



Baldwin County Planning & Zoning Commission Agenda

Thursday, July 11, 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:**

June 6, 2019 meeting minutes
6. **Announcements/Registration to address the Commission.**
7. **Consideration of Applications and Requests: Subdivision Cases**

a.) **Case S-19037, Tensaw Estates 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 23-lot subdivision.

Location: The subject site is located on the west side of Highway 225 approximately 1 mile north of Bromley Road.

b.) Case S-19039, Isabella Estates 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 6-lot subdivision.

Location: The subject property is located on the western side of County Road 112 between Horseneck Road and Phillipsville Road (County Road 61).

c.) Case S-19041, Silver Pines 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 7-lot subdivision.

Location: The subject property is on the east side of County Road 49 between Woodpecker Road and North Blvd.

d.) Case S-19042 Easy Like That RV Park Final Site Plan Approval

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

Purpose: The applicant is requesting Final Site Plan Approval for a 96 site RV Park.

Location: The subject property is on south side of US Highway 98 approximately 0.3 miles east of County Road 95.

8. Consideration of Applications and Requests: Re-Zoning Cases

a.) Case Z-19025, Retirement Systems of Alabama Property

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

Purpose: The applicant is requesting to rezone 1.27 acres +/- from TR to HDR to allow the construction of condominiums on the property.

Location: The subject property is located on the north end of the Grand Hotel Marina, in Planning District 26.

b.) Case Z-19028, Silcox Property

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

Purpose: The applicant is requesting to rezone 1.45 acres of a 3.6-acre parcel from RSF-E to B-3 to allow the construction of a retail store.

Location: The subject property is located on the northeast corner of the intersection of the Baldwin Beach Express and Oakdale Drive, in Planning District 12.

c.) Case Z-19029 Middleton Property

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

Purpose: The applicant is requesting to rezone 6.25 acres +/- from RSF-E to B-4 to allow boat and RV storage and potential mini warehouse facility on the parcel.

Location: The subject property is located on the west side of Highway 59, north of Devine Road, in Planning District 12.

9.) Public Comment:

10.) Old Business:

11.) New Business:

12.) Reports and Announcements:

Staff Reports

Legal Counsel Report

Next Regular Meeting: August 1, 2019

13.) Adjournment.

Baldwin County Planning and Zoning Commission
Case No. S-19037 – Tensaw Estates
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
July 11, 2019
Agenda Item 7.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: July 11, 2019 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 4 – RSF-1

Location of Property: The subject property is on the west side of Highway 225 approximately 1 mile north of Bromley Road.

Parcel Numbers: 05-29-04-20-0-000-015.000
05-29-09-42-0-000-003.033
05-29-09-42-0-000-003.043

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 23

Linear Feet of Streets: ± 2,755.00 linear feet

Total Acreage: ± 86.72 acres

Smallest Lot Size: ± 1.29 acres

Owner/Developer: Parnell Development, LLC
Les Parnell
7152-A Cloverleaf Landing Road
Bay Minette, AL 36507

Surveyor: Ercil E. Godwin, P.L.S.
Sawgrass Consulting, LLC
11143 Old Highway 31
Spanish Fort, AL 36527

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: Whitehouse Fork Water
Sewer: Baldwin County Sewer Service
Electricity: Baldwin EMC

Transportation: The proposed lots will front on an internal road, Anglers Trail, except for Lot 23 which will have direct access to Wright Drive, a paved, county maintained road.

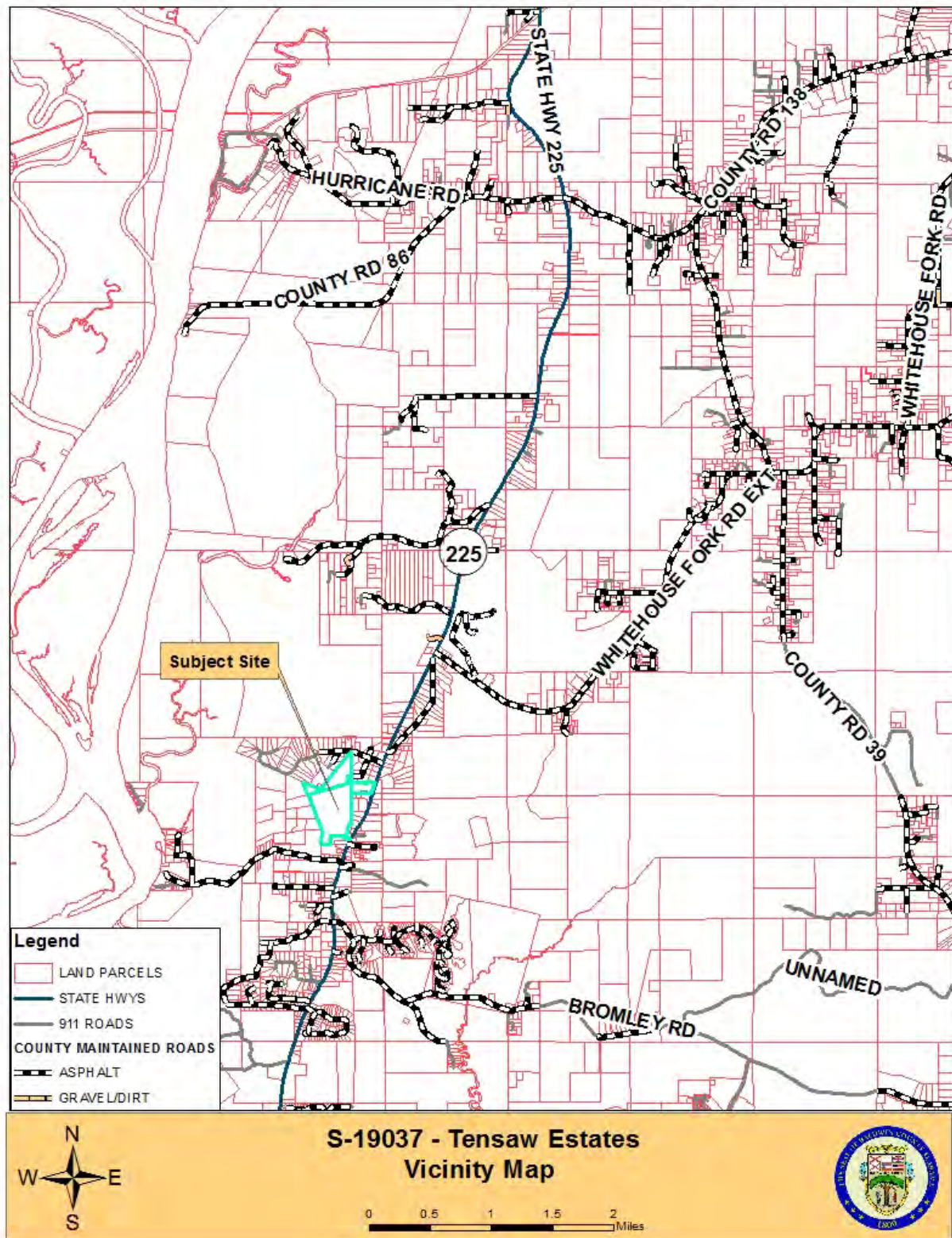
V. STAFF COMMENTS:

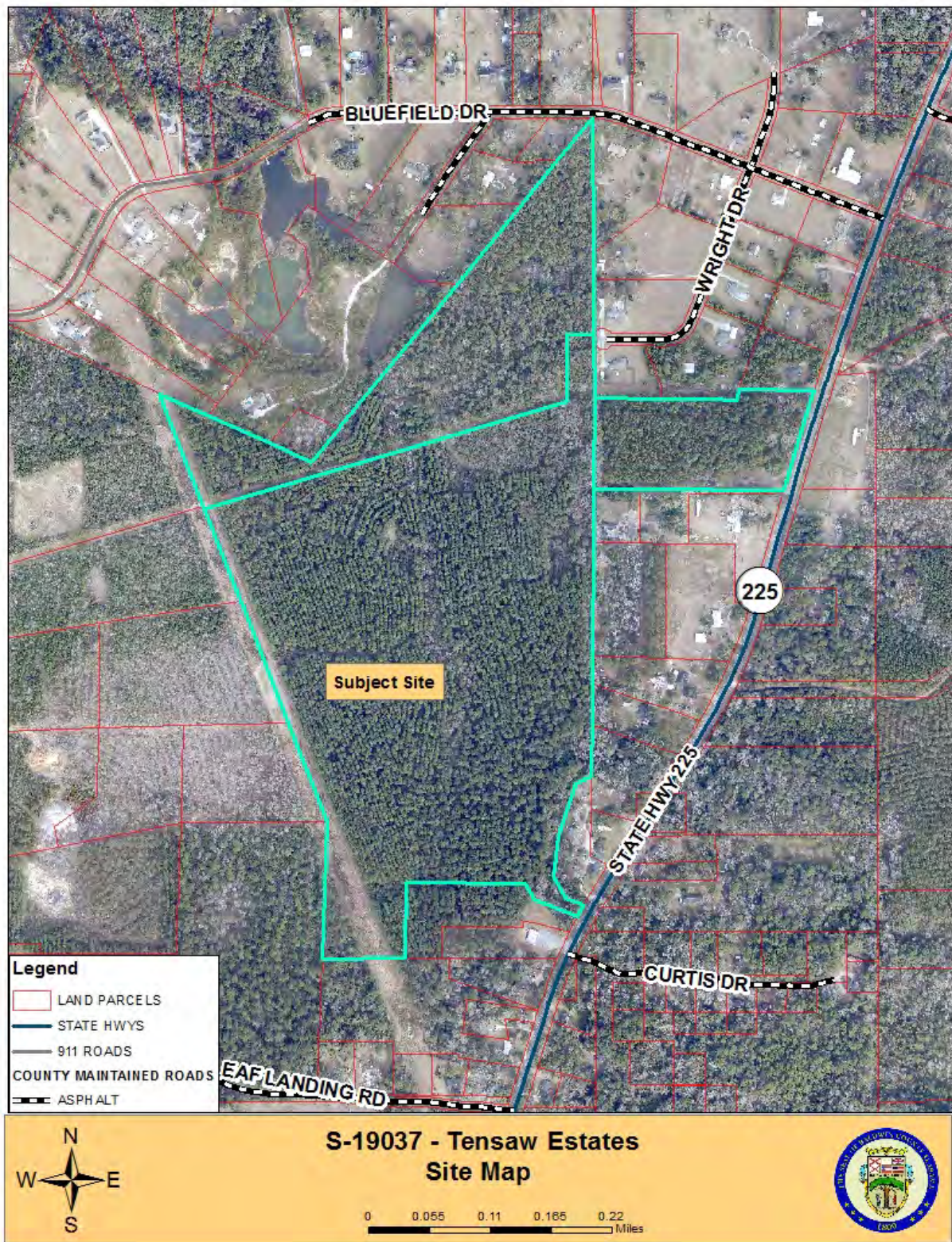
Items for consideration:

- Need current title policy, title opinion or title report.
- Need written documentation from affected utility providers showing their willingness to provide service.
- Need written drainage narrative as per Appendix 2 of the subdivision regulations for the drainage report.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-19037, Tensaw Estates be **DISAPPROVED** due to the deficiencies listed above.



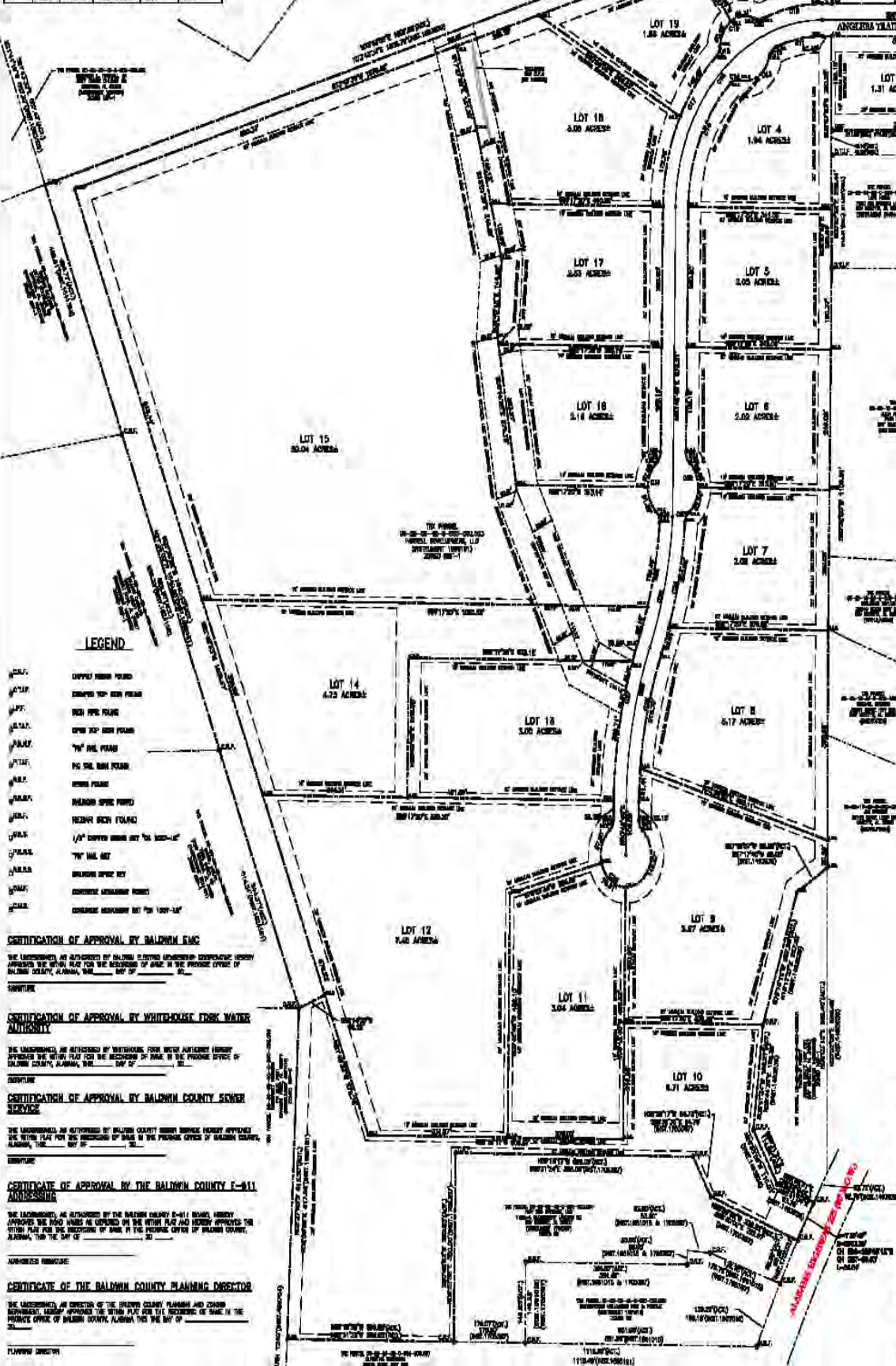


TENSAW ESTATES



CURVE TABLE				
CURVE #	PI	PC	PT	Curve Length
01	100.00	100.00	100.00	100.00
02	100.00	100.00	100.00	100.00
03	100.00	100.00	100.00	100.00
04	100.00	100.00	100.00	100.00
05	100.00	100.00	100.00	100.00
06	100.00	100.00	100.00	100.00
07	100.00	100.00	100.00	100.00
08	100.00	100.00	100.00	100.00
09	100.00	100.00	100.00	100.00
10	100.00	100.00	100.00	100.00
11	100.00	100.00	100.00	100.00
12	100.00	100.00	100.00	100.00
13	100.00	100.00	100.00	100.00
14	100.00	100.00	100.00	100.00
15	100.00	100.00	100.00	100.00
16	100.00	100.00	100.00	100.00
17	100.00	100.00	100.00	100.00
18	100.00	100.00	100.00	100.00
19	100.00	100.00	100.00	100.00
20	100.00	100.00	100.00	100.00
21	100.00	100.00	100.00	100.00
22	100.00	100.00	100.00	100.00
23	100.00	100.00	100.00	100.00
24	100.00	100.00	100.00	100.00
25	100.00	100.00	100.00	100.00
26	100.00	100.00	100.00	100.00
27	100.00	100.00	100.00	100.00
28	100.00	100.00	100.00	100.00
29	100.00	100.00	100.00	100.00
30	100.00	100.00	100.00	100.00

CURVE TABLE				
CURVE #	PI	PC	PT	Curve Length
31	100.00	100.00	100.00	100.00
32	100.00	100.00	100.00	100.00
33	100.00	100.00	100.00	100.00
34	100.00	100.00	100.00	100.00
35	100.00	100.00	100.00	100.00
36	100.00	100.00	100.00	100.00
37	100.00	100.00	100.00	100.00
38	100.00	100.00	100.00	100.00
39	100.00	100.00	100.00	100.00
40	100.00	100.00	100.00	100.00
41	100.00	100.00	100.00	100.00
42	100.00	100.00	100.00	100.00
43	100.00	100.00	100.00	100.00
44	100.00	100.00	100.00	100.00
45	100.00	100.00	100.00	100.00
46	100.00	100.00	100.00	100.00
47	100.00	100.00	100.00	100.00
48	100.00	100.00	100.00	100.00
49	100.00	100.00	100.00	100.00
50	100.00	100.00	100.00	100.00



NOTES:

1. INFORMATION USED TO PREPARE AND PREPARE THIS MAP WAS OBTAINED FROM PUBLIC RECORDS, BY THE TIME OF DATE, AND FROM OTHER SOURCES AS PROVIDED BY THE CLIENT. THE SURVEYOR HAS NO KNOWLEDGE OF ANY OTHER RECORDS OR INFORMATION THAT MAY AFFECT THE ACCURACY OF THIS MAP.
2. THIS MAP IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS MAP.
3. THE SURVEYOR HAS NO KNOWLEDGE OF ANY OTHER RECORDS OR INFORMATION THAT MAY AFFECT THE ACCURACY OF THIS MAP.
4. THE SURVEYOR HAS NO KNOWLEDGE OF ANY OTHER RECORDS OR INFORMATION THAT MAY AFFECT THE ACCURACY OF THIS MAP.
5. THE SURVEYOR HAS NO KNOWLEDGE OF ANY OTHER RECORDS OR INFORMATION THAT MAY AFFECT THE ACCURACY OF THIS MAP.

PROPOSED ROADWAY:

2.00 L.P. OF ROAD

OWNER:

PARNELL DEVELOPMENT, LLC
1100 S. GULF BLVD., SUITE 100
DAPHNE, AL 36628

LAND SURVEYOR:

PAUL C. BARNETT, P.E.
1100 S. GULF BLVD., SUITE 100
DAPHNE, AL 36628

UTILITY PROVIDERS:

ALBANY - ALBANY COUNTY WATER SYSTEM
ALBANY - ALBANY COUNTY SEWER SYSTEM
ALBANY - ALBANY COUNTY GAS SYSTEM

LICENSED SURVEYOR'S CERTIFICATION OF IMPROVEMENTS

I, PAUL C. BARNETT, P.E., a Licensed Professional Engineer in the State of Alabama, hereby certify that I have examined the plans and specifications for the proposed improvements and find them to be in accordance with the requirements of the Alabama Engineering Code and the rules and regulations of the Alabama Board of Engineering. I further certify that the plans and specifications are in accordance with the requirements of the Alabama Board of Engineering and the rules and regulations of the Alabama Board of Engineering.

OWNER'S DECLARATION

I, PAUL C. BARNETT, P.E., a Licensed Professional Engineer in the State of Alabama, hereby declare that I have examined the plans and specifications for the proposed improvements and find them to be in accordance with the requirements of the Alabama Engineering Code and the rules and regulations of the Alabama Board of Engineering. I further declare that the plans and specifications are in accordance with the requirements of the Alabama Board of Engineering and the rules and regulations of the Alabama Board of Engineering.

ACKNOWLEDGMENT

I, PAUL C. BARNETT, P.E., a Licensed Professional Engineer in the State of Alabama, hereby acknowledge that I have examined the plans and specifications for the proposed improvements and find them to be in accordance with the requirements of the Alabama Engineering Code and the rules and regulations of the Alabama Board of Engineering. I further acknowledge that the plans and specifications are in accordance with the requirements of the Alabama Board of Engineering and the rules and regulations of the Alabama Board of Engineering.

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

I, PAUL C. BARNETT, P.E., a Licensed Professional Engineer in the State of Alabama, hereby certify that I have examined the plans and specifications for the proposed improvements and find them to be in accordance with the requirements of the Alabama Engineering Code and the rules and regulations of the Alabama Board of Engineering. I further certify that the plans and specifications are in accordance with the requirements of the Alabama Board of Engineering and the rules and regulations of the Alabama Board of Engineering.

CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY PLANNING AND ZONING COMMISSION

I, PAUL C. BARNETT, P.E., a Licensed Professional Engineer in the State of Alabama, hereby certify that I have examined the plans and specifications for the proposed improvements and find them to be in accordance with the requirements of the Alabama Engineering Code and the rules and regulations of the Alabama Board of Engineering. I further certify that the plans and specifications are in accordance with the requirements of the Alabama Board of Engineering and the rules and regulations of the Alabama Board of Engineering.

