



Baldwin County Planning & Zoning Commission Agenda

Thursday, February 4, 2021

4:00 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:**

January 7, 2021 meeting minutes
6. **Announcements/Registration to address the Commission.**
7. **Consideration of Applications and Requests: Subdivision Cases**

a.) Case S-21012 Decker, 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

to allow development of a 5-lot subdivision on 10.07 acres.

Location: The subject property is located on north side of Baughman Road west of Bohemian Hall Road in the Silverhill area.

b.) Case S-21015 Magnolia Farms West 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 to allow development of a 5-lot subdivision on 57.11 acres.

Location: The subject property is located on north side of Magnolia Farms Road and east side of Sweet Magnolia Lane.

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

a.) Case P-21002, Pittman Property

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

Purpose: The applicant is requesting conditional use approval to allow an office-warehouse with buildings for boat & RV storage on the property.

Location: The subject property is located on the north side of Milton Jones Rd., in Planning District 15.

b.) Case Z-21002, Sute Property

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

Purpose: The applicant is requesting to rezone 4.7+/- acres from RSF-E to B-3 to allow commercial use of the property.

Location: The subject property is located at 10275 County Road 64, in Planning District 15.

c.) Case Z-21004, Baldwin Wholesale Florist, Inc. Property

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

Purpose: The applicant is requesting to rezone 39.5+/- acres from
RSF-1 to RSF-4 to allow residential subdivision
development of the property.

Location: The subject property is located on the south side of US Highway
90, west of State Highway 59, in Planning District 15.

d.) Case Z-21009, Cotton Creek RV & Boat Storage Property

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

Purpose: The applicant is requesting to rezone .70+/- acres from
RSF-1 to B-4 to allow commercial use of the property.

Location: The subject property is located on the west side of Roscoe Road
south of Burkowski Lane, in Planning District 30.

e.) Case Z-21011, Davis Property

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

Purpose: The applicant is requesting to rezone 35.51+/- acres from
RSF-E to RSF-2 to allow residential subdivision
development of the property.

Location: The subject property is located on the south side of Rebel Road,
west of Austin Road, in Planning District 15.

9. Old Business:

a.) Magnolia Shores, Ph 1 & 2, Development Permit Extension Request

10. New Business:

11. Public Comments

12. Reports and Announcements:

Staff Reports

Legal Counsel Report

Next Regular Meeting: March 4, 2021

13. Adjournment.

Baldwin County Planning and Zoning Commission
Case No. S-21012 – Decker Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
February 4, 2021
Agenda Item 7.a

This report is prepared by the Baldwin County Planning and Zoning, Subdivision 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: February 4, 2021 Development Permit Approval Pending

Attachments: Vicinity Map
 Site Map
 Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 14 – Unzoned

Location of Property: The subject property is located on north side of Baughman Road west of Bohemian Hall Road in the Silverhill area.

Parcel Number(s): 05-47-03-08-0-000-007.000

Report Prepared By: Mary Booth; Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 5

Linear Feet of Streets: N/A

Total Acreage: ± 10.07 acres

Smallest Lot Size: ± 0.46 acres

Owner: Brian J. Decker and Lisa L. Decker
 PO Box 820
 Silverhill, AL 36576

Engineer: Sawgrass Consulting, LLC
 30673 Sgt. E. “Boots” Thomas Drive
 Spanish Fort, AL 36527

Surveyor: Ercil E. Godwin
 30673 Sgt. E. “Boots” Thomas Drive
 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: On-Site Well
 Sewer: BCSS
 Electricity: Baldwin EMC

Transportation: The proposed lots will front on Baughman Road, a paved and county-maintained road.

V. STAFF COMMENTS:

Items for consideration:

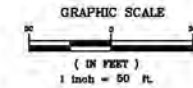
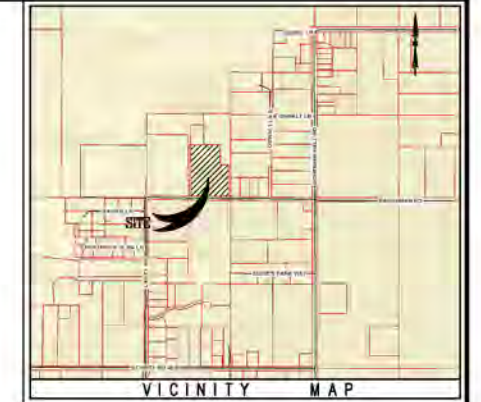
- Setback are shown but need to be labeled.
- A written drainage narrative was not provided but is forthcoming.
- A title document was not provided but is forthcoming.
- All other items of the Development Permit application meet the requirements of the subdivision regulations.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit application for Case No. S-21012, Decker Subdivision, be **APPROVED** contingent upon above deficiencies being addressed.



DECKER SUBDIVISION



CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY HEALTH DEPARTMENT

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

(AUTHORIZED SIGNATURE)

NOTE: LARGE FLOW DEVELOPMENT (SUBDIVISION) RECORDING STATEMENT

THE LOTS ON THIS PLAT ARE SUBJECT TO APPROVAL OR DELETION BY THE BALDWIN COUNTY HEALTH DEPARTMENT. NO REPRESENTATION IS MADE THAT ANY LOT ON THIS PLAT WILL ACCOMMODATE AN ONSITE SEWAGE SYSTEM (OSS). THE APPROPRIATENESS OF A LOT FOR WASTEWATER (SEWAGE) TREATMENT AND DISPOSAL SHALL BE DETERMINED WHEN AN APPLICATION IS SUBMITTED. IF PERMITTED, THE LOT APPROVAL MAY CONTAIN CERTAIN CONDITIONS WHICH RESTRICT THE USE OF THE LOT OR OBLIGATE OWNERS TO SPECIAL MAINTENANCE AND REPORTING REQUIREMENTS, AND THESE ARE ON FILE WITH THE SAID HEALTH DEPARTMENT AND ARE MADE A PART OF THIS PLAT AS IF SET OUT HERE ON.

SITE DATA
NUMBER OF LOTS = 5
SMALLEST LOT SIZE = 0.46± ACRES
ACREAGE OF SITE = 10.07± ACRES

OWNERS
BRIAN & LISA DECKER
P.O. BOX 820
SILVERHILL, AL 36576

SURVEYOR
ERIC E. GODWIN, P.L.S.
ALABAMA LICENSE NUMBER 26621

ZONING
UNZONED

SETBACKS
FRONT - 30 FEET
REAR - 30 FEET
SIDE - 10 FEET

UTILITIES
WATER - WELL
SEWER - BALDWIN COUNTY SEWER
POWER - BALDWIN EMC

OWNER'S DEDICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

WE, BRIAN AND LISA DECKER, AS PROPRIETORS, HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS DECKER SUBDIVISION, A PART OF SECTION 8, TOWNSHIP 6 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA, AND THAT THE (STREETS, DRIVES, ALLEYS, EASEMENTS, ETC.) AS SHOWN ON SAID PLAT ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC.

BRIAN DECKER (OWNER) _____ DATE _____

LISA DECKER (OWNER) _____ DATE _____

CERTIFICATION BY NOTARY PUBLIC

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT BRIAN AND LISA DECKER, HUSBAND AND WIFE, WHOSE NAMES ARE SIGNED TO THE FOREGOING CERTIFICATE AS OWNERS, IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME, ON THIS DAY THAT BEING DULY INFORMED OF THE CONTENTS OF SAID INSTRUMENT, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION.

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

NOTARY PUBLIC: _____

CERTIFICATE OF APPROVAL BY BALDWIN EMC

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

DATED THIS _____ DAY OF _____, 20____.

(AUTHORIZED SIGNATURE)

SURVEYOR'S NOTES:

- INFORMATION USED TO PERFORM AND PRODUCE THIS SURVEY ARE PREVIOUS SURVEYS, BY THIS FIRM OR OTHERS, DEEDS OF RECORDS AND/OR OTHER INFORMATION AS PROVIDED BY THE CLIENT. NO TITLE SEARCH, OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM OR BY OTHERS UNDER THE DIRECTION OF THIS FIRM. IN ADDITION, THERE MAY BE OTHER INSTRUMENTS OF RECORD WITHIN THE OFFICE OF THE JUDGE OF PROBATE, AS WELL AS OTHER UNRECORDED INSTRUMENTS COULD ENCUMBER AND/OR AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT THE TIME OF SURVEY.
- BASIS OF BEARING: GRID NORTH AS DETERMINED BY RTK GPS AND REFERENCED TO NAD83, ALABAMA WEST ZONE STATE PLANE COORDINATES.
- FEDERAL INSURANCE ADMINISTRATION MAP, COMMUNITY PANEL NO.: 01003C0670M
REVISION DATE: APRIL 18, 2019
- FLOOD ZONE(S): "X"(UNSHADED)
- *NOTE - FLOOD ZONES LISTED HEREON ARE SCALED FROM THE FIRM (SCALED ONLY)**
- DATE OF FIELD WORK: OCTOBER, 2020
- ALL SET LOT CORNERS ARE MARKED WITH CAPPED REBARS STAMPED, SAWGRASS CA. 1007LS.

CERTIFICATE OF THE BALDWIN COUNTY E-911 ADDRESSING

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

THIS _____ DAY OF _____, 20____.

AUTHORIZED SIGNATURE: _____

CERTIFICATE OF THE BALDWIN COUNTY ENGINEER

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

THIS _____ DAY OF _____, 20____.

BALDWIN COUNTY ENGINEER: _____

CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY PLANNING & ZONING COMMISSION

THE UNDERSIGNED, AS _____ OF BALDWIN COUNTY PLANNING AND ZONING COMMISSION, HEREBY CERTIFIES THAT, AT ITS MEETING OF _____, 20____, THE BALDWIN COUNTY PLANNING AND ZONING COMMISSION APPROVED THE WITHIN PLAT FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE _____ DAY OF _____, 20____.

BALDWIN COUNTY PLANNING AND ZONING COMMISSION

BY: _____

ITS: _____

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED:

STATE OF ALABAMA
COUNTY OF BALDWIN

I, ERIC E. GODWIN, A LICENSED SURVEYOR OF BALDWIN COUNTY, ALABAMA, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY OF BRIAN AND LISA DECKER, THE PROPRIETORS, SITUATED IN BALDWIN COUNTY, ALABAMA AND DESCRIBED AS FOLLOWS:

RECORD DESCRIPTION (INST. # 1858110):

COMMENCING AT AN IRON PIN MARKER PURPORTED TO BE THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 6 SOUTH, RANGE 3 EAST, ST. STEPHENS MERIDIAN, BALDWIN COUNTY, ALABAMA, RUN SOUTH 89 DEGREES 48 MINUTES 00 SECONDS WEST, A DISTANCE OF 1,957.55 FEET TO A POINT; THENCE RUN NORTH 00 DEGREES 28 MINUTES 00 SECONDS WEST, A DISTANCE OF 47.20 FEET TO AN IRON PIN MARKER LYING ON THE NORTH RIGHT-OF-WAY LINE OF BAUGHMAN ROAD FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00 DEGREES 28 MINUTES 00 SECONDS WEST, A DISTANCE OF 801.74 FEET TO AN IRON PIN MARKER; THENCE RUN SOUTH 89 DEGREES 21 MINUTES 45 SECONDS EAST, A DISTANCE OF 205.00 FEET TO AN IRON PIN MARKER; THENCE RUN NORTH 89 DEGREES 53 MINUTES 55 SECONDS EAST, A DISTANCE OF 262.87 FEET TO A POINT; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 00 SECONDS EAST, A DISTANCE OF 300.00 FEET TO A POINT; THENCE RUN EAST, A DISTANCE OF 129.50 FEET TO A POINT; THENCE RUN SOUTH 00 DEGREES 01 MINUTES 52 SECONDS WEST, A DISTANCE OF 500.00 FEET TO A POINT LYING ON SAID NORTH RIGHT-OF-WAY LINE; THENCE RUN NORTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 594.76 FEET TO THE POINT OF BEGINNING.

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, SAID MAP FURTHER SHOWS THE RELATION OF THE LAND SO PLATTED TO THE GOVERNMENT SURVEY, AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT POINTS MARKED THUS (CRS) 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.

ERIC E. GODWIN, PLS
ALABAMA LICENSE NUMBER 26621

DATE

NUMBER	REVISION	DATE



PRELIMINARY/FINAL PLAT

DECKER SUBDIVISION

BRIAN & LISA DECKER

SCALE	1" = 50'
DATE	DECEMBER, 2020
DRAWN BY	QM
CHECKED BY	
SHEET	1 OF 1

Baldwin County Planning and Zoning Commission
Case No. S-21015 – Magnolia Farms West Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
February 4, 2021
Agenda Item 7.b

This report is prepared by the Baldwin County Planning and Zoning, Subdivision 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: February 4, 2021 Development Permit Approval Pending

Attachments: Vicinity Map
 Site Map
 Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 13 – Unzoned

Location of Property: The subject property is located on north side of Magnolia Farms Road and west side of Sweet Magnolia Lane.

Parcel Number(s): 05-39-05-15-0-000-001.009

Report Prepared By: Mary Booth; Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 5

Linear Feet of Streets: N/A

Total Acreage: ± 57.11 acres

Smallest Lot Size: ± 11.0 acres

Owner: Wilbur J. and Ethel M. Heaton
 6231 Green Acre Dr.
 Pensacola, FL 32526

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

Transportation: The proposed lots Magnolia Farms Road and Sweet Magnolia Lane, paved and county-maintained roads.

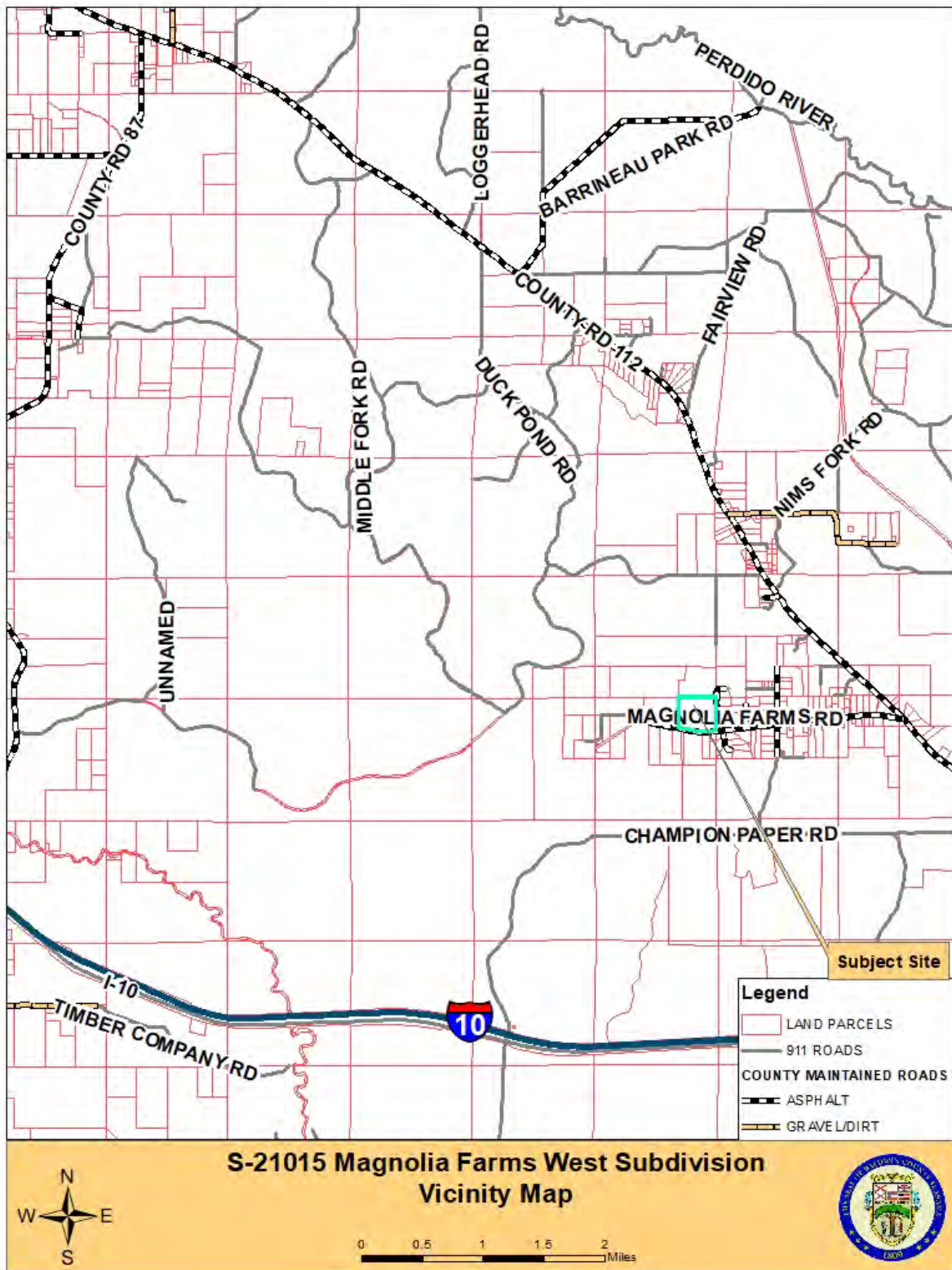
V. STAFF COMMENTS:

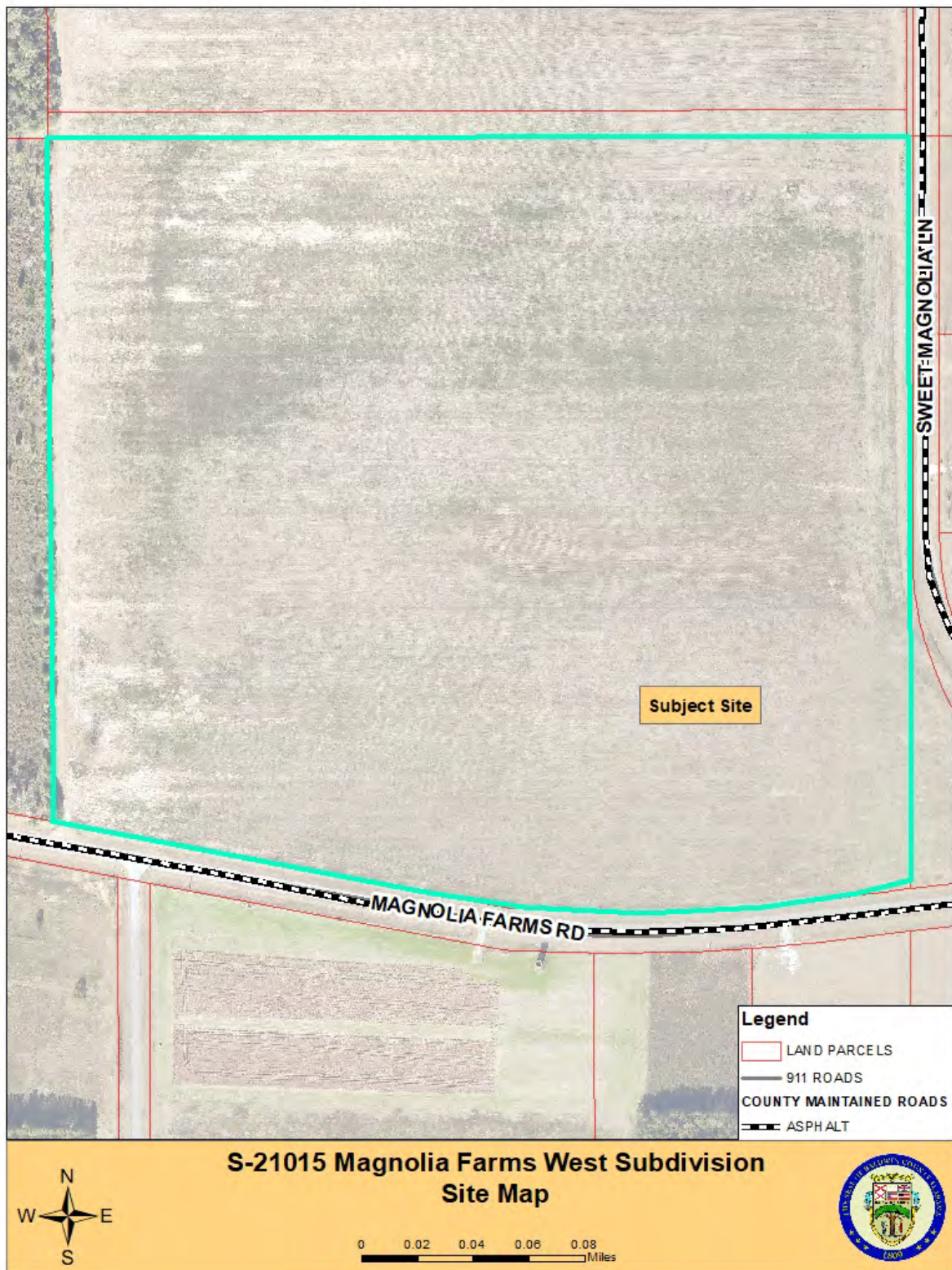
Items for consideration:

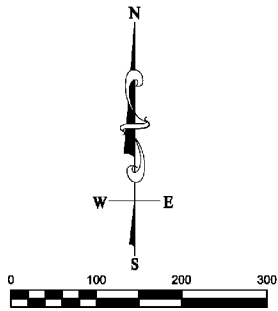
- Setback lines are shown but not labeled and will need to be added to the plat.
- Date on plat needs to be changed from 2020 to 2021.
- A written drainage narrative was not provided but is forthcoming.
- All other items of the Development Permit application meet the requirements of the subdivision regulations.

VI. RECOMMENDATIONS:

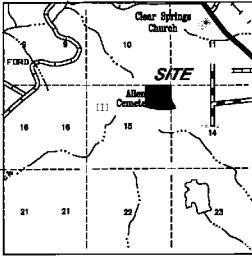
Staff recommends that the Development Permit application for Case No. S-21015, Magnolia Farms West Subdivision, be **APPROVED** contingent upon above deficiencies being addressed.







PROPERTY IS LOCATED IN THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



VICINITY MAP
1" = 1 MILE

HENRY THOMAS
3150 GATEWAY LN.
CANTONMENT, FL 32533
PARCEL 39-02-10-0-000-002.001

CERTIFICATE OF APPROVAL BY WATER (EAST CENTRAL BALDWIN WATER):
THE UNDERSIGNED, AS AUTHORIZED BY EAST CENTRAL BALDWIN WATER HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 20____.

AUTHORIZED REPRESENTATIVE

MAGNOLIA COUNTRY, LLC
PO BOX 6
CANTONMENT, FL 32533
PARCEL 39-02-10-0-000-002.000

CERTIFICATE OF APPROVAL BY POWER (BALDWIN EMC):
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

CURVE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING	DELTA	TANGENT IN
C1	2036.05	584.39	294.22	582.39	S87°56'05"E	16°26'42"	S79°42'44"E
(R) C1	2036.05	584.39				16°26'42"	S79°42'44"E
C2	25.00	42.31	28.24	37.44	N35°21'22"E	98°58'03"	N83°50'24"E
(R) C2	25.00	42.31				98°58'03"	N83°50'24"E
C3	559.98	278.78	142.33	275.89	N27°23'18"W	1°13'07'39"W	
(R) C3	559.98	278.78				1°13'07'39"W	
C4	555.35	403.37	211.05	394.56	N20°51'06"W	41°36'57"	S00°02'37"E
(R) C4	555.35	403.37				41°36'57"	S00°02'37"E
C5	2036.05	474.40	238.28	473.33	S86°23'14"E	1°32'10"	S79°42'44"E
C6	2036.05	109.99	55.01	109.97	N83°50'24"E	3°05'42"	N86°56'16"E

SMITH, KENNETH R. & DEBRA A.
27070 SWEET MAGNOLIA LN.
ROBERTSDALE, AL 36567
PARCEL 39-01-11-0-000-009.002

SURVEYOR'S NOTES:

- ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS.
- DESCRIPTION AS FURNISHED BY CLIENT.
- THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTIES.
- 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.
- SURVEY WAS CONDUCTED IN MARCH AND APRIL, 2020; RECORDED IN FIELD BOOK 328 AND IN AN ELECTRONIC DATA FILE.
- BEARINGS AND DISTANCES SHOWN HEREON WERE "COMPUTED" FROM ACTUAL FIELD TRAVELERS.
- BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH PROPERTY LINE AS BEING N89°49'59"W-S89°49'59"E. BEARINGS ARE ON STATE PLANE, GRID COORDINATES ALABAMA WEST ZONE 0102 (NAD 83 DATUM).
- ALL GPS OBSERVATIONS WERE TAKEN USING REAL TIME KINEMATIC GPS.
- THIS SURVEY IS BASED UPON MONUMENTATION FOUND IN PLACE AND DOES NOT PURPORT TO BE A RETRACEMENT AND PROPORTIONING OF THE ORIGINAL GOVERNMENT SURVEY.

GENERAL NOTES:

- THERE IS DEDICATED HERewith A 15 FOOT (7.5 FOOT EACH SIDE) UTILITY EASEMENT ALONG ALL SIDE LOT LINES AND 15' ALONG THE REAR LOT LINES.
- THERE IS DEDICATED HERewith A BLANKET UTILITY EASEMENT OVER THE ENTIRETY OF THE PROPERTY SHOWN HEREON.
- THIS PROPERTY LIES WITHIN THE AIRPORT OVERLAY AND SHALL FOLLOW THE REQUIREMENTS OUTLINED IN THE CITY OF FAIRHOPE'S ZONING ORDINANCE, ARTICLE V, SECTION E.
- THE DETENTION POND & STORMWATER FACILITIES ON SITE SERVE FOR STORMWATER MANAGEMENT FOR ALL 3 LOTS AND WILL BE MAINTAINED BY A PROPERTY OWNERS ASSOCIATION. ANY FUTURE DEVELOPMENT WITHIN THIS SUBDIVISION WILL REQUIRE A NEW DRAINAGE STUDY TO DETERMINE THE NEED FOR EXPANDING THE STORMWATER FACILITIES. BALDWIN COUNTY WILL NOT BE RESPONSIBLE FOR MAINTENANCE OF ANY COMMON AREAS OR DRAINAGE EASEMENTS.
- THERE IS DEDICATED HERewith A DRAINAGE EASEMENT OVER THE ENTIRETY OF THE PROPERTY SHOWN HEREON.
- THE MINIMUM FINISHED FLOOR ELEVATION ON ALL LOTS SHALL BE 18' ABOVE THE HIGHEST ELEVATION AT BUILDING FOOTPRINT.

SITE DATA

ZONING: UNZONED BALDWIN COUNTY
PROPOSED USE: RESIDENTIAL
NUMBER OF LOTS: 5
SMALLEST LOT: 11.00 AC
LARGEST LOT: 12.09 AC
TOTAL AREA: 57.11 AC.

REQUIRED SETBACKS:

FRONT: 30 FEET
REAR: 30 FEET
SIDE: 10 FEET
SIDE STREET: 20 FEET

WATER SERVICE: EAST CENTRAL BALDWIN UTILITY AUTHORITY
SEWER SERVICE: SEPTIC
ELECTRIC SERVICE: BALDWIN EMC
TELEPHONE SERVICE: AT&T

SURVEYOR:

DEWBERRY
25353 FRIENDSHIP ROAD DAPHNE, AL 36526
VICTOR L. GERMAIN, PLS LIC. NO. 38473

OWNER:

HEATON, WILBUR J. ETUX ETHEL M.
6231 GREEN ACRE DR
PENSACOLA, FL 32526

CERTIFICATION OF OWNERSHIP AND DEDICATION:

STATE OF ALABAMA)
CITY OF DAPHNE)
COUNTY OF BALDWIN)

HEATON, WILBUR J. ETUX ETHEL M., THE OWNERS OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED, AND DEDICATE ALL EASEMENTS FOR THE PURPOSES HEREIN SET FORTH, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED HEREIN OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

DATED THIS _____ DAY OF _____, 20____.

SIGNATURE _____ PRINTED _____

SIGNATURE _____ PRINTED _____

ACKNOWLEDGEMENT OF NOTARY PUBLIC:

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT WILBUR J. HEATON, AS OWNER IS SUBSCRIBED TO THE CERTIFICATION OF OWNERSHIP AND DEDICATION, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT SHE SIGNED, SEALED AND DELIVERED BEFORE ME THIS DAY IN PERSON, SAID INSTRUMENT AT HER FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

NOTARY PUBLIC _____ MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT OF NOTARY PUBLIC:

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT ETHEL M. HEATON, AS OWNER IS SUBSCRIBED TO THE CERTIFICATION OF OWNERSHIP AND DEDICATION, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT SHE SIGNED, SEALED AND DELIVERED BEFORE ME THIS DAY IN PERSON, SAID INSTRUMENT AT HER FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

NOTARY PUBLIC _____ MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE:

STATE OF ALABAMA
COUNTY OF BALDWIN

WE, DEWBERRY, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

BEGINNING AT A 3"x3" CONCRETE MONUMENT WITH DISC AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 6 EAST, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 01°09'44" EAST, A DISTANCE OF 57.19 FEET TO 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN SOUTH 89°55'38" WEST, A DISTANCE OF 1620.93 FEET TO 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN SOUTH 00°07'37" EAST, A DISTANCE OF 1364.54 FEET TO 1/2" CAPPED REBAR ON THE NORTH RIGHT-OF-WAY OF MAGNOLIA FARMS ROAD; THENCE RUN SOUTH 79°42'44" EAST, ALONG THE NORTH RIGHT-OF-WAY OF SAID MAGNOLIA FARMS ROAD, A DISTANCE OF 746.85 FEET TO 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN SOUTHEASTERLY, ALONG SAID RIGHT-OF-WAY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2036.05 FEET, AN ARC DISTANCE OF 584.39 FEET (CHORD BEARS SOUTH 87°56'05" EAST, 582.39 FEET) TO 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN NORTH 83°50'24" EAST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 552.85 FEET TO A 4"x4" CONCRETE MONUMENT (CA-1109-LS); THENCE RUN NORTHEASTERLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 42.31 FEET (CHORD BEARS NORTH 35°21'22" EAST, 37.44 FEET) TO 5/8" CAPPED REBAR (CA-1109-LS) ON THE WEST RIGHT-OF-WAY OF SWEET MAGNOLIA LANE; THENCE RUN NORTHWESTERLY, ALONG THE WEST RIGHT-OF-WAY OF SAID SWEET MAGNOLIA LANE, ALONG A COMPOUND CURVE TO THE LEFT, HAVING A RADIUS OF 559.98 FEET, AN ARC DISTANCE OF 278.78 FEET (CHORD BEARS NORTH 27°23'18" WEST, 275.89 FEET) TO 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN NORTH 48°20'21" EAST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 10.00 FEET TO 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN NORTHWESTERLY, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 753.67 FEET TO 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN SOUTH 89°35'24" WEST, DEPARTING SAID RIGHT-OF-WAY, A DISTANCE OF 10.97 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 57.11 ACRES, MORE OR LESS, AND LIES IN SECTION 10, SECTION 14 AND SECTION 15, TOWNSHIP 5 SOUTH, RANGE 6 EAST, BALDWIN COUNTY, ALABAMA.

(DESCRIPTION COMPOSED FROM PROBATE RECORDS AND AN ACTUAL FIELD SURVEY.)

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.


DEWBERRY _____ DATE _____
VICTOR L. GERMAIN _____ AL. P.L.S. NO. 38473

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.



MAGNOLIA FARMS WEST SUBDIVISION

PRELIMINARY - FINAL PLAT
JANUARY 5, 2020 - SHEET 1 OF 1

DESIGN	C.K.H.	DRAWN	C.K.H.	CHKD.	A.E.F.
ENG	----	SURVEYOR	V.L.G.	PROJ MGR	J.N.E.
					SCALE 1"=100'
					PROJ. NO. 50132509
					FILE PRELIM-FINAL
					Page 14 of 78

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 010030075M, COMMUNITY NUMBER 015000, PANEL NUMBER 0757, SUFFIX M, MAP REVISED DATE APRIL 18TH, 2019.

HENRY THOMAS
3150 GATEWAY LN.
CANTONMENT, FL 32533
PARCEL 39-02-10-0-000-001.002

MARSHALL, RANDY B. & WES D.
2884 SWEET MAGNOLIA LN.
ROBERTSDALE, AL 36567
PARCEL 39-06-14-0-000-008.022

MARSHALL, RANDY B. & WES D.
2884 SWEET MAGNOLIA LN.
ROBERTSDALE, AL 36567
PARCEL 39-06-14-0-000-008.021

SANDERSON, DAVID N. & DEANNE M.
2075 MARY'S WAY
ROBERTSDALE, AL 36567
PARCEL 39-06-14-0-000-008.000

EDMONDS, BOB & CATHERINE B.
2885 BIG GRANTS WAY
ROBERTSDALE, AL 36567
PARCEL 39-05-15-0-000-001.008

CERTIFICATE OF THE BALDWIN COUNTY 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 THE _____ DAY OF _____, 20____.

(PLANNING DIRECTOR)

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 _____, 20____.

COUNTY ENGINEER

CERTIFICATE OF APPROVAL BY TELEPHONE (AT&T):

THE UNDERSIGNED, AS AUTHORIZED BY AT&T HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE _____ DAY OF _____, 20____.

BALDWIN COUNTY HEALTH DEPARTMENT APPROVAL

ACCORDING TO 420-3-1-16(c), 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 _____, 20____.

LEGEND:

- OMS = 4"x4" CONCRETE MONUMENT SET (CA-1109-LS)
- CMF = CONCRETE MONUMENT FOUND
- RBF = DIGGER CHAIN IRON FOUND IN PLACE
- CRF = CAPPED IRON PIN FOUND
- CRS = 5/8" CAPPED REBAR SET (CA-1109-LS)
- (R) = RECORD DEED BEARING AND DISTANCE
- = WOOD FENCE



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.a
Case No. P-21002
Pittman Property
Conditional Use Approval, Office-Warehouse Facility
February 4, 2021
Agenda Item 8.a

Subject Property Information

Planning District: 15
General Location: North side of Milton Jones Road, west of State Highway 181 (Lot 2 of Parker Commercial Subdivision)
Physical Address: N/A
Parcel Numbers: 05-43-05-22-0-000-013.147
Existing Zoning: B-2, Neighborhood Business District
Existing Land Use: Undeveloped
Proposed Land Use: Office-warehouse facility with buildings for boat and RV storage
Acreage: 1.56 acres +/- **parcel will be combined with the parcel to the north for a total of 8.8 +/- acres**
Applicant: Curt Achee
P.O. Box 2244
Fairhope, Alabama 36533
Owner: Lee D. Pittman
P.O. Box 26
Montrose, Alabama 36559
Lead Staff: DJ Hart, Planning Tech
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Commercial	B-2, Neighborhood Business District
South	Commercial & RSF-E	M-1, Light Industrial and Residential
East	Commercial	B-2, Neighborhood Business District
West	Commercial	B-1, Professional Business District

Summary

The applicant is requesting Conditional Use approval to allow for the construction of an office-warehouse facility with buildings for the storage of boats and recreational vehicles. As proposed, the facility would have three (3) structures. On January 21, 2020, the Baldwin County Commission approved a text amendment to the zoning ordinance which provides standards for mini-warehouse facilities (Section 13.14). This application will be reviewed in accordance with these standards.

