



Baldwin County Planning & Zoning Commission Agenda

Thursday, October 3, 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:**

September 5, 2019 meeting minutes
6. **Announcements/Registration to address the Commission.**
7. **Consideration of Applications and Requests: Re-Zoning Cases**

a.) **Case Z-19040, Olde Towne Investments LLC Property**

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

Purpose: The applicant is requesting to rezone 4.4 +/- acres from RA to B-3 to allow retail marine sales.

Location: The subject property is located on the northeast corner of Roscoe Road, in Planning District 30.

b.) Case Z-19041, Thomas Robert Trebesh Trust Property

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

Purpose: The applicant is requesting to rezone 19.75+/- acres from RSF-1 to RA to allow residential and horse ranch on the property

Location: The subject property is located south of US Hwy 90, on Co Rd 62 South, in Planning District 12.

c.) Case Z-19042, Parnell Development Property

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

Purpose: The applicant is requesting to rezone 64.82 +/- acres from RSF-1 to RSF-E to allow a residential subdivision with horses.

Location: The subject property is located on the west side of State Highway 225, south of Bluefield Drive, in Planning District 4.

8. Consideration of Applications and Requests: Subdivision Cases

**a.) Case S-19050, Turnberry Crossing, Lot 19
Variance Request Approval**

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

Purpose: The applicant is requesting to change the side setback from 10 feet to 9 feet, 9 inches.

Location: The subject property is located on the west side of Impala Drive approximately 780 feet south of County Road 20 S. in the Foley area

b.) Case S-19053, Greek Cemetery Subdivision, Development Permit Approval

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

Purpose: The applicant is requesting Development Permit approval for a 4-lot subdivision.

Location: The subject property is located east of County Road 87 and approximately 1.36 miles south of Highway 90 on Greek Cemetery Road.

c.) Case S-19054, Pinecrest Subdivision – Re-Sub of Lot 14 Development Permit Approval

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

Purpose: The applicant is requesting Development Permit approval for a 4-lot subdivision

Location: The subject property is located approximately 2.0 miles south of Highway 90 on Hillcrest Circle east of County Road 87.

d.) Case S-19055, Mockingbird Hill-Unit II Phase Two Variance Request Approval

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

Purpose: The applicant is requesting a Variance from the *Baldwin County Subdivision Regulations* as it relates to lot size requirements, centralized water and sewer requirement, and curb and gutter requirement.

Location: The subject property is located on the east side of Deer Acres Lane approximately 0.4 miles south of US Highway 98 in the Elberta area.

9. Old Business:

10. New Business:

11. Public Comments

12. Reports and Announcements:

Staff Reports

Legal Counsel Report

Next Regular Meeting: November 7, 2019



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 7.a

Case No. Z-19040

Olde Towne Investments LLC Property

Rezone RA, Rural Agricultural District to B-3, General Business District

October 3, 2019

Subject Property Information

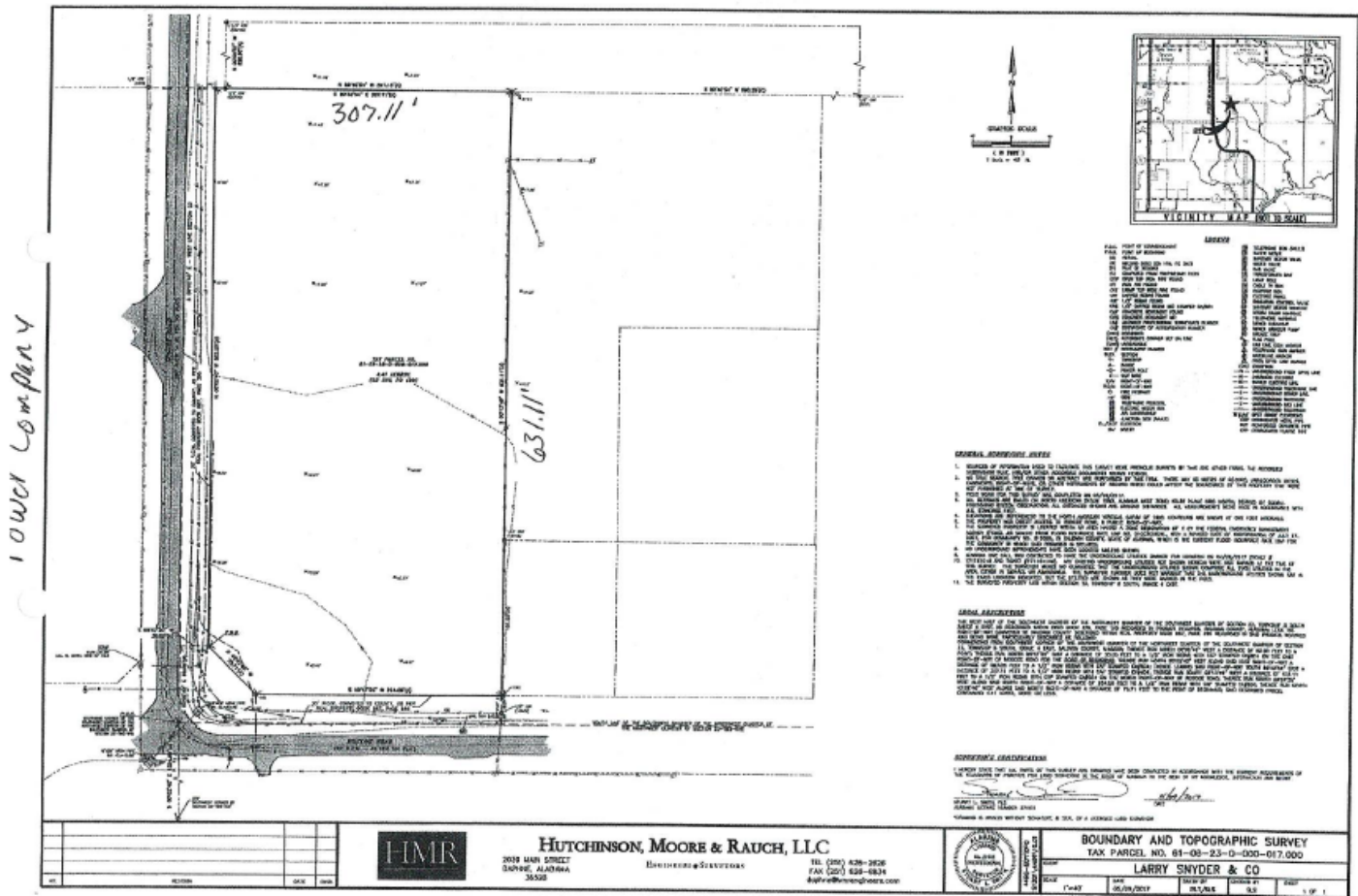
Planning District: 30
General Location: Northeast corner of Roscoe Road
Physical Address: 7300 Roscoe Road
Parcel Numbers: 05-61-06-23-0-000-017.000
Existing Zoning: RA, Rural Agricultural District
Proposed Zoning: B-3, General Business District
Existing Land Use: Vacant
Proposed Land Use: Marine Retail Sales
Acreage: 4.4± acres
Applicant: Thomas Mueller
Advanced Restoration Technologies, Inc
31220 River Road
Orange Beach, AL 36561
Owner: Olde Towne Investments LLC
19940 State Highway 181, Suite A
Fairhope, AL 36532
Lead Staff: Linda Lee, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Forested Timberland	RA
South	Commercial	B-4, Major Commercial District
East	Residential	RA, Rural Agricultural District RSF-1, Single Family District
West	Commercial	City of Orange Beach

Summary

The subject property, which consists of 4.4 acres, is currently zoned RA, Rural Agricultural District. The designation of B-3 General Business District, has been requested for the purpose of establishing a marine retail sales business. The subject property is currently vacant. The property adjoins Roscoe Road to the west and south. The adjoining properties are residential, forested timberland, and commercial.

Survey Submitted



Current Zoning Requirements

Section 3.2 RA Rural Agricultural District

3.2.1 Generally. This zoning district provides for large, open, unsubdivided land that is vacant or is being used for agricultural, forest or other rural purposes.

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

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Outdoor recreation uses.
- (d) The following general commercial uses: animal clinic and/or kennel; farm implement sales; farmers market/truck crops; nursery; landscape sales; country club.
- (e) The following local commercial uses: fruit and produce store.

- (f) The following institutional uses: church or similar religious facility; school (public or private).
- (g) Agricultural uses.
- (h) Single family dwellings including manufactured housing and mobile homes.
- (i) Accessory structures and uses.

3.2.3 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 general commercial uses: recreational vehicle park (see *Section 13.9: Recreational Vehicle Parks*).
- (b) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

3.2.4 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) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.

3.2.5 Area and dimensional ordinances. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	3 Acres
Minimum Lot Width at Building Line	210-Feet
Minimum Lot Width at Street Line	210-Feet

3.2.6 Area and dimensional modifications. Within the RA 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

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

5.3.3 Conditional 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 | (h) Automobile storage (parking lot, parking garage) |
| (b) Ambulance/EMS service | (i) Barge docking |
| (c) Amusement park | (j) Boat sales and service |
| (d) Armory | (k) Broadcasting station |
| (e) Auditorium, stadium, coliseum | (l) Building materials |
| (f) Automobile parts sales | (m) Bus and railroad terminal facility |
| (g) Automobile repair (mechanical and body) | |

- (n) College or university
- (o) Convalescent or nursing home
- (p) Correctional or penal institution
- (q) Dog pound
- (r) Electric power substations
- (s) Farm implements
- (t) Flea market
- (u) Freight depot, rail or truck
- (v) Home improvement center
- (w) Hotel or motel
- (x) Hospital
- (y) Landfill
- (z) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies
- (aa) Manufactured housing sales, service and repair
- (bb) Marina

- (cc) Motorcycle sales service and repair
- (dd) Movie theatre
- (ee) Radio/television tower
- (ff) Railroad facility
- (gg) Recreational vehicle park
- (hh) Recreational vehicle sales service, and repair
- (ii) Restaurant, drive-in
- (jj) Restaurant, fast-food
- (kk) Sewage treatment plat
- (ll) Taxi dispatching station
- (mm) Taxi terminal
- (nn) Telephone exchange
- (oo) Water or sewage pumping station
- (pp) Water storage tank
- (qq) Wireless telecommunication facility
- (rr) Zoo

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: "Tyler W. Mitchell" <TMITCHELL@baldwincountyal.gov>

Date: September 20, 2019 at 12:59:04 PM CDT

To: D Hart <DHart@baldwincountyal.gov>, Mary Booth <MBOOTH@baldwincountyal.gov>

Cc: Laurie Rumbaugh <LRUMBAUGH@baldwincountyal.gov>

Subject: RE: October rezoning cases

DJ,

I have no comments from a Highway standpoint.

Thanks,

Tyler

Baldwin County Subdivision Department: No comments.

ADEM: No comments received.

ALDOT: No comments received.

Municipality: Comments requested from Orange Beach – non 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 property adjoins Roscoe Road to the west and south. The adjoining properties are residential, forested timberland, and commercial. The property to the north was recently annexed into the city of Orange Beach. The city council zoned this property GB (General Business) on September 3, 2019. The property to the south was rezoned from RA to B-4, Major Commercial District in 2017 (case Z-17006). The properties to the west are in the city of Orange Beach 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 30 zoning map was adopted in February 1995. The property to the north was recently annexed into the city of Orange Beach. The city council zoned this property GB (General Business) on September 3, 2019. The property to the south was rezoned from RA to B-4, Major Commercial District in 2017 (case Z-17006). The properties to the west are in the city of Orange Beach and commercial.