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF PROPERTY

I, PAUL C. BARNETT, P.E., a Licensed Professional Engineer in the State of Alabama, hereby certify that I have examined the plans and specifications for the proposed improvements and find them to be in accordance with the requirements of the Alabama Engineering Code and the rules and regulations of the Alabama Board of Engineering. I further certify that the plans and specifications are in accordance with the requirements of the Alabama Board of Engineering and the rules and regulations of the Alabama Board of Engineering.

CERTIFICATE OF THE BALDWIN COUNTY PLANNING DIRECTOR

I, PAUL C. BARNETT, P.E., a Licensed Professional Engineer in the State of Alabama, hereby certify that I have examined the plans and specifications for the proposed improvements and find them to be in accordance with the requirements of the Alabama Engineering Code and the rules and regulations of the Alabama Board of Engineering. I further certify that the plans and specifications are in accordance with the requirements of the Alabama Board of Engineering and the rules and regulations of the Alabama Board of Engineering.

PRELIMINARY PLAT

TENSAW ESTATES

PARNELL DEVELOPMENT

SCALE: 1"=100'

DATE: JUNE 2018

DRAWN BY:

CHECKED BY:

SHEET: 1 OF 1



Baldwin County Planning and Zoning Commission
Case No. S-19039 – Isabella Estates
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
July 11, 2019
Agenda Item 7.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: July 11, 2019 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 5 – Unzoned

Location of Property: The subject property is on the western side of County Road 112 between Horseneck Road and Phillipsville Road (County Road 61).

Parcel Number: 05-24-04-17-0-000-006.000

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 6

Linear Feet of Streets: N/A

Total Acreage: ± 31.3 acres

Smallest Lot Size: ± 3.0 acres

Owner/Developer: Stephen V. Morgan & Diana M. Deupree
2228 Riverside Dr.
Mobile, AL 36605

Engineer/Surveyor: Rowe Engineering & Surveying, Inc.
3502 Laughlin Drive, Suite B
Mobile, AL 36693

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: North Baldwin Utilities
 Sewer: On-site Septic
 Electricity: Alabama Power

Transportation: The proposed lots will front on County Road 112, a county maintained paved road.

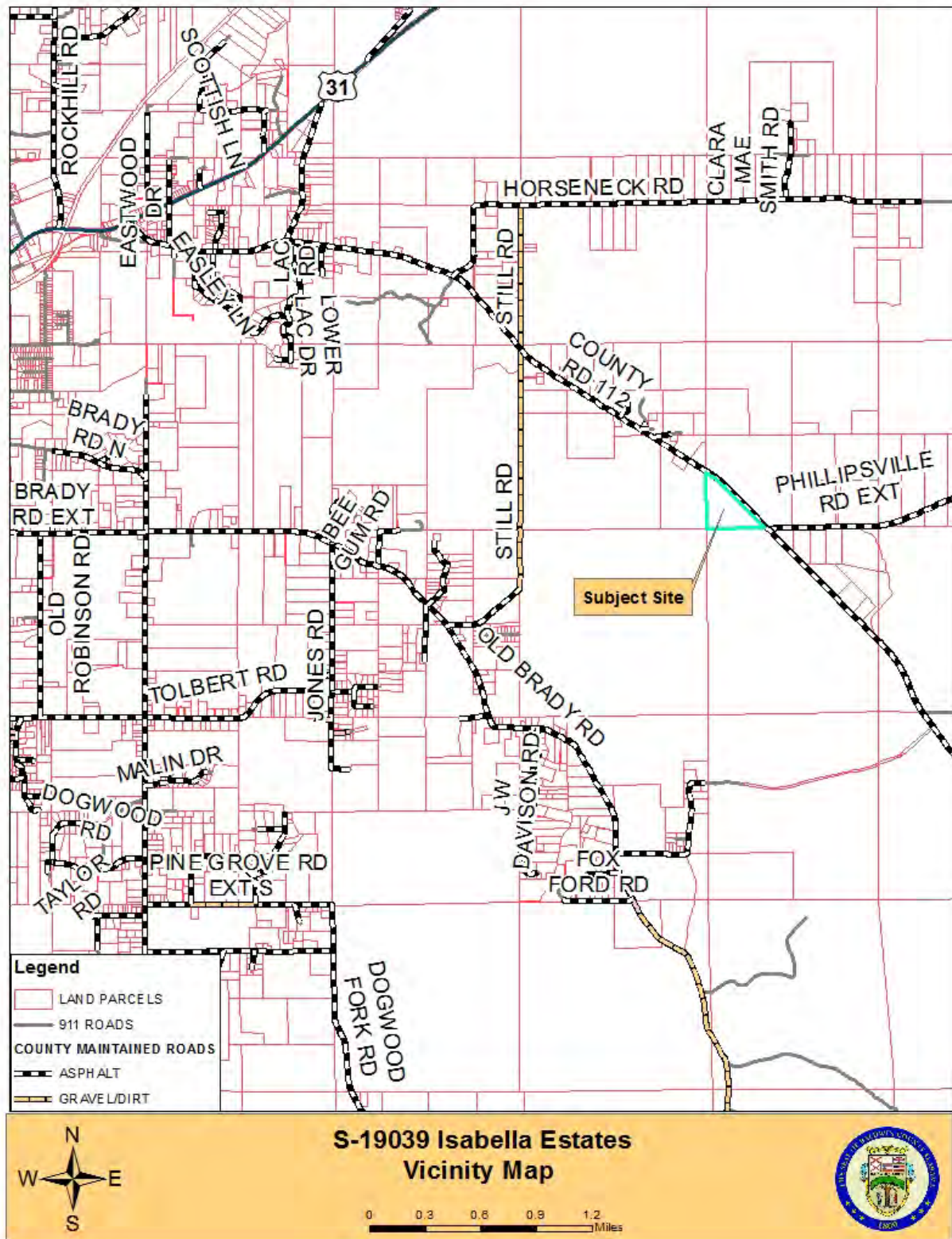
V. STAFF COMMENTS:

Items for consideration:

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

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-19039, Isabella Estates be **APPROVED**.





Baldwin County Planning and Zoning Commission
Case No. S-19041 – Silver Pines
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
July 11, 2019
Agenda Item 7.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: July 11, 2019 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 31 – RSF-1

Location of Property: The subject property is on the east side of County Road 49 between Woodpecker Road and North Blvd.

Parcel Numbers: 05-47-02-03-0-000-002.005

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 7

Linear Feet of Streets: N/A

Total Acreage: ± 72.33 acres

Smallest Lot Size: ± 6.04 acres

Owner: Silverhill 72 LLC
27180 Pollard Road
Daphne, AL 36526

Engineer/Surveyor: Dewberry
25353 Friendship Road
Daphne, AL 36526

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: On-Site Septic
 Electricity: Baldwin EMC

Transportation: The proposed lots, lots 1-4 will front on County Road 49, a paved, county maintained road and the remaining three lots (5-7) will front on West Boulevard, a paved, county maintained road.

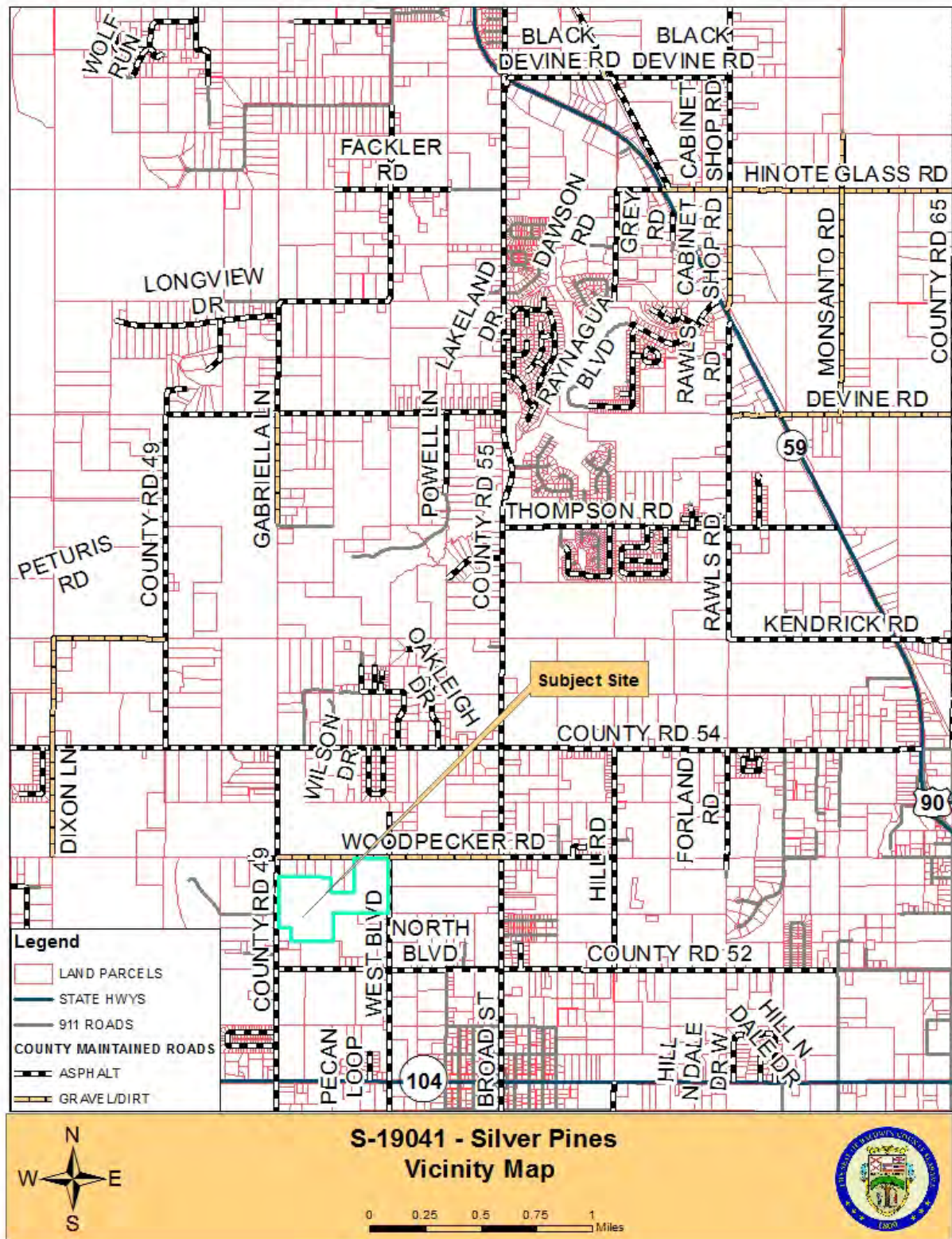
V. STAFF COMMENTS:

Items for consideration:

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

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-19041, Silver Pines be **APPROVED**.





SURVEYOR'S NOTES:

1. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS.
2. THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTIES.
3. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION, OR EXTENT OF ANY SUB-SURFACE FEATURES.
4. THE LINES REPRESENTING THE CENTERLINE AND RIGHT-OF-WAYS OF THE STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE NOT SURVEYED UNLESS RIGHT-OF-WAY MONUMENTATION IS ALSO SHOWN.
5. BASIS OF BEARINGS FOR THIS PLAT IS THE NORTH LINE OF SECTION 3 AS BEING N89°58'43"W ~ S89°58'43"E. BEARINGS ARE STATE PLANE GRID COORDINATES ALABAMA WEST (NAD1983).
6. ALL GPS OBSERVATIONS WERE TAKEN USING REAL TIME KINEMATIC GPS.

FLOOD CERTIFICATE:

THIS PROPERTY LIES WITHIN ZONE "X" (UNSHADED) AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY, ALABAMA, MAP NUMBER 0100300697M, COMMUNITY NUMBER 015000, PANEL NUMBER 0667, SUFFIX M, MAP REVISED DATE APRIL 19, 2019.

CERTIFICATE OF APPROVAL BY THE E-911 ADDRESSING:

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 20____.

AUTHORIZED SIGNATURE _____

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS _____ DAY OF _____.

COUNTY ENGINEER _____

CERTIFICATE OF APPROVAL BY THE PLANNING DIRECTOR

THE UNDERSIGNED, AS DIRECTOR OF THE BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 20____.

PLANNING DIRECTOR _____

CERTIFICATE OF APPROVAL BY TELEPHONE (CENTURYLINK):

THE UNDERSIGNED, AS AUTHORIZED BY CENTURYLINK HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE _____

CERTIFICATE OF APPROVAL BY BALDWIN EMC (ELECTRIC):

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN EMC HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE _____

BALDWIN COUNTY HEALTH DEPARTMENT APPROVAL

ACCORDING TO 420-3-1-18(a), 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 ON-SITE SEWAGE TREATMENT SYSTEM.

THIS THE _____ DAY OF _____, 2019.

ENVIRONMENTALIST _____

GENERAL NOTES:

1. THERE EXISTS A 10 FOOT UTILITY EASEMENT ON ALL LOT LINES ADJACENT TO RIGHT-OF-WAYS AND A 20 FOOT (10 FEET EACH SIDE) UTILITY EASEMENT ALONG ALL SIDE LOT LINES UNLESS OTHERWISE NOTED.
2. ON CORNER LOTS, THE BUILDING ORIENTATION WILL DICTATE THE FRONT, REAR, INTERIOR SIDE, AND CORNER YARD SETBACKS AND WILL BE VERIFIED DURING THE BUILDING PERMIT PROCESS.
3. THE MINIMUM FINISHED FLOOR ELEVATION ON ALL LOTS SHALL BE 18" ABOVE THE HIGHEST ADJACENT CENTERLINE OF THE ROADWAY.

CERTIFICATION OF OWNERSHIP AND DEDICATION:

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND SUBMITTED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED, AND GRANT ALL EASEMENTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE, AS NOTED, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

DATED THIS _____ DAY OF _____, 20____.

BY: SILVERHILL 72 LLC _____

ITS: _____

CERTIFICATION BY NOTARY PUBLIC:

STATE OF ALABAMA
COUNTY OF BALDWIN)


I, _____, NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN, IN THE STATE OF ALABAMA, HEREBY CERTIFY THAT _____, WHOSE NAME AS _____ OF _____ IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENT OF THE INSTRUMENT AND AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC _____

SILVER PINES SUBDIVISION

JUNE 11, 2019 - SHEET 1 OF 1 SHEETS

BOUNDARY SURVEY AND PLAT OF SUBDIVISION					
DESIGN	CKH	DRAWN	CKH	CHKD.	MSP
ENG	JNE	SURVEYOR	JGA	PROJ MGR	MSP
 25523 Friendship Road Daphne, AL 36516 251-991-9920 fax 251-919-9815				SCALE	1"=100'
				PROJ. NO.	50111948
				FILE	50111948 - PP
				SHEET	2 OF 2

Baldwin County Planning and Zoning Commission
Case No. S-19042 – Easy Like That RV Park
Final Site Plan Approval
Staff Report for Planning and Zoning Commission Public Hearing
July 11, 2019
Agenda Item 7.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: July 11, 2019 Final Site Plan Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 22 – RV-1

Location of Property: The subject property is on south side of US Highway 98 approximately 0.3 miles east of County Road 95.

Parcel Numbers: 05-53-07-26-0-000-002.000

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Sites: 96

Linear Feet of Streets: 4,566 LF

Total Acreage: ± 12.94 acres

Smallest Site Size: ± 1,600 square feet

Owner: Easy Like That Properties, LLC
7001 Pine Springs Rd
Meridian, MS 39305

Engineer: Goodwyn, Mills and Cawood, Inc.
PO Box 1127
Daphne, AL 36526

Surveyor: Survey Consultants
16961 State Hwy 180, Suite D
Gulf Shores, AL 36542

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

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: Perdido Bay Water
Sewer: Baldwin County Sewer Service
Electricity: Riviera Utilities

Transportation: The proposed sites will front internal paved and gravel roads.

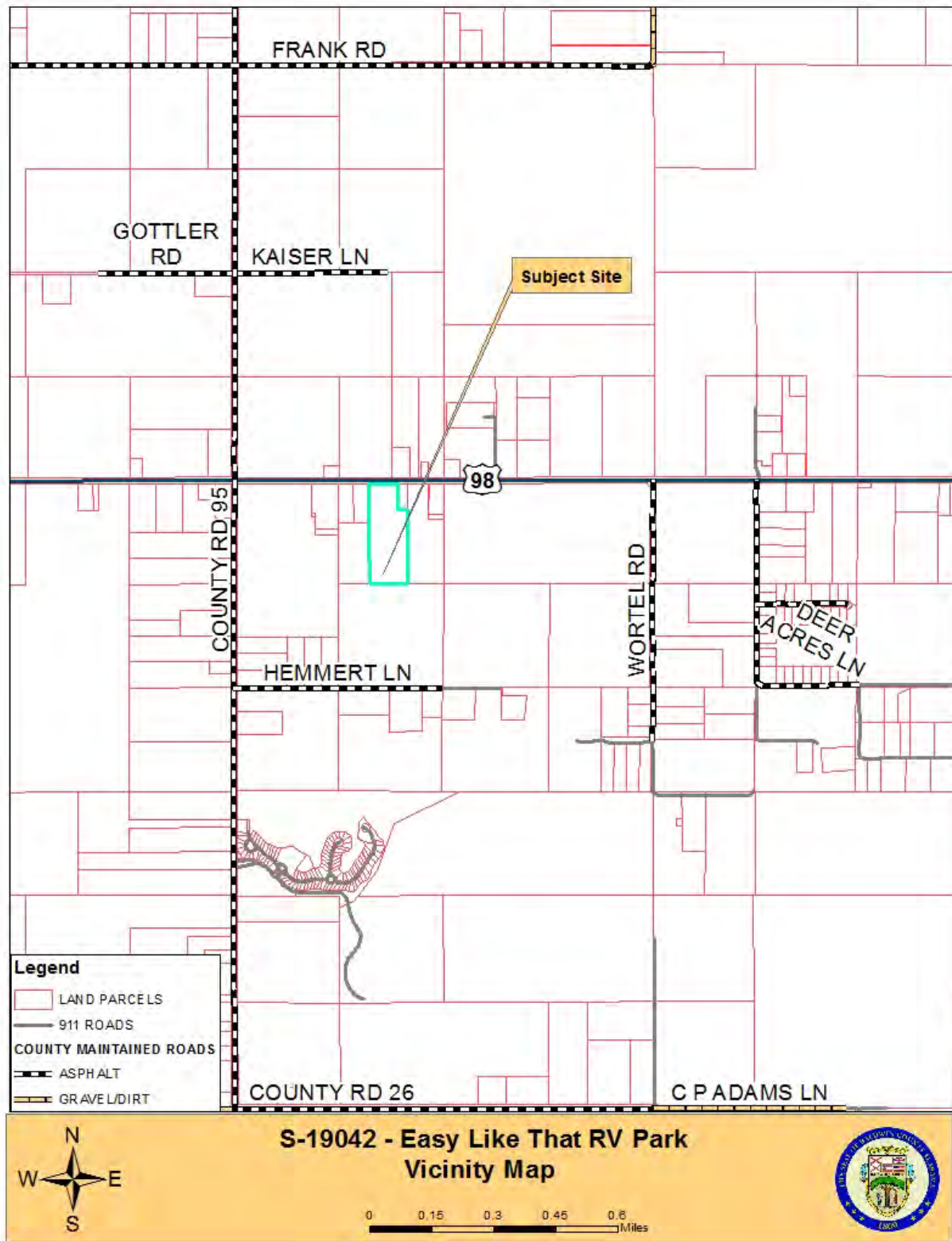
V. STAFF COMMENTS:

Items for consideration:

- All items of the Final Site Plan application meet the requirements of the subdivision regulations except for approval from the Town of Elberta. Since this is not a subdivision, the Town of Elberta does not need to review the Final Site Plan application. The Town of Elberta has a planning meeting on July 11, 2019, in which they will provide written approval for Easy Like That RV Park.

VI. RECOMMENDATIONS:

Staff recommends that the Final Site Plan approval for Case No. S-19042, Easy Like That RV Park be **APPROVED** contingent upon receipt of approval from Town of Elberta.







Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.a

Case No. Z-19025

Retirement Systems of Alabama Property

Rezone TR, Tourist Resort District, to HDR, High Density Residential District

July 11, 2019

Subject Property Information

Planning District: 26
General Location: West side of Scenic Highway 98 at the north end of the Grand Hotel Marina
Physical Address: N/A
Parcel Number: A part of 05-45-07-36-0-000-002.004
Existing Zoning: TR, Tourist Resort District
Proposed Zoning: HDR, High Density Residential District
Existing Land Use: Undeveloped
Proposed Land Use: High Density Residential (12 condominium units)
Acreage: 1.27 acres, more or less, of a greater 26.6 acre parcel
Applicant: Tim Lawley – Goodwyn, Mills & Cawood
P.O. Box 1127
Daphne, Alabama 36526
Owner: Retirement Systems of Alabama – Steve Timms
201 South Union Street
Montgomery, Alabama 36104
Lead Staff: Vince Jackson, Planning Director
Attachments: *Within Report*

Adjacent Land Use		Adjacent Zoning
North	Residential	RSF-2, Single Family District
South	Commercial	TR, Tourist Resort District
East	Golf Course	TR, Tourist Resort District
West	Mobile Bay	N/A
Summary		

The subject property, which consists of approximately 1.27 acres, is currently zoned TR, Tourist Resort District. This property is part of a larger 26.6 acre parcel which is owned by the Retirement Systems of Alabama (RSA). The applicant is requesting a rezoning to HDR, High Density Residential District, in order to develop condominium units. As proposed, 12 units would be constructed in a 4-story building.

