Zoo  |
| (u) Freight depot, rail or truck                     |   |
| (v) Home improvement center                          |   |
| (w) Hotel or motel                                   |   |
| (x) Hospital   |   |

foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

**5.3.6 Distance between structures.** If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

**5.3.7 Landscaping and buffering.** All B-3, General Business District, uses shall meet the requirements of *Article 17: Landscaping and Buffers*.

### 5.3.4 Area and dimensional ordinances.

Maximum Height of Structure	40-Feet
Maximum Height of Structure in Habitable Stories	3
Minimum Front Yard	40-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.70
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

**5.3.5 Lighting standards.** The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one



# Proposed Zoning Requirements

## Section 3.1 RR, Rural District

3.1.1 *Generally.* This zoning district is provided to accommodate the rural areas of Baldwin County. Rural District ordinances are designed to protect the rural character of the area.

3.1.2 *Permitted uses.* Except as provided by Section 2.3: *Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Marine recreation uses.
- (d) Outdoor recreation uses.
- (e) The following general commercial uses: animal clinic and/or kennels; farm implement sales; farmer's market/truck crops; nursery; landscape sales.
- (f) Local commercial uses.
- (g) Professional service and office uses.
- (h) The following institutional uses: church or similar religious facility; childcare center; childcare institution; day care home; fire station; library; post office; school (public or private).
- (i) Agricultural uses.
- (j) Single family dwellings including manufactured housing and mobile homes.
- (k) Accessory structures and uses.

3.1.3 *Special exceptions.* Except as provided by Section 2.3: *Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as special exceptions: Not applicable

3.1.4 *Conditional Use Commission Site Plan Approval.* Except as provided by Section 2.3: *Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed by the Commission site plan approval process:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Light industrial uses.
- (c) General commercial uses not permitted by right, except racetrack.
- (d) Institutional uses not permitted by right, except correctional, detention, or penal institution and sanitarium.
- (e) Boarding house, rooming house, lodging house, or dormitory.
- (f) Fraternity or sorority house.

3.1.5 *Area and dimensional ordinances.* Except as provided by Section 2.3: *Establishment of Zoning in Planning Districts*, Section 12.4: *Height Modifications*, Section 12.5: *Yard Requirements*, Section 12.6: *Coastal Areas*, Section 12.8: *Highway Construction Setbacks*, Section 18.4 *Variances*, and Article 20: *Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-feet
Minimum Front Yard	30-feet
Minimum Rear Yard	30-feet
Minimum Side Yards	10-feet
Minimum Lot Area	40,000 Square Feet
Minimum Lot Width at Building Line	120-feet
Minimum Lot Width at Street Line	120-feet

3.1.6 *Area and dimensional modifications.* Within the RR district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status.

Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	20,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	80-Feet

# Zoning Use Table

	RR	RA	CR	RSF-E	RSF-1	RSF-2	RSF-3	RSF-4	RTF-4	RSF-6	RTF-6	RMF-6	HDR	RMH	B-1	B-2	B-3	B-4	RV-1	RV-2	LB	LB	MR	OR	TR	M-1	M-2
Cabinet shop	C															C	C	C								P	P
Contractor's yard	C																									P	P
Grain milling storage and elevators	C																									P	P
Ice plant	C																									P	P
Lumberyard	C																									P	P
Machine shop	C																									P	P
Machinery, tools and construction equipment sales and service	C																									P	P

An allowable use with Commission Site Plan Approval



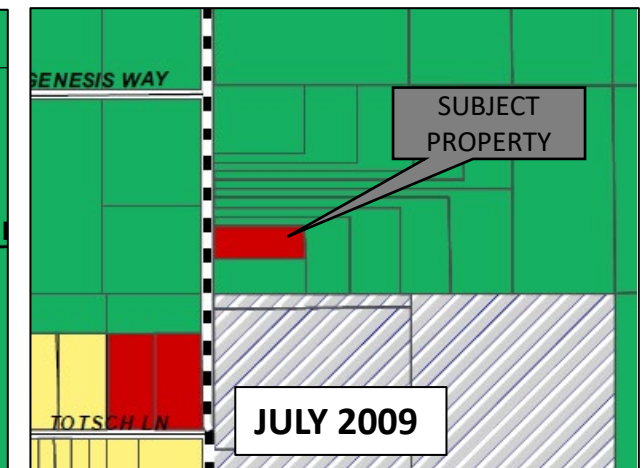
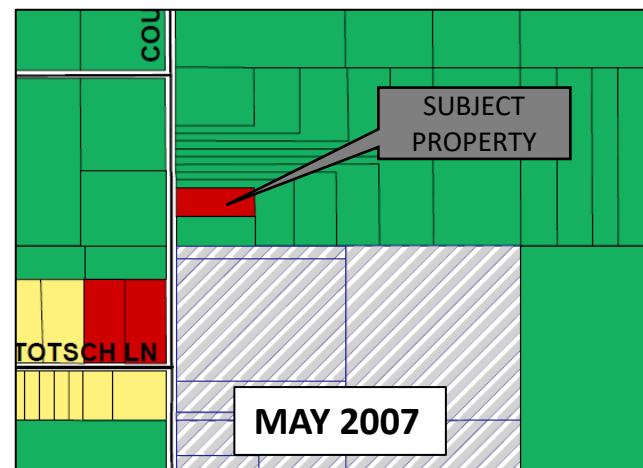
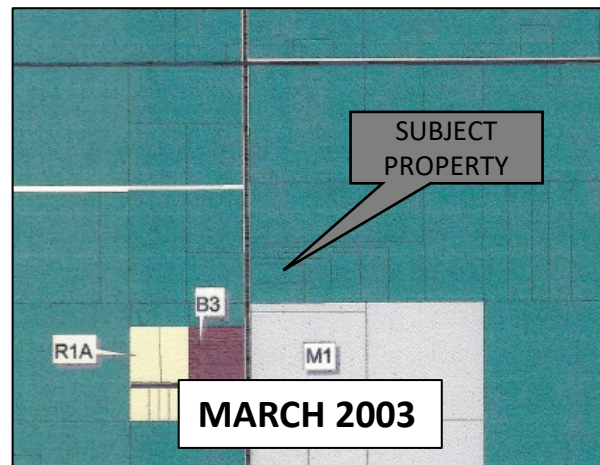
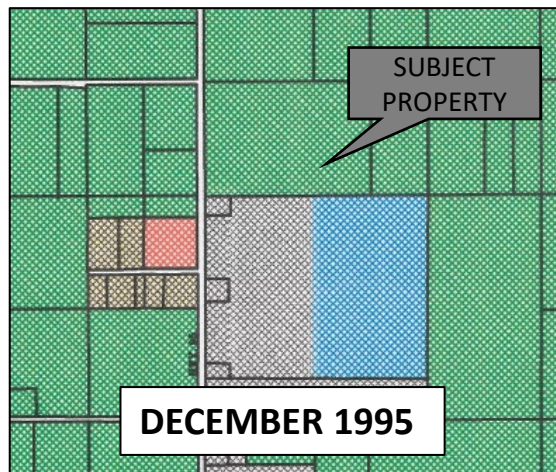
# Staff Analysis and Findings

## 1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

The subject property is currently zoned B-3, General Business District. Surrounding parcels in the immediate area are zoned RA, Rural Agricultural District. The adjacent uses are vacant, agricultural, and residential. *Staff feels that the requested change is compatible with the surrounding uses.*

## 2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Zoning within Planning District 32 was adopted by the County Commission on December 19, 1995. It appears that the subject parcel was zoned RA at the time Planning District 32 came into effect. The subject property was rezoned to B-3 in 2007 in order to construct a mini-warehouse facility as well as a bait tackle shop, neither of which were developed.



## 3.) Does the proposed zoning better conform to the Master Plan?

The Baldwin County Master Plan, 2013, provides future land use designations for properties located within the zoned areas of the County. These categories represent the recommendations for the physical development of the unincorporated areas of the County. They are intended for planning purposes only and do not represent the adoption of zoning designations for areas which have not voted their desire to come under the zoning authority of the Baldwin County Commission. Although not legally binding, the future land use designations are evaluated in conjunction with criteria found in the Baldwin County Zoning Ordinance (Zoning Ordinance), the Baldwin County Subdivision Regulations, the Baldwin County Flood Damage Prevention Ordinance and any other ordinances and regulations which the County Commission may adopt.

A future land use designation of **commercial** has been provided for the subject property. The commercial category is provided for retail and wholesale trade facilities which offer convenience and other types of goods and services. Institutional uses, recreational uses, mixed-use developments and transportation, communication and utility uses may be included in accordance with the Zoning Ordinance. Multiple family developments may also be included. Commercial uses should be located on major streets so as to be accessible to the residential population. Zoning designations may include RR, B-1, B-2, B-3, B-4, MR and TR. Approval of the rezoning will result in an amendment of the Future Land Use map to **agricultural**.



# Staff Analysis and Findings

## **4.) Will the proposed change conflict with existing or planned public improvements?**

Staff is unaware of any planned public improvements.

## **5.) Will the proposed change adversely affect traffic patterns or congestion?**

Staff is unaware of any adverse affects of traffic patterns or congestion as a result of this proposed change.

## **6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**

The surrounding land uses are residential, agricultural, and vacant. The owner would like to be rezoned to RR to allow forestry-related equipment to be stored on the property, which is not allowed in the current zoning category. Staff believes this amendment is consistent with the development of the surrounding areas.

# Staff Analysis and Findings

## **7.) Is the proposed amendment the logical expansion of adjacent zoning districts?**

The surrounding land uses are residential, agricultural, and vacant. *Staff feels the proposed amendment is consistent with the area.*

## **8.) Is the timing of the request appropriate given the development trends in the area?**

Staff perceives no time factor with this request.

## **9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?**

Staff does not anticipate any adverse impacts on environmental conditions of the vicinity or the historic resources of the County.

## **10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?**

Staff does not anticipate any adverse impacts to the health, safety and welfare of the County and the vicinity.

## **11.) Other matters which may be appropriate.**



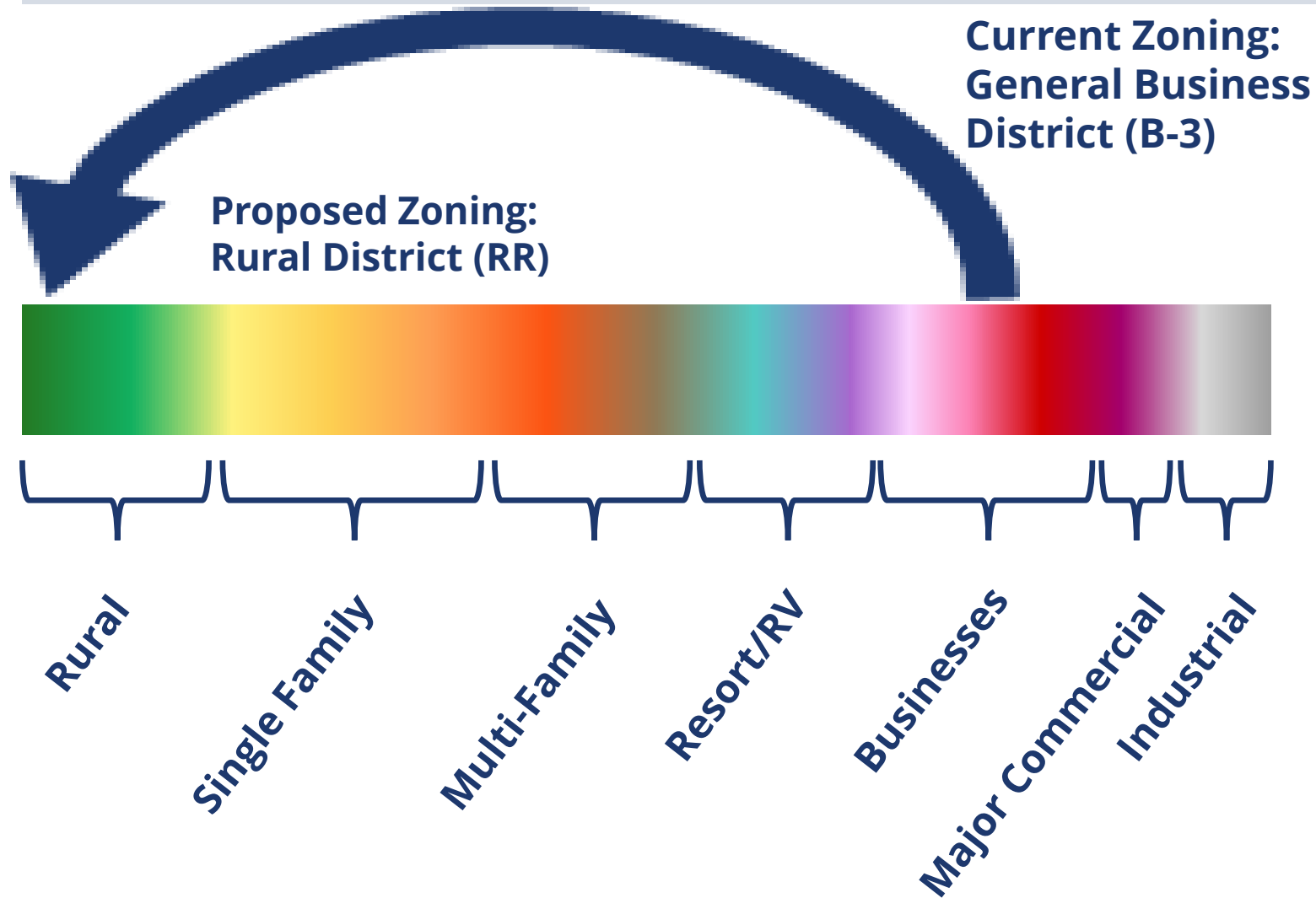
# Agency Comments

- Baldwin County Highway Department, Tucker Stuart: No Comments Received
- Subdivision Coordinator, Shawn Mitchell: No Comments Received
- ADEM, Scott Brown: No Comments Received
- Corp of Engineers, James E. Buckelew: No Comments Received

# Z23-9 MAKO FORESTRY CORPORATION

## REZONING REQUEST FROM **B-3** TO **RR**

Lead Staff: Cory Rhodes, Planner



### Staff's Recommendation:

Unless information to the contrary is revealed at the public hearing, staff feels the application should be recommended for **APPROVAL**.\*

*\*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*



# Factor Summary:

- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.

<div><div></div><div>#1</div></div> <div>Compatible with development pattern?</div>	<div><div></div><div>#2</div></div> <div>Change of conditions since originally zoned?</div>	<div><div></div><div>#3</div></div> <div>Proposal conform to Master Plan?</div>	<div><div></div><div>#4</div></div> <div>Conflicts with public improvements?</div>	<div><div></div><div>#5</div></div> <div>Adverse affect to traffic?</div>	<div><div></div><div>#6</div></div> <div>Consistent with development pattern?</div>
<div><div></div><div>#7</div></div> <div>Logical expansion of adjacent zoning?</div>	<div><div></div><div>#8</div></div> <div>Timing appropriate given development trends?</div>	<div><div></div><div>#9</div></div> <div>Environmental or Historic impact?</div>	<div><div></div><div>#10</div></div> <div>Adverse impact on health, safety, &amp; wellness?</div>	<div><div></div><div>#11</div></div> <div>Other appropriate matters?</div>	

# Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.



**RE-ZONING REQUEST**

**Z23-11, Torres Property**

**MAY 4, 2023**

PRESENTED BY: Crystal Bates, Planning Tech II



# 7.c)Z23-11 TORRES PROPERTY

Lead Staff: Crystal Bates, Planning Technician II

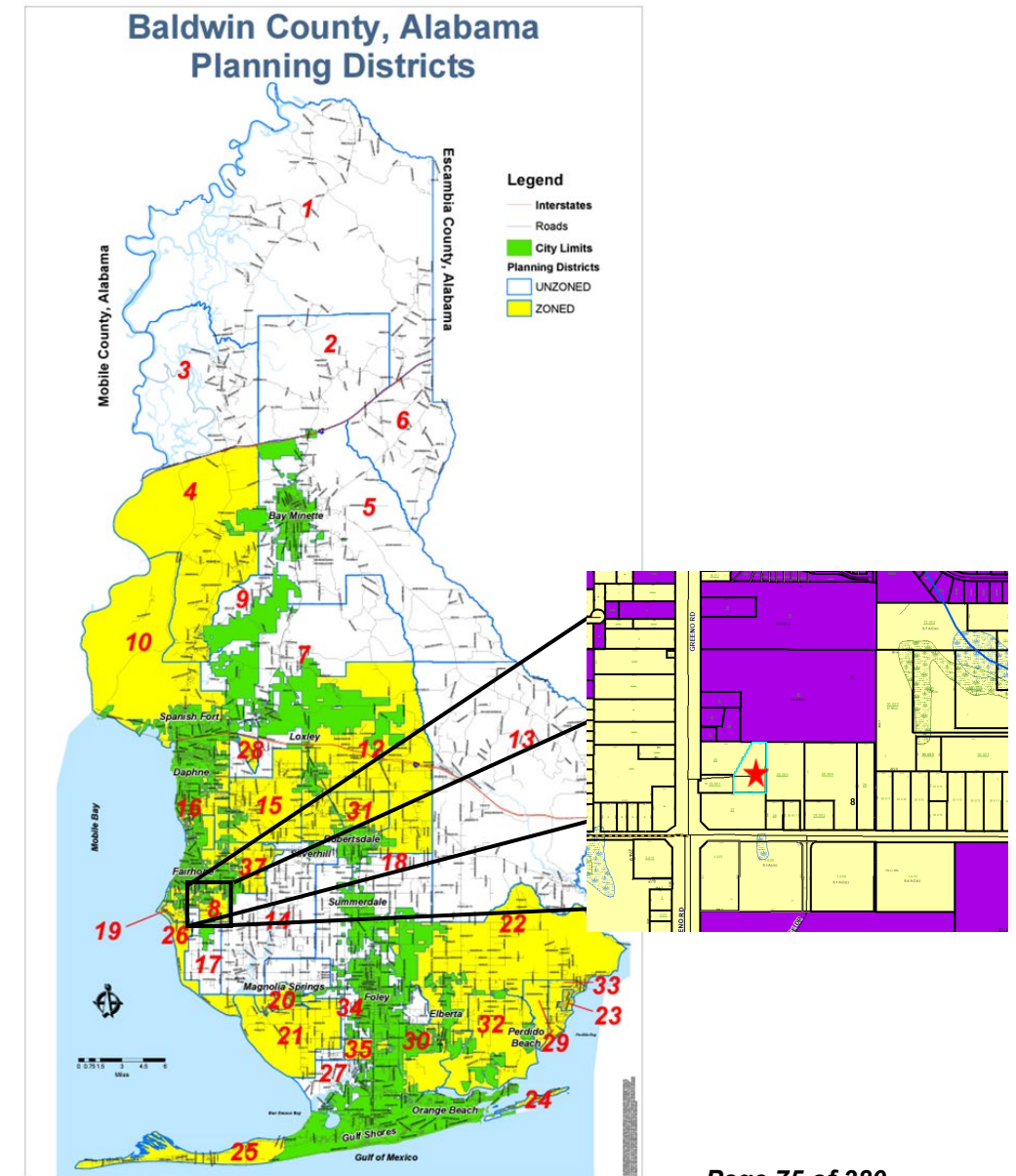
Request before Planning Commission:

**Rezone 1.56 +/- acres from RSF-2 to B-2**

**Parcel#: 05-46-05-21-0-000-026.000**

To view maps/plats in higher resolution please visit the "Upcoming Items" Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>



# Z23-11 TORRES PROPERTY

Lead Staff: Crystal Bates, Planning Technician II

**Planning District:** 8

**Zoned:** RSF-2, Residential Single Family Two

**Location:** Subject property is located at the 19089 Leonard Vaughn Ln Fairhope, AL

**Current Use:** Residential

**Acreage:** 1.56 +/- acres

**Physical Address:** 19089 Leonard Vaughn Ln

**Applicant:** Moore Surveying, Seth Moore

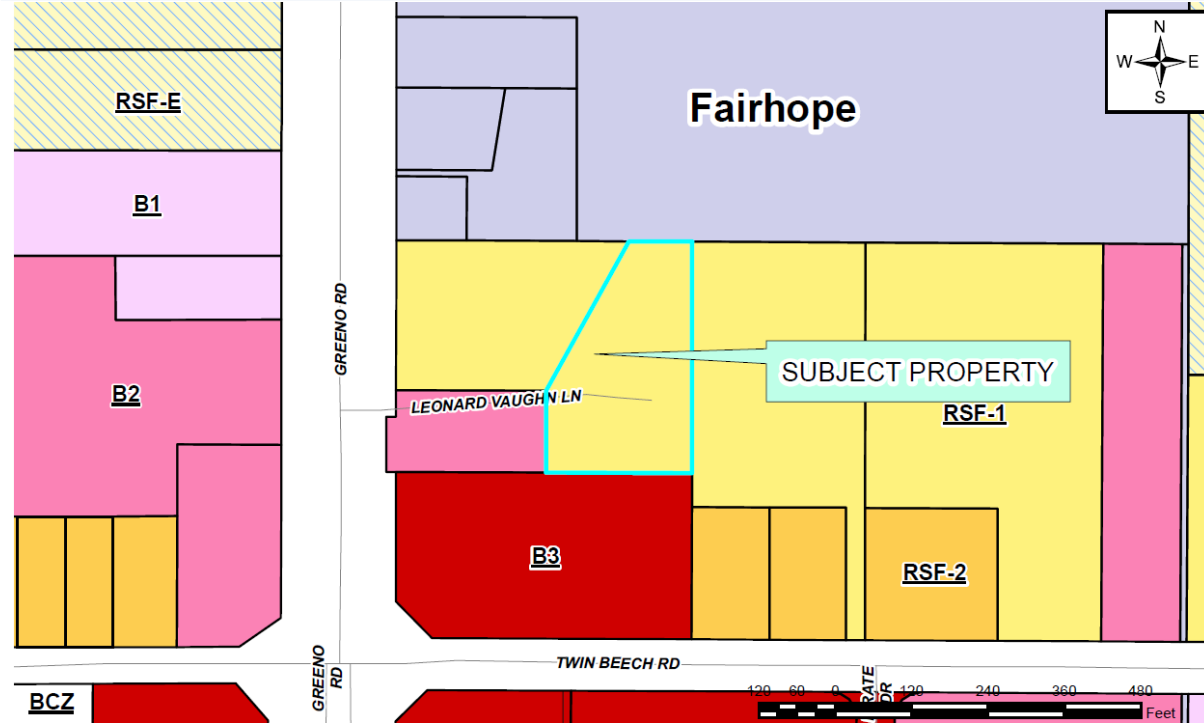
**Owner:** Jorge Torres

**Proposed Zoning:** B-2, Neighborhood Business District

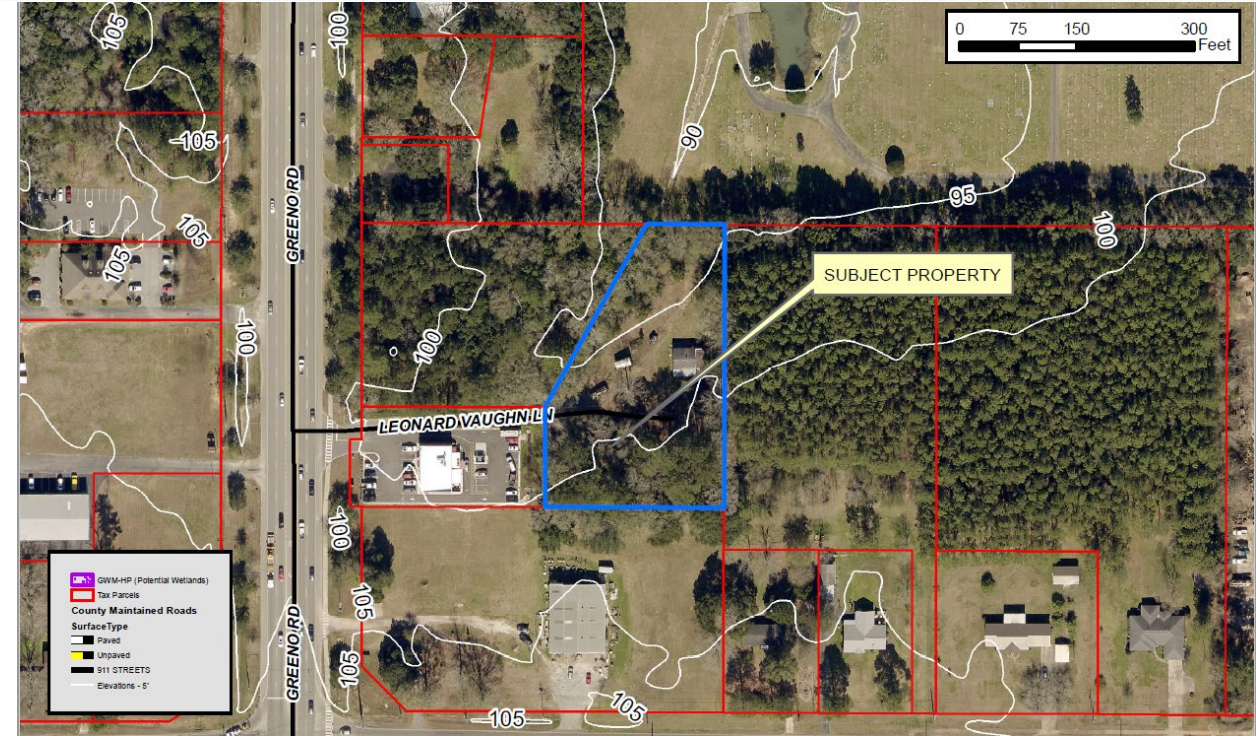
**Applicant's Request:** The owner would like to rezone from RSF-2 to B-2 to allow for future expansion of parking lot for adjacent restaurant.

**Online Case File Number:** The official case number for this application is Z23-000011, when searching the online CitizenServe database, please use Z23-0000011.

# Locator Map



# Site Map



## Adjacent Zoning

North	RSF-1, Residential Single Family District
South	B-3, General Business
East	RSF-1, Single Family District
West	B-2, Neighborhood Business District

## Adjacent Land Use

Vacant
Commercial
Single Family
Commercial



# Property Images



Apr 5, 2023 10:54:10 AM

# Adjoining Property Images



Adjoining Property  
to The South

# Adjoining Property Images



Adjoining Property  
to The North

Apr 5, 2023 10:45:34 AM



# Adjoining Property Images



# Current Zoning Requirements

## Section 4.3 RSF-2, Single Family District

4.3.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a moderate density residential environment consisting of single family homes.

4.3.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.3.3 *Conditional Use Commission Site Plan Approval.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed by the site plan approval process:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.
- (d) The following local commercial use: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

4.3.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception: Not Applicable

4.3.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-Feet
Maximum Height in Habitable Stories	2 ½
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	15,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	40-Feet
Maximum Ground Coverage Ratio	.35

# Proposed Zoning Requirements

## Section 5.2 B-2, Neighborhood Business District

5.2.1 *Purpose and intent.* The purpose and intent of the B-2 Neighborhood Business District is to provide a limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit.

5.2.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-2, Neighborhood Business District, conditioned on the Commission Site Plan Approval requirements of Section 18.9:

- |  |  |
|--|--|
| (a) All uses permitted by right under the B-1 zoning designation | (s) Discount/variety store (not to exceed 8,000 square feet) |
| (b) Antique store  | (t) Drug store (not to exceed 8,000 square feet)             |
| (c) Apparel and accessory store                                  | (u) Fixture sales  |
| (d) Appliance store including repair                             | (v) Floor covering sales or service                          |
| (e) Art gallery or museum  | (w) Florist  |
| (f) Art supplies   | (x) Fraternity or sorority house                             |
| (g) Bait store   | (y) Fruit and produce store                                  |
| (h) Bakery retail  | (z) Gift shop  |
| (i) Bed and breakfast or tourist home                            | (aa) Hardware store, retail                                  |
| (j) Bicycle sales and service                                    | (bb) Ice cream parlor  |
| (k) Boarding, rooming or lodging house, dormitory                | (cc) Interior decorating shop                                |
| (l) Book store   | (dd) Laundry, self service                                   |
| (m) Café   | (ee) Lawnmower sales and service                             |
| (n) Camera and photo shop  | (ff) Locksmith   |
| (o) Candy store  | (gg) Music store   |
| (p) Catering shop or service                                     | (hh) Neighborhood convenience store                          |
| (q) Copy shop  | (ii) News stand  |
| (r) Delicatessen   | (jj) Paint and wallpaper store                               |

(kk) Picture framing and/or mirror silvering

(ll) Restaurant

(mm) Shoe repair shop

(nn) Shoe store

(oo) Sign shop

(pp) Sporting goods store

(qq) Tailor shop

(rr) Tobacco store

(ss) Toy store

5.2.3 *Conditional Use Commission Site Plan Approval.* The following uses are permissible as Commission Site Plan Approval uses in the B-2, Neighborhood Business District, subject to the standards and procedures established in Section 18.9: *Commission Site Plan Approval:*

- |  |   |
|--|---|
| (a) Air conditioning sales and service                   | (p) Office equipment and supplies sales                                       |
| (b) Amusement arcade                                     | (q) Park or playground  |
| (c) Animal clinic/kennels                                | (r) Pawn shop   |
| (d) Arboretum  | (s) Pet shop  |
| (e) Ball field   | (t) Plumbing shop   |
| (f) Business machine sales and service                   | (u) Restaurant sales and supplies   |
| (g) Car wash   | (v) Riding academy  |
| (h) Country club   | (w) Rug and/or drapery cleaning service                                       |
| (i) Discount/variety store (exceeding 8,000 square feet) | (x) Seafood store   |
| (j) Drug store (exceeding 8,000 square feet)             | (y) Swimming pool (outdoor)   |
| (k) Exterminator service office                          | (z) Tennis court (outdoor)  |
| (l) Golf course  | (aa) Water storage tank   |
| (m) Liquor store   | (bb) Wildlife sanctuary   |
| (n) Mini warehouse                                       | (cc) Wireless telecommunication facility                                      |
| (o) Night club, bar, tavern                              | (dd) Dwellings, in combination with commercial uses, subject to the standards |



# Proposed Zoning Requirements

listed under *Section 5.2.4: Mixed uses*

**5.2.4 Mixed uses.** Mixed residential and commercial uses may be permissible as Commission Site Plan in the B-2 Neighborhood Business District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*, and subject to the following criteria:

- (a) The commercial uses in the development may be limited in hours of operation, size of delivery trucks and type of equipment.
- (b) The residential uses shall be designed so that they are compatible with the commercial uses.
- (c) Residential and commercial uses shall not occupy the same floor of a building.
- (d) Residential and commercial uses shall not share the same entrances.
- (e) The number of residential dwelling units shall be controlled by the dimensional standards of the B-2 district. A dwelling unit density of .5 (½) dwelling units per 1,000 square feet of the gross floor area devoted to commercial uses, may be allowed (structures with less than 2,000 square feet devoted to commercial uses shall be allowed one dwelling unit). In no case, however, shall the overall dwelling unit density for a mixed use project exceed 4 dwelling units per acre.
- (f) Building height shall not exceed three stories.
- (g) A minimum of 30 percent of the mixed-use development shall be maintained as open space. The following may be used to satisfy the open space requirements: areas used to satisfy water management requirements, landscaped areas, recreation areas, or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained).
- (h) The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular access ways and parking areas from residential units, to the greatest extent possible.

- (i) Off-street parking spaces for the mixed residential and commercial uses shall be the sum total of the residential and commercial uses computed separately (See *Article 15: Parking and Loading Requirements*).

## **5.2.5 Area and dimensional ordinances.**

Maximum Height of Structure	35-Feet
Maximum Height of Structure in Habitable Stories	2½
Minimum Front Yard	30-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.60
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

**5.2.6 Lighting standards.** The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

**5.2.7 Distance between structures.** If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

**5.2.8 Landscaping and buffering.** All B-2, Neighborhood Business District, uses shall meet the requirements of *Article 17: Landscaping and Buffers*.

# Staff Analysis and Findings

## **1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?**

The subject property is currently zoned RSF-2 Residential Single Family District. The requested designation is B-2, Neighborhood Business District. The subject Property has a residence on site. The property [is adjoined] by Leonard Vaughn Ln to the west which is zoned B-2, Neighborhood Business District. The adjoining Property to the south is zoned B-3, General Business District and the property to the north is zoned RSF-1, Residential Single family District. Therefore, staff believes that **factor one encourages an approval** of this rezoning request due to an established commercial business development pattern in the area near the intersection of Greeno Road and Twin Beech Road.

## **2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?**

Planning District 8 adopted zoning on July 19, 2022. The property was zoned RSF-2 when Planning District 8 came into effect. A rezoning may be appropriate when the proposed use contributes to and supports the adjacent parcel which appears to be the case for subject property.

# Staff Analysis and Findings

## **3.) Does the proposed zoning better conform to the Master Plan?**

The subject property was not zoned at the time the 2013 Master Plan was released; therefore, no future land use was provided. Approval of the rezoning will result in an amendment of the Future Land Use map to *commercial* for the subject property.

## **4.) Will the proposed change conflict with existing or planned public improvements?**

Staff is unaware of any planned public improvements or any conflicts with existing public improvements.

## **5.) Will the proposed change adversely affect traffic patterns or congestion?**

Staff is unaware of any planned public improvements or any conflicts with existing public improvements.



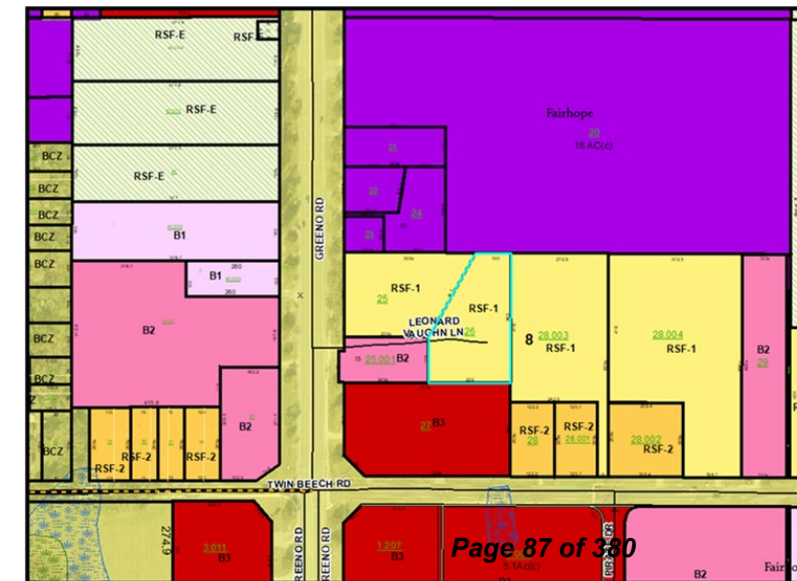
# Staff Analysis and Findings

## 6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community?

The surrounding land uses in this area are a mixture of commercial and residential uses with a several commercial uses fronting on Greeno Rd. The owner has indicated a possible future project will involve rezoning the subject property to later combine the subject property with the existing restaurant property to create a single, larger parcel to accommodate a larger parking area for the restaurant. Staff believes that factor six encourages Approval of this rezoning request due the continued emergence of a commercial development pattern.

## 7.) Is the proposed amendment the logical expansion of adjacent zoning districts?

The surrounding land uses in this area are a mixture of commercial and residential but primarily commercial uses. Staff believes that the proposed amendment is consistent with the development pattern in the area.



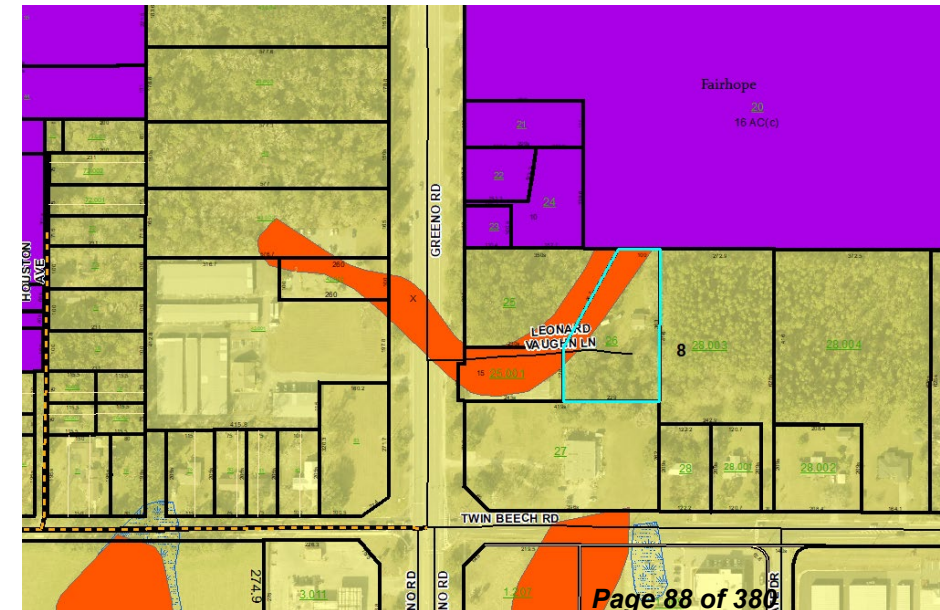
# Staff Analysis and Findings

**8.) Is the timing of the request appropriate given the development trends in the area?**

Staff perceives no time factor with this request.

**9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?**

Staff is aware that there are some wetlands on the NW corner of the subject property. However, if developed the applicant will be required to submit a wetland delineation as well as obtain various other approvals, including but not limited to land disturbance and Commission Site Plan approval.



# Staff Analysis and Findings

## **10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?**

Staff does not anticipate any adverse impacts to the health, safety and welfare of the County and the vicinity that will not be otherwise identified and mitigated by the Commission Site Plan, Land Disturbance, or other appropriate approvals.

## **11.) Other matters which may be appropriate.**

A restaurant is allowed by right in the B2 zoning designation and additional restaurant parking would be allowed by right with a commission site plan approval should the applicant wish to utilize subject property to support the existing restaurant on the adjacent property.





# Agency Comments

**ALDOT, Michael Smith:** No Comments Received.

**ADEM, Scott Brown:** No Comments Received.

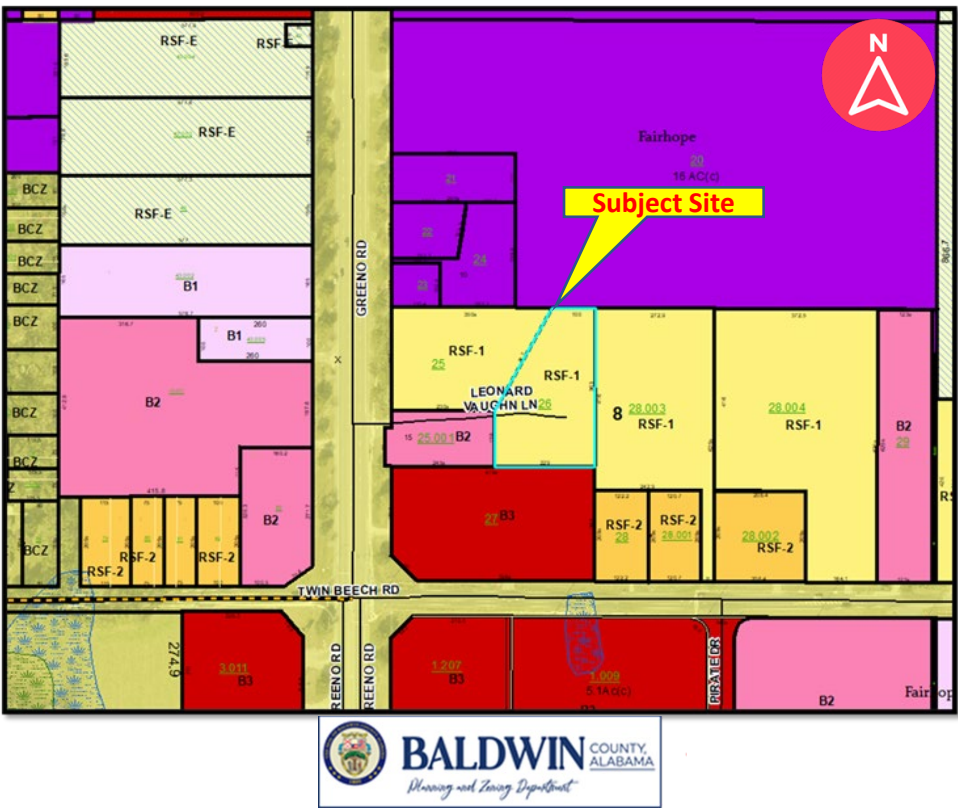
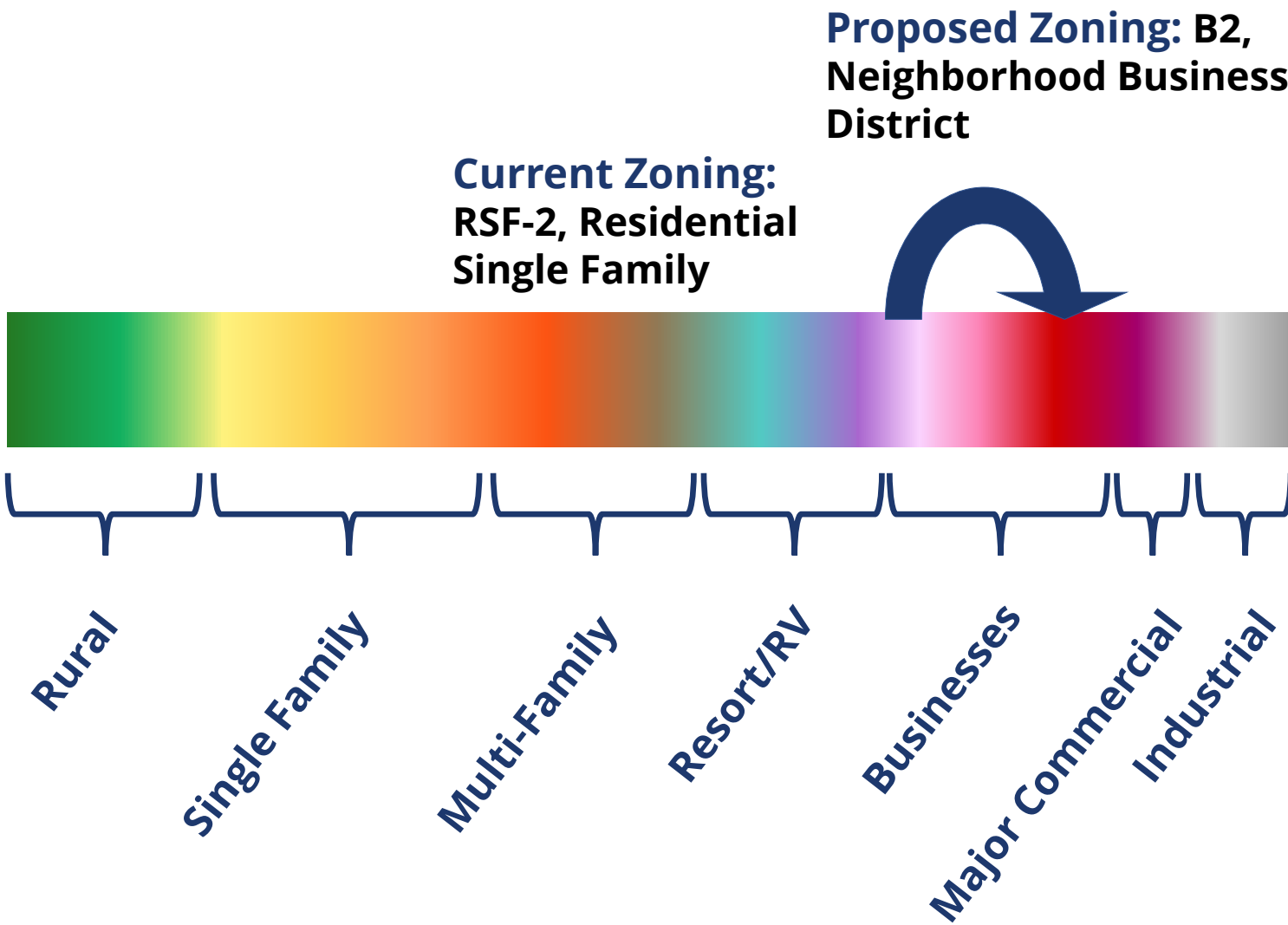
**Baldwin County Highway Department – Tyler Mitchell:** No Comments Received.

**Baldwin County Subdivision– Shawn Mitchell:** No Comments Received.

**City of Fairhope:** No Comments Received.

# Z23-11 TORRES PROPERTY

Lead Staff: Crystal Bates, Planning Technician II



## Staff's Recommendation:

Unless information to the contrary is revealed at the public hearing, staff feels this rezoning application should be recommended for **APPROVAL**.\*

*\*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*



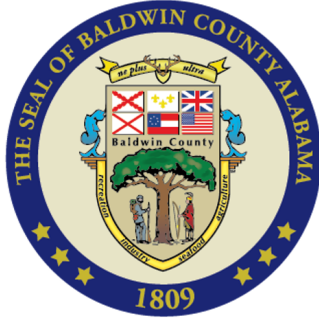
# Factor Summary:

- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.

<div><div></div><div>#1</div></div> <div>Compatible with development pattern?</div>	<div><div></div><div>#2</div></div> <div>Change of conditions since originally zoned?</div>	<div><div></div><div>#3</div></div> <div>Proposal conform to Master Plan?</div>	<div><div></div><div>#4</div></div> <div>Conflicts with public improvements?</div>	<div><div></div><div>#5</div></div> <div>Adverse affect to traffic?</div>	<div><div></div><div>#6</div></div> <div>Consistent with development pattern?</div>
<div><div></div><div>#7</div></div> <div>Logical expansion of adjacent zoning?</div>	<div><div></div><div>#8</div></div> <div>Timing appropriate given development trends?</div>	<div><div></div><div>#9</div></div> <div>Environmental or Historic impact?</div>	<div><div></div><div>#10</div></div> <div>Adverse impact on health, safety, &amp; wellness?</div>	<div><div></div><div>#11</div></div> <div>Other appropriate matters?</div>	

# Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.



# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## RE-ZONING REQUEST Z23-12, SCOPOLITES PROPERTY MAY 4, 2023

PRESENTED BY: CORY RHODES, PLANNER

# 7.d) Z23-12 SCOPOLITES PROPERTY

## RE-ZONING REQUEST FROM RSF-E TO B-2

Lead Staff: Cory Rhodes, Planner

Request before Planning  
Commission:

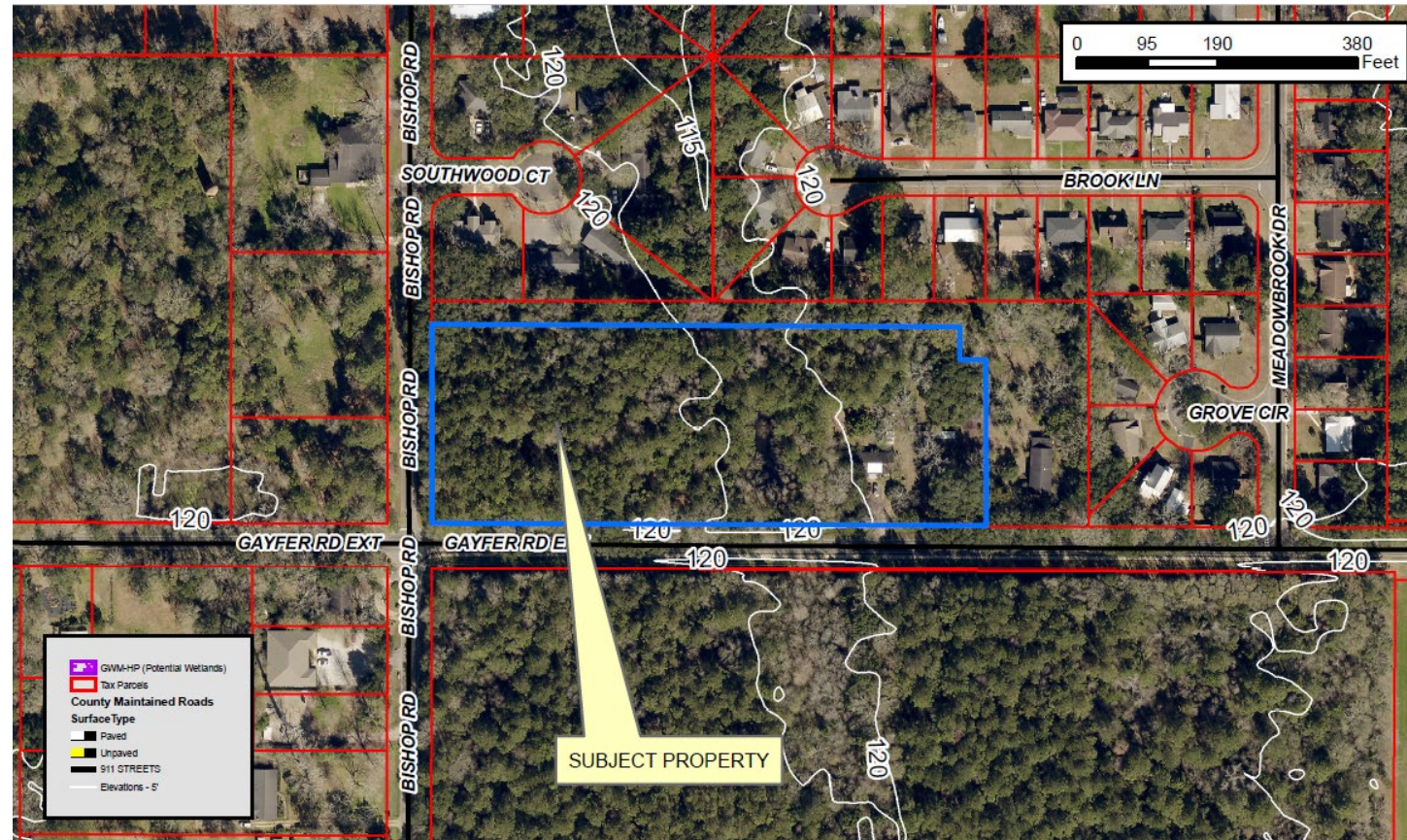
**Rezone the west 205 feet of Lot 2  
from RSF-E to B-2**

**Parcel #: 05-46-02-09-0-000-016.000**

**PIN #: 43888**

To view maps/plats in higher resolution  
please visit the "Upcoming Items" Planning  
and Zoning webpage:

[https://baldwincountyal.gov/departments/  
planning-zoning/meeting-agenda](https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda)



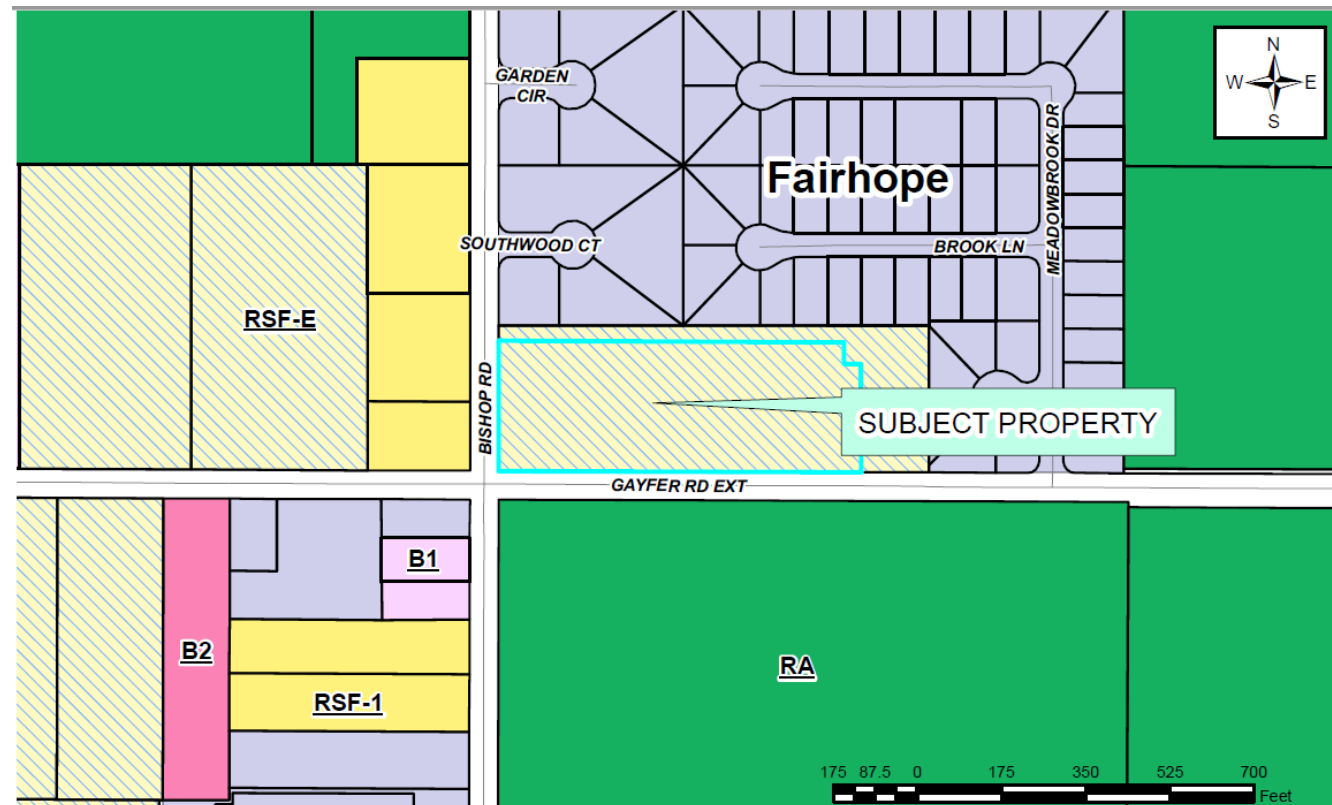


# Z23-12 SCOPOLITES PROPERTY

## RE-ZONING REQUEST FROM **RSF-E** TO **B-2**

Lead Staff: Cory Rhodes, Planner

- **Planning District:** 37    **Zoned:** RSF-E
- **Location:** Subject property is located east of Bishop Road and north of Gayfer Road Ext. in Fairhope
- **Current Uses:** Vacant and Residential
- **Acreage:** 4.60 total acres
- **Physical Address:** 8611 Gayfer Road Ext., Fairhope, AL 36532
- **Applicant:** Seth Moore – Moore Surveying
- **Owner:** James Scopolites

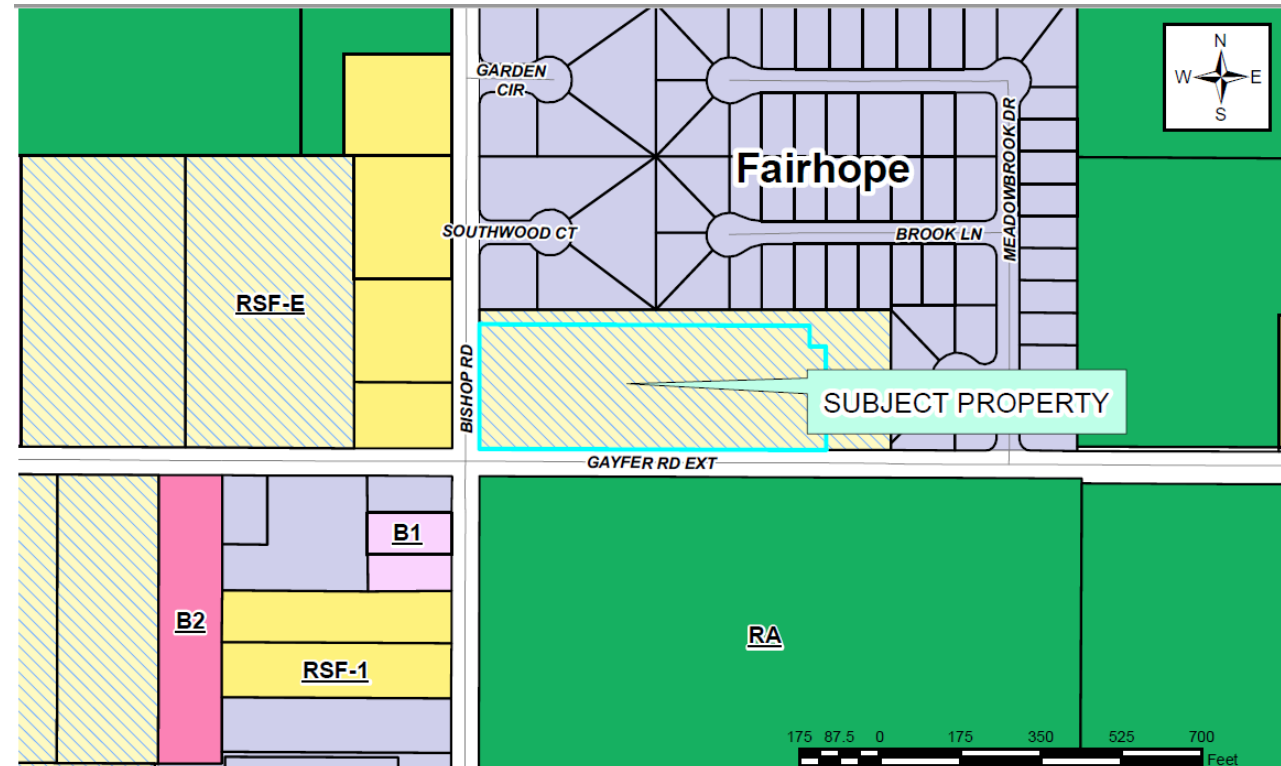


# Z23-12 SCOPOLITES PROPERTY

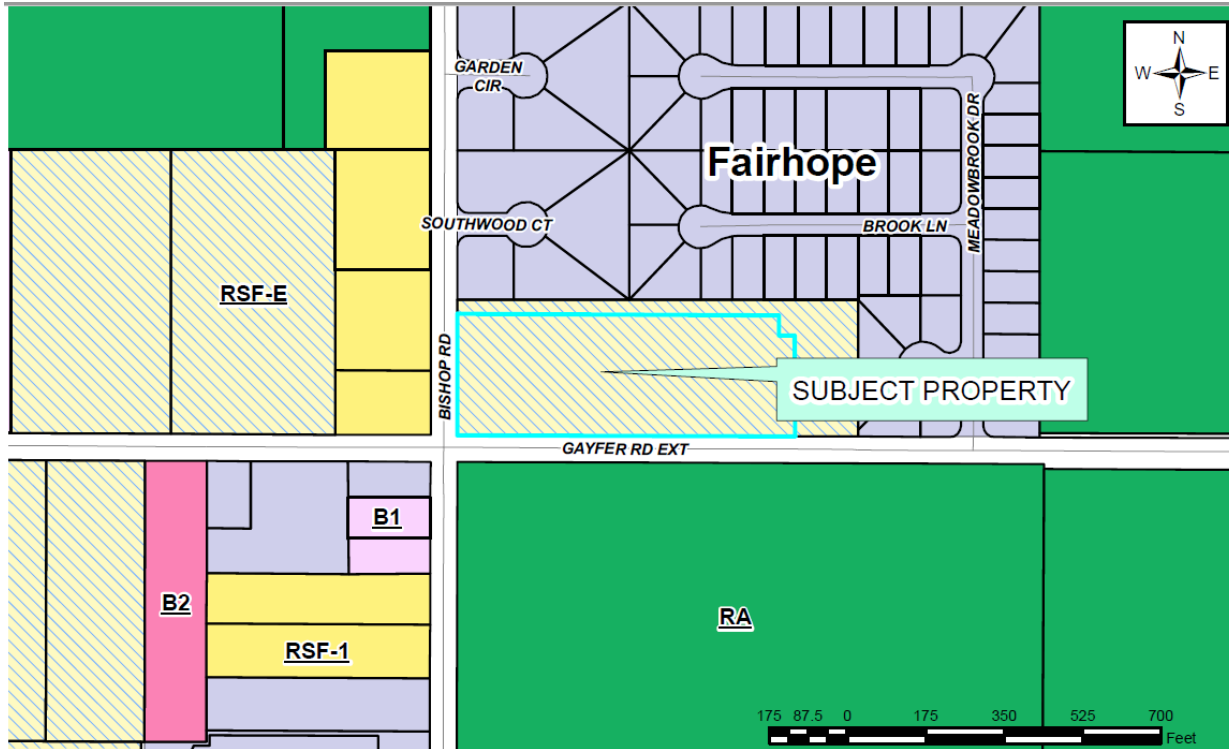
## REZONING REQUEST FROM **RSF-E** TO **B-2**

Lead Staff: Cory Rhodes, Planner

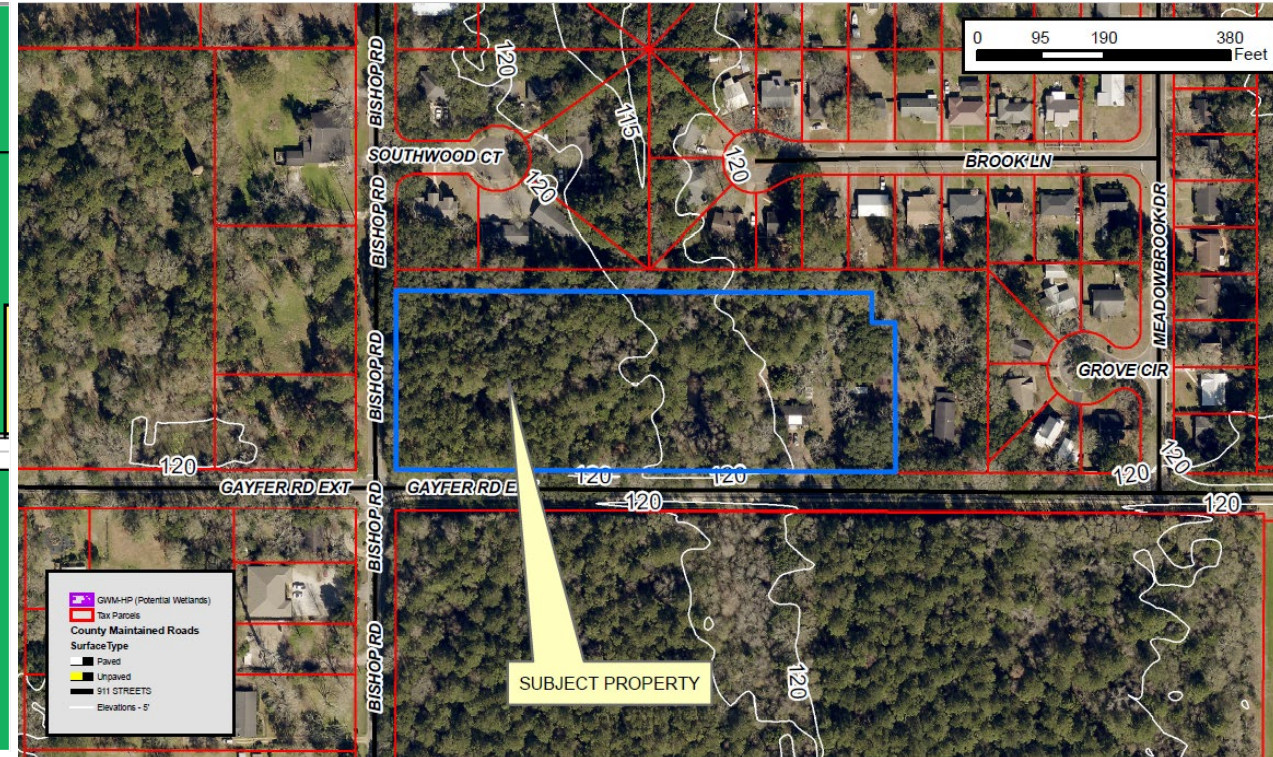
- **Proposed Zoning:** B-2, Neighborhood Business District
- **Proposed Use:** Commercial
- **Applicant's Request:** The owner would like to rezone a portion of the property to commercial for office-warehouse use, which is not allowed in the current zoning category.



# Locator Map



# Site Map



	Adjacent Zoning	Adjacent Land Use
North	RSF-E, Residential Single-Family Estate District	Residential
South	RA, Rural Agricultural District	Vacant
East	RSF-1, Residential Single-Family District	Residential
West	RSF-E, Residential Single-Family Estate District	Vacant



# Property Images





# Property Images



Apr 5, 2023 1:30:05 PM



# Property Images



Apr 5, 2023 1:25:20 PM



# Property Images





# Current Zoning Requirements

## Section 4.1 RSF-E, Residential Single Family Estate District

4.1.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a very low density residential environment consisting of single family homes on estate size lots.

4.1.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Agricultural uses.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.1.3 *Conditional Use Commission Site Plan Approval.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed by the site plan approval process:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.
- (d) The following local commercial use: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

4.1.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception: Not Applicable

4.1.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-Feet
Maximum Height in Habitable Stories	2 ½
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	80,000 Square Feet
Minimum Lot Width at Building Line	165-Feet
Minimum Lot Width at Street Line	165-Feet
Maximum Ground Coverage Ratio	.35

4.1.6 *Area and dimensional modifications.* Within the RSF-E district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status.

Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	40,000 Square Feet
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	120-Feet



# Proposed Zoning Requirements

## Section 5.2 B-2, Neighborhood Business District

5.2.1 *Purpose and intent.* The purpose and intent of the B-2 Neighborhood Business District is to provide a limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit.

5.2.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-2, Neighborhood Business District, conditioned on the Commission Site Plan Approval requirements of Section 18.9:

- |  |  |
|--|--|
| (a) All uses permitted by right under the B-1 zoning designation | (s) Discount/variety store (not to exceed 8,000 square feet) |
| (b) Antique store  | (t) Drug store (not to exceed 8,000 square feet)             |
| (c) Apparel and accessory store                                  | (u) Fixture sales  |
| (d) Appliance store including repair                             | (v) Floor covering sales or service                          |
| (e) Art gallery or museum  | (w) Florist  |
| (f) Art supplies   | (x) Fraternity or sorority house                             |
| (g) Bait store   | (y) Fruit and produce store                                  |
| (h) Bakery retail  | (z) Gift shop  |
| (i) Bed and breakfast or tourist home                            | (aa) Hardware store, retail                                  |
| (j) Bicycle sales and service                                    | (bb) Ice cream parlor  |
| (k) Boarding, rooming or lodging house, dormitory                | (cc) Interior decorating shop                                |
| (l) Book store   | (dd) Laundry, self service                                   |
| (m) Café   | (ee) Lawnmower sales and service                             |
| (n) Camera and photo shop  | (ff) Locksmith   |
| (o) Candy store  | (gg) Music store   |
| (p) Catering shop or service                                     | (hh) Neighborhood convenience store                          |
| (q) Copy shop  | (ii) News stand  |
| (r) Delicatessen   | (jj) Paint and wallpaper store                               |

- |  |                           |
|--|---------------------------|
| (kk) Picture framing and/or mirror silvering | (pp) Sporting goods store |
| (ll) Restaurant                              | (qq) Tailor shop          |
| (mm) Shoe repair shop                        | (rr) Tobacco store        |
| (nn) Shoe store                              | (ss) Toy store            |
| (oo) Sign shop                               |                           |

5.2.3 *Conditional Use Commission Site Plan Approval.* The following uses are permissible as Commission Site Plan Approval uses in the B-2, Neighborhood Business District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*:

- |  |   |
|--|---|
| (a) Air conditioning sales and service                   | (p) Office equipment and supplies sales                                       |
| (b) Amusement arcade                                     | (q) Park or playground  |
| (c) Animal clinic/kennels                                | (r) Pawn shop   |
| (d) Arboretum  | (s) Pet shop  |
| (e) Ball field   | (t) Plumbing shop   |
| (f) Business machine sales and service                   | (u) Restaurant sales and supplies   |
| (g) Car wash   | (v) Riding academy  |
| (h) Country club   | (w) Rug and/or drapery cleaning service                                       |
| (i) Discount/variety store (exceeding 8,000 square feet) | (x) Seafood store   |
| (j) Drug store (exceeding 8,000 square feet)             | (y) Swimming pool (outdoor)   |
| (k) Exterminator service office                          | (z) Tennis court (outdoor)  |
| (l) Golf course  | (aa) Water storage tank   |
| (m) Liquor store   | (bb) Wildlife sanctuary   |
| (n) Mini warehouse                                       | (cc) Wireless telecommunication facility                                      |
| (o) Night club, bar, tavern                              | (dd) Dwellings, in combination with commercial uses, subject to the standards |

# Proposed Zoning Requirements Con't

listed under *Section*  
*5.2.4: Mixed uses*

**5.2.4 Mixed uses.** Mixed residential and commercial uses may be permissible as Commission Site Plan in the B-2 Neighborhood Business District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*, and subject to the following criteria:

- (a) The commercial uses in the development may be limited in hours of operation, size of delivery trucks and type of equipment.
- (b) The residential uses shall be designed so that they are compatible with the commercial uses.
- (c) Residential and commercial uses shall not occupy the same floor of a building.
- (d) Residential and commercial uses shall not share the same entrances.
- (e) The number of residential dwelling units shall be controlled by the dimensional standards of the B-2 district. A dwelling unit density of .5 (½) dwelling units per 1,000 square feet of the gross floor area devoted to commercial uses, may be allowed (structures with less than 2,000 square feet devoted to commercial uses shall be allowed one dwelling unit). In no case, however, shall the overall dwelling unit density for a mixed use project exceed 4 dwelling units per acre.
- (f) Building height shall not exceed three stories.
- (g) A minimum of 30 percent of the mixed-use development shall be maintained as open space. The following may be used to satisfy the open space requirements: areas used to satisfy water management requirements, landscaped areas, recreation areas, or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained).
- (h) The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular access ways and parking areas from residential units, to the greatest extent possible.

- (i) Off-street parking spaces for the mixed residential and commercial uses shall be the sum total of the residential and commercial uses computed separately (See *Article 15: Parking and Loading Requirements*).

## **5.2.5 Area and dimensional ordinances.**

Maximum Height of Structure	35-Feet
Maximum Height of Structure in Habitable Stories	2½
Minimum Front Yard	30-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.60
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

**5.2.6 Lighting standards.** The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

**5.2.7 Distance between structures.** If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

**5.2.8 Landscaping and buffering.** All B-2, Neighborhood Business District, uses shall meet the requirements of *Article 17: Landscaping and Buffers*.



# Zoning Use Table

	RR	RA	CR	RSF-E	RSF-1	RSF-2	RSF-3	RSF-4	RTF-4	RSF-6	RTF-6	RMF-6	HDR	RMH	B-1	B-2	B-3	B-4	RV-1	RV-2	LB	LB	MR	OR	TR	M-1	M-2
Lawnmower sales and service	C																P	P								P	P
Liquor store																C	P	P								P	P
Miniature golf	C																P	P								P	P
Mini-warehouse	C	C										C	C		C	C	P	P								P	P
Night club, bar, tavern	C															C	P	P					P		C	P	P
Nursery	P	P															P	P								P	P
Office equipment and supplies sales	C																C	P	P							P	P
Office Warehouse	C														C	C	P	P								P	P
Pawn shop	C															C	C	P	P							P	P
Pet shop	C															C	C	P	P							P	P
Plumbing shop	C															C	C	P	P							P	P
Printing and publishing establishment	C																	P	P							P	P
Racetrack																			C							C	C
Restaurant sales and supplies	C																	P	P							P	P

An allowable use with Commission Site Plan Approval

# Staff Analysis and Findings

## 1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

The subject property is currently zoned RSF-E, Residential Single-Family Estate District. Surrounding parcels in the immediate area are zoned RA, RSF-E, RSF-1, and B-1 or within the city limits of Fairhope (zoned R-4, Low Density Multi-Family or R-3, High Density Single-Family). The adjacent uses are residential and vacant. Commercial development at the intersection of Bishop Road and Gayfer Road Ext displays a transition from more intense uses to less intense uses. A less intense commercial use is likely an appropriate transition from the commercial growth at the commercial node and the existing residential developments. **Therefore, staff feels that the requested change is compatible with the surrounding uses.**

## 2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Zoning within Planning District 37 was adopted by the County Commission on July 19, 2022. It appears that the subject parcel was zoned RSF-E at the time Planning District 37 came into effect, with no rezonings within the immediate vicinity of the subject property.

## 3.) Does the proposed zoning better conform to the Master Plan?

The subject property was not zoned at the time the 2013 Master Plan was released, therefore no future land use was provided. **Approval of the partial rezoning will result in an amendment of the Future Land Use map to *commercial and residential* for the subject property.**



# Staff Analysis and Findings

## **4.) Will the proposed change conflict with existing or planned public improvements?**

Staff is unaware of any planned public improvements.

## **5.) Will the proposed change adversely affect traffic patterns or congestion?**

Staff is unaware of any adverse affects of traffic patterns or congestion as a result of this proposed change.

## **6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**

The surrounding land uses are residential and vacant. The purpose and intent of B-2 (Neighborhood Business District) zoning is to provide a limited commercial convenience facility that would service nearby neighborhoods.

As mentioned earlier, commercial development can be found southwest of the subject property, near the intersection of Bishop Road and Gayfer Road Ext. The owner would like to rezone a portion of the subject property for office-warehouse use, which is not allowed in the current zoning category. This transition would support the purpose and intent of the Neighborhood Business District.

# Staff Analysis and Findings

## **7.) Is the proposed amendment the logical expansion of adjacent zoning districts?**

The surrounding land uses are residential and vacant. *Staff feels the proposed amendment is consistent with the area, as detailed in Standard #1 of the analysis.*

## **8.) Is the timing of the request appropriate given the development trends in the area?**

Staff perceives no time factor with this request.

## **9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?**

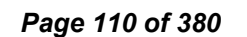
Staff is unaware of any environmental conditions or historic resources that would be adversely impacted by this request. The Alabama Department of Environmental Management (ADEM) provided no comments.

## **10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?**

Staff does not anticipate any adverse impacts to the health, safety and welfare of the County and the vicinity.



**11.) Other matters which may be appropriate.**



# Agency Comments

- **Baldwin County Highway Department, Tucker Stuart**: No Comments Received
- **Subdivision Coordinator, Shawn Mitchell**: No Comments Received
- **ADEM, Scott Brown**: No Comments Received
- **Corp of Engineers, James E. Buckelew**: No Comments Received



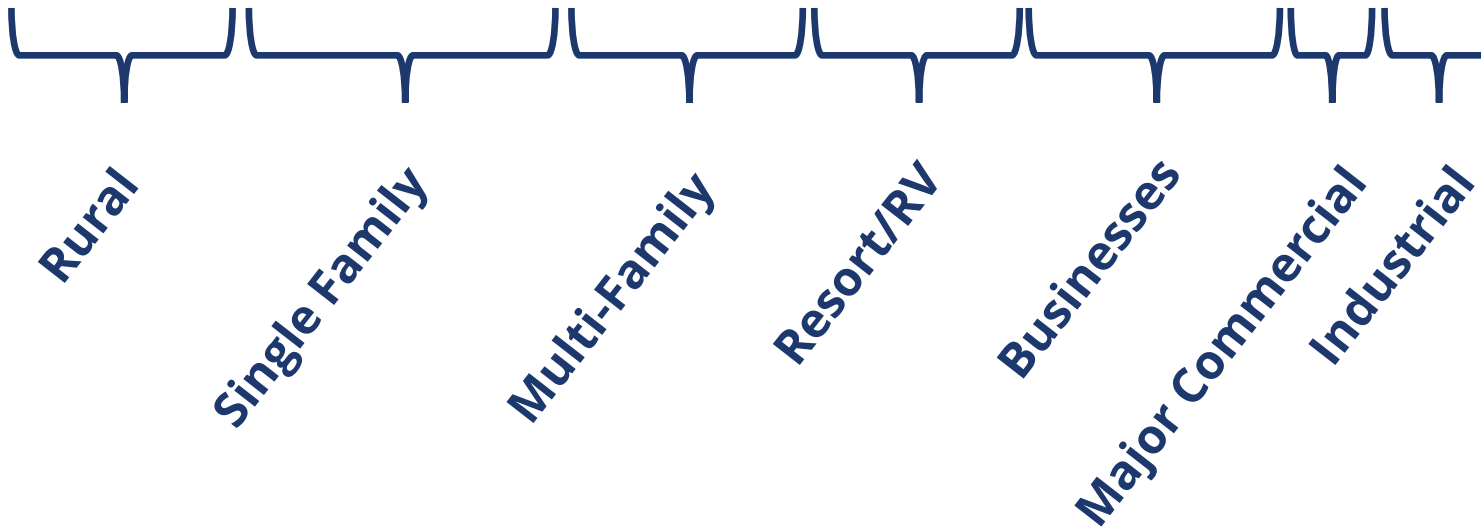
# Z23-12 SCOPOLITES PROPERTY

## REZONING REQUEST FROM RSF-E TO B-2

Lead Staff: Cory Rhodes, Planner

**Current Zoning:**  
Residential Single-Family Estate District (RSF-E)

**Proposed Zoning:**  
Neighborhood Business District (B-2)



### Staff's Recommendation:

Unless information to the contrary is revealed at the public hearing, staff feels the application should be recommended for **APPROVAL**.\*

*\*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*

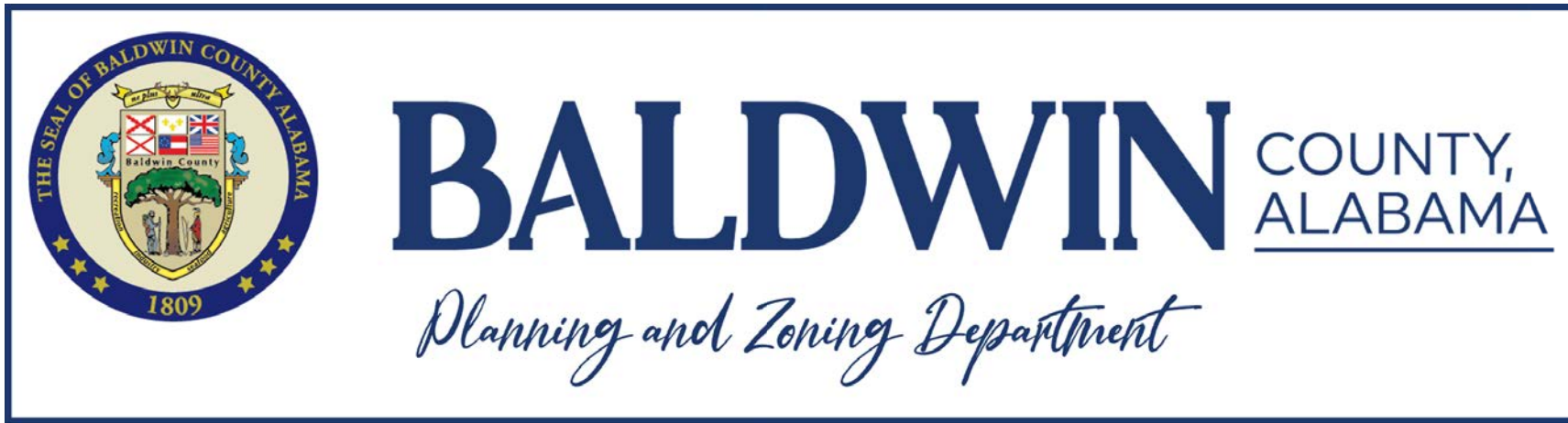
# Factor Summary:

- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.

<div><div></div><div>#1</div></div> <div>Compatible with development pattern?</div>	<div><div></div><div>#2</div></div> <div>Change of conditions since originally zoned?</div>	<div><div></div><div>#3</div></div> <div>Proposal conform to Master Plan?</div>	<div><div></div><div>#4</div></div> <div>Conflicts with public improvements?</div>	<div><div></div><div>#5</div></div> <div>Adverse affect to traffic?</div>	<div><div></div><div>#6</div></div> <div>Consistent with development pattern?</div>
<div><div></div><div>#7</div></div> <div>Logical expansion of adjacent zoning?</div>	<div><div></div><div>#8</div></div> <div>Timing appropriate given development trends?</div>	<div><div></div><div>#9</div></div> <div>Environmental or Historic impact?</div>	<div><div></div><div>#10</div></div> <div>Adverse impact on health, safety, &amp; wellness?</div>	<div><div></div><div>#11</div></div> <div>Other appropriate matters?</div>	

# Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.



# BALDWIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING

## MAY 4, 2023

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL



## 9.a)SV23-01 DUCKLINGS TINY HOUSE COMMUNITY VARIANCE

Staff Report Prepared by:  
J. Buford King, Deputy Director

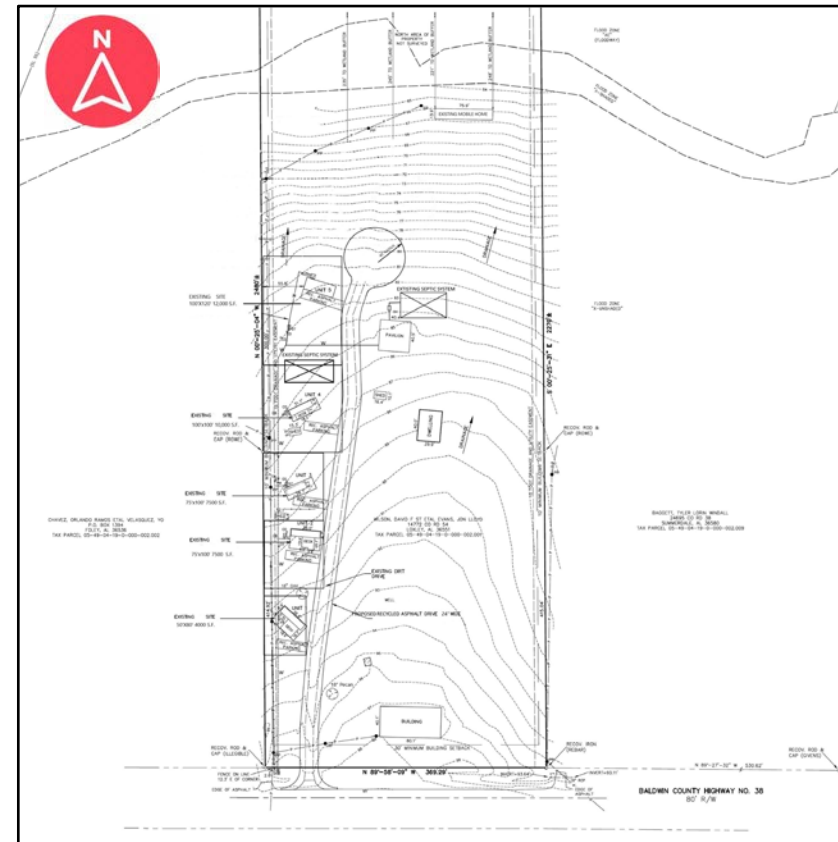
May 4, 2023

Request before the Planning Commission:

### Consideration of a Subdivision Variance from various sections of the *Baldwin County Subdivision Regulations*

related to Ducklings Tiny House Community, an apparent Planned Unit Development (PUD) proposed for submission at a future time that wishes to be constructed without submission of a wetland delineation, engineered drawings, engineered drainage improvements, installation of paved roadways, observance of perimeter setbacks, and possible co-mingling of Recreational Vehicles, Mobile Homes, and Park Model Homes ("Tiny" Houses).

Recommendation: **DENIAL**



To view public comments and supporting documents as well as maps/plats and all supporting documents in higher resolution please visit the "Upcoming Items" Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>

## SV23-01 DUCKLINGS TINY HOUSE COMMUNITY VARIANCE

### Consideration of a Variance from various sections of the *Baldwin County Subdivision*

*Regulations* related to *Ducklings Tiny House Community*, an apparent Planned Unit Development (PUD) proposed for submission at a future time. Specifically, the applicant is requesting a variance from the following sections of the *Baldwin County Subdivision Regulations*:

1. 5.2.2(a) Wetland delineation
2. 9.5.6 Site Plan prepared by a licensed professional engineer
  - a. Including but not limited to sections 5.11.7 and 9.5.1(j) *generalized drainage plan*, and 5.12.2(e) *detention / retention*
3. 5.16(c) and 5.18(c) installation of asphalt or concrete paved roadways and vehicle pads
4. 5.16 (f) and 5.18(f) observance of 30' perimeter setbacks
5. 5.16(i) and 5.18(h) comingling of Recreational Vehicles, Mobile Homes, and Park Model Homes (aka "Tiny" Houses).





BALDWIN BEACH EXPRESS

SUBJECT PROPERTY  
05-49-04-19-0-000-002.001  
PIN 78796

COUNTY ROAD 38

COUNTY ROAD 87

SV23-1 DUCKLINGS TINY HOUSE VARIANCE  
VICINITY MAP  
PLANNING DISTRICT 13 (UNZONED)  
Baldwin County Planning and Zoning Commission May 4, 2023 agenda



**BALDWIN** COUNTY, ALABAMA  
*Planning and Zoning Department*  
Page 117 of 380





# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

SUBJECT PROPERTY  
05-49-04-19-0-000-002.001  
PIN 78796



COUNTY ROAD 38

COUNTY ROAD 87

**SV23-1 DUCKLINGS TINY HOUSE VARIANCE**  
AERIAL VICINITY MAP  
PLANNING DISTRICT 13 (UNZONED)

*Baldwin County Planning and Zoning Commission May 4, 2023 agenda*

Page 118 of 380





**SV23-1 DUCKLINGS TINY HOUSE VARIANCE**  
*ENLARGED AERIAL SITE MAP*  
PLANNING DISTRICT 13 (UNZONED)

SUBJECT PROPERTY  
05-49-04-19-0-000-002.001  
PIN 78796

COUNTY ROAD 38



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*  
Page 119 of 380



“Where it is found that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, the Baldwin County Planning and Zoning Commission may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations”

- From Article 8, section 8.1, *Baldwin County Subdivision Regulations*



# SV23-01 DUCKLINGS TINY HOUSE COMMUNITY VARIANCE

## DEVELOPMENT INFORMATION

**Location:** Subject property is located at 24657 County Road 38 approximately 3.6 miles east of the Baldwin Beach Express on the north side of County Road 38 (CR38)

**Planning District:** 13    **Planning Jurisdiction:** N/A

**Zoning:** The citizens of Planning District 13 have not implemented zoning

**Total # of Units:** 6~8 dwelling units    **Permit Jurisdiction:** Baldwin County

**Total Development Area:** 20 Acres

- Setbacks: 30’ Front, 30’ Rear 10’ Side **OR** 30’ perimeter for RV or Mobile Home Park

**Streets / Roads:** None to be dedicated to Baldwin County

**Surveyor of Record:** Unknown

**Engineer of Record:** Unknown

**Owner / Developer:** David Wilson and Jon Lloyd,  
14772 County Road 54, Loxley, AL 36551

## Application / File History

Code Case 22-007657: Citizen complaint, multiple dwellings on property

SC22-44: Denied administratively due to inactivity

SFP22-14: No review due to incorrect application submittal

SSK22-31: Sketch Plan approved

PUD22-7: Withdrawn, applicant indicated multiple dwellings to be removed  
*Baldwin County Planning and Zoning Commission May 4, 2023 agenda*

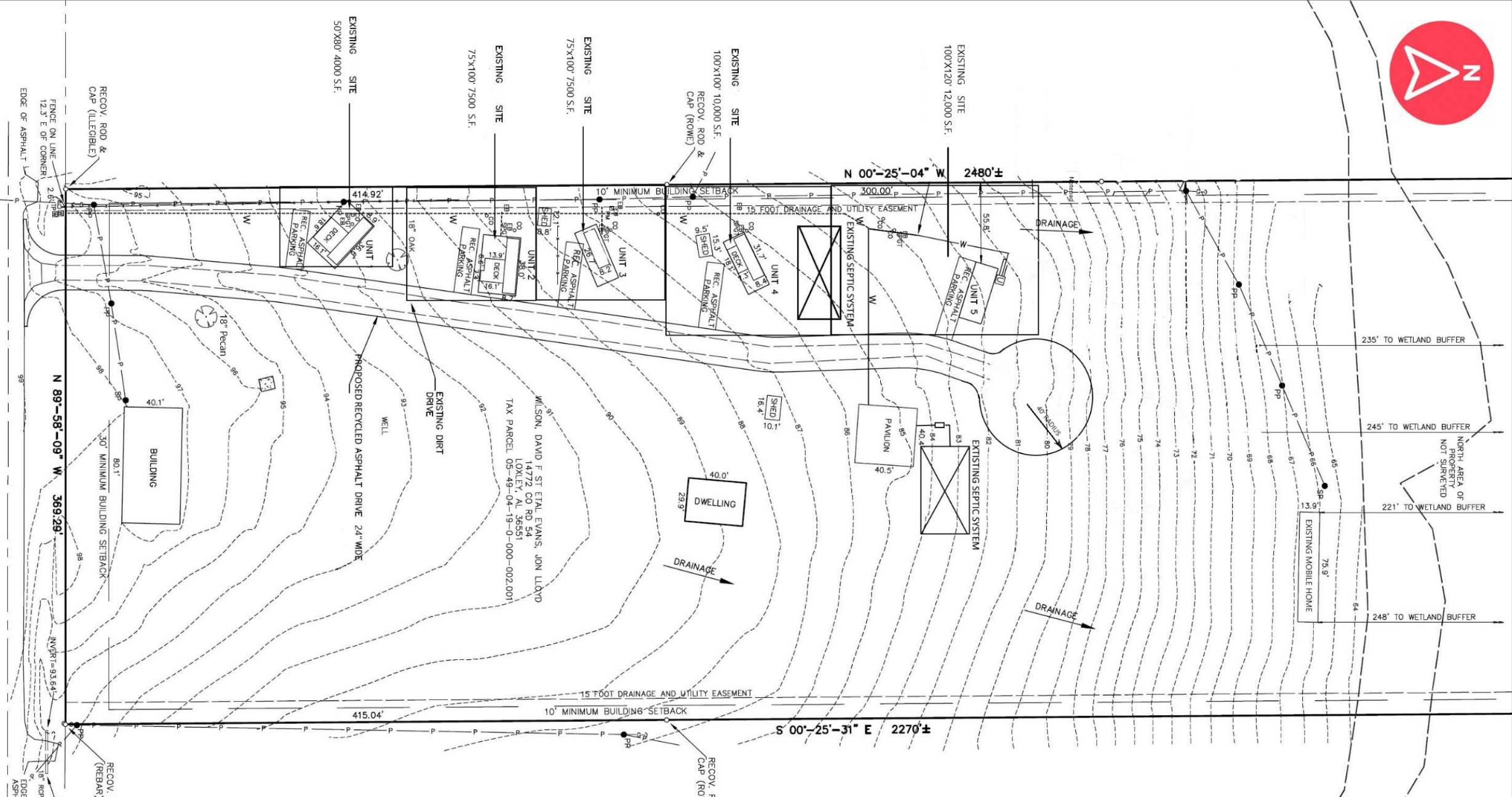
## DEVELOPMENT INFORMATION (continued)

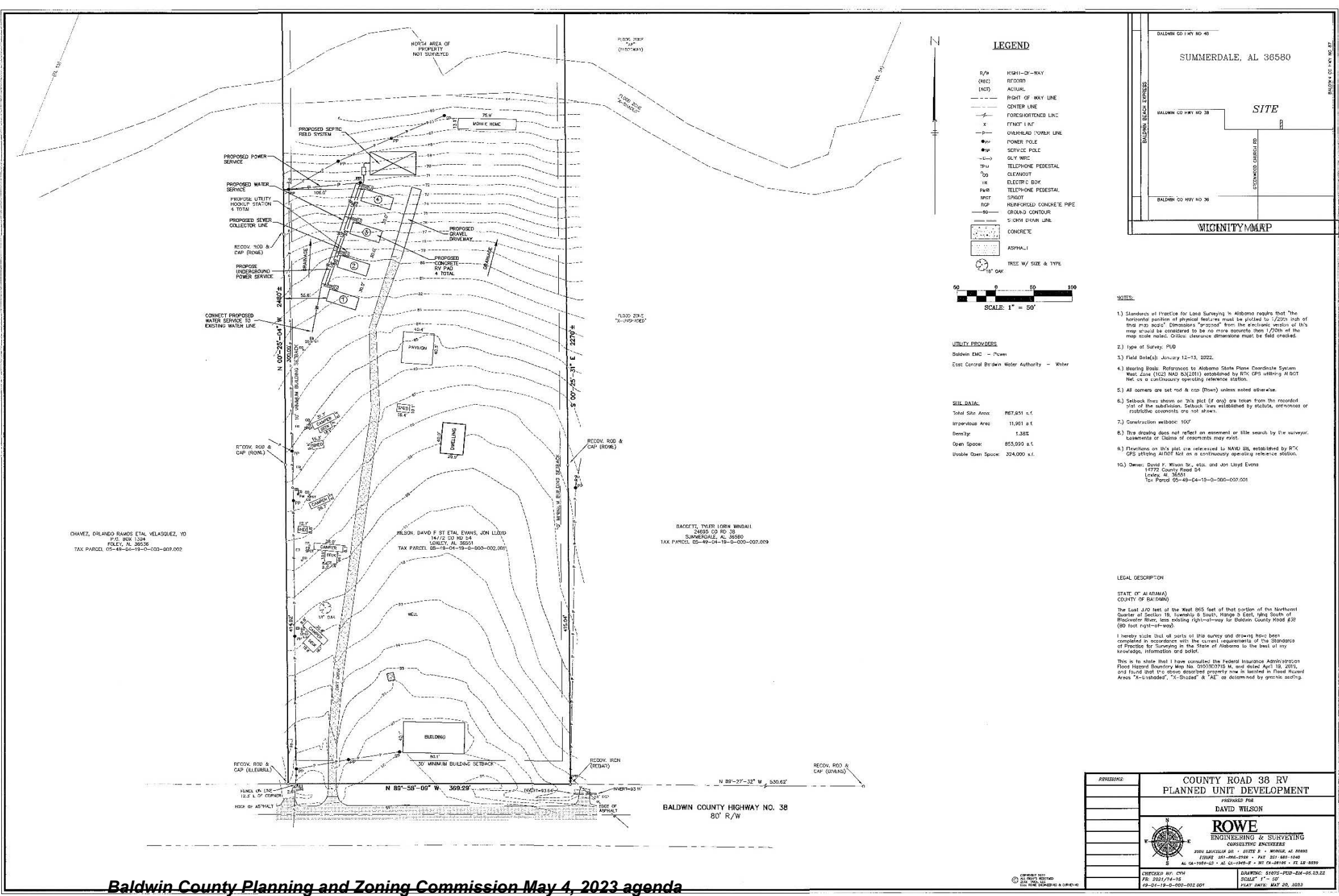
**Online Case File Number:** The official case number for this application is SV23-1, however, when searching the online CitizenServe database, please use SV23-000001

**Parcel:** 05-49-04-19-0-000-002.001    **PIN:** 78769

## Utility Providers:

- Water: East Central Baldwin County Water, Sewer, and Fire Protection Authority
- Sewer: Septic
- Electrical: Baldwin EMC
- Gas: Unknown
- Telecommunications: Century Link / Brightspeed





CHAVEZ, ORLANDO RAMOS ETAL VELASQUEZ, JD  
P.O. BOX 1294  
FLORENCE, AL 36506  
TAX PARCEL 05-49-04-19-0-000-009.002

WILSON, DAVID F ETAL EVANS, JON LLOYD  
147/2 CO RD 04  
LOVELL, AL 36501  
TAX PARCEL 05-19-01-19-0-000-002.001

DAWSON, JAMES LOREN BINGHAM  
24605 CO RD 38  
SUMMERDALE, AL 36580  
TAX PARCEL 05-49-04-19-0-000-007.009

**LEGAL DESCRIPTION**

STATE OF ALABAMA  
COUNTY OF BALDWIN

The East 240 feet of the West 965 feet of that portion of the Northeast Quarter of Section 16, Township 6 South, Range 2 East, 10th South of Blackwater River, less existing right-of-way for Baldwin County Road #38 (80 foot right-of-way).