Section 13.14 Mini-Warehouses

13.14.1 *Purpose.* The purpose of this section is to establish minimum standards for mini-warehouse facilities.

13.14.2 *Procedures and standards.*

(a) *Land use certificate required.* All mini-warehouse facilities are subject to the standards contained in this section and will be required to obtain a land use certificate prior to being granted a building permit.

(b) *Where permitted.* Mini-warehouse facilities are permitted as follows:

1. Special Exception – RR, Rural District, and RA, Rural Agricultural District
2. **Conditional Use** – RMF-6, Multiple Family District, HDR, High Density Residential District, B-1, Professional Business District and **B-2, Neighborhood Business District**
3. By Right – B-3, General Business District, B-4, Major Commercial District, M-1, Light Industrial District and M-2 General Industrial District

(c) *Land area.* The minimum land area of a mini-warehouse facility shall be three (3) acres.

(d) *Coverage.* Building coverage shall not exceed forty (40) percent of the total lot area.

(e) *Access.*

1. No mini-warehouse facility shall be located except with direct access to a paved county, state or federal highway, with a minimum lot width of not less than 50-feet for the portion used for entrance and exit.
2. All storage spaces shall be served by an access driveway of 11-feet minimum width for each direction of travel. Access drives shall be improved with a suitable hard surface permanent type of pavement such as asphalt, concrete, gravel, limestone or another similar surface.

(f) *Buffering.* In the event a mini-warehouse facility is located adjacent to residentially developed or zoned property, a landscaped buffer with a minimum width of 30-feet shall be provided. Said buffer shall consist of a combination of canopy trees, understory trees and shrubs which shall be of sufficient height to create a visual barrier.

(g) *Design and other requirements.*

1. *Facades.* Facades which are visible from a public right-of-way shall be constructed of masonry, wood or other materials which will present a pleasing appearance, and which will be compatible with the surrounding area.
2. *Fencing.* The entire site of a mini-warehouse facility shall be enclosed by security fencing. The minimum height for fencing, along the side and rear property lines, shall be eight (8) feet, for fencing constructed to the exterior of required buffers, or six (6) feet for fencing

constructed to the interior of required buffers. Fencing shall be composed of materials designed for such use including masonry, iron, steel, chain link (painted or vinyl coated only), wood or a combination thereof. Fencing along the front of a mini-warehouse facility may be decorative in nature and may be built to a minimum height of four (4) feet.

3. *Lighting.* The maximum height of exterior lights shall be 20-feet. Light fixtures shall be designed to cast light downward. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.
4. *Compartments.* Each storage compartment shall have an independent entrance under the exclusive control of the tenant. The use of storage compartments shall be limited to the storage of personal property and no other use shall be permitted within such compartments.
5. *Outdoor storage.* Outdoor storage of goods and materials, with the exception of boats, recreational vehicles and trailers, shall be prohibited. Boats, recreational vehicles and trailers may be stored on site only if located in an enclosed building or if fully screened from public view by fences, walls, landscaping or a combination thereof.
6. *Parking and landscaping.* Unless otherwise stated herein, all mini-warehouse facilities shall meet the requirements of *Article 15: Parking and Loading Requirements* and *Article 17: Landscaping and Buffers*.

The area and dimensional requirements for the B-2 zoning designation are listed as follows:

5.2.5 Area and dimensional ordinances.

Maximum Height of Structure in Feet	35
Maximum Height of Structure in Habitable Stories	2 1/2
Minimum Front Yard	30-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.60
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

Agency Comments

Baldwin County Highway Department:

DJ,
I have the following comments for January Planning Cases.
For P-21002:

Milton Jones Rd is not maintained by Baldwin County. City of Daphne should be coordinated with for driveway connection. Water shall be mitigated on site.

Thanks,
Weesie

Baldwin County Planning and Zoning, Subdivision: *No comments.*

ADEM: *No comments received.*

Municipality (City of Daphne): *No comments received.*

Staff Analysis and Findings

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

Section 18.11.1 *Authorization*. The Planning Commission may, under the prescribed standards and procedures contained herein, authorize the construction or initiation of any use that is expressly permitted as a Conditional Use in a particular zoning district; however, the county reserves full authority to deny any request for Conditional Use, to impose conditions on the use, or to revoke approval at any time, upon finding that the permitted use will or has become unsuitable and incompatible in its location as a result of any nuisance or activity generated by the use.

Section 18.11.4 *Standards for approval*. A Conditional Use may be approved by the Planning Commission only upon determination that the application and evidence presented clearly indicate that all of the following standards have been met:

- (a) The proposed use shall be in harmony with the general purpose, goals, objectives and standards of the Baldwin County Master Plan, these ordinances, or any other official plan, program, map or ordinance of Baldwin County.**

The Baldwin County Master Plan – 2013 indicates a future land use designation of Commercial for the subject property. The commercial category is provided for retail and wholesale trade facilities which offer convenience and other types of goods and services. Institutional uses, recreational uses, mixed-use developments and transportation, communication and utility uses may be included in accordance with the Zoning Ordinance. The proposed use is consistent with the Master Plan and the requirements of the zoning ordinance.

- (b) The proposed use shall be consistent with the community welfare and not detract from the public's convenience at the specific location.**

The subject property is currently undeveloped. The property adjoins Milton Jones Road to the south. The adjoining properties on the north side of Milton Jones Road are commercial. Property located across Milton Jones Road to the south is light industrial. The parcel is being combined with the parcel to the north to be a continuation of the existing storage facility.

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

Several existing commercial and industrial structures are in the vicinity and on adjacent properties. Staff believes that the proposed office-storage facility is consistent with the existing structures and that there will be no significant change in property values as a result.

(d) The use shall be compatible with the surrounding area and not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses or on community facilities or services.

See response to item (c) above. Staff knows of no excessive burdens or negative impacts which would result from approval of this conditional use application.

Section 18.11.5 *Conditions and restrictions on approval.* In approving a Conditional Use, the Planning Commission may impose conditions and restrictions upon the property benefited by the Conditional Use approval as may be necessary to comply with the standards set out above, to reduce or minimize any potentially injurious effect of such conditional use upon the property in the neighborhood, and to carry out the general purpose and intent of the ordinances. In approving any Conditional Use, the Planning Commission may specify the period of time for which such approval is valid for the commencement of the proposed Conditional Use. The Planning Commission may, upon written request, grant extensions to such time allotments not exceeding 6 months each without written notice or hearing. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances. Those Conditional Uses which the Planning Commission approves subject to conditions shall have specified by the Planning Commission the time allotted to satisfy such conditions.

Staff Comments and Recommendation

As stated above, the applicant is requesting Conditional Use approval to allow for the construction of an office-warehouse facility with buildings for the storage of boats and recreational vehicles. As proposed, the facility would have three (3) structures. On January 21, 2020, the Baldwin County Commission approved a text amendment to the zoning ordinance which provides standards for mini-warehouse facilities.

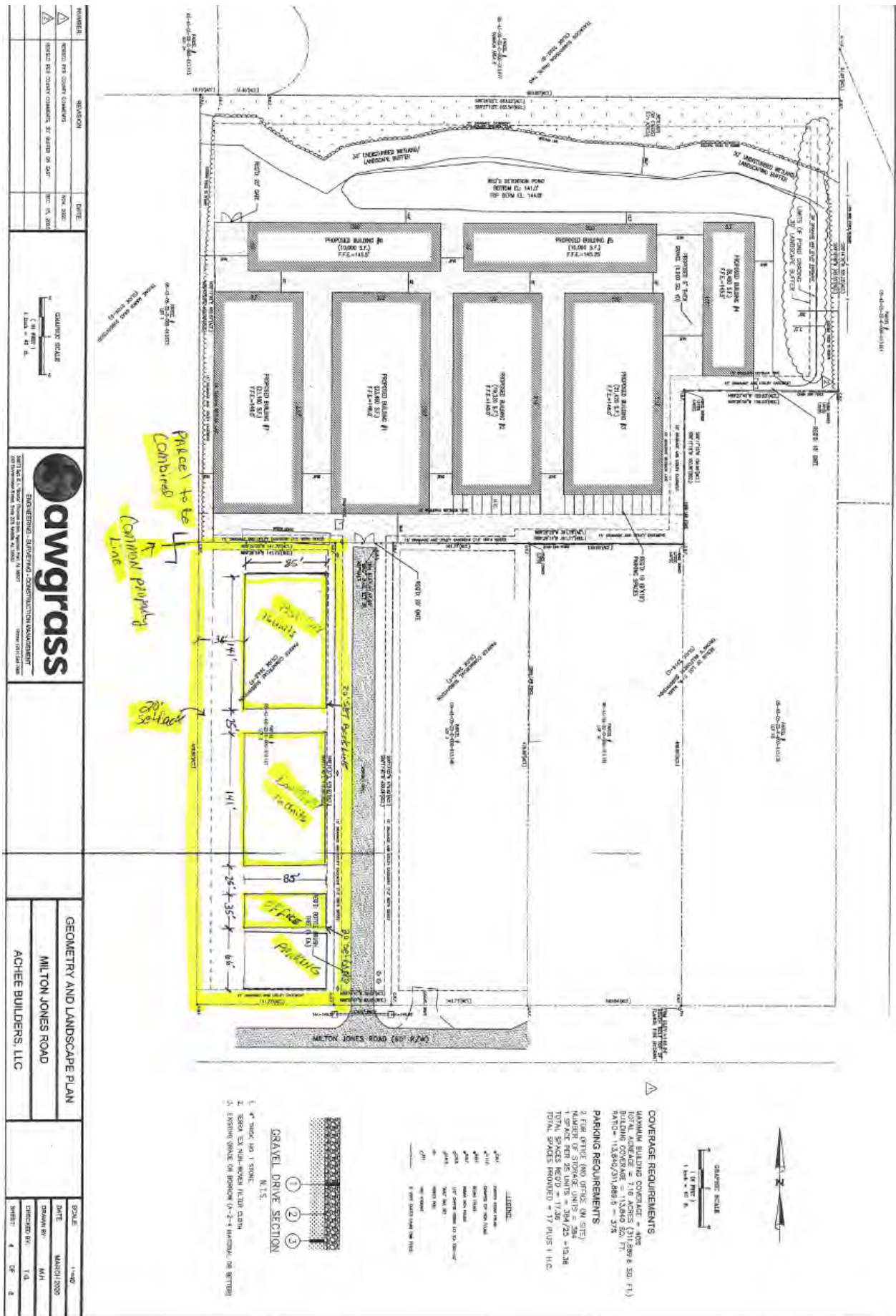
Staff will review this proposal in accordance with the new standards in Section 13.14 prior to issuance of a land use application to ensure that the proposal meets the specified requirements.

Staff recommends that Case P-21002 be **APPROVED***, subject to the following conditions:

- Approval shall be for this applicant and this location only.
- Parcels MUST be combined into one before the land use application will be accepted to ensure the required acreage, of 3 acres has been met.
- A land use certificate shall be obtained with six (6) months from the date of approval. Additional time may be granted by the Planning Commission if necessary.
- If signage is proposed, a Sign Permit application, demonstrating compliance with Article 16 of the zoning ordinance, shall be submitted to and approved by the Planning and Zoning Department.
- All requirements found in Section 13.14 shall be met.
- Any major changes and/or additions shall result in further review and approval by the Planning Commission.

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

Site Plan









Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.b

Case No. Z-21002

Sute Property

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

February 4, 2021

Subject Property Information

Planning District: 15
General Location: East side of State Highway 181 and north of County Rd 64
Physical Address: 10275 County Rd 64, Daphne, AL 36532
Parcel Numbers: 05-43-06-14-0-000-017.000
Existing Zoning: RSF-E, Residential Single Family Estate District
Proposed Zoning: B-3, General Business District
Existing Land Use: Residential
Proposed Land Use: Commercial
Acreage: 4.7 ± acres
Applicants: John R. Sute
12425 Boone Ln
Fairhope, AL 36532
Owners: Same
Lead Staff: Celena Boykin, Senior Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Undeveloped	RA, Rural Agriculture
South	County Rd 64 & Residential	RSF-E, Residential Single Family Estate
East	Residential	RSF-E, Residential Single Family Estate
West	Residential	RSF-E, Residential Single Family Estate

Summary

The subject property is currently zoned RSF-E, Residential Single Family Estate District and contains 4.7 acres. The applicant is requesting the designation of B-3 General Commercial District, because of the trending commercial development in the area.

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 | (z) Florist |
| (b) Air conditioning sales and service | (aa) Fraternity or sorority house |
| (c) Amusement arcade | (bb) Fruit and produce store |
| (d) Animal clinic/kennel | (cc) Funeral home |
| (e) Arboretum | (dd) Golf course |
| (f) Auto convenience market | (ee) Golf driving range |
| (g) Automobile service station | (ff) Grocery store |
| (h) Bakery, wholesale | (gg) Landscape sales |
| (i) Ball field | (hh) Marine store and supplies |
| (j) Bicycle sales and service | (ii) Miniature golf |
| (k) Bowling alley | (jj) Mini-warehouse |
| (l) Business machine sales and service | (kk) Night club, bar, tavern |
| (m) Business school or college | (ll) Nursery |
| (n) Butane gas sales | (mm) Office equipment and supplies sales |
| (o) Cemetery | (nn) Park or playground |
| (p) City hall or courthouse | (oo) Pawn shop |
| (q) Country club | (pp) Pet shop |
| (r) Department store | (qq) Plumbing shop |
| (s) Discount/variety store | (rr) Printing/publishing establishment |
| (t) Drug store | (ss) Restaurant sales and supplies |
| (u) Elevator maintenance service | (tt) Riding academy |
| (v) Exterminator service office | (uu) Rug and/or drapery cleaning service |
| (w) Farmer's market/truck crops | (vv) Seafood store |
| (x) Firing range | (ww) Sign shop |
| (y) Fitness center or gym | (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, Weesie Jeffords: Connection for a business would be permitted through the Permits Section with a Commercial access permit. CR 64 is classified as a minor arterial with Highway Construction Setback 100ft from right-of-way centerline. The site is located along where future capacity improvements are expected. Additional requirements, such as right-in right-out entrance, internal connection to common entryway, may be required when site plans to develop.

Planning & Zoning/Subdivisions (Mary Booth, Subdivision Coordinator): No comments.

ADEM: No comments received.

ALDOT: We have no objections to the existing business moving up CR 64 away from the corner. Any new business/ development related to the corner parcel would of course need to be sent our way.

City of Daphne (Adrienne Jones, Planning Director): 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-E, Residential Single Family Estate District, and occupied with a dwelling and accessory structures. The property adjoins County Rd 64 to the south. Adjoining properties are residential and agricultural.

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 15 was adopted by the County Commission on August 1, 2006. The area has seen significant residential and commercial growth since that time. Because of the residential growth there is an increased demand for commercial development to serve the residents of the area.

Also, there has been a significant increase in traffic volume on County Rd 64. According to ALDOT's traffic count at the intersection of County Rd 64 and Rigsby Rd. the annual average daily traffic counts for 2014 was 6,380 and in 2019 was 8,184.

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 Residential is provided for the subject properties. Approval of the rezoning will necessitate an automatic change in the future land use designation to Residential. 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. Institutional uses, recreational uses and limited neighborhood commercial uses may be included subject to the provisions of the Zoning Ordinance. To the greatest extent possible, residential areas should be accessible to major thoroughfares connecting with work areas, shopping areas and recreational areas. 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, HDR, RMH and PRD.

If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Commercial. This category provides 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, LB, RV-1, RV-2, MR and TR.

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

The Highway Department is currently in the design phase of corridor improvements to County Road 64 in this area. In the event that the property is rezoned and the development moves forward, access and required improvements will be addressed during the Land Use Certificate process. Since the development would be commercial, it would be classified as a major project. See Baldwin County Highway Department's statement listed in agency comments above.

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

Traffic congestion is a major concern in this area. A commercial development could have an impact on traffic patterns. The exact impact, however, will be dependent upon the types of businesses which might be located in the development and is therefore difficult to ascertain.

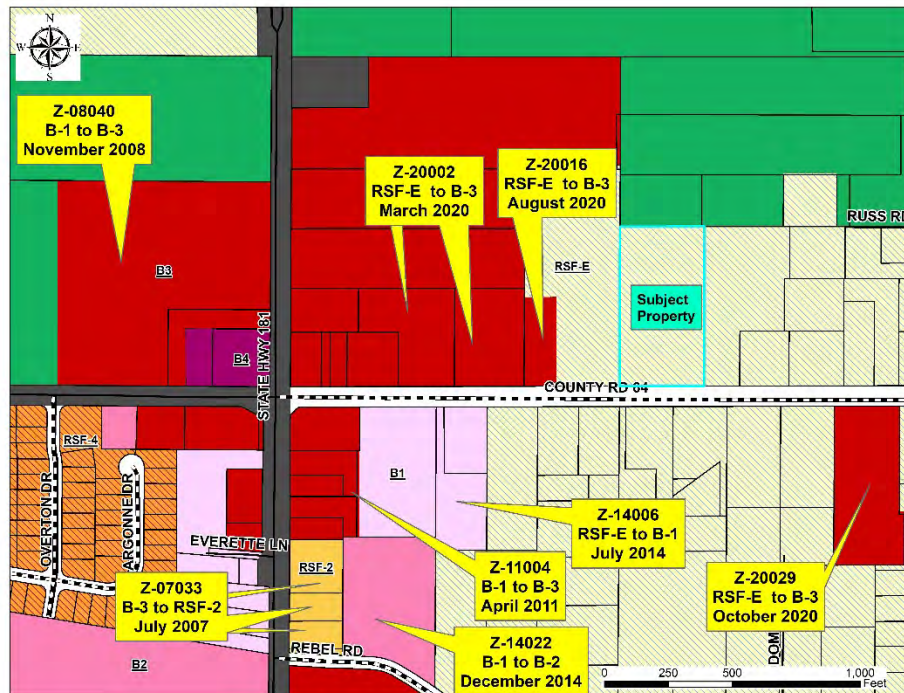
Per the Federal Highway Administration, the functional classification of County Rd 64 is a minor arterial. Minor Arterials provide service for trips of moderate length, serve geographic areas that are smaller than their higher Arterial counterparts and offer connectivity to the higher Arterial system. In an urban context, they interconnect and augment the higher Arterial system, provide intra-community continuity and may carry local bus routes.

