



Baldwin County Planning & Zoning Commission Agenda

Thursday, March 7, 2019
6:00 p.m.
Baldwin County Central Annex
Main Auditorium
22251 Palmer Street
Robertsdale, Alabama
www.planning.baldwincountyal.gov

1. **Call to order.**
2. **Invocation and prayer.**
3. **Pledge of Allegiance.**
4. **Roll call.**
5. **Approval of meeting minutes:**

February 7, 2019 meeting
6. **Announcements/Registration to address the Commission.**
7. **Consideration of Applications and Requests: Re-zoning Cases**
 - a.) **Case P-19001 Peace Property**

Disclosure of Prior Outside Communication –Pursuant to Article VI,
Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting conditional use approval to allow children's birthday parties and a petting zoo on property zoned RSF-E.

Location: The subject property is located at 29370 Loper Road in Planning District 12.

b.) Case Z-19010 LMS Properties LLC Property

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting to rezone 0.40 acres+/-, from RSF-1 to B-1 to allow the construction of a dental office on the parcel.

Location: The subject property is located at 12626 Santa Piedro St., in Planning District 33.

8. Consideration of Applications and Requests: Subdivision Cases

a.) Case S-14013, Magnolia Shores, Ph 1 & 2- Development Permit 24-month Extension Request

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting a 24-month extension of the Development Permit for Magnolia Shores, Ph 1 & 2.

Location: The subject property is located on the south side of County Road 24 between Norris Lane and Joe Norris Lane in the Foley area.

b.) Case S-16045, Fairhope Falls Ph. 2 & 3 Development Permit 24-month Extension Request

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting a 24-month extension of the Development Permit for Fairhope Falls Ph. 2 & 3.

Location: The subject property is located on the south side of State Highway 104 between Langford Road and McPhillips Road in the Fairhope area.

c.) Case S-19004, Pearson Family Subdivision, Development Permit Approval

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Development Permit Approval for a 4-lot subdivision on 54.75 acres.

Location: The subject property is located on the north side of Highway 104 and east of County Road 49.

d.) Case S-19005, Timber Oaks Subdivision, Development Permit Approval

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Development Permit Approval for a 11-lot subdivision on 62.86 acres.

Location: The subject property is located on County Road 112 between Barrineau Park Road and Nims Fork Road.

e.) Case S-19006, Pierce Subdivision, Development Permit Approval

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Development Permit Approval for a 1-lot subdivision on 80 acres.

Location: The subject property is located on the south side of New Hope Church Road and approximately 3,000 feet west of County Road 87.

f.) Case S-19008, Kinard Subdivision, Development Permit Approval

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Development Permit Approval for a 2-lot subdivision on 4.75 acres.

Location: The subject property is located on the east side of Bohemian Hall Road approximately 750 feet south of South Blvd.

9.) Public Comment:

10.) Old Business:

11.) New Business:

12.) Reports and Announcements:

Staff Reports

Legal Counsel Report

Next Regular Meeting: April 4, 2019

13.) Adjournment.



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 7.a
Case No. P-19001
Peace Property
Conditional Use Approval
March 7, 2019

Subject Property Information

Planning District: 12
General Location: North side of Loper Road, west of County Road 65
Physical Address: 29370 Loper Road
Parcel Numbers: 05-33-07-36-0-000-004.001
Existing Zoning: RSF-E, Residential Single-Family Estate District
Existing Land Use: Residential/Agricultural
Proposed Land Use: Venue for children's birthday parties with a petting zoo.
Acreage: 23.7 ± acres
Applicant: Melissa Peace
29370 Loper Road
Loxley, Al. 36551
Owner: Melissa Peace
Lead Staff: D.J. Hart, Planning Technician
Attachments: *Within Report*

Adjacent Land Use		Adjacent Zoning
North	Residential	RSF-E, Residential Single-Family Estate District
South	Residential	RSF-E, Residential Single-Family Estate District
East	Residential	RSF-E, Residential Single-Family Estate District
West	Residential	RSF-E, Residential Single-Family Estate District

Summary and Recommendation

The applicant is requesting Conditional Use approval to allow children's birthday parties with a petting zoo to be held on the property. The subject property is currently zoned RSF-E, Residential Single-Family Estate District.

Staff recommends that Case P-19001, Peace Property be **APPROVED*** based on the information contained in this staff report.

**On Conditional Use applications, the Planning Commission makes the final decision.*

Article 4 Residential Districts

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 uses.* 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 conditional uses:

- (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.**

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:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

Agency Comments

Permit Engineer – Seth Peterson, E.I.:

DJ,
I do not have any comments for this case.
Thanks,
Seth

Baldwin County Highway Department – Frank Lundy, P.E.:

DJ,
The Maintenance Section do not have any comments to add for this one.
Thanks,
Frank

ADEM: no comments received

Municipality (Town of Loxley): no comments received

Staff Analysis and Findings

As stated previously, the applicant is requesting Conditional Use approval to allow children's birthday parties and a petting zoo on the property. The subject property is currently zoned RSF-E, Residential Single-Family Estate District.

The zoning ordinance does not include a listing for a party/event venue (See Article 23, Table of Permitted Uses). According to *Section 23.6*, "In any case where a requested use is not specifically provided, the Zoning Administrator shall determine the appropriate zoning classification by reference to the most clearly analogous use or uses that are specifically provided." As a result, staff is comfortable with utilization of the Conditional Use process for the proposed children's party venue. Furthermore, this process will enable the Planning Commission to impose conditions on the approval, if granted, to minimize possible impacts on adjacent property.

The submitted site plan shows, a dwelling, accessory building, storage building 27 x 9 tent to be used during the events and 2 animal habitat areas. The area set aside for the venue will be confined to the west side of the property. The parking is shown to the east of the party area and adjacent to the existing accessory building. Public Restrooms will be available in the existing accessory building.

The following factors for reviewing Conditional Use approvals are found in Section 18.11.1 of the *Baldwin County Zoning Ordinance*.

Section 18.11.1 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 Conditional Use in a particular zoning district; however, the county reserves full authority to deny any request for Conditional Use, 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.

Section 18.11.4 *Standards for approval*. A Conditional Use 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:

- (a) 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 the subject property as RSF-E, Residential Single-family Estate District.

Single Family Districts

The Single-Family districts are provided to afford the opportunity for the choice of differing residential options ranging from estate size lots to high density. The single-family designations and their corresponding lots sizes and densities are listed as follows:

RSF-E: Minimum lot area-80,000 square feet, .54 dwelling units per acre
RSF-1: Minimum lot area-30,000 square feet, 1.45 dwelling units per acre
RSF-2: Minimum lot area-15,000 square feet, 2.9 dwelling units per acre
RSF-3 : Minimum lot area-10,000 square feet, 4.36 dwelling units per acre
RSF-4 : Minimum lot area-7,500 square feet, 5.8 dwelling units per acre
RSF-6: Minimum lot area-6,500 square feet, 6.7 dwelling units per acre

Due to the fact the proposed use is analogous to use which may be allowed under the RSF-E designation, it is consistent with the Zoning Ordinance as well as the Master Plan.

- (b) 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 currently occupied with one dwelling, several accessory buildings and 2 animal habitat areas as well as a pecan orchard and other cross fenced areas.

The property adjoins Loper Road to the south. Loper Road is a county maintained paved road. The adjoining property to the north is residential. The adjoining properties to the west is residential. The adjoining property to the east is residential. The adjoining property to the south is residential.

- (c) The proposed use shall not unduly decrease the value of neighboring property.**

As stated above, the area set aside for the venue will be confined to the west side of the property. The main party area will be in a 9 x 27 tent which will only be put up for the parties and then will be removed. All other structures are existing. No effect on current property value is expected.

- (d) 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.**

Staff anticipates no major burdens or impacts.

Section 18.11.5 *Conditions and restrictions on approval*. In approving a Conditional Use, the Planning

Commission may impose conditions and restrictions upon the property benefited by the Conditional Use approval as may be necessary to comply with the standards set out above, to reduce or minimize any potentially injurious effect of such conditional use upon the property in the neighborhood, and to carry out the general purpose and intent of the ordinances. In approving any Conditional Use, the Planning Commission may specify the period of time for which such approval is valid for the commencement of the proposed Conditional Use. The Planning Commission may, upon written request, grant extensions to such time allotments not exceeding 6 months each without written notice or hearing. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances. Those Conditional Uses which the Planning Commission approves subject to conditions shall have specified by the Planning Commission the time allotted to satisfy such conditions.

Staff Comments and Recommendation

As stated previously, the applicant is requesting Conditional Use approval to allow children's birthday parties and petting zoo on the parcel. Staff feels this is a reasonable request and recommends the request be **APPROVED*** based on the conditions listed below.

If the Planning and Zoning Commission votes to approve the request the following conditions should be included:

- Approval shall be for this applicant and this location only.
- The principal use of the subject property shall remain residential/Agricultural.
- Hours of operation shall be Monday thru Sunday 10:00 am – 7:00 pm.
- All off-street parking associated with the venue shall be located on the subject property and shall be confined to the area designated for parking on the submitted site plan. No parking along Loper Road shall be permitted. Parking shall meet the requirements of Article 15 of the Baldwin County Zoning Ordinance. (10 parking spaces based on a maximum 30 guests, including parents)
- Any lighting, whether permanent or temporary, which might be installed in conjunction with the venue, shall be shielded and directed away from adjacent properties.
- A Baldwin County Land Use Certificate shall be obtained no later than six (6) months from the date of Conditional Use approval. The Planning Commission may grant additional time if deemed necessary.
- All signage must comply with Article 16 of the *Baldwin County Zoning Ordinance*.
- Any expansion of the proposed venue shall necessitate additional review and approval by the Planning Commission.
- The Planning Commission may impose additional conditions as it sees fit.