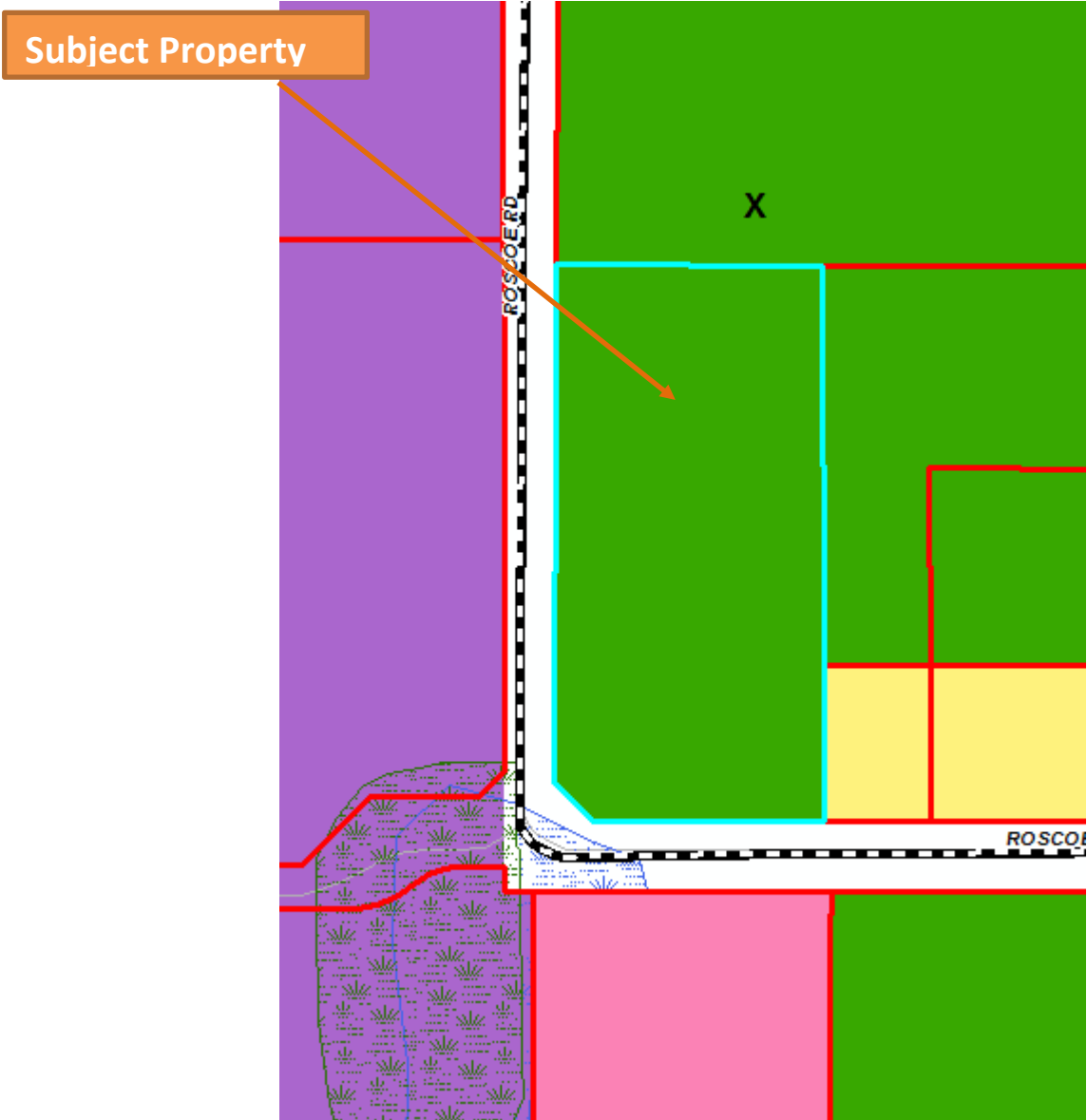
3.) Does the proposed zoning better conform to the Master Plan?

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

County Subdivision Regulations, the Baldwin County Flood Damage Prevention Ordinance and any other ordinances and regulations which the County Commission may adopt.

A future land use designation of Agricultural has been provided for the subject property. Agriculture, forestry and similar activities are included with this future land use category. Single family dwellings, institutional uses, recreational uses, limited commercial uses which are intended to serve a rural area and transportation, communication and utility uses are also included subject to the requirements found within the Zoning Ordinance. This category is designed to protect the essential open character of rural areas until it is timely to reclassify the land to appropriate residential, commercial or industrial categories. Zoning designations may include RR, CR, RA and RSF-E.

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



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?

Per the Federal Highway Administration the functional classification of Roscoe Road is local. Locally classified roads account for the largest percentage of all roadways in terms of mileage. They are not intended for use in long distance travel, except at the origin or destination end of the trip, due to their provision of direct access to abutting land. Bus routes generally do not run on Local Roads. They are often designed to discourage through traffic. As public roads, they should be accessible for public use throughout the year. Local Roads are often classified by default. In other words, once all Arterial and Collector roadways have been identified, all remaining roadways are classified as Local Roads. The traffic going to and from the marine retail sales business could have an impact on traffic patterns or congestion. Access to this site would require approval from Baldwin County Highway Department.

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.

As stated previously, the adjoining properties are residential, forested timberland, and commercial. The property to the north was recently annexed into the city of Orange Beach. The city council zoned this property GB (General Business) on September 3, 2019. The property to the south was rezoned from RA to B-4, Major Commercial District in 2017 (case Z-17006). The properties to the west are in the city of Orange Beach and commercial.

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

The properties to the west and south are currently zoned commercial. The property to the north was recently annexed by the city of Orange Beach and zoned GB (General Business).

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

The property to the west is the Baldwin County Electric Membership Corporation facility. The property to the southwest is Columbia Southern University. The property to the south is a storage facility for Columbia Southern University. All of these uses have been developed since zoning was implemented in planning district 30. Timing, however, is not a factor with this request.

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

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

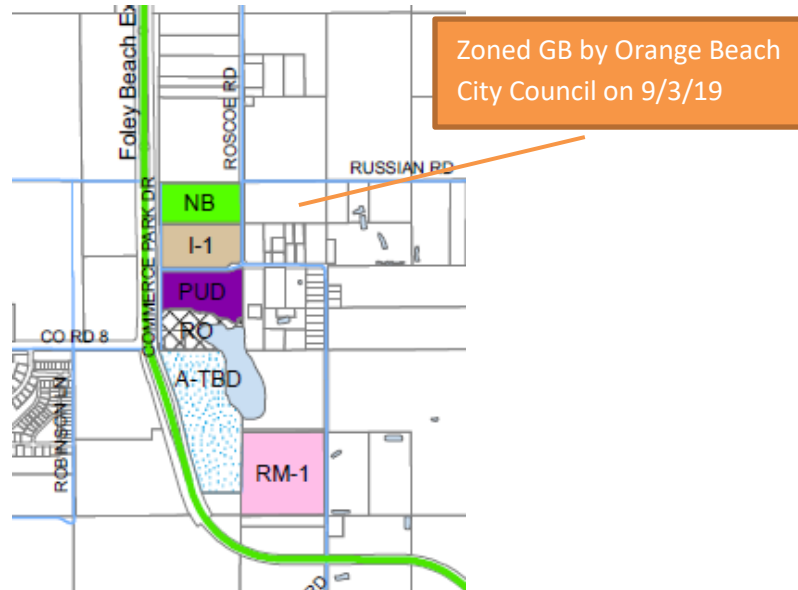
10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?

Although there will be an increase in traffic, if the rezoning is approved and the property is developed, the impact should not be significant. Access to this site would require approval from Baldwin County Highway Department. Development of the property will be considered as a major project. Prior to the issuance of a Land Use Certificate, staff will evaluate all submitted materials, including building plans, drainage plans, landscaping plans and site plans in order to ensure complete compliance with the requirements of the zoning ordinance. Required landscaped buffers will help to mitigate the potential for adverse impacts.

According to the Baldwin County Zoning Ordinance, a 25-foot landscaped buffer will be required along the portions of the property which abut residential uses if the property is rezoned.

11.) Other matters which may be appropriate.

Below are the Orange Beach zoning designations for properties adjacent to the subject property.



3.0210 NB: Neighborhood Business District

This District is intended to provide locations for a restricted range of retail and professional businesses and services. No metal sided commercial or retail building will be allowed in this district.

3.0212 GB: General Business District

This District is intended to provide locations for retail trades and services that serve the resident and seasonal populations of the City and visitors. Types of uses permitted are restricted to those that are compatible with the City's resort character.

3.0213 RO: Retail Office District

This district is intended to provide appropriate locations for offices and less intense commercial uses. It is intended to be more restrictive than GB but less restrictive than NB. This district is designated to provide the necessary office and retail uses without permitting by right in appropriate intense commercial/industrial type uses. (rev. 01/15/2008)

3.0214 I-1: Industrial District

This District is intended to provide locations for heavier commercial and light industrial activities which will not detract from the general livability and resort character of the City because of hazardous operations, unsightly appearance of buildings and surroundings, objectionable emissions, or other factors.

Staff Comments and Recommendation

As stated previously, the subject property, which consists of 4.4 acres, is currently zoned RA, Rural Agricultural District. The designation of B-3 General Business District, has been requested for the purpose of establishing a marine retail sales business. The subject property is currently vacant. The property adjoins Roscoe Road to the west and south. The adjoining properties are residential, forested timberland, and commercial.

Unless information to the contrary is revealed at the public hearing, staff recommends that case Z-19040 be recommended for **APPROVAL**.*

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

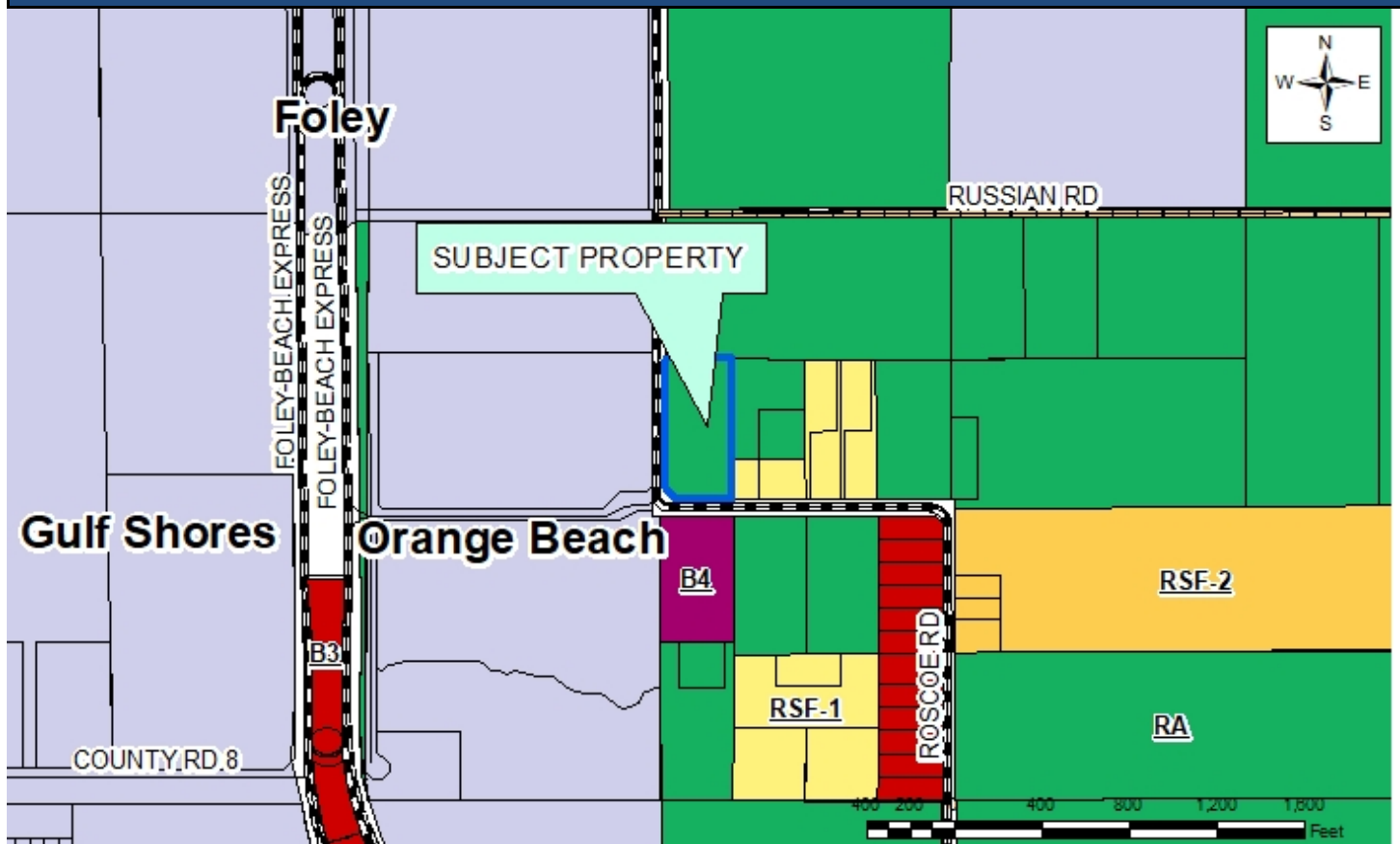
Property Images







Locator Map



Site Map





Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 7.b

Case No. Z-19041

Thomas Robert Trebesh Trust Property

Rezone RSF-1, Residential Single Family District to RA, Rural Agricultural District

October 3, 2019

Subject Property Information

Planning District: 12
General Location: South of US Hwy 90 on CO Rd 62 South
Physical Address: N.A.
Parcel Number: 05-48-01-01-0-000-003.002
Existing Zoning: RSF-1, Residential Single Family District
Proposed Zoning: RA, Rural Agricultural District
Existing Land Use: Farming
Proposed Land Use: Residential and Horse Ranch
Acreage: 19.75± acres
Applicant: GMC - Stuart Smith
P.O. Box 1127
Daphne, AL 36526
Owner: Thomas Robert Trebesh Trust
P.O. Box 912
Foley, AL 36536
Lead Staff: Celena Boykin, Planner
Attachments: *Within Report*

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

Summary

The subject property is currently zoned RSF-1, Residential Single Family District, and is currently occupied with an accessory structure. The property adjoins County Road 62 S to the west. The adjoining properties are residential, agricultural, and vacant. The requested zoning designation is RA, Rural Agricultural District. According to the submitted information, the purpose of this request is to allow for a residence and a horse ranch.