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 adjacent land uses are residential and agriculture. The subject property is located to the east of a commercial intersection. There is a trend of transitioning from agricultural and residential uses to commercial. The trend of transitioning to commercial near this intersection is to help serve the community's commercial needs.

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

Adjacent property to the west and south are zoned RSF-E. The adjacent property to the north is zoned RA, Rural Agriculture. Property across County Road 64, to the south is zoned RSF-E. In addition, the property is located east of a commercial intersection. Property at this intersection is primarily zoned B-3, with two parcels zoned B-4, Major Commercial District, at the northwest corner.



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

There have been several rezonings to commercial in this area. A trend of transition from agricultural and residential uses to commercial is indicated. The trend of transitioning to commercial near this intersection is to help serve the community's commercial needs. The purpose of B-3 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.

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 historic resources which would be impacted.

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?

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, as discussed below, will help to mitigate the potential for adverse impacts.

11.) Other matters which may be appropriate.

If this rezoning is approved, this project will be considered a major project and will have to meet the buffer requirements as listed below from the zoning ordinance.

Article 17 Landscaping and Buffers

Section 17.1 Landscaping Plan

A landscaping plan is required for all major projects. Such plan shall be submitted in conjunction with an application for a land use certificate as herein provided. The plan shall clearly show what existing trees, shrubbery, and other vegetation will be retained, and what trees, shrubbery, and other vegetation will be added to complete the landscaping of the property. The developers shall attempt to retain as many trees as possible on the property unless the trees are a safety hazard to pedestrians, property, or vehicular traffic, or that their removal is necessary to construct the proposed improvements. In such case, the landscape plan shall indicate replacement trees at least 6 feet tall and one inch in diameter for each indigenous tree of at least three (3) inches in diameter removed, unless the property already has a tree density which does not allow adequate space or light for additional trees. The landscape plan shall show the locations of the proper number of replacement trees. Replacement trees and other vegetation to be installed shall be native species or noninvasive exotics which are not likely to out-compete native vegetation and do not require excessive pesticides, fertilizer, or water to maintain growth.

(a) A major project which abuts a freeway/expressway, arterial or collector shall maintain a minimum of ten (10) feet of the required setback as a buffer along the entire width of the property which abuts said freeway/expressway, arterial or collector except where curb cuts provide ingress and egress. Said buffer shall be planted with trees, shrubs and grass or other ground cover so that an attractive appearance is presented as detailed in the required landscape plan.

Section 17.2 Buffers of Unlike Land Uses and Zoning Designations

17.2.1 *Purpose and intent.* Where unlike land uses or zoning designations occur, a buffer shall be required along the entire length of all such common boundaries. Said buffer shall be of the width specified below and shall be planted with canopy trees, understory trees and shrubs of sufficient density and of sufficient height (but in no case less than 8-feet high at the time of planting for canopy trees and 4-feet high at the time of planting for understory trees) to afford adequate sight, sound and debris protection. All screen planting shall be maintained in a clean and healthy condition.

17.2.2 *Buffer Requirements.* Landscaped buffers shall be located at the perimeter of the building site for any given use, and shall not be located in any portion of a public right-of-way. The required buffer widths are listed below. Additional information may be found at Appendix B:

(a) Multiple Family uses (RMF-6) 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**.

(b) Multiple Family uses (RMF-6) when adjacent to a Two Family District (RTF-4 and RTF-6) or Professional Business District (B-1) shall require a minimum buffer of **10-feet**.

(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**.

(d) 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 Two Family District (RTF-4 and RTF-6) or Multiple Family District (RMF-6) shall require a minimum buffer of **10-feet**.

(e) Manufactured Housing Parks (RMH) when adjacent to a 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**.

(f) Manufactured Housing Park (RMH) when adjacent to a Two Family District (RTF-4 and RTF-6), Multiple Family District (RMF-6) or Professional Business District (B-1) shall require a minimum buffer of **10-feet**.

(g) Light Industrial uses (M-1), General Industrial uses (M-2) and Transportation, Communication and Utility uses when adjacent to any residential property shall require a minimum buffer of **75-feet**.

(h) Light Industrial uses (M-1), General Industrial uses (M-2) and Transportation, Communication and Utility uses when adjacent to any Business District (B-1, B-2, B-3 and B-4) shall require a minimum buffer of **50-feet**.

Staff Comments and Recommendation

As stated previously, the subject property is currently zoned RSF-E, Residential Single Family Estate District and contains 4.7 acres. The subject property is occupied with a dwelling and accessory structures. The property adjoins County Rd 64 to the south. The adjoining properties are residential and agricultural. The applicant is requesting the designation of B-3 General Business District, because of the trending commercial development in the area.

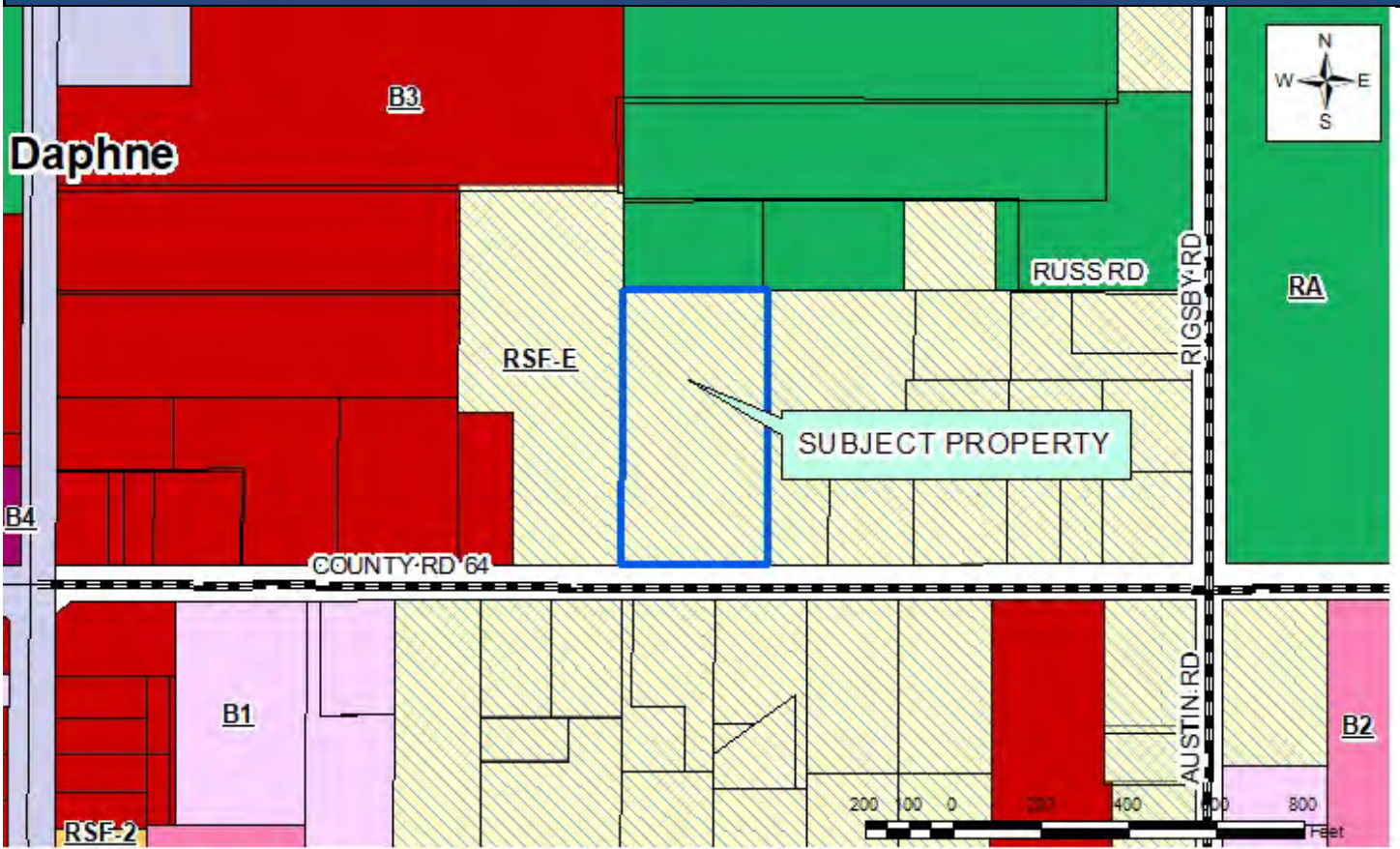
Unless information to the contrary is revealed at the public hearing, staff feels this rezoning application should be recommended for **APPROVAL**. *

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

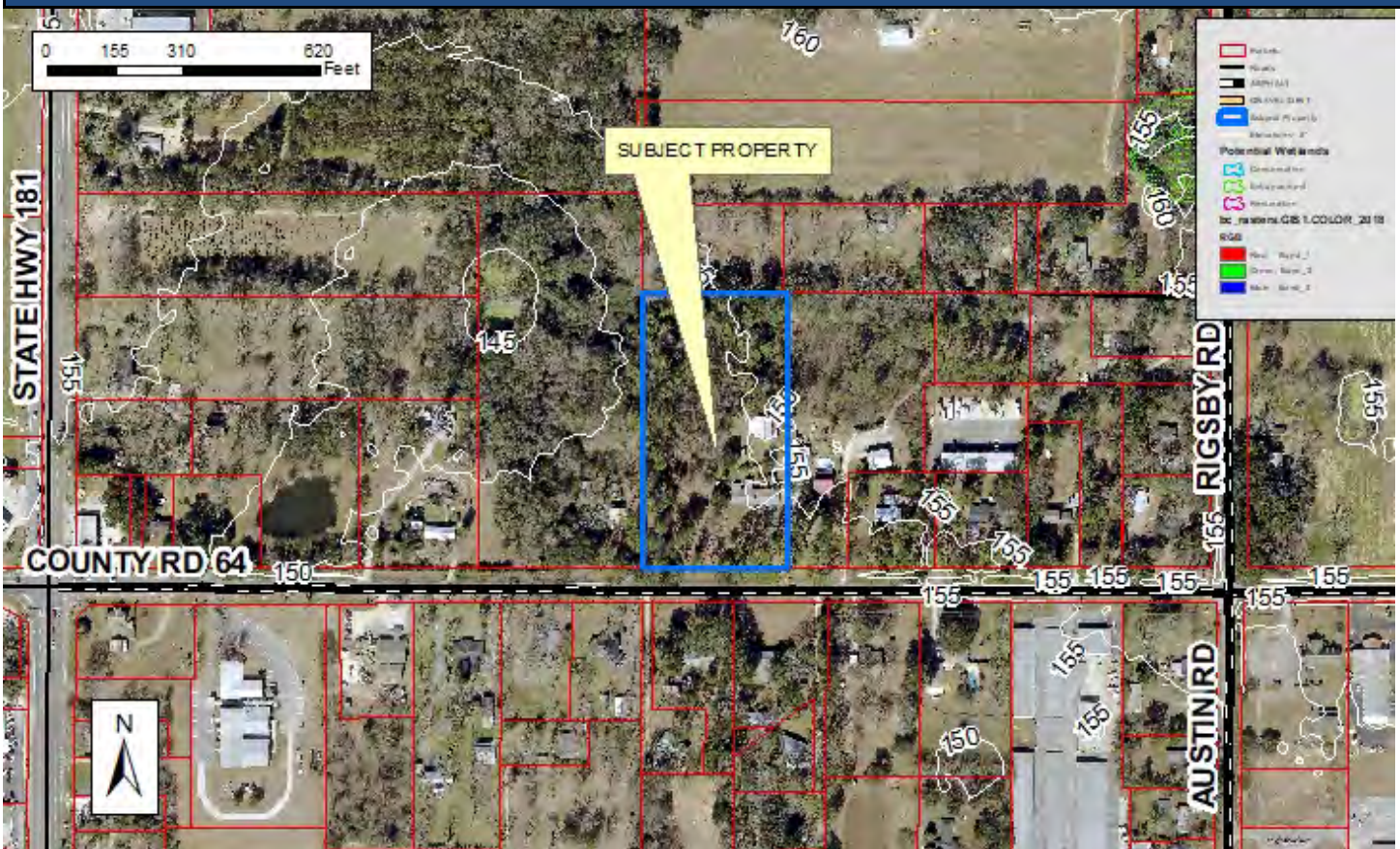




Locator Map



Site Map



Letters of Opposition from the Original Request of B-4

From: Kimberly Barnes <kcwseachantie@earthlink.net>

Date: December 22, 2020 at 7:09:27 PM CST

To: D Hart <DHart@baldwincountyal.gov>

Subject: Opposed to rezoning, Case#Z-21002

This message has originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Please put an end to your greediness by continually overdeveloping in Baldwin County, particularly the Belforest area. We oppose rezoning in regards to Case#Z-21002. You've ruined our rural area enough as it is, nevermind the hazardous and ridiculously voluminous traffic conditions you've created simply to line your pockets with \$\$\$\$.

From: Diane Tignor <dianekay27@gmail.com>

Sent: Thursday, December 24, 2020 11:29 PM

To: D Hart <DHart@baldwincountyal.gov>

Subject: Belforest Properties

Good Evening,

I am writing in reference to Case# Z-21002. We would like to ask to stop rezoning property around our homes for commercial purposes, and specifically this case. Belforest should remain rural, or at least quiet with neighborhoods if necessary to sell, but commercializing properties has brought a lot of unwanted traffic and noise to our once quiet community. Please consider the lives being affected adversely: increased traffic, increased noise, and decrease in property value.. (Incidentally, no one likes living next to the giant tin can recently erected next to our homes.) Please consider those that live here and our desire to keep it rural/quiet. It is clear that care or consideration to defined zoning in this city has never been a priority, but that can change. We feel we shouldn't have to keep fighting off used car lots, dollar generals, and gas stations in our backyards.

Thank you.

Sincerely,

Warrenton Road Homeowners

D Hart

From: joanne keller <joartkeller@att.net>
Sent: Monday, December 28, 2020 5:13 PM
To: D Hart
Subject: Case # Z-21002 Sute Property

This message has originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Planning and Zoning Commission:

My husband and I live adjacent (East Side) to the Sute Property. We built our home 47 years ago. Many new families have moved in to our community. Our neighborhood has been rejuvenated. We are very close and watch out for each other.

In 2006 when District 15 was created as the first zoned District in the unincorporated areas, it was established to prevent this kind of zoning from happening. "Keep like with like".

The Sute Property is surrounded by residential areas (see map). Just because Mr. Sute has moved from our neighborhood does not mean that he can now destroy it.

Please protect our homes by sending an unanimous DENIAL to the County Commission.


Respectfully Submitted,

Jo Anne and Arthur Keller

Sent from my iPhone

D Hart

From: Patrick Puckett <ptpuckett@att.net>
Sent: Monday, January 4, 2021 5:45 PM
To: D Hart
Subject: Regarding Public Hearing for Case No. Z-21002

 This message has originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

To the Baldwin County Planning & Zoning Commission
From Jacqueline Simms Puckett 10213 County Road 64, Daphne AL
Regarding Case No. Z-21002 Sute Property

Dear Members of the County Planning Commission,

I am writing concerning the rezoning of the property owned by JR Sute from residential to B-4 Commercial. I do not think this is in the best interest of the residents of the Belforest community. His property is adjacent to ours with his property line being about 3 feet from my driveway right next to my house. Most of the property owners in Belforest have owned their land for generations. My parents left me their 7.2 acres when they passed away. My father owned the property at 10213 County Road 64 for close to 70 years and his father before him. Over the years community members have sold land to small businesses which have benefited the citizens here. I myself recently sold one acre of my land to the owner of the Cellar Door to relocate their business from the corner of 64 & 181. The Cellar Door is a small business that has been part of this community for over 10 years. The owner and his family live here in Belforest and he has no intention of changing the way he does business.

If Mr. Sute is allowed to rezone his property to B-4 he will be able to sell to any business he chooses and that could possibly change our community for the worse. I still own 6.2 acres of residential land that I have no plan of selling. It is my home. When I sold my one acre it was in an effort to create a buffer between my property and what ever could possibly come into our community by the sale of the corner and the surrounding 17 acres.

Mr. Sute no longer lives in Belforest and his property is in the middle of many acres of residential property. It is my opinion he has no regard for the people who still live in this community. I hope you will take this into consideration when making your decision.

