

**PLANNING AND ZONING
BOARD OF ADJUSTMENT NUMBER 2**

AGENDA

February 11, 2021

Regular Meeting 3:30 p.m.

Baldwin County Satellite Courthouse

Large Meeting Hall

201 East Section Avenue

Foley, Alabama

1. Call to Order
2. Roll Call
3. Election of Officers for 2021
4. Approval of Previous Meeting Minutes (December 10, 2020)
5. Announcements/Registration to Address the Board of Adjustment
6. Consideration of Applications and Requests

ITEMS:

a.) Case No. SE-21002, Beasley Properties LLC Property

Request: approval of a special exception to allow for a forty-five (45) site RV Park.

Location: The subject property is located at 27069 US Highway 98 in Planning District 22

Attachments: *Within Report and Attached*

7. Old Business
8. New Business
9. Adjournment

Baldwin County Commission District 4, Board of Adjustment
December 10, 2020
Regular Meeting Minutes
Foley Satellite Courthouse
Large Meeting Room

The Board of Adjustment for Baldwin County Commission District 4 met in a regular session on December 10, 2020 at 3:30 p.m., in the Baldwin County Foley Satellite Courthouse Large Meeting Room. Vice-Chairman, Ernie Church called the meeting to order. Members present included: Michael Swansburg, Jack Danley, Theron I.V. Mashburn, Johanna Moloney and John Hilderbrandt. Staff members present were Linda Lee, Planner and Paula Bonner, Planning Technician.

The first order of business was approval of the minutes from the November 12, 2020 meeting. Mr. Hilderbrandt made a motion to approve the meeting minutes. The motion received a second from Ms. Moloney and carried unanimously.

V-200031 Chapman Property

Mrs. Lee presented the applicant's request for approval of a variance from the rear setback requirement to allow for a screen enclosure over an existing patio. Staff recommended approval of the variance request.

Mr. Matthew Chapman spoke in favor of the variance request and answered questions from the board.

Following a short discussion, Ms. Moloney made a motion to approve the variance request. The motion received a second from Mr. Hilderbrandt and carried unanimously.

V-200032 Tucker Property

Mrs. Bonner presented the applicant's request for approval of a variance from section 13.1.2(b) of the Baldwin County Zoning Ordinance pertaining to an accessory structure in the front yard to allow for an existing carport to remain. Staff recommended denial of the variance request. Staff answered questions from board members.

Mr. Kristian Tucker spoke in favor of the variance request and answered questions from the board.

Following a lengthy discussion, Ms. Moloney made a motion to approve the variance request. The motion failed on the lack of a second. Mr. Danley made a motion to approve with the conditions if the structure is destroyed it must come into compliance with the Zoning Ordinance and no enhancement to the structure is allowed. The motion received a second from Ms. Moloney and failed on a vote of four in favor and two against.

V-200033 DeLong Property

Mrs. Lee presented the applicant's request for approval of a variance from the front setback requirement to allow for the construction of a swimming pool. The POA issued a letter in support of the variance. Staff recommended approval of the variance request.

Mr. Michael Lovett spoke in favor of the variance request.

Mr. Hilderbrandt made a motion to approve the variance request. The motion received a second from Mr. Mashburn and carried unanimously.

New Business

Mrs. Lee reminded the board that their name is changing and their alternates will now be supernumerary.

Adjournment

There being no further business to come before the board the meeting was adjourned at 4:10 p.m.

Respectfully Submitted,

Linda Lee, Planner

I hereby certify that the above minutes are true, correct and approved this _____ day of _____, 2021.

Ernie Church, Vice-Chairman



Baldwin County Planning & Zoning Department

County Commission District #4

Board of Adjustment Staff Report

Case No. SE-21002

Beasley Properties LLC Property

Approve Special Exception for Recreational Vehicle (RV) Park

February 22, 2021

Subject Property Information

Planning District: 22
General Location: Northeast Corner of Breman Road and US Highway 98
Physical Address: 27069 US Highway 98
Parcel Number: 05-53-05-22-0-000-010.001
Zoning: RA, Rural Agricultural District
Request: Special Exception approval to allow for a 45 site Recreational Vehicle (RV) Park
Applicant: James Harris
32769 Carrier Drive
Lillian, AL 36549
Owner: Beasley Properties LLC
23554 US Highway 72 E
Athens, AL 35613
Lead Staff: Linda Lee, Planner
Attachments: *Within Report*

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

Summary and Discussion

The applicant has requested Special Exception approval to allow for a forty-five (45) site recreational vehicle (RV) park.