Section 7.1 TR, Tourist Resort District

7.1.1 *Generally.* This zoning district is intended to provide for tourist lodging facilities and associated resort and recreation activities.

7.1.2 *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) Outdoor recreation uses.
- (d) The following general commercial uses: country club; hotel or motel.
- (e) The following institutional uses: church or similar religious facility.
- (f) The following agricultural uses: Silviculture.
- (g) Accessory structures and accessory uses such as food service, gift or novelty shops, and barber or beauty shops conducted primarily for the convenience of visitors or patrons on the premises and contained within a principal building.

7.1.3 *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:

- (a) The following marine recreation uses: marina.
- (b) The following general commercial uses: night club, bar, tavern.
- (c) The following local commercial uses: bed and breakfast or tourist home; cafe; convenience store; delicatessen; gift shop; restaurant.
- (d) The following professional service and office uses: office.

7.1.4 *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 18.6 Variances*, and *Article XX: 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	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	20-Feet
Minimum Lot Area	5 Acres

Maximum Impervious Surface Ratio	.80
Minimum Lot Width at Building Line	270-Feet
Minimum Lot Width at Street Line	270-Feet

Proposed Zoning Requirements

Section 4.10 HDR, High Density Residential District

4.10.1 *Generally*. The intent of this zoning designation is to provide the opportunity for multiple family residential development, including apartments, condominiums, duplexes and townhouses, in a high density setting.

4.10.2 *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) Extraction or removal of natural resources on or under land.
- (b) Water well (public or private).
- (c) Silviculture.
- (d) Multiple family dwellings (apartments and condominiums).
- (e) Two family dwellings.
- (f) Townhouses.
- (g) Single Family Dwellings.
- (h) Accessory structures and uses.
- (i) Church or similar religious facility.

4.10.3 *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) Country club.

4.10.4 *Area and dimensional ordinances (single family and two family)*. 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
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet

Minimum Side Yards	10-Feet
Maximum Density	12 Dwelling Units per Acre
Minimum Lot Area/Dwelling Unit	6,500 Square Feet
Minimum Lot Width at Building Line	60-Feet
Minimum Lot Width at Street Line	30-Feet
Maximum Ground Coverage Ratio	.35

4.10.5 *Area and dimensional ordinances (multiple family).* 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	50
Minimum Front Yard	25-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	25-Feet
Maximum Density	12 Dwelling Units per Acre
Minimum Lot Area	22,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Minimum Lot Width at Street Line	50-Feet
Maximum Ground Coverage Ratio	.80

4.10.6 *Townhouses.* 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
Minimum Front Yard	25-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	10-Feet (exterior wall side yards)
Maximum Density	12 Dwelling Units per Acre
Minimum Lot Area/Dwelling Unit	2,500 Square Feet
Minimum Lot Width at Building Line	25-Feet
Minimum Lot Width at Street Line	25-Feet
Maximum Ground Coverage Ratio	.80

4.10.7 *Open space requirement.* A minimum of 10% of the gross land area developed under the HDR designation shall be set aside as permanent open space to include amenities, common areas and recreation facilities.

4.10.8 *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 properties designated single family residential, which are located within 200-feet of the source of the light.

4.10.9 *Landscaping and buffering*. All HDR, High Density Residential District, properties shall meet the requirements of *Article 17: Landscaping and Buffers*.

Agency Comments

Baldwin County Highway Department:

Seth Peterson

From: Seth L. Peterson

Sent: Tuesday, June 18, 2019 10:21 AM

To: D Hart <DHart@baldwincountyal.gov>

Cc: Laurie Rumbaugh <LRUMBAUGH@baldwincountyal.gov>; Mary Booth <MBOOTH@baldwincountyal.gov>

Subject: RE: Z-19025 RSA Property

DJ,

If the rezoning is approved the applicant will need Final Site Plan approval through the subdivision regulations.

Thanks,

Seth

Frank Lundy

From: Frank Lundy

Sent: Tuesday, June 18, 2019 9:53 AM

To: D Hart <DHart@baldwincountyal.gov>

Cc: Seth L. Peterson <SPETERSON@baldwincountyal.gov>; Tyler W. Mitchell <TMITCHELL@baldwincountyal.gov>; Vince Jackson <VJACKSON@baldwincountyal.gov>

Subject: FW: Z-19025 RSA Property

DJ,

If approved, traffic impacts including impacts to pedestrian facilities need to be closely reviewed.

Thanks,

Frank Lundy

ADEM, J. Scott Brown:

From: Brown, Scott [<mailto:jsb@adem.alabama.gov>]

Sent: Monday, June 17, 2019 9:17 AM

To: D Hart <DHart@baldwincountyal.gov>

Subject: <EXTERNAL> July zoning cases

Good morning DJ:

Regarding Case No. Z-19025, RSA Property, Point Clear

From a desktop review, the property is in the Coastal Area of Alabama (ADEM Admin. Code r. 335-8-1-.02[k]) adjacent to Mobile Bay and is subject to the enforceable policies of the Alabama Coastal Area Management Program (ACAMP). Though subject property is already highly developed, the beach and nearshore areas are not. Any future plans to alter the beach and/or nearshore environment (e.g., dredging, shoreline armoring, pier construction) would be subject to review and approval by the ACAMP and require a federal permit from the Mobile District U.S. Army Corps of Engineers. Approval of such requests is not guaranteed.

v/r,

J. Scott Brown, Chief

Mobile Field Office

Alabama Department of Environmental Management

251.304.1176

Municipality: City of Fairhope, Buford King, Development Services Manager – Proposed rezoning represents an incompatible land use and is not recommended for approval. Please see attached letter for more detailed information.



VIA E-MAIL WITH ATTACHMENTS

June 26, 2019

Ms. D.J. Hart, Planning Technician
Baldwin County Planning and Zoning Department
P.O. Box 220
Silverhill, AL 36576

Karin Wilson
Mayor

Council Members:

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMA

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

RE: Z-19025 Retirement Systems of Alabama Property

Dear Ms. Hart,

Thank you for your correspondence related to Baldwin County Planning and Zoning Case number Z-19025 related to PPIN 117412, owned by the Teachers Retirement System of Alabama. Based upon the correspondence received, the intent is to rezone 1.27 acres of the greater 26.6 acre parcel from a Baldwin County TR District to a Baldwin County HDR District, with the intent of creating an allowable use for a 12-unit condominium building on the 1.27 acre portion of PPIN 117412.

Once again thank you and County and staff for the opportunity to comment on this rezoning case. Though subject property is zoned by Baldwin County and subject to Baldwin County's zoning ordinance, subject property is also contained within the City of Fairhope's Planning Jurisdiction, Permit Jurisdiction, and Police Jurisdictions. Should any subdivision activities occur on subject property, the City of Fairhope Subdivision regulations shall apply. Further, should three or more units be proposed on subject property, the proposed units will require an application for Multiple Occupancy Project (MOP) to be considered by the City of Fairhope Planning Commission. MOP applications are a component of the City of Fairhope Subdivision regulations and address drainage, traffic, greenspace, and various development matters associated with typical subdivision applications.

A 12-unit development located on 1.27 acres equals a development density of 9.45 units per acre (UPA). In City of Fairhope vernacular, 9.45 units per acre is only slightly below the highest development density allowed by Fairhope's zoning ordinance, unless a higher density is requested by a Planned Unit Development (PUD). Subject property is immediately adjacent to areas zoned Baldwin County RSF-1 and RSF-2, which are, respectively, low density and moderate density single family residential zoning districts.

It is the professional opinion of this City of Fairhope staff member that Case number S-19025, if approved as submitted and the 12-unit condominium building constructed, represents an incompatible land use of high-density development immediately adjacent to low and moderate density single family residential zones. As a result, I do not recommend approval of Baldwin County Planning and

101 North Section Street

P.O. Drawer 420

Fairhope, Alabama 36553

251-928-2136

251-928-6776 Fax

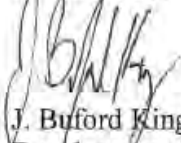
www.fairhopeal.gov

info@fairhopeal.gov

VIA E-MAIL WITH ATTACHMENTS

Zoning Case number Z-19025. I am happy to provide follow-up correspondence regarding this case if desired.

Respectfully,



J. Buford King, LEED AP, QCI
Development Services Manager
City of Fairhope Planning and Zoning Department

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 structures and parking associated with the adjacent yacht basin. The property adjoins Scenic Highway 98 to the east and Mobile Bay to the west. The adjoining properties to the south, including the Grand Hotel and related facilities, are commercial. The adjoining property to the north is the location of a single family dwelling. Additional single family dwellings are located to the north.

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 26 was approved by the County Commission on September 21, 1993. Residential properties throughout the planning district are primarily zoned either RSF-1 or RSF-2. With a few exceptions, this has remained relatively constant. HDR, which was approved by the Commission on May 16, 2017, did not exist at the time of zoning adoption.

TR, Tourist Resort District, is a unique zoning designation which is only found in Planning District 26. It appears to have been specifically created for the Grand Hotel properties. There has been one previous request to rezone property from TR, Case Z-15023, Retirement Systems of Alabama Property. This request involved the rezoning of approximately 2.02 acres, located at the southwest end of Quail Run in the Lakewood Subdivision, from TR to RTF-4, Two Family District, in order to match the current use of adjacent properties. The rezoning was approved by the County Commission on January 1, 2016.

Regarding multifamily rezonings (previously known as R-6, now known as RMF-6), the following have been approved in Planning District 26:

- Case Z-06032, Barnes Property

This request involved two parcels, consisting of approximately one acre, located on the south side of County Road 32, east of Scenic Highway 98. The properties were rezoned from B-2, Neighborhood Business District, to R-6, Multiple Family District, in order to allow townhomes in conjunction with a proposed mixed-use development which never materialized. The properties were recently subdivided into three lots.

- Case Z-09017 and Case Z-09018, Kaylor & Point Clear Landing Association, Inc. Property

These cases were related to the condominium development known as Point Clear Landing. The majority of the development was constructed prior to the adoption of zoning. The purposes were to rezone the properties from RSF-1 to RMF-6 (Case Z-09017) and approve a Planned Residential Development (PRD) site plan (Case Z-09018) in order to allow six additional units and address conformity issues. The cases were approved on August 18, 2009.

Current zoning designation nomenclature was adopted on July 21, 2009.

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

The Baldwin County Master Plan, 2013, provides a future land use designation of Commercial for the subject property. Approval of the rezoning will necessitate a change in the future land use designation to Residential.

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

See the comments of Frank Lundy with the agency comments which are listed above.

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

Development on the subject property, whether under the current zoning or the proposed zoning, will affect traffic patterns and congestion. The exact impact, however, is difficult to ascertain. Traffic impacts and required improvements, if needed, will be addressed during later phases of the project if the rezoning is approved.

See comments of Frank Lundy under agency comments.

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 responses to Standard 1 and Standard 2.

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

This application represents the first request for HDR since the designation was adopted in 2017. Adjacent properties are zoned RSF-2 and TR. Additional single family properties to the north are zoned RSF-1 and RSF-2.

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?

- The subject property is located in the VE (12-13) and AE (10-11) flood zones. Zone V identifies the coastal high hazard area on the Flood Insurance Rate (FIRM) Maps. The coastal high hazard area is defined as an area of special flood hazard extending from offshore to the inland limit of the primary frontal dune along an open coast and any area subject to high velocity wave action from storms or seismic sources. Buildings in V zones are subject to a greater hazard than buildings built in other types of floodplains. Such buildings are required to be elevated above the Base Flood Elevation (BFE) and must also be protected from the impact of waves, hurricane-force winds and erosion. Under the *Baldwin County Zoning Ordinance*, a setback of 50-feet landward of the reach of mean high tide is required for buildings or structures located within coastal high hazard areas.
- Adjacent property to the north is located within the Point Clear/Battles Wharf Historic District.
- See ADEM response under agency comments.

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

This a broad standard which often indicates potential impacts which could extend beyond a given planning district. In the case at hand the proposed construction in the coastal high hazard area represents a potential effect on health, safety and welfare.

11.) Other matters which may be appropriate.

The intent of the HDR, High Density Residential District, is to provide the opportunity for multiple family residential development, including apartments, condominiums, duplexes and townhouses, in a high density setting.

The designation was created because of inquiries from developers with an interest in high density residential development, primarily multifamily, in the zoned areas of the County. At the time, the zoning ordinance limited density to six dwelling units per acre. As a result, developers would often seek annexation into municipalities in order to achieve their desired density. Adoption of HDR provided a true high density zoning designation to allow future high density developments to remain under County zoning, with the intention that the designation would be applied in the zoned areas which are adjacent to the larger municipalities (Case T-17001, adopted by the County Commission on May 16, 2017).

Staff Comments and Recommendation

As stated previously, the subject property, which consists of approximately 1.27 acres, is currently zoned TR, Tourist Resort District. This property is part of a larger 26.6 acre parcel which is owned by the Retirement Systems of Alabama (RSA). The applicant is requesting a rezoning to HDR, High Density Residential District, in order to develop condominium units. As proposed, 12 units would be constructed in a 4-story building.

This is a difficult case with substantial opposition which represents an effort to preserve the large lot development pattern which has historically existed in Point Clear. More specific reasons are provided in the emails and letters received by staff which are attached to this staff report. The applicant, on the other hand, argues that TR is essentially a commercial designation and that the proposed rezoning would be less intrusive to adjacent properties. A letter from the applicant, which provides additional reasons for approval is also attached.

Staff is aware of the uses which are allowed by right and through the Special Exception process under the current zoning. It is true that a permitted use, such as a hotel, could be constructed subject to meeting all applicable requirements. However, staff has concerns with this request based on the incompatibility of a multifamily structure adjacent to a single family dwelling, the location of the proposed development in the coastal high hazard area and the intent of the HDR zoning. It should be noted that this application represents the first request for HDR. Although every rezoning is unique and is evaluated on its individual merits, this case will set a precedent for future HDR applications. As a result, staff believes that the intent of HDR as envisioned at the time of adoption should be followed. This designation would be more appropriately applied in an area adjacent to a municipality with separation and transitional zoning between the high density uses and single family uses.

With the above comments in mind, staff recommends **DENIAL** of Case Z-19025 to the County Commission. *

If the Planning Commission should wish to recommend approval, the decision should be based on information obtained from this staff report and the public hearing.

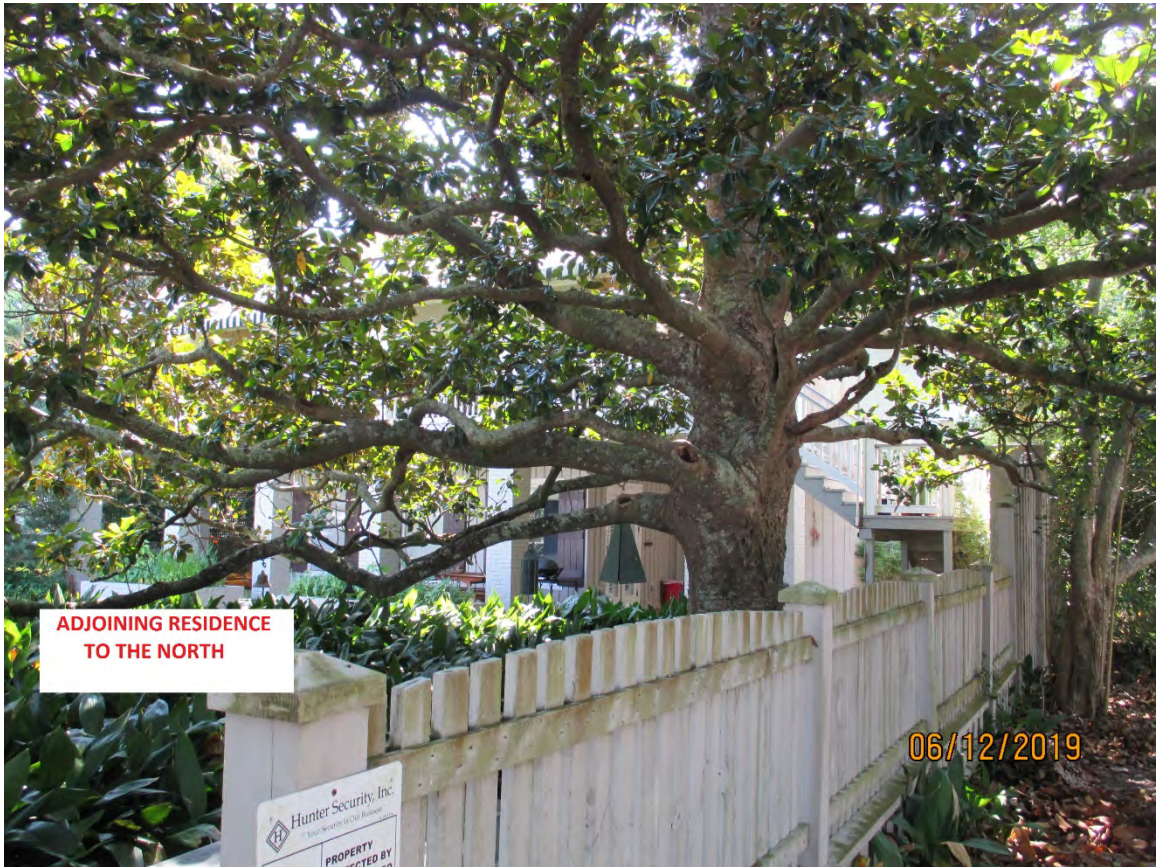
**On rezoning applications, the Planning Commission will make a recommendation to the County Commission.*



Property Images









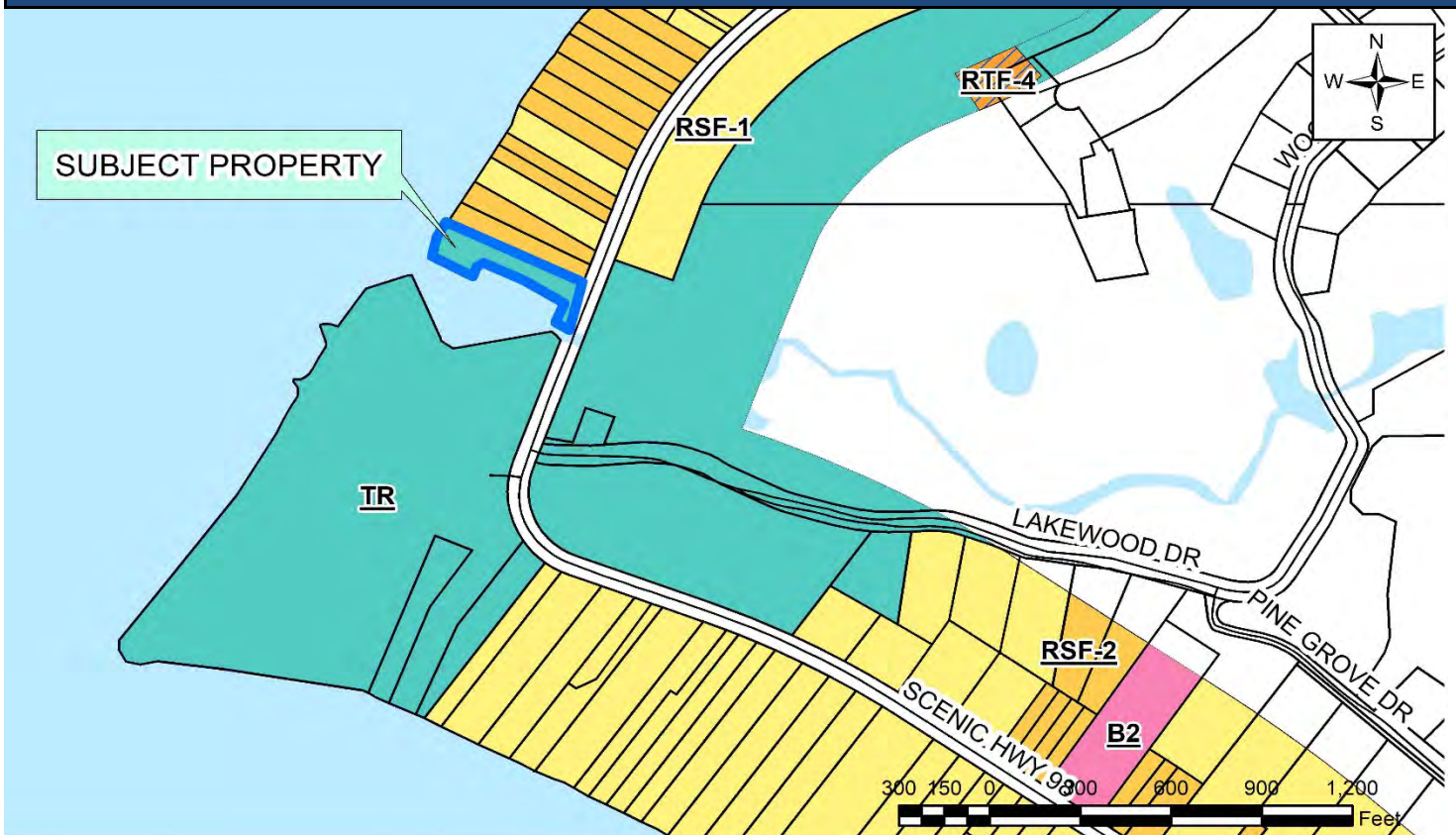
ADJOINING PROPERTY
TO THE EAST

06/12/2019

Site Map



Locator Map





Goodwyn Mills Cawood

2039 Main Street
P.O. Box 1127
Daphne, AL 36528

T (251) 626-2626
F (251) 626-6934

www.gmcnetwork.com

June 26, 2019

Mr. Vince Jackson, Planning Director
Baldwin County Planning and Zoning Department
22251 Palmer Street
Robertsdale, AL 36567

Re: Z-19025

Dear Vince,

It is our understanding that the county has received several emails and letters in opposition to the above referenced case. After review of the letters and emails, it appears most of the concern is in regards to establishing a higher density zoning and possibly setting a precedent.