Thank you,
Sincerely,
Jacqueline Simms Puckett

D Hart

From: Lonnie Rieves <lrieves6@gmail.com>
Sent: Tuesday, January 5, 2021 12:16 PM
To: D Hart
Subject: Case # Z-21002 John R Sute Property

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

My name is Lonnie Rieves reside, at 10346 county road 64. I in opposition to the rezoning of the property, locate at 10275 county road 64, from residential to commercial, can be reach at 251-298-4608

Thanks

D Hart

From: Carol McKnight <sonmarc@yahoo.com>
Sent: Monday, January 4, 2021 9:35 PM
To: D Hart
Subject: Case # Z-21002, John R. Sute Property

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Members of the Planning and Zoning Commission,

Please consider denying the zoning change request for the 4+ acre Sute property from its current Estate Residential Zoning to the B4, Major Commercial District classification.

The Sute property lies on the North side of busy County Road 64 and abuts CR 64 where there are 7 homes across that road with no businesses mixed in amongst them. This parcel is surrounded on its East, West, and North sides by long standing residential properties that adjoin the plot in question. The requested change would allow serious commercial activity in the midst of this well established residential community.

Allowing any major commercial operation to exist beside these homes would certainly be detrimental to the value of these residences. Commercialization would also be detrimental to the wellbeing of all the nearby residential property owners.

I appreciate your interest in this issue. I hope that you will understand and acknowledge the reasonable concerns of the residents and their future in old Belforest. Please deny the request for the change of the Sute property from residential to commercial zoning.

Thank you for your time.

Sincerely,
Carol McKnight
10573 County Road 64
Daphne, AL 36526
251-648-7557

D Hart

From: kcwseachantie@earthlink.net
Sent: Tuesday, January 5, 2021 12:27 PM
To: D Hart
Subject: Re: RE: Opposed to rezoning, Case#Z-21002

 This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

I apologize for this automatic reply to your email.

To control spam, I now allow incoming messages only from senders I have approved beforehand.

If you would like to be added to my list of approved senders, please fill out the short request form (see link below). Once I approve you, I will receive your original message in my inbox. You do not need to resend your message. I apologize for this one-time inconvenience.

Click the link below to fill out the request:

<https://webmail.pas.earthlink.net/wam/addme?a=kcwseachantie@earthlink.net&id=11eb-4f83-959dcc18-9306-002128b08c16>



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.c

Case No. Z-21004

Baldwin Wholesale Florist, Inc. Property

Rezone RSF-1, Single Family District to RSF-4, Single Family District

February 4, 2021

Agenda Item 8.c

Subject Property Information

Planning District: 15
General Location: South of US Hwy 90 and West of State Hwy 59
Physical Address: N/W
Parcel Number: 05-42-02-09-0-000-005.000
05-42-02-09-0-000-006.000
05-42-02-09-0-000-006.001

Existing Zoning: RSF-1, Single Family District
Proposed Zoning: RSF-4, Single Family District
Existing Land Use: Agriculture and Vacant (previously a wholesale florist)
Proposed Land Use: Residential Development
Acreage: 39.5 acres, more or less
Applicant: 68V Pay Dirt, LLC
29891 Woodrow Ln., STE 300
Spanish Fort, AL 36527
Owner: Baldwin Wholesale Florist, Inc.
Lead Staff: Celena Boykin, Senior Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential and Agriculture	Hwy 90 and RSF-1, Single Family
South	Residential and Agriculture	RSF-1, Single Family and RA, Rural Agriculture
East	Cemetery and Residential	RA, Rural Agriculture
West	Agricultural	RSF-1, Single Family

Summary

The subject property is currently zoned RSF-1, Residential Single Family District, and was previously used as wholesale nursery/florist. The remainder of the property is used agriculture. The properties adjoin US Highway 90 to the north. The adjoining properties are agricultural and residential. The requested zoning designation is RSF-4, Single Family District. According to the submitted information, the purpose of this request is to allow for development of a single-family residential development.

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 4.5 RSF-4, Single Family District

4.5.1 *Generally.* This zoning designation is provided to afford the opportunity for the choice of a moderate density residential development consisting of single family homes.

4.5.2 *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.

4.5.3 *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.

4.5.4 *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*).

4.5.5 *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	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area per Dwelling Unit	7,500 Square Feet
Minimum Lot Width at Building Line	60-Feet
Minimum Lot Width at Street Line	30-Feet
Maximum Ground Coverage Ratio	.35

Agency Comments

Mary Booth, Subdivision Coordinator: A pre-app meeting was held on 11/13/20 and as discussed with the applicant, the proposed development will need to submit a development permit application and comply with current subdivision regulations and zoning ordinance. This property is located inside Loxley's ETJ so they will have primary plan review approval.

ALDOT, Michael Smith: Thanks for the heads up as always. We will put this on our list of future permit submittals for this subdivision.

Baldwin County Highway Department, Weesie Jeffords:

For Case Z-21004 Baldwin Wholesale Florist Property, I have the following comments:

Connection to the site from HWY 90 as shown would require permitting through ALDOT. Highway Construction Setback along HWY 90 is 100ft from Right-of-way centerline. Highway Construction Setback on CR 66 N is 40ft from Right-of-way centerline. Traffic impact study will be required, along with compliance with current Baldwin County Subdivision Regulations for the proposed development. The property also has frontage on CR 66, and if the development were to connect to CR 66 it would need to be permitted through the County Highway Department Permits section.

ADEM: No comments received.

Staff Analysis and Findings

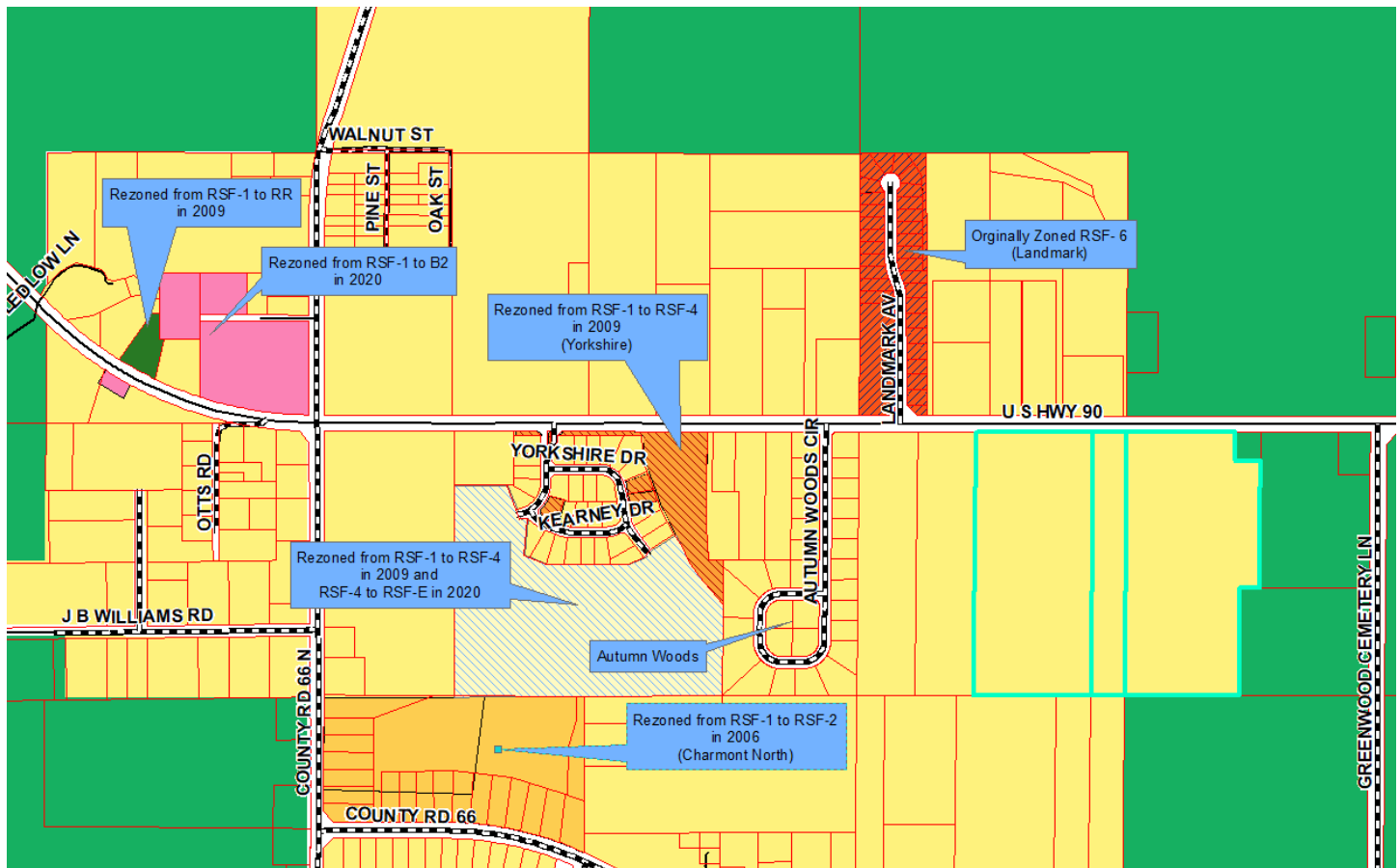
The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

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. The subject properties are currently agricultural and vacant. The adjoining properties are zoned RSF-1 and RA and are currently residential, agricultural, and a cemetery.

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 15 was adopted by the County Commission on August 1, 2006. There have been few rezonings in the area (see map below). The Landmark subdivision was originally zone RSF-6 at the time Planning District 15 map was approved. The smallest lots in this subdivision are about 7,400sq ft. Autumn Woods subdivision was platted right before Planning District 15 became zoned. The lots in this subdivision average about 13,068 sq ft, the size of RSF-3. The first phase of Yorkshire subdivision was also platted right before Planning District 15 became zoned. Those lots average 8,750 sq ft. The second phase of Yorkshire was rezoned to RSF-4 in 2009.



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 Residential is provided 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. Institutional uses, recreational uses and limited neighborhood commercial uses may be included subject to the provisions of the Zoning Ordinance. To the greatest extent possible, residential areas should be accessible to major thoroughfares connecting with work areas, shopping areas and recreational areas. 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, HDR, RMH and PRD. Approval of the requested rezoning will not require a change to the Future Land Use Map.

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

Staff is unaware of any planned public improvements. The connection to US Hwy 90 is subject to the approval of ALDOT.

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

A development of the type proposed would typically generate approximately nine (9) vehicle trips per day for each unit (per the Institute of Transportation Engineers). The applicant is proposing a 130 lot development. This would equate to around 1,170 daily trips for the case at hand. This is not a definitive number. The exact impact may be more or less depending on how the subdivision develops, as well as other factors.

Per the Federal Highway Administration, the functional classification of US Hwy 90 is a minor arterial. Minor Arterials provide service for trips of moderate length, serve geographic areas that are smaller than their higher Arterial counterparts and offer connectivity to the higher Arterial system. In an urban context, they interconnect and augment the higher Arterial system, provide intra-community continuity and may carry local bus routes.

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 subject property is currently zoned RSF-1, Single Family District. There is a mixture of residential lot sizes in the area ranging from the minimum size of RSF-6 at 6,500 sq ft lots to estate size lots. The zoning in the area includes RA, RSF-E, RSF-1, RSF-2, RSF-6, and B-2.

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

A number of different zoning designations are found in the area around the subject property. Although there aren't many properties zoned RSF-4 in this vicinity, the subdivision to the north, Landmark, contain lots that are the minimum lot size of RSF-6, 6,500 sq ft. West of this property is Autumn Woods and those lots are the size of RSF-3, 10,000 sq ft. The subdivision west of Autumn Woods, Yorkshire, has lots that are the size of RSF-4, 7,500sq ft.

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

There hasn't been much recent development in this area, it is an area of residential surrounded by agriculture.

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

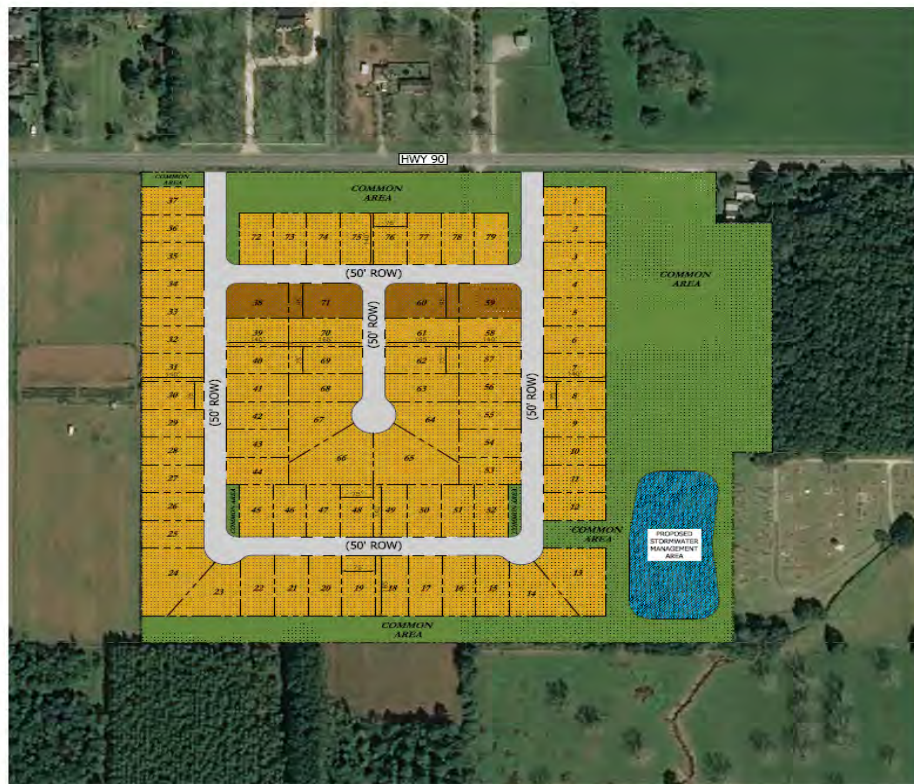
Staff is unaware of any environmental conditions or historic resources that would be adversely impacted by this request.

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

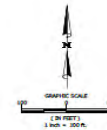
The primary concern under this standard would be traffic impact. Please Standard 4 and Standard 5 listed above.

11.) Other matters which may be appropriate.

Preliminary Site Plan



Jenight & Associates Development Engineers
208 Green Road N., Ste. C Fairhope, Alabama 36532
P.O. Box 1722 Fairhope, Alabama 36531
Phone: (251) 928-5443 Fax: (251) 928-5625
jadeengineers.com



DATE: 1/4/2021

SITE DATA TABLE	
STATE OF ALABAMA COUNTY OF BALDWIN	
TAX PARCEL ID:	42-02-09-0-000-005-000 42-02-09-0-000-006-001 42-02-09-0-000-006-000
PROPOSED PARCEL SIZE:	APPROX. 39.5 ACRES
EXISTING ZONING:	RS-1
PROPOSED ZONING:	RS-4
PROPOSED SINGLE FAMILY RESIDENTIAL LOTS:	79 LOTS
LINEAR FEET OF NEW STREETS:	3,743 LF
AVERAGE RES. LOT SIZE:	11,904 SF
SMALLEST LOT SIZE:	10,500 SF
PROPOSED LOTS SUMMARY:	
FRONT:	30'
SIDE:	10'
REAR:	30'
SIDE STREET:	30'

LOT LEGEND

	75x140 TYP. LOTS (79 LOTS)
	96x140 TYP. LOTS (4 LOTS)
	COMMON AREA

PRELIMINARY SITE PLAN
APPROX. 39.5 ACRES
PROPOSED SINGLE-FAMILY DEVELOPMENT
HWY 90
LOXLEY, AL

Staff Comments and Recommendation

As stated previously, subject property is currently zoned RSF-1, Residential Single Family District, and was previously used as wholesale nursery/Florist. The remainder of the property is used agriculture. The properties adjoin US Highway 90 to the north. The adjoining properties are agricultural and residential. The requested zoning designation is RSF-4, Single Family District. According to the submitted information, the purpose of this request is to allow for development of a single-family residential development.

