



## Baldwin County Planning & Zoning Commission Agenda

Thursday, June 2, 2022

4:00 p.m.

Baldwin County Central Annex

Main Auditorium

22251 Palmer Street

Robertsdale, Alabama

[www.planning.baldwincountyal.gov](http://www.planning.baldwincountyal.gov)

1. **Call to order.**
2. **Invocation and prayer.**
3. **Pledge of Allegiance.**
4. **Roll call.**
5. **Approval of meeting minutes:**
  - May 5, 2022 Work Session Minutes
  - May 5, 2022 Meeting Minutes
6. **Announcements/Registration to address the Commission.**
7. **Consideration of Applications and Requests: Subdivision Variance Case**



**a.) Case, SV22-10, Sorzano Variance Request**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting a variance from the rear yard drainage and utility ROW setback to allow construction of a swimming pool.

Location: The subject property is located at 15436 Troon Drive in the Woodmont, Phase 2 Subdivision.

**8. Consideration of Applications and Requests: Rezoning Cases**

**a.) Case CSP22-8, Empire Construction Property**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Commission Site Plan Approval to allow construction of a new office building for a construction company.

Location: The subject property is located at 8188 Well Road in Planning District 15

**b.) Case CSP22-9, Wise Properties, LLC Property**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Commission Site Plan Approval to allow construction of a 1,000 sq. ft. addition to an existing building,

Location: The subject property is located at 9930 Milton Jones Rd in Planning District 15.

**c.) Case CSP22-10, Fort Morgan Marina LLC Property**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Commission Site Plan Approval for a temporary trailer.



Location: The subject property is located at 1577 Hwy 10 Suite B in Planning District 25

**d.) Case CSP22-11, North Alabama Property Leasing Property**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Commission Site Plan Approval to allow construction of one 27,000 sq. ft. addition to an existing building and one 55,000 sq. ft addition to an existing building.

Location: The subject property is located at 26320 Railroad Ave. in Planning District 12.

**9. Consideration of Applications and Requests: Subdivision Cases**

**a.) Case, SC21-3, Caney Branch Subdivision**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Preliminary Plat approval for a 6- lot subdivision to be known as Caney Branch Subdivision.

Location: The subject property is located on the west side of Co Rd 93, north of US Hwy 98 near the Lillian Community.

**b.) Case, SC22-6, Baudin Acres Subdivision**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Preliminary Plat approval for a 3- lot subdivision to be known as Baudin Acres Subdivision.

Location: The subject property is located on the east side of Baudin Lane, east of Co Rd 26 near the town of Magnolia Springs.

**c.) Case, SC22-12, Joshua Acres Subdivision**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Preliminary Plat approval for a 10- lot subdivision to be known as Joshua Acres Subdivision.

Location: The subject property is located on the east side of Lottie Road, north of Doil Hadley Rd, in the Lottie Area.



**d.) Case, SPP22-3, Cottonwood Estates**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Preliminary Plat approval for a 84- lot subdivision to be known as Cottonwood Estates.

Location: The subject property is located at the northwest intersection of River Park Road and Champion Road, west of Fish River.

**e.) Case, SV22-8, Ashbury Townhomes Variance Request**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Variance approval from section 9.3.2 and 5.17 of the Baldwin County Subdivision Regulations to allow each townhome unit to be on a recorded lot of record.

Location: The subject property is located on the south side of County Road 12 S, west of State Hwy 59 near the city of Foley.

**f.) Case, PUD22-6 Ashbury Townhomes**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Final Site Plan approve of an 80-lot planned unit development to be known as Ashbury Townhomes.

Location: The subject property is located on the south side of County Road 12 S, west of State Hwy 59 near the city of Foley.

**10. Consideration of Applications and Requests: New Planning Districts**

**a.) Planning District 8 Map and Local Ordinance**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The adoption of the Zoning map and Local Provisions for Planning District 8.

[https://baldwincountyalgov.sharepoint.com/:f:/s/PandZOnline/EIUdK2bRaKJPg2VXAjaN\\_MoBUHuhyXSM92An11WmmruVZw?e=0xvaBJ](https://baldwincountyalgov.sharepoint.com/:f:/s/PandZOnline/EIUdK2bRaKJPg2VXAjaN_MoBUHuhyXSM92An11WmmruVZw?e=0xvaBJ)



**b.) Planning District 37 Map and Local Ordinance**

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

Purpose: The adoption of the Zoning map and Local Provisions for Planning District 37.

<https://baldwincountyalgov.sharepoint.com/:f:/s/PandZOnline/EmkOlvbv8vdCg6f2EsyAQeYB5PCqWxxXig9srj11qR0EmA?e=IGcGnS>

**11. Old Business:**

**a.) Case, S20013, Camellia Place Subdivision, extension request**

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

Purpose: The applicant is requesting an extension of preliminary plat approval for Camellia Place Subdivision.

Location: The subject property is located at the intersection of Camellia Road and County Road 49 in the Silverhill area.

<https://baldwincountyalgov.sharepoint.com/:f:/s/PandZOnline/EvtjTfum5xZChiYpZa3F1cgBcXtZCVBllbLa4KZTVUI4JQ?e=vmfUx8>

**12. New Business:**

**13. Public Comments:**

**14. Reports and Announcements:**

Staff Reports:

Legal Counsel Report:

Next Regular Meeting: **July 7, 2022**

**15. Adjournment.**



# 7.a)SV22-10 SORZANO VARIANCE 15436 TROON DRIVE

Staff Report Prepared by:  
J. Buford King, Deputy Director

June 2, 2022

Request before the Planning Commission:

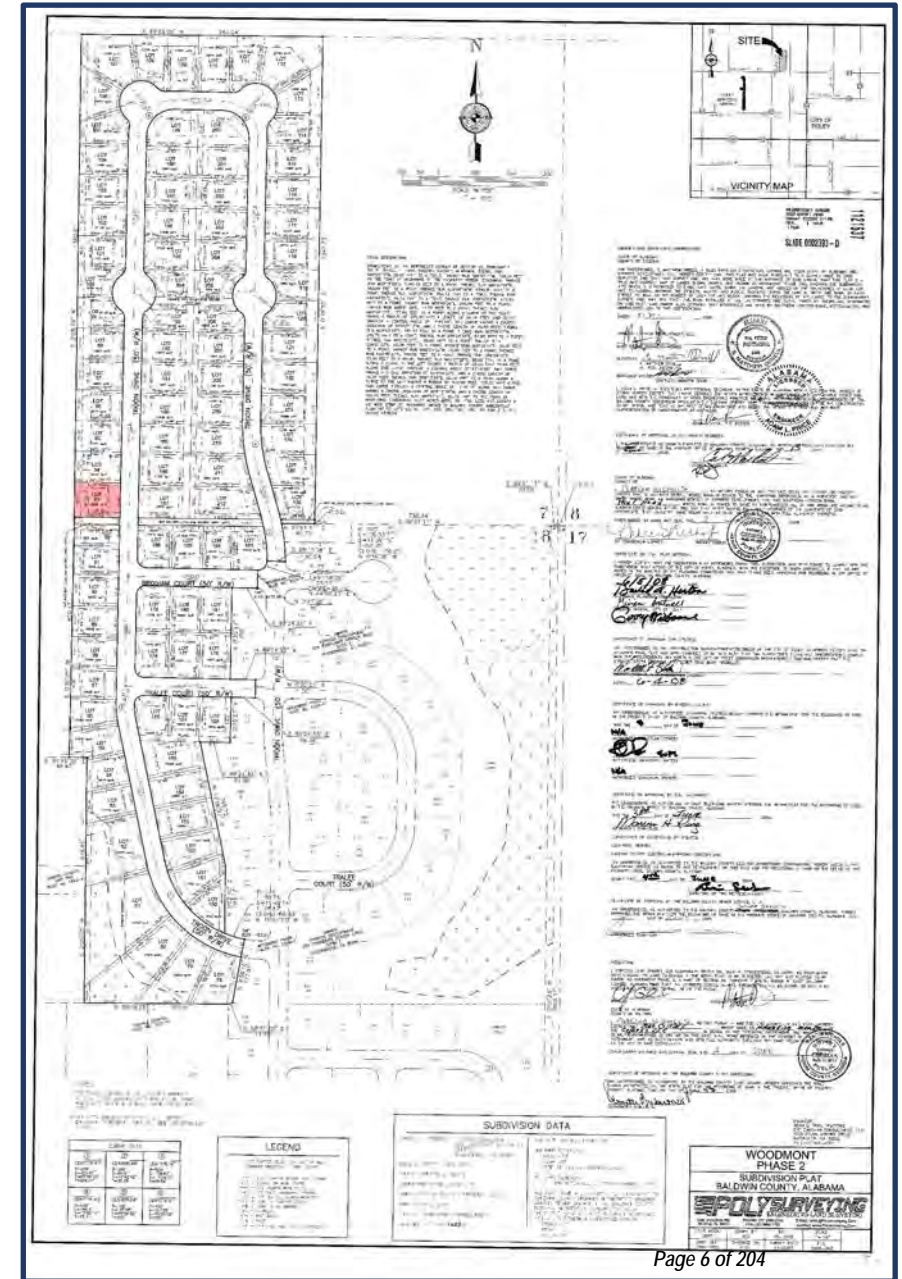
**Consideration of a Variance from sections 5.2.5(c/d) and 5.11.6(c) of the *Baldwin County Subdivision Regulations*** related to Lot 93 of Woodmont Subdivision Phase 2 to re-plat the lot to alter or remove a drainage and utility easement

Staff Recommendation: DENIAL

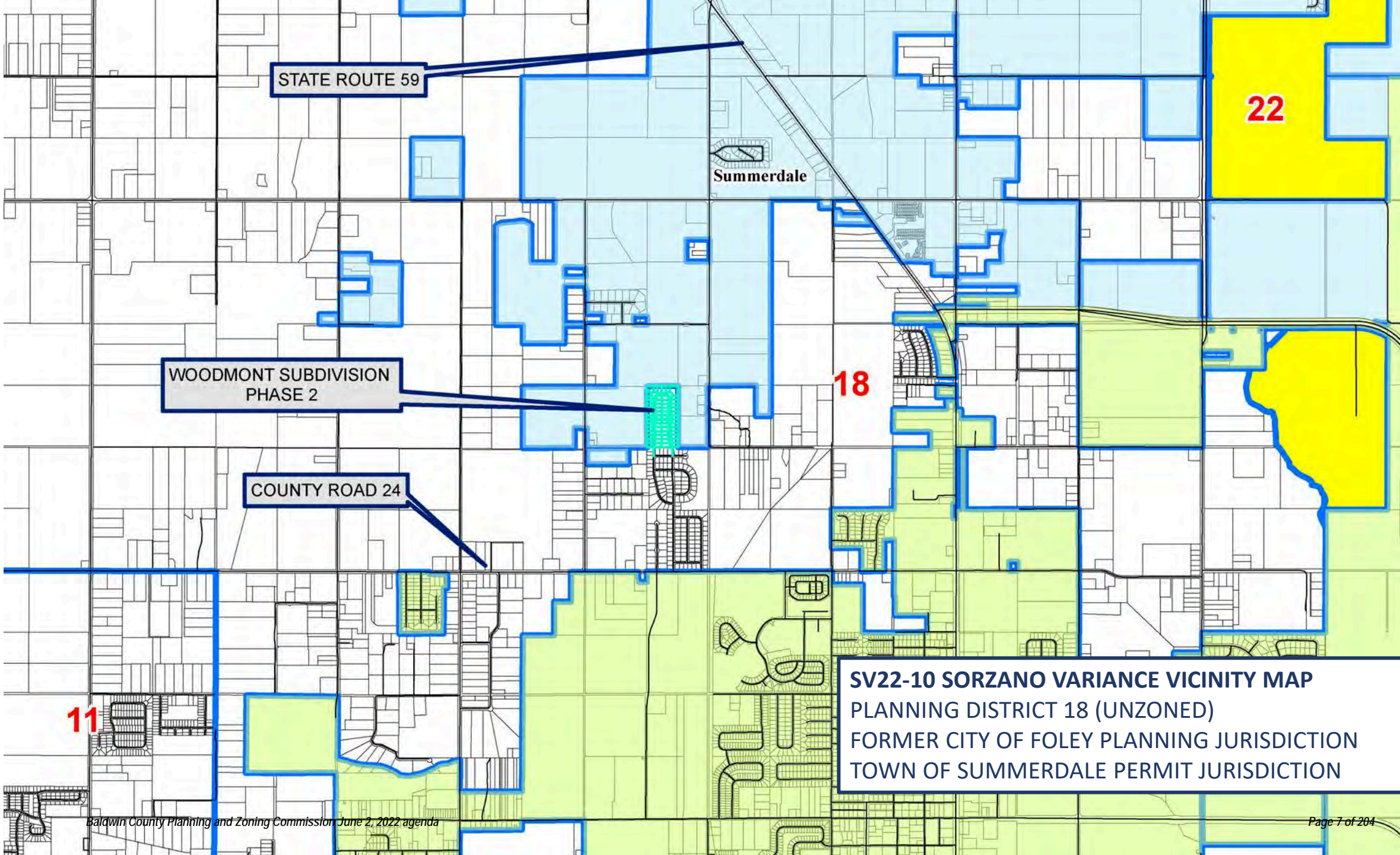
*Woodmont Subdivision Phase 2*: slide 2393-D recorded 6/13/2008

To view public comments and supporting documents as well as maps/plats in higher resolution please visit the “Upcoming Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>







STATE ROUTE 59

Summerdale

22

WOODMONT SUBDIVISION  
PHASE 2

18

COUNTY ROAD 24

11

**SV22-10 SORZANO VARIANCE VICINITY MAP**  
PLANNING DISTRICT 18 (UNZONED)  
FORMER CITY OF FOLEY PLANNING JURISDICTION  
TOWN OF SUMMERDALE PERMIT JURISDICTION





# BALDWIN COUNTY, ALABAMA

Planning and Zoning Department

TROON DRIVE

EXISTING  
UNOPENED  
UNIMPROVED  
ROW

BRIXHAM COURT

SUBJECT PROPERTY  
05-54-03-07-0-000-021.001  
PIN 305510

SV22-10 SORZANO VARIANCE SITE MAP  
PLANNING DISTRICT 18 (UNZONED)  
FORMER CITY OF FOLEY PLANNING JURISDICTION  
TOWN OF SUMMERDALE PERMIT JURISDICTION





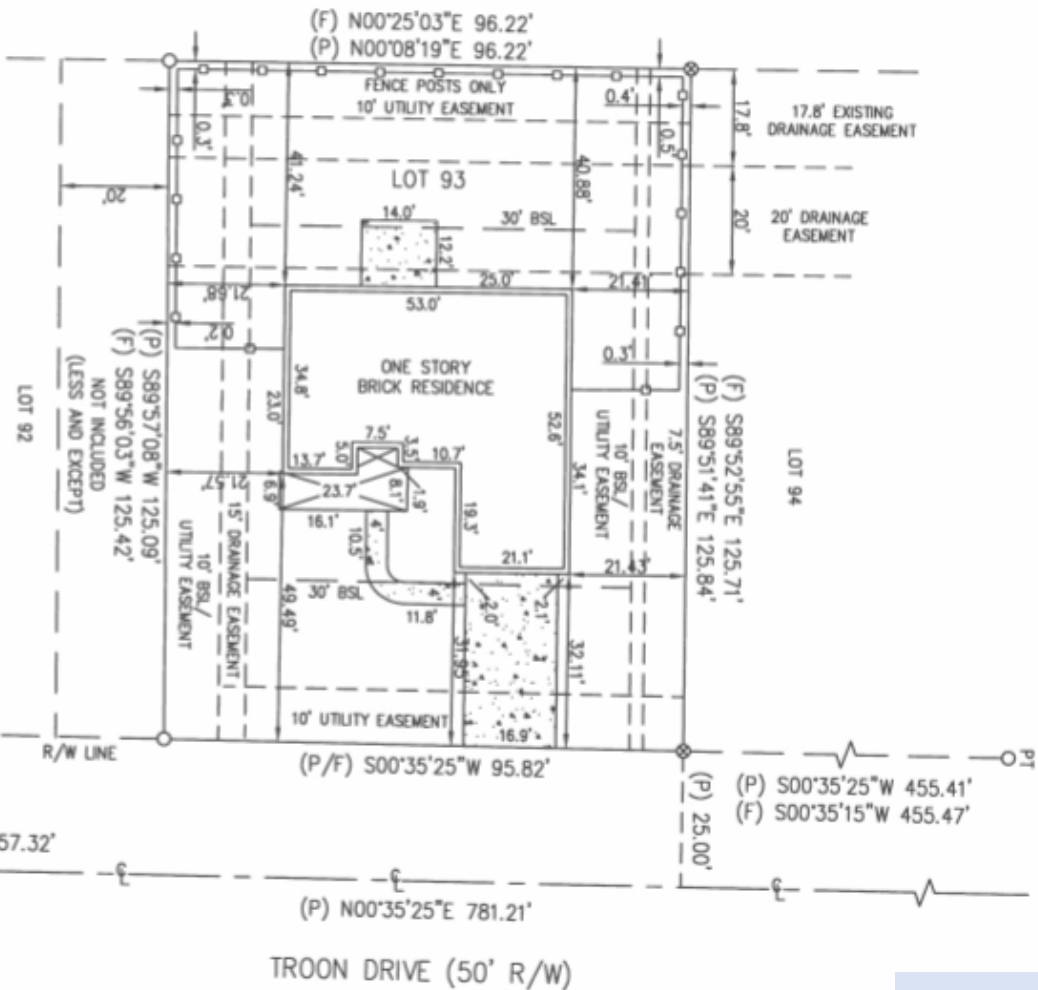
“Where it is found that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, the Baldwin County Planning and Zoning Commission may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations”

- From Article 8, section 8.1, *Baldwin County Subdivision Regulations*





NORTH PER THE WEST R/W LINE OF  
TROON DRIVE AS S00°35'25"W



⓪ FOUND 1/2" CAPPED IRON ROD NO. 00101  
ⓧ FOUND 1 1/2" IRON ROD

PROPERTY ADDRESS: 15436 TROON DRIVE

© COPYRIGHTED 2016 BY BUTLER AND ASSOCIATES OF PENSACOLA INC.

[illegible]

DESCRIPTION: LOT 93 WOODMONT PHASE 2 SLIDE: 2393-0  
County, Alabama according to Plat recorded in \_\_\_\_\_ the records of the Judge of Probate of said County \_\_\_\_\_ being a portion of \_\_\_\_\_ BALDWIN

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAINING 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, BELIEF.

REVISIONS	ISSUE DATE	FIELD DATE	F.B./P.G.	DRAWN BY
BOUNDARY/CONST. LAYOUT	06/15/16	06/15/16	1695/09	MS
AS-BUILT	08/22/17	08/21/17	1770/12	AN

WILLIAM T. BUTLER P.L.S.

SCALE	TYPE	ISSUE DATE	FIELD DATE	ORDER NO.	FIELD BOOK	DRAWN BY
1"=30'	PLOT PLAN	05/06/16	N/A	16-03-553	N/A	LMS

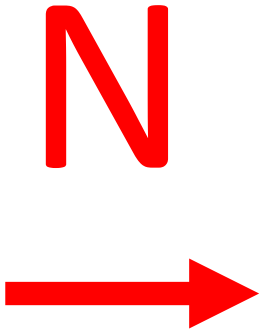
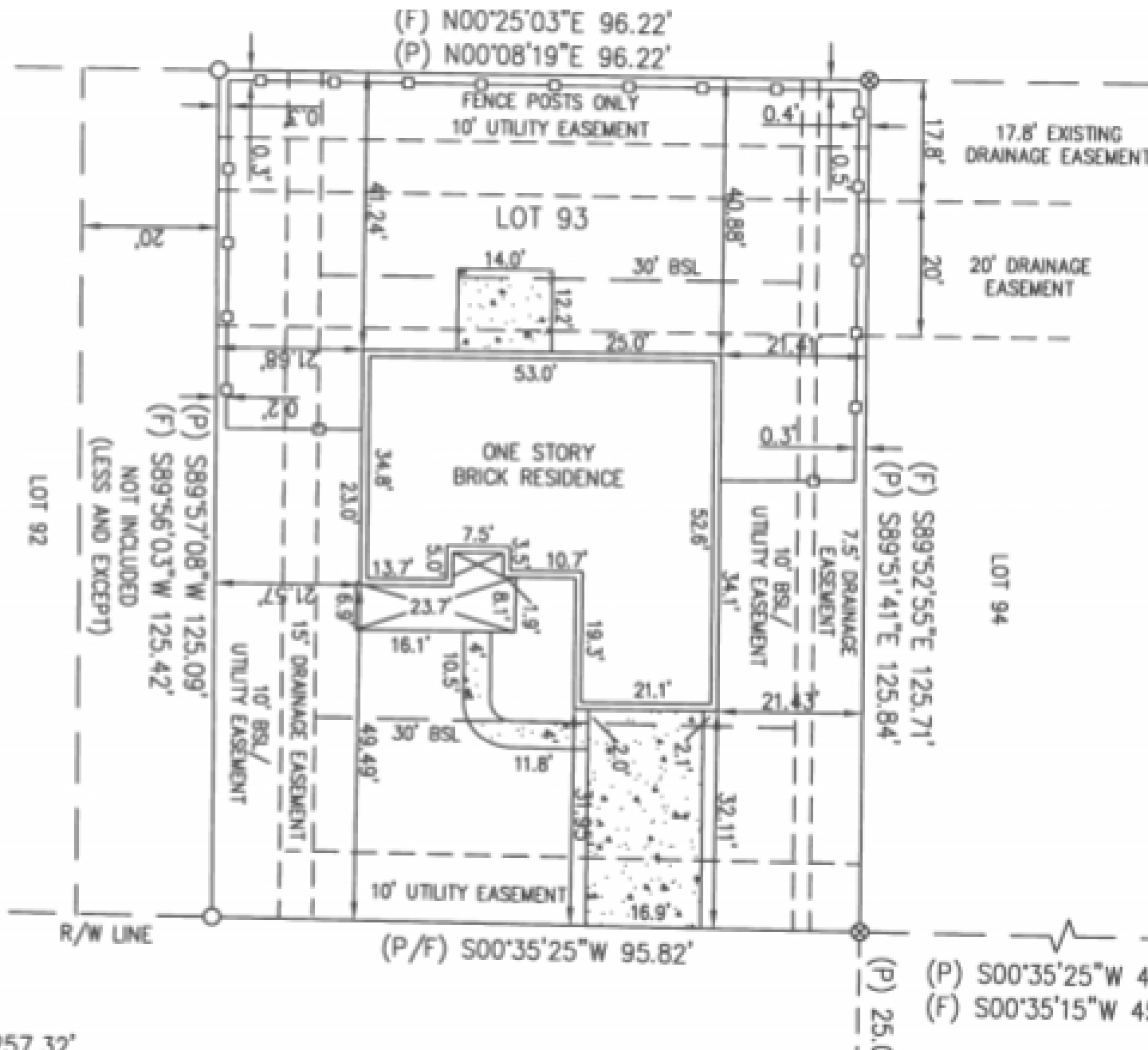
Certificate No. CA-0527-LS



**Butler & Associates of Pensacola, Inc.**  
PENSACOLA  
2420 East Olive Road, Suite "A", Pensacola, FL 32514  
(850) 476-4768  
Fax: (850) 476-4945  
PROFESSIONAL SURVEYORS AND MAPPERS  
Commercial • Residential • Boundary • Topographic • Wetlands Surveys

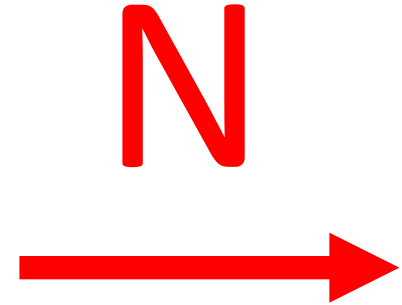
**SV22-10 SORZANO VARIANCE**  
**SURVEY PROVIDED BY APPLICANT**





SV22-10 SORZANO VARIANCE  
SURVEY PROVIDED BY APPLICANT  
ENLARGED TO SHOW DETAIL





93 WOODMONT PHASE 2 CAPPED IRON ROD NO. 00101

PROPERTY ADDRESS: 1543

1. PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY BELIEF.

ISSUE DATE	FIELD DATE	F.B./P.G.	DRAWN BY

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©COPYRIGHTED 2016 BY BUTLER AND ASSOCIATES OF PENSACOLA, INC.

WOODMONT PHASE 2

SLIDE: 2393-0

being a portion of

the records of the Judge of Probate

BALDWIN

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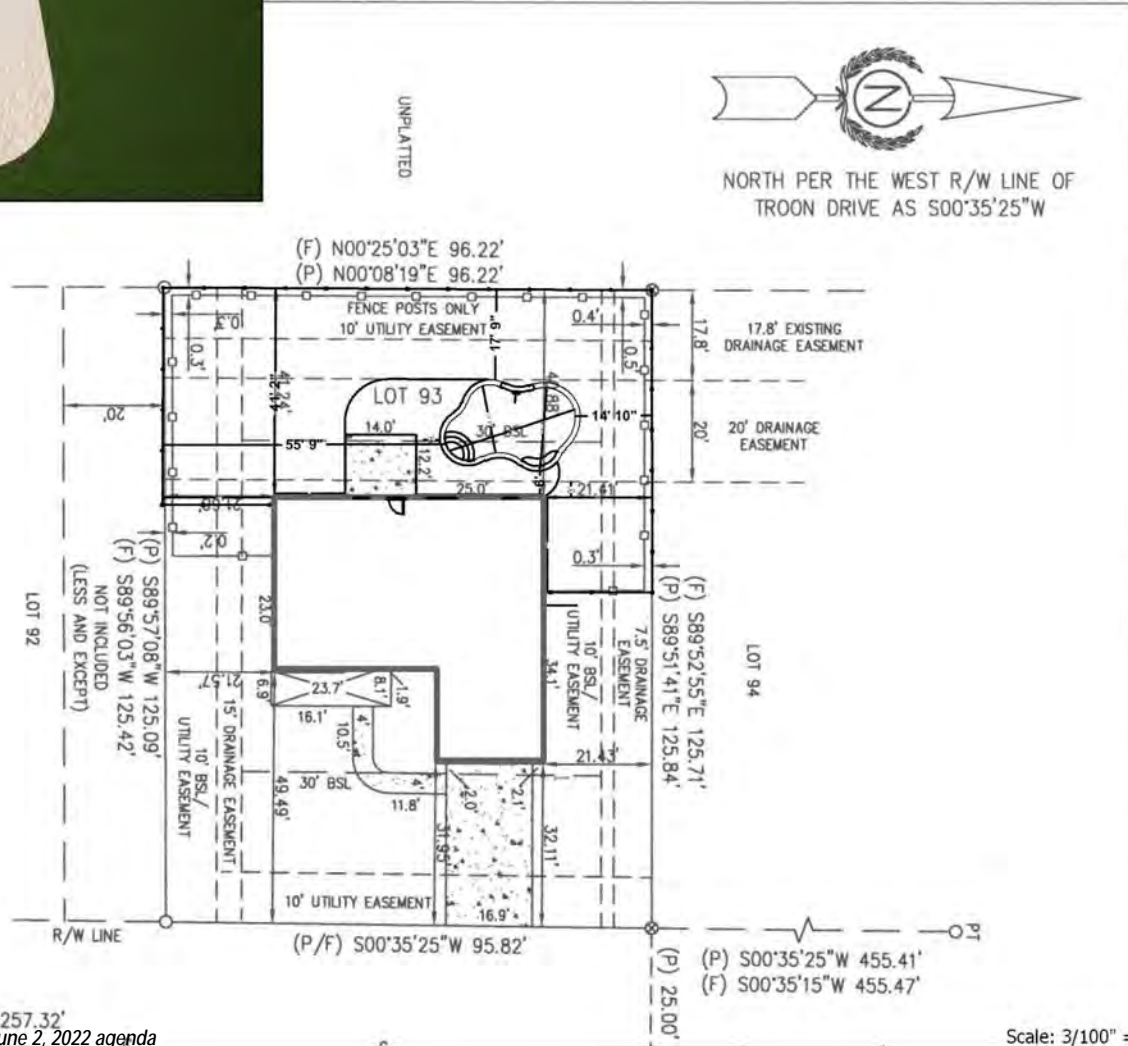
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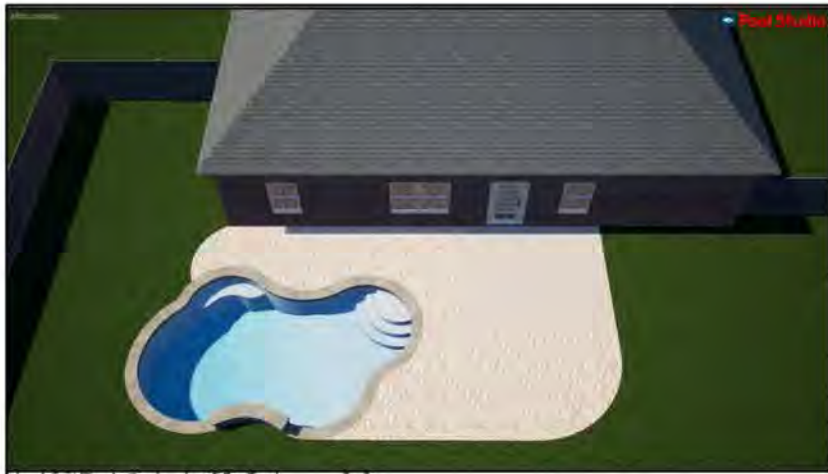
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SV22-10 SORZANO VARIANCE  
SURVEY PROVIDED BY APPLICANT  
WITH SWIMMING POOL SHOWN

Page 12 of 204





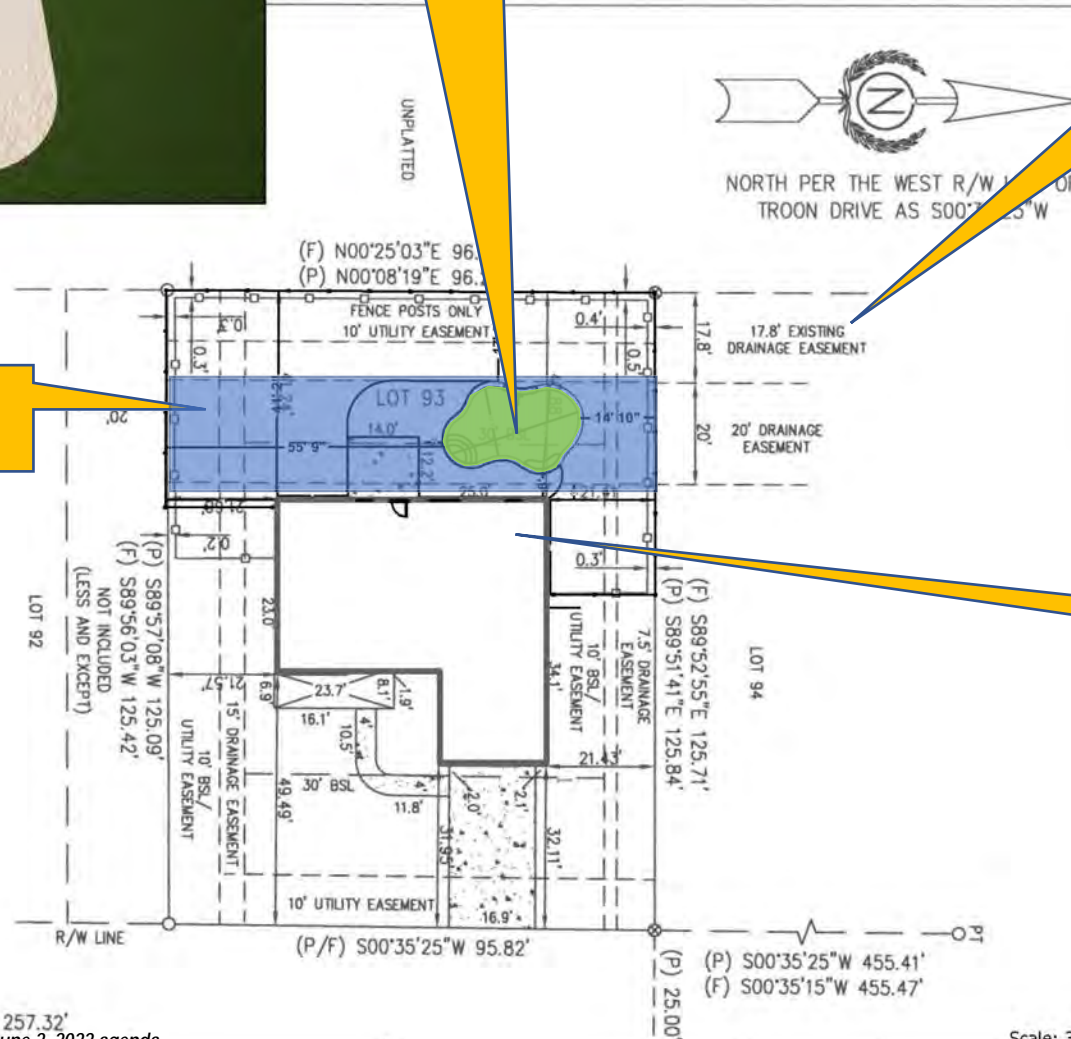
## 20' DRAINAGE AND UTILITY EASEMENT

# PROPOSED SWIMMING POOL

## UTILITY ROW AND EASEMENT FOR NATURAL GAS PIPELINE

EXISTING PRINCIPAL  
DWELLING ON LOT 93

## SV22-10 SORZANO VARIANCE SURVEY PROVIDED BY APPLICANT WITH STAFF NOTATIONS



Scale:  $\frac{3}{100}'' = 1 \text{ ft}$



# SV22-10 SORZANO VARIANCE 15436 TROON DRIVE – *property data*

## DEVELOPMENT INFORMATION

**Location:** Subject property is located within Woodmont Subdivision Phase 2 located along County Road 24 (Underwood Road) approximately 1 ¼ miles west of State HWY 59

**Planning District:** 18    **Planning Jurisdiction:** formerly City of Foley

**Zoning:** The citizens of Planning District 18 have not implemented zoning

**Total # of Lots:** 94 Lots    **Permit Jurisdiction:** Town of Summerdale

**Total Development Area:** 33.27 Acres

- Setbacks: 30' Front, 30' Rear 10' Side, 20' Side (corner lots)

**Streets / Roads:** 7,377 linear feet dedicated to Baldwin County

**Surveyor of Record:** S. Matthew Orrell, PLS, *Polysurveying*  
(surveyor of record for the development at the time of recording)

**Engineer of Record:** Adam L. Price, PE, *Site Engineer Consultants, LLC*  
(engineer of record for the development at the time of recording)

**Owner / Developer:** *Cypress Development, LLC*  
205 Corporate Center Dr., Suite E., Stockbridge, GA 30281

### Utility Providers:

- Water: Riviera Utilities      Sewer: Baldwin County Sewer Service
- Electrical: Baldwin EMC      Gas: Riviera Utilities\*
- Phone: Gulf Telephone (Century Link)

## LOT 93 PROPERTY INFORMATION

**Online Case File Number:** The official case number for this application is SV22-10, however, when searching the online CitizenServe database, please use SV22-000010

**Total Property Area Under Consideration:** 12,046 sf +/- (Lot 93)

**Parcel:** 05-54-03-07-0-000-021.001 (Lot 93)    **PIN:** 305510 (Lot 93)

**Surveyor of Record:** William T. Butler, PLS, Butler and Associates of Pensacola

**\*Drainage and Utility Easements:** A ROW and utility easement was recorded by AMOCO production company in 1982 (Real Property Book 112 pages 865 – 868) that runs along the west side of Lot 93 (as well as several lots within the development). The easement is 30' wide and approximately 17.8' of that 30' width is located within Lot 93. The easement states "Grantor agrees not to build, create, construct, or permit to be built, created or constructed, any obstruction, building, lake, engineering works, or other structure over or on the right-of-way herein granted". The easement contains a steel high pressure gas main currently operated by Riviera Utilities. In order to accommodate the drainage and utility easements required by the Baldwin County Subdivision Regulations, as well as provide drainage improvements on Lot 93 to satisfy the drainage requires of the development, a 20' drainage and utility easement (20' D.E.) immediately east of the ROW and utility easement is reflected on the plat. The location of the drainage and utility easement above and beyond the ROW and utility easement essentially prevents any further improvements to the rear yard of Lot 93 unless the County drainage and utility easement is moved via Re-Plat of Lot 93. In addition, the as-built drawings of Woodmont Phase 2 include drainage swales within the 20' D.E. which will be obstructed by a swimming pool if constructed within the 20' D.E.







## SUBDIVISION DATA

OWNER OF PROPERTY: CYPRESS DEVELOPMENT  
205 CORPORATE CENTER DR  
SUITE E  
STOCKBRIDGE, GA 30281

DATE SURVEYED: JAN, 2007

PARCEL AREA: 33.27 ACRES

ZONING: UN-ZONED DISTRICT 18

LINEAR FEET OF PLATTED STREETS= 7377 L.F.

NUMBER OF LOTS: 94

TYPE OF DEVELOPMENT: SINGLE FAMILY

SMALLEST LOT SIZE: **7625** S.F.

AVERAGE LOT SIZE: 12,560 S.F.

BUILDING SETBACKS:

FRONT-30'

REAR-30'

SIDE-10' (20' ON CORNER LOTS)

WETLAND SETBACK:

5' FROM WETLANDS, UNLESS OTHERWISE NOTED

ALL LOTS HAVE A DEDICATED UTILITY EASEMENT TO  
BALDWIN COUNTY HIGHWAY DEPARTMENT, BALDWIN  
COUNTY SEWER SERVICE, L.L.C., BALDWIN COUNTY  
ELECTRIC MEMBERSHIP CORPORATION, GULF  
TELEPHONE, CITY OF FOLEY, RIVIERA UTILITIES AND  
ANY OTHER GOVERNMENT APPROVED UTILITY:

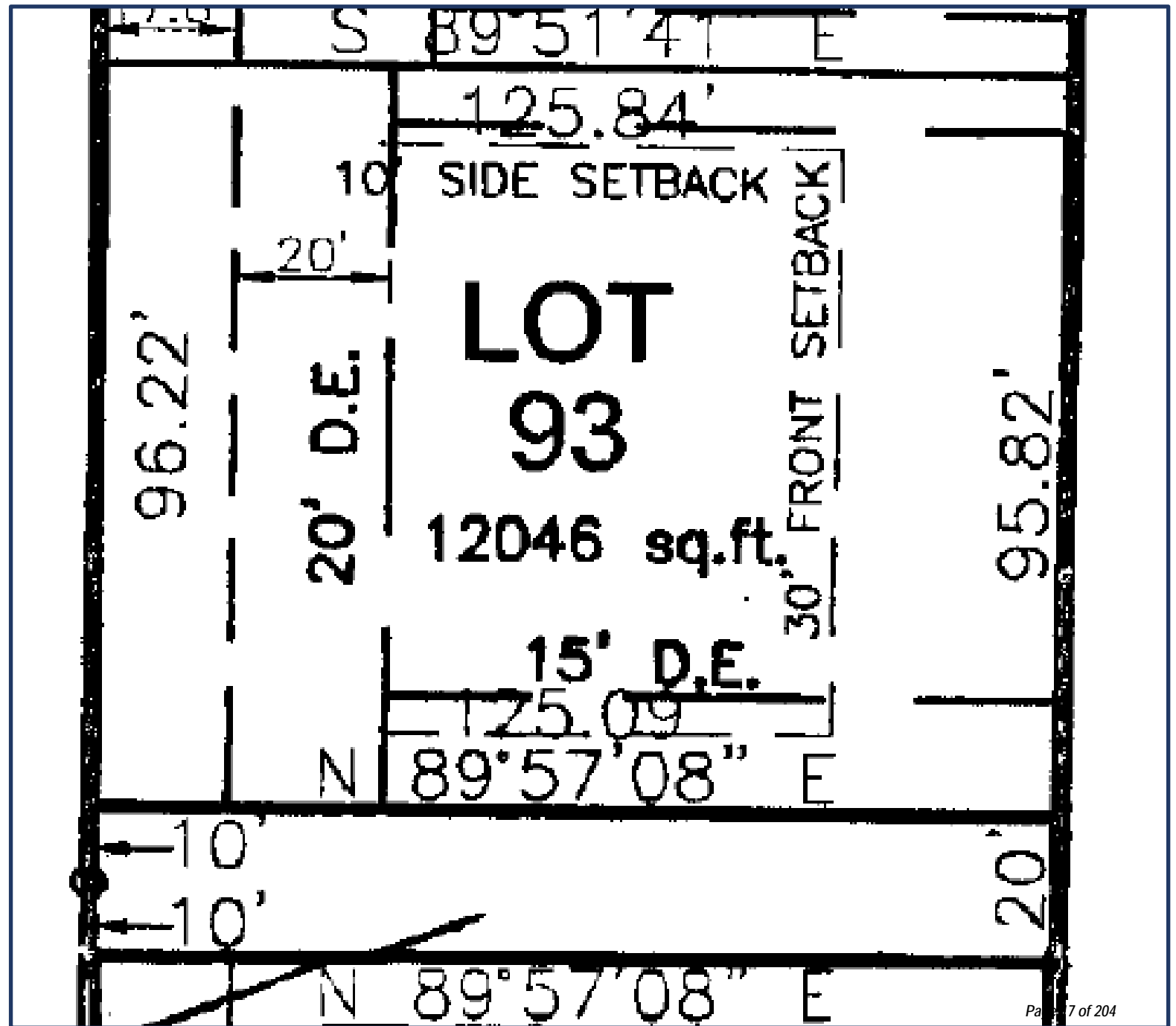
FRONT- 10'

REAR- 10'

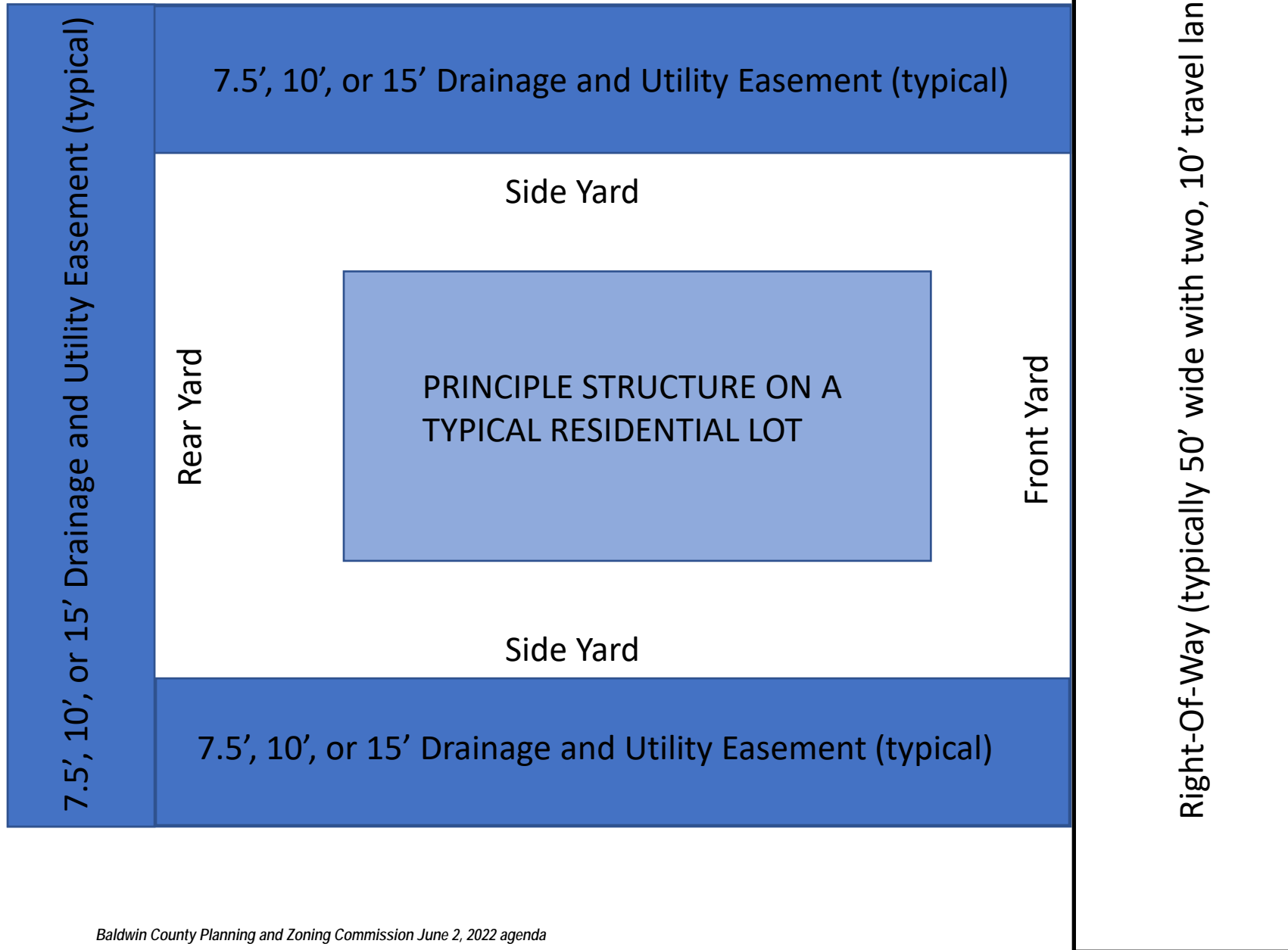
SIDES- 10'

**THE DRAINAGE AND UTILITY EASEMENTS HAVE  
NOT BEEN ACCEPTED FOR MAINTENANCE BY  
BALDWIN COUNTY AND THE VARIOUS  
DRAINAGE SWALES OUTSIDE THE PUBLIC ROW  
ARE NOT MAINTAINED BY BALDWIN COUNTY**





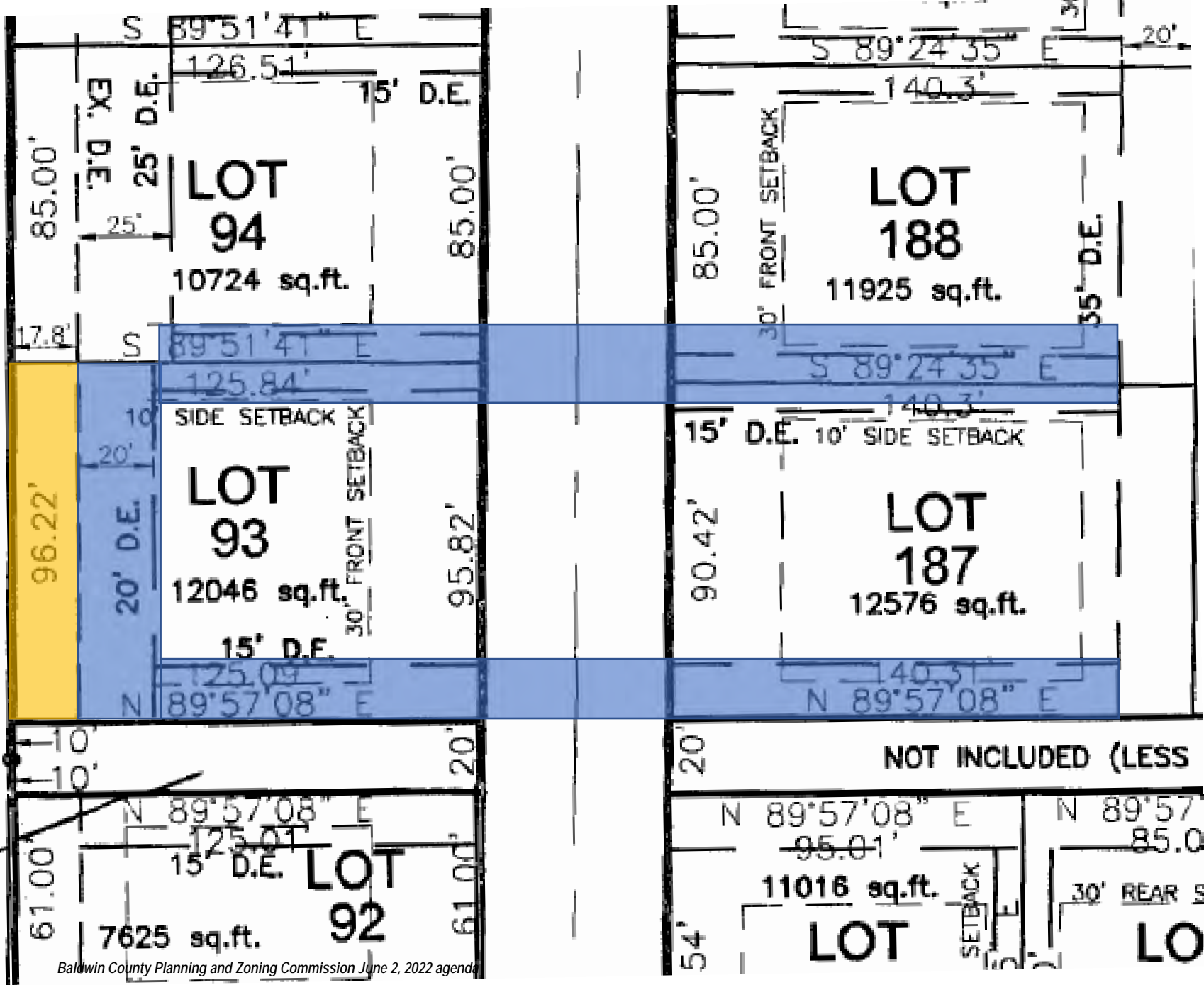




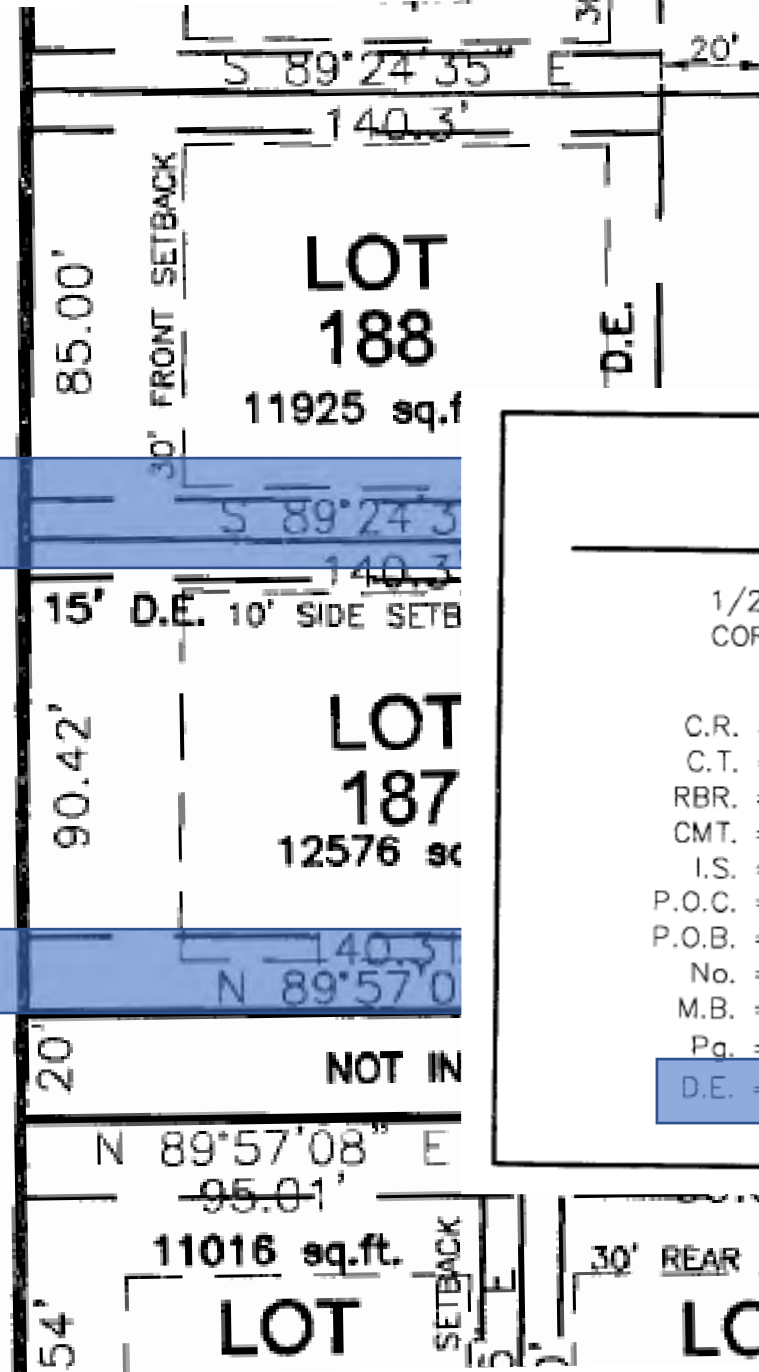
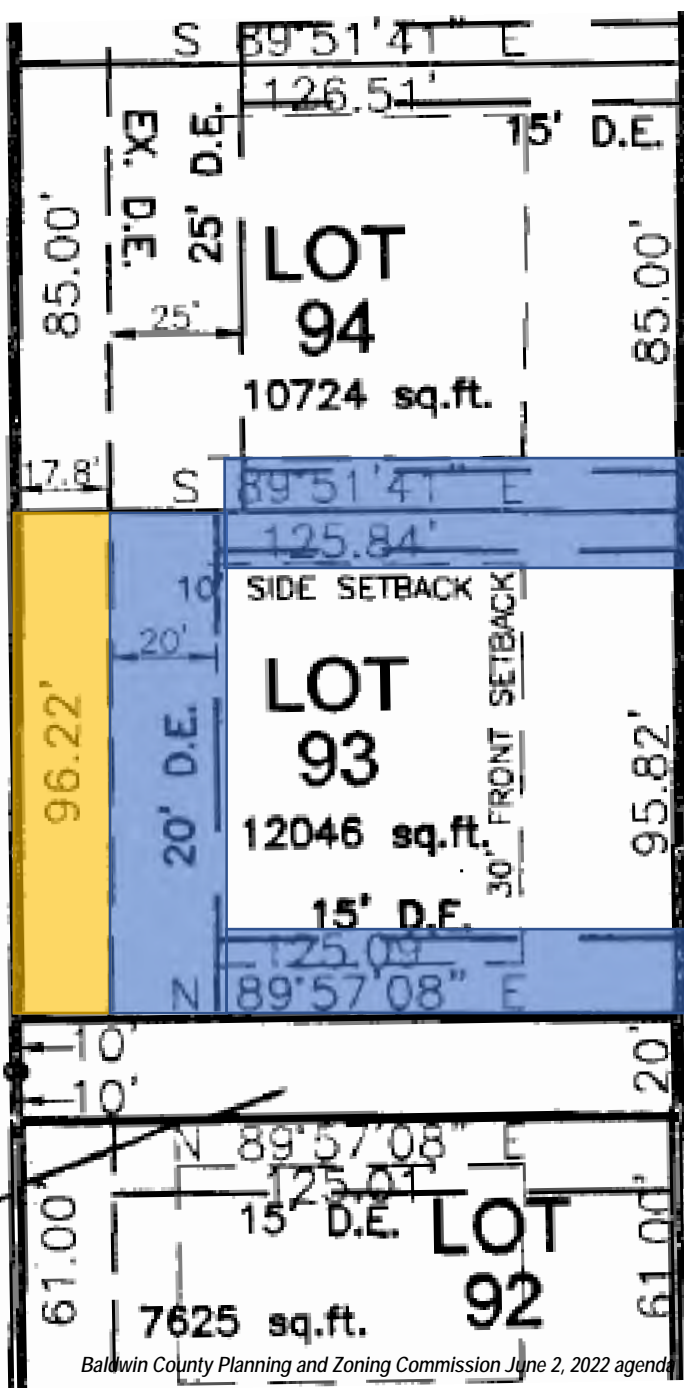
FOR EXAMPLE  
PURPOSES ONLY  
NOT TO SCALE

TYPICAL DRAINAGE  
AND UTILITY  
EASEMENTS  
REQUIRED BY  
SECTION 5.2.5(c/d)  
and 5.11.6(c)









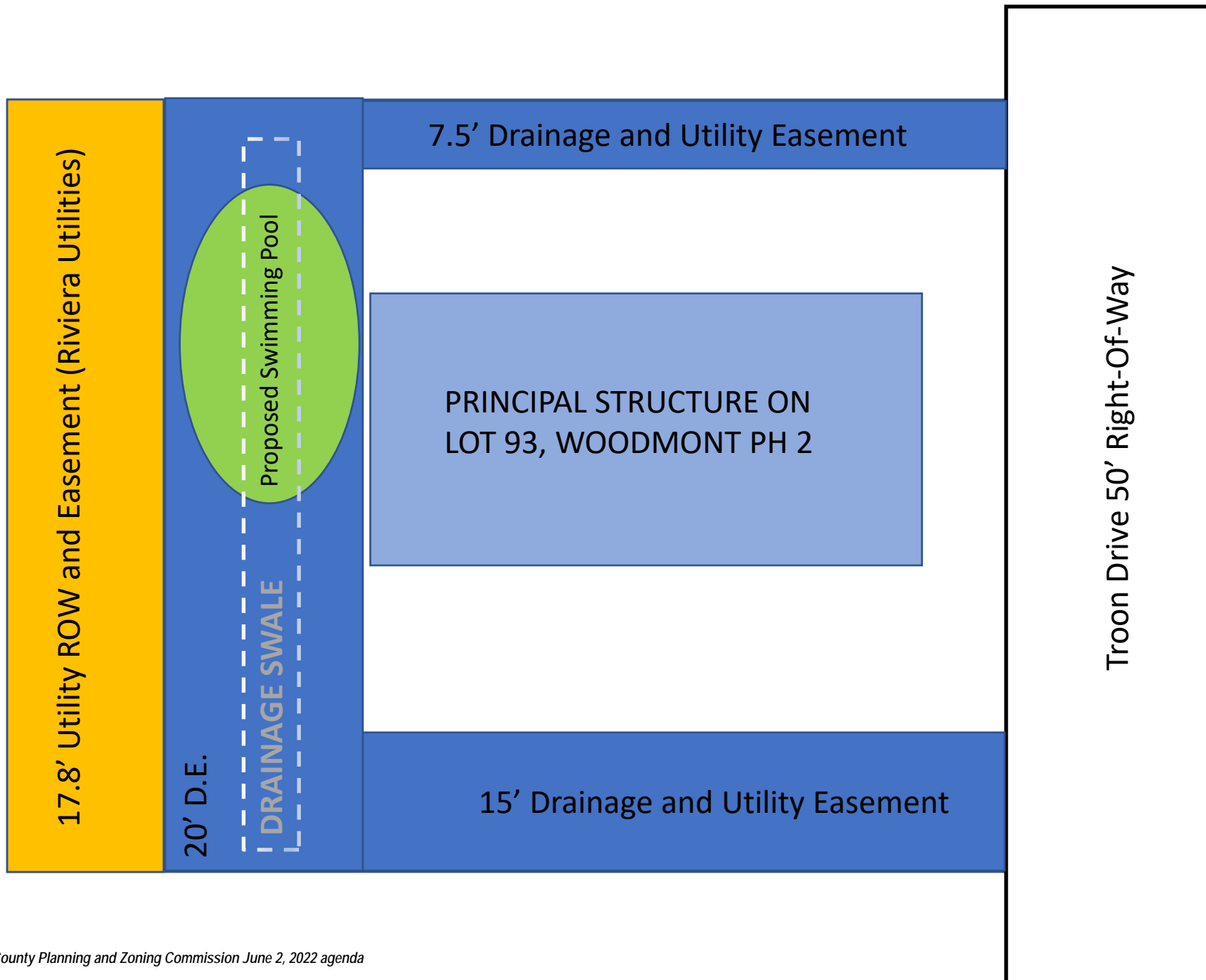
## LEGEND

1/2" CAPPED REBAR IRON SET AT ALL CORNERS UNLESS OTHERWISE NOTED

- C.R. = 1/2" CAPPED REBAR IRON FOUND
- C.T. = CRIMP TOP IRON FOUND
- RBR. = 1/2" REBAR IRON FOUND
- CMT. = CONCRETE MONUMENT FOUND
- I.S. = 1/2" CAPPED REBAR IRON SET
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- No. = NUMBER
- M.B. = MAP BOOK
- Pg. = PAGE
- D.E. = DRAINAGE AND UTILITY EASEMENT

**SV22-10 SORZANO VARIANCE  
EXCERPT OF RECORDED PLAT  
WITH STAFF NOTATIONS**

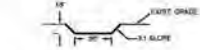




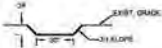
FOR EXAMPLE  
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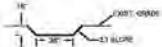
# SWALE CROSS SECTION DETAIL



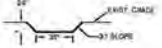
SWALE A & B



SWALE C



SWALE D



SWALE E



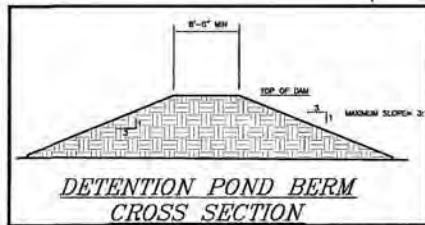
SWALE F

(FOR ADDITIONAL INFORMATION SEE  
HYDRO REPORT ATTACHED)



GRAPHIC SCALE

(IN FEET)  
1 inch = 20.0 ft.

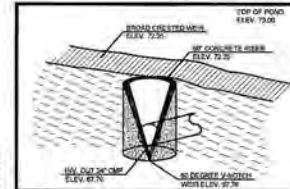


DETENTION POND BERM  
CROSS SECTION

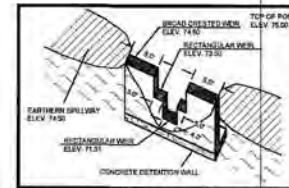


## PAVING, GRADING & EARTHWORK NOTES:

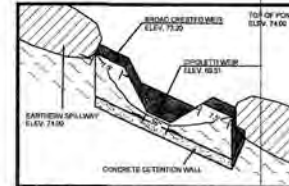
1. IN EXCAVATING STREETS AND DRIVEWAYS THAT HAVE BEEN SURFACED WITH SAND-CLAY, CLAY GRAVEL, OR OTHER BASE COURSE, SUCH BASE MATERIALS SHALL BE EITHER STOCKPILED AND KEPT SEPARATE FROM THE EARTH EXCAVATED OR THE CONTRACTOR SHALL, AT HIS EXPENSE, PROVIDE NEW BASE OF LIKE KIND AND EQUAL QUALITY.
2. CONTRACTOR MUST SALVAGE EXISTING TOP SOIL WITHIN PROJECT SITE OR REPLACE AT HIS OWN EXPENSE.
3. ANY DEFICIENCY IN THE QUANTITY OF MATERIAL FOR BACKFILLING THE TRENCHES, OR FOR FILLING DEPRESSIONS CAUSED BY SETTLEMENT, SHALL BE SUPPLIED BY THE CONTRACTOR AT NO COST TO THE OWNER. THIS ALSO APPLIES TO BASE COURSE UNDER PAVED STREETS.
4. CONTRACTOR SHALL CLEAR AND GRUB ONLY THOSE PORTIONS OF THE SITE NECESSARY FOR CONSTRUCTION. CLEAR AND GRUB SHALL CONSIST OF THE REMOVAL OF ALL DELETERIOUS MATERIAL INCLUDING TREES, ROOTS, TOPSOIL, ETC.
5. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE SEEDED, MULCHED, SOODED, STABILIZED, OR PLANTED WITH OTHER APPROVED LANDSCAPE MATERIAL WITHIN FIVE (5) DAYS AFTER CONSTRUCTION.
6. ORGANIC, UNSUITABLE SOILS BENEATH THE PAVED AREAS SHALL BE REMOVED AND REPLACED WITH CLEAN SAND MATERIAL OF WHICH NOT MORE THAN 15% BY DRY WEIGHT IS FINER THAN THE NUMBER 200 MESH SIEVE. FILL MATERIAL SHALL BE FREE OF ORGANICS, RUBBLE, CLAY, OR OTHER DELETERIOUS MATTER.
7. THE PAVEMENT SUBGRADE SHOULD BE STABILIZED BY ROADDED PROCESSING OR TYPICAL A.L.D.O.T. SPECIFICATIONS.
8. ALL WASTE MATERIAL SHALL BE DISPOSED OF OFFSITE IN ACCORDANCE WITH APPLICABLE REGULATIONS.
9. PROPOSED SPOT ELEVATIONS REPRESENT FLOW LINE OF CURB & GUTTER OR FINISHED PAVEMENT OR GROUND SURFACE GRADE UNLESS OTHERWISE NOTED ON DRAWINGS.
10. CONTRACTOR TO PROVIDE 1/2" TO 1" BITUMINOUS EXPANSION JOINT MATERIAL WITH SEALER AT ABUTMENT OF CONCRETE AND OTHER MATERIALS (BUILDINGS, OTHER POURED CONCRETE, ETC.) EXCEPT ASPHALT.
11. CONTRACTOR SHALL TRIM, TACK AND MATCH EXISTING PAVEMENT AT LOCATIONS WHERE NEW PAVEMENT ABUTS.
12. TESTING REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE TESTING SCHEDULE CONTAINED WITHIN THESE PLANS. SELECTION AND CONTRACTING WITH THE TESTING FIRMS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE AND SCHEDULE ALL TESTS.
13. ACCEPTANCE TESTING FOR NEW PAVEMENT SHALL CONSIST OF ONE PASS OF A STANDARD 15 FOOT ROLLING STRAIGHT EDGE OPERATED WHILE THE PAVEMENT IS STILL HOT. ALL DEFICIENCIES IN EXCESS OF 3/16 INCH SHALL BE CORRECTED IN ACCORDANCE WITH A.L.D.O.T. STANDARD SPECIFICATIONS.
14. AT THE OPTION OF THE OWNER, THE CONTRACTOR SHALL FLOOD ALL NEW PAVEMENT SURFACES WITH WATER AND INSPECT FOR POHDS. ALL POHDED AREAS SHALL BE CORRECTED IN ACCORDANCE WITH A.L.D.O.T. STANDARD SPECIFICATION 330.



DETENTION POND C  
OCS DETAIL  
NTS  
(FOR ADDITIONAL INFORMATION SEE  
HYDRO REPORT ATTACHED)



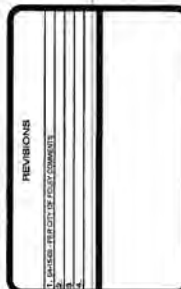
DETENTION POND B1  
WALL DETAIL  
(STRUCTURAL DESIGN BY OTHERS)  
NTS  
(FOR ADDITIONAL INFORMATION SEE  
HYDRO REPORT ATTACHED)



DETENTION POND B  
WALL DETAIL  
(STRUCTURAL DESIGN BY OTHERS)  
NTS  
(FOR ADDITIONAL INFORMATION SEE  
HYDRO REPORT ATTACHED)



OVERALL  
GRADING & DRAINAGE PLAN  
WOODMONT  
LOCATION:  
CITY OF FOLEY, ALABAMA  
SECTIONS 7 & 18



DATE: 08-13-06  
SCALE: 1" = 200'  
FILE NO.:  
DRAWN BY: ME & AP



SHEET NUMBER  
6.0



SV22-10 SORZANO VARIANCE  
AS-BUILT DRAWINGS

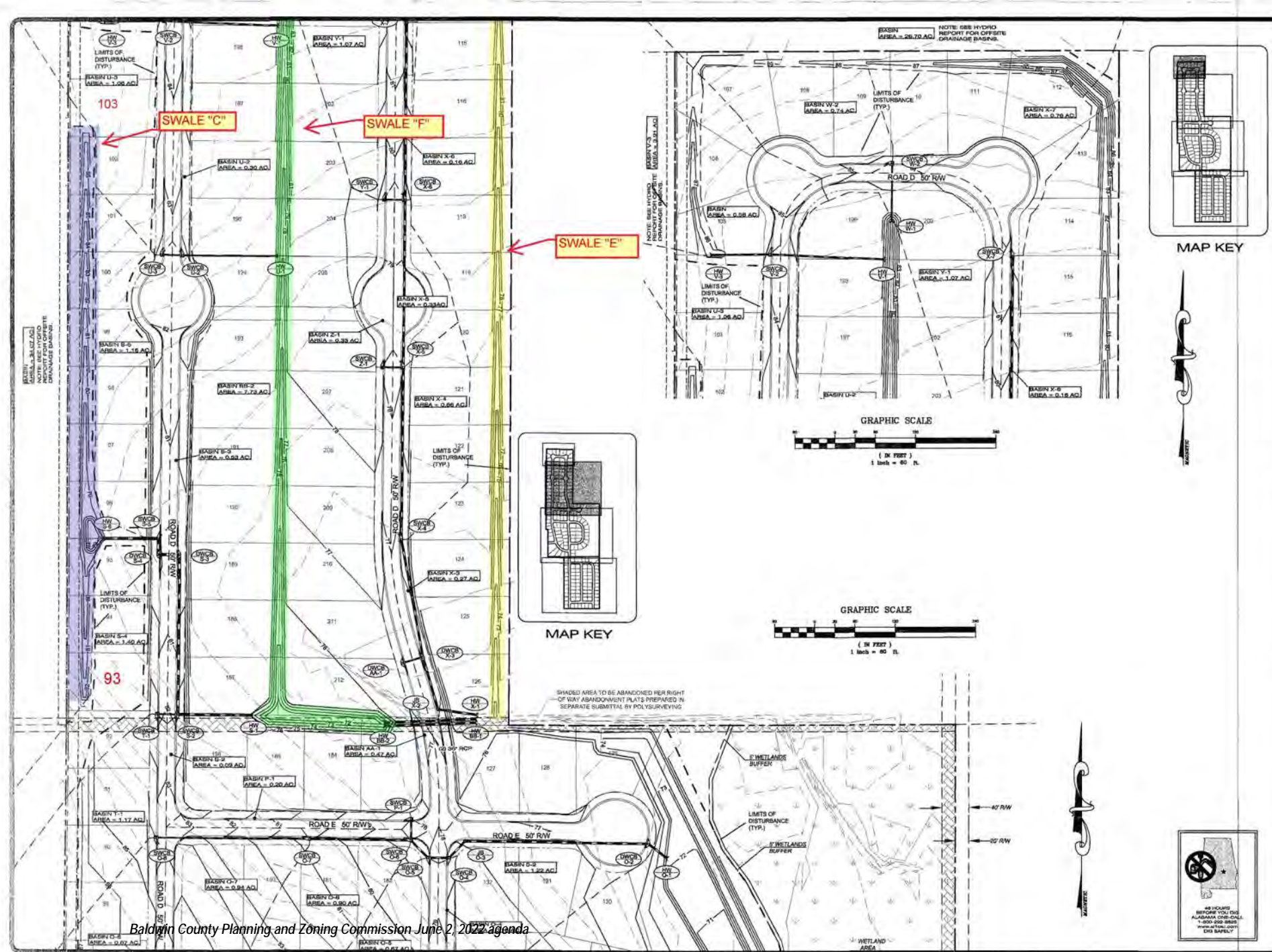












**S.E.C.**  
CONSULTANTS, L.L.C.  
1058 BRUSH ARBOR CIRCLE  
MCDONOUGH, GA 30252  
OFFICE: 770.616.4297

GRADING & DRAINAGE PLAN  
SHEET 3  
**WOODMONT**  
LOCATION:  
CITY OF FOLEY, ALABAMA  
SECTIONS 7 & 18

REVISIONS

NO.	DATE	DESCRIPTION
1	02-13-06	ISSUED FOR PERMIT
2	07-10-07	REVISED FOR AS-BUILT

DATE: 02-13-06  
SCALE: 1" = 50'  
FILE NO.:  
DRAWN BY: BB & AP

**ALABAMA**  
No. 27588  
PROFESSIONAL  
ENGINEER  
THIS SEAL IS NOT VALID UNLESS IT BEARS THE  
ORIGINAL SIGNATURE OF THE REGISTERED  
ENGINEER AND THE REGISTERING BOARD.

SHEET NUMBER  
**6.3**

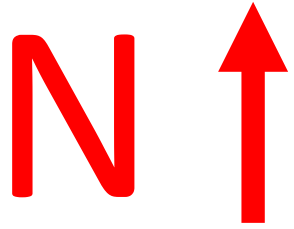


**SV22-10 SORZANO  
VARIANCE  
AS-BUILT DRAWINGS**

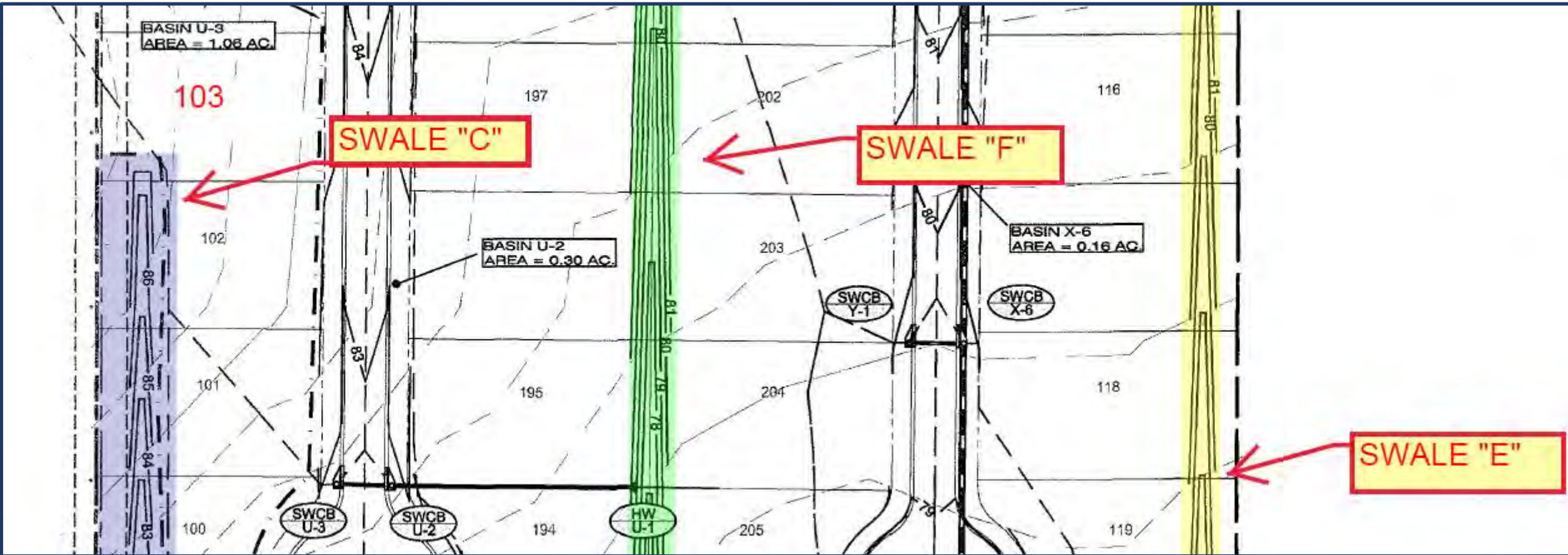




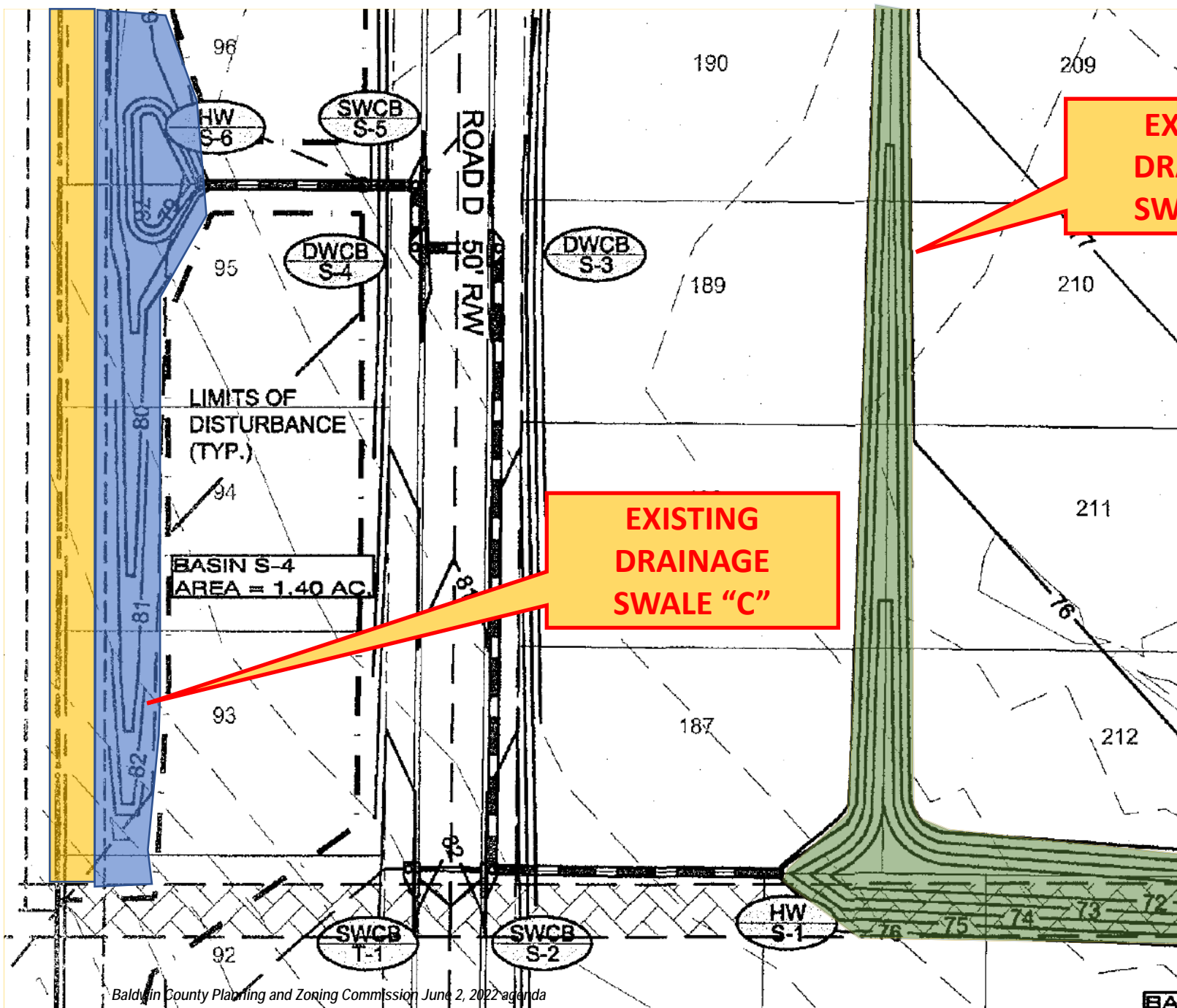




**SV22-10 SORZANO VARIANCE  
AS-BUILT DRAWINGS  
SWALE "C", "F", AND "E" ENLARGED**







**EXISTING  
DRAINAGE  
SWALE "F"**

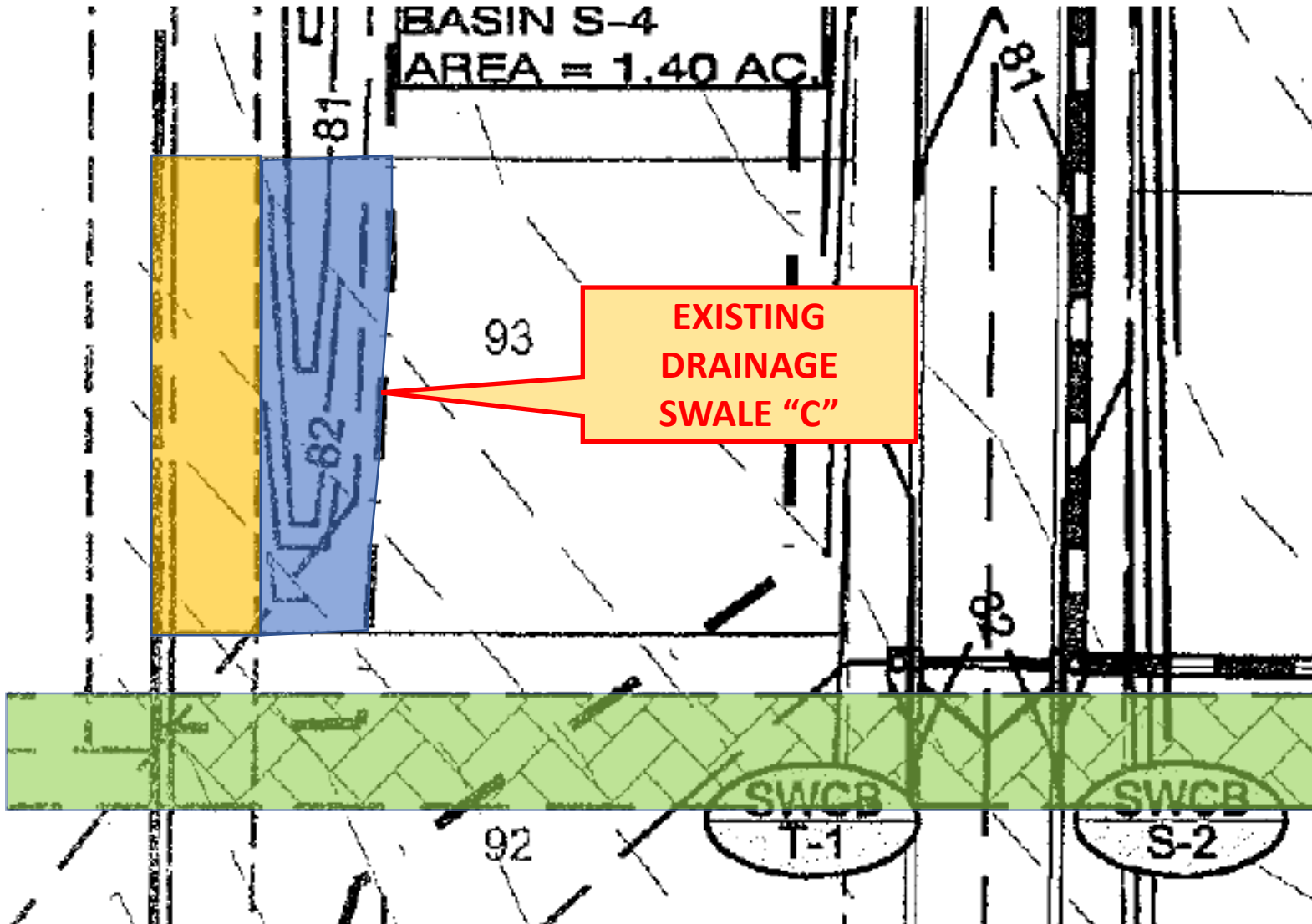


**NATURAL GAS PIPELINE ROW AND  
UTILITY EASEMENT**

**DRAINAGE AND UTILITY EASEMENT  
(WIDTH VARIES FROM LOT TO LOT)**

**SV22-10 SORZANO VARIANCE  
EXCERPT OF AS-BUILT DRAWINGS  
WITH STAFF NOTATIONS**





NATURAL GAS PIPELINE ROW AND  
UTILITY EASEMENT

DRAINAGE AND UTILITY EASEMENT  
(WIDTH VARIES FROM LOT TO LOT)

UNOPENED, UNIMPROVED ROW  
NOT INCLUDED WITHIN THE  
DEVELOPMENT (DEED BOOK 22,  
PAGE 314)

**SV22-10 SORZANO VARIANCE  
EXCERPT OF AS-BUILT DRAWINGS  
WITH STAFF NOTATIONS**



# SV22-10 SORZANO VARIANCE 15436 TROON DRIVE

## Staff Comments

- Eden Lapham of the City of Foley investigated the potential variance request and excerpts of her e-mail correspondence are at right
  - Though the subject property was located within the City of Foley's Planning Jurisdiction at the time of approval of Woodmont Subdivision, it appears the City of Foley is no longer exercising planning jurisdiction in the area of Woodmont Subdivision at this time

**From:** [Deborah Kerby, Key](#)  
**To:** [Buford King](#)  
**Subject:** FW: Citizen Issue Concerning Variance  
**Date:** Friday, April 1, 2022 8:50:35 AM  
**Attachments:** [image.png](#)  
[30677676.pdf](#)

Buford,

I had a call from a citizen earlier in the week and have been trying to assist him in finding the correct entity to obtain a variance in order for him to proceed with building a screened-in porch and pool in his back yard. His address is 15436 Troon Dr., Foley AL and is in the Woodmont Subdivision Phase 2. If you will read from the bottom up on this email it will give you some insight as to what I have been working on.

Also, I have included an attachment of the plat for the subdivision (Mr. Sorzano's lot is #93) to show the drainage easement in question. Also note that lot #91 also has a drainage easement but, somehow, was permitted to have a pool built in his back yard (that is part of Mr. Sorzano's frustration).

Also, I found a copy of Woodmont Phase 2 Subdivision covenants and read that, until all parcels are sold, the developer has the only authority over easements until it is turned over to the HOA. I emailed Mr. Sorzano and asked if there were still lots available. He gave me a number posted on a lot just down from his home and I called and spoke with a gentleman who was re-selling the lot. He had bought the lot in a foreclosure sale and informed me that the developers had gone in to foreclosure. I could not find any documentation of the subdivision being turned over to the HOA and Mr. Sorzano has no idea if there actually is an HOA. On a side note, I was looking at the plat and discovered that I do know someone in that subdivision who I am going to contact and see if they know of anyone on the HOA board or if they even have an HOA. And, that is where I stand today. I did speak with Linda Lee late yesterday and we both came to the conclusion that the property is "Unzoned" but do not know who actually (now) has jurisdiction.

Buford, could you help me with this? I would really appreciate it! I would love for someone be able to give Mr. Sorzano a definitive answer of who has jurisdiction and who would be the entity for him to contact for a variance so he can get his pool built. They tell me you are really good at this sort of thing and I would be most appreciative for your help.

Deb

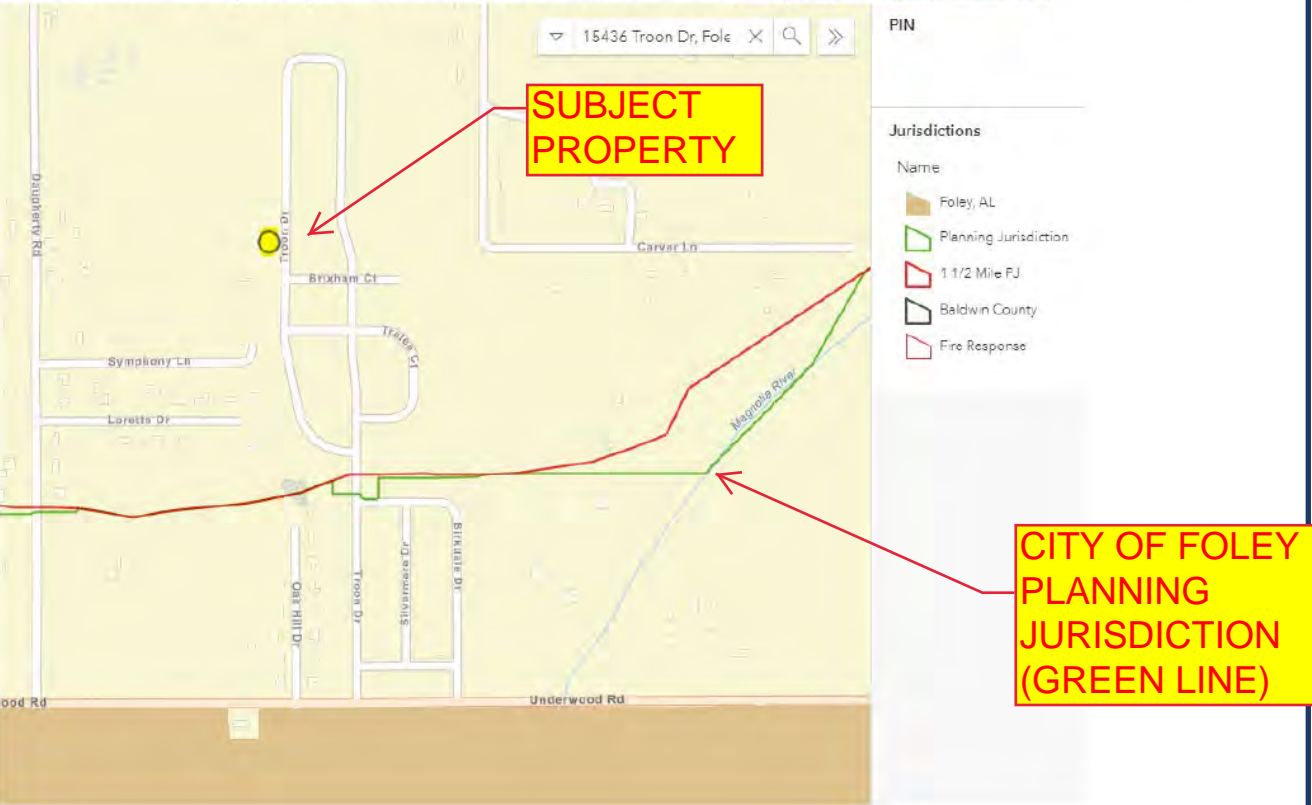
**From:** Wayne Dyess <[wdyess@cityoffoley.org](mailto:wdyess@cityoffoley.org)>  
**Sent:** Wednesday, March 30, 2022 11:34 AM  
**To:** Eden Lapham <[elapham@cityoffoley.org](mailto:elapham@cityoffoley.org)>  
**Cc:** Deborah Kerby, Key <[DKEY@baldwincountyal.gov](mailto:DKEY@baldwincountyal.gov)>; Shannon L. Spivey <[SSPIVEY@baldwincountyal.gov](mailto:SSPIVEY@baldwincountyal.gov)>  
**Subject:** Re: Citizen Issue Concerning Variance

This message has originated from an **External Source**. Please use proper judgment and caution when



# SV22-10 SORZANO VARIANCE 15436 TROON DRIVE

First, let me explain that as far as I can tell this address has never been within the city limits, although it previously fell within the EJT before last year's changes. I have included a screenshot of our current map for your review. (accessible online at <https://arcg.is/1uWiST>)



opening attachments, clicking links, or responding to this email.

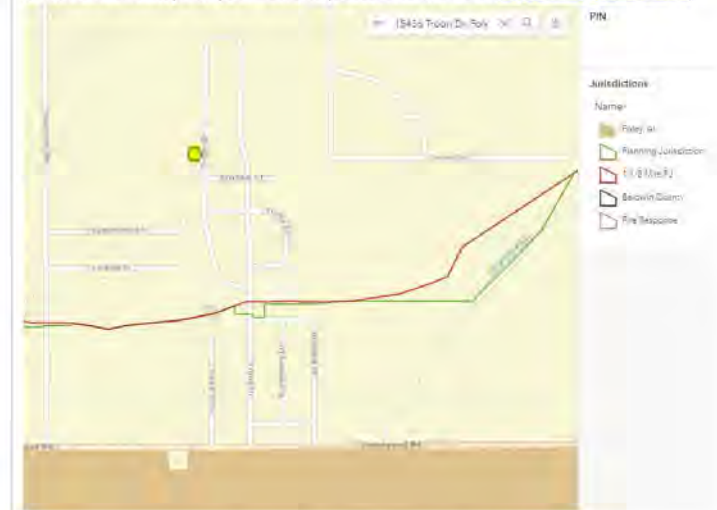
Thank you all.

Wayne

On Wed, Mar 30, 2022 at 11:14 AM Eden Lapham <[elapham@cityoffoley.org](mailto:elapham@cityoffoley.org)> wrote:

Hi Deborah,  
I've spoken with my Engineer and he helped me understand the situation. They have had some email correspondence with Mr. Sorzano attempting to explain it to him as well, but apparently there is still some confusion.

First, let me explain that as far as I can tell this address has never been within the city limits, although it previously fell within the EJT before last year's changes. I have included a screenshot of our current map for your review. (accessible online at <https://arcg.is/1uWiST>)



Since we do not maintain drainage outside of the city limits, we would not have required easements in our favor - any required easements during the subdivision process would have been in favor of the County or the HOA. Since the easements are not for the City, the City has no authority to vacate them.

I know it feels like a runaround and I always feel for residents trying to understand jurisdictional authority in the never-never land, but per my Engineering department there really is nothing that we can do at this time. Any vacation of easement would have to come from the entity that controls it & without seeing the plat, I'm not sure who that is.



# SV22-10 SORZANO VARIANCE 15436 TROON DRIVE

If there is anything else I can do to help or if something new is discovered, please feel free to reach back out to me.

Thanks,

Eden

*Eden Lapham, Planner I*  
*City of Foley Community Development*  
*phone 251-952-4011 | fax 251-943-6903*

On Wed, Mar 30, 2022 at 9:09 AM Eden Lapham <[elapham@cityoffoley.org](mailto:elapham@cityoffoley.org)> wrote:

Good morning Deborah,

Wayne forwarded me your email and asked that I look into the situation. I'm going to need a little time to check with all the appropriate folks, but I will get back with you as soon as I have an answer for you.

Thanks!

Eden

*Eden Lapham, Planner I*  
*City of Foley Community Development*  
*phone 251-952-4011 | fax 251-943-6903*

On Wed, Mar 30, 2022 at 8:27 AM Wayne Dyess <[wdyess@cityoffoley.org](mailto:wdyess@cityoffoley.org)> wrote:

Good morning Eden! Please see the email below from the County Citizen Service Center. Can you look into this and communicate back to Deborah.

Much appreciated,  
Wayne

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

From: **Deborah Kerby. Key** <[DKEY@baldwincountyal.gov](mailto:DKEY@baldwincountyal.gov)>  
Date: Tue, Mar 29, 2022 at 3:51 PM  
Subject: Citizen Issue Concerning Variance  
To: [wdyess@cityoffoley.org](mailto:wdyess@cityoffoley.org) <[wdyess@cityoffoley.org](mailto:wdyess@cityoffoley.org)>  
Cc: Shannon L. Spivey <[SSPIVIFY@baldwincountyal.gov](mailto:SSPIVIFY@baldwincountyal.gov)>

Hey Wayne!

I spoke with a Mr. Alex Sorzano at 15436 Troon Dr. in Foley concerning his issues trying to get a screened porch and pool built in his back yard. His opening words were of frustration from the City of Foley and the County of Baldwin (I asked him to explain his issue

and he proceeded to tell me that he has spoken with the City of Foley as well as the Town of Summerdale trying to get the needed permits to build a screened in porch and a pool for his back yard. After dealing with those entities he was told to contact the County.

I pulled up his property in my handy dandy 2017 map book as well as on the Map Viewer in Revenue and noticed that his subdivision was, indeed, inside city limits of Foley (or, so it looked to me). He said he had spoken with an Amanda with the City of Foley and she referred him to the Town of Summerdale where he spoke with a Chasity in Planning and had spoken with their Building Inspector, a Mr. Jason McClinton who basically said he would deny the permit based on the drainage easements running through the property. Please note that the neighbor right next door has a pool and gave the permit number to Mr. Sorzano so he could give proof that a pool was built on the adjoining property.

I felt for Mr. Sorzano being in what he thought was a vicious circle so I asked him if he would mind me doing a little investigating to see what I might come up with. He was grateful for the assistance. I called and spoke with Paula in our Planning Department and she said that she had actually talked with Mr. Sorzano at one point and remembered him. But, it was not County jurisdiction. She pulled up his parcel and we looked at it together and realized that that subdivision was approved by the City of Foley and was in their Planning Jurisdiction (ETJ). After the subdivision was completed it fell under "Unzoned" and building permits would go through Town of Summerdale. I asked Paula "What if the City of Foley were to give a variance for the drainage easements on his property? Would the Town of Summerdale be inclined to approve Mr. Sorzano's permit?" She said it may be possible but I should talk to Town of Summerdale first. So I did. I spoke with Chasity and explained the situation to her to which she replied that she did not know about the City of Foley Planning Jurisdiction (she thought it was under County Jurisdiction and that is why she referred him to us)

I have said all that to ask this question. Could (or would) the City of Foley be able to give Mr. Sorzano a variance on his drainage easements in his back yard (since the City of Foley Planning has jurisdiction over Mr. Sorzanos' subdivision) so that the Town of Summerdale may consider approving his plans for a porch and a pool? That was the suggestion given to me by Paula while we were brainstorming. Don't know if it is possible but thought I would give it a try.

Mr. Alex Sorzano's phone number is \_\_\_\_\_ and his email address is \_\_\_\_\_ if someone would like to contact him to discuss this further. I am sure he would appreciate any assistance you could give him in this matter. Helping citizens are what we are here for if at all possible! As Macaulay Culkin says in the movie "Uncle Buck"... that's my job...that's what I do!

*Deborah K. Key*  
Deborah K. Key



# SV22-10 SORZANO VARIANCE 15436 TROON DRIVE

## Staff Comments

- Weesie Jeffords of the Baldwin County Highway Department reviewed the as-built drawings of Woodmont Phase 2
  - Drainage swales are reflected on the as-built drawings within the 20' D.E. on Lot 93 as well as numerous other lots
  - The variance is recommended for denial by Ms. Jeffords as explained in her e-mail of April 25, 2022

**From:** [Alfreda Jeffords](#)  
**To:** [Buford King](#)  
**Cc:** [Matthew Brown](#); [Mary Booth](#); [Fabia Waters](#); [Shawn Mitchell](#)  
**Subject:** RE: Variance request SV22-10 (Lot 93 in Woodmont Phase II)  
**Date:** Monday, April 25, 2022 11:37:10 AM  
**Attachments:** [image001.png](#)

---

Buford,

You are correct that this subdivision did have those drainage swales to account for lot grading located on the rear/back of the lots. There have been numerous citizen complaints about that swale, as the owners think the County is supposed to maintain it, but we have no legal standing to do so.

The drainage complaints are typically "there is water ponding in my yard" and this makes sense because the areas that were reserved for anticipating lot drainage are having pools and structures blocking the flow of water.

Knowing the current issues, I recommend denial to not further the drainage concerns that the subdivision has imposed upon itself in the private drainage easement intended for stormwater drainage.

We'll scan our as-built sets in an I will share them when they're completed (tomorrow at the earliest).

Thanks,  
Weesie



# SV22-10 SORZANO VARIANCE 15436 TROON DRIVE

The drainage complaints are typically “there is water ponding in my yard” and this makes sense because the areas that were reserved for anticipating lot drainage are having pools and structures blocking the flow of water.

Knowing the current issues, I recommend denial to not further the drainage concerns that the subdivision has imposed upon itself in the private drainage easement intended for stormwater drainage.



# SV22-10 SORZANO VARIANCE 15436 TROON DRIVE

## Other Comments

- Danny Scott of Riviera Utilities verified the ROW and utility easement contains a high-pressure steel pipe natural gas main
- Jason McClinton, Town of Summerdale Building Official notes the swimming pool as shown in the survey does not comply with the 10' separation requirement from the dwelling
  - Moving the pool to comply with the 10' separation from the dwelling unit will likely cause the pool to encroach upon the gas main ROW and utility easement





# SV22-10 SORZANO VARIANCE 15436 TROON DRIVE

From:

To:

Cc:

Subject:

Date:

Attachments:

[building@summerdaleal.com](mailto:building@summerdaleal.com)

"Danny Scott"; Buford King

[Matthew Brown](#); [Mary Booth](#); [Fabia Waters](#); [Shawn Mitchell](#); [Alfreda Jeffords](#)

RE: Lot 93 Woodmont Subdivision drainage an utilities easement issue


Tuesday, April 26, 2022 9:26:44 AM

[image001.png](#)  
[image002.png](#)

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 would like to point out that the required space between the pools edge and the dwelling must be 10 feet. The rendering shows it at 6 feet which places it just outside of the 17'8" utility/drainage easement. With the pool spaced properly for safety, the footprint would encroach both engineered drainage easements.

Respectfully,



TOWN OF  
SUMMERDALE

Jason McClinton

Building Official

(251) 989-6470

[building@summerdaleal.com](mailto:building@summerdaleal.com)

502 W. Lee Ave

Summerdale, AL 36580

[www.SummerdaleAl.com](http://www.SummerdaleAl.com)

I would like to point out that the required space between the pools edge and the dwelling must be 10 feet. The rendering shows it at 6 feet which places it just outside of the 17'8" utility/drainage easement. With the pool spaced properly for safety, the footprint would encroach both engineered drainage easements.



# SV22-10 SORZANO VARIANCE 15436 TROON DRIVE – *variance criteria*

## SUBDIVISION VARIANCE CRITERIA PROMULGATED BY ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS

***A variance shall not be approved unless there are findings based upon the evidence presented in each specific case that:***

- a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property
- b. The conditions upon which the request for variance is based are unique to the property for which the variance is sought
- c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the these regulations are carried out
- d. The variance will not in any manner vary the provisions of other adopted policies and regulations of the Baldwin County Commission
- e. Inconvenience, financial concerns, or self-imposed conditions shall not be considered as a hardship for the purpose of granting the variance.

## APPLICANT COMMENTS AND STAFF REBUTTAL OF VARIANCE CRITERIA WITHIN ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS

- a. Applicant Comments: The granting of this variance is for my backyard and will not impact any other property in the surrounding area.
  - Staff Rebuttal: removing or altering the drainage and utility easement to allow construction of a swimming pool may result in an obstruction of a drainage swale designed by the original engineer of record for the development and possibly, if not likely creating a downstream adverse effect upon the drainage system.
- b. Applicant Comments: The size and number of the easements prevent me from building a pool or other permanent structure in my back yard.
  - Staff Rebuttal: the drainage and utilities easement (labeled as D.E. on the plat) includes lots 93 through 103 as shown on Slide 2393-D recorded on June 13, 2008, by the Baldwin County Judge of Probate. As a result, this condition is not unique to the property for which the variance is sought.
- c. Applicant Comments: with the easements in place I believe a future attempt to sell the home will adversely affect its marketability. Had I known the full impact these easements would have on being able to use our back yard. i.e. building a pool or adding an enclosed porch, prior to purchasing it, we would not have bought this home. As it is currently there are very limited options to seek shelter from the weather and mosquitos in order to enjoy our yard.
  - Staff Rebuttal: subject property is a lot of record within a fully-engineered residential development that includes the various engineering controls required by the regulations in effect at the time of approval. As described in item "b" above, this development's subdivision plat was recorded into the public realm in 2008 and thus available to any member of the public as a form of public information prior to purchase of the property.



# SV22-10 SORZANO VARIANCE 15436 TROON DRIVE – variance criteria (continued)

## SUBDIVISION VARIANCE CRITERIA PROMULGATED BY ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS

***A variance shall not be approved unless there are findings based upon the evidence presented in each specific case that:***

- a. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property
- b. The conditions upon which the request for variance is based are unique to the property for which the variance is sought
- c. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the these regulations are carried out
- d. The variance will not in any manner vary the provisions of other adopted policies and regulations of the Baldwin County Commission
- e. Inconvenience, financial concerns, or self-imposed conditions shall not be considered as a hardship for the purpose of granting the variance.

## APPLICANT COMMENTS AND STAFF REBUTTAL OF VARIANCE CRITERIA WITHIN ARTICLE 8, SECTION 8.1(a) THROUGH 8.1(e) OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS (continued)

- d. Applicant Comments: I am not sure on how to answer this.
  - Staff Rebuttal: though staff is not immediately aware of other provisions of other adopted policies that would be affected by the approval of the variance, staff is concerned that if the end product of the approved variance creates another obstruction placed within a drainage swale designed by the original engineer of record for the development, existing drainage issues created by other existing obstructions within the same drainage swales will only be exacerbated by another drainage obstruction. The drainage system features outside the public ROW within Woodmont Phase 2 are not maintained by Baldwin County.
- e. Applicant Comments: the applicant acknowledged this section in their Citizen Serve submission
  - Staff Rebuttal: staff reiterates its comments in sections “b” and “c” on the previous page and further notes in this section that the various engineering controls, which require reflecting drainage and utility easements on a subdivision plat recorded into the public realm are self-imposed conditions that shall not be considered a hardship for the purpose granting a variance. Further, the drainage swales are a form of infrastructure designed by the original engineer of record and reflected on the as-built drawings and are thus a crucial component of the drainage system of the development. County staff is highly reluctant to recommend approval of a variance that may result in alterations to a drainage and utility easement containing actual drainage infrastructure without a submitted drainage system re-design by a professional engineer licensed in the State of Alabama.



# SV22-10 SORZANO VARIANCE

## VARIANCE REQUEST   **STAFF RECOMMENDATION**

Staff recommends that variance request case number SV22-10 be **DENIED** due to non-conformity with the variance criteria of Section 8.1(a) through 8.1(e) of the Baldwin County Subdivision Regulations

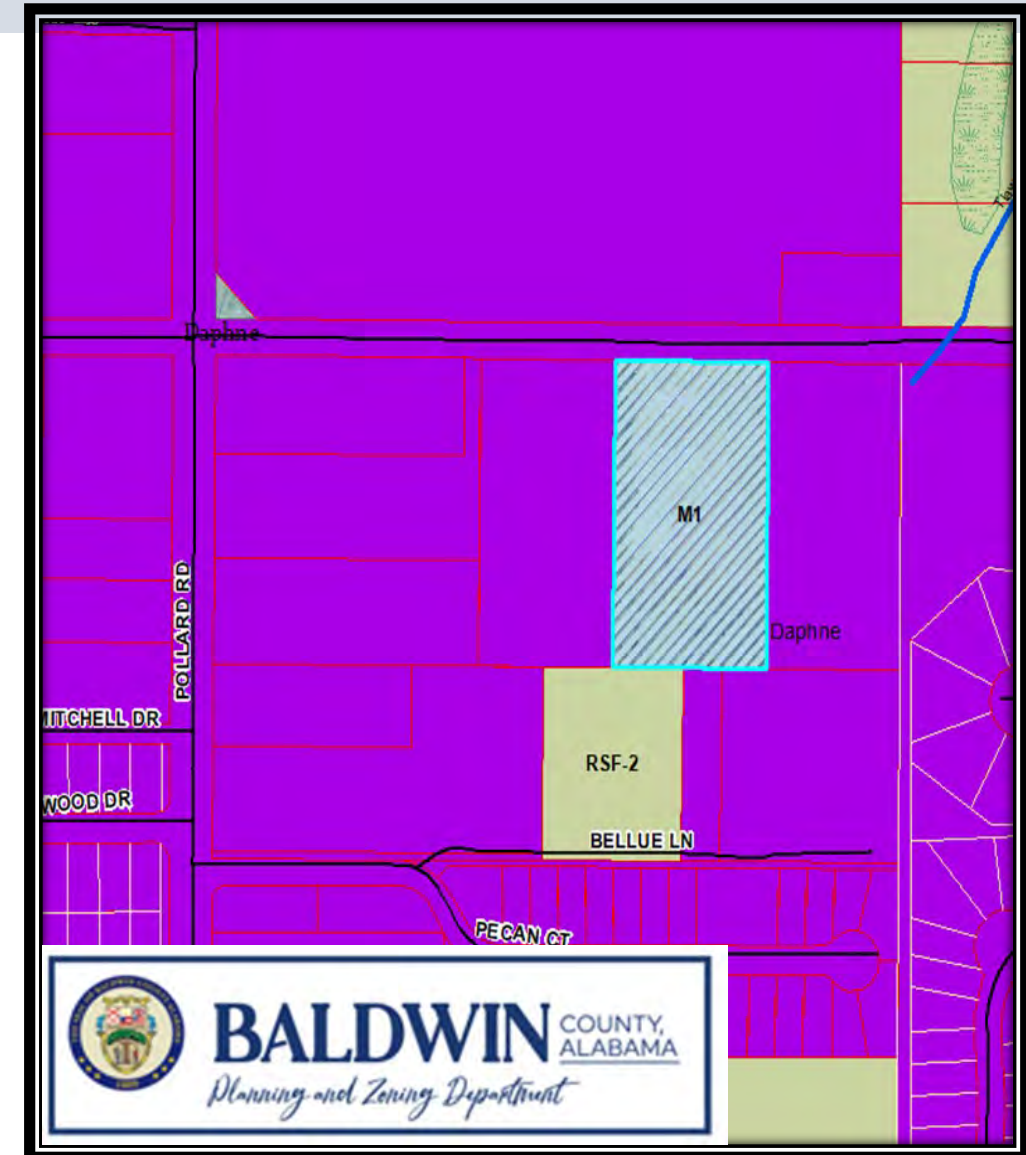


# 8.a) CSP22-8 EMPIRE CONSTRUCTION LLC PROPERTY

## COMMISSION SITE PLAN APPROVAL

Lead Staff: Crystal Bates, Planning Technician

- **Planning District: 15**   **Zoned: M-1**
- **Location:** Subject property is located on the south side Wells Road
- **Parcel Number:** 05-43-05-16-0-0-000-028.006
- **Current Use:** Contractor office/Shop
- **Acreage: 3.28**
- **Physical Address:** 8188 Well Rd
- **Applicant:** Empire Construction- Jere Miller
- **Owner:** Empire Construction, LLC





# CSP22-8 EMPIRE CONSTRUCTION LLC PROPERTY

## COMMISSION SITE PLAN APPROVAL

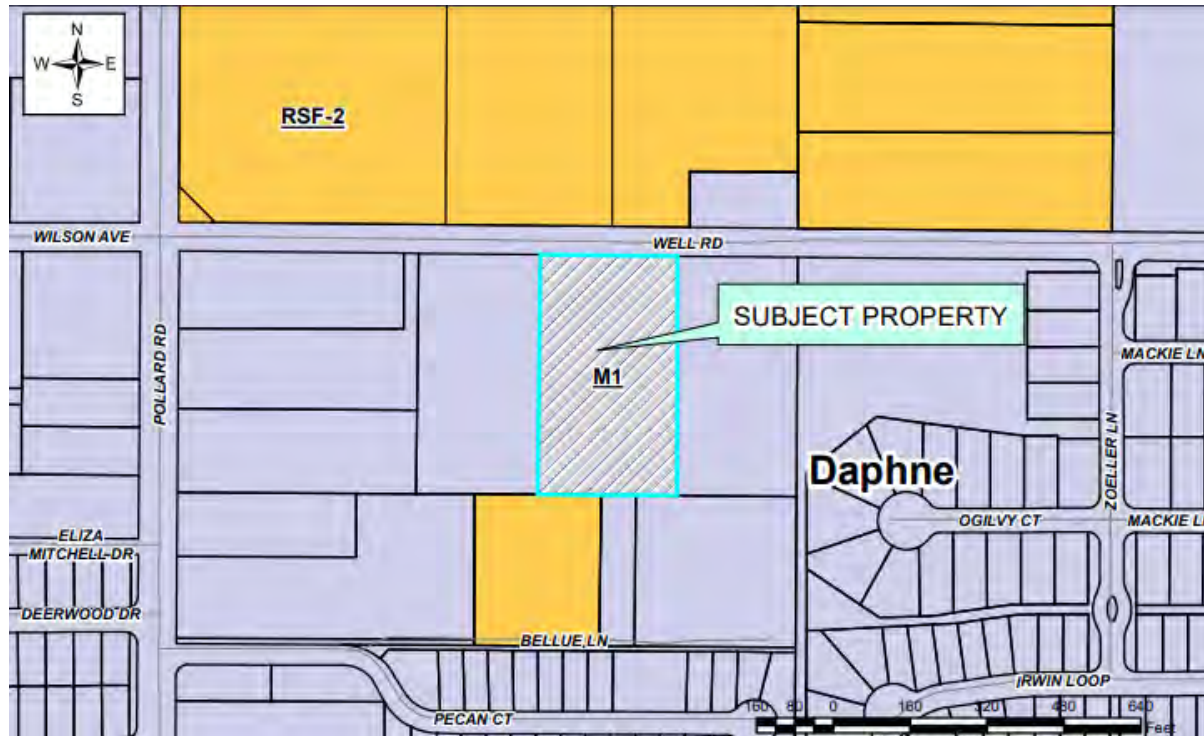
Lead Staff: Crystal Bates, Planning Technician

- **Current Zoning:** M-1, Light Industrial District
- **Applicant's Request:** The applicant is requesting approval to construct 50 x 75 3,750 square foot office building for the concrete contractor's business.





## Locator Map



## Site Map



	Adjacent Land Use	Adjacent Zoning
North	Vacant	City of Daphne
South	Residential & Vacant	RSF-2, Residential Single Family Two
East	Vacant	City of Daphne
West	Commercial	City of Daphne



# Property Images





# Zoning Requirements

## Section 8.1 M-1, Light Industrial District

8.1.1 *Generally.* The purpose of this zoning district is to provide a suitable protected environment for manufacturing, research and wholesale establishments which are clean, quiet and free of hazardous or objectionable emissions, and generate little industrial traffic.

8.1.2 *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, conditioned on the Commission Site Plan Approval requirements of Section 18.9:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) Light industrial uses.
- (c) Transportation, communication, and utility uses except landfills and sewer treatment plants.
- (d) Outdoor recreation uses.
- (e) Marine recreation uses.
- (f) General commercial uses except race tracks.
- (g) Local commercial uses.
- (h) Professional service and office uses.
- (i) Institutional uses.
- (j) Agricultural uses.
- (k) Accessory structures and uses.

8.1.3 *Commission Site Plan Approval.* 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 Commission Site Plan Approval uses:

- (a) Transportation, communication, and utility uses not permitted by right per *Section 8.2(c): Permitted uses*.

8.1.4 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	45
Maximum Height of Structure in Habitable Stories	4
Minimum Front Yard	25-Feet
Minimum Rear Yard	see (a & b)
Minimum Side Yards	see (a & b)
Minimum Lot Area	40,000 Square Feet
Maximum Impervious Surface Ratio	.80
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	No Minimum

(a) No minimum except where abutting a residential district, in which case there shall be a minimum yard of 25-feet abutting the residential district.

(b) The required yards shall be increased by one foot for each foot of building height in excess of 35-feet.