The application under consideration is to rezone the north 1.27 acres of the 27 acre grand hotel property from TR (Tourist Resort) to HDR (High Density Residential). The current TR Zoning is essentially a commercial zoning that has allowable uses including hotels, motels, country clubs, churches, food service, gift/novelty shops, barber shops, marinas, night clubs, bars, taverns, bed and breakfast, tourist home, convenience stores, restaurants, and offices. The proposed HDR zoning is a residential zoning that has allowable uses of multiple family dwellings, two family dwellings, townhouses, single family dwellings, churches, day care, fire station, school, and country club.

The subject property is owned and operated by RSA as an investment property for the benefit of the numerous state employees invested in the retirement system. We have been exploring development strategies for this specific area for several years and feel that the proposed use of condominiums in this area is a reasonable and appropriate use for the subject property. The proposed rezoning also employs good planning procedures as the proposed HDR zoning would be a step down from the allowable commercial uses with in the TR zoning to the single family residential zoning immediately to the north. It would essentially provide a buffer of privately owned condominiums between the hotels and residence to the north. It should be noted that as the property is currently zoned, numerous commercial uses could be implemented in the same subject area.



In response to the specific items noted in the letter received from the Point Clear Property Owners Association, Inc. (Dated 6/19/19), we offer the following.

1. The proposed HDR zoning is more compatible with the adjoining properties to the north as they both allow residential uses.
2. Condominiums are not a more intrusive use than the existing allowable uses.
3. Low density single family uses will not take place on the subject property regardless of whether or not it is rezoned. As stated above, the proposed zoning follows good planning procedures and provides a step down between the TR zoning and Single Family Zoning.
4. Any traffic concerns will be addressed at the time of development. It should be noted that 12 condominiums would result in significantly less traffic than development of additional hotel rooms and/or a restaurant in the subject area. With this being the only TR zoning in point clear, it is not possible for a precedent to be set. The request to go from TR zoning to HDR zoning is going from a higher zoning category to a lower zoning category (essentially commercial to residential). This would not set a precedent for properties zoned single family residential to be rezoned to HDR, as this would be going from a lower zoning category to a higher zoning category.
5. The proposed zoning is consistent with the current allowable uses within the TR zoning. The proposed zoning is less intrusive than the current zoning.
6. As stated above, the proposed zoning follows good planning procedures and provides a step down between the TR Zoning and Single Family Zoning.
7. The proposed zoning will have no adverse effects on the health, safety, and welfare of the community.

Regarding the submittal procedure of the application, we met with and discussed the application with county staff prior to submittal. County Staff advised that a subdivision is not required for the rezoning.

We respectfully ask for your consideration of approval of the referenced rezoning case. As you always do, we request that this application be reviewed on its technical merit, and not on any unsubstantiated fear of a possible spread of High Density Residential Zoning throughout the area.

Sincerely,

GOODWYN, MILLS & CAWOOD, INC.,

A handwritten signature in blue ink, appearing to read "Tim Lawley".

Timothy D. Lawley, P.E.

Project Manager

CMO8190012



POINT CLEAR PROPERTY OWNERS ASSOCIATION, INC.

Board of Directors/Officers

Emilee O. Lyons, Secretary
Allan R. Chason, At Large
Burton Craige, President

James F. Currie, Treasurer
H. R. Key, Vice President
Frank Feagin, At Large

P. O. Box 114
Point Clear, Alabama 36564
pointclearpropertyownersassoc@gmail.com

June 19, 2019

**FIRST CLASS MAIL
AND ELECTRONIC MAIL**
vjackson@baldwincountyal.gov

Mr. Vince Jackson
Baldwin County Planning Commission
P. O. Box 220
Silverhill, Alabama 36567

Dear Vince:

Re: RSA re-zoning/Case No Z-19025

Please accept this as the opposition of the Board of Directors and some 400 members of the Point Clear Property Owners Association to the above referenced re-zoning application by Retirement Systems of Alabama.

The subject parcel is a 1.27 acre, irregularly shaped parcel lying north of the Grand Hotel marina, or yacht basin. The overall length of the parcel east and west is some 700 feet. At its widest point north and south, the practically usable part of the parcel appears to be some 100 feet by 140 feet in size. The parcel extends some 250 feet into Mobile Bay at a width of approximately 15 feet, forming the bulkhead for the entrance to the marina from the Bay. The parcel is currently used as a parking lot for those with boats kept in the marina; as a small office for the harbor master; and for marine fuel dispensing tanks and pumps. The western part of the parcel is located in Velocity Flood Zone VE (12-13). The only public access to the parcel is from Scenic Highway 98, at the point at which that highway adjoins the bridge over Point Clear Creek, just north of the main Hotel entrance. The parcel is presently zoned TR (Tourist Resort) and the present uses of it are incidental to the operation of the Grand Hotel. It is located outside the municipal boundary of the City of Fairhope, but within its extra-territorial jurisdiction.

The HDR (High Density Residential) district which this application seeks would require or allow "multiple family dwellings (apartments and condominiums)" to be built on the property. For multi-family uses, the dimensional requirements of the Ordinance applicable to HDR would permit a 50 foot building height; 25 foot minimum front, side and rear yards, 12 units per acre density, and a minimum lot width at the building line of 100 feet. The maximum ground coverage ratio of improvements would be .80. A minimum of 10% of the gross land area must be set aside as permanent open space.

If rezoned from TR to HDR as requested, a 12-14 unit high rise condominium could arguably be constructed on the parcel, assuming the dimensional requirements are met.

Page | 1

To rezone the parcel from TR to HDR would constitute an unprecedented increase in the density presently allowed for residential development at Point Clear. The overwhelming majority of residential property at Point Clear restricts construction to no more than two housing units per acre. The RSA proposal would allow 12 units per acre. The subject parcel directly adjoins low and moderate density, single family, private homes to the north. The impact of this project will not only adversely affect the peace and quiet of the adjoining neighborhood, but will impact all of Point Clear and Battles Wharf in that it will surely result in increased traffic and congestion on Scenic Highway 98. Because the marina and yacht basin form a natural buffer between the Hotel operations and the adjoining single family uses to the north, to permit the construction of high density residential uses north of the marina and yacht basin would defeat the usefulness of that natural buffer.

As you are well aware from prior matters in which our Association has taken a position, the clearly stated policy of the Point Clear Property Owners Association has been to oppose any land use change to higher density development anywhere in Planning District 26. We have consistently taken that position on small projects and now on this large project. Our purpose in consistently taking that position is our effort to preserve the large lot residential development pattern which has historically existed at Point Clear. The precedent which would be established by this RSA project could lead to similar higher density projects, both north and south of the Hotel, either in developments by RSA, or by other private developers. You will recall that our Association has successfully challenged several recent proposals to increase land use density at Point Clear.

As we are required by the Baldwin County Zoning Ordinance to do, we state our specific reasons for our opposition to this application, following the factors listed in Section 19.6 of the Ordinance, as follows:

1. The requested change to HDR is not compatible with the existing development patterns or with the zoning of nearby properties. Specifically, the two parcels immediately adjoining the subject property to the north, on which private homes are situated, are both zoned RSF-2 (moderate density single family). Most of the parcels located both further north and south of the Hotel property are zoned RSF-1 (low density single family). The uses of practically all neighboring properties are low density single family, with very little commercial uses present.
2. There has been no significant change in the conditions upon which the original TR zoning district was based for this property in the 1993 adoption of the Ordinance at Point Clear.
3. The proposed zoning does not better conform to the Master Plan for Point Clear in that the Master Plan has consistently been interpreted as keeping Point Clear and Battles Wharf as community-wide, low density single family uses. In fact, the only instance of multi-family zoning in the community was constructed prior to adoption of the Ordinance.
4. The proposed zoning, and the precedent it would set, are highly likely to adversely affect traffic patterns and congestion on Scenic Highway 98. Near the entrance of the Hotel are yield-to-pedestrian walkways across Scenic Highway 98, primarily used by Hotel employees and guests who park on the east side of the Highway. With increased traffic and congestion, the proposed re-zoning will adversely affect the safety of pedestrians using those walkways, which are located at a dangerous curve in the highway with limited visibility. Also, the Eastern Shore Trail runs along the east side of Scenic Highway 98, at what would be the entrance to any development of the subject property. On any given day, a steady stream of walkers and joggers use the Trail. And Scenic Highway 98 in Point Clear has

become a favorite for bicyclers, being frequently included in bicycle race courses with participants numbering in the hundreds.

5. The proposed zoning is not consistent with the development patterns in the area and is not appropriate for the orderly development of the community. To introduce HDR zoning into District 26 for the first time is completely inconsistent with well-established development patterns.

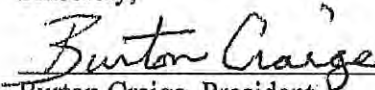
6. The proposed amendment is in no way a logical expansion of adjacent zoning districts in that a high density residential zone is inherently in conflict with the adjoining low and moderate density single family residential zones.

7. The proposed amendment will adversely affect the health, safety, and welfare of the community in a number of ways, including those set forth above.

Finally, the application is procedurally defective in that it seeks to re-zone a small part of a 27 acre parcel on which the Hotel is presently situated and of which the subject property is a part. That entire parcel is presently zoned TR and is assigned PPIN 117412/Parcel No. 45-07-36-0-000-2.004 by the Baldwin County Revenue Commissioner. Section 19.2 of the Ordinance authorizes an application to amend the Official Zoning Map to be filed by the "person owning the property proposed for change on the Official Zoning Map." The Official Zoning Map is drawn as an overlay on the County Revenue Commission Tax Map. Both the Revenue Commission Tax Map and the Official Zoning Map show the 1.27 acre subject parcel to be a part of the larger, 27 acre tax parcel on which the Hotel is situated. That is, the subject property does not have a separate tax identification number. We contend that the RSA application to amend the Official Zoning Map would first require an amendment of the Revenue Commission Tax Map. To amend those two maps would require a re-subdivision of tax parcel 45-07-36-0-000-2.004 into two parcels which would appear with separate tax identification numbers on the Tax Map. That process would require a separate re-subdivision application to be filed with and approved by the Baldwin County Planning Commission and the City of Fairhope Planning Commission. For that procedural defect alone, the present application should be denied.

For all of the foregoing reasons, we urge the Baldwin County Planning Commission and Baldwin County Commission to DENY the application of RSA to re-zone the subject property.

Sincerely,


Burton Craige, President

FIRST CLASS MAIL
AND ELECTRONIC MAIL

cc: Commissioner Joe Davis joe.davis@baldwincountyal.gov
Baldwin County Administration Building
312 Courthouse Square, Suite 12
Bay Minette, Alabama 36507

**FIRST CLASS MAIL
AND ELECTRONIC MAIL
jeb.ball@baldwincountyal.gov**

Commissioner James E. "Jeb" Ball
Baldwin County Administration Building
312 Courthouse Square, Suite 12
Bay Minette, Alabama 36507

**FIRST CLASS MAIL
AND ELECTRONIC MAIL
bunderwood@baldwincountyal.gov**

Commissioner Billie Jo Underwood
Baldwin County Administration Building
312 Courthouse Square, Suite 12
Bay Minette, Alabama 36507

**FIRST CLASS MAIL
AND ELECTRONIC MAIL
cgruber@baldwincountyal.gov**

Commissioner Charles F. (Skip) Gruber
Baldwin County Administration Building
312 Courthouse Square, Suite 12
Bay Minette, Alabama 36507

**FIRST CLASS MAIL
AND ELECTRONIC MAIL
llee@baldwincountyal.gov**

Ms. Linda Lee
Baldwin County Planning Department
P. O. Box 220
Silverhill, Alabama 36576

00031560.DOCX



Ian Macpherson <ianalmat@gmail.com>

Grand Hotel proposed Condominium Project- Case No. Z-19025 (RSA Rezoning)

1 message

Ian Macpherson <ianalmat@gmail.com>

Tue, Jun 25, 2019 at 7:31 AM

To: Vjackson@baldwincounty.al.gov

Gentlemen:

The proposed zoning change to Grand Hotel property on the north side of the Marina has been brought to our attention by the Notice Posted on said property and the purpose of this e-mail message is to voice our most strenuous OBJECTION to this request. My wife, Ella Macpherson, and I have resided and raised a family of four children and have paid property tax at this location for over 50 years. Our reasons for OBJECTING to this zoning change are numerous.

The property that RSA, owners of Grand Hotel, wish to have re-zoned to allow for the construction of a HIGH RISE CONDOMINIUM in an area that is not, at present, allowed under existing zoning rules, would be precedent setting and damaging to the property owners in the Battles Wharf/Point Clear Historic District. If this committee was to allow for this zoning change, there would be no foundation to prevent other property owners to request authority to allow for additional condominiums to be constructed ALL over the Eastern Shore of Mobile Bay. This would not in any way be in keeping with the antiquity and beauty of this area for future generations to see and enjoy..

Scenic Highway 98 has that name for one reason: The lovely scenic view that is enjoyed by ALL that use that stretch of roadway from Fairhope to County Road No. 1. The Safety on this roadway has already been severely taxed by ALL of the increased traffic flow of joggers, dog walkers, bicyclers, motorcyclists, and automobiles that use that road every day. A high density condominium constructed on that proposed site will cause additional dangerously heavy volumes of traffic on this already over crowded road. Much of the increased traffic being forced to use scenic Highway 98 is a direct result of recently increased Hotel capacity that RSA has brought through the expansion of the Grand Hotel. This expansion increases Hotel useage to an extent that on site parking at the Hotel is now inadequate and off site guest parking is required. Additionally, RSA is now constructing many new home sites in the immediate surrounding area and this is further burdening the traffic flow on Scenic 98. All of this is only making a dangerous roadway a MORE DANGEROUS roadway!

The sidewalk on Scenic Highway 98 is both inadequate in WIDTH and is constructed FAR TOO CLOSE to the roadway to be safely used by those not recognizing these dangerous conditions which are only worsened by the increased highway traffic. Additional traffic both on foot and in vehicles would be increased with the volume increases from residents and visitors to a new condominium complex if allowed at this congested area.

The health and beauty of Mobile Bay, particularly on the Eastern Shore, is being greatly damaged by the horrendous volumes of spoil water run-off being directed to drain into what, during my life was once a clean and clear body of water. It is no longer like that now. Mobile Bay Water Quality has been compromised not only by the spoil water run-off problems, but also from inadequate sewage systems that are already overburdened and frequently have sewage spills and overflows that further spoil the water quality. A new Condominium project at the site proposed will only serve to worsen this problem.

.RSA has already demonstrated their careless attitude towards the health of Mobile bay and this is evidenced by the recent construction of The Golf Practice Range that has a rip-rap stone berm directing the heavily fertilized storm water run off into the High Way 98 drainage ditch south of the Hotel entrance. Water drained from this area goes directly into Mobile Bay as opposed to being self contained on site., More pollution to Mobile Bay.

Further, it is important to note that RSA is an out of County Organization which means that those requesting these changes to our zoning regulations do not even live here, or, have to be concerned over the many negative impacts that will result for those of us who have lived, raised families, and paid taxes in this lovely area. In other words, those asking to create a mess do not have to live in the mess that they wish to create for the residents.

We need to strongly send a message to RSA that enough is enough, and that it is the desire of this community to continue to live safely in this lovely Historic District without changing the zoning rules that are in effect, and not make exception to these important rules. We respectfully urge all concerned to reject this zoning change application and help us all work towards improving the quality of life here and not to further the problems being caused by over building in this sensitive area.

6/25/2019

Gmail - Grand Hotel proposed Condominium Project- Case No. Z-19025 (RSA Rezoning

John R & Ella M. Macpherson - 18445 Scenic HIGH Way 98 - Battles Wharf - 36564

D Hart

From: Bo O'Meara <bomeara@powersourceusa.com>
Sent: Monday, June 24, 2019 9:30 AM
To: Vince Jackson; D Hart
Subject: <EXTERNAL> Case # Z-19205
Attachments: PCPOA letter regarding RSA.pdf

I would like to voice my objection to RSA's proposal to build a multi unit development in what is currently a parking lot north of the Grand Hotel marina. We are members of the Point Clear Property Owners Association and object for the reasons outlined in the Associations letter attached below. Thank you for your consideration,

POWER SOURCE

Bo O'Meara
16807 Calloway Drive
Point Clear, AL. 36564
205 965 7791
bomeara@powersourceusa.com
www.powersourceusa.com

D Hart

From: Albert (Watt) Key <wkey@jacksonkey.net>
Sent: Tuesday, June 25, 2019 2:57 PM
To: Vince Jackson; D Hart
Subject: <EXTERNAL> Case # Z-19205
Attachments: PCPOA letter regarding RSA.PDF

Dear Mr. Jackson,

I too would like to voice my objection to RSA's proposal to build a multi-unit development in the parking lot north of the Grand Hotel marina. I am a property owner in Point Clear and object for the reasons outlined in the Associations letter attached to this email. Thank you for your consideration,

Albert (Watt) Key, Jr.

Phone: (251) 432-4925 x10

Fax: (251) 432-9319

Email: wkey@jacksonkey.net

<https://gcc01.safelinks.protection.outlook.com/?url=www.jacksonkey.net&data=02%7C01%7C%7C663912ba270e4de9733508d6f9a75423%7Ca1dbbb3c47f8420e932cbb4942e61768%7C0%7C1%7C636970894398398525&sdata=R%2BS76U%2FMbQnkIV8NGEKF8Qi%2FoO50wSEq7CRsXDwodqc%3D&reserved=0>

D Hart

From: Douglas Kearley <dbkearley@aol.com>
Sent: Tuesday, June 25, 2019 2:35 PM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> Case No. Z-19025 Grand Hotel Condominium rezoning

Dear Mr. Jackson:

I am opposed to this project. A high rise development on a tiny sliver of land would be detrimental to mostly residential, low-scale, low-density, single family characteristics of the historic Point Clear- Battles Wharf community.

Please pass this along to the members of the Planning Commission

Thanks,

Douglas Burtu Kearley, Sr., AIA, NCARB, OStJ

Douglas B. Kearley, AIA, Architect, Inc.
5666 Buerger Lane
Battles Wharf
Fairhope, Alabama 36532

D Hart

From: Barkley Shreve <shrevelb@comcast.net>
Sent: Monday, June 24, 2019 11:47 AM
To: Vince Jackson; D Hart
Cc: Lewis Shreve
Subject: <EXTERNAL> Case No. Z-19025 (RSA Re-Zoning)

To: Baldwin County Planning Commission

Fm: Barkley and Lewis Shreve
12025 County Road 1
Mobile, AL 36532

Da: June 24, 2019

RE: Grand Hotel Condominium Proposal
Case No. Z-19025 (RSA Re-Zoning)

We would like to voice our disapproval for The Grand Hotel's proposal to build condominiums next door to the hotel's yacht basin. The Grand Hotel and Point Clear have been popular vacation destinations for over 150 years. The appeal of this charming area would be threatened by a condominium tower. There is already significant vehicle traffic along this section of Scenic Highway 98 due to the entrances and exits from The Grand Hotel and the Lakewood area. There is also a steady stream of runners, bikers and walkers enjoying the path across the street from the yacht basin, and Hotel employees cross nearby from the employee parking lot to the hotel. The proposed condominium tower would be harmful to the aesthetics of the area, as well as a safety hazard due to increased traffic.

Thank you for considering our opinion.

Best regards,
Barkley and Lewis Shreve

D Hart

From: Oswalt, Harris <Harris.Oswalt@spireenergy.com>
Sent: Monday, June 24, 2019 10:04 AM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> Case No. Z-19025 RSA rezoning

As a property owner in Point Clear, I am opposed to the referenced rezoning proposal of the RSA for the yacht basin property. The residential, low rise character of Point Clear is worth protecting and this property should not be rezoned. Further, the issue of how this property is held and its tax free status should be examined and face the light of day. Please do not let this scenic vista be dominated by a large, commercial structure.