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

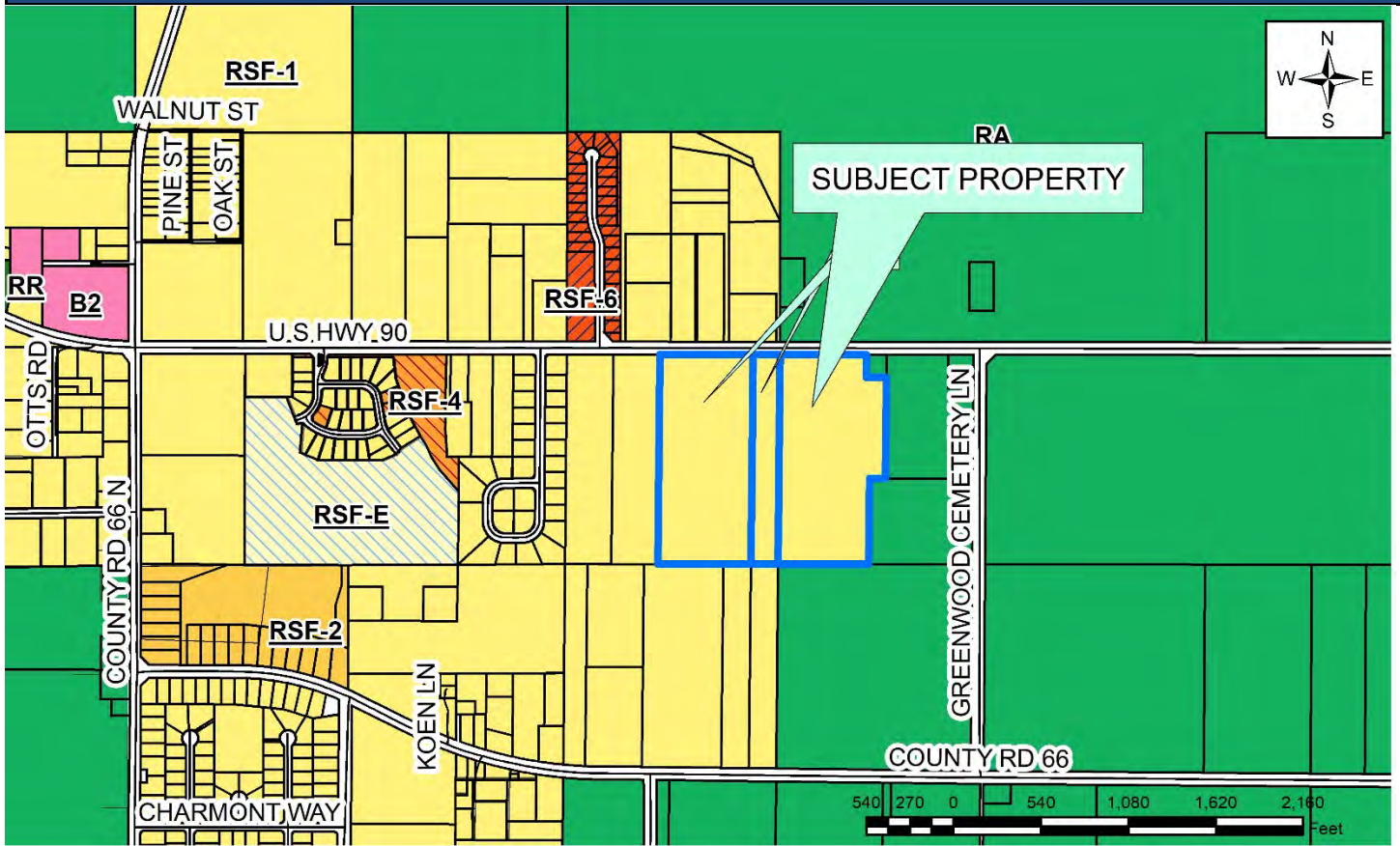
**On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*







Locator Map



Site Map





Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.d

Case No. Z-21009

Cotton Creek RV & Boat Storage Property

Rezone RSF-1, Single Family District to B-4, Major Commercial District

February 4, 2021

Agenda Item 8.d

Subject Property Information

Planning District: 30
General Location: West side of Roscoe Road south of Burkowski Lane
Physical Address: 5167 Roscoe Road
Parcel Number: 05-61-07-35-0-000-010.031
Existing Zoning: RSF-1, Single Family District
Proposed Zoning: B-4, Major Commercial District
Existing Land Use: Vacant
Proposed Land Use: HVAC Office/Shop and Office for RV & Boat Storage Facility
Acreage: 0.70± acres
Applicant: Cotton Creek RV & Boat Storage
PO Box 1033
Gulf Shores, AL 36547
Owner: Cotton Creek RV & Boat Storage
Lead Staff: Linda Lee, Planner
Attachments: *Within Report*

Adjacent Land Use		Adjacent Zoning
North	Vacant	RSF-1, Single-Family District
South	Commercial	B-4, Major Commercial District
East	Vacant	Orange Beach (PUD)
West	Commercial	B-4, Major Commercial District

Summary

The subject property is currently zoned RSF-1, Single Family District, and occupied with one accessory structure. The property adjoins Roscoe Road to the east. The adjoining properties are zoned residential and commercial. The requested zoning designation is B-4, Major Commercial District. According to the submitted information, the purpose of this request is to allow for an HVAC Office/Shop and Office for RV & Boat Storage Facility.

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
Maximum Height in Habitable Stories	2 1/2
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

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:

- | | |
|---|--|
| <ul style="list-style-type: none"> (a) All uses permitted by right under the B-3 zoning designation (b) Amusement park (c) Auto convenience market (d) Automobile parts sales (e) Automobile repair (mechanical and body) (f) Automobile sales (g) Automobile service station (h) Automobile storage (parking lot, parking garage) (i) Boat sales and service (j) Building materials (k) Farm implements | <ul style="list-style-type: none"> (l) Flea market (m) Home improvement center (n) Hotel or motel (o) Manufactured housing sales, service and repair (p) Marina (q) Motorcycle sales service and repair (r) Movie theatre (s) Recreational vehicle park (t) Recreational vehicle sales, service and repair (u) Restaurant, drive-in (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*:

- | | |
|---|--|
| <ul style="list-style-type: none"> (a) Airport (b) Ambulance/EMS service (c) Armory (d) Auditorium, stadium, coliseum (e) Barge docking (f) Broadcasting station (g) Bus and railroad terminal facility (h) College or university (i) Convalescent or nursing home (j) Correctional or penal institution (k) Dog pound (l) Electric power substations (m) Freight depot, rail or truck (n) Hospital (o) Landfill | <ul style="list-style-type: none"> (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.

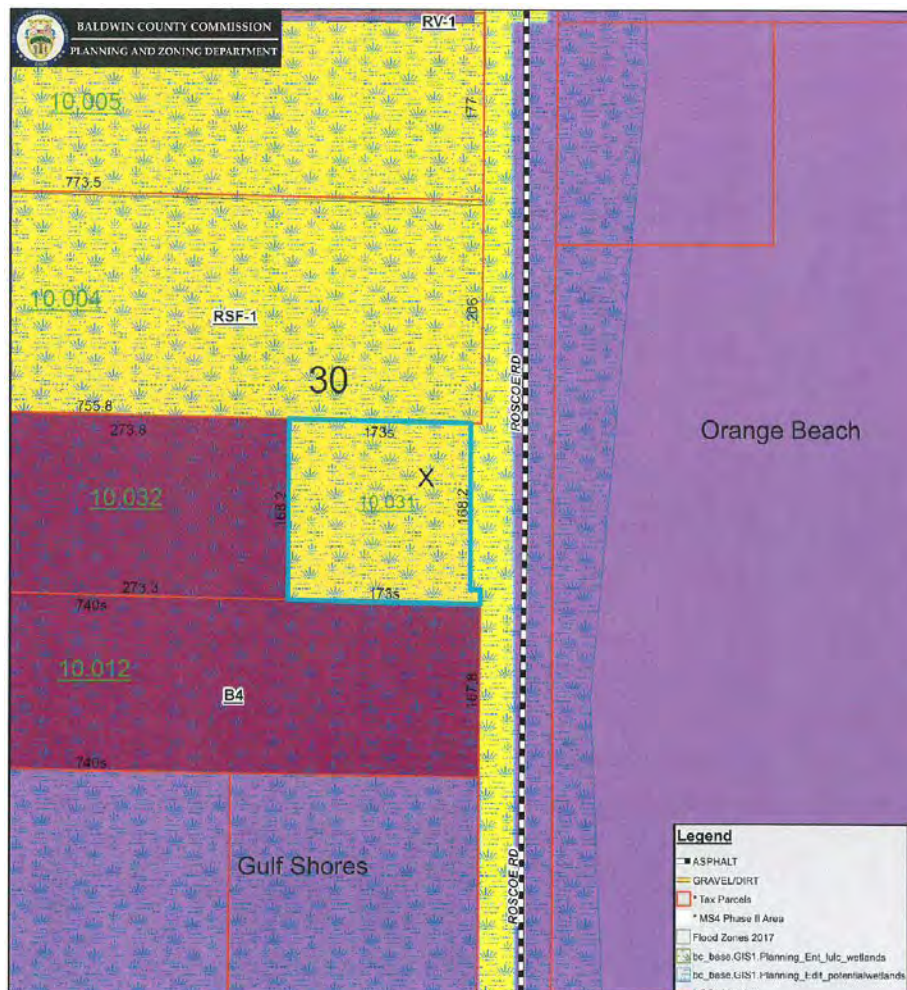
Maximum Height of Structure in Feet	40
Maximum Height of Structure in Habitable Stories	3
Minimum Front Yard	40-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.70
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width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

Boundary Map Submitted by Applicant



Agency Comments

Baldwin County Highway Department:

Army Corps of Engineers: No comments received.

ADEM: No comments received.

Baldwin County Subdivision Department:

From: Mary Booth <MBOOTH@baldwincountyal.gov>

Sent: Monday, January 25, 2021 10:42 AM

To: D Hart <DHart@baldwincountyal.gov>

Subject: RE: Z-21009 Cotton Creek RV and Boat Storage

I do not have any comments unless they intend to subdivide in which they would need to comply with current subdivision regulations.

Municipality:

Alabama Department of Transportation: 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, Single Family District and is occupied with one accessory structure. The requested zoning designation is B-4, Major Commercial District. The adjacent properties are zoned RSF-1 and B-4. The property adjoins Roscoe Road to the east. The adjoining properties are vacant and commercial. The requested change is compatible with the existing adjacent zonings.

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 current zoning is the property's original designation since Planning District 30 was zoned in February 1995. Since that time, more property is now within the municipal limits of Gulf Shores and Orange Beach. The adjacent parcels to the west were rezoned from RSF-1 to B-4 in 2015 and the parcel to the south was rezoned from RSF-1 to B-4 in 2014.

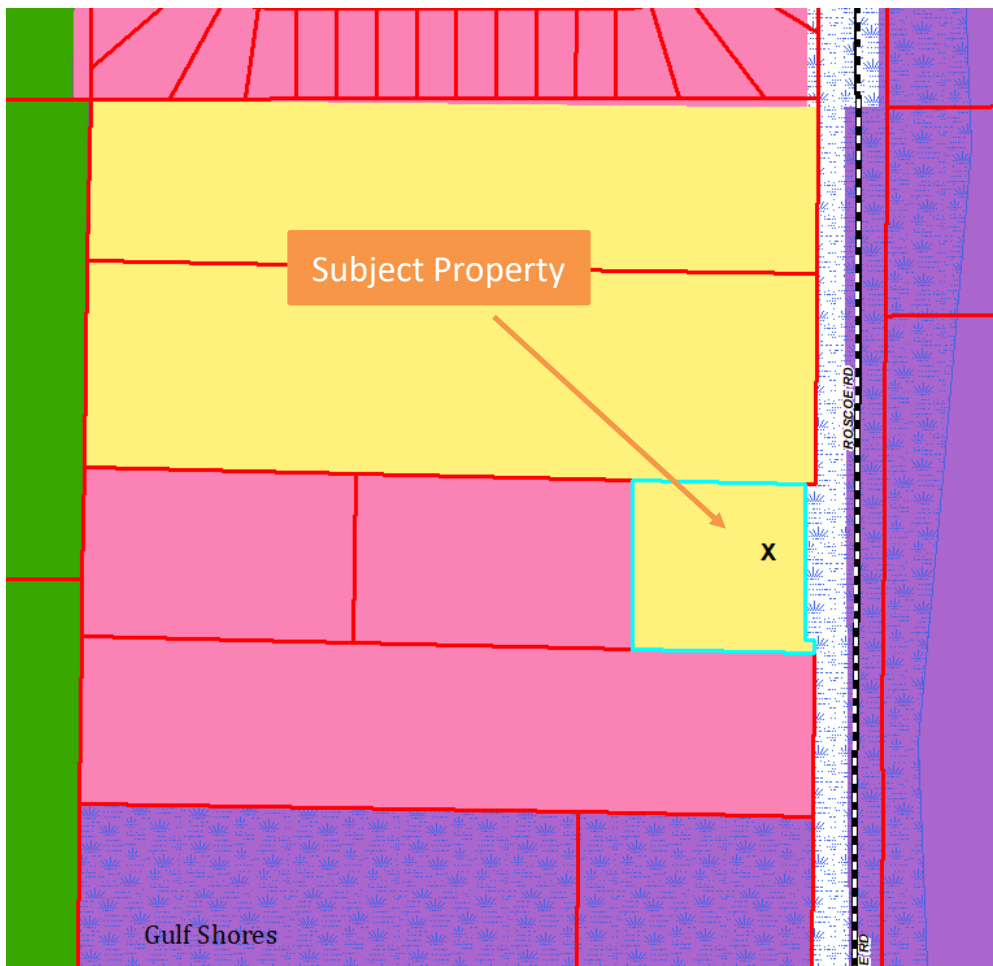
3.) Does the proposed zoning better conform to the Master Plan?

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.

The Baldwin County Master Plan, 2013, provides a future land use designation of Residential for the subject property. The residential 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. Institutional uses, recreational uses and limited neighborhood commercial uses may be included subject to the provisions of the Zoning Ordinance. To the greatest extent possible,

residential areas should be accessible to major thoroughfares connecting with work areas, shopping areas and recreational areas. 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.

Approval of the rezoning will result in an amendment of the Future Land Use Map to commercial. This 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. The adjacent future land use designations to the north, south and east are commercial.



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?

Roscoe Road is not classified by ALDOT and is by default a Local Road with a 40-foot Highway Construction Setback. Access to this site would require approval from the Baldwin County Highway Department. The proposed use is for an HVAC office/shop and Office for the adjacent RV & Boat Storage Facility. The proposed uses should not adversely affect 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.

The primary surrounding land uses are commercial. The adjacent properties to the west and south are zoned B-4. About 500 ft to the north is a 10 +/- acre RV park that was approved as a Special Exception in September of 2013.

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

The proposed amendment is the logical expansion of adjacent zoning districts as the adjacent parcels to the west and south are zoned B-4.

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

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

Staff anticipates no adverse impacts.

11.) Other matters which may be appropriate.

Staff Comments and Recommendation

As stated previously, the subject property is currently zoned RSF-1, Single Family District, and occupied with one accessory structure. The property adjoins Roscoe Road to the east. The adjoining properties are zoned residential and commercial. The requested zoning designation is B-4, Major Commercial District. According to the submitted information, the purpose of this request is to allow for an HVAC Office/Shop and Office for RV & Boat Storage Facility.

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.*







Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.e

Case No. Z-21011

Davis Property

Rezone RSF-E, Single Family Estate District to RSF-2, Single Family District

February 4, 2021

Agenda Item 8.e

Subject Property Information

Planning District: 15
General Location: South side of Rebel Road west of Austin Road
Physical Address: Rebel Road
Parcel Number: 05-43-06-23-0-000-026.000, 026.011, 026.013
Existing Zoning: RSF-E, Single Family Estate District
Proposed Zoning: RSF-2, Single Family District
Existing Land Use: Agricultural
Proposed Land Use: Single Family Residential Development
Acreage: 35.51± acres
Applicant: David Slocum
106-B W. Veterans Boulevard
Auburn, AL 36832
Owner: William Justin Davis
11355 Mockingbird Lane
Fairhope, AL 36532
Lead Staff: Linda Lee, Planner
Attachments: *Within Report*

Adjacent Land Use		Adjacent Zoning
North	Residential and Commercial	B-3, General Business District B-1, Professional Business District RSF-E, Single Family Estate District
South	Agricultural	RSF-E, Single Family Estate District RSF-2, Single Family District
East	Residential	RSF-E, Single Family Estate District
West	Commercial and Agricultural	B-3, General Business District B-1, Professional Business District

Summary

The subject properties are currently zoned RSF-E, Single Family Estate District, and are currently agricultural. The properties adjoin Rebel Road to the north. The adjoining properties are residential, agricultural, and commercial. The requested zoning designation is RSF-2, Single Family District. According to the submitted information, the purpose of this request is to accommodate a single-family residential development with 80-foot wide, 15,000 square foot lots.

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
Maximum Height in Habitable Stories	2 1/2
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 4.3 RSF-2, Single Family District

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

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

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

4.3.3 *Conditional 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.

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

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

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

Maximum Height of Structure in Feet	35-Feet
Maximum Height in Habitable Stories	2 1/2
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	15,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	40-Feet

Agency Comments

Baldwin County Highway Department:

From: Alfreda Jeffords <Weesie.Jeffords@baldwincountyal.gov>

Sent: Friday, January 22, 2021 5:24 PM

To: D Hart <DHart@baldwincountyal.gov>

Subject: RE: Z-21011 Davis Property

DJ,

I have the following comments for Case Z-21011:

- The proposed development is possibly in the ETJ of Daphne. There may be additional requirements by the City of Daphne for residential subdivisions within Daphne planning jurisdiction.
- The Highway construction setback on Rebel Rd (classified as local road) is 40ft from the centerline of ROW.
- The traffic impact study analyzed the current and projected impacts of the development at site entrance. Although right or left turn lanes are not warranted by the study, the County Engineer may require them. No other developments in the area were considered in the future traffic rates on Rebel Rd according to the provided study.
- A site plan is given in the traffic impact study on page 16. While this looks preliminary, no areas were left out for stormwater mitigation or common area.
- The design of the development would be subject to all requirements of the Baldwin County Subdivision Regulations. This location is also in the Fish River Watershed and subject to additional stormwater drainage requirements.



Thank you,

Weesie Jeffords

Baldwin County Commission

Highway Department

Subdivision/Permit Manager

Office: 251.937.0371 ext. 2911

Army Corps of Engineers: No comments received.

ADEM: No comments received.