Section 4.2 RSF-1, Single Family District

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

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

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

4.2.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.2.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

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

4.2.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

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

Section 3.2 RA Rural Agricultural District

3.2.1 Generally. This zoning district provides for large, open, unsub divided land that is vacant or is being used for agricultural, forest or other rural purposes.

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

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Outdoor recreation uses.
- (d) The following general commercial uses: animal clinic and/or kennel; farm implement sales; farmers market/truck crops; nursery; landscape sales; country club.
- (e) The following local commercial uses: fruit and produce store.
- (f) The following institutional uses: church or similar religious facility; school (public or private).
- (g) **Agricultural uses.**
- (h) Single family dwellings including manufactured housing and mobile homes.
- (i) Accessory structures and uses.

3.2.3 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 general commercial uses: recreational vehicle park (see *Section 13.9: Recreational Vehicle Parks*).
- (b) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

3.2.4 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) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.

3.2.5 Area and dimensional ordinances. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	3 Acres
Minimum Lot Width at Building Line	210-Feet
Minimum Lot Width at Street Line	210-Feet

3.2.6 *Area and dimensional modifications.* Within the RA 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

Agency Comments

Baldwin County Highway Department, Tyler Mitchell:

I have no comments from a Highway standpoint.

ADEM, Scott Brown:

Regarding Case Z-19041, from a desktop review, it appears that the subject property likely contains wetlands which are protected resources under the U.S. Army Corps of Engineers; the applicant is encouraged to evaluate the property for the presence of wetland area(s) and plan site development so as to avoid any future direct, indirect, or accidental impacts to wetlands, including filling and/or dredging resulting from any future development or land disturbance. Best management practices must be employed to protect the quality of state waters; activities conducted at the site must not cause a violation of water quality criteria in state waters.

Baldwin County Subdivision: 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 zoned RSF-1, Residential Single Family District, and is occupied with an accessory structure. The requested zoning designation is RA, Rural Agricultural District. Most of the surrounding properties are zoned RA and are used for agricultural purposes, therefore the requested change is compatible with the existing development pattern and zoning of nearby properties.

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 in November 2006. The subject property was zoned RA, Rural Agricultural District in 2006. In October 2017, the applicant requested an automatic rezoning to RSF-1 to subdivide.

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

The Baldwin County Master Plan, 2013, provides a future land use designation of Residential for the subject property. If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Agriculture. The future Land Use designation of Agriculture is agriculture, forestry and similar activities are included with this future land use category. Single family dwellings, institutional uses, recreational uses, limited commercial uses which are intended to serve a rural area and transportation, communication and

utility uses are also included subject to the requirements found within the Zoning Ordinance. This category is designed to protect the essential open character of rural areas until it is timely to reclassify the land to appropriate residential, commercial or industrial categories. Zoning designations may include RR, CR, RA and RSF-E.

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

Staff is unaware of any planned public improvements.

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

County Road 62 is a county maintained paved road. Staff doesn't anticipate any adverse affect to traffic patterns or congestion.

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.

Yes, the majority of surrounding land uses in this area are rural.

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

This area of Planning District 12 is mostly zoned RA, Rural Agricultural with a few properties zoned RSF-1 and RSF-E. Most of the surrounding properties zoned RA and are used for agricultural purposes, therefore the requested change is a logical expansion of adjacent zoning districts.

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

Timing is not a factor with this request.

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

Staff is 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.

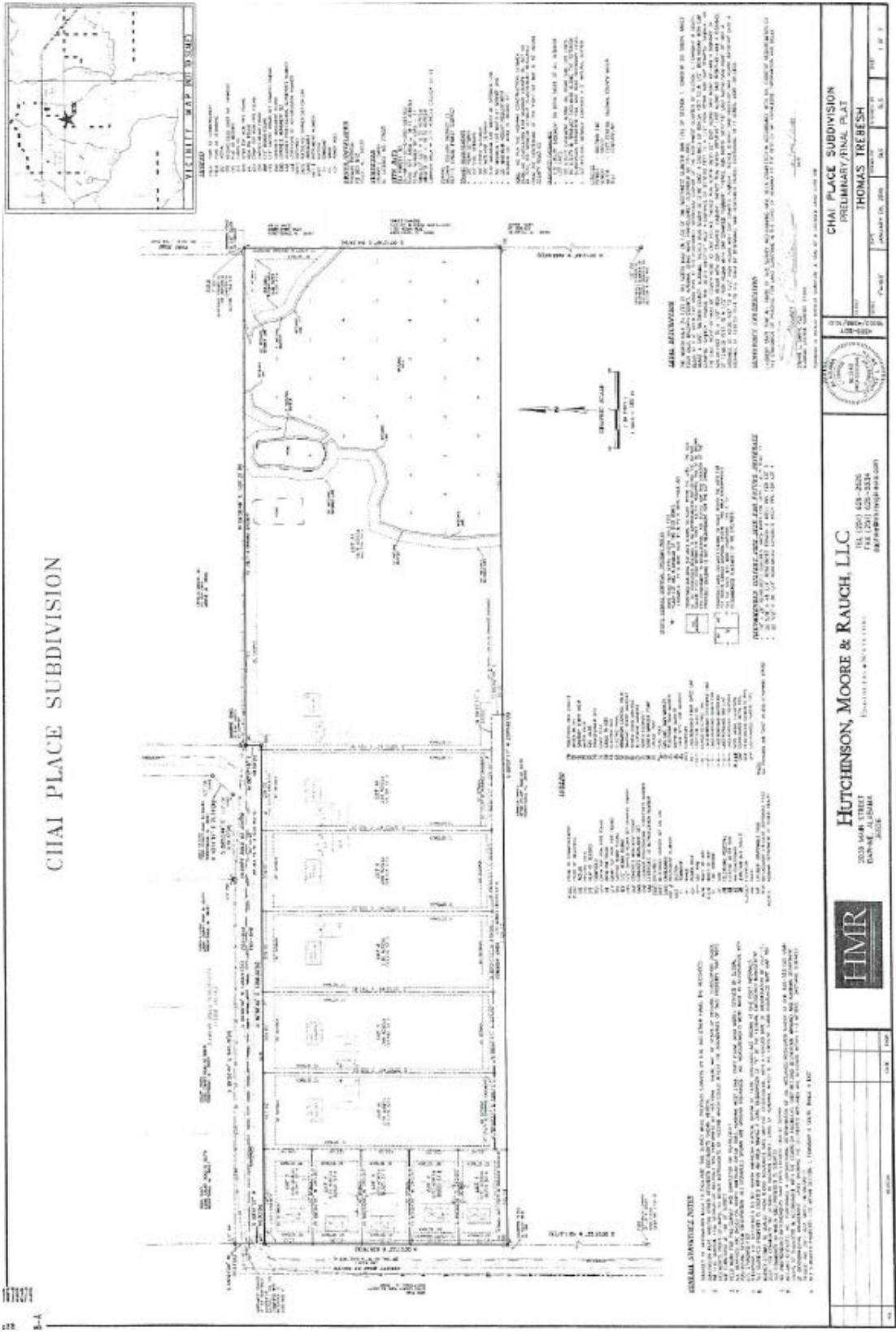
11.) Other matters which may be appropriate.

Staff Comments and Recommendation

As stated previously, the subject property is currently zoned RSF-1, Residential Single Family District, and is currently occupied with an accessory structure. The property adjoins County Road 62 S to the west. The adjoining properties are residential, agricultural, and vacant. The requested zoning designation is RA, Rural Agricultural District. According to the submitted information, the purpose of this request is to allow for a residence and a horse ranch.