**On Conditional Use applications, the Planning Commission makes the final decision.*

Site Plan



Property Images

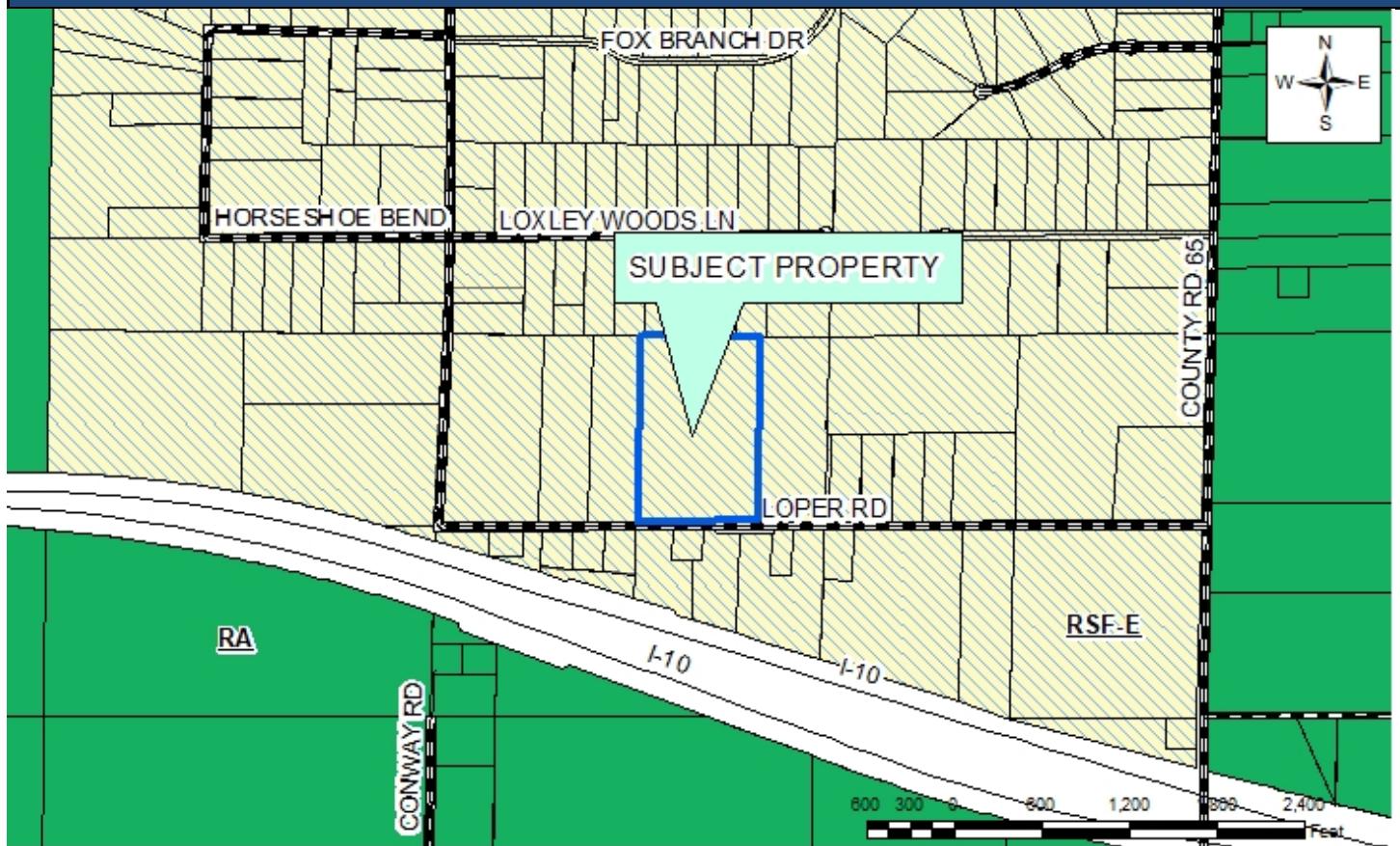




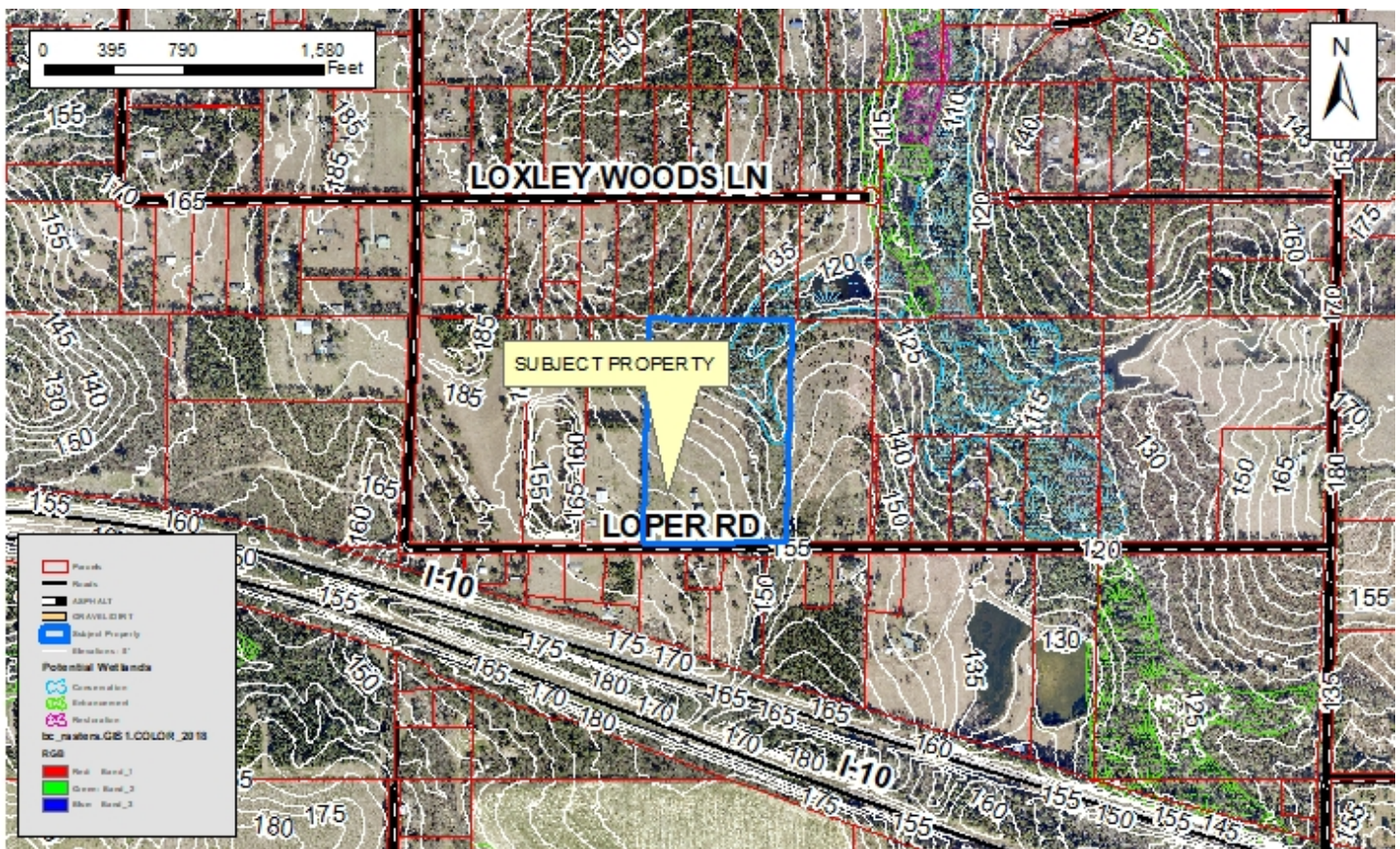




Locator Map



Site Map





Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 7.b

Case No. Z-19010

LMS Properties LLC Property

Rezone RSF-1, Single Family District to B-1, Professional Business District

March 7, 2019

Subject Property Information

Planning District: 33
General Location: NE corner of Ickler Av N and Santa Piedro St.
Physical Address: 12626 Santa Piedro St., Lillian, AL
Parcel Numbers: 05-52-07-26-0-002-025.000
Existing Zoning: RSF-1, Single Family District
Proposed Zoning: B-1, Professional Business District
Existing Land Use: Residential
Proposed Land Use: Commercial/Dental Office
Acreage: 0.4 ± acres
Applicant: Wayne Wight
35 Gulf Breeze Pkwy
Gulf Breeze, FL 32561
Owner: LMS Properties LLC
14632 South Blvd
Silverhill, AL 36576
Lead Staff: Celena Boykin, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Commercial (Dental Office)	B-2, Neighborhood Business District
South	Residential	RSF-1, Single Family District
East	Residential	RSF-1, Single Family District
West	Fire Station	Santa Piedro St., RSF-1, Single Family District

Summary

The subject property is currently zoned RSF-1, Single Family District, and is occupied with a dwelling and an accessory structure. The requested zoning designation is B-1, Professional Business District. According to information submitted on the rezoning application, the purpose of this request is to build a new dental office. The owner currently has a dental office on the adjacent parcel to the north and would like to build a new 2,400 sq ft dental office on the subject property.

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 uses.* 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 conditional uses:

- (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.