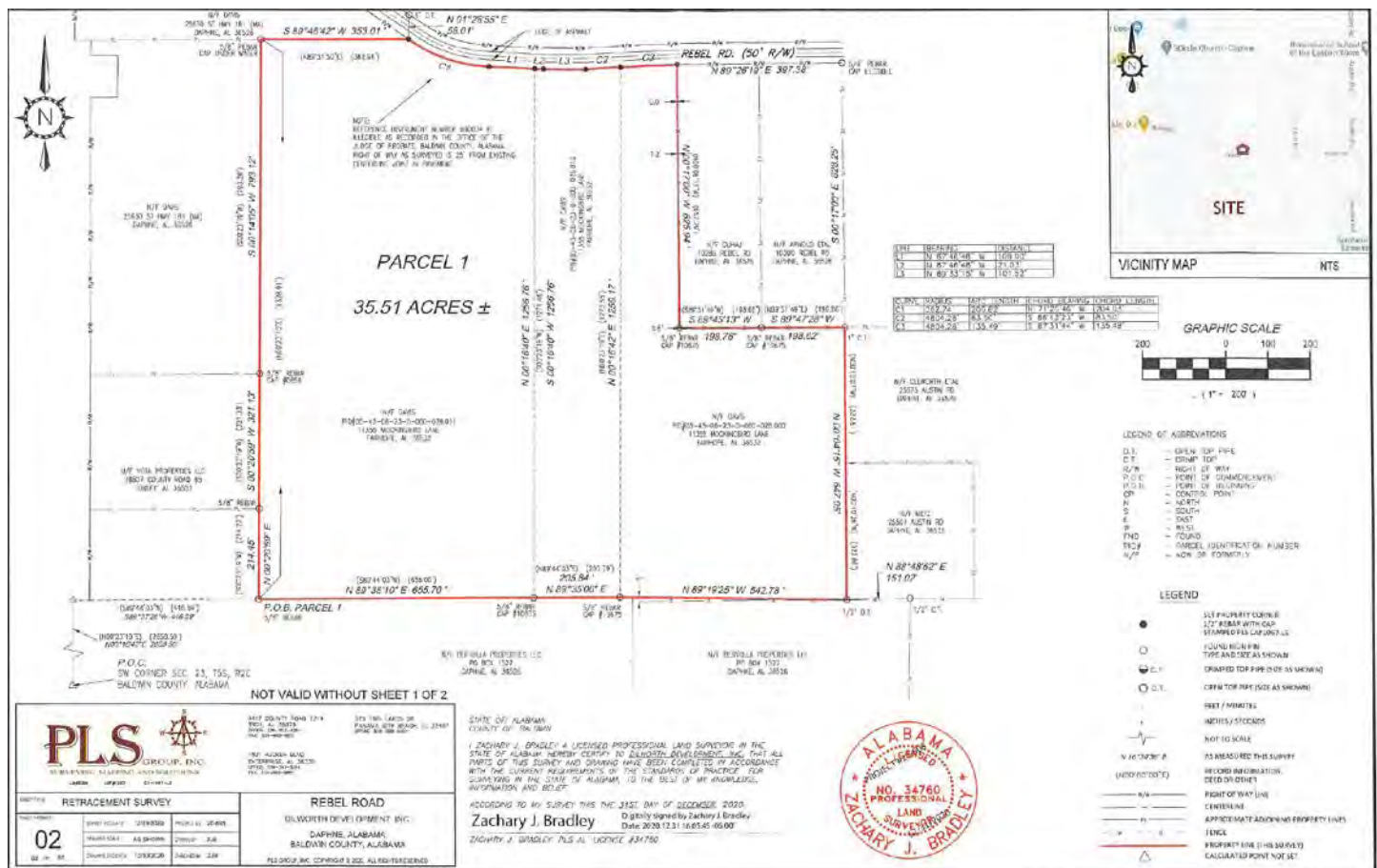
Baldwin County Subdivision Department:

Subject: RE: Z-21011 Davis Property

Subject: RE: Z-21011 Davis Property

Alabama Department of Transportation: No comments received

Survey



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, Single Family Estate District, and are used agriculturally. The adjacent properties are zoned RSF-E, RSF-2, B-1 and B-3. The adjacent uses are commercial, residential, and agricultural. The requested change is compatible with the existing 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 15 zoning map was adopted in August 2006. The subject property was zoned ER, Single Family Estate District at that time. The applicant is proposing to develop the land for a residential subdivision.

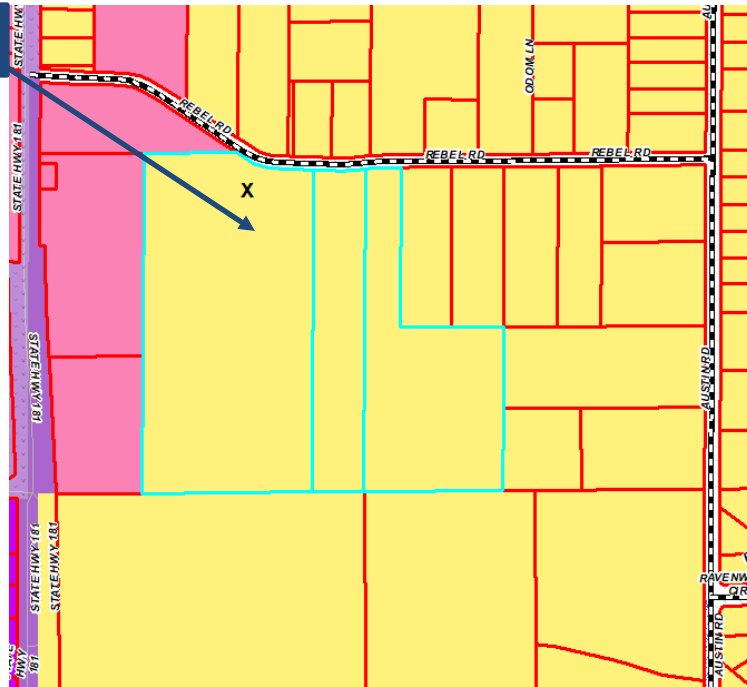
3.) Does the proposed zoning better conform to the Master Plan?

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 Residential has been provided for the subject properties. The residential 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. Institutional uses, recreational uses and limited neighborhood commercial uses may be included subject to the provisions of the Zoning Ordinance. To the greatest extent possible, residential areas should be accessible to major thoroughfares connecting with work areas, shopping areas and recreational areas. 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.

The proposed zoning change conforms to the Master Plan.

Subject Properties



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?

Per the Federal Highway Administration, the functional classification of Rebel 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. Access to this site would require approval from the Baldwin County Highway Department. Please see comments from the 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.

The proposal calls for the development of a single-family subdivision. If the rezoning is approved, approximately 103 lots could be constructed, subject to subdivision approval. Each lot would have a minimum of 15,000 square feet, with a minimum lot width of 80-feet at the building line.

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

This area of Planning District 15 consists mostly of residential zoning districts with commercial zoning districts adjacent to State Highway 181. Adjacent properties to the north, east and south are zoned for residential use.

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

Staff believes that timing is appropriate given development trends in the area.

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

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

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

Staff anticipates no adverse impacts. Access to this site would require approval from the Baldwin County Highway Department. Development of the property will require subdivision approval.

11.) Other matters which may be appropriate.

The Highway Construction Setback for Rebel Road is 40 feet from the centerline of the right-of-way.

Staff Comments and Recommendation

As stated previously, the subject properties are currently zoned RSF-E, Single Family Estate District, and are currently agricultural. The properties adjoin Rebel Road to the north. The adjoining properties are residential, agricultural, and commercial. The requested zoning designation is RSF-2, Single Family District. According to the submitted information, the purpose of this request is to accommodate a single-family residential development with 80-foot wide, 15,000 square feet lots.

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.*

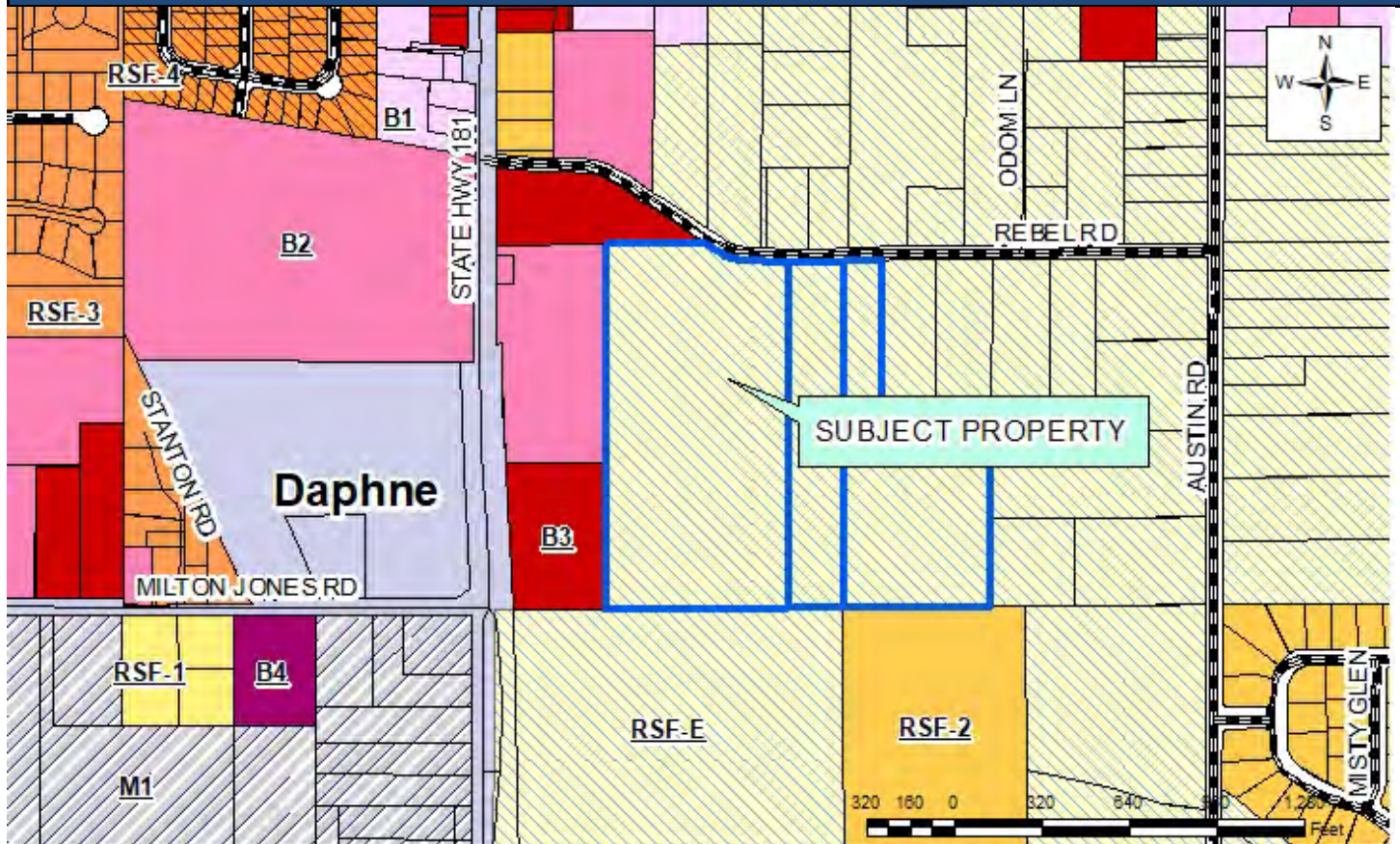
Property Images







Locator Map



Site Map



Baldwin County Planning and Zoning Commission
Case No. S-14013 – Magnolia Shores, Ph 1 & 2
Development Permit Extension Request
Staff Report for Planning and Zoning Commission Public Hearing
February 4, 2021

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:	February 4, 2021 March 7, 2019	Development Permit Extension Request Pending Development Permit Extension Approved
Attachments:	Letter of Request for Extension Vicinity Map Site Map Proposed Plat	

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District:	District 14 – Unzoned
Location of Property:	The subject property is located on the south side of County Road 24 (aka Underwood Road) between Norris Lane and Joe Norris Lane in the Foley area.
Parcel Number:	05-55-05-15-0-000-008.000
Report Prepared By:	Mary Booth; Permit/Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots:	142
Linear Feet of Streets:	+/- 7,446 feet
Total Acreage:	± 58.63 acres
Smallest Lot Size:	± 9,148 SF
Owner/Developer:	Advantaira, LLC FBO Chris H. Neal, IRA 4234 Highland Boulevard Pace, FL 32571
Engineer/Surveyor:	Hutchinson, Moore & Rauch, LLC PO Box 1127 Daphne, AL 36526

Request: The applicant is requesting a 12-month extension of the Development Permit for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

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

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

V. STAFF COMMENTS:

Items for consideration:

- Phase 1 of the development has been completed and final plat was approved on 6/29/2020 and has been recorded. Phase 2 is under construction.
- The Effective Date of an approved Development is 2 years (24 months) from date of approval. If final plat approval has not been granted, the Owner/Developer can request an extension for up to 2 years (24 months). An additional 24 months extension was granted on March 7, 2019 and will expire on March 7, 2021.
- There are no provisions in the subdivision regulations to grant additional extensions. Due to the unforeseen delays in construction due to Acts of God and Nature, construction will not be completed, and Final Plat approval will not be afforded within the 24 months extension period previously approved. Since there are no provisions within the subdivision regulations to grant an additional extension, the Owner/Developer is respectfully requesting a 12-month extension to allow sufficient time to complete construction and obtain Final Plat approval.
- Staff has reviewed the extension request and respectfully requests the Planning Commission grant the additional 12-month extension as there is no provision with the subdivision regulations that will prohibit approval of this extension.

VI. RECOMMENDATIONS:

Staff recommends that the request for a 12-month extension of the Development Permit for Case No. S-14013, Magnolia Shores, Ph 1 & 2, be **APPROVED** as per the comments provided above.

January 13, 2021

Baldwin County Highway Department
Ms. Mary Booth
Post Office Box 220
Silverhill, AL 36576

RE: Magnolia Shores
S-14013

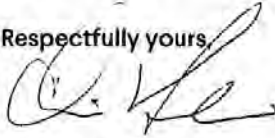
Dear Ms. Booth:

As you are aware, we are running out of time to finish Phase 2 Magnolia Shores by the March 7, 2021 deadline. We are respectfully requesting a 12 month extension for the following reasons:

- COVID-19 delays in materials and work to complete Phase 1.
- Our original intention was to complete and turn over Phase 1 before proceeding with Phase 2.
- Hurricanes Sally, Delta & Zeta combined with continued COVID-19 delays pushed back the start of Phase 2.

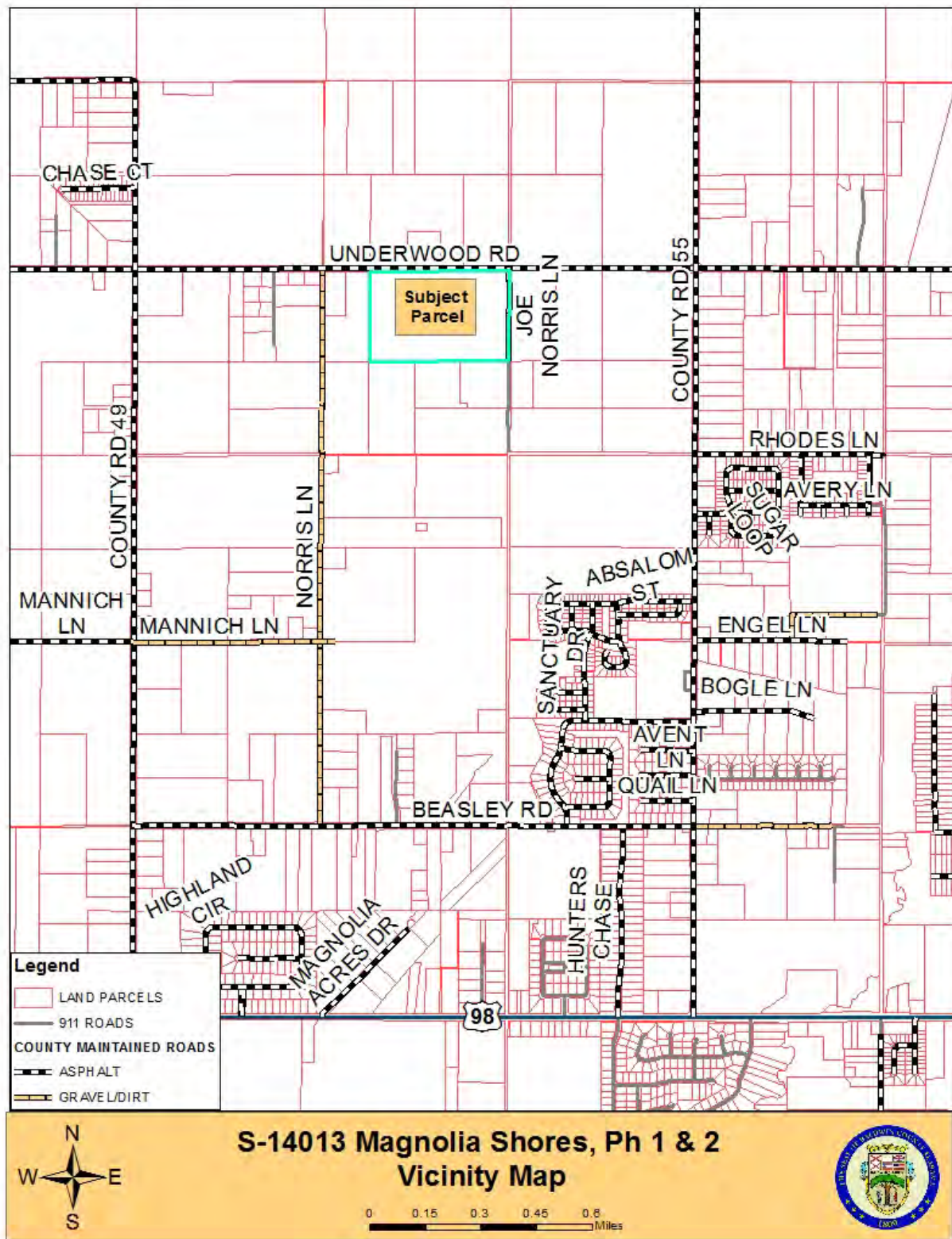
As you can see due to Acts of God and Nature we have been unable to meet the original deadline. We are now working on drainage and utilities in Phase 2 and sincerely appreciate your thoughtful consideration of an extension.