I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

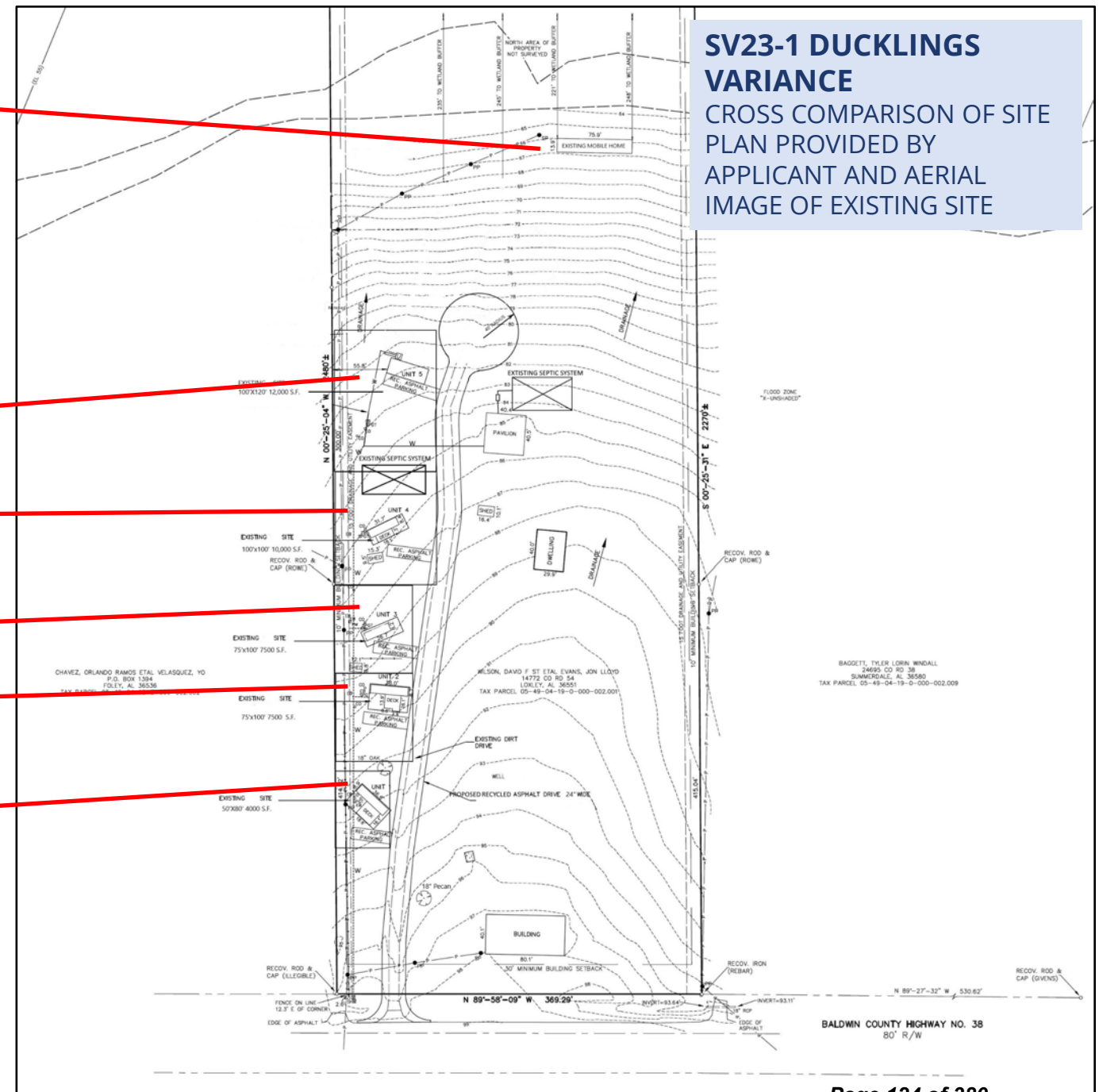
This is to state that I have consulted the Federal Insurance Administration Flood Hazard Boundary Map No. 0100000715 M, and dated April 18, 2013, and found that the above described property now is located in Flood Hazard Area "A-1-Unshaded", "A-2-Unshaded" & "A-3" as determined by present zoning.

REVISIONS:	COUNTY ROAD 38 RV PLANNED UNIT DEVELOPMENT	
	PREPARED FOR DAVID WILSON	
	<b>ROWE</b> ENGINEERING & SURVEYING	
	3000 LAUREL DR. - SUITE 2 - MOBILE, AL 36688 PHONE 961-686-7768 - FAX 251-681-1640 AL 04-1686-03 - AL 04-1686-04 - 807-764-0800 - TX 04-0000	
CHECKED BY: CYN DATE: 2021/04-16	DRAWING: 21075-PUD-04-05.03.02 SCALE: 1" = 50' DATE: MAY 25, 2023	



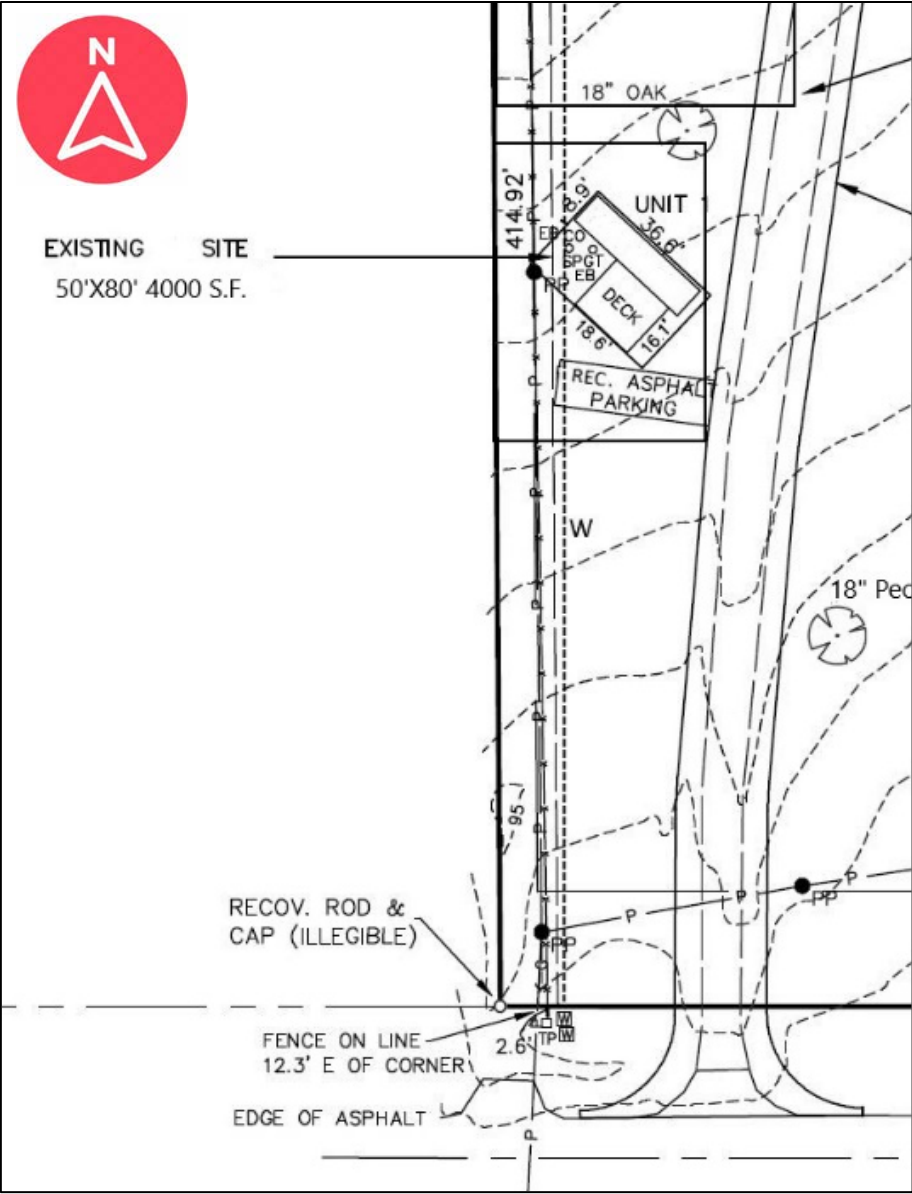


## UNIT 1

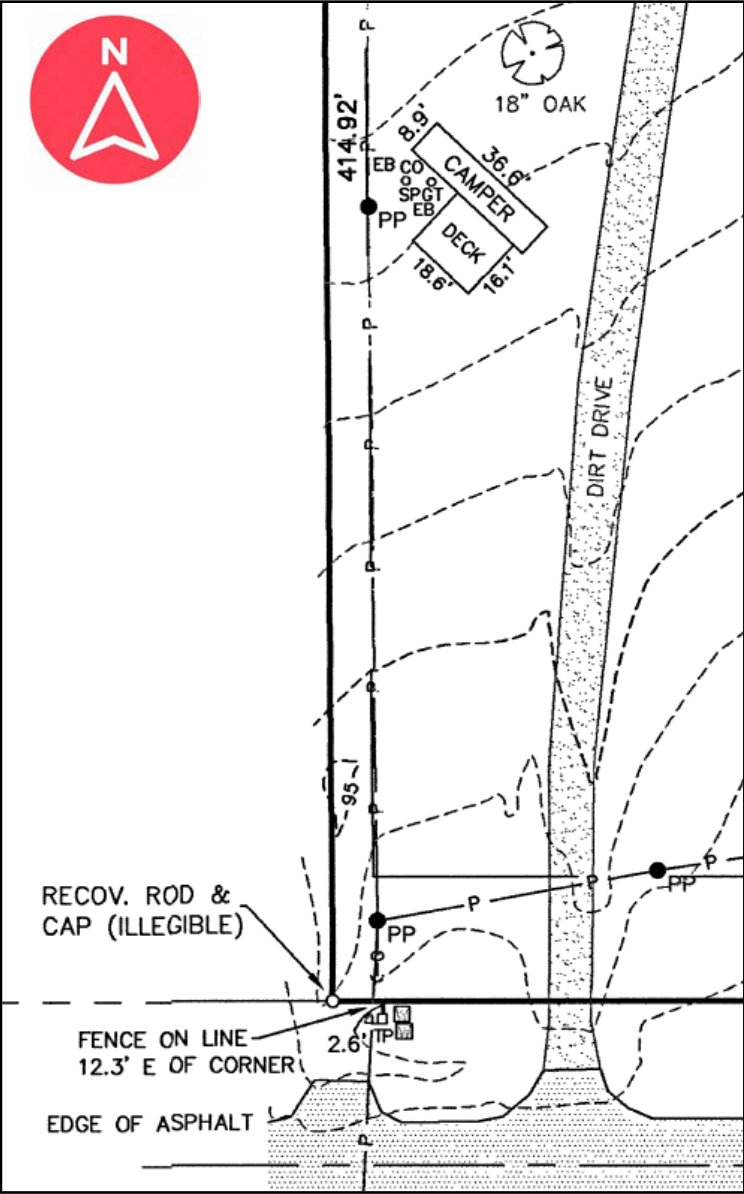


# SV23-01 DUCKLINGS TINY HOUSE COMMUNITY VARIANCE

unit comparison



SV23-1 UNIT 1 SITE PLAN

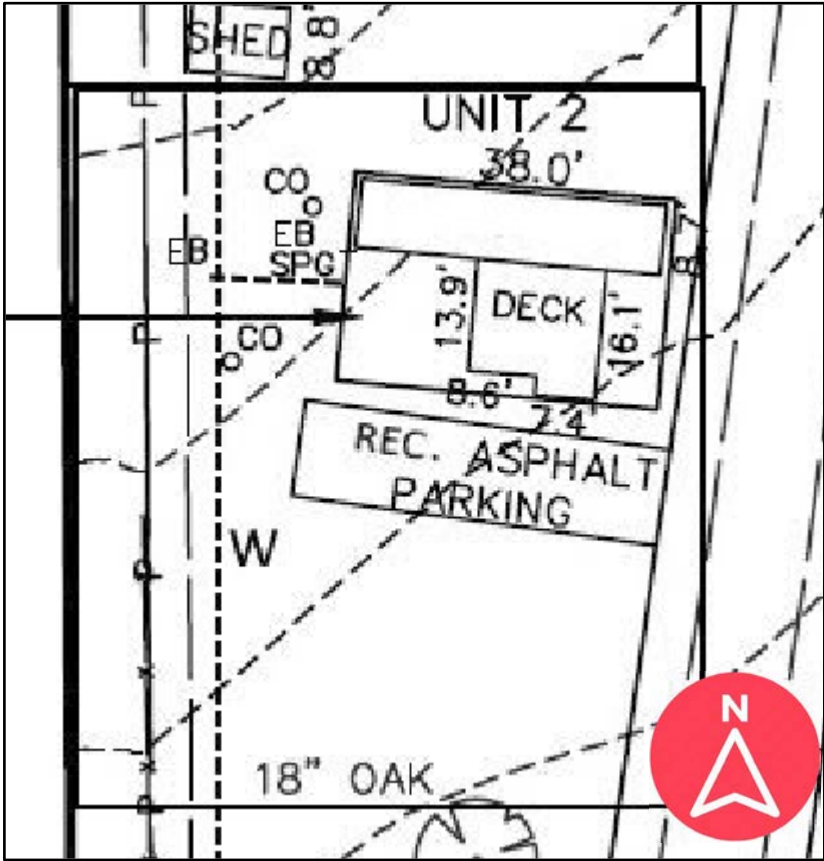


PUD22-7 UNIT 1 SITE PLAN

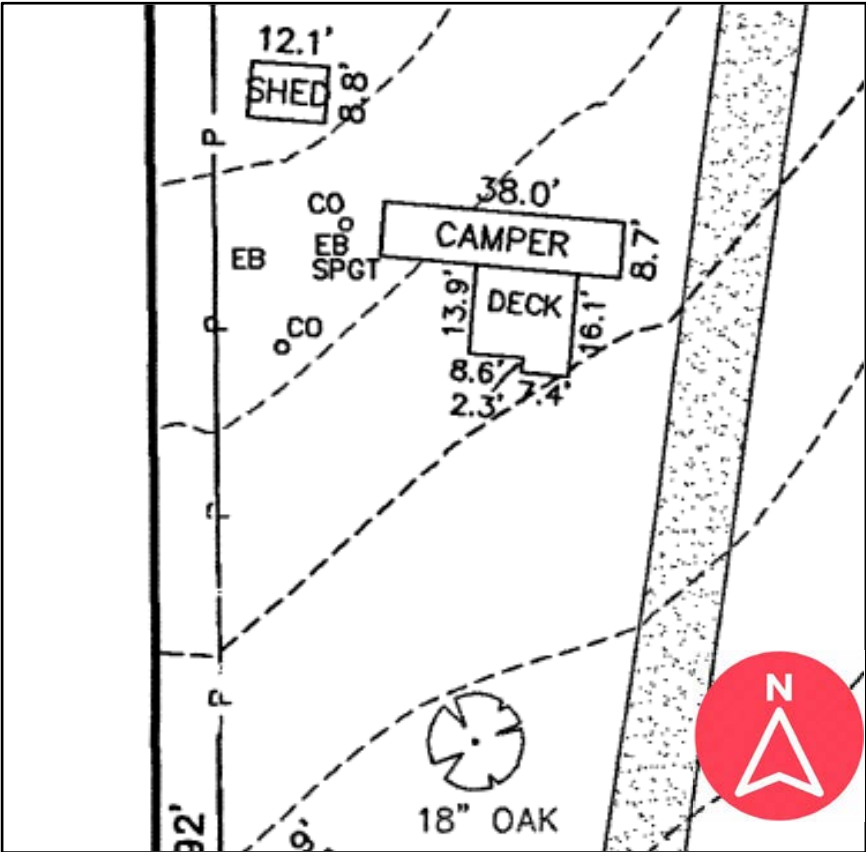


EXISTING SITE WITH UNIT 1 IN BLUE





SV23-1 UNIT 2 SITE PLAN

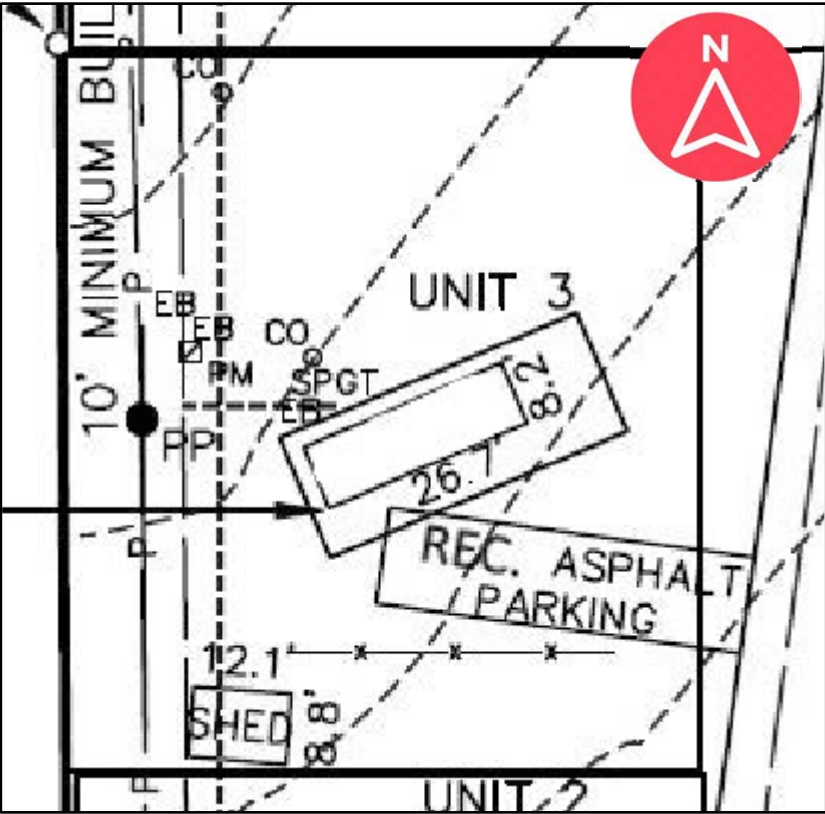


PUD22-7 UNIT 2 SITE PLAN

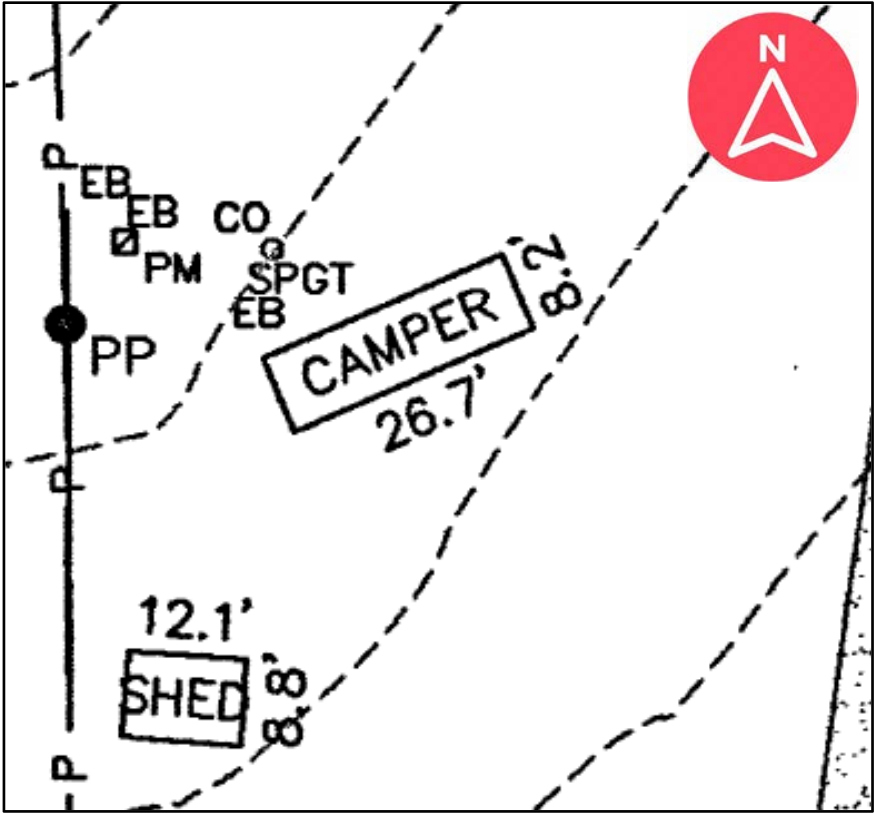


EXISTING SITE  
WITH UNIT 2  
IN BLUE





SV23-1 UNIT 3 SITE PLAN



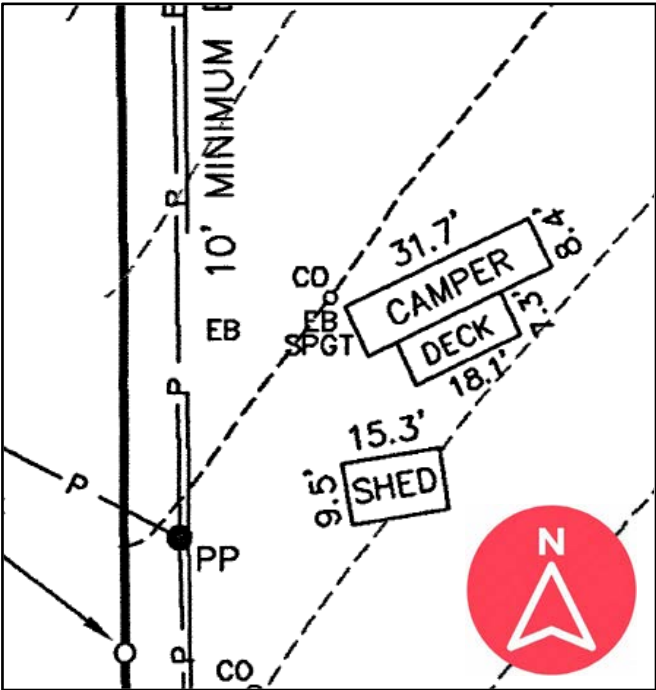
PUD22-7 UNIT 3 SITE PLAN



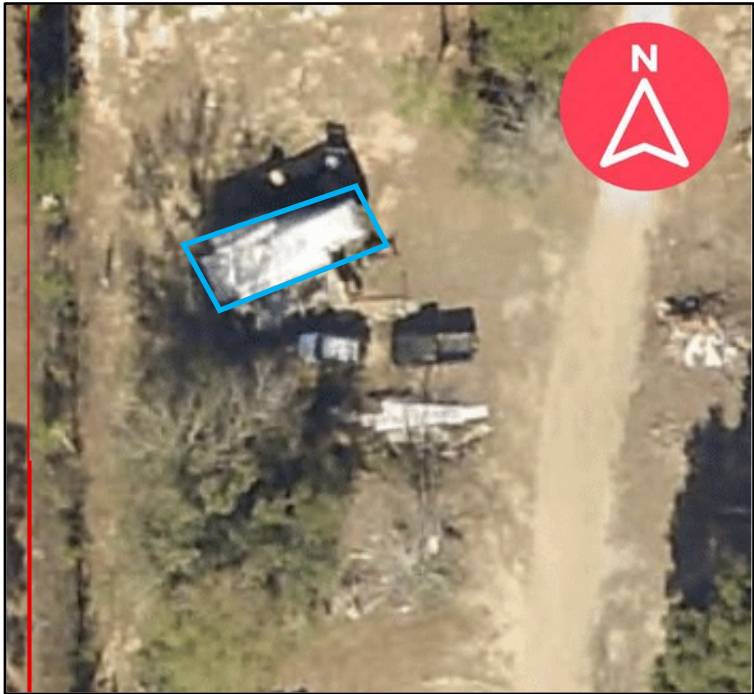
EXISTING SITE  
WITH UNIT 3  
IN BLUE



SV23-1 UNIT 4 SITE PLAN



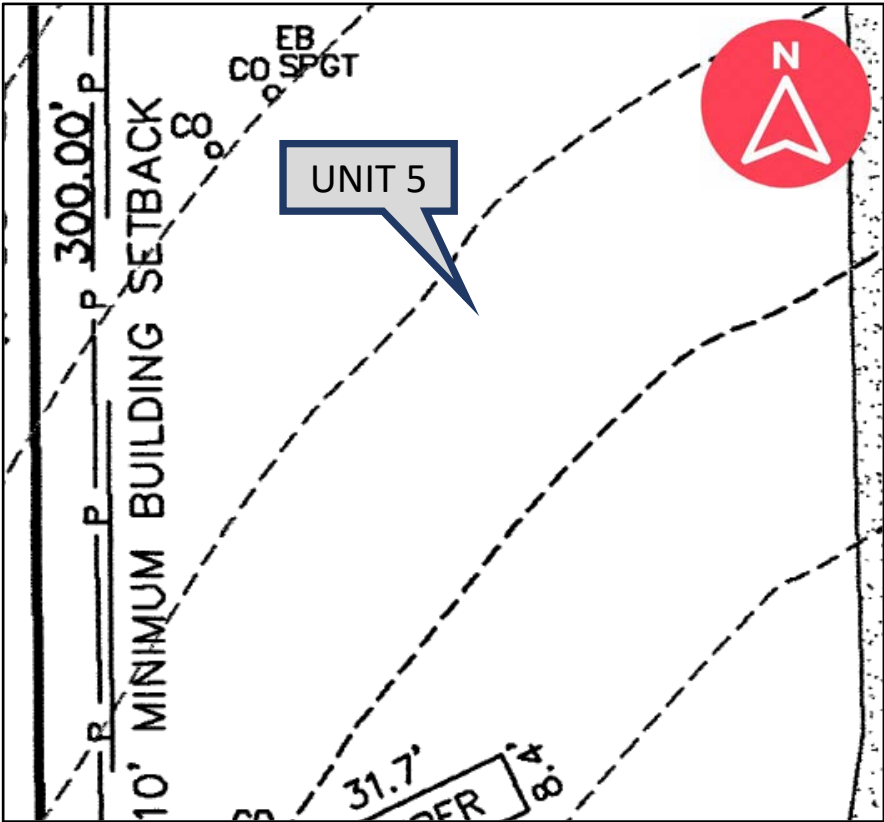
PUD22-7 UNIT 4 SITE PLAN



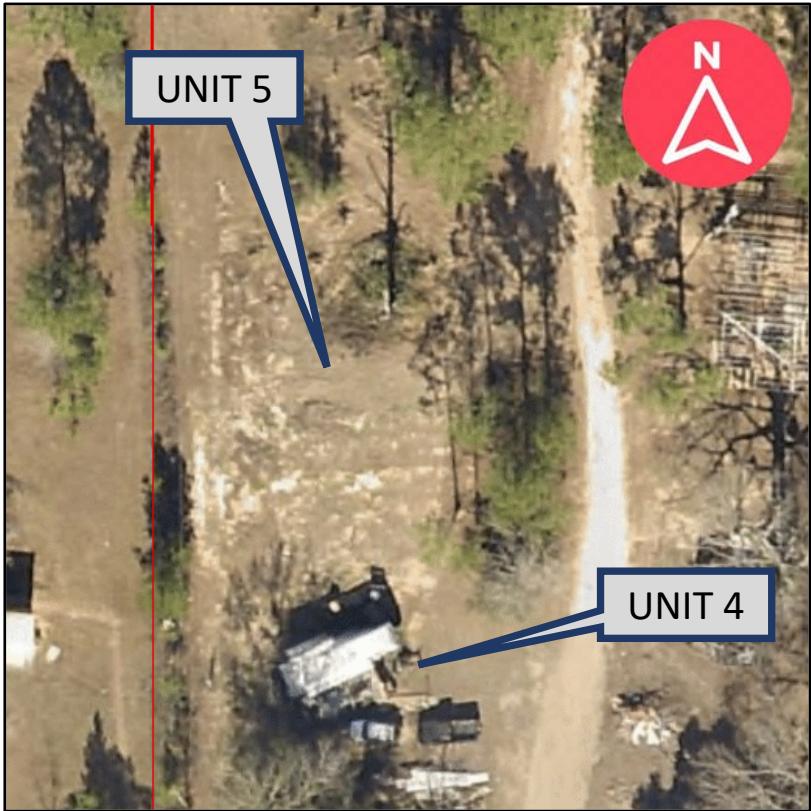
EXISTING SITE  
WITH UNIT 4  
IN BLUE



SV23-1 UNIT 5 SITE PLAN



PUD22-7 APPARENT  
LOCATION OF UNIT 5



EXISTING SITE WITH APPARENT  
FUTURE LOCATION OF UNIT 5  
NORTH OF UNIT 4



# SV23-01 DUCKLINGS TINY HOUSE COMMUNITY VARIANCE

## SUBDIVISION VARIANCE CRITERIA PROMULGATED BY ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS

***A variance shall not be approved unless there are findings based upon the evidence presented in each specific case that:***

- a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property
- b. The conditions upon which the request for variance is based are unique to the property for which the variance is sought
- c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the these regulations are carried out
- d. The variance will not in any manner vary the provisions of other adopted policies and regulations of the Baldwin County Commission
- e. Inconvenience, financial concerns, or self-imposed conditions shall not be considered as a hardship for the purpose of granting the variance.

## APPLICANT COMMENTS AND STAFF REBUTTAL OF VARIANCE CRITERIA WITHIN ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS

- a. **Applicant Comments:** The Granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property because of the minimalist size of the development.
  - **Staff Rebuttal:** *Without the submission of engineered drawings, particularly engineered drainage improvements, staff cannot concur with the applicant's statement because there will be no engineered provision for mitigating stormwater runoff from the site. It is possible that due to the size of the site drainage improvements may not be extensive, but that information will not be known unless an engineering study is performed. Further, potential wetlands exist on the site and without an engineering study of some type wetland impacts will not be known.*
- b. **Applicant Comments:** Baldwin County has not adopted any Eco-Friendly Tiny Home Community regulations that will allow building such a community without Variance
  - **Staff Rebuttal:** *Staff does not concur with the applicants comment because among other things, protection of wetlands and mitigation of stormwater runoff are measures designed to protect the natural environment of Baldwin County. Staff may possibly support a variance to allow gravel roads for the site if the entire site has been fully-engineered in terms of stormwater improvements and wetland protection and is not operated as a mobile home park or recreational vehicle park. The requirements for drainage improvements and wetland protection measures are required for all Planned Unit Developments (PUDs) in Baldwin County and the size, shape, and topography of subject property is not a unique condition not experienced elsewhere in Baldwin County. Further, the PUD site plan review process does not restrict any "Eco-Friendly" aspects of the dwelling units themselves and defers to the applicant to comply with all appropriate building codes.*

# SV23-01 DUCKLINGS TINY HOUSE COMMUNITY VARIANCE

## SUBDIVISION VARIANCE CRITERIA PROMULGATED BY ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS

***A variance shall not be approved unless there are findings based upon the evidence presented in each specific case that:***

- a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property
- b. The conditions upon which the request for variance is based are unique to the property for which the variance is sought
- c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the these regulations are carried out
- d. The variance will not in any manner vary the provisions of other adopted policies and regulations of the Baldwin County Commission
- e. Inconvenience, financial concerns, or self-imposed conditions shall not be considered as a hardship for the purpose of granting the variance.

## APPLICANT COMMENTS AND STAFF REBUTTAL OF VARIANCE CRITERIA WITHIN ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS

- c. **Applicant Comments:** Baldwin County has not adopted any Eco-Friendly Tiny Home Community regulations that will allow building such a community without Variance
  - **Staff Rebuttal:** *This section evaluates the request for variance based upon any hardships related to physical surroundings, shape, or topographical conditions of the property for which the applicant did not address in their remarks. Subject property is approximately 20 acres in size, with approximately 369 linear feet of frontage along CR38. Section 9.3.2(a) requires that a PUD, not requesting approval as an RV park or mobile home park have a minimum development area of 5 contiguous acres, which subject property satisfies. (A mobile home park requires 1 acre per section 5.18(g), and an RV park requires 3 acres per section 5.169(g)). Subject property slopes downward from an elevation of approximately 98' at the edge of ROW to approximately 80' at the beginning of the potential wetlands in a south to north direction. The slope of the property has not affected the ability of the property to contain 9 to 10 structures, including two apparent mobile homes within the potential wetland area. The site plan included with the variance request includes contour lines and none of the proposed structures appears to have any difficulty or conflict with their placement on subject property, including maintaining utility connections to one of the existing mobile homes within the potential wetland area. Based upon an examination of the physical conditions of subject property as well as a review of the criteria within this section, staff is not able to identity any characteristics related to the particular physical surroundings, shape, or topographical conditions of the property for which a variance is warranted, and the variance appears to be requested for the convenience of the applicant.*

# SV23-01 DUCKLINGS TINY HOUSE COMMUNITY VARIANCE

## SUBDIVISION VARIANCE CRITERIA PROMULGATED BY ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS

*A variance shall not be approved unless there are findings based upon the evidence presented in each specific case that:*

- a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property
- b. The conditions upon which the request for variance is based are unique to the property for which the variance is sought
- c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the these regulations are carried out
- d. The variance will not in any manner vary the provisions of other adopted policies and regulations of the Baldwin County Commission
- e. Inconvenience, financial concerns, or self-imposed conditions shall not be considered as a hardship for the purpose of granting the variance.

## APPLICANT COMMENTS AND STAFF REBUTTAL OF VARIANCE CRITERIA WITHIN ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS (continued)

- d. **Applicant Comments:** Numerous states and counties across the nation have already adopted **Eco-Friendly Community zoning guidelines**. Updating regulations to include such communities in Baldwin County can only benefit by providing affordable housing solutions while still stimulating revenues.
- **Staff Rebuttal:** *For the applicant's information, subject property is located within **planning district 13, an area for which no zoning has been implemented in Baldwin County**. The requested variance is a variance from the Baldwin County Subdivision Regulations, which do not govern land use but governs basic development processes in order to promote the public health, safety, and general welfare as indicated in section 1.4. As mentioned previously in section 8.1(b), **the PUD site plan review process does not restrict any "Eco-Friendly" aspects of the dwelling units themselves and defers to the applicant to comply with all appropriate building codes**. An adopted policy above and beyond the Baldwin County Subdivision Regulations that may be affected by the approval of a variance on subject property is the requirement for a land disturbance permit on any property, regardless of zoning, that contains potential wetlands. **Should the requirement for a wetland delineation and engineered drawings be waived via variance, it may not be possible to enforce the requirement for the applicant to obtain an unzoned land disturbance permit and thus the applicant may have the ability to affect wetlands without a permitting process from Baldwin County.***



# SV23-01 DUCKLINGS TINY HOUSE COMMUNITY VARIANCE

## SUBDIVISION VARIANCE CRITERIA PROMULGATED BY ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS

***A variance shall not be approved unless there are findings based upon the evidence presented in each specific case that:***

- a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property
- b. The conditions upon which the request for variance is based are unique to the property for which the variance is sought
- c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the these regulations are carried out
- d. The variance will not in any manner vary the provisions of other adopted policies and regulations of the Baldwin County Commission
- e. Inconvenience, financial concerns, or self-imposed conditions shall not be considered as a hardship for the purpose of granting the variance.

## APPLICANT COMMENTS AND STAFF REBUTTAL OF VARIANCE CRITERIA WITHIN ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS (continued)

- e. **Applicant Comments:** the applicant acknowledged this section in their Citizen Serve submission
  - **Staff Rebuttal:** *Staff reiterates its comments in sections “b”, “c”, and “d” on the previous pages and further notes in this section that the various engineering controls, including drainage improvements designed by a licensed professional engineer as well as a wetland delineation are requirements of the Baldwin County Subdivision regulations for the intended purpose of promoting the public health, safety, and general welfare by insuring adjacent properties are not affected by stormwater runoff as well as degradation of wetlands via intrusion from siltation caused by runoff. When a close examination of the site plan included with PUD22-7 is conducted, and when compared to the site plan included with subject application it appears the variance request depicts the campers shown on the PUD site plan as identical to the “units” included with the variance with identical dimensions. Further, the site plan included with the variance is an undated, non-stamped drawing for which the preparer is not identified. No drawings or information depicting the actual size, shape, or construction type of the “tiny homes” was furnished and based upon the site plan submitted with the variance, the existing campers appear to be re-titled as “tiny homes”. Section 5.16(i) and 5.18(h) specifically prevents mobile/manufactured homes, park model homes, and recreational vehicles from sharing the same **development**. It may be possible for mobile homes, park model homes, and recreational vehicles to share the same **property** provided that a well-engineered site plan is prepared and submitted, however submission of engineered drawings is also requested for a variance by subject application.*

# SV23-1 DUCKLINGS TINY HOUSE COMMUNITY VARIANCE

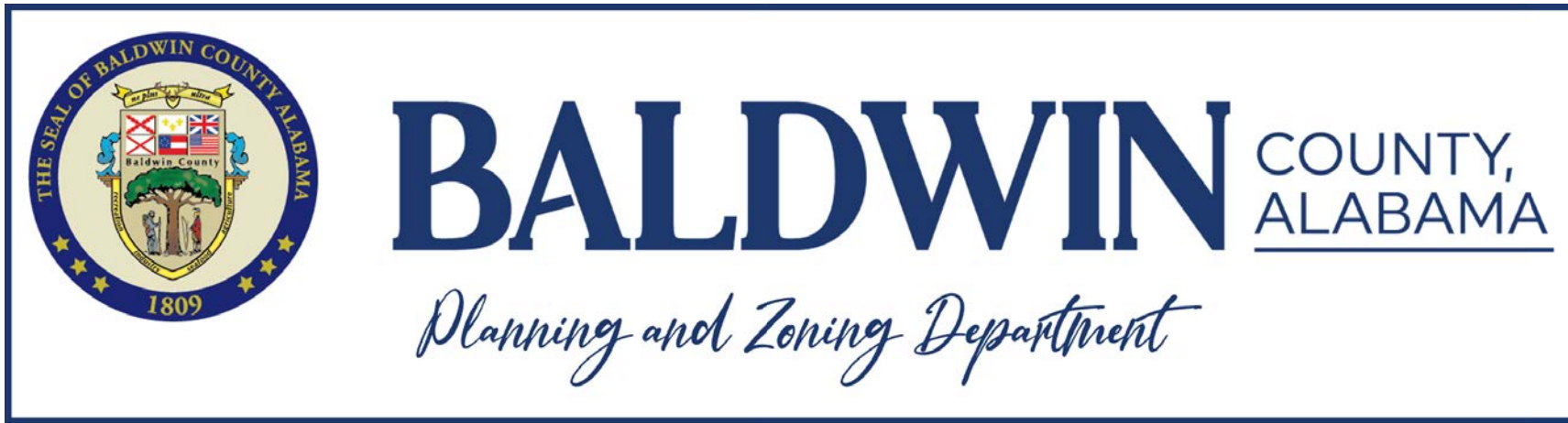
## STAFF RECOMMENDATION

Staff recommends that variance request case number SV23-1 be **DENIED** due to non-conformity with the variance criteria of Section 8.1(a) through 8.1(e) of the Baldwin County Subdivision Regulations

If it is the pleasure of the Baldwin County Planning and Zoning Commission to approve case number SV23-1, staff provides the summary below of the various sections from the subdivision regulations for which a variance is requested in the event that some, but not all sections are approved within the variance:

1. 5.2.2(a) Wetland delineation
2. 9.5.6 Site Plan prepared by a licensed professional engineer
  - a. Including but not limited to sections 5.11.7 and 9.5.1(j) *generalized drainage plan*, and 5.12.2(e) *detention / retention*
3. 5.16(c) and 5.18(c) installation of asphalt or concrete paved roadways and vehicle pads
4. 5.16 (f) and 5.18(f) observance of 30' perimeter setbacks
5. 5.16(i) and 5.18(h) comingling of Recreational Vehicles, Mobile Homes, and Park Model Homes (aka "Tiny" Houses).





SUBDIVISION VARIANCE REQUEST SV23-4

LOT 56, MAGNOLIA SHORES PHASE 2

AS REQUESTED BY DR HORTON

MAY 4, 2023

PRESENTED BY: J. BUFORD KING, DEPUTY DIRECTOR

## 9.b)SV23-4 LOT 56, MAGNOLIA ESTATES VARIANCE

MAY 4, 2023

Request before the Planning Commission:

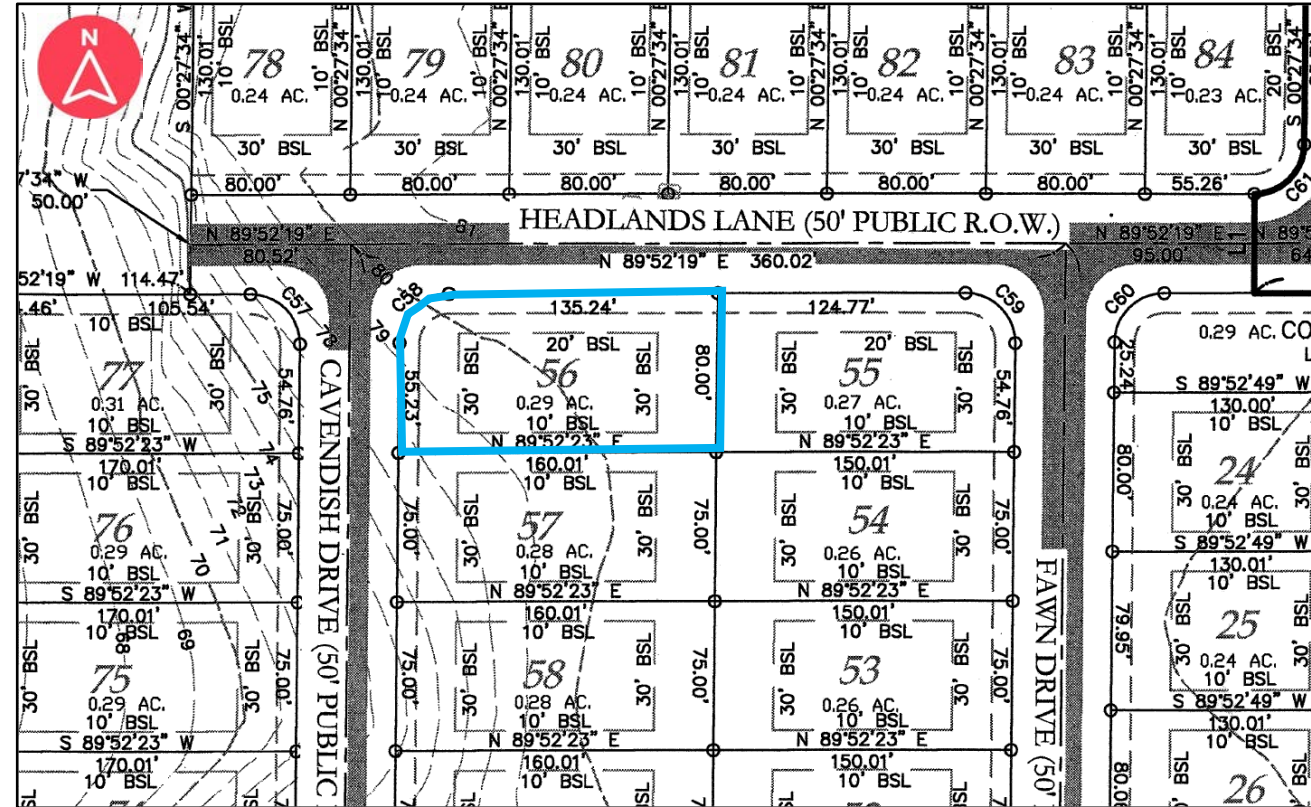
**A variance from article 5, section 5.1.1 of the *Baldwin County Subdivision Regulations* that will allow a minimal encroachment of a constructed single-family residential structure across a portion of a 10' side building setback line on Lot 56 of Magnolia Shores, Phase 2, Slide 2824 B&C.**

Staff recommendation: **APPROVAL WITH CONDITIONS**

To view maps/plats in higher resolution and public comments received related to this case, please visit the "Upcoming Items" Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>

Baldwin County Planning and Zoning Commission May 4, 2023 agenda



SV23-4 LOT 56, MAGNOLIA  
ESTATES SUBDIVISION  
VARIANCE REQUESTED BY  
DR HORTON  
VICINITY MAP WITH  
PLANNING DISTRICTS



18

TERRA BELLA DR

14

CR49

CHASE CT

MISTY LN

COUNTY RD 49

CR24

UNDERWOOD RD

HOMESTEAD LN

NORRIS LN

11

HEADLANDS LN

CAVENDISH DR

FAWN DR

BUTTONWOOD LN

LATITUDE PT

SPEARFISH DR

JOE NORRIS LN

**SUBJECT PROPERTY**  
PID: 05-55-05-15-0-000-008.119  
PIN: 397593



**BALDWIN** COUNTY,  
ALABAMA

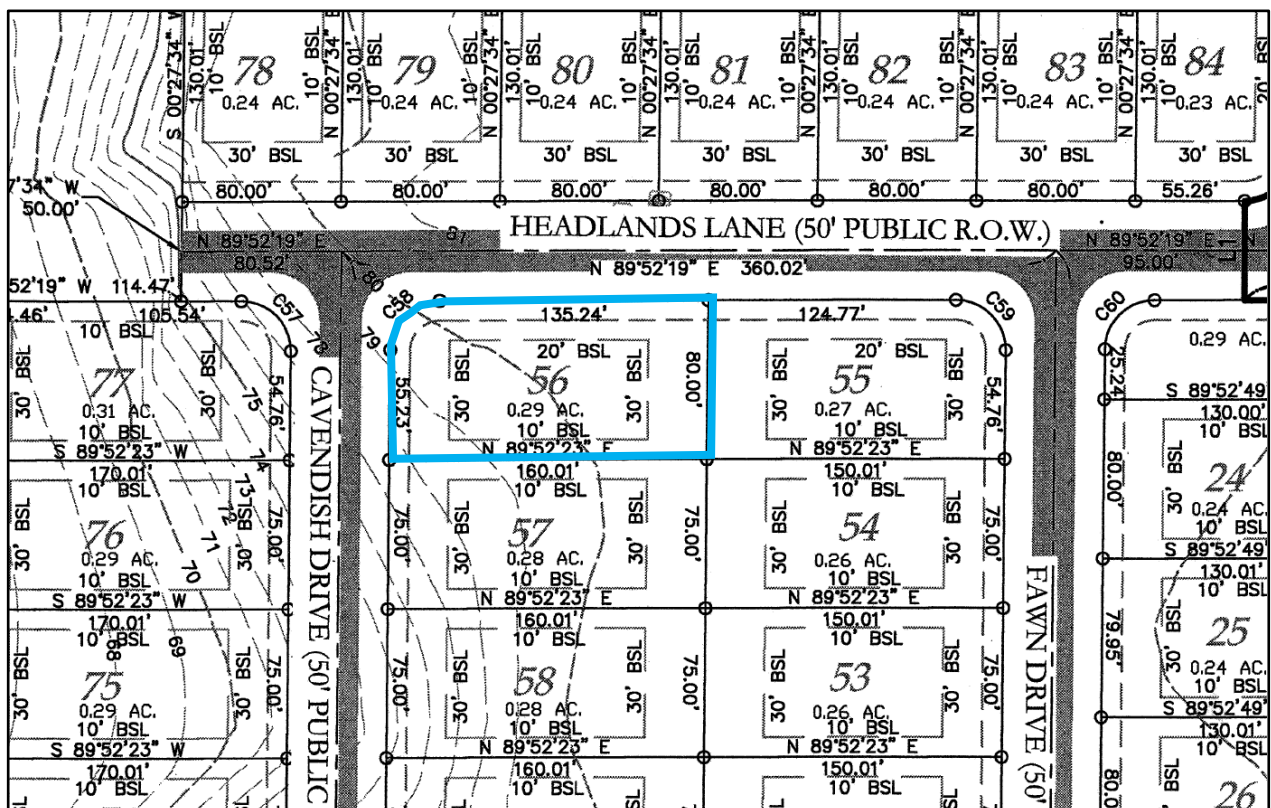
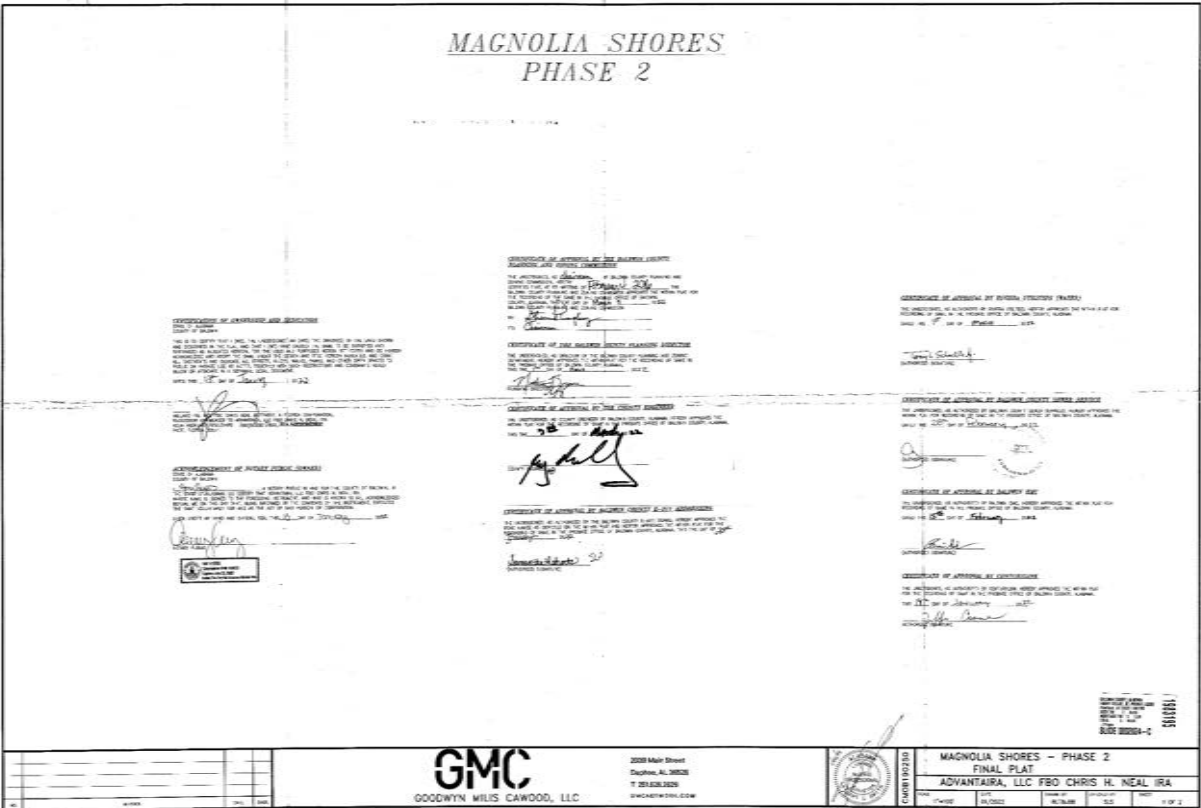
*Planning and Zoning Department*  
Baldwin County Planning and Zoning Commission May 4, 2023 agenda





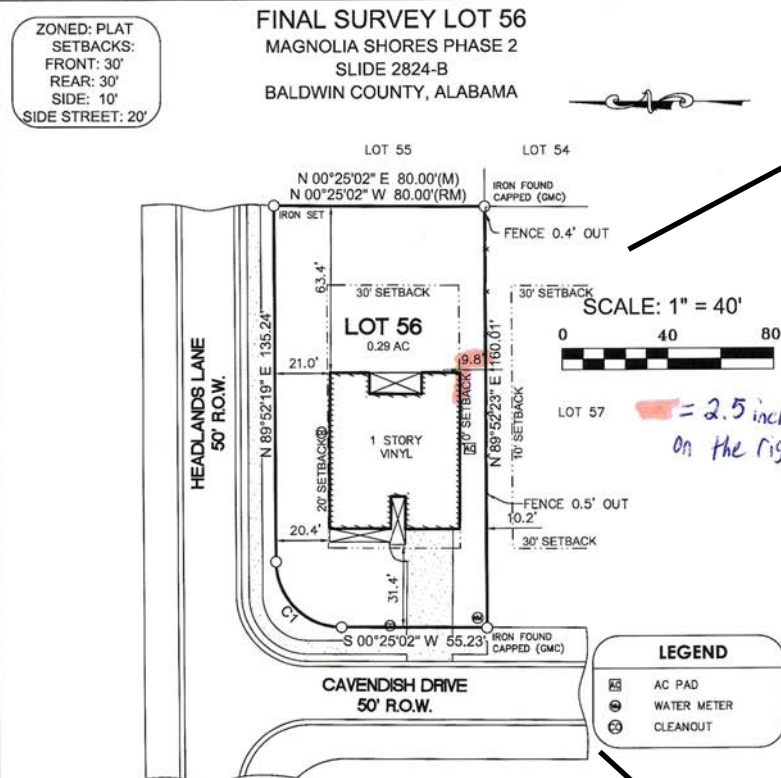


# SV23-4 LOT 56, MAGNOLIA ESTATES VARIANCE



RECORDED PLAT PAGE 2

LOT 56 ENLARGEMENT



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	39.03'	25.00'	89°27'17"	35.19'	N 45°08'41" E

**EASEMENTS PER PLAT:**

**UNDERGROUND:**  
 THERE IS A DEDICATED 10' UTILITY EASEMENT ON ALL LOT LINES AND COMMON AREAS ADJACENT TO THE RIGHT-OF-WAYS AND 5' UTILITY EASEMENT ON EACH SIDE OF LOT AND COMMON AREAS

**OVERHEAD:**  
 THERE IS A DEDICATED HEREWITH A 10' UTILITY EASEMENT ON ALL LOT LINES AND COMMON AREAS ADJACENT TO THE RIGHT-OF-WAYS AND A 10' UTILITY EASEMENT ON EACH SIDE OF LOT AND COMMON AREA LINES, UNLESS OTHERWISE NOTED

THERE IS A DEDICATED 15' (7.5' EACH SIDE) DRAINAGE AND UTILITY EASEMENT ON THE SIDE AND REAR INTERNAL LOT LINES, AND A 15' DRAINAGE AND UTILITY EASEMENT ON THE SIDE AND REAR OF EXTERNAL LOT LINES.

**DESCRIPTION**

Lot 56 of MAGNOLIA SHORES PHASE 2 as recorded in Slide 2824-B in the Office of the Judge of Probate in Baldwin County, Alabama.

I hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

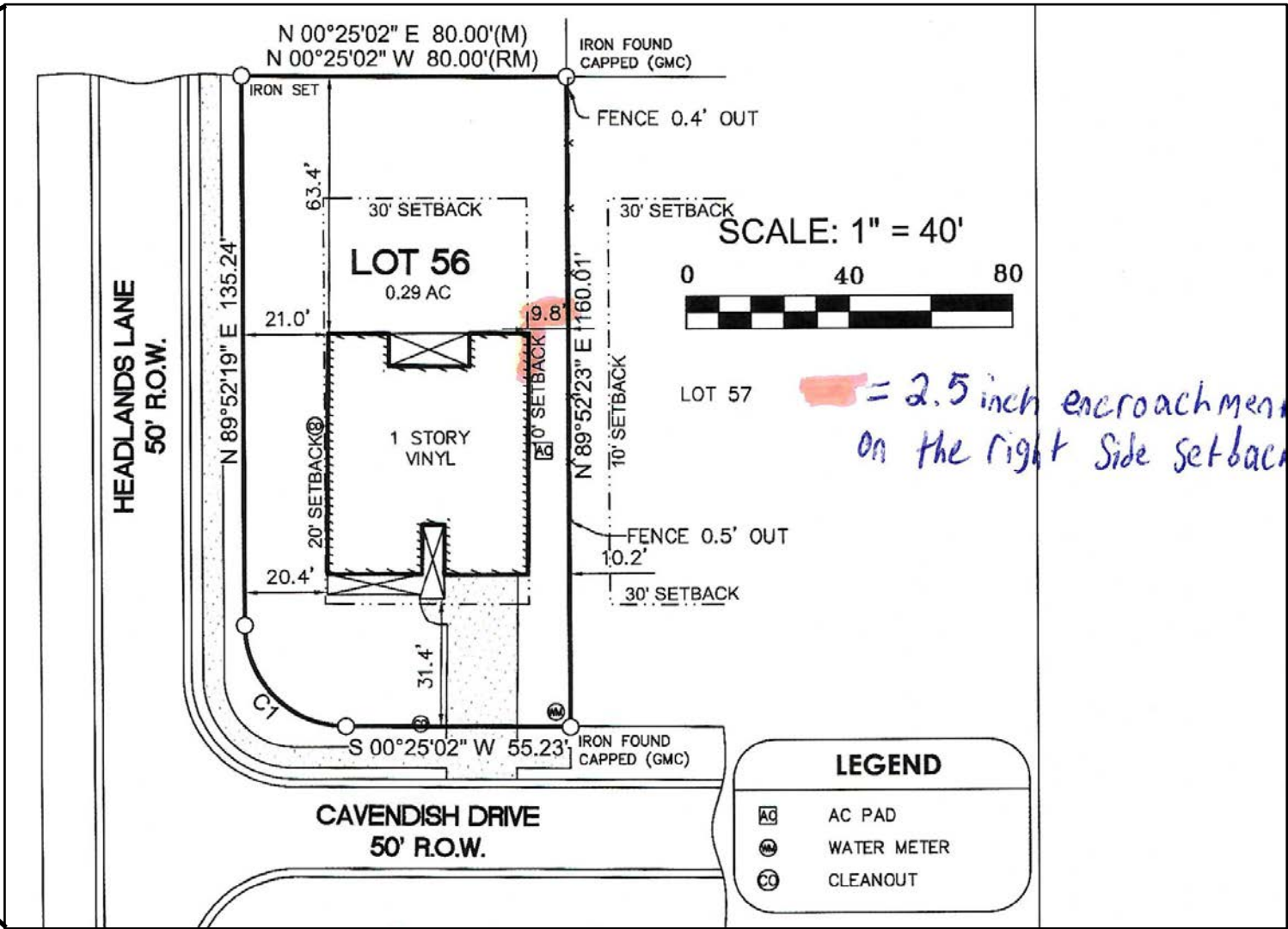
Surveyor's Signature: *[Signature]*  
 Alabama License Number 26013, Date: October 26, 2022

**NOTE:**  
 1. North arrow based on PLAT.  
 2. Survey not valid without original signature.

**Address:** 14496 CAVENDISH DRIVE  
**Date of Fieldwork:** 2022-02-22  
**Date of Survey:** 2023-02-23  
**Job Number:** E\_DRH01011  
**Drawn By:** SDM  
**Survey For:** D.R. HORTON  
**Type of Survey:** FINAL SURVEY



1000 E. LAUREL AVE.  
 Foley, AL 36535





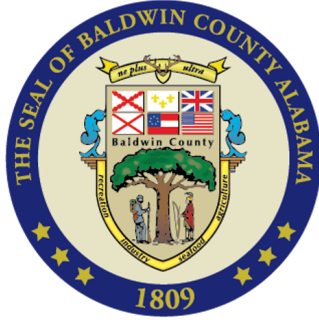
“Where it is found that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, the Baldwin County Planning and Zoning Commission may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations”

- From Article 8, section 8.1, *Baldwin County Subdivision Regulations*

## SV23-4 LOT 56, MAGNOLIA SHORES PHASE 2 VARIANCE

Staff recommends that the variance from the Baldwin County Subdivision Regulations Article 5, section 5.1.1 be **APPROVED** subject to the following conditions:

1. Memorialize that a single-family residential structure was constructed with a slight (approximately 2.5”) encroachment across a portion of a 10’ side building setback line on Lot 56 of Magnolia Shores Subdivision as recorded with Slide number 2824 B&C with the Baldwin County Judge of Probate’s office.
  - a. The variance is limited to the afore-mentioned encroachment area more fully-described by the plot plan prepared by Rodney Keith Cunningham, PLS number 26013, dated October 26, 2022.
  - b. Any follow-up actions related to this variance, including a re-plat of Lot 56 (if necessary) shall be carried out by staff in an effort to necessitate clear title of the property.



# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## PUD FINAL SITE PLAN & COMMERCIAL SITE PLAN APPROVAL FOR BRINKS WILLIS MH PARK

PUD23-01 AND CSP23-03

MAY 4, 2023

PRESENTED BY: MARY BOOTH, SUBDIVISION COORDINATOR



# 9.c)PUD23-01 AND CSP23-03 BRINKS WILLIS MH PARK

Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator

May 4, 2023

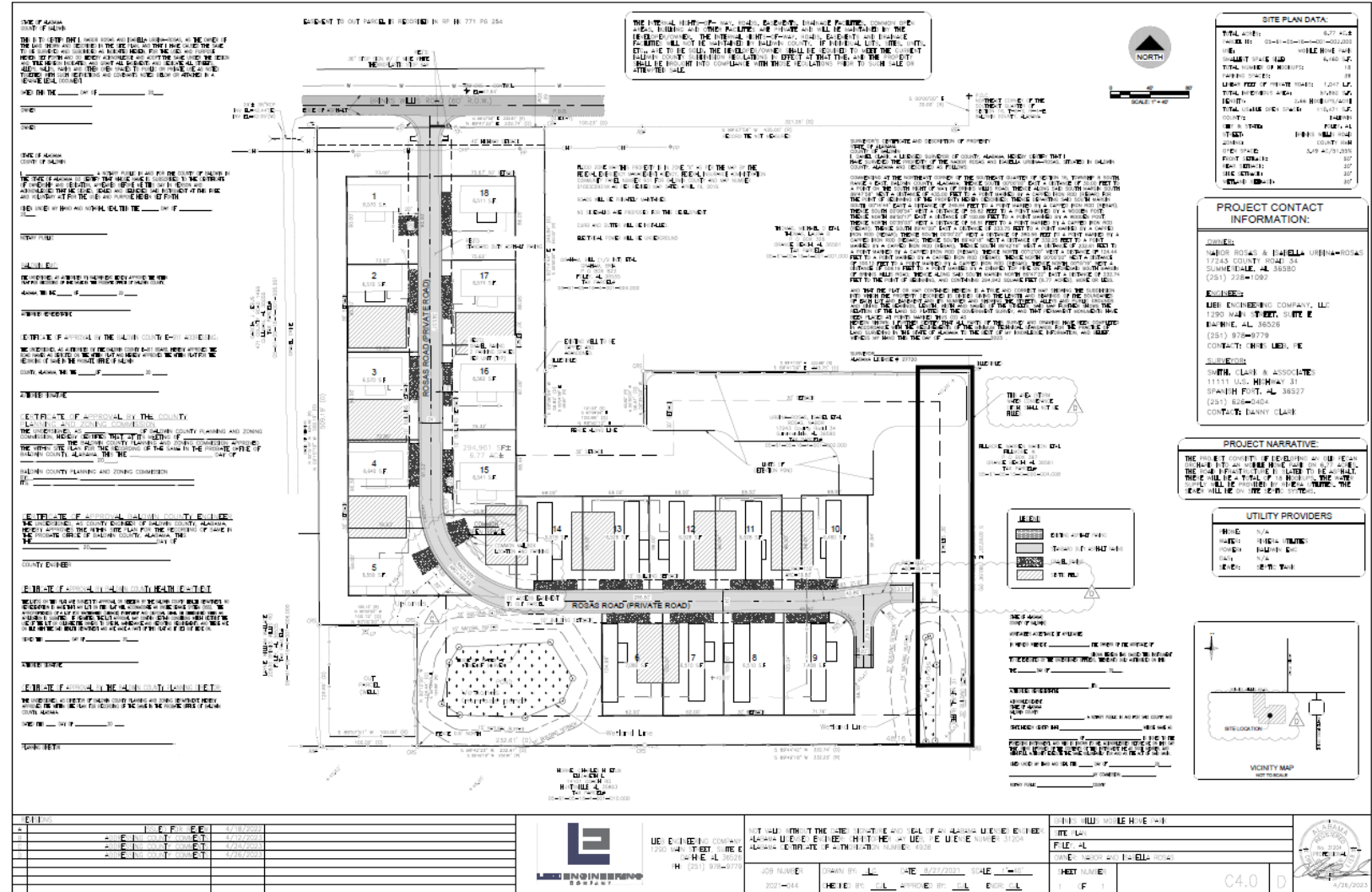
Request before the Planning Commission:

**Planned Unit Development (PUD) & Commercial Site Plan (CSP) approval of Brinks Willis MH Park, an 18-unit development.**

Staff recommendation:  
**APPROVAL**

To view maps/plats in higher resolution and public comments received related to this case, please visit the "Upcoming Items" Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>



**Location:** Subject property is located south of Brinks Willis Road, west of James Road and west of Foley Beach Express in Foley.

**Planning District:** 30

**Zoning:** RMH

**Total Property Area:** 6.77 acres +/-

**Total # of Lots requested:** 18 lots

- Smallest lot: 6,510 SF
- Largest lot 7,408 SF
- Building Setbacks: 50' Front, 30' Rear 30' Side, 30' Wetland

**Streets / Roads:** 1,047 LF of road (private)

- Proposed lots will access internal road only

**Owner/Developer:**

Nabor Rosas & Isabella Urbina-Rosas  
17243 County Road 34  
Summerdale, AL 36580

**Surveyor:**

Danny Clark, PLS, *Smith, Clark & Associates*  
11111 US Hwy 31  
Spanish Fort, AL 36526

**Engineer:**

Chris Lieb, P.E., *Lieb Engineering Company*  
1290 Main Street, Suite F  
Daphne, AL 36526

**Online Case File Number:** The official case number for this application is PUD23-01 BRINKS WILLIS MH PARK, however, when searching the online CitizenServe database, please use PUD23-000001

**Parcels / PPIN(s):** 05-61-05-16-4-001-002.000      PIN: 115012

**Traffic Study:** Not required

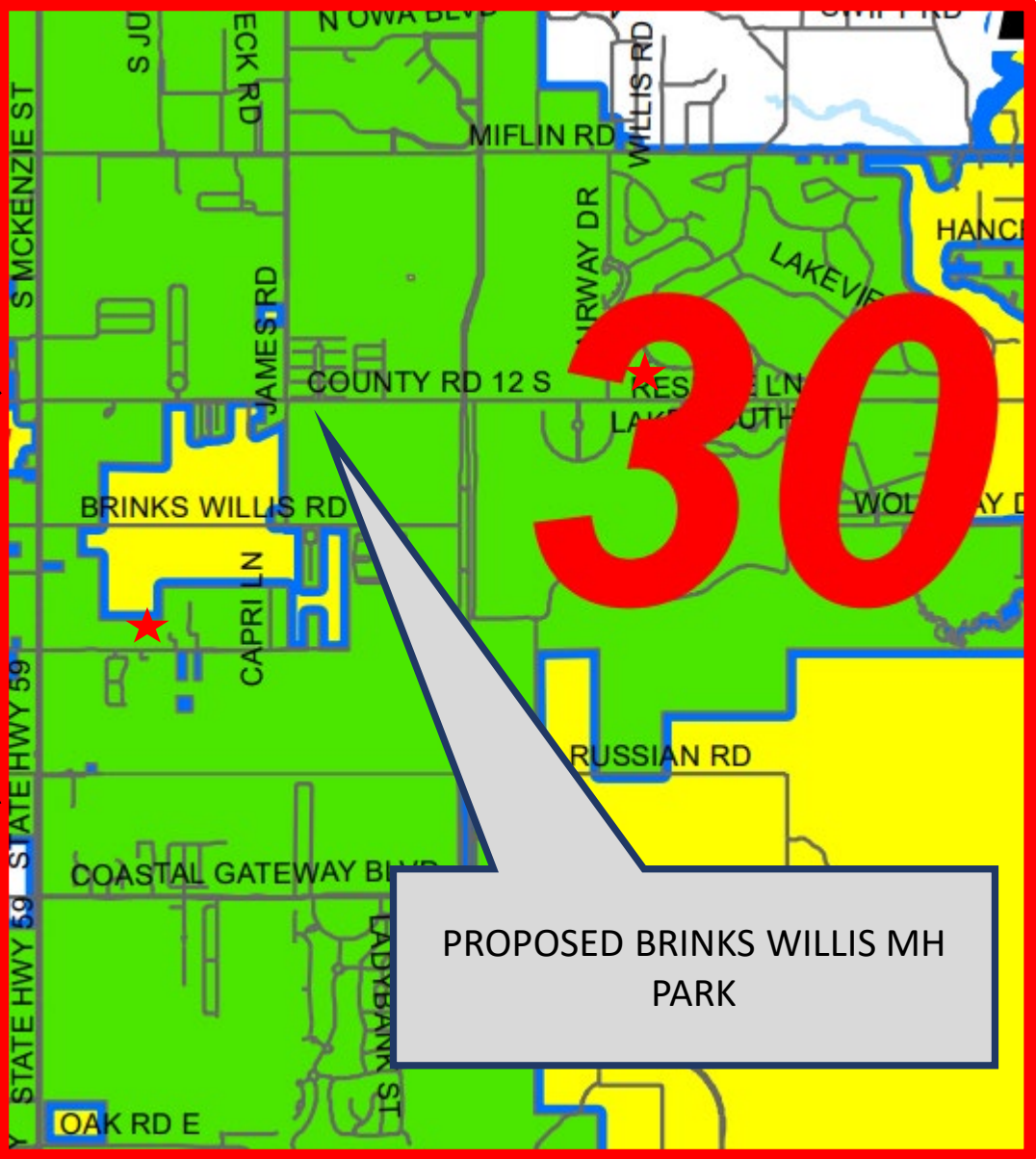
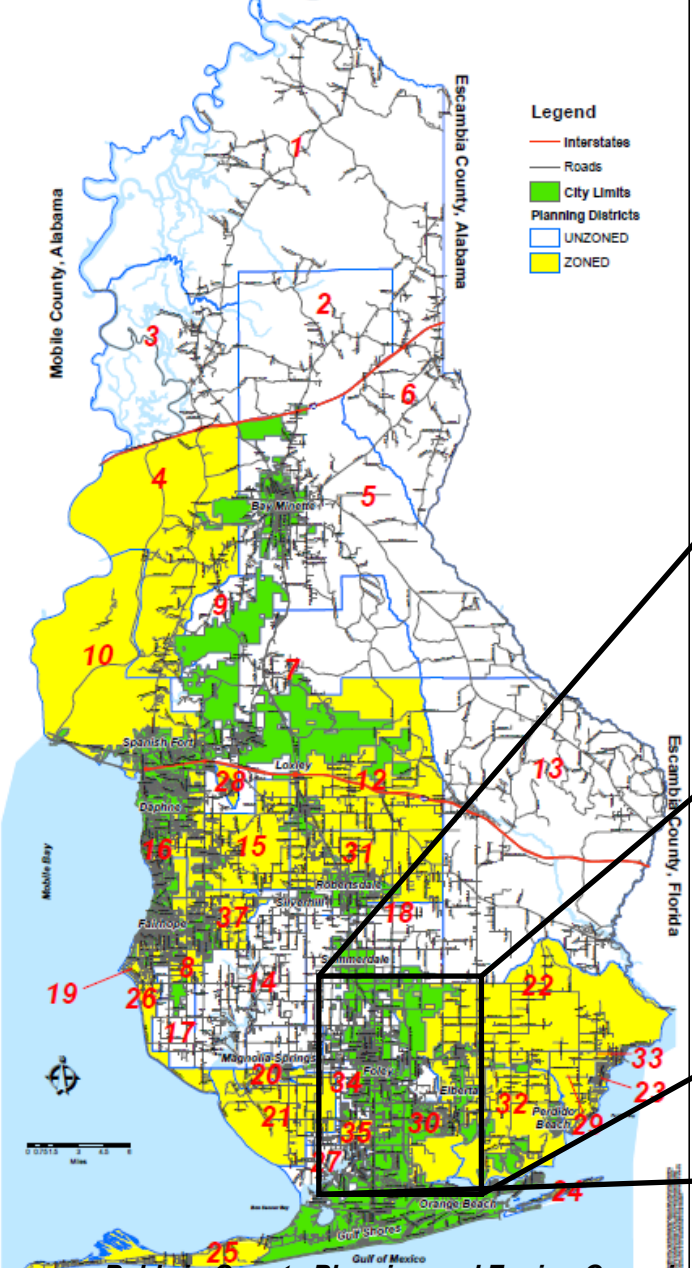
**Drainage Improvements:** A drainage narrative was prepared and stamped by Chris Lieb, PE with *Lieb Engineering Company* and accepted by the Baldwin County Highway Department.

**Wetlands:** A wetland delineation was performed by Lewis Cassidy, with *EcoSolutions*.

**Utility Providers:**

- Electrical: Baldwin EMC
- Water: Riviera Utilities
- Sewer: On-Site Septic

Baldwin County, Alabama  
Planning Districts





# CSP23-03 BRINKS WILLIS MH PARK

## COMMISSION SITE PLAN APPROVAL

Lead Staff: Mary Booth,  
Subdivision Coordinator

- **Planning District:** 30    **Zoned:** RMH
- **Location:** Subject property is located south of Brinks Willis Road, west of James Road and west of Foley Beach Express in Foley
- **Parcel Number:** 05-61-05-16-4-001-002.000
- **PIN:** 115012
- **Current Use:** Mobile Home
- **Acreage:** ±6.77 acres
- **Physical Address:** 209801 Brinks Willis Road  
Foley, AL 36551
- **Applicant:** Lieb Engineering Company, Chris Lieb
- **Owner:** Nabor Rosas & Isabella Urbina-Rosas



# CSP23-03 BRINKS WILLIS MH PARK

## COMMISSION SITE PLAN APPROVAL

Lead Staff: MARY BOOTH,  
SUBDIVISION COORDINATOR

- **Current Zoning:** RMH, *Residential Manufactured Housing District*
- **Applicant's Request:** To develop an 18-unit mobile home park



# Locator Map



# Site Map



	Adjacent Land Use	Adjacent Zoning
North	Residential	RA, Rural Agricultural District, RSF-1, Residential Single Family
South	Vacant	RA, Rural Agricultural District
East	Residential	RA, Rural Agricultural District
West	Residential	RSF-1, Residential Single Family



# Property Images



Subject Property  
Pin# 115012

**SUBDIVISION  
PROPOSED  
FOR THIS PROPERTY**  
**PUD23-000001**  
For Information Contact  
Baldwin County Planning &  
Zoning Department  
(251) 580-1655

**SITE PLAN APPROVAL  
PROPOSED  
FOR THIS PROPERTY**  
**CSP23-000003**  
For Information Contact  
Baldwin County Planning &  
Zoning Department  
(251) 580-1655

Mar 30, 2023 9:28:58 AM



# Property Images





# Property Images



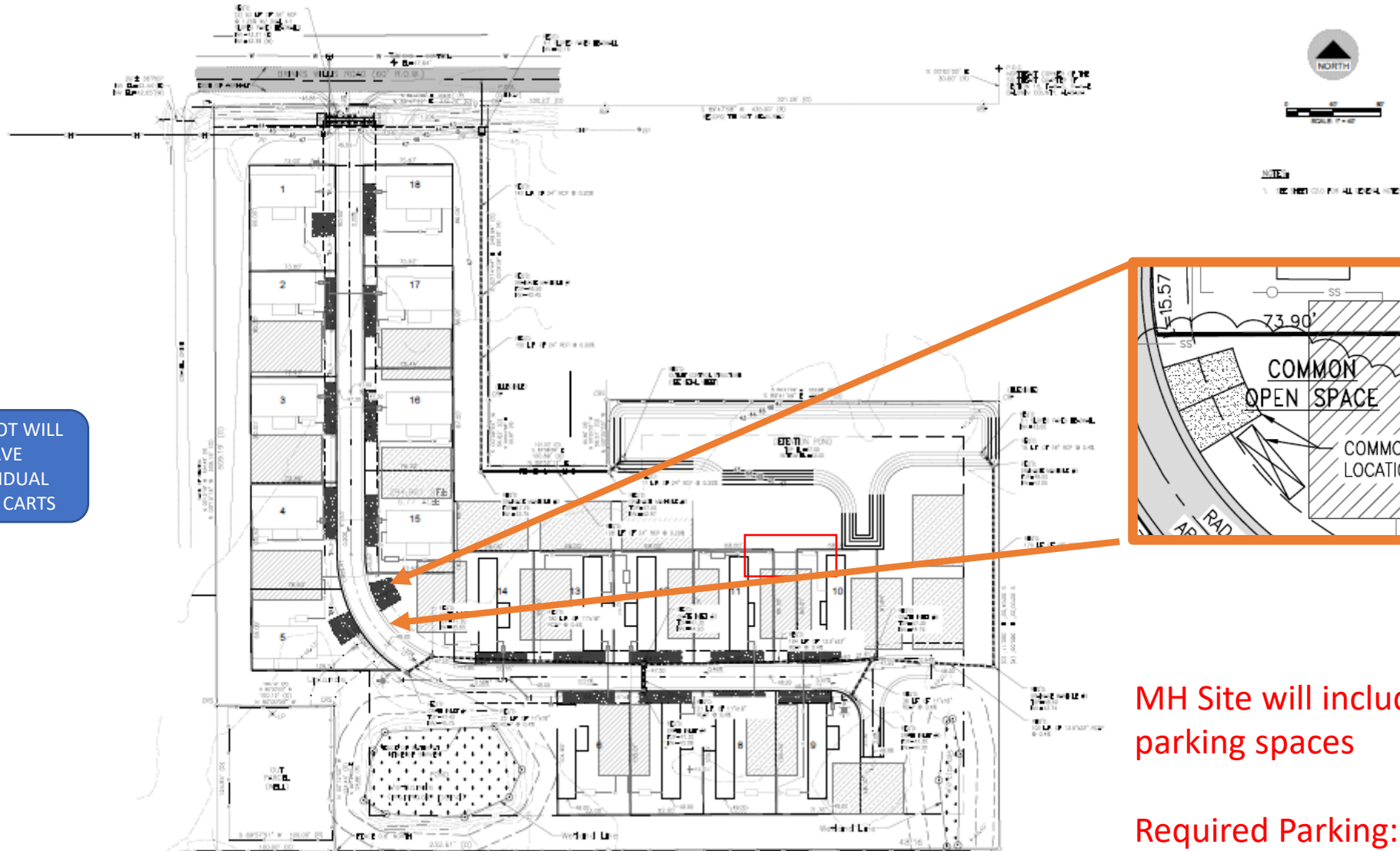


# Property Images





# Site Plan

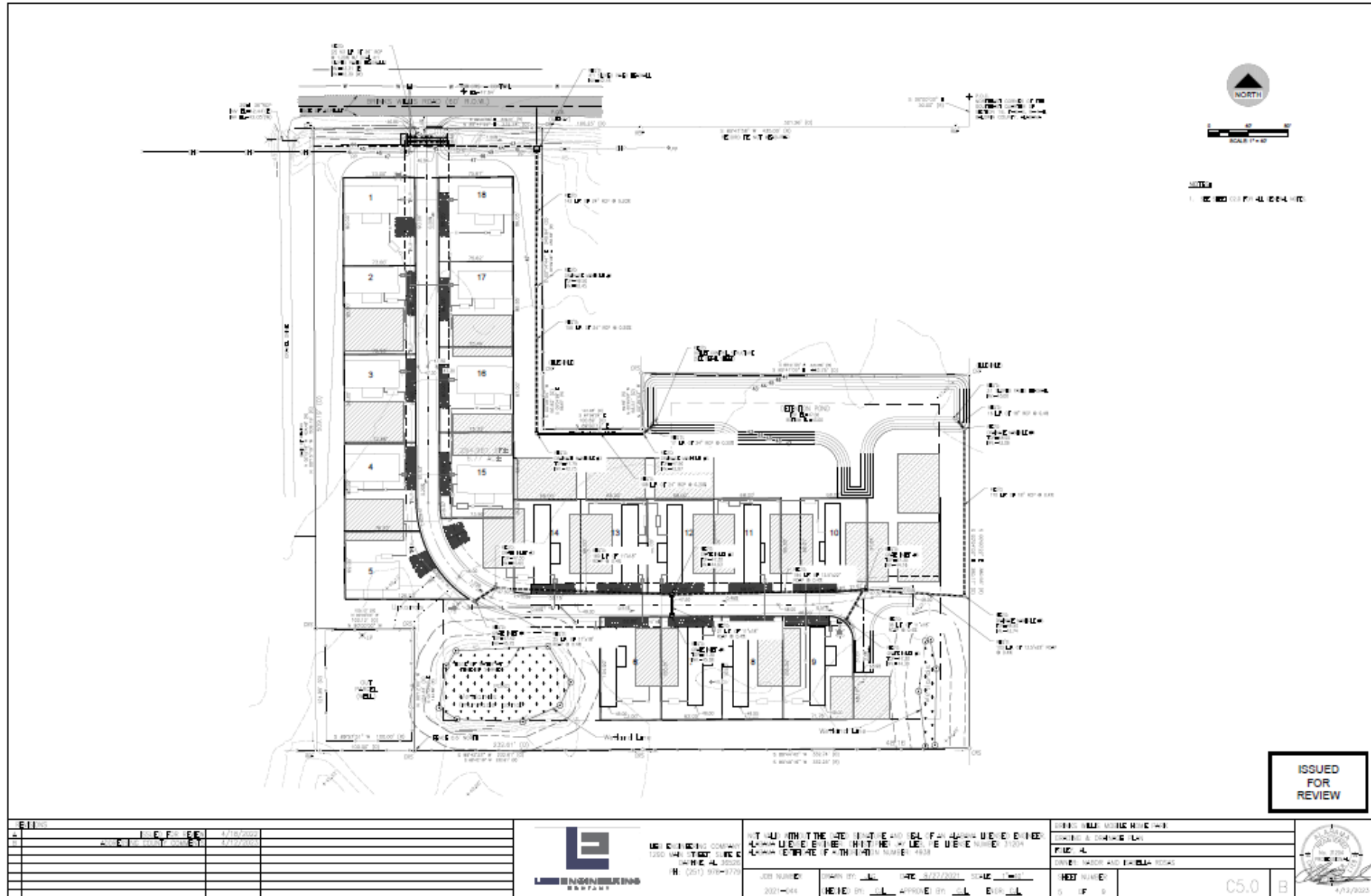


MH Site will include **36 10' x 20'** parking spaces

Required Parking: 2 per unit, 36 spaces required

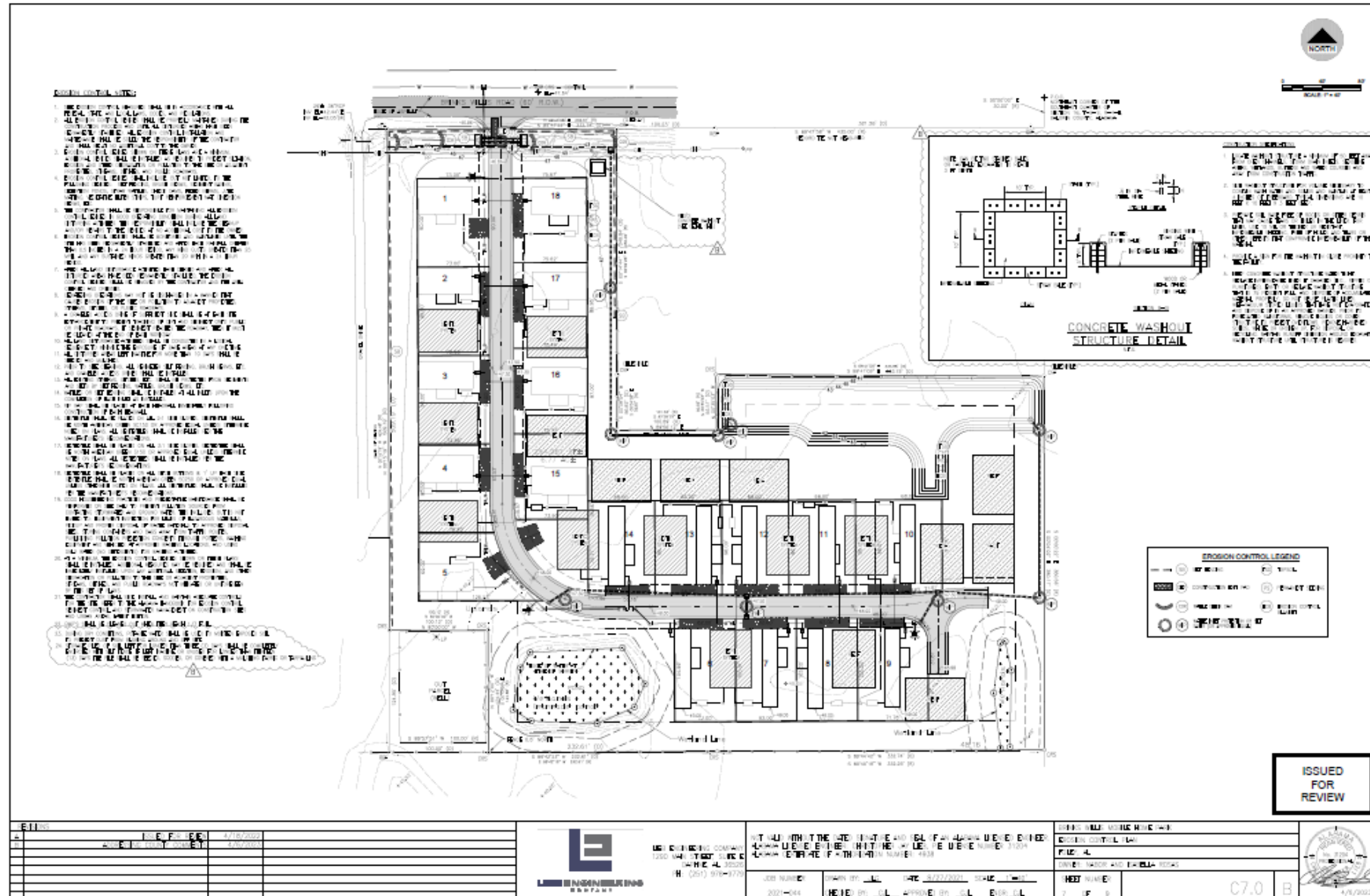
Total Provided: 36 spaces

# Grading & Drainage Plan





# Erosion Control Plan



## Staff Comments

A drainage report was prepared and stamped by Chris Lieb, PE, *Lieb Engineering Company*

- Drainage improvements have been recommended and will be further analyzed during the construction plan review process.
- The stormwater report has been reviewed and accepted by the Baldwin County Highway Department

## Brinks Willis Mobile Home Park

### DRAINAGE REPORT

20980 Brinks Willis Road  
Foley, AL 36535



04/12/2023

Christopher Lieb, P.E.  
Civil Engineer

**LIEB ENGINEERING**  
COMPANY



**LIEB ENGINEERING**  
COMPANY

1290 Main Street  
Suite E  
Daphne, AL 36526  
Phone: 251.978.9779

#### Section 1.0 Project Overview

This property, 20980 Brinks Willis Road, is a 6.77-acre site located in Foley, AL. The property is currently one drainage area. The site drains northwest to the ditch along Brinks Willis Road. It is mostly open mowed lawn and a pecan orchard and will use an existing curve number of 61 for the site. The post development curve number will be 83. The pond is designed for the entire buildout of 18 lots. The existing property is being developed into a new Mobile Home park. The post-development runoff will be captured into a proposed open, dry detention pond. The pond has been designed to detain the runoff to maintain the peak runoff rate from the 2-100 year storms to the rate of the pre development runoff. The pond outfall will continue to discharge storm water runoff into the existing ditch along Brinks Willis Road. See the Grading and Drainage Plan as part of the construction documents.

#### Section 2.0 Site Conditions

Currently the site sheet drains to the ditch along Brinks Willis Road.

#### Section 3.0 Design Frequency

The drainage will be conveyed to the detention pond on the east side of the property. The discharge of the pond ties to the ditch that accepts the water in the predevelopment condition. The drainage improvements have been designed using the SCS Method. The discharge rates have been designed for the 2-100 year storm event. Hydraflow Storm Sewer Extension for AutoCAD Civil 3D 2022 was utilized for the calculations.

The development will have a net decrease in peak flows due to the improvements proposed to be installed.

#### West Detention Pond

Rainstorm	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	
SCS	6.11	10.17	14.35	21.14	27.32	34.46	Pre Development Peak Runoff
SCS	13.01	17.91	22.58	29.74	36.02	43.13	Post Development Peak Runoff
SCS	6.06	8.70	11.84	17.66	25.08	32.25	Pond Discharge and Bypass Combined

The development will allow for a 2-100 year run off rate or less for the 2-100 year rainstorm event. Therefore, the development will have no negative impact to adjacent or downstream properties.

## Staff Comments

A wetland delineation was performed by Lewis Cassidy, with *EcoSolutions*.

- Jurisdictional wetlands were identified on the subject property.



April 15, 2022

Isabel and Nabor Rosas  
251-228-1092

RE: Wetland Delineation of Brinks Willis Mobile Home Park (PPIN 115012)

Isabel and Nabor Rosas,

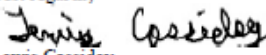
EcoSolutions Inc. was asked to conduct a wetland delineation of the parcels on Brinks Willis Rd (PPIN 115012). The field work was conducted on October 12, 2021. A portion of the southwest side of the parcel have met the definition of a wetland as defined by the U.S. Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual.

The subject area is parcel number 05-61-05-16-4-001-002.000 (PPIN 115012) located in Foley, AL. The parcel is located on the south side of Brinks Willis Rd and is approximately 7 acres. A portion of the southwest side of the parcel contains wetlands and is forested with trees including water oak (*Quercus nigra*) and underbrush including thorny olive (*Elaeagnus pungens*) and chinese privet (*Ligustrum sinense*). The other portions of the parcel are partially developed with residences, out buildings, mowed lawn and a man-made pond. The soils on the site are Goldsboro fine sandy loam, Grady soils, Lynchburg fine sandy loam, and Norfolk fine sandy loam. During our field work we found dark grayish brown sandy loam and brownish yellow and brown fine sandy loam consistent with the mapped soils.

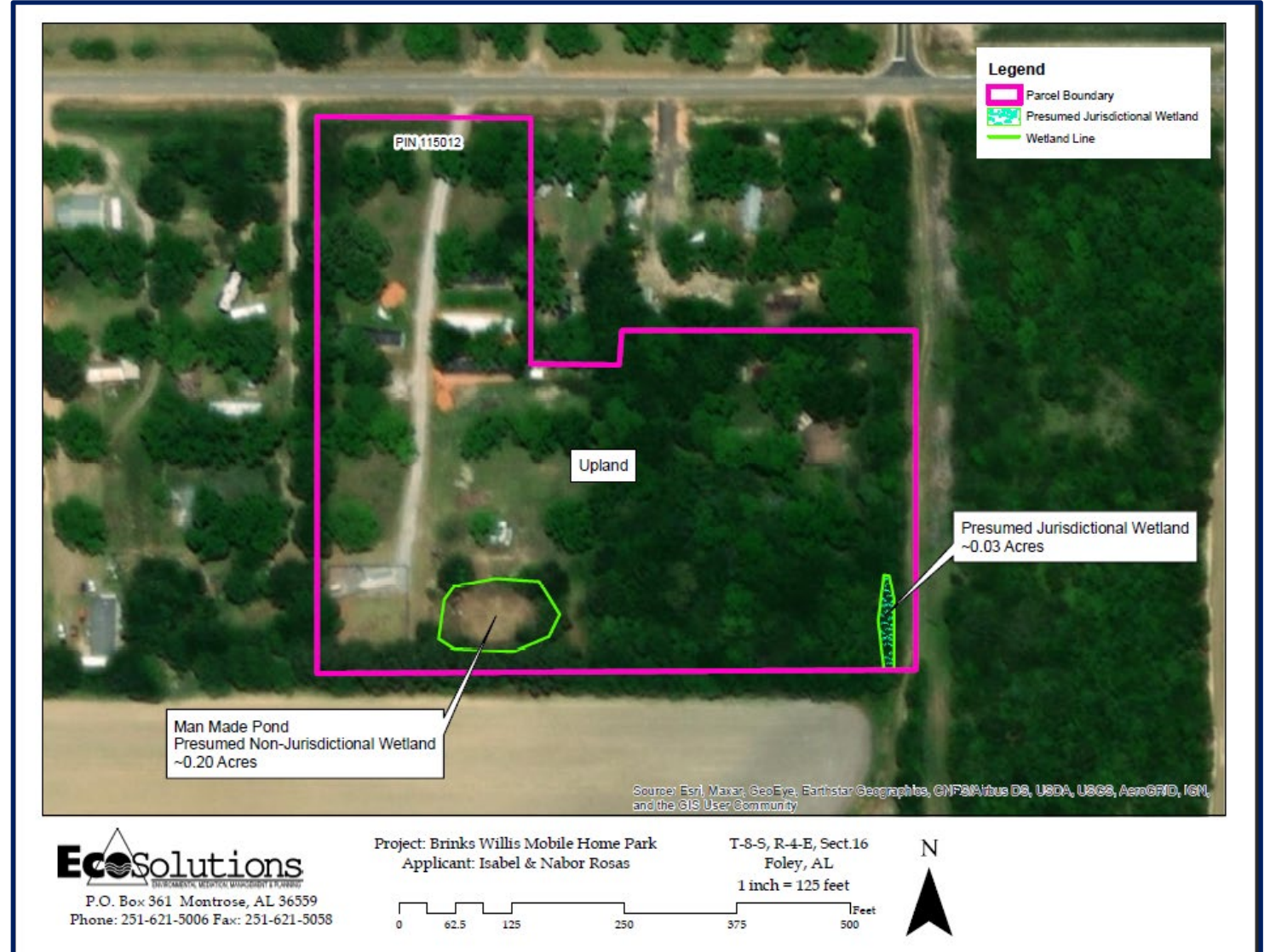
The site was evaluated for jurisdictional wetland areas as defined by the U.S. Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual and all, supplements and amendments thereto. A portion of the southwest side of the site met the USACE criteria for wetlands. The man-made pond is not presumed to be jurisdictional, but a formal jurisdictional determination from USACE may be required to know for certain. All comments are based on the professional judgment of the inspector and the conditions that existed on the site at the time of the inspection.


Please give us a call (251-621-5006) or email [Lewis@EcoSolutionsinc.net](mailto:Lewis@EcoSolutionsinc.net) if you have any questions or need any additional information.

Best regards,

  
Lewis Cassidy  
EcoSolutions, Inc.







**RIVIERA UTILITIES**  
413 E Laurel Avenue, P.O. Drawer 2050, Foley, AL 36536  
Phone (251) 943-5001 Fax (251) 970-4181

8/12/2021

Mary Kate O'Connell  
Lieb Engineering  
1290 Main Street Suite E  
Daphne, AL 36526

RE: RV Park PIN 115012

This letter is to confirm that Riviera Utilities is currently able to provide Gas (with an extension), Water, and Sewer (with an extension) service to the proposed RV Park, located in Foley, AL, PIN 115012.


Riviera Utilities requires a 10' easement along all side property lines and a 15' easement along all front and rear property lines. Please ensure all property plats reflect the easements.

Upon final design, Riviera Utilities will provide estimates for service fees and system installation requirements to meet all Riviera specifications. Please contact the following Riviera employees concerning costs and requirements.

Name	Department	Email
Danny Scott	Gas	<a href="mailto:dscott@rivierautilities.com">dscott@rivierautilities.com</a>
Tony Schachle	Water	<a href="mailto:tschachle@rivierautilities.com">tschachle@rivierautilities.com</a>

If you have any questions or comments, contact Riviera Utilities at 251-943-5001.

Thank you,  
  
James Wallace



ALABAMA DEPARTMENT OF  
PUBLIC HEALTH  
EST. 1875

SCOTT HARRIS, M.D., M.P.H. • STATE HEALTH OFFICER

BALDWIN COUNTY HEALTH DEPARTMENT

04/12/22

Nabor Rosas  
17243 County Road 34  
Summerdale AL 36580


Dear Rosas:


Enclosed for your information is the Development Phase 1 key discussion points summary from the Baldwin County Health Department for:


Name of Development: Nabor's Park

Proposed soil test sites were selected to insure that final perc test results will be representative of the property.

If you have questions, please do not hesitate to call me.