Current Zoning Requirements

Section 3.2 RA Rural Agricultural District

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

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

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

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

- (a) The following general commercial uses: recreational vehicle park (see *Section 13.8: Recreational Vehicle Parks*).
- (b) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

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

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

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

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

As stated above, the applicant has requested Special Exception approval to allow for a forty-five (45) site recreational vehicle (RV) park.

The subject property, which consists of approximately 5.4 acres, is zoned RA, Rural Agricultural District. A recreational vehicle park may be allowed under the RA designation, subject to Special Exception approval by the Board of Adjustment. According to the site plan, the density of the park would be approximately 9.6 campsites per acre.

In determining whether or not to grant approval, the Board should evaluate the proposal according to the recreational vehicle park standards which are set out in Section 13.8 of the *Baldwin County Zoning Ordinance*. The relevant requirements from the section are listed as follows:

Section 13.8 Recreational Vehicle (RV) Parks

13.8.1 *Purpose*. The purpose of this section is to establish minimum standards for recreational vehicle parks.

13.8.2 *Procedures and standards*.

(a) *Land use certificate required*. All recreational vehicle parks 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*. Except as provided in *Section 2.3.26.4(b)* and *Section 2.3.31.4*, recreational vehicle parks are permitted as follows:

1. High Density
 - A. RV-1, B-4, M-1 and M-2 by right.
 - B. B-3 by conditional use approval.
 - C. RR, RA and CR by special exception approval.
2. Low Density
 - A. RV-1, RV-2, B-4, M-1 and M-2 by right.
 - B. B-2, B-3 and OR by conditional use approval.
 - C. RR, RA and CR by special exception approval.

(c) *Occupancy*. A recreational vehicle shall not be occupied as a living quarter unless it is located in a recreational vehicle park as herein provided or as provided in *Section 12.2.2*. **No recreational vehicle shall be used as a permanent dwelling. Continuous occupancy extending beyond 4 months in any 12-month period shall be considered permanent occupancy.**

(d) *Storage and parking*. Recreational vehicles may be parked or stored in residential districts as provided in *Section 15.3.9: Storage and parking of trailers and commercial vehicles*.

(e) *Maximum density*.

1. High Density: 15 campsites per acre
2. Low Density: 6 campsites per acre

(f) *Land area.* The minimum land area of a recreational vehicle park shall be three (3) acres.

(g) *Use.* Use of spaces in recreational vehicle parks is limited to recreational vehicles.

(h) *Water and sewer facilities.*

1. *Water.* Each recreational vehicle park shall be served with a public/private water supply system capable of providing domestic water use and fire protection.

2. *Sewer.* Each recreational vehicle park shall be served with sanitary sewer facilities meeting all requirements of the Baldwin County Health Department.

(i) *Setbacks.*

1. No space shall be so located that any part intended for occupancy for sleeping purposes shall be within 30-feet of any property line.

2. Recreational vehicles must be separated from each other and from other structures by at least 10-feet.

(j) *Access.*

1. No recreational vehicle park 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. No entrance or exit shall be through an existing residential subdivision.

3. Access drives must be a minimum of 24-feet wide for a two-way street and 12-feet wide for a one-way street and must be improved with a suitable hard surface permanent type of pavement such as asphalt, concrete, limestone or other similar surface approved by the Planning Commission.

(k) *Accessory uses.* Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to the operation of a recreational vehicle park are permitted as accessory uses.

(l) *Sites.*

1. Each recreational vehicle site must be at least 1,600 square feet in area.

2. Each recreational vehicle site must contain a parking pad improved with a suitable all-weather surface.

3. Each recreational vehicle site must contain at least one (1) off-street parking space improved with a suitable all-weather surface.

(m) *Buffering.* In the event a recreational vehicle park is located adjacent to residentially 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. No buffer will be required if the recreational vehicle park is located adjacent to agricultural, commercial, industrial or recreational property.

Next, the Board should consider the Special Exception standards which are listed below.

Section 18.8 Special Exceptions

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

18.8.4 Standards for approval. A special exception may be approved by the Board of Adjustment 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.
- (b) The proposed use shall be consistent with the community welfare and not detract from the public's convenience at the specific location.
- (c) The proposed use shall not unduly decrease the value of neighboring property.
- (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.

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

The subject property is accessible to County Road 26 W. The majority of the surrounding land is residential. As a result, the proposed recreational vehicle park would not be compatible with the surrounding area and could impose substantially negative impacts to traffic, Weeks Creek and property values. Finally, the 2013 Master Plan shows a future land use designation of Agricultural.

Agricultural

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

STAFF RECOMMENDATION

The zoning designations in this area are rural agricultural, residential, and commercial. Due to the residential and institutional uses adjacent to the subject property staff feels this is not an appropriate location for a recreational vehicle park and recommends the applicant's special exception request be **DENIED**. There are currently two RV parks under construction on US Hwy 98 east of this property.

If the Board feels this is a reasonable request and approves the special exception request, please considered the following conditions:

- Approval shall be for this applicant and at this location only.
- Approval subject to issuance of access permit from the Baldwin County Highway Department
- Expansion of the park and/or changes to the site plan will necessitate further Special Exception review and approval.
- A 25' landscape buffer on the north and west side of subject property adjacent to the rural districts. (see landscaped buffer requirements)
- A 10' landscape buffer in required setback adjacent to US Highway 98

**A majority vote of the members will be necessary to approve this request.*

GENERAL NOTES {By-laws}

Any party aggrieved by a final judgment or decision of the Board may within fifteen (15) days thereafter appeal therefrom to the Circuit Court, but without expense to the Board of Adjustment, appear in person or by attorney in the Circuit Court or any other court, in defense of said order of the Board or in a trial de novo.

Whenever the Board imposes conditions with respect to a project or variance, such conditions must be stated in the Board Order and in the permit(s) issued, pursuant thereto by the Administrative Officer. Such permits shall remain valid only as long as the conditions upon which it is granted and the conditions imposed by the Zoning Ordinance are adhered to.

Baldwin County Highway Department:

Ms. Linda,

Additional to Mary's comments:

1. **Stormwater needs to be mitigated on site.** These will need to be prepared by a licensed PE in Alabama. The full drainage requirements are located within the Subdivision Regulations.
I am concerned they are going to use the area along US HWY 98 for drainage, although it is not labeled on the site plan provided. This is not the current flow path of water on site and could cause problems to culverts on HWY 98 and the intersection at Breman Rd. Outlet control structures for retention/detention areas are not allowed in the Highway Construction Setbacks.
Discharges to the State ROW requires permitting through ALDOT.
2. Both entrances could be permitted through a Commercial ROW Access Permit if they are to remain on Breman Rd. **Since the site will provide access for RVs, the drives should have minimum 40ft radius at the edge of pavement.** Full requirements are located in the Industrial/Commercial/Residential Multiunit Right-of-way Access and Drainage Impact Permit application (Commercial Turnout Permit).
3. **Additional requirements may be requested by the County Engineer for approval of the connections in the ROW such as turn lanes.**

Let me know if you need anything else.

Thank you,
Weesie

Baldwin County Subdivision Department:

Linda,

I offer the following comments:

- It appears they will be using the entire parcel for the RV Park with access along Breman Road. A permit will be required through the Highway Department to access Breman Road and Weesie will respond on same. The applicant will need to submit an application for a Planned Development – Final Site Plan prepared by a Licensed PE in the State of Alabama for review and consideration of approval by the BC Planning Commission.
- This parcel is located within Elberta's ETJ. The applicant will need to verify if additional approval is required by the Town of Elberta and provide written documentation if not governed by their subdivision regulations or approval thereof if it is governed by their subdivision regulations.

Thanks,

Mary Booth, CAPZO
Subdivision Coordinator

Municipality:

Good afternoon Ms. Linda:

Please note some comments regarding Beasley Properties LLC Property:

Has a traffic study been performed pursuant to the proximity of the proposed to the intersection of US 98 and Breman Road to determine requirements for future turn lanes, etc.?

Has ALDOT considered a red light for the intersection to assist with traffic flow due to the proximity of the proposed to the intersection?

Has Applicant/ALDOT considered ingress/egress of US Hwy 98 in lieu of Breman Road?

The town is in construction of a Sportsplex (ball and soccer fields) approximately 1/2 mile south of the proposed on Breman Road. The availability of lease spaces to accommodate future tournament participants may be an asset to our area but efficient traffic flow will be an essential element as well.

Many thanks,
Caryn

Caryn H. Woerner
Town Clerk/Administrator
Planning and Zoning Facilitator

Alabama Department of Transportation:

Good morning Linda,

I would suggest that you have them evaluate the connection of Breman Rd to US 98 to determine if any radii improvements are needed based upon their design RV size and turning movements. If not adequately sized, the repeated off-tracking of RV's would present ruts in the radii that would become maintenance issues. ALDOT would also require any site runoff and direct drainage release to ALDOT ROW be reviewed and permitted by my office.

Thank you for reaching out, if you have any other questions or sites, please let me know.

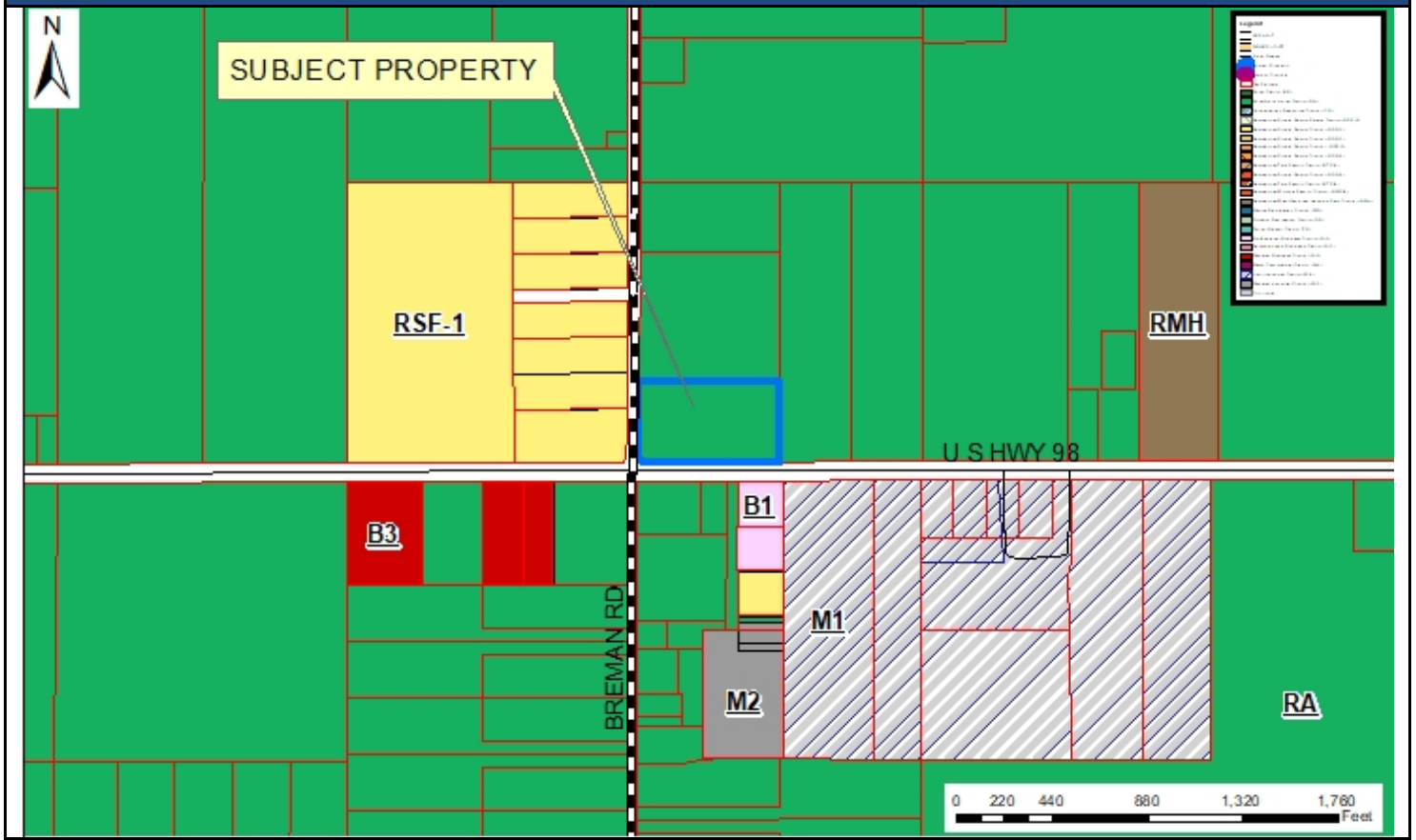
MICHAEL SMITH
AREA PERMIT MNGR.







Locator Map



Site Map – 2018 Aerial Photography



Proposed Site Plan



<p>SITE DATA:</p> <p>PROPERTY SIZE: 5.4 ACRES</p> <p>CURRENT ZONING: RA (RURAL AG DISTRICT)</p> <p>PROPOSED USE: RV PARK - HIGH DENSITY</p> <p>PERMITTING USE ALLOWED BY: SPECIAL EXCEPTION APPROVAL</p> <p>ZONING SETBACK PER SECTION 13.8.2(i)</p> <ul style="list-style-type: none">- NO RV SPACE CLOSER THAN 30 FEET FROM ANY PROPERTY LINE.- RVs SPACED AT LEAST 10 FEET FROM ONE ANOTHER <p>MAX DENSITY:</p> <p>ALLOWED FOR HIGH DENSITY - 15 CAMPSITES PER ACRE</p> <p>PROVIDED - 9.6 CAMPSITES PER ACRE</p> <p>RV SITE DATA:</p> <p>EACH SPOT AREA = $\pm 1,800$ SF</p> <p>PAD PARKING SURFACE WILL BE ALL WEATHER SURFACE</p> <p>WILL CONTAIN 1 OFF-STREET PARKING SPACE WITH ALL WEATHER SURFACE.</p>	<p>CONCEPTUAL</p> <p>SEAL</p>
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No data shown for required number of off-street parking spaces for Office and Laundry. Also no dimensions shown for RV sites and parking spaces.

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**.

Opposition Letter

Baldwin County Planning and Zoning Department
P.O. Box 220
Silverhill, AL 36576
Attn: Ms. DJ Hart

Dear Ms. Hart:

Please accept this letter as my strong objection to the proposed Zoning change request Case Number SE-21002. I am an adjacent property owner and I would appreciate you providing this letter to your staff and the Council. I apologize in advance for the length of this letter, but feel the necessity to fully inform the decision makers of the basis for my objection and the previous zoning change efforts of this immediate area of Breman Rd. While I realize this current request is a use variance and not a rezoning it will have the same effect or worse than the previous attempts to rezone property in the immediate area.

Brief History of Immediate Area of Breman Rd.

In April of 2019, I spoke to you regarding another piece of property adjacent to my residence on Breman Rd., regarding the owners' effort to change the zoning for an RV park. (This property is only about 100 yards north of the subject property) You informed me the owners' had withdrawn that plan understanding the difficulty of its approval based on current development of the area. They reapplied to change the zoning to an R4. This was met with heavy objections from the Breman Rd residents and your office recommended a denial to the board. That case number was Z-19016. After that hearing the board voted to deny the change. The petitioners withdrew that request and reapplied for a change to an R3. That case number is Z-19027. This also did not carry your office's recommendation and was heavily objected to by the residents of Breman Rd. That case went to the board and they voted to deny the request. That case went one step further to the Council in Bay Minette who voted to deny the request. It was felt that those requests were inconsistent with the current and future development of Breman Rd and would adversely affect traffic and did not provide a basis for a change provide by Article 19. I mention this history because I believe it is substantial evidence that the Zoning Board wishes to preserve the current type of development on-going on Bremen Rd and preserve the current residents' investment value. The property in the cases above is currently under development with fifteen 1 to 1½ acre lots for residential housing. Breman Rd is predominately estate sized residential lots from 2 to 3 acres with 4 houses recently constructed and 2 more with planned construction this year.

Objection based on Article 18.8 Variance - Special Exception

- **18.8.4 (c) 18.11.4(c) - Diminished property values** in the immediate area for those who have recently made a significant investment in the area and the difficulty of those values to fully appreciate in the future.
- **18.8.4 (d) 18.11.4 (d)- The use is not compatible with the surrounding area.**
- **18.8.4 (d) and 18.6.2 (d) Significant increase in volume of traffic** which would consist of very heavy trailered vehicles for what has typically been a farm road with very light traffic.
- **18.6.2 (c) The application is not necessary for the preservation of a property right and is merely to serve as an economic convenience to the applicant.**

While everyone concerned about this change understands that zoning (use variances) are never a constant, changes to current zoning should be about protecting current property owners' value and should benefit the local residents and the community as a whole. The request lacks all of these. It would be inconsistent to allow the current change to allow 45 RV lots based on its total lack of conformity to the current development. The previous zoning denials referenced above were deemed not compatible with the current development and lacked tangible evidence to support the change for the overall benefit of the community. Based on the previous two rulings for a much less egregious change in zoning and supported by Article 18 requirements, we would appreciate the Zoning Board's consistency and continue to protect the local residents' investment and deny the request.

Sincerely
Bruce and Renae Austin
13147 Breman Rd
Elberta AL 36530

February 3, 2021

Baldwin County Planning and Zoning
Attn: DJ Hart

To Whom it May Concern:

We are writing today to express our adamant objection to the Special Exception request SE-21002 for the property located at 27069 US Hwy 98, Elberta. We own Lot 6 in the Grove of Elberta subdivision which sits across Breman Road and to the North of the subject property. We purchased our residential, 2 acre lot with restrictive covenants with the intention of building our dream home where we will raise our 2 young children. Like much of the unincorporated area surrounding Elberta, Breman Road is a beautiful mix of residential and agricultural uses and those of us in the area purchased our property because of this fact.

- We are seriously concerned how the addition of 45 camp sites on a small 2 lane county road would affect traffic and safety on Breman Road. RV's and travel trailers often have a wide turning radius and with the proposed use of Breman Road for ingress and egress the intersection of Breman and Hwy 98 will easily become a traffic nightmare if 1 or more rv's are attempting to negotiate the road and intersection along with other vehicles.
- Unfortunately, campgrounds have become notorious havens for long term tenants and an eyesore with broken down rv's that are no longer road worthy. While we understand the county has implemented standards for length of stay at RV parks, we would ask who is responsible for enforcing this? And how often do inspections of these rv parks take place. In addition, the condition of the rv's allowed to rent spots in the park is at the sole discretion of the property owner. We certainly did not purchase our residential lot to be faced with a herd of derelict rv's every time we walk outside our front door.
- Most of us on Breman Road are currently using or intend to use our property as our Long-Term Permanent residence. In the event this rv park IS able to limit lengths of stay, we do not want to be subjected to the revolving door of short-term travelers that frequent the tourist prone areas of our county. We understand tourism is a valuable part of our county economy, but we are choosing to live where we do to avoid being in the middle of a commercial tourism area.

In closing, the best way to summarize how we feel about this type of development is to say, Breman Road in Elberta **IS NOT** the place for an RV park. This type of development **IS NOT** compatible with the type of residential and agricultural uses in the immediate area. Please **DO NOT** allow short-term commercial accommodations across from our permanently residential property.

Sincerely,
Carla and Jason McClinton
Owners of Lot 6 – Grove of Elberta
13183 Breman Road
(251) 752-4682