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

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

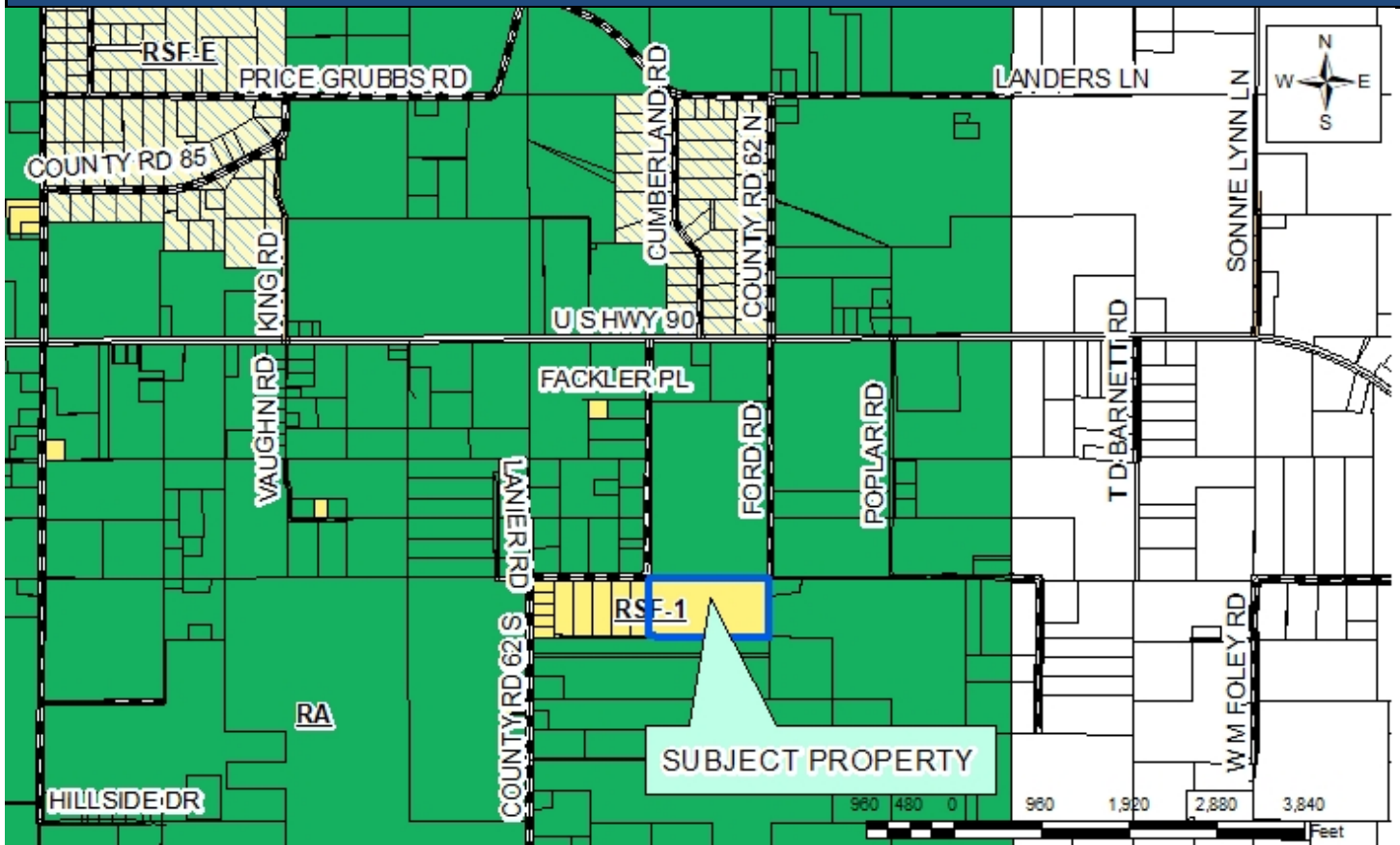


Property Images

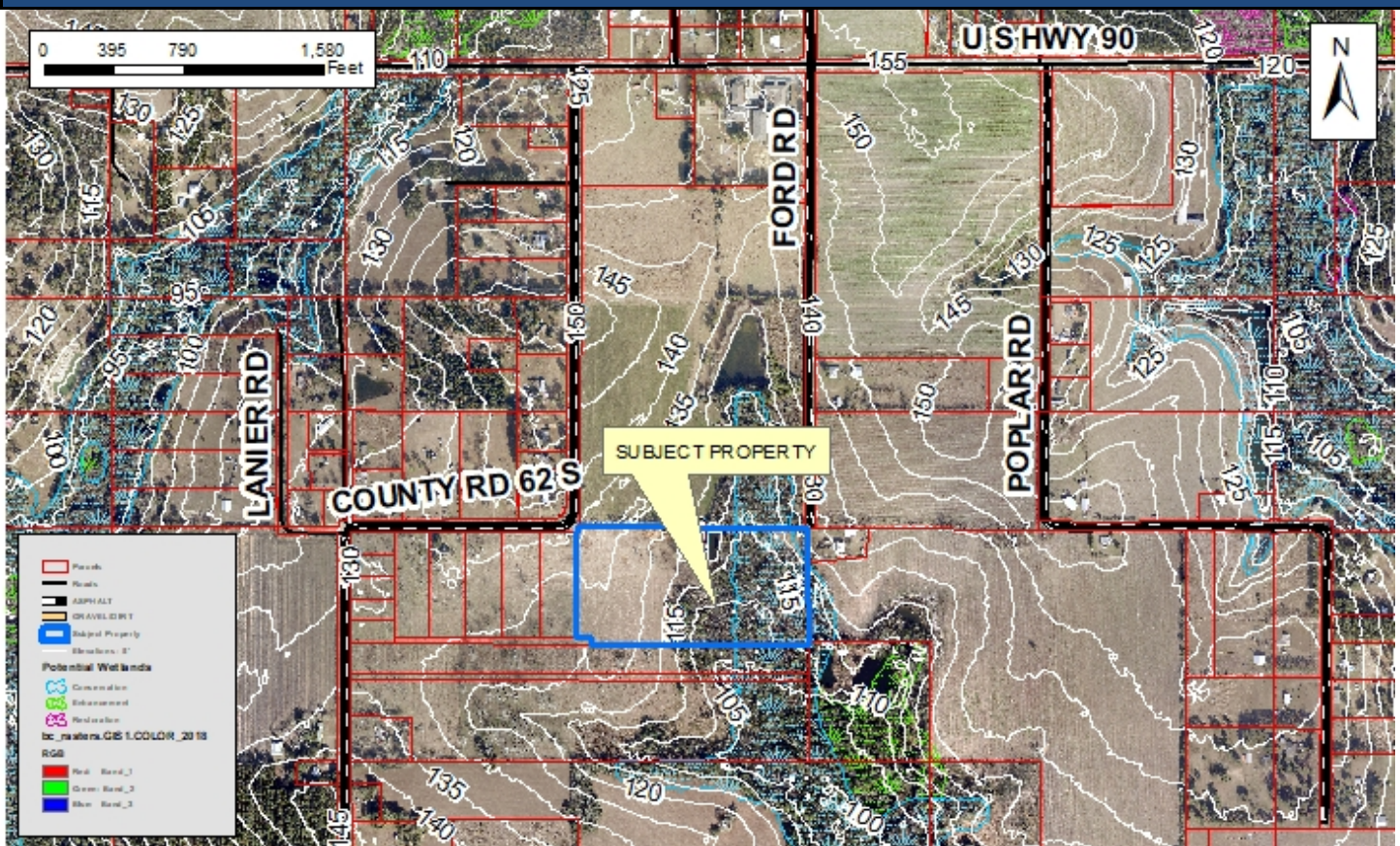




Locator Map



Site Map





Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 7.c

Case No. Z-19042

Parnell Development Property

Rezone RSF-1, Residential Single-Family District to RSF-E, Residential Single-Family Estate District

October 3, 2019

Subject Property Information

Planning District: 4
General Location: West of St Hwy 225
Physical Address: N.A.
Parcel Number: 05-29-09-42-0-000-003.033
Existing Zoning: RSF-1, Residential Single-Family District
Proposed Zoning: RSF-E, Residential Single-Family Estate District
Existing Land Use: Forested Timberland
Proposed Land Use: Residential Subdivision with Horses
Acreage: 64.82± acres
Applicant: Tensaw Estates – Les Parnell
7152-A Cloverleaf Landing Rd
Bay Minette, AL 36507
Owner: Parnell Development
Lead Staff: Celena Boykin, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Forested Timberland	RSF-1, Residential Single Family District
South	Forested Timberland/Residential	RR, Rural District and RSF-E, Residential Estate Family District
East	Forested Timberland/Residential	RSF-1, Residential Single Family District and RSF-E, Residential Estate Family District
West	Forested Timberland	RSF-1, Residential Single Family District and RSF-E, Residential Estate Family District

Summary

The subject property is currently zoned RSF-1, Residential Single Family District. The property is accessed from State Highway 225 to the east. The adjoining properties are residential and forested timberland. The requested zoning designation is RSF-E, Residential Single Family Estate District. According to the submitted information, the purpose of this request is to allow horses in a residential subdivision.

Section 4.2 RSF-1, Single Family District

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

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

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

4.2.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.2.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

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

4.2.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

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

Section 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

Agency Comments

Baldwin County Highway Department, Tyler Mitchell:

I have no comments from a Highway standpoint.

ADEM, Scott Brown:

Regarding Case Z-19042, from a desktop review, it appears that the subject property likely contains streams and wetlands which are protected resources under the ADEM and U.S. Army Corps of Engineers; the applicant is encouraged to evaluate the property for the presence of streams and wetland area(s) and plan site development so as to avoid any future direct, indirect, or accidental impacts to streams and/or wetlands, including filling and/or dredging resulting from any future development or land disturbance. Best management practices must be employed to protect the quality of state waters which may flow across the property from runoff associated with development or operations, sediments and nutrients being primary concerns. Riparian buffers should be established along stream banks to protect water quality. Activities conducted at the site must not cause a violation of water quality criteria in state waters. Prior to engaging in site development activities the applicant should contact the ADEM regarding the applicability of ADEM's storm water regulations to determine if an NPDES construction stormwater permit from the ADEM is warranted.

Baldwin County Subdivision: 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 zoned RSF-1, Residential Single Family District, and is also known as Tensaw Estates. The requested zoning designation is RSF-E, Residential Single Family Estate District. Most of the surrounding properties are zoned RSF-E and are a mixture of residential and agriculture, therefore the requested change is compatible with the existing development pattern and zoning of nearby properties.

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 4 was zoned in February 1995. The subject property was originally zoned OR, Outdoor Recreation District. Then in 2005 the property was rezoned to RSF-1. In July of this year the subject property was approved for a subdivision, Tensaw Estates.

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. This category is provided for residential dwelling units including single family dwellings, two family (duplex) dwellings, multiple family dwellings, manufactured homes, manufactured housing parks and Planned Residential Developments. Zoning designations may include RR, RA, CR, **RSF-E**, RSF-1, RSF-2, RSF-3, RSF-4, RSF-6, RTF-4, RTF-6, RMF-6, RMH and PRD.

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

Staff is unaware of any planned public improvements.

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

The subdivision has already received approval and the rezoning to allow horses would not have an adverse effect on traffic patterns or congestion.

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.

Yes, the majority of surrounding land uses in this area are rural and residential with large lots. The applicant is only asking for the larger lots in the back to be rezoned to RSF-E.

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

Yes, most of this area is zoned RSF-E. Tensaw Estates is a 23 lot subdivision with lots ranging in size from 1 acre to 20 acres.

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

This area of Planning District 4 is mostly zoned RSF-E, Residential Single Family Estate with a few properties zoned RSF-1. Timing is not a factor with this request.

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

Staff is 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?

The subdivision has already been approved and staff anticipates no adverse impacts allowing horses on the larger lots within the subdivision.

11.) Other matters which may be appropriate.

Staff Comments and Recommendation

As stated previously, the subject property is currently zoned RSF-1, Residential Single Family District. The property is accessed from State Highway 225 to the east. The adjoining properties are residential and forested timberland. The requested zoning designation is RSF-E, Residential Single Family Estate District. According to the submitted information, the purpose of this request is to allow horses in a residential subdivision.

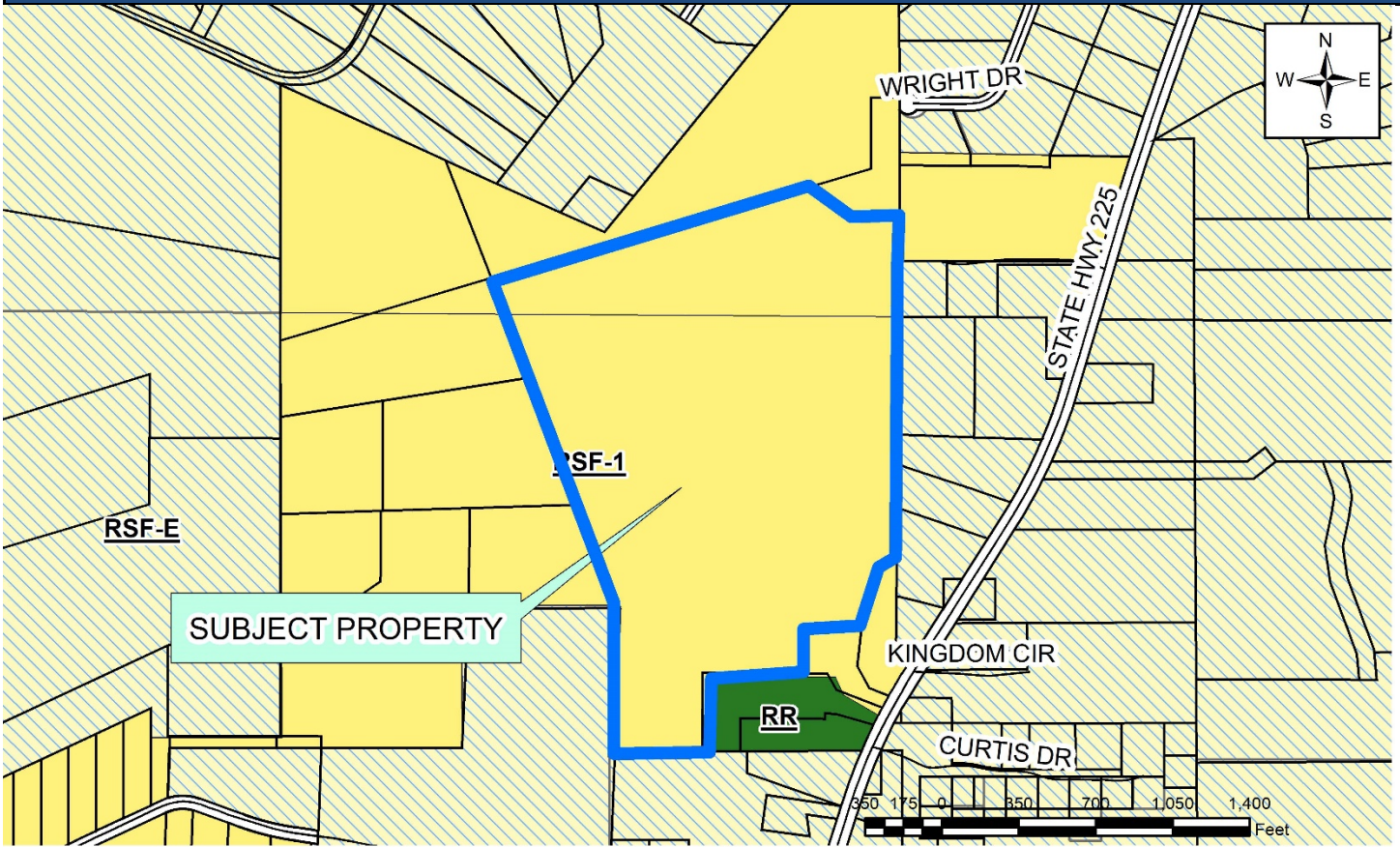
Unless information to the contrary is revealed at the public hearing, staff feels this rezoning application should be recommended for **APPROVAL**.*