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:

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

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 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
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

Section 5.1 B-1, Professional Business District

5.1.1 Purpose and intent. The B-1, Professional Business and Office District, is intended to allow a concentration of office type buildings and land uses that are most compatible with, and located near, residential areas. Most B-1 commercial, professional and business office districts will be placed in close proximity to residential areas, and therefore serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts. The types of office uses permitted are those that do not have high traffic volumes throughout the day, which extend into the evening hours. They will have morning and evening short-term peak conditions. The market support for these office uses should be those with a localized basis of market support as opposed to office functions requiring inter-jurisdictional and regional market support. Because office functions have significant employment characteristics, which are compounded when aggregations occur, certain personal service uses shall be permitted, to provide a convenience to office-based employment. Such convenience commercial uses shall be made an integral part of an office building as opposed to the singular use of a building.

5.1.2 Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses in the B-1, Professional Business and Office District:

- | | |
|---|--|
| (a) Accessory structures and uses | (k) Laboratory (scientific, medical or dental) |
| (b) Bank | (l) Library |
| (c) Barber shop or beauty parlor | (m) Office |
| (d) Child care center | (n) Optician |
| (e) Child care institution | (o) Police station |
| (f) Church or similar religious facility | (p) Post office |
| (g) Clinic or dentist office (medical, dental, psychiatric) | (q) School (public or private) |
| (h) Club or lodge | (r) Silviculture |
| (i) Extraction or removal of natural resources on or under land | (s) Studio for dance, music, photography, painting, etc. |
| (j) Fire station | (t) Water well (public or private) |

5.1.3 Conditional uses. The following uses are permissible as conditional uses in the B-1 Commercial Professional and Business Office District, subject to the standards and procedures established in Section 18.11: Conditional Uses:

- (a) Arboretum
- (b) Ball field
- (c) Golf course
- (d) Park or playground
- (e) Riding academy
- (f) Swimming pool (outdoor)
- (g) Tennis court (outdoor)
- (h) Wildlife sanctuary
- (i) Dwellings, in combination with commercial uses, subject to the standards listed under Section 5.1.4: Mixed uses

5.1.4 Mixed uses. Mixed residential and commercial uses may be permissible as conditional uses in the (B-1) commercial professional and Business office district, subject to the standards and procedures established in Section 18.11: Conditional Uses, 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-1 district. A dwelling unit density of .5 (1/2) 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, and;
- (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).

5.1.6 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.

5.1.7 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.

5.1.8 Landscaping and buffering. All B-1, Professional Business and Office District, uses shall meet the requirements of Article 17: Landscaping and Buffers.

Agency Comments

ADEM: No comments received.

Permit/Subdivision Manager, Seth Peterson: I do not have comments on the rezoning, however if approved our office would need to review stormwater improvements and ROW improvements for the proposed site during the permitting process.

Baldwin County Highway Department, Frank Lundy: The Maintenance Section does not have any comments to add.

Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

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

The subject property is currently occupied with a dwelling and an accessory structure. The property adjoins Santa Piedro Street to the west. The adjoining properties are residential and commercial.

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?

The zoning for Planning District 33 was approved by the Baldwin County Commission on August 6, 2002. The adjacent property to the north was rezoned to B-2 in 2005. This area does have a mixture of residential and commercial.

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

The Baldwin County Master Plan, 2013, provides a future land use designation of Residential for the subject property. If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Commercial.

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

Staff is unaware of any conflicts.

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

In 5.1.1, Purpose and intent of B-1, of the Zoning Ordinance it states: The B-1, Professional Business and Office District, is intended to allow a concentration of office type buildings and land uses that are most compatible with, and located near, residential areas. Most B-1 commercial, professional and business office districts will be placed in close proximity to residential areas, and therefore serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts. The types of office uses permitted are those that do not have high traffic volumes throughout the day, which extend into the evening hours. They will have morning and evening short-term peak conditions.

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.

See response to Standards Number 1 and 2.

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

Yes, as stated above, the intent of B-1 zoning is to allow a concentration of office type buildings and land uses that are most compatible with, and located near, residential areas. Most B-1 commercial, professional and business office districts will be placed in close proximity to residential areas, and therefore serve as a transitional zoning district between residential areas and higher intensity commercial zoning districts.

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

Timing is not a factor.

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

Staff anticipates no adverse impacts.

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

Staff anticipates no adverse impacts.

11.) Other matters which may be appropriate.

Staff Comments and Recommendation

As stated previously, The subject property is currently zoned RSF-1, Single Family District, and is occupied with a dwelling and an accessory structure. The requested zoning designation is B-1, Professional Business District. According to information submitted on the rezoning application, the purpose of this request is to build a new dental office. The owner currently has a dental office on the adjacent parcel to the north and would like to build a new office.

Staff has no major concerns with this request. Unless information to the contrary is revealed at the public hearing, staff recommends **APPROVAL** of Case Z-19010 to the County Commission. *

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

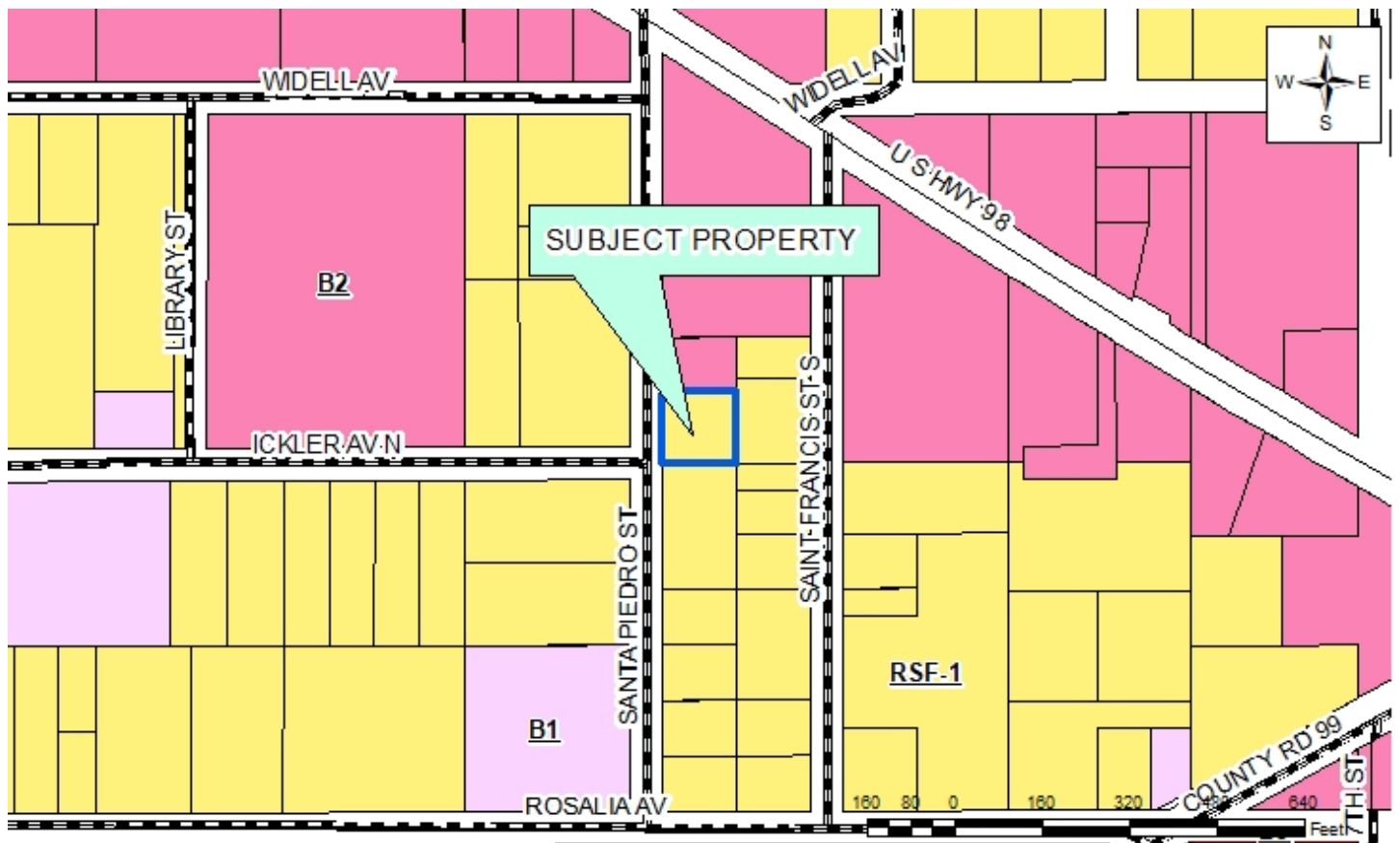
Property Images







Locator Map



Site Map



Baldwin County Planning and Zoning Commission
Case No. S-14013 – Magnolia Shores, Ph 1 & 2
Development Permit Extension Request
Staff Report for Planning and Zoning Commission Public Hearing
March 7, 2019
agenda item 8.a

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission: March 7, 2019 Development Permit Extension Request Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 14 – Unzoned

Location of Property: The subject property is located on the south side of County Road 24 (aka Underwood Road) between Norris Lane and Joe Norris Lane in the Foley area.