Respectfully yours,



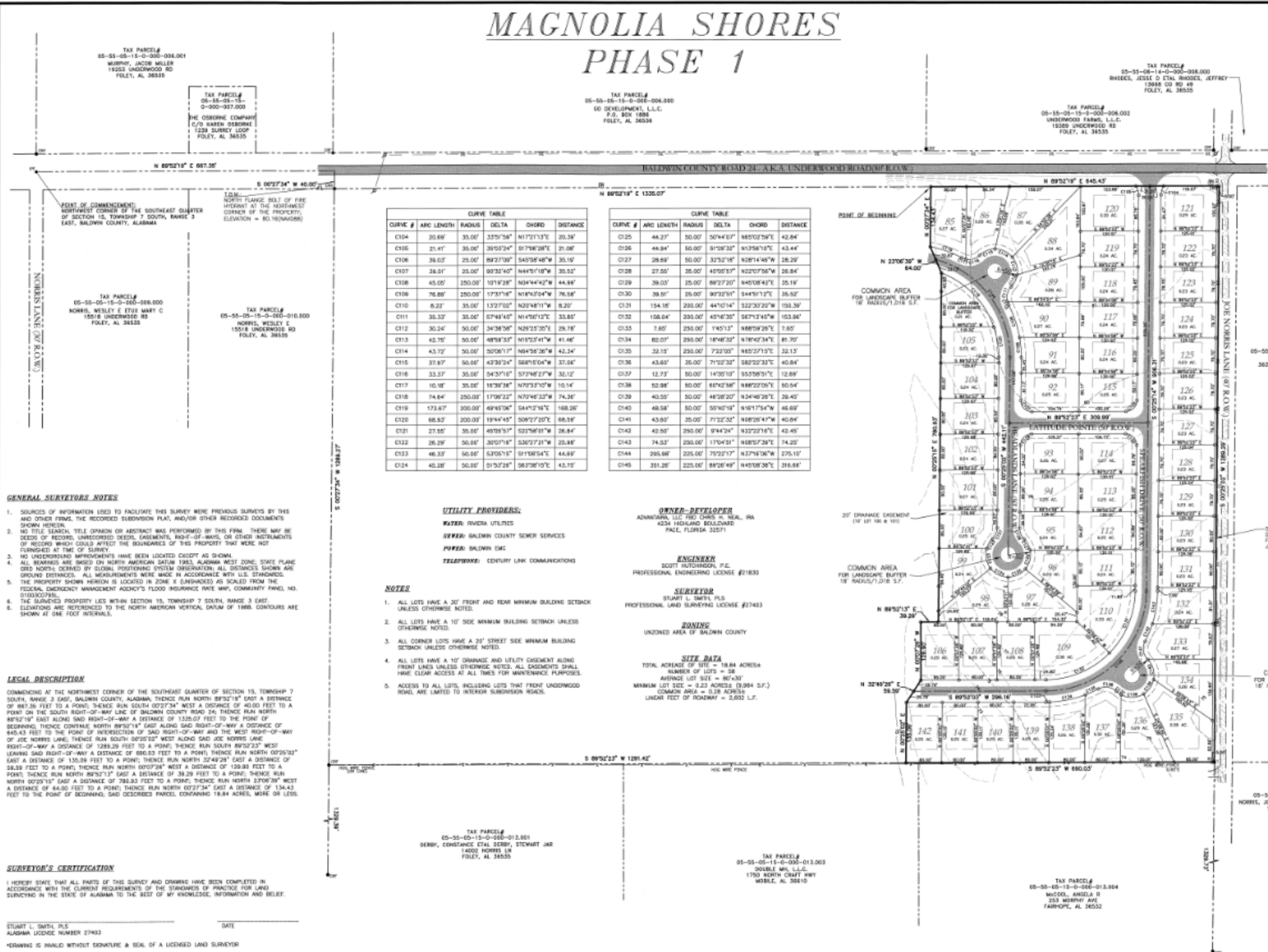
Chris Neal

c: Goodwyn Mills Cawood





MAGNOLIA SHORES PHASE 1



GENERAL SURVEYOR'S NOTES

- SOURCES OF INFORMATION USED TO FACILITATE THIS SURVEY WERE PREVIOUS SURVEYS BY THIS AND OTHER FIRMS, THE RECORDED SUBDIVISION PLAT, AND/OR OTHER RECORDED DOCUMENTS SHOWN HEREON.
- NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY THAT WERE NOT FURNISHED AT TIME OF SURVEY.
- NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
- ALL BEARINGS ARE BASED ON NORTH AMERICAN DATUM 1983, ALABAMA WEST ZONE, STATE PLANE, ZONE 16N, CORNER OF SECTION 15, TOWNSHIP 7 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA. ALL DISTANCES SHOWN ARE GROUND DISTANCES. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS.
- THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE X (UNSHADED) AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 0103030795L.
- THE SURVEYED PROPERTY LIES WITHIN SECTION 15, TOWNSHIP 7 SOUTH, RANGE 3 EAST.
- ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988. CONTIGUOUS ARE SHOWN AT ONE FOOT INTERVALS.

LEGAL DESCRIPTION

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 7 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA, THENCE RUN NORTH 89°52'18" EAST A DISTANCE OF 867.36 FEET TO A POINT; THENCE RUN SOUTH 00°27'34" WEST A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BALDWIN COUNTY ROAD 24; THENCE RUN NORTH 89°52'19" EAST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 1335.07 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°52'18" EAST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 845.43 FEET TO THE POINT OF INTERSECTION OF SAID RIGHT-OF-WAY AND THE WEST RIGHT-OF-WAY OF JOE MORRIS LANE; THENCE RUN SOUTH 00°25'12" WEST ALONG SAID JOE MORRIS LANE, RIGHT-OF-WAY A DISTANCE OF 1289.29 FEET TO A POINT; THENCE RUN SOUTH 89°52'23" WEST LEAVING SAID RIGHT-OF-WAY A DISTANCE OF 680.63 FEET TO A POINT; THENCE RUN NORTH 00°25'12" EAST A DISTANCE OF 135.59 FEET TO A POINT; THENCE RUN NORTH 32°49'28" EAST A DISTANCE OF 58.59 FEET TO A POINT; THENCE RUN NORTH 00°27'34" WEST A DISTANCE OF 129.91 FEET TO A POINT; THENCE RUN NORTH 89°52'13" EAST A DISTANCE OF 38.29 FEET TO A POINT; THENCE RUN NORTH 00°25'15" EAST A DISTANCE OF 782.93 FEET TO A POINT; THENCE RUN NORTH 23°06'39" WEST A DISTANCE OF 84.90 FEET TO A POINT; THENCE RUN NORTH 00°27'34" EAST A DISTANCE OF 134.43 FEET TO THE POINT OF BEGINNING, SAID DESCRIBED PARCEL CONTAINING 18.84 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATION

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

STUART L. SMITH, PLS.
ALABAMA LICENSE NUMBER 27493

DATE

*DRAWING IS INVALID WITHOUT SIGNATURE & SEAL OF A LICENSED LAND SURVEYOR

UTILITY PROVIDERS:

WATER: RIVERA UTILITIES

SEWER: BALDWIN COUNTY SEWER SERVICES

POWER: BALDWIN EMC

TELEPHONE: CENTURY LINK COMMUNICATIONS

NOTES

- ALL LOTS HAVE A 20' FRONT AND REAR MINIMUM BUILDING SETBACK UNLESS OTHERWISE NOTED.
- ALL LOTS HAVE A 10' SIDE MINIMUM BUILDING SETBACK UNLESS OTHERWISE NOTED.
- ALL CORNER LOTS HAVE A 33' STREET SIDE MINIMUM BUILDING SETBACK UNLESS OTHERWISE NOTED.
- ALL LOTS HAVE A 10' DRAINAGE AND UTILITY EASEMENT ALONG FRONT LINES UNLESS OTHERWISE NOTED. ALL EASEMENTS SHALL HAVE CLEAR ACCESS AT ALL TIMES FOR MAINTENANCE PURPOSES.
- ACCESS TO ALL LOTS, INCLUDING LOTS THAT FRONT UNDERWOOD ROAD, ARE LIMITED TO INTERIOR SUBDIVISION ROADS.

OWNER-DEVELOPER

ADVANTAIRA, LLC TWO CHRIS H. NEAL, IRA
4234 HIGHLAND BOULEVARD
PALM, FLORIDA 32571

ENGINEER

SCOTT HUTCHINSON, P.E.
PROFESSIONAL LAND SURVEYING LICENSE #21830

SURVEYOR

STUART L. SMITH, PLS.
PROFESSIONAL LAND SURVEYING LICENSE #27493

ZONING

UNZONED AREA OF BALDWIN COUNTY

SITE DATA

TOTAL ACRES OF SITE = 18.84 ACRES
NUMBER OF LOTS = 58
AVERAGE LOT SIZE = 80+/-
MINIMUM LOT SIZE = 0.23 ACRES (0.994 S.F.)
COMMON AREA = 0.38 ACRES
LINEAR FEET OF ROADWAY = 2,602 L.F.



HUTCHINSON, MOORE & RAUCH, LLC
2039 MAIN STREET
DAPHNE, ALABAMA 36526
ENGINEERS • SURVEYORS
LAND PLANNERS

TEL (251) 626-2626
FAX (251) 626-6934
dophne@hmrengineers.com



**MAGNOLIA SHORES - PHASE 1
PRELIMINARY PLAT**

ADVANTAIRA, LLC FBO CHRIS H. NEAL IRA

SCALE: 1"=100' DATE: 08/16/2014 DRAWN BY: RLT CHECKED BY: SLS SHEET: 1 OF 2

THE PARCELS
88-89-08-15-C-000-000-00
SC DEVELOPMENT, L.L.C.
P.O. BOX 1688
TOLSON, AL 35688

TAD PARCELS
 05-58-03-15-
 D-080-367,806
 THE OSBORNE COMPANY
 C/O BARRY OSBORNE
 2018 TURNER LOOP
 TOLLEY, AL 36575

FAX: 205-336-6666
205-336-1010-10-0-000-000 (EX)
PO BOX 100, WEDLEY C. ETOR, ALABAMA 36036
17518 UNDERWOOD RD.
ETOR, AL 36856

TAX PARCEL#
00-05-00-10-0-000-010-000
MORRIS, WESLEY E
12015 LINDENWOOD RD
FOLEY, AL 36525

706 FARMER
22-22-22-12-2-000-000.00
UNDERWOOD FARMS, L.L.C.
1430 UNDERWOOD RD
70427, AL 36055

TAX PARCEL#
 LG-00-00-14-0-000-000.000
 BUSINESS ADDRESS: 601 N. 1ST ST. S. #100
 TOLSON, AL 36055



CLIMATE TABLE						
CLIMATE	AFC	LEADERSHIP	MAJORITY	DEBTA	CHORO	SEMAN
000	10.01	10.10	10.11	10.12	10.13	10.14
001	10.02	10.11	10.12	10.13	10.14	10.15
002	10.03	10.12	10.13	10.14	10.15	10.16
003	10.04	10.13	10.14	10.15	10.16	10.17
004	10.05	10.14	10.15	10.16	10.17	10.18
005	10.06	10.15	10.16	10.17	10.18	10.19
006	10.07	10.16	10.17	10.18	10.19	10.20
007	10.08	10.17	10.18	10.19	10.20	10.21
008	10.09	10.18	10.19	10.20	10.21	10.22
009	10.10	10.19	10.20	10.21	10.22	10.23
010	10.11	10.20	10.21	10.22	10.23	10.24
011	10.12	10.21	10.22	10.23	10.24	10.25
012	10.13	10.22	10.23	10.24	10.25	10.26
013	10.14	10.23	10.24	10.25	10.26	10.27
014	10.15	10.24	10.25	10.26	10.27	10.28
015	10.16	10.25	10.26	10.27	10.28	10.29
016	10.17	10.26	10.27	10.28	10.29	10.30
017	10.18	10.27	10.28	10.29	10.30	10.31
018	10.19	10.28	10.29	10.30	10.31	10.32
019	10.20	10.29	10.30	10.31	10.32	10.33
020	10.21	10.30	10.31	10.32	10.33	10.34
021	10.22	10.31	10.32	10.33	10.34	10.35
022	10.23	10.32	10.33	10.34	10.35	10.36
023	10.24	10.33	10.34	10.35	10.36	10.37
024	10.25	10.34	10.35	10.36	10.37	10.38

OWNER-DEVELOPER
 AQUARIUM, LLC P.O. BOX 11, NEAL, MO
 4224 HIGHLAND BOULEVARD
 MOORE, FLORIDA 32077

ENGINEER
RODNEY HUTCHINSON, P.E.
PROFESSIONAL ENGINEERING LICENSE #2118

SURVEYOR
STUART L. SMITH, PLS.
PROFESSIONAL LAND SURVEYING LICENSE #27

ZONING
UNZONED AREA OF BALDWIN COURT

SITE DATA
TOTAL ACRES OF SITE = 35.75 ACRES
NUMBER OF LOTS = 84
AVERAGE LOT SIZE = 134,470'
MINIMUM LOT SIZE = 9,211 ACRES, 19,148 S.F.
COMMON AREA = 12.85 ACRES
LINEAL FEET OF ROADWAY = 4,844 L.F.

TAB PARCELA
 22-12-28-14-0-000-012.000
 FOL. 1.1.2
 MAPA-PODERA-SPICEROS-DE
 MONT-AL-PRATO

UTILITY PROVIDERS:
WATER: TOWN OF LITTLETON
SEWER: DACHS (CITY OF SEWER SERVICES)
POWER: DACHS (ECL)
TELEPHONE: SPRINT (SEE COMMUNICATIONS)

SOURCES OF INFORMATION USED TO ELUCIDATE THIS SURVEY WERE PROVIDED SURVEYS BY THE WAU OIL FIELD FILMS; THE RECORDED SURVEILLANCE PLAT AND OTHER OTHER MISCELLANEOUS DOCUMENTS SHOWN HEREON.

NO TITLE SEARCH, TITLE OPINION OR ABSTRACT WAS PERFORMED BY THIS FIRM. THERE WAS NO ATTEMPT TO OBTAIN OR RECOVER RECORDED RECORDS, DOCUMENTS, DEEDS, ETC., OR OTHER INSTRUMENTS OF RECORD WHICH COULD AFFECT THE BOUNDARIES OF THIS PROPERTY BUT WERE NOT FURNISHED AT TIME OF SURVEY.

NO INTERFERENCES OR ENCUMBRANCES HAVE BEEN LOCATED EXCEPT AS SHOWN.

THE SURVEYED PROPERTY IS LOCATED IN THE NORTH 1/4 SECTION 18, T42N, R10E, NE 1/4, PLANE 38 NORTH, SURVEYED BY (LOCAL) HORIZONTAL SYSTEM OBSERVATION, ALL DISTANCES SHOWN ARE GROUND DISTANCES. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. SURVEYING PRACTICES.

ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL SCALE OF 1988. CONTOURS ARE SHOWN AT ONE FOOT INTERVALS.

THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE 8 (UNAPPROVED) AS CALLED FROM THE FEDERAL ELEVATION MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP, COMMUNITIES PANEL 10, DATED 03/03/2000.

THE SURVEYED PROPERTY LIES WITHIN SECTION 18, T42N, R10E, NE 1/4, PLANE 38 NORTH.

[illegible]

I HEREBY STATE THAT ALL DATA OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE BOARD OF PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA IN THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

STUART L. SMITH, PLS.
ALABAMA LICENSE NUMBER 27403
FORMING A WORLD WITHOUT INEQUALITY & HATE OF A LICENSED LAND SURVEYOR

THE PAROLE
115-50-60-15-B-000-013.00
OLSON, CHRISTIAN E.TAL OLSON, EDWARD JAR
3402 WORTH LN
TOLSON, AL 50535

TAX PARCEL#
85-05-05-15.0-000-013.005
GIBBLE MH, L.L.C.
1710 NORTH CRAFT RD
MOBILE, AL 36612

TAX LABEL:
00-00-00-13-0-000-D11-884
McCOOL, ANGELA B
253 MORRIS AVE
FARMHURST, AL 36526

1. ALL LOTS HAVE A 30' FRONT AND REAR MINIMUM BUILDING SETBACK UNLESS OTHERWISE NOTED.
2. ALL LOTS HAVE A 10' SIDE MINIMUM BUILDING SETBACK UNLESS OTHERWISE NOTED.
3. ALL EXISTING LOTS HAVE A 30' STREET SIDE MINIMUM BUILDING SETBACK UNLESS OTHERWISE NOTED.
4. ALL LOTS HAVE A 10' SIDEWALK AND YARDLIGHT EASEMENT RUNNING FRONT YARD UNLESS OTHERWISE NOTED. ALL EASEMENTS SHOULD HAVE CLEAR ACCESS AT ALL TIMES FOR MAINTENANCE PURPOSES.
5. ACCESS TO ALL LOTS, INCLUDING LOTS THAT FRONT ON LAGOSWOOD ROAD, ARE LIMITED TO INTERIOR SUBDIVISION ROADS.



2039 MAIN STREET
DAPHNE, ALABAMA
36526

ENGINEER • SURVEYOR
LAND PLANNER

TEL (251) 626-2626
FAX (251) 626-6834
dapline@mmengineers.com



ADVANTAIRA, LLC FBO CHRIS H. NEAL IRA

SCALE 1"=100'	DATE 09/18/2014	DRAWN BY RLT	CHECKED BY SLC	SHEET 1 OF 2
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