Sincerely,  
  
Loren D. Powers  
Public Health Environmentalist  
Baldwin County Health Department  
251-947-3618



**BALDWIN EMC**  
Your Touchstone Energy® Cooperative 

P.O. Box 220  
Summerdale, AL  
36580-0220  
(251) 989-6247  
[www.baldwinemc.com](http://www.baldwinemc.com)

September 16, 2021

Mary Kate O'Connell  
Lieb Engineering  
1290 Main Street, Suite E  
Daphne, AL 36526


Re: Proposed RV Park, 20980 Brinks Willis Road, Foley, AL PPIN 115012

Dear Ms. O'Connell:

This letter is to confirm that Baldwin EMC can provide reasonable power to the above referenced location. Single-phase or three-phase power may be provided at the member's expense.

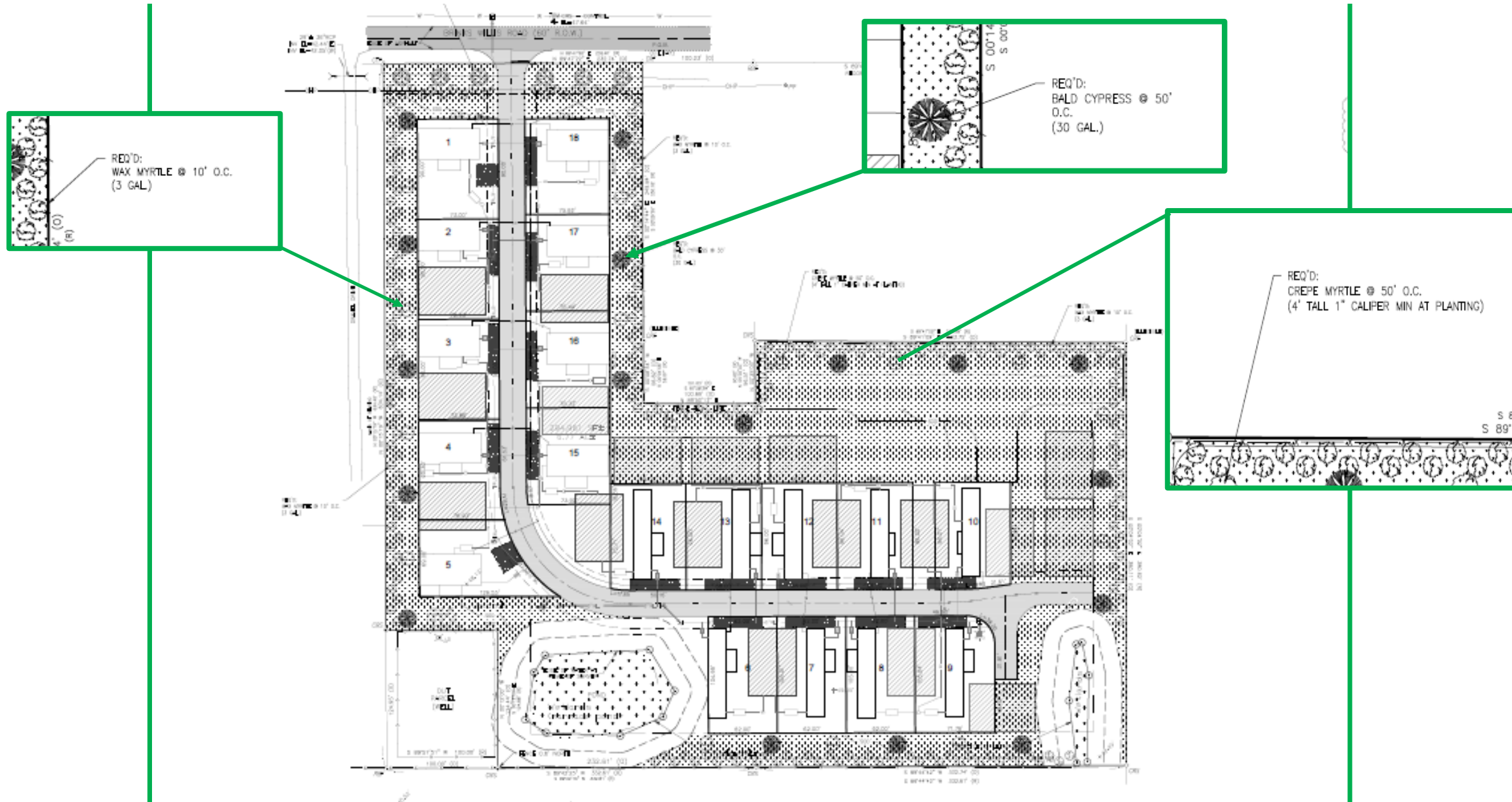
Baldwin EMC is willing to service the development if the necessary easements are granted and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades. All system upgrades and line extensions will be in accordance with Baldwin EMC's current Line Extension Policy. Any plat approvals will require a lead time of 7-10 business days.

If you have any questions or need further assistance, please contact me at 251-989-0123.

Sincerely,  
  
Michael Manning, E.I.  
District Engineer  
MM/yb



# Landscape Plans





Staff recommends that the PRELIMINARY PLAT for Case No. PUD23-01 BRINKS WILLIS MH PARK be **APPROVED** subject to the following conditions.

General Conditions (including but not limited to the following):

1. Submit construction plans to Baldwin County Highway Department for review and approval of a Subdivision Permit.
2. Record final site plan once the Subdivision Permit has been issued.
3. Obtain any necessary building permits.
4. Approval of the final site plan is granted for two years and item 2 and 3 above will need to occur within the two-year approval period, or submit an extension request for final site plan approval.
5. Updated utility letters as applicable.

# CSP23-03 BRINKS WILLIS MH PARK

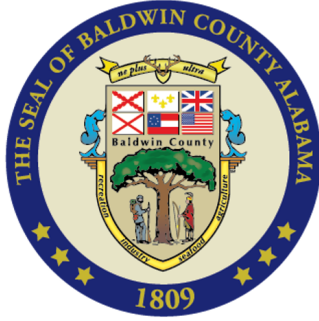
## COMMISSION SITE PLAN APPROVAL

Lead Staff: Mary Booth,  
Subdivision Coordinator

2. Memorialize within the approval recommendation that the closeout requirements of section 18.9.7 of the zoning ordinance are required and are a prerequisite to obtaining a Certificate of Occupancy (CO) for the proposed new buildings.
  - (a) Submit a digital copy of site plan as-built drawings, certified by the appropriate licensed professional engineer or surveyor, to the Planning and Zoning Department
  - (b) Request a final site inspection by the Planning and Zoning Department
  - (c) If required, resolve all outstanding issues that do not comply with the approved site plan application documents.

The Planning Commission may specify a period of time different than the 180-day default time period from Section 18.2.4 for the commencement (**issuance of a building permit**) of the proposed use. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances.

*\*On Commission Site Plan Approval, Planning Commission makes the final decision.*



# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## PLANNED UNIT DEVELOPMENT (PUD) REQUEST

PUD23-05 RIVER CREST ESTATES

MAY 4, 2023

PRESENTED BY: MARY BOOTH, SUBDIVISION COORDINATOR



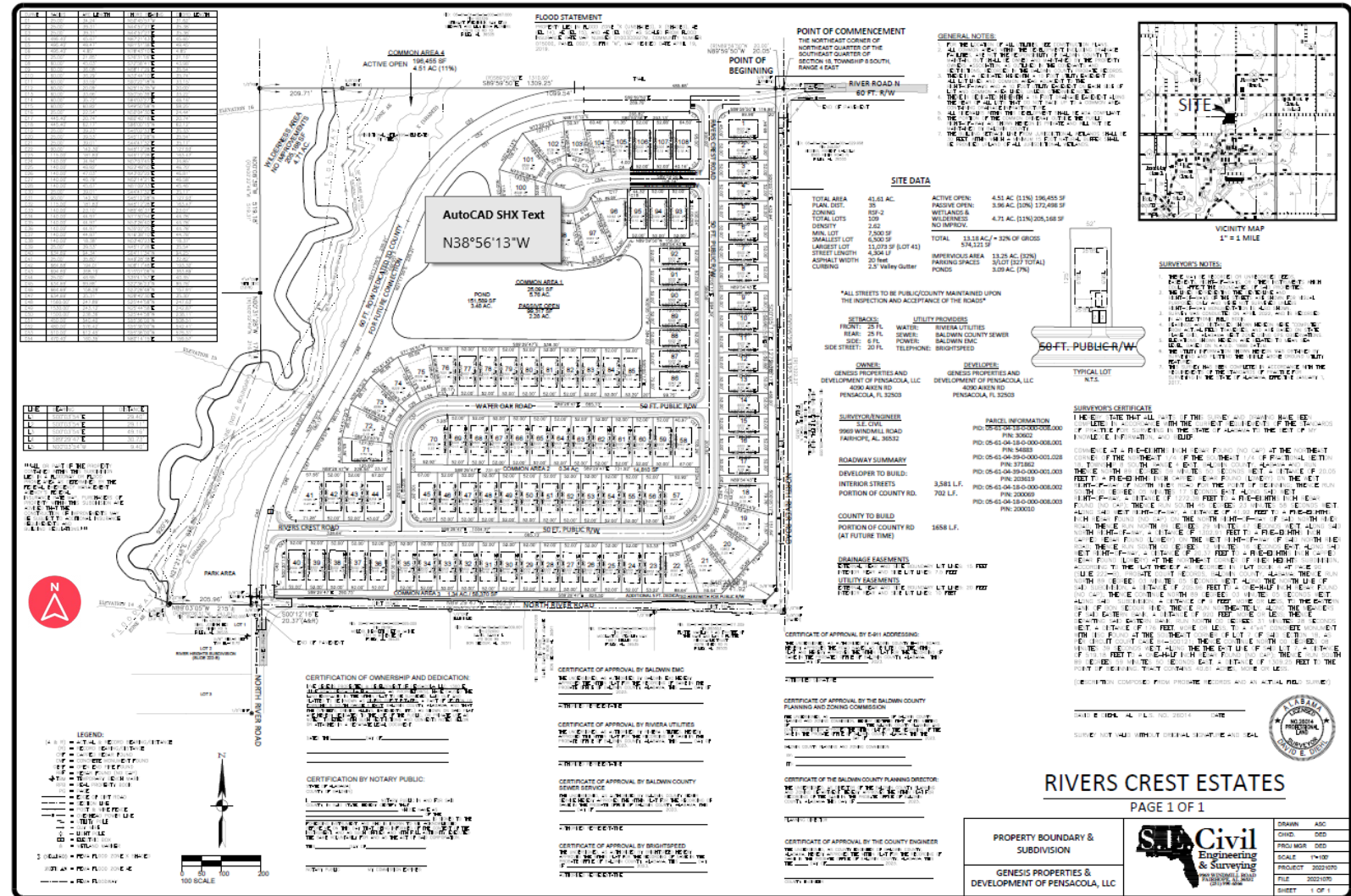
Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator

## Request before the Planning Commission:

Staff recommendation:  
**APPROVAL**

To view maps/plats in higher resolution and public comments received related to this case, please visit the “Upcoming Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>



**Location:** Subject property is located on River Road N approximately 0.5 miles south of County Road 12 S in the Foley area .

**Planning District:** 35

**Zoning:** RSF-2 (Resolution #2023-001, Case No. TA-22004, Adoption of Planning (Zoning) District 35, brought these parcels in with the RSF-2 Zoning Classification)

**Total Property Area:** 41.61 acres +/-

**Total # of Lots requested:** 109 lots

- Smallest lot: 6,500 SF
- Largest lot 11,073 SF
- Building Setbacks: 25' Front, 25' Rear 6' Side, 20' Street side

**Streets / Roads:** 4,304 LF of streets for public use

- Proposed lots will access internal streets only

**Owner/Developer:**

Genesis Properties and Development of Pensacola, LLC  
4090 Aiken Road  
Pensacola, FL 32503

**Surveyor:** David Diehl, PLS, **Engineer:** Dave Lavery, P.E.,

*S. E. Civil Engineering, & Surveying*  
9969 Windmill road  
Fairhop9e, AL 36532

**Online Case File Number:** The official case number for this application is PUD23-05 RIVER CREST ESTATES Subdivision, however, when searching the online CitizenServe database, please use PUD23-000005

**Parcels / PPINs:**

05-61-04-18-0-000-008.000 PIN: 30602  
05-61-04-18-0-000-008.001 PIN: 54883  
05-61-04-18-0-000-008.002 PIN: 200069  
05-61-04-18-0-000-008.003 PIN: 200010  
05-61-04-39-0-000-001.003 PIN: 203619  
05-61-04-39-0-000-001.028 PIN: 371862

**Traffic Study:** TIS prepared and stamped by Shane Bergin, PE, with *Neel-Schaffer*.

**Drainage Improvements:** A drainage narrative was prepared and stamped by Dave Lavery, PE with *S. E. Civil Engineering, & Surveying* and accepted by the Baldwin County Highway Department.

**Wetlands:** A wetland delineation was performed by Sean O'Toole, Ecologic Consultant with *Biome Consulting Group*.

**Utility Providers:**

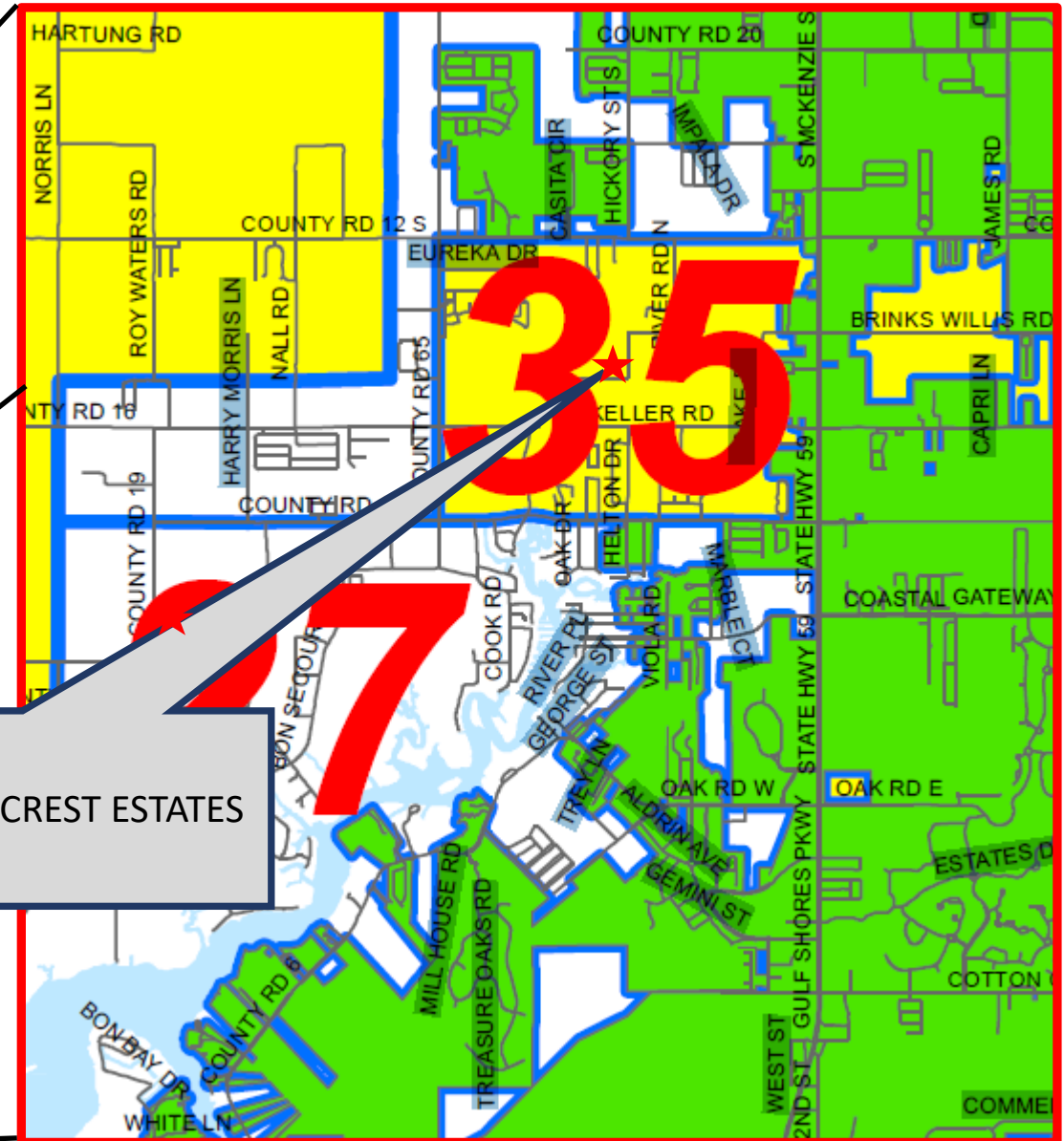
- Electrical: Baldwin EMC
- Water: Riviera Utilities
- Sewer: Baldwin County Sewer Service
- Telephone: Brightspeed

**Baldwin County, Alabama  
Planning Districts**

**Legend**

- Interstates
- Roads
- City Limits
- Planning Districts
- UNZONED
- ZONED

**Baldwin County Planning and Zoning Commission**

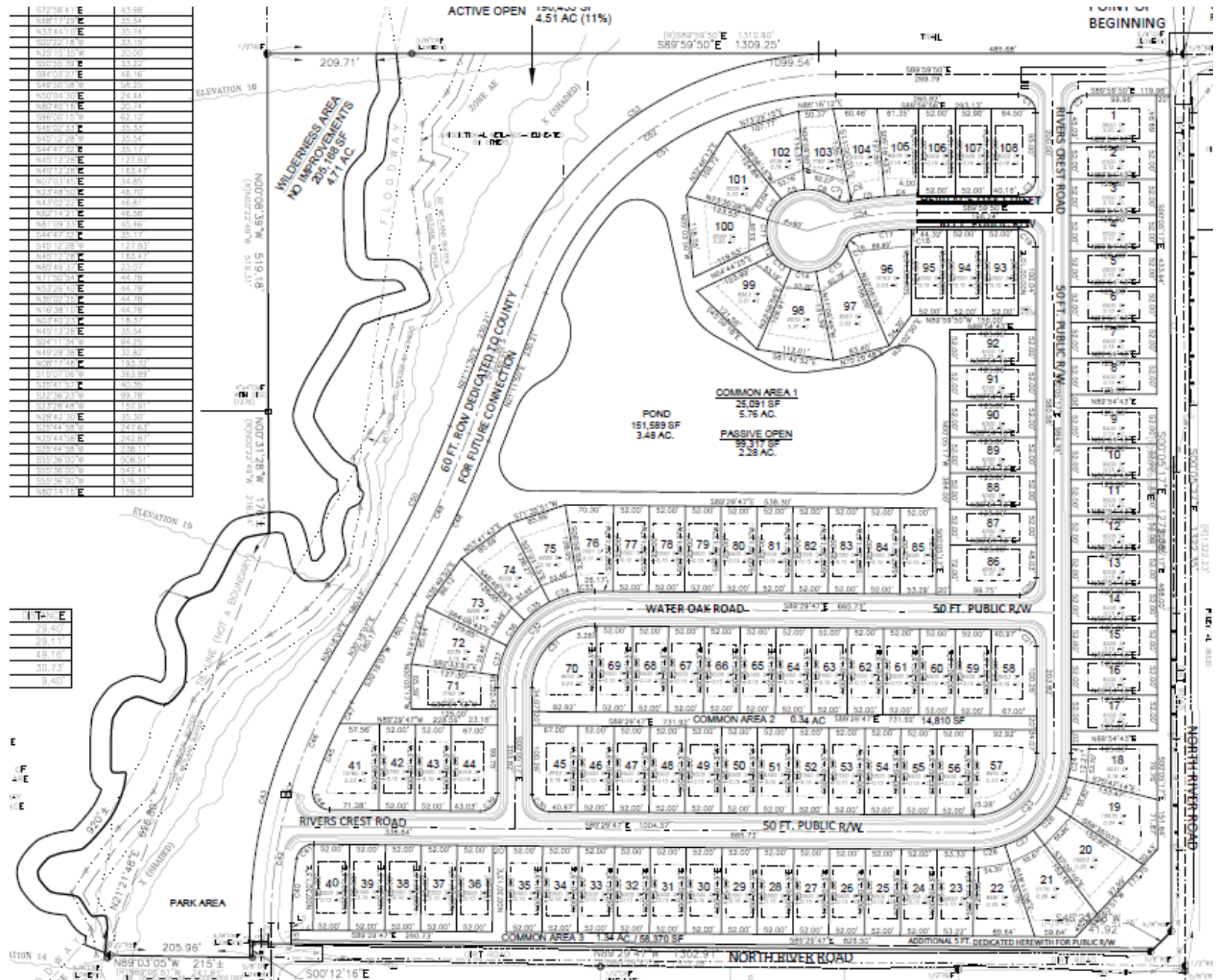


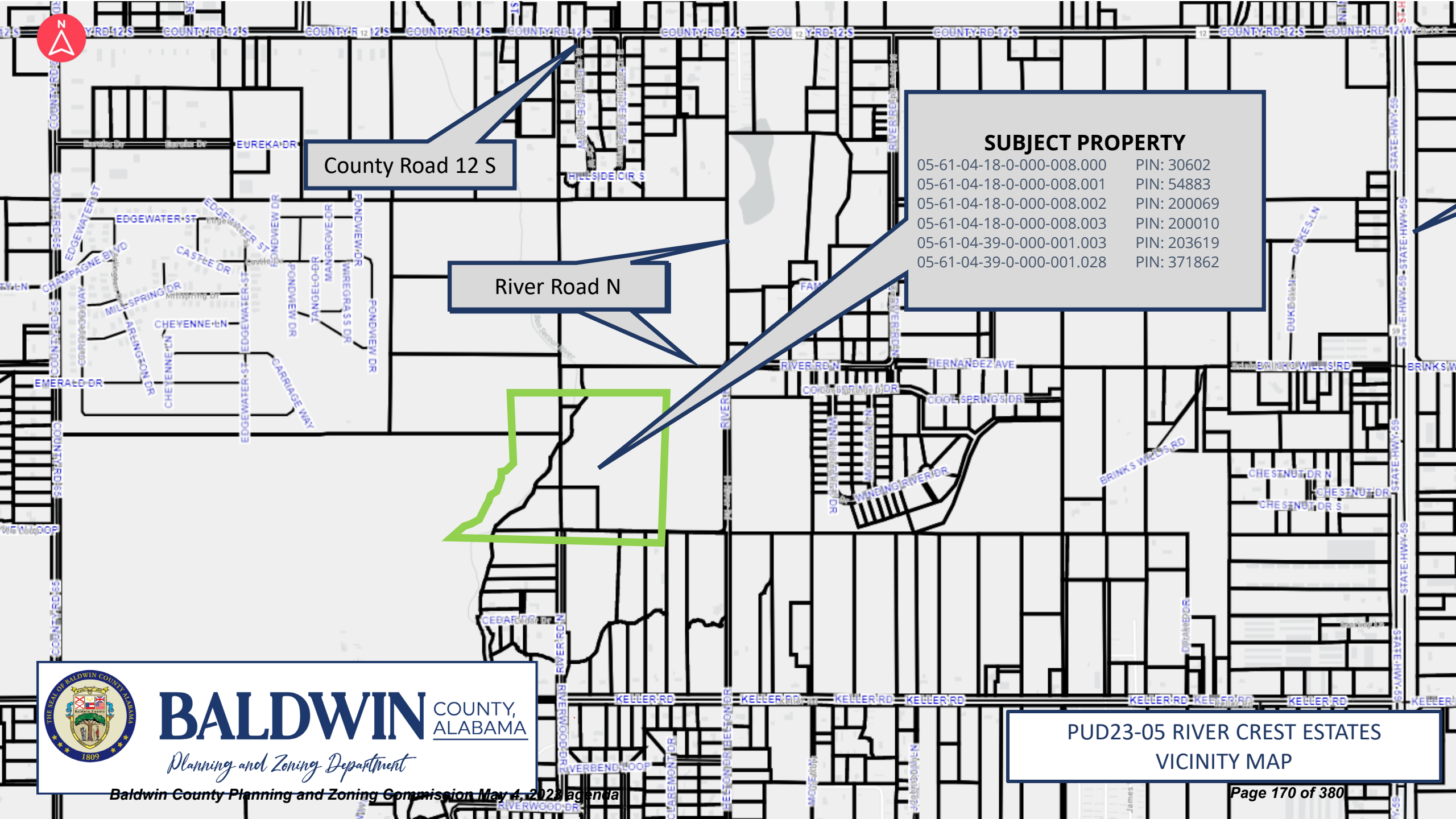
## PROPOSED RIVER CREST ESTATES





PUD23-05 RIVER CREST ESTATES  
SUBDIVISION  
Preliminary plat cropped and enlarged  
to show details





County Road 12 S

River Road N

### SUBJECT PROPERTY

05-61-04-18-0-000-008.000	PIN: 30602
05-61-04-18-0-000-008.001	PIN: 54883
05-61-04-18-0-000-008.002	PIN: 200069
05-61-04-18-0-000-008.003	PIN: 200010
05-61-04-39-0-000-001.003	PIN: 203619
05-61-04-39-0-000-001.028	PIN: 371862



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

Baldwin County Planning and Zoning Commission May 4, 2023 agenda

PUD23-05 RIVER CREST ESTATES  
VICINITY MAP





County Road 12 S

River Road N

### SUBJECT PROPERTY

05-61-04-18-0-000-008.000	PIN: 30602
05-61-04-18-0-000-008.001	PIN: 54883
05-61-04-18-0-000-008.002	PIN: 200069
05-61-04-18-0-000-008.003	PIN: 200010
05-61-04-39-0-000-001.003	PIN: 203619
05-61-04-39-0-000-001.028	PIN: 371862

State Hwy 59



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

Baldwin County Planning and Zoning Commission May 4, 2025 agenda

PUD23-05 RIVER CREST ESTATES  
AERIAL MAP

Page 171 of 380



Staff Comments

A drainage report was prepared and stamped by Dave Lavery, PE, *S.E.Civil Engineering & Surveying*

- Drainage improvements have been recommended and will be further analyzed during the construction plan review process.
- The stormwater report has been reviewed and accepted by the Baldwin County Highway Department


CONCEPTUAL DRAINAGE NARRATIVE  
AND CALCULATIONS

RIVERS CREST ESTATES

PROJECT NUMBER: 20221070

April 12, 2023

Prepared By:




S.E. Civil  
Engineering  
& Surveying

9969 Windmill Road

Fairhope, Alabama 36532

251



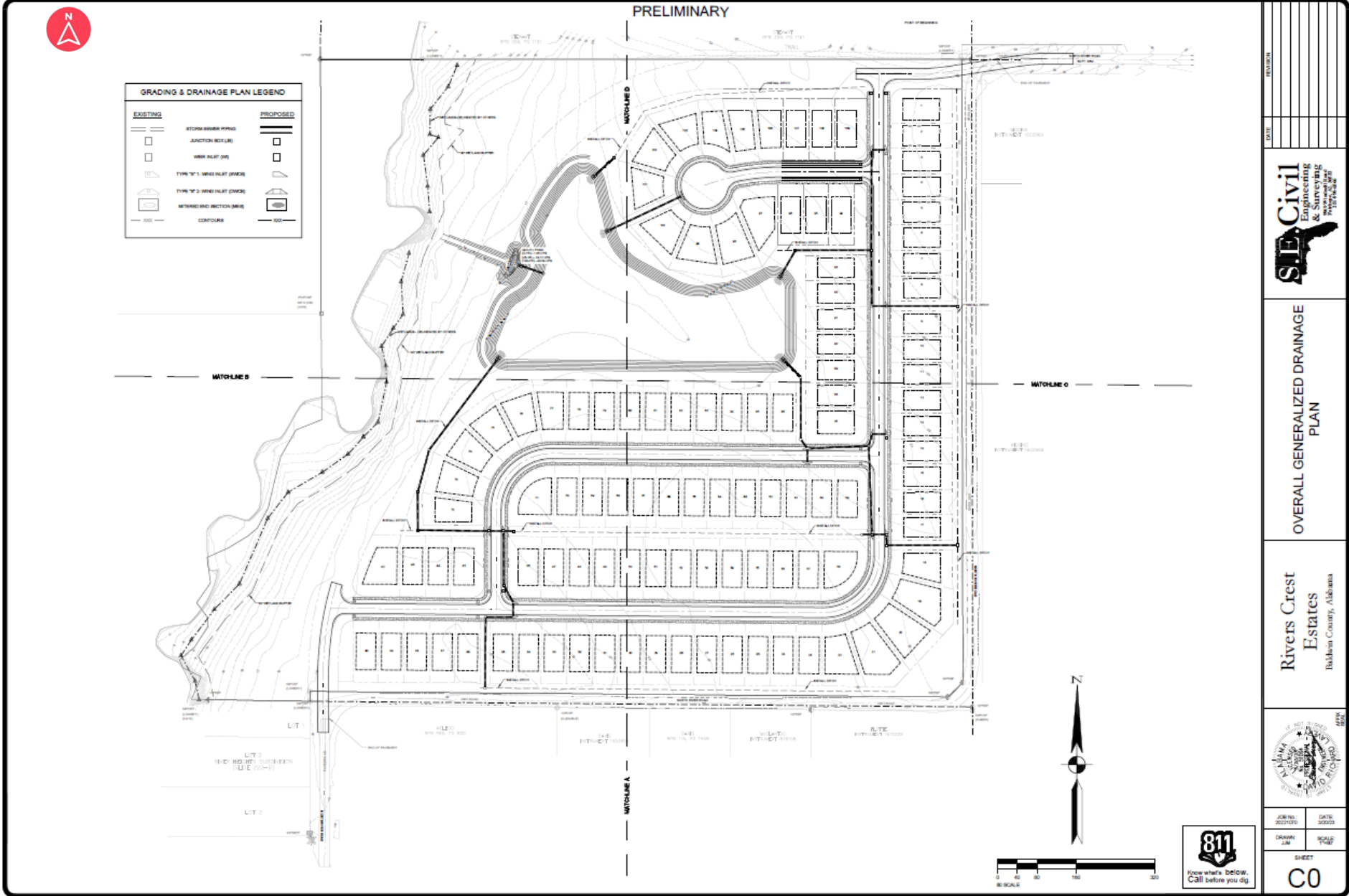
SUMMARY OF RESULTS

Analysis determined that the proposed detention pond is adequate to effectively handle and store the peak post-development flows observed during the two, five, ten, twenty-five, fifty, and one-hundred-year return events.

A brief summary of the pre vs. post development discharge rates may be seen below.

FLOW RATES TO THE BON SECOUR RIVER (cfs)

	PRE		POST	POND (HW)
2 YEAR	2.27		1.86	
5 YEAR	7.14		5.91	
10 YEAR	14.76		12.87	
25 YEAR	30.96		27.84	18.02'
50 YEAR	48.50		46.38	
100 YEAR	70.19		62.21	19.87'
TOP OF POND				21.00'



## Staff Comments

Shane Bergin, PE, *Neel-Schaffer*, prepared an updated traffic impact study for the subject property

- Improvements have been recommended which will include a westbound turn lane on County Road 12.
- The traffic report has been reviewed and accepted by the Baldwin County Highway Department

### TRAFFIC IMPACT ANALYSIS for *River Crest Estates*



**Final Report**  
**January 2023**



Prepared by:





### Section 5 Recommendations and Conclusions

#### 5.1 Auxiliary Lane Warrants

The traffic volumes at the intersections of County Road 12 with River Road, River Road with Driveway 1 and River Road with Driveway 2 were evaluated to determine if the warrants outlined in the National Cooperative Highway Research Program (NCHRP) Report 457, Evaluating Intersection Improvements: An Engineering Study Guide are anticipated to be met for constructing auxiliary turn lanes. Report 457 contains graphical illustrations of the volume requirements for auxiliary lane warrants. The threshold volume requirements for installation of a left turn lane utilize a combination of the left turning volume, the through traffic that would be behind the left turning volume (VA), and the opposing volume of traffic (VO) that could conflict with the left turning vehicles. The right turning traffic utilizes the advancing volume and right turning volume. The auxiliary lane warrants were evaluated using the 2027 total traffic volumes at the intersections of County Road 12 with River Road, River Road with Driveway 1 and River Road with Driveway 2. Based on anticipated traffic volumes, a westbound left turn lane on County Road 12 at River Road is warranted. The lane is currently warranted with existing traffic volumes.

**5.2 Conclusions** The development of the project site with 109 single-family homes is not anticipated to create major capacity related deficiencies at the study intersections. A westbound left turn lane is currently warranted with existing traffic volumes and is recommended. In addition, it is recommended that the intersection of Keller Road and River Road be converted to a 4-way stop. Figure 5.1 illustrates the recommended improvements of the left turn lane.



1120 South Tryon St.  
Suite 700  
Charlotte, NC 28203  
brightspeed.com

Date: November 1, 2022

To: S E Civil Engineering & Surveying

RE: **Initial Analysis and Will Serve Letter** Brightspeed Providing Services at Rivers Crest Estates 109 Lots ("Property")

Dear: Aaron,

You recently approached Brightspeed about providing communication services to serve the Property. Brightspeed appreciates the opportunity to provide the Property with its future communication needs.

In response to the request for a commitment to serve, Brightspeed will work with Genesis Properties and Development of Pensacola, LLC ("Customer") to determine the services required at the Property. Upon such determination, Brightspeed will analyze the construction required and the costs to complete that construction. After completion of these steps, Brightspeed will make its determination whether it can provide communication services at the Property and provide the Property with notice of its decision.

If Brightspeed can provide communication services at the Property, Brightspeed will not initiate the construction, provision such services, or conduct any associated work until Brightspeed and Customer execute all required agreements governing their respective duties and obligations.

Please do not hesitate to call me at (251) 952-5781 if there are questions or any assistance is needed.

**Brightspeed**

  
Authorized Signature

Jeff Crowe  
Name Typed or Printed

NI Engineer II  
Title

November 1, 2022  
Date



## BALDWIN EMC

Your Touchstone Energy® Cooperative



P.O. Box 220  
Summerdale, AL  
36580-0220  
(251) 989-6247  
[www.baldwinemc.com](http://www.baldwinemc.com)

October 26, 2022

Aaron Collins  
Planning Director  
S.E. Civil, LLC  
9969 Windmill Rd.  
Fairhope, AL 36532

Re: Boundary and Topographic Survey of Rivers Crest Estates, PIN: 30602

Dear Aaron Collins:

This letter is to confirm that the referenced development is in Baldwin E.M.C.'s service territory. Also, this letter is confirming that the referenced has been submitted to Baldwin EMC.

Baldwin EMC is willing to service the development as long as the necessary easements are granted using our standard easement form and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades (transmission line, substation and distribution line). All system upgrades and line extensions will be in accordance with Baldwin EMC's current Line Extension Policy.

Please contact me to discuss necessary easements and fees.

Below is our typical required easements for subdivisions:

There is a dedicated herewith a 10 foot utility easement on all lot lines and common areas adjacent to the right-of-ways and a 10 foot utility easement on each side of lot and common area lines, unless otherwise noted.

If you have any questions or if I can be of further assistance, please do not hesitate to contact me at 251-989-0151.

Sincerely,



Brian Seals  
Manager of Engineering  
BS/ss



November 11, 2022

Aaron Collins  
Planning Director  
S.E. Civil, LLC  
9969 Windmill Road  
Fairhope, AL 36532  
C: 706-681-2896  
O: 251-990-6566 Ext. 114  
[acollins@secivileng.com](mailto:acollins@secivileng.com)  
[www.secivil.pro](http://www.secivil.pro)

Re: Rivers Crest Estates Subdivision

Mr. Collins,

At your request, this letter is to verify based on the site plan attached, Baldwin County Sewer Service LLC (BCSS) has the capacity and capability to serve the proposed Rivers Crest Estates Subdivision. Baldwin County Sewer Service LLC is willing and able to provide sewer service to the above referenced property, subject to applicant paying all fees required for this service. This development may require a main line extension and / or a road bore which will be at the developers expense. A \$50.00 per lot review fee will be due to have preconstruction plans reviewed and a \$1,500.00 impact fee per lot will need to be paid to Baldwin County Service LLC before a new subdivision plat is signed. This letter is valid for a period of one year from the date of issue. This letter is not to be used to obtain a building permit. Any development that has not paid the necessary fees before this letter expires will need to contact BCSS and request a re-issuance of their willing and able letter.

*\*A franchise fee may apply in franchise areas.*

The wastewater will be treated at our Fort Morgan Treatment Plant.


Sincerely,



Angela Poley  
Baldwin County Sewer Service, LLC  
(251) 971-3022  
[angela@baldwincountysewer.com](mailto:angela@baldwincountysewer.com)

14747 Underwood Road Summerdale, AL 36580 / P. O. Box 1628 Foley, AL 36536

Local Fire Protection Authority Comment Form for **Rivers Crest Estates**  
(Development Name)



**BALDWIN** COUNTY, ALABAMA  
*Planning and Zoning Department*  
Robertsdale Office: 22251 Palmer Street, Robertsdale, AL 36567  
Foley Office: 22251 Palmer Street, Robertsdale, AL 36567

Dear Local Fire Protection Authority,

As part of Baldwin County's subdivision review process, applicants who propose higher density developments (2 lots/units per acre or higher) are required to meet certain fire protection thresholds (Sub. Regs. §5.2.5(a)(3)). These requirements include:


1. Fire Hydrant Spacing
2. Minimum Fire Hydrant Barrel Size
3. Water volumes and pressures that meet ISO Fire Suppression Rating requirements.

County team members will review the development for compliance with these standards. However, as the Local Fire Protection Authority, we value any input you may have regarding fire protection for this development.

You are being provided a copy of this form by the project design engineer, along with a copy of the draft plat for the proposed development. Also attached is a written report and calculations, prepared and stamped by the design engineer, demonstrating that water supply volumes and pressures are sufficient for the development. The report is provided as a courtesy. You are not required to review the report. The design engineer will ultimately bear the liability for ensuring that volumes and flows meet requirements.

If you believe water volumes and pressures are insufficient to serve this development, you are invited to comment below and email to [planning@baldwincountyal.gov](mailto:planning@baldwincountyal.gov) or return to one of our office locations. If no comments are received within 10 business days of receipt of this letter, it will be presumed that you do not wish to provide any comments. Please feel free to contact our team at 251-580-1655 with any questions.

Sincerely,



Matthew Brown  
Planning Director

Local Fire Protection Authority Comments:

Foley Fire is not opposed to the provided utility site layout. Ensure spacing between hyc


**Brad Hall**

Digitally signed by Brad Hall  
DN: cn=Brad Hall, o=Foley Fire Department, ou=Fire Inspection  
Reason: email, dnQualifier=Brad Hall, c=US  
Date: 2023.05.04 14:51:11 -0500


(Local Fire Protection Authority Name)

Instructions for Applicant: Please provide a copy of this form (ensure you are using the latest version from the P&Z website), a copy of the plat, and a copy of the signed and sealed report (including calculations) demonstrating ISO compliance, to the Local Fire Protection Authority with evidence of the date delivered. Options include certified mail or an email to an email address that is documented as the active email address for the Local Fire Protection Authority.

**FIRE FLOW TEST**  
**River Crest Estates**  
Foley, AL



Date:	03-10-2023
Time:	0945
Tested By Initials:	KW
Pitot Gauge: (GPM)	1130
Static Pressure: (psi)	80
Residual Pressure: (psi)	60
Fire Flow Result: GPM @ 20psi	2045



**RIVIERA UTILITIES**  
413 E Laurel Avenue, P.O. Drawer 2050, Foley, AL 36536  
Phone (251) 943-5001 Fax (251) 970-4181

10/26/2022

Aaron Collens  
S.E. Civil  
9969 Windmill Road  
Fairhope, AL 36532

RE: Rivers Crest Estates – Parcel 05-61-18-0-000-008.000

This letter is to confirm that Riviera Utilities is able to provide water services to the proposed project at Rivers Crest Estates – Parcel 05-61-18-0-000-008.000.

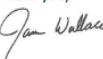
Riviera Utilities requires a 10' easement along all side property lines and a 15' easement along all front and rear property lines. Please ensure all property plats reflect the easements.

Upon final design, Riviera Utilities will provide estimates for service fees and system installation requirements to meet all Riviera specifications. Please contact the following Riviera employees concerning costs and requirements.

Name	Department	Email
Danny Scott	Gas	<a href="mailto:dscott@rivierautilities.com">dscott@rivierautilities.com</a>
Tony Schachle	Water	<a href="mailto:tschachle@rivierautilities.com">tschachle@rivierautilities.com</a>

If you have any questions or comments, contact Riviera Utilities at 251-943-5001.

Thank you,



James Wallace

Baldwin County Planning and Zoning Commission May 4, 2023 agenda

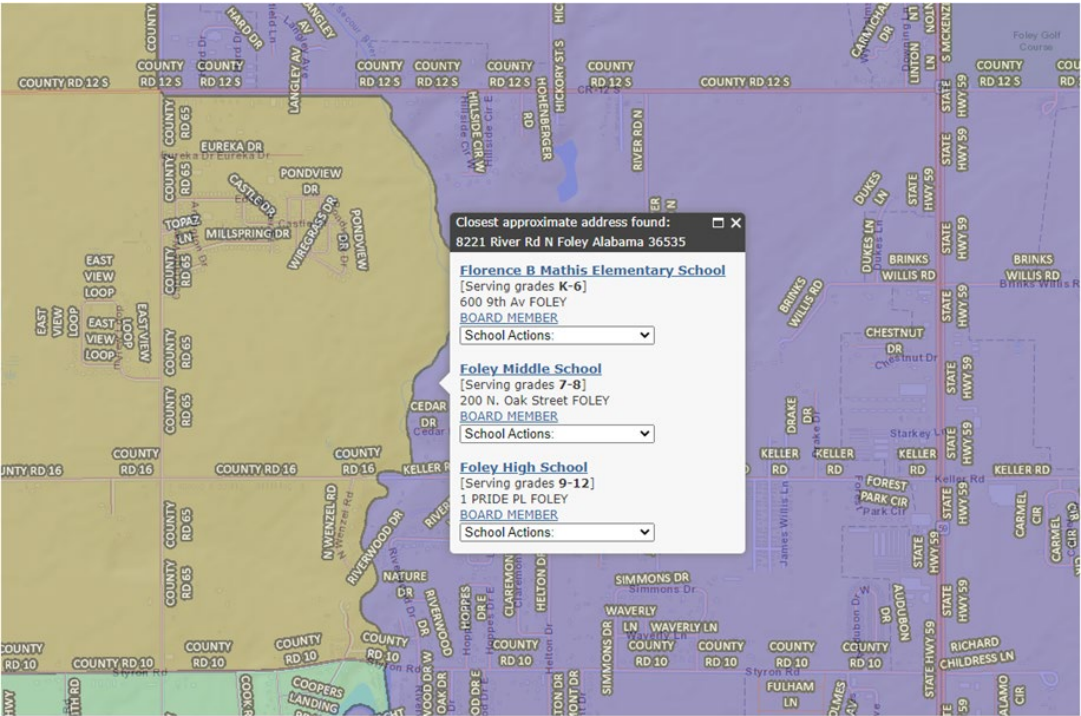
Page 177 of 380



From: Shawn Mitchell <Shawn.Mitchell@baldwincountyal.gov>  
Sent: Tuesday, March 28, 2023 8:47 AM  
To: mmalm@bcbe.org; etyler@bcbe.org; syoung@bcbe.org; jwilson@bcbe.org  
Cc: Buford King <Buford.King@baldwincountyal.gov>; Mary Booth <MBOOTH@baldwincountyal.gov>; Fabia Waters <Fabia.Waters@baldwincountyal.gov>  
Subject: Subdivisions for May Planning Commission part 1

Good morning,  
Here are upcoming subdivisions and PUDs that will likely be on the agenda for the May 4 Planning Commission meeting. We welcome your feedback as part of our review process. Thanks, Shawn

SUBDIVISION NAME: River Crest Estates  
PARCEL ID: 05-61-04-18-0-000-008.000  
NUMBER OF LOTS: 109  
ADJACENT ROADS(s): River Rd.



The Baldwin County Board of Education provided no comments of objection.

## Staff Comments

A wetland delineation was performed by Sean O'Toole, Ecological Consultant with *Biome Consulting Group*.

- Jurisdictional wetlands were identified on the subject property.



July 22, 2021

Mr. Blaine Flynn  
1300 E Olive Road  
Pensacola, Florida 32514  
blaine@flynnbuilt.com  
(850) 477-6618

Re: Environmental Site Assessment – 0 N. River Road, Foley, AL  
Baldwin County Parcels: 05-61-04-18-0-000-008.000, 05-61-04-18-0-000-008.001, 05-61-04-39-0-000-001.003

Dear Mr. Flynn,

Biome Consulting Group, LLC (Biome) has completed an Environmental Specialists on four (4) parcels totaling +/- 41.44-acres located on North assessment was conducted in order to locate both wetlands in accordance with trees as defined in the City of Foley's Code of Ordinances, Sec.6.5-139 - "La

### Wetland Jurisdiction Results

Biome conducted a jurisdictional wetland assessment of the subject parcels. The site visit indicate that the property consists of 37.75 acres of upland (Exhibit 1). We note that these calculations are based on an inspection county property appraiser's depiction of the property boundary. An actual boundary survey may result in slightly different calculations. The following is a brief, technical summary of regulatory agencies' potential involvement with this property:

1. **General Observations:** The site consists of four undeveloped parcels. The USGS Topographic Map (Exhibit 2) shows the western wetland portion of the site;
2. **Vegetation:** The upland area is dominated by longleaf pine, live oak, sumac, southern magnolia, and camphor tree, and the wetland area includes juniper, sweetbay magnolia, cinnamon fern, and privet;
3. **Soils:** The NRCS soil survey indicates that the property is underlain by (hydric), and Klej (non-hydric) soil series, which was confirmed by field observation. The area of Dorovan soil depicted on this map closely reflects the identified on the site. The S7 Dark Surface indicator was present beneath the above;
4. **Hydrology:** Observed on-site hydrologic indicators include buttress

850.435.9367 | 1300 West Government Street | Pensacola, Florida

### CONCLUSION

Based on our thorough assessment, we have determined that 37.75 acres of the property is upland with 3.69 acres of wetlands and other waters within federal jurisdiction. As such, any proposal to develop the wetland portion of the property or any ditch in the road right-of-way adjoining the property will require federal permits. We note that these calculations are based on an inspection boundary approximated from the county property appraiser depiction of the property boundary. An actual boundary survey may result in slightly different calculations.

A wetland delineation performed by an ecological consultant represents the professional opinion of the scientist that performed the work. Only the regulatory agencies can establish a legal and binding jurisdictional boundary. Such can be obtained by submitting a permit application and waiting several months for processing. For the purposes of local government permitting (e.g. building permit) this letter should suffice.

No Heritage trees were identified on the site; however, Biome did locate two native trees with a DBH greater than 24", neither of which are located in the wetland area. The location of these trees has been noted on the attached Exhibit 4.

This report is intended for the sole use by the above listed addressee. Its contents may not be relied upon by other parties without the written consent of Biome Consulting Group.

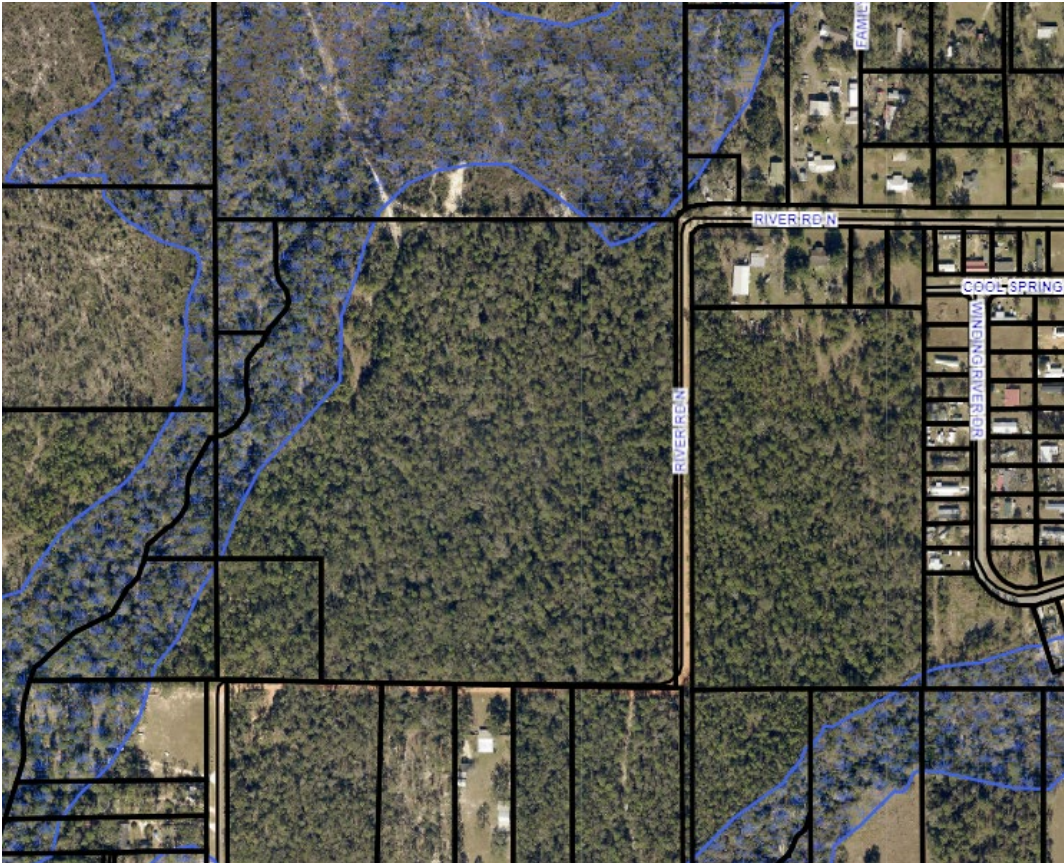
This concludes our assessment of the target property. If you require additional information, assistance, or clarification, please give us a call at 850.435.9367 or visit <http://www.biome.co/>. We look forward to being of assistance to you in the future.

Sincerely,  
Biome Consulting Group

Sean O'Toole  
Ecological Consultant  
Partner

2238.426 – 0 N River Rd – Flynn Building Specialists



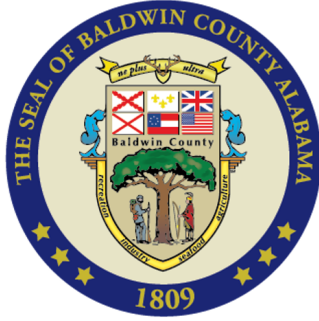




Staff recommends that the PRELIMINARY PLAT for Case No. PUD23-05 RIVER CREST ESTATES, be **APPROVED** subject to the following conditions.

General Conditions:

- Effective period of final site plan approval is two years during which time the applicant shall submit an application for Preliminary Plat (for typical subdivision) in accordance with 4.5.
- Applicant will follow the standard submittal and review process for Preliminary Plat application.



# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## FINAL SITE PLAN REQUEST PUD23-06 OAK RIDGE RV PARK MAY 4, 2023

PRESENTED BY: SHAWN MITCHELL, DEVELOPMENT REVIEW PLANNER

Staff Report Prepared by:  
Shawn Mitchell, Development Review Planner

May 4, 2023

## Request before Planning Commission:

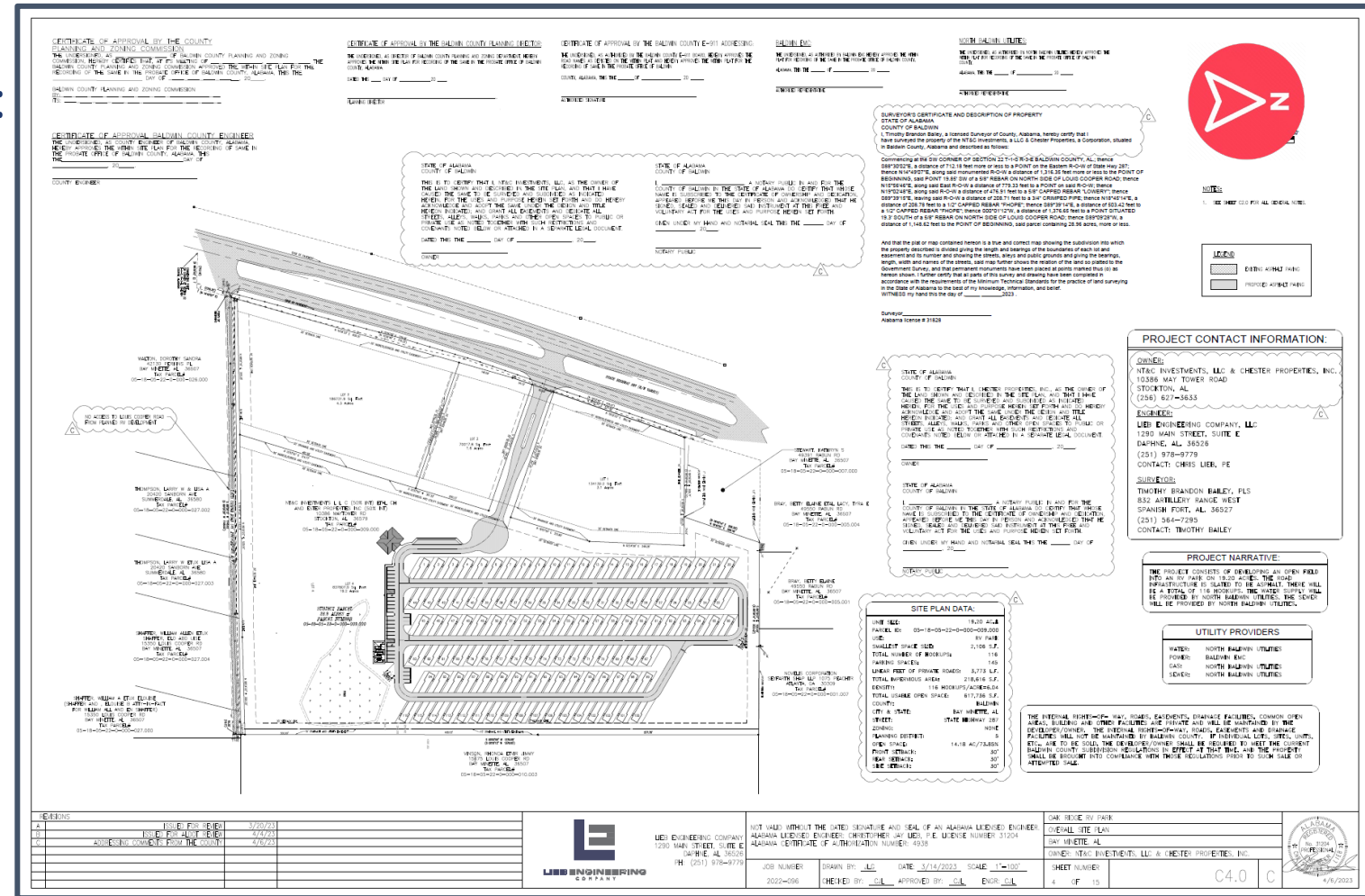
# FINAL SITE PLAN approval

## OAK RIDGE RV PARK, a **116-site** RV Park

Staff recommendation: **APPROVAL with conditions**

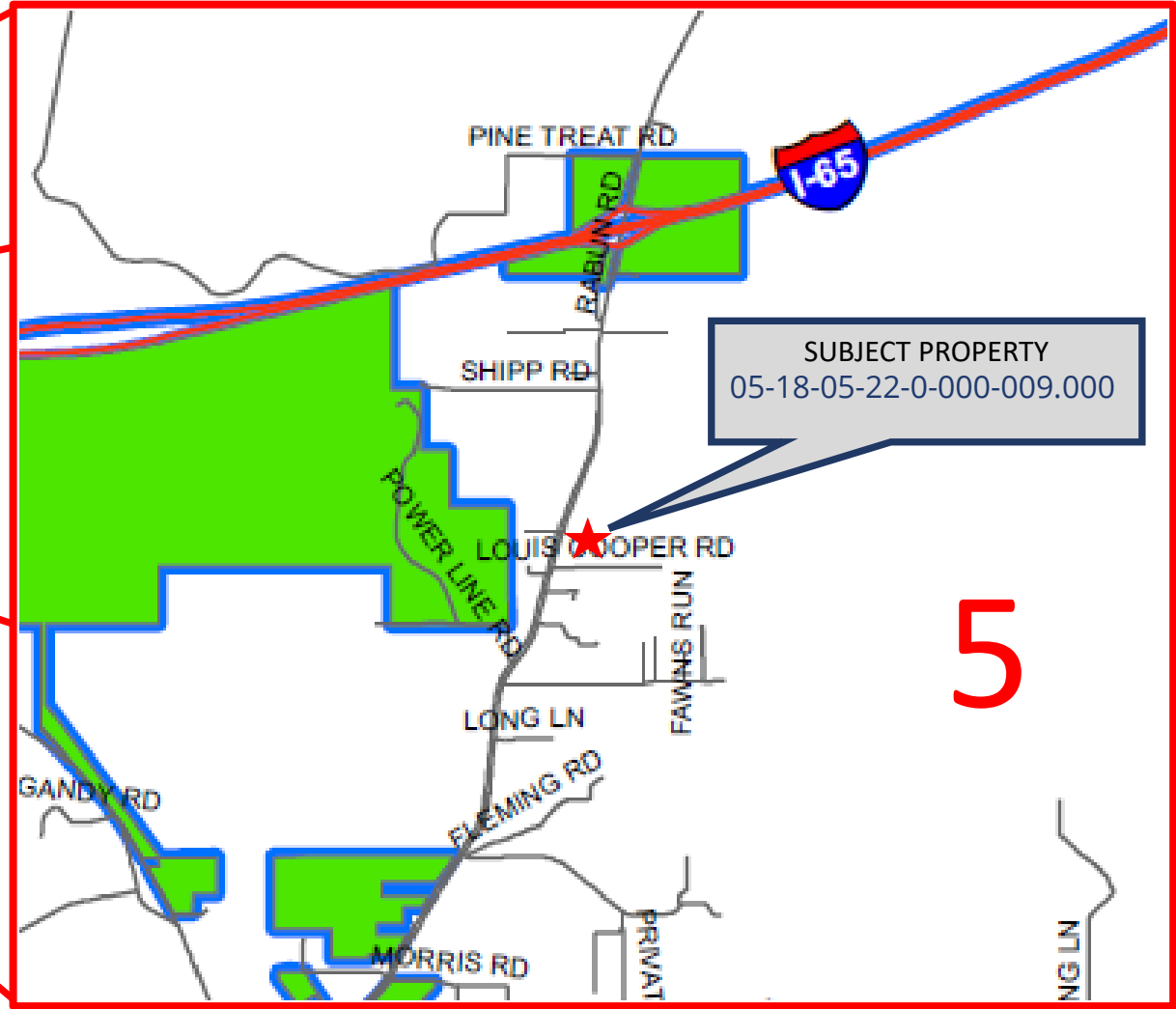
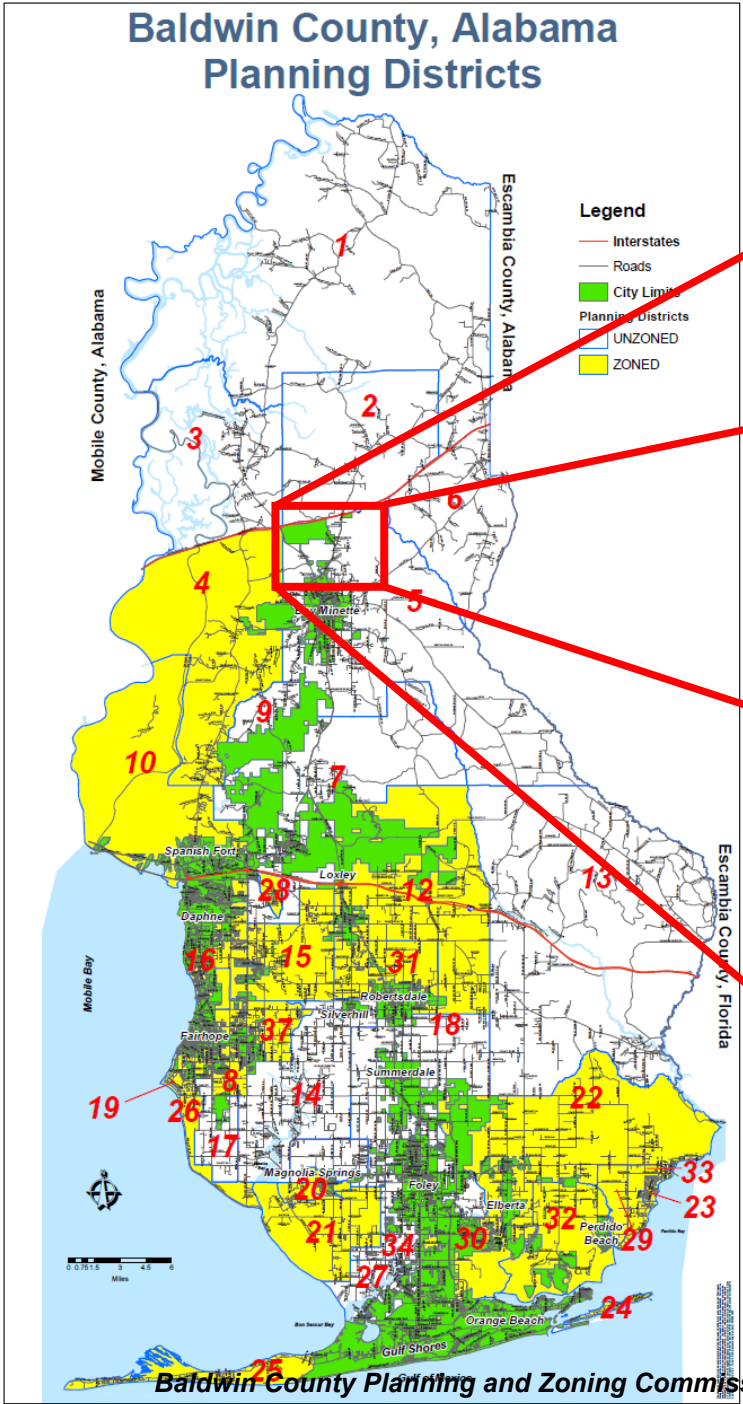
To view maps/plats in higher resolution and public comments received related to this case, please visit the “Upcoming Items” Planning and Zoning webpage :

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>





# Baldwin County, Alabama Planning Districts



**Location:** Subject property is located on the east side of Hwy 287 (Rabun Rd), north of Louis Cooper Rd. It is north of Bay Minette.

**Planning District:** 5

**Zoning:** The citizens of Planning District 5 have **not implemented zoning**

**Total Property Area:** 19.2 +/- acres

**Total # of Sites requested:** 116 sites

Setbacks: 30' around the perimeter, as required by Subdivision Regulations

**Surveyor:**

Timothy Brandon Baily, PLS  
832 Artillery Range West, Spanish Fort, AL 36527

**Engineer:**

Chris Lieb, *Lieb Engineering Co.*  
1290 Main St., Suite E, Daphne, AL 36526

**Owners / Developers:**

*NT&C Investments, LLC*  
10364 Bryants Landing Rd., Stockton, AL 36579

Chester Properties, INC  
10364 Bryants Landing Rd., Stockton, AL 36579

**Online Case File Number:** The official case number for this application is PUD23-06, however, when searching online CitizenServe database, please use PUD23-000006.

**Parcel:** 05-18-05-22-0-000-009.000

**PIN:** 37470

**Traffic Study:** Study prepared by Shane Bergin, of *Neel-Schaffer*. It has been reviewed and accepted by Baldwin County Highway Department

**Drainage Improvements:** Narrative provided by Chris Lieb, *Lieb Engineering Co.*

**Wetlands:** Wetland report provided by J.J. McCool, *Wildlife Solutions, Inc.*

**Streets / Roads:** 3,773 LF which will not be accepted by the County for maintenance and shall remain **private**.

**Parking:** Required 116 x 1.25 = 145 spots  
Shown: 145 spots

**Utility Providers:**

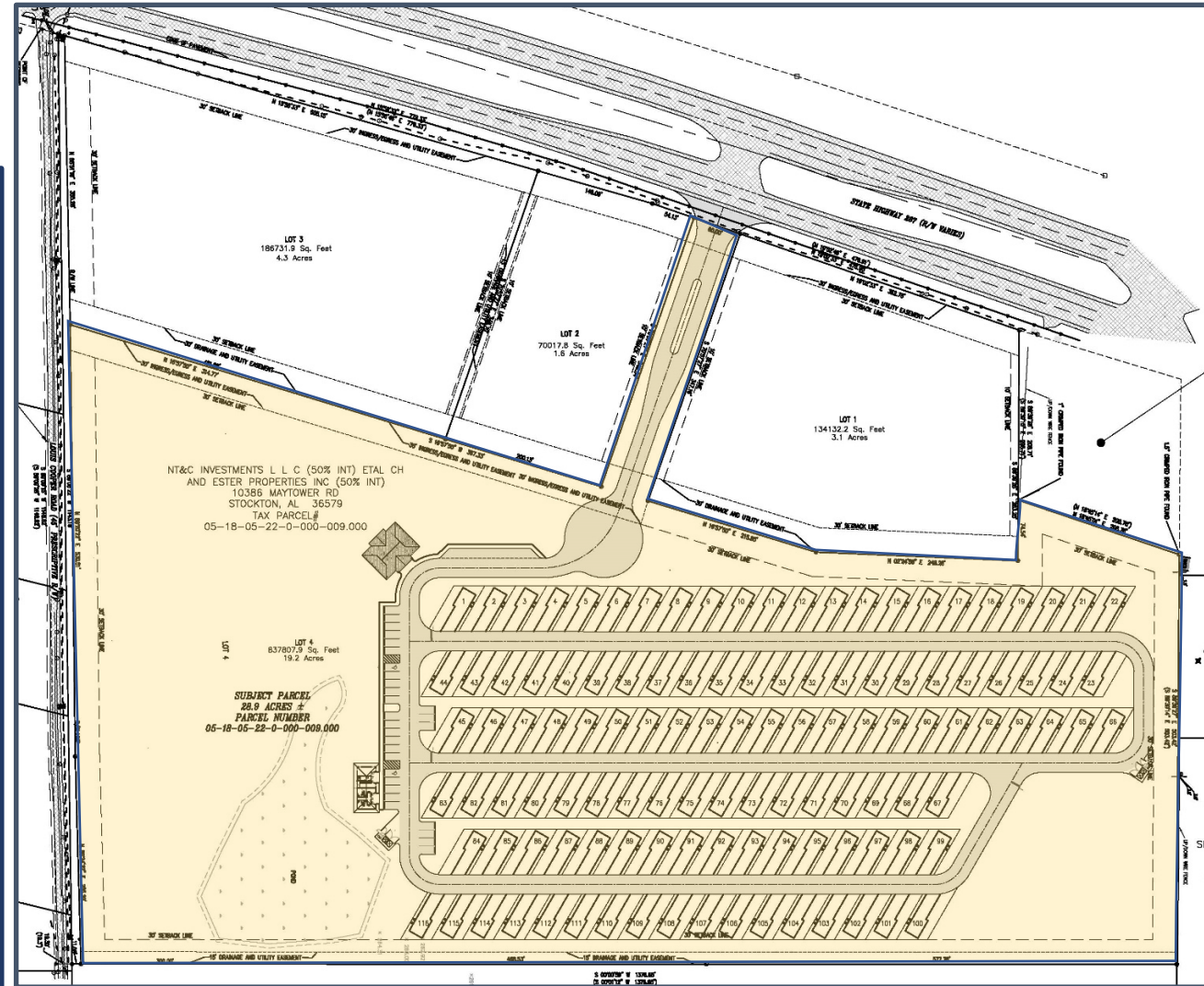
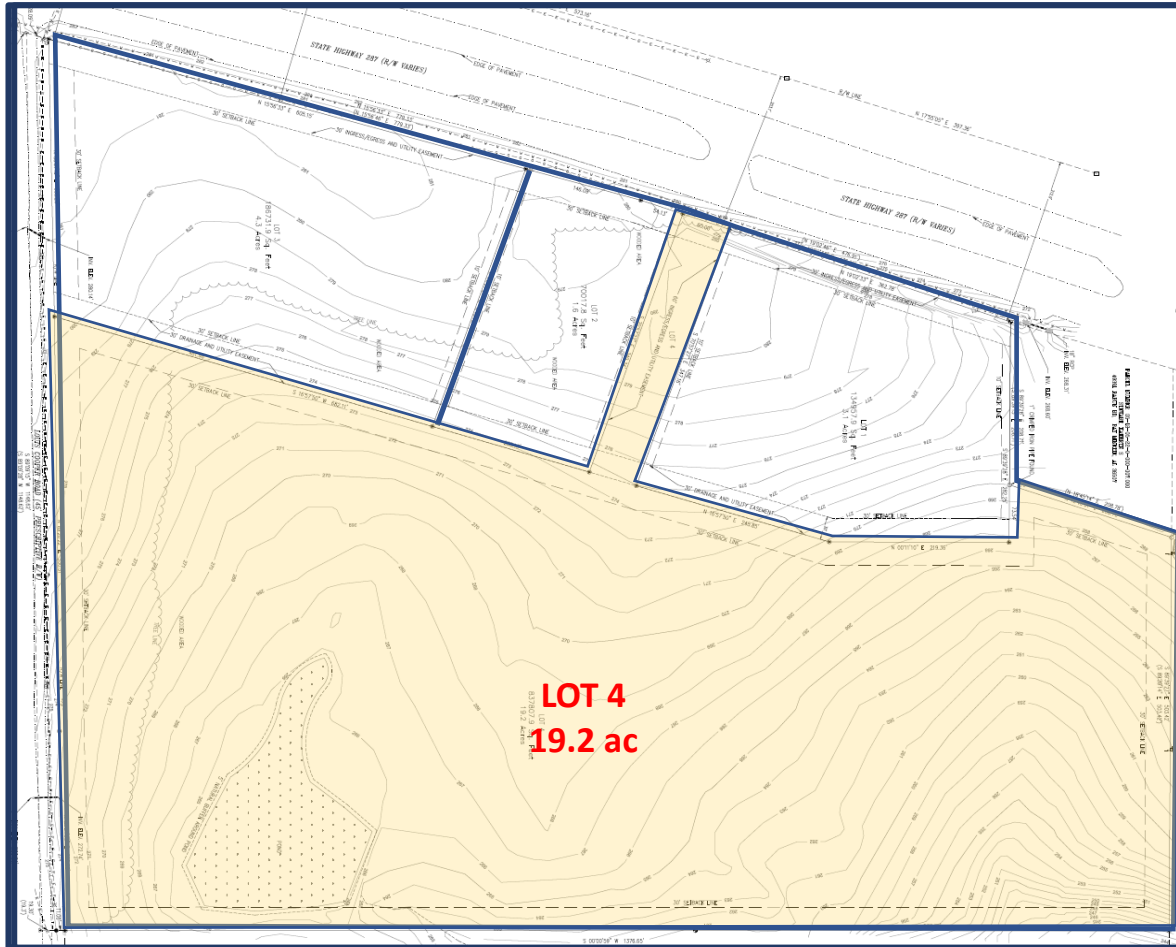
- Water: North Baldwin Utilities
- Electrical: Baldwin EMC
- Sewer: ~~North Baldwin Utilities~~ **SEPTIC**



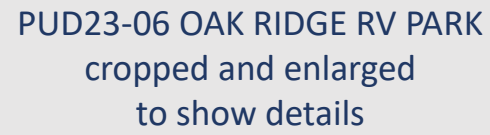
## SC23-12 OAK RIDGE PARK SUBDIVISION

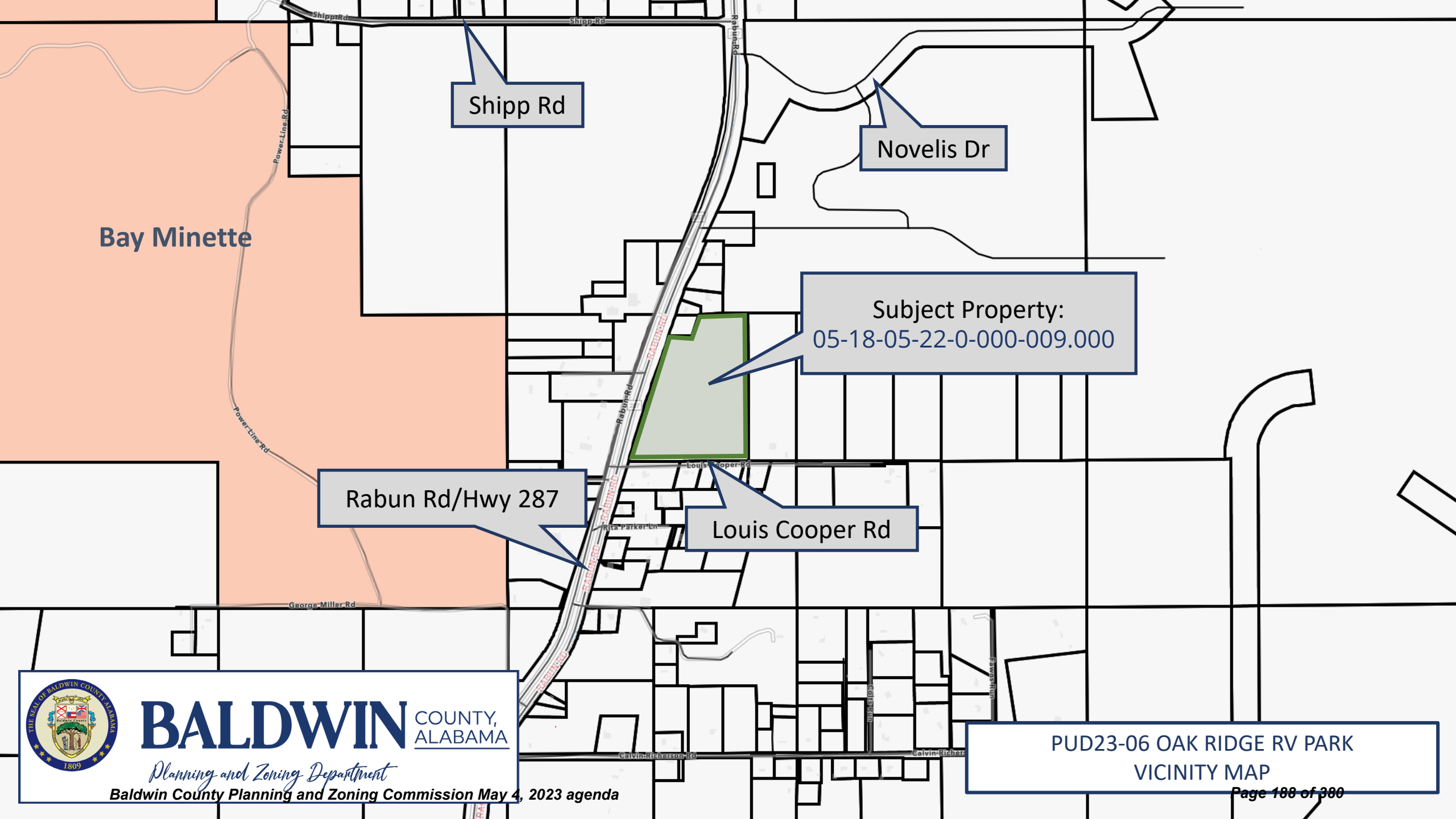
approved on April 6, 2023

- RV park is on Lot 4









Shipp Rd

Novelis Dr

Subject Property:  
05-18-05-22-0-000-009.000

Rabun Rd/Hwy 287

Louis Cooper Rd

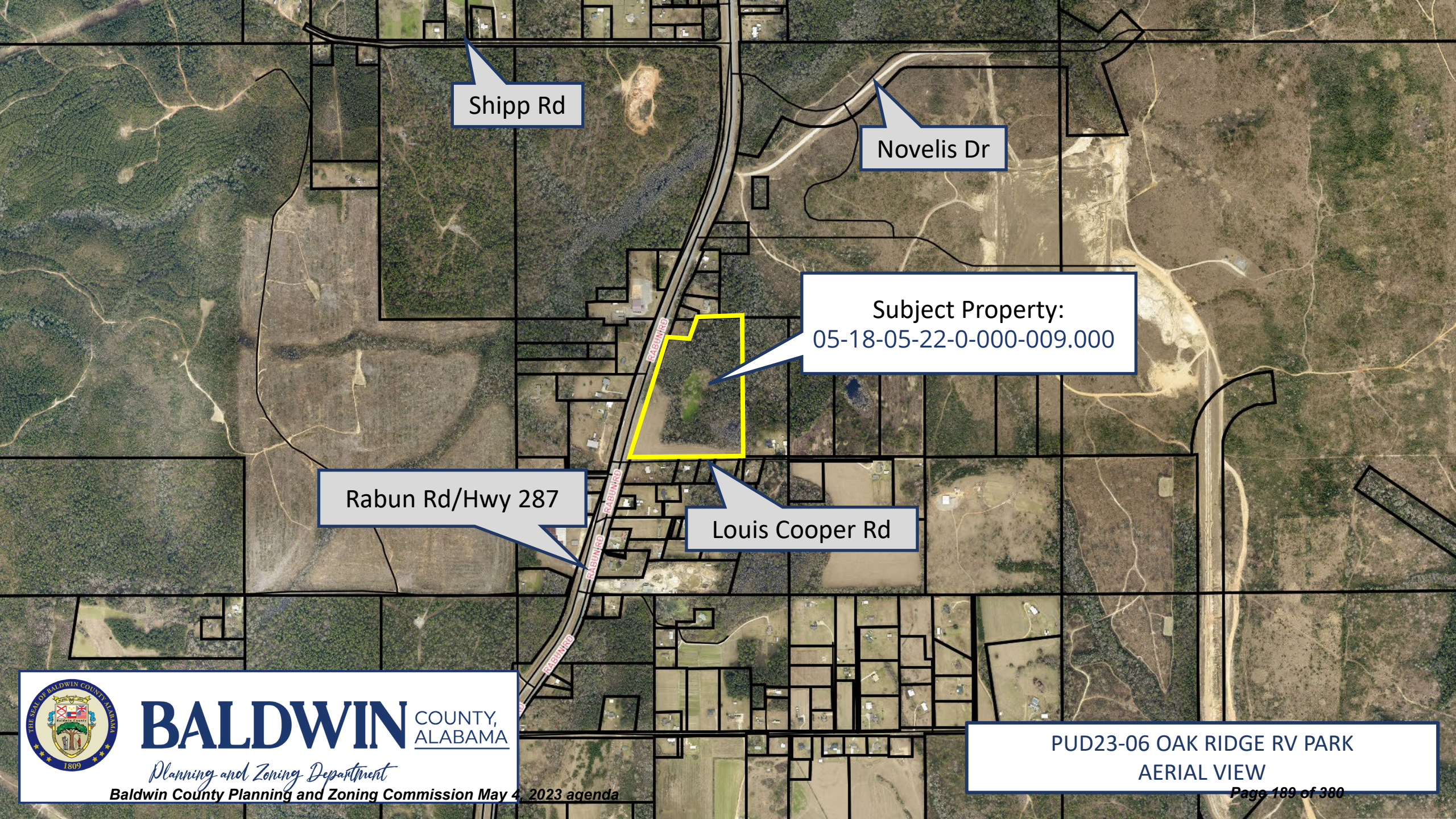


**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*  
Baldwin County Planning and Zoning Commission May 4, 2023 agenda

PUD23-06 OAK RIDGE RV PARK  
VICINITY MAP





Shipp Rd

Novelis Dr

Subject Property:  
05-18-05-22-0-000-009.000

Rabun Rd/Hwy 287

Louis Cooper Rd



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*  
Baldwin County Planning and Zoning Commission May 4, 2023 agenda

PUD23-06 OAK RIDGE RV PARK  
AERIAL VIEW



### Staff Comments

Drainage report by Chris Lieb, *Lieb Engineering Co.*

- Drainage report was accepted by the Baldwin County Highway Department

LEGEND

EXISTING ASPHALT PAVING

PROPOSED ASPHALT PAVING

EXISTING DRAINAGE AREA

PROPOSED DRAINAGE AREA



### Oak Ridge RV Park

#### DRAINAGE REPORT

State Highway 287  
Bay Minette, AL 36507



03/20/2023

Christopher Lieb, P.E.  
Civil Engineer

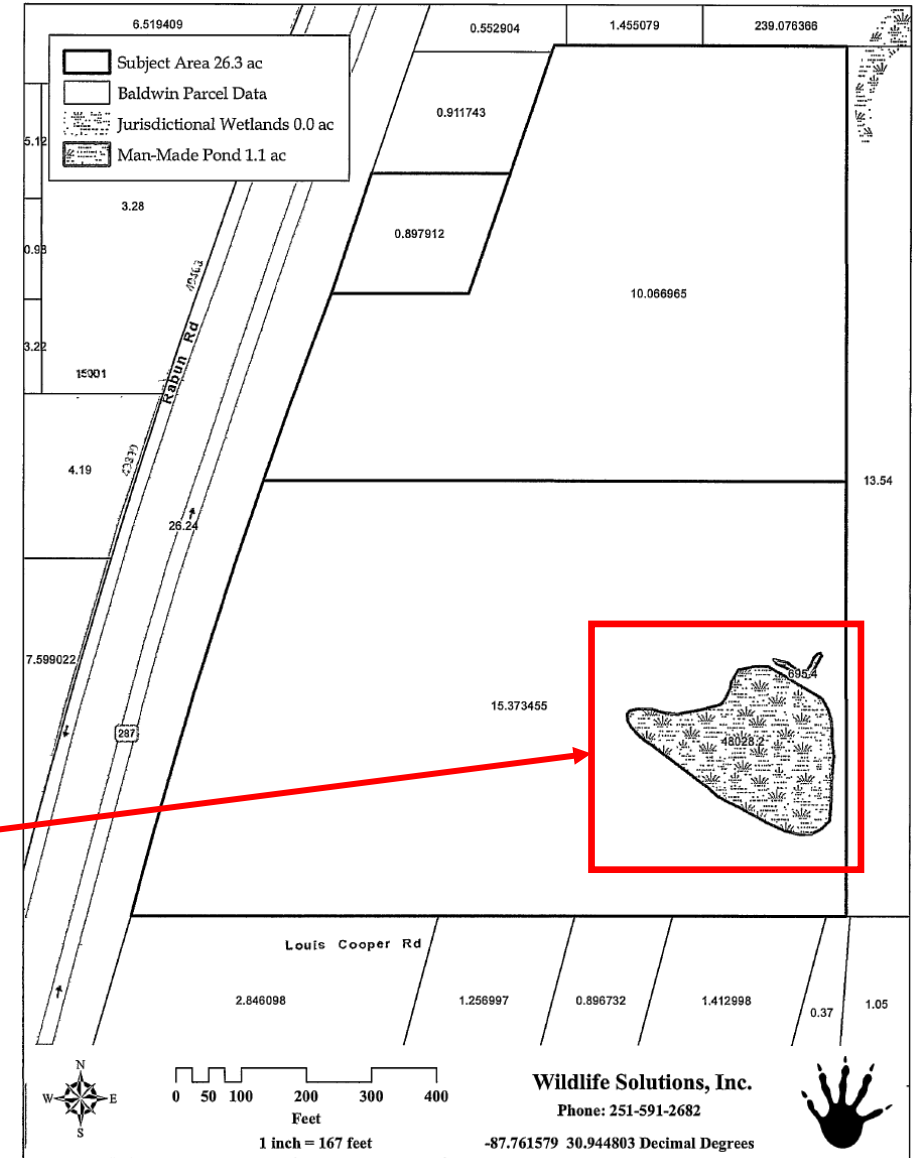
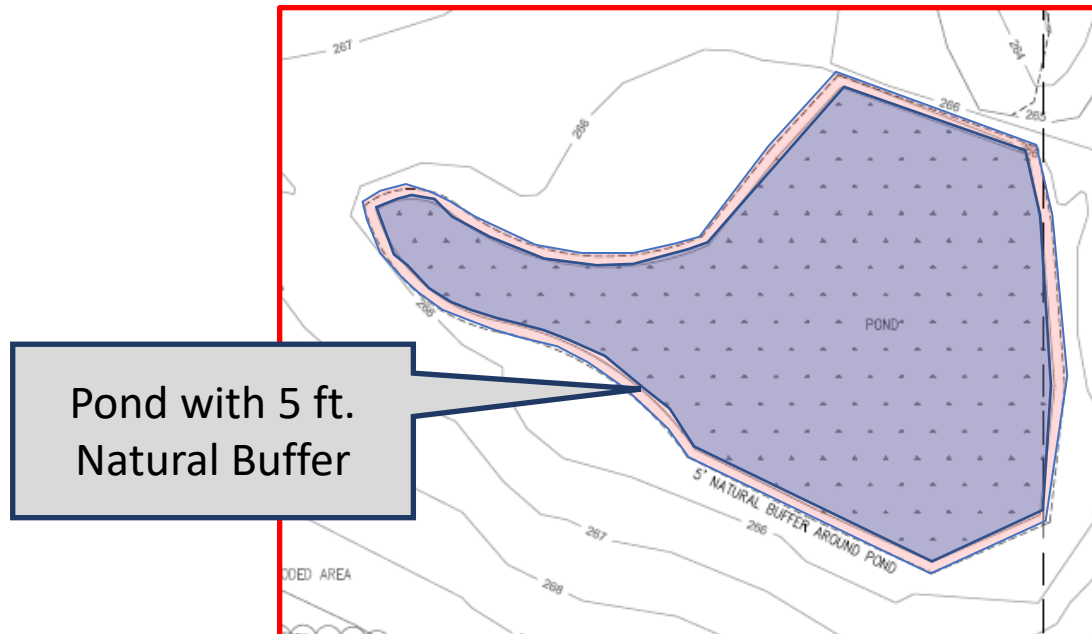
LIEB ENGINEERING  
COMPANY

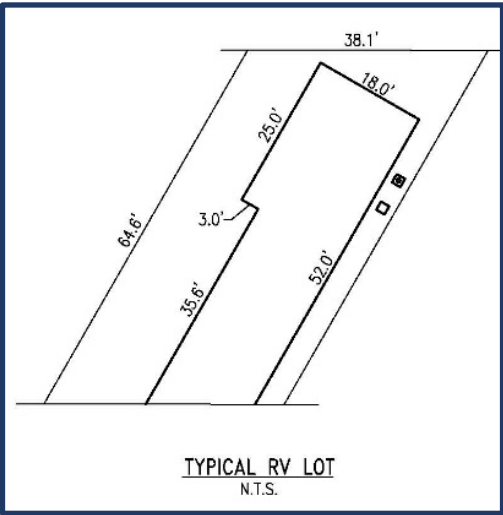
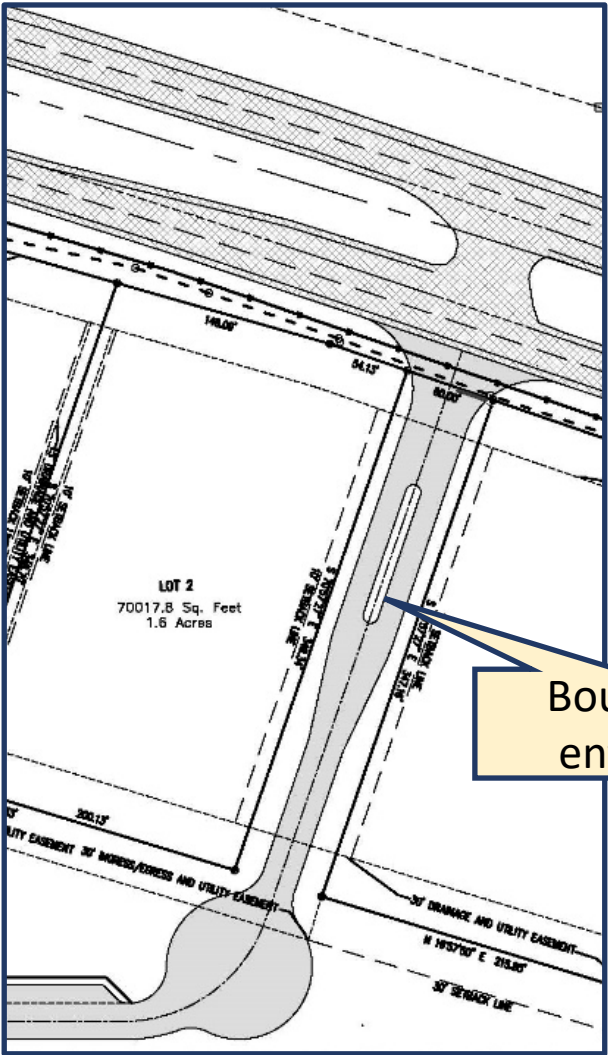
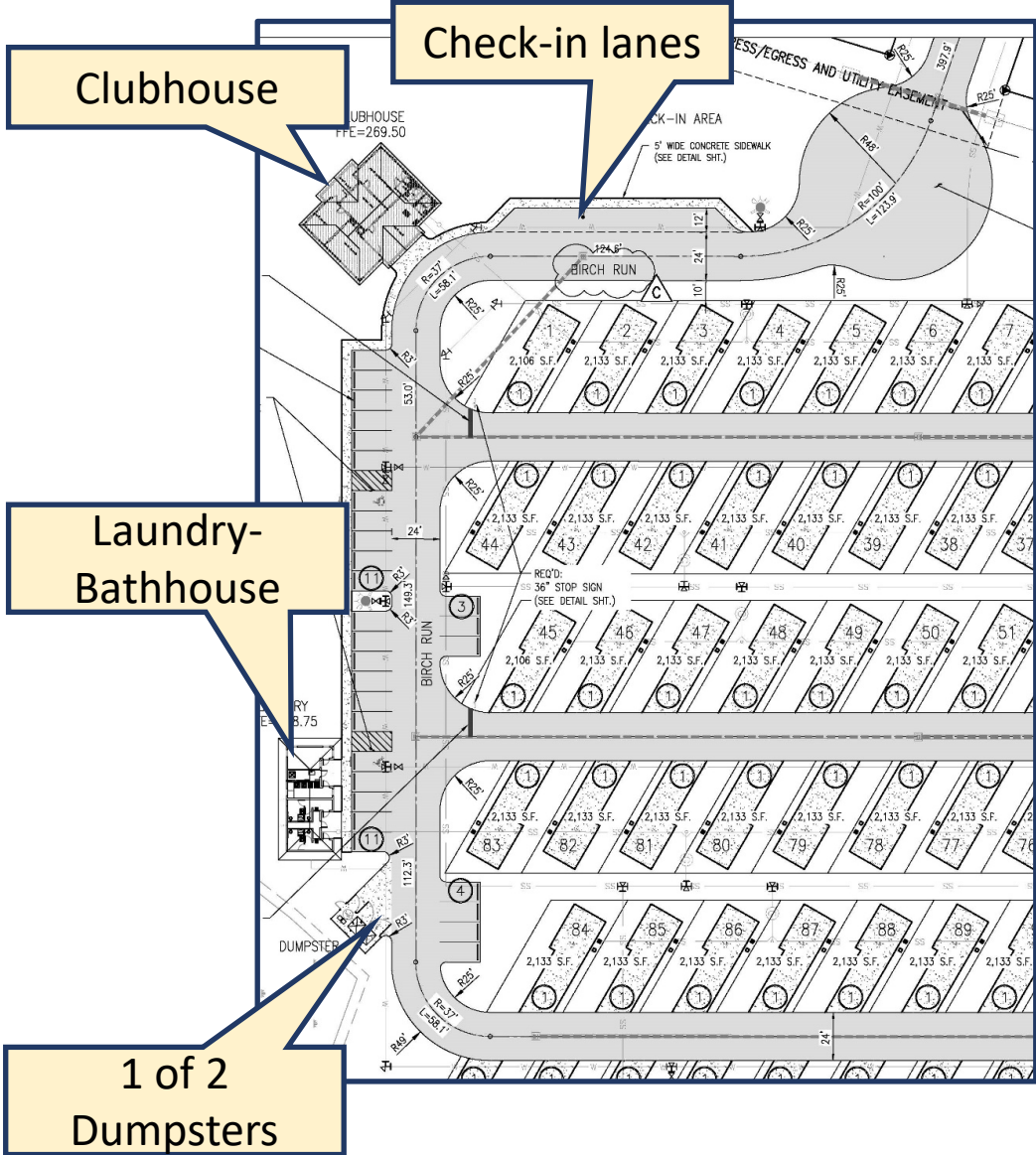
Page 1 of 4  
2022-096

### Staff Comments

Wetland report by J.J. McCool, *Wildlife Solutions, Inc.*

- An area of non-jurisdictional wetlands was identified (a man-made pond).
- Pond is shown with a 5 ft. natural buffer.









**BALDWIN EMC**

Your Touchstone Energy® Cooperative

P.O. Box 220  
Summerdale, AL  
36580-0220  
(251) 989-6247

[www.baldwinemc.com](http://www.baldwinemc.com)

January 20, 2023

Lieb Engineering  
Mary Kate O'Connell  
1290 Main Street, Suite E  
Daphne, AL 36526

Re: Site Plan for Bay Minette Commerce Park, PIN # 37470

Dear Mary Kate O'Connell:

This letter is to confirm that the referenced development is in Baldwin E.M.C.'s service territory. Also, this letter is confirming that the referenced has been submitted to Baldwin EMC.

Baldwin EMC is willing to service the development as long as the necessary easements are granted using our standard easement form and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades (transmission line, substation and distribution line). All system upgrades and line extensions will be in accordance with Baldwin EMC's current Line Extension Policy.

Please contact me to discuss necessary easements and fees.

Below is our typical required easements for subdivisions:

There is a dedicated herewith a 10 foot utility easement on all lot lines and common areas adjacent to the right-of-ways and a 10 foot utility easement on each side of lot and common area lines, unless otherwise noted.

If you have any questions or if I can be of further assistance, please do not hesitate to contact me at 251-989-0226.

Sincerely,

Brett Morrow  
Supervisor of Staking  
BM/ss



**NORTH BALDWIN UTILITIES**

PROVIDING QUALITY SERVICES SINCE 1945 - NATURAL GAS • WATER • WASTEWATER

25 Hand Ave | Bay Minette, AL 36507  
251.937.0345 fax | 251.580.1626 phone  
[www.northbaldwinutilities.com](http://www.northbaldwinutilities.com)

April 14, 2023

Chris Lieb  
Lieb Engineering Company  
1290 Main Street Suite E  
Daphne, AL 36526  
[clieb@liebengineering.com](mailto:clieb@liebengineering.com)

Re: Letter of Availability – Wastewater Service  
Bay Minette Commerce Park  
PIN - 37470

Dear Chris,

This correspondence is in response to your service inquiry email dated April 5, 2023, regarding wastewater service availability to Bay Minette Commerce Park in Bay Minette, Alabama.

North Baldwin Utilities (NBU) has the capacity and capability to serve the above-referenced property. Wastewater service will be available in this area within the next 12 months.

All new or modified utility infrastructure shall be in accordance with NBU specification. The developer shall coordinate with NBU throughout the planning, design, and construction of the project to ensure conformity with NBU protocols and requirements.

I am available to further discuss your project and welcome any inquiries regarding NBU service to and requirements regarding this development.

Sincerely,

Jason M. Padgett  
General Manager/CEO

JMP/alr

North Baldwin Utilities (NBU) has the capacity and capability to serve the above-referenced property. **Wastewater service will be available in this area within the next 12 months.**

JASON M. PADGETT, Chief Executive Officer (CEO)

### Subdivision Regulations 5.16

Max. density with sewer: 15 sites/acre

Max. density with septic: 6 sites/acre

Current density: 6:04 sites/acre

### Recommendation:

Reduce number of sites to 115 to bring density below 6 units/acre

Local Fire Protection Authority Comment Form for Oak Ridge RV Park  
(Development Name)



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

Robertsdale Office:  
22251 Palmer Street  
Robertsdale, AL 36567

Foley Office:  
22251 Palmer Street  
Robertsdale, AL 36567

Dear Local Fire Protection Authority,

As part of Baldwin County's subdivision review process, applicants who propose higher density developments (2 lots/units per acre or higher) are required to meet certain fire protection thresholds (Sub. Regs. §5.2.5(a)(3)). These requirements include:

1. Fire Hydrant Spacing
2. Minimum Fire Hydrant Barrel Size
3. Water volumes and pressures that meet ISO Fire Suppression Rating requirements.