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

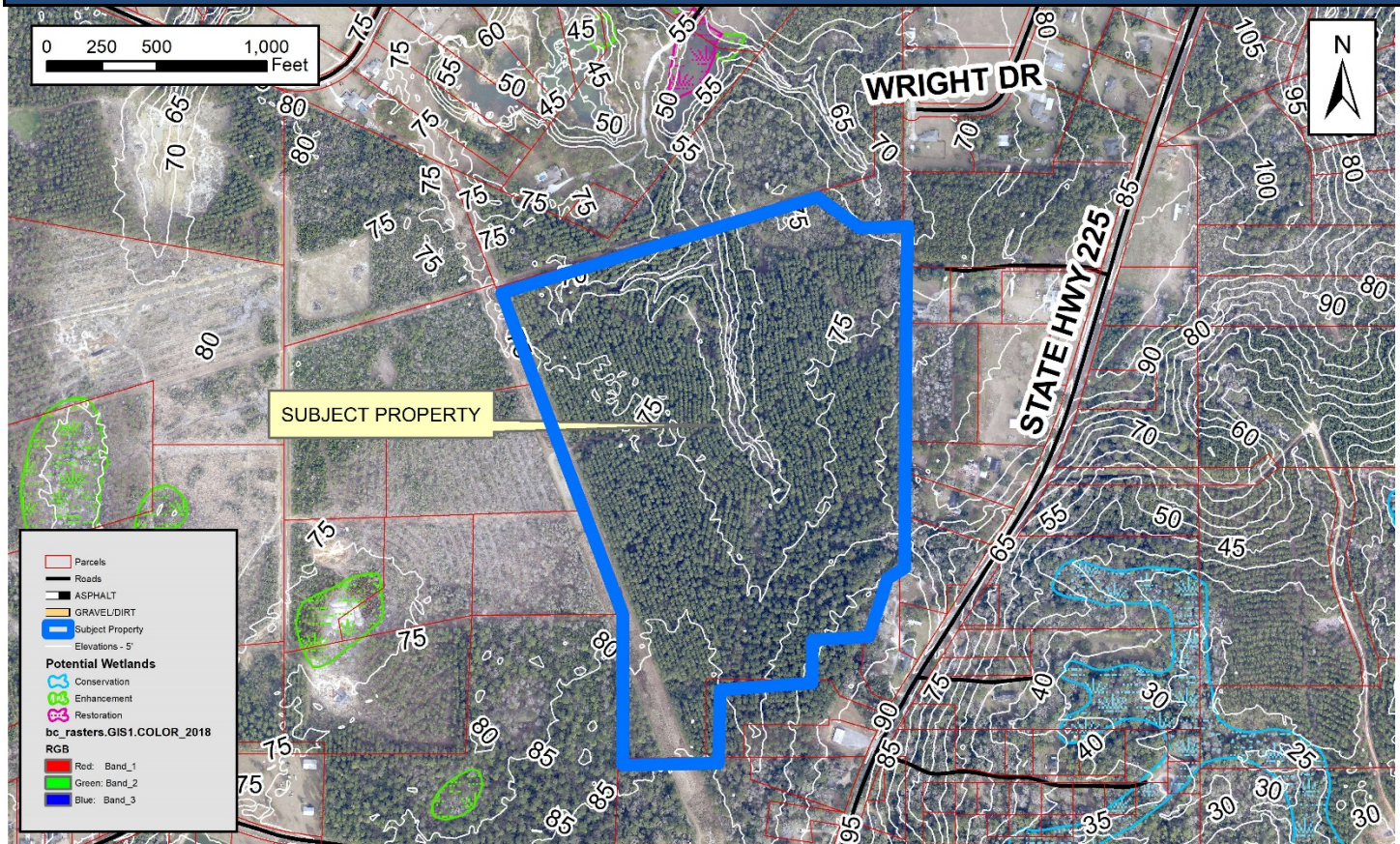
Property Images



Locator Map



Site Map



Baldwin County Planning and Zoning Commission
Case No. S-19050 – Turnberry Crossing, Lot 19
Variance Request Approval
Staff Report for Planning and Zoning Commission Public Hearing
October 3, 2019

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:	October 3, 2019	Variance Request Approval Pending
	September 5, 2019	Variance Request Approval (tabled)

Attachments:	Vicinity Map
	Site Map
	Plat
	Letter from Applicant
	Letter from HOA

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District:	District 27 – unzoned
Location of Property:	The subject property is located on the east side of Impala Drive approximately 780 feet south of County Road 20 S. in the Foley area.
Parcel Number:	05-61-03-08-0-000-009.013
Report Prepared By:	Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

The owner is proposing to replat Lot 19 in the Turnberry Crossing Subdivision in order to change the side setback from 10 feet to 9 feet, 5 inches. No new lots will be created.

Owner/Developer:	DR Horton Inc.- Birmingham 25366 Profit Drive Daphne, AL 36526
Surveyor:	Butler & Associates of Pensacola, Inc. 2420 East Olive Road, Suite “A” Pensacola, FL 32514
Request:	The applicant is requesting to change the side setback from 10 feet to 9 feet, 5 inches.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: Riviera Utilities
 Sewer: Riviera Utilities
 Electricity: Baldwin EMC

Transportation: The proposed lot fronts Impala Drive off of County Road 20 S.

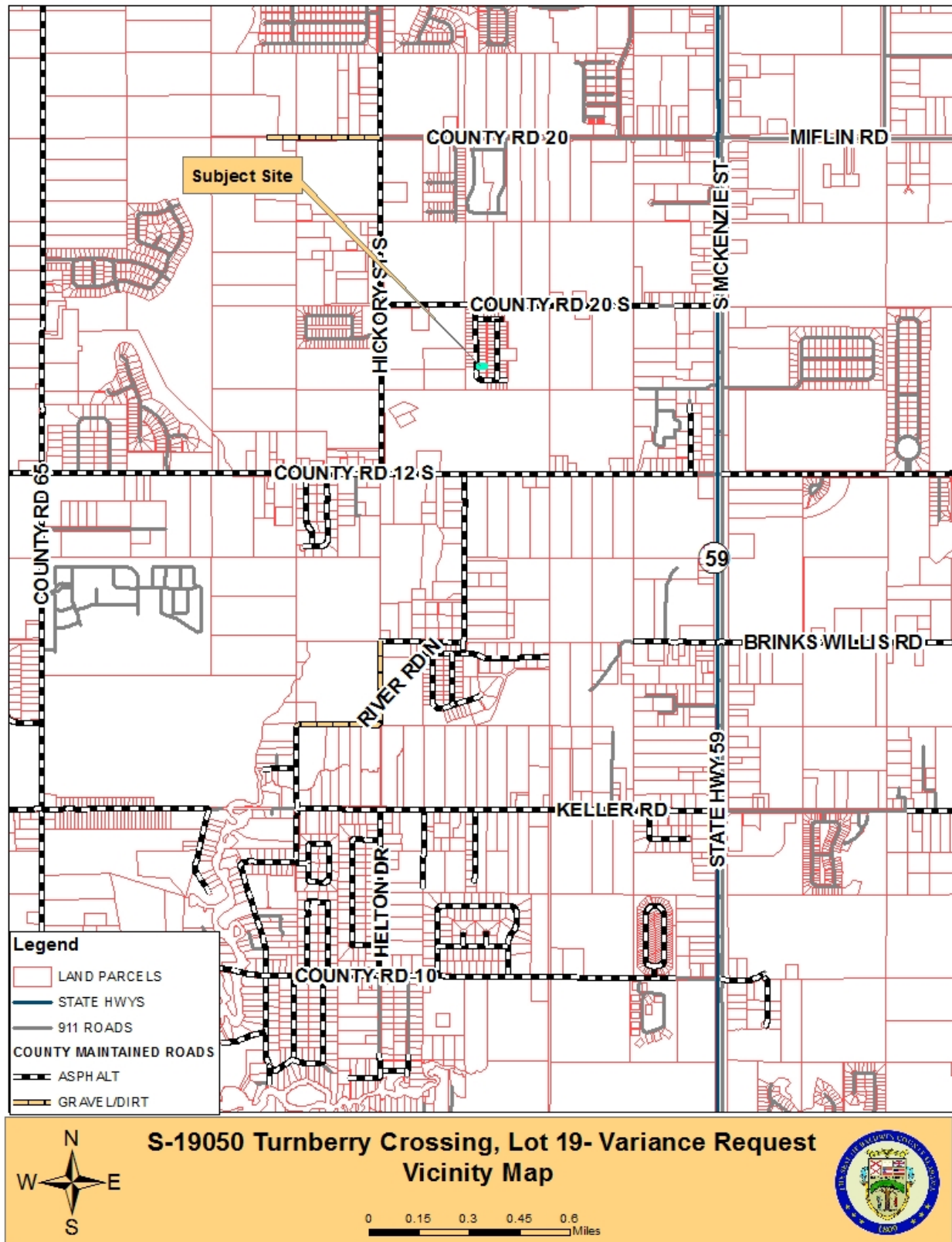
V. STAFF COMMENTS:

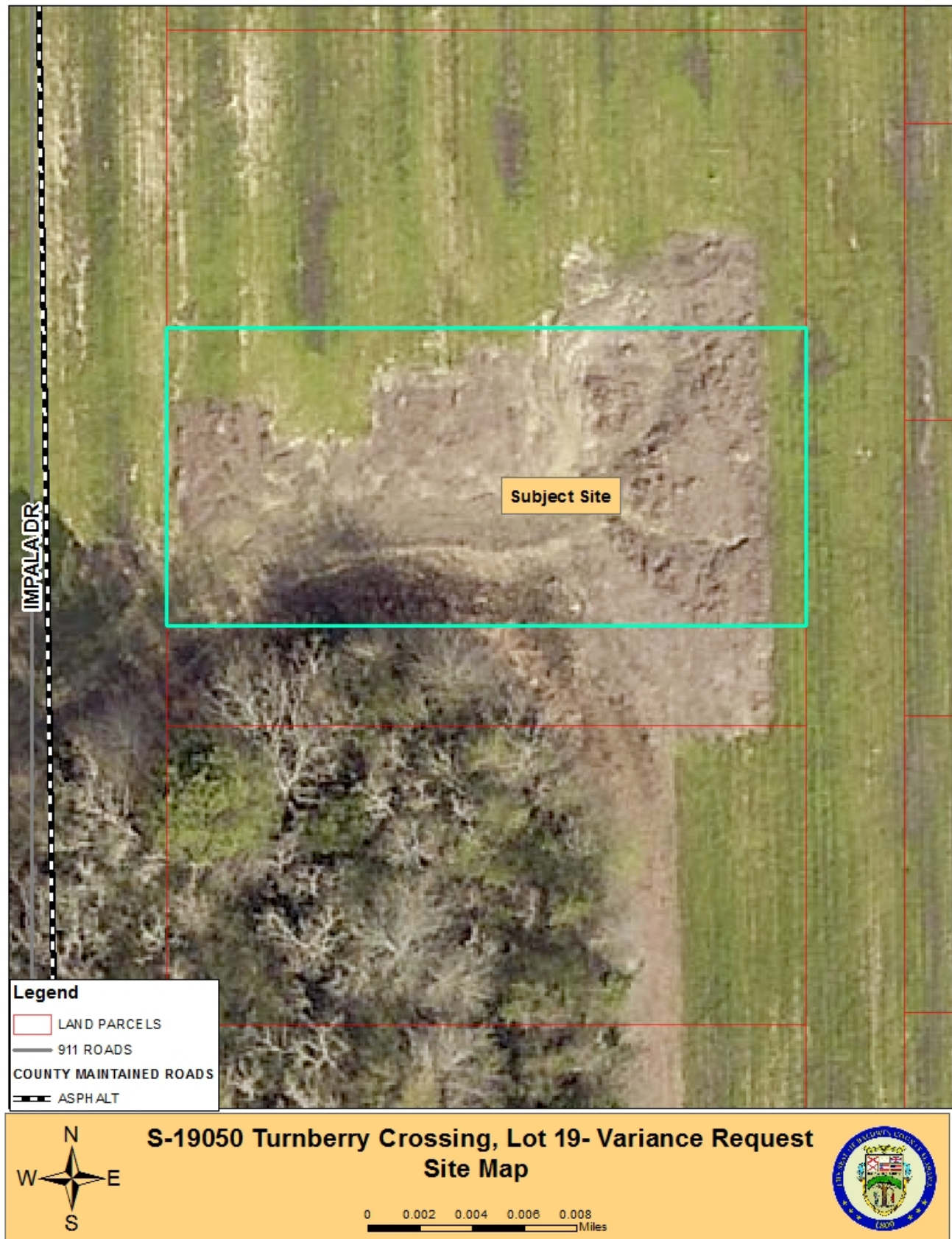
Items for consideration:

- The request for a variance does not meet the conditions as set forth in the current subdivision regulations. The constructed home extends into the 10' setback by a little less than 5 inches.