Parcel Number: 05-55-05-15-0-000-008.000

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 142

Linear Feet of Streets: +/- 7,446 feet

Total Acreage: ± 58.63 acres

Smallest Lot Size: ± 9,148 SF

Owner/Developer: Advantaira, LLC FBO Chris H. Neal, IRA
4234 Highland Boulevard
Pace, FL 32571

Engineer/Surveyor: Hutchinson, Moore & Rauch, LLC
PO Box 1127
Daphne, AL 36526

Request: The applicant is requesting a 24-month extension of the Development Permit for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services:	Water:	Riviera Utilities
	Sewer:	Baldwin County Sewer Service
	Electricity:	Baldwin EMC
	Telephone:	CenturyLink

Transportation: The applicant is proposing to construct new subdivision streets for the proposed development. These streets will have two connections to County Road 24 and the roads & rights-of-way will meet the requirements of Baldwin County and will consist of an asphalt driving surface. Curb and gutter will be provided to collect and transport stormwater.

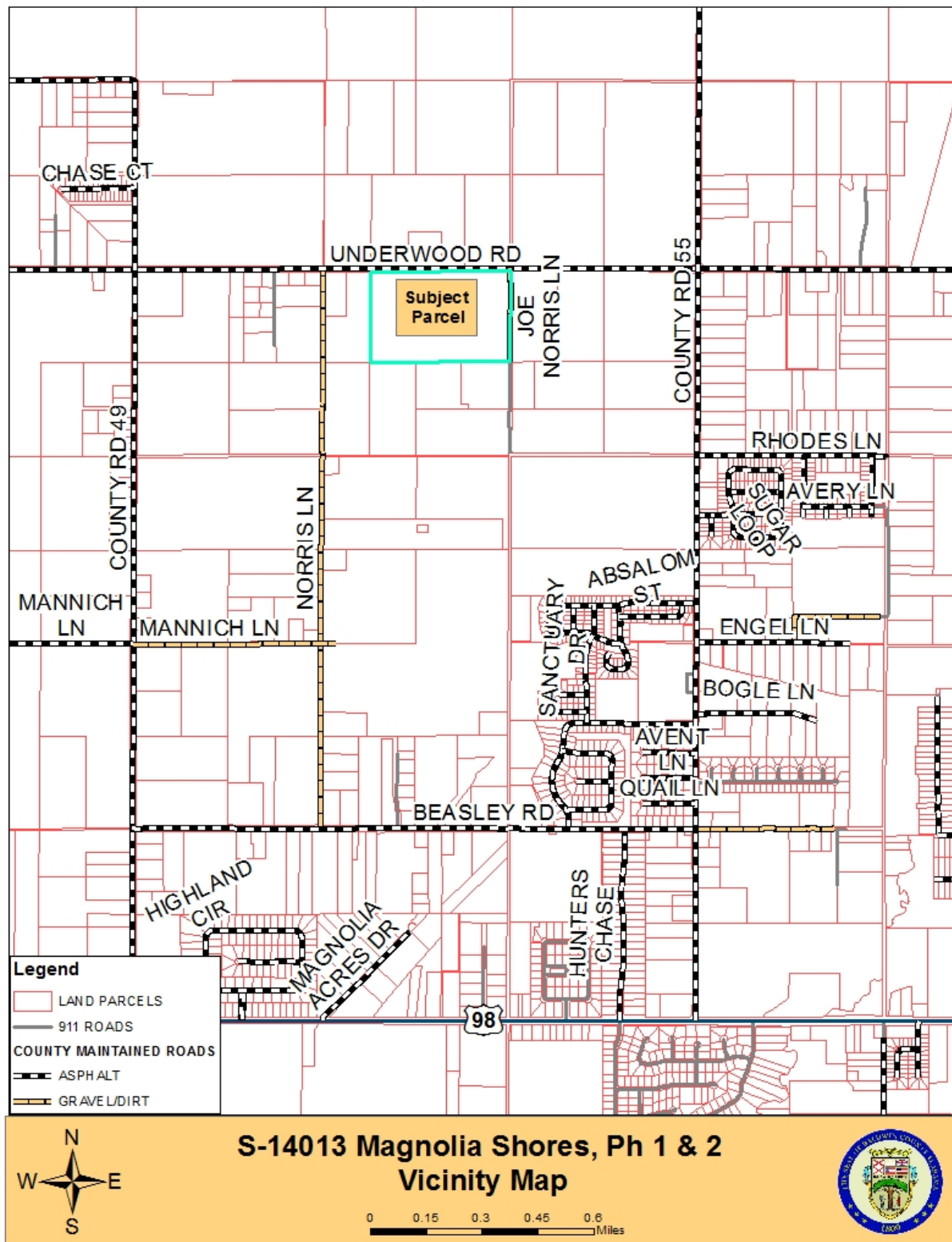
V. STAFF COMMENTS:

Items for consideration:

The developer has not started construction for Phase 1 & 2 and the development will not be completed prior to expiration of the currently approved Development Permit.

VI. RECOMMENDATIONS:

During the May 15, 2018 County Commission meeting, the Baldwin County Commission adopted Resolution #2018-076 approving new subdivision regulations. Based on our review, the current plat meets the currently approved subdivision regulations. Staff recommends that the request for a 24-month extension of the Development Permit for Case No. S-14013, Magnolia Shores, Ph 1 & 2, be **APPROVED.**





Baldwin County Planning and Zoning Commission
Case No. S-16045 – Fairhope Falls, Ph. 2 & 3
Development Permit Extension Request
Staff Report for Planning and Zoning Commission Public Hearing
March 7, 2019
agenda item 8.b

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission: March 7, 2019 Development Permit Extension Request Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 14 – Unzoned

Location of Property: The subject property is located on the south side of State Highway 104 between Langford Road and McPhillips Road in the Fairhope area.

Parcel Numbers: 05-47-03-07-0-000-002.004
05-47-03-07-0-000-002.002

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 67

Linear Feet of Streets: +/- 6,367 LF

Total Acreage: ± 43.24 acres

Smallest Lot Size: ± 15,000 SF

Owner/Developer: GCOF Fairhope Falls, LLC
29891 Woodrow Lane, Suite 300
Spanish Fort, AL 36527

Engineer: Dewberry/Preble-Rish, LLC
9949 Bellaton Ave
Daphne, AL 36526

Request: The applicant is requesting a 24-month extension of the permit for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services:	Water:	City of Fairhope
	Sewer:	Baldwin County Sewer Service
	Electricity:	Riviera Utilities
	Telephone:	AT&T

Transportation: The primary entrance to Fairhope Falls Phase 2 will be internal roads of Phase 1. Phase 1 primary entrance is off of Highway 104.

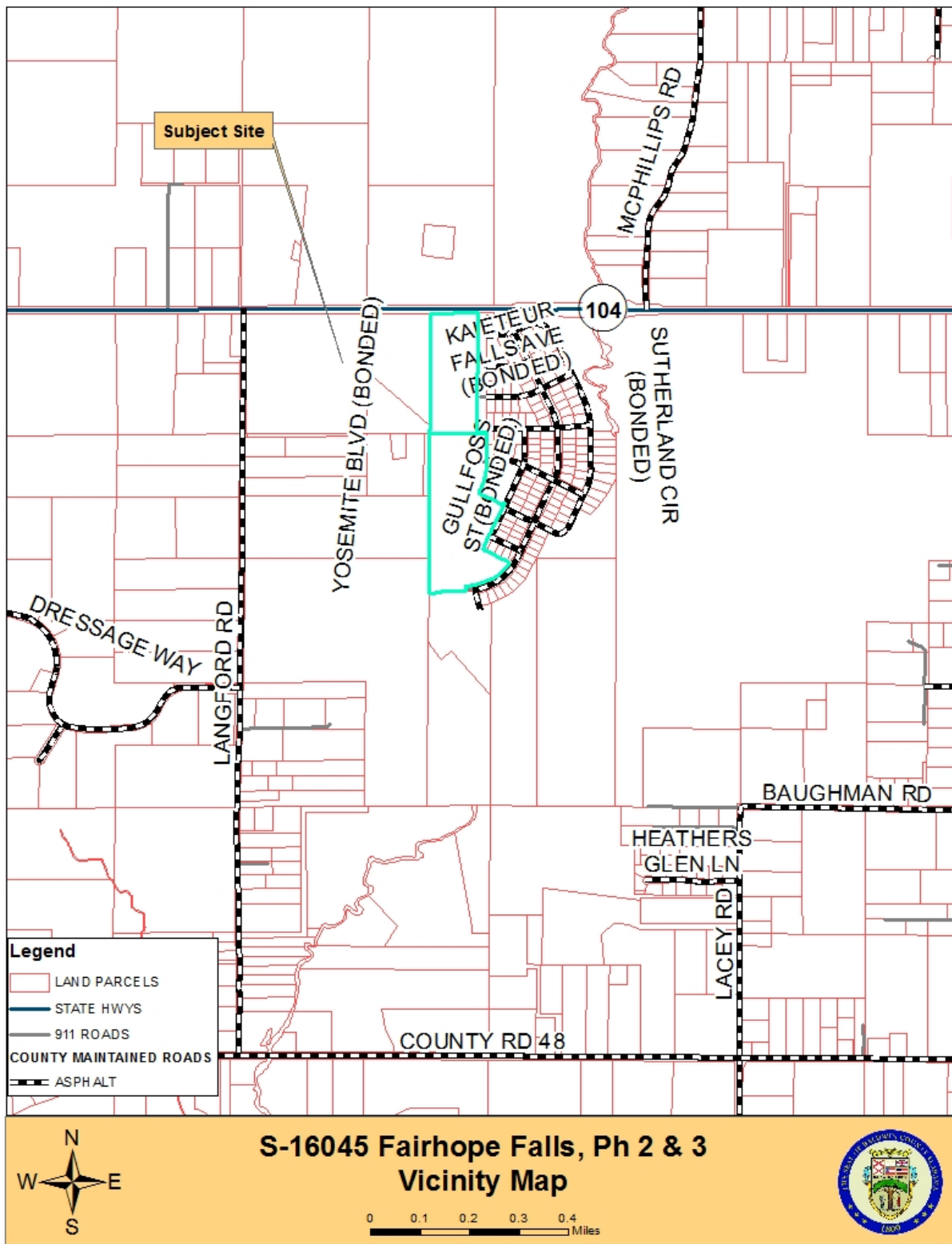
V. STAFF COMMENTS:

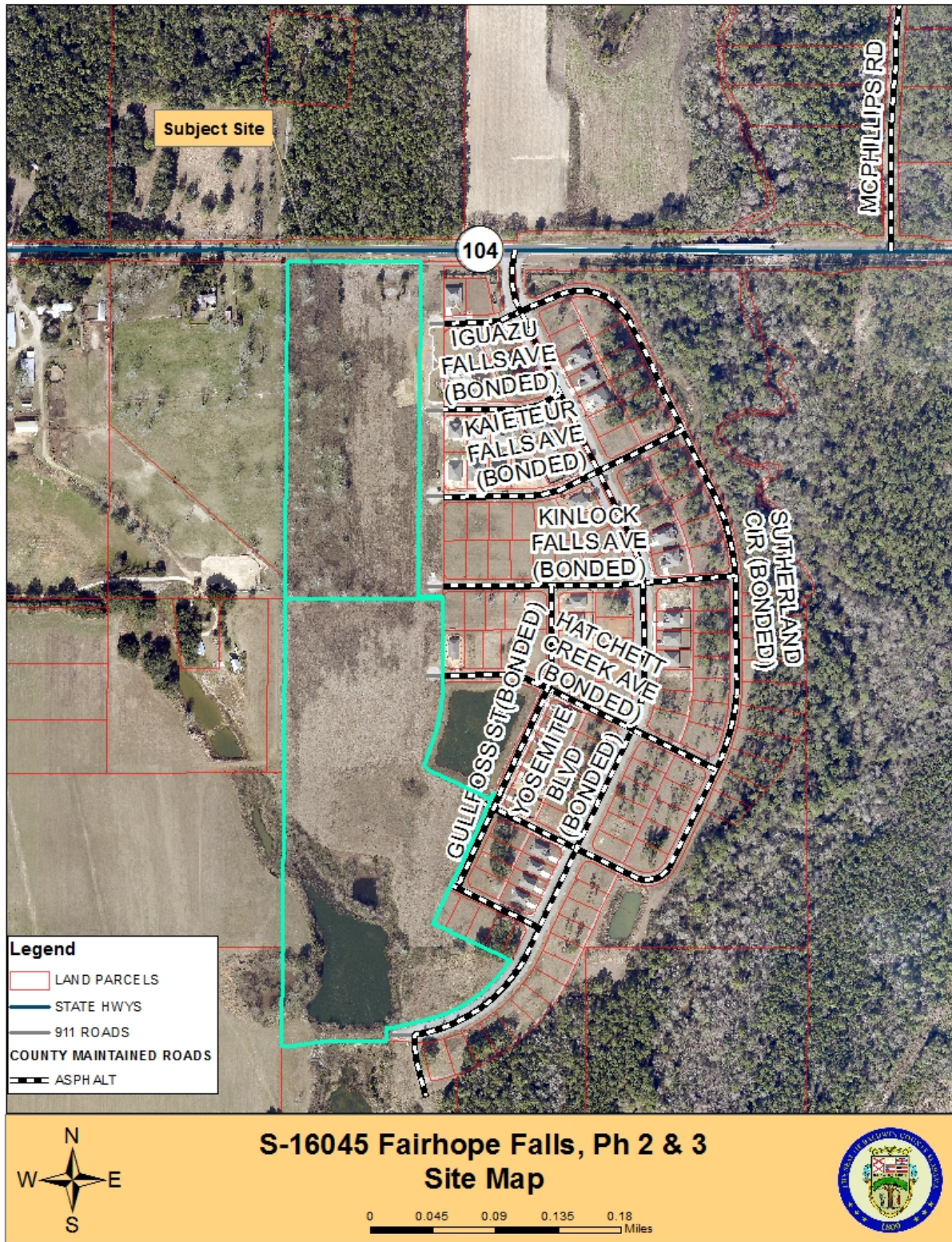
Items for consideration:

The developer has not completed construction for Phase 2 & 3 and the development will not be completed prior to expiration of the currently approved Development Permit.

VI. RECOMMENDATIONS:

During the May 15, 2018 County Commission meeting, the Baldwin County Commission adopted Resolution #2018-076 approving new subdivision regulations. Based on our review, the current plat meets the currently approved subdivision regulations. Staff recommends that the request for a 24-month extension of the Development Permit for Case No. S-16045, Fairhope Falls, Ph 2 & 3, be **APPROVED**.





CERTIFICATE OF APPROVAL BY THE E-911 ADDRESSING
THE UNDERSIGNED, AS AUTHORIZED BY E-911 BOARD WRITING APPROVAL, THE
ROAD FRONT AS SHOWN ON THE PLAT FOR THE RECORD OF SALE IN THE PROJECT
OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 2019.

QUINN PATRICK E (1/2) ET AL
C/O MICHAEL DUNN
P.O. BOX 447
VICTORIA AL 36092

SOUTHERN WOODLANDS L.L.C.
1000 WEST EIGHTH
"THE OAKHILL TRAIL"
SUITE 100
MOBILE AL 36682

FLOOD CERTIFICATE
THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY ENGINEER, HAS
EXAMINED THE PLAT FOR THE RECORD OF SALE IN THE PROJECT
OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 2019.
THE PLAT FOR THE RECORD OF SALE IN THE PROJECT
OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 2019.

THE PLAT FOR THE RECORD OF SALE IN THE PROJECT
OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 2019.



AUTHORIZED REPRESENTATIVE

POINT OF COMMENCEMENT

ALABAMA HIGHWAY NO. 104 RIGHT-OF-WAY VARIES
(PAVED ROAD)



DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
DEDICATED THE SAME TO THE PUBLIC USE OF THE
STATE OF ALABAMA, TO BE MAINTAINED BY THE
STATE OF ALABAMA, TO BE USED FOR THE PURPOSES
OF THE HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

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HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
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TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
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TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

THE UNDERSIGNED, OWNER OF THE ALABAMA
HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

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HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

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HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
ACKNOWLEDGED THE DEDICATION OF THE SAME
TO THE PUBLIC USE OF THE STATE OF ALABAMA,
TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

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HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
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HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

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TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

STATE OF ALABAMA

ACKNOWLEDGMENT OF DEDICATION

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HIGHWAY NO. 104 RIGHT-OF-WAY, HAS HEREBY
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TO BE MAINTAINED BY THE STATE OF ALABAMA,
TO BE USED FOR THE PURPOSES OF THE
HIGHWAY NO. 104 RIGHT-OF-WAY.

FAIRHOPE FALLS PHASE TWO



DESIGN	D.E.D.	DRAWN	D.E.D.	CHECKED	D.E.D.
ENG.	J.N.E.	SURVEYOR	D.E.D.	PRELIM	J.G.A.
SCALE	1"=100'	PROJ. NO.	50082843	FILE	50082843
SHEET	1 OF 1				

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Baldwin County Planning and Zoning Commission
Case No. S-19004 – Pearson Family Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
March 7, 2019
agenda item 8.c

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission: March 7, 2019 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 14 – Unzoned

Location of Property: The subject property is located on the north side of Highway 104 and east of County Road 49.

Parcel Number: 05-47-02-03-0-000-023.004

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 4

Linear Feet of Streets: N/A

Total Acreage: ± 54.75 acres

Smallest Lot Size: ± 8.25 acres

Owners: Elizabeth P. Hellmich
Byron Pearson
903 West Laurel Avenue
Summerdale, AL 36580

Surveyor: Johnny E. Holley
115 Autumnwood Drive
Saraland, AL 36571

Request: The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services:	Water:	Town of Silverhill
	Sewer:	BCSS
	Electricity:	Baldwin EMC (Lot 1 Riviera Utilities (Lots 2-4)
	Telephone:	CenturyLink

Transportation: Lot 1 will front on County Road 49 and Lots 2-4 will front on North Blvd.