County team members will review the development for compliance with these standards. However, as the Local Fire Protection Authority, we value any input you may have regarding fire protection for this development.

You are being provided a copy of this letter by the project design engineer, along with a copy of the draft plat for the proposed development. Also attached is a written report and calculations, prepared and stamped by the design engineer, demonstrating that water supply volumes and pressures are sufficient for the development. The design engineer is responsible for ensuring that volumes and flows meet Baldwin County's requirements. You are not required to verify the engineer's calculations and report.

If you believe water volumes and pressures are insufficient to serve this development, you are invited to comment below and email to [planning@baldwincounty.al.gov](mailto:planning@baldwincounty.al.gov) or return to one of our office locations. If no comments are received within 10 business days of receipt of this letter, it will be presumed that you do not wish to provide any comments. Please feel free to contact our team at 251-580-1655 with any questions.

Sincerely,

Matthew Brown  
Planning Director

Local Fire Protection Authority Comments:

Fire Chief Michael Minchen

Bay Minette

(Local Fire Protection Authority Name)

Instructions for Applicant: Please provide a copy of this form (ensure you are using the latest version from the P&Z website), a copy of the plat, and a copy of the signed and sealed report (including calculations) demonstrating ISO compliance, to the Local Fire Protection Authority with evidence of the date delivered. Options include certified mail or an email to an email address that is documented as the active email address for the Local Fire Protection Authority.



**LIEB ENGINEERING**  
COMPANY

1290 Main Street  
Suite E  
Daphne, AL 36526  
Phone: 251.978.9779

March 8, 2023

Baldwin County Planning and Zoning  
Attn: Staff

Re: **Oak Ridge Subdivision Fire Flow**

Dan,

The static and residual pressures at the test hydrant was at the intersection of Rita Parker Lane and HWY 287 were 74 and 23 psi respectively. The flow hydrant near the corner of Shipp Road and HWY 87 was flowing 500 GPM at 7.5 psi. This test was performed at 3/8/23 at 9:30 AM. The available fire flow is 516 GPM at 20 psi. The water system will meet all requirements of the current ISO Fire Suppression Rating Schedule Paragraph 340, 614 and 620.A.


Sincerely,

Christopher Jay Lieb, PE

available fire flow is 516 GPM at 20 psi. The water system will meet all requirements of the current ISO Fire Suppression Rating Schedule Paragraph 340, 614 and 620.A.

**LIEB ENGINEERING**  
COMPANY

LANCE R. LEFLEUR  
DIRECTOR

  
Alabama Department of Environmental Management  
adem.alabama.gov  
1400 Coliseum Blvd. 36110-2400 • Post Office Box 501463  
Montgomery, Alabama 36130-1463  
(334) 271-7700 • FAX (334) 271-7950

KAY IVEY  
GOVERNOR

April 10, 2023

CARRIE CATRETT  
NT&C INVESTMENTS LLC  
10386 MAY TOWER RD  
STOCKTON, AL 36579

RE: Bay Minette RV Park  
Baldwin County (003)

Dear Mrs. Catrett:

Based on your request, coverage under General NPDES Permit Number ALR10C3PD is granted. The effective date of coverage is April 10, 2023.

Coverage under this permit does not authorize the discharge of any pollutant or wastewater that is not specifically identified in the permit and by the Notice of Intent.

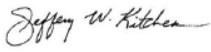
You are responsible for compliance with all provisions of the permit including, but not limited to, the performance of required inspections and/or monitoring, and the preparation and implementation of a Construction Best Management Practices Plan (CBMPP) required by the permit.

The Alabama Department of Environmental Management encourages you to exercise pollution prevention practices and alternatives at your facility. Pollution prevention will assist you in complying with permit requirements.

Prior to commencing land disturbance activities, the Department encourages you to view the video "Most Common Compliance Issues at Construction Sites" on the ADEM webpage at <https://www.youtube.com/watch?v=xG-SIJ2Mgc>.


A copy of the General NPDES Permit under which coverage of your discharges has been granted is enclosed. If you have any questions concerning this permit, please contact Stephanie Fontaine by email at [stephanie.fontaine@adem.alabama.gov](mailto:stephanie.fontaine@adem.alabama.gov) or by phone at (334) 274-4249.

Sincerely,

  
Jeffery W. Kitchens, Chief  
Water Division

**Birmingham Branch**  
110 Vulcan Road  
Birmingham, AL 35209-4702  
(205) 942-6168  
(205) 941-1608 (FAX)

**Decatur Branch**  
2715 Sandlin Road, S.W.  
Decatur, AL 35603-1333  
(256) 353-1713  
(256) 340-9359 (FAX)



**Mobile Branch**  
2204 Perimeter Road  
Mobile, AL 36615-1131  
(251) 450-3400  
(251) 479-2539 (FAX)

**Mobile Coastal**  
3664 Daughlin Street, Suite B  
Mobile, AL 36608-1211  
(251) 304-1176  
(251) 304-1189 (FAX)

Form BM-111  
Revised May 2017

ALDOT Turnout Application

Page 1 of 5

ALABAMA DEPARTMENT OF TRANSPORTATION  
PERMIT TO CONSTRUCT A TURNOUT  
TO PROVIDE ACCESS TO A STATE HIGHWAY

County Baldwin

Route Number 287

Milepost 5.01

Bonding Agency \_\_\_\_\_ Bond Number \_\_\_\_\_

Associated Permits and/or Documents BM-174 and MB-05

Name of APPLICANT NT&C Investments, LLC

Address 0 Louis Cooper Road Bay Minette AL 36507

Description of Work: ☒ Commercial ☐ Residential or Small Church or Small Farm

We are installing a new driveway to access a new RV Park.

The APPLICANT hereby requests permission of the Alabama Department of Transportation, hereinafter referred to as ALDOT, to permit APPLICANT to construct a turnout to the highway above noted and agrees with ALDOT that upon approval of this request by ALDOT, the permission for the APPLICANT to construct, maintain and/or use such turnout shall be subject at all times to revocation by ALDOT, and the permission to construct, maintain and/or use the turnout by the APPLICANT, shall be especially subject to the following terms and conditions as respectively applicable, and that such permission will be revoked or denied by ALDOT at any time the APPLICANT fails to comply with any such term or condition hereinafter stated:

- The turnout shall be in compliance with applicable provisions of Chapter 4 of ALDOT Access Management Manual, ALDOT Permit Manual, ALDOT current highway design standards, and with the drawing(s) attached hereto (Information is available from any ALDOT District Administrator to assist APPLICANT in this regard).
- The access turnout will be constructed in such a manner that no damage will be occasioned to the state highway, and no hazard to the traveling public will be created.



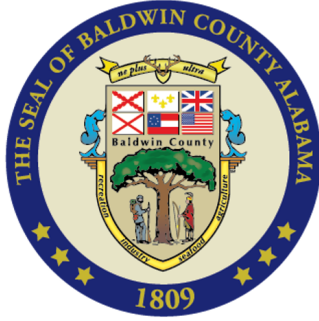
Staff recommends that the Preliminary Plat application for Case No PUD23-06 be **APPROVED** subject to compliance with the Baldwin County RV Park Regulations and the following **conditions**:

Specific Conditions:

1. Record subdivision approved at the April 6, 2023, Planning Commission meeting.
2. Verify ALDOT approval for the entrance onto Highway 287.
3. Reduce number of sites from 116 to 115 to meet density requirements for septic and add a Health Department certification to the site plan.
4. If the NBU sewer availability letter is furnished before the PUD site plan is recorded, the septic note on the site plan won't be required and the number of sites will be restored to 116.

General Conditions (including but not limited to the following):

1. Submit construction plans to Baldwin County Highway Department for review and approval of a Subdivision Permit.
2. Record final site plan once the Subdivision Permit has been issued.
3. Obtain any necessary building permits.
4. Approval of the final site plan is granted for two years and item 2 and 3 above will need to occur within the two-year approval period, or submit an extension request for final site plan approval.



# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## SUBDIVISION PRELIMINARY PLAT REQUEST

SPP23-04 MILL CREEK PH. I

MAY 4, 2023

PRESENTED BY: SHAWN MITCHELL, DEVELOPMENT REVIEW PLANNER



9.f)SPP23-04 MILL CREEK PH. I

May 4, 2023

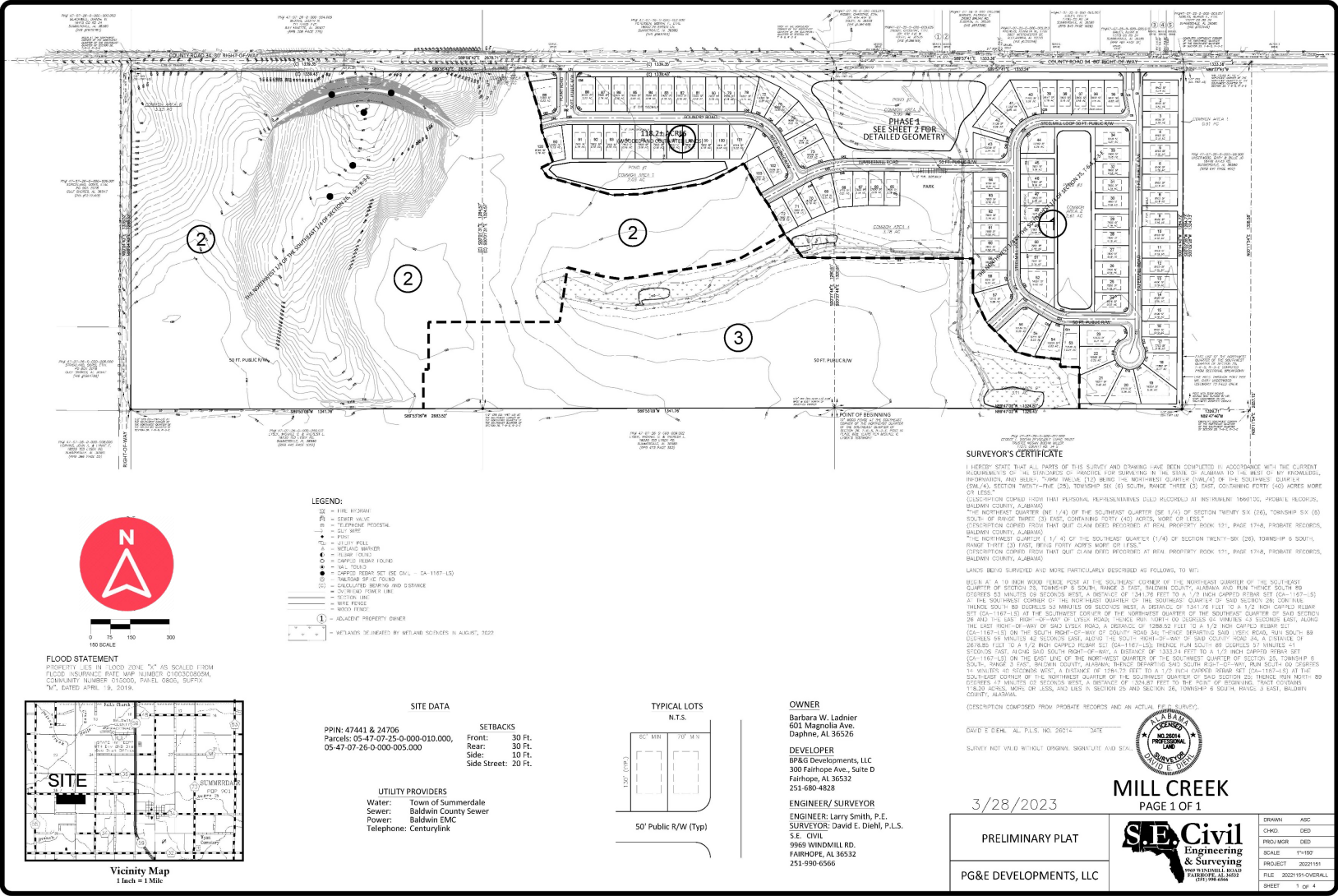
Request before the Planning  
Commission:

**Preliminary Plat approval** of  
*MILL CREEK SUBDIVISION, Phase I,*  
a **103-lot** subdivision.

Staff recommendation:  
**APPROVAL** with conditions

To view maps/plats in higher resolution  
and public comments received related  
to this case, please visit the “Upcoming  
Items” Planning and Zoning webpage:

[https://baldwincountyal.gov/departmen  
ts/planning-zoning/meeting-agenda](https://baldwincountyal.gov/departmen<br/>ts/planning-zoning/meeting-agenda)



**Location:** Subject property is located on the south side of County Rd. 34, east of Ted Lysek Rd and west of Davis Rd. It is a quarter mile west of the Town of Summerdale.

**Planning District:** 18

**Zoning:** The citizens of Planning District 18 have not implemented zoning

**Total Property Area:** 42.5 acres +/-

**Total # of Lots requested:** 103

- Smallest lot: 7,800 SF +/-
- Largest lot: 18,217 SF +/-
- Building Setbacks: 30' Front, 30' Rear 10' Side, 20' Street side

**Streets / Roads:** 5,059 LF of streets for public use

- Proposed lots will access internal streets only

**Owner:** Barbara W. Lадnier, 601 Magnolia Ave, Daphne, AL 36526

**Developer:** BP&G Developments, LLC  
300 Fairhope Ave., Suite D, Fairhope, AL 36526

**Surveyor:** David Diehl, SE Civil Engineering  
9969 Windmill Rd., Fairhope, AL 36532

**Online Case File Number:** The official case number for this application is SPP23-04 MILL CREEK PH. I Subdivision, however, when searching the online CitizenServe database, please use SPP23-000004.

**Parcels:** 05-47-07-26-0-000-005.000  
05-47-07-25-0-000-010.000

**PPINs:** 47441, 24706

**Traffic Study:** TIS prepared and stamped by Samantha Islam, PE, and accepted by the Baldwin County Highway Department.

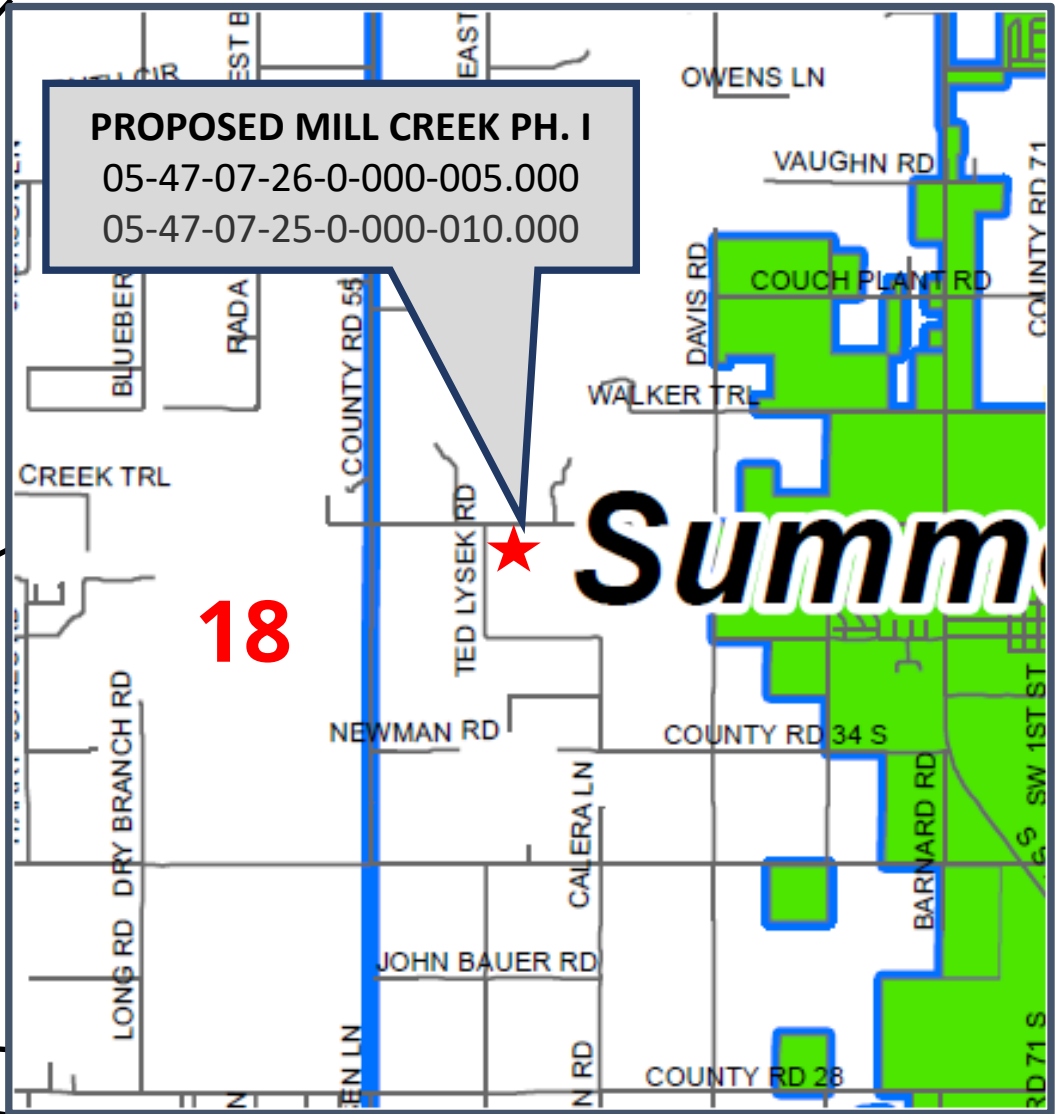
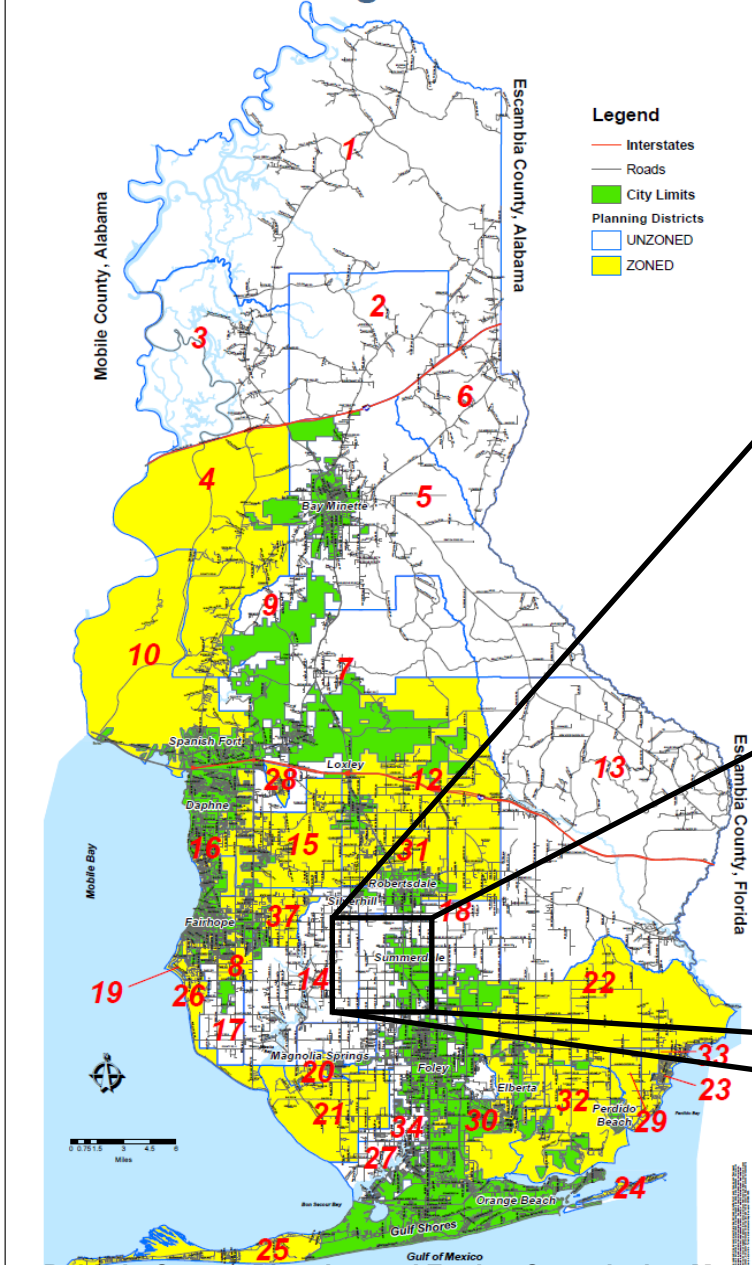
**Drainage Improvements:** A drainage narrative was prepared and stamped by Jared Landry, PE, and accepted by the Baldwin County Highway Department.

**Wetlands:** A wetland delineation was prepared by Craig Martin, Wetland Sciences, Inc.

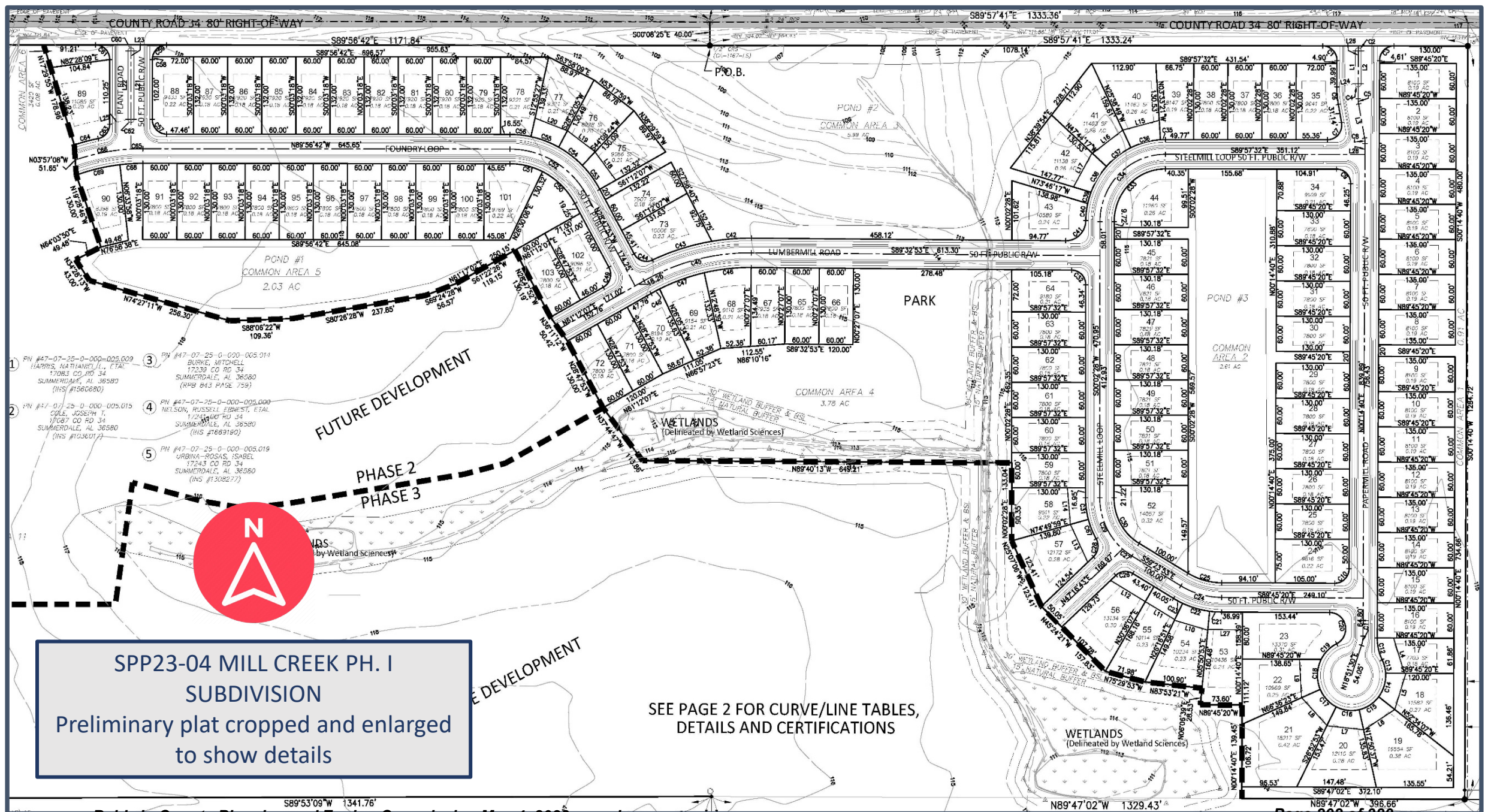
**Utility Providers:**

- Domestic Water: Town of Summerdale
- Sewer: Baldwin Co. Sewer Service
- Electrical: Baldwin EMC
- Broadband: Brightspeed

# Baldwin County, Alabama Planning Districts

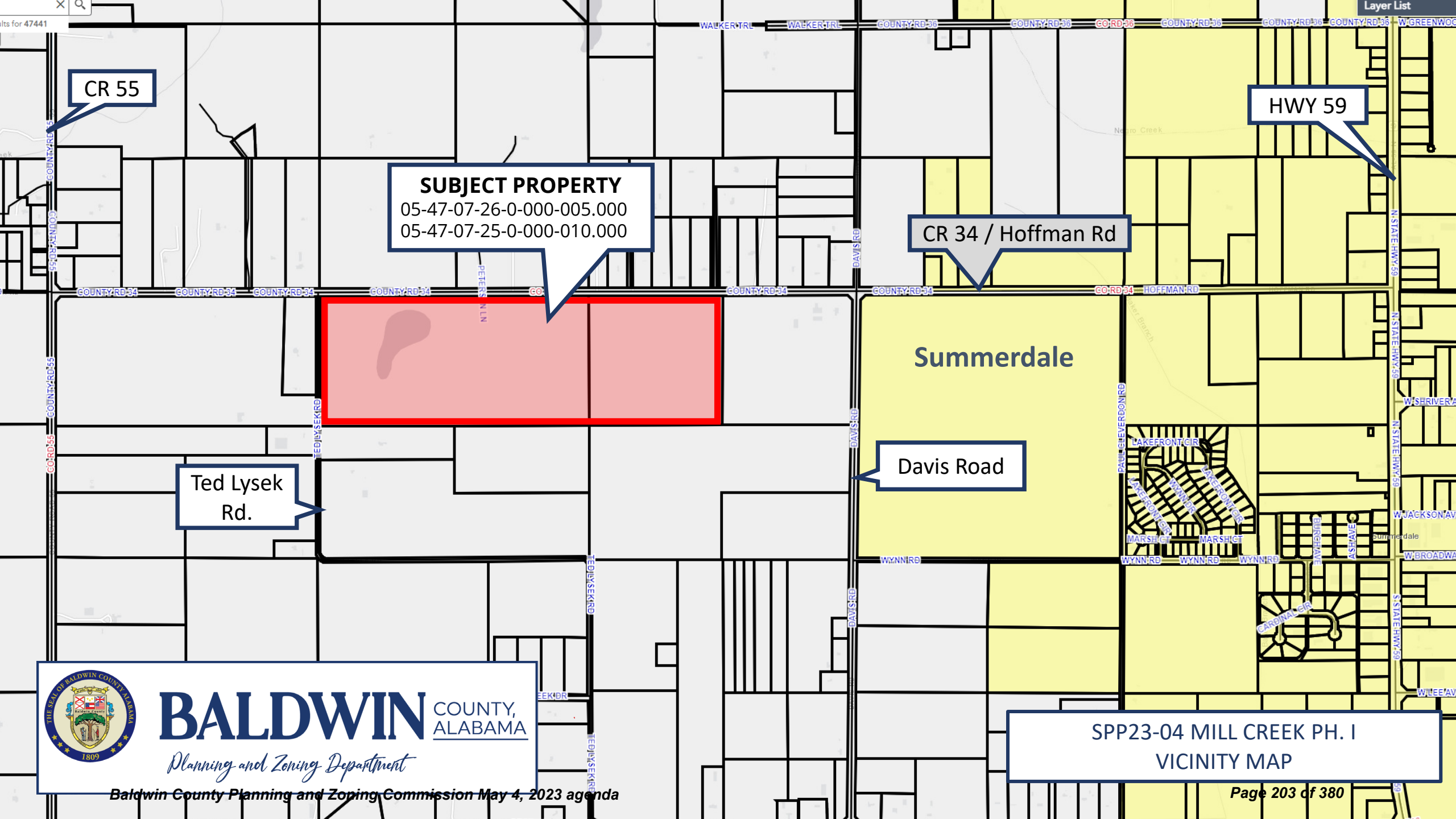






**SPP23-04 MILL CREEK PH. I  
SUBDIVISION**  
Preliminary plat cropped and enlarged  
to show details

SEE PAGE 2 FOR CURVE/LINE TABLES,  
DETAILS AND CERTIFICATIONS



CR 55

HWY 59

**SUBJECT PROPERTY**

05-47-07-26-0-000-005.000  
05-47-07-25-0-000-010.000

CR 34 / Hoffman Rd

Summerdale

Davis Road

Ted Lysek  
Rd.



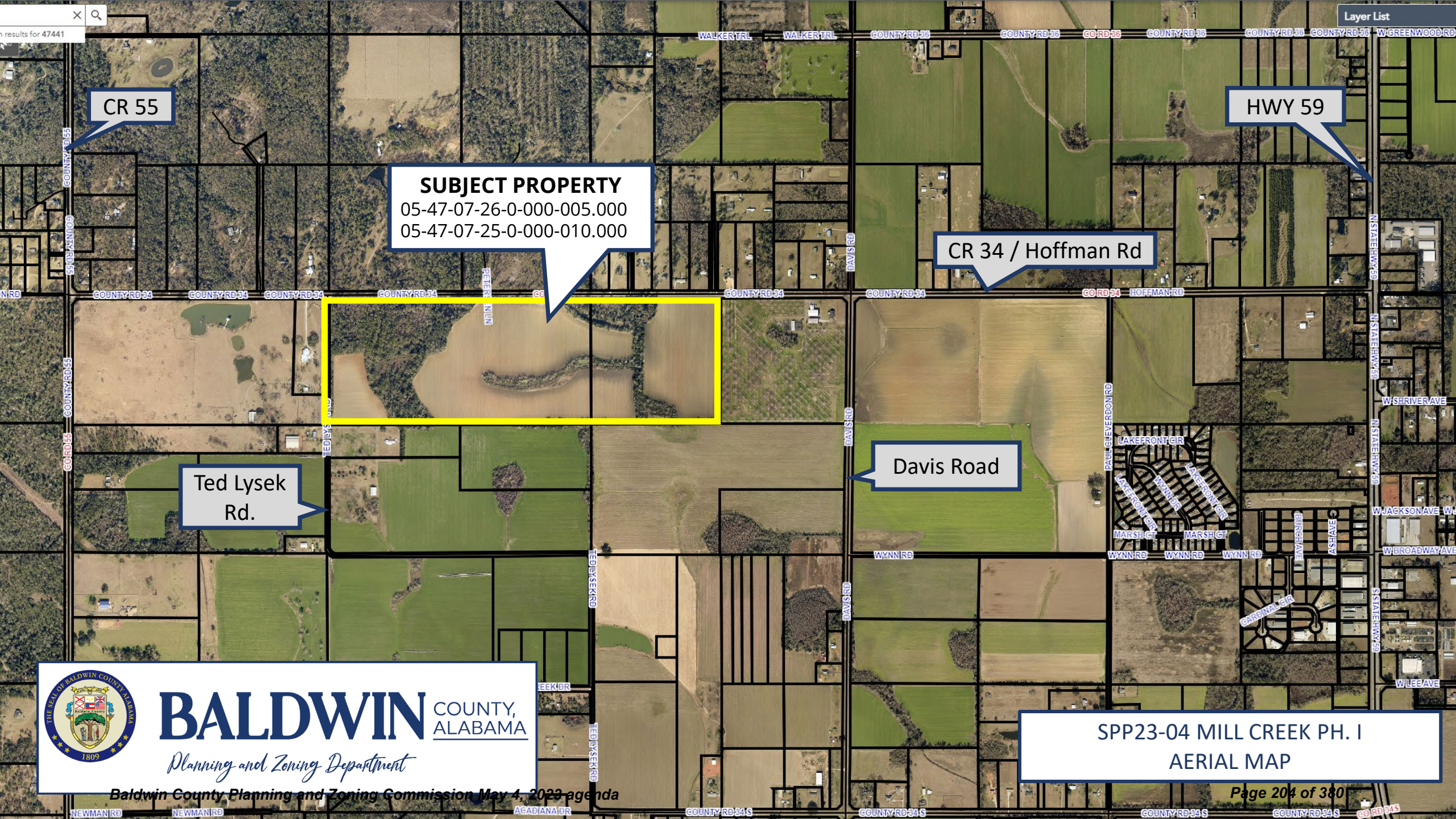
**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

Baldwin County Planning and Zoning Commission May 4, 2023 agenda

SPP23-04 MILL CREEK PH. I  
VICINITY MAP





CR 55

HWY 59

**SUBJECT PROPERTY**

05-47-07-26-0-000-005.000  
05-47-07-25-0-000-010.000

CR 34 / Hoffman Rd

Davis Road

Ted Lysek  
Rd.



**BALDWIN** COUNTY,  
ALABAMA

*Planning and Zoning Department*

Baldwin County Planning and Zoning Commission May 4, 2023 agenda

SPP23-04 MILL CREEK PH. I  
AERIAL MAP

Page 204 of 380



## Staff Comments

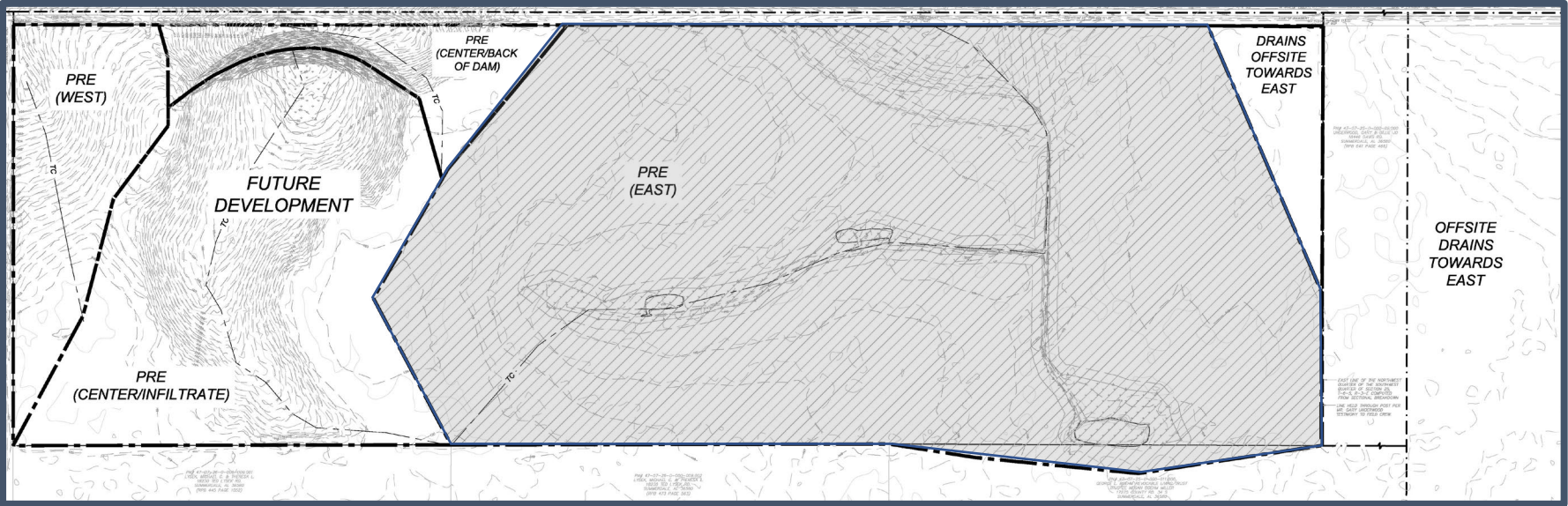
A drainage report was prepared and stamped by Jared Landry, PE.

- Drainage improvements have been recommended
- The stormwater report has been reviewed and accepted by the Baldwin County Highway Department

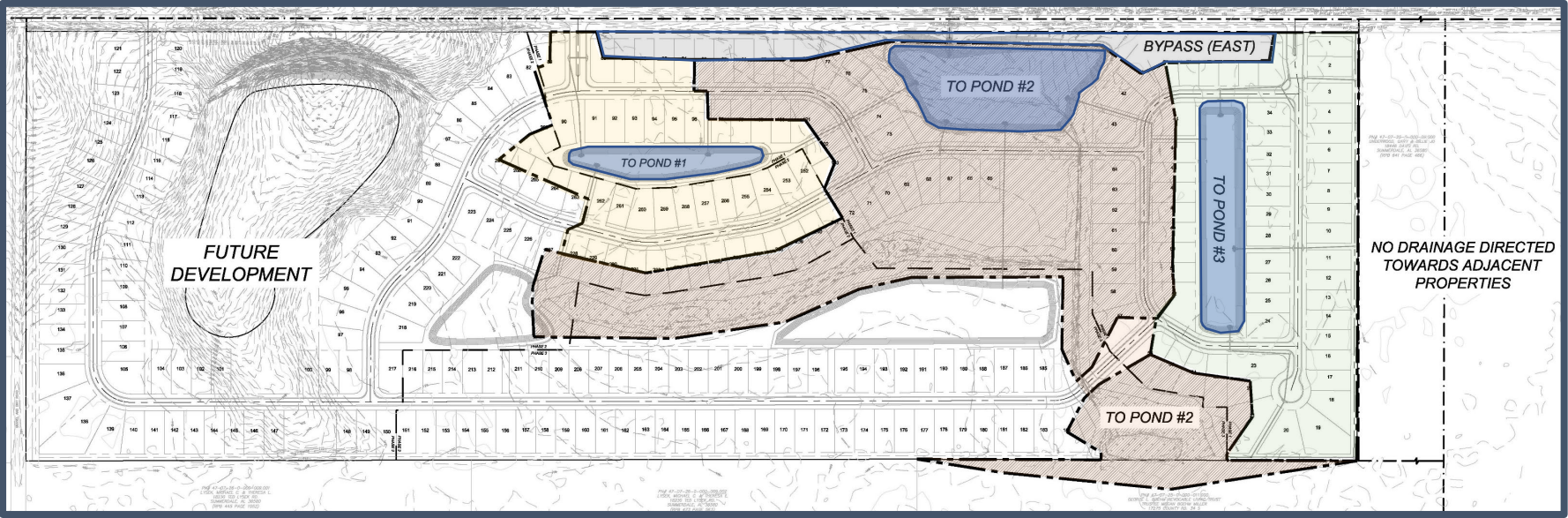
### FLOW RATES (cfs)

#### EAST BASIN

	PRE (East Basin)	PRE HIGH WATER (Exst. Downstream East)	POST (East Basin)	POST HIGH WATER (Exst. Downstream East)		
<b>2 YEAR</b>	166.59	109.96	29.24	106.64		
<b>5 YEAR</b>	259.96	110.20	44.52	107.64		
<b>10 YEAR</b>	308.62	110.32	51.72	108.25		
<b>25 YEAR</b>	376.78	110.46	59.81	109.24		
<b>50 YEAR</b>	430.59	110.57	69.19	109.58		
<b>100 YEAR</b>	484.33	110.67	80.62	109.64		
<b>POND/ROAD TOP</b>	-	109.50	-	109.50		
	POST (Pond #1)	POST HIGH WATER (Pond #1)	POST (Pond #2)	POST HIGH WATER (Pond #2)	POST (Pond #3)	POST HIGH WATER (Pond #3)
<b>2 YEAR</b>	16.71	113.68	28.49	108.62	5.61	109.13
<b>5 YEAR</b>	22.05	114.64	43.29	109.96	8.36	110.36
<b>10 YEAR</b>	23.96	115.12	50.23	110.61	10.22	110.96
<b>25 YEAR</b>	28.05	115.75	57.95	111.45	12.78	111.78
<b>50 YEAR</b>	28.65	116.27	66.88	112.06	14.79	112.38
<b>100 YEAR</b>	28.68	116.81	77.88	112.63	16.80	112.88
<b>POND/ROAD TOP</b>	-	118.00	-	113.00	-	114.00



Existing Drainage Pattern

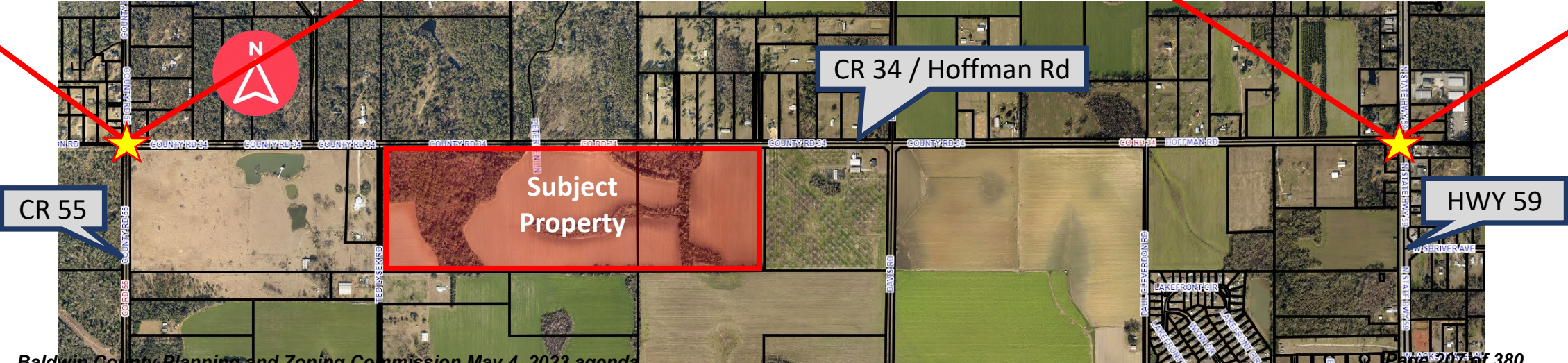


Post Development  
Drainage Pattern





Dates / times of study to determine **existing** traffic volume, direction, peak:  
Wednesday, Sept. 21, 2022, 4–6 PM  
Thursday, Sept. 22, 2022, 7–9 AM  
Intersections that were studied are indicated by a ★





## Staff Comments

Samantha Islam, PE, prepared a traffic impact study for the subject property

- The traffic report has been reviewed and accepted by the Baldwin County Highway Department
- Highway Dept is requiring a left turn lane on eastbound Hoffman Rd (CR 34) to access Hwy 59 as a condition of approval.

### Excerpt from TIS Recommendations:

AM peak hour after Phase II and Phase III respectively. Levels of Service of E and F indicate excessive delays on the eastbound Hoffman Road approach during AM peak hour. Further analyses show that addition of a left turn lane on the eastbound Hoffman Road approach can improve the level of service to an adequate level (LOS C).

10/17/2022

### TRAFFIC IMPACT STUDY

**Mill Creek Subdivision**  
Summerdale, Alabama

Prepared for:

**Mr. Pete Carnley**  
Fairhope Real Estate Inc.  
300 Fairhope Avenue  
Fairhope, AL 36532  
Phone: 251-928-2340

Prepared by:



**Samantha Islam, Ph.D., P.E.**  
7295 Sable Palms Drive  
Mobile, AL 36695  
Ph: (251)-545-9681





1120 South Tryon St.  
Suite 700  
Charlotte, NC 28203  
brightspeed.com

Date: February 1, 2023

To: S E Civil Engineering and Surveying

RE: Initial Analysis and Will Serve Letter: Brightspeed Providing Services for Mill Creek Subdivision (280 Lots) ("Property")

Dear: Aaron

You recently approached Brightspeed about providing communication services to serve Mill Creek Subdivision. Brightspeed appreciates the opportunity to provide the Property with its future communication needs.

In response to the request for a commitment to serve, Brightspeed will work with BP & G Developments ("Customer") to determine the services required at the Property. Upon such determination, Brightspeed will analyze the construction required and the costs to complete that construction. After completion of these steps, Brightspeed will make its determination whether it can provide communication services at the Property and provide the Property with notice of its decision.

If Brightspeed can provide communication services at the Property, Brightspeed will not initiate the construction, provision such services, or conduct any associated work until Brightspeed and Customer execute all required agreements governing their respective duties and obligations.

Please do not hesitate to call me at (251) 952-5781 if there are questions or any assistance is needed.

Brightspeed

Jeff Crowe  
Authorized Signature

Jeff Crowe

analyze the construction required and the costs to complete that construction. After completion of these steps, Brightspeed will make its determination whether it can provide communication services at the Property and provide the Property with notice of its decision.

Date



TOWN OF SUMMERDALE

502 West Lee Street  
Summerdale, AL. 36580

Mayor  
David P Wilson

Town Clerk  
Tiffany Lynn

Council Member  
Mary Carolyn McDaniel  
Travis Townsend  
Myles Bishop  
Norma Giles  
Cheryl Stewart

March 8, 2023

RE: Mill Creek Subdivision

The Town of Summerdale has an existing water line located on the Southeast corner of Davis Road and County Road 34 East (Hoffman Road). The 8" water line located there has the capacity to provide water to PPIN # 24706 and PPIN # 47441. Based on the plat received, the Town of Summerdale will serve the proposed Mill Creek Subdivision.

Please let me know if you have any additional questions.

Sincerely,  
  
Paul Davis  
Public Works Supervisor  
[publicworks@summerdaleal.com](mailto:publicworks@summerdaleal.com)



**BALDWIN EMC**

Your Touchstone Energy® Cooperative



P.O. Box 220  
Summerdale, AL  
36580-0220  
(251) 989-6247  
[www.baldwinemc.com](http://www.baldwinemc.com)

August 19, 2022

Aaron Collins  
S.E. Civil, LLC  
9969 Windmill Road  
Fairhope, AL 36532

Re: Sketch Plat for Mill Creek, Parcel #05-47-07-25-0-000-010.000, PIN 47441 and Parcel #05-47-07-26-0-000-005.000, PIN 24706 (280 lots)

Dear Aaron Collins:

This letter is to confirm that the referenced development is in Baldwin E.M.C.'s service territory. Also, this letter is confirming that the referenced has been submitted to Baldwin EMC.

Baldwin EMC is willing to service the development as long as the necessary easements are granted using our standard easement form and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades (transmission line, substation and distribution line). All system upgrades and line extensions will be in accordance with Baldwin EMC's current Line Extension Policy.

Please contact me to discuss necessary easements and fees.

Below is our typical required easements for subdivisions:

There is a dedicated herewith a 10 foot utility easement on all lot lines and common areas adjacent to the right-of-ways and a 10 foot utility easement on each side of lot and common area lines, unless otherwise noted.

If you have any questions or if I can be of further assistance, please do not hesitate to contact me at 251-989-0151.

Sincerely,

Brian Seals  
Manager of Engineering  
BS/ss



September 7, 2022

Aaron Collins  
S.E. Civil, LLC  
9969 Windmill Road  
Fairhope, AL 36532  
[acollins@secivileng.com](mailto:acollins@secivileng.com)

In Re: Mill Creek Subdivision on Co Rd 34 Summerdale, AL  
Parcel # 05-47-07-25-0-000-010.000 and Parcel # 05-47-07-26-0-000-005.000 PIN 24706

Aaron,

At your request, this letter is to verify that Baldwin County Sewer Service LLC (BCSS) has the capacity and capability to serve this proposed subdivision. Since there is a main sewer line extension needed serve this development, the developer would be responsible for the main sewer line extension fee. We have received a copy of the conceptual site plan.

Baldwin County Sewer Service LLC is willing and able to provide sewer service to the above referenced property, subject to applicant paying all fees required for this service. This letter is not to be used to obtain a building permit. A \$1,500\* impact fee per lot will need to be paid to Baldwin County Service LLC if a new subdivision plat is signed. This letter is valid for a period of one year from the date of issue. Any development that has not paid the necessary fees before this letter expires will need to contact BCSS and request a re-issuance of their willing and able letter.

The wastewater will be treated at our Summerdale wastewater treatment plant.

Sincerely,

and capability to serve this proposed subdivision. Since there is a main sewer line extension needed to serve this development, the developer would be responsible for the main sewer line extension fee. We

(251) 971-1516  
[jenny@baldwincountysewer.com](mailto:jenny@baldwincountysewer.com)


(251) 971-3022  
[gerry@baldwincountysewer.com](mailto:gerry@baldwincountysewer.com)



Staff Comments

To fulfill Section 5.2.5(a)(3) of the Subdivision Regulations regarding fire protection

- Flow test results have been submitted.
- The ISO approval of installed improvements will be verified at the time of final plat submission



January 31, 2023

Chief Myles Bishop  
Summerdale Fire Station #40  
105 W. Broadway  
Summerdale, AL 36580


Re: Mill Creek Subdivision  
SE Civil Project No. 20221151

Dear Chief Bishop:

Based upon the fire flow results, the water system will meet the requirements of the current ISO Fire Suppression Rating Schedule 340, 614 and 620.A.

If you have any questions, please let me know.

Sincerely,




Jared D. Landry, PE  
jlandry@secivileng.com

9969 Windmill Road

Fairhope, Alabama 36532

251-990-6566



FIRE FLOW TEST REPORT

Project: Ladnier - CR34  
Engineer: Jared Landry  
Date: 5/31/2022 Time: 2:00 PM

**FLOW HYDRANT**

Hydrant Location: 1000' East of CR34/Davis Rd. Intersection  
Size of Watermain, In.: 8 Material: PVC  
Pitot, PSI: 35 Observed Flow, GPM: 1,000  
Q<sub>8</sub>, Calculated Fire Flow @ 20 PSI: 2,320

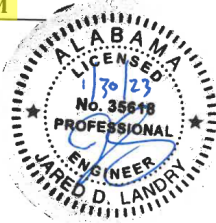
**TEST HYDRANT (RESIDUAL)**

Hydrant Location: CR34/Davis Rd. Intersection  
Size of Watermain, In.: 8 Material: PVC  
Static PSI: 58 Residual: 50

Q<sub>T</sub> = Total test flow 1,000  
H<sub>8</sub> = Static Pressure minus 20 psi 38  
H<sub>P</sub> = Static Pressure minus Residual Pressure 8

Q<sub>8</sub> = Q<sub>T</sub> x (H<sub>8</sub> / H<sub>P</sub>)<sup>0.54</sup>  
Where:  
Q<sub>8</sub> = Rated Capacity at 20 psi (in GPM)

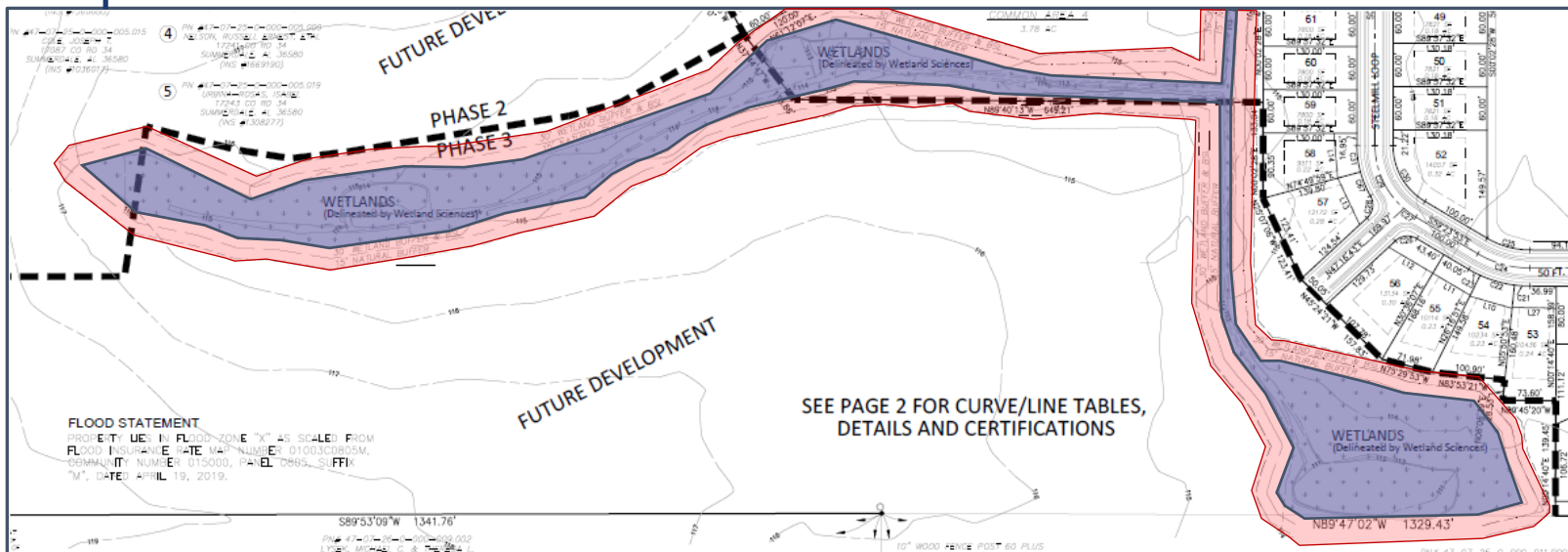
**2,320 GPM**



### Staff Comments

Wetland report prepared by Craig Martin, *Wetland Sciences, Inc.*

- Jurisdictional wetlands were identified.
- A 30-foot wetland setback and 15-foot natural buffer are reflected on the plat.



June 10, 2022

David E. Diehl, PLS  
S.E. Civil, LLC  
9969 Windmill Road  
Fairhope, AL 36532

Re: *Wetland Assessment Report*  
*Ladnier Properties, County Road 34, Summerdale, Baldwin County, AL*  
*WSI Reference #2022-425*

Dear Mr. Diehl,

As requested, Wetland Sciences, Inc. has completed a field wetland delineation located south of County Road 34 and east of Ted Lysek Road in Baldwin County, Alabama (See site location map in Exhibit A). The Baldwin County Revenue Commission identifies the subject properties by the following identification numbers: 24706 and 47441.

The purpose of performing the wetland assessment was to assess if wetlands or Waters of the United States (WOTUS) are present and, if so, to identify the boundaries. The wetland delineation was conducted in accordance with the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Federal – Corps). The following is a summary of our findings.

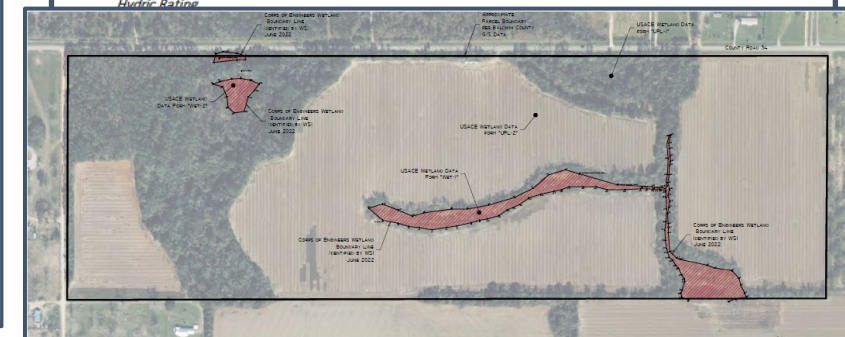
#### Desktop Review

Prior to performing the delineation, several remote data sources were reviewed to assist with identifying potential WOTUS and wetland areas at the site. Each source of data is described in detail below.

#### Natural Resource Conservation Service Soil Survey

WSI reviewed the Natural Resources Conservation Service (NRCS) on-line Web Soil Survey (WSS) to identify soil types within the subject property (See soil map in Exhibit B). The subject property is comprised of the following soil types: Carnegie very fine sandy loam, Faceville fine sandy loam, Grady soils, Irvington loam, Lakeland loamy fine sand, Magnolia fine sandy loam, Marlboro very fine sandy loam, Robertsdale loam, Sunsweet fine sandy loam and Tifton very fine sandy loam.

#### Hydro Rating



Subdivisions for April meeting



Shawn Mitchell

To [mmalm@bcbe.org](#); [etyler@bcbe.org](#); [jwilson@bcbe.org](#); [syoun@bcbe.org](#)  
Cc [Buford King](#); [Mary Booth](#); [Fabia Waters](#)

Reply

Reply All

Forward

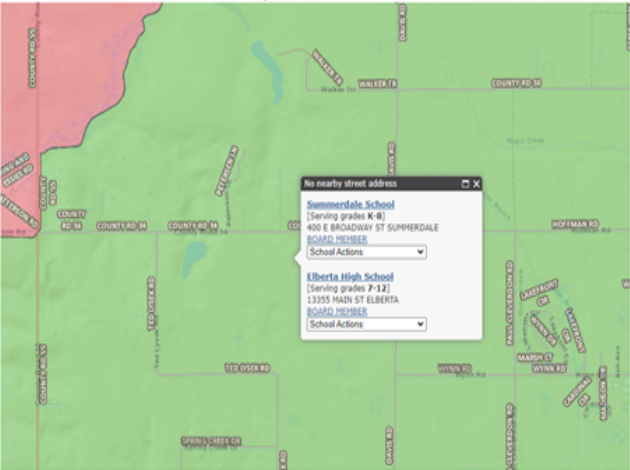
Mon 3/6/2023 10:35 AM

20221151-PRELIM-PHASE1-PHASE1-PG1.pdf  
1 MB

Good morning,

The following plat has been submitted to the Baldwin County Planning and Zoning Department. See the attached plat for more information. This will be on the agenda for the April 6, 2023, Planning Commission meeting. We welcome your feedback as part of our review process. Thank you, Shawn

SUBDIVISION NAME: Mill Creek Phase 1  
PARCEL ID: 47441, 24706  
NUMBER OF LOTS: 103  
ADJACENT ROADS: CR 34, Ted Lysek Rd





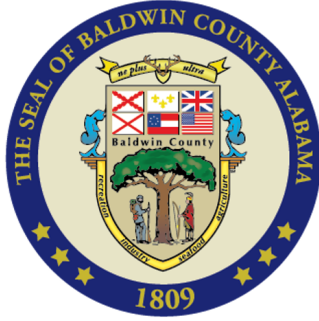
Staff recommends that the PRELIMINARY PLAT for Case No. SPP23-04 MILL CREEK PH. I SUBDIVISION, be **APPROVED with condition(s)** subject to compliance with the Baldwin County Subdivision Regulations.

#### Specific Conditions:

1. Applicant is on notice that the provisions of 5.2.5(c) for broadband service will be strictly enforced for final plat approval.
2. A left turn lane shall be installed on eastbound CR 34 at the intersection with Hwy 59.

#### General Conditions

- Compliance with the Baldwin County Subdivision Regulations, including, but not limited to submission of a request for a Subdivision Permit to the Baldwin County Highway Department for all improvements and system upgrades (including, but not limited to, water main, sewer, and traffic improvements) to be installed with the development.
- As required by sections 4.5.6 and 4.5.7, any and all local, state, and federal permits shall be submitted to the County Engineer and Planning and Zoning staff as a component of the construction plans submittal.
- Effective period is 2 years from approval of preliminary plat.



# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## SUBDIVISION PRELIMINARY PLAT REQUEST

SPP23-02 TEALWOOD ESTATES

MAY 4, 2023

PRESENTED BY: SHAWN MITCHELL, DEVELOPMENT REVIEW PLANNER

# 9.g)SPP23-02 TEALWOOD ESTATES

May 4, 2023

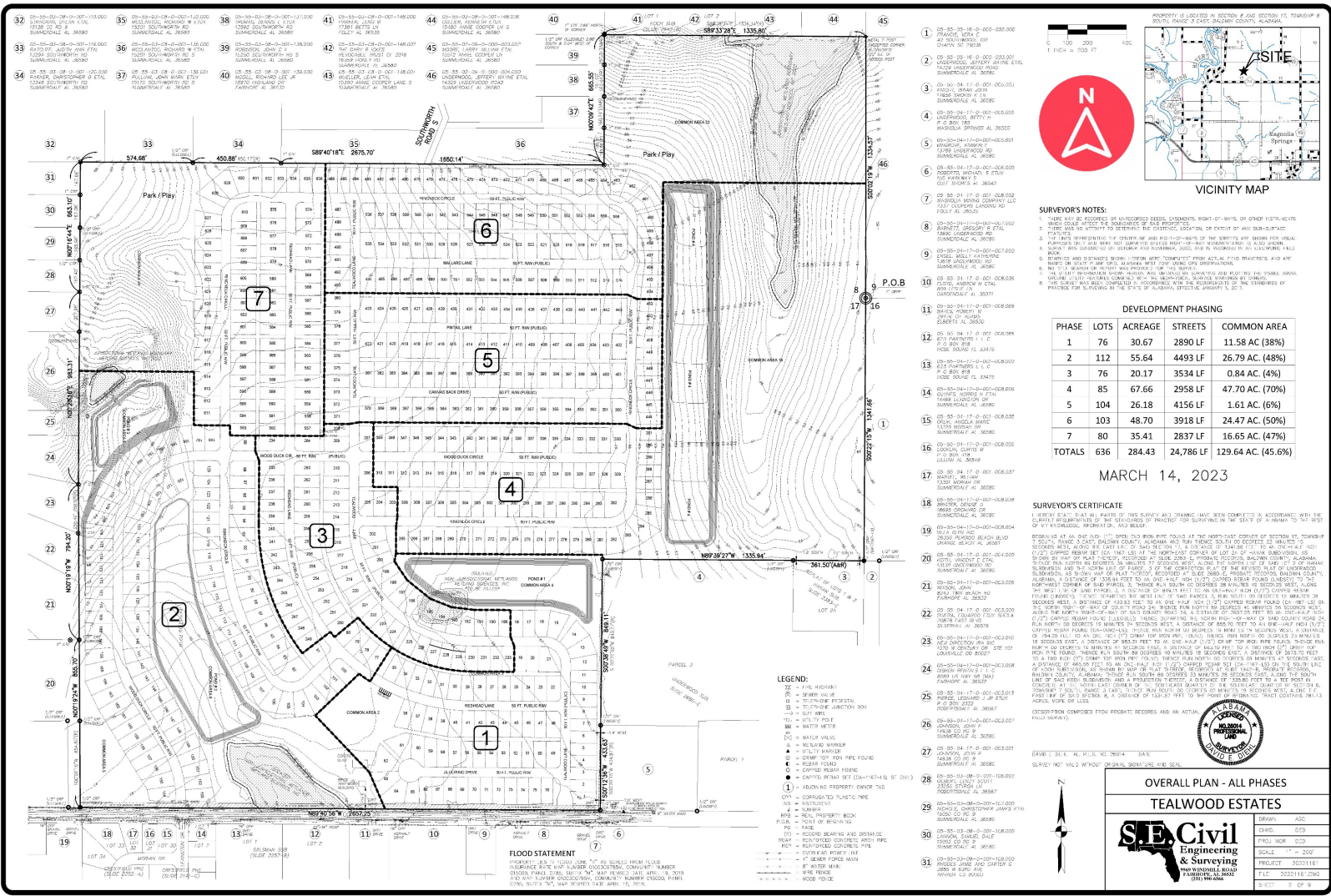
Request before the Planning Commission:

**Preliminary Plat approval of Tealwood Estates Subdivision, a 636-lot subdivision.**

Staff recommendation:  
**APPROVAL with conditions**

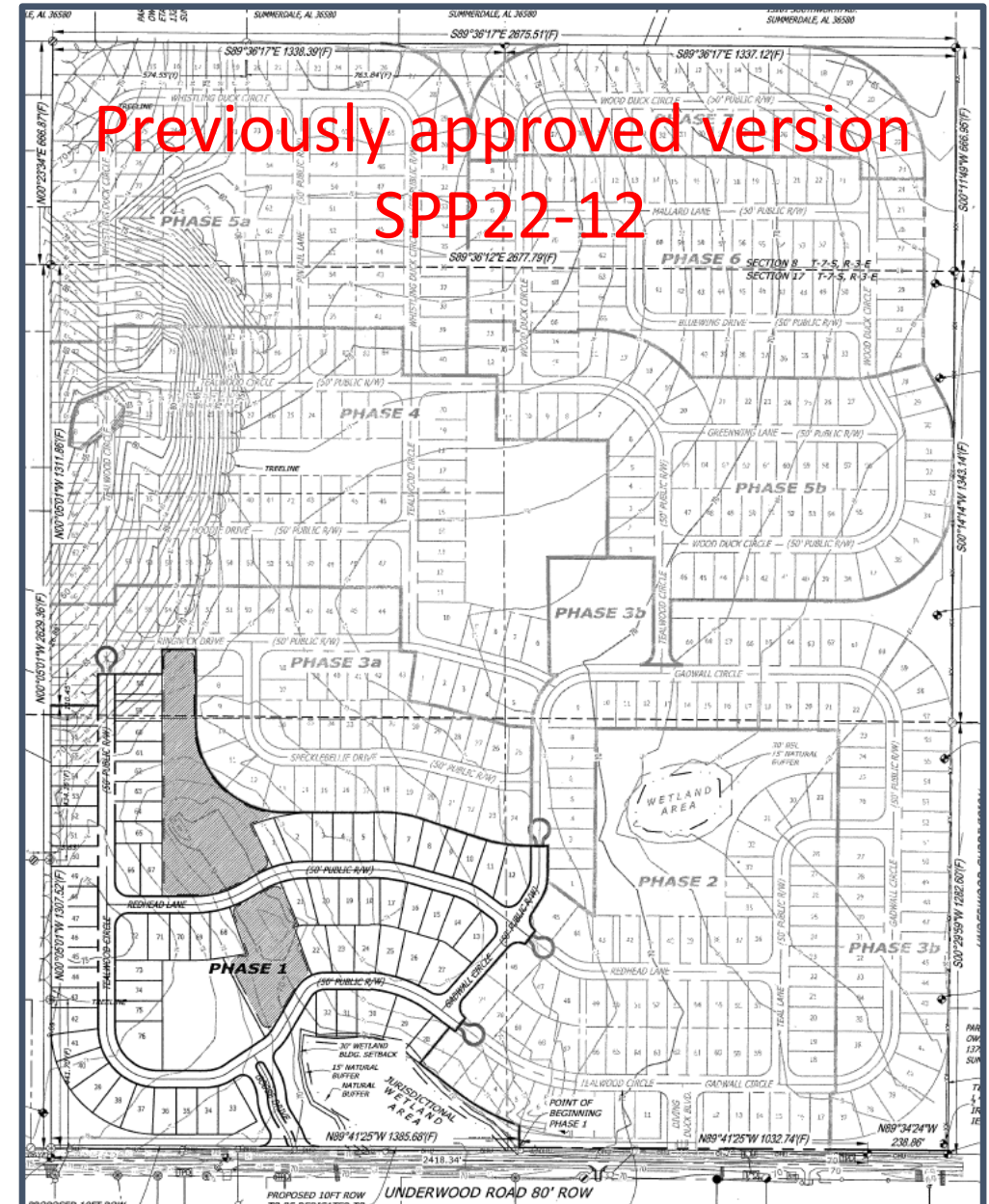
To view maps/plats in higher resolution and public comments received related to this case, please visit the “Upcoming Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departmen ts/planning-zoning/meeting-agenda>





The original preliminary plat for Tealwood Estates Phase 1 (SPP22-12) was approved on August 2, 2022. That application was withdrawn and replaced by the current application.



**Location:** Subject property is located on the north side of Underwood Rd. (County Rd 24), half a mile east of County Road 9 and Fish River, and west of County Road 49.

**Planning District:** 14

**Zoning:** The citizens of Planning District 14 have not implemented zoning

**Total Property Area:** 284.43 acres +/-

**Total # of Lots requested:** 636 lots, built over 7 phases

- Smallest lot: 7,700 sf +/-
- Largest lot: 13,308 sf +/-
- Building Setbacks: 30' Front, 30' Rear, 11' Side, 20' Street side

**Streets / Roads:** 24,786 LF of streets for public use

- Proposed lots will access internal streets only

**Owner/Developer:** HV Properties, LLC, 3210 Wyndmere Dr., Richardson, TX, 75082

**Surveyor:** David Diehl, SE Civil Engineering & Surveying  
9969 Windmill Rd., Fairhope, AL 36532

**Utility Providers:**

- Domestic Water: Riviera Utilities
- Sewer: Baldwin Co. Sewer Service
- Electrical: Baldwin EMC
- Broadband: Brightspeed

**Online Case File Number:** The official case number for this application is SPP23-02 Tealwood Estates Subdivision, however, when searching the online CitizenServe database, please use SPP23-000002

**Parcels / PPINs:**

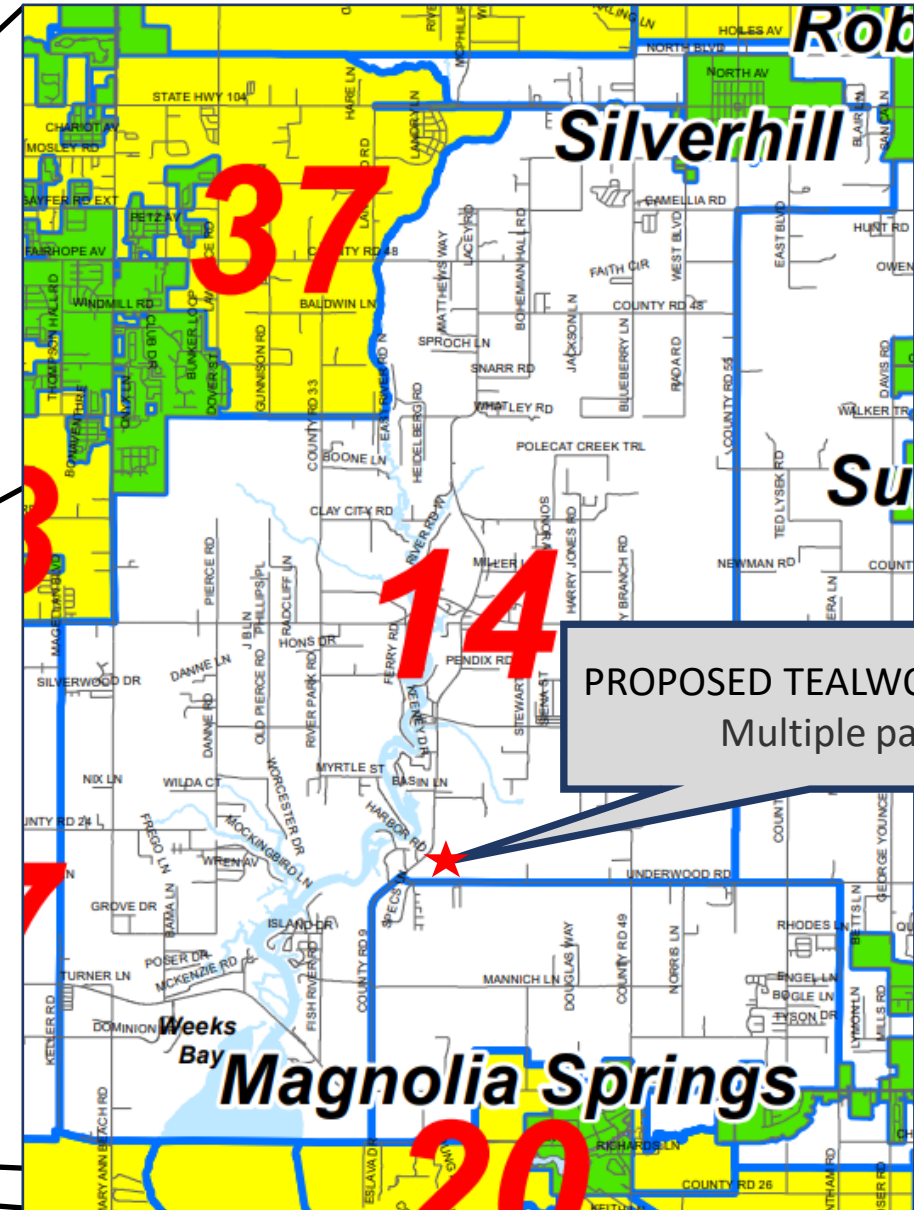
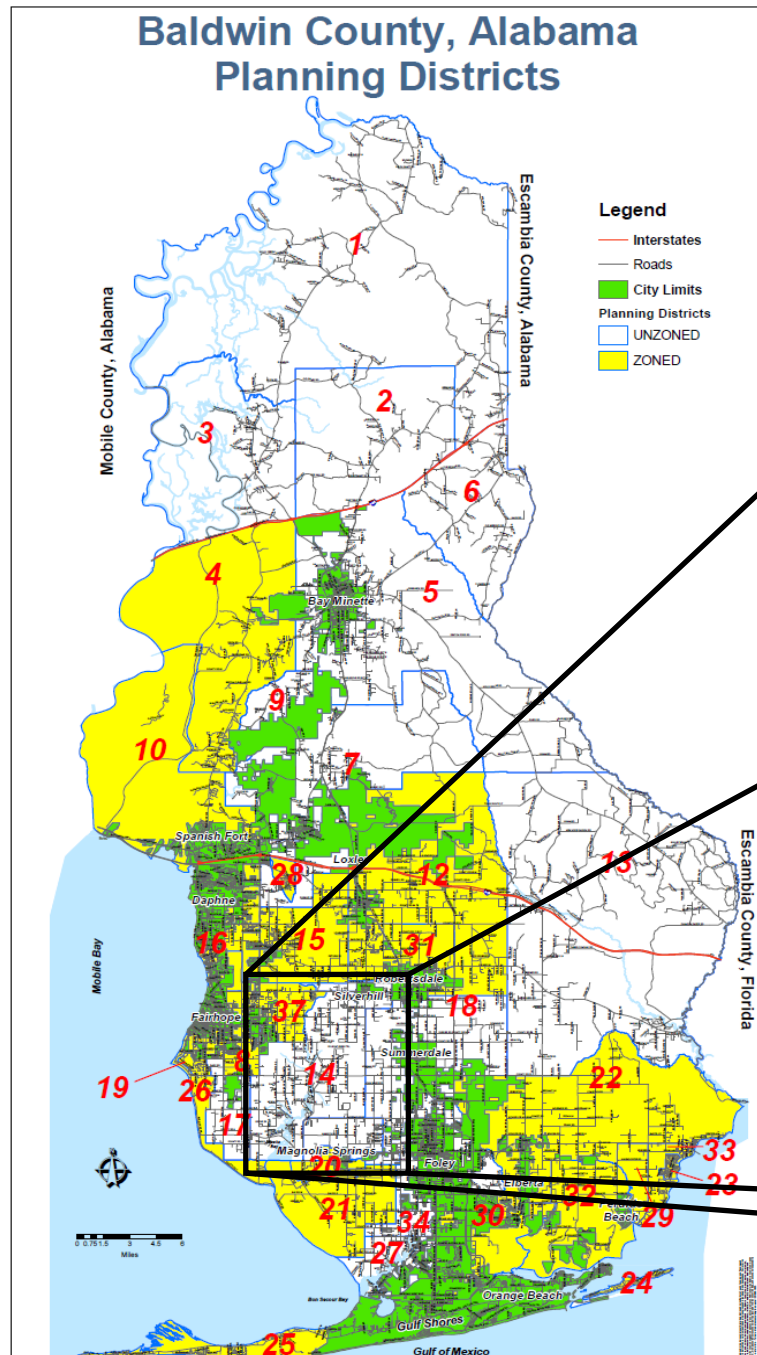
05-55-03-08-0-001-133.000 PIN: 68568  
05-55-03-08-0-001-133.001 PIN: 213298  
05-55-04-17-0-001-002.000 PIN: 68569  
05-55-04-17-0-001-002.001 PIN: 113710  
05-55-04-17-0-001-002.002 PIN: 213316  
05-55-04-17-0-001-002.003 PIN: 219435  
05-55-03-08-0-001-149.000 PIN: 13436  
05-55-04-17-0-001-001.000 PIN: 13437

**Traffic Study:** TIS prepared and stamped by David Anderson, PE, with HSA Columbia Consulting Group.

**Drainage Improvements:** A drainage narrative was prepared and stamped by David Lavery, PE, SE Civil Engineering & Surveying, and accepted by the Baldwin County Highway Department.

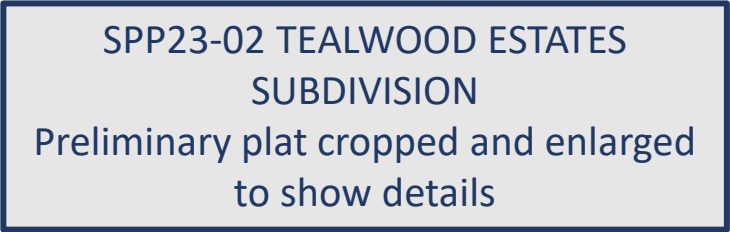
**Wetlands:** A wetland delineation was prepared by Craig Martin, Wetland Sciences, Inc.

# Baldwin County, Alabama Planning Districts



PROPOSED TEALWOOD ESTATES  
Multiple parcels





FAIRHOPE

CR 9

CR 49

**SUBJECT PROPERTY**  
Multiple parcels

Underwood Road

FOLEY

Fish River

MAGNOLIA SPRINGS



**BALDWIN** COUNTY, ALABAMA

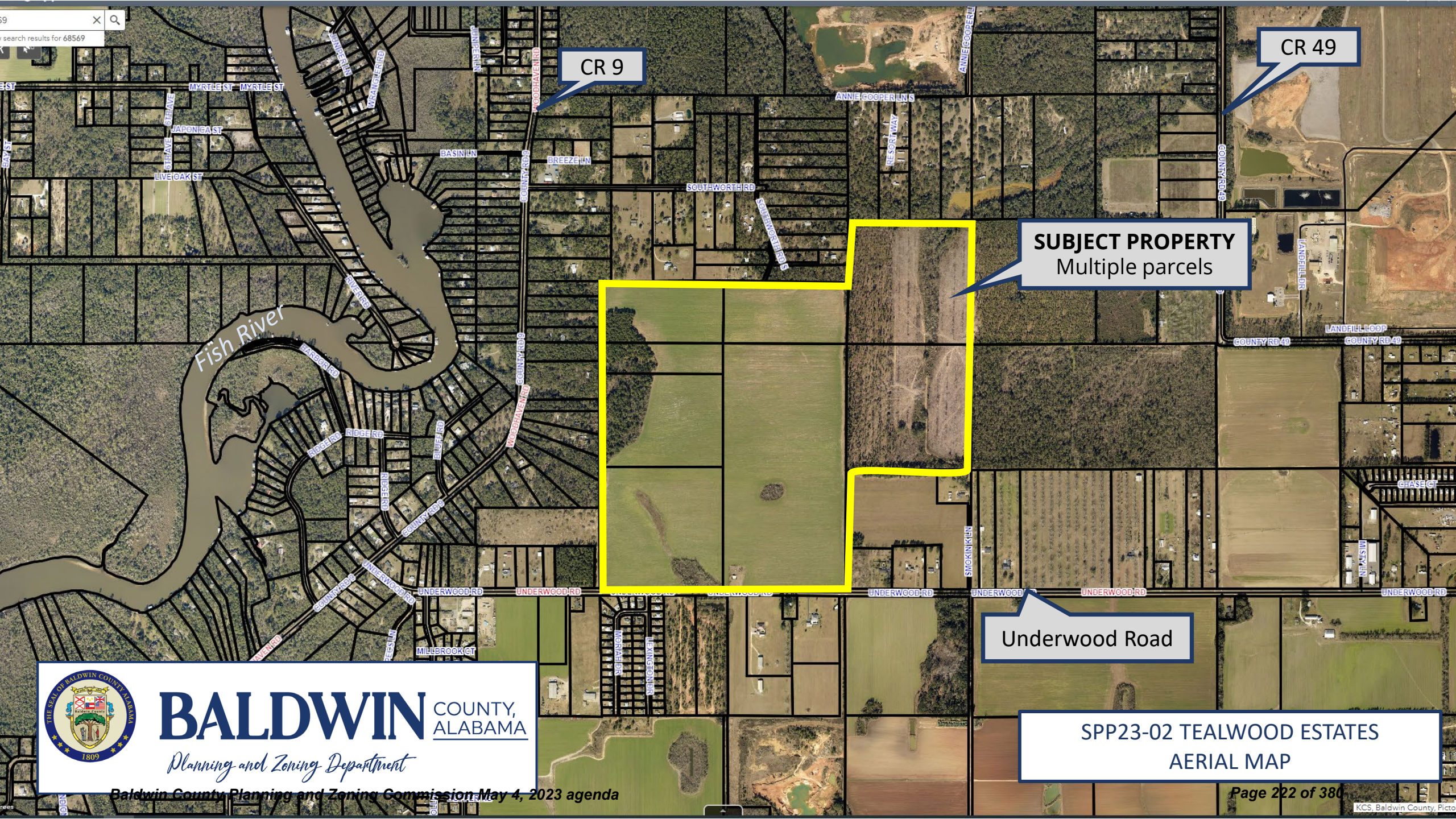
*Planning and Zoning Department*

Baldwin County Planning and Zoning Commission May 4, 2023 agenda

SPP23-02 TEALWOOD ESTATES  
VICINITY MAP

Page 221 of 380





CR 9

CR 49

**SUBJECT PROPERTY**  
Multiple parcels

Underwood Road



# BALDWIN

COUNTY, ALABAMA

*Planning and Zoning Department*

SPP23-02 TEALWOOD ESTATES  
AERIAL MAP



### Staff Comments

A drainage report was prepared and stamped by David Lavery, PE, *S.E. Civil Engineering*.

- Drainage improvements have been recommended.
- The drainage report has been reviewed and accepted by the Baldwin County Highway Department.


DRAINAGE NARRATIVE AND  
CALCULATIONS


---

TEALWOOD ESTATES SUBDIVISION

PROJECT NUMBER: 20221161  
January 17, 2023

Prepared By:

 **S.E. Civil**  
Engineering  
& Surveying



9969 Windmill Road      Fairhope, Alabama 36532      251-990-6566

WEST

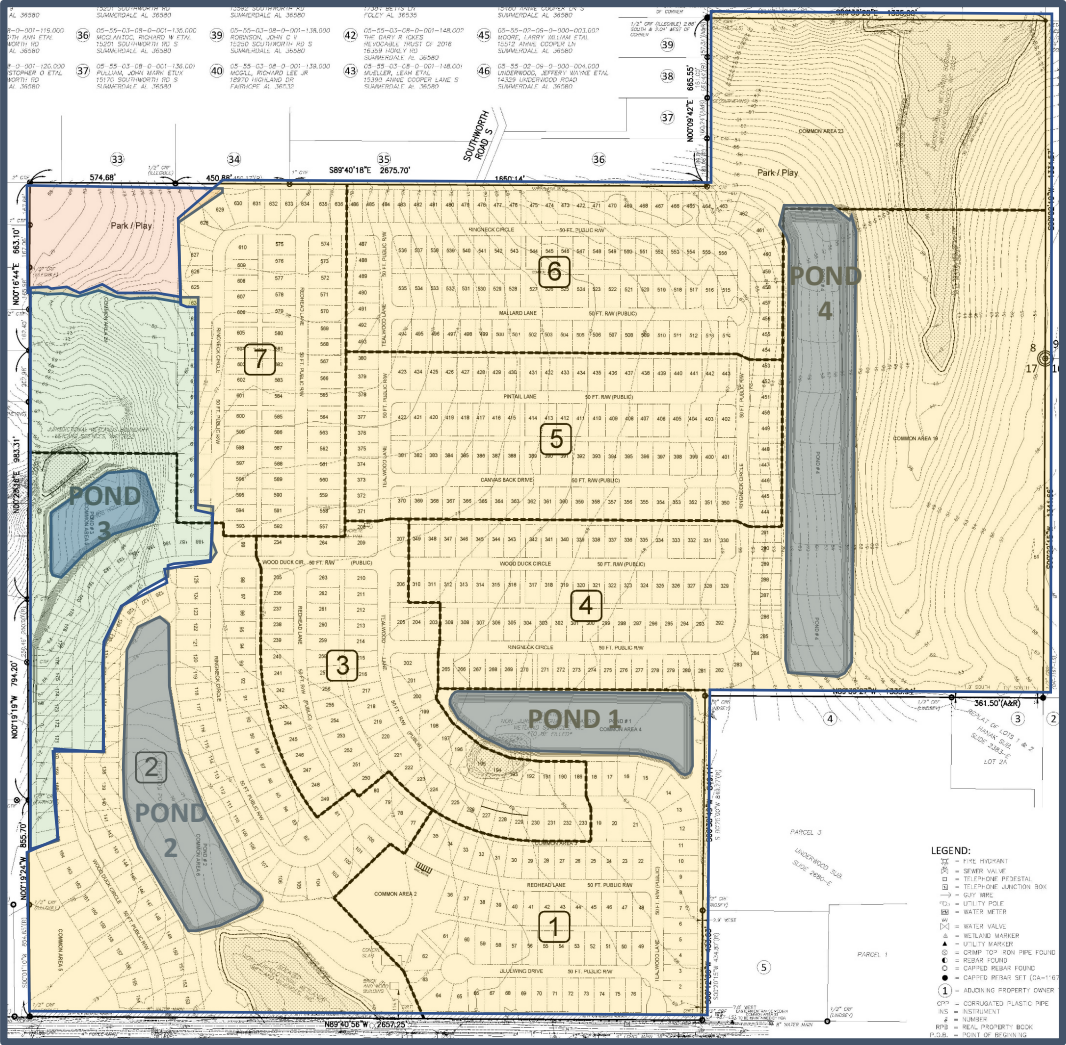
FLOW RATES TO WEST PROPERTY LINE (cfs)

	PRE	POST	POND 3 (HW)
2 YEAR	8.03	6.01	
5 YEAR	15.25	8.81	
10 YEAR	23.04	11.46	
25 YEAR	38.20	22.69	59.08'
50 YEAR	83.25	54.91	
100 YEAR	113.37	77.11	60.50'
POND TOP:			61.00'

NORTHWEST

FLOW RATES TO NORTHWEST CORNER (cfs)

	PRE	POST
2 YEAR	3.17	3.00
5 YEAR	6.86	6.48
10 YEAR	11.05	10.48
25 YEAR	18.64	17.68
50 YEAR	25.60	24.23
100 YEAR	34.01	32.10



FLOW RATES TO NORTHEAST CORNER (cfs)

NORTHEAST

	PRE	POST	POND 1 (HW)	POND 2 (HW)	POND 4 (HW)
2 YEAR	117.75	109.66			
5 YEAR	196.78	162.32			
10 YEAR	276.87	214.92			
25 YEAR	411.49	301.39	61.83'	68.77'	55.55'
50 YEAR	528.22	375.09			
100 YEAR	664.15	459.96	64.53'	70.22'	58.72'
POND TOP:			66.00'	72.00'	60.00'

## Staff Comments

David Anderson, PE, *HSA Columbia Consulting Group*, prepared a traffic impact study (TIS) for the subject property

- Left and right turn lanes have been recommended at the entrances.
- The traffic report has been reviewed and accepted by the Baldwin County Highway Department

### Excerpt from TIS:

Manual guidelines, both left and right turn lanes are recommended at both the western and eastern access driveways into the development. The required lengths are:

Western Driveway - 515' for EB left turn lane, and 475' for WB right turn lane, including 160' tapers.

Eastern Driveway - 475' for EB left turn lane, and 475' for WB right turn lane, including 160' tapers.

## Traffic Impact Study

**Tealwood Estates**  
Baldwin County, AL

Prepared for:

**S. E. Civil**  
Fairhope, AL

Prepared by:

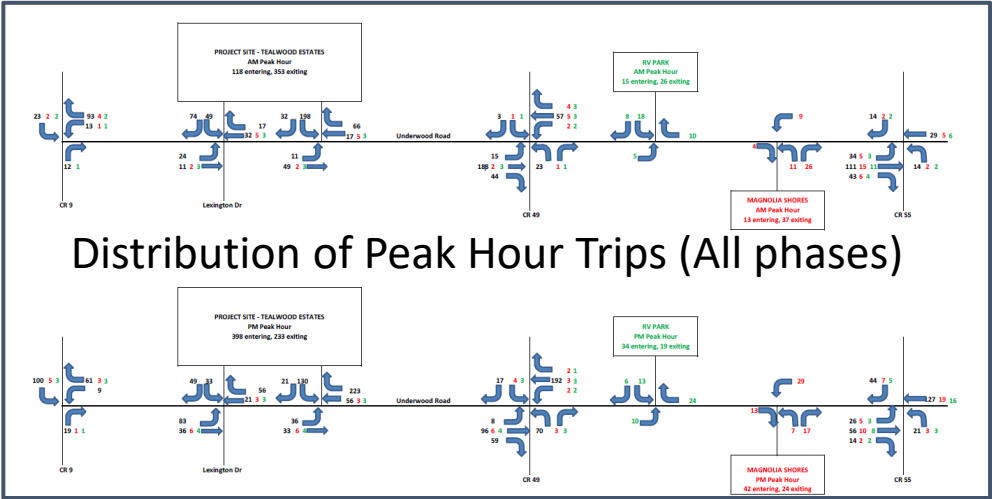
HSA Columbia  
1315 Country Club Road  
Gulf Breeze, FL 32563



January 13, 2023

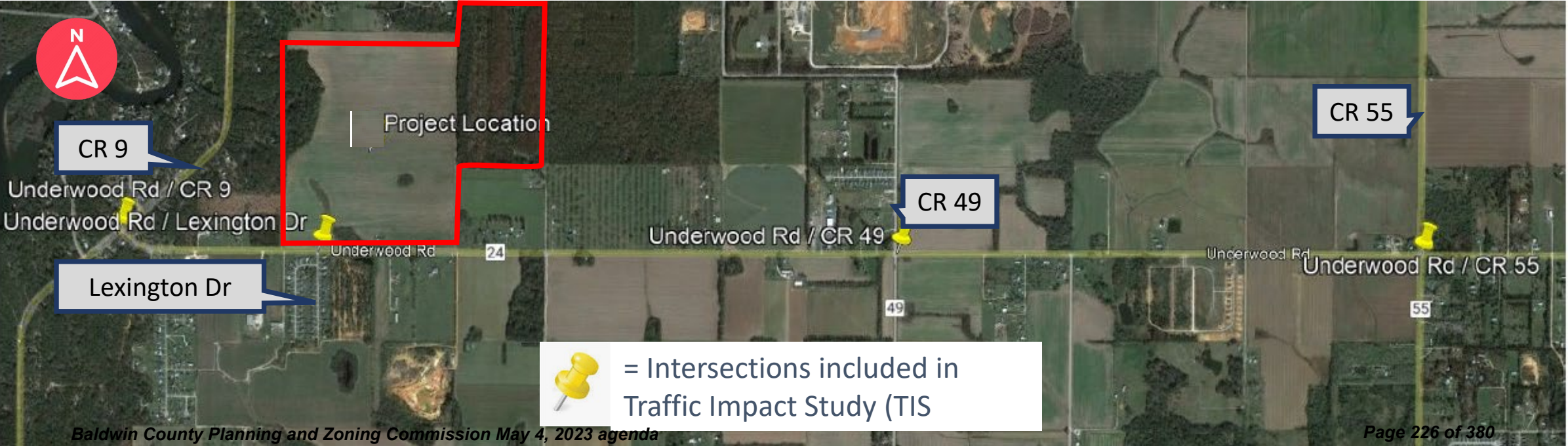






Intersection Analysis - Future Conditions


	Underwood Rd / CR 9		Underwood Rd / CR 49		Underwood Rd / CR 55		Underwood Rd / Lexington Dr	
	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)
AM Peak								
Intersection	A	5.9	B	10.9	C	22.5	A	4.7
EB	NA		B	12.3	D	32.6	A	7.5
WB	A	9.7	A	9.5	B	14.7	A	7.4
NB	free-flow		A	9.5	C	16.5	A	9.7
SB	A	7.5	A	9.3	C	16.2	B	10.4
PM Peak								
Intersection	A	6.3	B	11.8	C	16.3	A	14.0
EB	NA		B	11.0	B	14.4	A	7.7
WB	A	9.8	B	13.3	C	20.1	A	7.5
NB	free-flow		B	11.0	B	12.7	A	9.6
SB	A	7.7	B	10.1	B	14.3	B	10.8



Staff Comments

To fulfill Section 5.2.5(a)(3) of the Subdivision Regulations regarding fire protection

- Flow test results have been submitted.
- Spacing between houses has been increased to 22 feet.
- The ISO approval of installed improvements will be verified at the time of final plat submission



January 25, 2023


Shawn Mitchell  
Development Review Planner  
Baldwin County Planning & Zoning  
22251 Palmer Street  
Robertsdale, AL 36567


RE:   Tealwood Estates Subdivision  
      SE Civil Project No. 20221161

Dear Shawn:

Based upon the fire flow results and the fact that the setbacks will provide at least 22 feet spacing between the buildings, the water system will meet the requirements of the current ISO Fire Suppression Rating Schedule 340, 614 and 620.A.

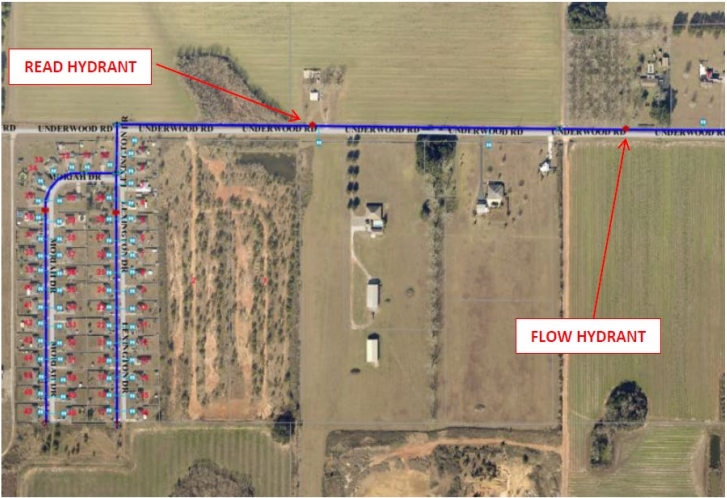
If you have any questions, please let me know.

Sincerely,  
  
David Lavery, PE  
[dlavery@secivileng.com](mailto:dlavery@secivileng.com)



9969 Windmill Road      Fairhope, Alabama 36532      251-990-6566





**FIRE FLOW TEST**  
**Underwood Road**  
Summerdale, AL



Date:	07/19/2022
Time:	0845
Tested By Initials:	KW
Pitot Gauge: (GPM)	800
Static Pressure: (psi)	72
Residual Pressure: (psi)	28
Fire Flow Result: GPM @ 20psi	876

😊 ↩ Reply ↶ Reply All ➡ Forward ...

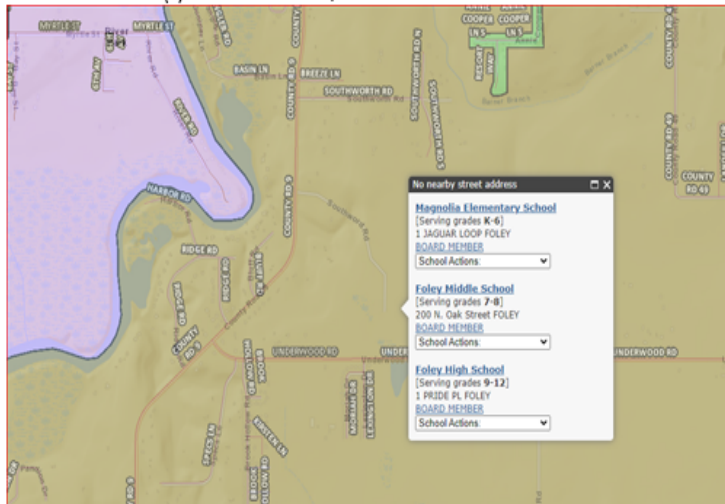


To  mmalm@bcbe.org;  etyler@bcbe.org;  syoung@bcbe.org;  jwilson@bcbe.org  
Cc  Buford King;  Mary Booth;  Fabia Waters



The following plats have been submitted to the Baldwin County Planning and Zoning Department. See the attached plats for more information. These are tentatively on the agenda for the April 6, 2023, Planning Commission meeting. We welcome your feedback as part of our review process. Thank you, Shawn

ADJACENT ROADS(s): Underwood Rd., east of CR 9





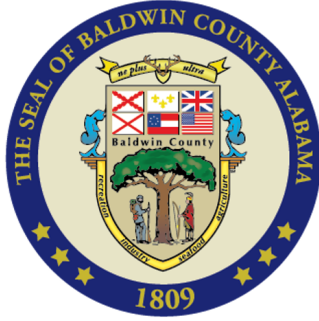
Staff recommends that the PRELIMINARY PLAT for Case No. SPP23-02 TEALWOOD ESTATES SUBDIVISION, be **APPROVED with condition(s)** subject to compliance with the Baldwin County Subdivision Regulations.