VI. RECOMMENDATIONS:

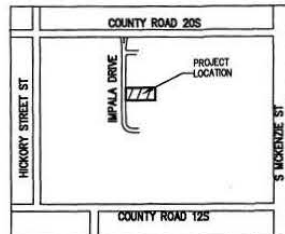
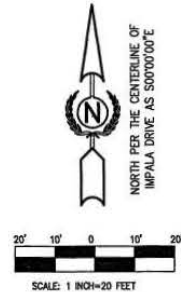
Staff recommends that the Variance Request for Case No. S-19050, Turnberry Crossing, Lot 19, be **DISPPROVED**.





RE-PLAT - LOT 19

TURNBERRY CROSSING PHASE ONE, BEING A PORTION OF BALDWIN COUNTY, ALABAMA, ACCORDING TO PLAT RECORDED IN SLIDE 2618-B IN THE RECORDS OF THE JUDGE OF PROBATE OF SAID COUNTY.

VICINITY MAP
(NOT TO SCALE)

FLOOD ZONE DESIGNATION
THE PROPERTY IS LOCATED IN ZONE "X" AS DEFINED FOR FLOOD INSURANCE RATE MAP PREPARED BY FEDERAL EMERGENCY MANAGEMENT AGENCY NO. 010030027M, BALDWIN COUNTY, ALABAMA, MAP REVISED APRIL 19, 2019, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

LEGAL DESCRIPTION:
LOT 19, TURNBERRY CROSSING PHASE ONE, BEING A PORTION OF BALDWIN COUNTY, ALABAMA, ACCORDING TO PLAT RECORDED IN SLIDE 2618-B IN THE RECORDS OF THE JUDGE OF PROBATE OF SAID COUNTY.

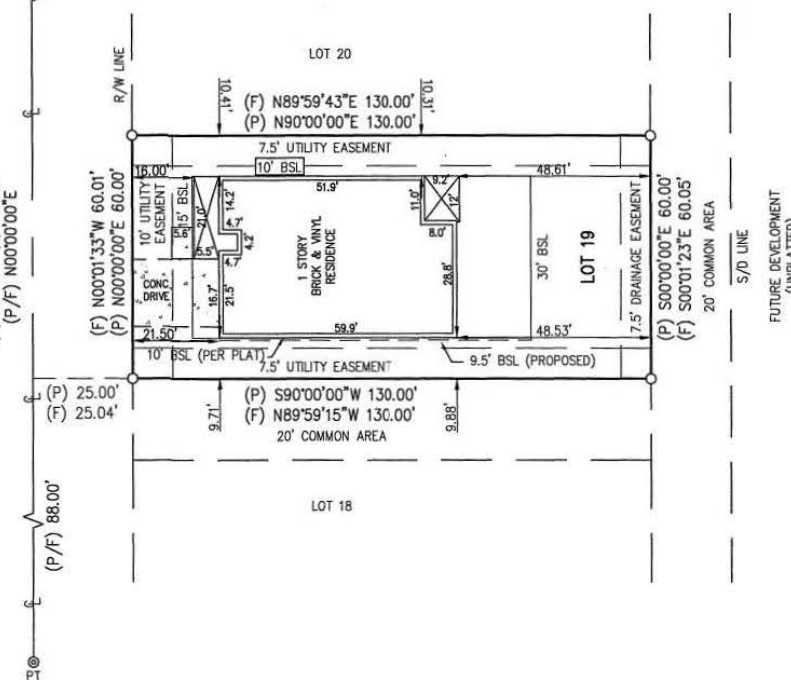
LEGEND:
● FOUND 5/8" CAPPED IRON ROD NO. 1109
○ FOUND 1/2" CAPPED IRON ROD NO. 1109
● FOUND NAIL AND DISK NO. 1109
BSL BUILDING SETBACK LINE
R/W RIGHT OF WAY
(P) PLAT
(F) FIELD
CONC. CONCRETE

SURVEYOR'S NOTES

1. ANGLES SHOWN REFERENCED TO DEED & FIELD MONUMENTATION.
2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE.
3. PROPERTY MAY BE SUBJECT TO SETBACKS, EASEMENTS AND RESTRICTIONS OF RECORD.
4. MEASUREMENTS ARE MADE IN ACCORDANCE WITH UNITED STATES STANDARDS.
5. THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.

IMPALA DRIVE (50' R/W)

KUDU AVENUE (50' R/W)



CERTIFICATION FOR OWNER

STATE OF ALABAMA, COUNTY OF BALDWIN, CITY OF FOLEY, I, _____, OWNER OF THE WITHIN DESCRIBED LANDS HAVE CAUSED THE SAME PROPERTY TO BE SURVEYED AND RE-PLATTED AS INDICATED HEREON, FOR THE PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED.

DATED THIS _____ DAY OF _____, 2019.

CERTIFICATION FOR NOTARY PUBLIC

STATE OF ALABAMA
COUNTY OF BALDWIN
I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN IN THE STATE OF ALABAMA DO CERTIFY THAT WHOSE NAME IS SUBSCRIBED TO THE CERTIFICATE OF OWNERSHIP AND DEDICATION, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE SIGNED, SEALED AND DELIVERED SAID INSTRUMENT AT THIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES HEREIN SET FORTH, GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS THE _____ DAY OF _____, 2019.

(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL FOR THE CITY OF FOLEY

THE WITHIN RE-PLAT OF LOT 19, TURNBERRY CROSSING, PHASE ONE, CITY OF FOLEY, BALDWIN COUNTY, ALABAMA, IS HEREBY APPROVED BY THE CITY OF FOLEY, PLANNING AND ZONING COMMISSION
THIS THE _____ DAY OF _____, 2019.

(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL FOR CITY OF PLANNING AND ZONING COMMISSION

THE UNDERSIGNED, AS _____ OF CITY OF FOLEY, PLANNING AND ZONING COMMISSION, HEREBY CERTIFIES THAT, AT ITS MEETING OF _____, THE CITY OF FOLEY PLANNING AND ZONING COMMISSION APPROVED THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS DAY OF _____, 2019.

BY: _____
ITS: _____

CERTIFICATE OF APPROVAL FOR RIVERA (WATER)

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA (WATER), APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 2019.

(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL FOR RIVERA (SEWER)

THE UNDERSIGNED, AS AUTHORIZED BY RIVERA (SEWER), APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 2019.

(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL FOR BALDWIN COUNTY EMC (POWER)

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN EMC, APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 2019.

(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL FOR CENTURY LINK (TELEPHONE)

THE UNDERSIGNED, AS AUTHORIZED BY CENTURY LINK, APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 2019.

(AUTHORIZED SIGNATURE)

CERTIFICATE OF APPROVAL BY THE BALDWIN 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, THIS DAY OF _____, 2019.

COUNTY ENGINEER

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF PROPERTY STATE OF ALABAMA, COUNTY OF BALDWIN

William T. Butler, A LICENSED SURVEYOR OF COUNTY, ALABAMA, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY OF THE (NAME OF COMPANY OR PROPRIETOR), A (CORPORATION OR PROPRIETOR), SITUATED IN BALDWIN COUNTY, ALABAMA, AND DESCRIBED AS FOLLOWS: (INSERT LEGAL DESCRIPTION) AND THAT THE PLAT OR MAP CONTAINED HEREON IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED GIVING THE LENGTH AND BEARINGS OF THE BOUNDARIES OF EACH LOT AND EASEMENT AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND GIVING THE BEARINGS, LENGTH, WIDTH AND NAMES OF THE STREETS, AND MAP FURTHER SHOWS THE RELATION OF THE LAND SO PLATTED TO THE GOVERNMENT SURVEY, AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT POINTS MARKED TRUS (C) AS HEREON SHOWN, I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

WITNESS MY HAND THIS DAY OF:

DATE: 9/5/2019

SIGNATURE: [Signature]

PROPERTY ADDRESS:
9326 IMPALA DRIVE
CITY OF FOLEY, AL 36535

© COPYRIGHTED 2017 BY BUTLER AND ASSOCIATES OF PENSACOLA, INC.

LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHT OF WAY, RECORDED OR UNRECORDED, BY THIS FIRM. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE. UNDERGROUND PORTIONS OF FOUNDATIONS, FOOTINGS, OR ANY OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED UNLESS OTHERWISE NOTED. MEASUREMENTS WERE MADE IN ACCORDANCE WITH UNITED STATES STANDARDS. PROPERTY IS SUBJECT TO SETBACKS, EASEMENTS AND RESTRICTIONS OF RECORD. THIS DRAWING ONLY REFLECTS SETBACK LINES WHICH APPEAR ON THE RECORDED PLAT. THIS PROPERTY MAY ALSO BE SUBJECT TO SETBACK LINES MANDATED BY ZONING ORDINANCES AND/OR RESTRICTIVE COVENANTS OF RECORD. THIS SURVEY AND/OR SKETCH DOES NOT REFLECT OR DETERMINE OWNERSHIP, FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS SURVEY AND/OR SKETCH FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR ANY OTHER TRANSACTION. THIS SURVEY AND/OR SKETCH CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.

REVISIONS	FIELD BOOK	DATE	TYPE SURVEY	AS BUILT	SCALE:	SURVEYOR'S CERTIFICATE	NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF AN ALABAMA LICENSED PROFESSIONAL LAND SURVEYOR
TITLE SEARCH/RE-BOUNDARY	1505/30	08/14/13			1" = 20'		
RE-PLAT	N/A	09/05/19			ISSUE DATE: 07/31/13		
					FIELD DATE: 07/28/13		
					ORDER NO: 18-07-514		
					FIELD BOOK: 1500/76-77		
					DRAWN BY: CRS		
						WILLIAM T. BUTLER	
						PROFESSIONAL LAND SURVEYOR NO. 20348 STATE OF ALABAMA (CERTIFICATE NO. CA-0527-LS)	



9-19-2019

Mary Booth, Subdivision Coordinator
Baldwin County Planning & Zoning
22251 Palmer Street
Robertsdale, AL 36567

RE: Turnberry Crossing Subdivision

Please accept this letter as our request for a hardship consideration and application for a variance on Lot 19 in the Turnberry Crossing Subdivision. A reduction of 6" to the current 10' BSL on the right side of Lot 19 is necessary to correct an encroachment error of 4.5" during construction. A new 9.5' BSL will resolve this encroachment and allow clear title and conveyance to a single-family homeowner.

Thank you for your consideration and please let me know if there is anything else needed.

Turnberry Crossing LOT 19
9326 IMPALA DRIVE
Parcel ID: 05-61-03-08-0-000-009.013

Sincerely,


Joseph Foster, Operations Manager
D R Horton

**Turnberry Owners Association, Inc.,
29891 Woodrow Lane, Suite 300
Spanish Fort, AL 36527**

September 19, 2019

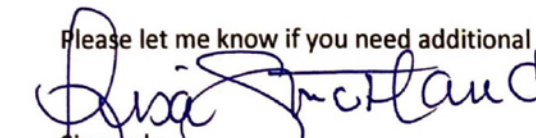
Baldwin County Commission
PO Box 220
Silverhill, AL 36576

RE: Baldwin County Subdivision Variance Application

Please consider the variance application for a reduction to the right side set back of 6" resulting in a new BSL of 9.5' due to a veneer encroachment of 4.5" on the finished home on LOT 19. The Owners Association considers this an acceptable hardship request and has approved the variance. The following lots have been approved for this variance:

Turnberry Crossing LOT 19
9326 IMPALA DRIVE

Please let me know if you need additional information.