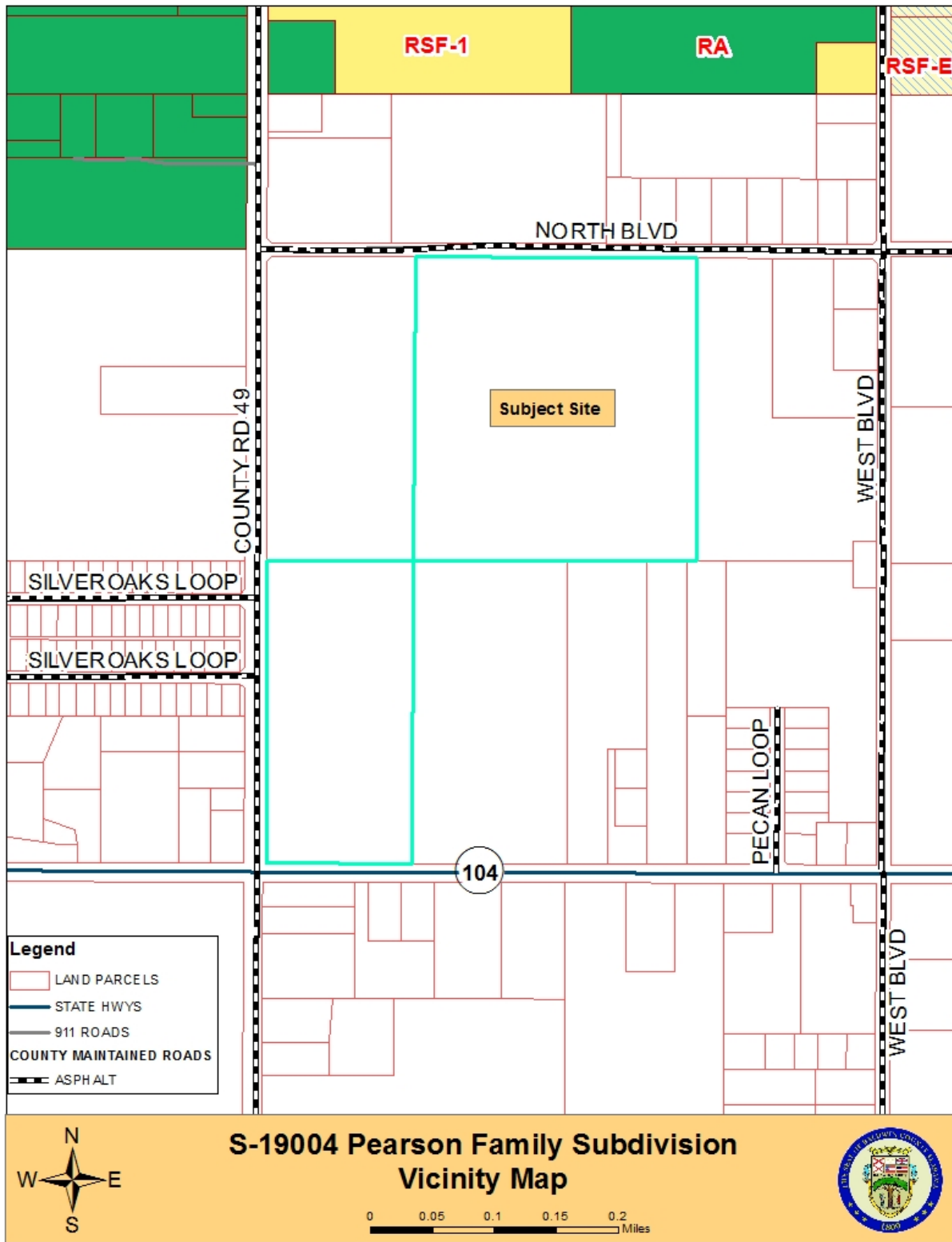
V. STAFF COMMENTS:

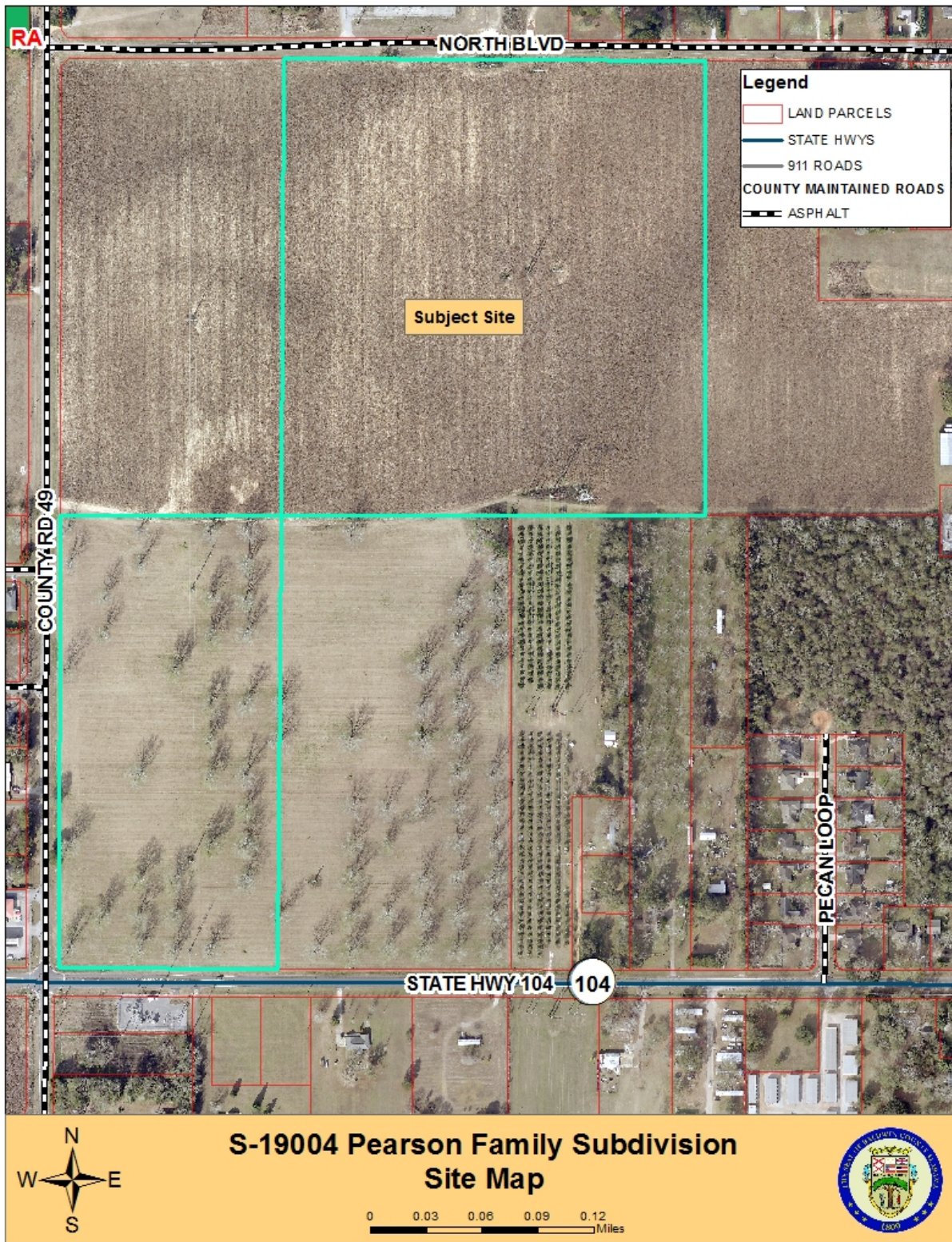
Items for consideration:

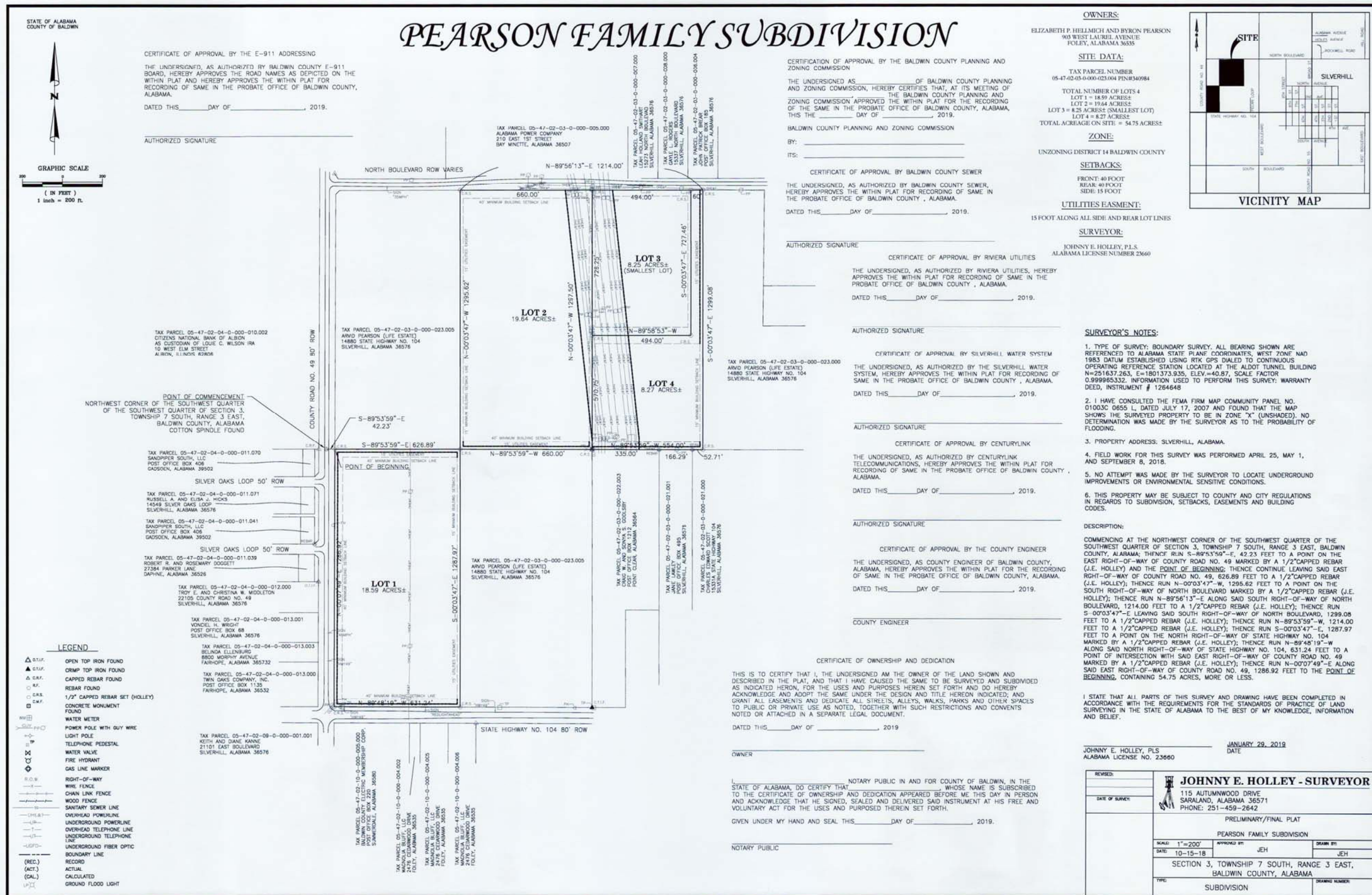
- Current title policy, title opinion or title report has not been provided.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-19004, Pearson Family Subdivision be **DENIED**.