# Zoning Requirements

## Section 18.9 Commission Site Plan Approval

**Purpose.** The purpose of Commission site plan approval is to allow the proper integration of uses into a community and zoning district. The Commission site plan approval process recognizes that certain uses, though technically permitted by zoning, are only suitable under certain conditions and at appropriate locations. Certain uses require special consideration so that the use may be properly located with respect to the objectives of this chapter and their effect on surrounding properties.

**18.9.1 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 by the Site Plan Approval process in a particular zoning district; however, the county reserves full authority to deny any request for Site Plan Approval, 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.

**18.9.2 Applicable Uses.** In addition to the uses specified for the individual zoning designations, a Commission Site Plan Approval is required for all development which meets the following criteria:

- (a) All multiple unit developments;
- (b) Non-residential projects involving a combined total building square footage of 5,000 square feet or more;
- (c) Non-residential development within 200 feet of property that is either zoned or used as residential;
- (d) Non-residential development where more than 30% of the lot (excluding the building) is impervious;
- (e) All changes to existing structures, other than single family residences, that increase the gross floor area by thirty percent (30%) or more;
- (f) All changes of use on non-residential properties, unless proposed use would be permitted with an administrative approval.



# Zoning Requirements

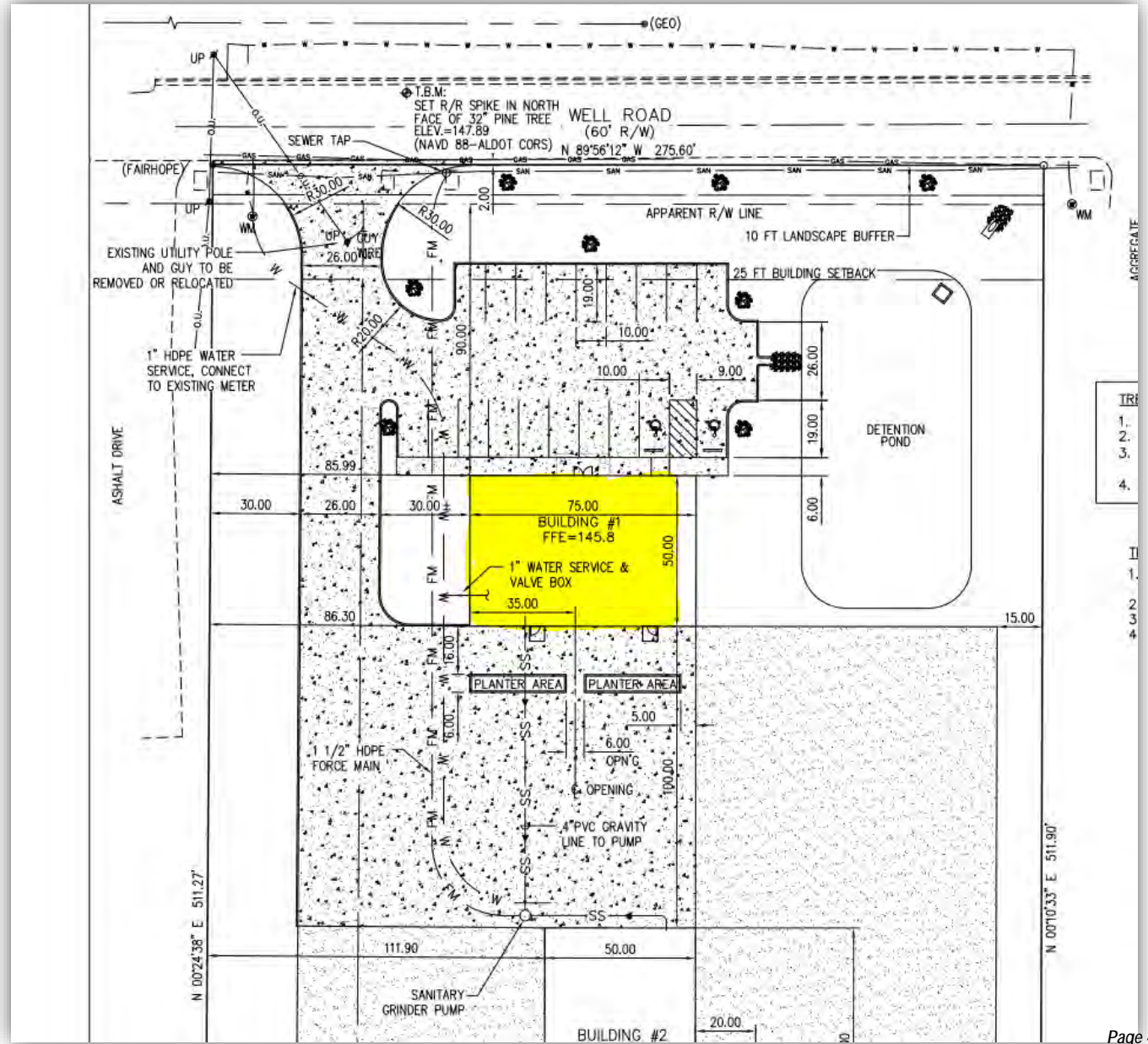
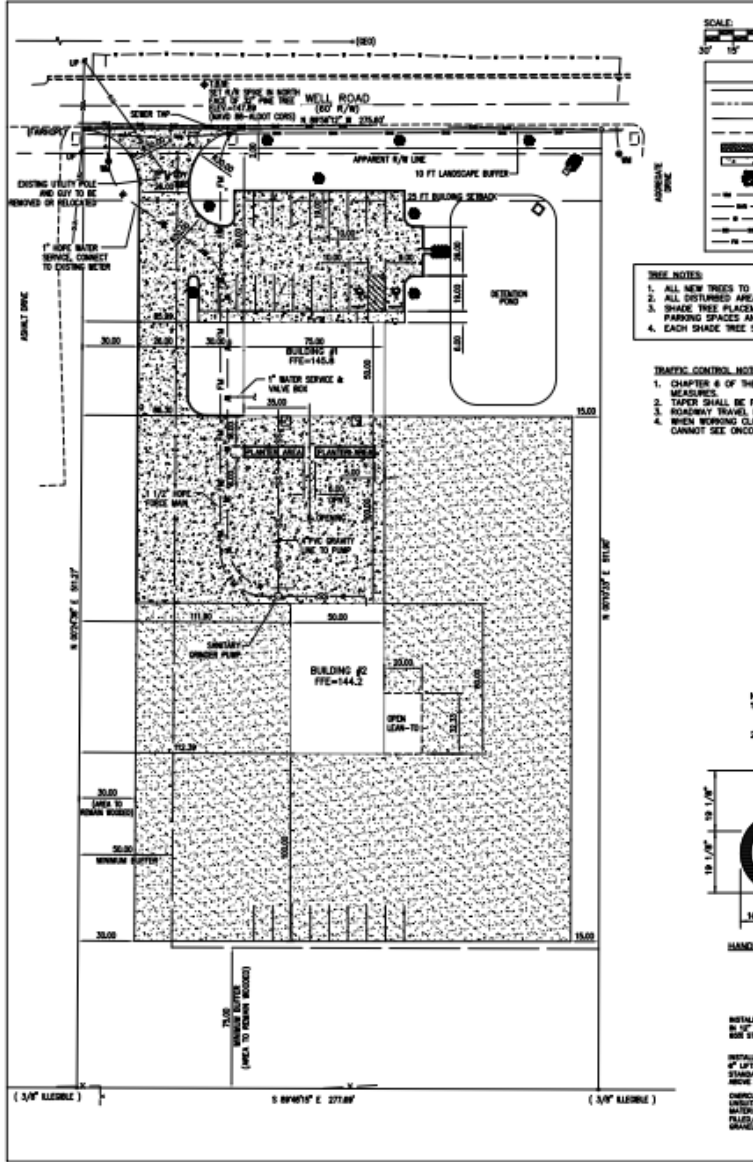
Baldwin County Zoning Ordinances

23-14

	RR	RA	CR	RSF-E	RSF-1	RSF-2	RSF-3	RSF-4	RTF-4	RSF-6	RTF-6	RMF-6	HDR	RMH	B-1	B-2	B-3	B-4	RV-1	RV-2	LB	LB	LB	MR	OR	TR	M-1	M-2
Taxi dispatching station	C	C															C	C									P	P
Taxi terminal	C	C															C	C									P	
Telephone exchange	C	C															C	C									P	P
Water plant	C	C															C	C									P	P
Water storage tank	C	C														C	C	C						C			P	P
Water or sewage pumping station	C	C															C	C									P	P
Water well (public or private)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless telecommunication facilities (see Section 13.9)	C	C														C	C	C									P	P
LIGHT INDUSTRIAL USES																												
Automobile manufacture	C																										P	P
Bottling works	C																										P	P
Cabinet shop	C																										P	P
Contractor's yard	C																										P	P
Grain milling storage and elevators	C																										P	P
Ice plant	C																										P	P
Lumberyard	C																										P	P
Machine shop	C																										P	P



# Site Plan





# Site Plan for Proposed Building

10' Landscape Buffer

Required Parking

Proposed Office

## SITE DATA:

LOT SIZE: 3.17± AC (137,938 SF)

ZONING: UNZONED

BUILDING SETBACKS:

FRONT: 40 FT

SIDE: 15 FT

REAR: 25 FT

BUILDING FOOTPRINT = 8,550 SF (6.2%)

PAVEMENT AREA = 24,170 SF (17.6%)

AGGREGATE AREA = 47,750 SF (34.6%)

LANDSCAPE/WOODED AREA = 57,468 SF (41.6%)

## PARKING:

3,750 SF @ 1/200 SF OFFICE FLOOR AREA

4,000 SF @ 1/500 SF SHOP/WAREHOUSE AREA

REQUIRED = 19 + 8 = 27

## PROVIDED:

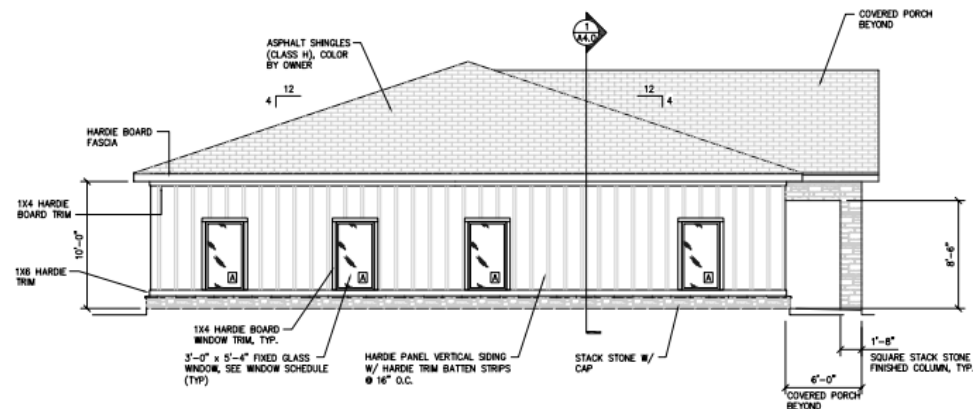
PAVED = 19 (2 HANDICAPPED)

UNPAVED = 8+ IN LAYDOWN AREA

USE: CONTRACTOR OFFICE & LAYDOWN



# Elevations



**EAST ELEVATION**  
SCALE: 3/16" = 1'-0"

## LEGEND & NOTES

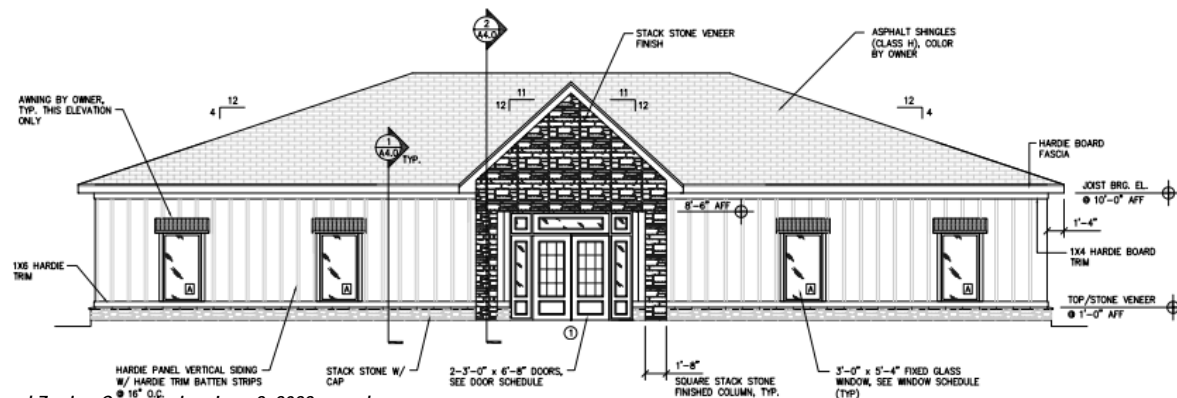
- ① INDICATES DOOR MARK, SEE DOOR SCHEDULE
- Ⓐ INDICATES WINDOW MARK, SEE WINDOW SCHEDULE

## GLAZING NOTE:

ALL EXTERIOR GLAZING SHALL BE IMPACT RESISTANT GLAZING.

## STONE VENEER NOTE:

STONE VENEER SHALL BE "HORIZON STONE" - OLDE WORLD SERIES  
COLOR BY OWNER





# Agency Comments

Mary Boothe

Baldwin County Planning & Zoning & Subdivision Department

DJ,

I do not have any subdivision related comments.

Thanks,  
Mary

Adrienne Jones

City of Daphne Community Development Director

Good morning,

I will similar comments for the Empire Construction site plan as I previously submitted in February 2022.

Thank you for providing an opportunity to review this application. My concern is mitigating the impact of the new development on the adjoining sites. With regard to the land along the southern boundary which is zoned residential and to make sure there is a fence and planted buffer there to protect the residents.

In that same vein, landscaping along the road frontage as well as leaving a natural buffer along the west side would be appropriate to mitigate the visual impact of the contractor's shop from the newly approved development to the north across Well Road, The Croft, a 139 unit townhouse development, as well as protect the integrity of the operation of the recovery center, Common Ground, located to the west.

Again, thanks for the opportunity to provide input.



# Staff Analysis and Findings

The applicant is requesting Commission Site Plan Approval approval **to allow a 50' x 75', 3,750 square foot concrete contractor office building**. The subject property is zoned M-1, Light Industrial District. The proposed use is permitted by right, subject to the Commission Site Plan Approval approval of the Planning Commission.

The following factors for reviewing Commission Site Plan Approval approvals are found in Section 18.9 of the *Baldwin County Zoning Ordinance*.

Section 18.9.1 *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 Commission Site Plan Approval in a particular zoning district; however, the county reserves full authority to deny any request for Commission Site Plan Approval, 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.



18.9.2 Applicable Uses. In addition to the uses specified for the individual zoning designations, a Commission Site Plan Approval is required for all development which meets the following criteria:

- (a) All multiple unit developments;
- (b) Non-residential projects involving a combined total building square footage of 5,000 square feet or more;
- (c) Non-residential development within 200 feet of property that is either zoned or used as residential;
- (d) Non-residential development where more than 30% of the lot (excluding the building) is impervious;
- (e) All changes to existing structures, other than single family residences, that increase the gross floor area by thirty percent (30%) or more;
- (f) All changes of use on non-residential properties, unless proposed use would be permitted with an administrative approval.

Section 18.9.5 *Standards for approval.* A Commission Site Plan Approval 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:



# Staff Analysis and Findings

**(a) The proposed use and accompanying site plan conform to the requirements of the Zoning Ordinance.**

The proposed use of a contractor office conforms to the requirements of the Zoning Ordinance and the submitted site plan meets the requirements for M-1 zoning setbacks. All required permits have been provided for the proposed office.

**(b) 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. 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. The proposed use is consistent with the Master Plan and the requirements of the zoning ordinance.



# Staff Analysis and Findings

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

The use should not detract from the public's convenience as there are other commercial uses adjacent to this property. A Land Use Certificate was issued in 2017 and again 2020 for the front office building and storage area at this site but has expired before receiving building permit. The applicant applied for two of the buildings in 2017 but did not obtain a building permit for either structure prior to the expiration date of the Land Use Certificate. Then again in 2020 for the office building and site work for building two. Then this year 2022 received a commission site plan approval for the metal storage building went back to get building permits for building and notice the office building approval was expired from 2020. Currently the site is underway with the metal building in back with a required 75' landscape buffer. Amendments to the Zoning Ordinance require Planning Commission approval of the proposed structures.

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

The proposed use is consistent with commercial uses to the north, and west. The structure is being added to an existing development and will have the required 10' required landscape buffer on the front of the office building. The property to the north and west is commercial, To the east is undeveloped and the property to the south is zone residential. Therefore, staff believes the proposed use should not unduly decrease the value of neighboring properties.

## **(e) 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.**

As stated above, adjacent uses are consistent with commercial.



# Staff Analysis and Findings

18.9.6 *Conditions and restrictions on approval.* In approving a site plan, the Planning Commission may impose conditions and restrictions upon the property benefited by the site plan approval as may be necessary to comply with the standards set out above, to reduce or minimize any potentially injurious effect of such site plan approval upon the property in the neighborhood, and to carry out the general purpose and intent of the ordinances. These conditions may include but are not limited to increasing the required lot size or yard dimensions; controlling the location and number of vehicle access points; increasing the number of off- street parking and loading spaces required; limiting the number, size and location of signs; and required fencing, screening, lighting, landscaping or other facilities to protect adjacent or nearby property.

In approving any site plan, the Planning Commission may specify a period of time different than the 180-day default time period from Section 18.2.4 for the commencement (issuance of a building permit) of the proposed use. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances. Those site plans which the Planning Commission approves subject to conditions shall have 30 days to submit an amended site plan incorporating the required conditions, unless a longer time frame is specified by the Planning Commission.



# CSP22-8 EMPIRE CONSTRUCTION LLC PROPERTY

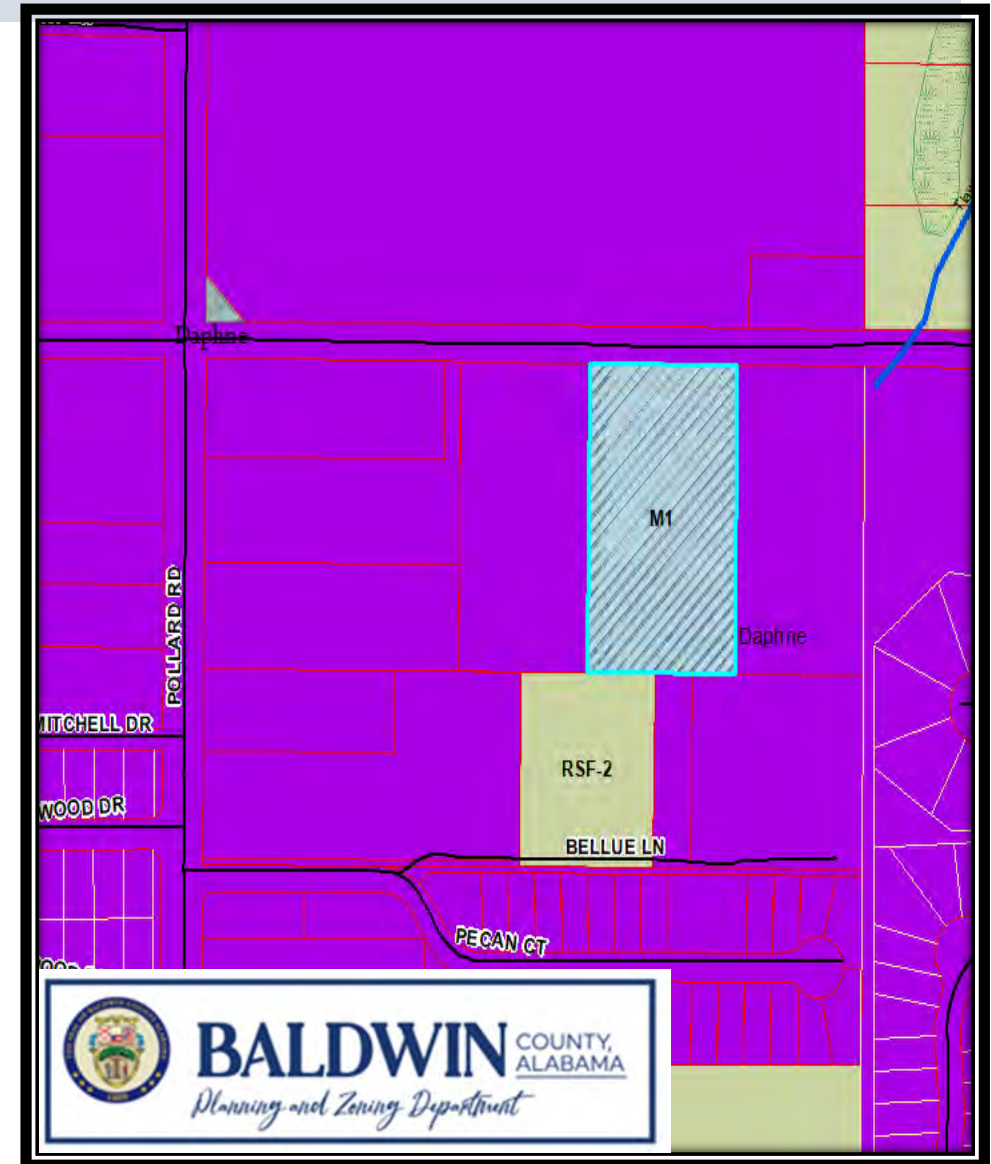
## COMMISSION SITE PLAN APPROVAL

Lead Staff: Crystal Bates, Planning Technician

- Staff's Summary and Comments:**

The subject property is currently zoned M-1, Light Industrial District, and is currently being developed with one 50 x 80 metal building with a 20 x 32 lean-to. The property adjoins Wells Rd to the North. The adjoining properties to the West, East and North are in City of Daphne the property to the South is zone Residential Single family and RSF-2, Single Family District. The Commission Site Plan Approval being requested is to allow for the construction of a contractor office building to be located on the front of property.

Baldwin County Planning and Zoning Commission June 2, 2022 agenda





# CSP22-8 EMPIRE CONSTRUCTION LLC PROPERTY

## COMMISSION SITE PLAN APPROVAL

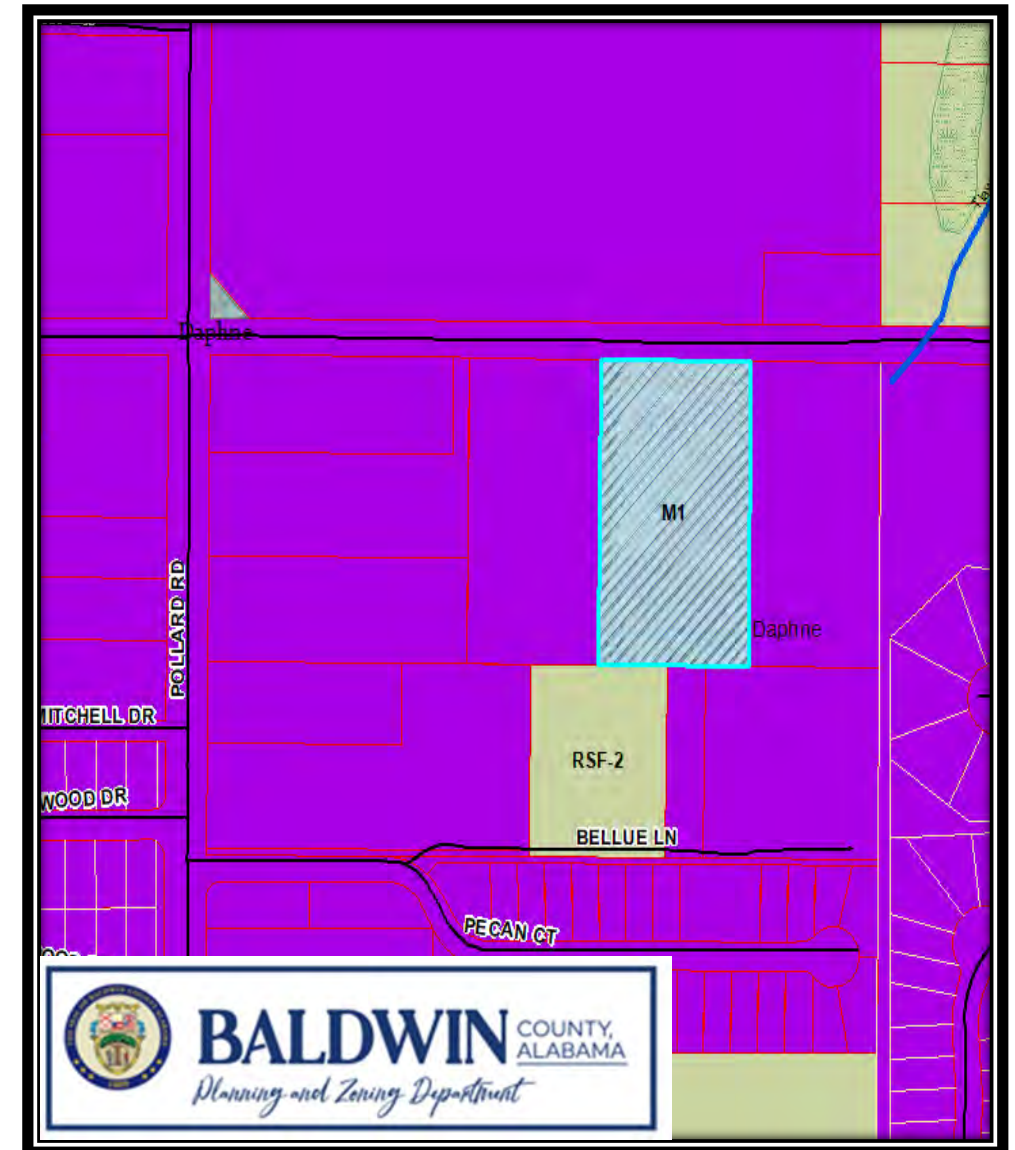
Lead Staff: Crystal Bates, Planning Technician

As stated previously, the applicant is requesting Commission Site Plan Approval to allow for the construction of a 3,750 square feet 50 x 75 office building for a concrete contractor's office.

Staff feels that this is a reasonable request and recommends **APPROVAL\*** subject to the following conditions:

\* The landscape plan doesn't show the required trees, shrubs and the grass. The site plan must be submitted before staff signs off on the commission site plan.

*\*On Commission Site Plan Approval, Planning Commission makes the final decision.*



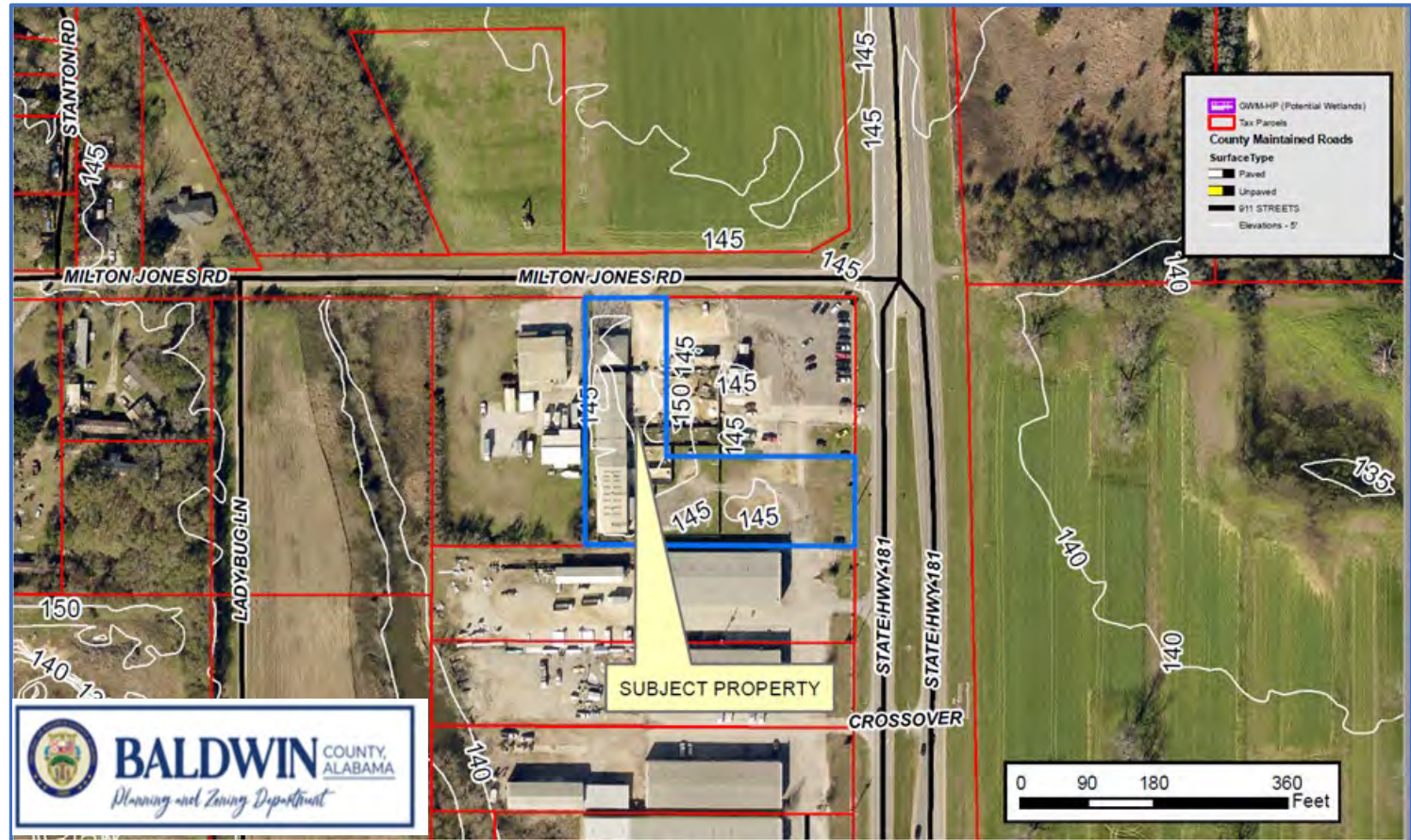


# 8.b)CSP22-9, WISE PROPERTIES, LLC

## COMMISSION SITE PLAN APPROVAL

Lead Staff: DJ Hart, Planning Tech

- **Planning District: 15**   **Zoned: M-1**
- **Location:** Located on the South Side of Milton Jones Road, west of State Highway 181 in the Daphne area.
- **Parcel Number:** 05-43-05-22-0-000-020.007
- **Current Use:** Commercial, Fence Company
- **Acreage:** 1.55 acres
- **Physical Address:** 9930 Milton Jones Rd Daphne, Al. 36526
- **Applicant:** Consolidated Fence Co, LLC
- **Henry Wise**
- **Owner:** Wise Properties, LLC



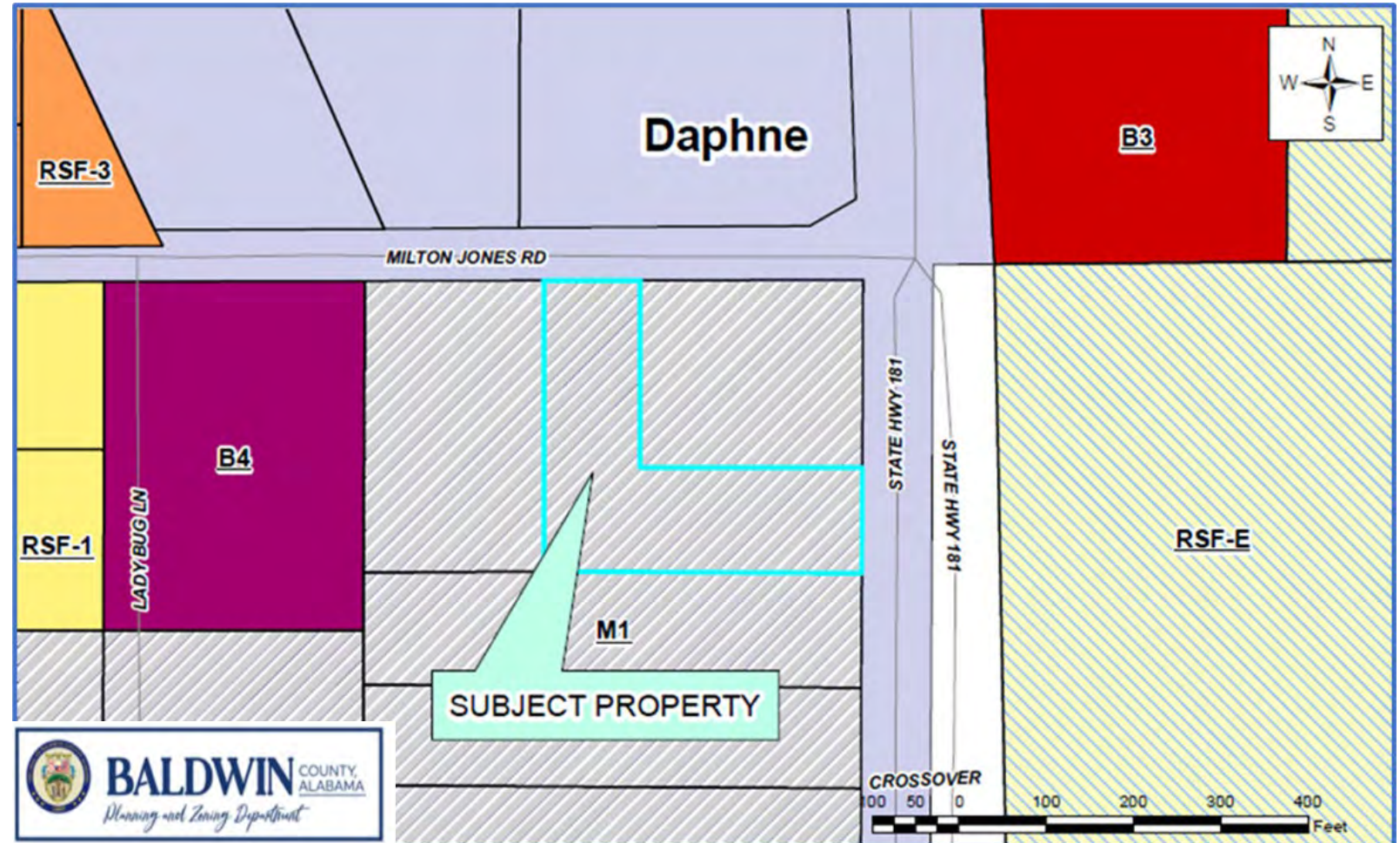


# CSP22-9, WISE PROPERTIES, LLC

## COMMISSION SITE PLAN APPROVAL

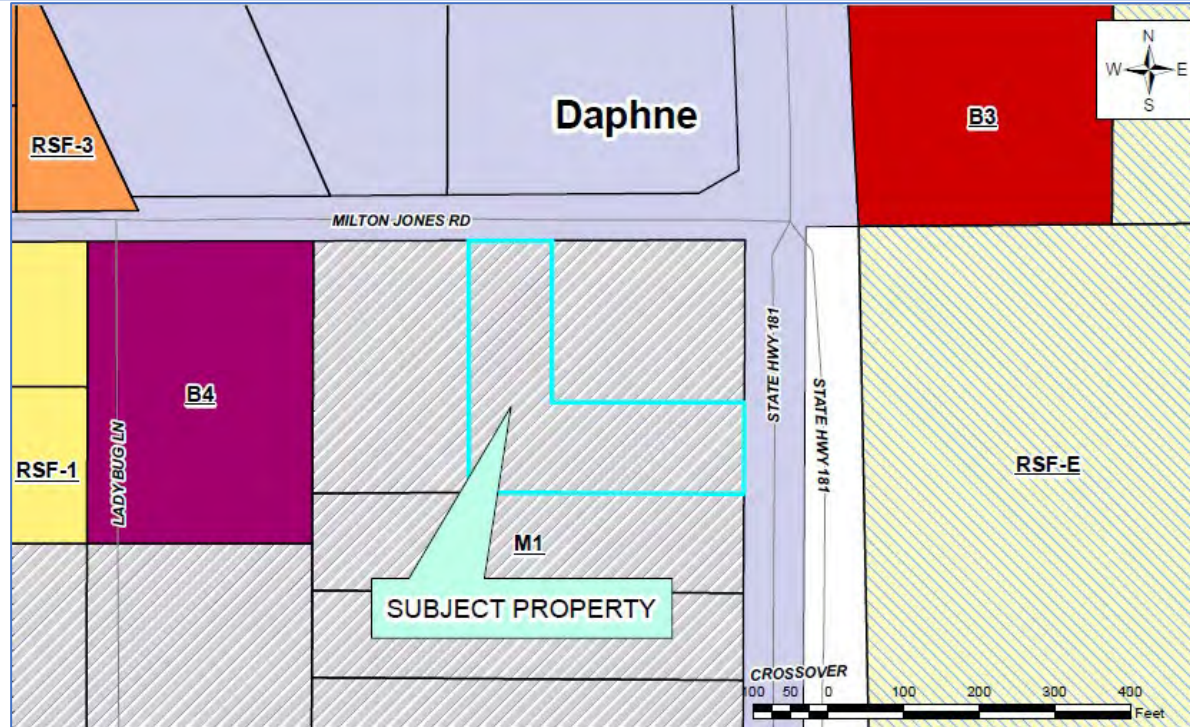
Lead Staff: DJ Hart, Planning Tech

- **Current Zoning: M-1**, Light Industrial District
- **Applicant's Request:** The applicant is requesting approval of a 1,000 square addition to an existing building.

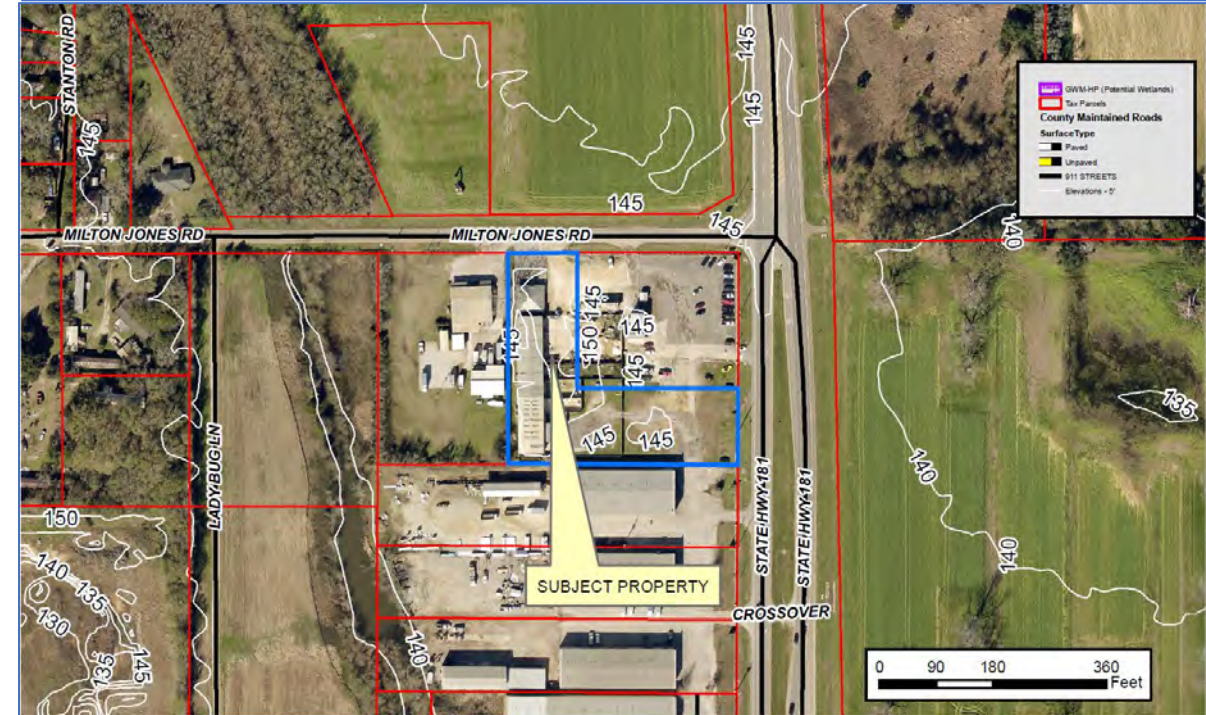




# Locator Map



# Site Map



	Adjacent Land Use	Adjacent Zoning
North	Daphne Fire Department	City of Daphne City Limits
South	Commercial	M-1, Light Industrial District
East	Agricultural	RSF-E, Residential Single-Family District
West	Commercial	M-1, Light Industrial District



# Property Images









# Zoning Requirements

## Article 8 Industrial Districts

### Section 8.1 M-1, Light Industrial District

8.1.1 *Generally.* The purpose of this zoning district is to provide a suitable protected environment for manufacturing, research and wholesale establishments which are clean, quiet and free of hazardous or objectionable emissions, and generate little industrial traffic.

8.1.2 *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, conditioned on the Commission Site Plan Approval requirements of Section 18.9:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) Light industrial uses.
- (c) Transportation, communication, and utility uses except landfills and sewer treatment plants.
- (d) Outdoor recreation uses.
- (e) Marine recreation uses.
- (f) General commercial uses except racetracks.
- (g) Local commercial uses.
- (h) Professional service and office uses.
- (i) Institutional uses.
- (j) Agricultural uses.
- (k) Accessory structures and uses.

8.1.3 *Conditional Use Commission Site Plan Approval.* 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 Commission Site Plan Approval uses:



(a) Transportation, communication, and utility uses not permitted by right per *Section 8.2(c): Permitted uses*.  
Baldwin County Zoning Ordinance 96

(b) General commercial uses not permitted by right per *Section 8.2(f): Permitted uses*.

*8.1.4 Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts, Section 12.4: Height Modifications, Section 12.5: Yard Requirements, Section 12.6: Coastal Areas, Section 12.8: Highway Construction Setbacks, Section 18.4 Variances, and Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet 45

Maximum Height of Structure in Habitable Stories 4

Minimum Front Yard 25-Feet

Minimum Rear Yard see (a & b)

Minimum Side Yards see (a & b)

Minimum Lot Area 40,000 Square Feet

Maximum Impervious Surface Ratio .80

Minimum Lot Width at Building Line 120-Feet

Minimum Lot Width at Street Line No Minimum

(a) No minimum except where abutting a residential district, in which case there shall be a minimum yard of 25-feet abutting the residential district.

(b) The required yards shall be increased by one foot for each foot of building height in excess of 35-feet.

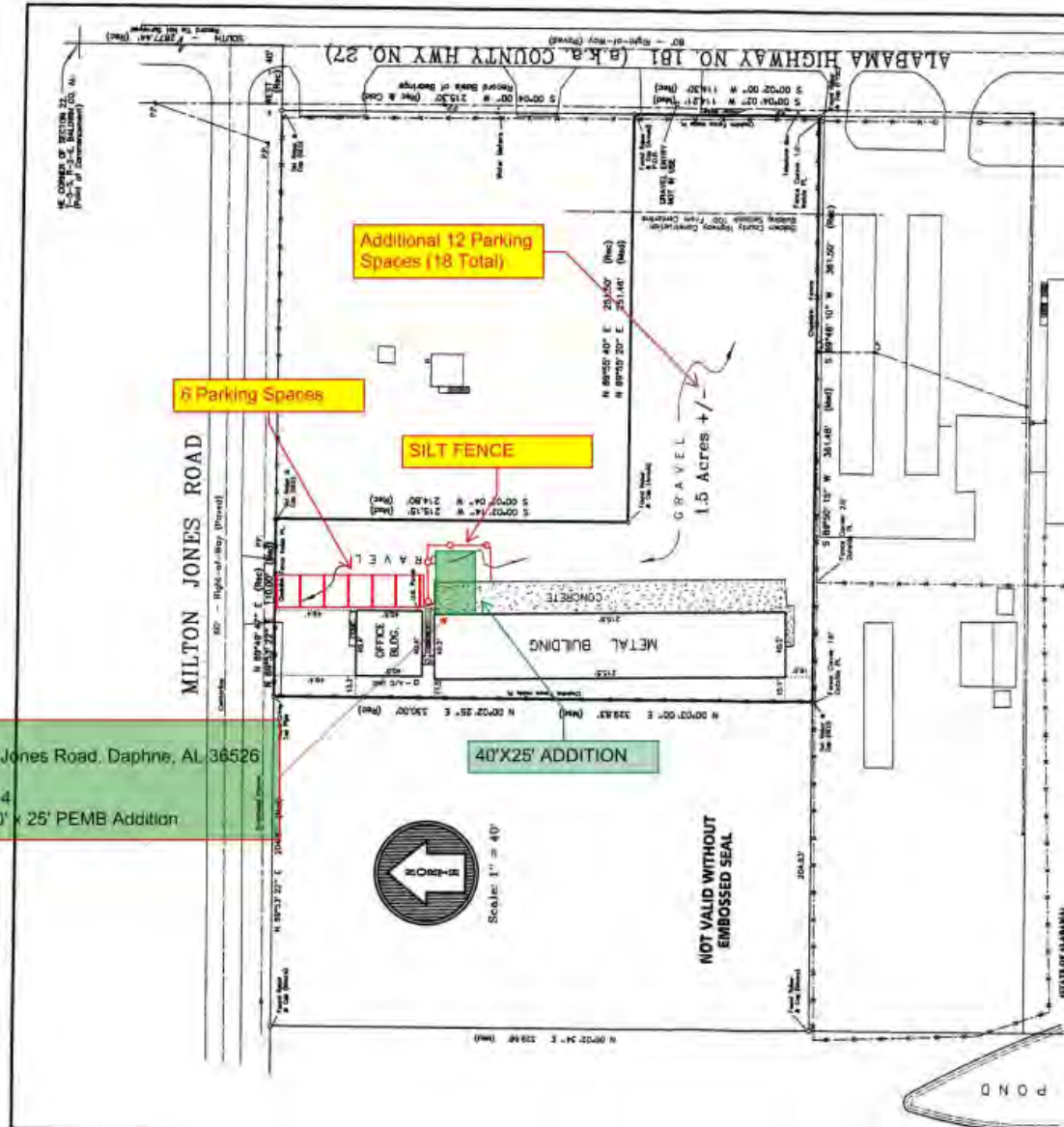






PAC II  
CFC  
2-8 shaped but

03/03/2021	9930 Milton Jones Road, Daphne, AL 36526	
LU21-000154	Proposed 40' x 25' PEMB Addition	



1. MATTHEW S. BRIGHT, A REGISTERED LAND SURVEYOR, HERBERT STATE

[illegible]

I FURTHER STATE THAT THE IMPROVEMENTS PRESENTLY SITUATED ON SAID PROPERTY ARE LOCATED WITHIN THE BOUNDARIES THEREOF, THAT THERE ARE NO ENCROACHMENTS UPON SAID PROPERTY BY BUILDINGS OR FENCES SITUATED ON ADJACENT PROPERTY, AND THAT THERE ARE NO ADJUT DRIVEWAYS, EASEMENTS, NOW RIGHTS-OF-WAY VISIBLE ON THE

I ALSO STATE THAT THIS DRAWING AND/OR CERTIFICATION DOES NOT REFLECT ANY TITLE OR RESEARCH, OTHER THAN WHAT IS VISIBLE ON THE GROUND OR PROVIDED BY THE CLIENTS AT TIME OF SURVEY.

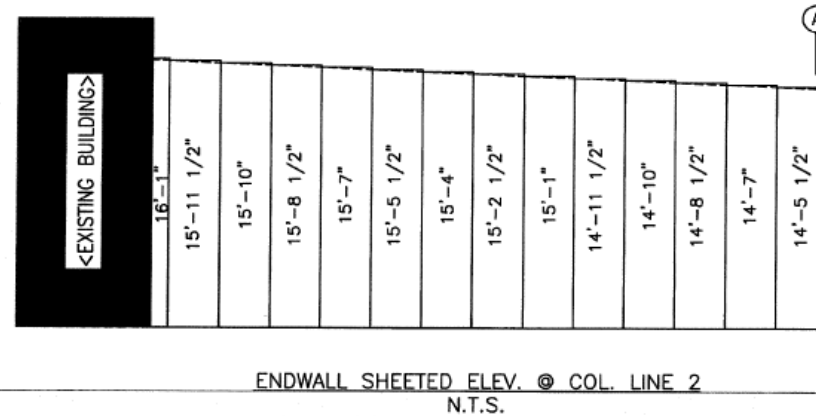
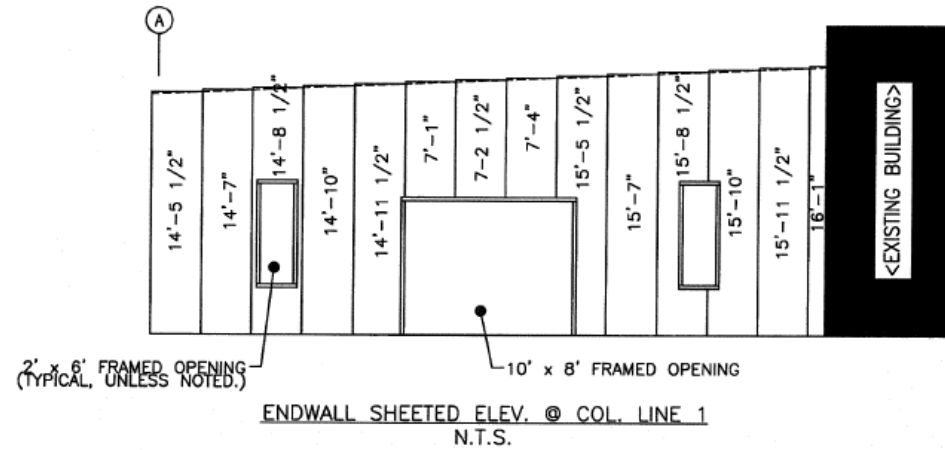
  
 MAX FRIEDMAN & ASSOCIATES, P.A.  
 1000 AVENUE OF THE STARS, SUITE 1000  
 FORT MYERS, FLORIDA 33902

## BOUNDARY SURVEY WITH IMPROVEMENTS FOR SANDY WISE

[illegible]



# Building Elevation



NOTE: ALL ENDWALL PANELS ARE 26 GAUGE.

THIS CERTIFICATION CERTIFIES THAT THIS SHEET WAS PREPARED BY OR UNDER THE DIRECTION OF THE ENGINEER REFERENCED FOR THE CONSTRUCTION AND ERECTION OF THE BUILDING MANUFACTURED BY QUIN-CO, INC. AS REFERENCED. THE ENGINEER DOES NOT REPRESENT THAT HE IS AN EMPLOYEE OF QUIN-CO, INC. AND SEALED DRAWINGS DO NOT CONSTITUTE AN AGREEMENT THAT THE SIGNED ENGINEER IS ACTING AS THE ENGINEER OF RECORD FOR THE OVERALL PROJECT.

*Richard W. Steed*  
1-25-21

Richard W. Steed

PROFESSIONAL ENGINEER  
PIC, Inc. PO BOX 3070 Orange Beach, AL 36561  
(251) 284-3758  
rsteed\_pic@alabamainc.net



Building Manufactured By:  
Quin-Co, INC.  
3345 Anton Street  
Mobile, AL 36612  
Office: 251-457-6636

Owner: SANDY WISE  
0 MILTON JONES RD.  
DAPHNE, AL 36526  
Bldg. Size: 40 x 25 x 16

Date: 05/06/21  
Scale: N.T.S.  
Job No. R38141020

Drw. By: BM  
Sht. 3of3



# Agency Comments

## City of Daphne:

Consolidated Fence Co

With regard to the expansion of the Consolidated Fence Co. along Milton Jones Road, the locator map is incorrect. It shows the intersection of Milton Jones and 181 (used car lot) as being the subject property. The 1,000 sq. ft. office expansion and adding 6 parking spaces does not warrant any comments from Community Development. The City Fire Station is located northwest of the subject property. It does not appear that there will be a conflict between the existing uses in the immediate area.

Thank you for allowing me the opportunity to review and provide comments.

Sincerely,  
Adrienne

**Adrienne Jones, AICP**

**Community Development Director**

[ajones@daphneal.com](mailto:ajones@daphneal.com)

City of Daphne, Alabama - "The Jubilee City"



# Agency Comments

## **Baldwin County Subdivision Department:**

DJ,

I do not have any subdivision related comments.

Thanks,

Mary

**Mary Booth, CAPZO**

**Subdivision Coordinator**

**Baldwin County Planning and Zoning**

**22251 Palmer Street**

**Robertsdale, AL 36567**

**☎ Office: 251-580-1655**

**✉ E-Mail: [mbooth@baldwincountyal.gov](mailto:mbooth@baldwincountyal.gov)**

**ADEM, J. Scott Brown: no comments received**

**Corp of Engineers, James E. Buckelew, no comments received.**

**Baldwin County Highway Department, no comments received**



# Staff Analysis and Findings

The applicant is requesting Commission Site Plan Approval approval to allow for a 1000 square foot addition to an existing commercial building. The proposed use is a Light Industrial Use as is permitted by right, subject to the Commission Site Plan Approval of the Planning Commission.

This application was submitted as a Land Use Application in February of 2021 and approved in March of 2021 but, because the building permit expired a Commission Site Plan Approval is now required. No changes have been made to the previously approved Land Use. All required items have been submitted and all parking requirements have been met. No buffer is required between the like uses and Milton Jones Road is a local road, and no buffer is required.

The following factors for reviewing Commission Site Plan Approval approvals are found in Section 18.9 of the *Baldwin County Zoning Ordinance*.

Section 18.9.1 *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 Commission Site Plan Approval in a particular zoning district; however, the county reserves full authority to deny any request for Commission Site Plan Approval, 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.



# Staff Analysis and Findings

18.9.2 Applicable Uses. In addition to the uses specified for the individual zoning designations, a Commission Site Plan Approval is required for all development which meets the following criteria:

- (a) All multiple unit developments;
- (b) Non-residential projects involving a combined total building square footage of 5,000 square feet or more;
- (c) Non-residential development within 200 feet of property that is either zoned or used as residential;
- (d) Non-residential development where more than 30% of the lot (excluding the building) is impervious;
- (e) All changes to existing structures, other than single family residences, that increase the gross floor area by thirty percent (30%) or more;
- (f) All changes of use on non-residential properties, unless proposed use would be permitted with an administrative approval.

Section 18.9.5 *Standards for approval*. A Commission Site Plan Approval 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:



# Staff Analysis and Findings

**(a) The proposed use and accompanying site plan conform to the requirements of the Zoning Ordinance.**

The proposed addition does conform to the requirements of the Zoning Ordinance and the submitted site plan meets the requirements for M-1 zoning setbacks. All required documents have been provided for the proposed addition.

**(b) 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 industrial for the subject property. This category provides for manufacturers of both durable and non-durable goods, institutional uses, commercial uses, recreational uses and transportation, communication and utility uses, as permitted in the Zoning Ordinance. The proposed use is consistent with the Master Plan and the requirements of the zoning ordinance.



# Staff Analysis and Findings

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

The use should not detract from the public's convenience as the current use is industrial and there is currently commercial uses adjacent to this property. The proposed addition is allowed by right in the M-1 zoning.

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

The current use of the property is industrial, and the proposed addition will also be industrial. Staff feels this should not decrease the value of neighboring property.

**(e) 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.**

The adjacent uses are commercial, and the Daphne Fire Department is directly across the street. The proposed addition should not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses.



# Staff Analysis and Findings

*18.9.6 Conditions and restrictions on approval.* In approving a site plan, the Planning Commission may impose conditions and restrictions upon the property benefited by the site plan approval as may be necessary to comply with the standards set out above, to reduce or minimize any potentially injurious effect of such site plan approval upon the property in the neighborhood, and to carry out the general purpose and intent of the ordinances. These conditions may include but are not limited to increasing the required lot size or yard dimensions; controlling the location and number of vehicle access points; increasing the number of off- street parking and loading spaces required; limiting the number, size and location of signs; and required fencing, screening, lighting, landscaping or other facilities to protect adjacent or nearby property.

In approving any site plan, the Planning Commission may specify a period of time different than the 180-day default time period from Section 18.2.4 for the commencement (issuance of a building permit) of the proposed use. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances. Those site plans which the Planning Commission approves subject to conditions shall have 30 days to submit an amended site plan incorporating the required conditions, unless a longer time frame is specified by the Planning Commission.

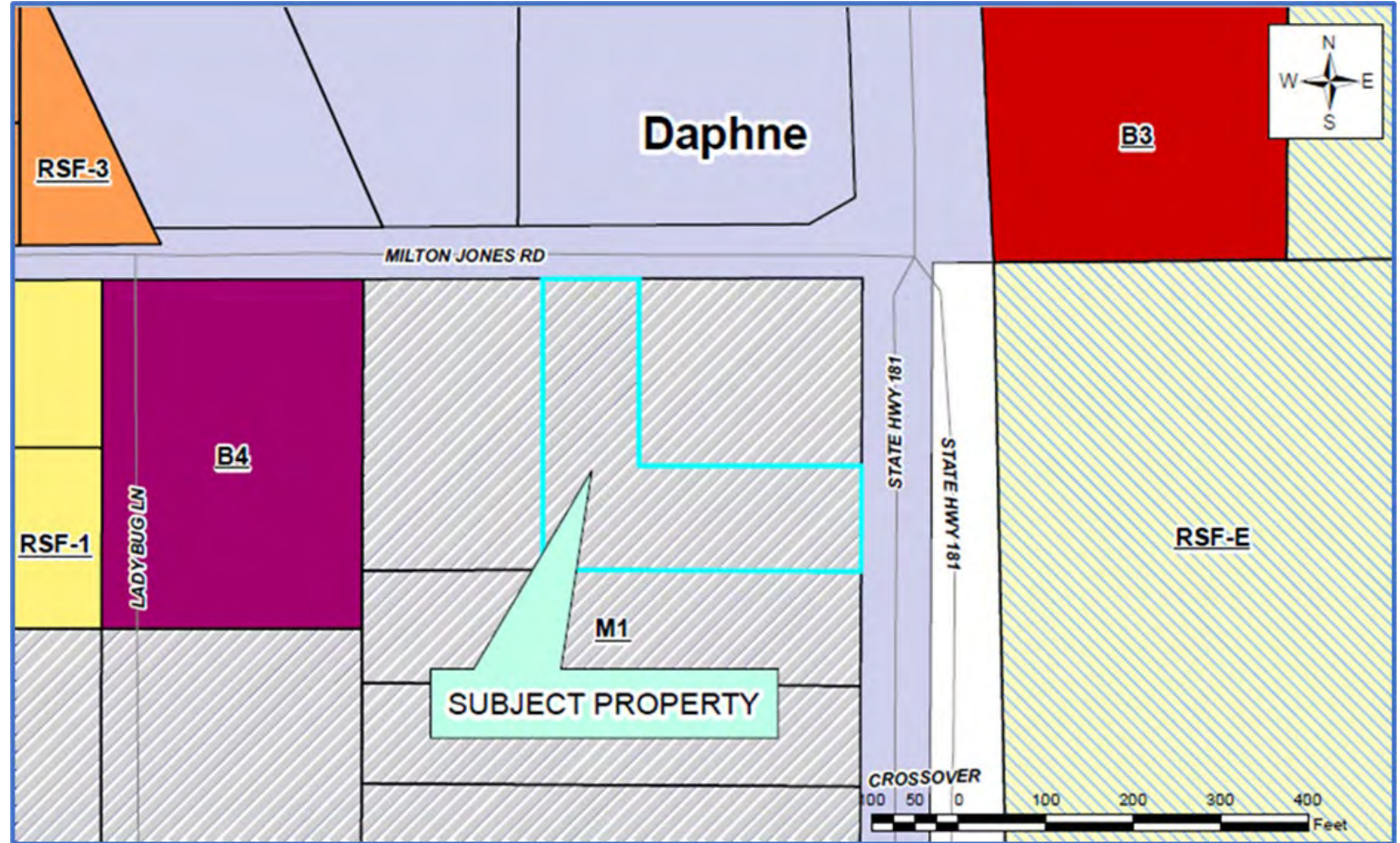


# CSP22-9, WISE PROPERTIES, LLC

## COMMISSION SITE PLAN APPROVAL

- Staff's Summary and Comments:**

The subject property is currently zoned M-1, Light Industrial District and is currently occupied with an 8,500 sq. ft. building. The property adjoins Milton Jones Road. The adjoining properties M-1, Light Industrial District and RSF-E, Residential Single-Family District. The Commission Site Plan Approval being requested is to allow for a 1000 Sq Ft addition to the existing building.



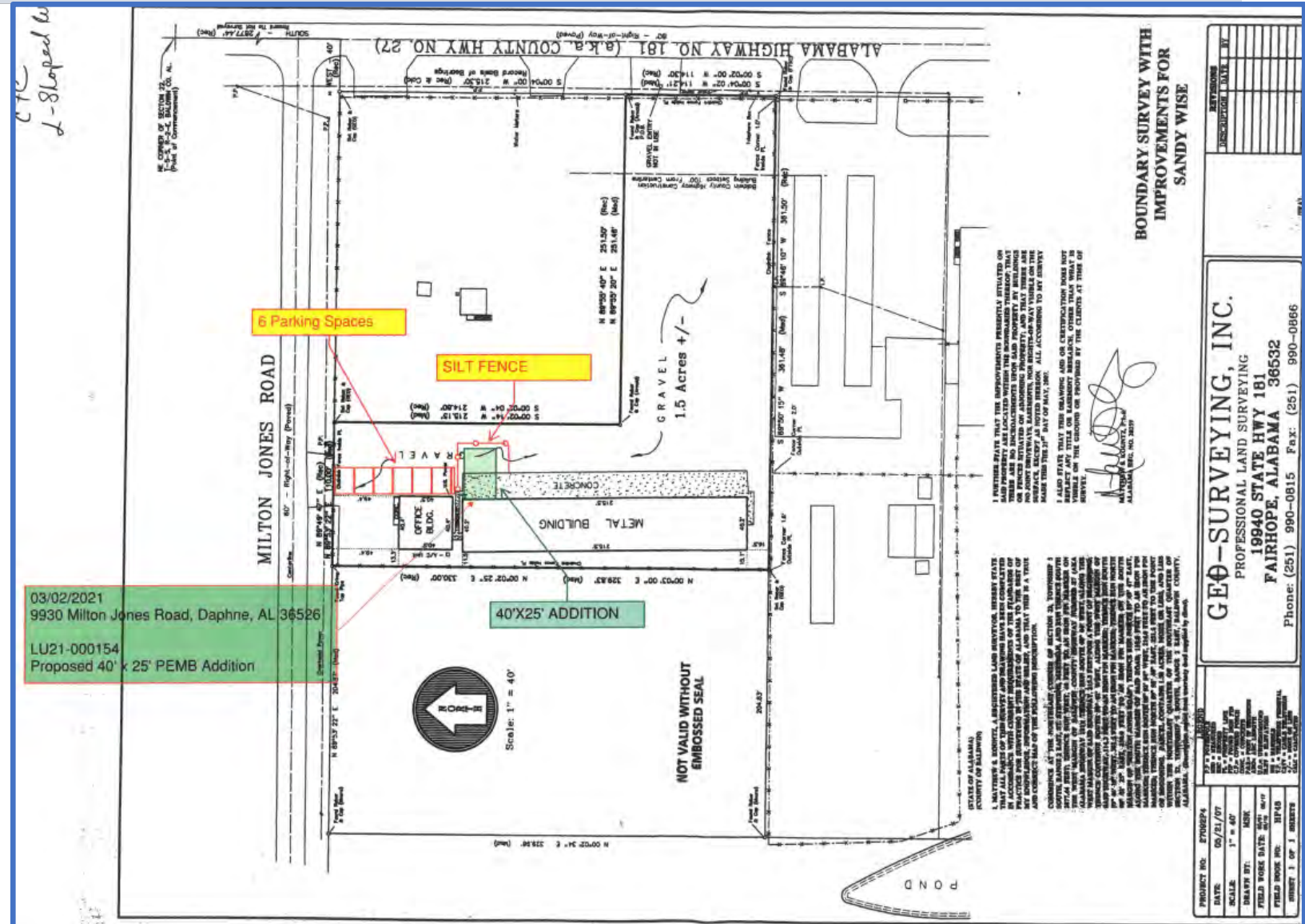


# CSP22-9, WISE PROPERTIES, LLC

## COMMISSION SITE PLAN APPROVAL

As stated previously, the applicant is requesting Commission Site Plan Approval to allow for a 1,000 sq ft addition to an existing building. Staff feels that this is a reasonable request and recommends **APPROVAL**.\*

*\*On Commission Site Plan Approval, Planning Commission makes the final decision.*





# 8.c)CSP22-10 FORT MORGAN MARINA LLC PROPERTY

## COMMISSION SITE PLAN

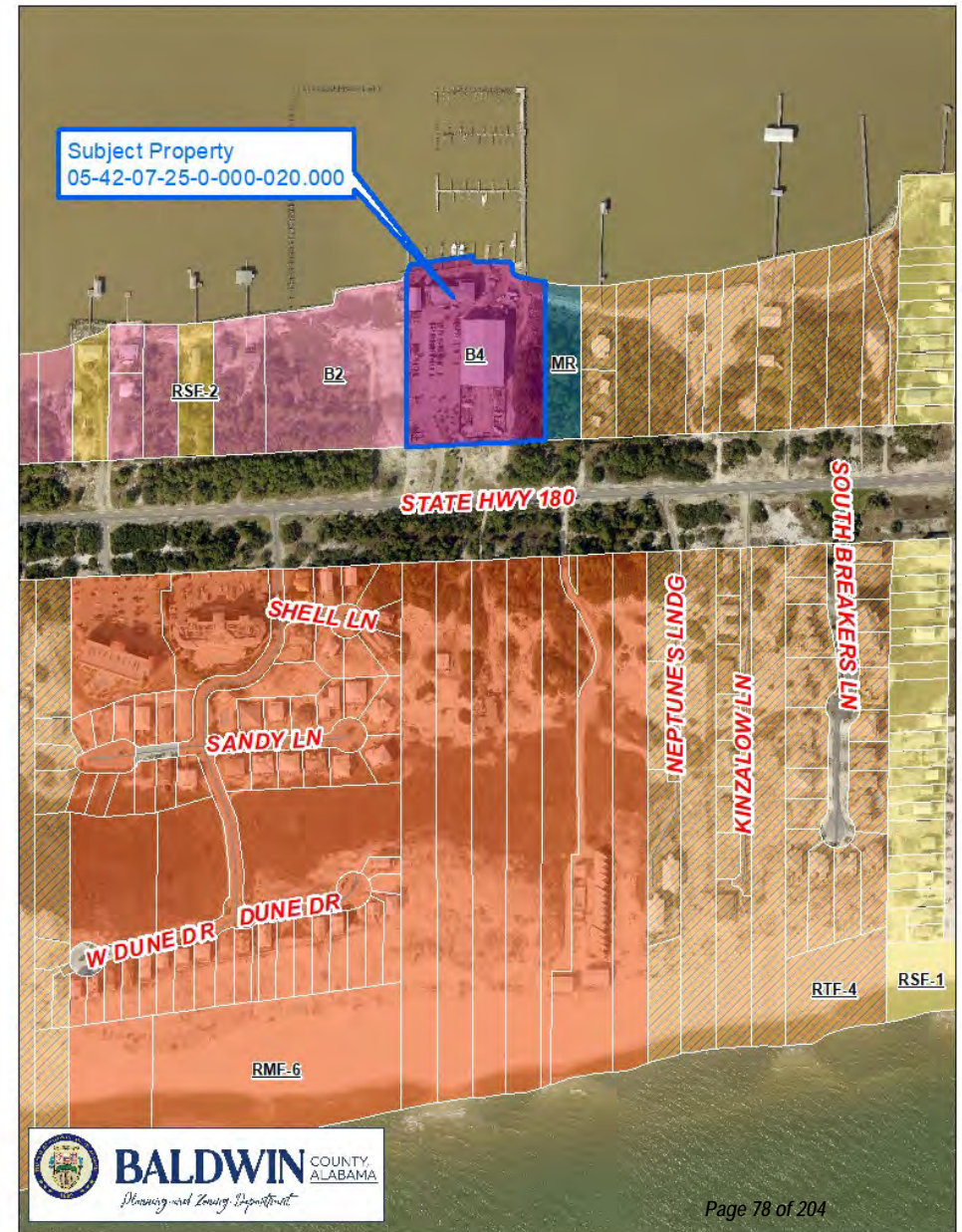
Lead Staff: Celena Boykin, Senior Planner

Request before Planning Commission:

## Commission Site Plan Approval

To view maps/plats in higher resolution please visit the "Upcoming Items" Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>





# CSP22-10 FORT MORGAN MARINA LLC PROPERTY

## COMMISSION SITE PLAN

Lead Staff: Celena Boykin, Senior Planner

**Planning District:** 25

**Zoned:** B4, Major Commercial District

**Location:** Subject property is located on the north side of Hwy 180

**Current Use:** Marina and Tacky Jacks

**Acreage:** 4.66 +/- acres

**Physical Address:** 1577 Hwy 180 Suite B

Gulf Shores, AL 36542

**Applicant:** Fort Morgan Marina, LLC (Tom Steber)

**Owner:** Same

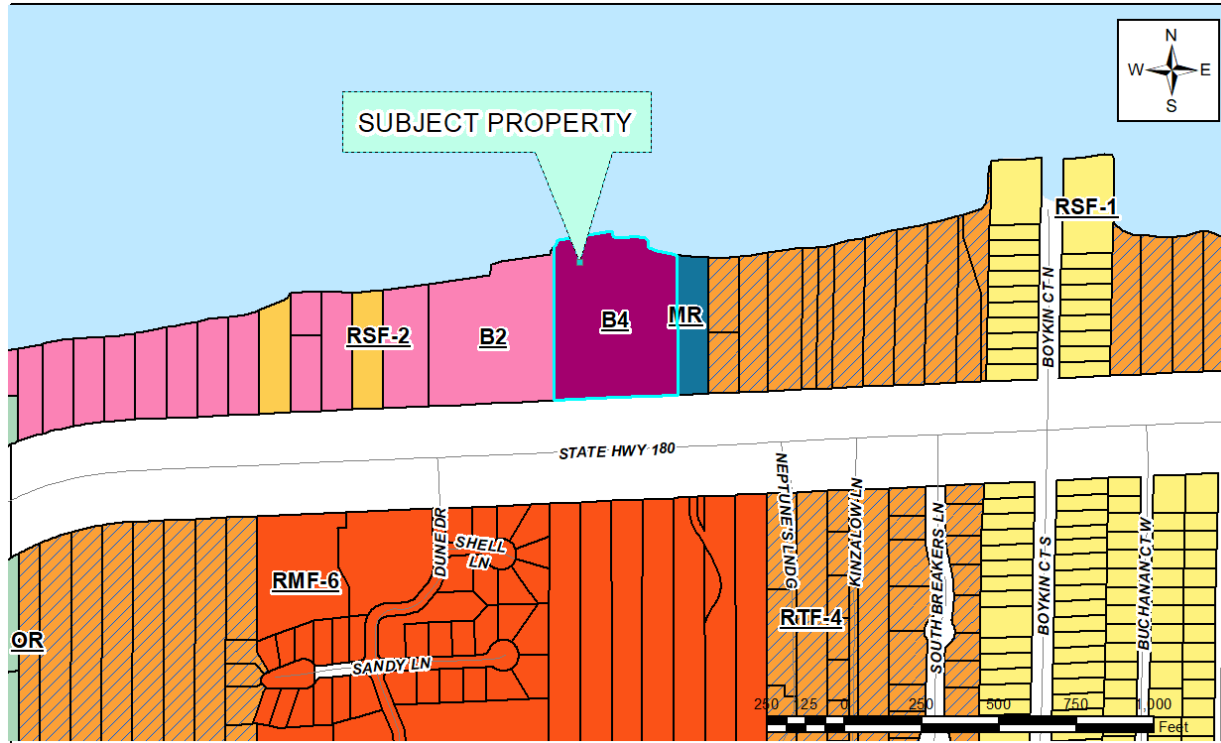
**Proposed Use:** Commission Site Plan Approval for a temporary trailer.

**Applicant's Request:** To allow for a temporary trail for food prep for Tacky Jacks

**Online Case File Number:** The official case number for this application is CSP22-10, however, when searching online CitizenServe database, please use CSP22-000010.



# Locator Map



# Site Map



## Adjacent Zoning

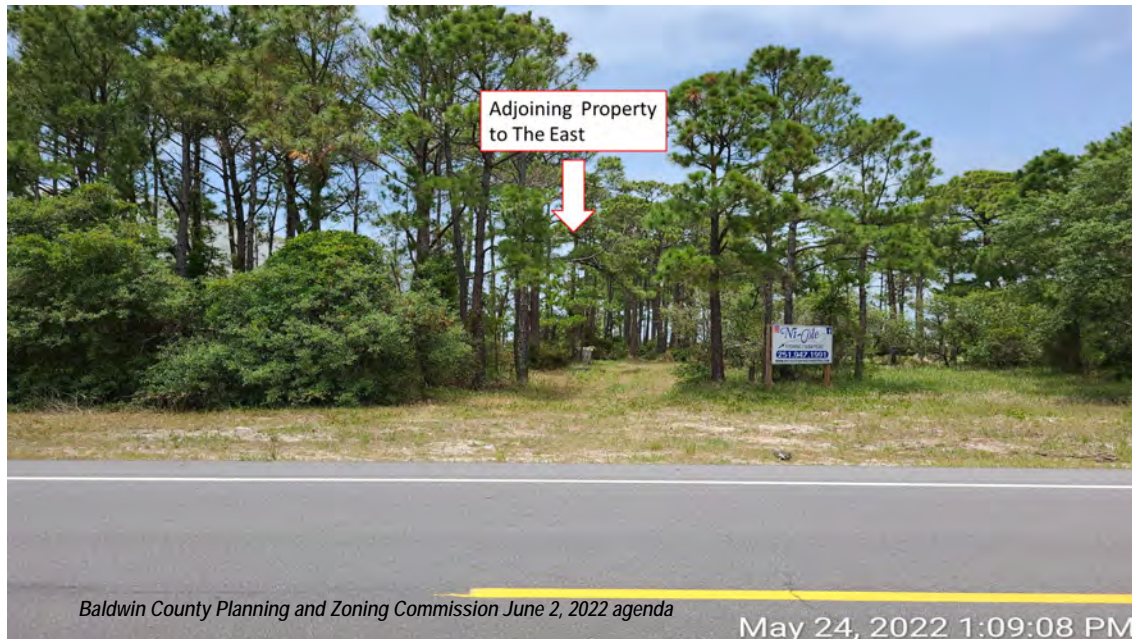
North	Water
South	Hwy 180 and RMF-6, Residential Multiple Family
East	MR, Marine Recreation
West	B-2, Neighborhood Business

## Adjacent Land Use

Water
Residential
Commercial
Vacant



# Property Images





# Property Images





# 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, conditioned on the Commission Site Plan Approval requirements of Section 18.9::

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

**5.4.3 Conditional Use Commission Site Plan Approval.** The following uses are permissible as Commission Site Plan Approval uses in the B-4, Major Commercial District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*:

- |                                   |  |
|-----------------------------------|--|
| (a) Airport                       | (f) Broadcasting station               |
| (b) Ambulance/EMS service         | (g) Bus and railroad terminal facility |
| (c) Armory                        | (h) College or university              |
| (d) Auditorium, stadium, coliseum | (i) Convalescent or nursing home       |
| (e) Barge docking                 | (j) Correctional or penal institution  |

- (k) Dog pound
- (l) Electric power substations
- (m) Freight depot, rail or truck
- (n) Hospital
- (o) Landfill
- (p) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies
- (q) Racetrack
- (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

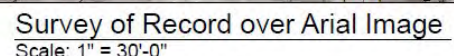
**5.4.5 Lighting standards.** The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. 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*.

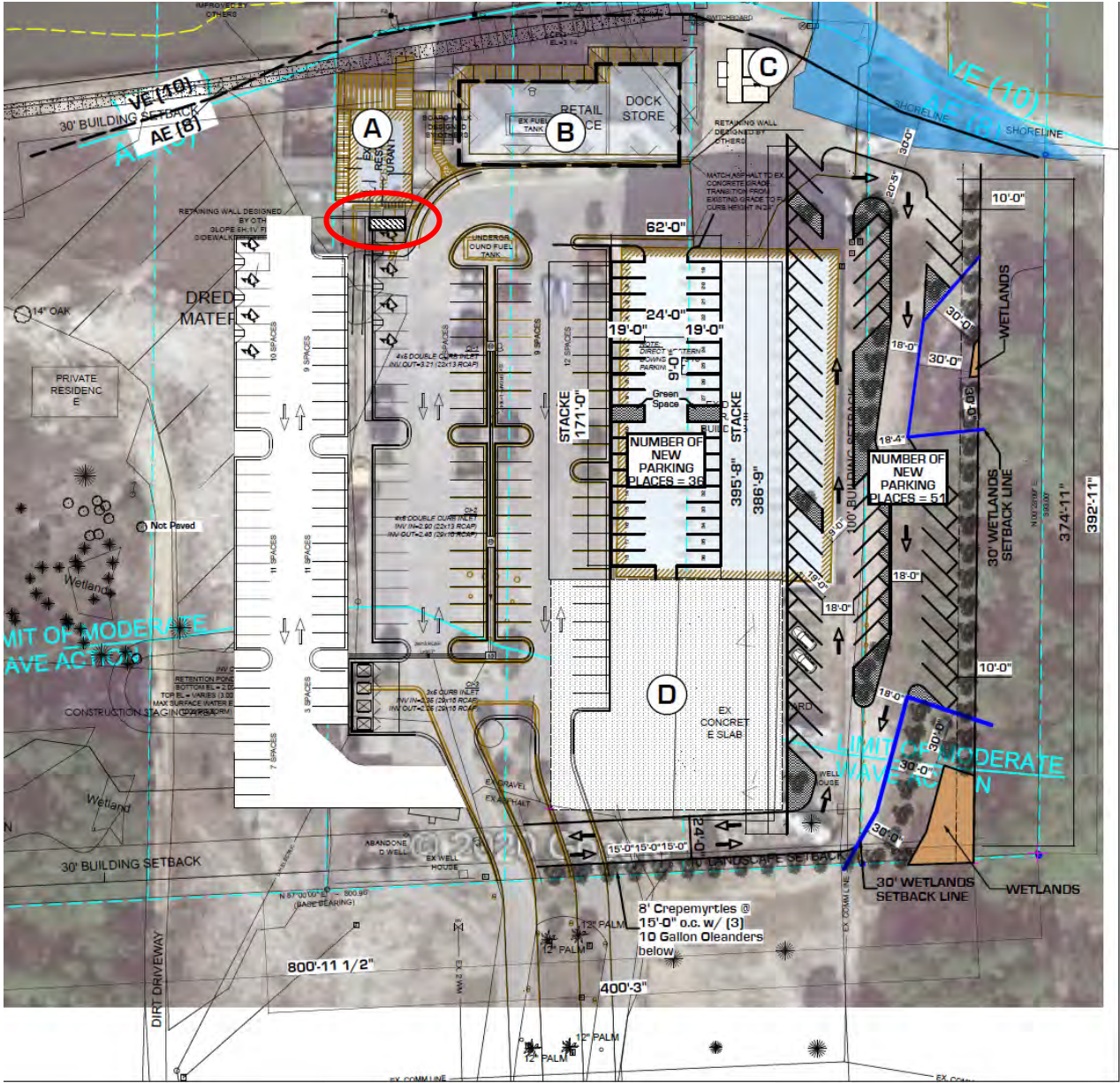


**N**



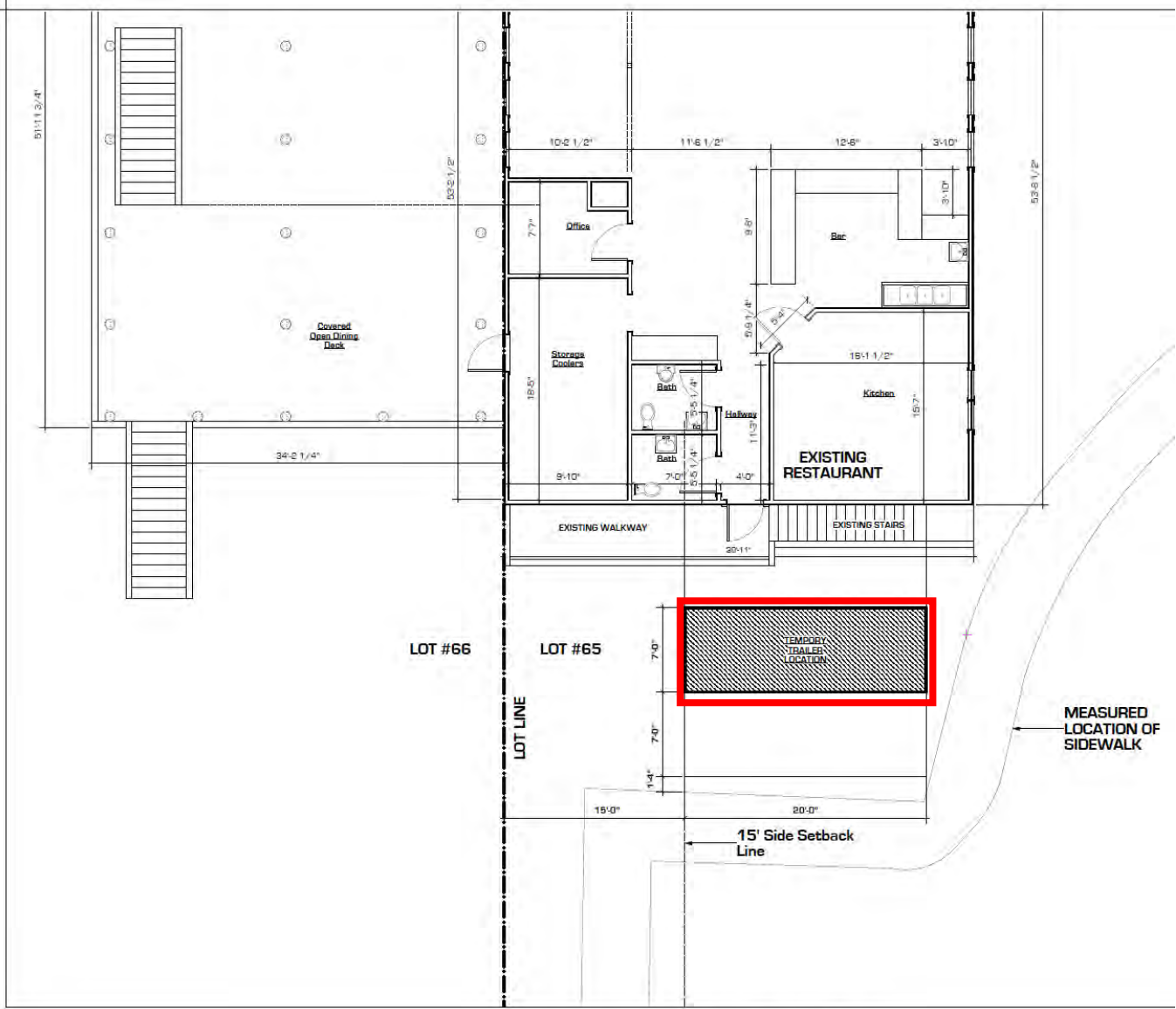


Site Plan Submitted





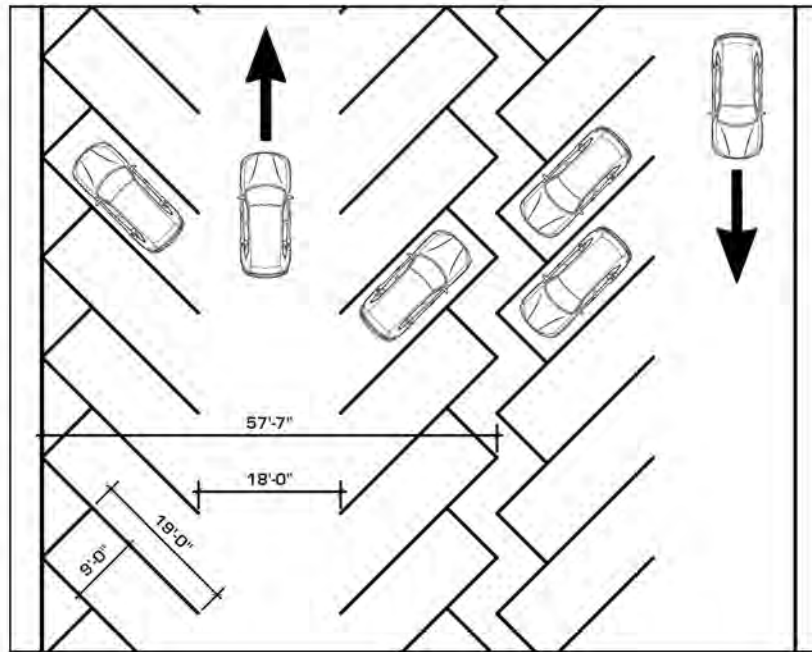
# Site Plan Submitted



Second Floor Plan w/ Trailer  
Scale: 1/4" = 1'-0"

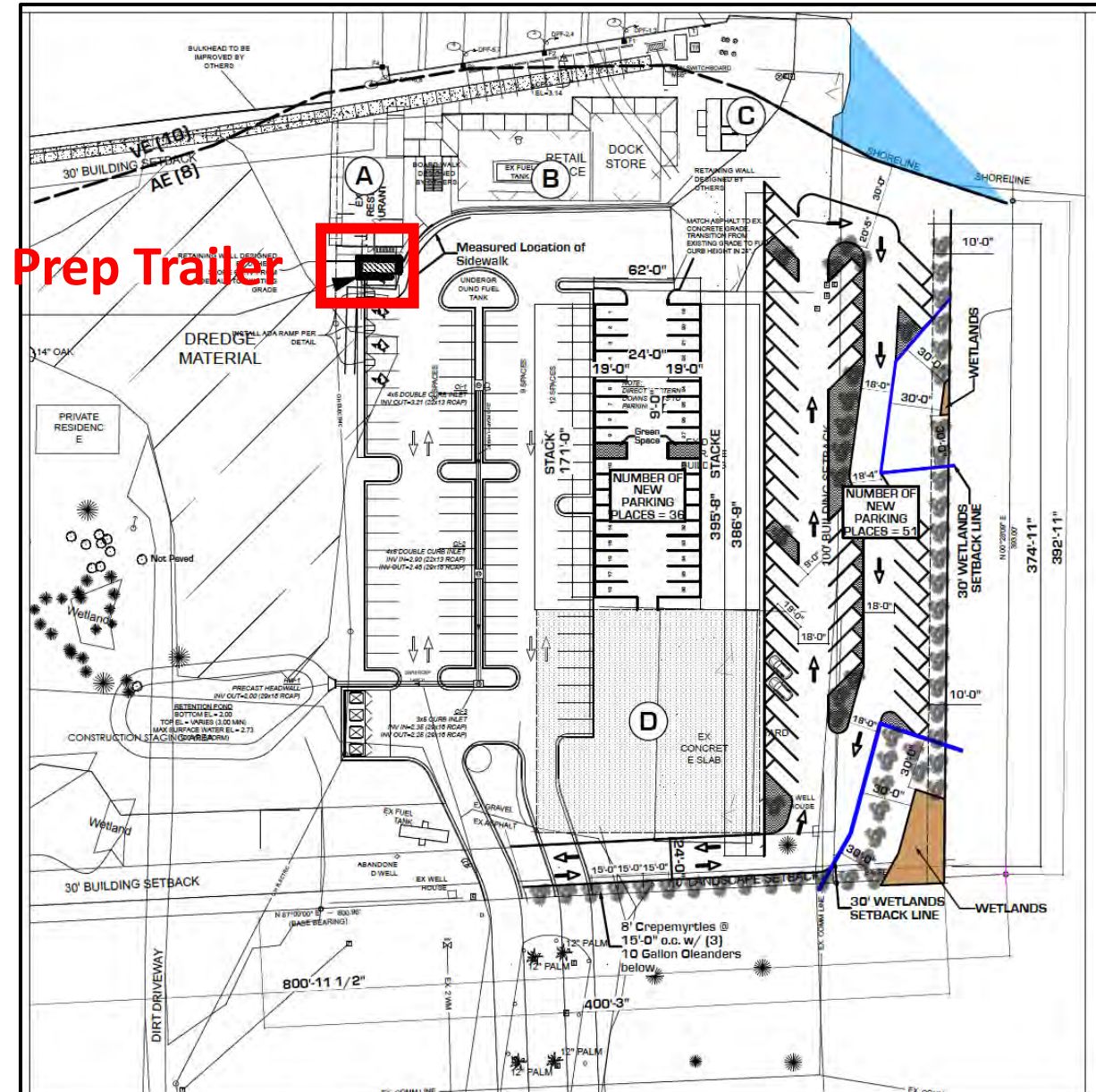


## PARKING PLAN



## PARKING TABULATION

A - First Floor Bar - 1,417 sf/100 sf Gross	15 -	CARS
- Second Floor Restaurant - 1,777 sf /100 Gross	18 -	CARS
Second Floor Outdoor Dining - 1,747 sf/100	18 -	CARS
Third Floor Outdoor Dining - 594 sf/100	6 -	CARS
B - Retail Building		
Second Floor - 5,957 sf/200 Gross	33 -	CARS
Third Floor SIX (6) Bedrooms X 2 = 12 -		CARS
Existing Parking Spaces = 85 -		CARS
NEW PARKING SPACES = 107 -		CARS
C - New Bait Shop - 408 sf/ 200	3 -	CARS
D - Dry Storage Building - 16,900 sf/500	34 -	CARS
E - Wet Slips - 30 - 1 Space per Slip	30 -	CARS
Total Cars Requires =	169	CARS
TOTAL ON SITE = 188 CARS		



Site Plan w/ Trailer & Parking  
Scale: 1" = 30'-0"



# Agency Comments

**ALDOT, Michael Smith:** No Comments

**ADEM, Scott Brown:** No Comments

**Baldwin County Subdivision– Mary Booth:** No Comments

**Baldwin County Highway Department – Weesie Jeffords:**No Comments



# Staff Analysis and Findings

The applicant is requesting Commission Site Plan Approval **to allow for a temporary food prep trailer**. The proposed use is permitted subject to the Commission Site Plan Approval of the Planning Commission.

The following factors for reviewing Commission Site Plan Approval approvals are found in Section 18.9 of the *Baldwin County Zoning Ordinance*.

**Section 18.9.1 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 Commission Site Plan Approval in a particular zoning district; however, the county reserves full authority to deny any request for Commission Site Plan Approval, 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.



18.9.2 Applicable Uses. In addition to the uses specified for the individual zoning designations, a Commission Site Plan Approval is required for all development which meets the following criteria:

- (a) All multiple unit developments;
- (b) Non-residential projects involving a combined total building square footage of 5,000 square feet or more;
- (c) Non-residential development within 200 feet of property that is either zoned or used as residential;
- (d) Non-residential development where more than 30% of the lot (excluding the building) is impervious;
- (e) All changes to existing structures, other than single family residences, that increase the gross floor area by thirty percent (30%) or more;
- (f) All changes of use on non-residential properties, unless proposed use would be permitted with an administrative approval.

Section 18.9.5 *Standards for approval*. A Commission Site Plan Approval 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:



# Staff Analysis and Findings

**(a) The proposed use and accompanying site plan conform to the requirements of the Zoning Ordinance.**

The proposed structure does meet the zoning ordinance. There have been numerous reviews of the subject property over the past couple of years for Land Uses/Site Plans and Variances.

**(b) 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. 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. The proposed use is consistent with the Master Plan and the requirements of the zoning ordinance.



# Staff Analysis and Findings

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

The property to the east is zoned for marine recreation. The property to the west is vacant and zoned B-2, Neighborhood Business District. The proposed food prep trailer is only to prep food for the restaurant and would not be selling any kind of food out of it.

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

The adjacent properties to the east and west are commercial. This is just a temporary food prep trailer, an accessory structure to the restaurant. Staff believes that before and after appraisals would be needed to determine the effect on values of neighboring property.

**(e) 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.**

As stated above, the properties to the east and west are zoned for commercial. Staff believes this is compatible with the surrounding area and will not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses. There will be no traffic going to and from the food prep trailer and there will be no impact on traffic patterns or congestion.



# Staff Analysis and Findings

*18.9.6 Conditions and restrictions on approval.* In approving a site plan, the Planning Commission may impose conditions and restrictions upon the property benefited by the site plan approval as may be necessary to comply with the standards set out above, to reduce or minimize any potentially injurious effect of such site plan approval upon the property in the neighborhood, and to carry out the general purpose and intent of the ordinances. These conditions may include but are not limited to increasing the required lot size or yard dimensions; controlling the location and number of vehicle access points; increasing the number of off- street parking and loading spaces required; limiting the number, size and location of signs; and required fencing, screening, lighting, landscaping or other facilities to protect adjacent or nearby property.

In approving any site plan, the Planning Commission may specify a period of time different than the 180-day default time period from Section 18.2.4 for the commencement (issuance of a building permit) of the proposed use. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances. Those site plans which the Planning Commission approves subject to conditions shall have 30 days to submit an amended site plan incorporating the required conditions, unless a longer time frame is specified by the Planning Commission.

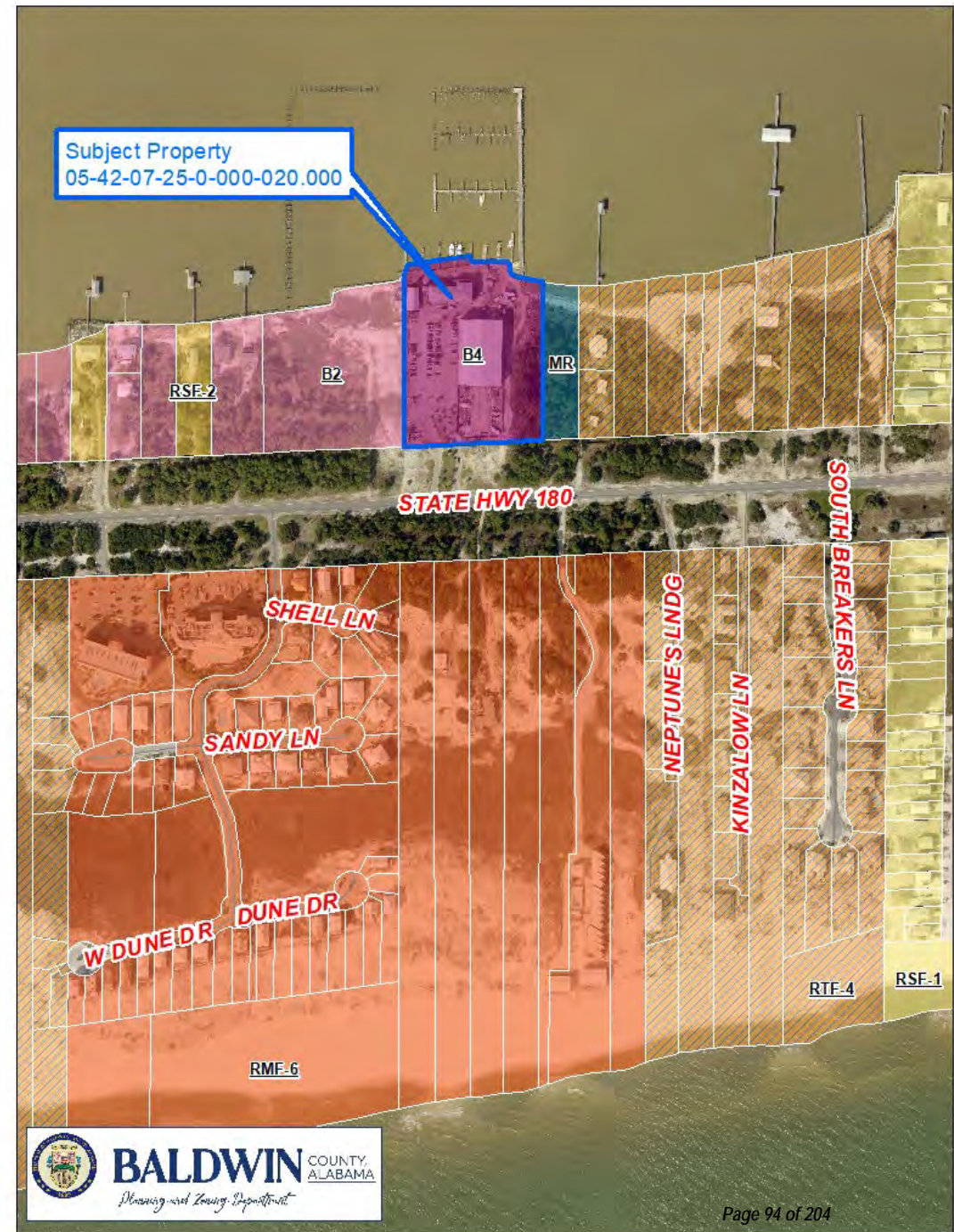


# CSP22-10 FORT MORGAN MARINA, LLC PROPERTY COMMISSION SITE PLAN APPROVAL

Lead Staff: Celena Boykin, Senior Planner

- Staff's Summary and Comments:**

The subject property is currently zoned B-4, Major Commercial District, and is currently developed with a marina and restaurant. The property adjoins State Highway 180. The adjoining properties are MR, Marine Recreation District and B-4, Neighborhood Business District. The Commission Site Plan Approval is being requested to allow for a temporary food prep trailer.





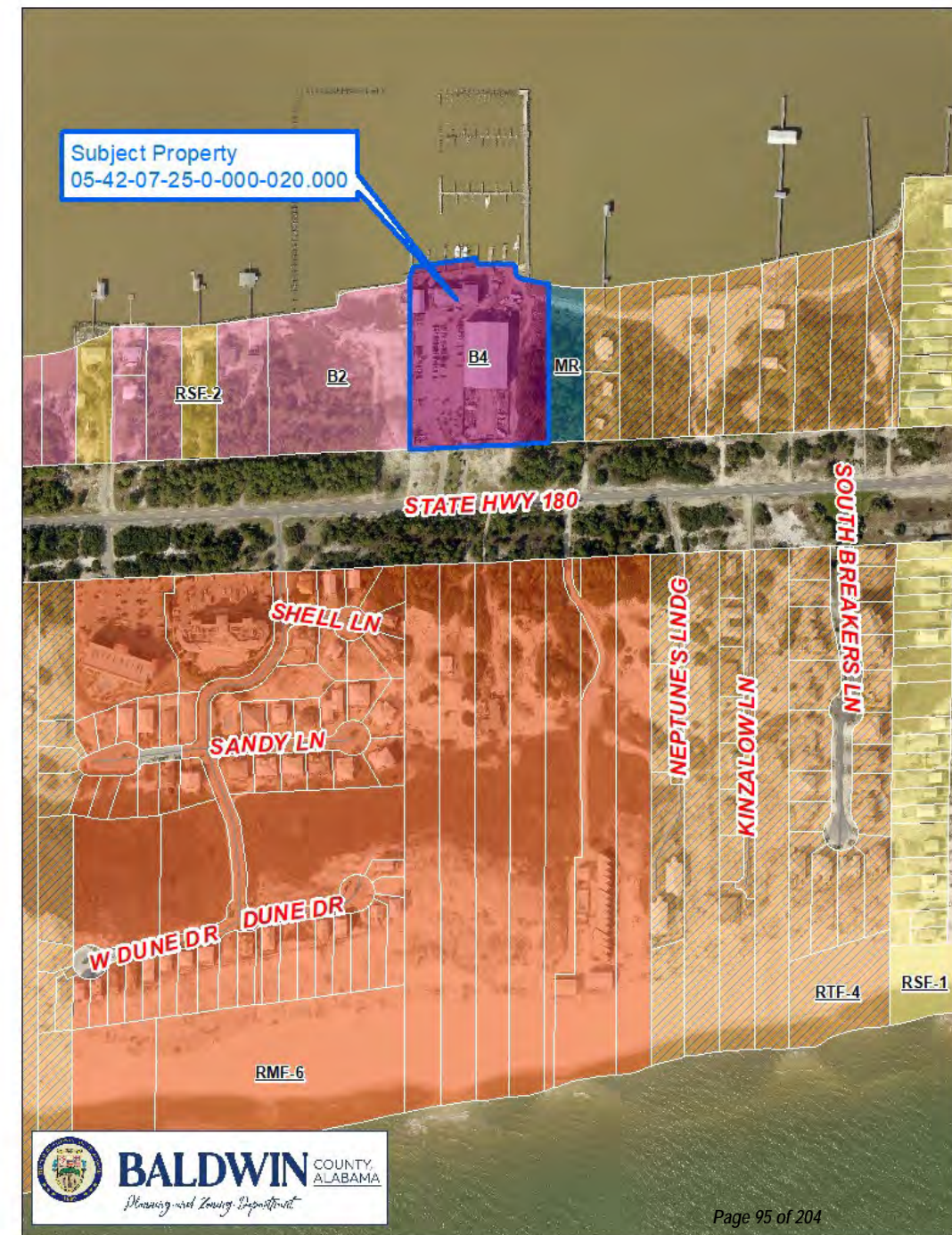
# CSP22-10 FORT MORGAN MARINA, LLC PROPERTY COMMISSION SITE PLAN APPROVAL

Lead Staff: Celena Boykin, Senior Planner

As stated previously, the applicant is requesting Commission Site Plan Approval to allow for temporary food prep trailer. Staff recommends **APPROVAL\*** with the following conditions:

- The Planning Commission may specify a period of time different than the 180-day default time period from Section 18.2.4 for the commencement (issuance of a building permit) of the proposed use. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances.
- Any expansion of the proposed structures or facility shall necessitate additional review by the Planning Commission.
- Subject to staff approval of technical requirements.

*\*On Commission Site Plan Approval, Planning Commission makes the final decision.*





# 8.d)CSP22-11 NORTH ALABAMA PROPERTY LEASING

## COMMISSION SITE PLAN

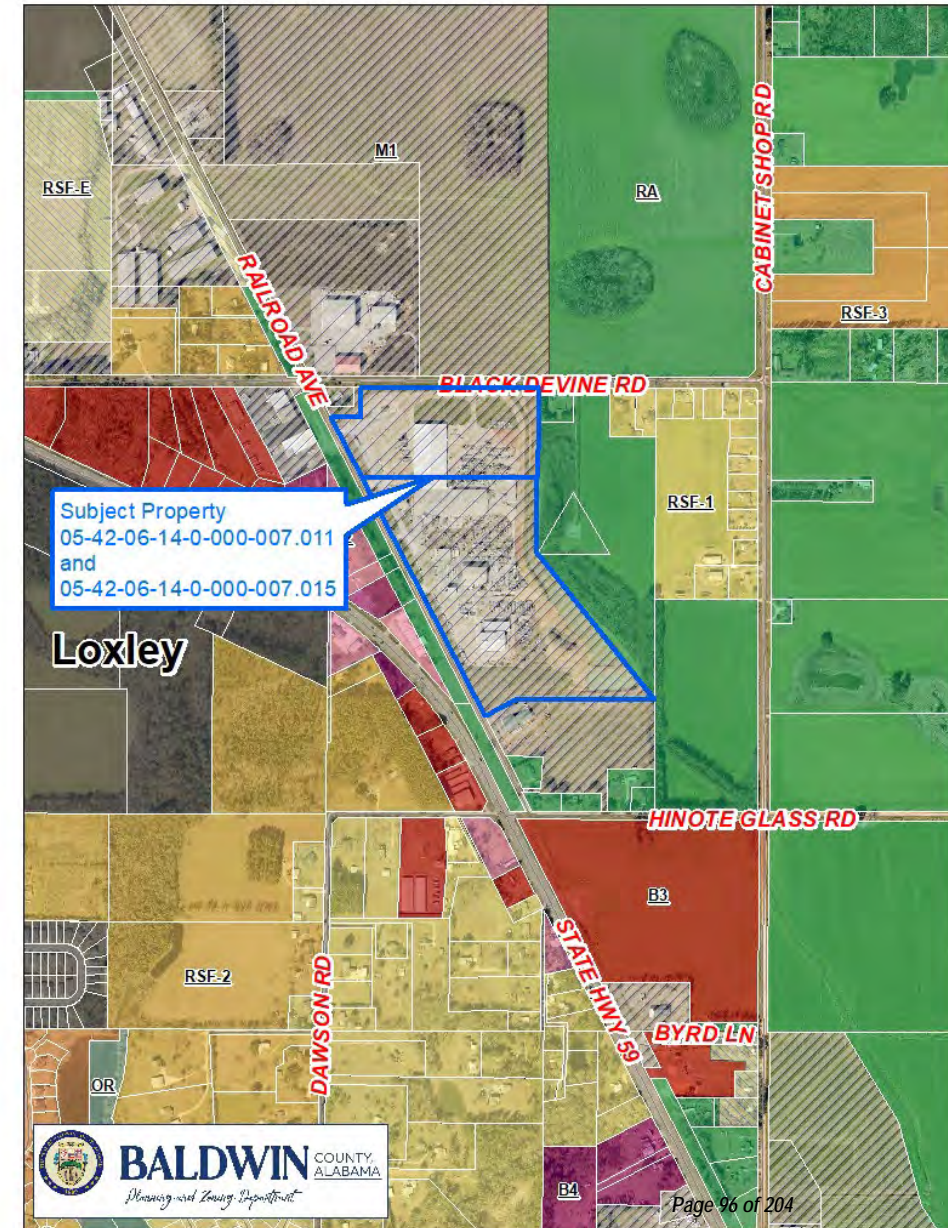
Lead Staff: Celena Boykin, Senior Planner

Request before Planning Commission:

## Commission Site Plan Approval

To view maps/plats in higher resolution  
please visit the "Upcoming Items" Planning  
and Zoning webpage:

[https://baldwincountyal.gov/departments/  
planning-zoning/meeting-agenda](https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda)





# CSP22-11 NORTH ALABAMA PROPERTY LEASING

## COMMISSION SITE PLAN

Lead Staff: Celena Boykin, Senior Planner

**Planning District:** 12

**Zoned:** M-1, Light Industrial District

**Location:** Subject property is located on the east of Railroad Ave and south of Black Devine Rd.

**Current Use:** Industrial (Ecovery)

**Acreage:** 45 +/- acres

**Physical Address:** 26320 Railroad Ave.  
Loxley, AL 36551

**Applicant:** Sergio Braga

**Owner:** Ecovery LLC

**Proposed Use:** Commission Site Plan Approval for 82,000 sq ft of 2 warehouse additions

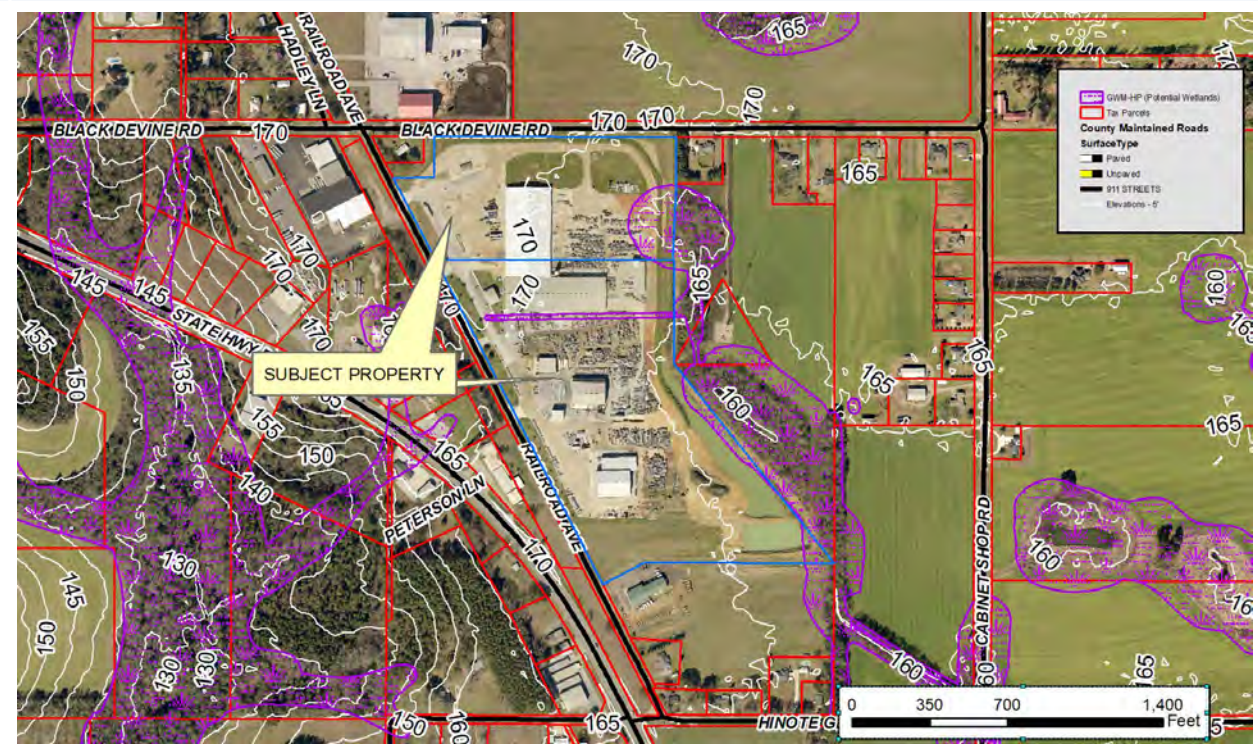
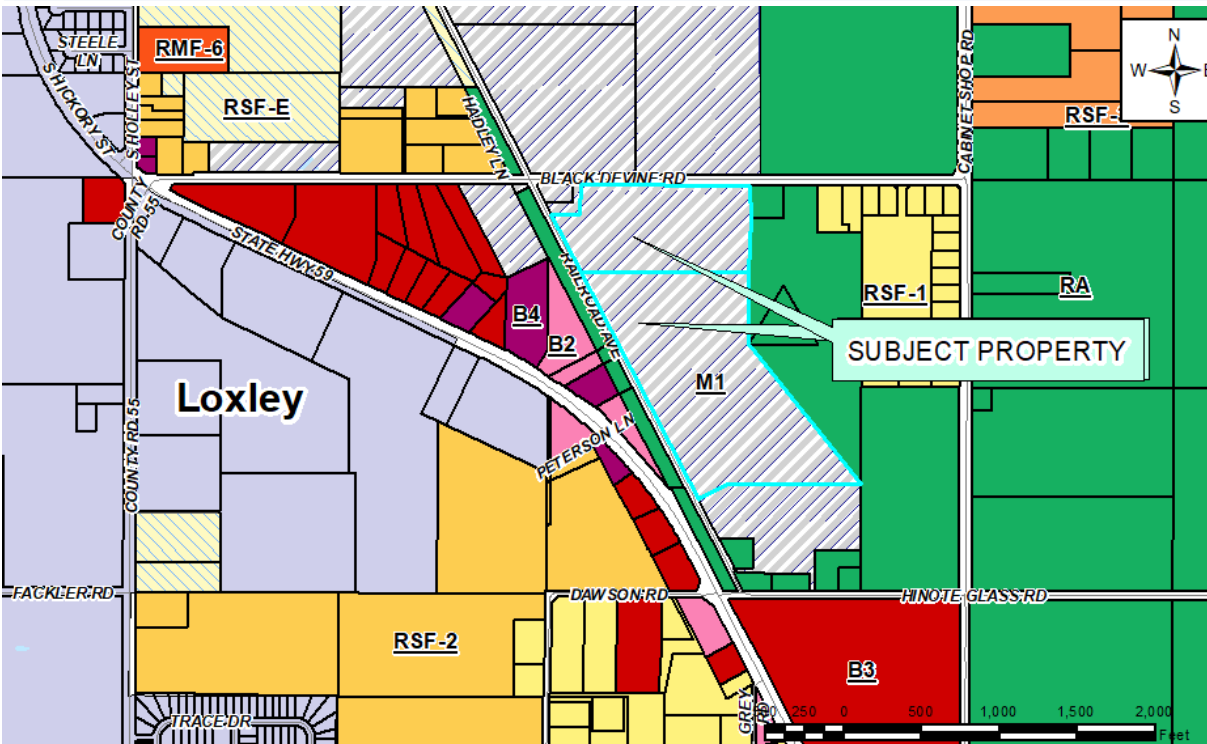
**Applicant's Request:** To allow for warehouse additions

**Online Case File Number:** The official case number for this application is CSP22-11, however, when searching online CitizenServe database, please use CSP22-000011.



# Locator Map

# Site Map



## Adjacent Zoning

## Adjacent Land Use

North

M-1, Light Industrial

Industrial

South

M-1, Light Industrial

Commercial

East

RA, Rural Agriculture

Agriculture, Cell Tower, and Residential

West

RA, Rural Agriculture and Railroad Ave

Vacant



# Property Images





# Property Images





# Zoning Requirements

## Section 8.1 M-1, Light Industrial District

8.1.1 *Generally.* The purpose of this zoning district is to provide a suitable protected environment for manufacturing, research and wholesale establishments which are clean, quiet and free of hazardous or objectionable emissions, and generate little industrial traffic.

8.1.2 *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, conditioned on the Commission Site Plan Approval requirements of *Section 18.9*:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) Light industrial uses.
- (c) Transportation, communication, and utility uses except landfills and sewer treatment plants.
- (d) Outdoor recreation uses.
- (e) Marine recreation uses.
- (f) General commercial uses except race tracks.
- (g) Local commercial uses.
- (h) Professional service and office uses.
- (i) Institutional uses.
- (j) Agricultural uses.
- (k) Accessory structures and uses.

8.1.3 *Commission Site Plan Approval.* 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 Commission Site Plan Approval uses:

- (a) Transportation, communication, and utility uses not permitted by right per *Section 8.2(c): Permitted uses*.

(b) General commercial uses not permitted by right per *Section 8.2(f): Permitted uses*.

8.1.4 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	45
Maximum Height of Structure in Habitable Stories	4
Minimum Front Yard	25-Feet
Minimum Rear Yard	see (a & b)
Minimum Side Yards	see (a & b)
Minimum Lot Area	40,000 Square Feet
Maximum Impervious Surface Ratio	.80
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	No Minimum

(a) No minimum except where abutting a residential district, in which case there shall be a minimum yard of 25-feet abutting the residential district.

(b) The required yards shall be increased by one foot for each foot of building height in excess of 35-feet.

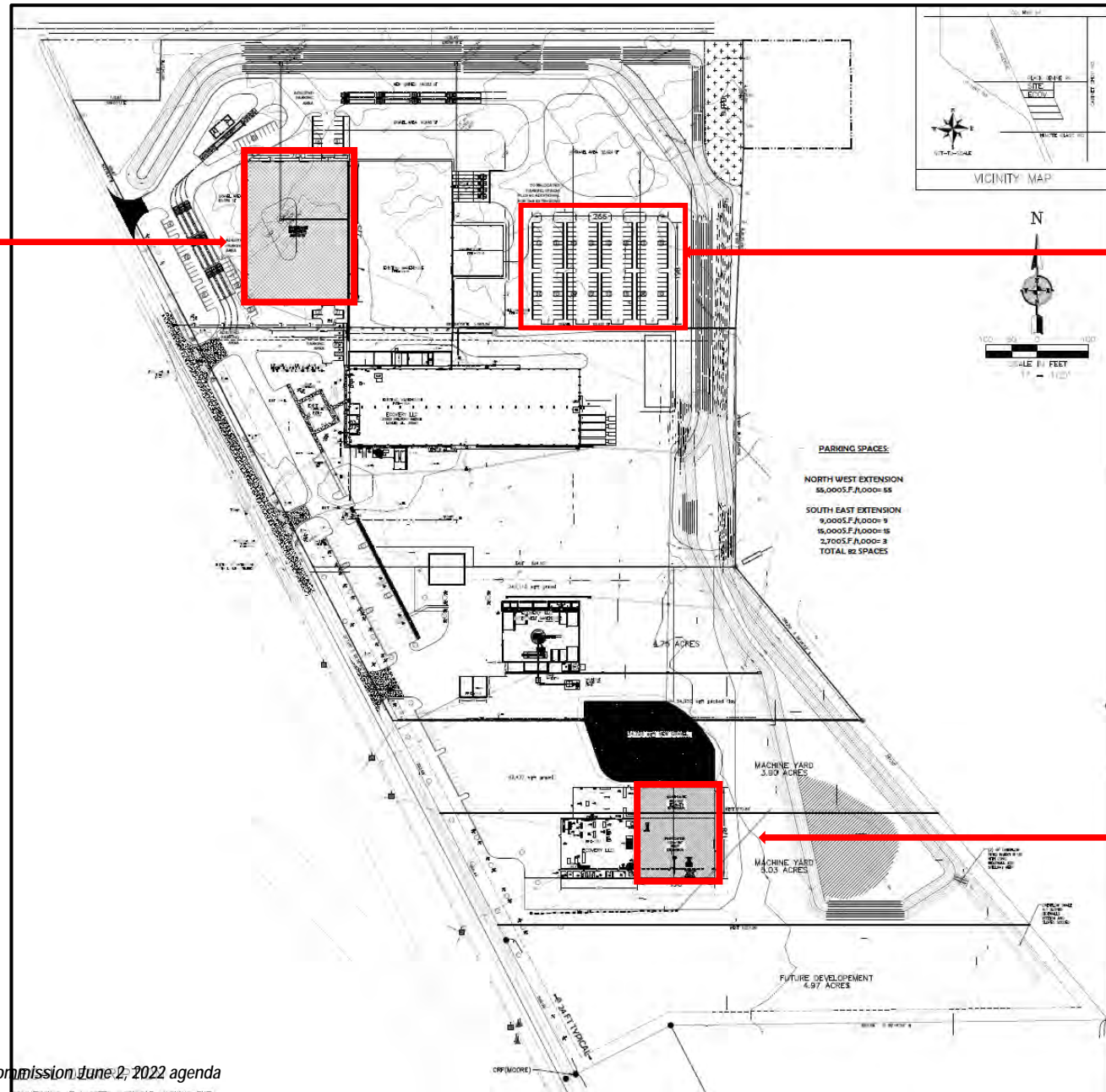


# Site Plan

**North Addition  
55,000 Sq Ft**

**New Parking  
160 Spaces**

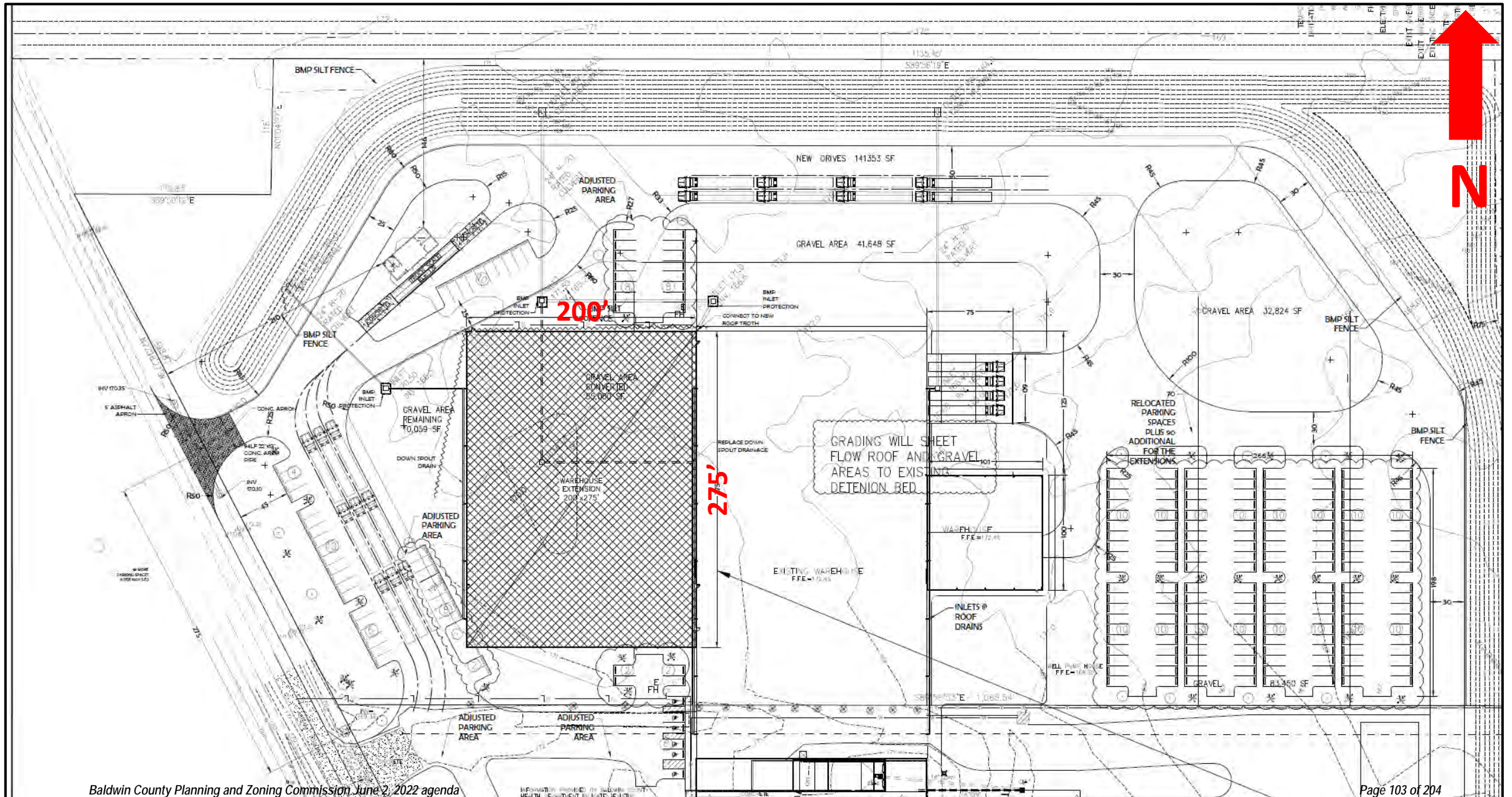
**South Addition  
27,000 Sq Ft**



PARKING SPACES:	
NORTH WEST EXTENSION	55,000 S.F./1,000 = 55
SOUTH EAST EXTENSION	9,000 S.F./1,000 = 9
	15,000 S.F./1,000 = 15
	2,700 S.F./1,000 = 3
TOTAL	82 SPACES

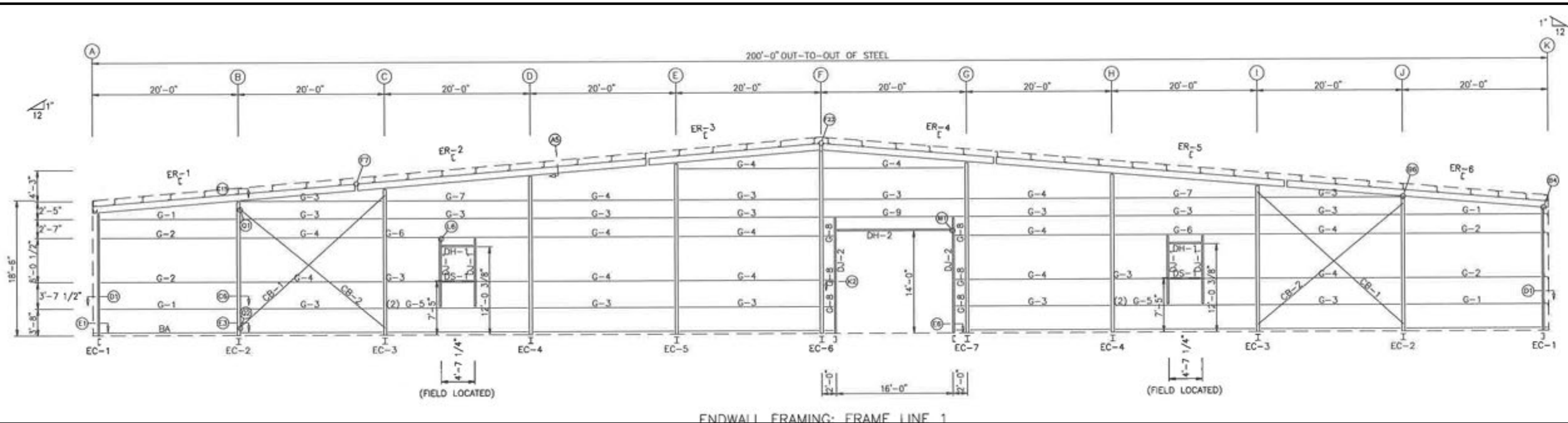


# North Addition



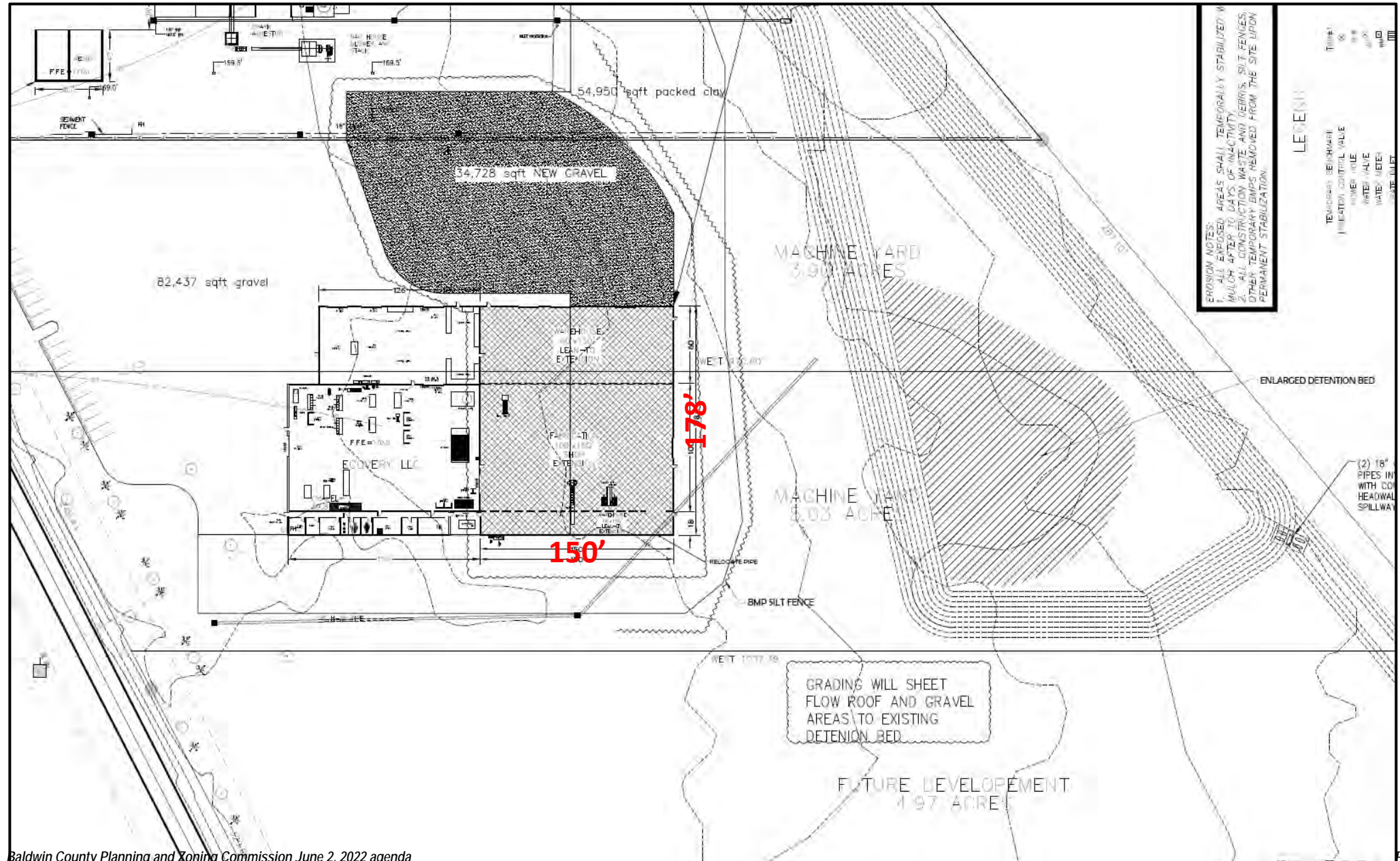


# North Addition



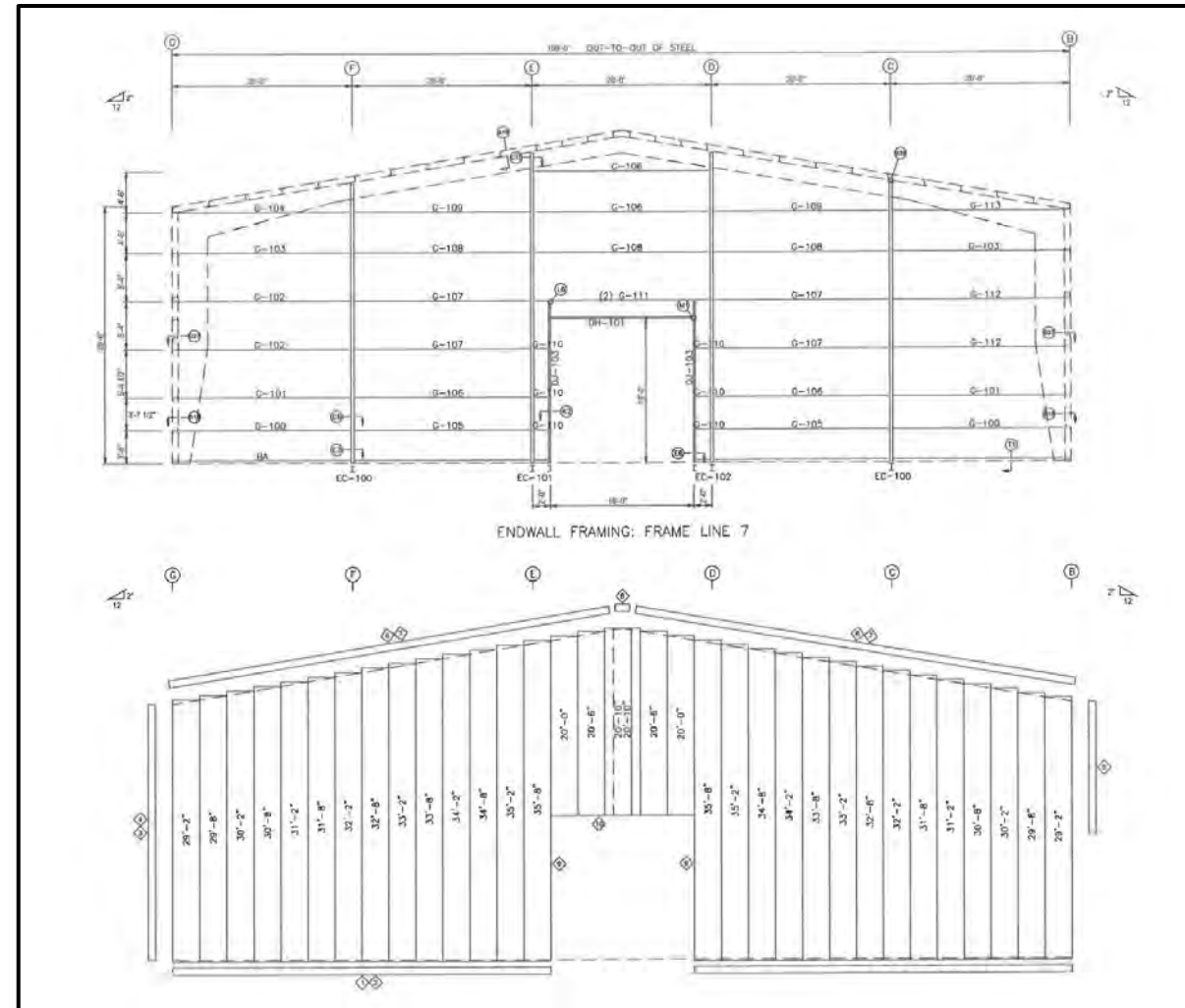
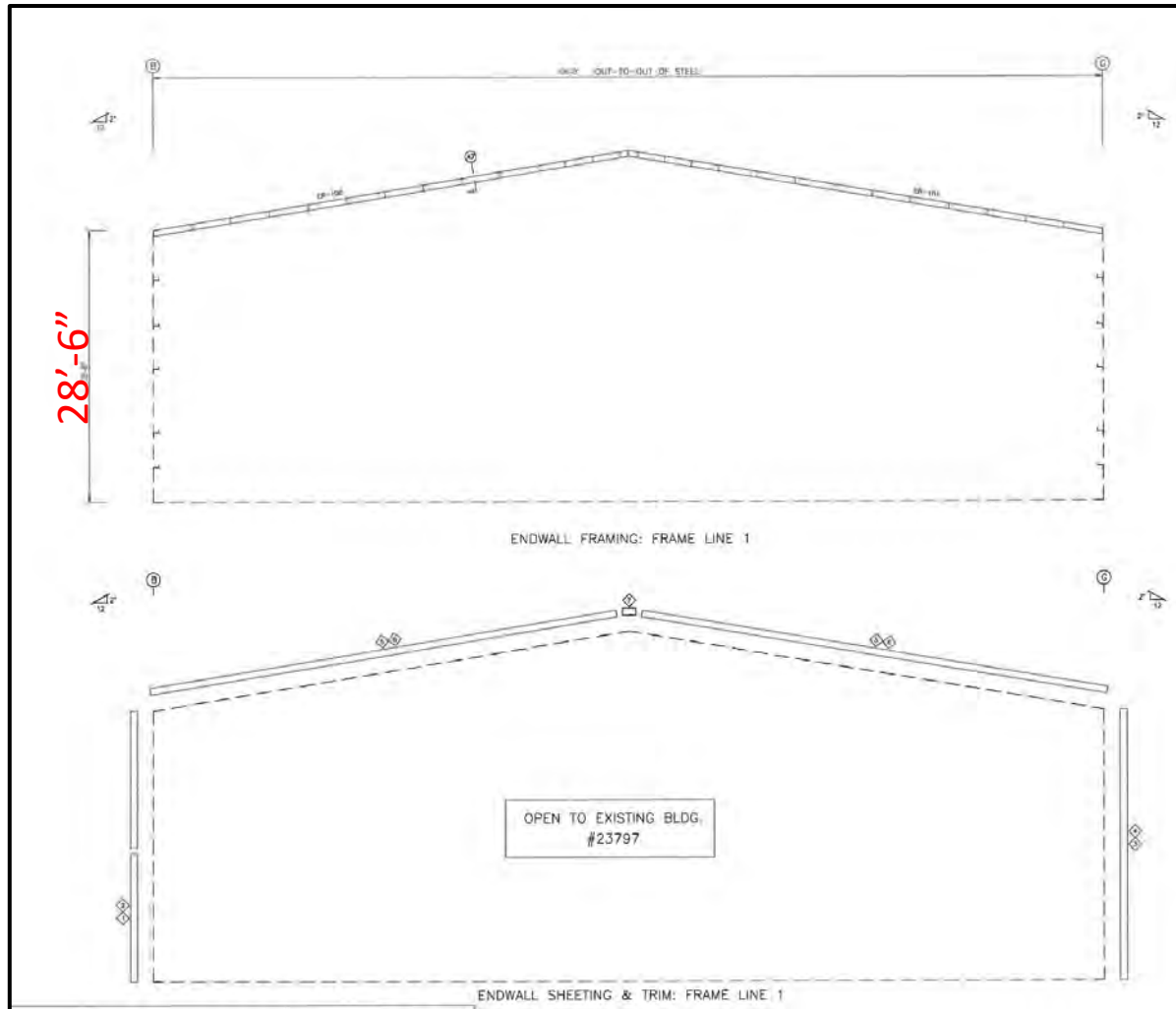


# South Addition





# South Addition

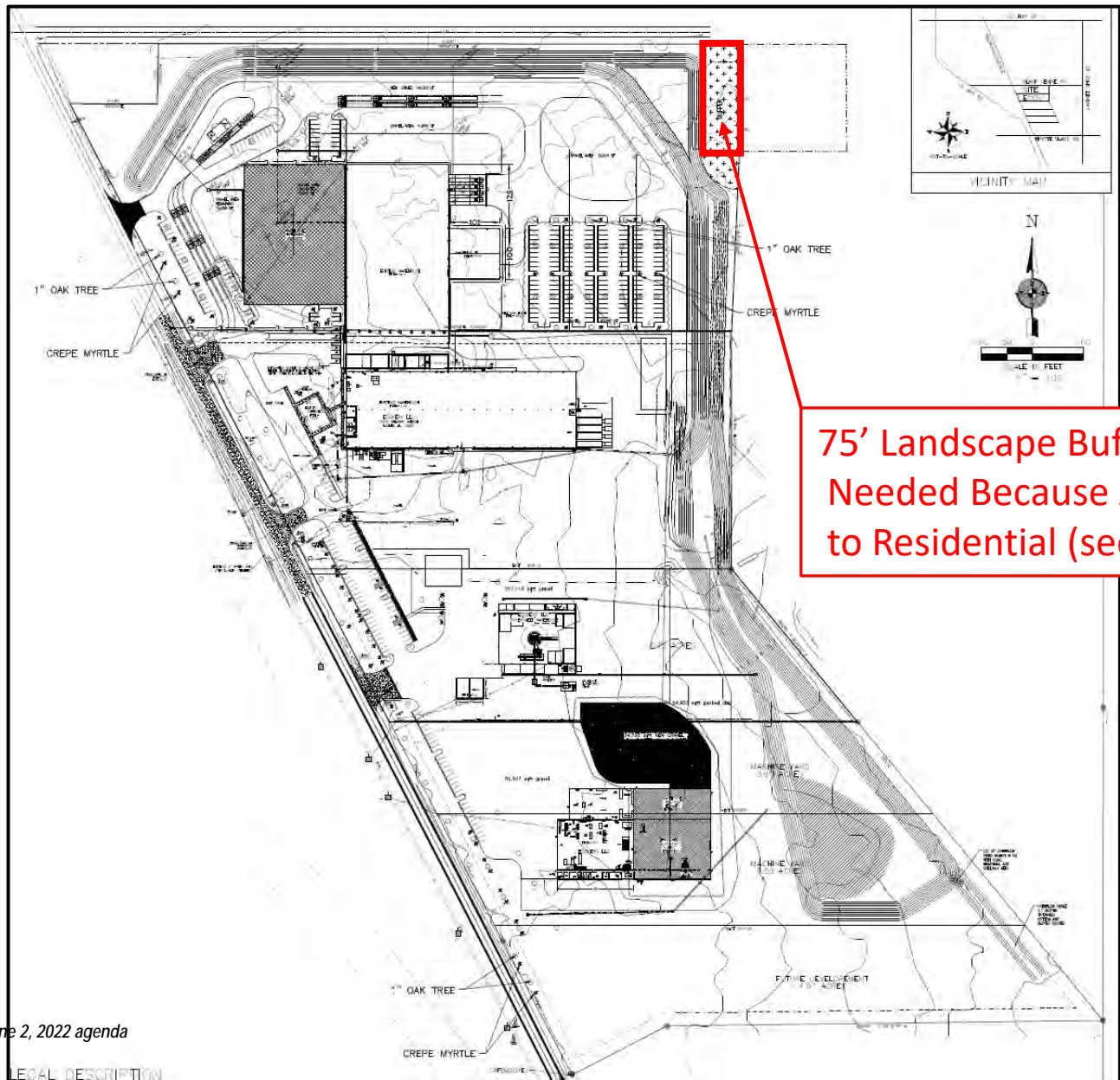




# Landscape Plan

## LANDSCAPE LEGEND

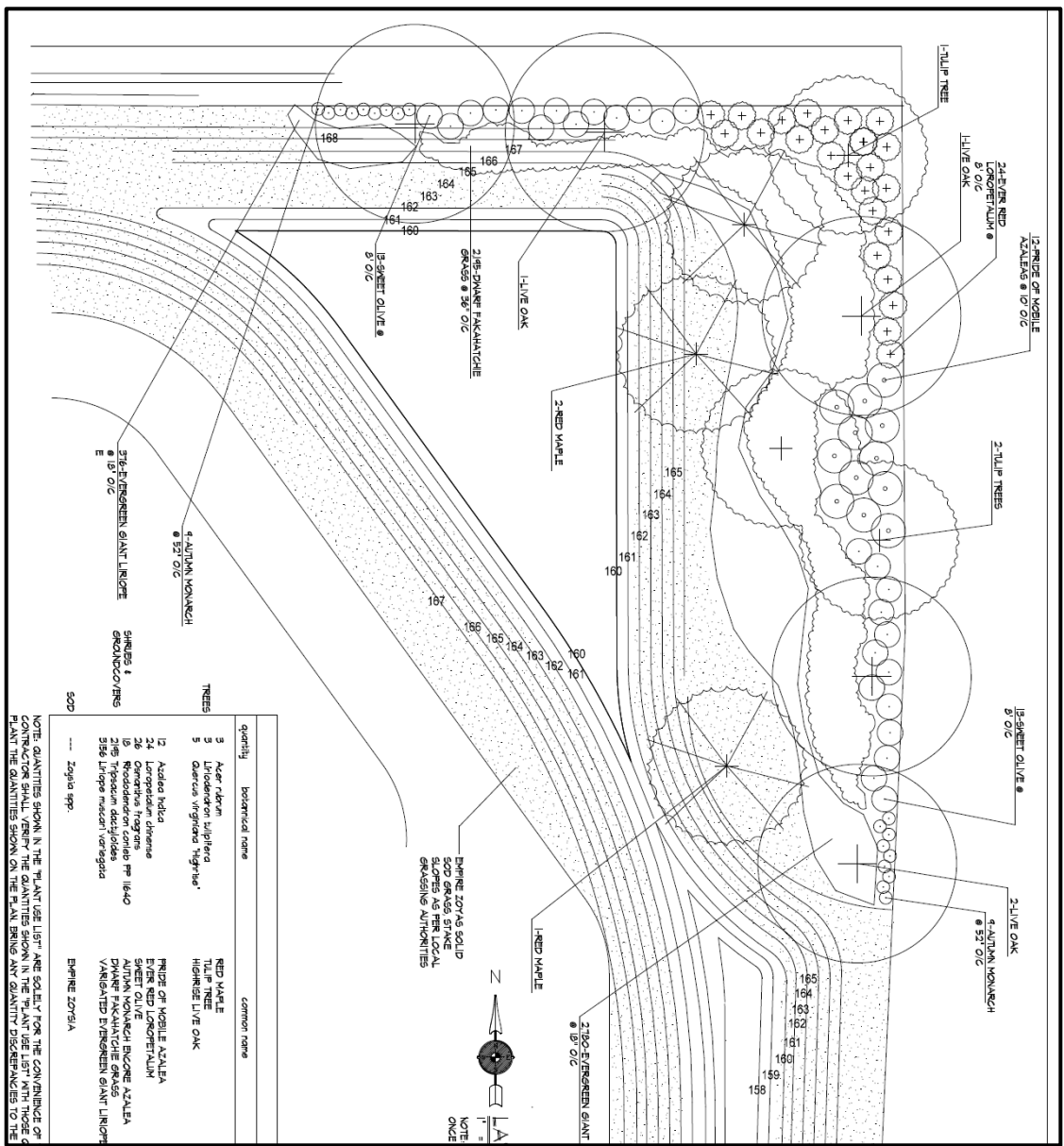
- ⊗ IRRIGATION CONTROL VALVE
- ✱ CREPE MYRTLE
- ⊗ 1" OAK TREE
- ⊗ 3' TALL CEDAR



75' Landscape Buffer  
Needed Because Adjacent  
to Residential (see next page)



# Landscape Plan



PLANT USE LIST				
quantity	botanical name	common name	size	remarks
TREES	3 <i>Acer rubrum</i>	RED MAPLE	8'-10' HT.	MIN. 45 GAL., MIN. 6'-8" SPREAD, MIN. 2" CAL., SINGLE TRUNK SPECIMEN, FULL WELL BRANCHED
	3 <i>Liriodendron tulipifera</i>	TULIP TREE	8'-10' HT.	MIN. 45 GAL., MIN. 6'-8" SPREAD, SINGLE TRUNK 2" CAL., FULL WELL BRANCHED
	5 <i>Quercus virginiana</i> 'Highrise'	HIGHRISE LIVE OAK	8'-10' HT.	MIN. 45 GAL., MIN. 6'-8" SPREAD, MIN. 2" CAL., SINGLE TRUNK SPECIMEN, FULL WELL BRANCHED
SHRUBS & COVERS	12 <i>Azalea indica</i>	PRIDE OF MOBILE AZALEA	30-36" HT.	MIN. CONTAINER SIZE FOR SIZE SPECIFIED; MIN. 30-36" SPREAD, FULL WELL BRANCHED PLANTS SPACE AT 10' O/C +/-
	24 <i>Loropetalum chinense</i>	EVER RED LOROPETALUM	30-36" HT.	MIN. CONTAINER SIZE FOR SIZE SPECIFIED; MIN. 30-36" SPREAD, FULL WELL BRANCHED PLANTS SPACE AT 8' O/C +/-
	26 <i>Osmunda fragrans</i>	SWEET OLIVE	36-42" HT.	MIN. CONTAINER SIZE FOR SIZE SPECIFIED; MIN. 36-42" SPREAD, FULL WELL BRANCHED PLANTS SPACE AT 8' O/C +/-
	18 <i>Rhododendron coronae</i> PP 11640	AUTUMN MONARCH ENCORE AZALEA	30-36" HT.	MIN. CONTAINER SIZE FOR SIZE SPECIFIED; MIN. 30-36" SPREAD, FULL WELL BRANCHED PLANTS SPACE AT 52" O/C
	245 <i>Tripsacum dasyloides</i>	DIAMANT PAKAHATCHIE GRASS	24-30" HT.	MIN. CONTAINER SIZE FOR SIZE SPECIFIED; MIN. 8'-24" SPREAD, FULL WELL BRANCHED PLANTS SPACE AT 36" O/C
SOD	---	<i>Zoysia</i> spp.	EMPIRE ZOYSIA	SOLID SOD VARIETY 'EMPIRE' OR AS PER OWNER

NOTE: QUANTITIES SHOWN IN THE "PLANT USE LIST" ARE SOLELY FOR THE CONVENIENCE OF THE LANDSCAPE CONTRACTOR. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE QUANTITIES SHOWN IN THE "PLANT USE LIST" WITH THOSE QUANTITIES AS SHOWN ON THE "PLANTING PLAN" AND PLANT THE QUANTITIES SHOWN ON THE PLAN. BRING ANY QUANTITY DISCREPANCIES TO THE ATTENTION OF THE LANDSCAPE ARCHITECT FOR ACTION TO BE TAKEN.

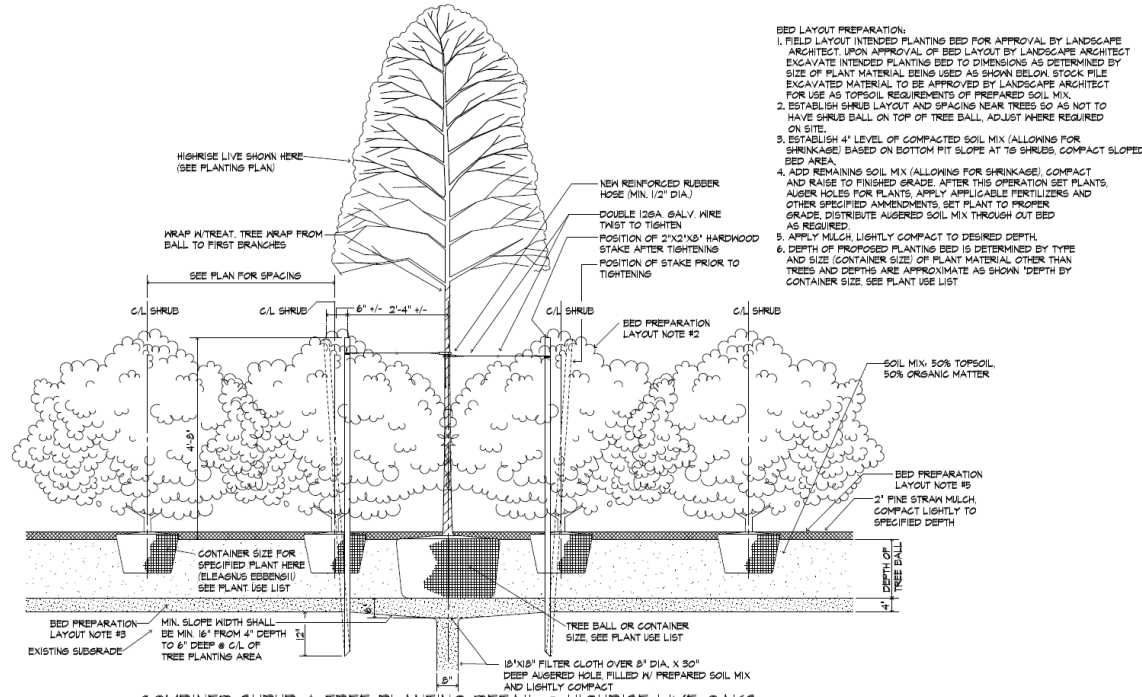
**SOD LEGEND**

EMPIRE ZOYSIA SOLID SOD

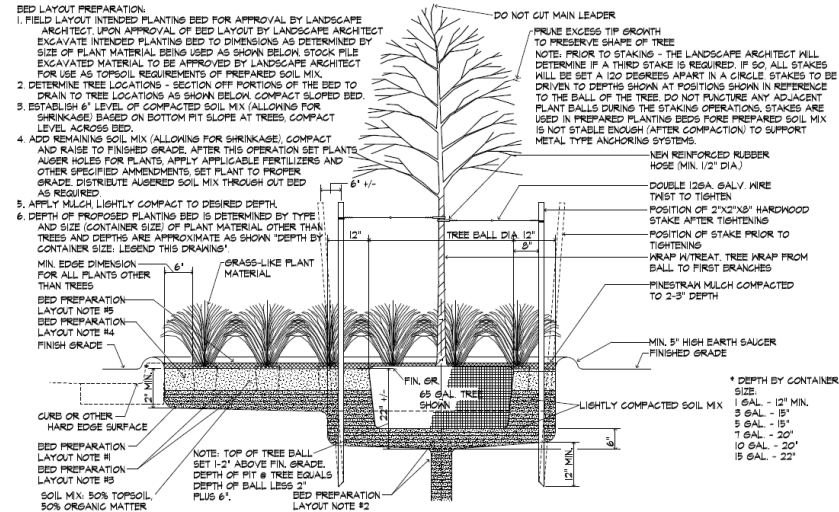
STATE OF ALABAMA  
LIQUID  
OIL  
100%



# Landscape Plan



**COMBINED SHRUB & TREE PLANTING DETAIL @ HIGHRISE LIVE OAKS**  
NOT TO SCALE



**COMBINED ORNAMENTAL GRASS & TREE PLANTING DETAIL**  
NOT TO SCALE



# Drainage Narrative

L.E. Stiffler, Engineer, LLC  
309 West Laurel Ave.  
Foley, Alabama 36535

855.943.8501 (o)  
251.262.2474 (f)  
randy@lesengr.com

Baldwin County  
Highway Department  
Post Office Box 220  
Silverhill, AL 36576

May 22, 2022

RE: Drainage Narrative  
ECOVERY  
26320 Railroad Ave.  
Loxley, AL 36551

The site drainage was updated March 5, 2019 for development on the North of the site. This model has been updated for the proposed enlargement of the Machine/Fabrication building on the South side of the site and a new warehouse on the North side of the site. The changes for the Machine/Fabrication building area is modeled as Subcat 31. The areas have been updated from compacted clay to gravel and building. The proposed addition is 26,700 sqft and the proposed gravel area is 34,728 sqft.

The warehouse on the north side of the property is located in a gravel area modeled as Subcat 11. The gravel area has been reduced and the new building area has been added. The relocated and additional parking is located in a gravel area and is proposed to be gravel parking. No change in the area modeling for the parking.

The model has been updated with the latest NOAA rainfall data for the Area.

The drainage system remains unchanged and is modeled to ensure the proposed addition will not overflow the existing stormwater system. There are no proposed changes to the existing stormwater system.

The final drainage area is modeled as 40S. This is the southern most parcel and is not developed and is shown for information only as it sheet flows to the South-Southeast and is undeveloped.

Drainage for the proposed is modeled in HydroCad. The modeled site uses the Rational Method. The Rational Method was determined to be the best fit for the development as the preconstruction release rates under the SCS TR-20 were unrealistically large. The following table summarizes the model. The pre-release rate is the sum of the subcatch basins 10S, 20S, and 30S. The post-Release is from Detention Pond 2P as it is the last of the interconnected ponds.

Event	Pre-Release (cfs)	Proposed Post-Release (cfs)	Pond 2P Peak Elev
5 yr	19.12	4.16	160.89
10 yr	22.20	7.84	161.76
25 yr	26.69	16.30	162.57
50 yr	30.40	21.05	163.06
100 yr	34.30	26.02	163.51

Let me know if you have any questions.

L.E. Stiffler, Engineer, LLC  
309 West Laurel Ave.  
Foley, Alabama 36535

855.943.8501 (o)  
251.262.2474 (f)  
randy@lesengr.com



Randy R. Arp P.E.  
Alabama No. 24556



# Agency Comments

**ALDOT, Michael Smith:** No Comments

**ADEM, Scott Brown:** No Comments

**Baldwin County Subdivision– Mary Booth:** No Comments

**Baldwin County Highway Department – Weesie Jeffords:**No Comments



# Staff Analysis and Findings

The applicant is requesting Commission Site Plan Approval **to allow for a temporary food prep trailer**. The proposed use is permitted subject to the Commission Site Plan Approval of the Planning Commission.

The following factors for reviewing Commission Site Plan Approval approvals are found in Section 18.9 of the *Baldwin County Zoning Ordinance*.

**Section 18.9.1 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 Commission Site Plan Approval in a particular zoning district; however, the county reserves full authority to deny any request for Commission Site Plan Approval, 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.



18.9.2 Applicable Uses. In addition to the uses specified for the individual zoning designations, a Commission Site Plan Approval is required for all development which meets the following criteria:

- (a) All multiple unit developments;
- (b) Non-residential projects involving a combined total building square footage of 5,000 square feet or more;
- (c) Non-residential development within 200 feet of property that is either zoned or used as residential;
- (d) Non-residential development where more than 30% of the lot (excluding the building) is impervious;
- (e) All changes to existing structures, other than single family residences, that increase the gross floor area by thirty percent (30%) or more;
- (f) All changes of use on non-residential properties, unless proposed use would be permitted with an administrative approval.

Section 18.9.5 *Standards for approval.* A Commission Site Plan Approval 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:



# Staff Analysis and Findings

**(a) The proposed use and accompanying site plan conform to the requirements of the Zoning Ordinance.**

The proposed additions do meet the zoning ordinance. The applicant is proposing two additions to the current structures. One addition being 50,000 sq ft and the other being 27,000 sq ft. The applicant has also added additional parking for the new additions along with some of the parking that was lost from these additions and also a 75' landscape buffer at the northeast corner .

**(b) 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, provides a future land use designation of Industrial for the subject property. Manufacturers of both durable and non-durable goods are included in this category. Institutional uses, commercial uses, recreational uses, and transportation, communication and utility uses, as permitted in the Zoning Ordinance, are also included. Zoning designations may include M-1, M-2 and PID.



# Staff Analysis and Findings

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

The properties in this area are mostly commercial and industrial except for the properties to east they are residential and agriculture. This use currently exists and the applicant is wanting to expand it.

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

The adjacent properties are industrial or agriculture. Staff believes that before and after appraisals would be needed to determine the effect on values of neighboring property.

**(e) 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.**

As stated above, the adjacent properties are zoned for industrial and agriculture. Staff believes this is compatible with the surrounding area and will not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses.



# Staff Analysis and Findings

*18.9.6 Conditions and restrictions on approval.* In approving a site plan, the Planning Commission may impose conditions and restrictions upon the property benefited by the site plan approval as may be necessary to comply with the standards set out above, to reduce or minimize any potentially injurious effect of such site plan approval upon the property in the neighborhood, and to carry out the general purpose and intent of the ordinances. These conditions may include but are not limited to increasing the required lot size or yard dimensions; controlling the location and number of vehicle access points; increasing the number of off- street parking and loading spaces required; limiting the number, size and location of signs; and required fencing, screening, lighting, landscaping or other facilities to protect adjacent or nearby property.

In approving any site plan, the Planning Commission may specify a period of time different than the 180-day default time period from Section 18.2.4 for the commencement (issuance of a building permit) of the proposed use. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances. Those site plans which the Planning Commission approves subject to conditions shall have 30 days to submit an amended site plan incorporating the required conditions, unless a longer time frame is specified by the Planning Commission.



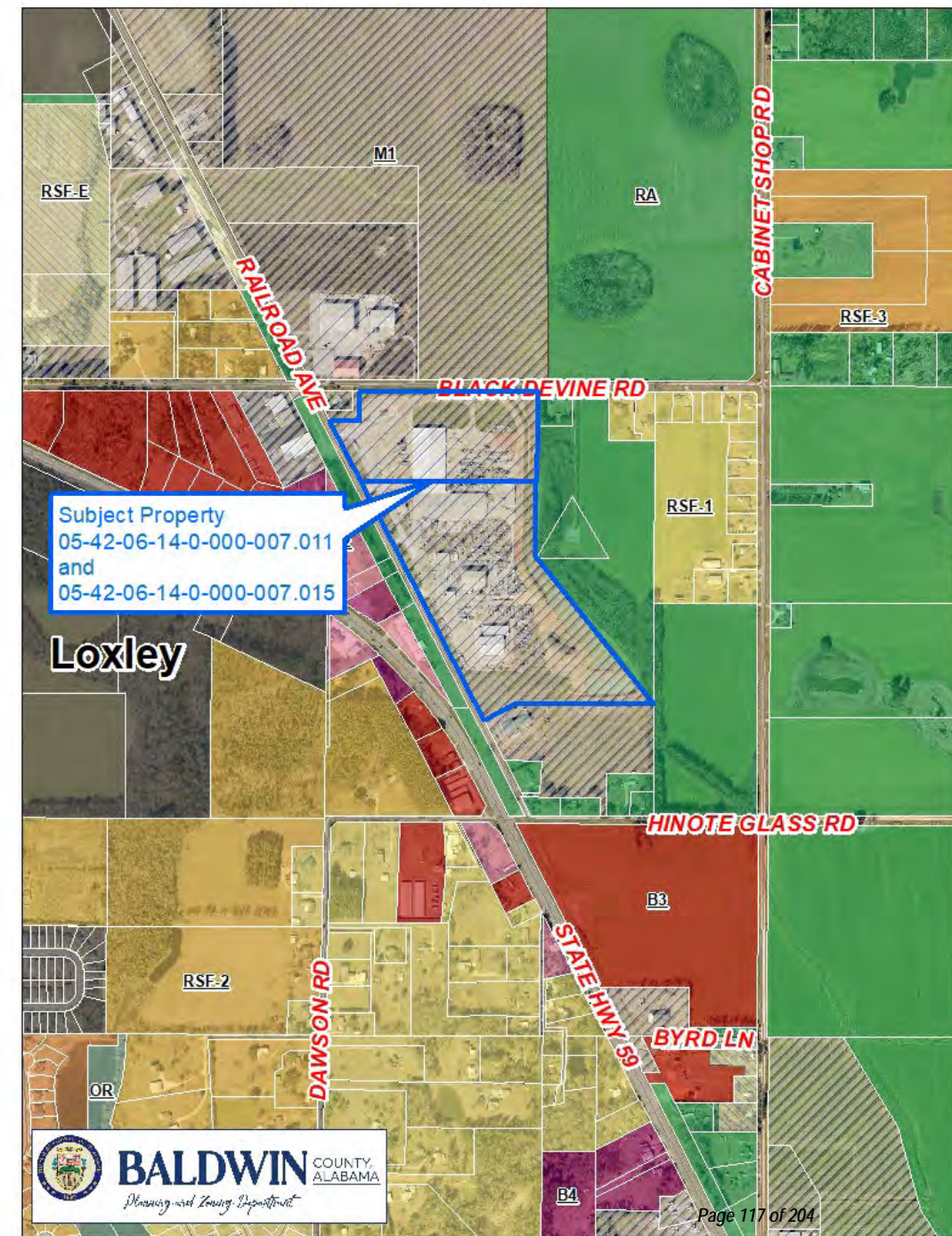
# CSP22-11 NORTH ALABAMA PROPERTY LEASING

## COMMISSION SITE PLAN APPROVAL

Lead Staff: Celena Boykin, Senior Planner

- Staff's Summary and Comments:**

The subject properties is currently zoned M-1, Light Industrial District, and is currently developed. The property adjoins Railroad Ave and Black Devine Rd. The adjoining properties are M1, Light Industrial District and RA, Rural Agriculture District. The Commission Site Plan Approval is being requested to allow for 2 warehouse additions.





# CSP22-11 NORTH ALABAMA

## PROPERTY LEASING

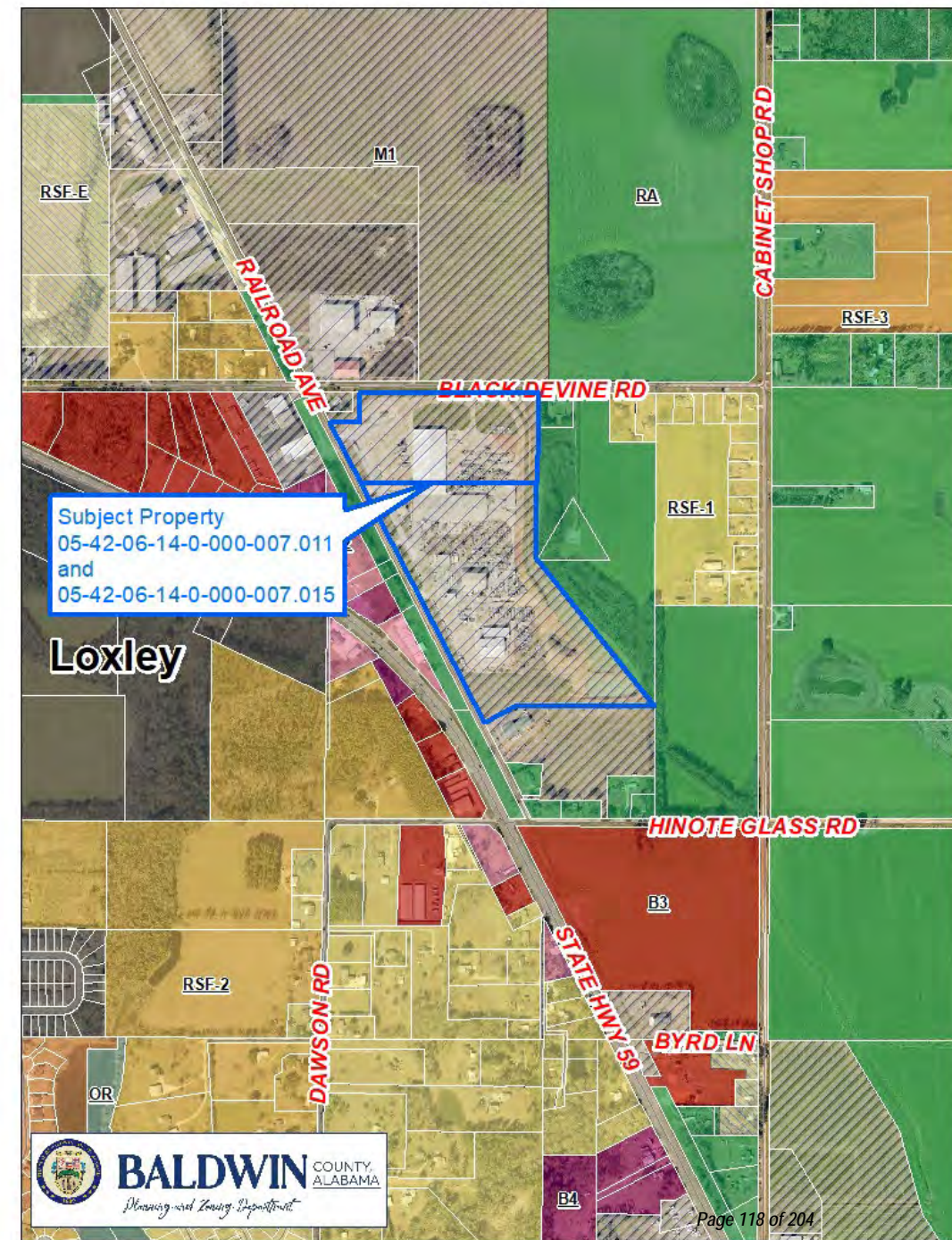
### COMMISSION SITE PLAN APPROVAL

Lead Staff: Celena Boykin, Senior Planner

As stated previously, the applicant is requesting Commission Site Plan Approval to allow for 2 warehouse additions. Staff recommends **APPROVAL\*** with the following conditions:

- The Planning Commission may specify a period of time different than the 180-day default time period from Section 18.2.4 for the commencement (**issuance of a building permit**) of the proposed use. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances.
- Any expansion of the proposed structures or facility shall necessitate additional review by the Planning Commission.
- Subject to staff approval of technical requirements.

*\*On Commission Site Plan Approval, Planning Commission makes the final decision.*





# 9.3)SC21-3 CANEY BRANCH SUBDIVISION

Staff Report Prepared by:  
J. Buford King, Deputy Director

June 2, 2022

Request before the Planning Commission:

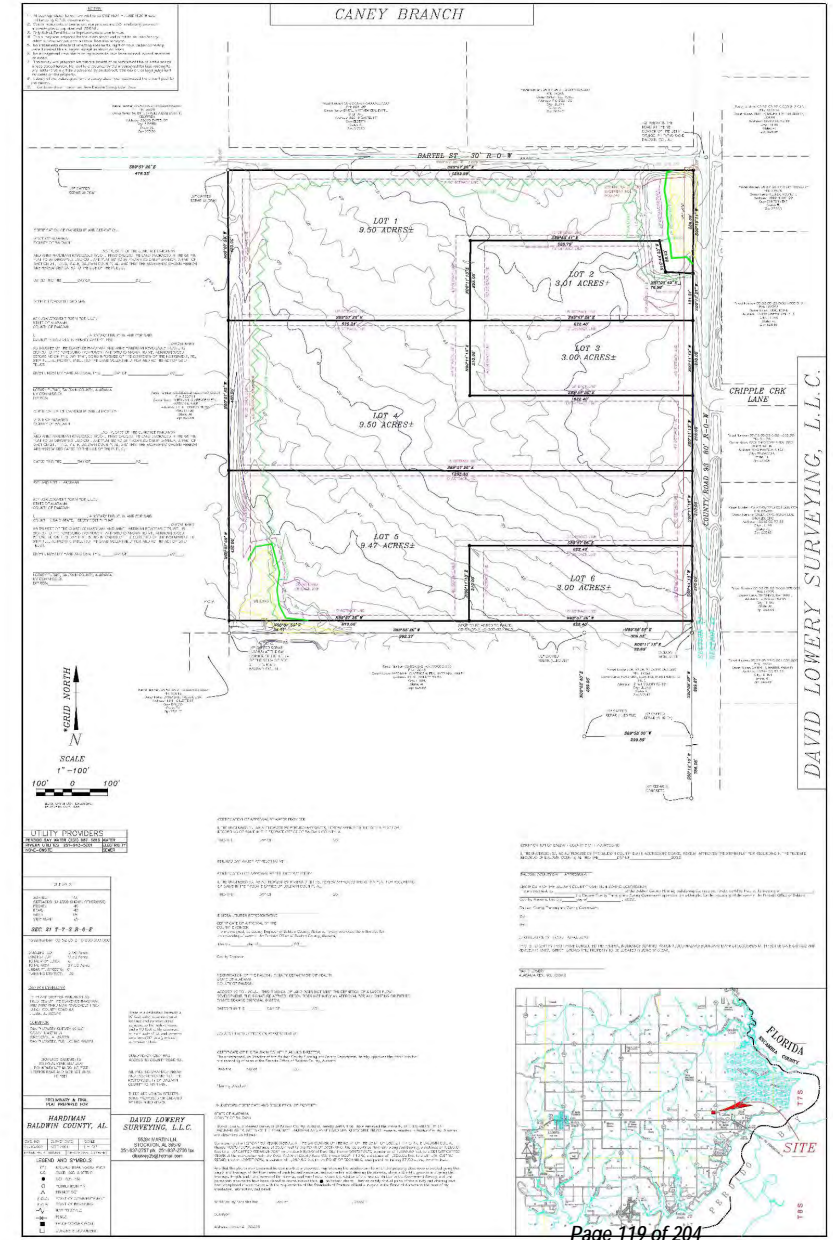
**Preliminary Plat approval** of *Caney Branch*, a **6-lot** regulatory subdivision

Staff Recommendation: **APPROVAL**

(there are no contingencies or conditions of approval)

To view public comments, supporting documents, and maps/plats in higher resolution please visit the “Upcoming Items” Planning and Zoning webpage:

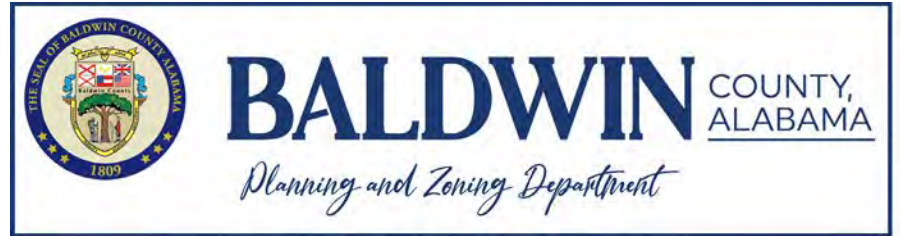
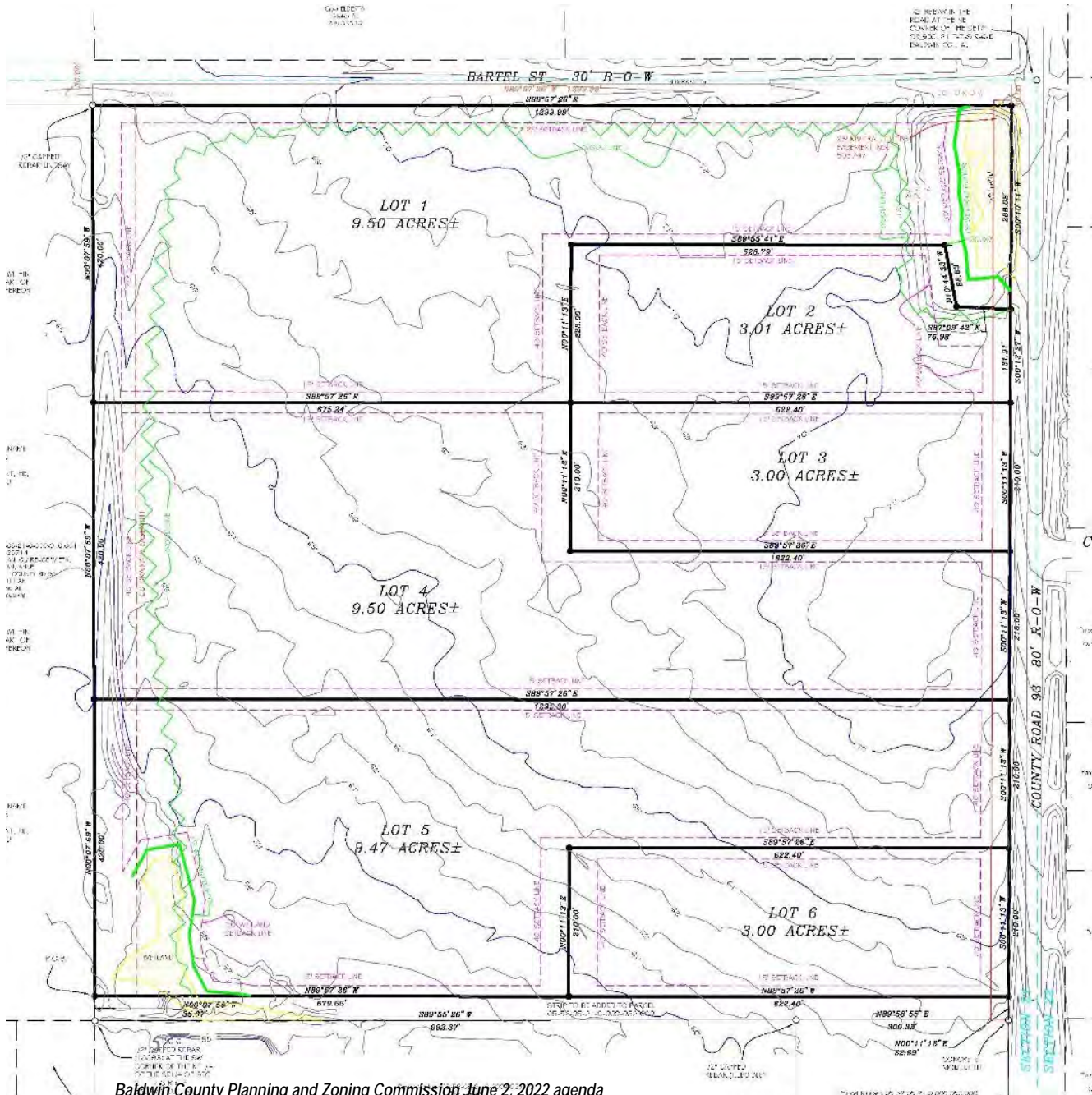
<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>











SC21-3 CANEY BRANCH  
PRELIMINARY PLAT CROPPED AND ENLARGED  
TO SHOW DETAILS





County Road 93

Planning District 22

Subject Property  
05-52-05-21-0-000-009.000  
PIN 6966

Bartel Street

US HWY 98

Planning District 33

SC21-3 CANEY BRANCH  
VICINITY MAP WITH PLANNING JURISDICTIONS



**BALDWIN** COUNTY, ALABAMA  
*Planning and Zoning Department*





# BALDWIN

COUNTY, ALABAMA

*Planning and Zoning Department*

## SC21-3 CANEY BRANCH AERIAL SITE MAP


Subject Property  
05-52-05-21-0-000-009.000  
PIN 6966

County Road 93

Bartel Street

US HWY 98



-  Rural District (RR)
-  Rural Agricultural District (RA)
-  Conservation Resource District (CR)
-  Residential Single Family Estate District (RSF-E)
-  Residential Single Family District (RSF-1)
-  Residential Single Family District (RSF-2)
-  Residential Single Family District (RSF-3)
-  Residential Single Family District (RSF-4)
-  Residential Two Family District (RTF-4)
-  Residential Single Family District (RSF-6)
-  Residential Two Family District (RTF-6)
-  Residential Multiple Family District (RMF-6)
-  Residential Manufactured Housing Park District (RMH)
-  Marine Recreation District (MR)
-  Outdoor Recreation District (OR)
-  Tourist Resort District (TR)
-  Recreational Vehicle Park District (RV-1)
-  Recreational Vehicle Park District (RV-2)
-  Professional Business District (B-1)
-  Neighborhood Business District (B-2)
-  General Business District (B-3)
-  Major Commercial District (B-4)
-  Limited Business District (LB)
-  Light Industrial District (M-1)
-  General Industrial District (M-2)
-  Moratorium District

Bartel Street

County Road 93



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

SC21-3 CANEY BRANCH ZONING MAP

Subject Property  
05-52-05-21-0-000-009.000  
PIN 6966

US HWY 98



**Location:** Subject property is located on the west side of County Road 93 (CR93) approximately ¼ miles north of US HWY 98 at the southwest intersection of Bartel Street and CR93 near the Lillian Community.

**Planning District:** 22

**Zoning:** RA, Rural Agriculture, 3-acre minimum lot size

**Total Property Area:** 37.5 acres

**Total # of Lots requested:** 6 Lots

Lot 1: 9.50 acres +/-    Lot 2: 3.01 acres +/-    Lot 3: 3.00 acres +/-

Lot 4: 9.50 acres +/-    Lot 5: 9.47 acres +/-    Lot 6: 3.00 acres +/-

- Setbacks: 40' Front, 40' Rear 15' Side, 25' street side (or as shown)

**Streets / Roads:** no new public streets, sidewalks, or curb and gutter to be installed (these improvements are not required for the requested lot sizes per section 5.1.1)

- Existing CR93 frontage utilized for access for all lots

**Surveyor of Record:** David Lowery, PLS, *David Lowery Surveying, LLC*

**Engineer of Record:** J.E. Hamlin, PE, *J.E. Hamlin, LLC*

**Owner / Developer:** *Keith and Stephen Hardiman as trustees of the Clarence Hardiman and Anne Hardiman Revocable Trust 13161 County Road 93 Lillian, AL 36549*

**Online Case File Number:** The official case number for this application is SC21-3, however, when searching online CitizenServe database, please use SC21-000003.

**Parcel:** 05-52-05-21-0-000-009.000    **PIN:** 6966

**Traffic Study:** Not required by section 5.5.14 when less than 50 lots are requested and not otherwise required by the County Engineer

**Drainage Improvements:** A drainage narrative was prepared and stamped by J.E. Hamlin, PE, of J.E. Hamlin, LLC and was accepted by the Baldwin County Highway Department. No drainage improvements are required for the subdivision.

**Wetlands:** A wetland delineation was performed, and all resultant jurisdictional wetlands are reflected on the plat with all required 30' wetland building setbacks and 15' natural buffers displayed as required

#### Utility Providers:

- Domestic Water: Perdido Bay Water
- Sewer: On-Site Septic
- Electrical: Baldwin EMC



# SC21-3 CANEY BRANCH

## Staff Comments

- Craig Martin of Wetland Sciences, Inc. prepared the wetland delineation (at right) for the proposed subdivision
  - The jurisdictional wetland areas are reflected on the plat with 30' wetland building setbacks and 15' wetland buffers





# SC21-3 CANEY BRANCH

## Staff Comments

- Craig Martin of Wetland Sciences, Inc. prepared the wetland delineation (at right) for the proposed subdivision
  - The jurisdictional wetland areas are reflected on the plat with 30' wetland building setbacks and 15' wetland buffers

Impacts to wetlands and/or surface waters will require permits from the agencies referenced above. Wetland Sciences, Inc. is keenly aware of this process and can facilitate if necessary. This is a process that is better explained over the telephone or in a person to person meeting.

Finally, I have included a statement of our firm for services rendered and expenses incurred associated with this effort. If you find this statement in order, please place it in line for payment.

If you have any questions, please do not hesitate to contact me at (850) 453-4700.

Respectfully,  
WETLAND SCIENCES, INC.

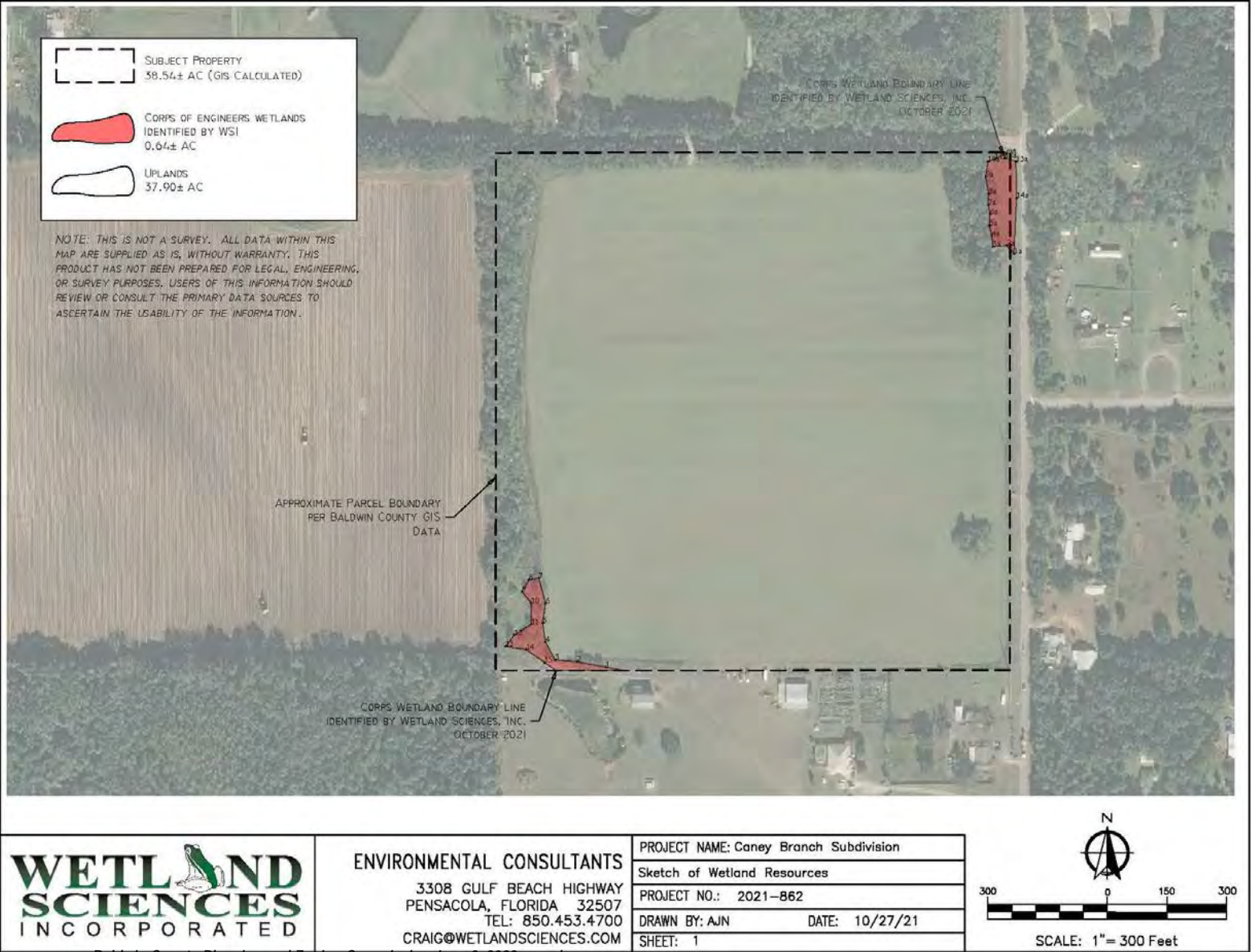


Craig Martin  
Sr. Scientist

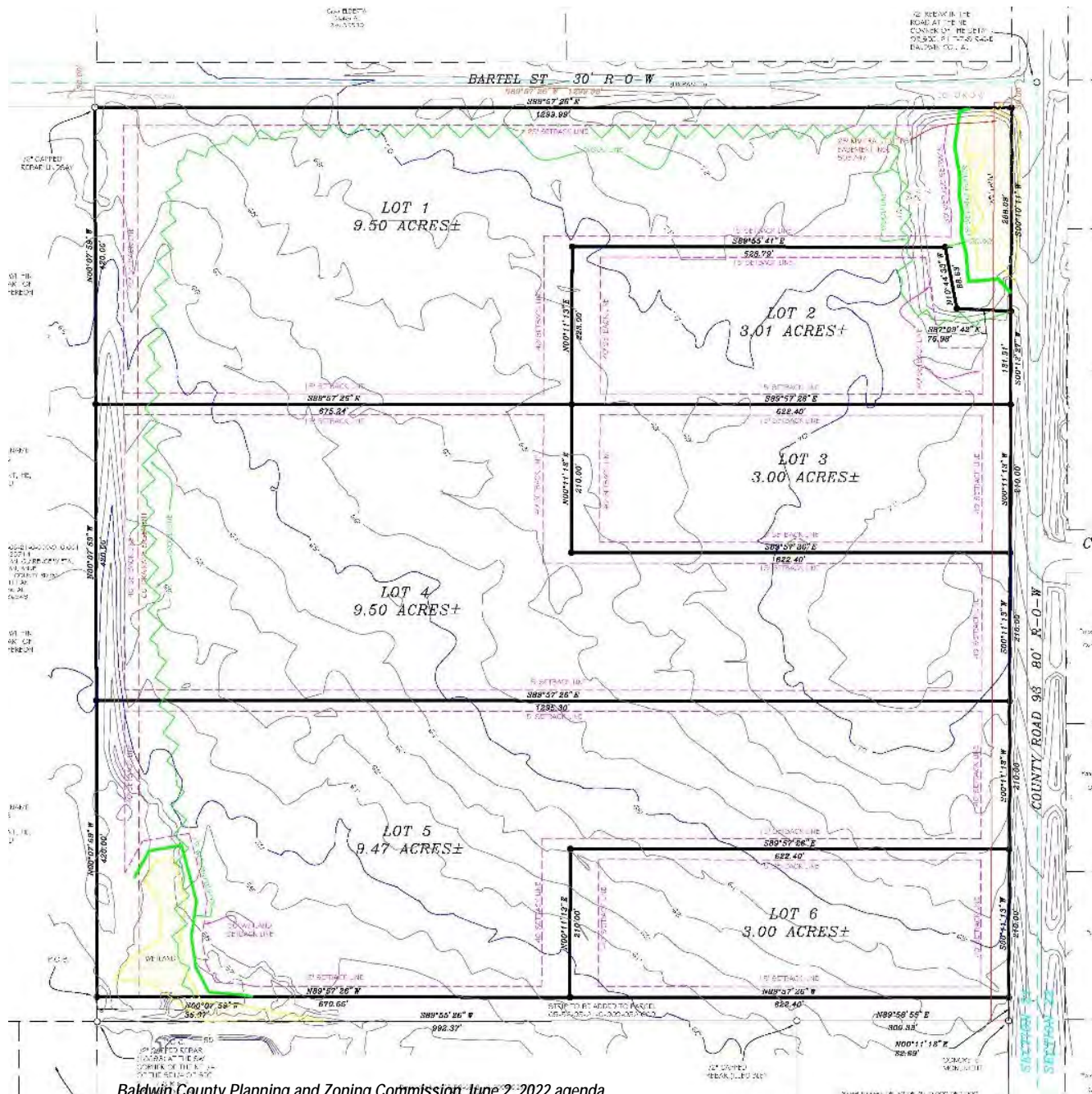


# SC21-3 CANEY BRANCH

SC21-3 CANEY BRANCH  
JURISDICTIONAL WETLAND  
LOCATIONS BY WETLAND SCIENCES





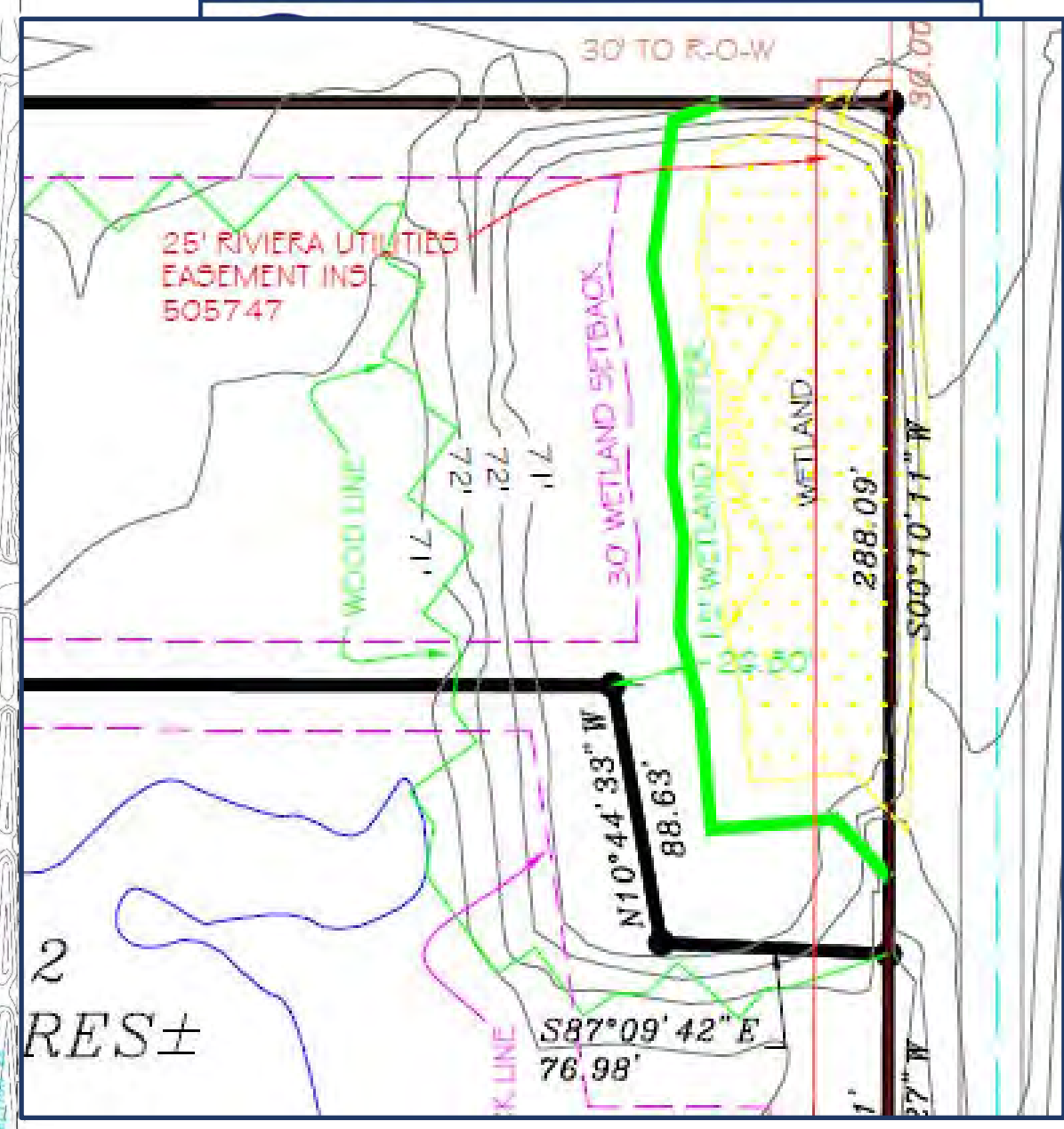
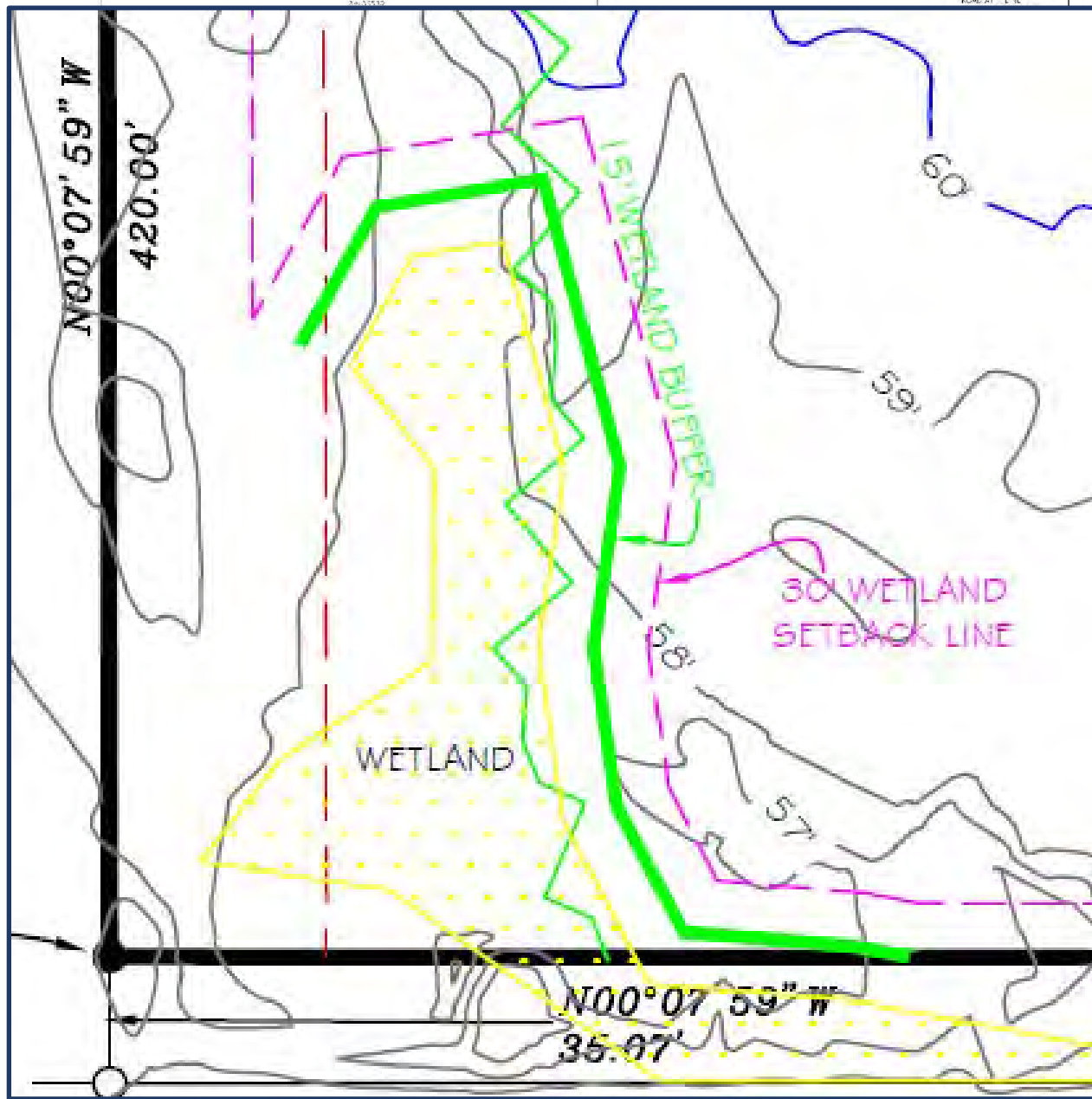


**BALDWIN** COUNTY, ALABAMA  
*Planning and Zoning Department*

SC21-3 CANEY BRANCH  
PRELIMINARY PLAT CROPPED AND ENLARGED  
TO SHOW WETLAND DETAILS









# SC21-3 CANEY BRANCH

## Staff Comments

- J.E. Hamlin, PE, PE of J.E. Hamlin, LLC prepared the drainage narrative (at right) for the proposed subdivision
  - The drainage narrative was accepted by the Baldwin County Highway Department
  - No drainage improvements are required, though the engineer notes additional drainage evaluation is required if further division occurs on the various lots

J. E. Hamlin  
Professional Engineer  
14200 South Blvd.  
Silverhill, Al. 36576

November 12, 2021

Baldwin County Planning & Zoning  
22251 Palmer Street  
Robertsdale, Al 36567

Attn: Subdivision Coordinator

RE: Hardiman Estates – Lillian area  
Drainage letter for Steve and Keith Hardiman

At the request of David Lowery Surveying, LLC, I have reviewed the current drainage conditions at the proposed referenced subdivision. My observations and opinions are as contained herein.

The site is approximately 37.49 acres, bounded on the north and east by existing county rights-of-way and on the west and south by private owners. The property is primarily sod, and has been for years. No additional improvements will be done for this subdivision into six lots of varying size, from three acres to 9.52 acres.

Post development runoff direction will not change. Runoff currently flows across adjacent properties, under county road 93 to Caney Branch, Lillian Swamp, and to Perdido Bay.

It is my professional opinion that this division of land will not cause any deleterious conditions to downstream properties or water ways.

Of course, future division will require further evaluation at that time. If you have any questions regarding this matter, do not hesitate to call me or the developer.

Very Truly Yours,  
  
J.E. Hamlin, P.E.  
J.E. Hamlin LLC



# SC21-3 CANEY BRANCH

## Staff Comments

- J.E. Hamlin, PE, PE of J.E. Hamlin, LLC prepared the drainage narrative (at right) for the proposed subdivision
  - The drainage narrative was accepted by the Baldwin County Highway Department

J. E. Hamlin  
Professional Engineer  
14200 South Blvd.  
Silverhill, Al. 36576

November 12, 2021

Baldwin County Planning & Zoning  
22251 Palmer Street  
Robertsdale, Al 36567

Attn: Subdivision Coordinator

RE: Hardiman Estates – Lillian area  
Drainage letter for Steve and Keith Hardiman

**Post development runoff direction will not change.** Runoff currently flows across adjacent properties, under county road 93 to Caney Branch, Lillian Swamp, and to Perdido Bay.

**It is my professional opinion that this division of land will not cause any deleterious conditions to downstream properties or water ways.**

**Of course, future division will require further evaluation at that time.** If you have any questions regarding this matter, do not hesitate to call me or the developer.

Very Truly Yours,  
  
J.E. Hamlin, P.E.  
J.E. Hamlin LLC

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# SC21-3 CANEY BRANCH

## SUBDIVISION PRELIMINARY PLAT REQUEST **STAFF RECOMMENDATION**

Staff recommends that the Preliminary Plat application for Case No. SP21-3, *Caney Branch* be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations. There are no conditions of approval.



# SC22-6 Baudin Acres Subdivision

Staff Report Prepared by:  
Shawn Mitchell, Devel. Review Planner

June 2, 2022

Request before the Planning  
Commission:

**Preliminary Plat approval**  
of Baudin Acres Subdivision,  
a **3-lot** subdivision

Staff recommendation:  
**APPROVAL** (no conditions)

To view maps/plats in higher resolution and  
public comments received related to this  
case, please visit the "Upcoming Items"  
Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>





**Location:** Subject property is located on the east side of Baudin Lane, and north and east of Co. Rd. 26 southwest of the Town of Magnolia Springs.

**Planning District:** 21

**Zoning:** Zoned RSF-1 and RA

**Total Property Area:** 46.28 acres +/-

**Total # of Lots requested:** 3 Lots

- Lot 1 & 2: 1.03 acres
- Lot 3: 44.21 acres
- Setbacks

RSF-1: 30' Front, 30' Rear, 10' Side, or as shown on plat  
RA : 40' Front, 40' Rear, 15' Side or as shown on plat

**Streets / Roads:** No new roads are proposed (not required by proposed lot size)

- Proposed lots will access Baudin Lane

**Surveyor of Record:** Victor Germain, PLS, *Dewberry Engineers*

**Owner/Developer:** Oswalt and Patricia Lipscomb  
25353 Friendship Rd., Daphne, AL 36526

**Online Case File Number:** The official case number for this application is SCC22-6, however, when searching the online CitizenServe database, please use SC22-000006

**Parcels:** 05-59-01-02-0-001-001.000  
05-60-03-37-0-000-006.000  
05-60-03-37-0-000-002.001

**PINS:** 26055, 214555, 67415

**Traffic Study:** Not required (less than 50 lots requested and thus not required per Article 5, section 5.5.14)

**Drainage Improvements:** None required, see drainage narrative included herein.

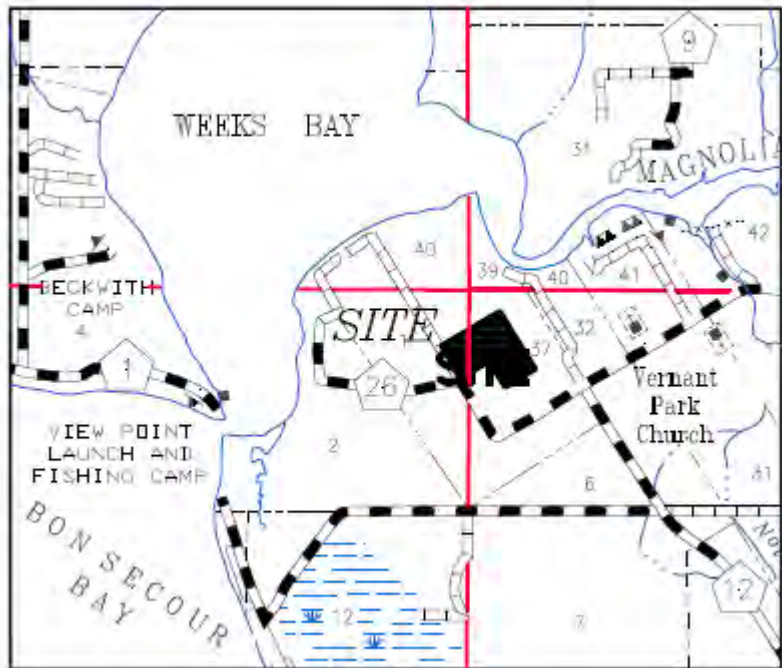
**Wetlands:** Applicant is invoking section 4.5.8(c) and reflecting the Potential Wetlands from the Baldwin Co. Generalized Wetland Map with a 50' wetland building setback on the plat.

**Utility Providers:**

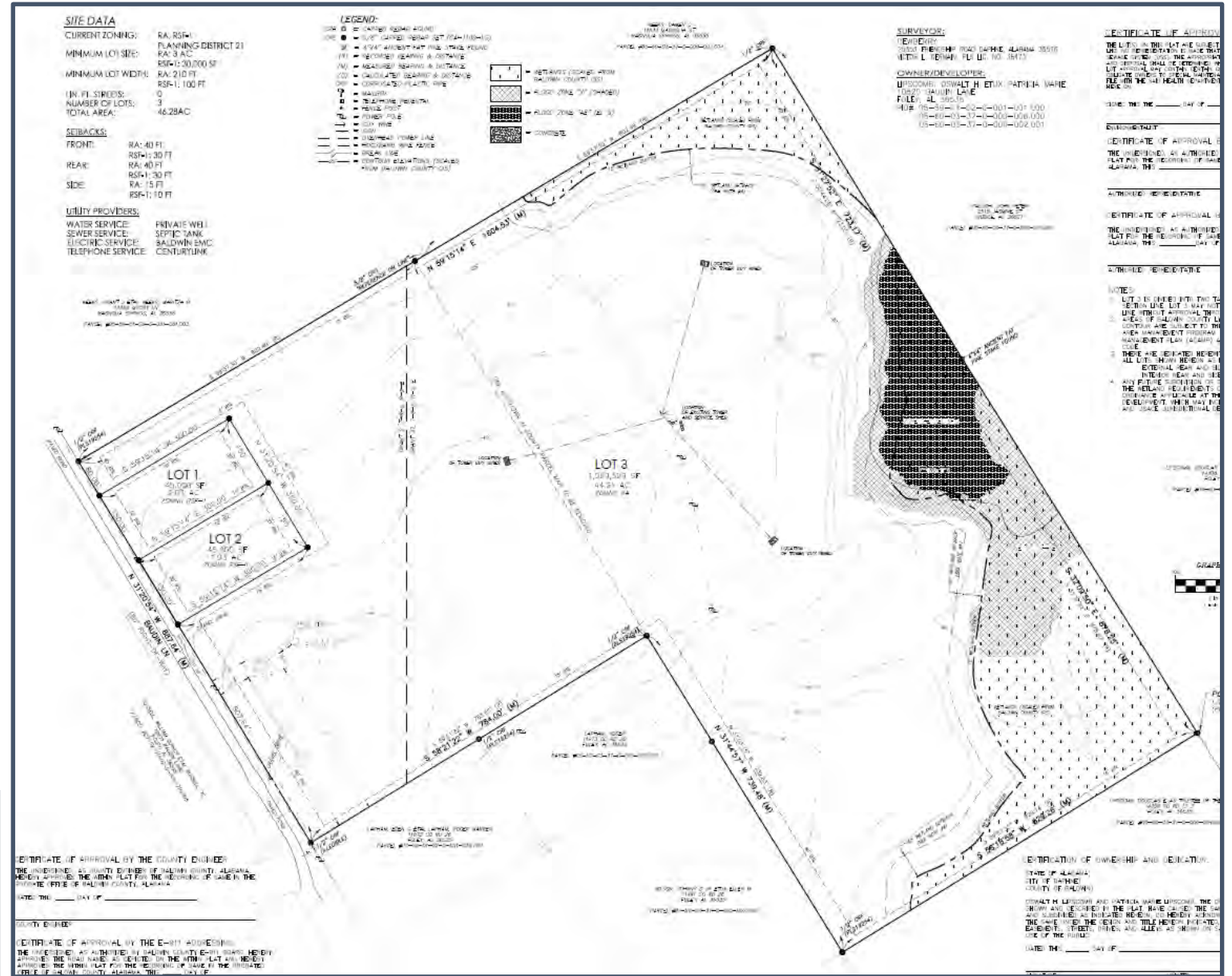
Lots greater than 40,000 sq ft. do not require public water or sanitary sewer

- Domestic Water: On-Site Well
- Sewer: On-Site Septic
- Electrical: Baldwin EMC



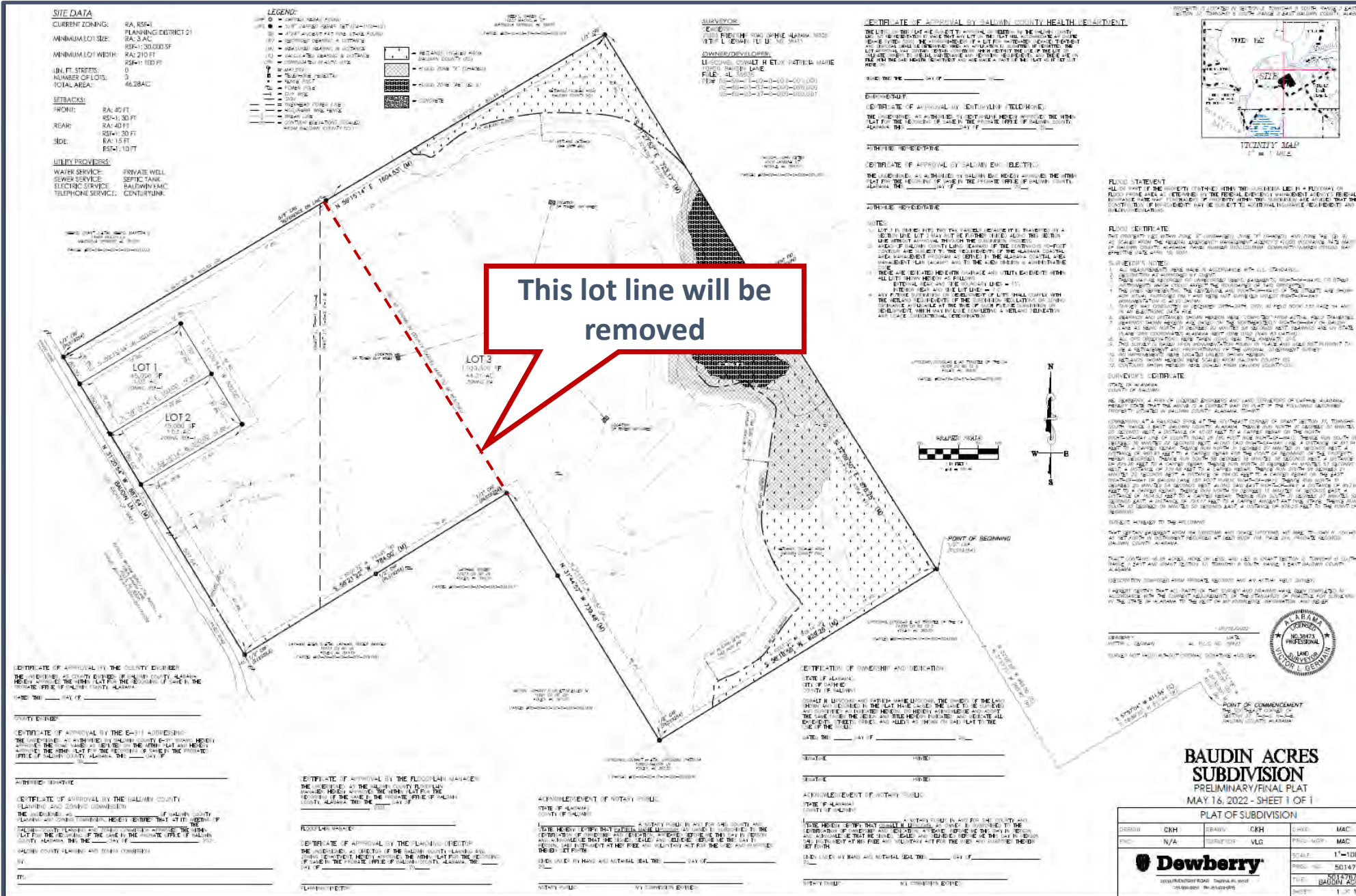


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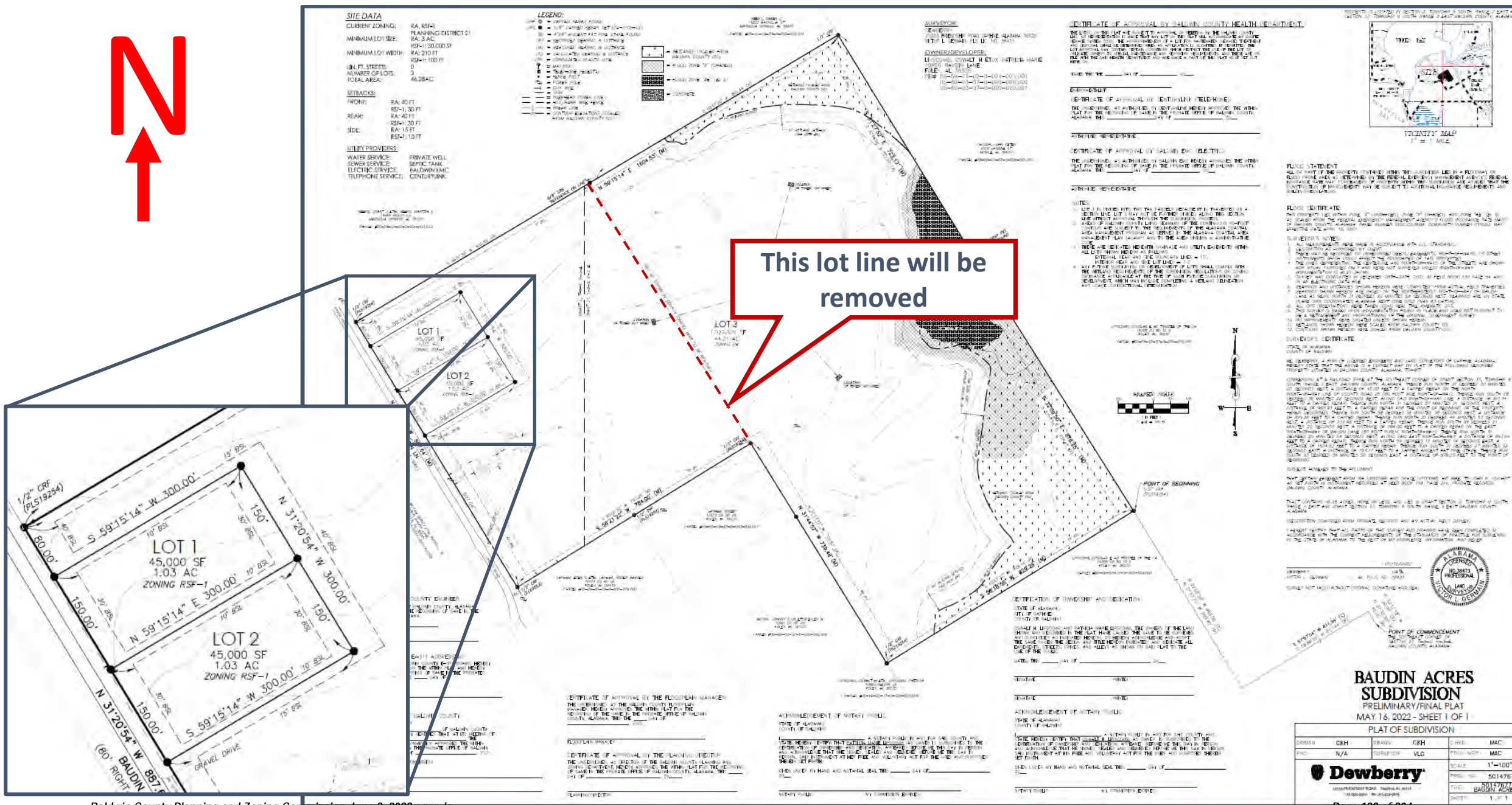


**BALDWIN** COUNTY, ALABAMA  
Planning and Zoning Department

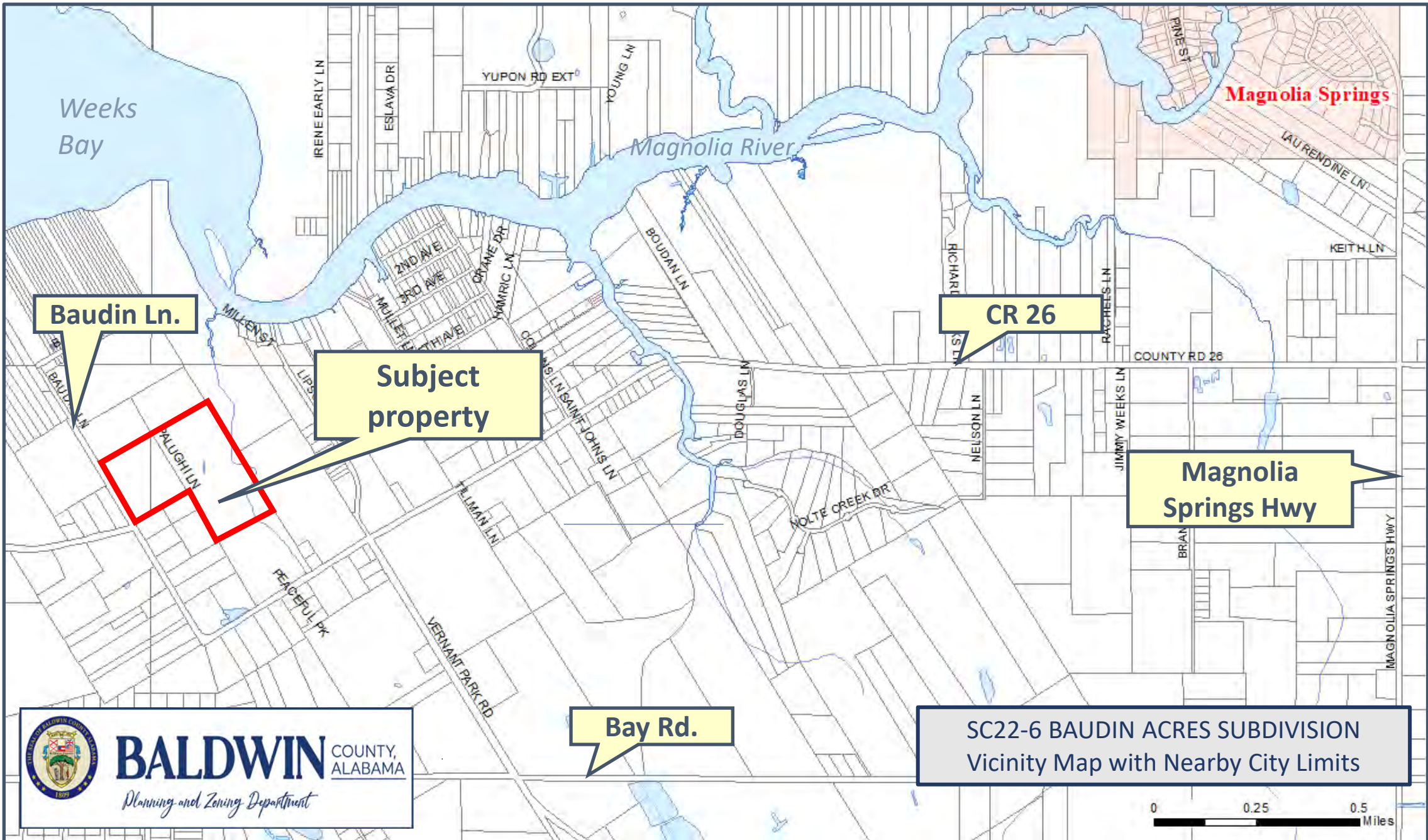




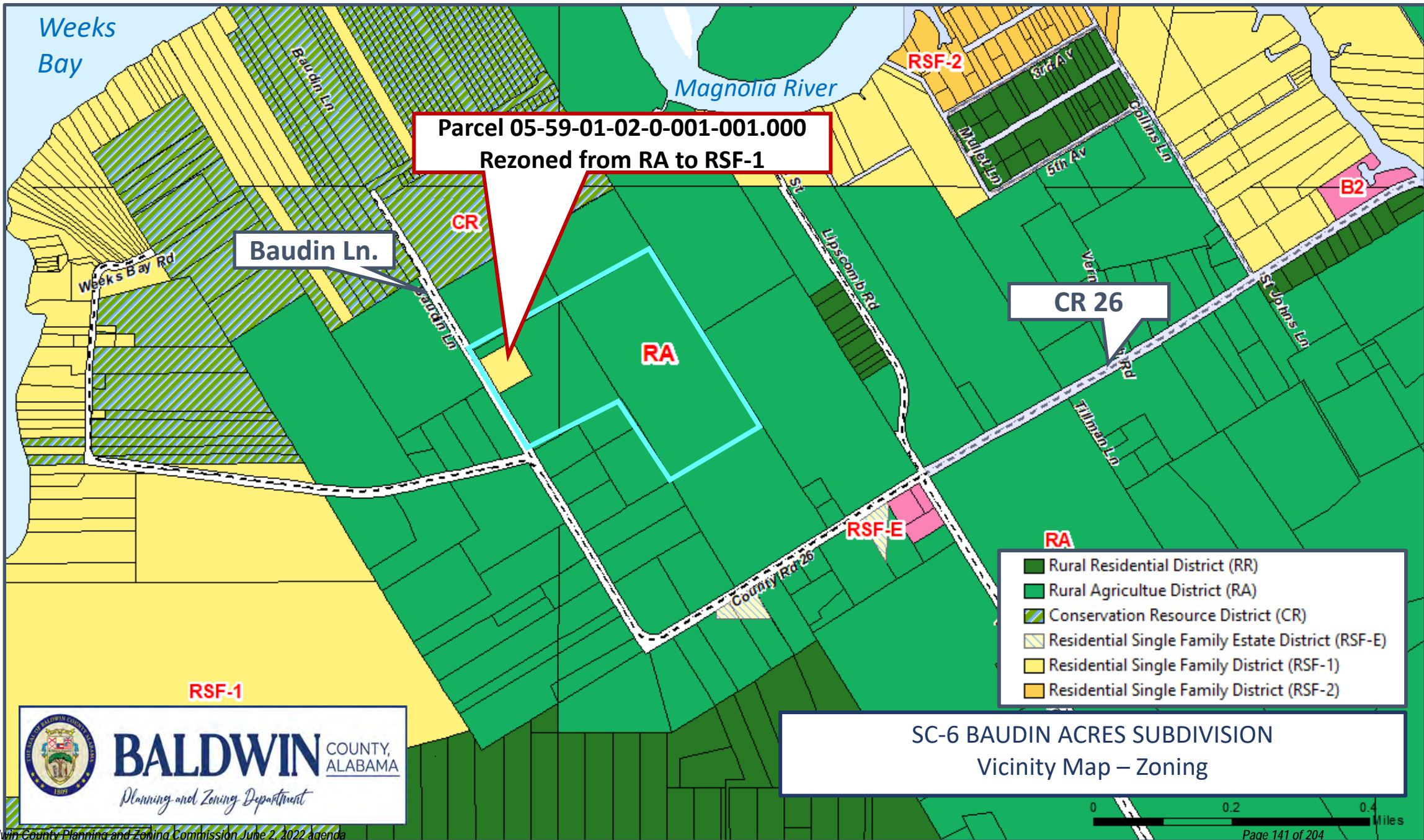




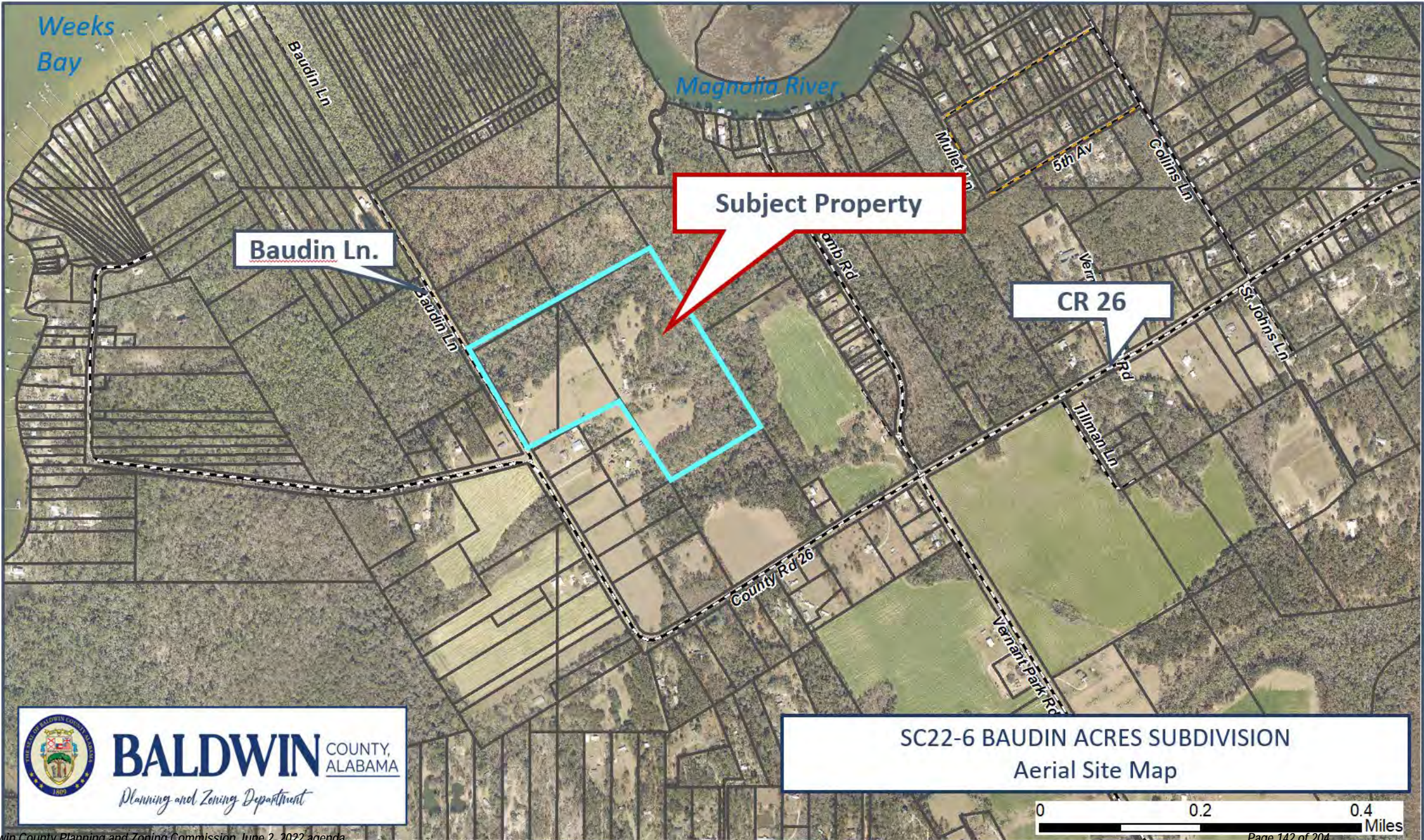




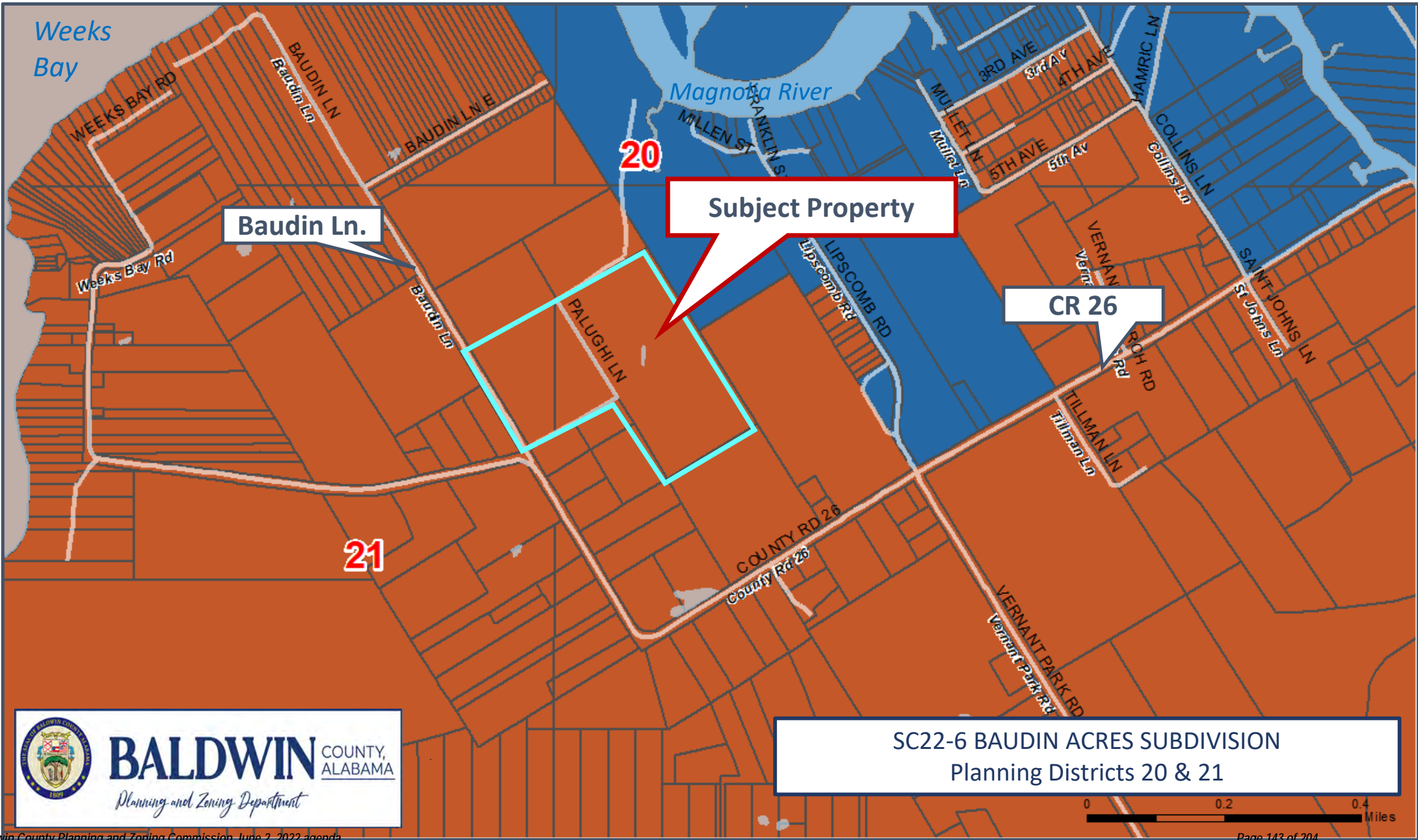














### Comments

- Christopher Lieb, PE of Lieb Engineering Co., prepared a written drainage narrative for subject property
  - No drainage improvements are recommended
  - The written drainage narrative was accepted by the Baldwin County Highway Department

property line. This drainage pattern will remain after the subdivision is created. The home builder will need to keep the drainage pattern the same and install BMPs per the Baldwin County Subdivision regulations.



1290 Main Street Suite E  
Daphne, AL 36526  
Phone: 251 978-9779

July 7, 2021

Baldwin County  
Attn: Mary Booth

Re: Lipscomb - Drainage Letter

Mary,

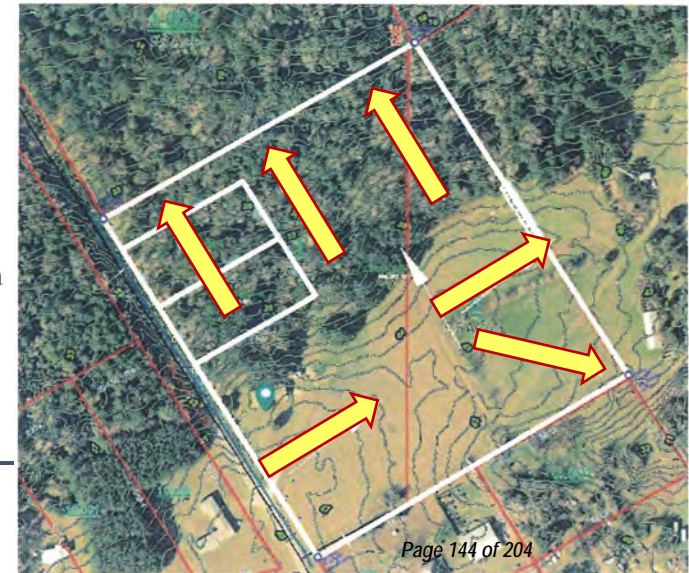
I have received your comment about providing a generalized drainage plan and written narrative for existing and proposed drainage patterns. The property is two drainage areas. One drainage area is located on the South end of the property and it drains from Baudin Lane to the East property line. The second drainage area is located at the wooded region of the property, and it flows towards the North property line. This drainage pattern will remain after the subdivision is created. The home builder will need to keep the drainage pattern the same and install BMPs per the Baldwin County Subdivision regulations.

Please feel free to contact me if you have any questions or need any clarifications.

Sincerely,



07-2021







July 6, 2021

Oswalt & Patricia Lipscomb  
10820 Baudin Lane  
Foley, AL 36535

Re: Wetland Assessment Report  
10820 Baudin Lane, Foley, Baldwin County, AL  
WSI Project 2021-537

The wetland assessment applied only to parcels 05-59-01-02-0-001-001.000 and 60-03-37-0-000-006.000 (shown in grey)

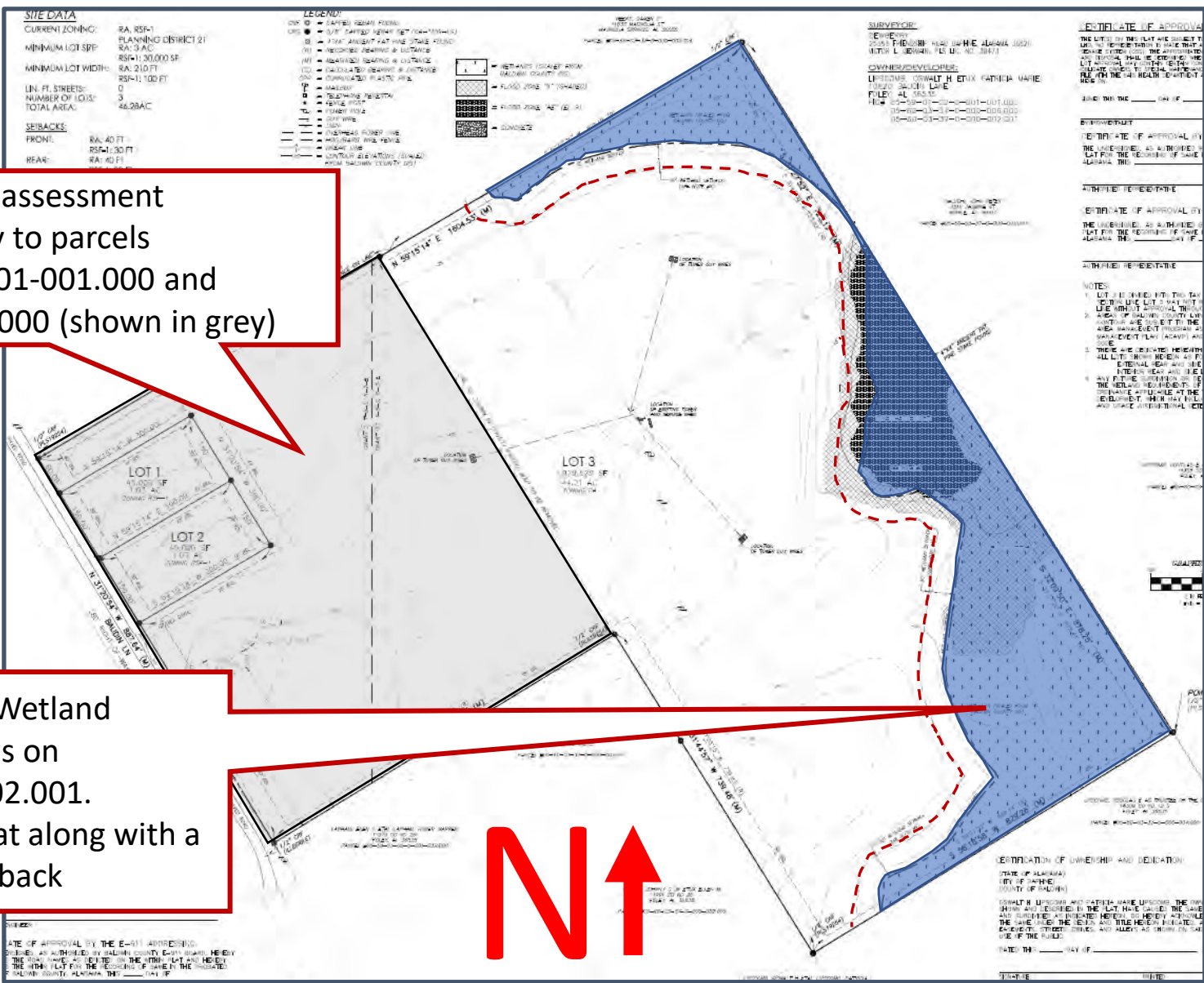
Dear Mr. and Mrs. Lipscomb,

As requested, Wetland Sciences, Inc. has completed a field wetland assessment at 10820 Baudin Lane, Foley in Baldwin County, Alabama. The Baldwin County property appraiser identifies the property with the following parcel IDs: 05- 59-01-02-0-001-001.000 and 60-03-37-0-000-006.000.

Field Identification of Wetlands

During the site inspection, Wetland Sciences, Inc. did not identify any wetlands within the subject property that would fall within the regulatory jurisdiction of the US Army Corps of Engineers (Corps) under 33 CFR 320-330. It is our opinion, that the entire parcel is comprised of uplands.

The Baldwin Co. Generalized Wetland showed potential wetlands on Parcel 05-60-03-37-0-000-002.001. The applicant added those to the plat along with a 50 ft. wetland building setback







July 6, 2021

Oswalt & Patricia  
10820 Baudin Lane  
Foley, AL 36535

Re: Wetland  
10820 Baudin Lane  
WSI Project

Dear Mr. and Mrs. \_\_\_\_\_

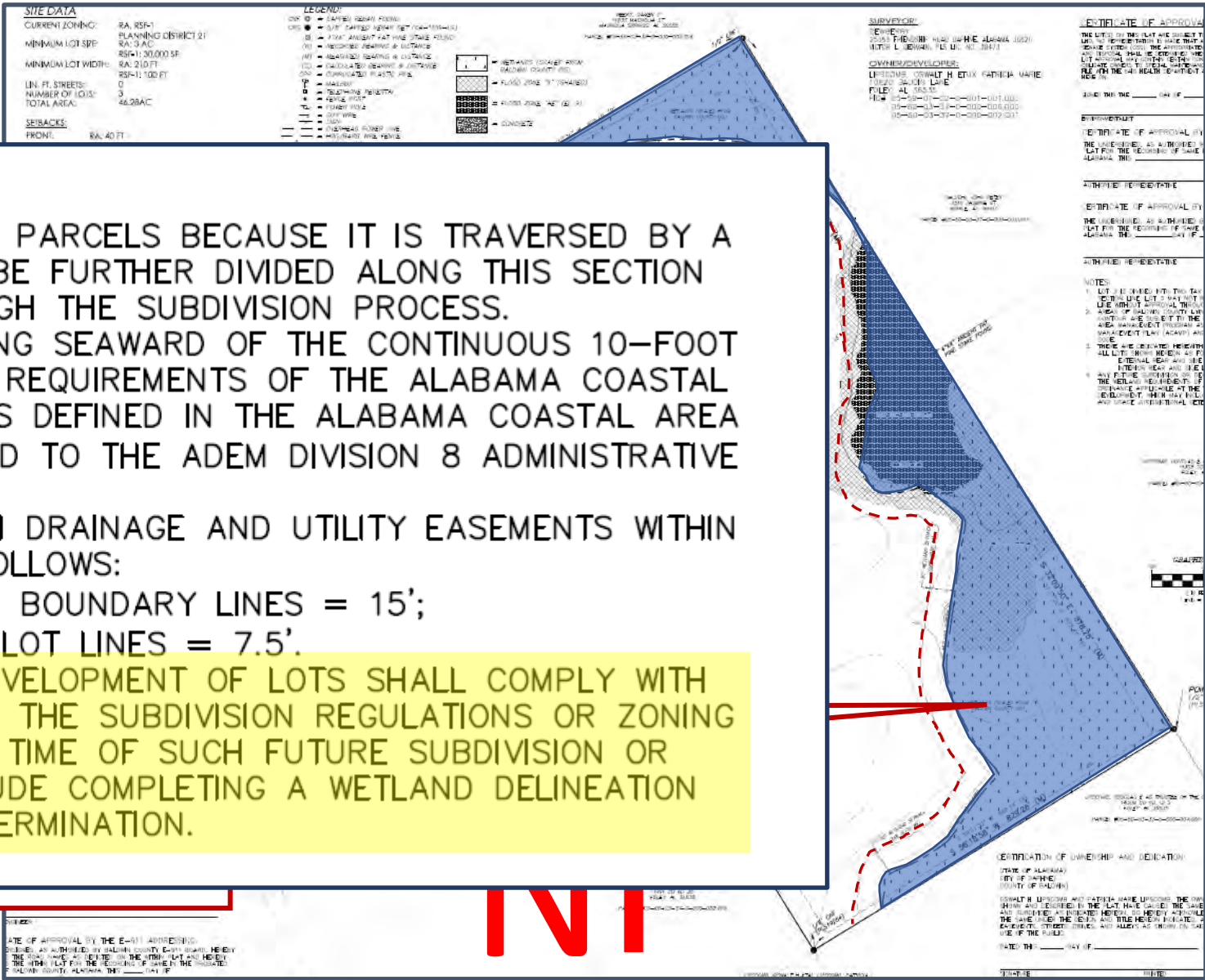
As requested, We have prepared the following parcel map for your review.

Field Identification

During the site inspection, we identified the following wetlands on the property that would be affected by the proposed subdivision under 33 CFR 320.2-6.

NOTES:

- 1. LOT 3 IS DIVIDED INTO TWO TAX PARCELS BECAUSE IT IS TRAVERSED BY A SECTION LINE. LOT 3 MAY NOT BE FURTHER DIVIDED ALONG THIS SECTION LINE WITHOUT APPROVAL THROUGH THE SUBDIVISION PROCESS.
- 2. AREAS OF BALDWIN COUNTY LYING SEAWARD OF THE CONTINUOUS 10-FOOT CONTOUR ARE SUBJECT TO THE REQUIREMENTS OF THE ALABAMA COASTAL AREA MANAGEMENT PROGRAM AS DEFINED IN THE ALABAMA COASTAL AREA MANAGEMENT PLAN (ACAMP) AND TO THE ADEM DIVISION 8 ADMINISTRATIVE CODE.
- 3. THERE ARE DEDICATED HERewith DRAINAGE AND UTILITY EASEMENTS WITHIN ALL LOTS SHOWN HEREON AS FOLLOWS:  
EXTERNAL REAR AND SIDE BOUNDARY LINES = 15';  
INTERIOR REAR AND SIDE LOT LINES = 7.5'.
- 4. ANY FUTURE SUBDIVISION OR DEVELOPMENT OF LOTS SHALL COMPLY WITH THE WETLAND REQUIREMENTS OF THE SUBDIVISION REGULATIONS OR ZONING ORDINANCE APPLICABLE AT THE TIME OF SUCH FUTURE SUBDIVISION OR DEVELOPMENT, WHICH MAY INCLUDE COMPLETING A WETLAND DELINEATION AND USACE JURISDICTIONAL DETERMINATION.





**PRELIMINARY PLAT APPROVAL REQUEST STAFF RECOMMENDATION**

Staff recommends that the Preliminary Plat application for Case No. SC22-6 Baudin Acres Subdivision be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations



# 9.c)SC22-12 JOSHUA ACRES SUBDIVISION

Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator

June 2, 2022

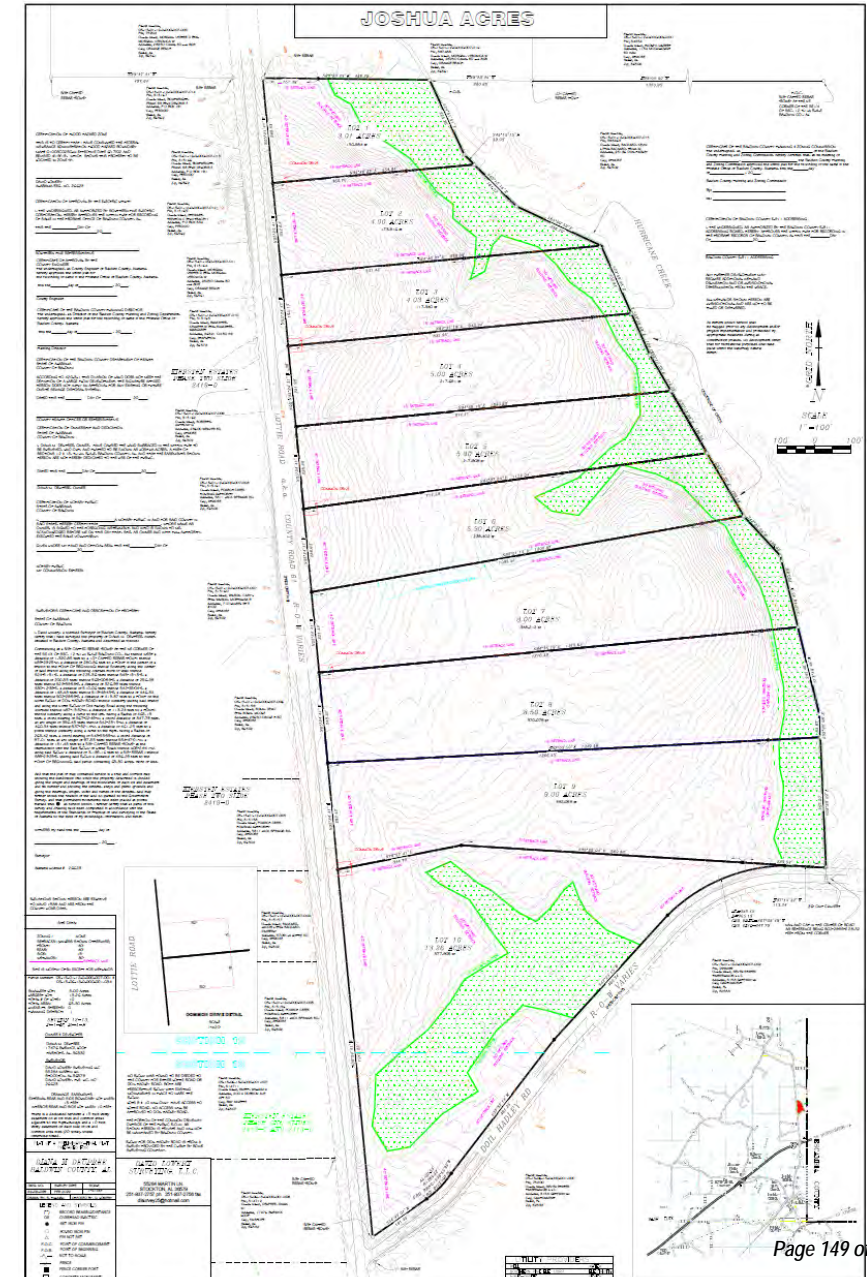
Request before the Planning Commission:

**Preliminary Plat approval** of *Joshua Acres*, a 10-lot subdivision

Staff recommendation: **APPROVE** with conditions

To view maps/plats in higher resolution as well as public comments and supporting documents, please visit the “Upcoming Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>





# SC22-12 JOSHUA ACRES SUBDIVISION– *property data*

**Location:** Subject property is located on the east side of Lottie Road between Luke Hadley Road and Doil Hadley Road in the Lottie Area in North Baldwin County

**Planning District:** 1

**Zoning:** The citizens of Planning District 1 have **not implemented zoning**

**Total Property Area:** 65.30 acres +/-

**Total # of Lots requested:** **10 Lots**

- Building Setbacks: 40' Front, 40' Rear 15' Side, and 30' wetland building setback or as shown on plat

**Streets / Roads:** **There are no new roads proposed** (not required due to the requested lot size)

- Proposed lots will have direct access to Lottie Road via common drives. Common drives will be installed and required to be completed prior to final plat approval. There will be no access to Doil Hadley Road.

**Surveyor of Record:** David Lowery, PLS, *David Lowery Surveying LLC*

**Owner/Developer:** Diana M. Deupree  
17476 Burwick Loop, Fairhope, AL 36532

**Online Case File Number:** The official case number for this application is SCC22-12, Joshua Acres, however, when searching the online CitizenServe database, please use SC22-000012

**Parcel:** 05-15-01-12-0-000-007.001 and 05-15-06-13-0-000-001.034

**PIN:** 299498 & 314739

**Traffic Study:** Not required (**less than 50 lots** requested and thus not required per Article 5, section 5.5.14)

**Drainage Improvements:** **None required, see drainage narrative** included herein. However, common drives are required and a determination on flows for pipes or dry ramps at Lottie Road are forthcoming and shall be shown on the final plat for final plat approval.

**Wetlands:** There are **jurisdictional wetlands** present on subject property and have been properly displayed on the preliminary plat.

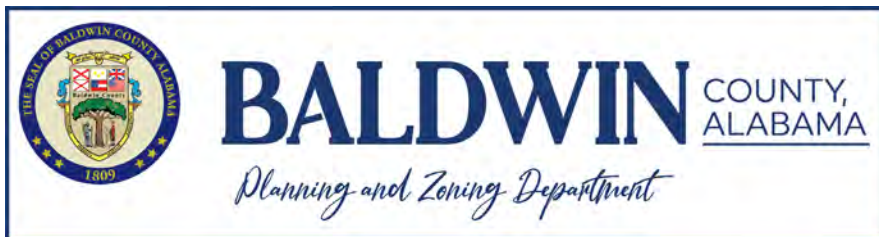
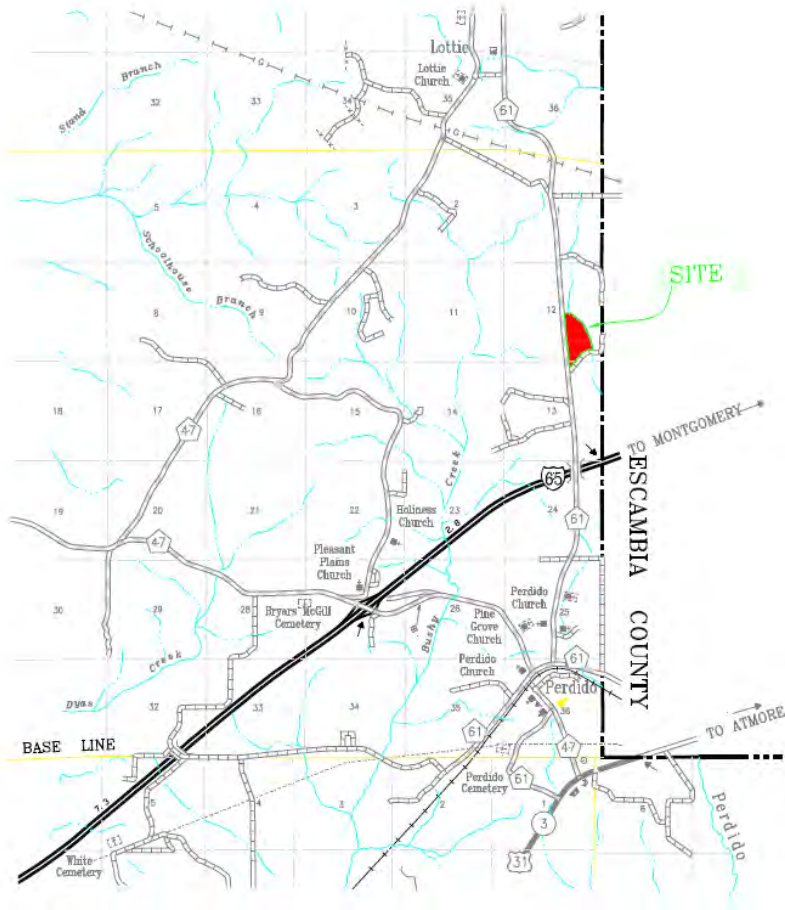
**Utility Providers:**

- Domestic Water: On-Site Well
- Sewer: On-Site Septic
- Electrical: Baldwin EMC













# BALDWIN COUNTY, ALABAMA

Planning and Zoning Department

Giddins Rd

Jack Springs Rd

Mary Hadley

D C Harville Rd

LOTTIE ROAD

Luke Hadley Rd

Lottie Rd

Weave Rd

## SUBJECT PROPERTY

05-15-01-12-0-000-007.001/ PIN 299498

05-15-06-13-0-000-001.034 / PIN 314739

DOIL HADLEY ROAD

George Thomley Rd

Louise Hadley Rd

Waite

Stewart Rd

Evergreen Ln

Chancery Ln

Lonnie Hadley Rd

I-65

Hicks Ln

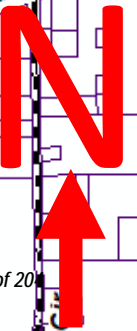
Splinter Hill Rd

Jack Thomley Rd

65

SC22-12 JOSHUA ACRES  
NORTH BALDWIN AREA

AERIAL VICINITY MAP / LOTTIE COMMUNITY







# BALDWIN COUNTY, ALABAMA

Planning and Zoning Department

LOTTIE ROAD

## SUBJECT PROPERTY

05-15-01-12-0-000-007.001/ PIN 299498  
05-15-06-13-0-000-001.034 / PIN 314739

DOIL HADLEY ROAD

I-65

SC22-12 JOSHUA ACRES  
NORTH BALDWIN AREA  
AERIAL SITE MAP / LOTTIE COMMUNITY

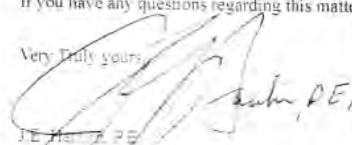





# SC22-12 JOSHUA ACRES SUBDIVISION

## Staff Comments

- J.E. Hamlin, P.E., of J.E. Hamlin LLC, prepared a written drainage narrative for subject property
  - No drainage improvements have been recommended
  - The written drainage narrative has been reviewed and accepted by the Baldwin County Highway Department

<p>J. E. Hamlin Professional Engineer 14200 South Blvd. Silverhill, AL 36576</p> <p>February 3, 2022 Mary Booth, CAPZO Subdivision Coordinator Baldwin County Planning and Zoning 22251 Palmer Street Robertsdale, AL 36567</p> <p>Re: Joshua Acres - Perdido, Alabama Diana Deupree - Owner</p> <p>Mary Booth At the request of David Lowery, Surveyor, I have reviewed the current drainage conditions at the above referenced subdivision. My observations and opinions are as contained herein.</p> <p>OBSERVATIONS:</p> <ol style="list-style-type: none"><li>1 The 65 acre site is being divided into 10 lots, the smallest being 3 acres.</li><li>2 All predevelopment runoff flows East to Hurricane Creek. The property is in various stages of planted pines, has been heavily thinned, and is typical for that area.</li><li>3 No additional improvements will be done by the developer, so all known post development runoff will flow to Hurricane Creek and ultimately into Escambia County.</li></ol> <p>It is my professional opinion that division of this property will not cause any deleterious conditions to downstream property.</p> <p>If you have any questions regarding this matter, do not hesitate to call me or the developer.</p> <p>Very Truly yours,  J.E. Hamlin, P.E. J.E. Hamlin LLC</p>	<p></p>
---	--



# SC22-12 JOSHUA ACRES SUBDIVISION

## PRELIMINARY PLAT APPROVAL REQUEST **STAFF RECOMMENDATION**

Staff recommends that the Preliminary Plat application for Case No. SC22-12 Re-Plat of Lots Joshua Acres Subdivision be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations with the following condition(s).



# SC22-12 JOSHUA ACRES SUBDIVISION

## PRELIMINARY PLAT APPROVAL REQUEST **STAFF RECOMMENDATION**

### CONDITION(S)

1. A turnout application shall be submitted to Baldwin County Highway department indicating determination on flows for pipes or dry ramps at Lottie Road.
2. Common drives and pipe sizes shall be reflected on the final plat and shall be installed and approved by BC Highway Department before final plat will be approved to circulate for signatures.



## 9.d)SPP22-3 COTTONWOOD ESTATES

Staff Report Prepared by:  
J. Buford King, Deputy Director

June 2, 2022

Request before the Planning Commission:

**Preliminary Plat approval** of *Cottonwood Estates*, an **84-lot** regulatory subdivision

Staff Recommendation: **APPROVAL** with conditions

To view public comments, supporting documents, and maps/plats in higher resolution please visit the “Upcoming Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>





DRAINAGE / UTILITY EASEMENTS  
 10' MIN. WIDE EASEMENT 30' MIN. WIDE EASEMENT  
 10' MIN. WIDE EASEMENT 30' MIN. WIDE EASEMENT

THE LANDLORD CORNER THE SOUTHEAST  
 CORNER OF THE 1/4 SECTION 1, TOWNSHIP 7  
 RANGE 2, EAST, BALDWIN COUNTY, ALABAMA

SECTION 1, TOWNSHIP 7  
 RANGE 2, EAST, BALDWIN COUNTY, ALABAMA

Wetland Delineation  
 by Wetland  
 Sciences, Inc.  
 October 2022

# LEGEND:

- 1. 10' MIN. WIDE EASEMENT
- 2. 30' MIN. WIDE EASEMENT
- 3. 10' MIN. WIDE EASEMENT
- 4. 30' MIN. WIDE EASEMENT
- 5. 10' MIN. WIDE EASEMENT
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- 99. 10' MIN. WIDE EASEMENT
- 100. 30' MIN. WIDE EASEMENT

SEE SHEET 2 OF 2  
 FOR DETAILED GEOMETRY

Total Area 38.00 AC  
 Zoning Dist. 14  
 Zoning UNZONED  
 Total Lots 84  
 Density 2.21 / AC  
 Min. Lot 7600 SF  
 Smallest Lot 7800 SF  
 Largest Lot 30,000 SF (LOT 82)  
 Street Length 3007 LF  
 Asphalt Width 20 feet  
 Curbing 2.5' Valley Gutter  
 Common Area 18.10 Acres

Setbacks:  
 Front: 30 Ft.  
 Rear: 30 Ft.  
 Side: 10 Ft.  
 Side Street: 20 Ft.

\*ALL STREETS TO BE PUBLIC/COUNTY MAINTAINED UPON  
 THE INSPECTION AND ACCEPTANCE OF THE ROADS\*

OWNER  
 WILLIAM & EVELYN MOORE  
 16386 Old Pierce Rd.  
 Fairhope, AL 36532

DEVELOPER  
 CIRCLE C PROPERTIES, LLC  
 300 FAIRHOPE AVE, SUITE D  
 FAIRHOPE AL, 36532

Parcel Information  
 Parcel Number: 05-56-01-01-0-001-035.000  
 PIN: 30353

Utility Providers:  
 Water: FAIRHOPE UTILITIES  
 Sewer: BALDWIN COUNTY SEWER SERVICE  
 Power: BALDWIN EMC  
 Telephone: AT&T

CERTIFICATE OF APPROVAL BY  
 BALDWIN COUNTY SEWER SERVICE

APPROVED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY AT&T  
 THE UNDERSIGNED, AS AUTHORIZED BY AT&T, HEREBY APPROVES THE  
 WITHIN PLAT FOR THE RECORDING OF SAME IN THE PUBLIC OFFICE OF  
 BALDWIN COUNTY, ALABAMA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

APPROVED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY BALDWIN EMC  
 THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN EMC, HEREBY  
 APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE  
 PUBLIC OFFICE OF BALDWIN COUNTY, ALABAMA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

APPROVED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY FAIRHOPE UTILITIES  
 THE UNDERSIGNED, AS AUTHORIZED BY FAIRHOPE UTILITIES, HEREBY  
 APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE  
 PUBLIC OFFICE OF BALDWIN COUNTY, ALABAMA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

APPROVED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY  
 PLANNING AND ZONING COMMISSION

THE UNDERSIGNED, AS DIRECTOR OF THE BALDWIN COUNTY PLANNING  
 AND ZONING COMMISSION, HEREBY APPROVES THE WITHIN PLAT FOR THE  
 RECORDING OF SAME IN THE PUBLIC OFFICE OF BALDWIN COUNTY,  
 ALABAMA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

BALDWIN COUNTY PLANNING AND ZONING COMMISSION

PLANNING DIRECTOR

CERTIFICATE OF APPROVAL BY E-911 ADDRESSING:  
 THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911  
 ADDRESSING, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING  
 OF SAME IN THE PUBLIC OFFICE OF BALDWIN COUNTY, ALABAMA, THIS  
 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

APPROVED REPRESENTATIVE

CERTIFICATE OF THE BALDWIN COUNTY PLANNING DIRECTOR

THE UNDERSIGNED, AS DIRECTOR OF THE BALDWIN COUNTY PLANNING  
 AND ZONING COMMISSION, HEREBY APPROVES THE WITHIN PLAT FOR THE  
 RECORDING OF SAME IN THE PUBLIC OFFICE OF BALDWIN COUNTY,  
 ALABAMA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

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  
 PUBLIC OFFICE OF BALDWIN COUNTY, ALABAMA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

COUNTY ENGINEER



VICINITY MAP  
 1 INCH = 1 MILE

## CERTIFICATION OF OWNERSHIP AND DEDICATION:

I, THE UNDERSIGNED, AS PROPRITOR, HAVE ENTERED THE LAND SHOWN IN THE WITHIN PLAT TO BE SURVEYED AND OFFERED  
 HEREIN TO BE A PART OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND HAVE HEREBY  
 DEDICATED THE SAME TO THE USE OF THE PUBLIC AS SHOWN ON SAID PLAT AND HEREBY APPROVE THE USE OF THE  
 PLAT AS SHOWN ON SAID PLAT, TOGETHER WITH THE SURVEYED AND DEDICATED  
 NOTES BELOW OF ATTACHED IS A SEPARATE LEGAL DOCUMENT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

## CERTIFICATION BY NOTARY PUBLIC:

I, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT  
 I AM A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, AND THAT I AM  
 A PART OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND HAVE HEREBY  
 DEDICATED THE SAME TO THE USE OF THE PUBLIC AS SHOWN ON SAID PLAT AND HEREBY APPROVE THE USE OF THE  
 PLAT AS SHOWN ON SAID PLAT, TOGETHER WITH THE SURVEYED AND DEDICATED  
 NOTES BELOW OF ATTACHED IS A SEPARATE LEGAL DOCUMENT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

NOTARY PUBLIC BY NOTARY PUBLIC

## SURVEYOR'S CERTIFICATE

I, DAVID L. DEHL, A LICENSED SURVEYOR OF BALDWIN COUNTY, ALABAMA, HEREBY CERTIFY THAT I  
 HAVE SURVEYED THE PROPERTY OF THE (NAME OF COMPANY OR PROPRIETOR), A  
 (CORPORATION OR PROPRIETOR), SITUATED IN BALDWIN COUNTY, ALABAMA AND DESCRIBED AS  
 FOLLOWS:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 7 SOUTH,  
 RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, LESS AND EXCEPT PUBLIC RIGHTS-OF-WAY,  
 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCE AT A ROAD RIGHT-OF-WAY AT THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 7  
 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA AND RUN THENCE RUN NORTH  
 00°00'15"E, ALONG THE EAST BOUNDARY OF SAID SECTION 1, A DISTANCE OF 42.00 FEET TO  
 POINT; THENCE RUN NORTH 18°00'00"E WEST, A DISTANCE OF 53.95 FEET TO A 1/2" CHIPPED  
 REBAR SET (CA 1157) (S); AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF  
 CHAMPION ROAD AND THE WEST RIGHT-OF-WAY OF RIVER PARK ROAD FOR THE POINT OF  
 BEGINNING; CONTINUE SOUTHWEST, NORTH SOUTHWEST, ALONG THE NORTH RIGHT-OF-WAY OF  
 SAID CHAMPION ROAD, A DISTANCE OF 1361.82 FEET TO A 1 1/4" OPEN RING PPE FOUND;  
 THENCE DEPARTING SAID NORTH-OF-WAY, RUN NORTH 00°17'37" EAST, ALONG THE WEST  
 BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A  
 DISTANCE OF 1361.82 FEET TO A 1 1/4" OPEN RING PPE FOUND; THENCE DEPARTING SAID  
 SOUTHWEST QUARTER OF SAID SECTION 1, THENCE RUN SOUTH 89°52'22" WEST, ALONG THE  
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 TOP PPE FOUND AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE  
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 NORTH BOUNDARY OF SAID SECTION 1, A DISTANCE OF 1285.03 FEET TO THE POINT OF  
 BEGINNING. TRAC CONTAINS 38.00 ACRES, MORE OR LESS.

AND THAT THE PLAT OF MAP CONTAINED HEREON IS A TRUE AND CORRECT MAP SHOWING  
 THE SUBDIVISION INTO WHOLE, THE PROPERTY DESCRIBED, S DIVIDED INTO THE LENGTH AND  
 BEARINGS OF THE BOUNDARIES OF EACH LOT AND EASEMENT AND ITS BURDEN AND SHOWING  
 THE STREETS, ALLEYS AND PUBLIC GROUNDS AND GIVING THE BEARINGS, LENGTH, WIDTH AND  
 NUMBER OF THE STREETS, SAID MAP FURTHER SHOWS THE LOCATION OF THE LAND SO  
 PLATED TO THE GOVERNMENT SURVEY, AND THAT PERMANENT MONUMENTS HAVE BEEN  
 PLACED AT POINTS MARKED THIS (S) AS HEREON SHOWN. FURTHER CERTIFY THAT ALL  
 PARTS OF THE SURVEY HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS  
 OF THE SURVEYOR IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, SKILL AND  
 BELIEF.

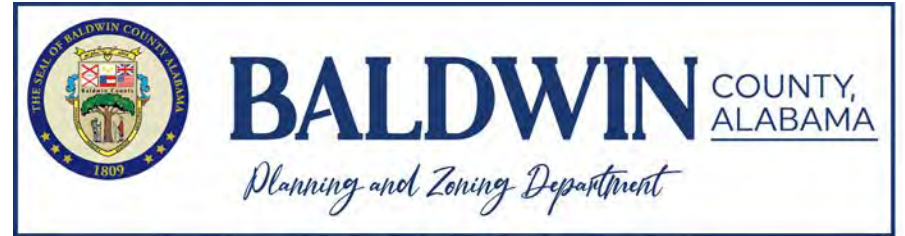
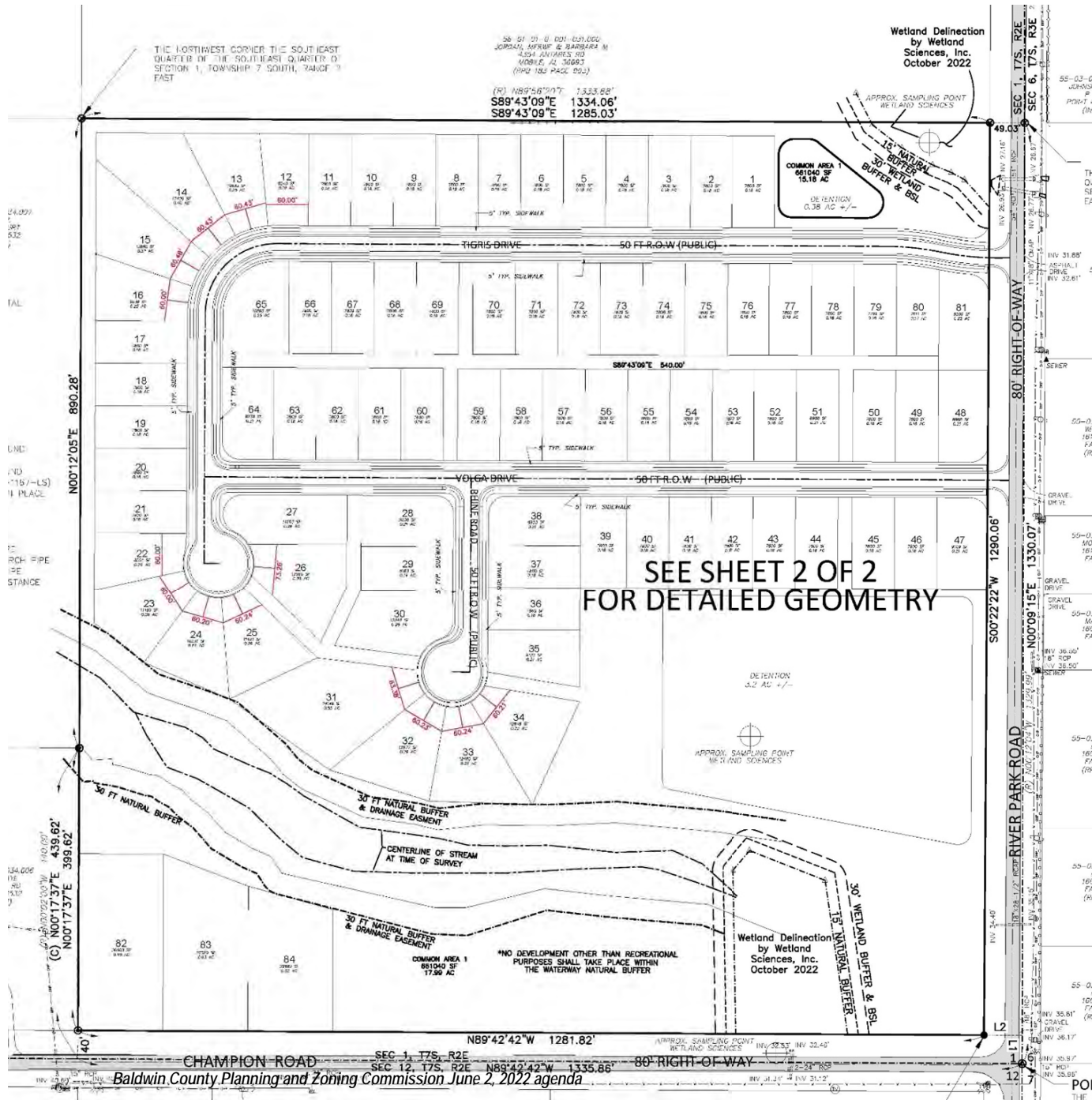
WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

SURVEYOR: DAVID L. DEHL, PLS ALABAMA LICENSE # 26014

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.







SPP22-3 COTTONWOOD ESTATES  
PRELIMINARY PLAT CROPPED AND ENLARGED  
TO SHOW DETAILS

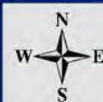
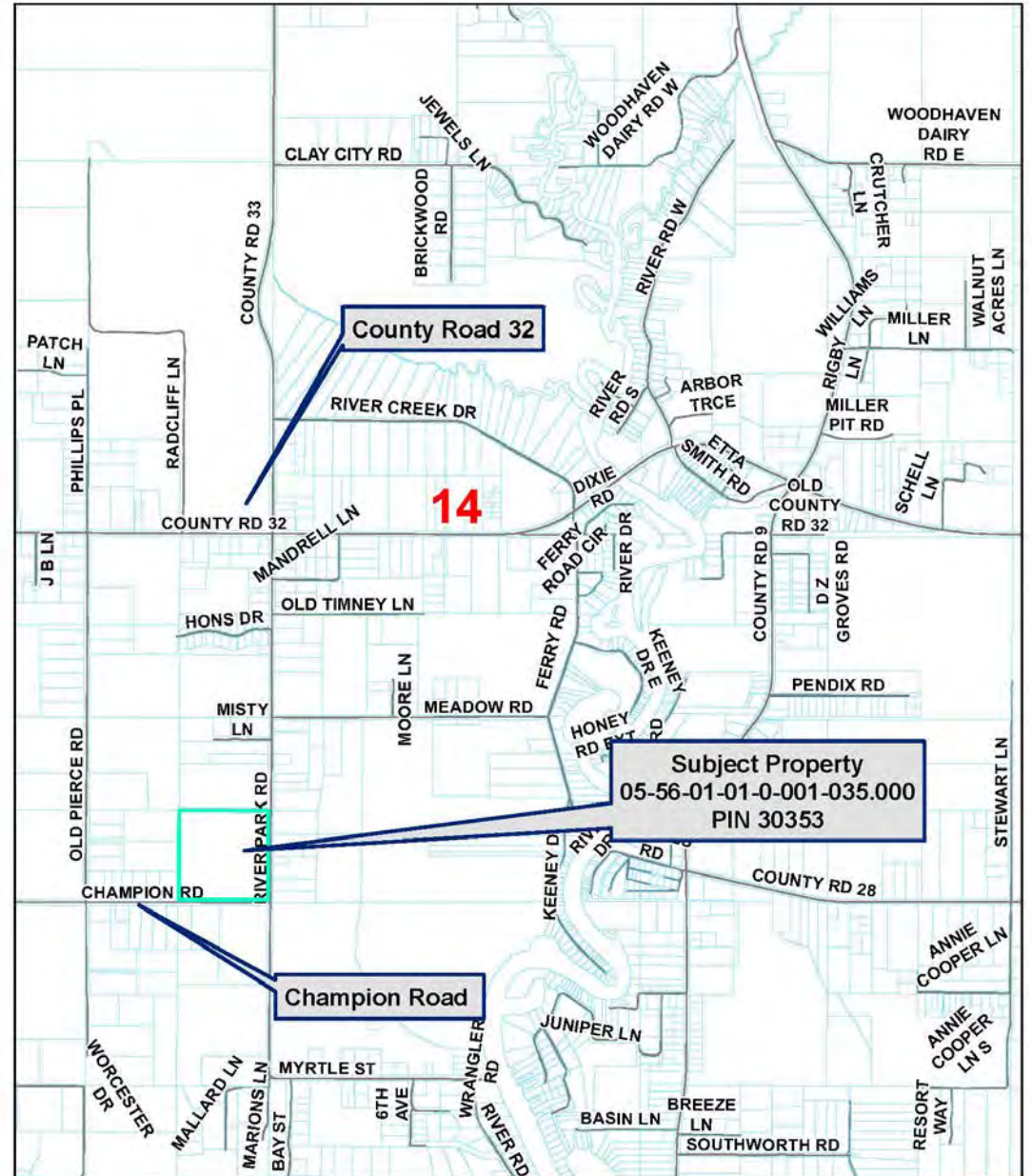






Aerial Site Map  
SPP22-3 Cottonwood Estates  
Unzoned Planning District 14 - Former Fairhope Planning Jurisdiction

Baldwin County Planning and Zoning Commission June 7, 2022 agenda



Vicinity Map  
SPP22-3 Cottonwood Estates  
Unzoned Planning District 14 - Former Fairhope Planning Jurisdiction

Page 101 of 204



14

18

Fish River

Summerdale  
Planning Jurisdiction

Former Fairhope  
Planning Jurisdiction

Subject Property  
05-56-01-01-0-001-035.000  
PIN 30353

Foley Planning  
Jurisdiction

US HWY 98

Magnolia Springs  
Planning Jurisdiction

SPP22-3 COTTONWOOD ESTATES  
VICINITY MAP WITH PLANNING JURISDICTIONS





River Park Road (CR33)

Fish River

Champion  
Road

Subject Property  
05-56-01-01-0-001-035.000  
PIN 30353

SPP22-3 COTTONWOOD ESTATES  
WIDE FORMAT AERIAL SITE MAP



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

Page 163 of 204



**Location:** Subject property is located at the northwest intersection of River Park Road (CR33) and Champion Road approximately ¾ miles south of County Road 32 (west of Fish River)

**Planning District:** 14

**Zoning:** The citizens of Planning District 14 **have not implemented zoning**

**Total Property Area:** 38.00 acres +/-

**Total # of Lots requested:** **84 Lots**

Smallest Lot: 7,800sf +/-    Largest Lot: 30,000sf +/-

- Setbacks: 30' Front, 30' Rear 10' Side, 20' street side

**Streets / Roads:** new public streets, sidewalks, and valley gutter to be installed **by the developer**

- Existing Champion Road frontage utilized for access for lots 82, 83, and 84

**Surveyor of Record:** David E. Diehl, PLS, *S.E. Civil Engineering and Surveying*

**Engineer of Record:** Jared D. Landry, PE, *S.E. Civil Engineering and Surveying*

**Owner / Developer:** *William and Evelyne Moore* 16386 Old Pierce Road Fairhope, AL 36532

**Developer:** Pete Carnley, *Circle "C" Properties, LLC*, 300 Fairhope Avenue Suite "D" Fairhope, AL 36532

**Online Case File Number:** The official case number for this application is SPP22-3, however, when searching online CitizenServe database, please use SPP22-000003.

**Parcel:** 05-56-01-01-0-001-035.000 **PIN:** 30353

**Traffic Study:** Prepared by Samantha Islam, Ph.D., PE, of ASSR Consultants, LLC, and accepted by Baldwin County Highway Department

**Drainage Improvements:** A drainage narrative was prepared and stamped by Jared D. Landry, PE and accepted by the Baldwin County Highway Department. The complete drainage system will be reviewed during the construction plans review by Baldwin County Highway Department staff.

**Wetlands:** A wetland delineation was performed and **all resultant jurisdictional wetlands** as well as existing stormwater management areas are **reflected on the plat** with all required 30' wetland building setbacks and 15' natural buffers

#### Utility Providers:

- Domestic Water: Fairhope Public Utilities
- Sewer: Baldwin County Sewer Service
- Electrical: Baldwin EMC
- Telephone: AT&T





February 2, 2022

Sherry Sullivan  
Mayor

*Council Members*

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMD

Jimmy Conyers

Corey Martin

Lisa A. Hanks, MMC  
City Clerk

Kimberly Creech  
City Treasurer

S.E. Civil, LLC  
9969 Windmill Rd  
Fairhope, AL 36532

Regarding the water availability for the PPIN 30353/ Parcel Number 05-56-01-01-0-001-035.000, proposed River Park Place subdivision.

**Water:** Water is available through Fairhope Public Utilities. Upgrades will be required at the Developer/Owner expense. This will consist of 3900 ft of 6" ductile iron water main extension on River Park Rd. Utility drawings related to water installation must be approved prior to construction if infrastructure is to be accepted by Fairhope Public Utilities.

Sincerely,

Jason Langley  
Water & Wastewater Superintendent

161 North Section Street  
PO Drawer 429  
Fairhope, Alabama 36535  
251-926-2156  
251-926-0776 Fax  
www.fairhopeal.gov  
Water & Wastewater Department



February 16, 2022

Aaron Collins  
Planning Director  
S.E. Civil, LLC  
9969 Windmill Road  
Fairhope, AL 36532  
C: 706-681-2896  
O: 251-990-6566  
[acollins@secivileng.com](mailto:acollins@secivileng.com)

Re: River Park Place

At your request, this letter is to verify that Baldwin County Sewer Service LLC (BCSS) has the capacity and capability to serve the proposed River Park Place Subdivision. Baldwin County Sewer Service LLC is willing and able to provide sewer service to the above referenced property, subject to applicant paying all fees required for this service. This development may require a main line extension and / or a road bore which will be at the developers expense. A \$50.00 per lot review fee will be due to have preconstruction plans reviewed and a \$1,500.00 impact fee per lot will need to be paid to Baldwin County Service LLC before a new subdivision plat is signed. This letter is valid for a period of two years from the date of issue. This letter is not to be used to obtain a building permit. Any development that has not paid the necessary fees before this letter expires will need to contact BCSS and request a re-issuance of their willing and able letter.

*\*A franchise fee may apply in franchise areas.*

The wastewater will be treated at our Fort Morgan Treatment Plant.

Sincerely,

Angela Foley  
Baldwin County Sewer Service, LLC  
(251) 971-3022  
[angela@baldwincountysewer.com](mailto:angela@baldwincountysewer.com)

14747 Underwood Road Summerdale, AL 36580 / P. O. Box 1628 Foley, AL 36536



**Water:** Water is available through Fairhope Public Utilities. Upgrades will be required at the Developer/Owner expense. This will consist of 3900 ft of 6" ductile iron water main extension on River Park Rd. Utility drawings related to water installation must be

Kevin G. Boone  
Robert A. Brown  
Jack Burrell, AICM

Regarding the water availability for the PPIN 30353/ Parcel Number 05-56-01-01-0-001-035.000, proposed River Park Place subdivision.

Aaron Collins  
Planning Director  
S.E. Civil, LLC  
3330 Highway 101, Suite 101

At your request, this letter is to verify that Baldwin County Sewer Service LLC (BCSS) has the capacity and capability to serve the proposed River Park Place Subdivision. Baldwin County Sewer Service LLC is willing and able to provide sewer service to the above referenced property, subject to applicant paying all fees required for this service. This development may require a main line extension and / or a road bore which will be at the developers expense. A \$50.00 per lot review fee will be due to have preconstruction plans reviewed and a \$1,500.00 impact fee per lot will need to be paid to Baldwin County Service LLC before a new subdivision plat is signed. This letter is valid for a period of two years from the date of issue. This letter is not to be used to obtain a building

161 North Section Street  
PO Drawer 429  
Fairhope, Alabama 36535  
251-926-2156  
251-926-6776 Fax  
www.fairhopeal.gov  
Baldwin County Sewer Service

[info@baldwincountyssewer.com](mailto:info@baldwincountyssewer.com)

14747 Underwood Road Summerdale, AL 36580 / P. O. Box 1628 Foley, AL 36536



# SC22-3 COTTONWOOD ESTATES SUBDIVISION

## Staff Comments

- Jared D. Landry, PE of S.E. Civil Engineering and Surveying prepared the drainage narrative at right for the proposed subdivision
  - The drainage narrative was accepted by the Baldwin County Highway Department
  - Review of all drainage improvement drawings will be conducted during the construction plans review administered by the Baldwin County Highway Department

### DRAINAGE NARRATIVE

#### PROJECT DESCRIPTION

Cottonwood Estates includes seventy-seven (77) residential houses located in Baldwin County, Alabama. The total project site contains approximately 38.00 acres. The site is in Section 1 of Township 7 South, Range 2 East and is on the west side of River Park Road approximately 0.78 miles south of County Road 32.

The terrain of the site includes a high point near the northwest corner the property with two (2) separate basins discharging off the property towards the northeast and the southeast. The north basin discharges into wetlands that ultimately discharges east towards Fish River. The south basin also discharges into wetlands that drain towards Louis Branch Creek. Louis Branch Creek ultimately discharges into Fish River. Elevations range throughout the property from 52 ft to 28 ft. The site is majority farmland with wooded areas throughout the perimeter.

Water will be collected in a series of inlets and underground drainage. The underground drainage will discharge into three (3) proposed dry ponds. Pond 1 is located near the northeast corner of the property and will discharge into existing wetland as it currently does. Ponds 2 & 3 located on the south side of the property and will discharge into existing wetland as it currently does

#### PROPOSED HYDRAULIC ANALYSIS

The SCS method for runoff estimation will be used to develop the detention calculations for the project. NOAA has published depth curves specific to this area and the 2, 5, 10, 25, 50 and 100-year, 24-hour storm events will be utilized in the drainage calculations for this site. The existing GIS contours along with field verified elevations for the area will be used to determine the size of the drainage basin in order to calculate the runoff.

HydroCAD will be used to design the detention ponds. HydroCAD utilizes the composite runoff curve number and the area of the drainage basin to determine the outflow of the drainage basin. A twenty-four-hour rainfall intensity for a two, five, ten, twenty-five, fifty, and one-hundred-year return storm event will be applied to the drainage areas to determine the flow. The software is used to determine the flow exiting the drainage basin and entering the proposed detention pond for pre- and post-development scenarios.

StormCAD will be used to analyze the closed drainage systems for the proposed project. Curbs and gutters channel storm water from the roadways; the storm water is then collected into wing inlets and yard inlets, which eventually is piped to the proposed stormwater ponds. Pond outfall structures will be installed in the pond and discharge into the existing discharge point at a controlled rate less than the pre-developed rate.





# SC22-3 COTTONWOOD ESTATES SUBDIVISION

## Staff Comments

- Samantha Islam, Ph.D., PE, of ASSR Consultants, LLC prepared the Traffic Impact Study (TIS) for the proposed subdivision (cover page at right with PE stamp)
  - The TIS was accepted by the Baldwin County Highway Department
  - The TIS determined no turn lanes on CR33 (River Park Road) are warranted at the two entrances to the development

March 9, 2022

### TRAFFIC IMPACT STUDY

Cottonwood Estates Subdivision  
Fairhope, Alabama

Prepared on behalf of:

**Pete Carnley**  
Circle C properties LLC  
14689 co rd 3  
Fairhope AL 36532

Prepared by:

*Samantha Islam*

**Samantha Islam, Ph.D., P.E.**  
ASSR Consultants, LLC  
3870 Branford Ct  
Mobile, AL 36619  
Ph: (251)-545-9681





March 9, 2022

## Staff Comments

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## 6.0 CONCLUSIONS/RECOMMENDATIONS

A method recommended in the Highway Capacity Manual was used to evaluate the traffic operating conditions in 2023 without and with the proposed development at two major intersections within the study area: County Road 33 at County Road 32 and County Road 33 at Champion Road. Based on this analysis, both intersections are expected to operate adequately without and with the proposed Cottonwood Estates subdivision. In addition to the above intersection analyses, further analyses were performed to investigate how the two proposed entrances will perform during the peak hours. It was found that both entrances will perform adequately during both peak hours.

Additionally, to determine if turn lanes are needed on County Road 33 for the generated traffic turning into the proposed development, a method provided in the NCHRP Report 457 was used. According to this method, no turn lanes are warranted on County Road 33 at the proposed entrances.

STUDY  
ivision





# SPP22-3 COTTONWOOD ESTATES PHASE

## SUBDIVISION PRELIMINARY PLAT REQUEST **STAFF RECOMMENDATION**

Staff recommends that the Preliminary Plat application for Case No. SPP22-3, *Cottonwood Estates* be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations and the following conditions of approval:



# SPP22-3 COTTONWOOD ESTATES

STAFF RECOMMENDATION (CONTINUED)

THE FOLLOWING DEFICIENCIES SHALL BE CURED PRIOR TO SUBMISSION OF CONSTRUCTION PLANS TO THE BALDWIN COUNTY HIGHWAY DEPARTMENT FOR REVIEW

1. Section 4.5.5(f): Revise the labeling of parcel 05-56-01-12-0-001-001.00 as required by the ROW reviewer on the 3<sup>rd</sup> review checklist
2. Section 5.2.5(a): Provide written verification the fire protection system complies with ISO Fire Suppression Rating Schedule Paragraph 340, 614 and 620.A., and provide an updated letter from the Marlow Fish River Volunteer Fire Department indicating the proposed fire protection volumes and pressures are sufficient.
  - a. If ISO compliance is not possible, provide a letter from the Baldwin County Building Official indicating the dwellings in the subdivision shall be sprinkled and include a note on the plat indicating the fire sprinkler requirement for dwellings in the subdivision



# SPP22-3 COTTONWOOD ESTATES

STAFF RECOMMENDATION (CONTINUED)

3. Section 5.2.5(c): Memorialize for the public record the applicant is electing to provide at the time of final plat application a letter from a broadband provider certifying that marketable broadband service, at a minimum speed (25 megabits per second) is available to at least one lot in the subdivision.
  - a. This provision is allowable within section 5.2.5(c) which allows the applicant the option of satisfying the broadband requirement either at preliminary or at final plat submission



**5.2.5(a) Water System**

(1) *Subdivisions with Density Greater than 2 Units per Acre.* Every subdivision with lot density greater than 2 units per acre shall connect to an existing public water supply system capable of providing both domestic water use and fire protection when the existing system borders the subdivision or the system is within one half mile of the subject property and the utility has submitted a statement that they are willing and able to provide service.

(2) *Subdivisions with Density of Less than or Equal to 2 Units per Acre.* Every subdivision with lot density less than or equal to 2 units per acre shall connect to an existing public water supply system capable of providing both domestic water use and fire protection when the existing system borders the subdivision and the utility has submitted a statement that they are willing and able to provide service.

(3) Where public water service exists, or is installed, fire protection shall be provided for all proposed lots. The water supply volumes and pressures shall be sufficient to serve the subdivision. **The design engineer shall submit written report and calculations that include recent flow rate tests of the existing water system that verify the adequacy of the fire protection being provided. A letter must be submitted from the local fire protection authority, indicating that the proposed volumes and pressures are sufficient.** If adequate fire flows do not exist and cannot be provided, the minimum lot size must be increased as though public water is not being provided as per Section 5.4(a). The following standards shall apply to the fire protection system:

- Fire hydrants shall be spaced no more than 500 feet apart along each street;
- A fire hydrant shall be located within 500 feet of all proposed lots;
- A fire hydrant shall be provided within 100 feet of where all new roads intersect with existing county roads;
- All fire hydrants shall have a minimum barrel size of 5 inches;
- **The water system shall meet all requirements of the current ISO Fire Suppression Rating Schedule Paragraph 340, 614 and 620.A for obtaining full credit.**

☐ N/A                      ☐ Accepted with comments                      ☒ **Revise and Resubmit**

**1<sup>st</sup> Review Comments:** Please revise and re-submit to include the missing items indicated above in red text

**2<sup>nd</sup> Review Comments 5/11/2022:** Staff notes the water main extension for the project and also notes the drawings showing the main extension. To cure this deficiency please provide the letter from the local fire protection authority indicating that the proposed volumes and pressures are sufficient. Based upon information obtained from the Baldwin County Building Official, subject property is located within the Marlow 44 Fire District. Further, no report or design calculations were provided by the design engineer that verify the adequacy of the fire protection system to be installed. Staff examined Citizen Serve carefully and eight (8) items were uploaded to Citizen Serve on May 3, 2022 – a report addressing fire protection was not among those items. This item remains deficient.

**3<sup>rd</sup> Review Comments 5/21/2022:** A letter from Fish River Marlow Volunteer Fire Department was submitted, however the letter did not explicitly state that the proposed volumes and pressures are sufficient. Further, fire flow tests of existing hydrants in the vicinity of the development were submitted and stamped by a Professional Engineer, however no supporting documents were included indicating the proposed fire protection system meets all requirements of the current ISO Fire Suppression Rating Schedule Paragraph 340, 614 and 620.A. Though this item remains deficient, staff will treat this section as a minor deficiency and include a condition of approval in the staff report to the Baldwin County Planning Commission requiring that this section be fully cured prior to submission of construction plans for review.



13355 County Road 32  
Summerdale, AL 36580  
(251)988-8127

May 13th, 2022

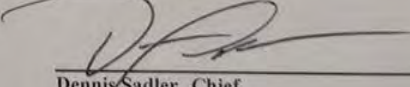
Project: New development at the intersection of Champion and River Park Road  
Reference: Provide Fire Services

To whom it may concern,

Fish River Marlow Volunteer Fire Department will provide fire service to the new development at the intersection of Champion Road and River Park Road. Per conversations with the engineer they will be installing an 8" PVC line from Hons Drive to the new development.

If you need anything further please do not hesitate to contact me.

Thank you,

  
Dennis Sadler, Chief

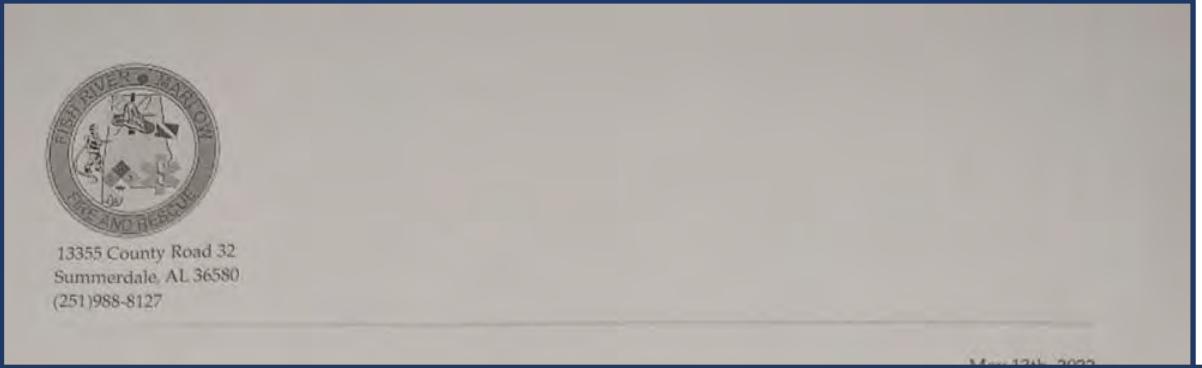


**5.2.5(a) Water System**

(1) *Subdivisions with Density Greater than 2 Units per Acre.* Every subdivision with lot density greater than 2 units per acre shall connect to an existing public water supply system capable of providing both domestic water use and fire protection when the existing system borders the subdivision or the system is within one half mile of the subject property and the utility has submitted a statement that they are willing and able to provide service.

(2) *Subdivisions with Density of Less than or Equal to 2 Units per Acre.* Every subdivision with lot density less than or equal to 2 units per acre shall connect to an existing public water supply system capable of providing both domestic water use and fire protection when the existing system borders the subdivision and the utility has submitted a statement that they are willing and able to provide service.

(3) Where public water service exists, or is installed, fire protection shall be provided for all proposed lots. The water supply volumes and pressures shall be sufficient to serve the subdivision. **The design engineer shall submit written report and calculations that include recent flow rate tests of the existing water system that verify the adequacy of the fire protection being provided. A letter must be submitted from the local fire protection**



Fish River Marlow Volunteer Fire Department will provide fire service to the new development at the intersection of Champion Road and River Park Road. Per conversations with the engineer they will be installing an 8" PVC line from Hons Drive to the new development.

☐ N/A☐ Accepted with comments☒ **Revise and Resubmit**

1<sup>st</sup> Review Comments: Please revise and re-submit to include the missing items indicated above in red text

Fish River Marlow Volunteer Fire Department will provide fire service to the new development at the intersection of Champion Road and River Park Road. Per conversations with the

**2<sup>nd</sup> Review Disposition of Comments:**

Fire flow conducted, uploaded. Letter obtained by local fire chief, uploaded. The plan is to interconnect Hons Drive to Champion Drive with an 8" PVC with the intent to get flows up to IFC. If that cannot be achieved the houses will have to be sprinkled.

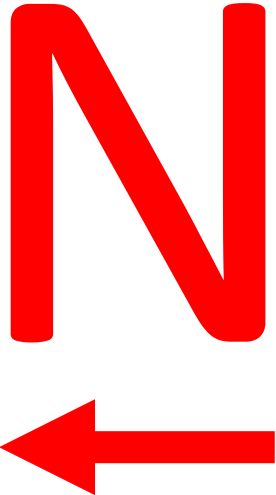
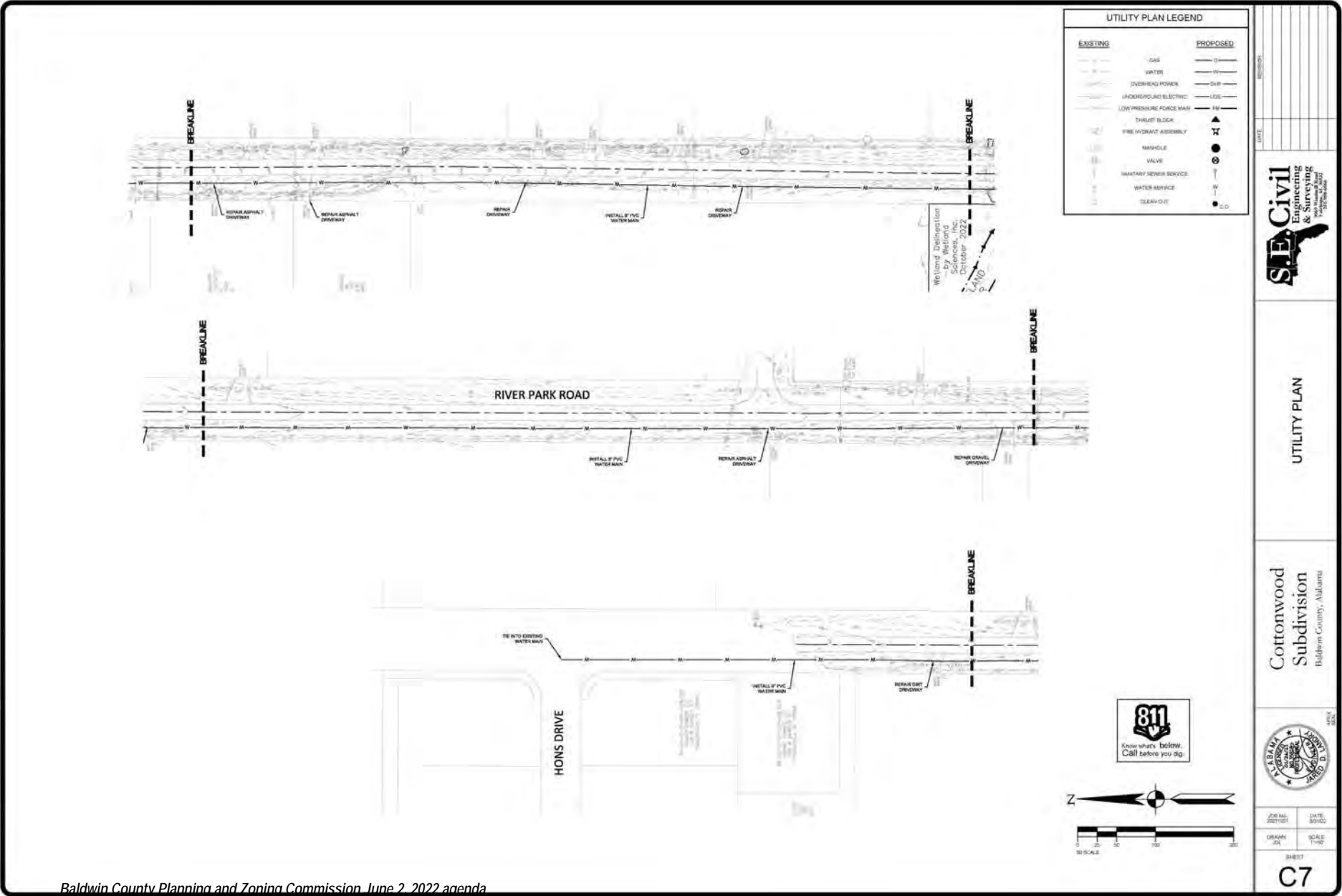
**3<sup>rd</sup> Review Comments** 5/21/2022: A letter from Fish River Marlow Volunteer Fire Department was submitted, however the letter did not explicitly state that the proposed volumes and pressures are sufficient. Further, fire flow tests of existing hydrants in the vicinity of the development were submitted and stamped by a Professional Engineer, however no supporting documents were included indicating the proposed fire protection system meets all requirements of the current ISO Fire Suppression Rating Schedule Paragraph 340, 614 and 620.A. Though this item remains deficient, staff will treat this section as a minor deficiency and include a condition of approval in the staff report to the Baldwin County Planning Commission requiring that this section be fully cured prior to submission of construction plans for review.

Thank you,

Dennis Sadler, Chief

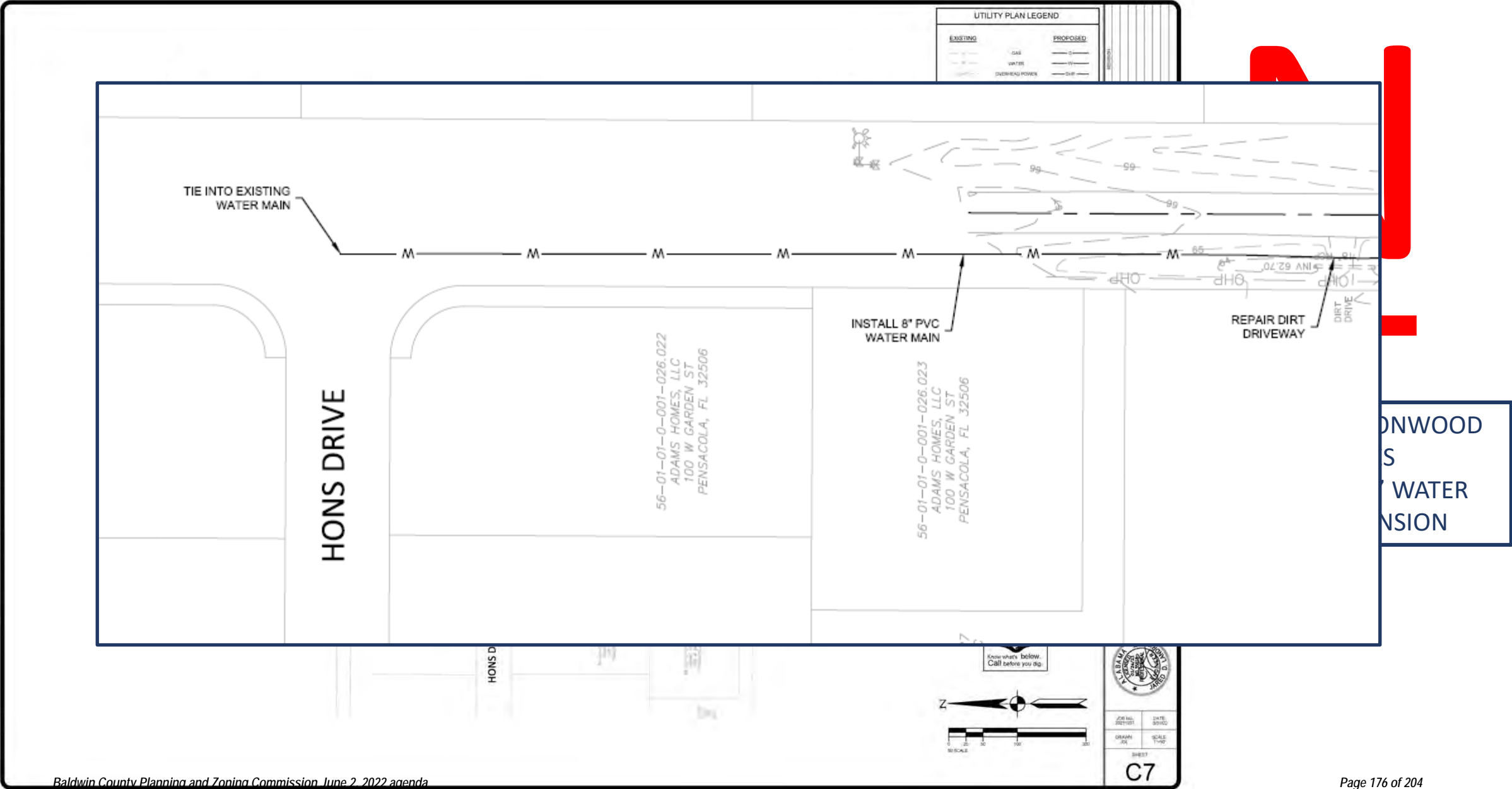
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SPP22-3 COTTONWOOD  
ESTATES  
PROPOSED 8" WATER  
MAIN EXTENSION







## 9.f)PUD22-6 ASHBURY TOWNHOMES

Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator

June 2, 2022

Request before the Planning Commission:

**Final Site Plan approval** of *Ashbury Townhomes*, an **80-lot** planned unit development.

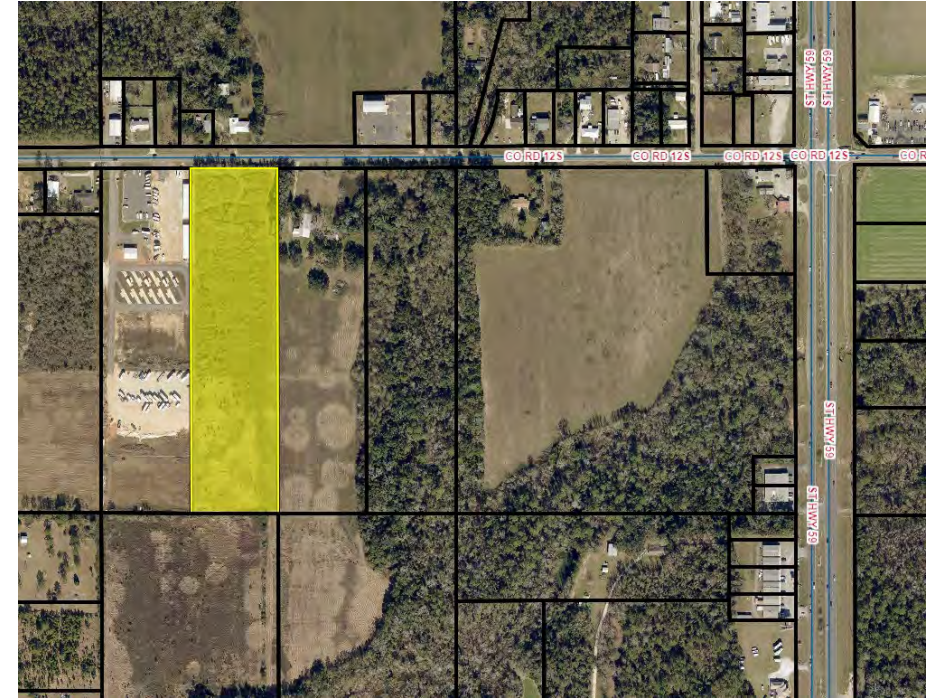
*This development is located in moratorium District 35, however, the application for said development was received and accepted prior to the Planning District 35 referendum and thus precedes the development moratorium*

Staff Recommendation: **APPROVE** with conditions

To view maps/plats in higher resolution as well as public comments and supporting documents, please visit the “Upcoming Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>

Baldwin County Planning and Zoning Commission June 2, 2022 agenda



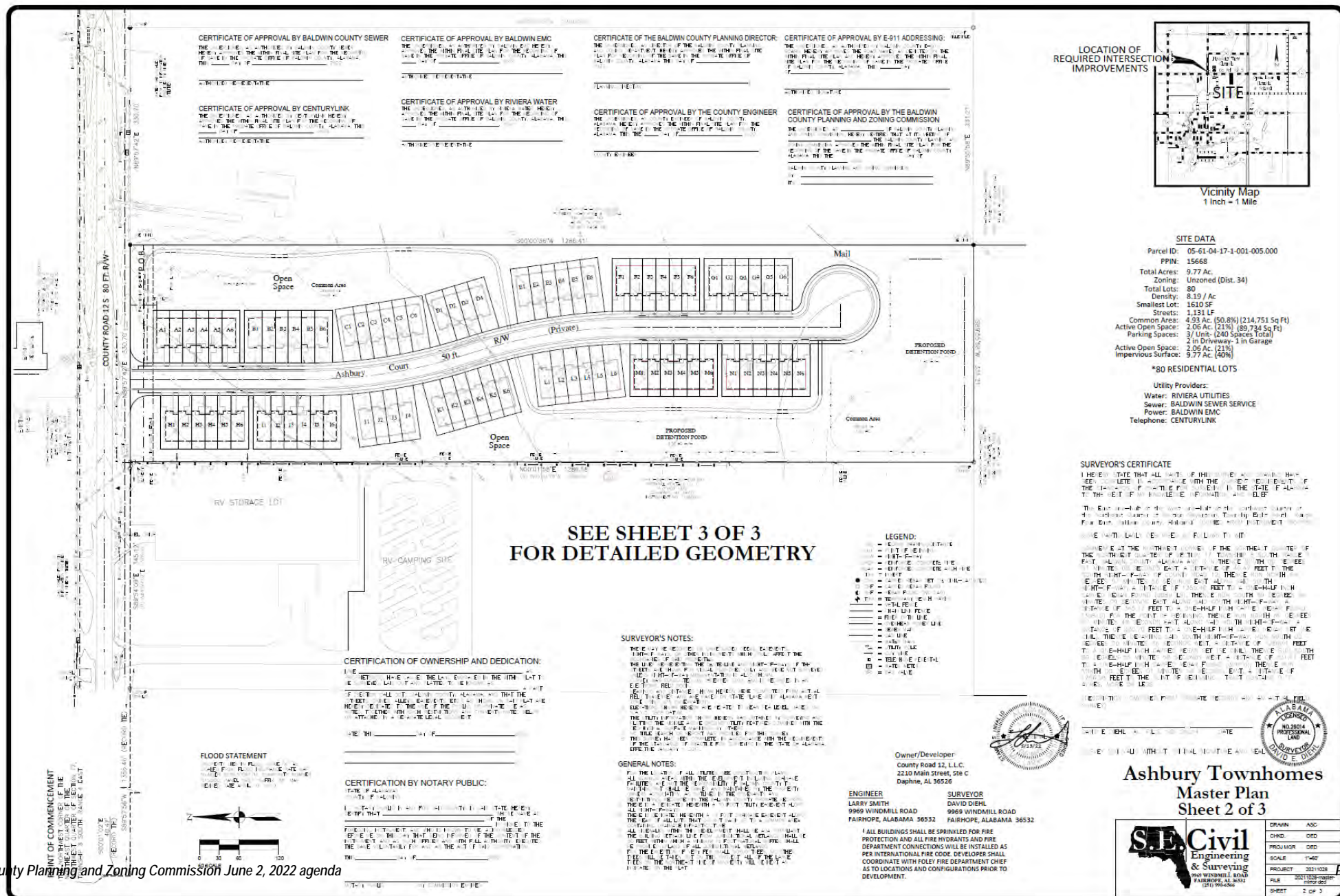


# PUD22-6 ASHBURY TOWNHOMES – Master Plan – Proposed Layout





# PUD22-6 ASHBURY TOWNHOMES – Master Plan – Proposed Layout





# PUD22-6 ASHBURY TOWNHOMES– *property data*

## DEVELOPMENT INFORMATION

**Location:** Subject property is located on the south side of County Road 12 S approximately 0.3 miles west of State HWY 59

**Planning District:** 35    **Planning Jurisdiction:** City of Foley (*Townhomes are not regulated by their zoning ordinance outside corporate limits*)

**Zoning:** The citizens of Planning District 35 **have voted to implement zoning**, though the zoning map has not yet been adopted. Planning District 35 is thus currently under the development moratorium implemented immediately after zoning is adopted. As previously mentioned, this development was submitted and accepted prior to the moratorium and therefore being reviewed accordingly.

**Total # of Lots:** 80 Lots    **Permit Jurisdiction:** Baldwin County

**Total Development Area:** 9.77 Acres

- Required Setbacks (*per sub-regs*): 30' Perimeter
- **Proposed Setbacks (*via variance request*): 20' front, 5' rear, and side setbacks of 0' except the end units which will have 5' foot side setbacks**

**Streets / Roads:** 1,131 linear feet (Private)

**Surveyor of Record:** David Diehl, PLS, *S.E. Civil Engineering & Surveying*

**Engineer of Record:** Larry Smith, PE, *S.E. Civil Engineering & Surveying*

**Owner / Developer:** *County Road 12, L.L.C, 2210 Main Street Suite C, Daphne, AL 36526*

**Online Case File Number:** The official case number for this application is PUD22-6, however, when searching the online CitizenServe database, please use PUD22-000006

**Parcel:** 05-61-04-17-1-001-005.000    **PIN:** 15668

**Traffic Study:** A traffic study was provided, and improvements will be required at CR12 S and Hickory St., **including a right turn lane** onto Hickory St.

**Drainage Improvements:** Drainage improvements will be required per the drainage narrative.

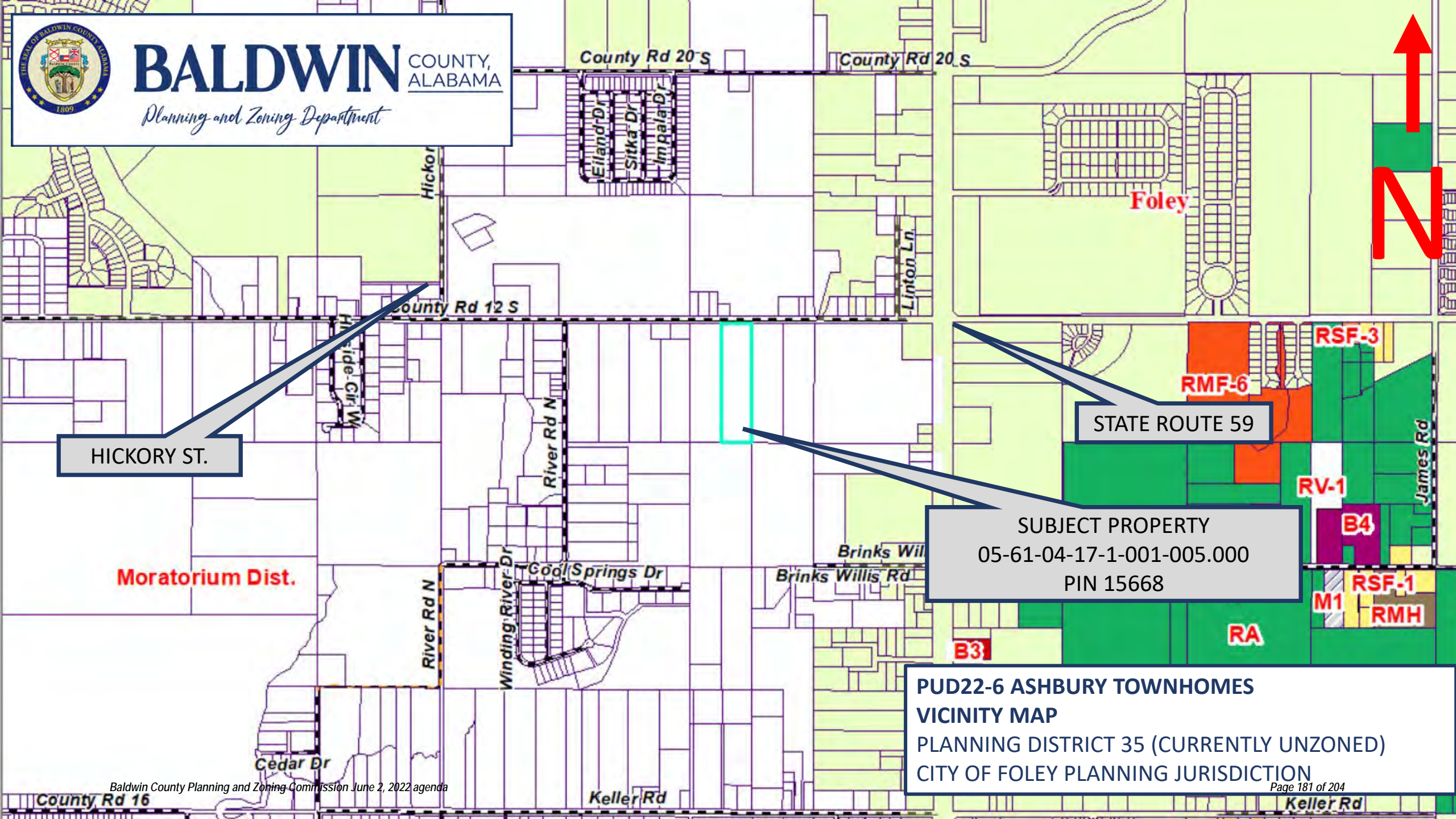
**Wetlands:** There are no wetlands present on subject property.

**Streets / Roads:** There will be 1,131LF of proposed streets which will not be accepted by the County for maintenance and shall **remain private**.

## Utility Providers:

- Water: Riviera Utilities    Sewer: Baldwin County Sewer
- Electrical: Baldwin EMC    Phone: CenturyLink





HICKORY ST.

STATE ROUTE 59

SUBJECT PROPERTY  
05-61-04-17-1-001-005.000  
PIN 15668

**PUD22-6 ASHBURY TOWNHOMES  
VICINITY MAP**  
PLANNING DISTRICT 35 (CURRENTLY UNZONED)  
CITY OF FOLEY PLANNING JURISDICTION





# BALDWIN COUNTY, ALABAMA

Planning and Zoning Department

HICKORY ST.

SUBJECT PROPERTY  
05-61-04-17-1-001-005.000  
PIN 15668

STATE ROUTE 59

PUD22-6 ASHBURY TOWNHOMES

SITE MAP

PLANNING DISTRICT 35 (CURRENTLY UNZONED)

CITY OF FOLEY PLANNING JURISDICTION



# PUD22-6 ASHBURY TOWNHOMES

## Staff Comments

- Larry Smith, PE of S.E. Civil Engineering and Surveying prepared the drainage narrative at right for the proposed subdivision
  - The drainage narrative was accepted by the Baldwin County Highway Department
  - Review of all drainage improvement drawings will be conducted during the construction plans review administered by the Baldwin County Highway Department

### GENERAL INFORMATION

Ashbury Townhomes is a proposed eighty (80) lot subdivision located in Foley, Alabama and Baldwin County jurisdiction. The subdivision contains approximately 9.77 acres. The site is at the East one-half of the West one-half of the Northwest Quarter of the Northeast Quarter of Section Seventeen, Township Eight South, Range Four East and is located on the South Side of CR 12 South.

### DRAINAGE CONDITIONS

The existing terrain of the site consists of a single basin that drains to the Southwest perimeter of the site. The basin eventually drains to an UT to Bon Secour River. The site is mostly wooded.

Water will be collected in a series of inlets and underground drainage pipes. The underground drainage pipes will discharge into two connected dry detention ponds along the West and South side of the site.

### HYDRAULIC ANALYSIS

Field verified elevations were used to determine the drainage basin area.

The SCS method for runoff estimation was used to develop the detention calculations for the project. NOAA has published intensity curves specific to this area and the 2, 5, 10, 25, 50 and 100-year, 24-hour storm events were utilized in the drainage calculations for this site. The existing GIS contours along with field verified elevations for the area are used to determine the size of the drainage basin. The drainage basin area is then plotted on the USDA Web Soil Survey to determine the soil characteristics. Soil surveys are made to provide information about the soils within the drainage area. They include a description of the soil types, their location, and tables that show soil properties and limitations affecting various uses. Urban Hydrology for Small Watersheds' Technical Release 55 or TR-55 presents a simplified procedure for estimating runoff and peak discharges in small watersheds. Using this procedure, the SCS Curve number method along with the information gained in the soil report, runoff is able to be estimated.

The time of concentration (Tc) was also necessary for the flow estimate. This value was calculated utilizing the SCS Time of Concentration Calculations for Sheet Flow, Shallow Concentrated Flow, and Channel Flow.

HydroCAD utilizes the composite runoff curve number and the area of the drainage basin to determine the outflow of the drainage basin. A twenty-four-hour rainfall intensity for a two, five, ten, twenty-five, fifty, and one-hundred-year return storm event was applied to the drainage areas to determine the flow. The software was used to determine the flow exiting the drainage basin and entering the proposed detention pond for pre- and post-development scenarios.

StormCAD was used to analyze the closed drainage systems for the proposed project. Curbs and gutters channel storm water from the roadways; the storm water is then collected into wing inlets and yard inlets, which eventually is piped to the proposed detention ponds. Weir structures will be installed in the detention ponds and discharge at a controlled rate less than the pre-developed rate.

9969 Windmill Road

Fairhope, Alabama 36532

251-990-6566

1 | Page

### SUMMARY OF RESULTS

Analysis determined that the proposed detention ponds are adequate to effectively handle and store the peak post-development flows observed during a two, five, ten, twenty-five, fifty, and one-hundred-year return events.

A brief summary of the pre vs. post development discharge rates may be seen below.

STORM EVENT	STUDY POINT 1 - SW Corner of the Site			
FLOW RATES (cfs)	PRE	POST Discharge	HW (POND1)	HW (POND2)
2 YEAR	0.39	0.00	-	-
5 YEAR	1.61	0.86	-	-
10 YEAR	3.61	2.81	-	-
25 YEAR	7.95	7.67	41.24	38.85
50 YEAR	12.67	12.57	-	-
100 YEAR	18.52	17.53	42.12	39.96
POND TOP	-	-	42.65	40.50

3/21/22

9969 Windmill Road

Fairhope, Alabama 36532

251-990-6566

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# PUD22-6 ASHBURY TOWNHOMES

## Staff Comments

- Shane Bergin, PE, of Neel-Schaffer, prepared the Traffic Impact Study (TIS) for the proposed subdivision (cover page at right with PE stamp)
  - The TIS was accepted by the Baldwin County Highway Department
  - The TIS determined that a westbound right turn lane from County Road 12 onto S. Hickory Street is warranted with existing traffic volumes and is recommended.

### TRAFFIC IMPACT ANALYSIS for *Ashbury Townhomes*



*Final Report  
April 2022*



Prepared by:





# PUD22-6 ASHBURY TOWNHOMES

## Staff Comments

- The proposed development will consist of individual lots for sale and will be subject to preliminary plat approval once the Baldwin County Planning Commission has granted final site plan approval.
- The applicant is requesting a variance from the subdivision regulations via Variance request # SV22-000008 (SV22-8) so that a plat may be recorded to create a lot of record for each townhome unit. The resultant lot size of lots "underneath" each townhome will not comply with the design standards for a typical subdivision as provided in Article 5, Development Standards.
  - This request is consistent with the provisions within section 9.3.2 *Development Standards for Planned Unit Developments*, and as set forth in Section 5.17 *Special Requirements for Apartments / Condominiums / Townhomes*.
  - This staff report includes two recommendations: one each for the variance request and PUD final site plan request.
  - A condition of approval will be included in the variance request recommendation as required by section 8.2.
  - A condition of approval will be included in the PUD final site plan recommendation cross-referencing the variance request.



# SV22-8 ASHBURY TOWNHOMES – VARIANCE REQUEST

## Staff Comments

- This request is consistent with the provisions within section 9.3.2 *Development Standards for Planned Unit Developments*, and as set forth in Section 5.17 *Special Requirements for Apartments / Condominiums / Townhomes*.
- The variance request as presented to the right is to allow for reduced lot size, reduced building setbacks, and waiver of drainage and utility easements on the plat that will be recorded for the townhome units



May 19, 2022

ATT: BC Planning & Zoning  
22251 Palmer Street  
Robertsdale, Alabama 36567

RE: Variance Request – Ashbury Townhomes

Dear Baldwin County P&Z:

Due to the unique nature of this development, and the resulting fee-simple lots to be conveyed, we are hereby requesting the following Variances from the Subdivision Regulations:

Lot Size: Min Req'd: 7,500 sf  
Min. Proposed: 1,600 sf

Building Setbacks: Req'd: 30' Front, 30' Rear, 10' Side, 20' Street Side  
Proposed: 20' Front, 5' Rear, 0' Interior Side, 5' Exterior Block Side  
(See Attached Exhibit)

Utility Easements: Due to the 0' Lot lines, we are requesting NO Utility easements on Side Lot Lines  
A Utility Easement will be provide along the front 10' of all Lots

Drainage Easements: Due to the 0' Lotlines, we are requesting NO Drainage Easements along Side Lot Lines. A Blanket Drainage Easement will be dedicated over all Common Areas where the drainage will be constructed and maintained by the HOA.

The purpose of the above is to allow the sale of an individual Lot which covers only slightly more than the building. All other areas will be Common and maintained by the HOA for the common use and enjoyment of the residences.

I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink that reads 'Aaron S. Collins'.

Aaron S. Collins  
Planning Director  
S.E. Civil  
251-990-6566

9969 Windmill Road

Fairhope, Alabama 36532

251-990-6566



# SV22- 8 ASHBURY TOWNHOMES

## VARIANCE REQUEST **STAFF RECOMMENDATION**

Staff recommends that the Variance Request for Case No. SV22-8, Ashbury Townhomes, be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations and the following conditions of approval:



# SV22-8 ASHBURY TOWNHOMES

## VARIANCE REQUEST **STAFF RECOMMENDATION (CONTINUED)**

Condition(s) of Approval:

1. Approval of the Variance Request which is more fully-described on the previous slide related to reduced lot size, reduced building setbacks, and waiver of drainage and utility easements, is required to approve the PUD Final Site Plan request.
2. Add the following note to the final site plan: Variance Request SV22-8 was approved during the June 2, 2022, Baldwin County Planning Commission meeting to allow for reduced lot size, reduced building setbacks, and waiver of drainage and utility easements as shown on the final site plan.



# PUD22-6 ASHBURY TOWNHOMES

## FINAL SITE PLAN **STAFF RECOMMENDATION**

Staff recommends that the Final Site Plan application for Case No. PUD22-6, Ashbury Townhomes, be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations and the following conditions of approval:



# PUD22-6 ASHBURY TOWNHOMES

## FINAL SITE PLAN **STAFF RECOMMENDATION (CONTINUED)**

### Condition(s) of Approval:

1. PUD final site plan approval is contingent on approval of Variance Request SV22-8.
2. Add the following note to the final site plan: Variance Request SV22-8 was approved during the June 2, 2022, Baldwin County Planning Commission meeting to allow for reduced lot size, reduced building setbacks, and waiver of drainage and utility easements as shown on the final site plan.
3. Final Site Plan approval shall be effective for a period of two (2) years at which time the applicant/developer shall submit a preliminary plat application.
4. The developer shall have (30) calendar days from date of expiration to file for a one (1) year extension. If no extension is requested, the Final Site Plan is automatically revoked.
5. A maximum of two (2) one-year extensions may be granted.
6. If an extension is granted, the proposed development must conform to the Subdivision Regulations in place at the time which the extension is granted.



## 9.f)PUD22-6 ASHBURY TOWNHOMES

Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator

June 2, 2022

Request before the Planning Commission:

**Final Site Plan approval** of *Ashbury Townhomes*, an **80-lot** planned unit development.

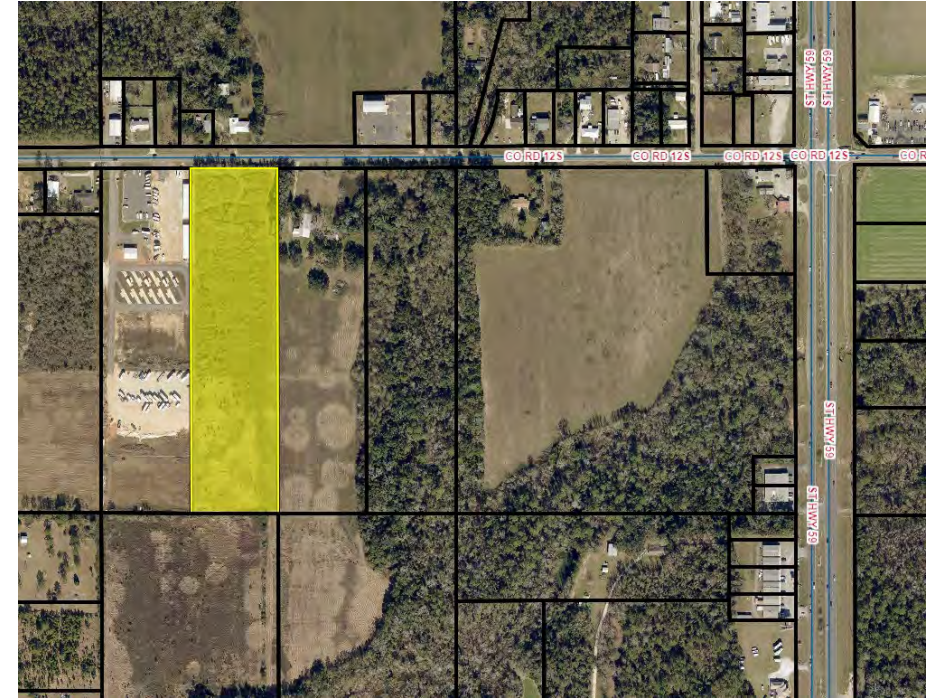
*This development is located in moratorium District 35, however, the application for said development was received and accepted prior to the Planning District 35 referendum and thus precedes the development moratorium*

Staff Recommendation: **APPROVE** with conditions

To view maps/plats in higher resolution as well as public comments and supporting documents, please visit the “Upcoming Items” Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>

Baldwin County Planning and Zoning Commission June 2, 2022 agenda



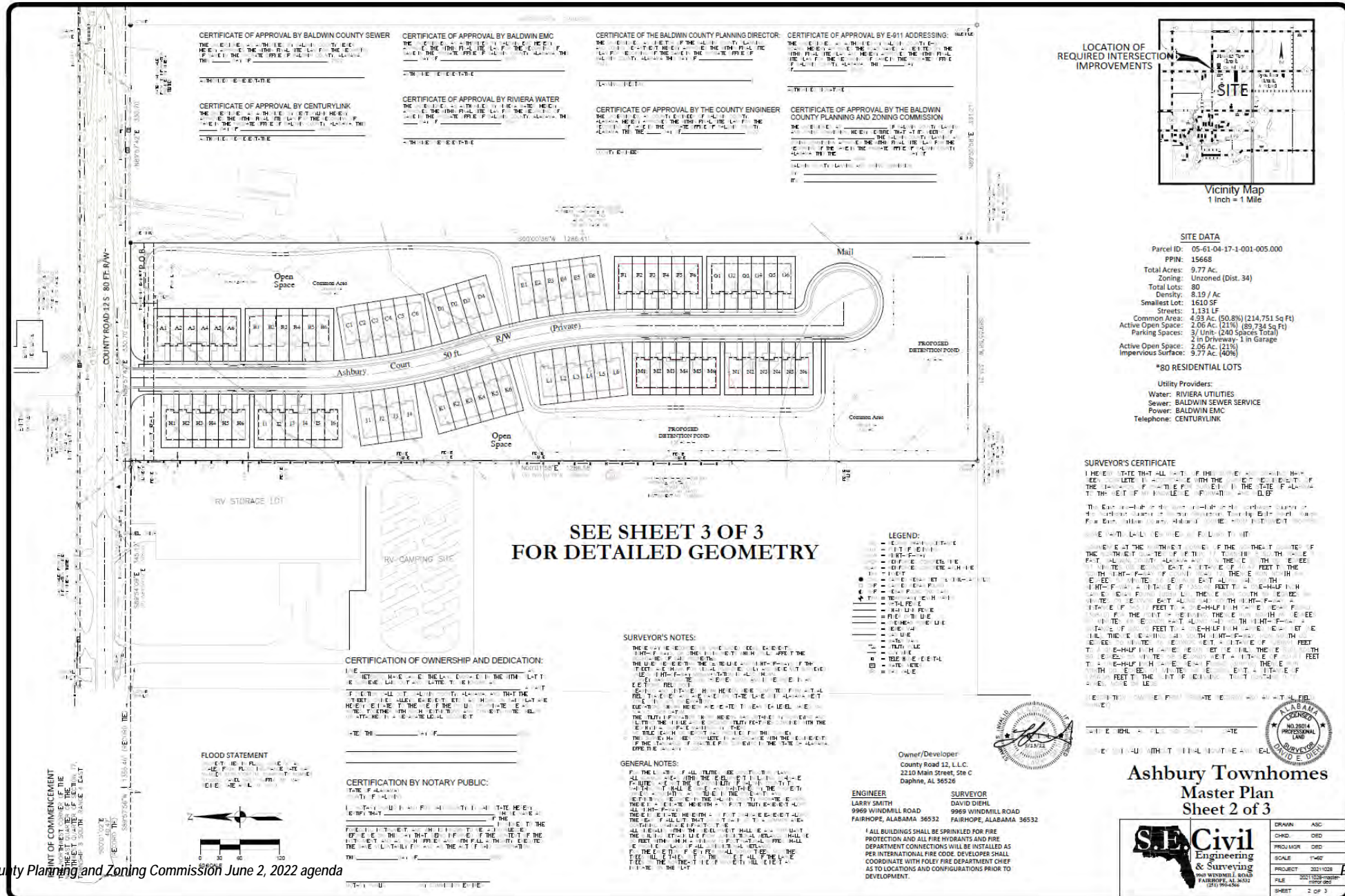


# PUD22-6 ASHBURY TOWNHOMES – Master Plan – Proposed Layout





# PUD22-6 ASHBURY TOWNHOMES - Master Plan - Proposed Layout





# PUD22-6 ASHBURY TOWNHOMES– *property data*

## DEVELOPMENT INFORMATION

**Location:** Subject property is located on the south side of County Road 12 S approximately 0.3 miles west of State HWY 59

**Planning District:** 35    **Planning Jurisdiction:** City of Foley (*Townhomes are not regulated by their zoning ordinance outside corporate limits*)

**Zoning:** The citizens of Planning District 35 **have voted to implement zoning**, though the zoning map has not yet been adopted. Planning District 35 is thus currently under the development moratorium implemented immediately after zoning is adopted. As previously mentioned, this development was submitted and accepted prior to the moratorium and therefore being reviewed accordingly.

**Total # of Lots:** 80 Lots    **Permit Jurisdiction:** Baldwin County

**Total Development Area:** 9.77 Acres

- Required Setbacks (*per sub-regs*): 30' Perimeter
- **Proposed Setbacks (*via variance request*): 20' front, 5' rear, and side setbacks of 0' except the end units which will have 5' foot side setbacks**

**Streets / Roads:** 1,131 linear feet (Private)

**Surveyor of Record:** David Diehl, PLS, S.E. *Civil Engineering & Surveying*

**Engineer of Record:** Larry Smith, PE, S.E. *Civil Engineering & Surveying*

**Owner / Developer:** *County Road 12, L.L.C, 2210 Main Street Suite C, Daphne, AL 36526*

**Online Case File Number:** The official case number for this application is PUD22-6, however, when searching the online CitizenServe database, please use PUD22-000006

**Parcel:** 05-61-04-17-1-001-005.000    **PIN:** 15668

**Traffic Study:** A traffic study was provided, and improvements will be required at CR12 S and Hickory St., **including a right turn lane** onto Hickory St.

**Drainage Improvements:** Drainage improvements will be required per the drainage narrative.

**Wetlands:** There are no wetlands present on subject property.

**Streets / Roads:** There will be 1,131LF of proposed streets which will not be accepted by the County for maintenance and shall **remain private**.

## Utility Providers:

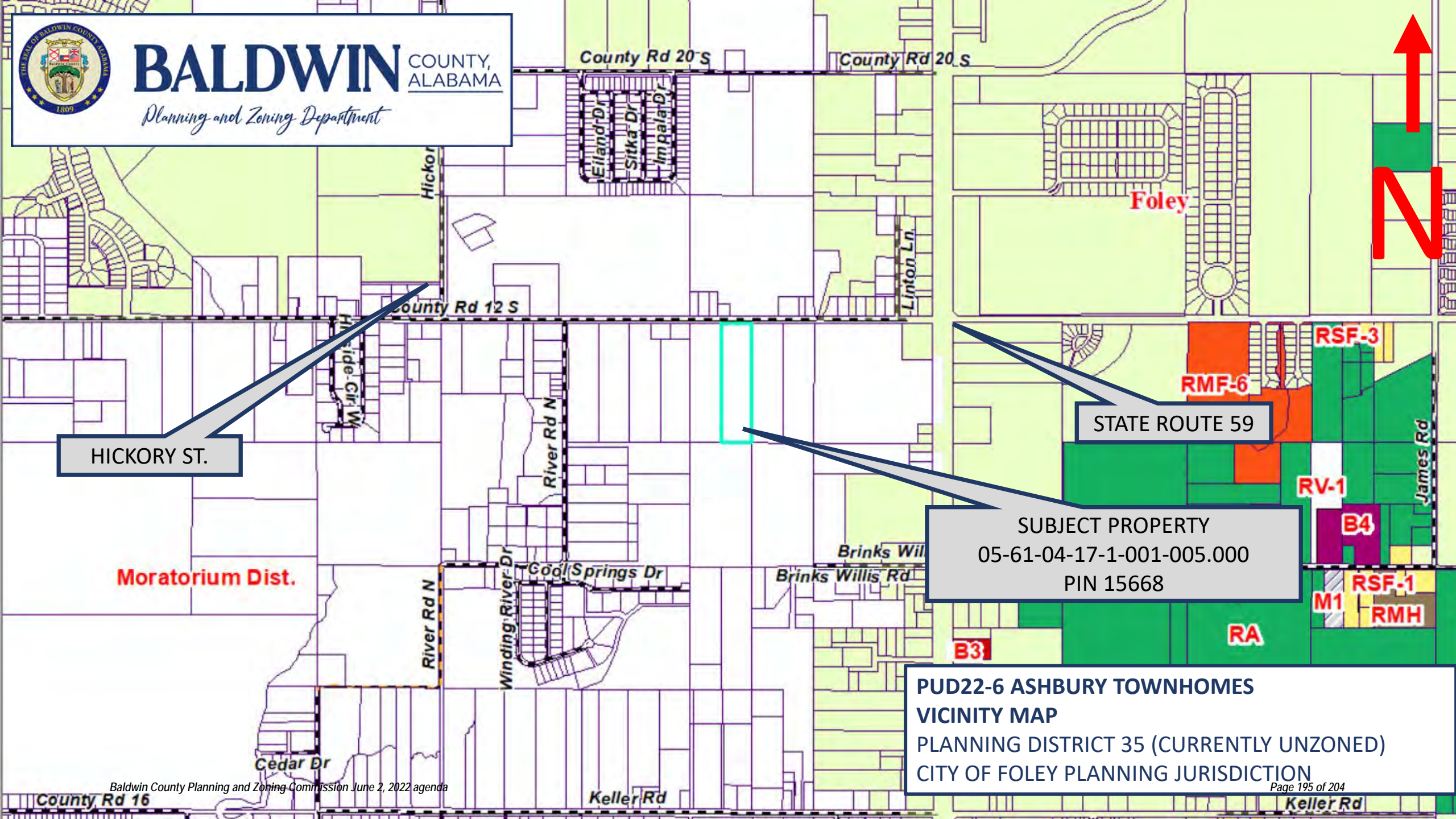
- Water: Riviera Utilities    Sewer: Baldwin County Sewer
- Electrical: Baldwin EMC    Phone: CenturyLink





# BALDWIN COUNTY, ALABAMA

Planning and Zoning Department



HICKORY ST.

Moratorium Dist.

STATE ROUTE 59

SUBJECT PROPERTY  
05-61-04-17-1-001-005.000  
PIN 15668

PUD22-6 ASHBURY TOWNHOMES  
VICINITY MAP  
PLANNING DISTRICT 35 (CURRENTLY UNZONED)  
CITY OF FOLEY PLANNING JURISDICTION





# BALDWIN COUNTY, ALABAMA

Planning and Zoning Department

HICKORY ST.

SUBJECT PROPERTY  
05-61-04-17-1-001-005.000  
PIN 15668

STATE ROUTE 59

PUD22-6 ASHBURY TOWNHOMES

SITE MAP

PLANNING DISTRICT 35 (CURRENTLY UNZONED)

CITY OF FOLEY PLANNING JURISDICTION



# PUD22-6 ASHBURY TOWNHOMES

## Staff Comments

- Larry Smith, PE of S.E. Civil Engineering and Surveying prepared the drainage narrative at right for the proposed subdivision
  - The drainage narrative was accepted by the Baldwin County Highway Department
  - Review of all drainage improvement drawings will be conducted during the construction plans review administered by the Baldwin County Highway Department

### GENERAL INFORMATION

Ashbury Townhomes is a proposed eighty (80) lot subdivision located in Foley, Alabama and Baldwin County jurisdiction. The subdivision contains approximately 9.77 acres. The site is at the East one-half of the West one-half of the Northwest Quarter of the Northeast Quarter of Section Seventeen, Township Eight South, Range Four East and is located on the South Side of CR 12 South.

### DRAINAGE CONDITIONS

The existing terrain of the site consists of a single basin that drains to the Southwest perimeter of the site. The basin eventually drains to an UT to Bon Secour River. The site is mostly wooded.

Water will be collected in a series of inlets and underground drainage pipes. The underground drainage pipes will discharge into two connected dry detention ponds along the West and South side of the site.

### HYDRAULIC ANALYSIS

Field verified elevations were used to determine the drainage basin area.

The SCS method for runoff estimation was used to develop the detention calculations for the project. NOAA has published intensity curves specific to this area and the 2, 5, 10, 25, 50 and 100-year, 24-hour storm events were utilized in the drainage calculations for this site. The existing GIS contours along with field verified elevations for the area are used to determine the size of the drainage basin. The drainage basin area is then plotted on the USDA Web Soil Survey to determine the soil characteristics. Soil surveys are made to provide information about the soils within the drainage area. They include a description of the soil types, their location, and tables that show soil properties and limitations affecting various uses. Urban Hydrology for Small Watersheds' Technical Release 55 or TR-55 presents a simplified procedure for estimating runoff and peak discharges in small watersheds. Using this procedure, the SCS Curve number method along with the information gained in the soil report, runoff is able to be estimated.

The time of concentration (Tc) was also necessary for the flow estimate. This value was calculated utilizing the SCS Time of Concentration Calculations for Sheet Flow, Shallow Concentrated Flow, and Channel Flow.

HydroCAD utilizes the composite runoff curve number and the area of the drainage basin to determine the outflow of the drainage basin. A twenty-four-hour rainfall intensity for a two, five, ten, twenty-five, fifty, and one-hundred-year return storm event was applied to the drainage areas to determine the flow. The software was used to determine the flow exiting the drainage basin and entering the proposed detention pond for pre- and post-development scenarios.

StormCAD was used to analyze the closed drainage systems for the proposed project. Curbs and gutters channel storm water from the roadways; the storm water is then collected into wing inlets and yard inlets, which eventually is piped to the proposed detention ponds. Weir structures will be installed in the detention ponds and discharge at a controlled rate less than the pre-developed rate.

9969 Windmill Road

Fairhope, Alabama 36532

251-990-6566

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### SUMMARY OF RESULTS

Analysis determined that the proposed detention ponds are adequate to effectively handle and store the peak post-development flows observed during a two, five, ten, twenty-five, fifty, and one-hundred-year return events.

A brief summary of the pre vs. post development discharge rates may be seen below.

STORM EVENT	STUDY POINT 1 - SW Corner of the Site			
FLOW RATES (cfs)	PRE	POST Discharge	HW (POND1)	HW (POND2)
2 YEAR	0.39	0.00	-	-
5 YEAR	1.61	0.86	-	-
10 YEAR	3.61	2.81	-	-
25 YEAR	7.95	7.67	41.24	38.85
50 YEAR	12.67	12.57	-	-
100 YEAR	18.52	17.53	42.12	39.96
POND TOP	-	-	42.65	40.50



9969 Windmill Road

Fairhope, Alabama 36532

251-990-6566

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# PUD22-6 ASHBURY TOWNHOMES

## Staff Comments

- Shane Bergin, PE, of Neel-Schaffer, prepared the Traffic Impact Study (TIS) for the proposed subdivision (cover page at right with PE stamp)
  - The TIS was accepted by the Baldwin County Highway Department
  - The TIS determined that a westbound right turn lane from County Road 12 onto S. Hickory Street is warranted with existing traffic volumes and is recommended.

### TRAFFIC IMPACT ANALYSIS for *Ashbury Townhomes*



*Final Report  
April 2022*



Prepared by:





# PUD22-6 ASHBURY TOWNHOMES

## Staff Comments

- The proposed development will consist of individual lots for sale and will be subject to preliminary plat approval once the Baldwin County Planning Commission has granted final site plan approval.
- The applicant is requesting a variance from the subdivision regulations via Variance request # SV22-000008 (SV22-8) so that a plat may be recorded to create a lot of record for each townhome unit. The resultant lot size of lots "underneath" each townhome will not comply with the design standards for a typical subdivision as provided in Article 5, Development Standards.
  - This request is consistent with the provisions within section 9.3.2 *Development Standards for Planned Unit Developments*, and as set forth in Section 5.17 *Special Requirements for Apartments / Condominiums / Townhomes*.
  - This staff report includes two recommendations: one each for the variance request and PUD final site plan request.
  - A condition of approval will be included in the variance request recommendation as required by section 8.2.
  - A condition of approval will be included in the PUD final site plan recommendation cross-referencing the variance request.



# SV22-8 ASHBURY TOWNHOMES – VARIANCE REQUEST

## Staff Comments

- This request is consistent with the provisions within section 9.3.2 *Development Standards for Planned Unit Developments*, and as set forth in Section 5.17 *Special Requirements for Apartments / Condominiums / Townhomes*.
- The variance request as presented to the right is to allow for reduced lot size, reduced building setbacks, and waiver of drainage and utility easements on the plat that will be recorded for the townhome units



May 19, 2022

ATT: BC Planning & Zoning  
22251 Palmer Street  
Robertsdale, Alabama 36567

RE: Variance Request – Ashbury Townhomes

Dear Baldwin County P&Z:

Due to the unique nature of this development, and the resulting fee-simple lots to be conveyed, we are hereby requesting the following Variances from the Subdivision Regulations:

Lot Size:                      Min Req'd: 7,500 sf  
   Min. Proposed: 1,600 sf

Building Setbacks:      Req'd:              30' Front, 30' Rear, 10' Side, 20' Street Side  
   Proposed:        20' Front, 5' Rear, 0' Interior Side, 5' Exterior Block Side  
   (See Attached Exhibit)

Utility Easements:      Due to the 0' Lot lines, we are requesting NO Utility easements on Side Lot Lines  
   A Utility Easement will be provide along the front 10' of all Lots

Drainage Easements:    Due to the 0' Lotlines, we are requesting NO Drainage Easements along Side Lot  
   Lines. A Blanket Drainage Easement will be dedicated over all Common Areas  
   where the drainage will be constructed and maintained by the HOA.

The purpose of the above is to allow the sale of an individual Lot which covers only slightly more than the building. All other areas will be Common and maintained by the HOA for the common use and enjoyment of the residences.

I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink that reads "Aaron S. Collins".

Aaron S. Collins  
Planning Director  
S.E. Civil  
251-990-6566

9969 Windmill Road

Fairhope, Alabama 36532

251-990-6566



# SV22- 8 ASHBURY TOWNHOMES

## VARIANCE REQUEST **STAFF RECOMMENDATION**

Staff recommends that the Variance Request for Case No. SV22-8, Ashbury Townhomes, be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations and the following conditions of approval:



# SV22-8 ASHBURY TOWNHOMES

## VARIANCE REQUEST **STAFF RECOMMENDATION (CONTINUED)**

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