### Specific Conditions:

1. Applicant is on notice that the provisions of 5.2.5(c) for broadband service will be strictly enforced for final plat approval.
2. Turn lanes shall be constructed on Underwood Rd (CR 24) at both subdivision entrances.

### General Conditions

- Compliance with the Baldwin County Subdivision Regulations, including, but not limited to submission of a request for a Subdivision Permit to the Baldwin County Highway Department for all improvements and system upgrades (including, but not limited to, water main, sewer, and traffic improvements) to be installed with the development.
- As required by sections 4.5.6 and 4.5.7, any and all local, state, and federal permits shall be submitted to the County Engineer and Planning and Zoning staff as a component of the construction plans submittal.
- Effective period is 2 years from approval of preliminary plat.



# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## SUBDIVISION PRELIMINARY PLAT REQUEST

SPP23-03 GAINESWOOD SUBDIVISION

MAY 4, 2023

PRESENTED BY: MARY BOOTH, SUBDIVISION COORDINATOR

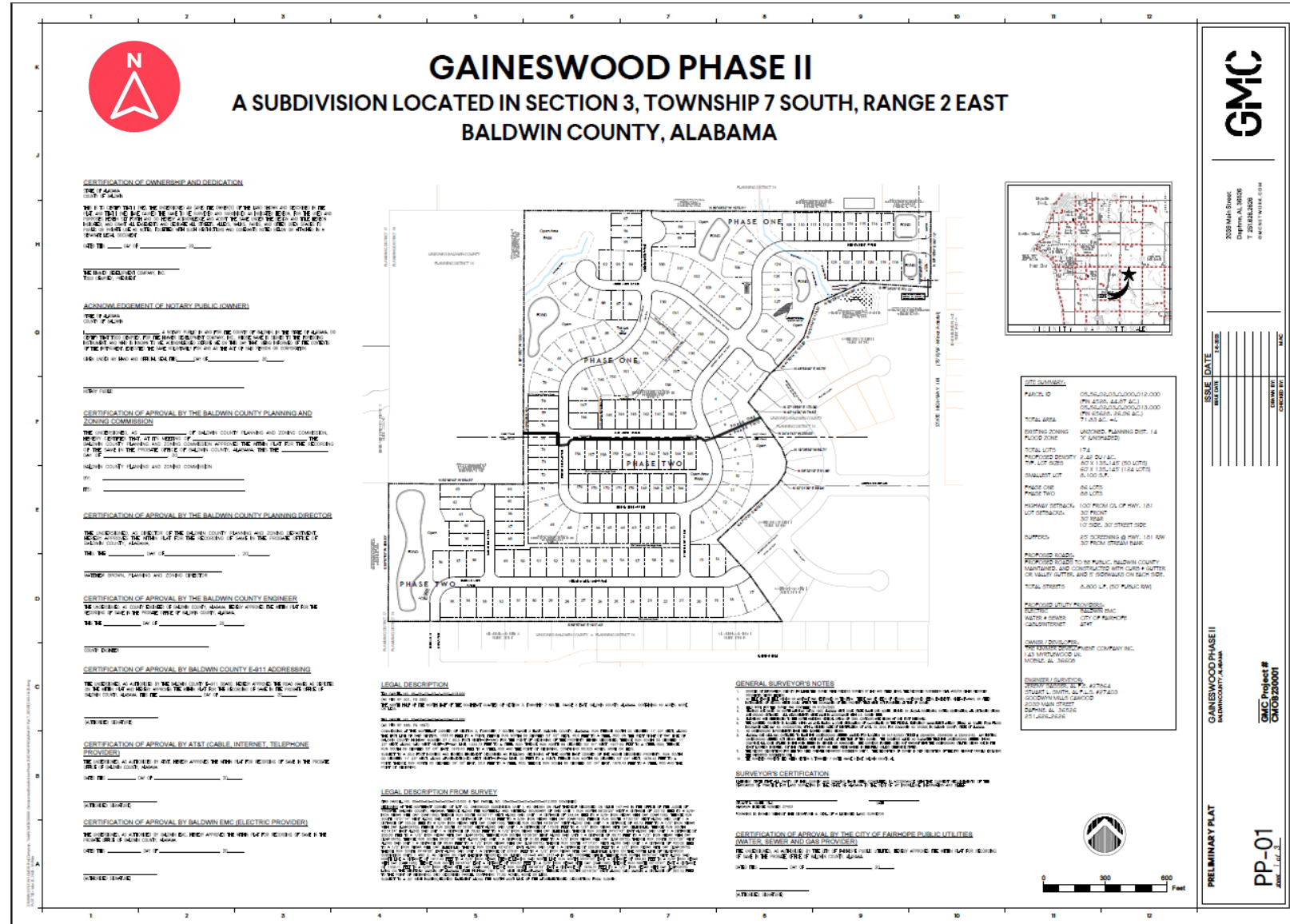
Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator

## Request before the Planning Commission:

Staff recommendation:  
**APPROVAL**

To view maps/plats in higher resolution and public comments received related to this case, please visit the “Upcoming Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>





**Location:** Subject property is located on State Highway 181 between County Road 32 and County Road 24 on the west side of State Highway 181.

**Planning District:** 14

**Zoning:** The citizens of Planning District 14 have voted to implement zoning a portion of Planning District 14. The proposed Planning District 39 is currently under a development moratorium. However, this development was submitted and accepted prior to the moratorium and therefore the preliminary plat review is not subject to or governed by the current moratorium.

**Total Property Area:** 71.83 acres +/-

**Total # of Lots requested:** 174 lots over 2 phases

- Phase One proposes 86 lots, Phase Two proposes 88 lots
- Smallest lot: 8,100 sf +/-
- Building Setbacks: 30' Front, 30' Rear 10' Side, 30' Street side

**Streets / Roads:** 8,800 LF of streets for public use

- Proposed lots will access internal streets only

**Owner/Developer:** The Kimmer Development Company, Inc.  
143 Myrtle wood Ln  
Mobile, AL 36608

**Surveyor/Engineer:** Jeremy Sasser, P.E., *Goodwyn Mills Cawood*  
Stuart Smith, PLS, *Goodwyn Mills Cawood*  
2039 Main Street  
Daphne, AL 36526

**Online Case File Number:** The official case number for this application is SPP23-03 GAINESWOOD SUBDIVISION Subdivision, however, when searching the online CitizenServe database, please use SPP23-000003

**Parcels / PPINs:**

05-56-02-03-0-000-012.000 PIN: 4528

05-56-02-03-0-000-013.000 PIN: 65628

**Traffic Study:** TIS prepared and stamped by Shane Bergin, PE, with *Neel-Schaffer*.

**Drainage Improvements:** A drainage narrative was prepared and stamped by Jeremy Sasser, PE with *Goodwyn Mills Cawood* and accepted by the Baldwin County Highway Department.

**Wetlands:** A wetland delineation was performed by Brandon Smith, QCI with *Goodwyn Mills Cawood*.

**Utility Providers:**

- Electrical: Baldwin EMC
- Water & Sewer: City of Fairhope
- Cable/Internet: AT&T

# Baldwin County, Alabama Planning Districts

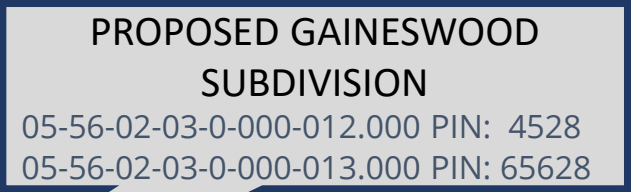
**Legend**

- Interstates
- Roads
- City Limits
- Planning Districts
  - UNZONED
  - ZONED

**Planning Districts:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34.

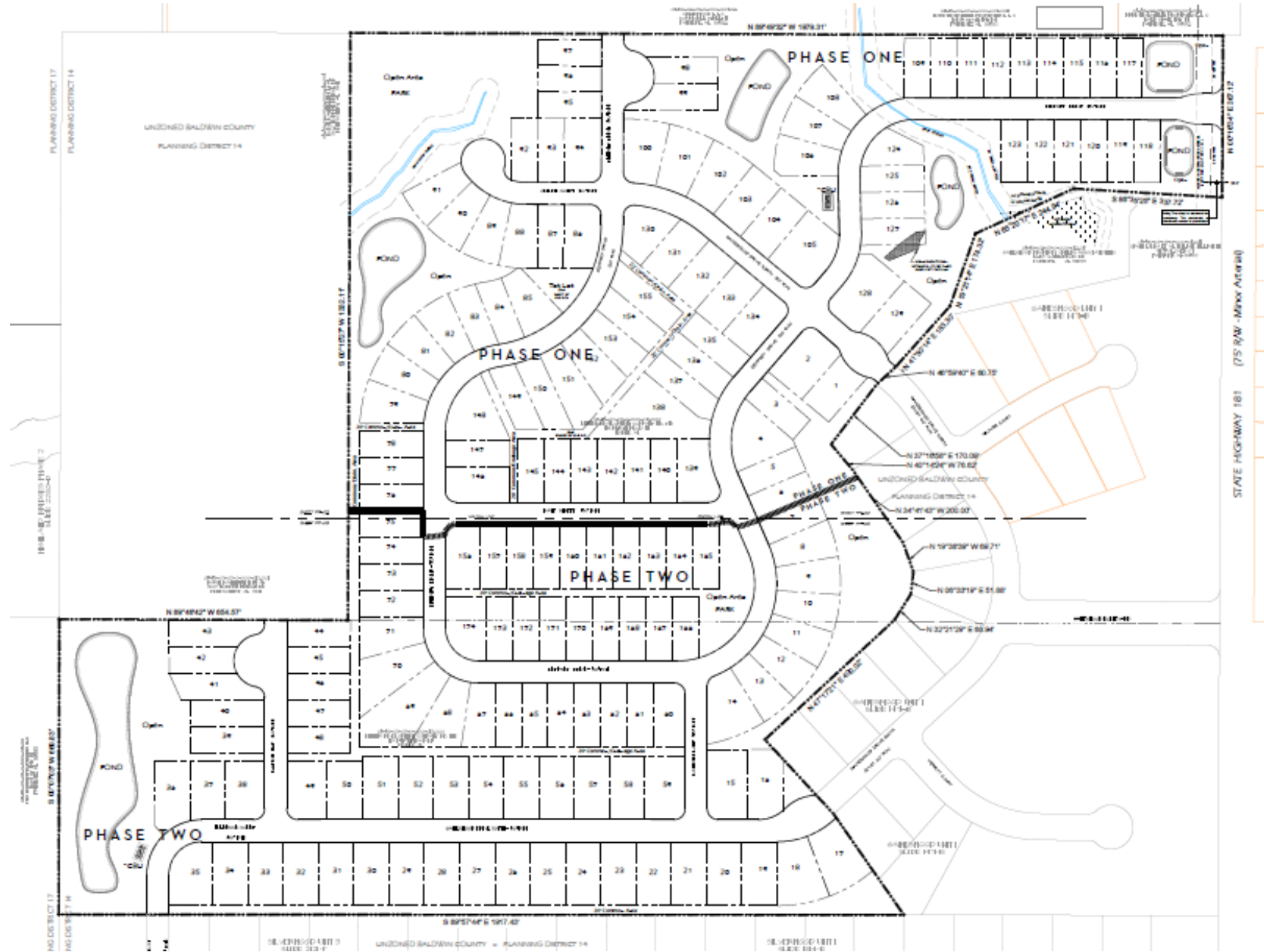
**Geographic Labels:** Mobile County, Alabama; Escambia County, Alabama; Escambia County, Florida; Mobile Bay; Spanish Fort; Daphne; Losley; Robertsdale; Silverhill; Summerdale; Magnolia Springs; Foley; Elberta; Perdido; Orange Beach; Gulf Shores; Gulf of Mexico; Mobile Bay; Perdido Bay.

**Scale:** 0 0.5 1.0 2.0 4.0 Miles





SPP23-03 GAINESWOOD SUBDIVISION  
SUBDIVISION  
Preliminary plat cropped and enlarged  
to show details







CR 32

County Road 13

**SUBJECT PROPERTY**  
05-56-02-03-0-000-012.000 PIN: 4528  
05-56-02-03-0-000-013.000 PIN: 65628

Gaineswood Unit 1

Silverwood Subdivision  
Units 1-3



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

SPP23-03 GAINESWOOD SUBDIVISION  
VICINITY MAP






CR 32

County Road 13

**SUBJECT PROPERTY**  
05-56-02-03-0-000-012.000 PIN: 4528  
05-56-02-03-0-000-013.000 PIN: 65628

Gaineswood Unit 1

Silverwood Subdivision  
Units 1-3



# BALDWIN

COUNTY,  
ALABAMA

*Planning and Zoning Department*

SPP23-03 GAINESWOOD SUBDIVISION  
AERIAL MAP



### Staff Comments

An updated drainage report was prepared and stamped by Jeremy Sasser, PE, *Goodwyn Mills Cawood*.

- Drainage improvements have been recommended and will be further analyzed during the construction plan review process
- The stormwater report is currently being reviewed and intended to be accepted by the Baldwin County Highway Department

**DRAINAGE CALCULATIONS  
AND  
RETENTION POND ANALYSIS  
FOR  
GAINESWOOD SUBDIVISION  
PHASE-2  
BALDWIN COUNTY, ALABAMA**



**ENGINEER'S CERTIFICATION**

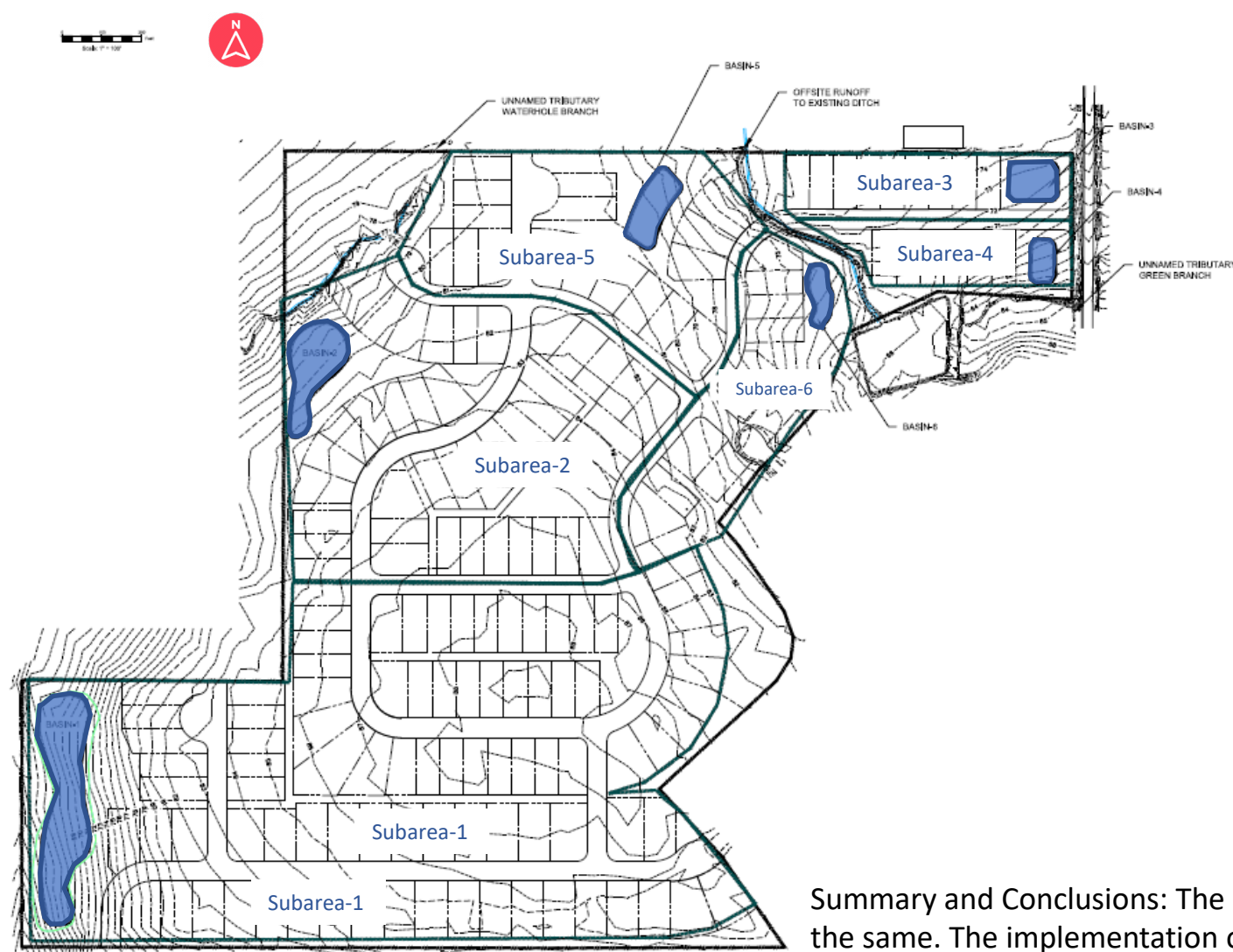
I, the undersigned, a Licensed Professional Engineer in the State of Alabama holding Certificate Number 27864, hereby certify that I have reviewed the design herein which was done under my direct control and supervision and that, to the best of my professional knowledge and to the best of my belief, conforms to the local requirements and to all other rules, regulations, laws and ordinances applicable to my design.

A handwritten signature in blue ink that reads "Jeremy Sasser".

Jeremy Sasser, PE  
April 20, 2023, 2023

Name of Project to which this Certificate Applies: Gaineswood Subdivision Phase-2





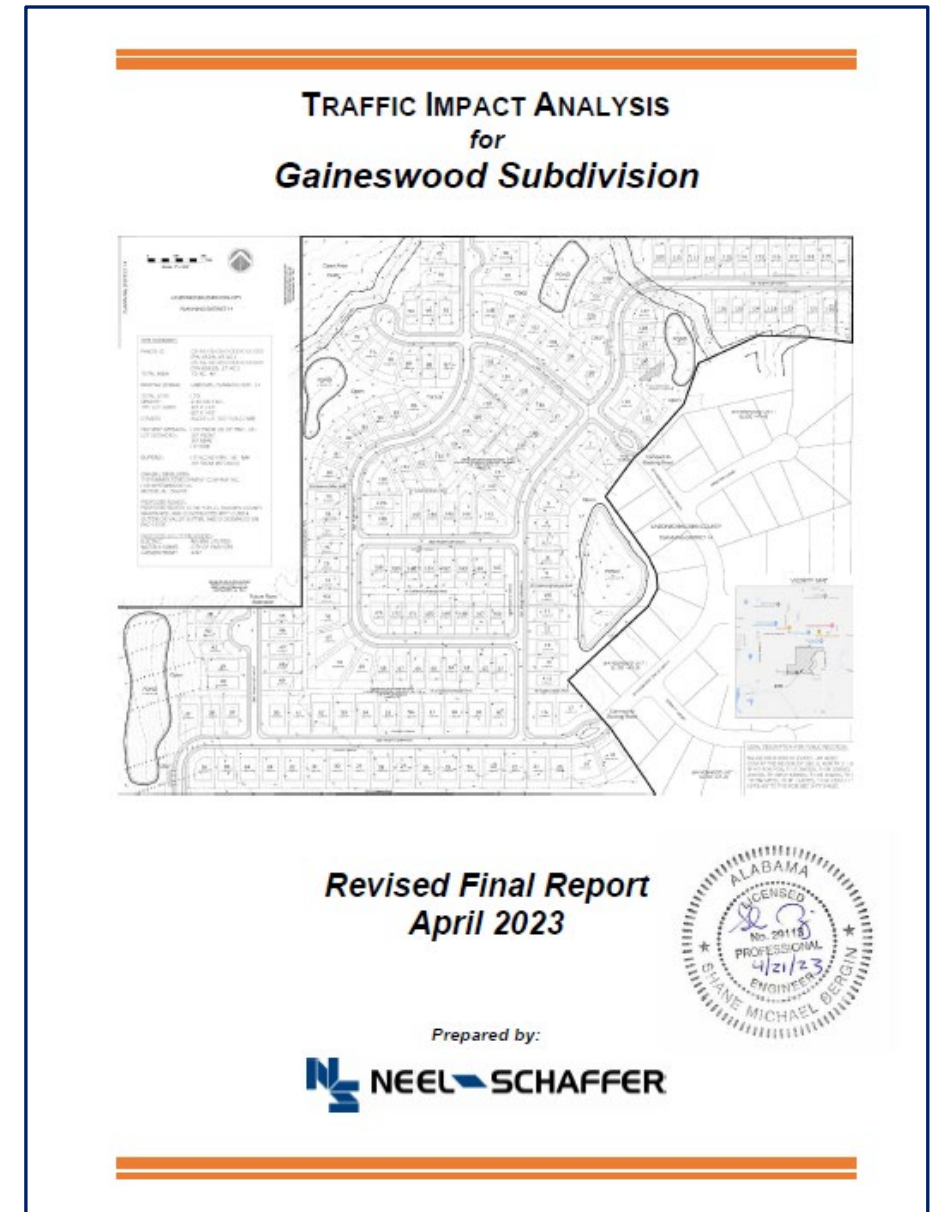
		Return Period (Years)						
		2	5	10	25	50	100	
Subarea-1	Pre (cfs)	25.47	46.61	65.00	81.42	100.01	118.99	
	Post (cfs)							
	(Undetained)	55.21	92.38	123.12	150.39	180.46	211.28	
	Post (cfs)	25.00	45.12	61.53	75.65	91.01	105.51	
	Basin Depth (6')	1.67	2.57	3.25	3.83	4.45	5.06	
Subarea-2	Pre (cfs)	14.47	29.95	37.72	47.36	58.30	69.38	
	Post (cfs)							
	(Undetained)	38.63	58.90	75.33	89.38	104.69	120.02	
	Post (cfs)	14.56	21.59	25.68	27.68	28.04	29.00	
	Basin Depth (7')	2.24	3.27	4.09	4.81	5.65	6.48	
Subarea-3	Pre (cfs)	0.12	0.88	2.00	3.22	4.74	6.55	
	Post (cfs)							
	(Undetained)	4.47	7.04	9.16	11.03	13.07	15.16	
	Post (cfs)	0.38	0.92	1.56	2.24	2.97	3.33	
	Basin Depth (6')	2.78	3.54	4.13	4.62	5.12	5.67	
Subarea-4	Pre (cfs)	0.63	1.77	2.90	3.99	5.30	6.71	
	Post (cfs)							
	(Undetained)	4.10	6.94	9.29	11.41	13.72	16.07	
	Post (cfs)	0.77	1.73	2.67	4.23	4.58	5.50	
	Basin Depth (6.0')	2.30	3.18	3.78	1.75	4.69	5.12	
Subarea-5	Pre (cfs)	14.15	20.60	25.76	30.22	35.05	39.90	
	Post (cfs)							
	(Undetained)	29.93	41.79	51.04	58.91	67.49	75.88	
	Post (cfs)	10.92	14.27	19.71	24.53	29.81	35.35	
	Basin Depth (10')	3.66	4.97	5.70	6.22	6.74	7.24	
Subarea-6	Pre (cfs)	9.63	14.12	17.68	20.75	24.11	27.45	
	Post (cfs)							
	(Undetained)	19.23	26.78	32.63	37.65	43.02	48.39	
	Post (cfs)	9.58	12.52	14.26	15.33	15.98	17.54	
	Basin Depth (5')	2.03	2.66	3.12	3.53	3.99	4.41	
Offsite	Existing (cfs)	29.41	41.17	50.31	58.21	66.69	75.17	

Summary and Conclusions: The overall drainage patterns and flow characteristics will remain the same. The implementation of the proposed project should not create any adverse effect(s) on the existing drainage facilities of the upstream/downstream of the site.

## Staff Comments

Shane Bergin, PE, *Neel-Schaffer*, prepared an updated traffic impact study for the subject property

- Improvements have been recommended which will include southbound, right turn lanes at both entrances of this development.
- The traffic report has been reviewed and accepted by the Baldwin County Highway Department



The development of the project site with 174 single-family homes is not anticipated to create major capacity related deficiencies at the study intersections. A southbound right turn lane is warranted and recommended at the intersections of AL Highway 181 with Gaineswood Boulevard and AL Highway 181 with Driveway 1.

**Table 4.2 – Historical Daily Traffic Volumes**

Year	Location	
	AL181 – S of CR32	CR32 – E of AL181
2021	5,131	8,822
2020	4,988	8,498
2019	5,093	9,412
2018	4,854	9,035
2017	4,920	8,930
2016	4,920	9,140
5-yr Growth Rate	0.84%	-0.71%

### 4.5 Year 2028 Traffic Analysis

An analysis of the Year 2028 Non-Site and Total traffic volumes was conducted using the information provided in the Highway Capacity Manual, Sixth Edition. The lane geometry and traffic control for the total traffic analysis includes the existing roadway geometrics. The results of the analysis are shown in Table 4.2 and Table 4.3.

**Table 4.3 – Year 2028 Non-Site Traffic Level-of-Service**

Signalized Intersection	Peak Hour	Level-of-Service – Delay (sec/veh)				
		Northbound	Southbound	Eastbound	Westbound	Total
AL Hwy 181 / County Road 32	AM	B – 17	B – 14	B – 16	B – 14	B – 15
	PM	B – 18	B – 14	B – 15	B – 12	B – 15
Unsignalized Intersection	Peak Hour	Level-of-Service – Delay (sec/veh)				
		Northbound	Southbound	Eastbound	Westbound	Total
AL Hwy 181 / Gaineswood Blvd	AM	A – 1	A	C – 15	-	-
	PM	A – 1	A	C – 17	-	-

**Table 4.4 – Year 2028 Total Traffic Level-of-Service**

Signalized Intersection	Peak Hour	Level-of-Service – Delay (sec/veh)				
		Northbound	Southbound	Eastbound	Westbound	Total
AL Hwy 181 / County Road 32	AM	B – 18	B – 15	B – 18	B – 16	B – 17
	PM	B – 19	B – 16	B – 16	B – 13	B – 16
Unsignalized Intersection	Peak Hour	Level-of-Service – Delay (sec/veh)				
		Northbound	Southbound	Eastbound	Westbound	Total
AL Hwy 181 / Gaineswood Blvd	AM	A – 1	A	C – 17	-	-
	PM	A – 1	A	C – 18	-	-
AL Hwy 181 / Driveway 1	AM	A – 1	A	C – 18	-	-
	PM	A – 1	A	C – 19	-	-

All of the study intersections are anticipated to operate at acceptable levels-of-service with the construction of the Gaineswood Subdivision Expansion.







AT&T Alabama  
2155 Old Shell Rd  
Mobile, AL 36607  
www.att.com

T: 251.471.8361  
F: 251.471.0410  
wm0395@att.com

January 24, 2023

Barbara Garner  
GMC Engineering

RE: Service Availability – Gaineswood Subdivision, Phase 2

Dear Ms. Garner,

This letter is in response to your request for information on the availability of service at the above location by AT&T.

Based on the Preliminary Plat provided by GMC Engineering, this letter acknowledges that the above referenced Subdivision is located in an area served by AT&T.

AT&T is willing to provide a minimum of 25MB upstream and downstream service to each lot of Gaineswood Subdivision, Phase 2, provided the Developer maintains the terms of our Mutual Agreement. Please be advised that this letter is not a commitment by AT&T to provide service to this location.

Please contact me at the phone number included in this letter with any questions.

Thank you for contacting AT&T.

Sincerely,

Wade Mitchell  
Manager, OSP Planning and Design  
AT&T Alabama  
2155 Old Shell Rd  
Mobile, Alabama 36607  
Gulf District/ Mobile Office



### BALDWIN EMC

Your Touchstone Energy® Cooperative

P.O. Box 220  
Summerdale, AL  
36580-0220  
(251) 989-6247  
[www.baldwinemc.com](http://www.baldwinemc.com)

January 23, 2023

Barbara Garner  
GMC Network  
2039 Main Street  
Daphne, AL 36526

Re: Sketch Plan for Gaineswood Phase II, Parcel # 05-56-02-03-0-000-012.000,  
PIN # 4528, and Parcel # 05-56-02-03-0-000-013.000, PIN # 65628, 173 lots

Dear Barbara Garner:

This letter is to confirm that the referenced development is in Baldwin E.M.C.'s service territory. Also, this letter is confirming that the referenced has been submitted to Baldwin EMC.

Baldwin EMC is willing to service the development as long as the necessary easements are granted using our standard easement form and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades (transmission line, substation and distribution line). All system upgrades and line extensions will be in accordance with Baldwin EMC's current Line Extension Policy.

Please contact me to discuss necessary easements and fees.

Below is our typical required easements for subdivisions:

There is a dedicated herewith a 10 foot utility easement on all lot lines and common areas adjacent to the right-of-ways and a 10 foot utility easement on each side of lot and common area lines, unless otherwise noted.

If you have any questions or if I can be of further assistance, please do not hesitate to contact me at 251-989-0134.

Sincerely,

Ken Pimperl  
System Engineer  
KP/ss



March 20, 2023

Sherry Sullivan  
Mayor

Council Members:  
Kevin G. Boone  
Jay Robinson  
Jack Burrell, ACMO  
Jimmy Conyers  
Corey Martin

Lisa A. Hanks, MMC  
City Clerk

Kimberly Creech  
Treasurer

GMC  
2309 MAIN ST  
DAPHNE, AL 36526

Based on the plat reviewed for the Gaineswood Phase 2 Project, Fairhope, AL.  
Parcel Numbers 05-56-02-03-0-000-012.000 & 05-56-02-03-0-000-013.000

Fairhope Public Utilities has the capacity and willingness to serve this development. Infrastructure upgrades will be required for water distribution and wastewater collection mains. Aid to construction will be determined when construction drawings are approved.

Fairhope Wastewater Treatment Plant is located at 300 North Church St, Fairhope, AL.

Gas is available with Fairhope Public Utilities. Aid to construction will be determined when construction drawings are approved.

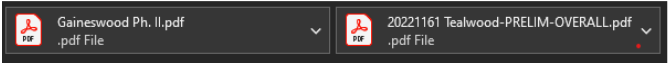
Jason Langley  
Water/Wastewater Superintendent

Jeremy Little  
Gas Superintendent

161 North Section St.  
PO Drawer 429  
Fairhope, AL 36533

251-928-2136 (p)  
251-928-6776 (f)  
[www.fairhopeal.gov](http://www.fairhopeal.gov)

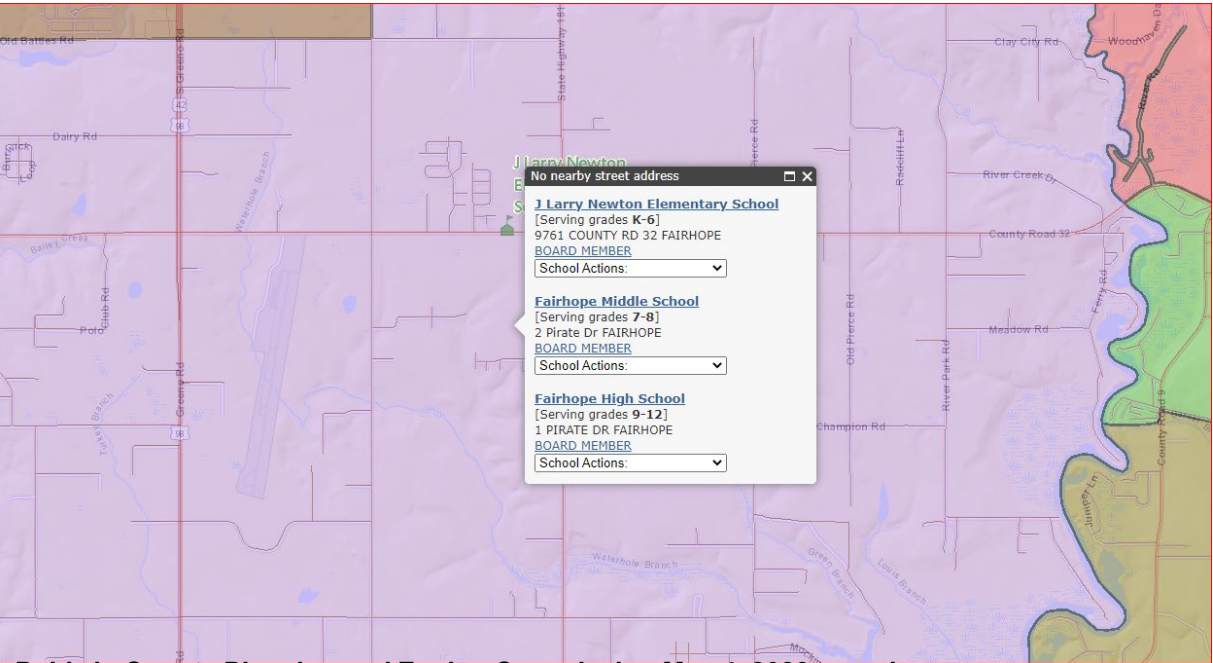
From: Shawn Mitchell <Shawn.Mitchell@baldwincountyal.gov>  
Sent: Tuesday, February 14, 2023 12:55 PM  
To: mmalm@bcbe.org; etyler@bcbe.org; syoung@bcbe.org; jwilson@bcbe.org  
Cc: Buford King <Buford.King@baldwincountyal.gov>; Mary Booth <MBOOTH@baldwincountyal.gov>; Fabia Waters <Fabia.Waters@baldwincountyal.gov>  
Subject: Proposed subdivisions plats for April



Good afternoon,

The following plats have been submitted to the Baldwin County Planning and Zoning Department. See the attached plats for more information. These are tentatively on the agenda for the April 6, 2023, Planning Commission meeting. We welcome your feedback as part of our review process. Thank you, Shawn

SUBDIVISION NAME: Gaineswood Subdivision, Ph. 2  
PPIN: 4528, 65628  
NUMBER OF LOTS: 174  
ADJACENT ROADS(s): Hwy 181 just south of CR 32




The Baldwin County Board of Education provided no comments of objection.

Staff Comments

To fulfill Section 5.2.5(a)(3) of the Subdivision Regulations regarding fire protection

- Flow test results were provided by City of Fairhope from flow tests for a nearby development.
- Water line improvements will be required for this development to meet the ISO requirements.
- The water system shall meet all requirements of the ISO Fire Suppression Rating Schedule Paragraph 340, 614 and 620 A for obtaining full credit.
- The ISO approval of installed improvements will be verified at the time of final plat submission.



Goodwyn Mills Cawood

2039 Main Street  
P.O. Box 1127  
Daphne, AL 36526

T (251) 826-2626  
F (251) 826-6934

www.gmcnetwork.com

March 22, 2023

Mary Booth  
Subdivision Coordinator  
Baldwin County Planning Department  
22251 Palmer St  
Robertsdale, AL 36567

RE: Gaineswood Ph 2 - SPP23-03

Dear Mrs. Booth:

Please accept this letter in response to your request for a fire flow data for the proposed development. Currently the City of Fairhope Utilities has upgrades being made to their water main on AL HWY 181 and CR 32. These upgrades will be in place prior to the development of our project and are required by Fairhope to be able to serve our proposed development.


As part of our response to comments on March 20, 2023 we uploaded a flow test that was provided to us by Fairhope Utilities. We do acknowledge that it was performed by another firm for a different development along AL HWY 181, we felt it was a good representation of the system as it sits now as it was provided to us by Fairhope Utilities.

Based on the design of the water system improvements along County Road 32 and AL Hwy 181 the expected fire flow at 20 psi will be in excess of 1100 gpm. 1100 gpm is more than adequate flow for fire protection of a residential development. This estimated flow number is based off of the overflow elevation for the water tanks in the Fairhope Utilities system (253'), the elevation of our site at the connection to AL HWY 181 (70'), the size of the upgraded water main (12") and the distance from the site to the closest tank (3.8 miles +/-).

If you need any additional information or have any questions, please contact me at (251) 380-8748.

Sincerely,

GOODWYN MILLS CAWOOD, LLC




Jeremy Sasser, P.E.  
Project Manager

Building Communities

The water system shall meet all requirements of the ISO Fire Suppression Rating Schedule Paragraph 340, 614 and 620 A for obtaining full credit.

Flow tests are from a nearby subdivision but represent current flows. These flows would not meet the ISO requirements; therefore, water improvements will be required.



FIRE FLOW TEST REPORT

Project: Sherwood  
Engineer: Larry Smith  
Date: 5/12/2022 Time: 9:30 AM

**FLOW HYDRANT**

Hydrant Location: 450' West of Test Hydrant

Size of Watermain, In.: 8 Material: PVC

Pitot, PSI: 10 Observed Flow, GPM: 540

Q<sub>g</sub>, Calculated Fire Flow @ 20 PSI: 521

**TEST HYDRANT (RESIDUAL)**

Hydrant Location: Sherwood Highland/CR24 Intersection

Size of Watermain, In.: 8 Material: PVC

Static PSI: 78 Residual: 16

Q<sub>t</sub> = Total test flow 540  
H<sub>R</sub> = Static Pressure minus 20 psi 58  
H<sub>p</sub> = Static Pressure minus Residual Pressure 62

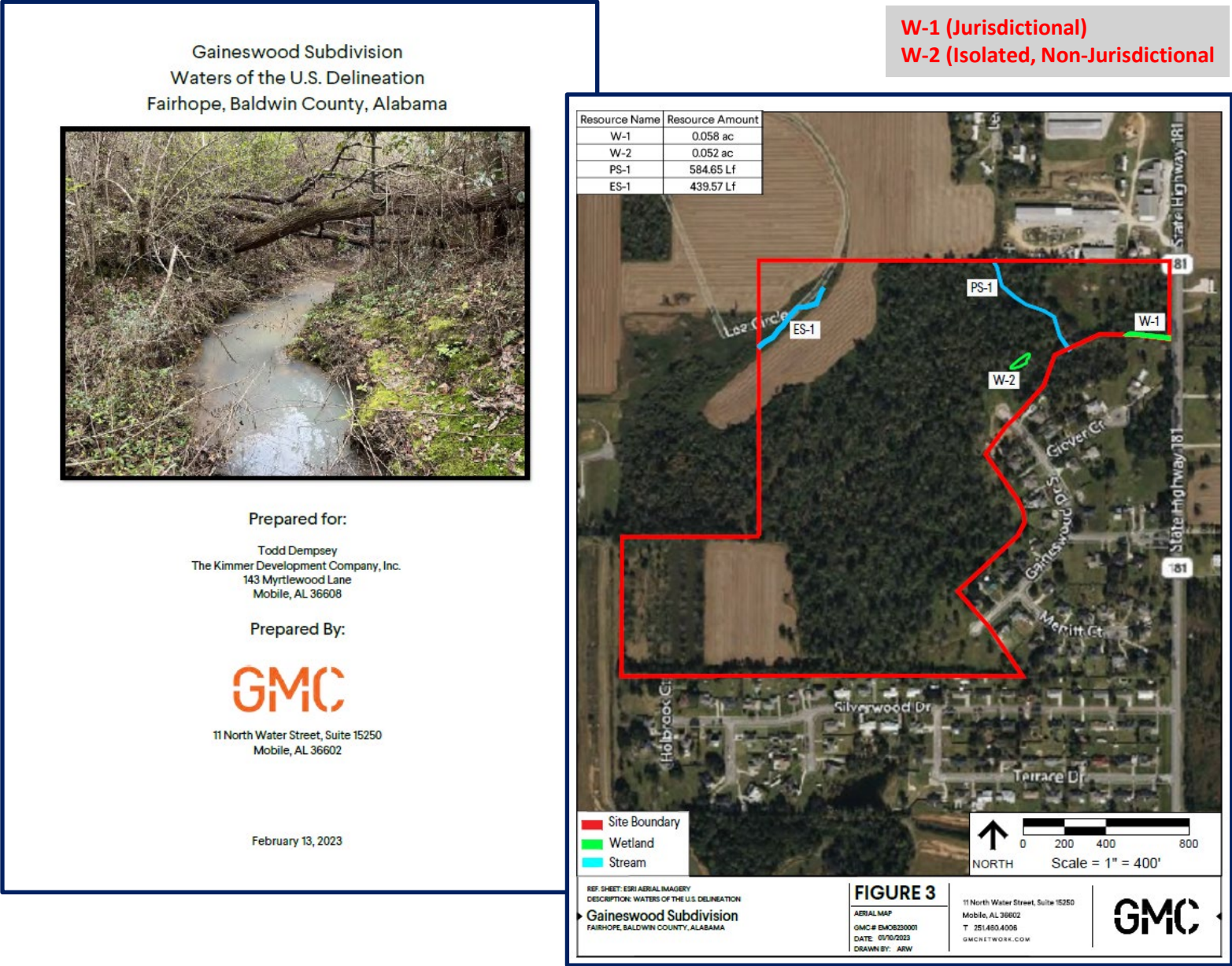
Q<sub>R</sub> = Q<sub>t</sub> x (H<sub>R</sub> / H<sub>p</sub>)<sup>0.54</sup>  
Where:  
Q<sub>R</sub> = Rated Capacity at 20 psi (in GPM) 521 **GPM**



Staff Comments

A wetland delineation was performed by Brandon Smith, QCI with *Goodwyn Mills Cawood*.

- Areas of jurisdictional and non-jurisdictional wetlands were identified on the subject property.



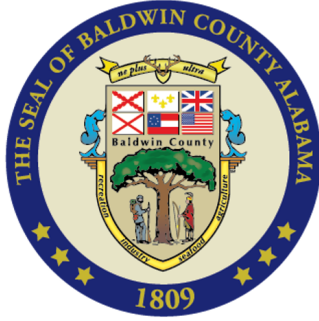
Staff recommends that the PRELIMINARY PLAT for Case No. SPP23-03 GAINESWOOD SUBDIVISION, be **APPROVED** subject to the following conditions.

### Specific Condition:

- Per 5.2.5(a)(3), the water system shall meet all requirements of the ISO Fire Suppression Rating Schedule Paragraph 340, 614 and 620 A for obtaining full credit.
- The ISO approval of installed improvements will be verified at the time of final plat submission.
- Review and acceptance by Baldwin County Highway Department of revised drainage report

### General Conditions:

- Compliance with the Baldwin County Subdivision Regulations, including, but not limited to submission of a request for a Subdivision Permit to the Baldwin County Highway Department for all improvements and system upgrades (including, but not limited to, water main, sewer, and traffic improvements) to be installed with the development.
- As required by sections 4.5.6 and 4.5.7, any and all local, state, and federal permits shall be submitted to the County Engineer and Planning and Zoning staff as a component of the construction plans submittal.
- Effective period is 2 years from approval of preliminary plat.



**BALDWIN** COUNTY,  
ALABAMA

*Planning and Zoning Department*

# SUBDIVISION PRELIMINARY PLAT REQUEST

## SPP23-07 AUTUMN LAKES

### MAY 4, 2023

PRESENTED BY: SHAWN MITCHELL, DEVELOPMENT REVIEW PLANNER



# 9.i)SPP23-07 Autumn Lakes

May 4, 2023

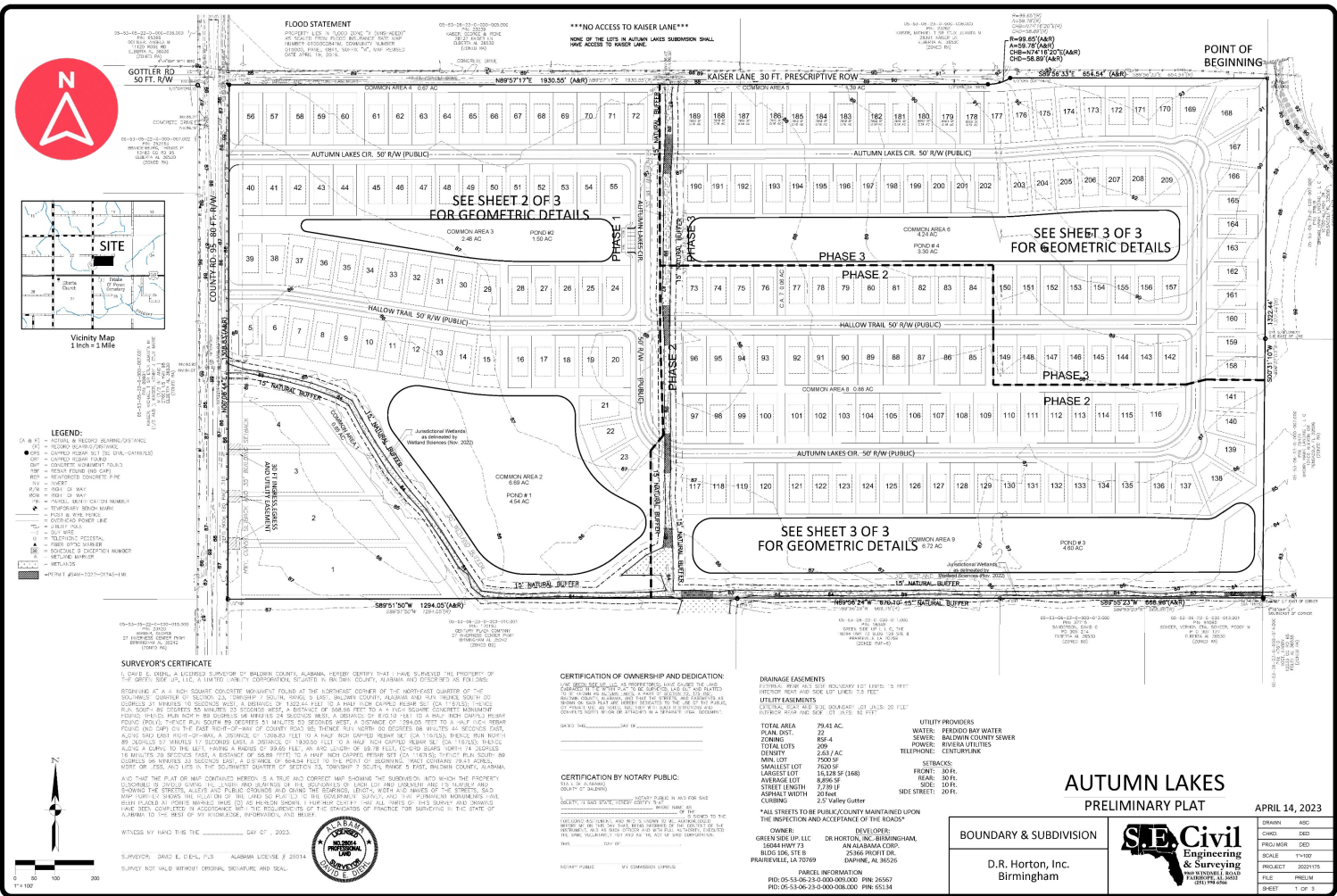
Request before the Planning Commission:

**Preliminary Plat approval** of Autumn Lakes Subdivision, a 209-lot subdivision.

Staff recommendation:  
**APPROVAL with conditions**

To view maps/plats in higher resolution and public comments received related to this case, please visit the “Upcoming Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departmen ts/planning-zoning/meeting-agenda>



**Location:** Subject property is located on the east side of County Rd 95, south of Kaiser Ln. and .25 miles north of US Hwy 98.

**Planning District:** 22

**Zoning:** RSF-4 Residential Single Family  
Rezoned from RA to RSF-4 in 2006 (Case Z-06017)

**Total Property Area:** 79.41 acres +/-

**Total # of Lots requested:** 209 lots, built over 3 phases

- Smallest lot: 7,620 sf +/-
- Largest lot: 16,128 sf +/-
- Building Setbacks: 30' Front, 30' Rear 10' Side, 20' Street side

**Streets / Roads:** 7,739 LF of streets for public use

- Proposed lots will access internal streets only

**Owner:** Green Side Up, LLC, 16044 Hwy 73,  
Bldg. 106 Suite B, Prairieville, LA 70769

**Developer:** DR Horton, Inc.-Birmingham, 25366 Profit Dr.,  
Daphne, AL 36526

**Surveyor:** David Diehl, SE Civil Engineering & Surveying  
9969 Windmill Rd., Fairhope, AL 36532

**Online Case File Number:** The official case number for this application is SPP23-07 Autumn Lakes Subdivision, however, when searching the online CitizenServe database, please use SPP23-000007

**Parcels / PPINs:**  
05-53-06-23-0-000-009.000 PIN: 26567  
05-53-06-23-0-000-008.000 PIN: 65134

**Traffic Study:** TIS prepared and stamped by Samantha Islam. It was reviewed and accept by the Baldwin County Highway Department.

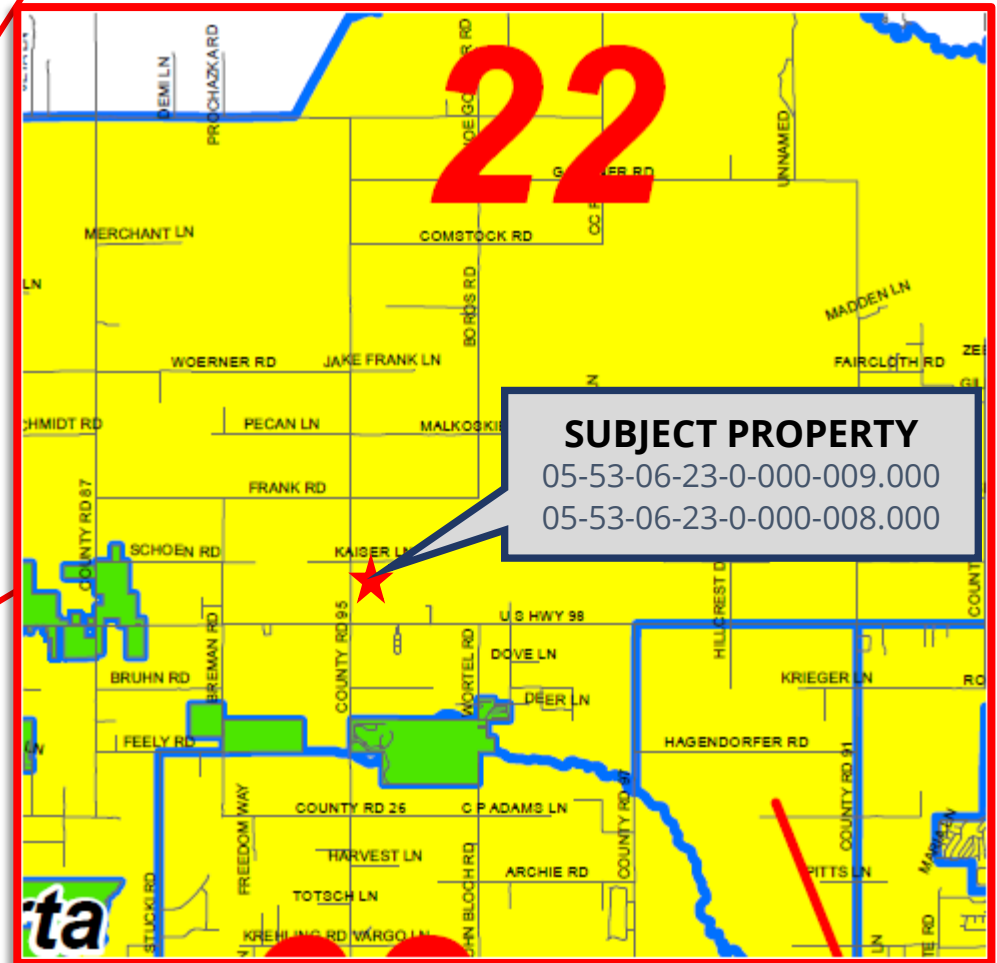
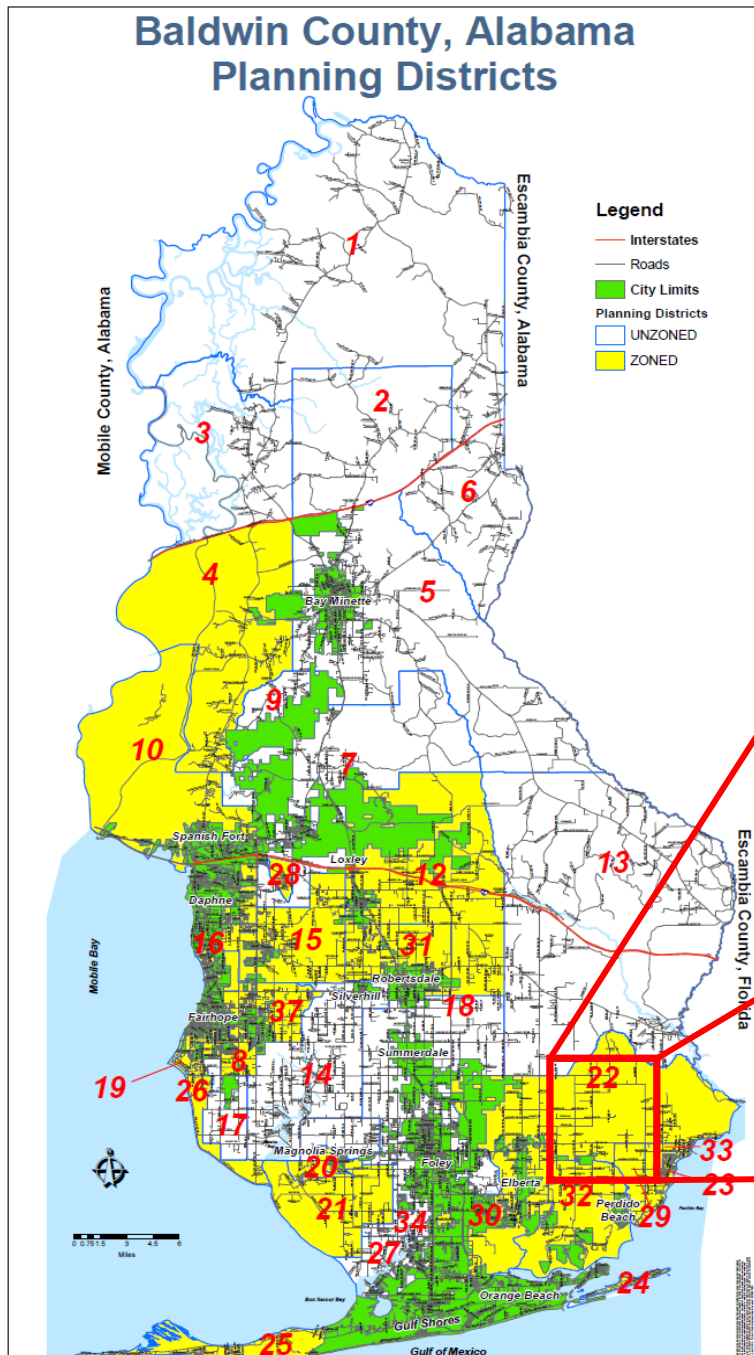
**Drainage Improvements:** A drainage narrative was prepared and stamped by Jared Landry, PE, *SE Civil Engineering*. It was reviewed and accepted by the Baldwin County Highway Department.

**Wetlands:** A wetland delineation was prepared by Keith Johnson, *Wetland Sciences, Inc.*

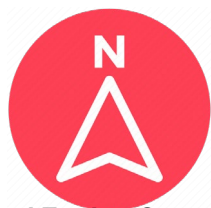
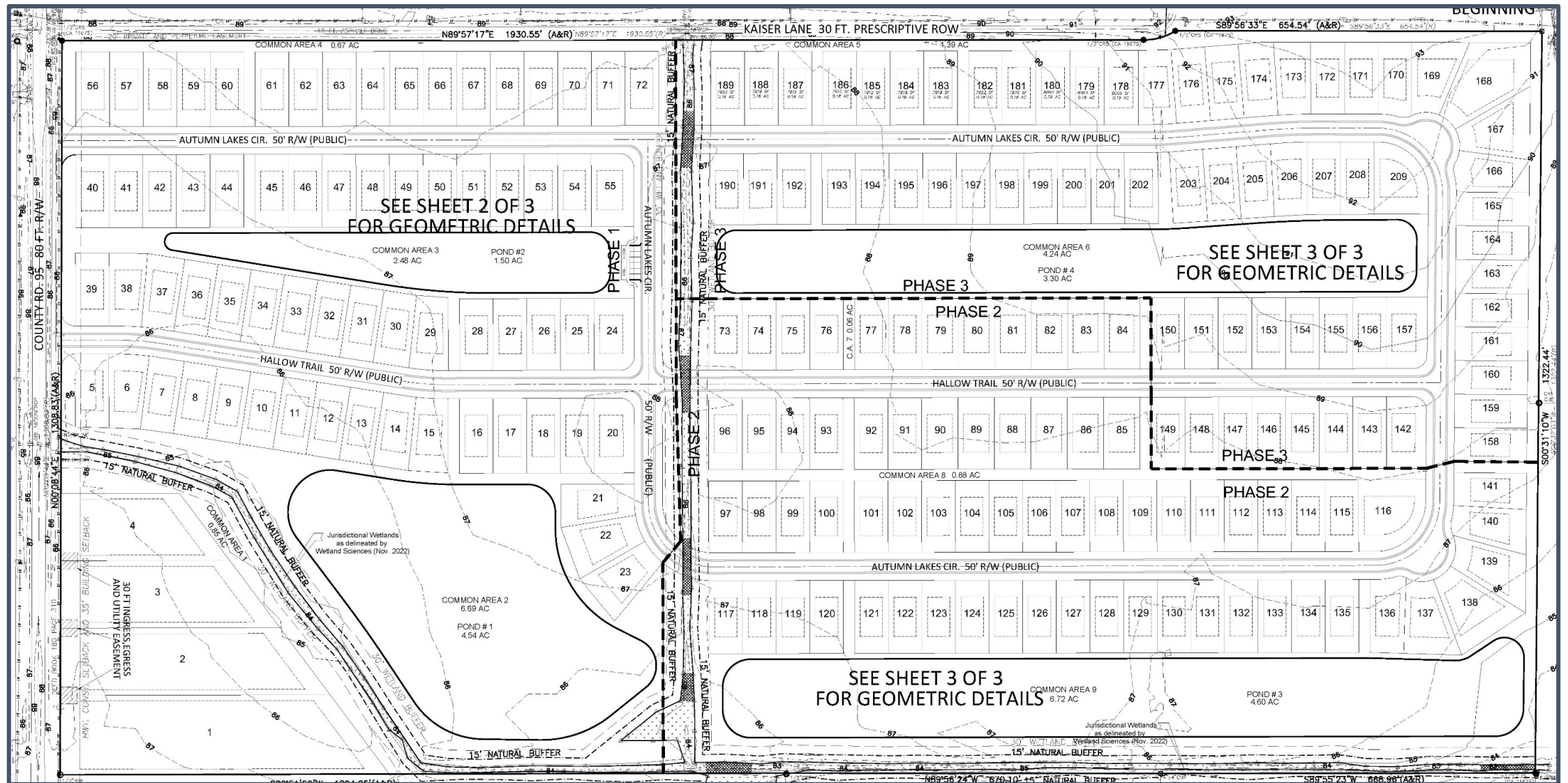
**Utility Providers:**

- Domestic Water: Perdido Bay Water
- Sewer: Baldwin Co. Sewer
- Electrical: Riviera Utilities
- Broadband: Brightspeed (pending)

# Baldwin County, Alabama Planning Districts







SPP23-07 Autumn Lakes SUBDIVISION  
Preliminary plat cropped and enlarged  
to show details

- Rural District (RR)
- Rural Agricultural District (RA)
- Conservation Resource District (CR)
- Residential Single Family Estate District (RSF-E)
- Residential Single Family District (RSF-1)
- Residential Single Family District (RSF-2)
- Residential Single Family District (RSF-3)
- Residential Single Family District (RSF-4)

CR 95

Kaiser Ln.

**SUBJECT PROPERTY**

05-53-06-23-0-000-009.000

05-53-06-23-0-000-008.000

US Hwy 98



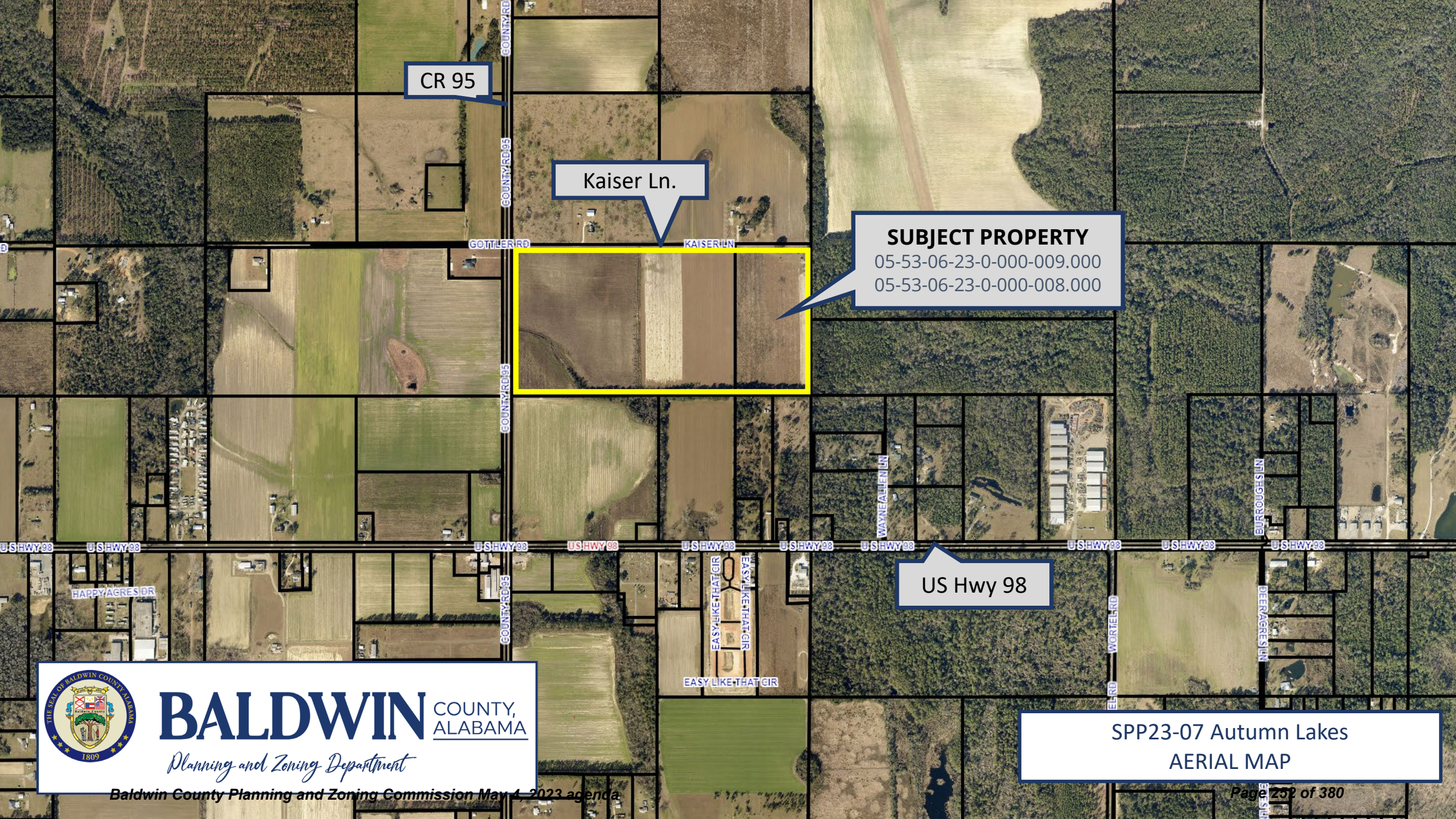
**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

Baldwin County Planning and Zoning Commission May 4, 2023 agenda

SPP23-07 Autumn Lakes  
VICINITY/ZONING MAP





CR 95

Kaiser Ln.

**SUBJECT PROPERTY**  
05-53-06-23-0-000-009.000  
05-53-06-23-0-000-008.000

US Hwy 98



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

Baldwin County Planning and Zoning Commission May 4, 2023 agenda

SPP23-07 Autumn Lakes  
AERIAL MAP



## Staff Comments

A drainage report was prepared and stamped by Jared Landry, PE, S.E. Civil Engineering.

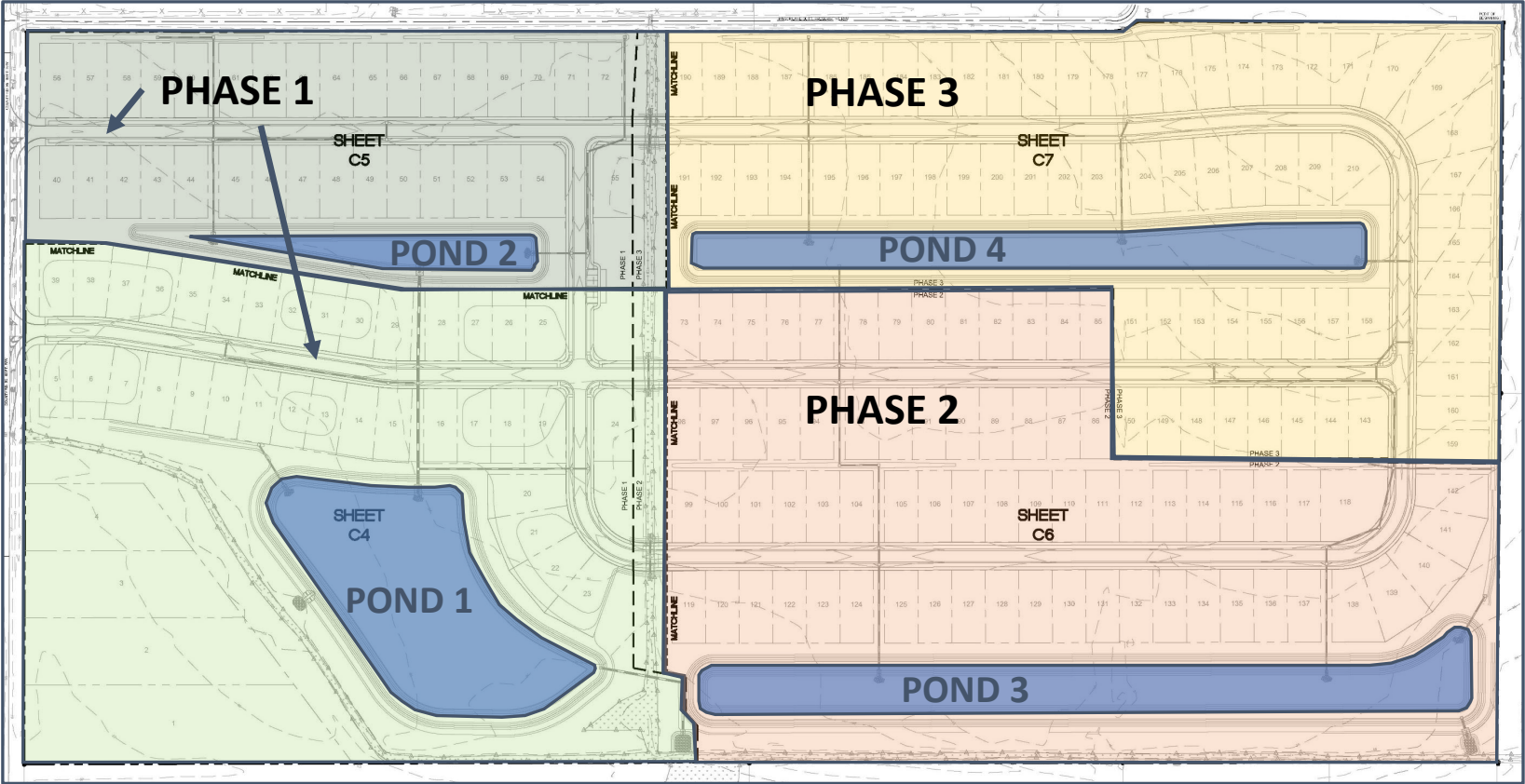
- Drainage improvements have been recommended
- The drainage report has been reviewed and accepted by the Baldwin County Highway Department

PRE & POST PEAK FLOW RATE ANALYSIS						
	PRE (TO SOUTH PL) (CFS)	POST (TO SOUTH PL) (CFS)	REDUCTION (CFS)	HW (POND#1) (FT)	HW (POND#2) (FT)	SITE DISCHARGE FROM POND 1 (CFS)
2 YEAR	71.58	66.91	4.67	83.97	83.97	7.13
5 YEAR	118.07	108.97	9.10	84.31	84.32	11.42
10 YEAR	166.66	152.97	13.69	84.65	84.67	16.23
25 YEAR	248.29	229.50	18.79	85.13	85.25	27.00
50 YEAR	322.91	297.45	25.46	85.53	85.78	35.19
100 YEAR	409.57	379.15	30.42	85.94	86.39	47.42
POND TOP	-	-	-	87.00	87.00	-
N.W.S.E.	-	-	-	83.00	83.00	-
POND BOTTOM	-	-	-	77.50	79.00	-
	PRE (TO SOUTHEAST) (CFS)	POST (TO SOUTHEAST) (CFS)	REDUCTION (CFS)	HW (POND#3) (FT)	HW (POND#4) (FT)	SITE DISCHARGE FROM POND 3 (CFS)
2 YEAR	4.72	3.39	1.33	83.72	83.78	3.32
5 YEAR	11.85	6.09	5.76	84.23	84.31	5.94
10 YEAR	20.76	10.83	9.93	84.63	84.74	10.58
25 YEAR	37.47	20.70	16.77	85.25	85.41	20.02
50 YEAR	53.97	32.09	21.88	85.81	85.98	30.95
100 YEAR	74.10	46.08	28.02	86.45	86.65	44.39
POND TOP	-	-	-	87.00	87.00	-
N.W.S.E.	-	-	-	82.50	82.50	-
POND BOTTOM	-	-	-	77.00	79.50	-



PRE & POST PEAK FLOW RATE ANALYSIS						
	PRE (TO SOUTH PL) (CFS)	POST (TO SOUTH PL)(CFS)	REDUCTION (CFS)	HW (POND#1)(FT)	HW (POND#2)(FT)	SITE DISCHARGE FROM POND 1 (CFS)
2 YEAR	71.58	66.91	4.67	83.97	83.97	7.13
5 YEAR	118.07	108.97	9.10	84.31	84.32	11.42
10 YEAR	166.66	152.97	13.69	84.65	84.67	16.23
25 YEAR	248.29	229.50	18.79	85.13	85.25	27.00
50 YEAR	322.91	297.45	25.46	85.53	85.78	35.19
100 YEAR	409.57	379.15	30.42	85.94	86.39	47.42
POND TOP	-	-	-	87.00	87.00	-
N.W.S.E.	-	-	-	83.00	83.00	-
POND BOTTOM	-	-	-	77.50	79.00	-

	PRE (TO SOUTHEAST) (CFS)	POST (TO SOUTHEAST)(CFS)	REDUCTION (CFS)	HW (POND#3)(FT)	HW (POND#4)(FT)	SITE DISCHARGE FROM POND 3 (CFS)
2 YEAR	4.72	3.39	1.33	83.72	83.78	3.32
5 YEAR	11.85	6.09	5.76	84.23	84.31	5.94
10 YEAR	20.76	10.83	9.93	84.63	84.74	10.58
25 YEAR	37.47	20.70	16.77	85.25	85.41	20.02
50 YEAR	53.97	32.09	21.88	85.81	85.98	30.95
100 YEAR	74.10	46.08	28.02	86.45	86.65	44.39
POND TOP	-	-	-	87.00	87.00	-
N.W.S.E.	-	-	-	82.50	82.50	-
POND BOTTOM	-	-	-	77.00	79.50	-



### Staff Comments

Samantha Islam, PE, prepared a traffic impact study (TIS) for the subject property

- The traffic report has been reviewed and accepted by the Baldwin County Highway Department
- Right turn lanes are warranted at both entrances on CR 95 after Phase II.

12/14/2022

### TRAFFIC IMPACT STUDY

**Autumn Lakes Subdivision**  
Elberta, Alabama

Prepared for:

**S.E. Civil, LLC**  
9969 Windmill Road  
Fairhope, AL 36532  
Phone: 251-990-6566

Prepared by:

*Samantha Islam*

**Samantha Islam, Ph.D., P.E.**  
7295 Sable Palms Drive  
Mobile, AL 36695  
Ph: (251)-545-9681






Staff Comments

To fulfill Section 5.2.5(a)(3) of the Subdivision Regulations regarding fire protection

- Flow test results have been submitted.
- The ISO approval of installed improvements will be verified at the time of final plat submission



FIRE FLOW TEST REPORT

Project: Autumn Lakes  
Engineer: Dave Lavery  
Date: 2/6/2023 Time: 11:00 AM

**FLOW HYDRANT**

Hydrant Location: SE Corner CR95/US98 Intersection  
Size of Watermain, In.: 12 Material: PVC  
Pitot, PSI: 22 Observed Flow, GPM: 780  
Q<sub>R</sub>, Calculated Fire Flow @ 20 PSI: 1,757

**TEST HYDRANT (RESIDUAL)**

Hydrant Location: NE Corner CR95/Hammert Ln  
Size of Watermain, In.: 12 Material: PVC  
Static PSI: 56 Residual: 48

Q<sub>F</sub> = Total test flow 780  
H<sub>R</sub> = Static Pressure minus 20 psi 36  
H<sub>F</sub> = Static Pressure minus Residual Pressure 8

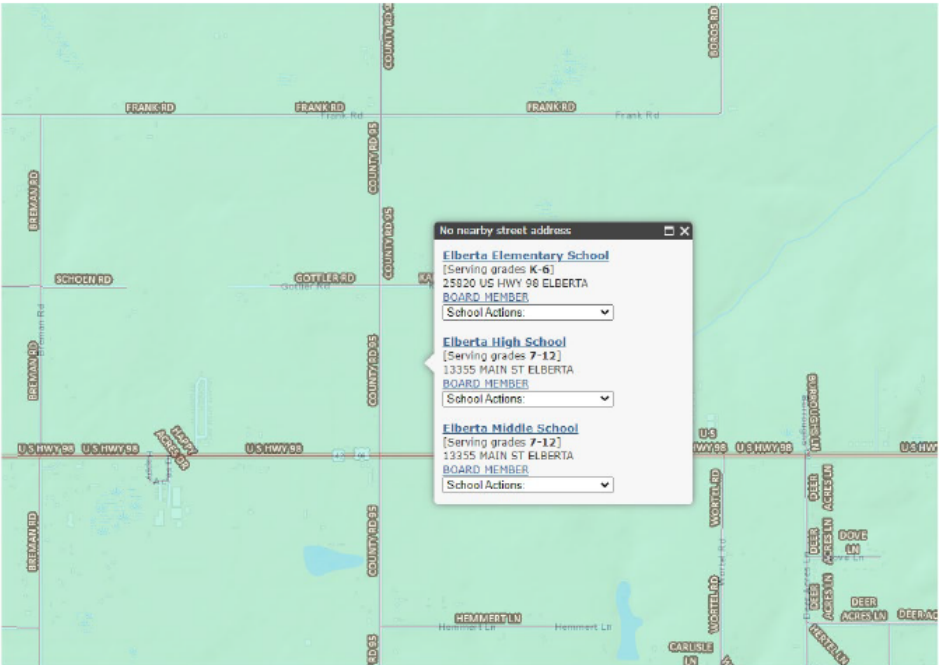
Q<sub>R</sub> = Q<sub>F</sub> x (H<sub>R</sub> / H<sub>F</sub>)<sup>0.54</sup>  
Where:  
Q<sub>R</sub> = Rated Capacity at 20 psi (in GPM) 1,757 GPM

**From:** [Shawn Mitchell](#)  
**To:** ["mmalm@bcbe.org"](#); ["etyler@bcbe.org"](#); ["syounq@bcbe.org"](#); ["jwilson@bcbe.org"](#)  
**Cc:** [Buford King](#); [Mary Booth](#); [Fabia Waters](#)  
**Subject:** Subdivisions for May Planning Commission part 1  
**Date:** Tuesday, March 28, 2023 8:47:00 AM  
**Attachments:** [20221175-PRELIM-REV DED-1OF3.pdf](#)  
[image001.png](#)  
[20221070-RCE-PRELIM-PLAT-3-20-2023-Model \(3\).pdf](#)  
[image002.png](#)

Good morning,

Here are upcoming subdivisions and PUDs that will likely be on the agenda for the May 4 Planning Commission meeting. We welcome your feedback as part of our review process. Thanks, Shawn

SUBDIVISION NAME: Autumn Lakes Subdivision  
PARCEL ID: 05-53-06-23-0-000-009.000, 05-53-06-23-0-000-008.000  
NUMBER OF LOTS: 209  
ADJACENT ROADS(s): CR 95, Kaiser Ln.



Staff recommends that the PRELIMINARY PLAT for Case No. SPP23-07 Autumn Lakes SUBDIVISION, be **APPROVED with condition(s)** subject to compliance with the Baldwin County Subdivision Regulations.

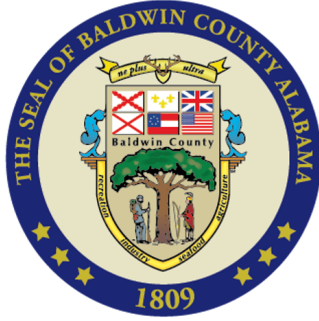
### Specific Conditions:

1. Applicant is on notice that the provisions of 5.2.5(c) for broadband service will be strictly enforced for final plat approval.
2. Right turn lanes will be constructed at both entrances on CR 95 after Phase II.

### General Conditions

- Compliance with the Baldwin County Subdivision Regulations, including, but not limited to submission of a request for a Subdivision Permit to the Baldwin County Highway Department for all improvements and system upgrades (including, but not limited to, water main, sewer, and traffic improvements) to be installed with the development.
- As required by sections 4.5.6 and 4.5.7, any and all local, state, and federal permits shall be submitted to the County Engineer and Planning and Zoning staff as a component of the construction plans submittal.
- Effective period is 2 years from approval of preliminary plat.





**BALDWIN** COUNTY,  
ALABAMA

*Planning and Zoning Department*

SUBDIVISION PRELIMINARY PLAT REQUEST  
SPP23-8 BFLC LAWRENCE CREEK SUBDIVISION  
MAY 4, 2023

PRESENTED BY: SHAWN MITCHELL, DEVELOPMENT REVIEW PLANNER

May 4, 2023

Request before Planning Commission:

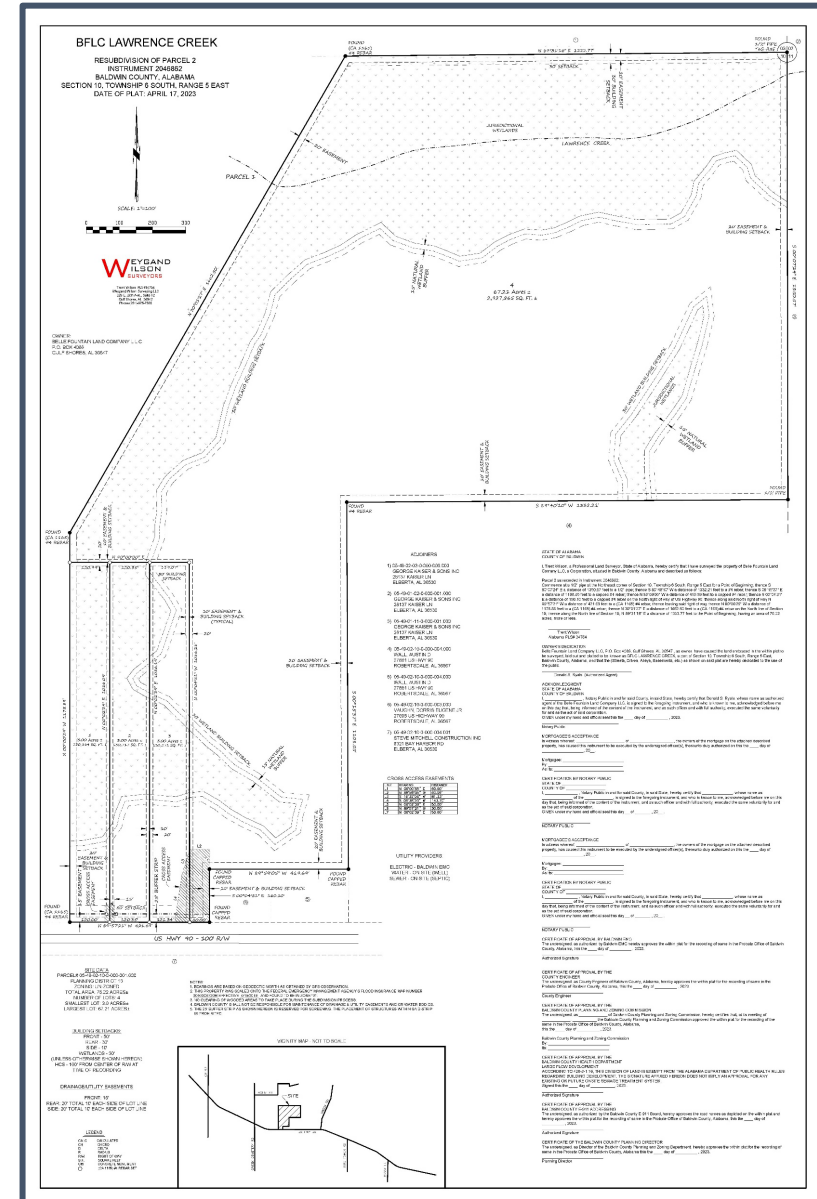
## Preliminary Plat approval

BFLC LAWRENCE CREEK Subdivision, a  
**4-lot** subdivision

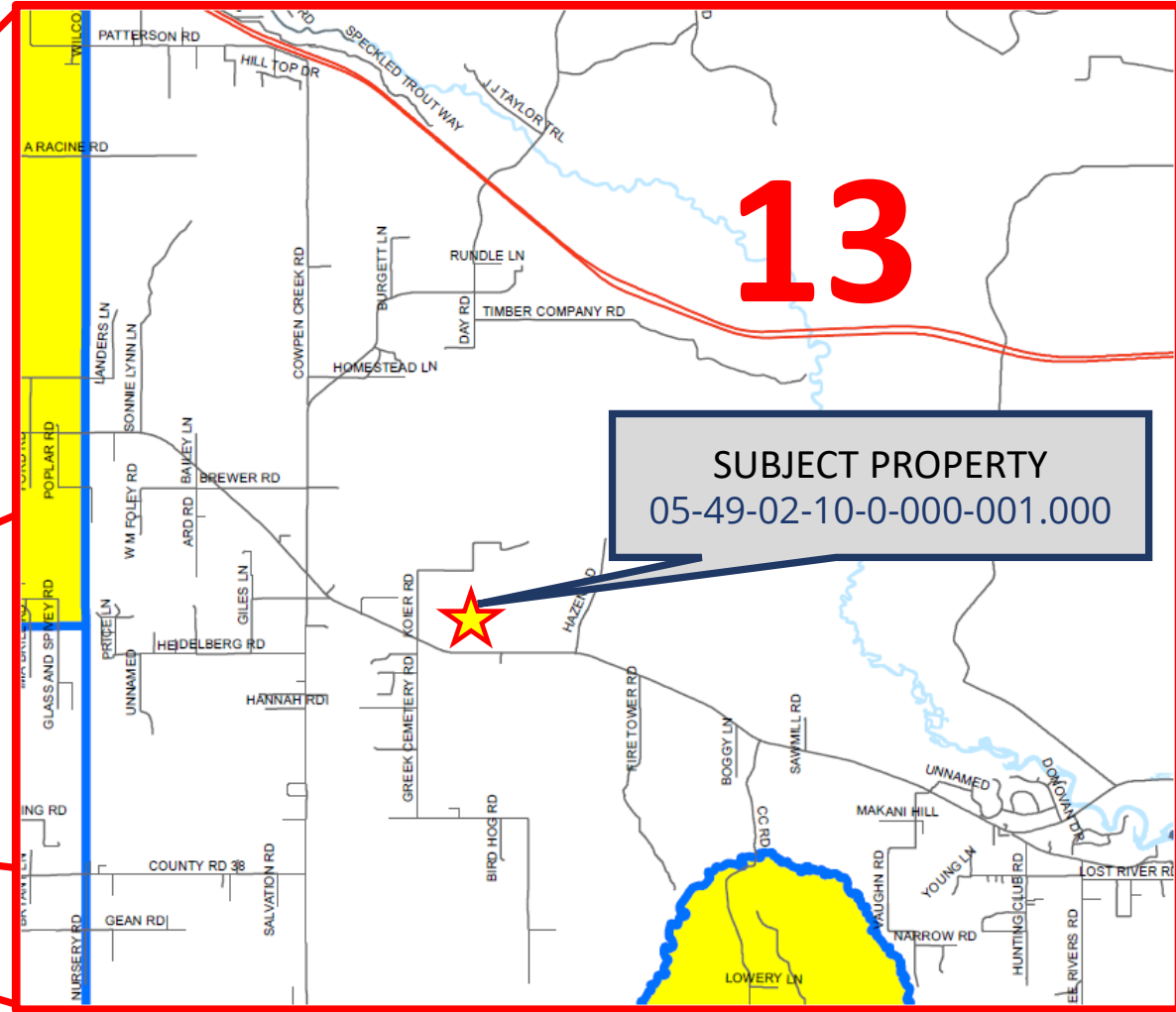
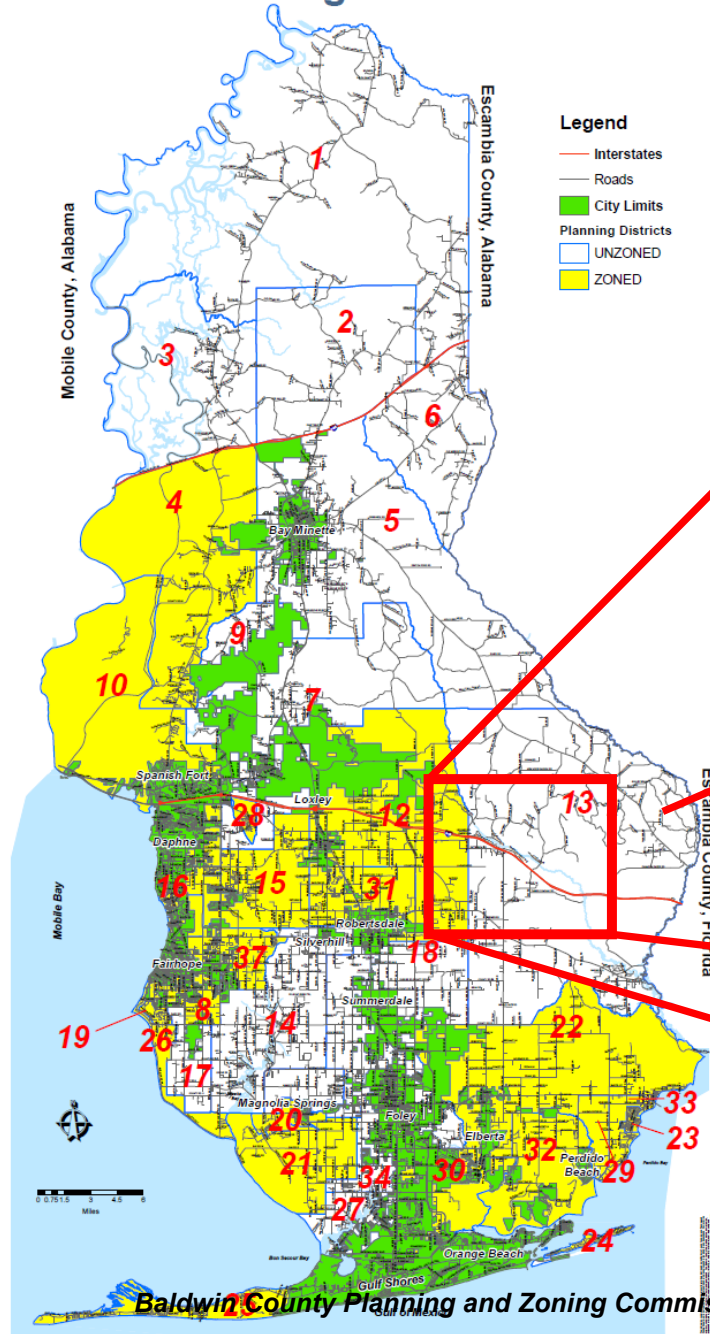
Staff recommendation: **APPROVAL  
with conditions**

To view maps/plats in higher resolution  
and public comments received related to  
this case, please visit the “Upcoming  
Items” Planning and Zoning webpage :

[https://baldwincountyal.gov/departments/  
planning-zoning/meeting-agenda](https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda)



# Baldwin County, Alabama Planning Districts





**Location:** Subject property is located on the north side of US Hwy 90, one and a half miles east of County Rd. 87.

**Planning District:** 13

**Zoning:** The citizens of Planning District 13 have not implemented zoning

**Total Property Area to be divided:** 76.22 acres

**Total # of Lots requested:** 4 lots

**Largest lot:** 67.21 ac  
**Smallest lot:** 3 acres

**Surveyor:** Trent Wilson, PLS, Weygand Wilson Surveyors  
229 E. 20<sup>th</sup> Ave., Suite 12, Gulf Shores, AL 36542

**Owner / Developer:** Belle Fountain Land Company LLC  
PO Box 4088 Gulf Shores, AL 36547

**Online Case File Number:** The official case number for this application is SPP23-8, however, when searching online CitizenServe database, please use SPP23-000008.

**Parcel:** 05-49-02-10-0-000-001.000

**PIN:** 63795

**Traffic Study:** Not required (less than 50 lots requested and thus not required per Article 5, section 5.5.14)

**Drainage Improvements:** None required, the drainage pattern will remain the same once this subdivision is created.

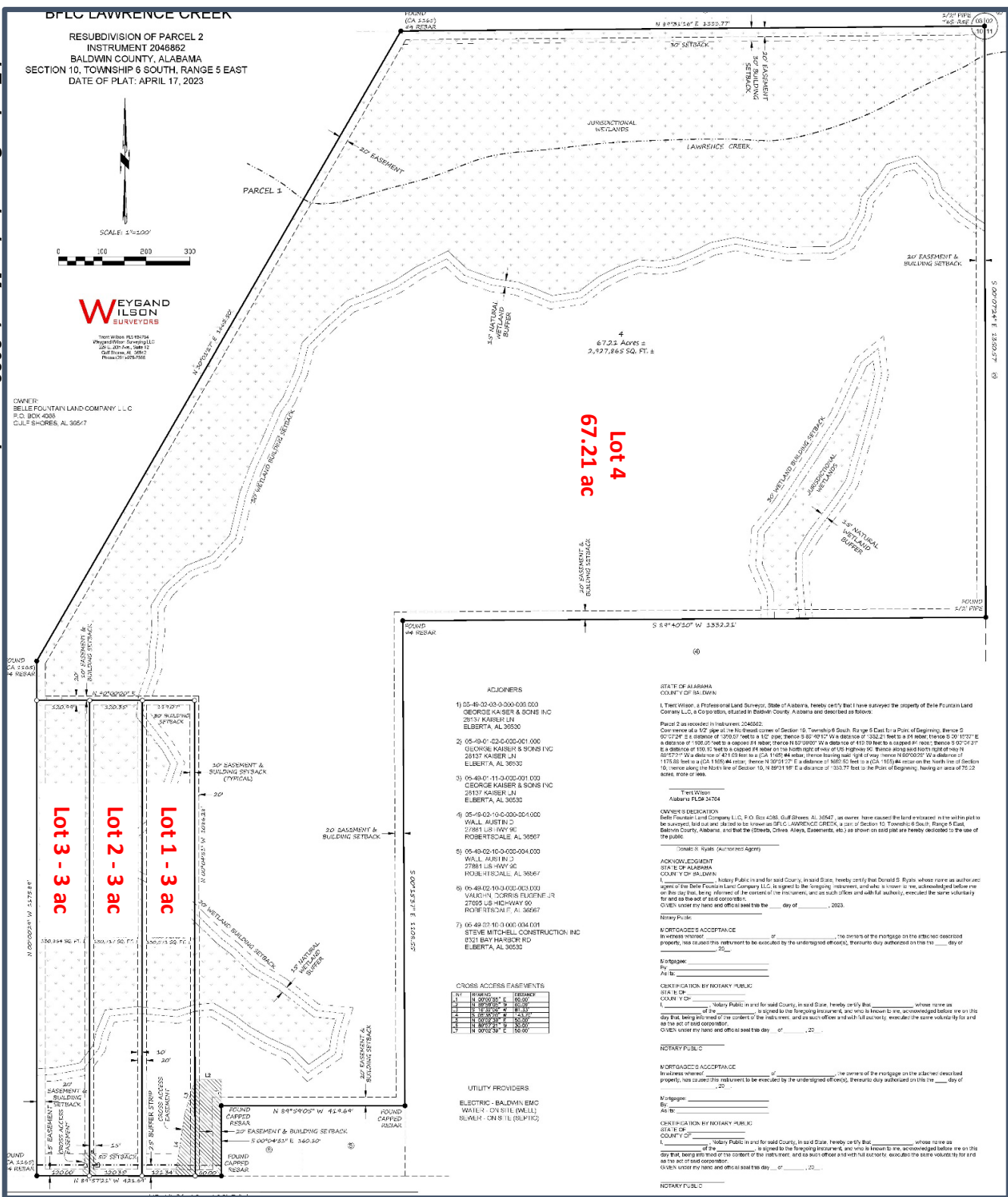
**Wetlands:** A wetland delineation was prepared by Craig Martin, Wetland Sciences, Inc.

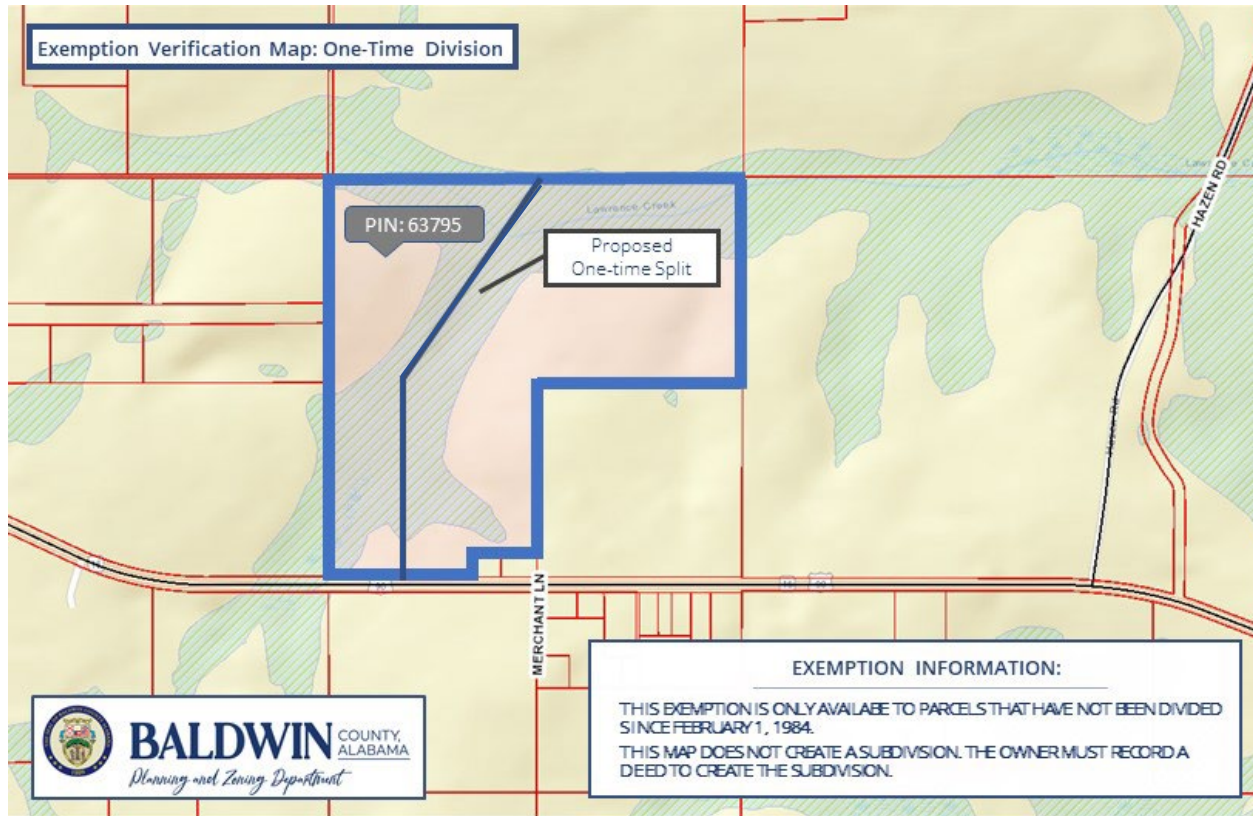
**Streets / Roads:** No new streets, roads, sidewalk, or curb and gutter to be installed by the subdivision.