Sincerely,
Lisa Strickland, Assistant Secretary
Turnberry Owners Association, Inc.,

I. PUBLIC HEARINGS:

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

III. SUBDIVISION PROPOSAL:

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

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: East Central Baldwin
 Sewer: On-Site Septic
 Electricity: Baldwin EMC

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

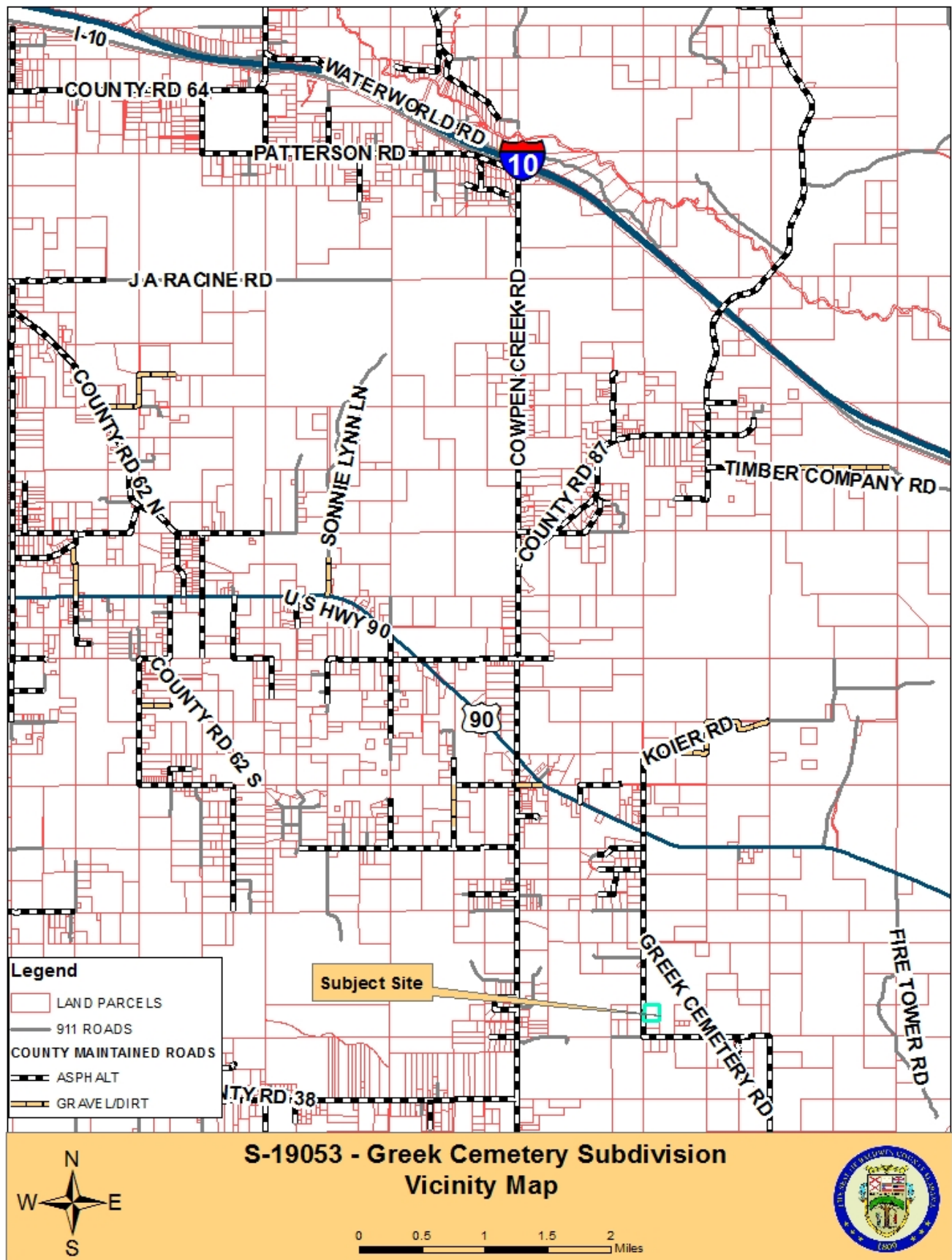
V. STAFF COMMENTS:

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-19053, Greek Cemetery Road be **APPROVED.**





Baldwin County Planning and Zoning Commission
Case No. S-19054 – Pinecrest Subdivision – Re-Sub of Lot 14
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
October 3, 2019
Agenda Item 8.c

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

I. PUBLIC HEARINGS:

Planning Commission: October 3, 2019 Development Permit Approval Pending

Attachments: Vicinity Map
 Site Map
 Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 13 – Unzoned

Location of Property: The subject property is located approximately 2.0 miles south of Highway 90 on Hillcrest Circle east of County Road 87.

Parcel Numbers: 05-49-04-17-0-000-002.018

Report Prepared By: Mary Booth; Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 4

Linear Feet of Streets: N/A

Total Acreage: ± 3.6

Smallest Lot Size: ± 0.90 acres

Owner/Developer: Drake Investments,
 PO Box 742
 Robertsdale, AL 36567

Surveyor: David Lowery Surveying, LLC
 55284 Martin Lane
 Stockton, AL 36579

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

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: East Central Baldwin
 Sewer: On-Site Septic
 Electricity: Baldwin EMC

Transportation: The proposed lots will front on Pinecrest Circle, a paved, county maintained road.

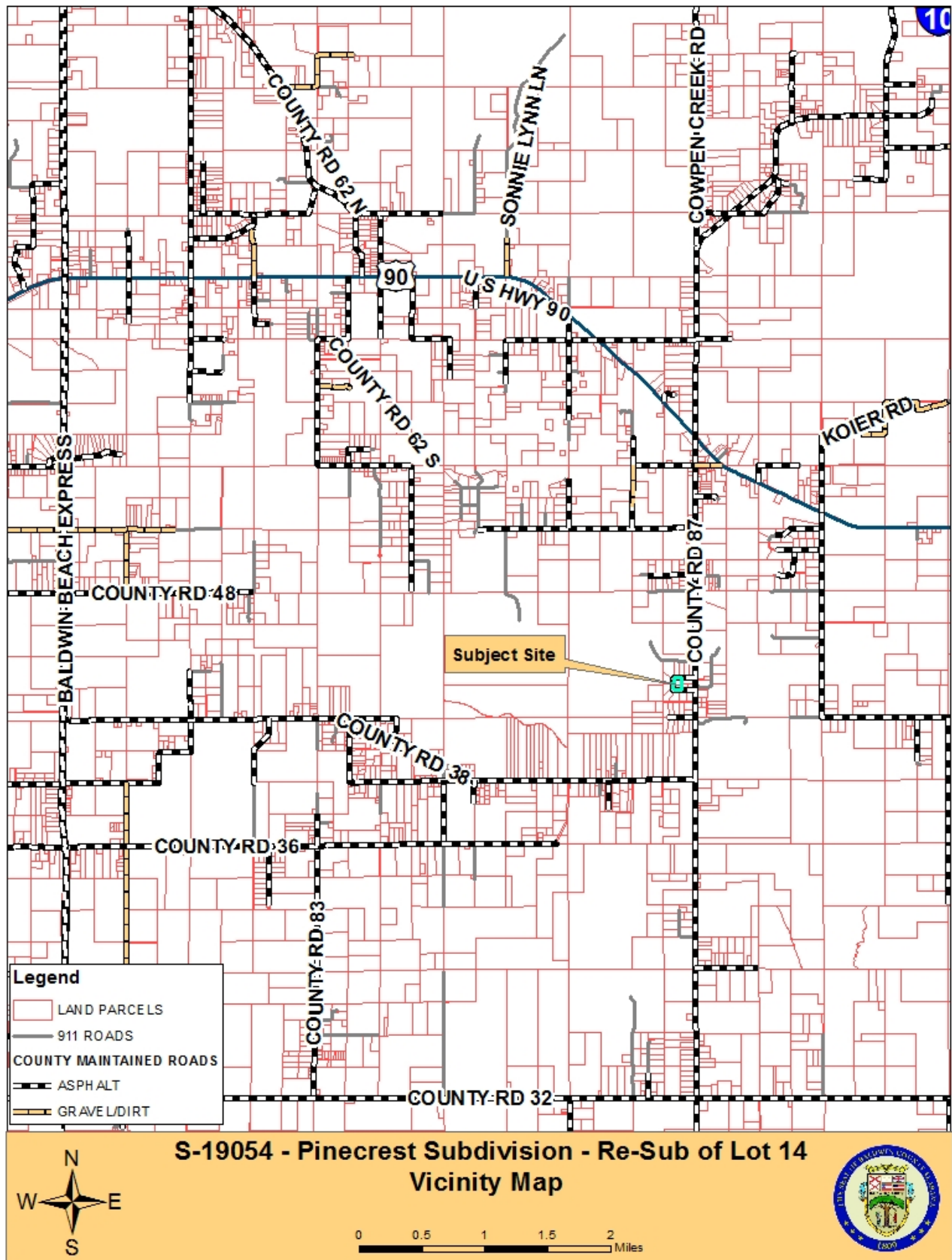
V. STAFF COMMENTS:

Items for consideration:

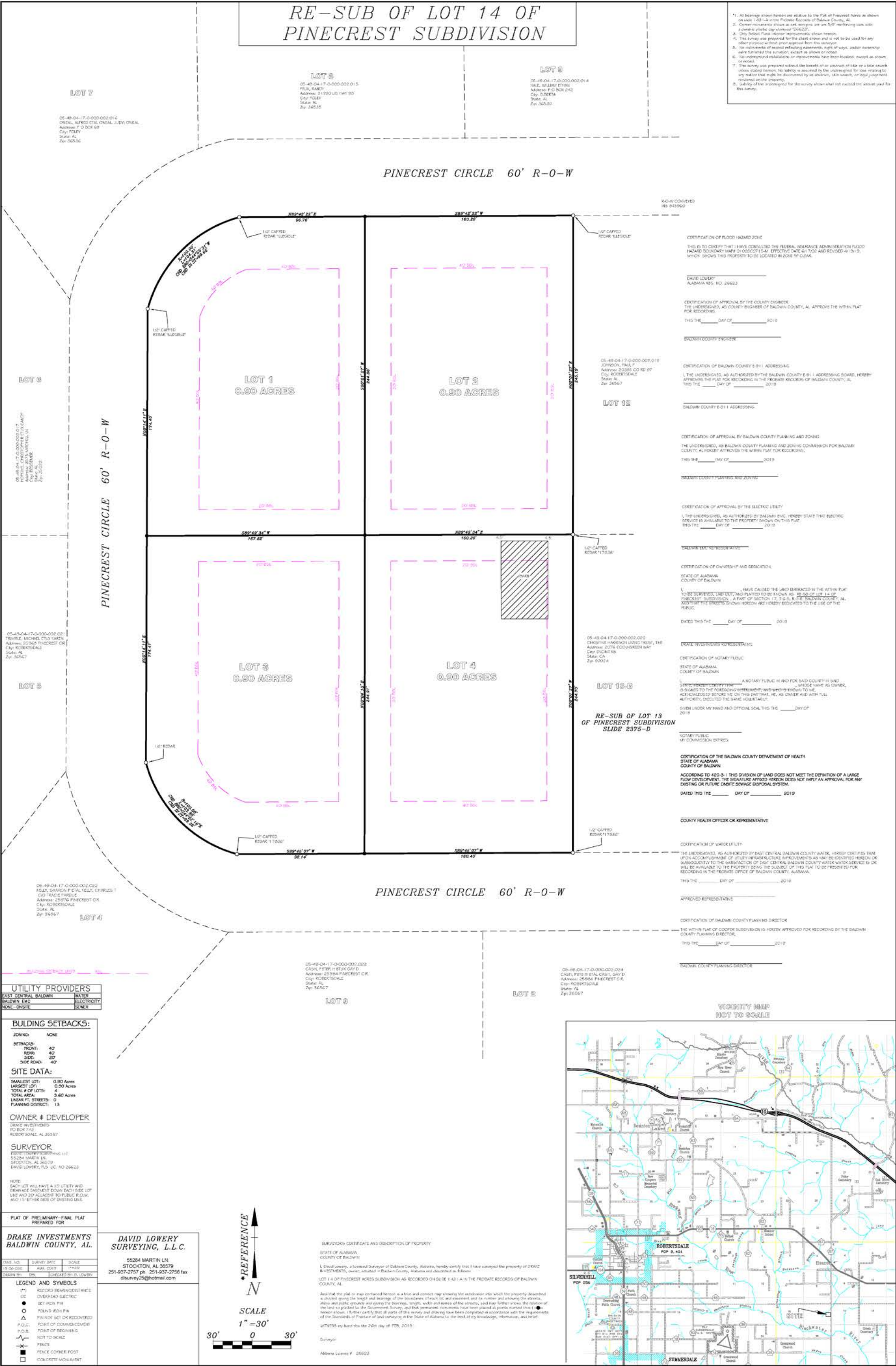
- All items of the Development Permit application meet the requirements of the subdivision regulations.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-19054, Pinecrest Subdivision – RE-Sub of Lot 14 be **APPROVED**.