Baldwin County Planning and Zoning Commission
Case No. S-19005 – Timber Oaks Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
March 7, 2019
agenda item 8.d

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission: March 7, 2019 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 13 – Unzoned

Location of Property: The subject property is located on County Road 112 between Barrineau Park Road and Nims Fork Road.

Parcel Number: 05-36-08-34-0-000-001.002

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 11

Linear Feet of Streets: N/A

Total Acreage: ± 62.86 acres

Smallest Lot Size: ± 5.0 acres

Owner/Developer: Wayne Griffith
8300 Mossberg Drive North
Theodore, AL 36582

Surveyor: David Lowery
9915 Bryants Landing Road
Stockton, AL 36579

Request: The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services:	Water:	East Central Baldwin
	Sewer:	Onsite Septic
	Electricity:	Baldwin EMC

Transportation: All lots have frontage on County Road 112. Common driveways will be required to reduce the number of driveways.

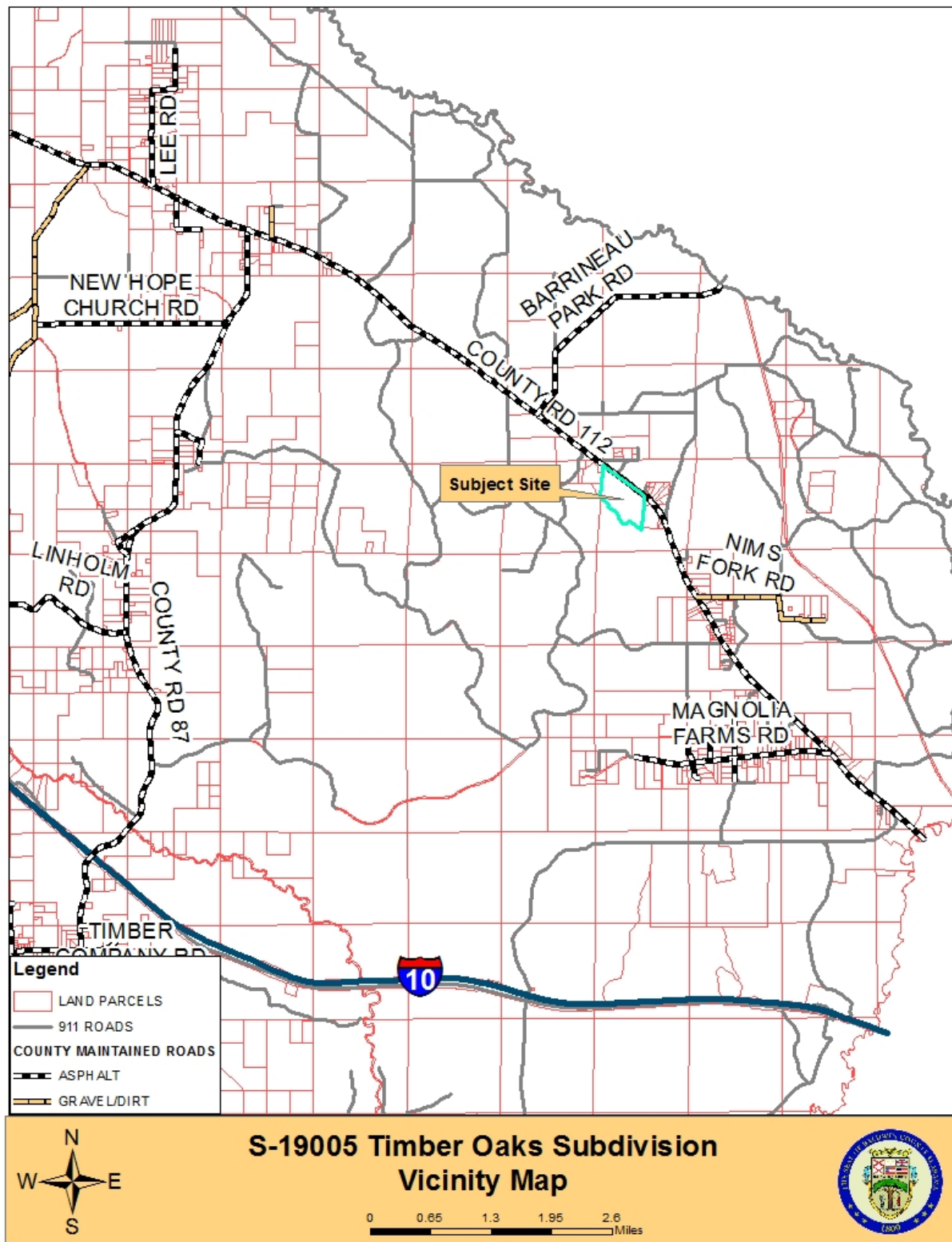
V. STAFF COMMENTS:

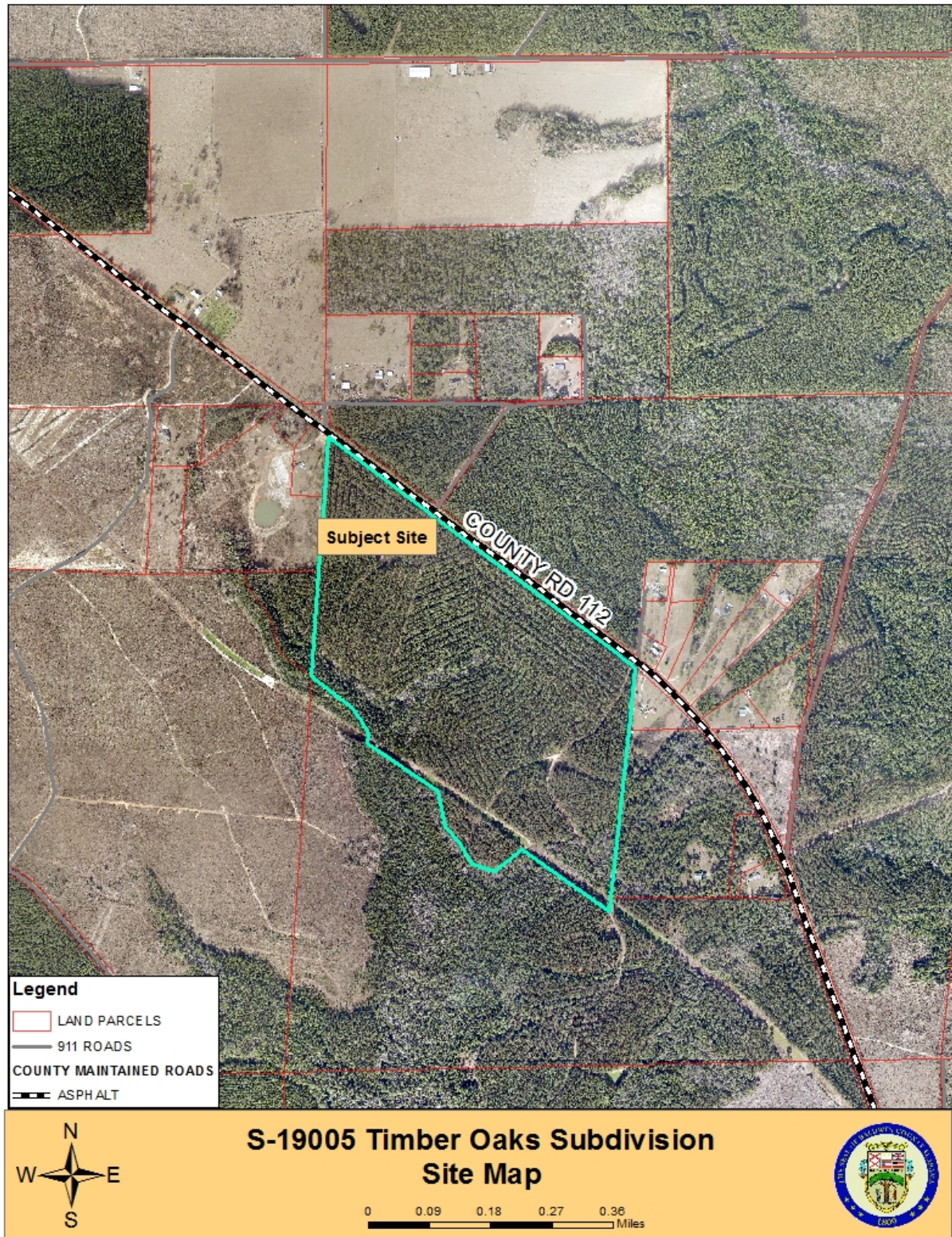
Items for consideration:

- Common driveways will be required but are not shown on the plat
- A commercial turnout permit will be required for the common driveways.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-19005, Timber Oaks Subdivision be **DENIED**.





Baldwin County Planning and Zoning Commission
Case No. S-19006 – Pierce Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
March 7, 2019
agenda item 8.e

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission: March 7, 2019 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 13 – Unzoned

Location of Property: The subject property is located on the south side of New Hope Church Road and approximately 3,000 feet west of County Road 87.

Parcel Number: 05-35-06-23-0-000-001.003

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 1

Linear Feet of Streets: N/A

Total Acreage: ± 80 acres

Smallest Lot Size: ± 80 acres

Owner/Developer: Springwood Timberlands LC
5605 Woodbine Road
Pace, FL

Surveyor: David Lowery
9915 Bryants Landing Road
Stockton, AL 36579

Request: The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: Well
 Sewer: Septic
 Electricity: Baldwin EMC

Transportation: The proposed lot has frontage on New Hope Church Road.

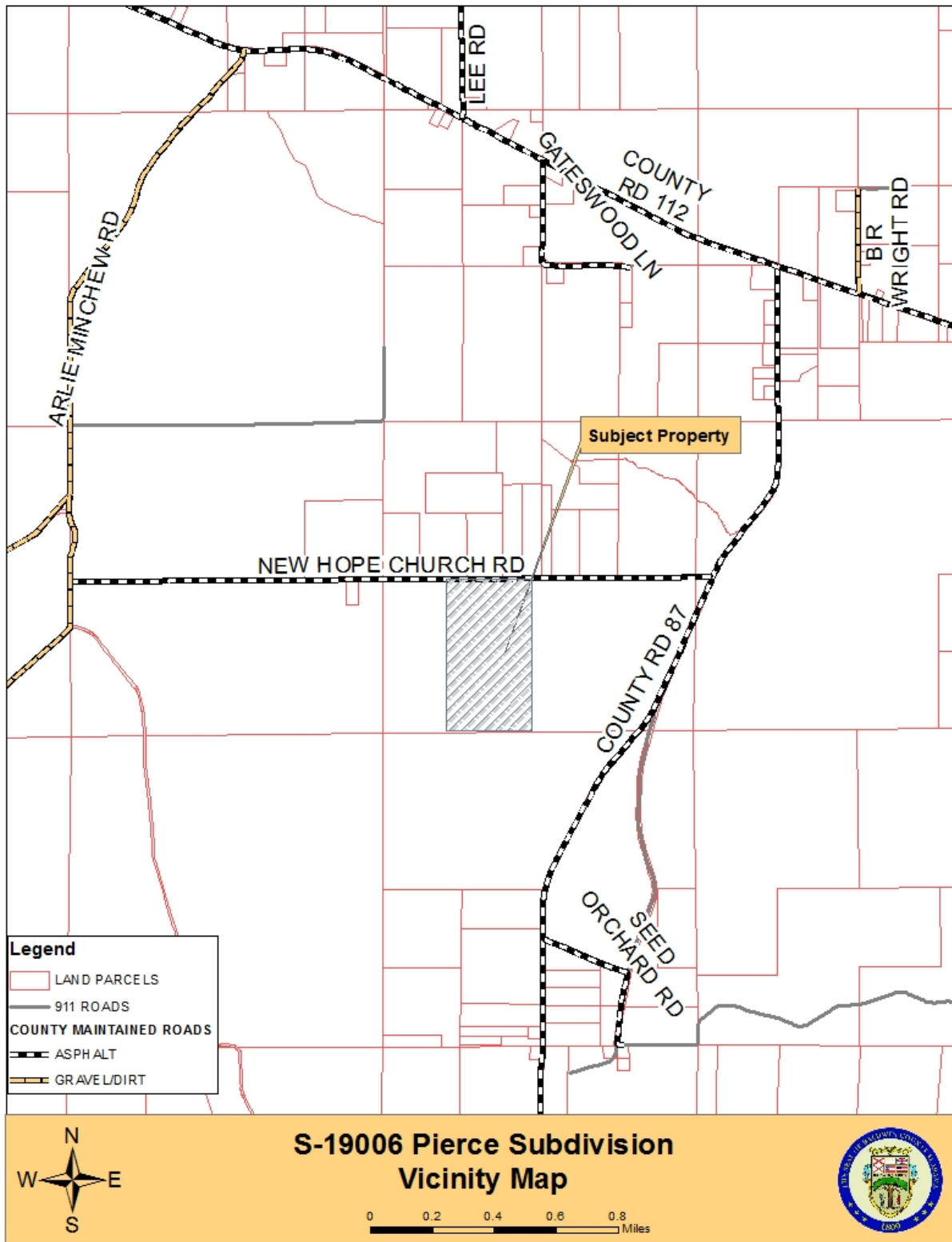
V. STAFF COMMENTS:

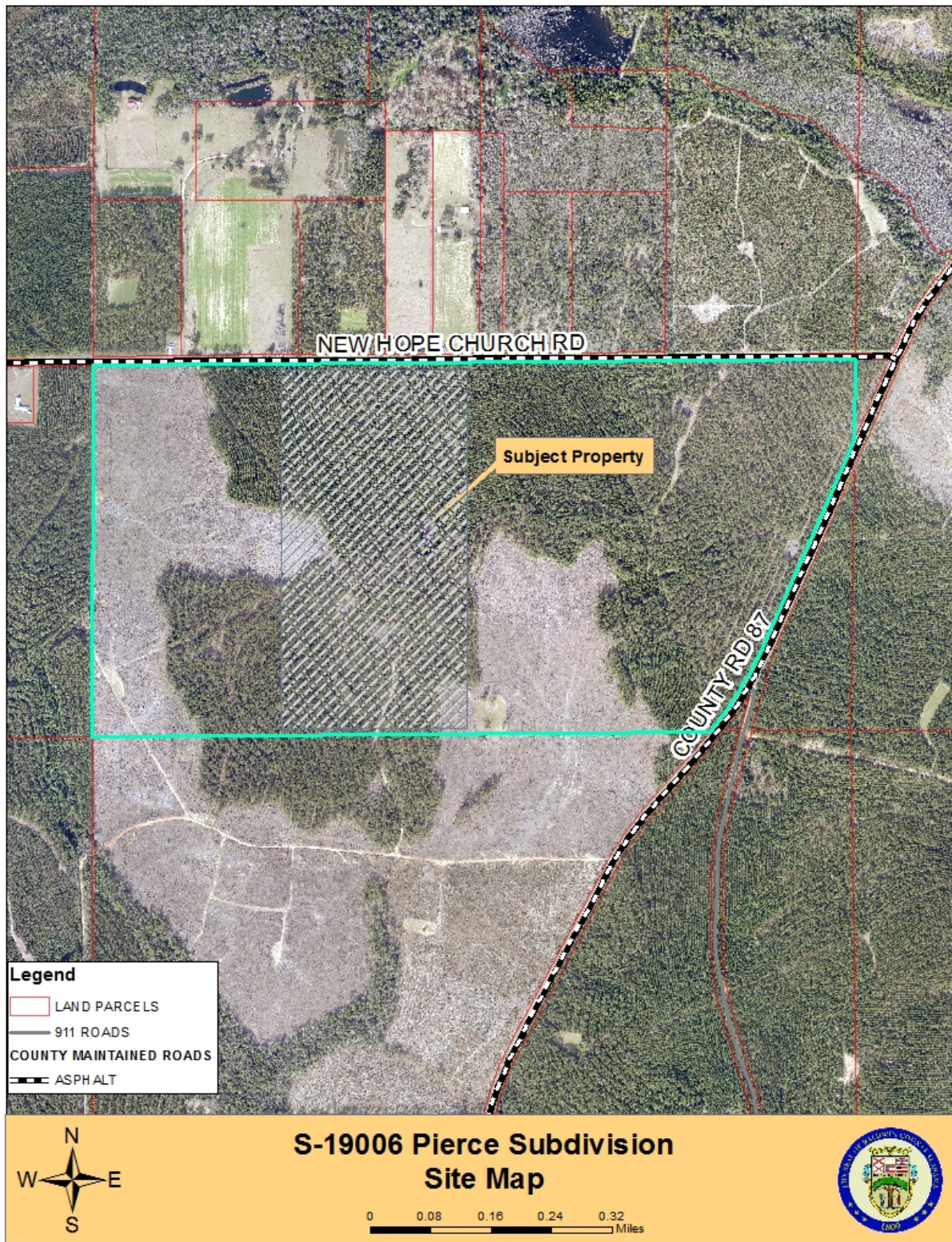
Items for consideration:

- All items of the Development Permit meet the requirements of the subdivision regulations.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-19006, Pierce Subdivision be **APPROVED.**





Baldwin County Planning and Zoning Commission
Case No. S-19008 – Kinard Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
March 7, 2019
agenda item 8.f

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission: March 7, 2019 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 14 – Unzoned

Location of Property: The subject property is located on the east side of Bohemian Hall Road approximately 750 feet south of South Blvd.

Parcel Number: 05-47-02-09-0-000-016.000

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 2

Linear Feet of Streets: N/A

Total Acreage: ± 4.75 acres

Smallest Lot Size: ± 1.01 acres

Owner/Developer: Joyce Kinard
21320 Bohemian Hall Road
Silverhill, AL 36576

Surveyor: Justin Palmer
The Woodlands Group
PO Box 213
Montrose, AL 36559

Request: The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services:	Water:	Town of Silverhill
	Sewer:	On-Site Septic
	Electricity:	Baldwin EMC
	Telephone:	CenturyLink

Transportation: Bohemian Hall Road

V. STAFF COMMENTS:

Items for consideration:

- Documentation from electrical company has not been provided
- Names and Address of owners of land adjoining parcel are not shown on the plat
- Minimum building setback lines are not shown on the plat
- Written statement regarding the flood zone not included on the plat
- Site data not shown on the plat

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-19008, Kinard Minor Subdivision be **DENIED.**