Common drives will be required along US Hwy 90.

**Utility Providers:**

- Water: On-Site Well
- Electrical: Baldwin EMC
- Septic: On-Site Septic





Exemption approved on Jan. 19, 2023

Recorded with BC Probate Feb. 13, 2023 – Inst. #2046862

Map has not been updated yet.

**Robertsedale Office:**  
22251 Palmer Street  
Robertsedale, AL 36567

**Quick Contacts:**  
[planning@baldwincountyal.gov](mailto:planning@baldwincountyal.gov)  
251-580-1655

**Foley Office:**  
22251 Palmer Street  
Robertsedale, AL 36567

January 19, 2023  
SUBDIVISION EXEMPTION VERIFICATION  
Case #: PF23-000012

**Site & Applicant Information**  
Parcel ID Number: 05-49-02-10-0-000-001.000  
Physical Address (E-911): U.S. HIGHWAY 90 ROBERTSDEALE, AL 36567  
Applicant Name: Amanda Weygand

Owner: Belle Fountain Land company LLC

Dear Applicant:

This letter is in response to your request for an exemption for a 4.2(c) One-time split from the Baldwin County Subdivision Regulations as provided in Section 4.2 which states the following:  
§4.2 Exceptions to Required Approval.  
(c) A one-time split of a single parcel into two resultant parcels, if, and only if, the parcel existed and has not been divided since February 1, 1984. Sufficient documentation of property status as of February 1, 1984 must be submitted along with request for exemption. Each resulting parcel shall meet the minimum lot size and width requirements of Section 5.4(a). The owner of each parcel approved as exempt under this subparagraph shall be required to submit, as a condition to such approval, a copy of the deed to the property as it was titled on February 1, 1984, together with an affidavit executed by such owner attesting, under oath, that the parcel which is sought to be divided has not been subdivided at any time since February 1, 1984. Any applicant receiving an exempt subdivision approval pursuant to this subparagraph acknowledges that any further subdivision of the divided parcel or the master parcel from which the subdivided parcel was divided shall not be permitted except in compliance with these regulations. An exemption under this paragraph shall not apply to a proposed subdivision or resubdivision that will result in a Major Change to an approved and recorded Final Plat or Final Site Plan.

Exemption from the requirement for approval to subdivide does not constitute exemption from the requirements of other applicable regulations including but not limited to zoning ordinance, Health Department requirements, highway construction setbacks, or, if located within the extraterritorial jurisdiction of a municipality, the regulations of that municipal planning commission. An Exempt Subdivision Verification Letter does not create a subdivision. The letter only certifies the proposed division is exempt on the date the letter is issued. Transfers to approved recipients must be evidenced by recording an appropriate deed in the records of the Judge of Probate of Baldwin County, Alabama, within thirty (30) days of issuance of the Exempt Subdivision Verification Letter to create the proposed exempt subdivision. **If the owner fails to record such deeds within 30 days, the Exempt Subdivision Verification Letter is no longer valid, and the exempt division will no longer be exempt.** Additionally, if regulations impacting the property change prior to the owner recording such deeds, the proposed exempt subdivision may no longer be exempt. Any subdivider who is circumventing the intent and substance of the Baldwin County Subdivision Regulations shall be required to submit a plat for review and approval by the Baldwin County Planning and Zoning Commission and shall be subject to the penalties under Section 13.3: Enforcement of the Baldwin County Subdivision Regulations. Based on your proposal the resulting subdivision will include two (2) parcels.

Per the information provided this parcel had existed and had not been divided since February 1984 and complies with Section 5.4 (a). Therefore, the division of this parcel into two (2) parcels as shown on the attached drawing is Exempt from the Baldwin County Subdivision Regulations.

If you have any questions, please feel free to call me at 251-580-1655.

BALDWIN COUNTY, ALABAMA  
HARRY D'OLIVE, JR., PROBATE JUDGE  
Filed/vert. 2/13/2023 11:26 AM  
TOTAL \$ 19.00  
3 Pages

2046862





**BALDWIN** COUNTY,  
ALABAMA

*Planning and Zoning Department*

Koier Rd.

SUBJECT PROPERTY  
05-49-02-10-0-000-001.000  
PIN: 63795

Hazen Rd.

US Hwy 90

Greek  
Cemetery Rd.

SPP23-8 BFLC LAWRENCE CREEK  
AERIAL MAP

Page 265 of 380





# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

SUBJECT PROPERTY  
05-49-02-10-0-000-001.000  
PIN: 63795

Koier Rd.

Hazen Rd.

US Hwy 90

Greek Cemetery Rd.

SPP23-8 BFLC LAWRENCE CREEK  
VICINITY MAP

Page 266 of 380






**BALDWIN EMC**

Your Touchstone Energy® Cooperative


 P.O. Box 220  
 Summerdale, AL  
 36580-0220  
 (251) 989-6247

[www.baldwinemc.com](http://www.baldwinemc.com)

March 16, 2023

 Weygand Wilson Surveying, LLC  
 Amanda Weygand  
 229 E. 20<sup>th</sup> Avenue, Unit 12  
 Gulf Shores, AL 36542

 Re: Plat for BFLC Lawrence Creek, Tax Parcel #05-49-02-10-0-000-001.000,  
 4 lots

Dear Amanda Weygand:

This letter is to confirm that the referenced development is in Baldwin E.M.C.'s service territory. Also, this letter is confirming that the referenced has been submitted to Baldwin EMC.

Baldwin EMC is willing to service the development as long as the necessary easements are granted using our standard easement form and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades (transmission line, substation and distribution line). All system upgrades and line extensions will be in accordance with Baldwin EMC's current Line Extension Policy.

Please contact me to discuss necessary easements and fees.

Below is our typical required easements for subdivisions:

There is a dedicated herewith a 10 foot utility easement on all lot lines and common areas adjacent to the right-of-ways and a 10 foot utility easement on each side of lot and common area lines, unless otherwise noted.

If you have any questions or if I can be of further assistance, please do not hesitate to contact me at 251-989-0226.

Sincerely,

 Brett Morrow  
 Supervisor of Staking  
 BM/ss

#### 420-3-1-.14 Requirements and Exceptions to Large-Flow Developments

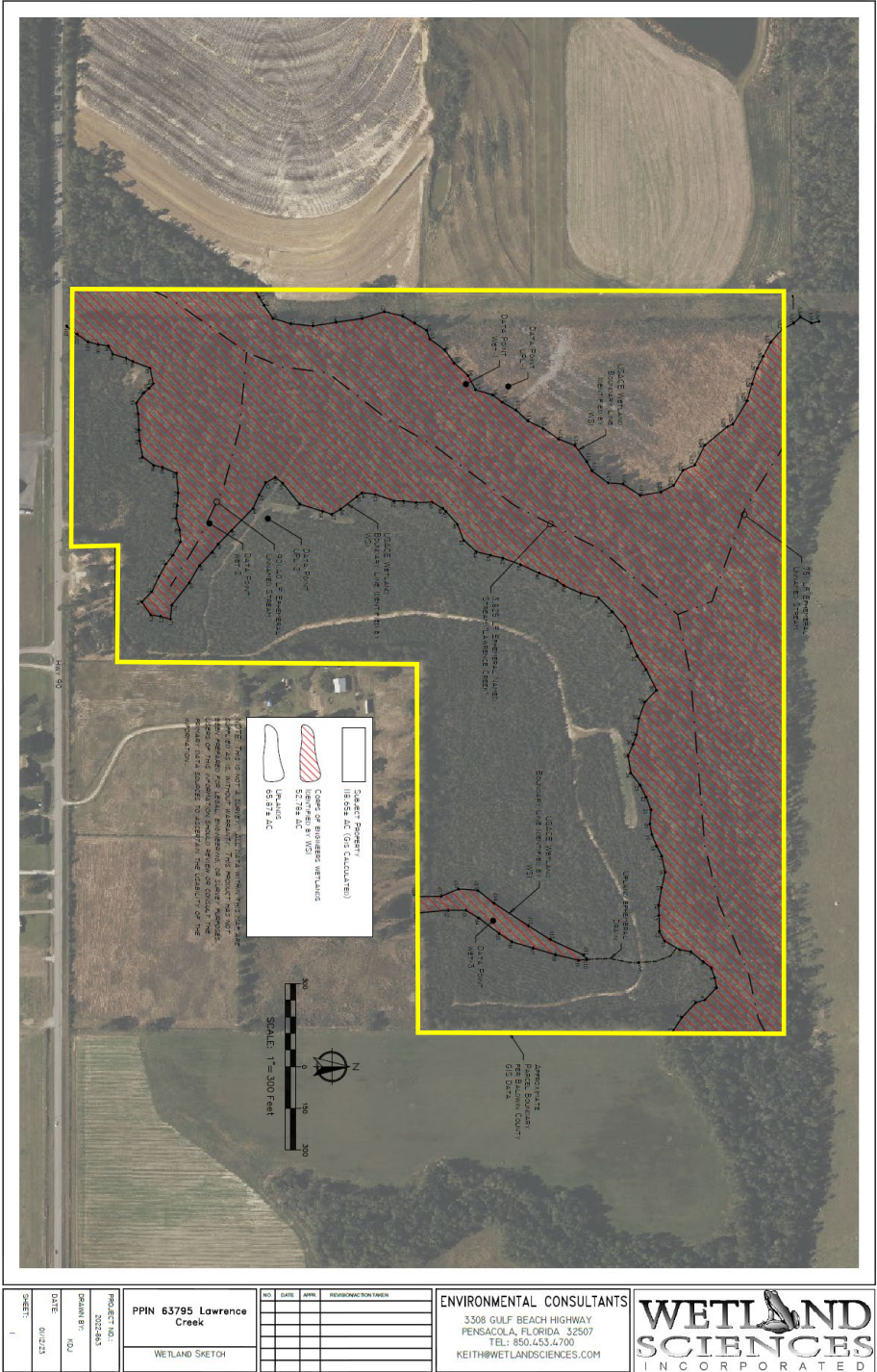
(1) A developer shall complete the Site Development Plan process for a Large-Flow Development in coordination with the LHD.

(2) The following activities shall not be subject to Large-Flow Development requirements:

- (a) Dividing a parcel of land for the purpose of a bona fide gift.
  - (b) Dividing a parcel of land under the provisions of a will or under the laws of intestate succession.
  - (c) The sale, lease, or rental of land, provided that the sale, lease, or rental is not incidental to building development.
  - (d) Dividing a parcel of land under an exemption provided by § 22-26-7, Code of Ala. 1975.
  - (e) The **division of a parcel of land into lots or tracts three acres or greater** in size that meet the requirements for Small-Flow OSS Development.
  - (f) Building development that is exclusively for the immediate family of the responsible person.
- (3) At the discretion of the LHD, dividing a parcel of land for use as a strip development may not be subject to Large-Flow Development requirements.
- (4) If ADPH and the LHD conclude that an existing Large-Flow OSS can accommodate additional flow, the permit may be modified accordingly, and it is not necessary for the responsible person to complete the entire Large-Flow application process. Only the additional information that will allow ADPH and the LHD to determine that the system is capable of handling the additional flow is required.

Staff Comments

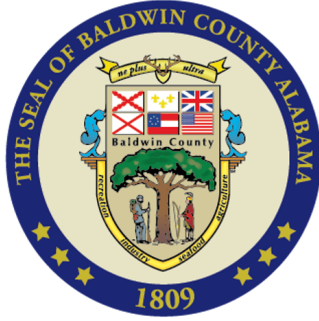
- A wetland delineation was prepared by Craig Martin, *Wetland Sciences, Inc.*
- Jurisdictional wetlands were identified and are shown on the plat with a 15-foot natural buffer and 30-foot building setback



Staff recommends that the PRELIMINARY PLAT for Case No. SPP23-8, LAWRENCE CREEK, be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations, with the following conditions for approval.

1. Applicant will coordinate with ALDOT to permit and approve common drives to be installed on US Hwy 90.
2. Staff will grant administrative final plat approval after the installation of common drives. After final plat approval, applicants will have 90 days to circulate the plat for signatures and record it.





# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## SUBDIVISION PRELIMINARY PLAT REQUEST

## SC23-14 BFLC EIGHTMILE CREEK EAST PH V

## MAY 4, 2023

PRESENTED BY: MARY BOOTH, SUBDIVISION COORDINATOR

# 9.k)SC23-14 BFLC EIGHTMILE CREEK EAST PH V

Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator

May 4, 2023

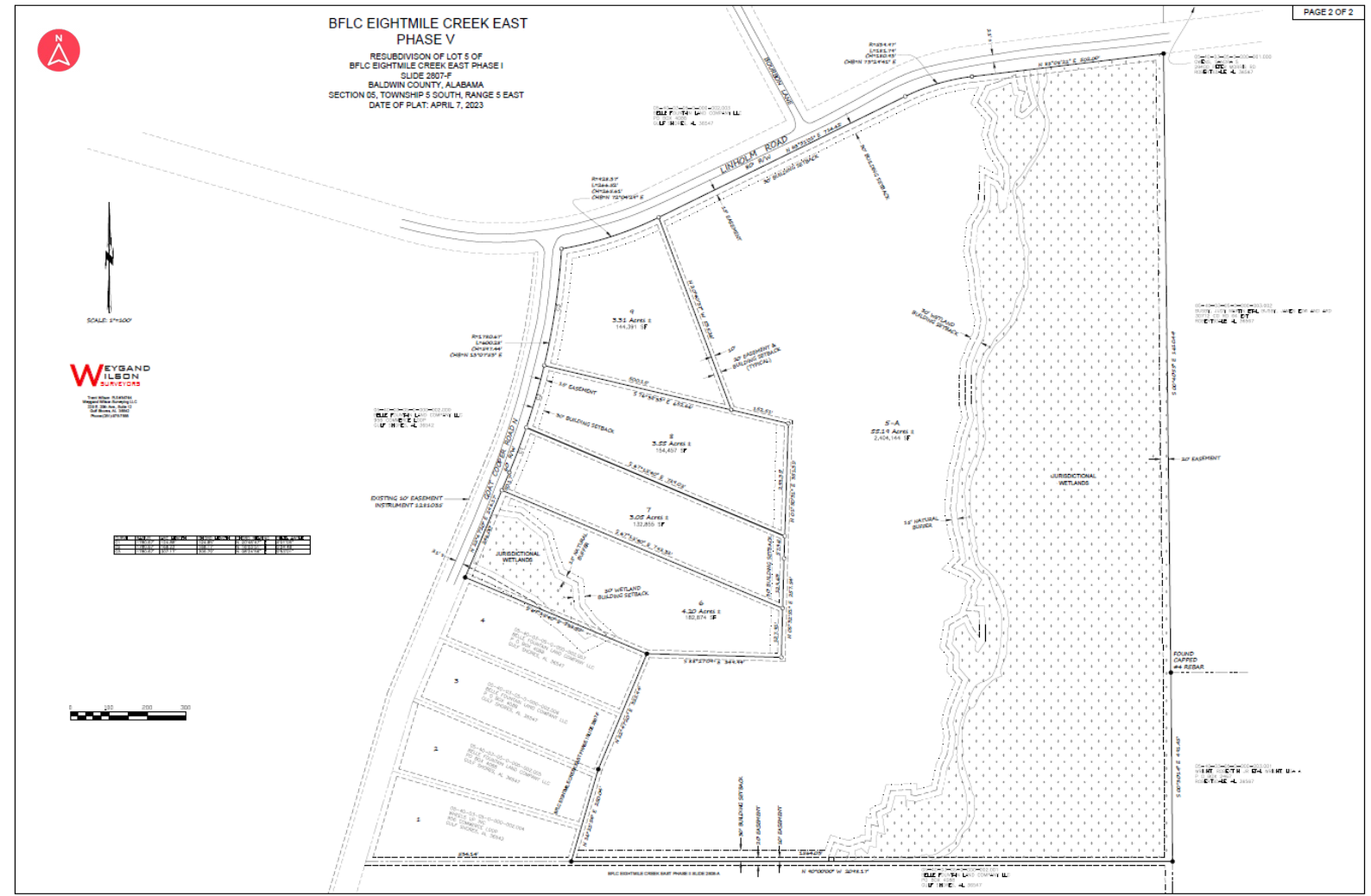
Request before the Planning  
Commission:

**Preliminary Plat approval** of  
*BFLC EIGHTMILE CREEK EAST PH V*,  
a **5-lot** subdivision.

Staff recommendation:  
**APPROVAL**

To view maps/plats in higher resolution  
and public comments received related to  
this case, please visit the “Upcoming  
Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>



**Location:** Subject property is located south of Linholm Road and east of Goat Cooper Road N intersection in the Wilcox area.

**Planning District:** 13

**Zoning:** The citizens of Planning District 13 have not implemented zoning.

**Total Property Area:** 69.30 acres +/-

**Total # of Lots requested:** 5 lots

- Smallest lot: 3.05 AC(132,855 SF)
- Building Setbacks: 30' Front, 30' Rear, 10' Side

**Streets / Roads:** NA

- Proposed lots will access existing paved roads

**Owner/Developer:**

Belle Fountain Land Company LLC  
PO Box 904  
Gulf Shores, AL 36547

**Surveyor:**

Trent Wilson, PLS., *Weygand Wilson Surveying LLC*  
229 E. 20<sup>th</sup> Ave. Suite 12  
Gulf Shores, AL 36542

**Online Case File Number:** The official case number for this application is SC23-14 BFLC EIGHTMILE CREEK EAST PH V Subdivision, however, when searching the online CitizenServe database, please use SC23-000014

**Parcel:** 05-40-03-05-0-000-002.002 **PIN:** 391617

**Traffic Study:** TIS was not requested for this division of property. However, the lot count along Linholm Road now exceeds 75 lots.

**Drainage Improvements:** No drainage improvements required. A drainage narrative was prepared and stamped by Chris Lieb, P.E., with *Lieb Engineering Company* and accepted by the Baldwin County Highway Department.

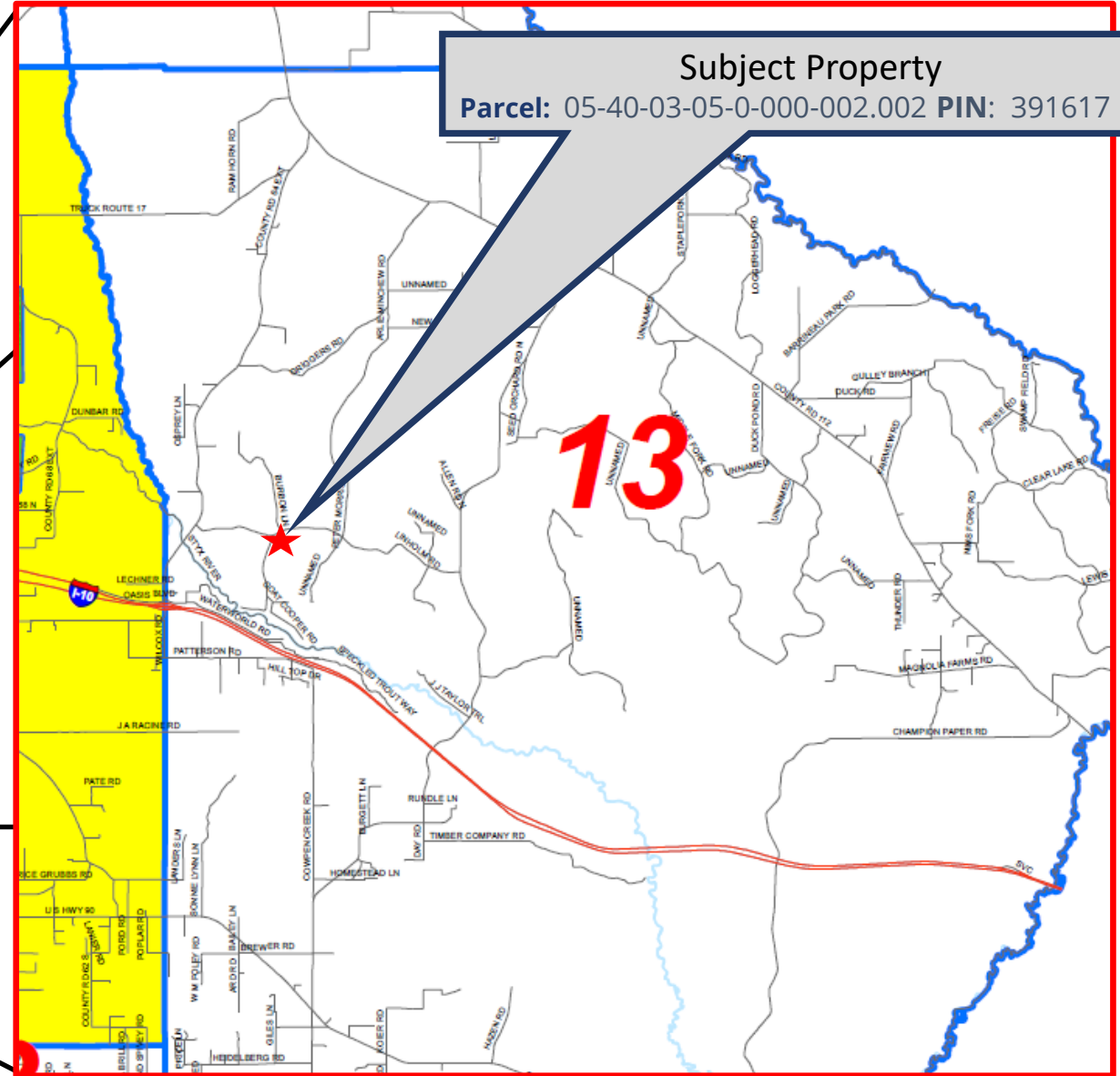
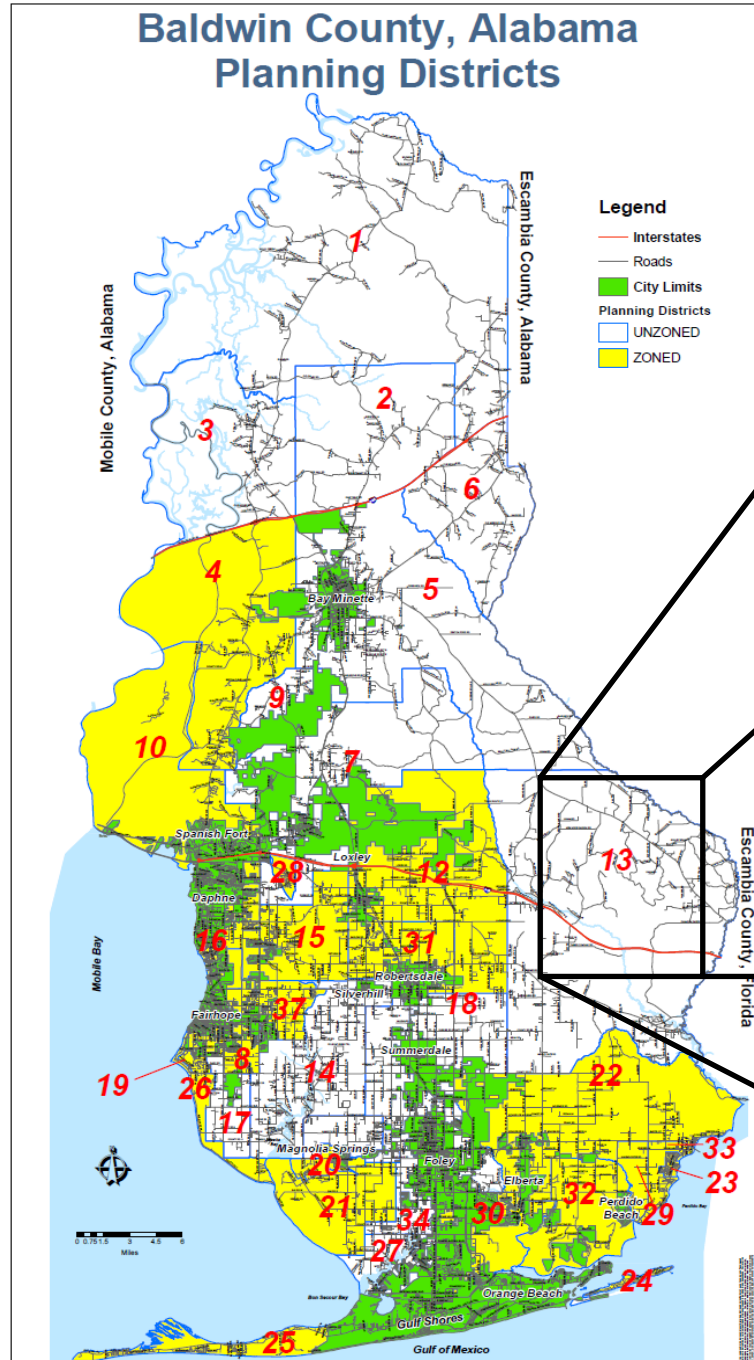
**Wetlands:** A wetland delineation was prepared by Craig Martin, Senior Scientist, with Wetland Sciences, Inc. Jurisdictional wetlands were identified and have been shown on the plat.

**Utility Providers:**

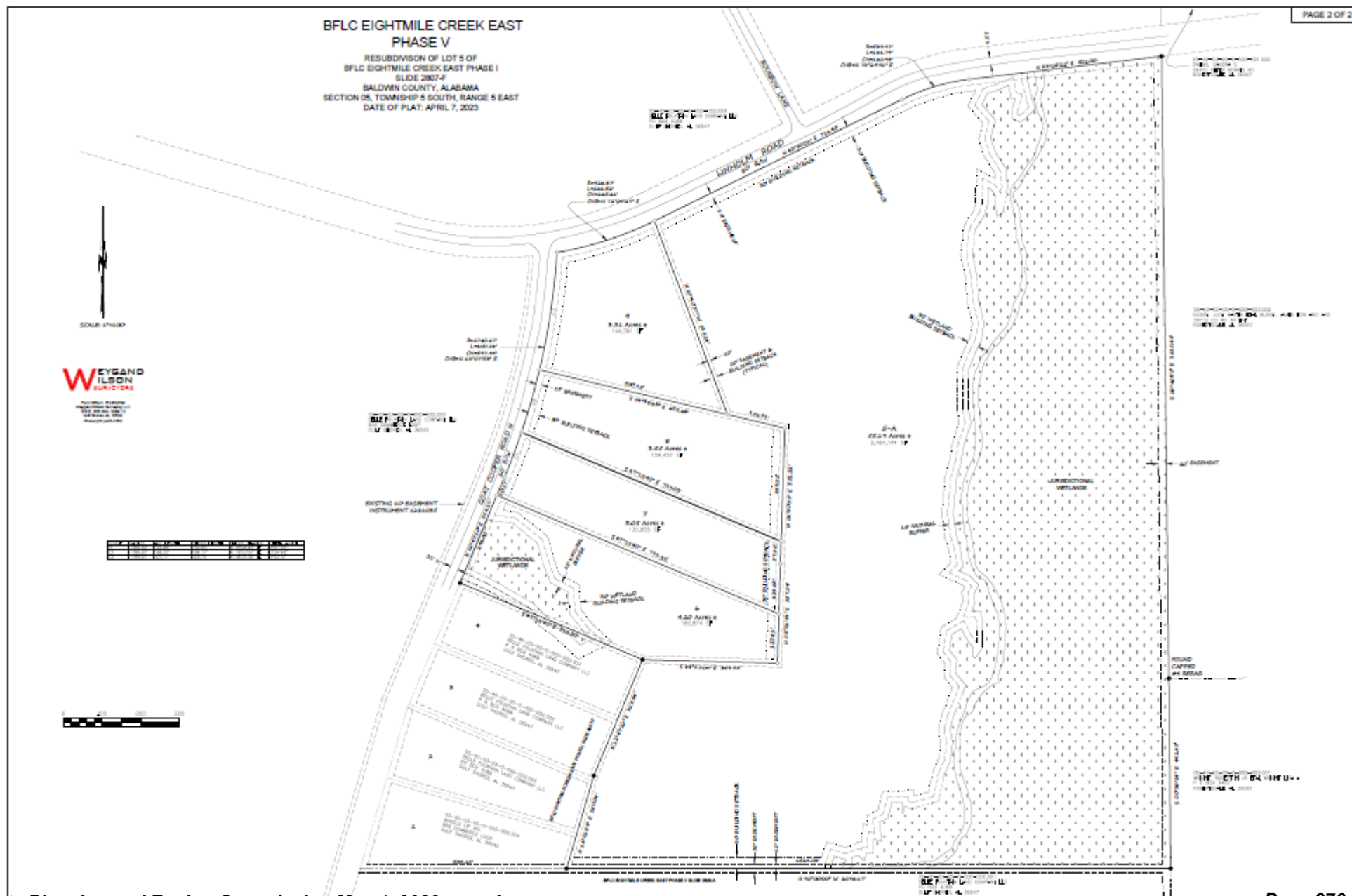
- Electrical: Baldwin EMC
- Water: On-Site Well
- Sewer: On-Site Septic



# Baldwin County, Alabama Planning Districts



[illegible]







County Road 64

BFLC STYX  
RIVER EAST  
PH II

Linholm Road

Goat Cooper Road N

EIGHTMILE  
CREEK EAST PH  
1, BFLC

EIGHTMILE  
CREEK EAST PH  
2, BFLC

BFLC ELAM  
CREEK WEST  
PHASE IV

ELAM CREEK  
WEST PH 1,  
BFLC

BFLC ELAM  
CREEK WEST  
PHASE II

Subject Property

**Parcel:** 05-40-03-05-0-000-002.002 **PIN:** 391617  
**LOT 5 of EIGHTMILE CREEK EAST PH 1, BFLC**

I-10



**BALDWIN** COUNTY,  
ALABAMA

*Planning and Zoning Department*

Baldwin County Planning and Zoning Commission May 4, 2023 agenda

SC23-14 BFLC EIGHTMILE CREEK EAST PH V  
VICINITY MAP





County Road 64

Burbon Lane

Linholm Road

Goat Cooper Road N

I-10

Subject Property  
Parcel: 05-40-03-05-0-000-002.002 PIN: 391617  
LOT 5 of EIGHTMILE CREEK EAST PH 1,BFLC



**BALDWIN** COUNTY, ALABAMA  
*Planning and Zoning Department*


SC23-14 BFLC EIGHTMILE CREEK EAST PH V  
AERIAL MAP



## Staff Comments

A written narrative was prepared and stamped by Chris Lieb, P.E., *Lieb Engineering Company*.

- Drainage improvements were not required
- The written narrative has been reviewed and accepted by the Baldwin County Highway Department



1290 Main Street Suite E  
Daphne, AL 36526  
Phone: 251.978.9779

LIEBENGINEERING  
C O M P A N Y

April 11, 2023

Baldwin County  
Attn: Staff


Re: BFLC Eightmile Creek East Phase V

Staff,

I am providing a generalized drainage plan and written narrative for existing and proposed drainage patterns. The existing conditions of the property are shown below. The property has three main drainage areas, two of which start at a high point in the middle of the property. From this high point of the property, one area drains east toward Eightmile Creek. The other area drains west toward and under Goat Cooper Road. The third area starts at a high point east of the property and drains west across the property line and through the property to Eightmile Creek. The subdivision of the property will not change the drainage pattern or flow rate. The home builder will need to keep the drainage pattern the same and install BMPs per the Baldwin County Subdivision regulations.

Please feel free to contact me if you have any questions or need any clarifications.

Sincerely,



04-11-2023

Christopher Lieb, PE

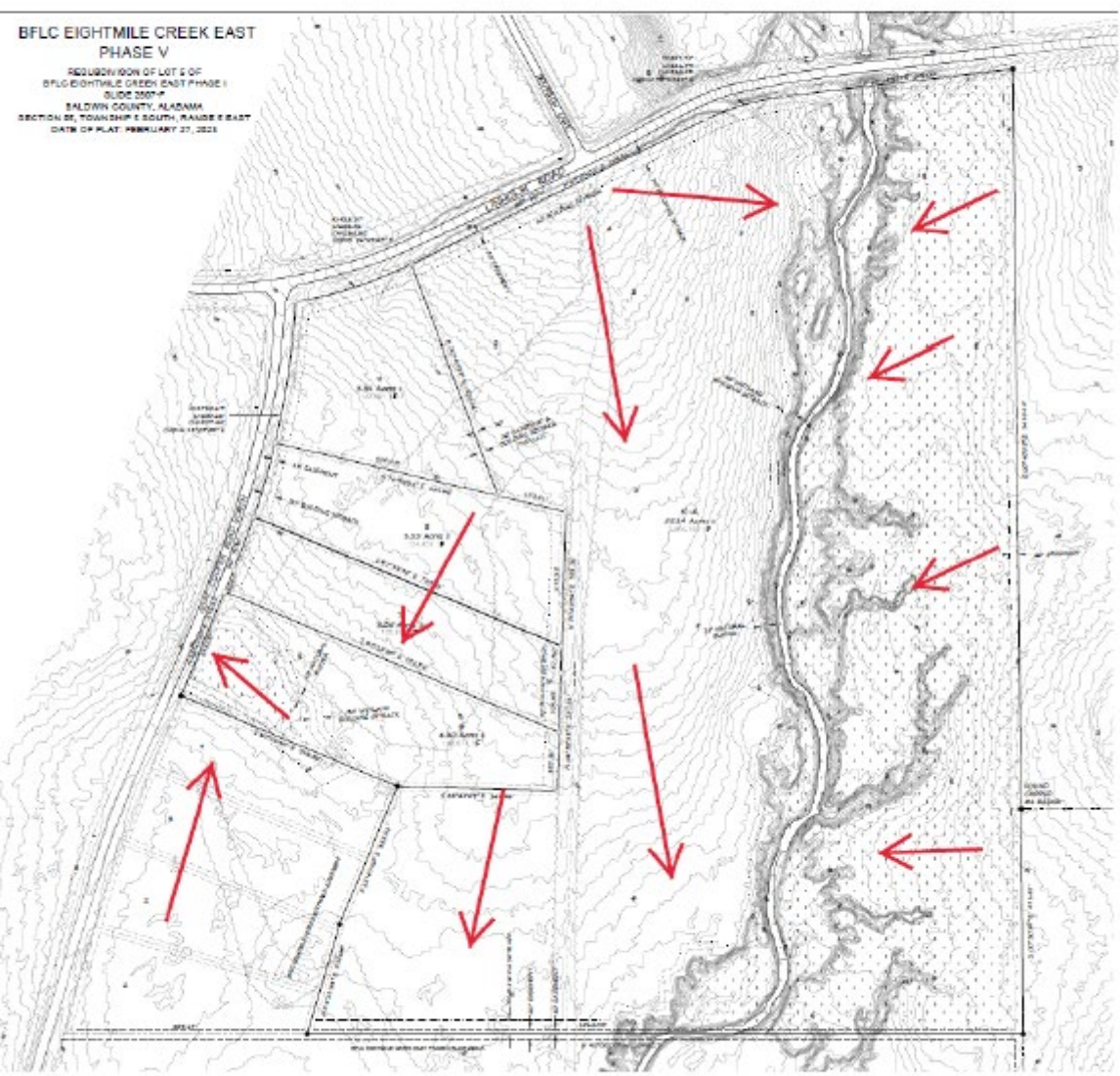
LIEBENGINEERING  
C O M P A N Y

Page 1 of 2





1290 Main Street Suite E  
Daphne, AL 36526  
Phone: 251.978.9779





**BALDWIN EMC**

Your Touchstone Energy® Cooperative



P.O. Box 220  
Summerdale, AL  
36580-0220  
(251) 989-6247

[www.baldwinemc.com](http://www.baldwinemc.com)

March 14, 2023

Weygand Wilson Surveying, LLC  
Amanda Weygand  
229 E. 20<sup>th</sup> Avenue, Unit 12  
Gulf Shores, AL 36542

Re: Plat for BFLC Eightmile Creek East Phase V, PPIN 391617, 5 lots

Dear Amanda Weygand:

This letter is to confirm that the referenced development is in Baldwin E.M.C.'s service territory. Also, this letter is confirming that the referenced has been submitted to Baldwin EMC.

Baldwin EMC is willing to service the development as long as the necessary easements are granted using our standard easement form and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades (transmission line, substation and distribution line). All system upgrades and line extensions will be in accordance with Baldwin EMC's current Line Extension Policy.

Please contact me to discuss necessary easements and fees.

Below is our typical required easements for subdivisions:

There is a dedicated herewith a 10 foot utility easement on all lot lines and common areas adjacent to the right-of-ways and a 10 foot utility easement on each side of lot and common area lines, unless otherwise noted.

If you have any questions or if I can be of further assistance, please do not hesitate to contact me at 251-989-0226.

Sincerely,

Brett Morrow  
Supervisor of Staking  
BM/ss

UTILITY PROVIDERS:  
ELECTRIC - BALDWIN EMC  
WATER - ON SITE (WELL)  
SEWER - ON SITE (SEPTIC)

Health Certification on plat



CERTIFICATE OF APPROVAL BY THE  
BALDWIN COUNTY HEALTH DEPARTMENT  
LARGE FLOW DEVELOPMENT  
ACCORDING TO 420-3-1.16, THIS DIVISION OF LAND IS EXEMPT FROM THE ALABAMA DEPARTMENT OF PUBLIC HEALTH RULES REGARDING BUILDING DEVELOPMENT. THE SIGNATURE  
AFFIXED HEREON DOES NOT IMPLY AN APPROVAL FOR ANY EXISTING OR FUTURE ONSITE SEWAGE TREATMENT SYSTEM.  
Signed this the \_\_\_\_ day of \_\_\_\_\_, 2023 .  
\_\_\_\_\_  
Authorized Signature

## Staff Comments

A wetland delineation was prepared by Craig Martin, Senior Scientist, with *Wetland Sciences, Inc.*

- Jurisdictional wetlands were identified and have been shown on the plat with the applicable 30' building setback and 15' natural buffer.



January 27, 2023

Stacy Ryals  
Belle Fountain Land Company  
PO Box 907  
Gulf Shores, AL 36547

**Re: Wetland Assessment Report  
±76.34 Acres, PIN 391617, Baldwin County, AL  
WSI Project #2022-091**

Dear Mr. Ryals,

As requested, Wetland Sciences, Inc. has completed a field wetland delineation for +/- 76.34-acre parcel of property located south of Linholm Road and east of Goat Cooper Road in Section 5, Township 5 South, Range 5 East in Baldwin County, Alabama. Baldwin County Revenue Commission identifies the subject properties by the following identification numbers (PIN): 391617 (See site location map in **Exhibit A**). The intent of this effort is to identify wetlands and surface waters within the subject property. The following is a summary of our findings.

### Wetland Delineation

The purpose of performing the wetland assessment was to assess if wetlands or Waters of the United States (WOTUS) are present and, if so, to identify the boundaries. The wetland delineation was conducted in accordance with the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Federal – Corps). The following is a summary of our findings.

### Desktop Review

Prior to performing the delineation, several remote data sources were reviewed to assist with identifying potential WOTUS and wetland areas at the site. Each source of data is described in detail below.

### Natural Resource Conservation Service Soil Survey

WSI reviewed the Natural Resources Conservation Service (NRCS) on-line Web Soil Survey (WSS) to identify soil types within the subject property (See Soils Map in **Exhibit B**). The soil survey identified ten (10) soil types within the subject property: Bowie, Lakeland and Cuthbert soils, Hyde, Bayboro and muck, Izagora very fine sandy loam, Klej loamy fine sand, Lakeland loamy fine sand, Lynchburg fine sandy loam, Norfolk fine sandy loam and Rains fine sandy loam. Each soil type identified within the subject property is described in the custom soil survey report in **Exhibit C**.

Hyde, Bayboro and muck and Rains soils are considered hydric with ratings of 100% and 90% respectively (See Soil Map in **Exhibit B**). This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is

3308 Gulf Beach Highway | Pensacola, Florida 32507 | 850.453.4700 | craig@wetlandsciences.com

### Field Identification of Wetlands

During this assessment, Wetland Sciences, Inc. identified forested wetlands within the subject property (See attached sketch – **Exhibit G**). USACE wetland data forms are included in **Exhibit H**. The wetland boundary was identified in the field by progressively locating points along the upland/wetland boundary at 15-20-ft. intervals or corresponding with directional changes with the boundary. Each point was identified and located by an experienced wetland scientist. Pink flags were placed at each point clearly marked "Wetland Delineation". Each flagged point also contains specific alpha numeric designator for later tracking of its location. Wetland Sciences, Inc. used a Trimble Geo7x GNSS system to locate each point. Data was collected using Trimble's TerraSync Professional Software with further data refinement using Trimble's Pathfinder Professional Software.

Please keep in mind that there are many variables that affect the accuracy of the GPS data used to generate the attached sketch. This sketch should be considered approximate unless verified by a survey or other appropriate means.

### Conclusions

The conclusions regarding status and presence of Waters of the United States are not final or "binding" until such time as they are confirmed by the Corps through field inspection. As such, the status and boundary of the resources described may be subject to minor changes upon such inspection/approval.

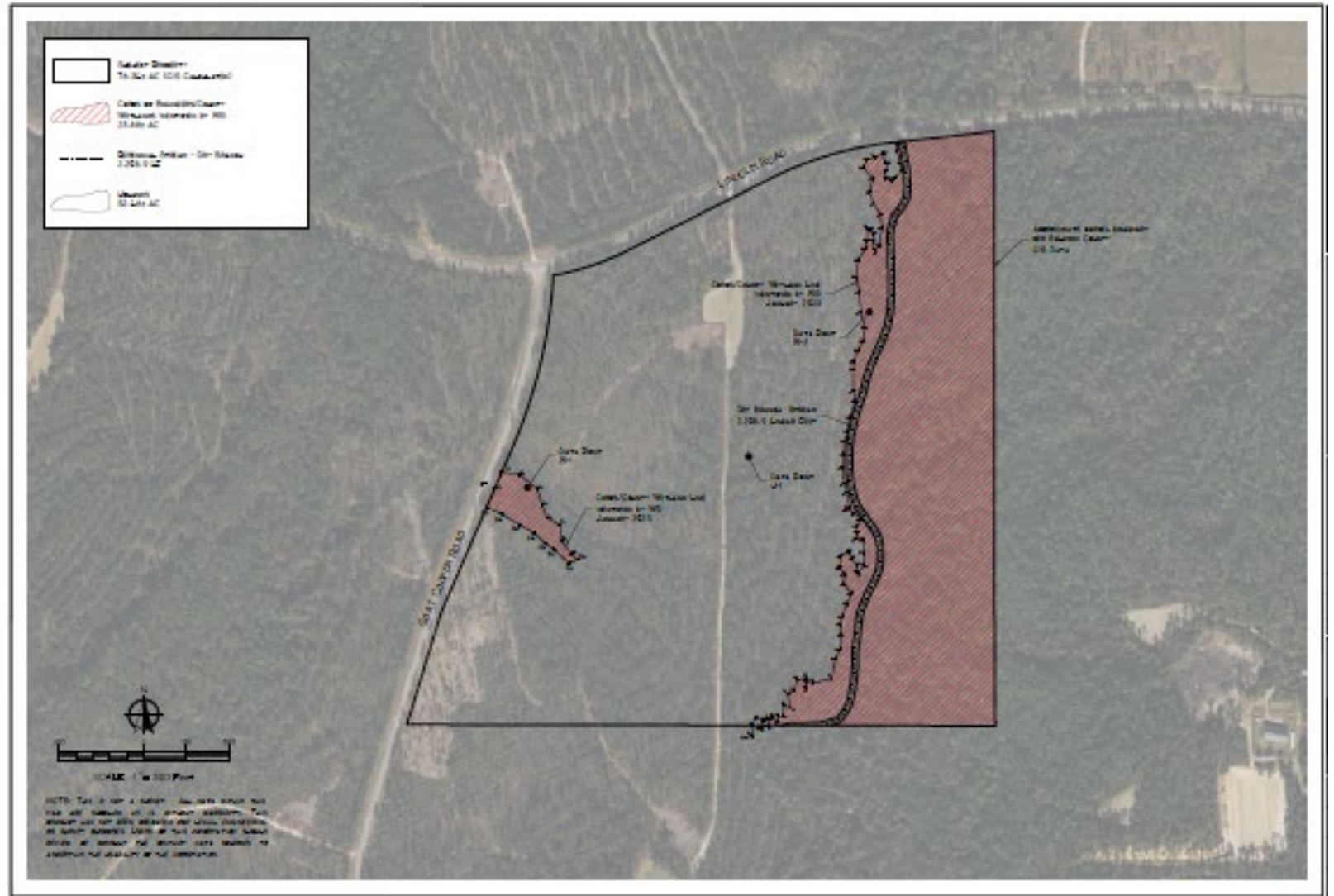
Finally, I have attached a statement of our firm for services rendered associated with this effort. You may mail a check to the letterhead address, or we can take a credit card payment over the phone.

If you have any questions, please do not hesitate to me at (850) 453-4700.

Respectfully,  
WETLAND SCIENCES, INC.

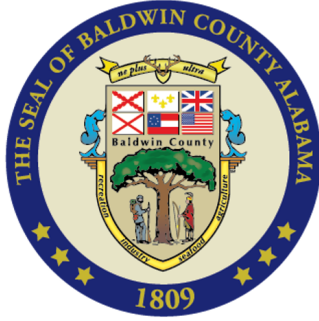
Craig Martin  
Senior Scientist





Staff recommends that the PRELIMINARY PLAT for Case No. SC23-14 BFLC EIGHTMILE CREEK EAST PH V, be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations.

- P&Z Staff will issue administrative final plat approval. The final plat shall be circulated for signatures and recorded within 90 days of approval.



# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## SUBDIVISION PRELIMINARY PLAT REQUEST SC23-16 BFLC EIGHTMILE CREEK EAST PH IV MAY 4, 2023

PRESENTED BY: MARY BOOTH, SUBDIVISION COORDINATOR



# 9.1)SC23-16 BFLC EIGHTMILE CREEK EAST PH IV

Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator

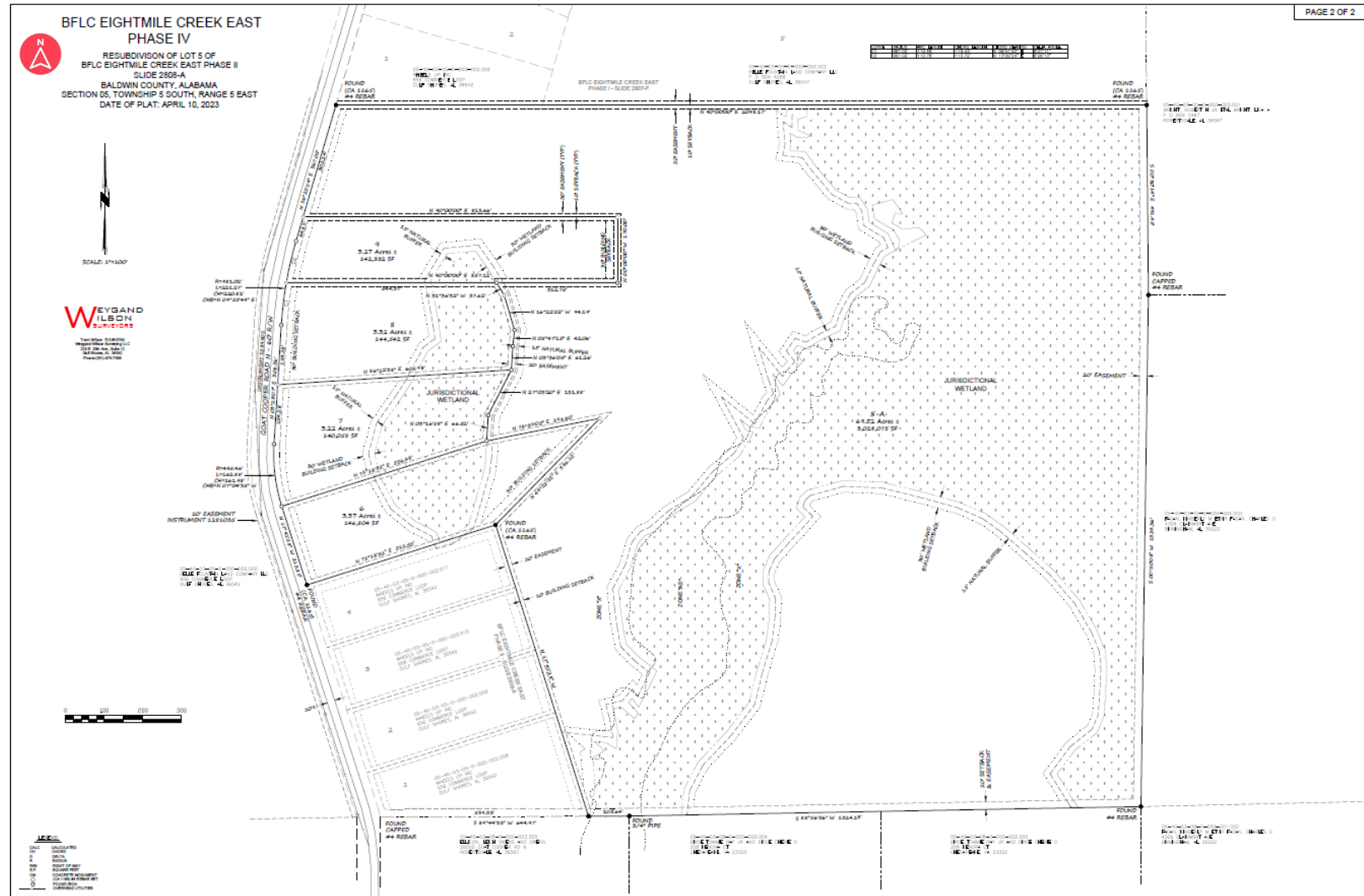
May 4, 2023

Request before the Planning  
Commission:

**Preliminary Plat approval** of  
*BFLC EIGHTMILE CREEK EAST PH IV,*  
*a 5-lot subdivision* Staff  
recommendation: **APPROVAL**

To view maps/plats in higher resolution  
and public comments received related to  
this case, please visit the “Upcoming  
Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>



**Location:** Subject property is located south of Linholm Road, east of Goat Cooper Road N in the Wilcox area.

**Planning District:** 13

**Zoning:** The citizens of Planning District 13 have not implemented zoning.

**Total Property Area:** 82.69 acres +/-

**Total # of Lots requested:** 5 lots

- Smallest lot: 3.22 AC(140,058 SF)
- Building Setbacks: 30' Front, 30' Rear, 10' Side

**Streets / Roads:** NA

- Proposed lots will access existing paved roads

**Owner/Developer:**

Belle Fountain Land Company LLC  
PO Box 904  
Gulf Shores, AL 36547

**Surveyor:**

Trent Wilson, PLS., *Weygand Wilson Surveying LLC*  
229 E. 20<sup>th</sup> Ave. Suite 12  
Gulf Shores, AL 36542

**Online Case File Number:** The official case number for this application is SC23-16 BFLC EIGHTMILE CREEK EAST PH IV Subdivision, however, when searching the online CitizenServe database, please use SC23-000016

**Parcel:** 05-40-03-05-0-000-002.001 **PIN:** 391614

**Traffic Study:** TIS was not requested for this division of property. However, the lot count along Linholm Road now exceeds 75 lots.

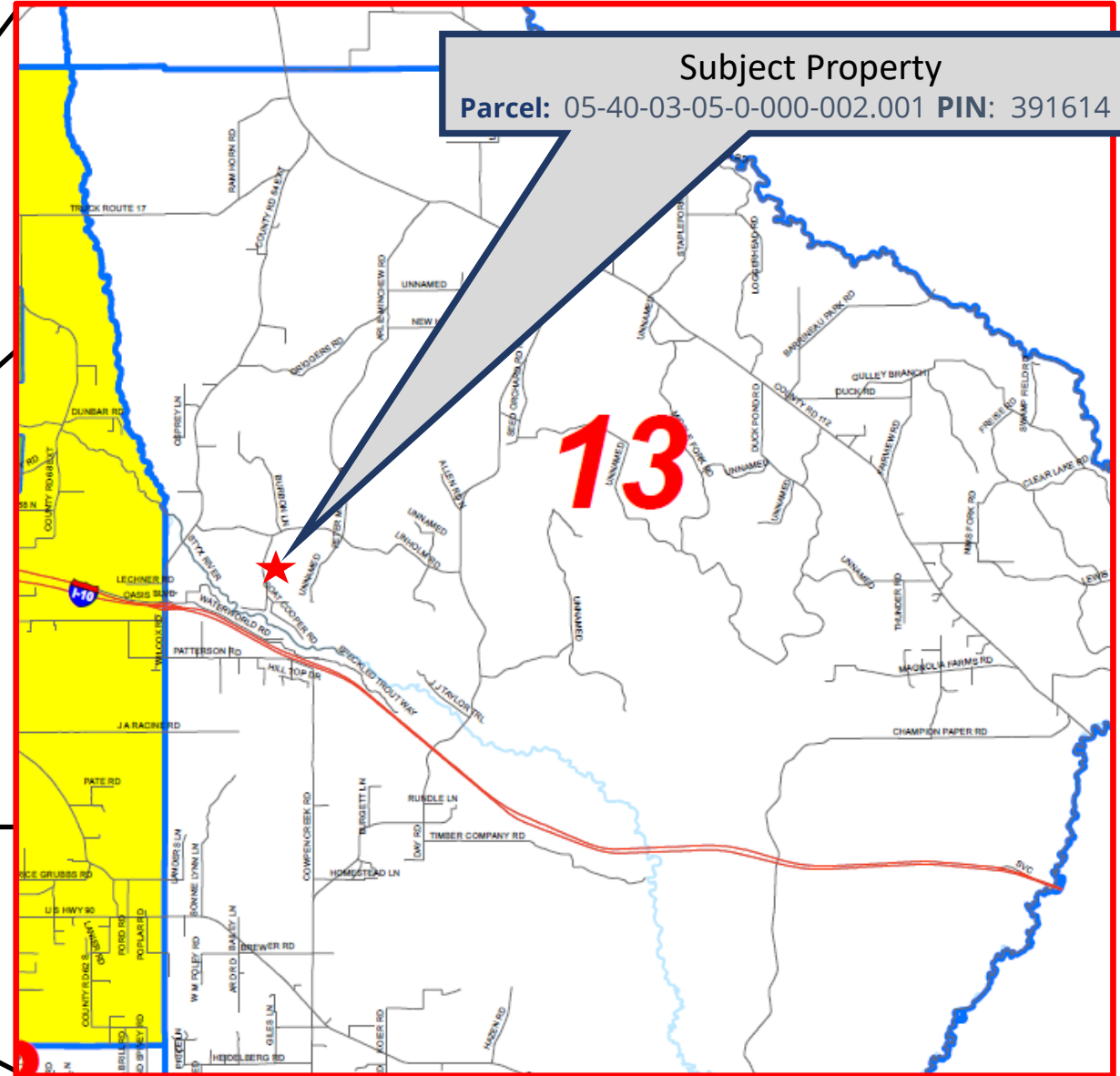
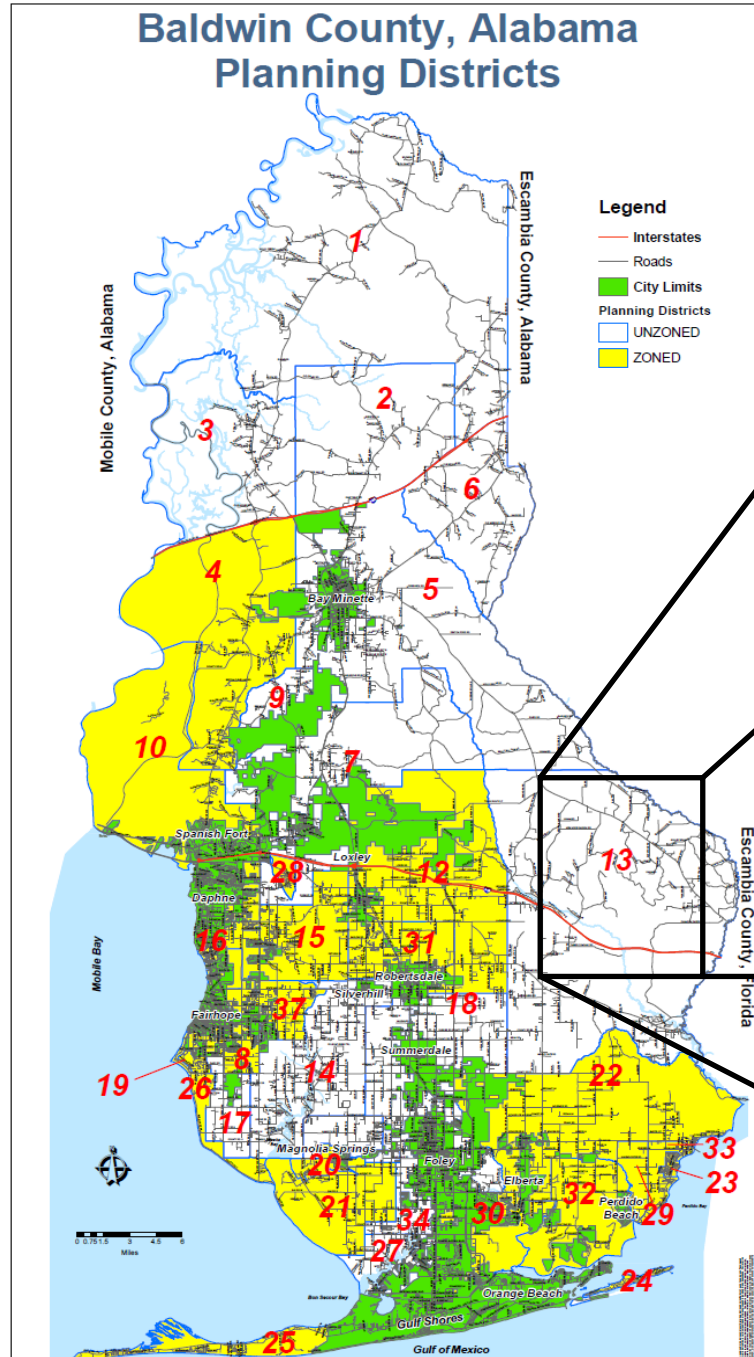
**Drainage Improvements:** No drainage improvements required. A drainage narrative was prepared and stamped by Chris Lieb, P.E., with *Lieb Engineering Company* and accepted by the Baldwin County Highway Department.

**Wetlands:** A wetland delineation was prepared by Craig Martin, Senior Scientist, with Wetland Sciences, Inc. Jurisdictional wetlands were identified and have been shown on the plat.

**Utility Providers:**

- Electrical: Baldwin EMC
- Water: On-Site Well
- Sewer: On-Site Septic

# Baldwin County, Alabama Planning Districts



**Subject Property**  
Parcel: 05-40-03-05-0-000-002.001 PIN: 391614

**13**



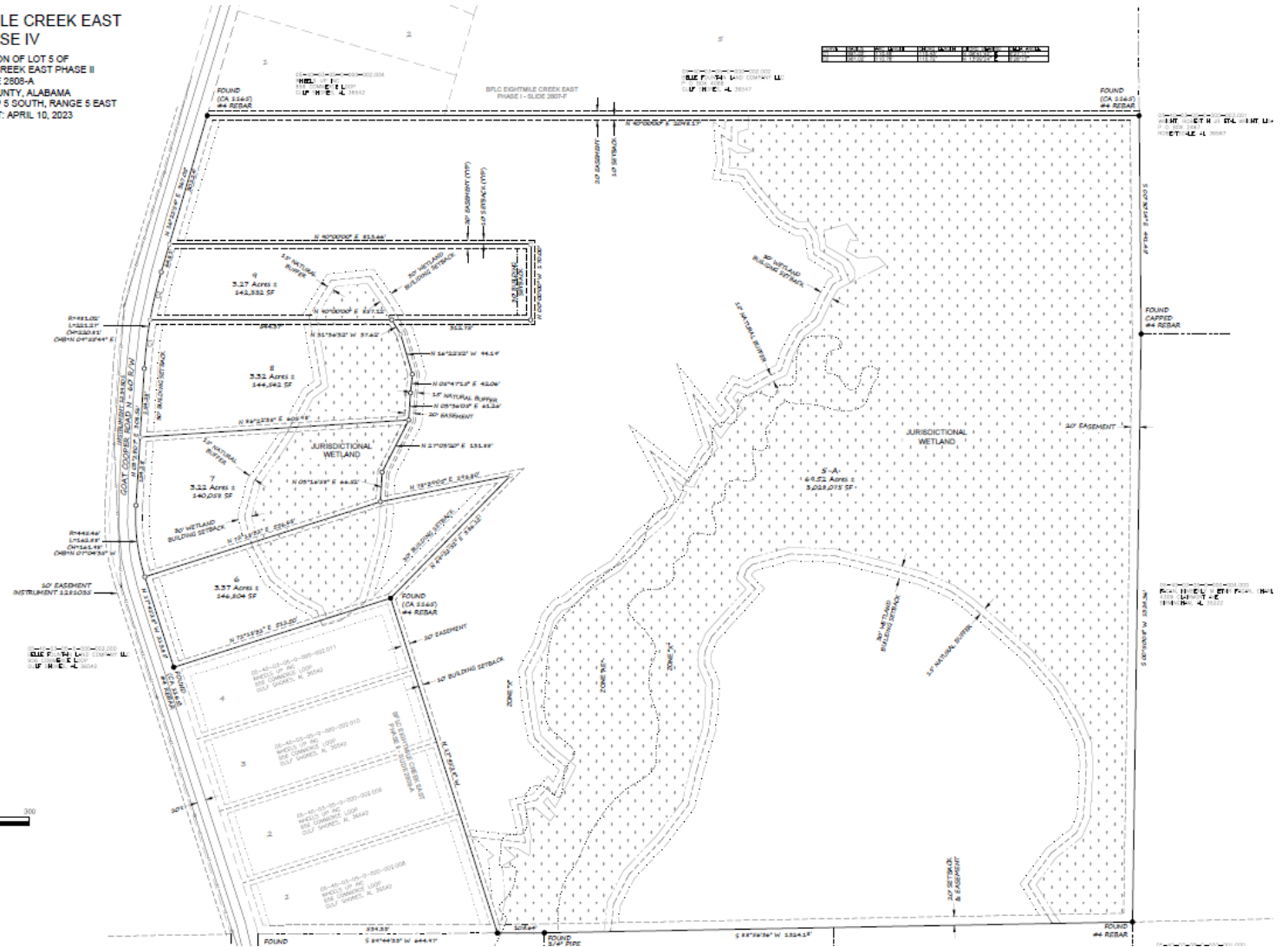


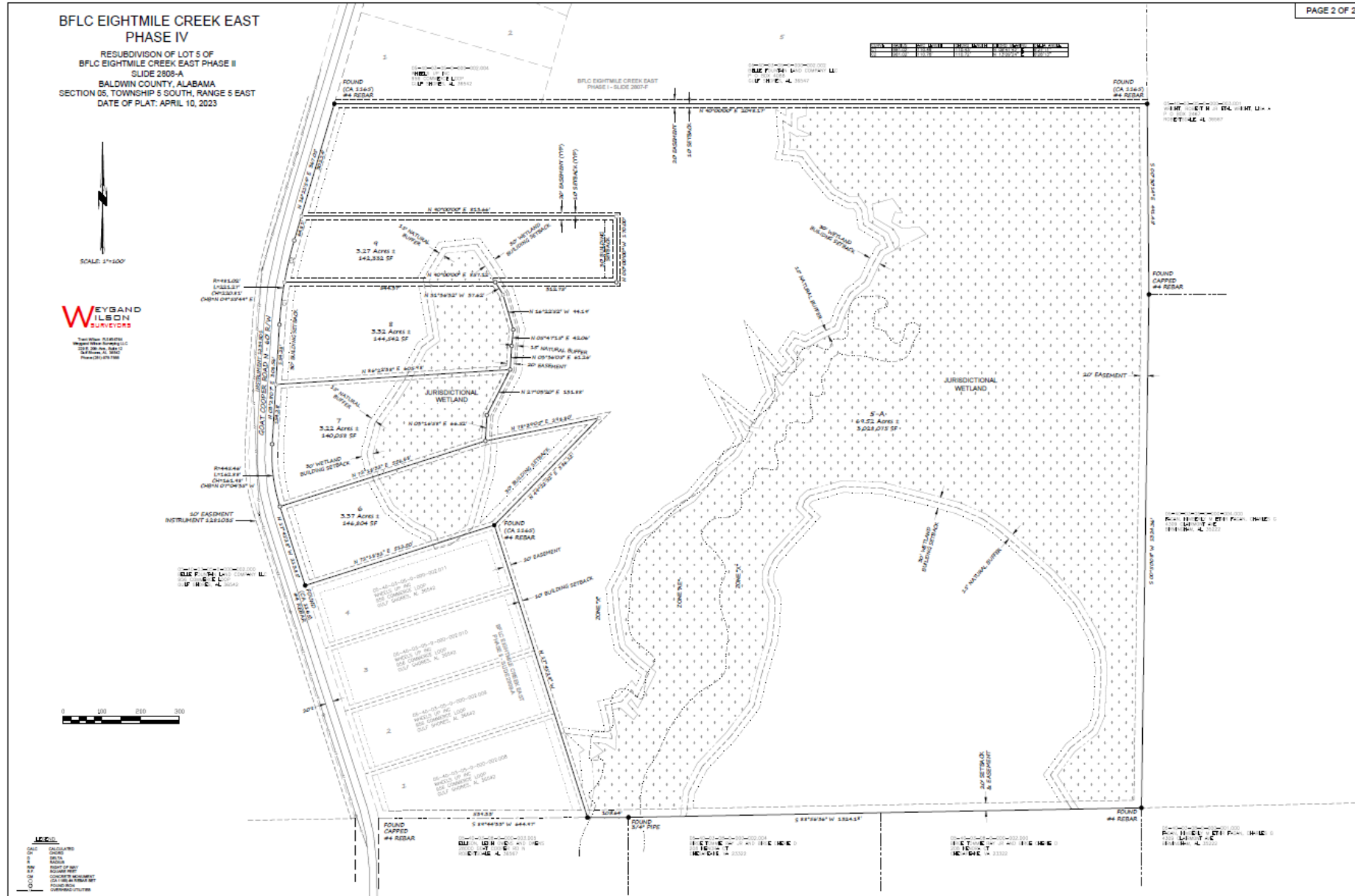
SC23-16 BFLC EIGHTMILE CREEK EAST  
PH IV SUBDIVISION  
Preliminary plat cropped and enlarged  
to show details

BFLC EIGHTMILE CREEK EAST  
PHASE IV  
RESUBDIVISION OF LOT 5 OF  
BFLC EIGHTMILE CREEK EAST PHASE II  
SLIDE 2805-A  
BALDWIN COUNTY, ALABAMA  
SECTION 05, TOWNSHIP 5 SOUTH, RANGE 5 EAST  
DATE OF PLAT: APRIL 10, 2023



WYBAND  
WILSON  
SURVEYORS  
Two Rivers, Alabama  
2023  
Preliminary Plat







County Road 64

BFLC STYX  
RIVER EAST  
PH II

Linholm Road

Goat Cooper Road N

EIGHTMILE  
CREEK EAST PH  
1, BFLC

BFLC ELAM  
CREEK WEST  
PHASE IV

BFLC ELAM  
CREEK WEST  
PHASE I

BFLC ELAM  
CREEK WEST  
PHASE II

I-10

EIGHTMILE  
CREEK EAST PH  
2, BFLC

Subject Property

**Parcel:** 05-40-03-05-0-000-002.001 **PIN:** 391614  
**LOT 5 of EIGHTMILE CREEK EAST PH 2, BFLC**



**BALDWIN** COUNTY,  
ALABAMA

*Planning and Zoning Department*

Baldwin County Planning and Zoning Commission May 4, 2023 agenda

**SC23-16 BFLC EIGHTMILE CREEK EAST PH IV  
VICINITY MAP**





County Road 64

Bourbon Lane

Linholm Road

Goat Cooper Road N

I-10

Subject Property  
Parcel: 05-40-03-05-0-000-002.001 PIN: 391614  
LOT 5 of EIGHTMILE CREEK EAST PH 2, BFLC



**BALDWIN** COUNTY, ALABAMA  
*Planning and Zoning Department*


SC23-16 BFLC EIGHTMILE CREEK EAST PH IV  
AERIAL MAP



### Staff Comments

A written narrative was prepared and stamped by Chris Lieb, P.E., *Lieb Engineering Company*.

- Drainage improvements were not required
- The written narrative has been reviewed and accepted by the Baldwin County Highway Department



1290 Main Street Suite E  
Daphne, AL 36526  
Phone: 251.978.9779

MARCH 10, 2023

Baldwin County  
Attn: Staff


Re: BFLC Eightmile East Phase IV

Staff,

I am providing a generalized drainage plan and written narrative for existing and proposed drainage patterns. The existing conditions of the property are shown below. The property has two main drainage areas starting at a high point on the west and east sides of the property. From these high points of the property, they drain east and west toward the middle of the property to Eightmile Creek. The subdivision of the property will not change the drainage pattern or flow rate. The home builder will need to keep the drainage pattern the same and install BMPs per the Baldwin County Subdivision regulations.

Please feel free to contact me if you have any questions or need any clarifications.

Sincerely,



03-10-2023

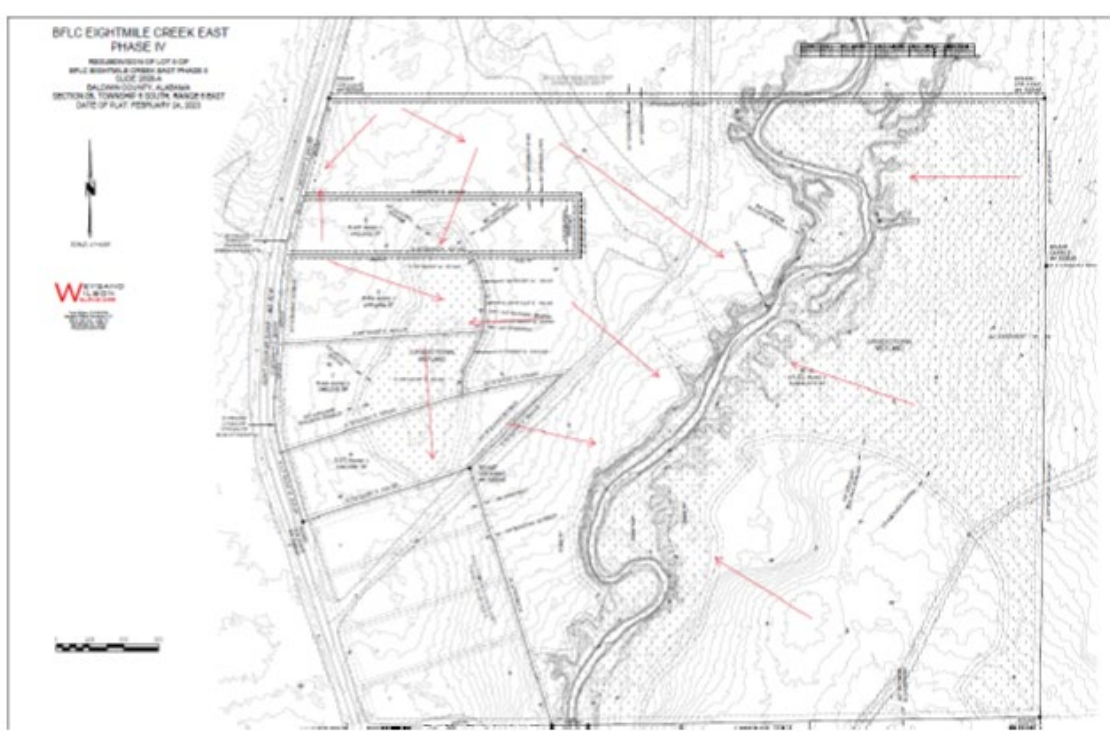
Christopher Lieb, PE

LIEB ENGINEERING  
C O M P A N Y

Page 1 of 2



1290 Main Street Suite E  
Daphne, AL 36526  
Phone: 251.978.9779



LIEB ENGINEERING  
C O M P A N Y





**BALDWIN EMC**

Your Touchstone Energy® Cooperative



P.O. Box 220  
Summerdale, AL  
36580-0220  
(251) 989-6247

[www.baldwinemc.com](http://www.baldwinemc.com)

March 14, 2023

Weygand Wilson Surveying, LLC  
Amanda Weygand  
229 E. 20<sup>th</sup> Avenue, Unit 12  
Gulf Shores, AL 36542

Re: Plat for BFLC Eightmile Creek East Phase IV, PPIN 391614, 5 lots

Dear Amanda Weygand:

This letter is to confirm that the referenced development is in Baldwin E.M.C.'s service territory. Also, this letter is confirming that the referenced has been submitted to Baldwin EMC.

Baldwin EMC is willing to service the development as long as the necessary easements are granted using our standard easement form and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades (transmission line, substation and distribution line). All system upgrades and line extensions will be in accordance with Baldwin EMC's current Line Extension Policy.

Please contact me to discuss necessary easements and fees.

Below is our typical required easements for subdivisions:

There is a dedicated herewith a 10 foot utility easement on all lot lines and common areas adjacent to the right-of-ways and a 10 foot utility easement on each side of lot and common area lines, unless otherwise noted.

If you have any questions or if I can be of further assistance, please do not hesitate to contact me at 251-989-0226.

Sincerely,

Brett Morrow  
Supervisor of Staking  
BM/ss

UTILITY PROVIDERS:  
ELECTRIC - BALDWIN EMC  
WATER - ON SITE (WELL)  
SEWER - ON SITE (SEPTIC)

Health Certification on plat



CERTIFICATE OF APPROVAL BY THE  
BALDWIN COUNTY HEALTH DEPARTMENT  
LARGE FLOW DEVELOPMENT  
ACCORDING TO 420-3-1.16, THIS DIVISION OF LAND IS EXEMPT FROM THE ALABAMA DEPARTMENT OF PUBLIC HEALTH RULES REGARDING BUILDING DEVELOPMENT. THE SIGNATURE  
AFFIXED HEREON DOES NOT IMPLY AN APPROVAL FOR ANY EXISTING OR FUTURE ONSITE SEWAGE TREATMENT SYSTEM.  
Signed this the \_\_\_\_ day of \_\_\_\_\_, 2023 .  
\_\_\_\_\_  
Authorized Signature

## Staff Comments

A wetland delineation was prepared by Craig Martin, Senior Scientist, with *Wetland Sciences, Inc.*

- Jurisdictional wetlands were identified and have been shown on the plat with the applicable 30' building setback and 15' natural buffer.



January 30, 2023

Stacy Ryals  
Belle Fountain Land Company  
PO Box 907  
Gulf Shores, AL 36547

Re: **Wetland Assessment Report**  
**±82.72 Acres, PIN 391614, Baldwin County, AL**  
**WSI Project #2022-091**

Dear Mr. Ryals,

As requested, Wetland Sciences, Inc. has completed a field wetland delineation for +/- 82.72-acre parcel of property located south of Linholm Road and east of Goat Cooper Road in Section 5, Township 5 South, Range 5 East in Baldwin County, Alabama. Baldwin County Revenue Commission identifies the subject properties by the following identification numbers (PIN): 391614 (See site location map in **Exhibit A**). The intent of this effort is to identify wetlands and surface waters within the subject property. The following is a summary of our findings.

### Wetland Delineation

The purpose of performing the wetland assessment was to assess if wetlands or Waters of the United States (WOTUS) are present and, if so, to identify the boundaries. The wetland delineation was conducted in accordance with the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Federal – Corps). The following is a summary of our findings.

### Desktop Review

Prior to performing the delineation, several remote data sources were reviewed to assist with identifying potential WOTUS and wetland areas at the site. Each source of data is described in detail below.

### Natural Resource Conservation Service Soil Survey

WSI reviewed the Natural Resources Conservation Service (NRCS) on-line Web Soil Survey (WSS) to identify soil types within the subject property (See Soils Map in **Exhibit B**). The soil survey identified ten (10) soil types within the subject property: Goldsboro fine sandy loam, Hyde, Bayboro and muck, Klej loamy fine sand, Lakeland loamy fine sand, Lynchburg fine sandy loam, Rains fine sandy loam and wet loamy alluvial land. Each soil type identified within the subject property is described in the custom soil survey report in **Exhibit C**.

Hyde, Bayboro and muck and Rains soils are considered hydric with ratings of 100% and 90% respectively (See Soil Map in **Exhibit B**). This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is

3308 Gulf Beach Highway | Pensacola, Florida 32507 | 850.453.4700 | craig@wetlandsciences.com

### Field Identification of Wetlands

During this assessment, Wetland Sciences, Inc. identified forested wetlands within the subject property (See attached sketch – **Exhibit G**). USACE wetland data forms are included in **Exhibit H**. The wetland boundary was identified in the field by progressively locating points along the upland/wetland boundary at 15-20-ft. intervals or corresponding with directional changes with the boundary. Each point was identified and located by an experienced wetland scientist. Pink flags were placed at each point clearly marked "Wetland Delineation". Each flagged point also contains specific alpha numeric designator for later tracking of its location. Wetland Sciences, Inc. used a Trimble Geo7x GNSS system to locate each point. Data was collected using Trimble's TerraSync Professional Software with further data refinement using Trimble's Pathfinder Professional Software.

Please keep in mind that there are many variables that affect the accuracy of the GPS data used to generate the attached sketch. This sketch should be considered approximate unless verified by a survey or other appropriate means.

### Conclusions

The conclusions regarding status and presence of Waters of the United States are not final or "binding" until such time as they are confirmed by the Corps through field inspection. As such, the status and boundary of the resources described may be subject to minor changes upon such inspection/approval.

Finally, I have attached a statement of our firm for services rendered associated with this effort. You may mail a check to the letterhead address, or we can take a credit card payment over the phone.

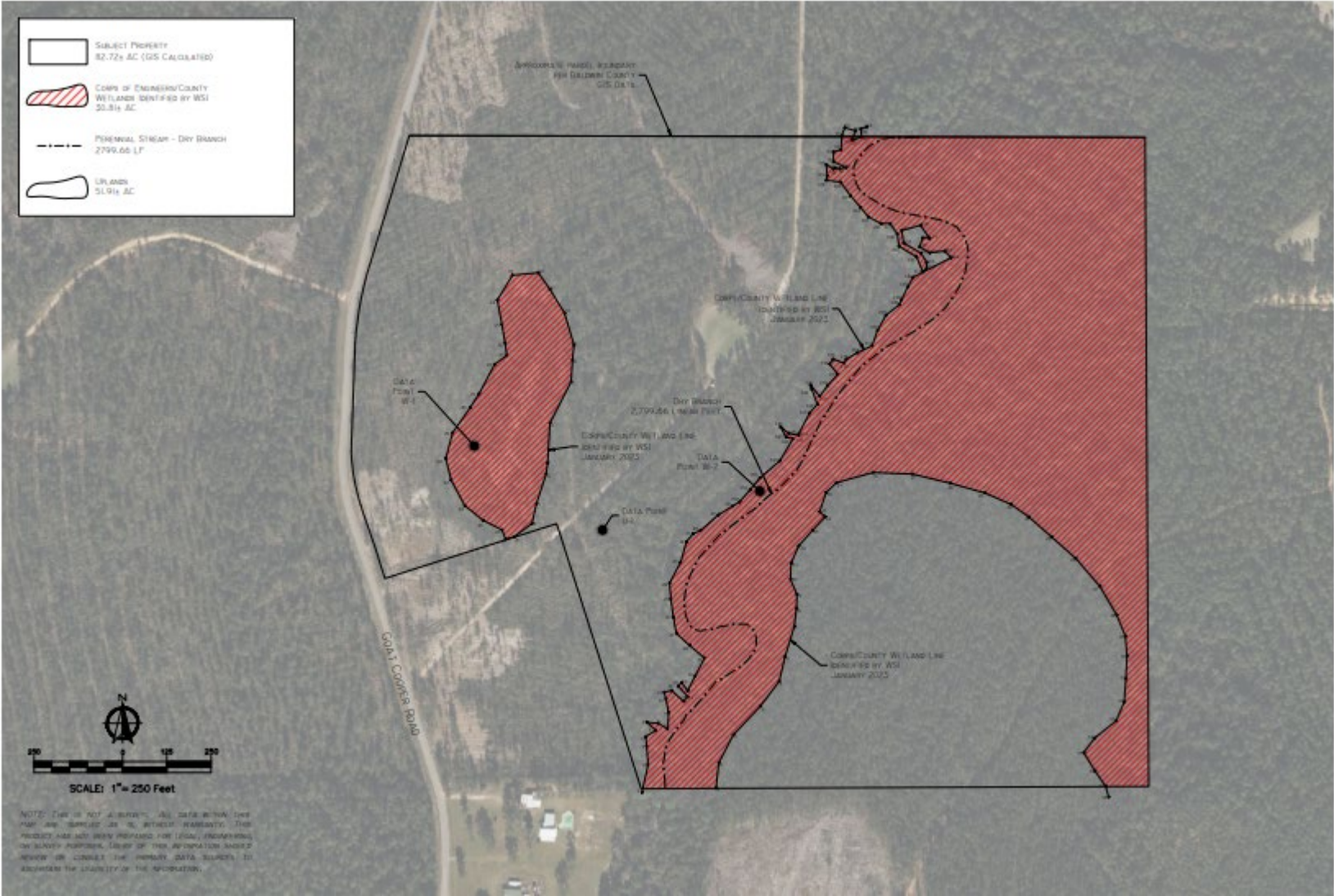
If you have any questions, please do not hesitate to me at (850) 453-4700.

Respectfully,  
WETLAND SCIENCES, INC.

Craig Martin  
Senior Scientist

3308 Gulf Beach Highway | Pensacola, Florida 32507 | 850.453.4700 | craig@wetlandsciences.com

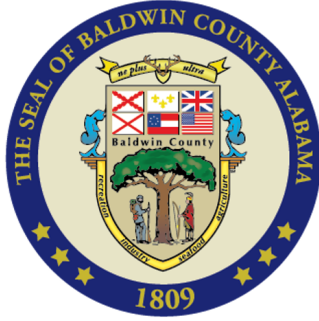






Staff recommends that the PRELIMINARY PLAT for Case No. SC23-16 BFLC EIGHTMILE CREEK EAST PH IV, be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations.

- P&Z Staff will issue administrative final plat approval. The final plat shall be circulated for signatures and recorded within 90 days of approval.



# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## PRELIMINARY PLAT APPROVAL SC23-7 CAVER SUBDIVISION MAY 4, 2023

PRESENTED BY: SHAWN MITCHELL, DEVELOPMENT REVIEW PLANNER

## 9.m) SC23-7 CAVER SUBDIVISION

Staff Report Prepared by:  
Shawn Mitchell, Development Review Planner

May 4, 2023

## Request before Planning Commission:

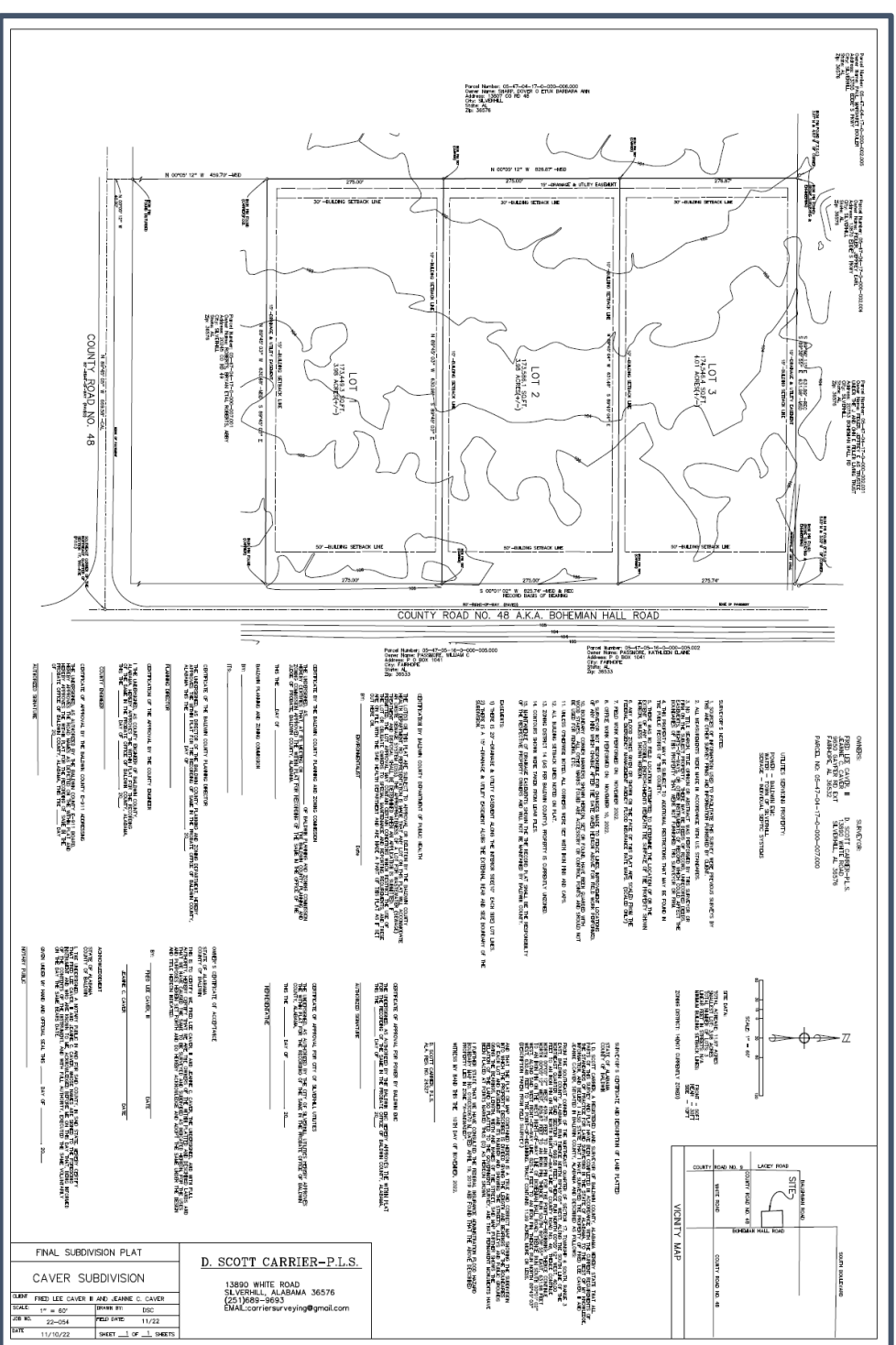
## Preliminary Plat approval

# Caver Subdivision, a 3-lot subdivision

Staff recommendation: **APPROVAL**

To view maps/plats in higher resolution and public comments received related to this case, please visit the “Upcoming Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>





**Location:** Subject property on the west side of Bohemian Hall Rd., north of County Road 48, and less than 2 miles southwest of Silverhill.

**Planning District:** 14

**Zoning:** The citizens of Planning District 14 have not implemented zoning

**Total Property Area to be divided:** 11.97 +/- acres

**Total # of Lots requested:** 3 lots

Largest lot: 4.01 +/- acres

Smallest lot: 3.98 +/- acres

**Surveyor:** Scott Carrier, PLS  
13890 White Road, Silverhill, AL 36576

**Owner / Developer:** Fred Lee Caver, III & Jeanne Caver  
9650 Gayer Rd, Ext. Fairhope, AL 36532

**Online Case File Number:** The official case number for this application is SC23-7, however, when searching online CitizenServe database, please use SC23-000007.

**Parcel:** 05-47-04-17-0-000-007.000

**PIN:** 48998

**Traffic Study:** Not required (less than 50 lots requested and thus not required per Article 5, section 5.5.14)

**Drainage Improvements:** Drainage narrative prepared by Larry Smith, PE, *SE Civil Engineering & Surveying*, reviewed and accepted by Baldwin County Highway Department.

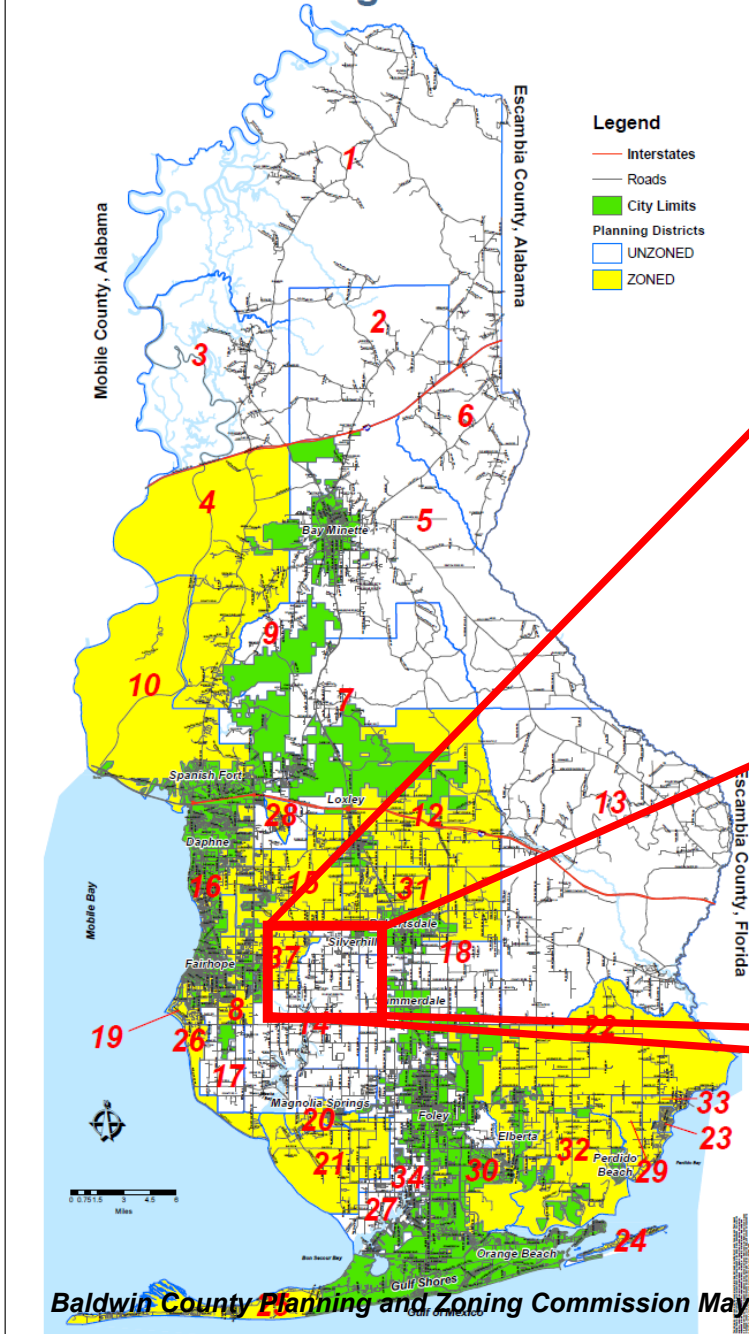
**Wetlands:** No wetlands appear to be on the subject property according to the Baldwin County Parcel Viewer.