Baldwin County Planning and Zoning Commission
Case No. S-19055 – Mockingbird Hill – Unit II Phase Two
Variance Request Approval
Staff Report for Planning and Zoning Commission Public Hearing
October 3, 2019

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: October 3, 2019 Variance Request Approval Pending

Attachments: Vicinity Map
 Site Map
 Letter from Applicant
 Proposed Sketch
 Recorded Plat for Unit II Phase One

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 22 – Zoned RSF-2

Location of Property: The subject property is located on the east side of Deer Acres Lane approximately 0.4 miles south of US Highway 98 in the Elberta area.

Parcel Number: 05-53-07-25-0-000-008.000

Report Prepared By: Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

The

Owner/Developer: Woerner Displays, Inc.
 c/o Norman Woerner
 28341 Preserve Trail
 Elberta, AL 36530

Surveyor: Rowe Engineering & Surveying
 2502 Laughlin Drive, Suite B
 Mobile, AL 36693

Request: The applicant is requesting a Variance approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission to allow for a variance of the current subdivision regulations for lot size requirements, centralized water and sewer requirement, and curb and gutter requirement.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: Well
 Sewer: On-Site Septic
 Electricity: Baldwin EMC

Transportation: The proposed lots will front on Cardinal Lane, a proposed public and paved road with access from Deer Acres Lane.

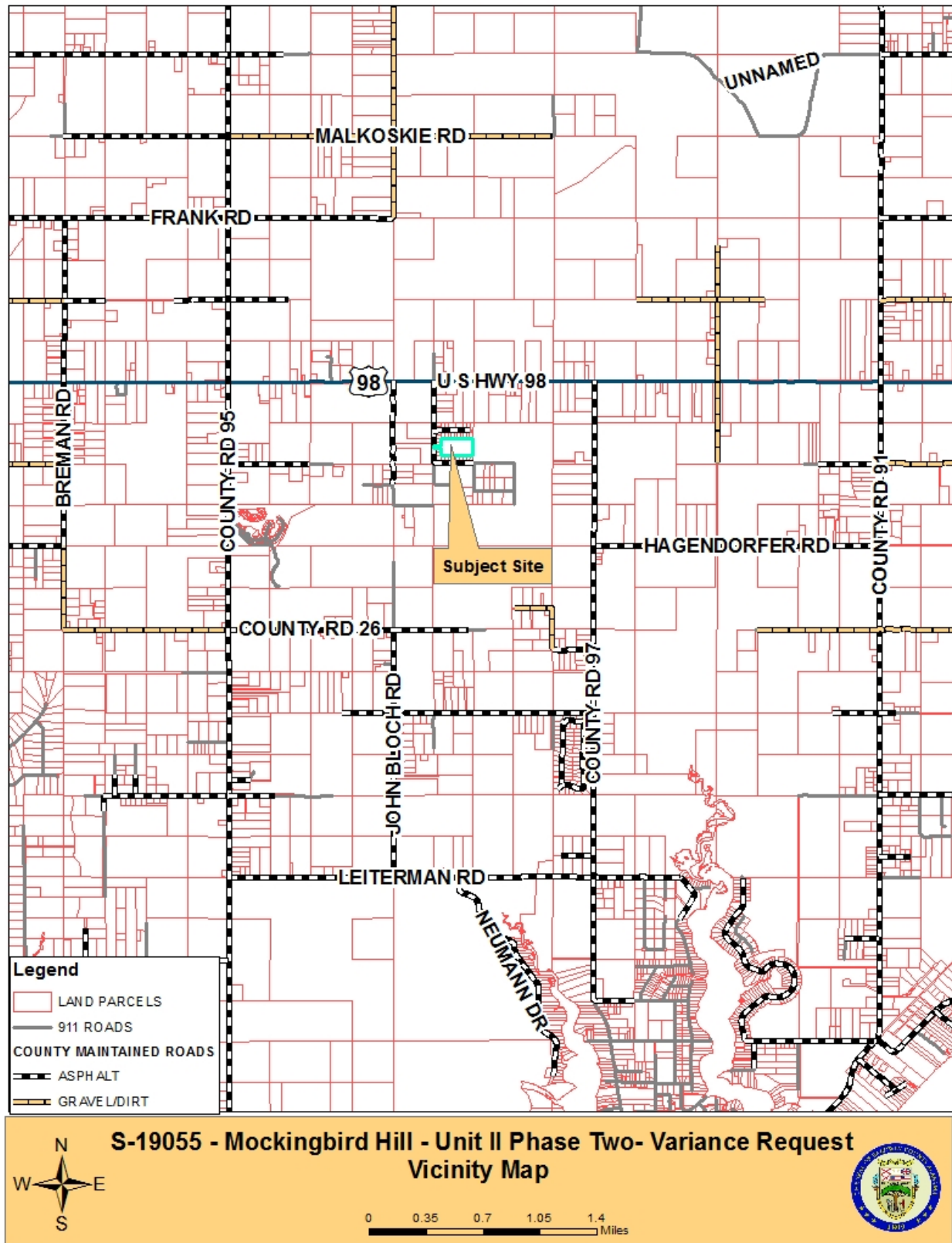
V. STAFF COMMENTS:

Items for consideration:

- The request for a variance does not meet the conditions as set forth in the current subdivision regulations.
- The preliminary plat was approved on November 11, 1997 and expired before construction could commence. The owner is requesting a variance of the current subdivision regulations to allow the originally designed Unit II, Phase Two to be completed in harmony with Unit II, Phase One.
- Applicant's desire to utilize overhead power, on-site well and on-site septic system would require a lot size greater than 40,000 square feet which is not as originally designed. The applicant's proposed design would not meet the current subdivision regulations but could be modified to be in compliance.

VI. RECOMMENDATIONS:

Staff recommends that the Variance Request for Case No. S-19055, Mockingbird Hill Unit II Phase Two, be **DISPROVED**.





Subdivision Variance Narrative

Mockingbird Hill, Unit II, Phase Two

We are requesting a subdivision variance to present to the Baldwin County planning commission for the final phase approval of the Mockingbird Hill subdivision (Unit II, Phase Two) as originally approved. This subdivision had been granted preliminary approval for building, although due to the recession, building was halted and therefore the preliminary approval expired. We would now like to move forward at this time.

We are requesting to complete the subdivision as originally engineered.
We are requesting variances for the following items:

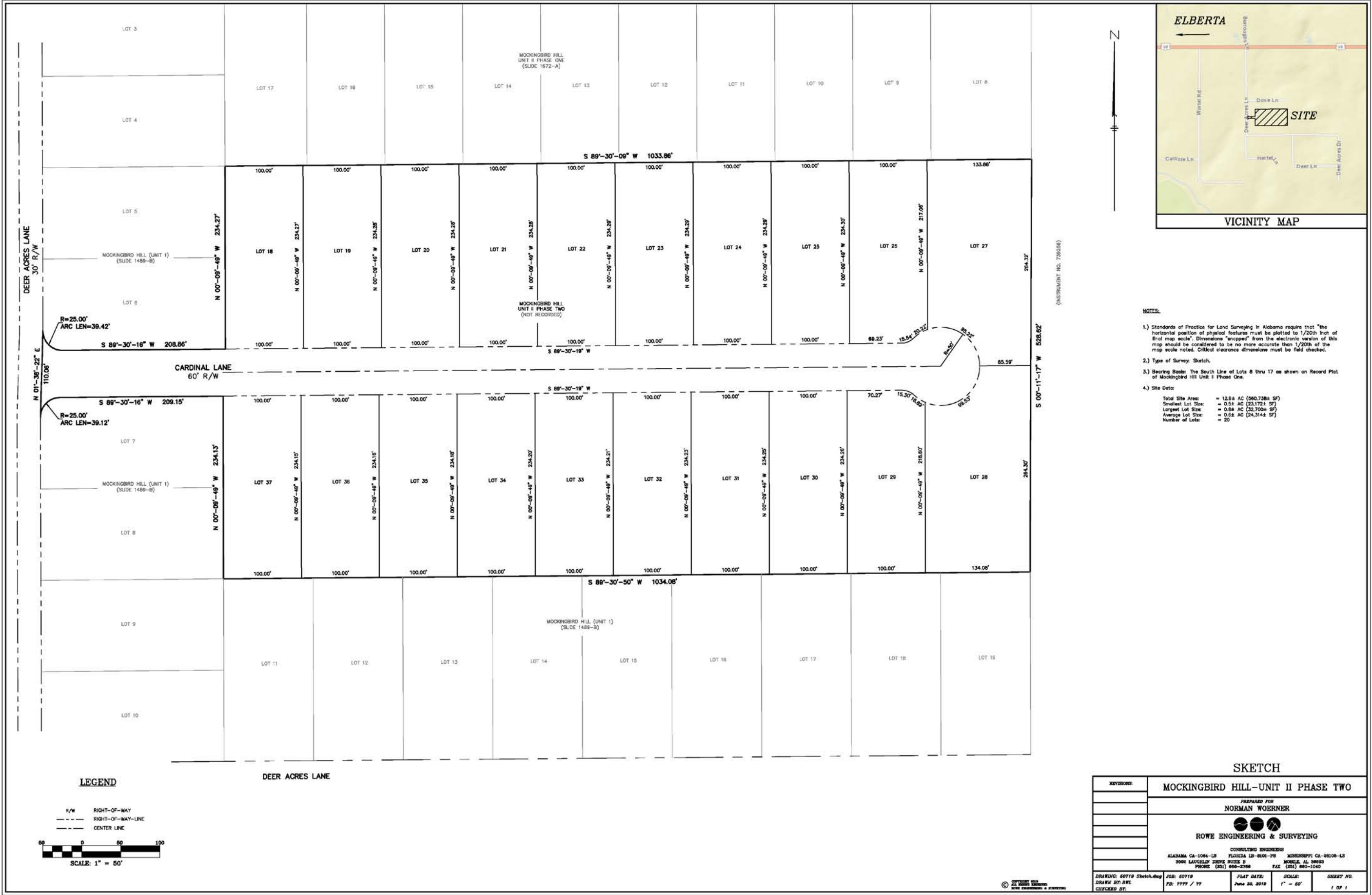
- Variance for minimum lot size of 40,000 square feet.
- Variance for requirement of centralized water and sewer.
- Variance for minimum lot width of 120 feet.
- Variance for requirement of curb and gutter.

Unit II, Phase Two was originally designed in harmony with the previous phases with respect to lot dimensions, water and sewer provisions, and open ditch roadway. We feel that these items make the original layout and design unique to this property and a strict interpretation of the current subdivision regulations would make the property incompatible with the master plan.

The Baldwin county health department is honoring the original perk tests on the Mockingbird Hill subdivision providing that the subdivision layout does not become altered.

Without final approval the subdivision will remain incomplete and the final phase must be sold as an unrestricted single lot. We are requesting to complete the subdivision as originally engineered.





- NOTES:
- Standards of Practice for Land Surveying in Alabama require that "the horizontal position of physical features must be plotted to 1/20th inch of final map scale". Dimensions "snapped" from the electronic version of this map should be considered to be no more accurate than 1/20th of the map scale noted. Critical clearance dimensions must be field checked.
 - Type of Survey: Sketch.
 - Bearing Basis: The South Line of Lots 8 thru 17 as shown on Record Plot of Mockingbird Hill Unit I Phase One.
 - Site Data:
 - Total Site Area: = 12.84 AC (560,738± SF)
 - Smallest Lot Size: = 0.51 AC (23,172± SF)
 - Largest Lot Size: = 0.88 AC (32,700± SF)
 - Average Lot Size: = 0.52 AC (24,314± SF)
 - Number of Lots: = 20

SKETCH

KEYWORDS:	MOCKINGBIRD HILL-UNIT II PHASE TWO		
	PREPARED FOR NORMAN WOERNER		
	ROW ENGINEERING & SURVEYING		
	CONSULTING ENGINEERS ALABAMA CA-1084-L3 FLORIDA LP-8101-PB MISSISSIPPI CA-08106-L3 3008 LAUGHLIN DRIVE SUITE B MOBILE, AL 36683 PHONE (251) 668-2708 FAX (251) 668-1040		
DRAWING: 60719 Sketch.dwg	JOB: 60719	PLAT DATE: June 30, 2019	SHEET NO. 1 OF 1
DRAWN BY: DFL	FB: YYYY / YY	SCALE: 1" = 50'	
CHECKED BY:			