Harris Oswalt
17727 Scenic Hwy 98
Point Clear, AL

D Hart

From: Matthew Mosteller <drmattm@gmail.com>
Sent: Wednesday, June 26, 2019 6:27 AM
To: D Hart
Subject: <EXTERNAL> Fwd:

Matt Mosteller 251-454-7851

Begin forwarded message:

From: M <mikemoss52@hotmail.com>
Date: June 25, 2019 at 8:28:47 PM CDT
To: "vjackson@baldwincountyal.com" <vjackson@baldwincountyal.com>

Dear Vince,

I wanted to write in regards to my opposition to the development at the Grand Hotel. Having a high density residential building in point clear would change the laid back Mobile Bay culture in such a way that would be irreversible. This could set a precedent for the area and the Grand Hotel, and we could end up with an over populated and congested area not only in the Point itself, but all throughout the area. Please help us to keep the zoning as it is, with the Grand Hotel as simply a hotel like it has been for 100 years, and for the residents of point clear and fairhope living like we always have, in a peaceful and harmonious relationship with the Point itself. Michael Mosteller.

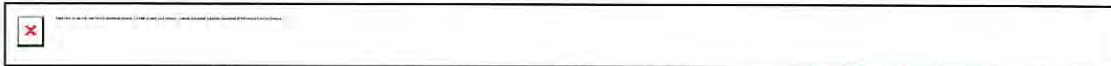
D Hart

From: peter herndon <pgherndon@gmail.com>
Sent: Monday, June 24, 2019 10:05 AM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> Fwd: Grand Hotel Condominium Project

Please use this email as my request that you do not approve the proposed condo project at the Grand Hotel No. Z-19025 (RSA rezoning)

----- Forwarded message -----

From: Point Clear Property Owners Association <hrkey@bellsouth.net>
Date: Mon, Jun 24, 2019 at 9:26 AM
Subject: Grand Hotel Condominium Project
To: <pgherndon@gmail.com>



Download Document

It's a fact: people don't mind scrolling to read an email, as long as it's relevant and interesting. Make sure your message follows through on the promise in your subject line, and use several short paragraphs if you have a lot to say. When in doubt, challenge yourself to write less and add links that support your topic.



Point Clear Property Owners Association | P.O. Box 114, Point Clear, AL 36564

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[Update Profile](#) | [About our service provider](#)

Sent by hrkey@bellsouth.net in collaboration with



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D Hart

From: Matthew Mosteller <drmattm@gmail.com>
Sent: Tuesday, June 25, 2019 7:38 AM
To: D Hart
Subject: <EXTERNAL> Fwd: Proposed Rezoning of the Grand Hotel Marina Property

Matt Mosteller 251-454-7851

Begin forwarded message:

From: Jimbo Meador <jimbomeador@me.com>
Date: June 24, 2019 at 8:49:28 PM CDT
To: VJACKSON@baldwincountyal.gov
Cc: Matthew Mosteller <drmattm@gmail.com>
Subject: Proposed Rezoning of the Grand Hotel Marina Property

Vince,

I would like to express my opposition to the RSA's proposed rezoning of the Grand Hotel Marina property. My wife and I were born into this world as members of the Grand Hotel. I grew up about three quarters of a mile north of the Hotel and she grew up about a mile on the other side of the Hotel. If you add our ages together we have been living here for 152 years. We both spent our childhood enjoying the Hotel as it was then but it is hard to recognize it now. It is truly depressing but we both feel blessed to have been born when we were born. We are concerned about our children, our grandchildren and future generations. Business Highway 98 has gotten worse than Airport Blvd. Please lets keep "Scenic Highway 98 Scenic". I just had friends staying at the Hotel and they had to park on the other side of highway 98 and walk to their room. The Hotel already has a parking problem. During busy times cars are backed up on the highway trying to get past the guard at the gate which creates a safety problem with oncoming traffic.

Thanks for your help with this problem,

Jimbo and Lynn Meador

D Hart

From: Matthew Mosteller <drmattm@gmail.com>
Sent: Wednesday, June 26, 2019 4:36 PM
To: D Hart
Subject: <EXTERNAL> Fwd: RSA rezone case No. Z-19025

Matt Mosteller 251-454-7851

Begin forwarded message:

From: HW Thurber <hwthurber@nortonlilly.com>
Date: June 26, 2019 at 3:18:42 PM CDT
To: "'vjackson@baldwincountyal.gov'" <vjackson@baldwincountyal.gov>
Cc: 'Matt Mosteller' <drmattm@gmail.com>, HW Thurber <hwthurber@nortonlilly.com>
Subject: RSA rezone case No. Z-19025

Dear Mr. Jackson,

My name is Horace W. Thurber III and I have a residence located at 17309 Scenic Highway 98 in Point Clear Alabama. I am a registered voter in Baldwin County. Our family has enjoyed this area for many years due to the tranquil environment and low-density traffic. I am writing to let you know that we respectfully oppose the RSA rezone case No. Z-19025 to convert a portion of the Grand Hotel property into high density residential zoning. This would drastically change our area in many ways, including the resulting increased traffic. Let's keep our area as it was intended, a low-density residential community.

H. W. Thurber, III | Chairman

Office / 251.219.3271

Mobile/ 251.391.6159

Email: hwthurber@nortonlilly.com

www.nortonlilly.com



One St Louis Centre Suite 5000. Mobile, AL 36602

D Hart

From: Matthew Mosteller <drmmattm@gmail.com>
Sent: Tuesday, June 25, 2019 7:38 AM
To: D Hart
Subject: <EXTERNAL> Fwd: RSA Rezoning Case No. Z-19025

Matt Mosteller 251-454-7851

Begin forwarded message:

From: Clif Inge <cinge@ipc-capital.com>
Date: June 24, 2019 at 9:00:54 PM CDT
To: Clifton Inge <clifton@ipc-capital.com>
Cc: Kathryn England <kengland@ipc-capital.com>, "M. D. Matthew W. Mosteller" <drmwmooss@aol.com>
Subject: Re: RSA Rezoning Case No. Z-19025

Thanks

Sent from my iPhone

On Jun 24, 2019, at 4:28 PM, Clifton Inge <clifton@ipc-capital.com> wrote:

Dear Mr. Jackson:

I am writing to express strong opposition to RSA's proposed rezoning of the Grand Hotel Marina property. Our families have owned property and lived in the Point Clear community for over 50 years. It has always been revered as a beautiful, scenic, and tranquil community away from the congestion of the high density areas elsewhere, as well as home to a highly regarded luxury vacation spot. To rezone it now would create a change that would be a travesty and would destroy the culture and tradition that the area's residents and visitors have enjoyed for many years. Additionally, it will not only take away one of the last beach areas along the Bay, but the added population would create unwanted traffic and congestion making the area unsafe for the many recreational activities currently enjoyed. Many people enjoy cycling, jogging and walking along Scenic 98 and feel safe doing so now. A high density development would most certainly create a very unsafe environment.

I respectfully request that you not approve this rezoning measure.

Best regards,

Clifton C. Inge, Sr.
17581 Scenic Highway 98
Point Clear, AL

D Hart

From: Meme Brewer <memebrewer@me.com>
Sent: Wednesday, June 26, 2019 1:23 PM
To: Vince Jackson
Cc: D Hart; Chris Brewer
Subject: <EXTERNAL> Fwd: RSA rezoning case Z-19025

Begin forwarded message:

From: Meme Brewer <memebrewer@me.com>
Subject: RSA rezoning case Z-19025
Date: June 26, 2019 at 10:25:03 AM CDT
To: Chris Brewer <chris@chrisbrewercontracting.com>

Dear Baldwin County Planning Commission,

I am writing this letter to oppose the approval of the RSA rezoning case Z-19025. My name is Meme Brewer and I was born and raised in Mobile having spent my summers in Point Clear, six driveways south of the Grand Hotel. I realize how fortunate I was to experience the wonders of these shores. My husband and I, along with our two daughters, now live year around just a few driveways north of the Grand Hotel. It is a dream come true after many, many years of hard work to get here. We feel a high rise condominium would shatter this dream. If the RSA is allowed to build, what will stop future condos from being built on adjacent properties? At that point we will become the new Orange Beach with a wall of waterfront high rise buildings. I honestly cannot think of anything more tragic happening to our low density community. The quality of life in this area would no longer be what we have and cherish today.

We love and patronize the Grand Hotel and hope it will always be here. Why can't a large resort, run by a large corporation, be enough to keep the greedy content?

Thank you for your time and consideration on this matter. We can all hope that the decision made will keep our "special" place "special" and among the top destinations to visit in the state.

On behalf of myself, my husband, and my children
Sincerely,

Meme Brewer
Chris Brewer
Ashley Brewer
Meredith Brewer

D Hart

From: m.currie@mchsi.com
Sent: Tuesday, June 25, 2019 3:47 PM
To: D Hart
Subject: <EXTERNAL> Fwd: RSA Rezoning request

failed to include you on email. sorry

----- Forwarded Message -----

From: "m currie" <m.currie@mchsi.com>
To: VJACKSON@baldwincountyal.gov
Sent: Tuesday, June 25, 2019 3:38:57 PM
Subject: RSA Rezoning request

Vince, My wife and I live in the Battles Wharf area near the Grand Hotel. I serve as treasurer and Board Member of the Point Clear Property Owners' Association, a position I have held for over 15 years.

We strongly support the PCPOA's position in recommending denial of the zoning change being requested by RSA of the marina property at the Hotel. The project appears to be the wrong project at the wrong place at the wrong time. The PCPOA has accurately put forth the proper objections and reasons why the request should be denied.

From the preface included in the 2013 Master Plan

The Eastern Shore of Mobile Bay is known for its beautiful landscapes and access to Mobile Bay and the River Delta. This community has a strong sense of identity and care for its environment and landscapes and will not be willing to significantly compromise for the benefit of growth itself.

This project set a terrible precedent for the area.

D Hart

From: Henry Morgan Jr <henry@boyle.com>
Sent: Wednesday, June 26, 2019 8:04 PM
To: Vince Jackson; D Hart
Subject: <EXTERNAL> Grand Hotel Condominium Project

To whom it may concern,

My family has lived at 18009 Scenic Hwy 98 for approximately 15 years. I am writing to express my concern and opposition for the hotels desire to build condominiums on their property north of the yacht basin. This high density product is out of character of the area. It is potentially damaging to the surrounding property values, it negatively impacts our watershed and exasperates our already overburdened sewer system. We feel so fortunate to be a part of this very special community, please help us keep it that way. I appreciate your time and attention regarding this important issue. Please feel free to contact me if I can be of further assistance.

Sincerely,



D Hart

From: Richard Ogburn <rogburn@ogburnmgmt.com>
Sent: Monday, June 24, 2019 11:43 AM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> Grand Hotel Condominium Project

Mr. Jackson,

I live at 17476 Scenic Hwy. 98 in Point Clear and I am writing you to express my opposition to the proposed Grand Hotel Condominium Project. This proposed project is in a single family residential community and allowing a high density condominium project to be built in this area will open the doors for additional similar projects to be applied for, and possibly granted, in the future. This is a precedent that I and the residents in this community do not want to see happen.

Richard Ogburn
Ogburn Management, LLC
P.O. Box 230
Point Clear, AL. 36564
Cell – 251-402-8949
Office – 251-928-3930
Email – rogburn@ogburnmgmt.com

D Hart

From: Margaret Hutchison <mvhutchison@gmail.com>
Sent: Monday, June 24, 2019 11:31 AM
To: Vince Jackson; D Hart
Subject: <EXTERNAL> Point Clear

Gentlemen,

I am a lifelong resident and property owner in Point Clear. I am very opposed to the proposed development. The RSA has been allowed to develop endlessly without any thought to infrastructure and impact on the environment. We now have flooding and the water quality in the bay has been on a constant decline. The water that flows from the golf course into the bay continues to dump clay and trash from the Colony developments.

The traffic is continuing to worsen. The development of the area has long fat reaching negative effects on the property value and enjoyment of Point Clear and Battles Wharf.

Thanks for your consideration,
Margaret Vidmer Hutchison

Sent from my iPhone

D Hart

From: Joseph Rhodes <rhodesrealestate@bellsouth.net>
Sent: Monday, June 24, 2019 10:17 AM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> Point Clear RE zoning

I am opposed to the rezoning request made by RSA in Point Clear. This is a totally ridiculous project on that small parcel and will adversely affect the community. Case #19025.

Call if you want to talk about this request.

Joseph Rhodes
Rhodes Real Estate, Inc.
251-510-7785
Address. 14151 Scenic Hwy 98.

D Hart

From: George Oswalt <ggoswalt@gmail.com>
Sent: Monday, June 24, 2019 9:45 AM
To: Vince Jackson; D Hart
Subject: <EXTERNAL> Re: Grand Hotel Condominium Project

Dear Mr. Jackson & Ms. Hart,

I am writing to you today to express my opposition to the Grand Hotel's plan for a high rise condo in Point Clear. The fact that the hotel would consider this type of development is just another sign that they have completely lost touch with the local community and the aspects of Point Clear that make it so desirable to visit and live.

I grew up going to Point Clear and my family has owned a house near the hotel for generations. That area is known for its beauty and charm, but beauty can be tarnished and charm can be lost if they are not protected by those who cherish it most. Point Clear is a low density living area. It always has been. The quickest way to ruin that area would be to allow high density living, and this condo would be a direct injection right into the heart of Point Clear.

The hotel has already dramatically increased the number of people who traffic the area, please consider the harm that could be caused if they are allowed to build high rise condos like at Orange Beach. The area would be forever lost to concrete and steel.

PLEASE DO NOT ALLOW THE GRAND HOTEL TO CONTINUE TO EXPLOIT POINT CLEAR.

Sincerely,

George Oswalt

--

George Oswalt
(251) 377-6446
ggoswalt@gmail.com

D Hart

From: Ritchie Prince <rp@princemckean.com>
Sent: Wednesday, June 26, 2019 8:44 AM
To: Ritchie Prince; Vince Jackson; D Hart
Cc: Michael Upchurch; Jay Watkins; Boyd Douglas (CPSI) (Boyd.Douglas@cpsi.com); Peter Vanlingen; Douglas T Luce (dluce@centurybankms.com); Chris Brewer; Laura Prince; bart@safetyplusinc.net
Subject: <EXTERNAL> RE: RSA rezoning (Z-19025)

Dear Baldwin County Commission:

Since sending my email on Monday I have been contacted by Peter Vanlingen and his wife Laurie. Laurie Vanlingen is a Luce, and the Luce's have owned a bayfront home about a mile south of the Grand Hotel for over 100 years. They wish to add their names to my email and to any petition opposing RSA rezoning case Z-19025.

Thanks for your time and attention.

Ritchie Prince

J. R. M. Prince, Esq.
PRINCE, McKEAN, McKENNA & BROUGHTON, LLC
25369 U.S. Highway 98, Suite B
Daphne, Alabama 36526

251.625.8732 Telephone
251.625.8734 Facsimile
251.767.5515 Cell

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From: Ritchie Prince
Sent: Monday, June 24, 2019 10:23 AM

To: 'Vjackson@baldwincountyal.gov'; 'D Hart'

Cc: Michael Upchurch; Jay Watkins; Boyd Douglas (CPSI) (Boyd.Douglas@cpsi.com); 'Peter Vanlingen'; Douglas T Luce (dluce@centurybankms.com); 'Chris Brewer'; 'Laura Prince'; 'bart@safetyplusinc.net'

Subject: RSA rezoning (Z-19025)

Dear Baldwin County Planning Commission,

I have sent this opposition to Vince Jackson and to DJ Hart in the hopes that it gets somewhere in time to help make a difference in stopping the approval of the planned condominium complex on the north end of the Grand Hotel Marina. I have lived at or near 5593 Moogs Lane all of my life having grown up at 18417 Scenic Highway 98 – the adjacent property. I have seen the changes in the entire Eastern Shore and specifically in the Battles Wharf/Point Clear area from what was once a sleepy little summer community when families would come from Mobile and surrounding areas to their family homes to spend a nice, lazy summer to what we have now. There were no apartments or condominiums, but there was the Grand Hotel. I worked there for 5 years, and I have played there for over 50 years – I love it! I have spent many afternoons and evenings on Julep Point, in the pool and on the grounds of the Grand Hotel. It has always been here, and I hope it is here forever.

What I do NOT want and what the area does NOT need is a High Density Residential zoning change. To begin with there are people who literally spent millions of dollars of their own money (not RSA money) to build and modify homes that are within a stone's throw of the marina. Those people ought to be incensed! Then there are Baldwin County residents who use the small beachhead and the jetty to enjoy God's gift to the Eastern Shore – those wonderful sunsets. I am one of those who has lived here for a long time, and there are many others like me. I will speak for myself, my elderly parents, my children, my aunts and uncle and all of my cousins who do NOT want you to open Pandora's Box and allow any such thing as an HDR project to grow to fruition. There will be unintended consequences – mark my word. The voters, residents and visitors to this special part of Planning District 26 do not want nor do they need any such animal to be created.

Many people down where I live are elderly and are not aware or do not have the energy or time to personally oppose this proposed change and are relying on their officials to take care of things like this. Please do what is right and do not bow to the almighty Bronner and RSA. Let them know that their greed has boundaries and that a proverbial line has been drawn in the sand by the residents of Point Clear and Battles Wharf. The Point Clear Property Owners Association, Inc. and its 400 members are really the tip of the spear. There are many others who strongly oppose this sort of precedent. I implore the Commission to protect what we have while we have it. The rest of the world and Baldwin County can keep growing at a breakneck pace – Point Clear and Battles Wharf should be preserved, and the Commission is the body that is in place to do just that.

Thanks for your time and attention.

Cordially,

Ritchie Prince for myself and on behalf of:

Sydney R. Prince, III
Anne Macpherson Prince
Laura Berg Prince
Sydney Clare Prince
Ritchie Prince, Jr.

J. R. M. Prince, Esq.
PRINCE, McKEAN, McKENNA & BROUGHTON, LLC
25369 U.S. Highway 98, Suite B
Daphne, Alabama 36526

251.625.8732 Telephone
251.625.8734 Facsimile
251.767.5515 Cell

D Hart

From: Zeb Hargett <zchargett@gmail.com>
Sent: Monday, June 24, 2019 5:46 PM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> Re: RSA Rezoning request at Grand Hotel Yacht Basin

On Mon, Jun 24, 2019, 9:53 AM Zeb Hargett <zchargett@gmail.com> wrote:

Dear Mr. Jackson,

I am writing in opposition of Retirement Systems of Alabama's request to rezone the property just north of and adjacent to the Grand Hotel Yacht Basin to high density residential. This is a historic site and should continue as such. This property is a landmark and is still used by local residents to fuel boats, watch sunsets, access charter boats, etc. To convert this property to high density residential would be a tragedy!

I am a long-term resident of Baldwin County and my family has owned property in the area for over 50 years. I am currently a resident of Battles Trace subdivision, developed by RSA. I have attended zoning meetings in the past and have come away with the impression that RSA can do anything it wants regardless of local opposition. I hope this will not be the case regarding this zoning hearing. We have witnessed the debacle of the Colony Condominium Tower which was the wrong concept for this area. Many of those units have never sold. Please listen to the local residents regarding our opposition to this proposed development.

Point Clear is one of the last areas along our coast that does not consist of a wall of high rise condos. Please lets not start a precedent for allowing high density residential property to infiltrate what remains as one of the last bastions of authentic bay life left to be enjoyed by all.

Thank you very much for your consideration,

Zeb and Linda Hargett

D Hart

From: Beth Schramm <bebe@hmsjr.net>
Sent: Monday, June 24, 2019 9:43 PM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> REZONING CASE Z-19025

Dear Vince,

As year-round residents of Point Clear, we are writing in opposition to the requested application to rezone the property north of the Grand Hotel Marina from TR to HDR. We live 1 mile from the parcel being considered for re-zoning. This area is comprised of primarily low density single family residences (RSF 1 and RSF 2) both north and south of the Grand Hotel. The only multi-family zoning in the area was built prior to the adoption of the zoning ordinance for this area. Changing this property to the high density designation is completely out of character for the historic Grand Hotel and the entire Point Clear area. The traffic generated by granting this request would be a safety hazard for the residents as well as the hundreds of hotel visitors biking and walking on the paths designated for such activities.

We appreciate your consideration in this matter.

Howard and Beth Schramm
17249 Scenic Highway 98
Point Clear, AL 36564

D Hart

From: Emilee Lyons <lyonsemilee@gmail.com>
Sent: Sunday, June 23, 2019 1:23 PM
To: Vince Jackson; Billie Jo Underwood; Charles F. Gruber; D Hart; Jeb Ball; Joe Davis
Subject: <EXTERNAL> RSA Application

Lady and Gentlemen:

I respectfully oppose the effort of RSA (hereinafter “the Hotel”) to convert it’s status as a resort to a developer of high density commercial real estate on a tenuous spit at its yacht basin. The effect of precedent allowing a multi-story condo would be disastrous to the Point Clear area. The traffic congestion is already a strain on the nearby residents as a seemingly continuous caravan of cars constantly speed by our driveways.

Excessive demand on an already burdened waste disposal system is totally undesirable and makes additional problems on the already fragile bay.

The area is flood prone and in a recent heavy downpour the creek right on the other side of Scenic 98 was on a level with the highway. Several years ago the Hotel had to close its doors when the highway flooded. There will surely be more impermeable surface if this development is allowed to take place.

Respectfully,
Emilee Lyons

D Hart

From: Doug Johnson <johnson@jrco.com>
Sent: Tuesday, June 25, 2019 9:18 AM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> RSA Rezone Case #Z-19025

RSA Rezone Case #Z-19025

Dear Mr. Jackson,

My name is E. Douglas Johnson, Jr. I am a resident of Point Clear having bought my home 23 years ago at 18031 Scenic Highway 98, Point Clear, Alabama.

Prior to purchasing my home, I have always enjoyed the area as my wife and I honeymooned at the Hotel in January 1968. Over the passing of that period of time, unfortunately, I have noticed a continual increase of the density of the population of the area which has in some ways changed the enjoyment that all of us have had in Point Clear.

I would be very much opposed to any zoning change that would disrupt the area. I have always enjoyed a comment a friend of mine has expressed, "Thank heavens for the dirty water and mosquitos. Otherwise, everyone would have found this place."

I would appreciate your vote against this proposed rezoning request so that Point Clear may maintain its reputation as one of the most desirable places to live.

If I can be of further assistance, please don't hesitate to contact me.

E. Douglas Johnson, Jr.
Home (251) 990-5760
Office (800) 432-6505

E. Douglas Johnson, Jr.
Johnson Rice & Company LLC
639 Loyola Ave., Suite 2775
New Orleans, LA 70113
(504) 584-1218
(800) 432-6505
johnson@jrco.com

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Thank you. Johnson Rice & Company L.L.C.

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D Hart

From: Gary Smith <gsmith@perdidotrucking.com>
Sent: Monday, June 24, 2019 10:29 AM
To: Vince Jackson; D Hart
Cc: 'Julia Smith'
Subject: <EXTERNAL> RSA Rezone Case no -Z-19025 - 6/24/19

I am writing to express my strong opposition to the RSA's proposed rezoning of the Grand Hotel Marina property. Our family (McDonnell) have owned property to the north of the Hotel since 1880. We object to any rezoning to high density designation. If approved, this would set a bad precedent for future development. Please vote to reject RSA's proposal and disallow any future efforts to change a low density zoned area in Baldwin County

Gary and Julia Smith
18541 Scenic Hwy. 98
Fairhope, AL 36532

D Hart

From: Robert Outlaw <aroutlaw@me.com>
Sent: Monday, June 24, 2019 9:36 PM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> RSA Rezone Case No.Z-19025

Dear Mr. Jackson,

My wife and I are writing you to express our opposition to the newest RSA proposed building project, the one located at The Grand Hotel Marina property.

I have been spending my summers in Point Clear for almost 60 years. I have owned a home in Point Clear for over 30 years and have currently been living full time in Battles Wharf for the last 15 years. Over these years I have witnessed a lot of wonderful changes in our area but, unfortunately, this is not one of them. This unprecedented increase in population density in our Point Clear/Battles Wharf bay area will cause more traffic and congestion on Scenic Highway 98, adversely affecting safety and recreation.

We think this will establish a precedent for more unwanted high-density building if this project is approved. We urge you to draw the line and say NO to this RSA proposed project that will threaten the future of Mobile Bay, both environmentally and aesthetically.

Respectfully submitted,

Mr. and Mrs. Arthur Robert Outlaw, Jr.
18463 Scenic Highway 98

D Hart

From: Ritchie Prince <rp@princemckean.com>
Sent: Monday, June 24, 2019 10:23 AM
To: Vince Jackson; D Hart
Cc: Michael Upchurch; Jay Watkins; Boyd Douglas (CPSI) (Boyd.Douglas@cpsi.com); Peter Vanlingen; Douglas T Luce (dluce@centurybankms.com); Chris Brewer; Laura Prince; bart@safetyplusinc.net
Subject: <EXTERNAL> RSA rezoning (Z-19025)

Dear Baldwin County Planning Commission,

I have sent this opposition to Vince Jackson and to DJ Hart in the hopes that it gets somewhere in time to help make a difference in stopping the approval of the planned condominium complex on the north end of the Grand Hotel Marina. I have lived at or near 5593 Moogs Lane all of my life having grown up at 18417 Scenic Highway 98 – the adjacent property. I have seen the changes in the entire Eastern Shore and specifically in the Battles Wharf/Point Clear area from what was once a sleepy little summer community when families would come from Mobile and surrounding areas to their family homes to spend a nice, lazy summer to what we have now. There were no apartments or condominiums, but there was the Grand Hotel. I worked there for 5 years, and I have played there for over 50 years – I love it! I have spent many afternoons and evenings on Julep Point, in the pool and on the grounds of the Grand Hotel. It has always been here, and I hope it is here forever.

What I do NOT want and what the area does NOT need is a High Density Residential zoning change. To begin with there are people who literally spent millions of dollars of their own money (not RSA money) to build and modify homes that are within a stone's throw of the marina. Those people ought to be incensed! Then there are Baldwin County residents who use the small beachhead and the jetty to enjoy God's gift to the Eastern Shore – those wonderful sunsets. I am one of those who has lived here for a long time, and there are many others like me. I will speak for myself, my elderly parents, my children, my aunts and uncle and all of my cousins who do NOT want you to open Pandora's Box and allow any such thing as an HDR project to grow to fruition. There will be unintended consequences – mark my word. The voters, residents and visitors to this special part of Planning District 26 do not want nor do they need any such animal to be created.

Many people down where I live are elderly and are not aware or do not have the energy or time to personally oppose this proposed change and are relying on their officials to take care of things like this. Please do what is right and do not bow to the almighty Bronner and RSA. Let them know that their greed has boundaries and that a proverbial line has been drawn in the sand by the residents of Point Clear and Battles Wharf. The Point Clear Property Owners Association, Inc. and its 400 members are really the tip of the spear. There are many others who strongly oppose this sort of precedent. I implore the Commission to protect what we have while we have it. The rest of the world and Baldwin County can keep growing at a breakneck pace – Point Clear and Battles Wharf should be preserved, and the Commission is the body that is in place to do just that.

Thanks for your time and attention.

Cordially,

Ritchie Prince for myself and on behalf of:

Sydney R. Prince, III
Anne Macpherson Prince
Laura Berg Prince

Sydney Clare Prince
Ritchie Prince, Jr.

J. R. M. Prince, Esq.
PRINCE, McKEAN, McKENNA & BROUGHTON, LLC
25369 U.S. Highway 98, Suite B
Daphne, Alabama 36526

251.625.8732 Telephone
251.625.8734 Facsimile
251.767.5515 Cell

D Hart

From: David Dye <David.Dye@cpsi.com>
Sent: Monday, June 24, 2019 11:03 AM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> RSA Rezoning Request (Case Z-19025) Opposition of David Dye and family

Mr. Jackson,

My name is David Dye and my family and I bought the 18039 Scenic 98 property last fall as our full time residence. Please know that we ever so strongly oppose the RSA rezoning request case 19025.

As you are aware, the Grand Hotel and adjacent homes to its north and south have existed in beautiful harmony for well over 100 years. To disrupt this by allowing high density condos on a miniscule piece of property almost directly on the point would be nothing short of an abomination and hugely detrimental to the quality of life for the residents of Point Clear and the enjoyment of the many families that visit our community each year.

We sincerely ask you to oppose this rezoning request. Thank you for your service to our community.

Tiffany and David Dye
18039 Scenic Highway 98
(251) 654-1011



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D Hart

From: Rhsmiler62@bellsouth.net
Sent: Monday, June 24, 2019 11:09 AM
To: Vince Jackson
Cc: D Hart
Subject: <EXTERNAL> RSA seeking rezoning

Dear Vince,

First, thanks for your service to our County! Your work and dedication is much appreciated.

My family lives at 16015 Scenic Highway 98 in Point Clear. We are registered voters in Baldwin County and we are members of the Point Clear Property Owners Association. We are totally opposed to the RSA's plan to develop the north side of the Grand Hotel Marina. It is my understanding the RSA's proposed rezoning to a higher density includes the building of a multi-story condominium complex. Such a rezoning is not the Point Clear/Battles Wharf area! Baldwin County is a diverse county and many of the communities within the county have their own identity. The Point Clear/Battles Wharf community has its identity in it's history and tradition. To allow this rezoning would be the first step in erasing the identity of the Point Clear/Battles Wharf community. This rezoning would also create significant traffic and safety concerns as well as place more stress on an already over stressed sewer system. It is for these and a lot of other reasons that this rezoning should be stopped. Again, we are totally opposed to this rezoning.

Robert Hope Jr.

D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 9:06 AM
To: D Hart
Subject: FW: <EXTERNAL> Pt. Clear vs. RSA

-----Original Message-----

From: Eric Zubler [mailto:eric_zubler@yahoo.com]
Sent: Friday, June 07, 2019 5:20 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Cc: Connie Zubler <connie_zubler@yahoo.com>; Chester Zubler <c_zubler@comcast.net>
Subject: <EXTERNAL> Pt. Clear vs. RSA

Dear Mr. Jackson,

We are adamantly opposed to RSA's plan to build a multi-story condominium project across from their yacht basin, just off Scenic Highway 98 at the Grand Hotel.

This small slice of beach is one of the last remaining open strips of beach on the bay in Point Clear. It is a launching point for small boats, a swimming area for locals and tourists alike, and a fishing spot for pole and net fishermen on the adjacent pier/breakwater. It is also a favorite viewing spot for those confined to motorized vehicles as well as those on the adjacent hiking/biking trail.

Personally, this project will eliminate any easy access to a beach for my family, though we realize it is privately owned. We have owned our home in the Lakewood Estates subdivision for over one year, and rented nearby before that, and believe this development will lower our property values and greatly affect our quality of life in Point Clear. Finally, the density of adding more residences to our small community will cause traffic congestion as seen on Scenic 30a over on the Panhandle of Florida, where we moved from in 2017.

We hope you will consider stopping this over-development of the shoreline of all of our most treasured assets, the beautiful Mobile Bay aka the bay of the Holy Spirit. Your guidance and wisdom in preserving what we all love about Mobile Bay is an important responsibility, and greatly appreciated. Please let me know if I can be of any further assistance.

With thanks,
The Rev. Eric J. Zubler
18247 Woodland Drive
Point Clear, AL 36555

850-533-0458 - mobile

Sent from my iPhone

Sent from my iPhone

D Hart

From: Vince Jackson
Sent: Wednesday, June 12, 2019 2:57 PM
To: D Hart
Subject: FW: <EXTERNAL> RSA rezone case no.Z-19025

Another letter.

From: cmosteller@mossbridgecapital.com [mailto:cmosteller@mossbridgecapital.com]
Sent: Wednesday, June 12, 2019 1:58 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> RSA rezone case no.Z-19025

Vince:

I am writing you to express my strong opposition to the RSA's proposed rezoning of the Grand Hotel Marina property. I live, work, raise children, and am a registered voter in Baldwin County. More prudently, my family has owned a home in Point Clear (literally 200 feet North of the Grand Hotel Marina) for nearly 30 years. Since it's creation, the Hotel Marina has served as a definitive and needed buffer between the quiet single family residential homes North of the Hotel, and the bustle of the Hotel and its guests. Let me be clear, we love the Hotel and what it does for our community, but setting the precedent that the RSA could rezone any vacant Hotel property to high density and construct multi-story condominium complexes would drastically change the culture and tradition of Point Clear in a negative way. As I'm sure you are aware, this rezoning would be the very first high density zoned development in Point Clear so in addition to being in direct conflict with the storied history and culture of Point Clear and its residents, it would also have a huge adverse impact on traffic, safety, resources, etc.

All to say, I encourage you to please vote against the proposed the rezoning request.

Respectfully,
Clifton Mosteller



Clifton C. Mosteller
Mossbridge Capital Partners, LLC
311 Magnolia Ave.
Fairhope, Alabama 36532
Direct : 251-928-8452
Cell : 251-895-0071
Email: cmosteller@mossbridgecapital.com
www.mossbridgecapital.com

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D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 6:49 PM
To: D Hart
Subject: Fwd: <EXTERNAL> Case No. Z-19025 (RSA Re-zoning)

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Bart Briggs @ Safety Plus Inc" <bart@safetyplusinc.net>
Date: 6/10/19 6:46 PM (GMT-06:00)
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Cc: Matthew Mosteller <drmattm@gmail.com>, meu@frazergreene.com, burtoncraige@gmail.com, fcfeagin@bellsouth.net, hrkey@bellsouth.net, lyonsemilee@gmail.com, ADF@frazergreene.com, boyd.douglas@cpsi.com
Subject: <EXTERNAL> Case No. Z-19025 (RSA Re-zoning)

To whom it may concern:

My wife, Gina & I have recently purchased property in the historical area of Point Clear in the hopes of escaping the chaotic, traffic congested lifestyle of Mobile. Imagine our surprise to hear that RSA has plans to build high-density condos on the northern edge of its bayfront property by concocting the creation of a nonexistence high-density zoning designation. It is unthinkable, and inconsistent with traditional urban-planning best practices that a high-density development be allowed to alter current zoning laws, especially immediately adjacent to specifically designated low-density residential areas. If approved, this development, would set a dangerous precedent for future developers to begin altering the entire Baldwin County bayfront, with little regard for the impact on the surrounding area. Please vote to reject RSA's proposal, and disallow future efforts of this type to change existing zoning laws in traditionally residential areas of Baldwin County. Zoning laws are established to protect communities from this very type of overreaching development.

Respectfully submitted,

Bart & Gina Briggs

17985 Scenic Hwy 98
Fairhope, AL 36532

D Hart

From: Vince Jackson
Sent: Sunday, June 23, 2019 1:30 PM
To: D Hart
Subject: Fwd: <EXTERNAL> RSA condos

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Cathy <chmoss75@aol.com>
Date: 6/22/19 2:56 PM (GMT-06:00)
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> RSA condos

My name is Cathy Mosteller and I am writing to strongly express my opposition to the building of condominiums by RSA in Point Clear on the site of the marina at the Grand Hotel. I am lucky enough to have lived 2 doors down from this property for almost 30 years now- and I strongly oppose it being designated as High Density zoning for the building of a four story structure. RSA has and is still building hundreds of condos in the area around The Colony area- our historical area of Point Clear and Battles Wharf would be negatively affected in MANY ways by this! Please consider the Point Clear Property Owners definitive opposition to this happening in our neighborhood !

Thank you, Cathy Mosteller

Cathy Mosteller

-----Original Message-----

From: Susan Groom [<mailto:susanhelmsing@comcast.net>]

Sent: Friday, June 14, 2019 9:20 AM

To: Vince Jackson <VJACKSON@baldwincountyal.gov>

Subject: <EXTERNAL> Z-19025. Rezoning

Mr Jackson,

I am writing in opposition to RSA rezoning the yacht basin parking lot for condominiums. I own property just south of the Grand Hotel and am very concerned about any development in that area. Obviously there are serious problems with the sewer system already since the bay is not safe for families to swim in after a rain. Surely environmental concerns, traffic congestion and common sense would prohibit this type of excessive development. Please protect our bay and our community and do not allow this to happen. Thanks so much.

Susan Helmsing Groom
17735 Scenic Highway 98

Sent from my iPhone

D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 9:07 AM
To: D Hart
Subject: FW: <EXTERNAL> RSA rezone case no.Z-19025. Kelly Sadler Respectfully oppose.

-----Original Message-----

From: kelly sadler [mailto:kellysadler70@hotmail.com]
Sent: Monday, June 10, 2019 8:53 AM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> RSA rezone case no.Z-19025. Kelly Sadler Respectfully oppose.

Dear Mr. Jackson,

My name is Kelly Sadler and I have lived in Fairhope with my family for the last 9 years. Frequently we are in Point Clear either visiting our in-laws during the week or exercising on Scenic 98. I run or cycle on Scenic 98 four times a week because of the low traffic and safety it is known for. My family and I oppose this rezoning. Thank you for the job that you do.

Sincerely,

Kelly W. Sadler

Sent from iphone

D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 9:07 AM
To: D Hart
Subject: FW: <EXTERNAL> RSA rezone case no.Z-19025. Matthew Mosteller Respectfully oppose.

From: Matthew Mosteller [mailto:drmattm@gmail.com]
Sent: Sunday, June 09, 2019 6:28 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> RSA rezone case no.Z-19025. Matthew Mosteller Respectfully oppose.

Dear Mr.Jackson,

My name is Matthew Mosteller . I am a registered voter in Baldwin County and my home for the last 27 years has been at [17999 Scenic Highway 98](#) Point Clear Al which is two drive ways north of the Grand Hotel marina .I am writting to express my opposition to the proposal to change a portion of the Grand Hotel parcel to a high density residential zoning. This would be unprecedented. All lots in Point Clear and Battles are R1 or R2 designation. The reason we have zoning laws is to protect the desire of the voters which was to maintain the history and tradition of a low density community . This proposal would place the first high density desination next to a low density community. The marina has acted as a buffer and transition zone between the hotel and the private homes that are R1 and R2 for many many decades. The Hotel is an integral part of the history and tradition of the area but to transform and rezone a portion of it to be become a high density residentail area is not what the voters of Point Clear and Battles desire . Please vote against proposed the rezoing request Matthew Mosteller

Matt Mosteller 251-454-7851

D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 9:06 AM
To: D Hart
Subject: FW: <EXTERNAL> RSA Rezoning Issue

From: Bob Moore [mailto:ram1090@aol.com]
Sent: Friday, June 07, 2019 2:50 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> RSA Rezoning Issue

We **object** to granting RSA authority to rezone their property north of the marina to build a multi-unit housing project. We are members of the Point Clear Homeowners' Association. This issue will be presented to the upcoming Baldwin County Planning Commission.

Robert and Melanie Moore
P O Box 1500
Point Clear, AL 36564

D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 9:07 AM
To: D Hart
Subject: FW: <EXTERNAL> RSA rezoning request case 19025

-----Original Message-----

From: Frank C. Feagin [mailto:fcfeagin@bellsouth.net]
Sent: Sunday, June 09, 2019 12:52 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Cc: PCPOA <pointclearpropertyownersassoc@gmail.com>
Subject: <EXTERNAL> RSA rezoning request case 19025

Dear Mr. Jackson,

I strongly ask that you deny this request. There is no HDR zoning in District 26 and this will set an unacceptable precedent by allowing density to intrude into Point Clear. As you are well aware, we residents of Point Clear and Battles Wharf are adamant in opposition to any increased density in our community.

I believe you have complete justification in denying this request per the Baldwin County Zoning Ordinance, Section 19.6, items a,b,c,f, g and i. I trust you, your staff and the Planning and Zoning Commission will listen to the citizens of district 26 and make the correct decision to not allow this rezoning.

Frank C. Feagin
14651 Scenic Highway 98
Point Clear, AL 36564
251-928-9775
Fcfeagin@bellsouth.net
June 9, 2019
Sent from my iPad

D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 9:06 AM
To: D Hart
Subject: FW: <EXTERNAL> RSA Re-zoning Z-19025

From: Lyle Hutchison [mailto:Lyle.Hutchison@cpsi.com]
Sent: Friday, June 07, 2019 3:42 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> RSA Re-zoning Z-19025

To whom it may concern:

We want the Baldwin county commission and planning commission to know that I am vehemently opposed to this rezoning. This parcel directly adjoins low density, single family, private homes to the north and would constitute an unprecedented increase in the density presently allowed in Point Clear. The impact of this project will not only adversely affect the peace and quiet of the neighborhood, but it will impact all of Point Clear with increased traffic and congestion on Scenic Highway 98. This should not be allowed to happen as Point Clear needs to remain a low density community.

Please let us know if you need any further information.

Mr. and Mrs. Lyle E. Hutchison III
17777 Scenic Highway 98



T 1-877-424-1777
F 1-251-639-8214
CPSI.com

Electronic Mail Confidentiality Notice:

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D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 9:06 AM
To: D Hart
Subject: FW: <EXTERNAL> Case no.19025 (RSA Re-zoning)

-----Original Message-----

From: Eleanore Allison [mailto:eleanoreallison@yahoo.com]
Sent: Friday, June 07, 2019 2:59 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> Case no.19025 (RSA Re-zoning)

My name is Eleanore Allison and I live at 17145 Scenic Highway 98, Point Clear, Alabama 36564. I strongly object to the further enlargement on the north side of the Grand Hotel. Our community is small with only a two lane road as access. Traffic has become a significant problem and this will just add an unwanted burden. All of us in Point Clear are facing a moratorium on increasing use of land and I think that should apply to the Grand Hotel also.

Sent from my iPad

D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 9:06 AM
To: D Hart
Subject: FW: <EXTERNAL> RSA Re-zoning Z-19025

From: Boyd Douglas [mailto:Boyd.Douglas@cpsi.com]
Sent: Friday, June 07, 2019 2:46 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> RSA Re-zoning Z-19025

To whom it may concern:

We want the Baldwin county commission and planning commission to know that I am vehemently opposed to this rezoning. This parcel directly adjoins low density, single family, private homes to the north and would constitute an unprecedented increase in the density presently allowed in Point Clear. The impact of this project will not only adversely affect the peace and quiet of the neighborhood, but it will impact all of Point Clear with increased traffic and congestion on Scenic Highway 98. This should not be allowed to happen as Point Clear needs to remain a low density community.

Please let us know if you need any further information.

Largay and Boyd Douglas
18575 Scenic Highway 98



T 1-877-424-1777
F 1-251-639-8214
CPSI.com

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D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 9:05 AM
To: D Hart
Subject: FW: <EXTERNAL> RSA project in Point Clear

DJ,

Beginning with this one, I have been receiving opposition emails to the RSA rezoning. I believe I've received 10 so far. I will forward each to you for inclusion in the file and submission to the members of the Planning Commission.

Thanks,

Vince

-----Original Message-----

From: Charlie Bailey [mailto:charlie.b.bailey@gmail.com]
Sent: Friday, June 07, 2019 2:40 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> RSA project in Point Clear

Dear Mr. Jackson,

As a resident of Point Clear please note my total opposition to the proposed development by the RSA on the north side of the marina at the Grand Hotel. I firmly believe it would cause a substantial increase in congestion and open the door to potential additional development.

Thank you for your consideration.

Charlie Bailey

Sent from my iPhone

D Hart

From: Vince Jackson
Sent: Monday, June 10, 2019 9:07 AM
To: D Hart
Subject: FW: <EXTERNAL> Opposition to Z-19025 RSA Re-zoning request

-----Original Message-----

From: Binky Oswalt [mailto:hiddenireland@att.net]
Sent: Sunday, June 09, 2019 9:53 AM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> Opposition to Z-19025 RSA Re-zoning request

Dear Mr Jackson,

I am writing to express my strong opposition to the RSA zoning request.

It seems utterly unbelievable to me that the owners and operators of RSA cannot see that continuing development of this kind will completely destroy Point Clear. The huge developments that have already taken place are proof that we need no more. The cities cannot contain the raw sewage or storm water runoff or traffic. It seems as clear as day that the development of high density structures in Point Clear is a very bad idea.

I appreciate your attention to the opinions of those of us who live here and want desperately to protect the environment and way of life in Point Clear.

Sincerely yours,
Binky Oswalt

Binky Oswalt
17727 Scenic Highway 98
Point Clear AL 36564
hiddenireland@att.net

William H. Harrison, III, Ph.D.

P. O. BOX 932 • POINT CLEAR, ALABAMA 36564-0932 • (251) 928-5788

6/24/2019

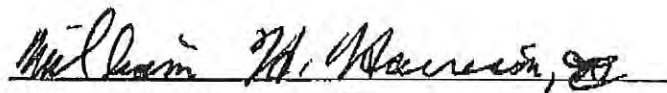
Baldwin County Planning Commission
22251 Palmer St.
Robertsdale, AL 36567

Via Facsimile 251-580-1656

Dear Baldwin County Planning Commission,

Please accept this letter to express my opposition of the condominium project north of the Grand Hotel yacht basin. The development of properties in this area, including the congested Colony property has already exceeded all reason, and further waivers to allow such indiscriminate overbuilding should stop.

Thank you for your attention to this matter.



William H. Harrison, III
15147 Scenic Hwy 98

6/9/19

Dear Mr. Jackson & Planning Commission,

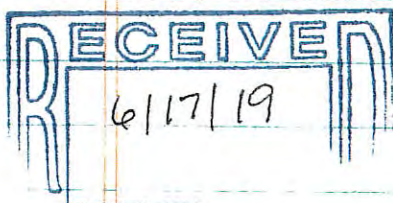
I understand that a meeting is set for July 11 at 6:00 pm to discuss a request by RSA case #2-19025 for rezoning.

My family has lived at Pt. Clear in a modest, bay home all my life. (since 1940's) We treasure the quaint, laid back residential feel of our place on Scenic 98. I do not want to see rezoning change that climate. More traffic and taxation on our resources for residents is not what we need.

When zoning is changed for one, it quickly turns to three or four more. Please do not meet the request by RSA 2-19025.

Thank you for your time,

Liza Gonzalez Mayfield



D Hart

From: Vince Jackson
Sent: Tuesday, July 2, 2019 3:11 PM
To: D Hart
Subject: FW: <EXTERNAL> New Grand Condos along scenic 98
Attachments: PCPOA.PDF

I guess he's opposed.

From: philipe Herndon [mailto:fpherndon@aol.com]
Sent: Tuesday, July 02, 2019 1:58 PM
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Subject: <EXTERNAL> New Grand Condos along scenic 98

D Hart

From: Vince Jackson
Sent: Monday, July 1, 2019 9:38 PM
To: D Hart
Subject: Fwd: <EXTERNAL> RSA Rezoning case Z-19025

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Patrick Immel <Patrick.Immel@trubridge.com>
Date: 6/28/19 12:36 PM (GMT-06:00)
To: Vince Jackson <VJACKSON@baldwincountyal.gov>
Cc: 'Sugar Immel' <sugarimмель@gmail.com>
Subject: <EXTERNAL> RSA Rezoning case Z-19025

Mr. Jackson:

My wife Sarah (Sugar) and I are writing to you this afternoon to express our very strong opposition to the RSA's proposed rezoning of the Grand Hotel Marina property. My wife grew up on the property we now call home at 18575-A Scenic 98. She and I have been fortunate to be property owners here for more than 10 years and have seen so much change over the last decade. Much has been positive and we love our Battles Wharf location. In fact, every afternoon as we watch the sunset we are reminded that "this is why we live here". The fact the area we live in is zoned primarily R-1 and R-2 has helped keep this small piece of Baldwin County quiet and peaceful for many years and we like that way. It is important that these low-density single family residences continues to be the norm, and there must continue to be a buffer zone between the bustling hotel property and the residential homes that adjacent it. The hotel plays an important part to our community and we certainly enjoy it's amenities ourselves, but allowing the rezoning of this parcel to provide for the construction of more multi-story condos will have long term negative implications on our community. Traffic on Scenic 98 continues to increase, water run-off can be problematic, sewer capacity, and other resources will continue to be stressed and additional high-density developments will exacerbate these important concerns. This request should be denied to keep consistent with the long term zoning goals of this area, a low-density neighborhood environment. I appreciate your consideration and if you have any questions please feel free to reach out to me.

Sincerely,

Patrick Immel
Senior Vice President
Professional Services
251-662-4015 direct
251-753-4397 mobile



Mr. Vince Jackson
Baldwin County Planning Commission
P.O. Box 220
Silverhill, AL 36567

Re: RSA re-zoning request/case #Z-19025

Dear Mr. Jackson:

As a member of the Point Clear Property Owner's Association I wish to express my full support the for association's letter of 19 June 2019 in opposition to the referenced re-zoning request.

I wish to particularly point out that a change in zoning to permit high density residential zoning allowing multiple family dwellings with a 12 unit per acre density is completely at odds with the current low density (RSF-1 and sometimes RSF-2) character of the residences in the recognized historic districts of Battles Wharf and Point Clear where this property is located. No precedent should be set for changing zoning in this area for any property, person or corporation which would be inconsistent with the wishes of the community and existing density patterns. This is a low density community. Its residents voted to zone it as such many years ago and the sentiment among its residents to retain that unique character has only grown stronger over the years. We did not then and do not now wish to open the door to the sort of development seen at Orange Beach and Gulf Shores. We love the Hotel, but the Hotel should respect the unique character of our community and simply continue to be a good neighbor and vibrant part of that community. Any change that would permit high density residential dwellings would be inconsistent with that unique community we have built over many, many years.

It should be noted that the existing marina, serving marine interests only, and not the high density transient clientele of the hotel, serves as an excellent natural barrier between the Hotel's operations and the high end low density residences to the north. This existing natural separation between the high density commercial operation and the low density historic residential area should be maintained.

Very truly yours,

Albert W. Key

Cc: Point Clear Property Owner's Association



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.b

Case No. Z-19028

Silcox Property

Rezone RSF-E, Residential Single Family Estate District to B-3, General Business District

July 11, 2019

Subject Property Information

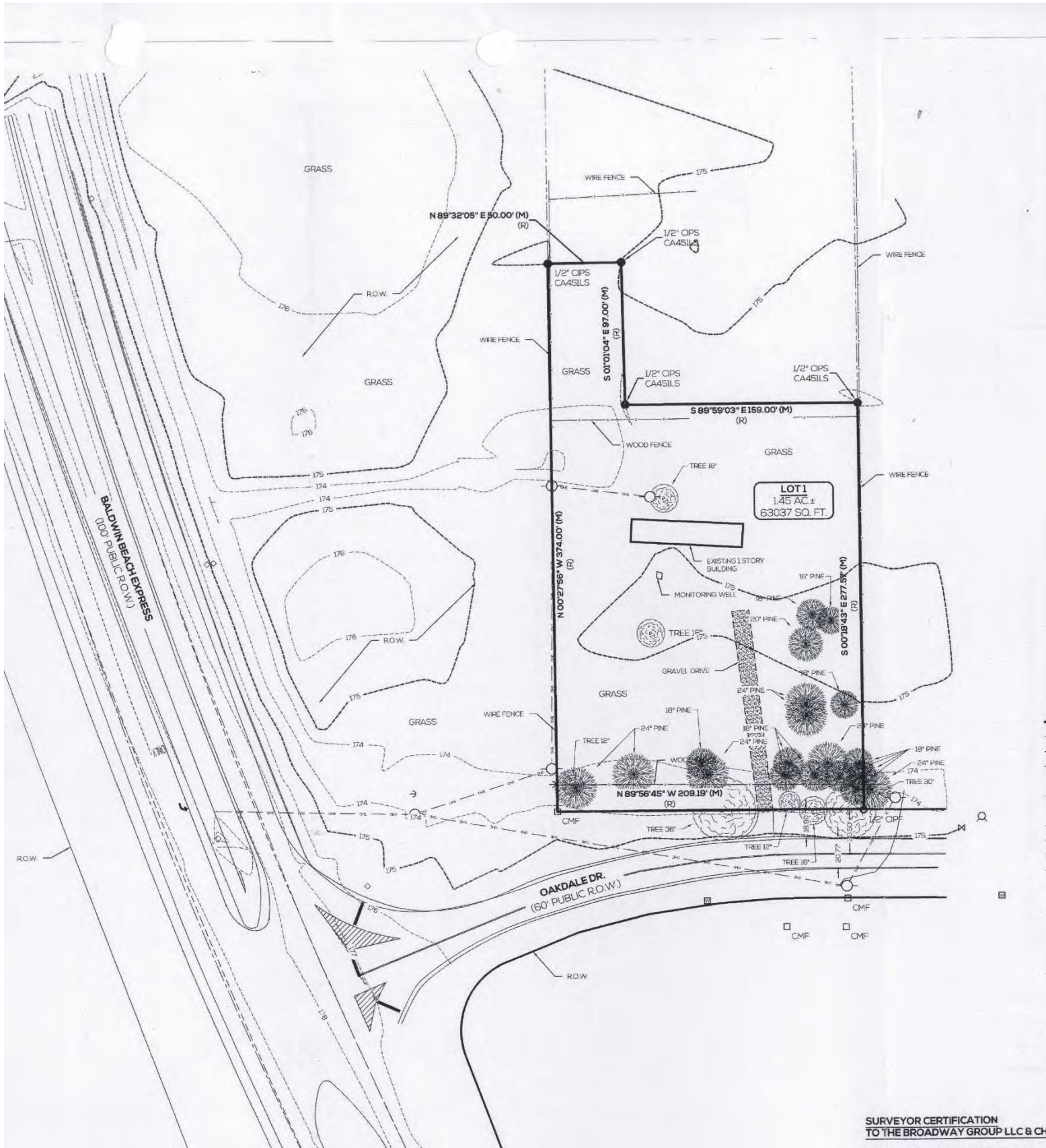
Planning District: 12
General Location: East side of Baldwin Beach Express, North of Oakdale Ln.
Physical Address: NA
Parcel Numbers: 05-41-02-09-0-000-001.018
Existing Zoning: RSF-E, Residential Single Family Estate District
Proposed Zoning: B-3, General Business District
Existing Land Use: Residential
Proposed Land Use: Retail Store
Acreage: 3.36± acres
Applicant: The Broadway Group, LLC
PO Box 18968
Huntsville, AL 35804
Owner: Bonnie Silcox
20617 Oakdale Dr
Robertsdale, AL 36567
Lead Staff: Celena Boykin, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential	RSF- E, Residential Single Family Estate
South	Oakdale Dr and Commercial	Oakdale Dr and B4, Major Commercial
East	Residential	RSF- E, Residential Single Family Estate
West	Baldwin Beach Express and Agriculture	Baldwin Beach Express & B-4, Major Commercial

Summary

The subject property, which consists of 3.36 acres and is currently zoned RSF-E, Residential Single Family Estate District. The designation of B-3 General Business District, has been requested for approximately 1.45 acres of the subject property for the purpose of establishing retail store.

Plot Plan of 1.45 acre Portion Requested to be Rezoned



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*).

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 18.6 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	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 5.3 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:

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

- (xx) Skating rink
- (yy) Stone monument sales
- (zz) Swimming pool (outdoor)
- (aaa) Taxidermy

- (bbb) Teen club or youth center
- (ccc) Tennis court (outdoor)
- (ddd) Wildlife sanctuary
- (eee) YMCA, YWCA

5.3.3 *Conditional uses.* The following uses are permissible as conditional uses in the B-3: General Commercial District, subject to the standards and procedures established in *Section 18.11: Conditional Use*:

- | | |
|--|---|
| (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 in Feet	40
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.*

Agency Comments

Baldwin County Highway Department:

From: Frank Lundy

Sent: Tuesday, June 18, 2019 9:47 AM

To: D Hart <DHart@baldwincountyal.gov>

Cc: Seth L. Peterson <SPETERSON@baldwincountyal.gov>; Tyler W. Mitchell <TMITCHELL@baldwincountyal.gov>; Vince Jackson <VJACKSON@baldwincountyal.gov>

Subject: FW: Z-19028 Silcox Property

DJ,

Given the very close proximity to the Oakdale Dr / BBE intersection, traffic impacts will need to be analyzed.

Thanks,

Frank Lundy

Baldwin County Subdivision Department:

From: Seth L. Peterson

Sent: Monday, June 17, 2019 1:39 PM

To: D Hart <DHart@baldwincountyal.gov>

Cc: Laurie Rumbaugh <LRUMBAUGH@baldwincountyal.gov>; Mary Booth <MBOOTH@baldwincountyal.gov>

Subject: RE: Z-19028 Silcox Property

DJ,

Direct access to the BBE will not be allowed for this development. Access and drainage improvements will be reviewed during the permitting phase. Access will be reviewed closely due to the proximity to the BBE and a traffic study will likely be required.

Thanks,

Seth

ADEM: No comments received.

ALDOT: No comments received.

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 residential. The property adjoins Oakdale Drive to the south and the Baldwin Beach Express to the west. The adjoining properties are residential.

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 new interchange at Interstate 10 and Baldwin Beach Express has been constructed just north of the subject property. As a result, several parcels throughout the area have been rezoned from RA to B-4.

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. Approval of the rezoning will result in an amendment of the Future Land Use Map to commercial.

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

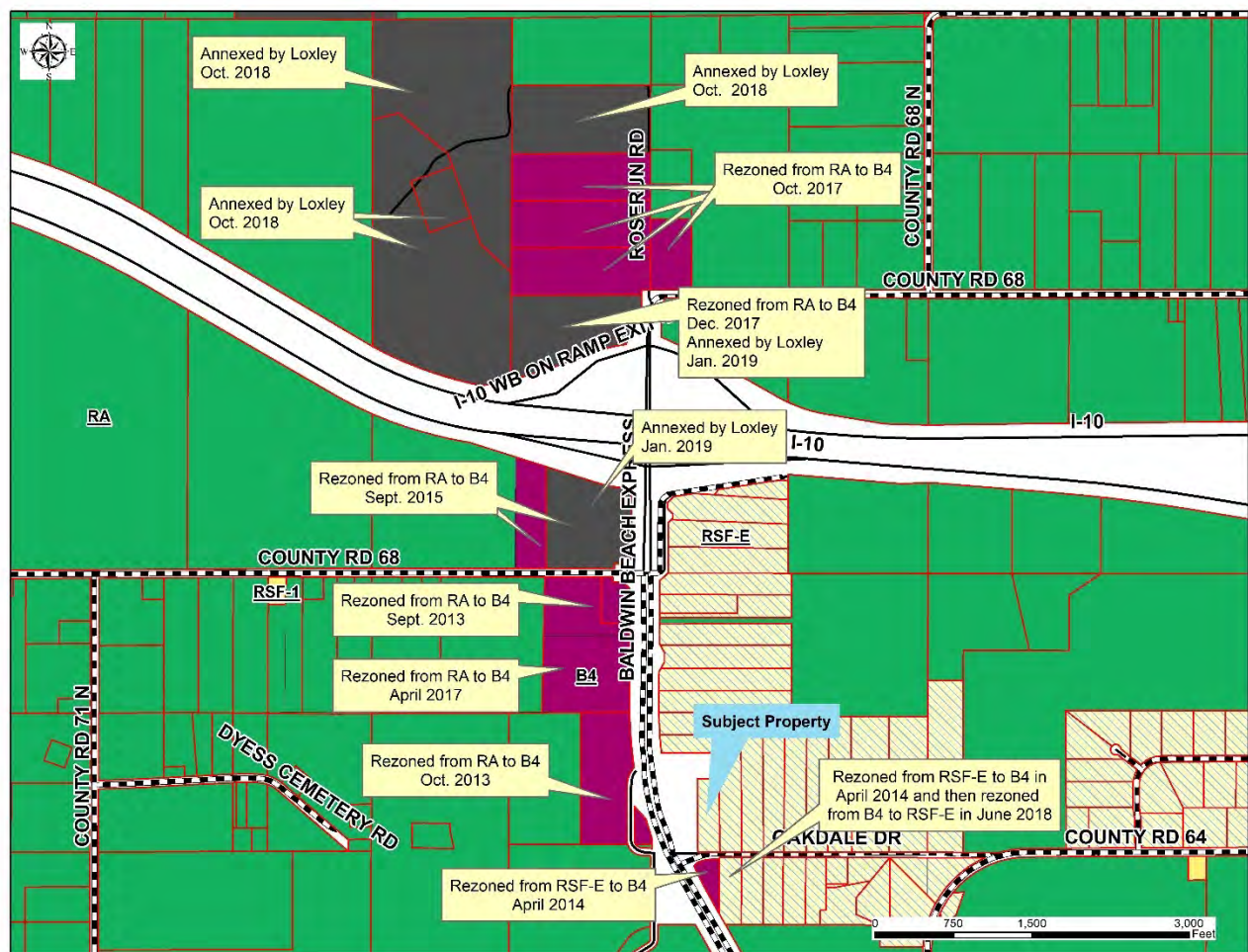
Staff is not aware of any planned public improvements.

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

Traffic in the area has increased since the opening of the interchange and Buc-ee's. The intersection of Oakdale Dr. and BBE does have a crossover but no traffic light. As stated above by Seth Peterson, "Direct access to the BBE will not be allowed for this development. Access and drainage improvements will be reviewed during the permitting phase. Access will be reviewed closely due to the proximity to the BBE and a traffic study will likely be required."

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 primary surrounding land uses are residential and agricultural. There have been numerous rezonings to B-4, Major Commercial District in this area along the Baldwin Beach Express. Many of these B-4 parcels have not been developed commercially yet. Buc-ee's was the first commercial building and was recently annexed by the Town of Loxley. The only parcel that is in the County that is currently developed as commercial is the smaller parcel south of Oakdale Dr. This parcel is being used for car sales.



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

See response to item number 6 which is listed above.

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 doesn't anticipate any 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, which consists of 3.36 acres and is currently zoned RSF-E, Residential Single Family Estate District. The designation of B-3 General Business District, has been requested for approximately 1.45 acres of the subject property for the purpose of establishing retail store.

Unless information to the contrary is revealed at the public hearing, staff recommends that case Z-19028 be recommended for **DENIAL**.*

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

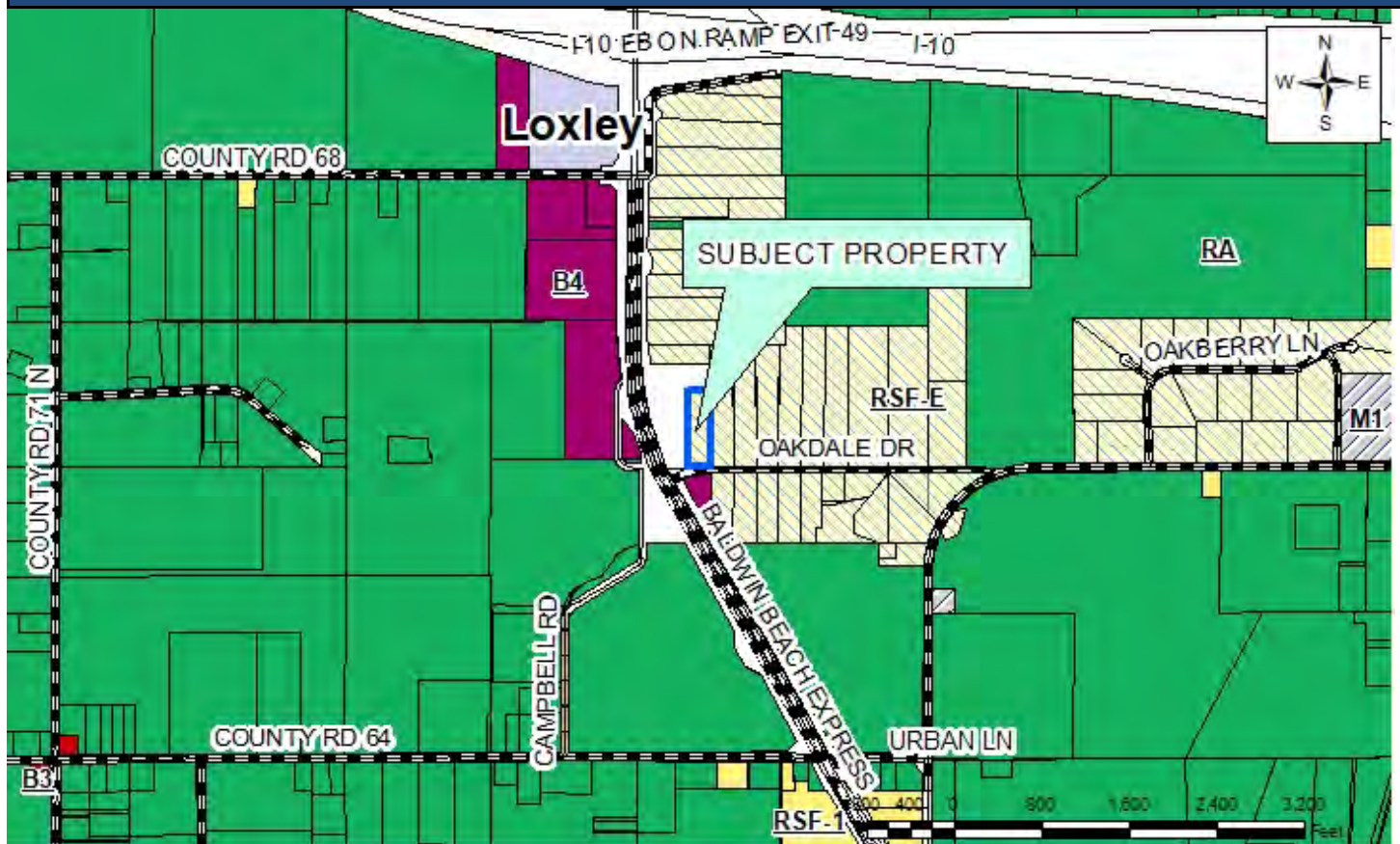
Property Images



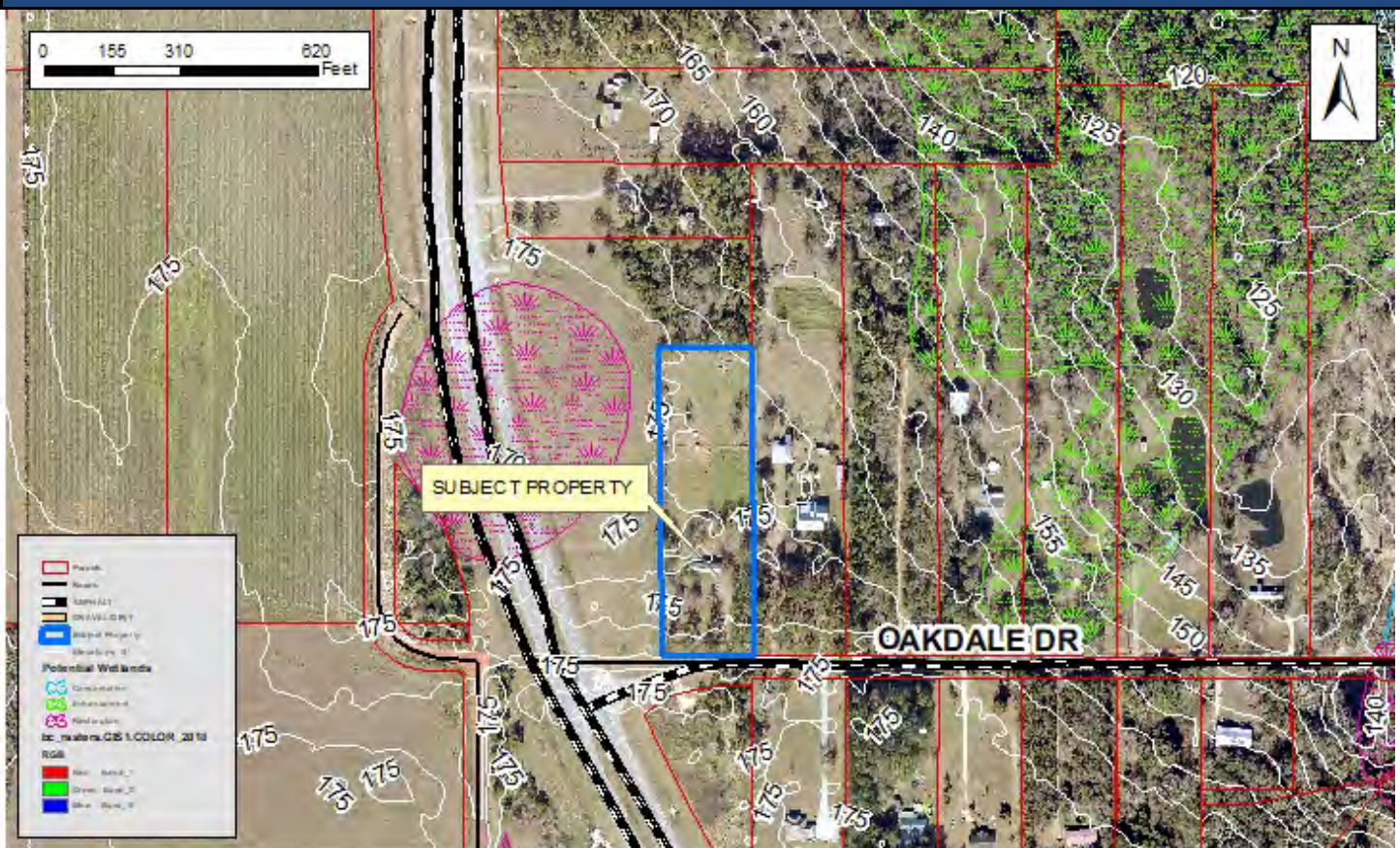




Locator Map



Site Map





Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.c

Case No. Z-19029

Middleton Property

Rezone RSF-E, Residential Single Family Estate District to B-4, Major Commercial District

July 11, 2019

Subject Property Information

Planning District: 12
General Location: West side of State Highway 59, east of Rawls Road and north of Devine Road
Physical Address: 25171 State Highway 59, Loxley
Parcel Numbers: 05-42-06-24-0-000-009.000 and 05-42-06-24-0-000-011.000
Existing Zoning: RSF-E, Residential Single Family Estate District
Proposed Zoning: B-4, Major Commercial District
Existing Land Use: Residential, Commercial, Accessory Structures
Proposed Land Use: Commercial (RV/Boat Storage and Potential Mini Storage Units)
Acreage: 6.25 ± acres
Applicants: Ernest Middleton
25171 State Highway 59
Loxley, AL 36551
Owners: Same
Lead Staff: Vince Jackson, Planning Director
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential, Undeveloped	RSF-E & B-3, General Business
South	Residential, Commercial	RSF-E & B-4, Major Commercial
East	Agricultural	RA, Rural Agricultural
West	Residential	RSF-3, Single Family District

Summary

This request involves two parcels which together consist of 6.25 acres. The subject properties are currently zoned RSF-E, Residential Single Family Estate District, and are occupied with a dwelling and several accessory structures. The property adjoins State Highway 59 to the east and Rawls Road to the west. The adjoining properties are residential, agricultural, and commercial. The requested zoning designation is B-4 Major Commercial District. According to the submitted information, the purpose of this request is to promote the highest and best use of the property with direct access to a major traffic arterial. Proposed uses include rv/boat storage (indoor and outdoor) and potential mini storage units.

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*).

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 18.6 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	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 5.4 B-4, Major Commercial District

5.4.1 *Purpose and intent.* The B-4, Major Commercial District, is intended for business uses which require a location with access to an arterial or major collector road (as defined by the Functional Classification System attached as Appendix) or which have close proximity to major intersections. Due to the nature of the businesses permitted within the B-4 district, this zoning designation should be limited to property fronting on principal arterials, major arterials or minor arterials. Ingress and egress to a roadway should promote safe and smooth traffic flow for the general traveling public. It is also the intent of this district to provide areas for businesses which, because of their intensity, outside storage areas, or large volumes of traffic, would have significant negative impacts on adjoining properties. These uses often have an actual or potential negative impact on surrounding properties due to late hours of operation, noise, and or light.

5.4.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-4, Major Commercial District:

- | | |
|--|--|
| (a) All uses permitted by right under the B-3 zoning designation | (l) Flea market |
| (b) Amusement park | (m) Home improvement center |
| (c) Auto convenience market | (n) Hotel or motel |
| (d) Automobile parts sales | (o) Manufactured housing sales, service and repair |
| (e) Automobile repair (mechanical and body) | (p) Marina |
| (f) Automobile sales | (q) Motorcycle sales service and repair |
| (g) Automobile service station | (r) Movie theatre |
| (h) Automobile storage (parking lot, parking garage) | (s) Recreational vehicle park |
| (i) Boat sales and service | (t) Recreational vehicle sales, service and repair |
| (j) Building materials | (u) Restaurant, drive-in |
| (k) Farm implements | (v) Restaurant, fast food |

5.4.3 *Conditional uses.* The following uses are permissible as conditional uses in the B-4, Major Commercial District, subject to the standards and procedures established in *Section 18.11: Conditional Uses*:

- | | |
|--|---------------------------------------|
| (a) Airport | (h) College or university |
| (b) Ambulance/EMS service | (i) Convalescent or nursing home |
| (c) Armory | (j) Correctional or penal institution |
| (d) Auditorium, stadium, coliseum | (k) Dog pound |
| (e) Barge docking | (l) Electric power substations |
| (f) Broadcasting station | (m) Freight depot, rail or truck |
| (g) Bus and railroad terminal facility | (n) Hospital |

- (o) Landfill
- (p) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies
- (q) Race track
- (r) Radio and television station and transmitting tower
- (s) Railroad facility

- (t) Sewage treatment plant
- (u) Taxi dispatching station
- (v) Taxi terminal
- (w) Telephone exchange
- (x) Water or sewage pumping station
- (y) Water storage tank
- (z) Wireless telecommunication facility
- (aa) Zoo

5.4.4 *Area and dimensional ordinances.*

Maximum Height of Structure in Feet	40
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

5.4.5 *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.

5.4.6 *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.

5.4.7 *Landscaping and buffering.* All B-4, Major Commercial District, uses shall meet the requirements of *Article 17, Landscaping and Buffers.*

Agency Comments

Baldwin County Highway Department:

Seth Peterson – No comments.

Frank Lundy – No comments received.

ALDOT: No comments received

ADEM: No comments received.

Municipality (Town of Loxley): No comments received.

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 properties are currently zoned RSF-E, Residential Single Family Estate District, and are occupied with a dwelling and several accessory structures. The property adjoins State Highway 59 to the east and Rawls Road to the west. The adjoining properties are residential, agricultural, 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?

Planning District 12 was zoned on November 7, 2006. Since that time, there have been numerous rezonings to commercial designations throughout the planning district, with many of the areas along Highway 59 appearing to be in transition. As an example, the adjacent parcel to the south was rezoned to B-4 during 2011.

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 properties. If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Commercial. The adjacent future land use designations to the north and south are commercial.

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

No conflicts.

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

Commercial activity of the type proposed generally does not generate significant amounts of traffic.

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 Standard Number 1 listed above.

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

An adjacent parcel to the south is zoned B-4. It was rezoned by the County Commission on March 3, 2011 (Case Z-11003, March Property).

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 is not aware of any environmental conditions or historic resources which would be impacted by this request.

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.

- Mini storage facilities, which are proposed use with this request, are also allowed by right under B-3, General Business District (adjacent property to the north is zoned B-3). However, the inclusion of boat and rv storage would require Conditional Use approval from the Planning Commission. It should be noted that there would be no guarantee of Conditional Use approval if the property was rezoned to B-3 instead of B-4.
- According to the Baldwin County Zoning Ordinance, a 25-foot buffer will be required along the portions of the property which abut residential zoning designations if the property is rezoned.

Section 17.2 Buffers of Unlike Land Uses and Zoning Designations

(c) Institutional uses, Professional Business uses (B-1), Neighborhood Business uses (B-2), General Business uses (B-3), Major Commercial uses (B-4) and Marine Recreation (MR) uses when adjacent to a Rural District (RR, RA and CR), Residential Single Family Estate District (RSF-E) or Single Family District (RSF-1, RSF-2, RSF-3, RSF-4 and RSF-6) shall require a minimum buffer of **25-feet**.

Staff Comments and Recommendation

As stated previously, this request involves two parcels which together consist of 6.25 acres. The subject properties are currently zoned RSF-E, Residential Single Family Estate District, and are occupied with a dwelling and several accessory structures. The property adjoins State Highway 59 to the east and Rawls Road to the west. The adjoining properties are residential, agricultural, and commercial. The requested zoning designation is B-4 Major Commercial District. According to the submitted information, the purpose of this request is to promote the highest and best use of the property with direct access to a major traffic arterial. Proposed uses include rv/boat storage (indoor and outdoor) and potential mini storage units.

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

If the Planning Commission does not find approval of the B-4 designation warranted but would potentially be agreeable to B-3, staff suggests that a new application requesting B-3, General Business District, be submitted.

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



Ernest Middleton

Property Dimensions

25171 State Hwy 59
Loxley

Property Images

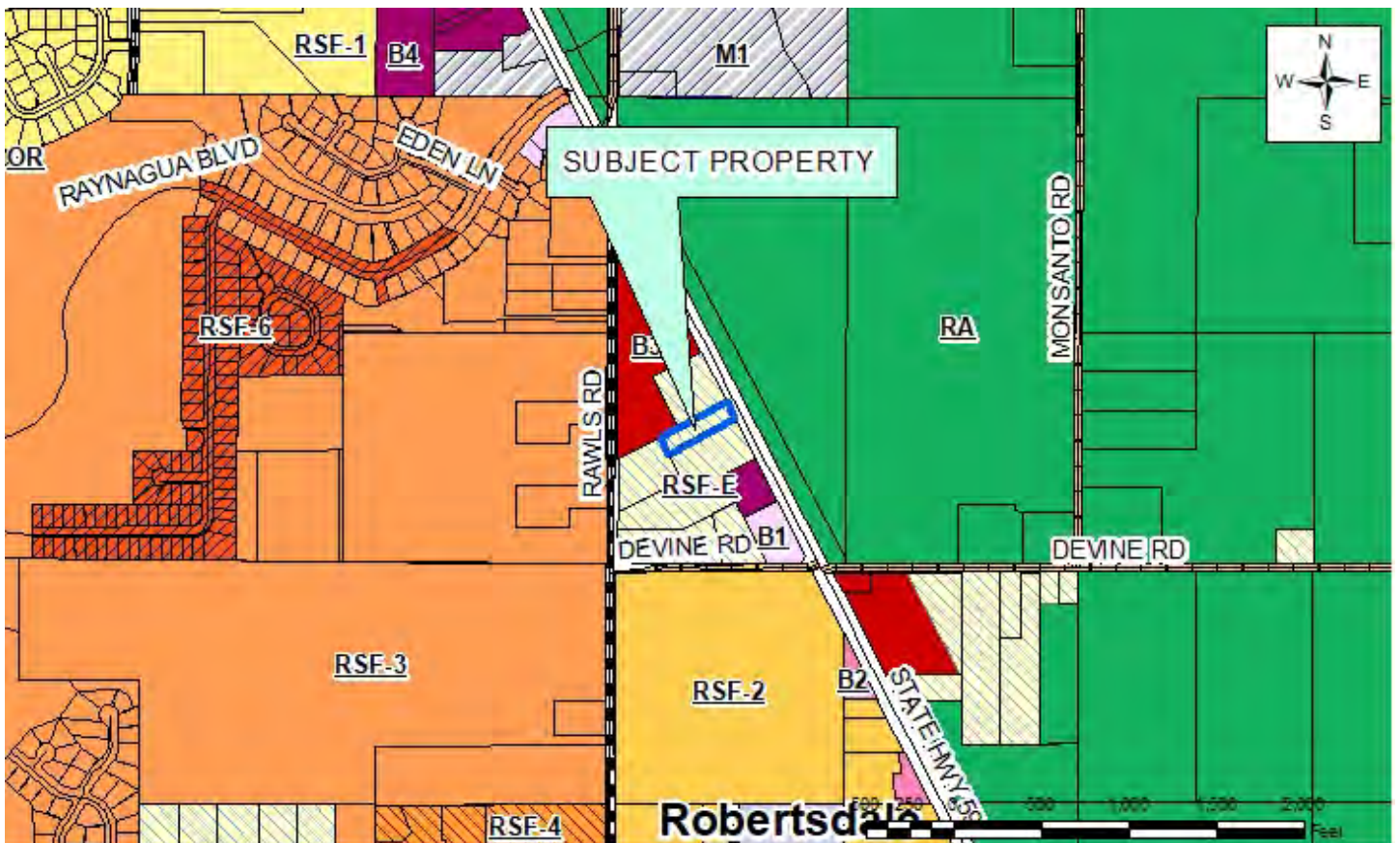
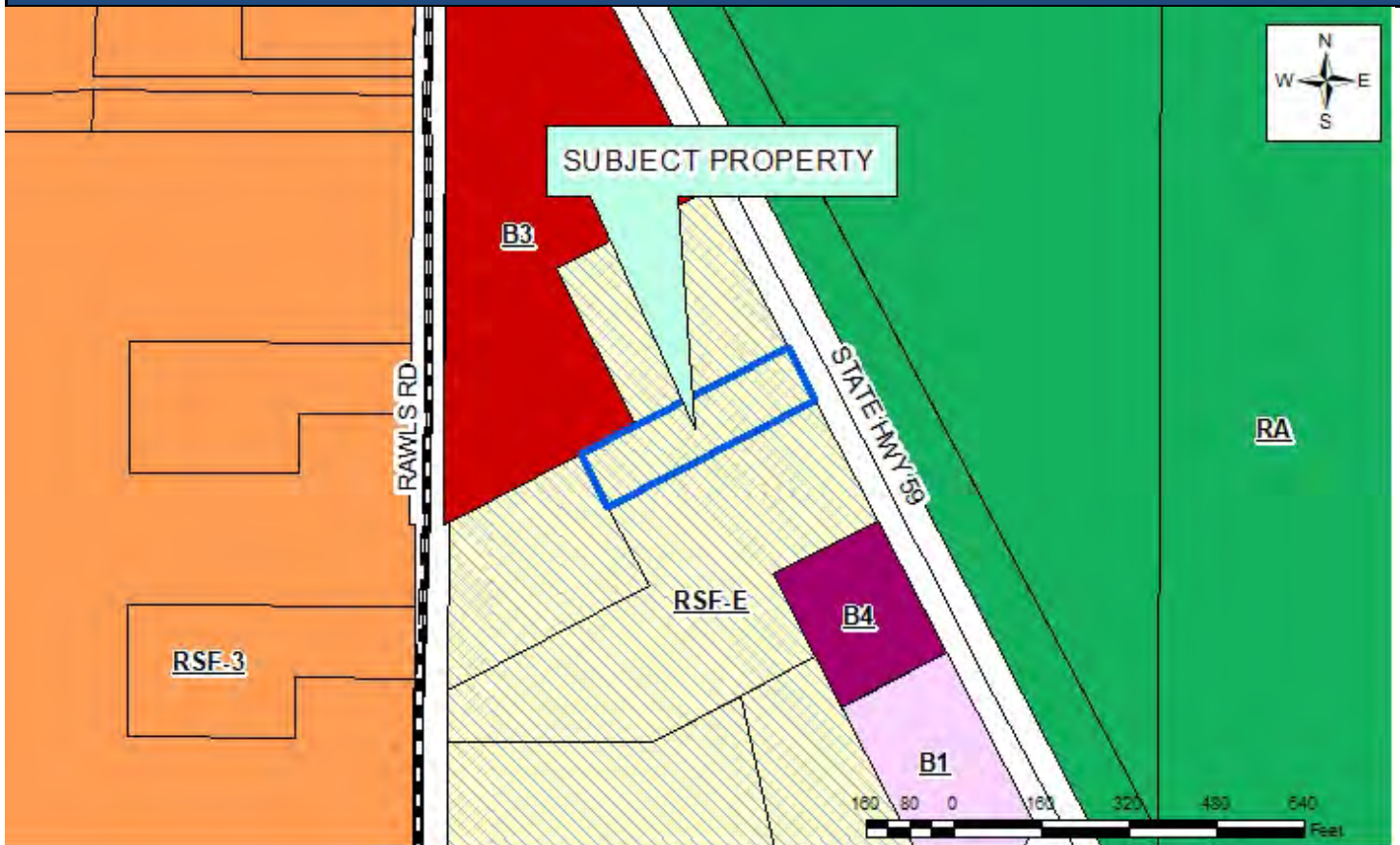








Locator Map



Site Map