**Streets / Roads:** No new streets, roads, sidewalk, or curb and gutter to be installed by the subdivision.

**Utility Providers:**

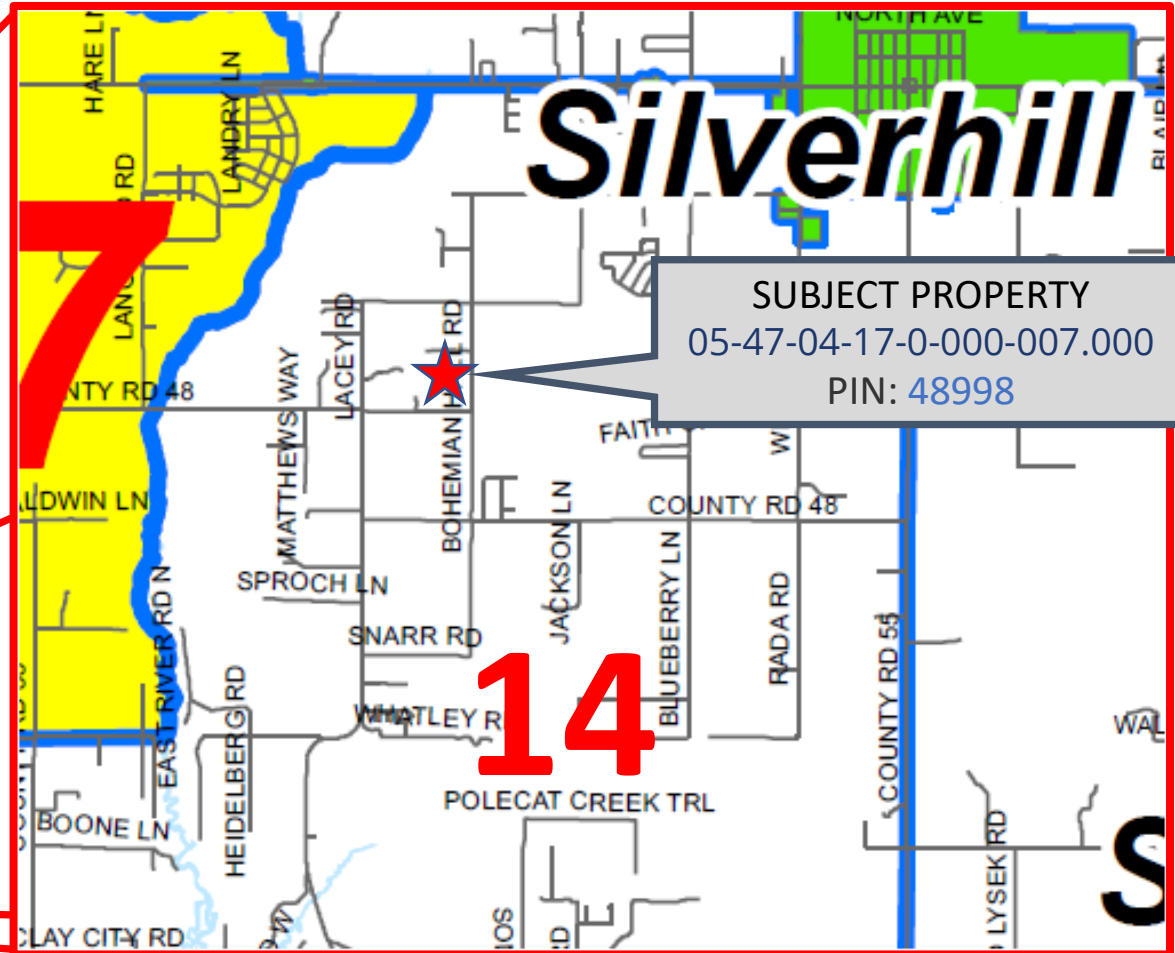
- Water: Town of Silverhill
- Electrical: Baldwin EMC
- Sewer: On-site septic

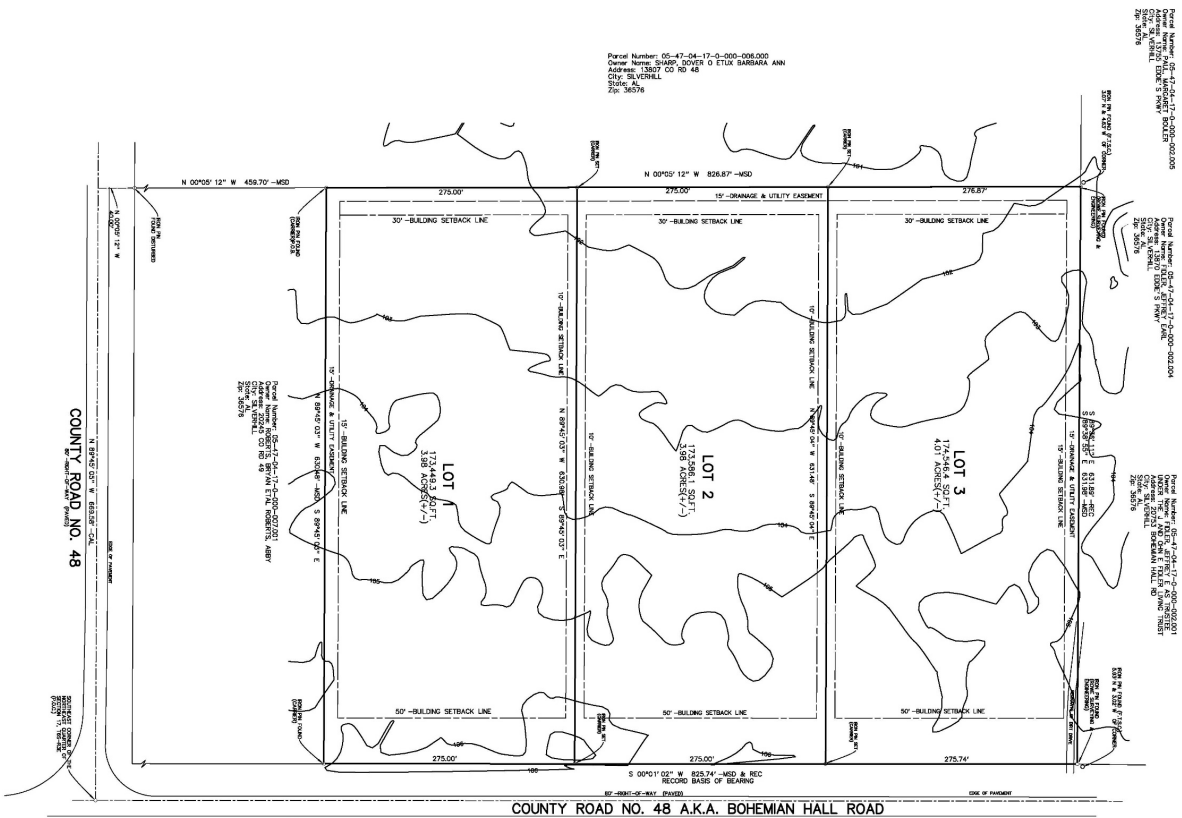
# Baldwin County, Alabama Planning Districts



## Legend

- Interstates
- Roads
- City Limits
- Planning Districts
- UNZONED
- ZONED

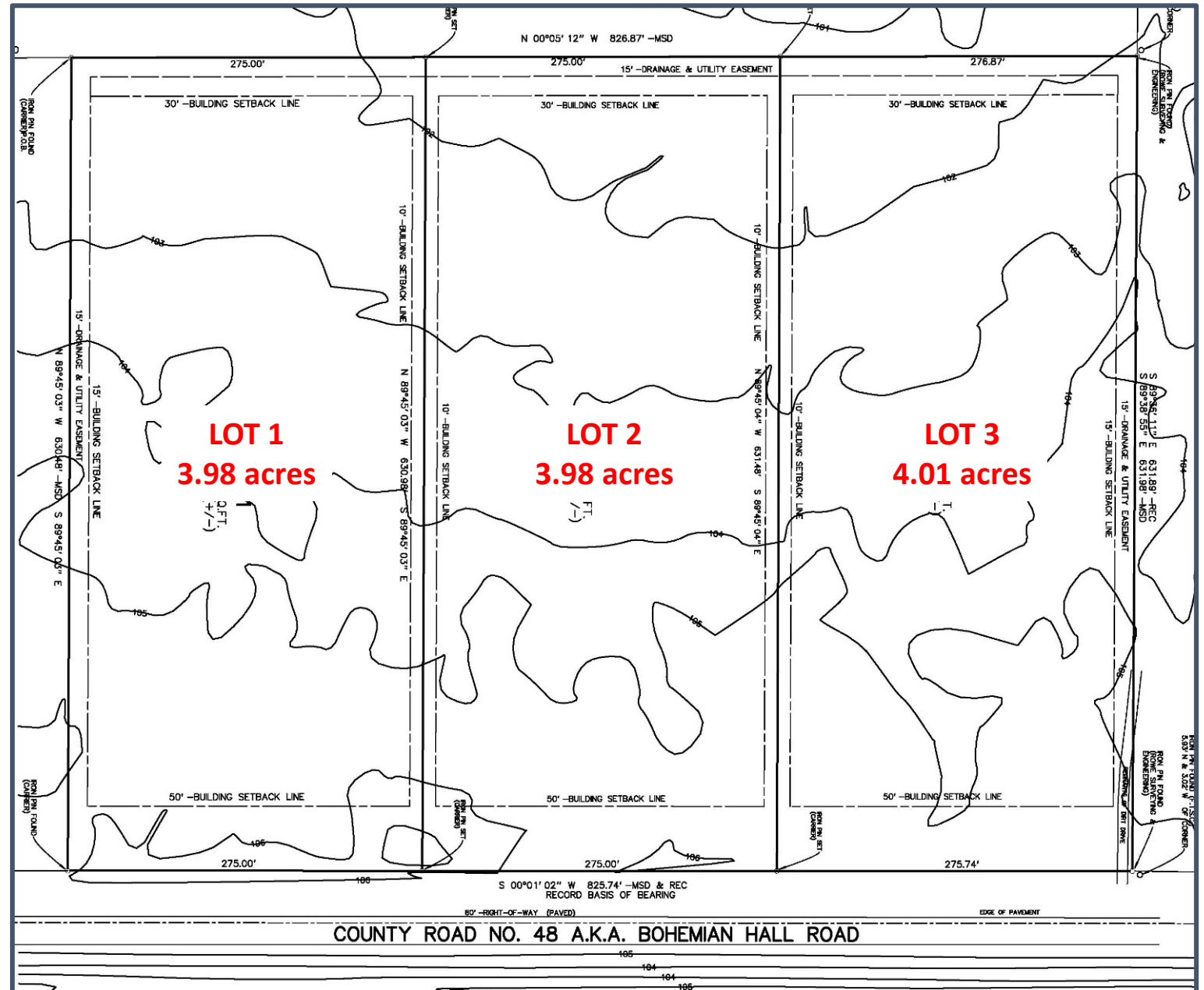


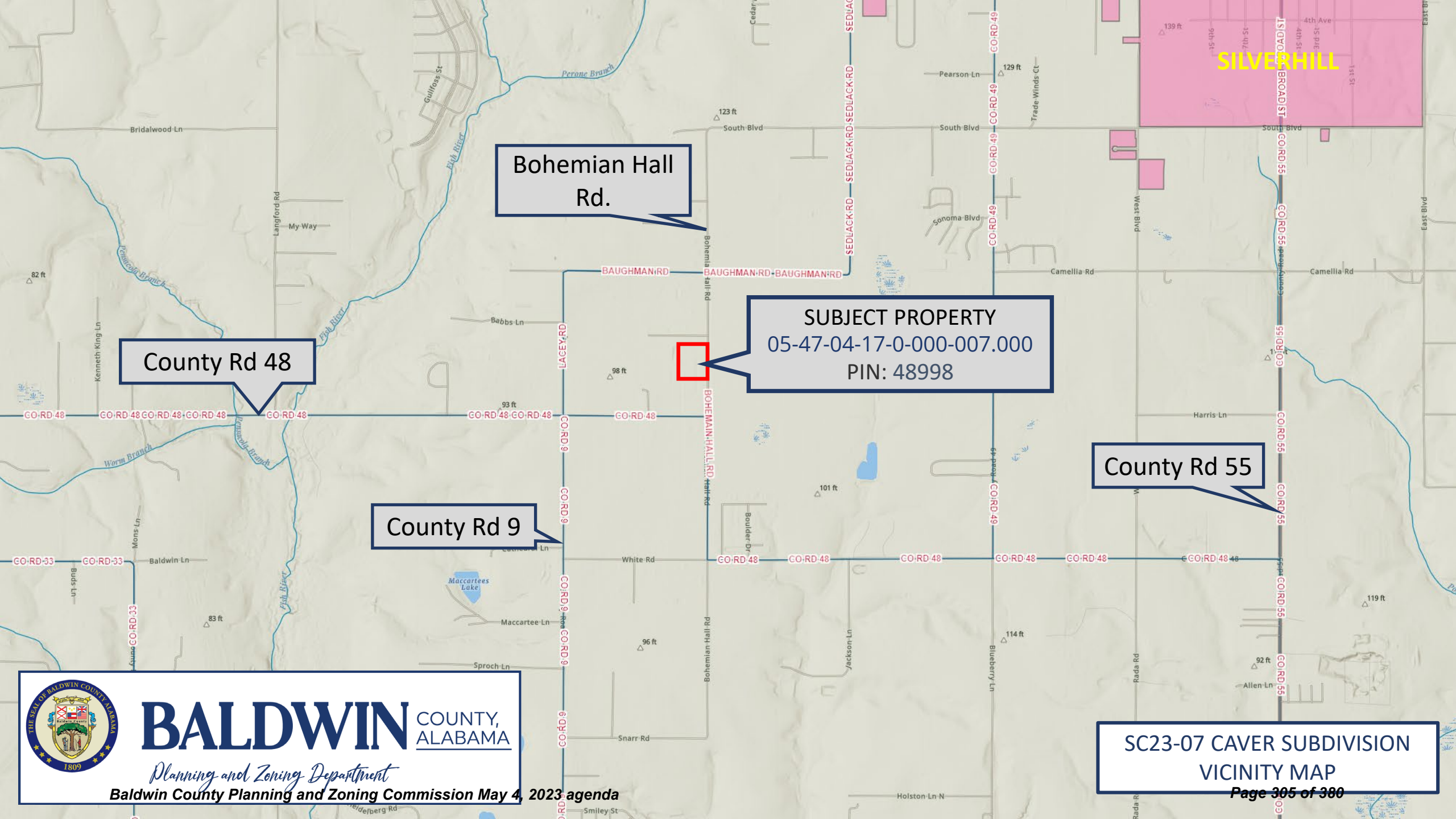
[illegible]





SC23-7 CAVER SUBDIVISION  
PRELIMINARY PLAT cropped and enlarged  
to show details





Bohemian Hall Rd.

County Rd 48

SUBJECT PROPERTY  
05-47-04-17-0-000-007.000  
PIN: 48998

County Rd 9

County Rd 55



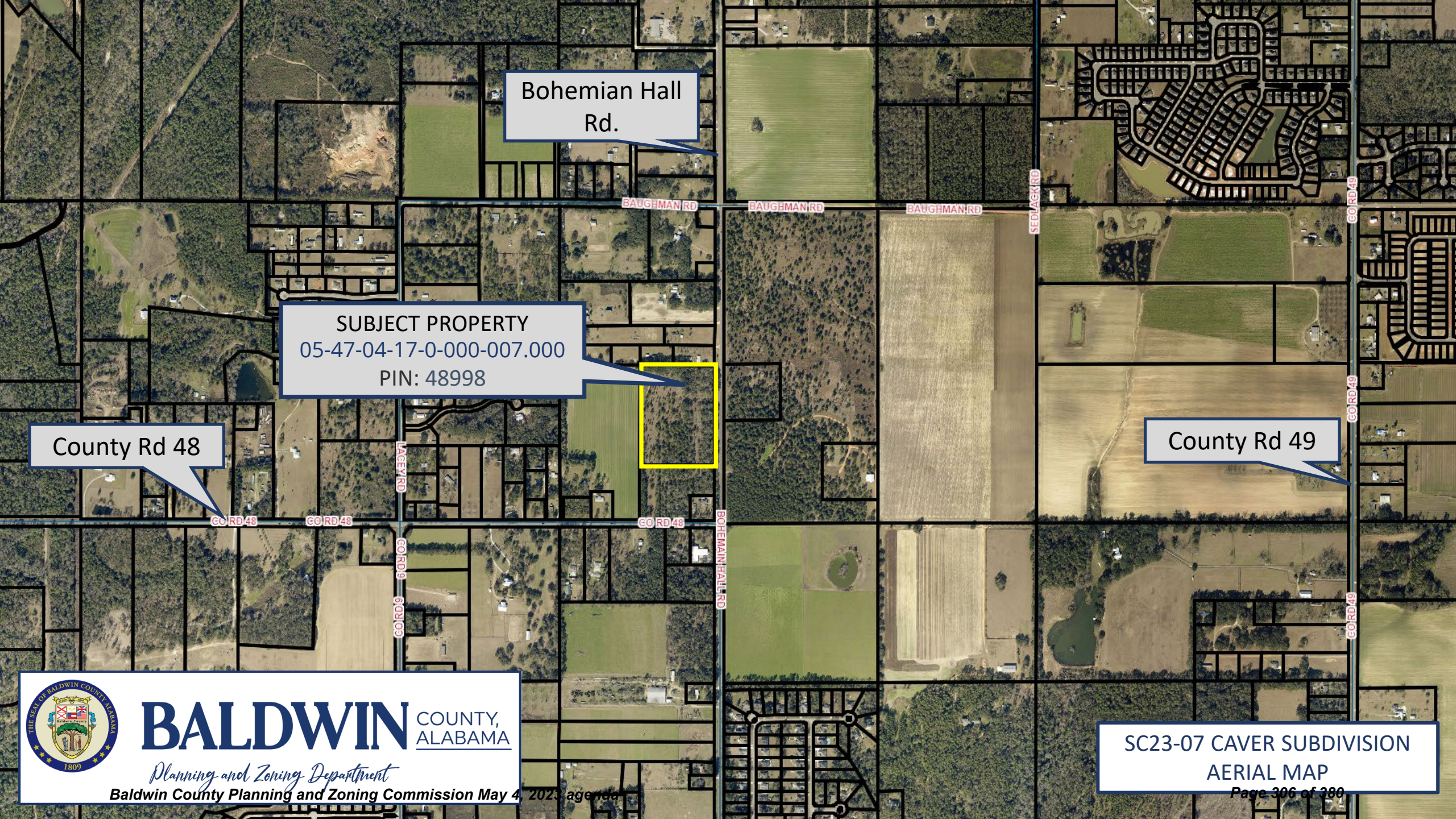
**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

Baldwin County Planning and Zoning Commission May 4, 2023 agenda

SC23-07 CAVER SUBDIVISION  
VICINITY MAP  
Page 305 of 380





Bohemian Hall  
Rd.

SUBJECT PROPERTY  
05-47-04-17-0-000-007.000  
PIN: 48998

County Rd 48

County Rd 49



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*  
Baldwin County Planning and Zoning Commission May 4, 2023 agenda

SC23-07 CAVER SUBDIVISION  
AERIAL MAP  
Page 306 of 380



## TOWN OF SILVERHILL

PO Box 309 ~ 15965 SILVERHILL AVE ~ SILVERHILL, ALABAMA 36576 ~ (251) 945-5198



January 23, 2023

**RE: Fred Lee Caver III & Jeanne C. Caver**  
**Parcel No. 05-47-04-17-0-000-007.000**  
**Bohemian Hall Rd**  
**Silverhill, Alabama**

To whom it may concern,

The Town of Silverhill has water service available to the property located on Bohemian Hall Rd Parcel No. 05-47-04-17-0-000-007.000 in Silverhill, Alabama.

If you should have any questions or need any additional information, please do not hesitate to contact us.

Sincerely,

Nicole C. Haigler, C.M.C.  
 Town Clerk-Treasurer



## BALDWIN EMC

Your Touchstone Energy® Cooperative



P.O. Box 220  
 Summerdale, AL  
 36580-0220  
 (251) 989-6247

[www.baldwinemc.com](http://www.baldwinemc.com)

January 11, 2023

Lee and Jeanne Caver

Re: Plat for Caver Subdivision, Parcel # 47-04-17-0-000-007.000, PPIN 48998, 4 lots

Dear Lee and Jeanne Caver:

This letter is to confirm that the referenced development is in Baldwin E.M.C.'s service territory. Also, this letter is confirming that the referenced has been submitted to Baldwin EMC.

Baldwin EMC is willing to service the development as long as the necessary easements are granted using our standard easement form and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades (transmission line, substation and distribution line). All system upgrades and line extensions will be in accordance with Baldwin EMC's current Line Extension Policy.

Please contact me to discuss necessary easements and fees.

Below is our typical required easements for subdivisions:

There is a dedicated herewith a 10 foot utility easement on all lot lines and common areas adjacent to the right-of-ways and a 10 foot utility easement on each side of lot and common area lines, unless otherwise noted.

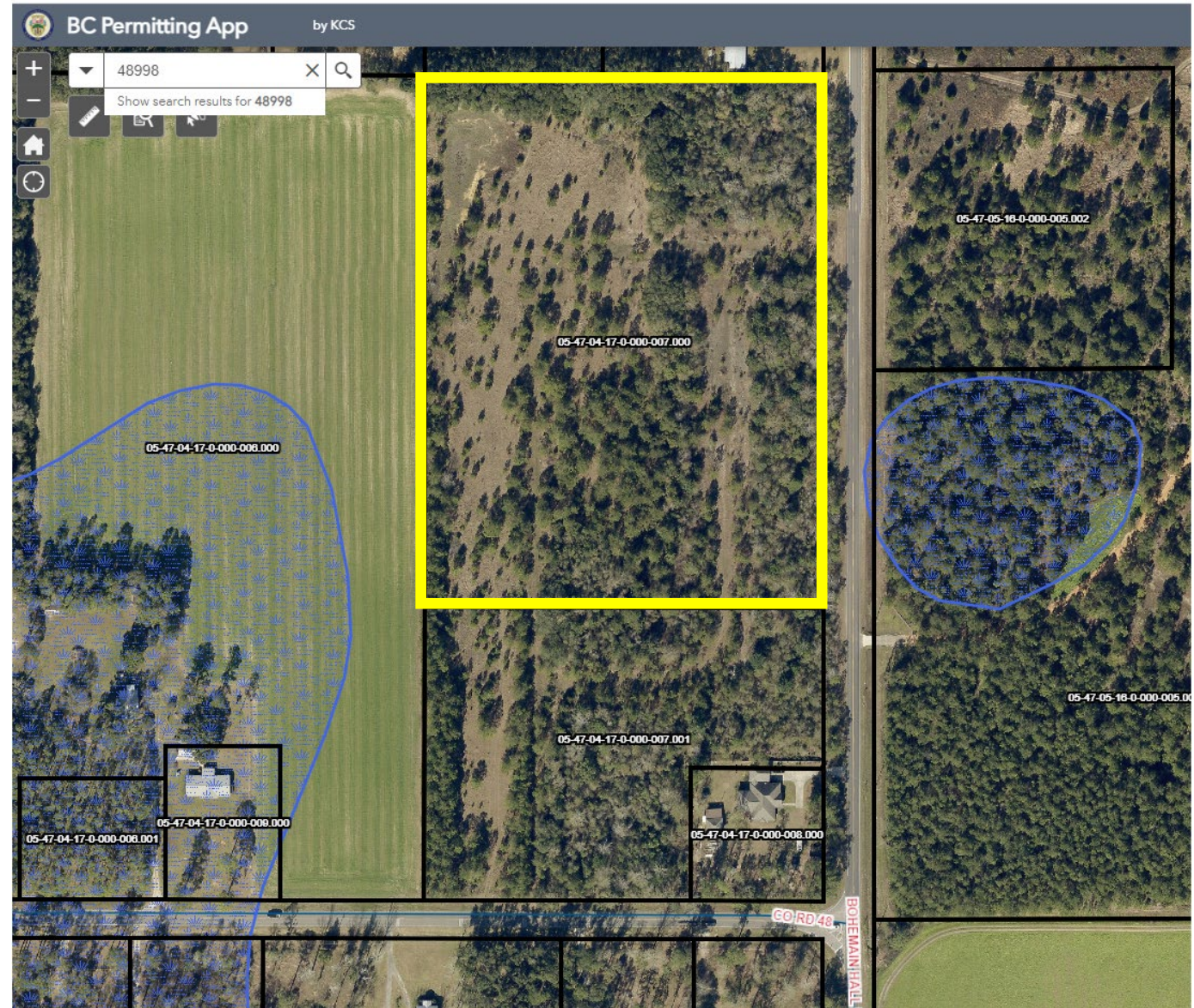
If you have any questions or if I can be of further assistance, please do not hesitate to contact me at 251-989-0226.

Sincerely,

Brett Morrow  
 Supervisor of Staking  
 BM/ss

## Staff Comments

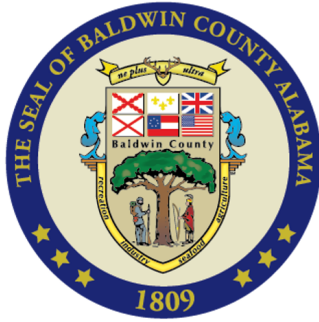
- No wetlands appear to be on the subject property according to the Baldwin Co. Permitting App viewer.



Staff recommends that the PRELIMINARY PLAT for Case No. SC23-7, CAVER SUBDIVISION, be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations, with no conditions for approval.

- Staff will grant administrative final plat approval. The final plat shall be circulated for signatures and recorded within 90 days of approval.





# BALDWIN COUNTY, ALABAMA

*Planning and Zoning Department*

## FINAL SITE PLAN REQUEST PUD22-19 CLEAR CREEK RV PARK MAY 4, 2023

PRESENTED BY: SHAWN MITCHELL, DEVELOPMENT REVIEW PLANNER

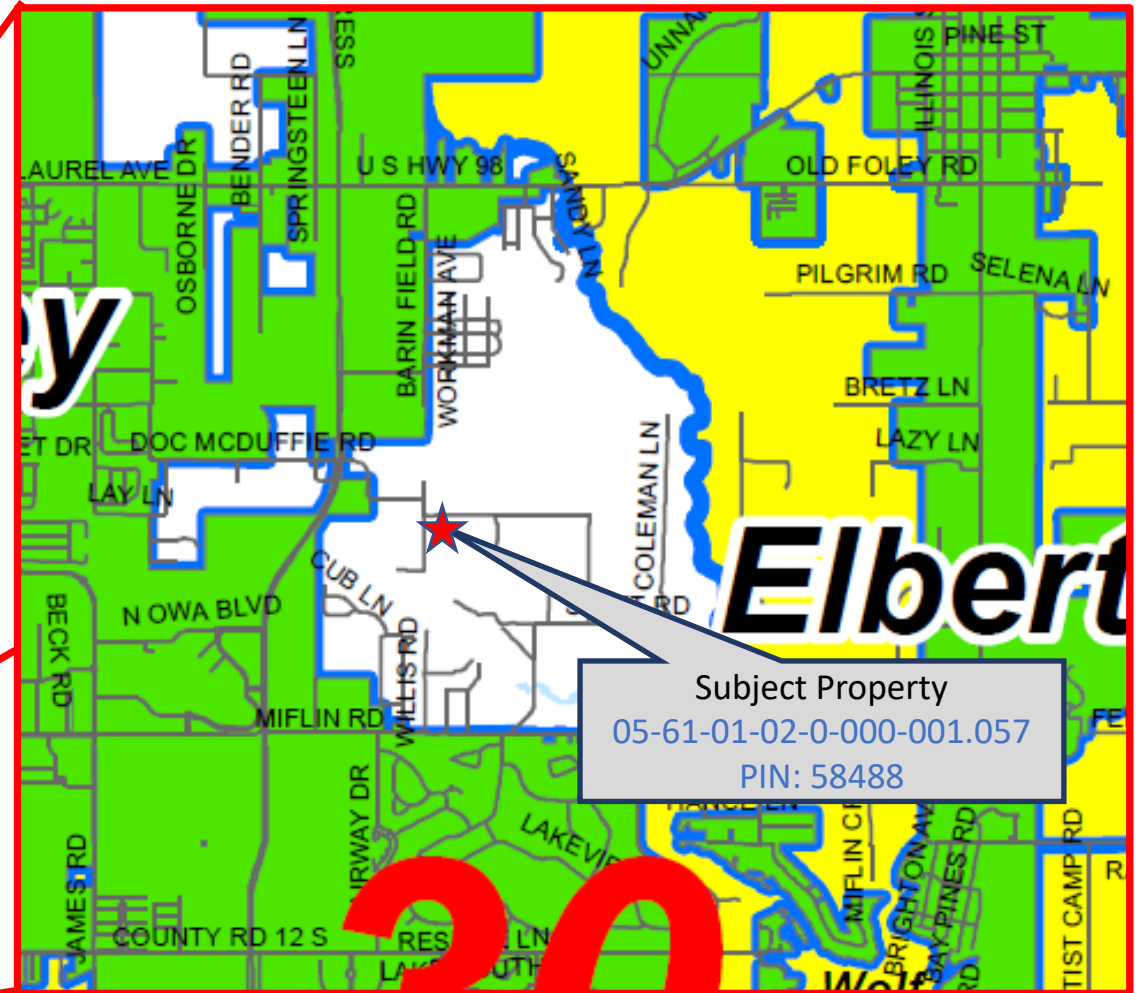
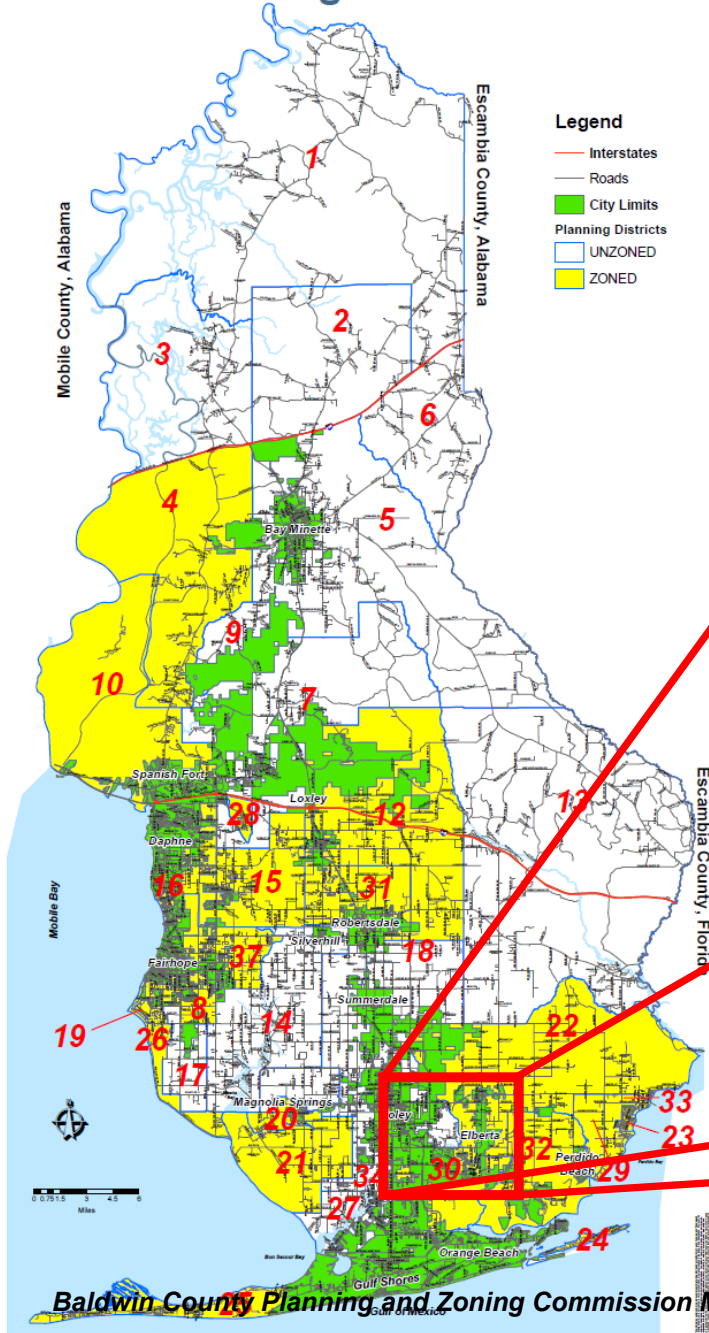
Staff Report Prepared by:  
Shawn Mitchell, Development Review Planner

## Request before the Planning Commission:

[illegible]

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>

# Baldwin County, Alabama Planning Districts





**Location:** Subject property is located on the south side of Doc McDuffie Rd., east of the Foley Beach Express. It is in Foley’s Planning Jurisdiction, but Foley does not review RV parks.

**Planning District:** 34

**Zoning:** The citizens of Planning District 34 have not implemented zoning.

**Total Property Area:** 39.64 +/- acres

**Total # of Lots requested:** 264 259 Units

- Setbacks: 30’ around the perimeter, as required by Subdivision Regulations

**Streets / Roads:** 8,733 LF, which will not be accepted by the County for maintenance and shall remain private

**Parking:** Required 264 x 1.25 = 330 spaces  
Shown: 346 spaces

**Engineer of Record:** Donald Rowe, PE, *Rowe Engineering*  
3502 Laughlin Dr. Suite B, Mobile, AL , 36693

**Owners / Developers:** *Tigers N Bama, LLC*  
2009 Roselawn Ave, Monroe, LA, 71201

**Online Case File Number:** The official case number for this application is PUD22-19, however, when searching online CitizenServe database, please use PUD22-000019.

**Parcel:** 05-61-01-02-0-000-001.057

**PIN:** 58488

**Traffic Study:** Prepared by William Metzger, PE, and accepted by Baldwin County Highway Department

**Drainage Improvements:** Drainage plan and narrative prepared by Donald Rowe, *Rowe Engineering*. Reviewed and accepted by Baldwin County Highway Department

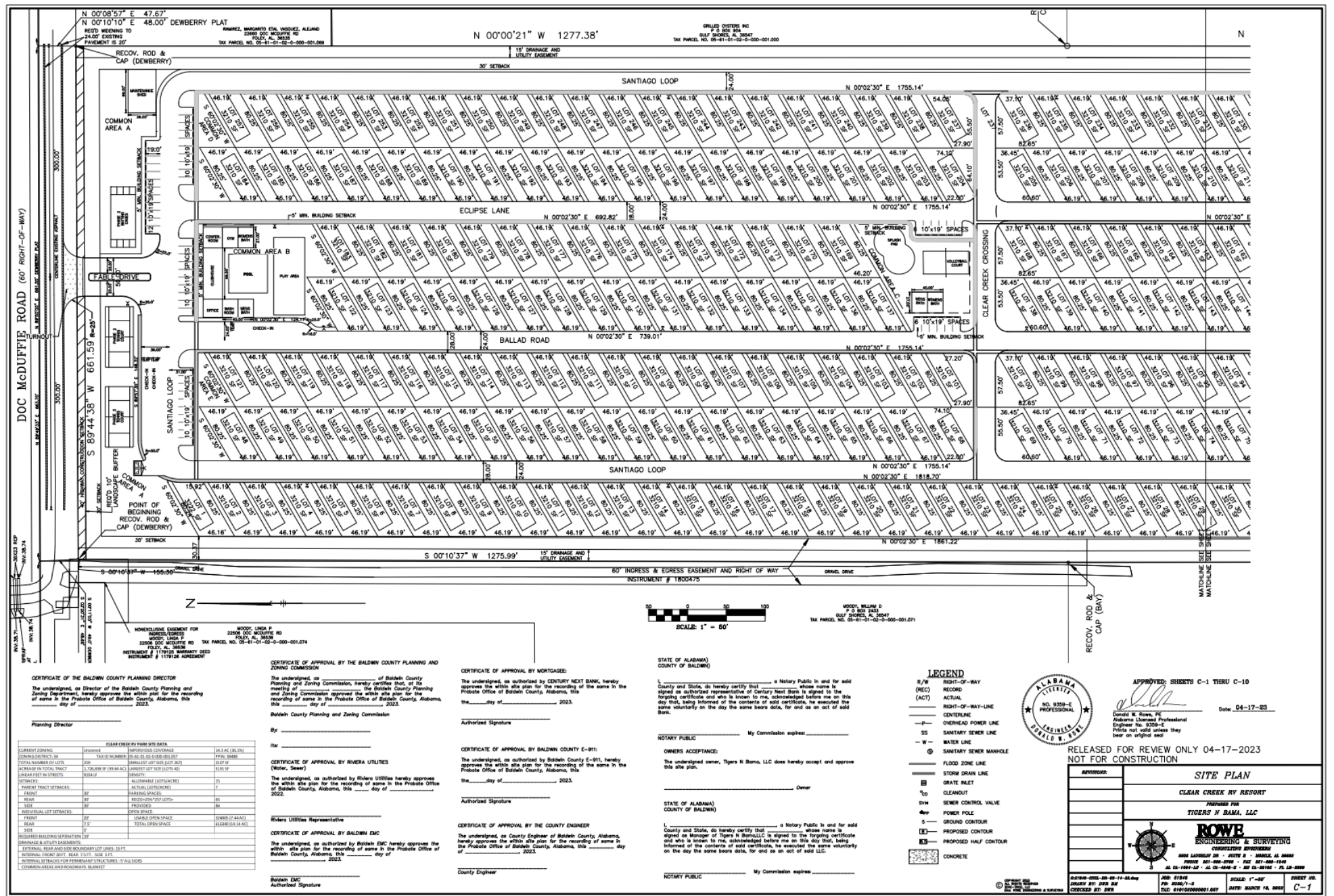
**Wetlands:** Wetland report prepared Cathy Barnette, *Dewberry Engineering, Inc*

**Utility Providers:**

- Water: Riviera Utilities
- Sewer: Riviera Utilities
- Electrical: Baldwin EMC



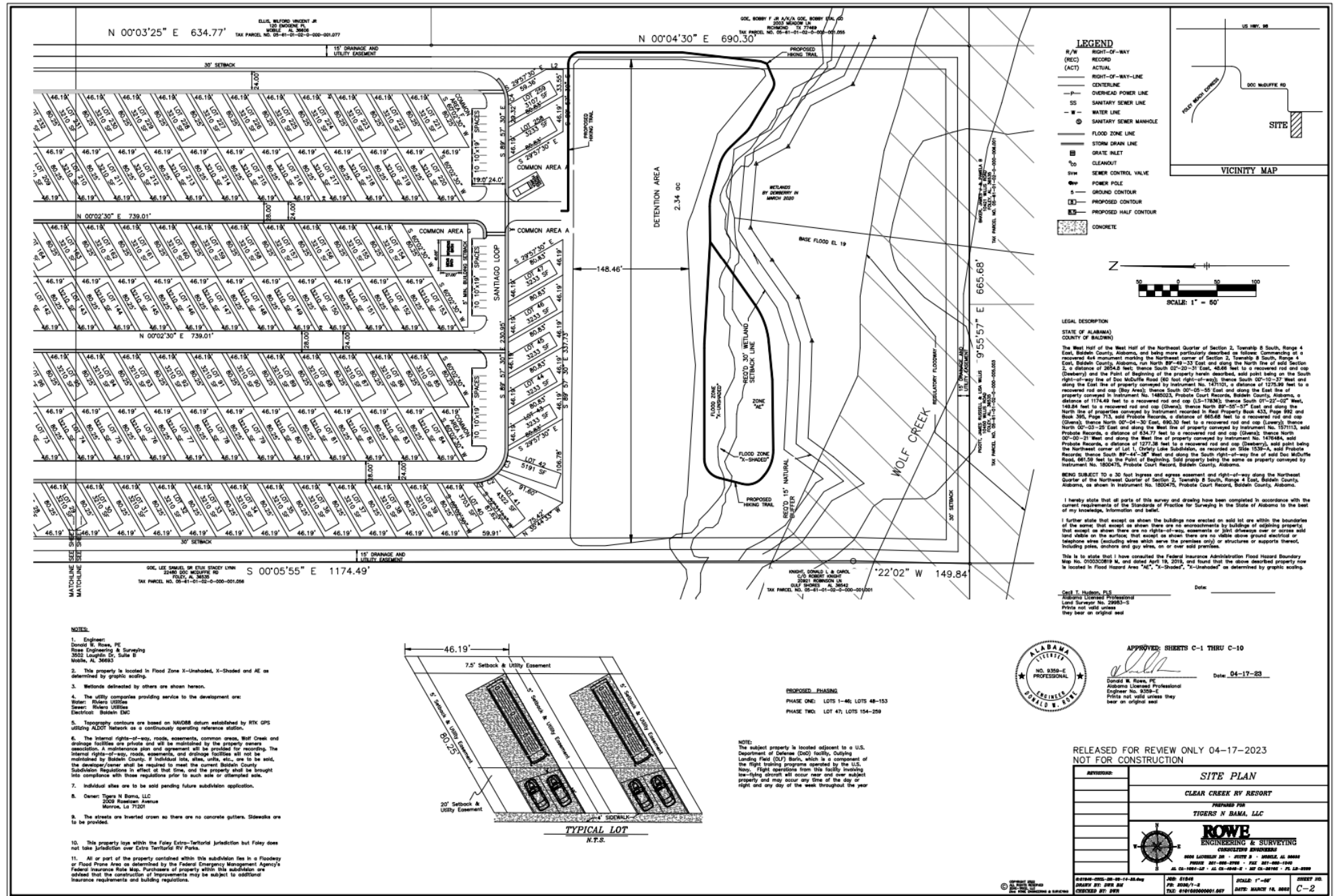
# Sheet C-1



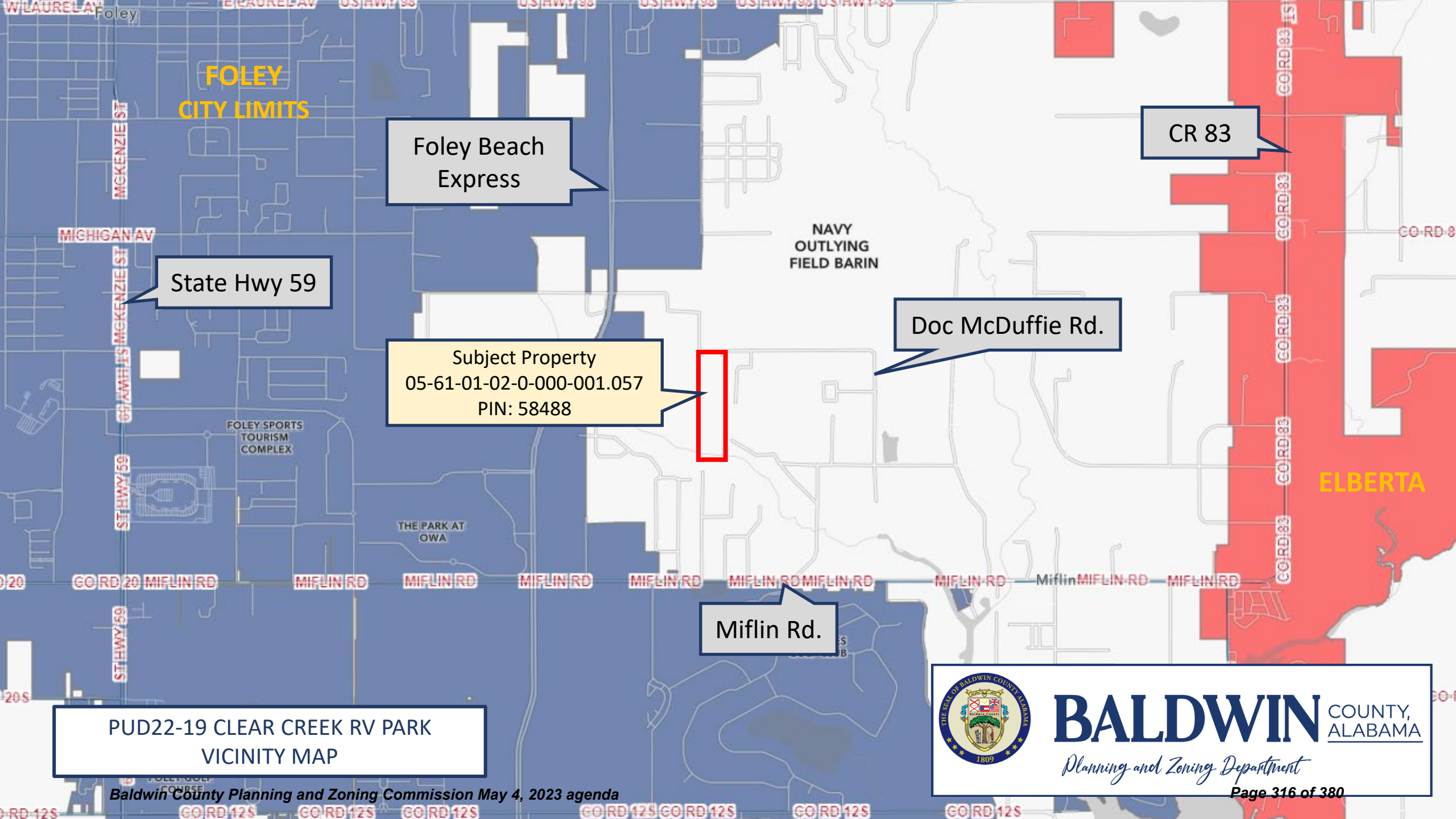




# Sheet C-2







FOLEY  
CITY LIMITS

Foley Beach  
Express

CR 83

State Hwy 59

Subject Property  
05-61-01-02-0-000-001.057  
PIN: 58488

Doc McDuffie Rd.

Miflin Rd.

PUD22-19 CLEAR CREEK RV PARK  
VICINITY MAP



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*



FOLEY  
CITY LIMITS

Foley Beach  
Express

Navy Outlying  
Field Barin

Doc McDuffie Rd.

Subject Property  
05-61-01-02-0-000-001.057  
PIN: 58488

Miflin Rd.

PUD22-19 CLEAR CREEK RV PARK  
AERIAL MAP



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*





BALDWIN EMC

Your Touchstone Energy® Cooperative

P.O. Box 220  
Summerdale, AL  
36580-0220  
(251) 989-8247  
[www.baldwinemc.com](http://www.baldwinemc.com)

March 24, 2022

Lindsey Mooney  
Rowe Engineering & Surveying  
3502 Laughlin Drive, Suite B  
Mobile, Alabama 36693

Re: Tigers and Bama RV Park 22580 Doc McDuffie Road, Foley, AL PPIN Number 58488

Dear Lindsey Mooney:

This letter is to confirm that Baldwin EMC can provide reasonable power to the above referenced location. Single-phase power may be provided at the member's expense.

Baldwin EMC is willing to service the development if the necessary easements are granted and all other appropriate documents and fees are finalized in advance. Baldwin EMC must be given proper notice and planning time with respect to required system upgrades. Any plat approvals will require a lead time of 7-10 business days.

Please contact me to discuss necessary easements and fees. If you have any questions or need further assistance, please contact me at 251-989-0134.

Sincerely,

Ken Pimperl  
System Engineer

KP/yb



RIVIERA UTILITIES

413 E Laurel Avenue, P.O. Drawer 2050, Foley, AL 36536  
Phone (251) 943-5001 Fax (251) 970-4181

3/25/2022

Lindsey Mooney  
Rowe Engineering & Surveying  
3502 Laughlin Dr, Suite B  
Mobile, AL 36693

RE: Tigers and Bama RV – PPIN 58488

This letter is to confirm that Riviera Utilities is able to provide water, sewer, and broadband services through extensions to the property located at off of Doc McDuffie Rd in Foley, AL.

Riviera Utilities requires a 10' easement along all side property lines and a 15' easement along all front and rear property lines. Please ensure all property plats reflect the easements.

Upon final design, Riviera Utilities will provide estimates for service fees and system installation requirements to meet all Riviera specifications. Please contact the following Riviera employees concerning costs and requirements.

Name	Department	Email
Jason Thompson	Broadband	<a href="mailto:jthompson@rivierautilities.com">jthompson@rivierautilities.com</a>
Tony Schachle	Water/Sewer	<a href="mailto:tschachle@rivierautilities.com">tschachle@rivierautilities.com</a>

If you have any questions or comments, contact Riviera Utilities at 251-943-5001.

Thank you,




James Wallace

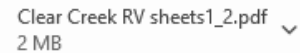
Water, sewer, broadband



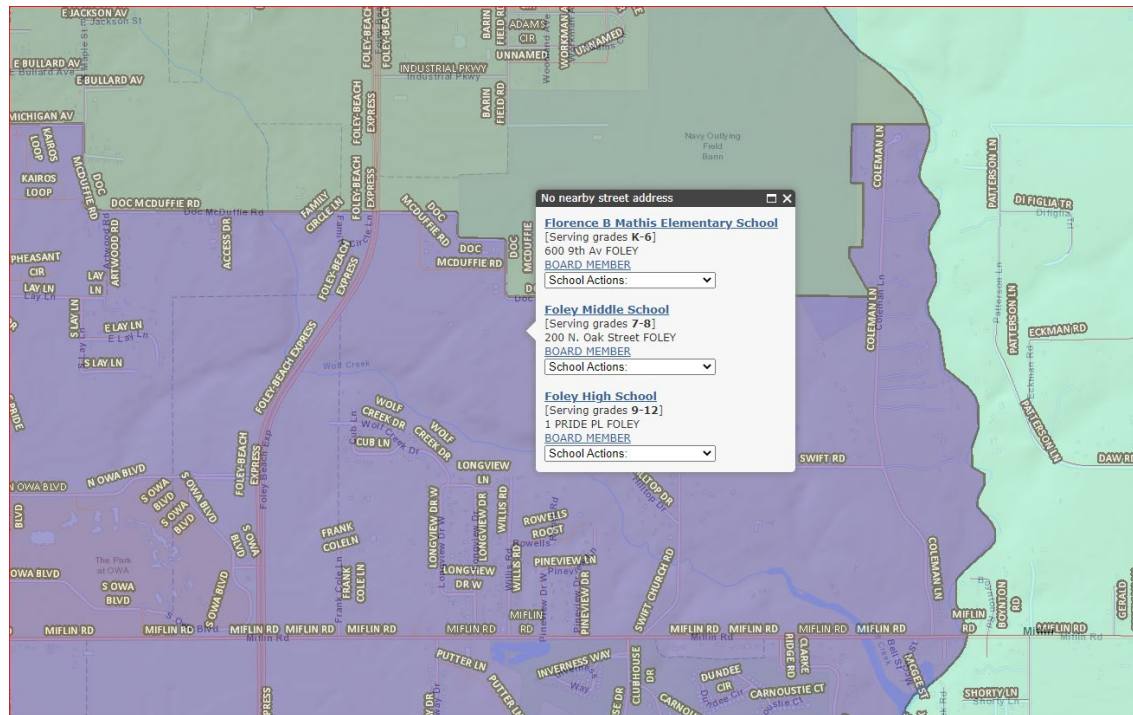


To  'mmalm@bcbe.org';  'etyler@bcbe.org';  'syoun@bcbe.org';  'jwilson@bcbe.org'

Cc  Buford King;  Mary Booth;  Fabia Waters




ADJACENT ROADS(s): Doc McDuffie Rd in Foley, east of Foley Beach Express





Clear Creek RV  
Resort  
Fire Flow Analysis with Respect to ISO Fire Suppression Rating Schedule  
Paragraphs 340, 614 & 620.a

Paragraph 340 states that for single family residences separated 11-20 feet, 1000 gallons per minute (gpm) is the needed fire flow. The subject RV's are separated 20 feet. A fire flow model based on fire flows calculated from tests by Riviera Utilities indicate that the system as designed is capable of providing 1,000 gpm at the most remote and highest fire hydrant in the development and at a pressure of 38 psi, thereby meeting the requirements of Paragraph 340. Paragraph 614 credits up to 1500 gallons per minute for each hydrant within 1000 feet of the needed fire flow location. This is to state that all RV sites are located within 250 feet (as the apparatus can lay hose) of a hydrant, thereby achieving the maximum credit of 1500 gallons per minute. Paragraph 620.a indicates maximum points for fire hydrants meeting AWWA Standard C502 with a 6-inch branch. This is to state that fire hydrants specified for this project meet AWWA Standard C502 with a 6 inch pumper outlet and two 2½ inch outlets, thereby achieving the maximum number of points.

  
Donald W. Rowe, P.E.  
Alabama Licensed Professional  
Engineer Registration No. 9359-E

Date: December 16, 2022



Zeke-Trice, LLC  
dba Rowe Engineering & Surveying  
3502 Laughlin Drive, Suite B  
Mobile, Alabama 36693



120 West Verbena Avenue  
Foley, Alabama 36535  
(251) 943-1266  
Fax (251) 943-7432  
www.cityoffoley.org

Concurrence Letter

December 20, 2022

Rowe Engineering and Surveying  
Attn: Don Rowe, P.E., P.L.S.  
3502 Laughlin Drive, Suite B  
Mobile, AL 36693

Re: Clear Creek RV Resort  
Foley, AL

Mr. Rowe

I have reviewed the hydrant configuration on the provided utility plan in accordance with the 2018 IFC, Appendices.

Be advised that the City of Foley has adopted criteria for Appendix C and Appendix D as stated below:  
Appendix C, Section C101.1.1 RV Parks shall be included in these requirements and RV's considered as one- or two- family dwellings.  
Appendix D, Section D101.1.1 RV Parks shall be included in these requirements and RV's considered as one- or two- family dwellings.

Due to some properties within our city limits and fire jurisdiction being landlocked, Foley will allow a boulevard entrance. In the event that an alternate route becomes available in the future, the property owner should make every effort to accommodate the code and provide a secondary emergency access.

Fire approves of this layout.

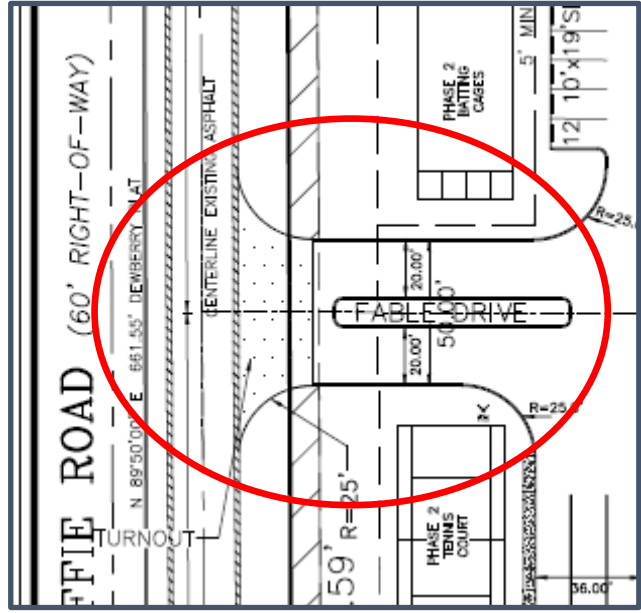
Brad Hall  
Sr. Fire Inspector

Due to some properties within our city limits and fire jurisdiction being landlocked, Foley will allow a boulevard entrance. In the event that an alternate route becomes available in the future, the property owner should make every effort to accommodate the code and provide a secondary emergency access.

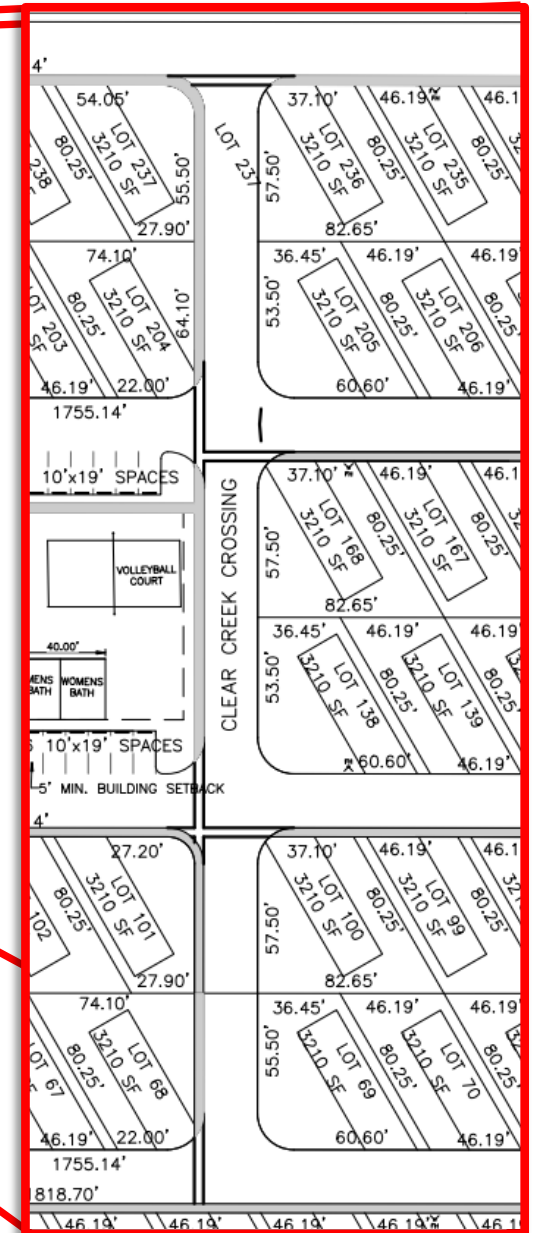
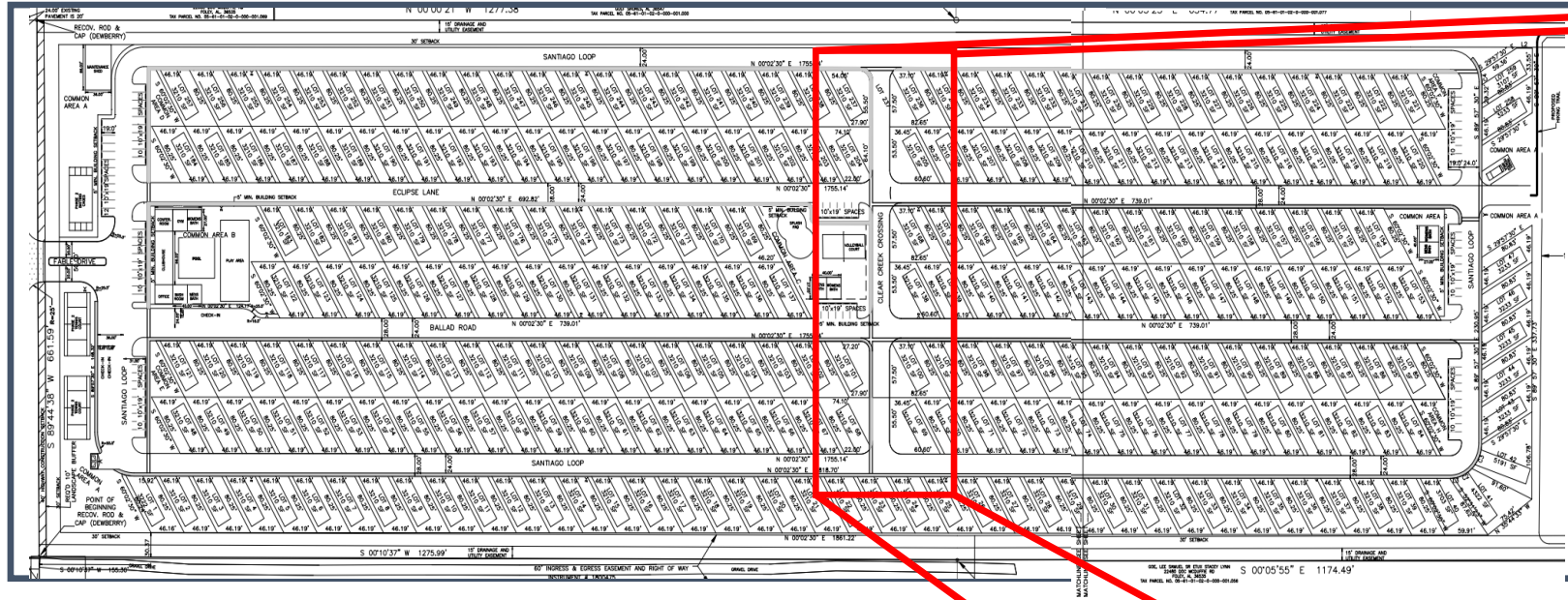
Fire approves of this layout.

MAYOR Ralph G. Hellmich • CITY ADMINISTRATOR Michael L. Thompson  
COUNCIL MEMBERS J. Wayne Trawick • Vera J. Qualtes • Richard Dayton • Cecil R. Blackwell • Charles J. Ebert III

Boulevard entrance



# PUD22-19 CLEAR CREEK RV PARK



## RECENT REVISIONS

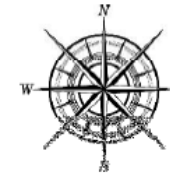
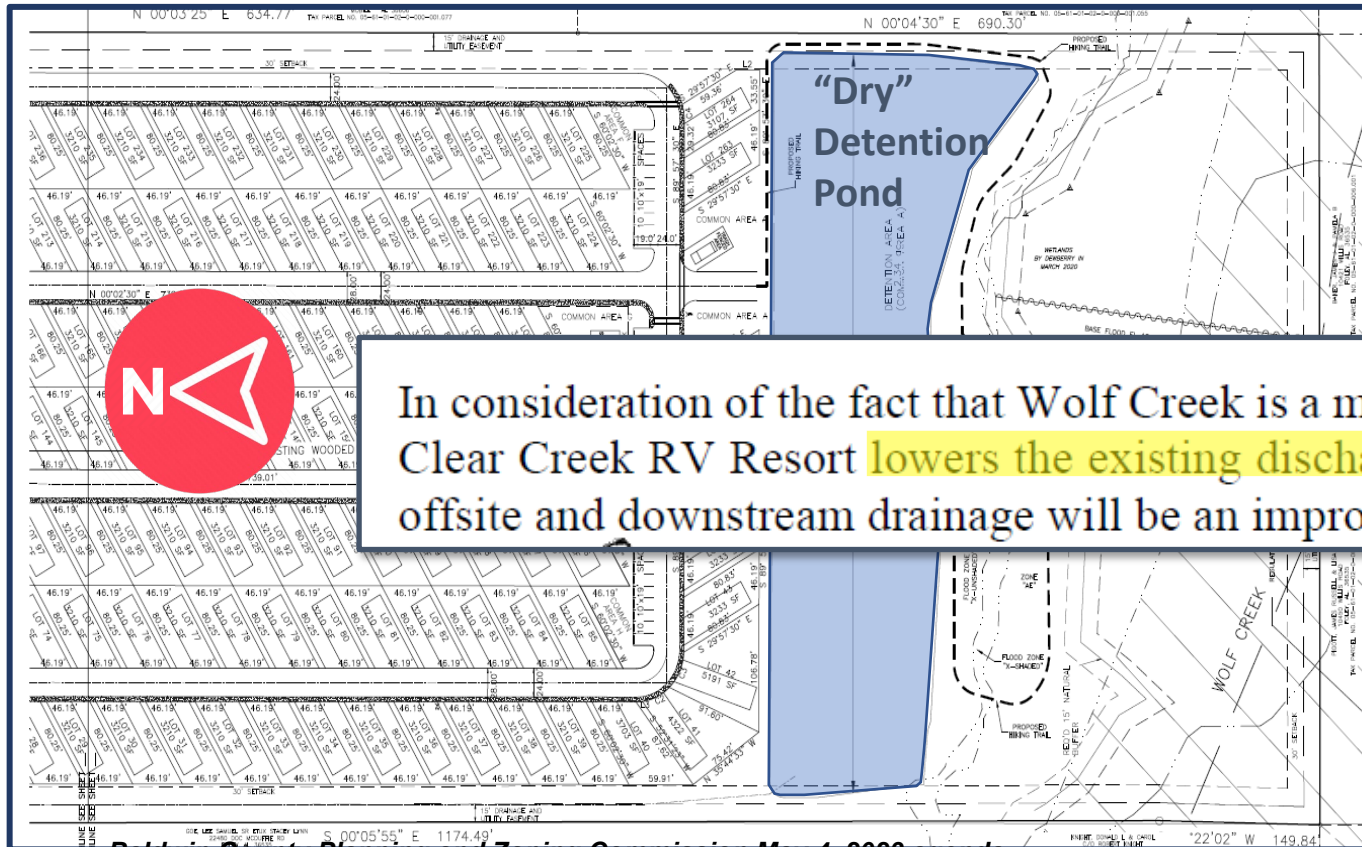
- Central “through-road” added
- Reduced from 264 to 259 lots



## Staff Comments

Drainage plan and narrative prepared by Don Rowe, *Rowe Engineering & Surveying*

- Reviewed and accepted by the Baldwin County Highway Dept.



**ROWE**  
ENGINEERING & SURVEYING

### Drainage Narrative Clear Creek RV Resort


Clear Creek RV Resort is a 39.64 acre development characterized by the existence of Wolf Creek on the Southern end of the site. The area which is proposed to be developed, including the detention area is 34.24 acres. The remaining portion will receive selective clearing and become a recreation area with no other improvements. Natural drainage is to the South and the property does not receive any offsite drainage.

HydroCAD Software (with the SCS Method) was utilized in determining the preconstruction runoff, and was also used in sizing the detention ponds for the post-construction runoff. The calculations were based on the latest NOAA rainfall data for the location. Rainfall distribution utilizes the SCS Type 3 24-hour curves. Under the preconstruction condition, the drainage for the entire site is represented by drainage area DA-1. The area is primarily Type A Soils and has one existing residence. The weighted CN for the preconstruction condition is 57.

For the post-construction condition, the entire site is again represented by Area DA-1. The weighted CN for the post construction condition is 70. Under the post construction condition, all drainage is routed to a detention pond at the Southern end of the development.

Calculations utilizing HydroCAD indicate that the planned detention area will attenuate all rainfalls from the two-year return through the 100-year return such that the discharge from each is less than the preconstruction value. A discharge table for each of the conditions is included herewith immediately following this narrative. HydroCAD reports for the pre-construction and post-construction conditions

In consideration of the fact that Wolf Creek is a major drain and the detention system for the proposed Clear Creek RV Resort lowers the existing discharge by more than 50%, the affect of this project on offsite and downstream drainage will be an improvement.

  
Donald W. Rowe, P.E.  
Alabama Licensed Professional  
Engineer Registration No. 9359-E

Date: December 15, 2021



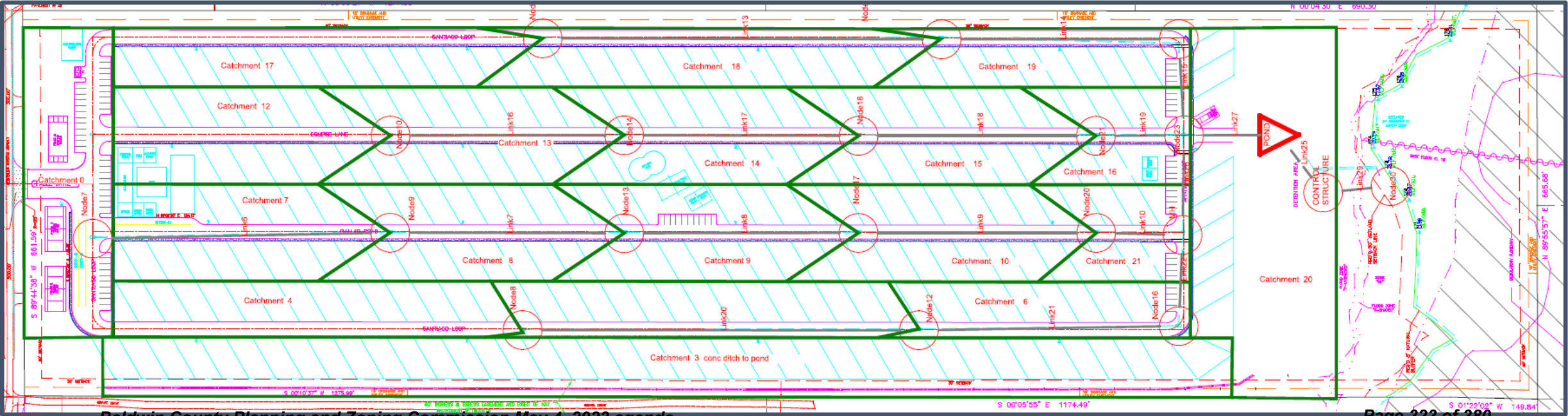
Zeke-Trice, LLC  
dba Rowe Engineering & Surveying  
3502 Laughlin Drive, Suite B  
Mobile, Alabama 36693  
(251) 666-2766  
www.roweengineering.com

Preconstruction DA-1

Event	Rainfall (inches)	Runoff (cfs)	Volume (acre-feet)	Depth (inches)
2-Year	5.96	24.99	4.64	1.63
5-Year	7.62	43.72	7.696	2.7
10-Year	9.21	63.61	10.959	3.84
25-Year	11.7	97.15	16.515	5.79
50-Year	13.9	128.41	21.734	7.62
100-Year	16.3	163.36	27.656	9.69

Post Construction P1

Event	Inflow (cfs)	Primary (cfs)	Elevation (feet)	Storage (acre-feet)
2-Year	48.56	9.9	19.13	3.826
5-Year	73.41	15.25	20.16	5.853
10-Year	98.21	23.84	21.04	7.688
25-Year	137.85	39.77	22.32	10.483
50-Year	173.4	55.79	23.35	12.872
100-Year	212.04	74.72	24.37	15.407





### Staff Comments

Traffic Impact Study (TIS) prepared by William Metzger, PE.

- The TIS was reviewed and accepted by the Baldwin County Highway Department
- Applicants are required to widen Doc McDuffie Rd. to 24 ft to meet Subdivision Regulations.
- Improvements at the intersection of Doc McDuffie and Foley Beach Express will be required for Phase 2.



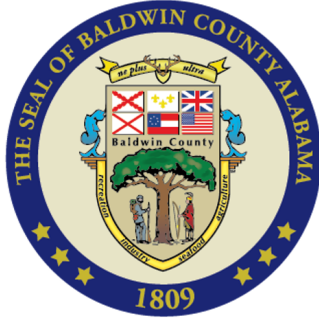
<b>TRAFFIC IMPACT STUDY FOR CLEAR CREEK RV PARK BALDWIN COUNTY, AL</b>	
Prepared for: Rowe Engineering and Surveying	
October 2022	
Prepared by: William J. Metzger, Jr., P.E. 14651 Ridge Road Summerdale, Alabama 36580 Phone: (251) 209-3901 Email: <a href="mailto:metzgerwj@hotmail.com">metzgerwj@hotmail.com</a>	
	Signed:  Date: 10/14/22



Staff recommends that the Final Site Plan for Case No. PUD 22-19, CLEAR CREEK RV PARK, be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations, with the following condition(s):

Specific Conditions:

1. Doc McDuffie Rd. shall be widened to 24 feet for 300 ft in either direction from the main entrance.
2. Required turn lane improvements shall be constructed on Doc McDuffie Rd. at the intersection with Foley Beach Express as part of Phase 2.



# BALDWIN COUNTY, ALABAMA

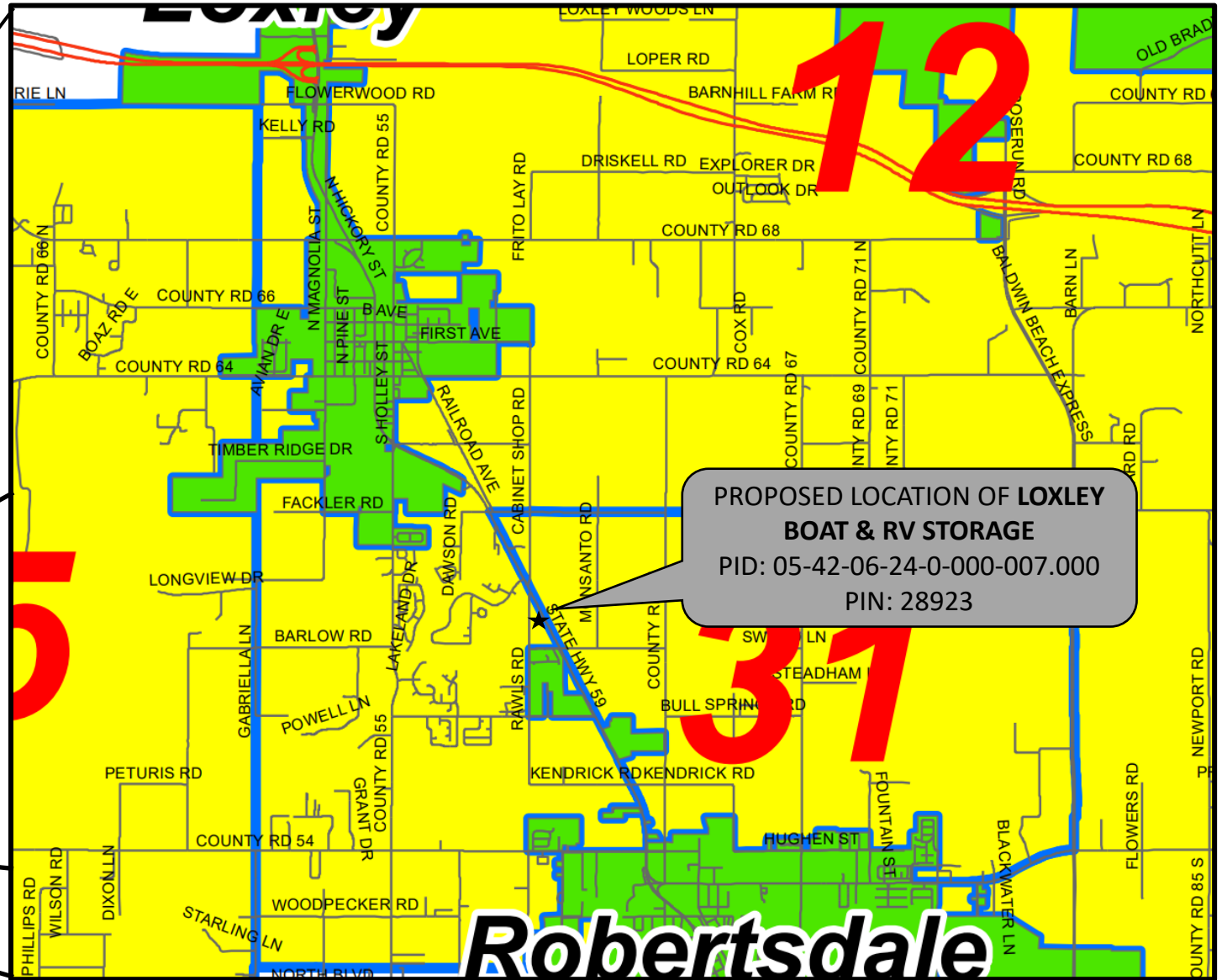
*Planning and Zoning Department*

## COMMISSION SITE PLAN APPROVAL CSP23-12 LOXLEY BOAT & RV STORAGE MAY 4, 2023

PRESENTED BY: CORY RHODES, PLANNER

# Baldwin County, Alabama Planning Districts

- Legend**
- Interstates
  - Roads
  - City Limits
  - Planning Districts
  - UNZONED
  - ZONED



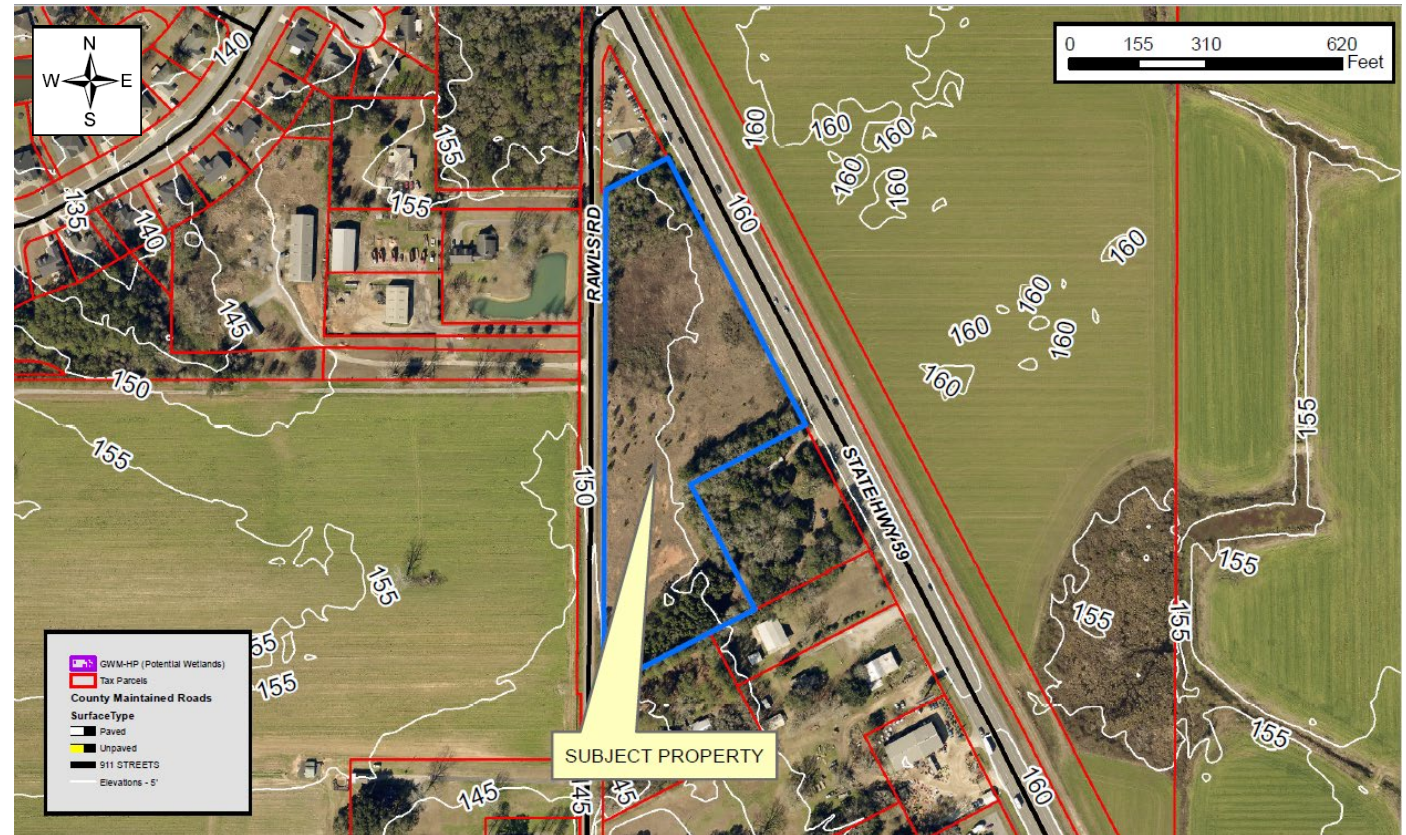


# 11.a) CSP23-12 LOXLEY BOAT & RV STORAGE

## COMMISSION SITE PLAN APPROVAL

Lead Staff: Cory Rhodes, Planner

- **Planning District:** 12    **Zoned:** B-3
- **Location:** Subject property is located west of Hwy 59 and east of Rawls Rd in Loxley
- **Parcel Number:** 05-42-06-24-0-000-007.000    **PIN:** 28923
- **Current Use:** Vacant
- **Acreage:** 7.4 acres
- **Physical Address:** 25255 Highway 59, Loxley, AL 36551
- **Applicant:** Element 3 Engineering, LLC – Patrick Tolbert
- **Owner:** LBJR, LLC

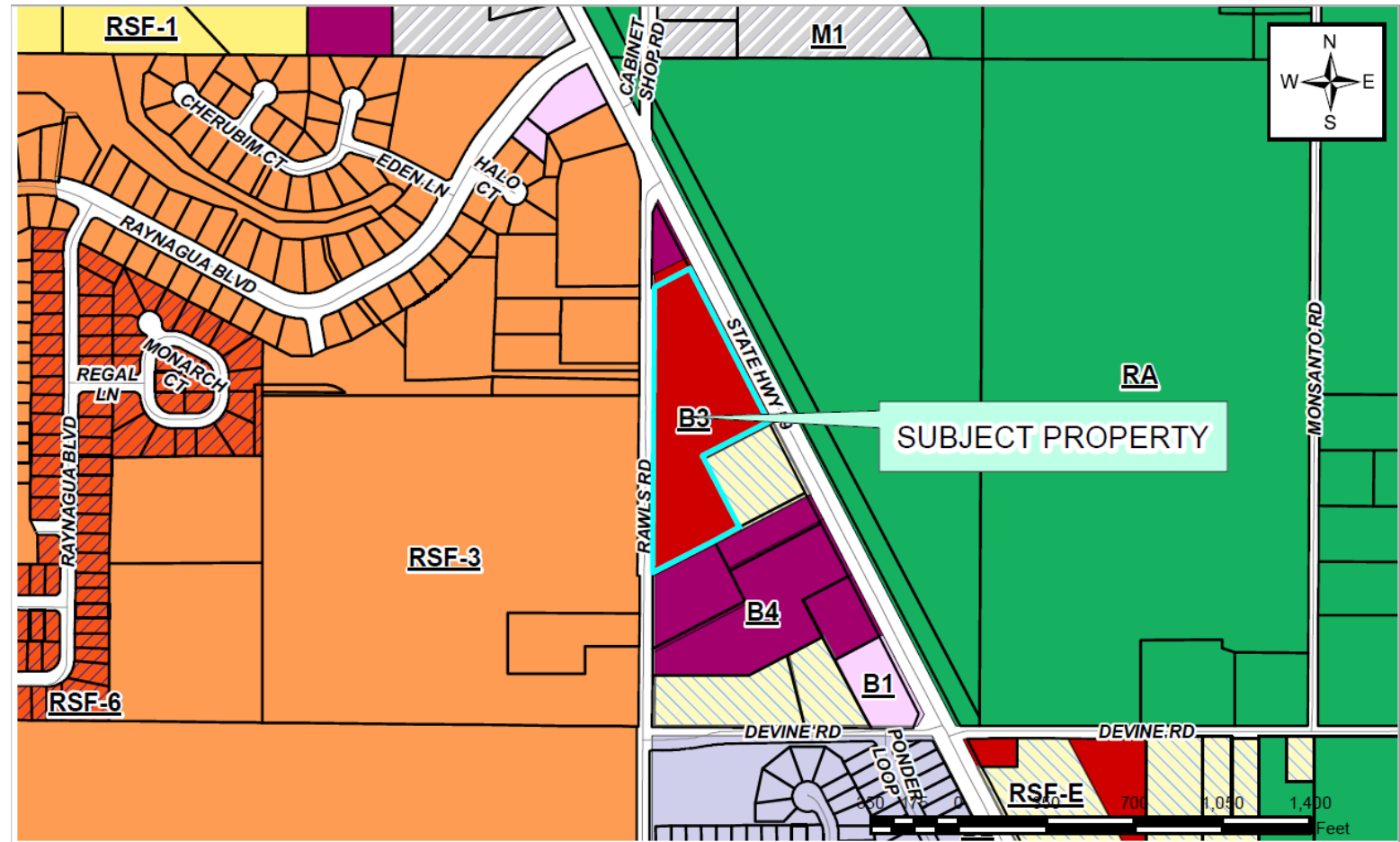


# CSP23-12 LOXLEY BOAT & RV STORAGE

## COMMISSION SITE PLAN APPROVAL

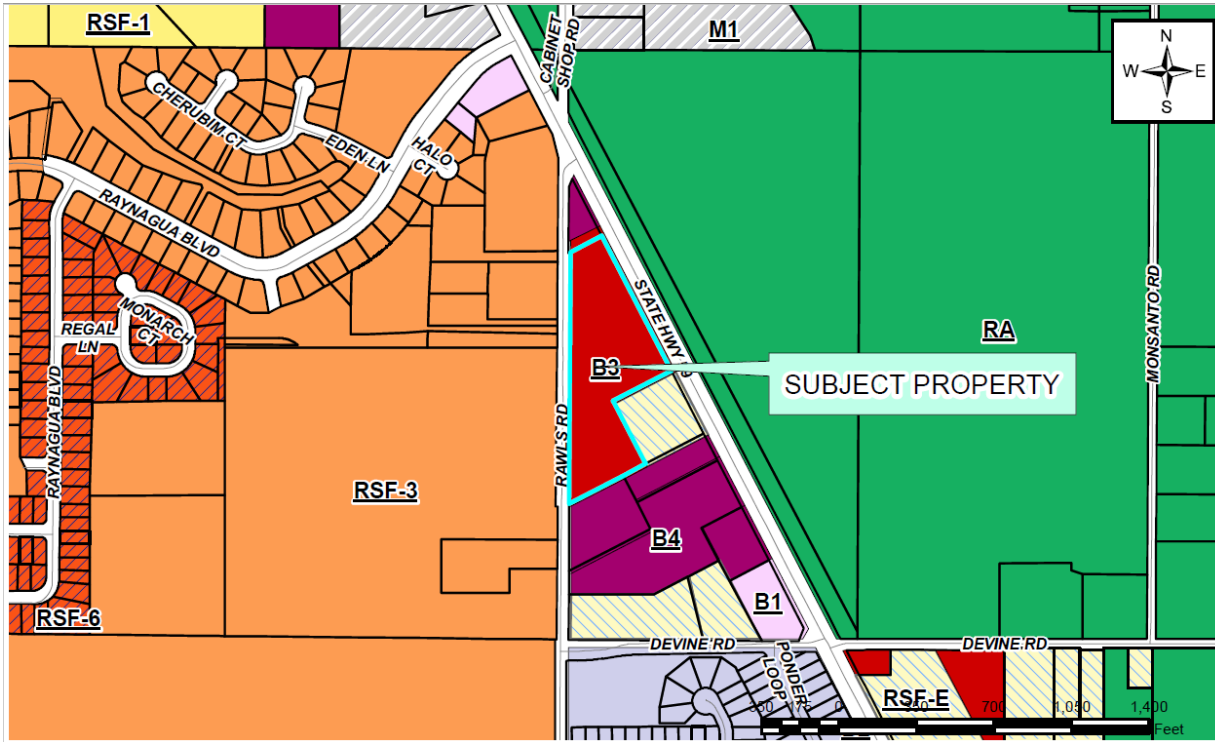
Lead Staff: Cory Rhodes, Planner

- **Current Zoning:** B-3, General Business District
- **Applicant's Request:** Construct 8 boat and RV storage buildings as well as 2 dry storage units totaling 56,900 square feet for boat and RV storage

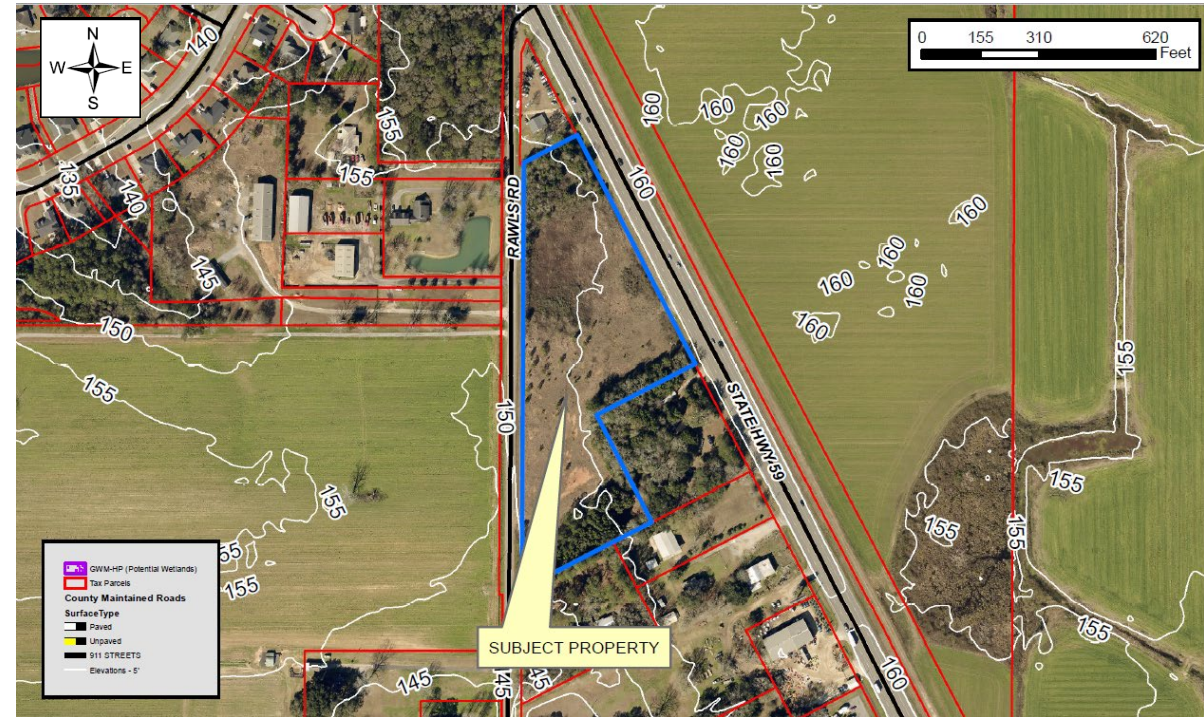




# Locator Map



# Site Map



	Adjacent Land Use	Adjacent Zoning
North	Commercial	B-4, Major Commercial District
South	Commercial & Residential	B-4, Major Commercial District and RSF-E, Residential Single-Family Estate District
East	Agricultural	RA, Rural Agricultural District
West	Agricultural	RSF-3, Single-Family District



# Property Images

Apr 18, 2023 at 12:01:29 PM  
253° W





# Property Images

Apr 18, 2023 at 12:10:00 PM  
104° E



Adjoining Property  
to The North



# Property Images

Apr 18, 2023 at 12:03:55 PM  
65° NE

Property to the  
East





# Property Images





# Property Images

Apr 18, 2023 at 12:06:07 PM  
254° W

Property to the  
West





# Property Images





# Zoning Requirements – B-3 District

## Section 5.3 B-3, General Business District

**5.3.1 Purpose and intent.** The purpose of this district is to provide for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district shall only be applied at appropriate locations: to conveniently meet these needs; in conformance with the goals, objectives and policies and location criteria of the Comprehensive Plan; compatible with the surrounding land uses and zoning districts; where it will not adversely impact the facilities and services of the County; where it will not set a precedent for the introduction of inappropriate uses into an area; and so as not to encourage non-residential strip development along streets

**5.3.2 Permitted uses.** The following uses are permitted as of right, or as uses accessory to permitted uses in the B-3, General Business District, conditioned on the Commission Site Plan Approval requirements of Section 18.9:

- |  |  |
|--|--|
| (a) All uses permitted by right under the B-2 zoning designation | (cc) Funeral home                        |
| (b) Air conditioning sales and service                           | (dd) Golf course                         |
| (c) Amusement arcade   | (ee) Golf driving range                  |
| (d) Animal clinic/kennel   | (ff) Grocery store                       |
| (e) Arboretum  | (gg) Landscape sales                     |
| (f) Auto convenience market                                      | (hh) Marine store and supplies           |
| (g) Automobile service station                                   | (ii) Miniature golf                      |
| (h) Bakery, wholesale  | (jj) Mini warehouse                      |
| (i) Ball field   | (kk) Night club, bar, tavern             |
| (j) Bicycle sales and service                                    | (ll) Nursery                             |
| (k) Bowling alley  | (mm) Office equipment and supplies sales |
| (l) Business machine sales and service                           | (nn) Park or playground                  |
| (m) Business school or college                                   | (oo) Pawn shop                           |
| (n) Butane gas sales   | (pp) Pet shop                            |
| (o) Cemetery   | (qq) Plumbing shop                       |
| (p) City hall or courthouse                                      | (rr) Printing/publishing establishment   |
| (q) Country club   | (ss) Restaurant sales and supplies       |
| (r) Department store   | (tt) Riding academy                      |
| (s) Discount/variety store                                       | (uu) Rug and/or drapery cleaning service |
| (t) Drug store   | (vv) Seafood store                       |
| (u) Elevator maintenance service                                 | (ww) Sign shop                           |
| (v) Exterminator service office                                  | (xx) Skating rink                        |
| (w) Farmer's market/truck crops                                  | (yy) Stone monument sales                |
| (x) Firing range   | (zz) Swimming pool (outdoor)             |
| (y) Fitness center or gym  | (aaa) Taxidermy                          |
| (z) Florist  | (bbb) Teen club or youth center          |
| (aa) Fraternity or sorority house                                | (ccc) Tennis court (outdoor)             |
| (bb) Fruit and produce store                                     | (ddd) Wildlife sanctuary                 |
|  | (eee) YMCA, YWCA                         |

**5.3.3 Conditional Use Commission Site Plan Approval.** The following uses are permissible as Commission Site Plan Approval uses in the B-3: General Commercial District, subject to the standards and procedures established in Section 18.9: Commission Site Plan Approval

- |  |   |
|--|---|
| (a) Airport  | (y) Landfill  |
| (b) Ambulance/EMS service                            | (z) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies |
| (c) Amusement Park                                   | (aa) Manufactured housing sales, service and repair   |
| (d) Armory   | (bb) Marina   |
| (e) Auditorium, stadium, coliseum                    | (cc) Motorcycle sales service and repair  |
| (f) Automobile parts sales                           | (dd) Movie theatre  |
| (g) Automobile repair (mechanical and body)          | (ee) Radio/television tower   |
| (h) Automobile storage (parking lot, parking garage) | (ff) Railroad facility  |
| (i) Barge docking                                    | (gg) Recreational vehicle park  |
| (j) Boat sales and service                           | (hh) Recreational vehicle sales service, and repair   |
| (k) Broadcasting station                             | (ii) Restaurant, drive-in   |
| (l) Building materials                               | (jj) Restaurant, fast-food  |
| (m) Bus and railroad terminal facility               | (kk) Sewage treatment plant   |
| (n) College or university                            | (ll) Taxi dispatching station   |
| (o) Convalescent or nursing home                     | (mm) Taxi terminal  |
| (p) Correctional or penal institution                | (nn) Telephone exchange   |
| (q) Dog pound  | (oo) Water or sewage pumping station  |
| (r) Electric power substations                       | (pp) Water storage tank   |
| (s) Farm implements                                  | (qq) Wireless telecommunication facility  |
| (t) Flea market                                      | (rr) Zoo  |
| (u) Freight depot, rail or truck                     |   |
| (v) Home improvement center                          |   |
| (w) Hotel or motel                                   |   |
| (x) Hospital   |   |

### 5.3.4 Area and dimensional ordinances.

Maximum Height of Structure	40-Feet
Maximum Height of Structure in Habitable Stories	3
Minimum Front Yard	40-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.70
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

**5.3.5 Lighting standards.** The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one

foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

**5.3.6 Distance between structures.** If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

**5.3.7 Landscaping and buffering.** All B-3, General Business District, uses shall meet the requirements of Article 17: Landscaping and Buffers.

# Zoning Requirements – Mini-Warehouses & RV Storage Facilities

## Section 13.14 Mini-Warehouses and Boat & RV Storage Facilities

13.14.1 *Purpose.* The purpose of this section is to establish minimum standards for mini-warehouse facilities, which include facilities for storing boats and recreational vehicles.

13.14.2 *Procedures and standards.*

(a) *Commission Site Plan Approval required.* All mini-warehouse facilities are subject to the standards contained in this section and will be required to obtain a site plan approval prior to being granted a building permit.

(b) *Where permitted.* Mini-warehouse facilities are permitted as follows:

Commission Site Plan Approval – RR, Rural District, RA, Rural Agricultural District, RMF-6, Multiple Family District, HDR, High Density Residential District, B-1, Professional Business District, B-2, Neighborhood Business District, B-3, General Business District, B-4, Major Commercial District, M-1, Light Industrial District and M-2 General Industrial District,

(c) *Land area.* The minimum land area of a mini-warehouse facility shall be three (3) acres.

(d) *Coverage.* Building coverage shall not exceed forty (40) percent of the total lot area.

(e) *Access.*

1. No mini-warehouse facility shall be located except with direct access to a paved county, state or federal highway, with a minimum lot width of not less than 50-feet for the portion used for entrance and exit.

2. All storage spaces shall be served by an access driveway of 11-feet minimum width for each direction of travel. Access drives shall be improved with a suitable hard surface permanent type of pavement such as asphalt, concrete, gravel, limestone or another similar surface.

(f) *Buffering.* In the event a mini-warehouse facility is located adjacent to residentially developed or zoned property, a landscaped buffer with a minimum width of 30-feet shall be provided. Said buffer shall consist of a combination of canopy trees, understory trees and shrubs which shall be of sufficient height to create a visual barrier.

(g) *Design and other requirements.*

1. *Facades.* Facades which are visible from a public right-of-way shall be constructed of masonry, wood or other materials which will present a pleasing appearance and which will be compatible with the surrounding area. Unless otherwise specified in Article 2, at a minimum, façade visible from the public right-of-way shall consist of an apron wall no less than one-third of the height of the building.

2. *Fencing.* The entire site of a mini-warehouse facility shall be enclosed by security fencing. The minimum height for fencing, along the side and rear property lines, shall be eight (8) feet, for fencing constructed to the exterior of required buffers, or six (6) feet for fencing constructed to the interior of required buffers. Fencing shall be composed of materials designed for such use including masonry, iron, steel, chain link (painted or vinyl coated only), wood or a combination thereof. Fencing along the front of a mini-warehouse facility may be decorative in nature and may be built to a minimum height of four (4) feet.

3. *Lighting.* The maximum height of exterior lights shall be 20-feet. Light fixtures shall be designed to cast light downward. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

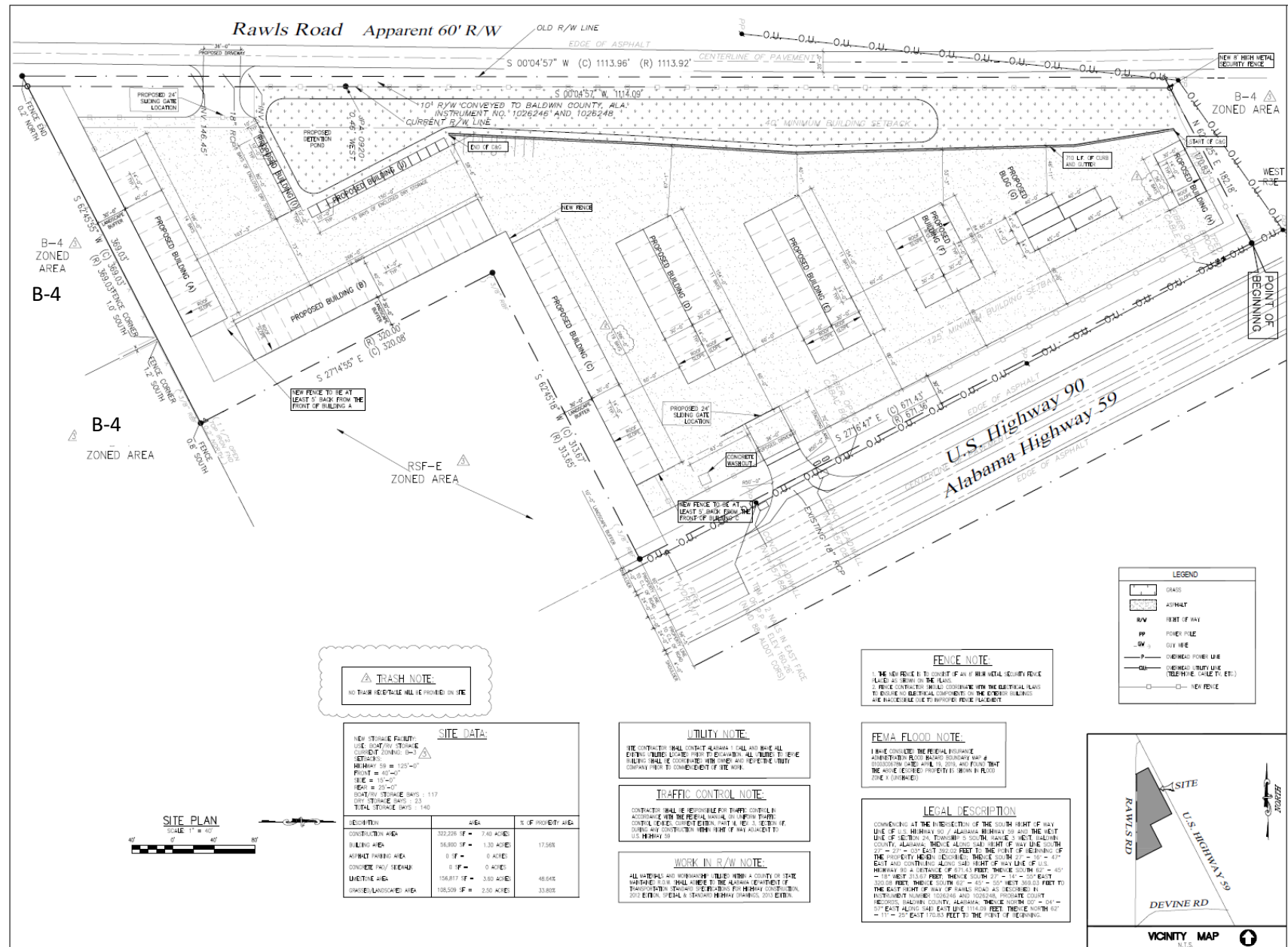
4. *Compartments.* Each storage compartment shall have an independent entrance under the exclusive control of the tenant. The use of storage compartments shall be limited to the storage of personal property and no other use shall be permitted within such compartments.

5. *Outdoor storage.* Outdoor storage of goods and materials, with the exception of boats, recreational vehicles and trailers, shall be prohibited. Boats, recreational vehicles and trailers may be stored on site only if located in an enclosed building or if fully screened from public view by fences, walls, landscaping or a combination thereof.

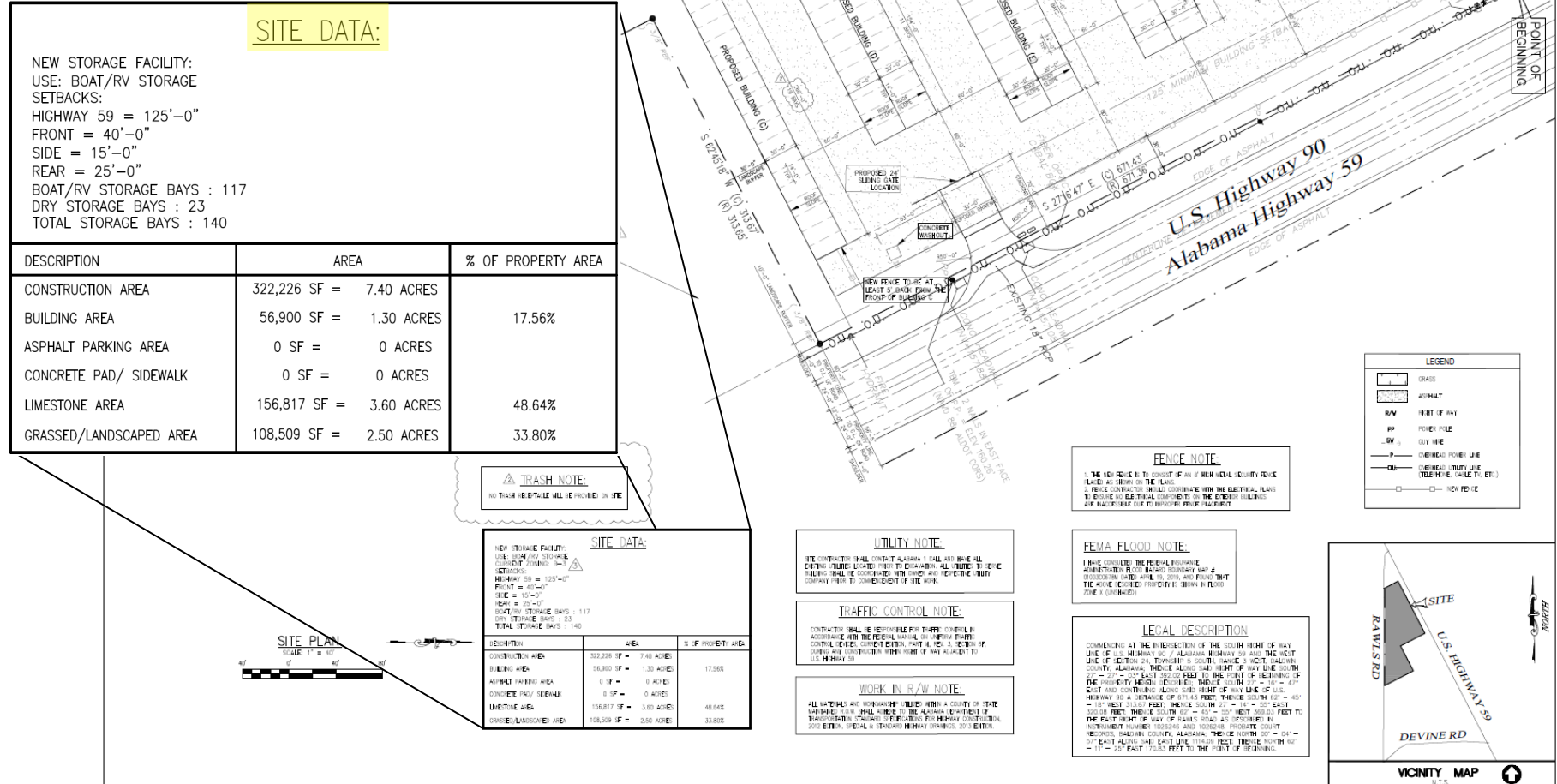
6. *Parking and landscaping.* Unless otherwise stated herein, all mini-warehouse facilities shall meet the requirements of *Article 15: Parking and Loading Requirements* and *Article 17: Landscaping and Buffers*.



## Site Plan and Data Table

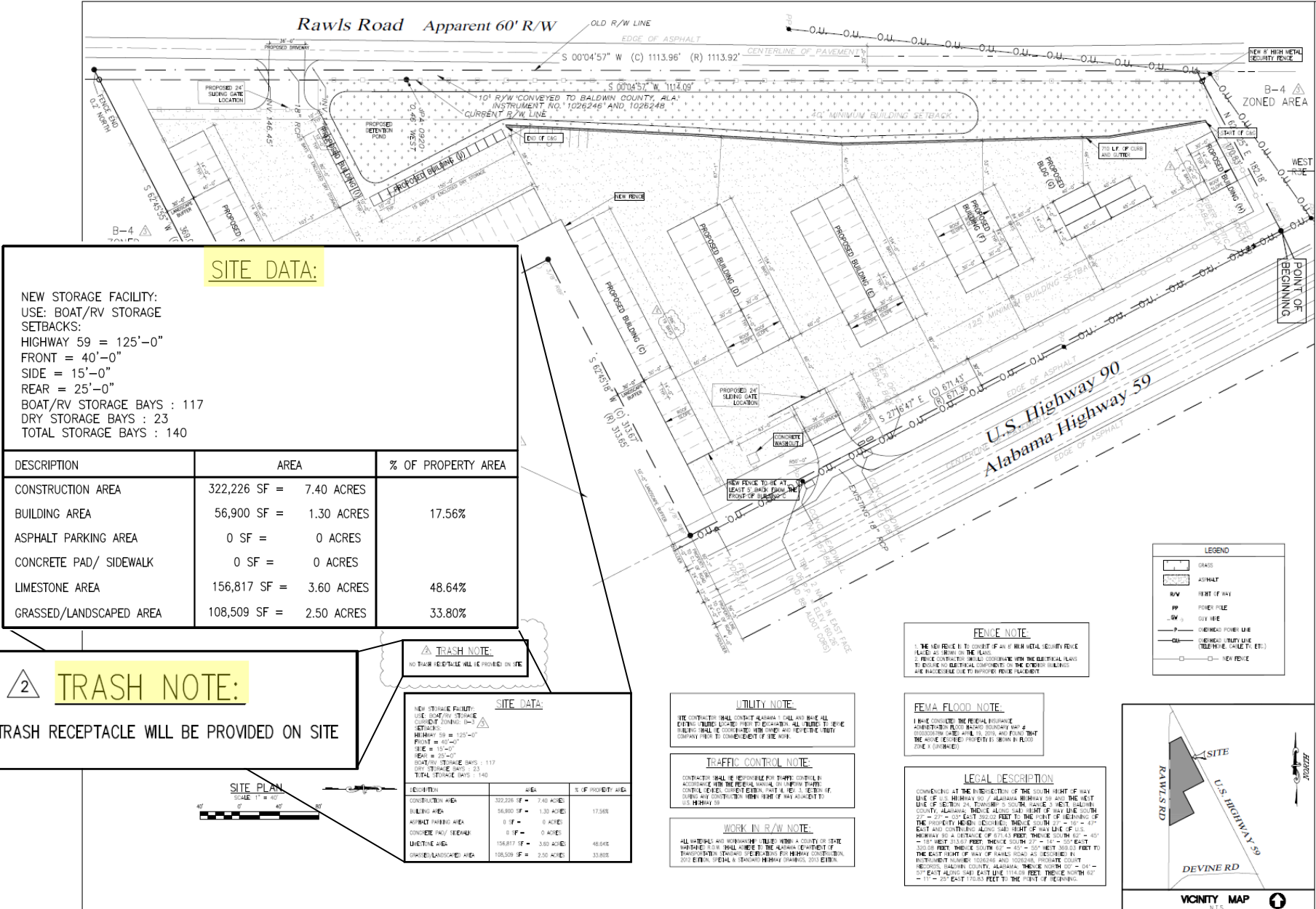


## Site Plan and Data Table

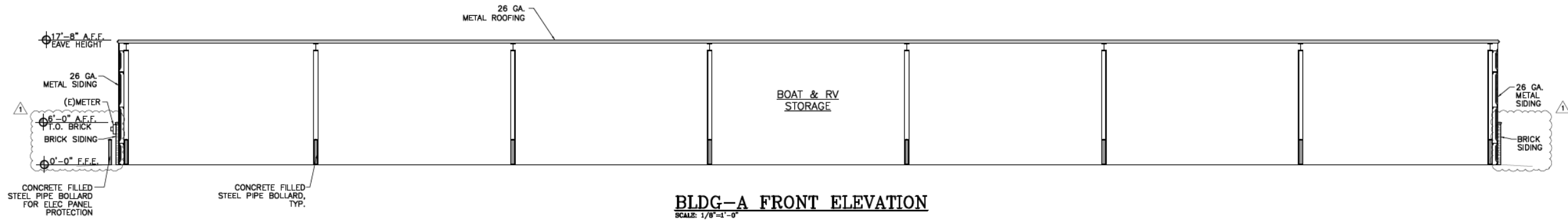
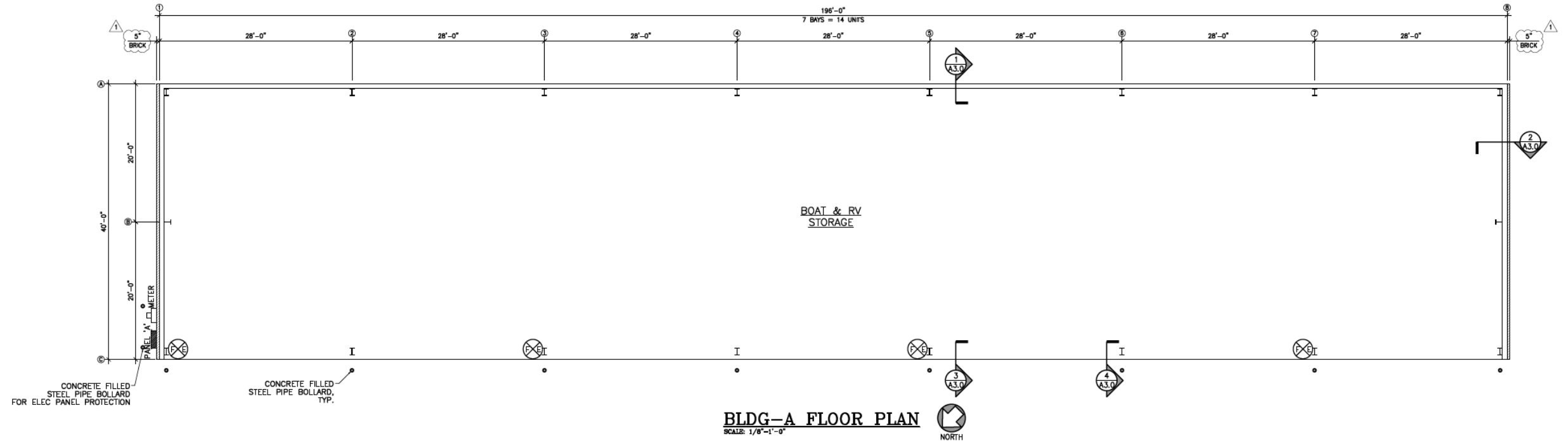




## Site Plan and Data Table

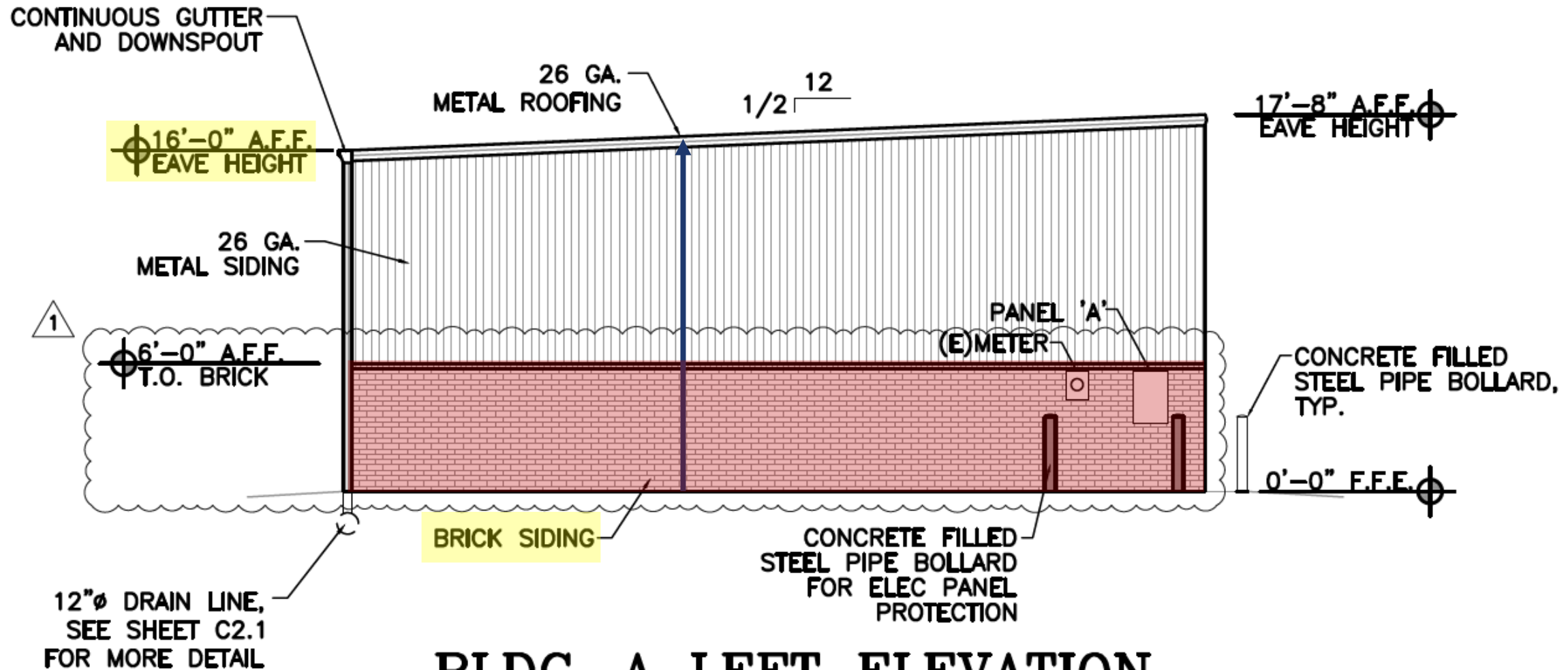


# Elevation and Floor Plan Views





# Side Elevation View

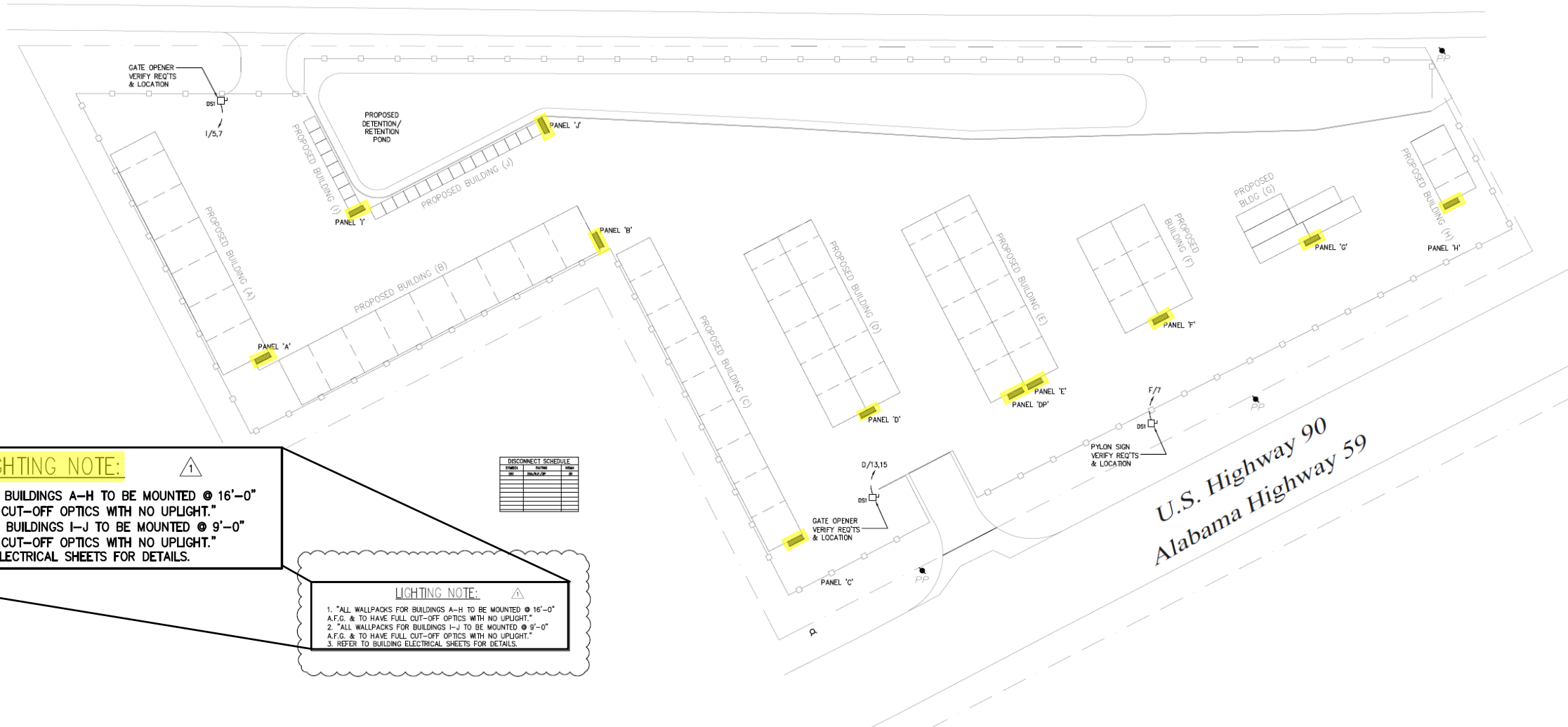


## BLDG-A LEFT ELEVATION

SCALE: 1/8"=1'-0"

# Electrical Plans

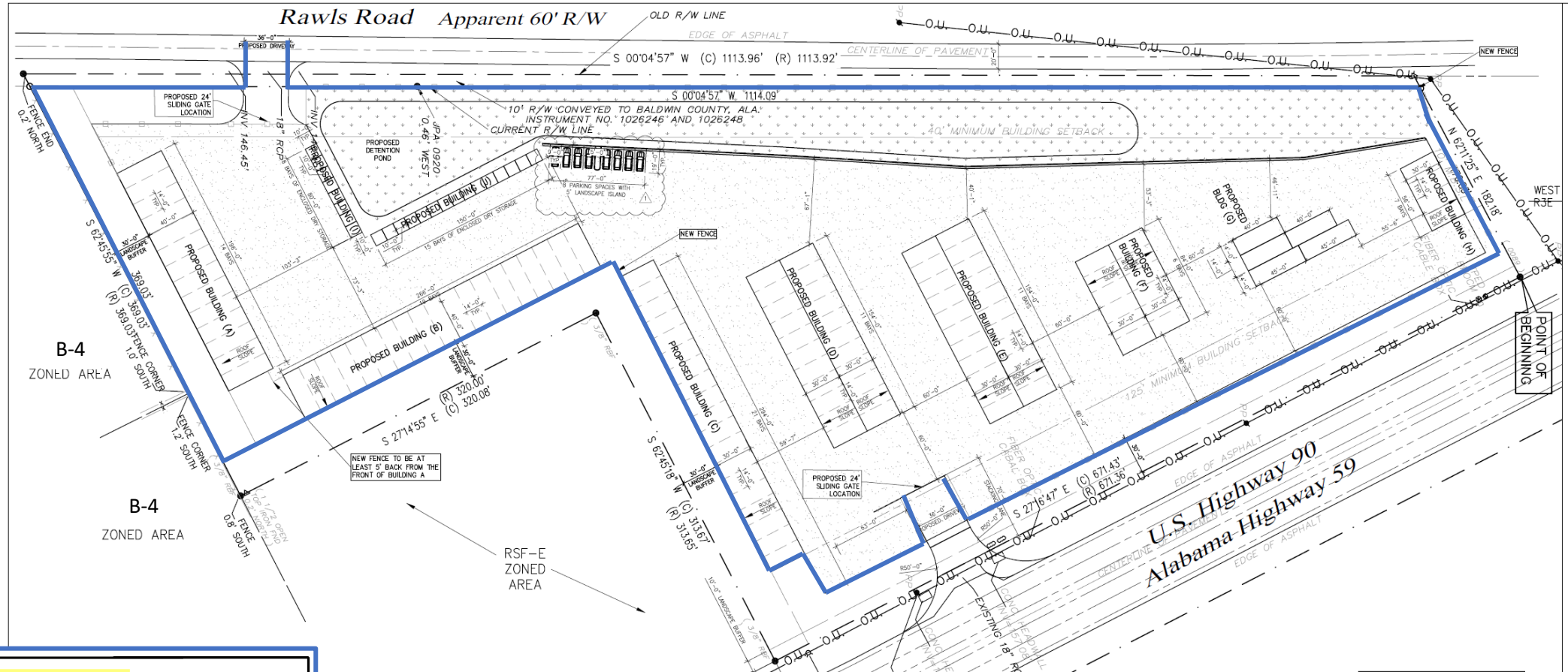
Rawls Road





# Parking & Fencing Plan

Eight-foot security fencing with sliding and locking gates will surround the perimeter of the subject property



## FENCE NOTE:

1. THE NEW FENCE IS TO CONSIST OF AN 8' HIGH METAL SECURITY FENCE PLACED AS SHOWN ON THE PLANS.
2. FENCE CONTRACTOR SHOULD COORDINATE WITH THE ELECTRICAL PLANS TO ENSURE NO ELECTRICAL COMPONENTS ON THE EXTERIOR BUILDINGS ARE INACCESSIBLE DUE TO IMPROPER FENCE PLACEMENT.

## 15.2.6 Industrial, warehouse and similar establishments.

- (c) **Mini warehouses.** 2 parking spaces shall be provided for the manager's quarters plus one additional space for every 25 storage cubicles to be located at the project office for use of clients.







# ADEM Permit

LANCE R. LEFLEUR  
DIRECTOR



KAY IVEY  
GOVERNOR

March 02, 2023

RUSTY FAVORITE  
LBJR LLC  
3021 DUBLIN CIR  
BESSEMER, AL 35022

RE: Loxley Boat Storage  
Baldwin County (003)

Dear Mr. Favorite:

Based on your request, coverage under **General NPDES Permit Number ALR10C3JA** is granted. The effective date of coverage is March 02, 2023.

Coverage under this permit does not authorize the discharge of any pollutant or wastewater that is not specifically identified in the permit and by the Notice of Intent.

You are responsible for compliance with all provisions of the permit including, but not limited to, the performance of required inspections and/or monitoring, and the preparation and implementation of a Construction Best Management Practices Plan (CBMPP) required by the permit.

The Alabama Department of Environmental Management encourages you to exercise pollution prevention practices and alternatives at your facility. Pollution prevention will assist you in complying with permit requirements.

**Prior to commencing land disturbance activities, the Department encourages you to view the video "Most Common Compliance Issues at Construction Sites" on the ADEM webpage at <https://www.youtube.com/watch?v=xG-SIJ2Mgc>.**

A copy of the General NPDES Permit under which coverage of your discharges has been granted is enclosed. If you have any questions concerning this permit, please contact Stephanie Fontaine by email at [stephanie.fontaine@adem.alabama.gov](mailto:stephanie.fontaine@adem.alabama.gov) or by phone at (334) 274-4249.

Sincerely,

Jeffery W. Kitchens, Chief  
Water Division

Birmingham Branch  
110 Vulcan Road  
Birmingham, AL 35209-4702  
(205) 942-6168  
(205) 941-1603 (FAX)

Decatur Branch  
2715 Sandlin Road, S.W.  
Decatur, AL 35603-1333  
(256) 353-1713  
(256) 340-9359 (FAX)



Mobile Branch  
2204 Perimeter Road  
Mobile, AL 36615-1131  
(251) 450-3400  
(251) 479-2593 (FAX)

Mobile-Coastal  
3664 Daughin Street, Suite B  
Mobile, AL 36608-1211  
(251) 304-1176  
(251) 304-1189 (FAX)

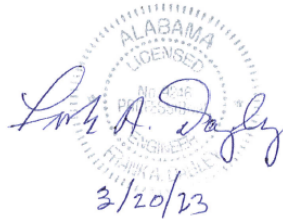


# Drainage Narrative

## DRAINAGE DETENTION DESIGN PACKAGE

PROJECT NAME: LOXLEY BOAT & RV STORAGE

PROJECT #: 22-060

  
L. A. Daffy  
3/20/23

**Element<sup>3</sup>**  
engineering

3938 GOVERNMENT BOULEVARD  
BLDG. A SUITE 104  
MOBILE, AL 36693  
251-287-1296

### Loxley Boat Storage

### 25255 State Highway 59

#### Existing Conditions

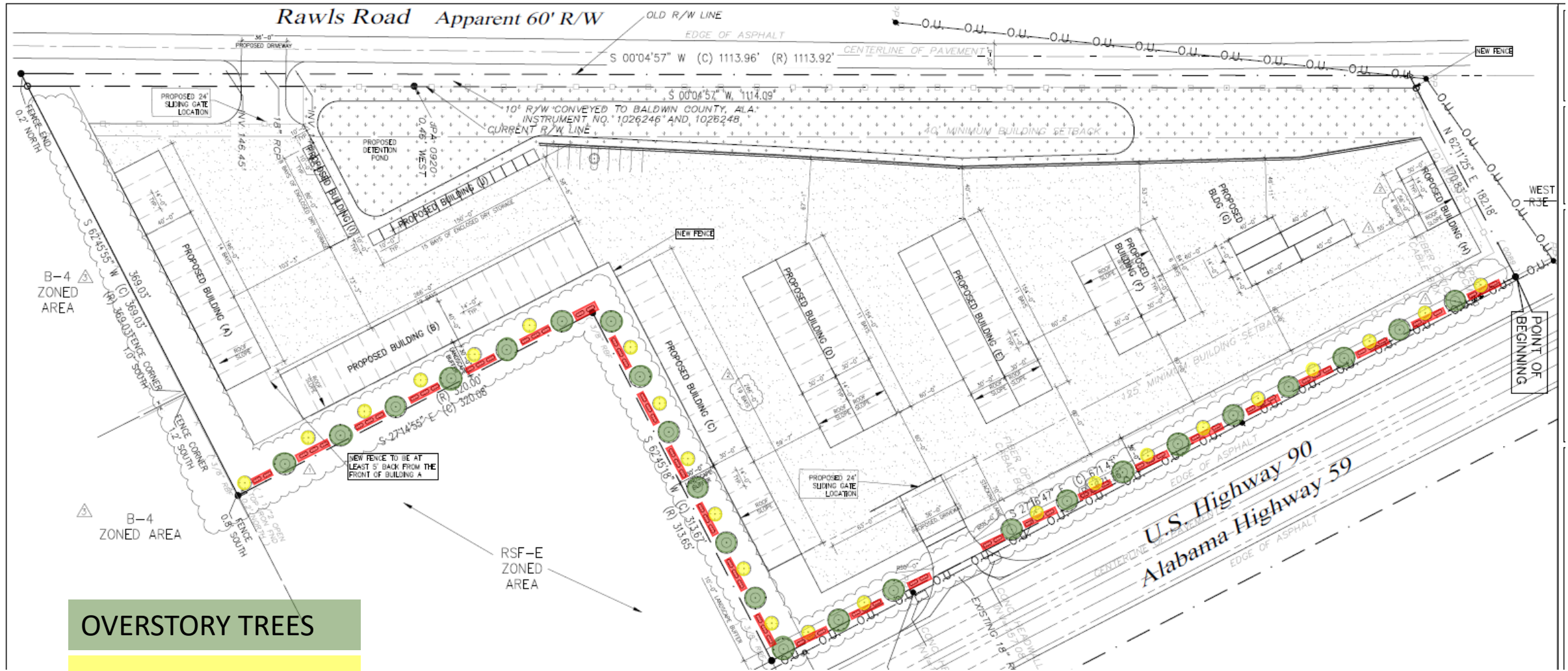
Total developed lot area for this site is 5.36 acres. Existing runoff travels west via overland flow into the existing drainage ditch that runs on along the west side of the property. Pre-construction flow calculations for the required events are included in attached run-off calculations.

#### Proposed Design

New construction consists of multiple buildings having a combined area of 56,900 s.f. (1.30 acres) building and 3.60 acres of associated paving. The remainder of the site will remain as is. Storm water from the new construction will flow over land into a detention pond having a storage capacity of 63,588 C.F. and being located on the southwest side of the development. Two discharge structures will be constructed in the detention pond with a 30" x 18" orifice and discharges into an existing drainage ditch located on the west side of the property. The maximum 25-year post construction discharge from this site through the new outfall structure is 47.27 cfs and will not exceed the pre-development 25-year flow rate of 53.53 cfs. The post construction event is routed through the site using the scs method. Calculations and results are included in attached Drainage Design Package.

As a result of this 100 year storage/25 year release design, there will be no increase in stormwater discharge from construction of this project, Drainage Area Q(25 post), 47.27cfs (actual) < Q(25 pre), 53.53 cfs. (allowable).

# Landscape Plans



## OVERSTORY TREES




## UNDERSTORY TREES

## SHRUBS



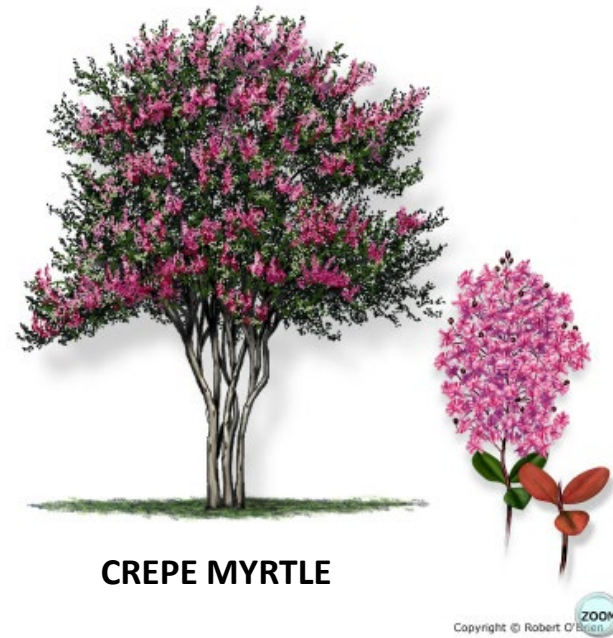
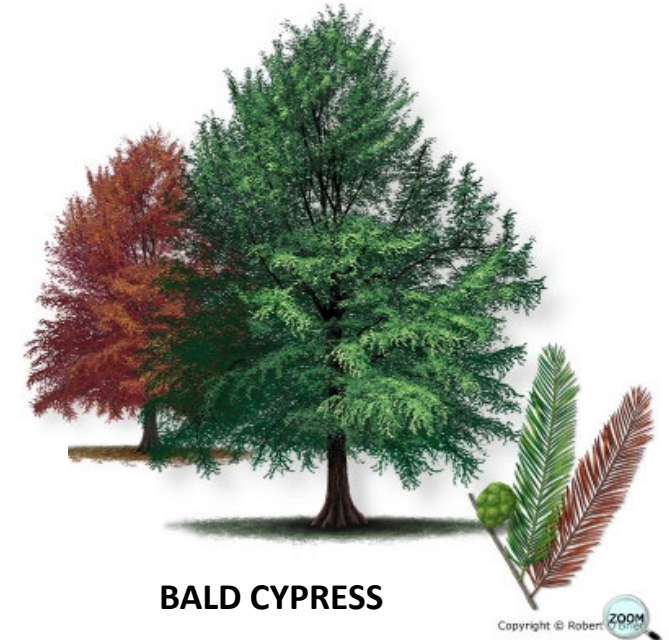
# Landscape Plans

## LANDSCAPE LEGEND

PLANT NAME		NUMBER OF PLANTS SHOWN
BALD CYPRESS: 50' SPACING; 85 sf PLANTING AREA (CANOPY)		24 TREES SHOWN
CREPE MYRTLE: 12' SPACING; 43' sf PLANTING AREA (UNDERSTORY)		23 TREES SHOWN
HYDRANGEAS (SHRUBS)		74 SHRUBS SHOWN

## LANDSCAPE BUFFER NOTES:

1. ALL TREES AND SHRUBS LOCATED IN THE REQUIRED LANDSCAPE BUFFERS SHALL BE MAINTAINED BY THE OWNER.
2. DURING CONSTRUCTION PRESERVED TREES SHOULD BE PROTECTED AS MUCH AS POSSIBLE IN THE REQUIRED BUFFERS.



# Agency Comments

**Baldwin County Highway Department, Tucker Stuart:** No Comments Received

**Baldwin County Subdivision Department, Shawn Mitchell:** No Comments Received

**ADEM, J. Scott Brown:** No Comments Received

**ALDOT, Michael Smith:** “We have an access permit submitted and I see no immediate objections to their request. It will be reviewed and processed accordingly by ALDOT.”

# Staff Analysis and Findings

The applicant is requesting Commission Site Plan Approval to allow for 8 boat & RV buildings and 2 dry storage buildings totaling 56,900 square feet for boat and RV storage. The proposed use is permitted by right, subject to the Commission Site Plan Approval of the Planning Commission.

The following factors for reviewing Commission Site Plan Approvals are found in Section 18.9 of the *Baldwin County Zoning Ordinance*.

## Section 18.9 Commission Site Plan Approval

**Purpose.** The purpose of Commission site plan approval is to allow the proper integration of uses into a community and zoning district. The Commission site plan approval process recognizes that certain uses, though technically permitted by zoning, are only suitable under certain conditions and at appropriate locations. Certain uses require special consideration so that the use may be properly located with respect to the objectives of this chapter and their effect on surrounding properties.

**18.9.1 Authorization.** The Planning Commission may, under the prescribed standards and procedures contained herein, authorize the construction or initiation of any use that is expressly permitted by the Conditional Use Commission Site Plan Approval process in a particular zoning district; however, the county reserves full authority to deny any request for Site Plan Approval, to impose conditions on the use, or to revoke approval at any time, upon finding that the permitted use will or has become unsuitable and incompatible in its location as a result of any nuisance or activity generated by the use.

**18.9.2 Applicable Uses.** In addition to the uses specified for the individual zoning designations as Conditional Uses, a Commission Site Plan Approval is required for all development which meets the following criteria:

- (a) All multiple unit developments;
- (b) Non-residential projects involving a combined total building square footage of 5,000 square feet or more, unless the expansion is for an accessory structure that will not increase the intensity of the use;

- (c) Non-residential development within 200 feet of property that is either zoned or used as residential;
- (d) Non-residential development where more than 30% of the lot (excluding the building) is impervious;
- (e) All changes to existing structures, other than single family residences, that increase the gross floor area by thirty percent (30%) or more;
- (f) All changes of use on non-residential properties, unless proposed use would be permitted with an administrative approval.



# Staff Analysis and Findings

**(a) The proposed use and accompanying site plan conform to the requirements of the Zoning Ordinance.**

The proposed storage facilities do conform to the requirements of the Zoning Ordinance and the submitted site plan meets the requirements for B-3 zoning setbacks. All required documents have been provided for the proposed buildings.

**(b) The proposed use shall be in harmony with the general purpose, goals, objectives and standards of the Baldwin County Master Plan, these ordinances, or any other official plan, program, map or ordinance of Baldwin County.**

The Baldwin County Master Plan - 2013 indicates a future land use designation of Commercial for the subject property. The purpose of this district is to provide for a variety of retail uses and services in freestanding parcels or shopping centers to serve the community's general commercial needs. This district shall only be applied at appropriate locations: to conveniently meet these needs; in conformance with the goals, objectives and policies of the Master Plan; compatible with the surrounding land uses and zoning districts; where it will not adversely impact the facilities and services of the County; where it will not set a precedent for the introduction of inappropriate uses into an area; and so as not to encourage non-residential strip development along streets. The proposed use is consistent with the Master Plan and the requirements of Baldwin County ordinances.

# Staff Analysis and Findings

**(c) The proposed use shall be consistent with the community welfare and not detract from the public's convenience at the specific location.**

The subject property is zoned B-3, General Business District, in which mini-warehouses are allowed (Section 13.14.2(b)). Properties to the north and south are zoned B-4, Major Commercial District. The remaining property to the south is zoned RSF-E, Single-Family Estate District. Single Family District zoning (RSF-3) can be found to the west of the subject property while Rural Agriculture (RA) is located to the east. Furthermore, the subject property is located on CR 59, a principal arterial road. A storage facility is an expected type of use along this high-capacity road. As a result, staff believes the proposed use appears to be consistent with the community welfare and does not believe the use will detract from the public's convenience at the specific location.

**(d) The proposed use shall not unduly decrease the value of neighboring property.**

The proposed storage facility will be commercial. Staff is unaware if the proposed use will unduly decrease the value of the neighboring property. Before and after appraisals would be needed to determine the effect on values of neighboring property.

**(e) The use shall be compatible with the surrounding area and not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses or on community facilities or services.**

The adjacent uses are commercial, agricultural, and residential. Staff believes the proposed use to be compatible with the surrounding area and should not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses.

# Staff Analysis and Findings

18.9.6 *Conditions and restrictions on approval.* In approving a site plan, the Planning Commission may impose conditions and restrictions upon the property benefited by the site plan approval as may be necessary to comply with the standards set out above, to reduce or minimize any potentially injurious effect of such site plan approval upon the property in the neighborhood, and to carry out the general purpose and intent of the ordinances. These conditions may include but are not limited to increasing the required lot size or yard dimensions; controlling the location and number of vehicle access points; increasing the number of off-street parking and loading spaces required; limiting the number, size and location of signs; and required fencing, screening, lighting, landscaping or other facilities to protect adjacent or nearby property.

In approving any site plan, the Planning Commission may specify a period of time different than the 180-day default time period from Section 18.2.4 for the commencement (issuance of a building permit) of the proposed use. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances. Those site plans which the Planning Commission approves subject to conditions shall have thirty (30) calendar days to submit an amended site plan incorporating the required conditions, unless a longer time frame is specified by the Planning Commission.



# CSP23-12 LOXLEY BOAT & RV STORAGE

## COMMISSION SITE PLAN APPROVAL

Lead Staff: Cory Rhodes, Planner

As stated previously, the applicant is requesting Commission Site Plan Approval to allow for 8 boat & RV buildings and 2 dry storage buildings totaling 56,900 square feet for boat and RV storage. Staff feels that this is a reasonable request and recommends **APPROVAL\*** with the following conditions:

1. Acquisition of a Turnout Permit from ALDOT (in progress)
2. Memorialize within the approval recommendation that the use comprising this CSP approval is that of a **mini-warehouse** with the ability to include boat and RV storage provided that adequate screening and buffering is installed as contemplated by the submitted CSP drawings. The creation of multiple dwelling units on the subject property is not included in this approval and requires a Planned Unit Development (PUD) application, as well as possibly re-zoning subject property to a zoning classification that allows multiple dwelling units.
3. Memorialize within the approval recommendation that the closeout requirements of section 18.9.7 of the zoning ordinance are required and are a prerequisite to obtaining a Certificate of Occupancy (CO) for the proposed new buildings.



## Commission Site Plan Approval

**CSP22-41, Ecovery, LLC**

**MAY 4, 2023**

PRESENTED BY: Celena Boykin, Senior Planner

# 12.a) CSP22-41 ECOVERY, LLC

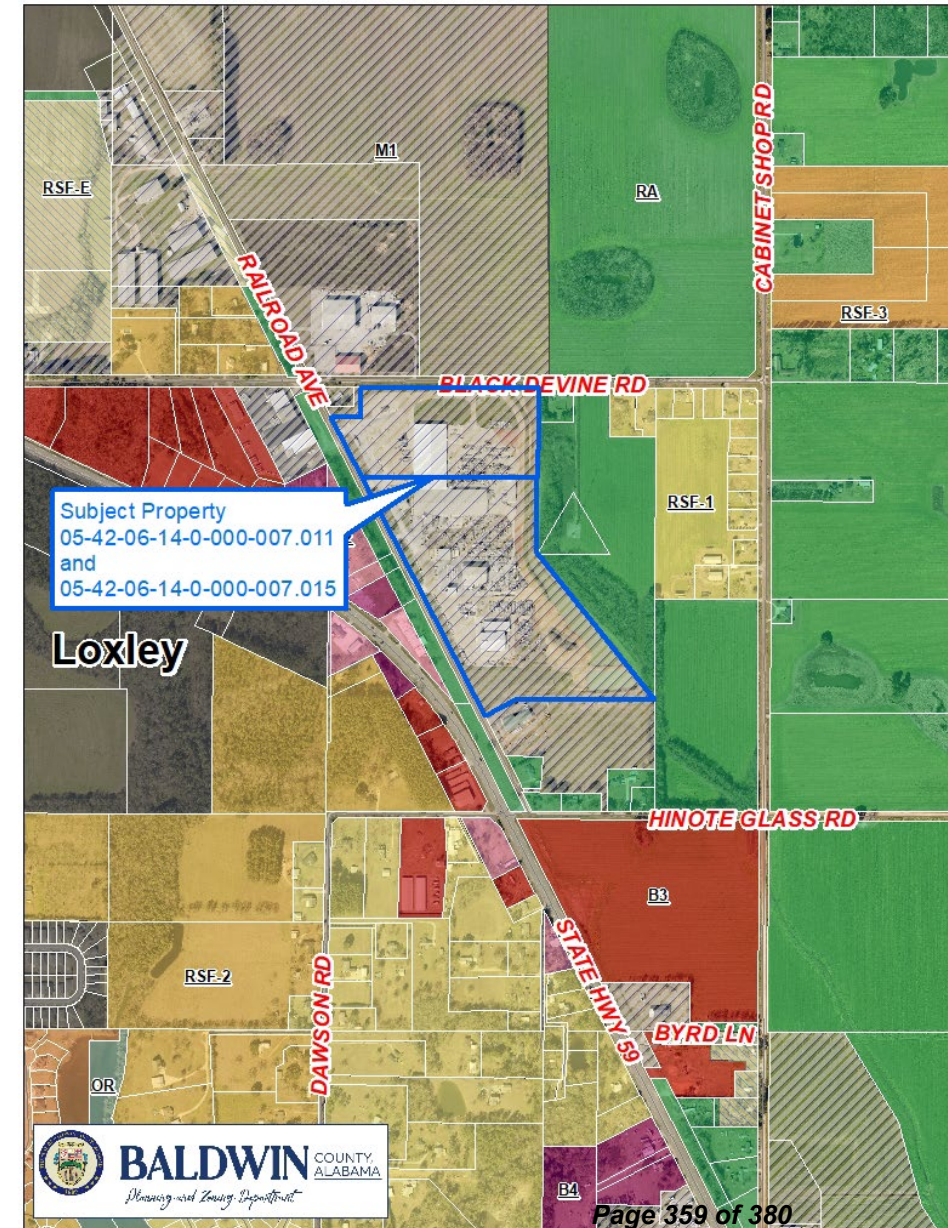
## COMMISSION SITE PLAN

Lead Staff: Celena Boykin, Senior Planner

### Request before Planning Commission: Commission Site Plan Approval

To view maps/plats in higher resolution  
please visit the "Upcoming Items" Planning  
and Zoning webpage:

[https://baldwincountyal.gov/departments/  
planning-zoning/meeting-agenda](https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda)





# CSP22-41 ECOVERY, LLC

## COMMISSION SITE PLAN

Lead Staff: Celena Boykin, Senior Planner

**Planning District:** 12

**Zoned:** M-1, Light Industrial District

**Location:** Subject property is located on the east of Railroad Ave and south of Black Devine Rd.

**Current Use:** Industrial (Ecovery)

**Acreage:** 45 +/- acres

**Physical Address:** 26320 Railroad Ave.  
Loxley, AL 36551

**Applicant:** Sergio Braga

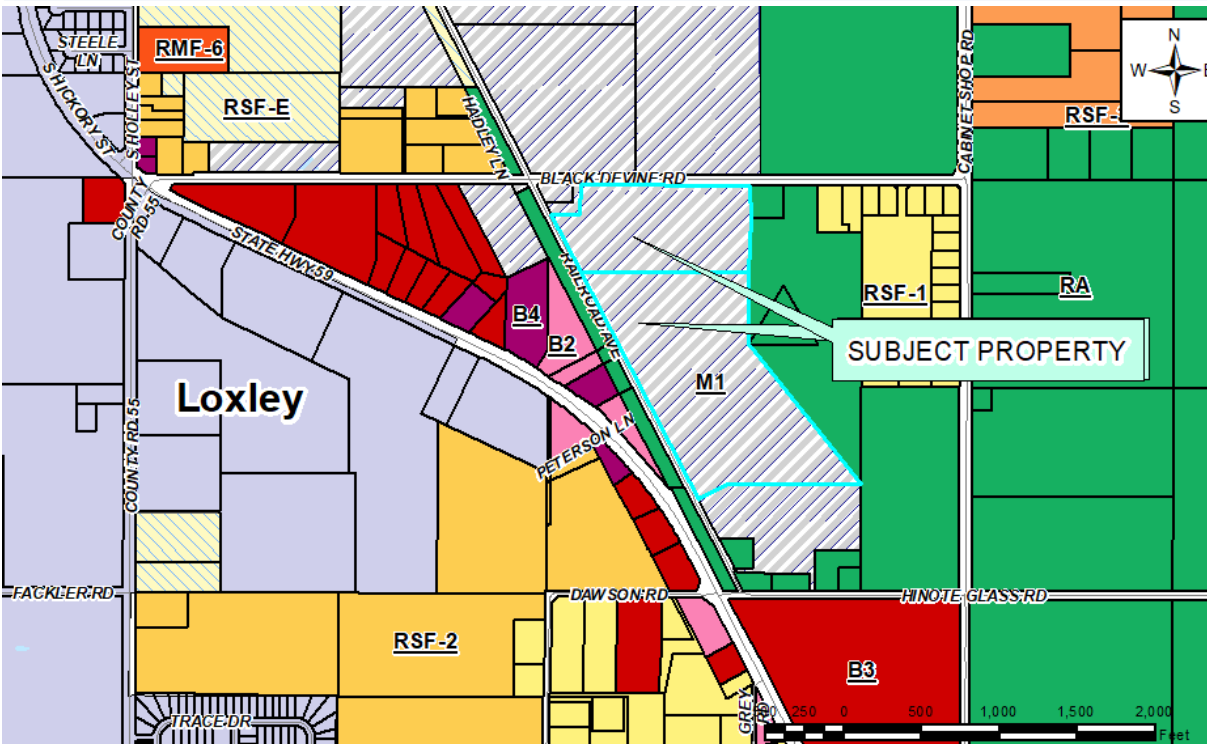
**Owner:** Ecovery LLC

**Proposed Use:** Commission Site Plan Approval for a 28,560 sq ft building.

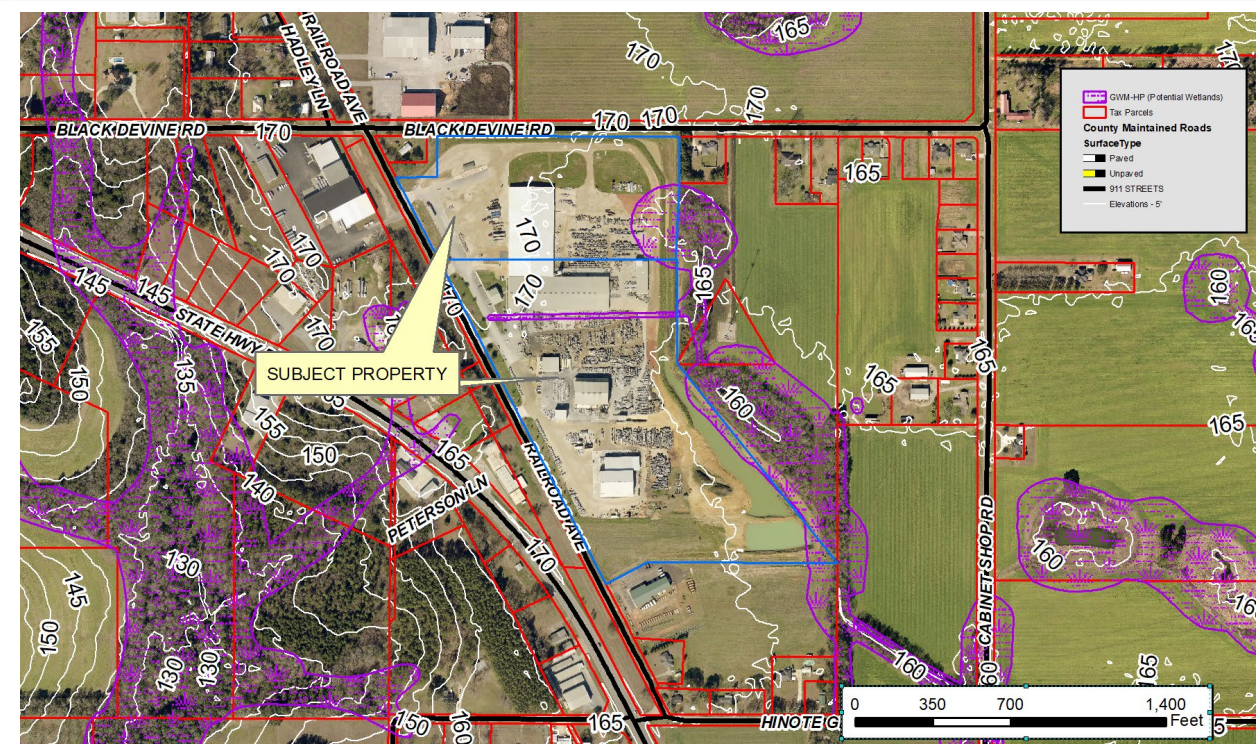
**Applicant's Request:** To allow for an additional metal building for storage.

**Online Case File Number:** The official case number for this application is CSP22-41, however, when searching online CitizenServe database, please use CSP22-000041.

# Locator Map



# Site Map



## Adjacent Zoning

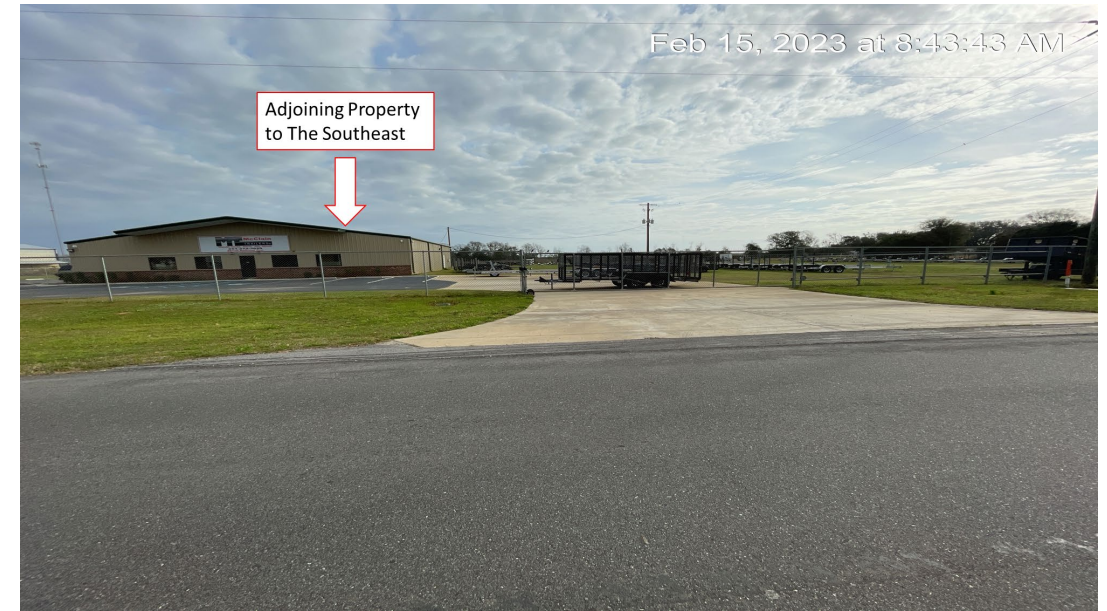
North	M-1, Light Industrial
South	M-1, Light Industrial
East	RA, Rural Agriculture
West	RA, Rural Agriculture and Railroad Ave

## Adjacent Land Use

Industrial
Commercial
Agriculture, Cell Tower, and Residential
Vacant



# Property Images





# Zoning Requirements

## Section 8.1 M-1, Light Industrial District

8.1.1 *Generally.* The purpose of this zoning district is to provide a suitable protected environment for manufacturing, research and wholesale establishments which are clean, quiet and free of hazardous or objectionable emissions, and generate little industrial traffic.

8.1.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted, conditioned on the Commission Site Plan Approval requirements of Section 18.9:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) Light industrial uses.
- (c) Transportation, communication, and utility uses except landfills and sewer treatment plants.
- (d) Outdoor recreation uses.
- (e) Marine recreation uses.
- (f) General commercial uses except race tracks.
- (g) Local commercial uses.
- (h) Professional service and office uses.
- (i) Institutional uses.
- (j) Agricultural uses.
- (k) Accessory structures and uses.

8.1.3 *Commission Site Plan Approval.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as Commission Site Plan Approval uses:

- (a) Transportation, communication, and utility uses not permitted by right per *Section 8.2(c): Permitted uses*.

(b) General commercial uses not permitted by right per *Section 8.2(f): Permitted uses*.

8.1.4 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

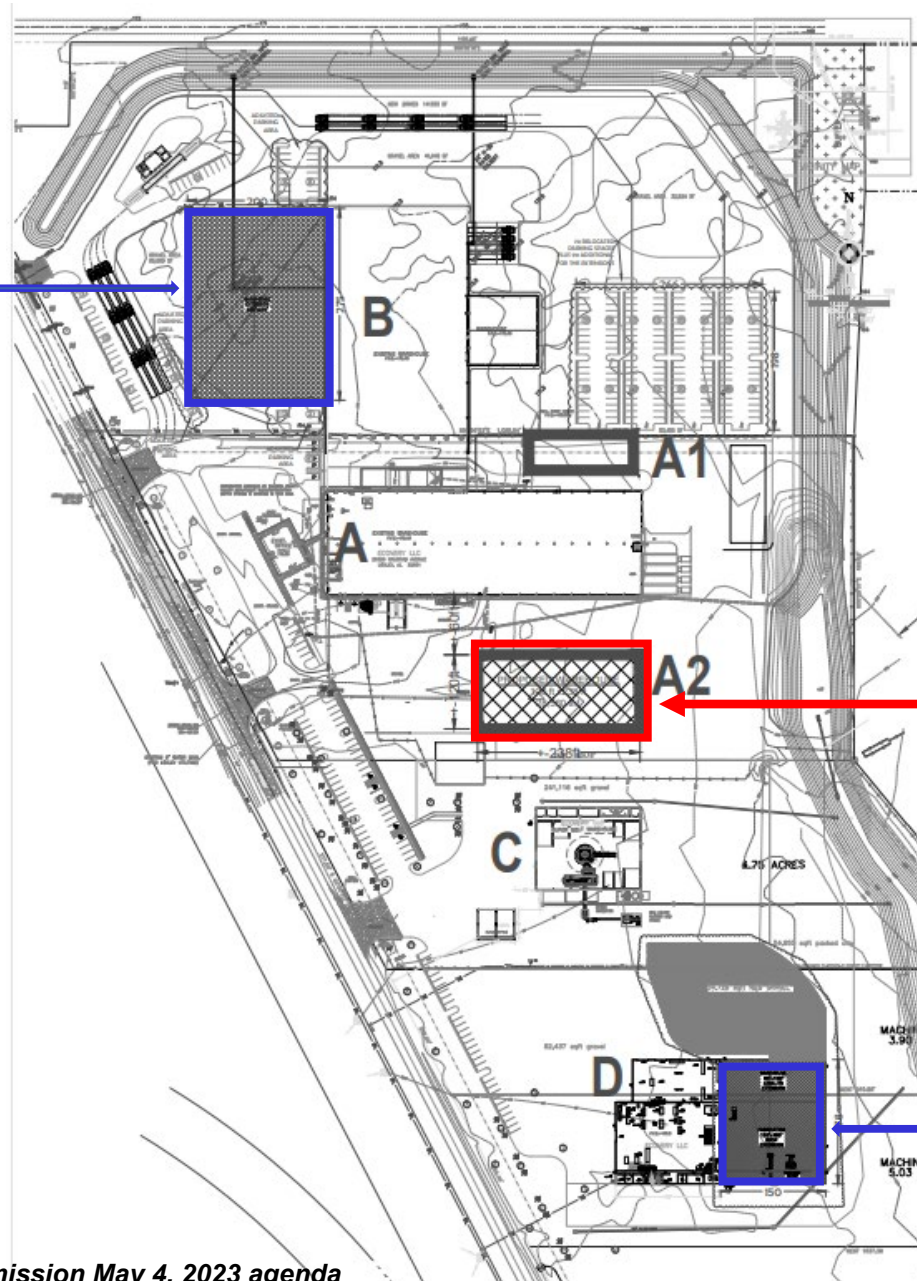
Maximum Height of Structure in Feet	45
Maximum Height of Structure in Habitable Stories	4
Minimum Front Yard	25-Feet
Minimum Rear Yard	see (a & b)
Minimum Side Yards	see (a & b)
Minimum Lot Area	40,000 Square Feet
Maximum Impervious Surface Ratio	.80
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	No Minimum

(a) No minimum except where abutting a residential district, in which case there shall be a minimum yard of 25-feet abutting the residential district.

(b) The required yards shall be increased by one foot for each foot of building height in excess of 35-feet.

# Site Plan

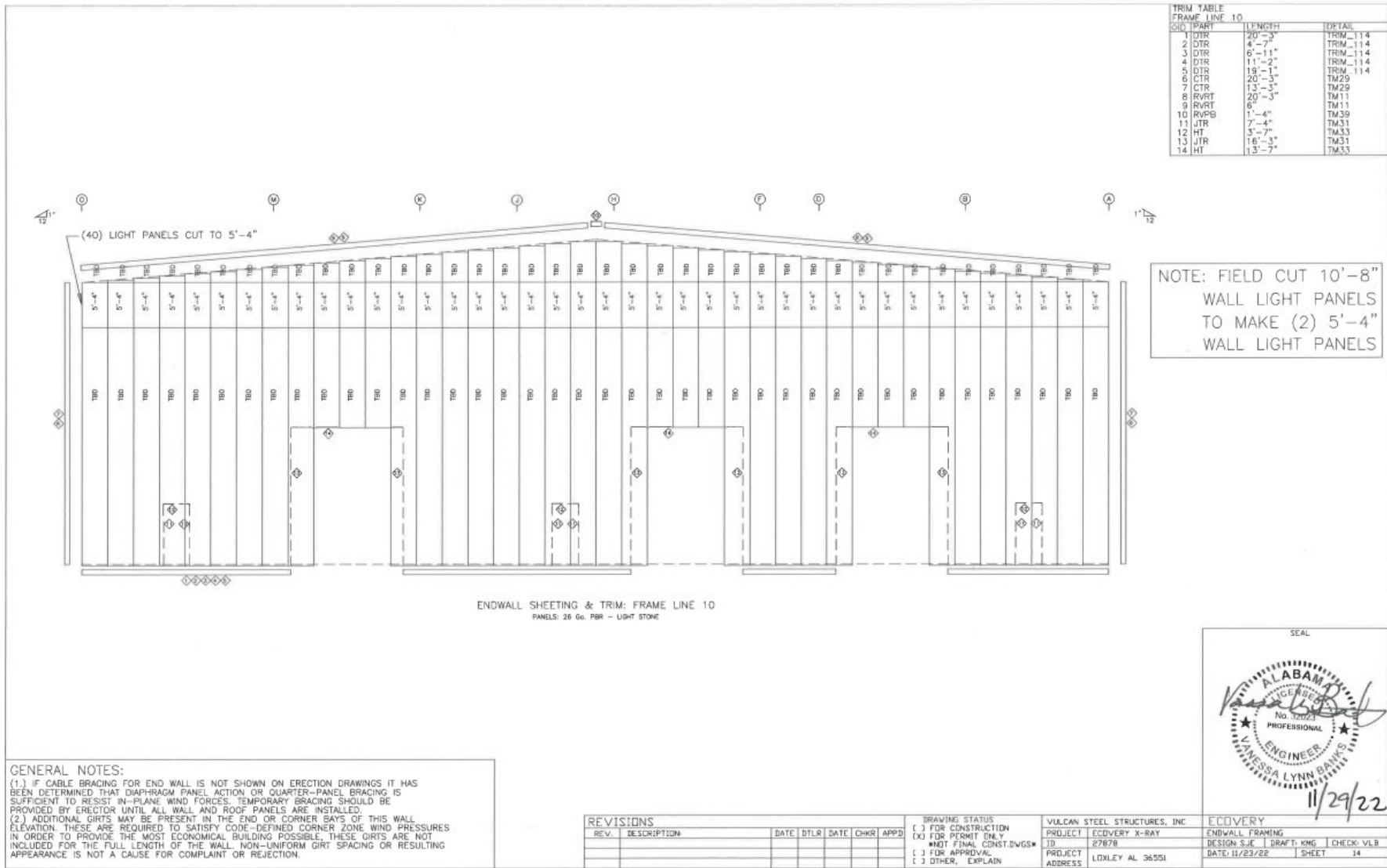
55,000 Sq Ft Addition  
Approved in June 2022



Proposed 28,560 Sq Ft Building

27,000 Sq Ft Addition  
Approved in June 2022

# Building Elevation





# Parking Plan

## AREAS

LOT: 1,967,153.8 SqFt 45.16 Acres

EXISTING AREAS:

BUILDINGS:	151,496	SqFt
ASPHALT:	80,485	SqFt
CONCRETE:	351,214	SqFt
GRAVEL:	578,234	SqFt
OPEN	805,725	SqFt

TOTAL IMPERVIOUS: 1,161,429 SqFt = 59%

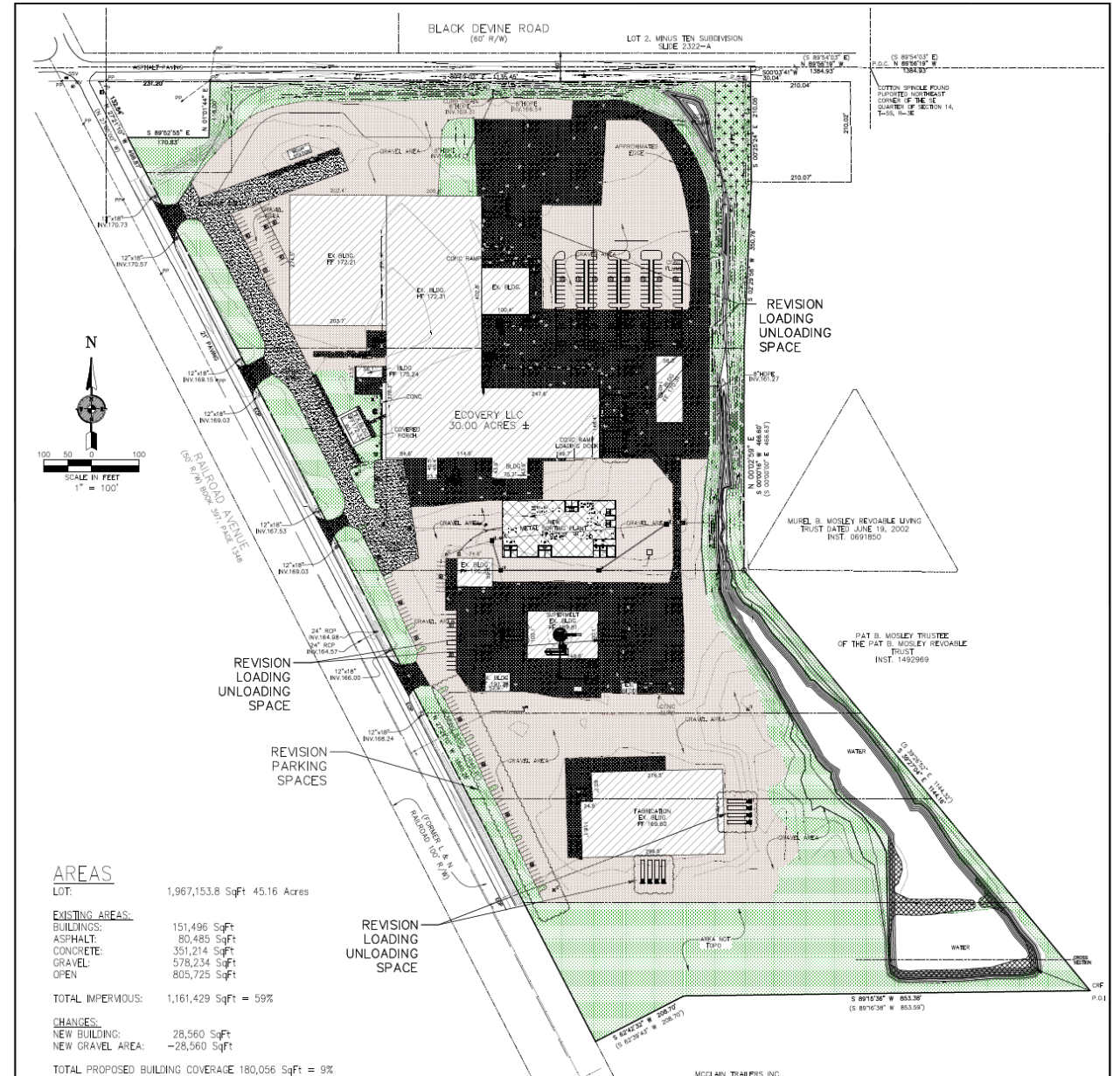
CHANGES:

NEW BUILDING: 28,560 SqFt  
NEW GRAVEL AREA: -28,560 SqFt

TOTAL PROPOSED BUILDING COVERAGE 180,056 SqFt = 9%

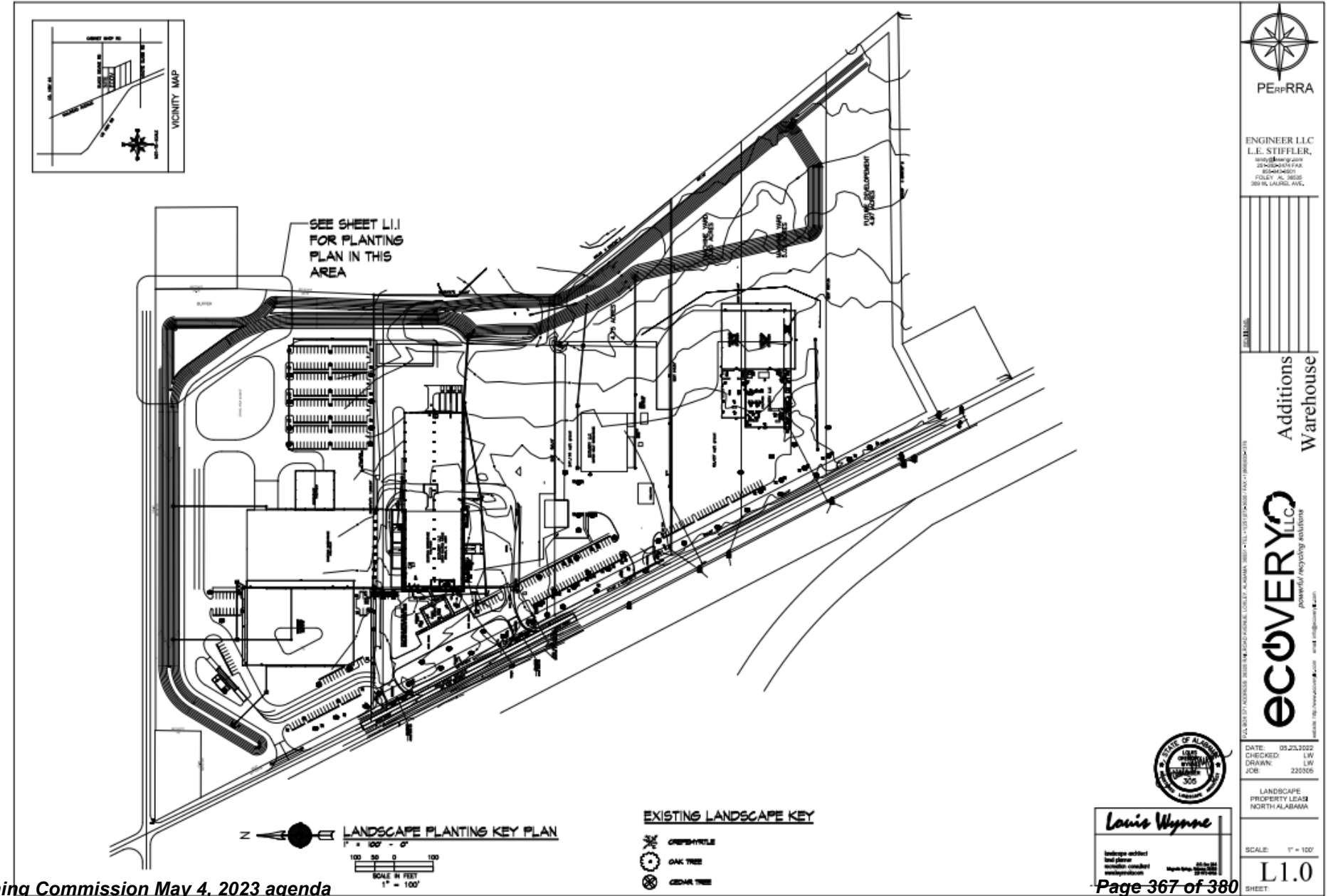
Parking:

24 Loading/Unloading Spaces  
368 Parking Spaces



# Landscape Plan

Submitted landscape plan differs from recently approved landscape plan. Revisions forthcoming.



# New Landscape Plan

New landscape plan addresses the comment that the front landscape looks sparse. Additional trees added.

## EXISTING LANDSCAPE KEY



CREPEMYRTLE



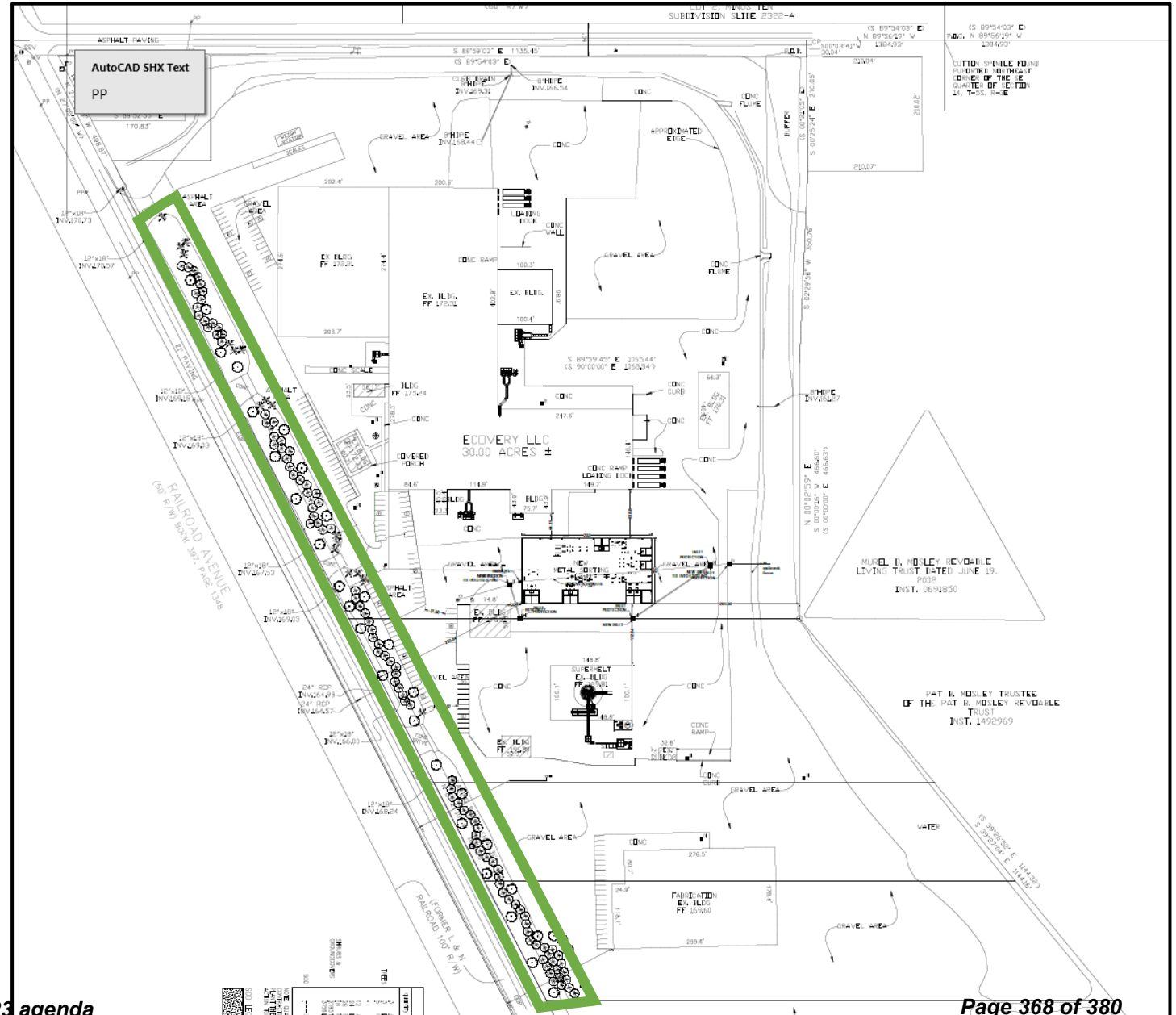
OAK TREE



CEDAR TREE



SLASH PINE





# Drainage Narrative

L.E. Stiffler, Engineer, LLC  
309 West Laurel Ave.  
Foley, Alabama 36535

855.943.8501 (o)  
251.262.2474 (f)  
randy@lesengr.com

Baldwin County  
Highway Department  
Post Office Box 220  
Silverhill, AL 36576

May 22, 2022

RE: Drainage Narrative  
ECOVERY  
26320 Railroad Ave.  
Loxley, AL 36551

Submitted drainage narrative was from a previous project. Updated drainage narrative forthcoming.

The site drainage was updated March 5, 2019 for development on the North of the site. This model has been updated for the proposed enlargement of the Machine/Fabrication building on the South side of the site and a new warehouse on the North side of the site. The changes for the Machine/Fabrication building area is modeled as Subcat 31. The areas have been updated from compacted clay to gravel and building. The proposed addition is 26,700 sqft and the proposed gravel area is 34,728 sqft.

The warehouse on the north side of the property is located in a gravel area modeled as Subcat 11. The gravel area has been reduced and the new building area has been added. The relocated and additional parking is located in a gravel area and is proposed to be gravel parking. No change in the area modeling for the parking.

The model has been updated with the latest NOAA rainfall data for the Area.

The drainage system remains unchanged and is modeled to ensure the proposed addition will not overflow the existing stormwater system. There are no proposed changes to the existing stormwater system.

The final drainage area is modeled as 40S. This is the southern most parcel and is not developed and is shown for information only as it sheet flows to the South-Southeast and is un-developed.

Drainage for the proposed is modeled in HydroCad. The modeled site uses the Rational Method. The Rational Method was determined to be the best fit for the development as the preconstruction release rates under the SCS TR-20 were unrealistically large. The following table summarizes the model. The pre-release rate is the sum of the subcatch basins 10S, 20S, and 30S. The post-Release is from Detention Pond 2P as it is the last of the interconnected ponds.

Event	Pre-Release (cfs)	Proposed Post-Release (cfs)	Pond 2P Peak Elev
5 yr	19.12	4.16	160.89
10 yr	22.20	7.84	161.76
25 yr	26.69	16.30	162.57
50 yr	30.40	21.05	163.06
100 yr	34.30	26.02	163.51

Let me know if you have any questions.

Professional Engineering Since 1977

Job No.: 220305

L.E. Stiffler, Engineer, LLC  
309 West Laurel Ave.  
Foley, Alabama 36535

855.943.8501 (o)  
251.262.2474 (f)  
randy@lesengr.com



Randy R. Arp P.E.  
Alabama No. 24556

Professional Engineering Since 1977

Job No.: 220305

# New Drainage Narrative

New stormwater management plan with full drainage report .

L.E. Stiffler, Engineer, LLC  
309 West Laurel Ave.  
Foley, Alabama 36535

Baldwin County  
Highway Department  
Post Office Box 220  
Silverhill, AL 36576

March 30, 2023

RE: Drainage Narrative  
ECOVERY  
26320 Railroad Ave.  
Loxley, AL 36551

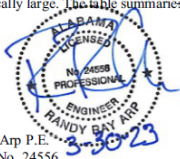
The site drainage has been updated many times with different phases of the project. I simplified the model to one subcatch and one pond to evaluate the existing detention. 1S models the original pre condition of the site. 2S models the new areas for buildings and installed impervious areas. Several grass areas have been converted to gravel or concrete which increased the impervious areas. Other changes is the detention previously designed utilized pipes to step the flows which added additional storage. The detention as installed only works as detention in the Southeast corner and up Eastern side of the property. The swale to the North does not store any stormwater. The revised existing pond modeled as 4P. The existing pond will handle up to a 100 year storm, however, the release rate for a 50 yr and 100 yr storm event exceed the pre construction rates.

Subcatch 3S is a copy of 2S as these numbers did not change. Pond 5P has been enlarged to reduce the flood elevation, which lowers the release rate.

Event	Pre-Release (cfs)	Proposed Post-Release (cfs)	Pond 5P Peak Elev
2yr	7.94	0	160.92
5 yr	9.88	0.38	161.7
10 yr	11.67	3.94	162.3
25 yr	14.41	10.51	162.93
50 yr	16.72	14.37	163.39
100 yr	19.26	19.16	163.82

The model has been updated with the latest NOAA rainfall data for the Area.

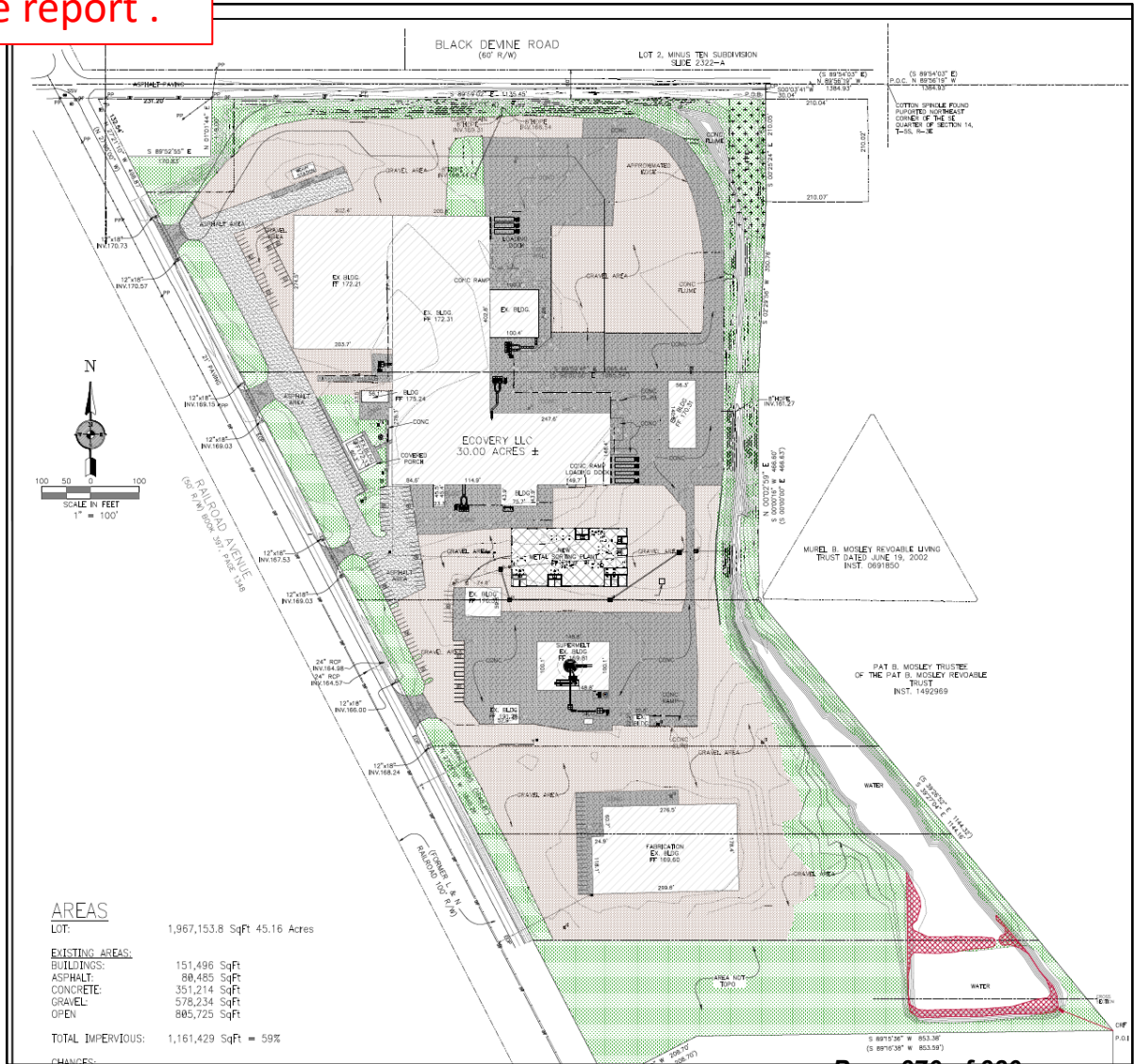
Drainage for the proposed is modeled in HydroCad. The modeled site uses the Rational Method. The Rational Method was determined to be the best fit for the development as the preconstruction release rates under the SCS TR-20 were unrealistically large. The table summarizes the model. Let me know if you have any questions.



Randy R. Arp P.E.  
Alabama No. 24556

Professional Engineering Since 1977

Job No.: 291119



# ADEM Permit

LANCE R. LEFLEUR  
DIRECTOR



KAY IVEY  
GOVERNOR

March 20, 2023

KEVIN SLOAN  
ECOVERY LLC  
26320 RAILROAD AVE. / P.O. BOX 571  
LOXLEY, AL 36551

RE: ECOVERY  
Baldwin County (003)

Dear Mr. Sloan:

Based on your request, coverage under **General NPDES Permit Number ALR10C3LM** is granted. The effective date of coverage is March 20, 2023.

Coverage under this permit does not authorize the discharge of any pollutant or wastewater that is not specifically identified in the permit and by the Notice of Intent.

You are responsible for compliance with all provisions of the permit including, but not limited to, the performance of required inspections and/or monitoring, and the preparation and implementation of a Construction Best Management Practices Plan (CBMPP) required by the permit.

The Alabama Department of Environmental Management encourages you to exercise pollution prevention practices and alternatives at your facility. Pollution prevention will assist you in complying with permit requirements.

**Prior to commencing land disturbance activities, the Department encourages you to view the video "Most Common Compliance Issues at Construction Sites" on the ADEM webpage at <https://www.youtube.com/watch?v=xG-SHJ2Mgc>.**

A copy of the General NPDES Permit under which coverage of your discharges has been granted is enclosed. If you have any questions concerning this permit, please contact Stephanie Fontaine by email at [stephanie.fontaine@adem.alabama.gov](mailto:stephanie.fontaine@adem.alabama.gov) or by phone at (334) 274-4249.

Sincerely,

Jeffery W. Kitchens, Chief  
Water Division

Birmingham Branch  
110 Vulcan Road  
Birmingham, AL 35209-4702  
(205) 942-6168  
(205) 941-1603 (FAX)

Decatur Branch  
2715 Sandlin Road, S.W.  
Decatur, AL 35603-1333  
(256) 353-1713  
(256) 340-9359 (FAX)



Mobile Branch  
2204 Perimeter Road  
Mobile, AL 36615-1131  
(251) 450-3400  
(251) 479-2593 (FAX)

Mobile-Coastal  
3664 Dauphin Street, Suite B  
Mobile, AL 36608-1211  
(251) 304-1176  
(251) 304-1189 (FAX)



# Agency Comments

**ALDOT, Michael Smith:** No Comments

**ADEM, Scott Brown:** No Comments

**Baldwin County Subdivision:** No Comments

**Baldwin County Highway Department – Tyler Mitchell:**

- We still have not received the full drainage report

# Staff Analysis and Findings

The applicant is requesting Commission Site Plan Approval **to allow for an additional 28,560 sq ft building**. The proposed use is permitted subject to the Commission Site Plan Approval of the Planning Commission.

The following factors for reviewing Commission Site Plan Approval approvals are found in Section 18.9 of the *Baldwin County Zoning Ordinance*.

Section 18.9.1 *Authorization*. The Planning Commission may, under the prescribed standards and procedures contained herein, authorize the construction or initiation of any use that is expressly permitted as a Commission Site Plan Approval in a particular zoning district; however, the county reserves full authority to deny any request for Commission Site Plan Approval, to impose conditions on the use, or to revoke approval at any time, upon finding that the permitted use will or has become unsuitable and incompatible in its location as a result of any nuisance or activity generated by the use.

18.9.2 Applicable Uses. In addition to the uses specified for the individual zoning designations, a Commission Site Plan Approval is required for all development which meets the following criteria:

- (a) All multiple unit developments;
- (b) Non-residential projects involving a combined total building square footage of 5,000 square feet or more;
- (c) Non-residential development within 200 feet of property that is either zoned or used as residential;
- (d) Non-residential development where more than 30% of the lot (excluding the building) is impervious;
- (e) All changes to existing structures, other than single family residences, that increase the gross floor area by thirty percent (30%) or more;
- (f) All changes of use on non-residential properties, unless proposed use would be permitted with an administrative approval.

Section 18.9.5 *Standards for approval.* A Commission Site Plan Approval may be approved by the Planning Commission only upon determination that the application and evidence presented clearly indicate that all of the following standards have been met:



# Staff Analysis and Findings

## (a) The proposed use and accompanying site plan conform to the requirements of the Zoning Ordinance.

The proposed additional building does meet the M1 use however there are several ~~unanswered/unresolved deficiencies in the submitted information and site plan. Below are the deficiencies that staff has asked the applicant to address:~~

- ✓ 1. A stormwater management plan with a full drainage report showing all drainage area maps, model outputs, etc.
- ✓ 2. Show on the site plan the impervious surface ratio.
- ✓ 3. A parking plan showing any additional parking needed and if no new parking spaces is needed than justification on why no new parking is needed and have it stamped by an engineer. Warehouses are required one space for each 1,000 square feet of gross floor area. The plan also needs to show the size of parking spaces, at least 9'X19'.
- ✓ 4. Site Plan needs to also show loading/unloading spots: *(c) Floor area over 10,000 square feet. There shall be provided for each hospital, institution, hotel, commercial, or industrial building or similar use requiring the receipt or distribution of materials or merchandise and having a floor area of more than 10,000 square feet, at least one off- street loading/unloading space for each 10,000 square feet of floor space or fraction thereof. Such space shall be so located as not to hinder the free movement of pedestrians and vehicles over a sidewalk, street or alley.*
- ✓ 5. Width of 2-way access drive is 24'. Needs to be labeled on the Site Plan.
- ✓ 6. The landscape plan that was submitted looks a little sparce along the roadway and it is requested that some more overstory trees such as Pines.

# Staff Analysis and Findings

**(b) The proposed use shall be in harmony with the general purpose, goals, objectives and standards of the Baldwin County Master Plan, these ordinances, or any other official plan, program, map or ordinance of Baldwin County.**

The Baldwin County Master Plan, 2013, provides a future land use designation of Industrial for the subject property. Manufacturers of both durable and non-durable goods are included in this category. Institutional uses, commercial uses, recreational uses, and transportation, communication and utility uses, as permitted in the Zoning Ordinance, are also included. Zoning designations may include M-1, M-2 and PID.

**(c) The proposed use shall be consistent with the community welfare and not detract from the public's convenience at the specific location.**

The properties in this area are mostly commercial and industrial except for the properties to east they are residential and agriculture. This use currently exists and the applicant is wanting to expand it.

**(d) The proposed use shall not unduly decrease the value of neighboring property.**

The adjacent properties are industrial or agriculture. Staff believes that before and after appraisals would be needed to determine the effect on values of neighboring property.

**(e) The use shall be compatible with the surrounding area and not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses or on community facilities or services.**

As stated above, the adjacent properties are zoned for industrial and agriculture. Staff believes this is compatible with the surrounding area and will not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses.

# Staff Analysis and Findings

*18.9.6 Conditions and restrictions on approval.* In approving a site plan, the Planning Commission may impose conditions and restrictions upon the property benefited by the site plan approval as may be necessary to comply with the standards set out above, to reduce or minimize any potentially injurious effect of such site plan approval upon the property in the neighborhood, and to carry out the general purpose and intent of the ordinances. These conditions may include but are not limited to increasing the required lot size or yard dimensions; controlling the location and number of vehicle access points; increasing the number of off- street parking and loading spaces required; limiting the number, size and location of signs; and required fencing, screening, lighting, landscaping or other facilities to protect adjacent or nearby property.

In approving any site plan, the Planning Commission may specify a period of time different than the 180-day default time period from Section 18.2.4 for the commencement (issuance of a building permit) of the proposed use. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances. Those site plans which the Planning Commission approves subject to conditions shall have 30 days to submit an amended site plan incorporating the required conditions, unless a longer time frame is specified by the Planning Commission.



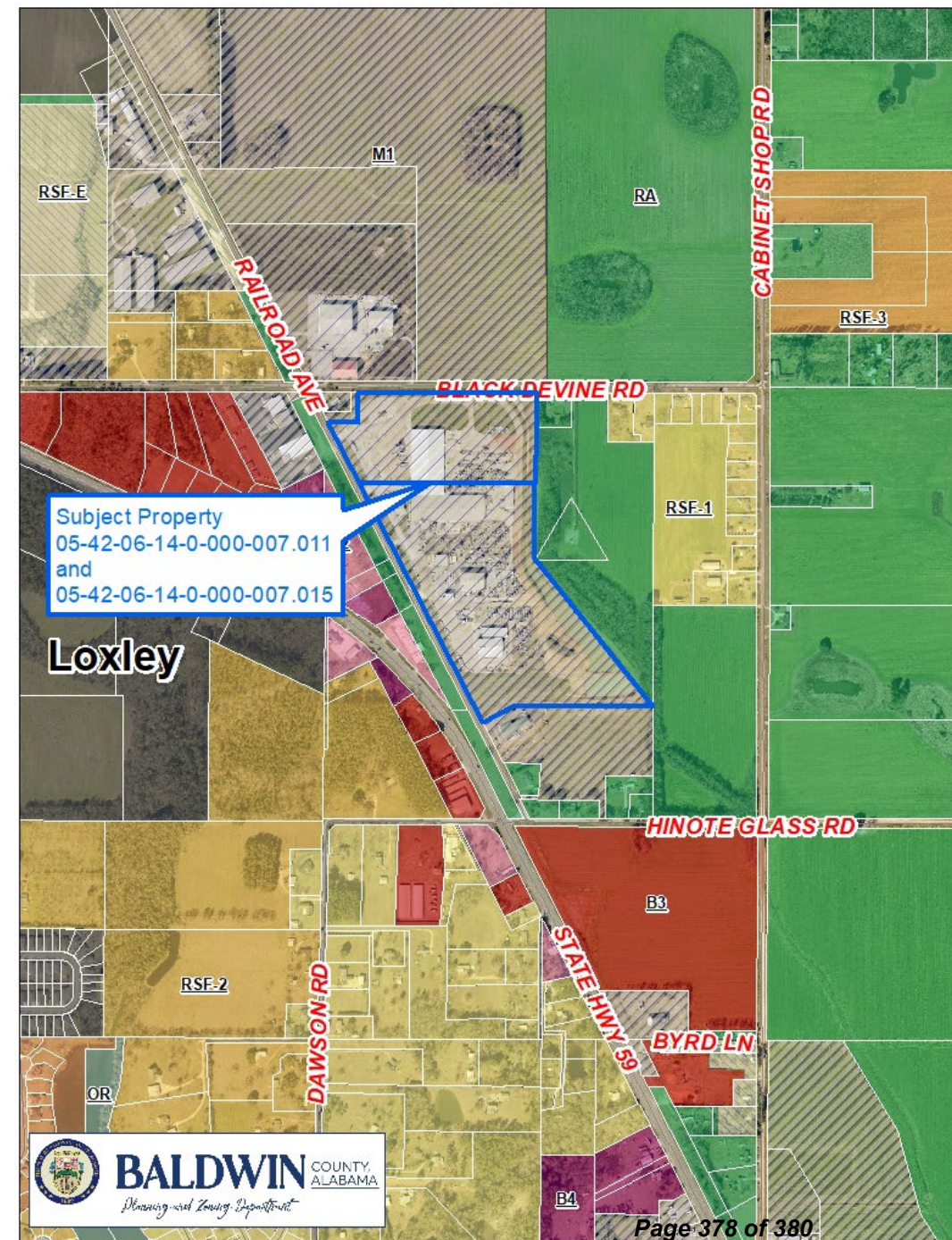
# CSP22-41 ECOVERY, LLC

## COMMISSION SITE PLAN APPROVAL

Lead Staff: Celena Boykin, Senior Planner

### Staff's Summary and Comments:

The subject properties are currently zoned M-1, Light Industrial District, and are currently developed. The property adjoins Railroad Ave and Black Devine Rd. The adjoining properties are M1, Light Industrial District and RA, Rural Agriculture District. The Commission Site Plan Approval is being requested to allow for a 28,560 additional building.



# CSP22-41 ECOVERY, LLC

## COMMISSION SITE PLAN APPROVAL

Staff recommends that case number CSP22-41 Ecovery be **APPROVED** with the following **standard** conditions:

- The Planning Commission may specify a period of time different than the 180-day default time period from Section 18.2.4 for the commencement (**issuance of a building permit**) of the proposed use. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances. The CSP approval letter shall be obtained by the applicant prior to approval of any building permits
- Any expansion of the proposed structures or facility shall necessitate additional review by the Planning Commission.
- The approval recommendation that a land disturbance permit shall not be required to carry out any land disturbing activities on the site because a CBMPP was provided with the application and approved by staff during the CSP review.
- Memorialize within the approval recommendation that the closeout requirements of section 18.9.7 of the zoning ordinance are required and are a prerequisite to obtaining a Certificate of Occupancy (CO) for the proposed new buildings.
- Any signage installed on the site shall require approval as required by Article 16.
- Highway's approval of the drainage plan and turnout permit.
- A formal PID, Planned Industrial Development, be submitted within 12 months to mitigate impacts to surrounding properties.
- No Industrial expansion to adjacent lot.



## NEXT REGULAR MEETING

JUNE 1, 2023 4:00 PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL