

**D Hart**

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**From:** Ken Klinzman <klinzman@sbcglobal.net>  
**Sent:** Wednesday, May 4, 2022 8:40 PM  
**To:** Planning  
**Subject:** Belforest planning meeting May 5

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Hello,

I am writing to voice my opposition to the new subdivisions being considered for the Belforest area. Our roads and infrastructure including schools cannot handle the no -stop growth here. Hwy 64 can't manage this growth here. It already needs to be 3 lanes in both directions from Daphne to Loxley.

I would like to propose that the county pass an ordinance requiring builders of subdivisions to build and pay for the expansion of the roads and sidewalks where they build. They should also help pay for new schools for the growth they are bringing here.

This was done in Palm Beach County Florida in the 80s and the subdivision builders there didn't even flinch. Every road around or near the subdivisions build since the 80s are all 6 lanes with medians and sidewalks. That county saw tremendous growth throughout the 70s 80s 90s and this growth continues to the present day.

Please do the same here for Daphne, Fairhope and the rest of Baldwin County. Thank you.

Kenneth Klinzman  
Belforest homeowner.

Sent from my iPhone

D Hart

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**From:** Karen Brian <karen.brian@gmail.com>  
**Sent:** Thursday, May 5, 2022 8:13 AM  
**To:** Planning  
**Subject:** Belforest planning

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Please consider doing the same (Community Development Districts) thing Lakewood Ranch Florida has done for decades. It provides/funds the infrastructure needed for developments.

I oppose huge subdivisions in this area, but I realize the developers (a/k/a DR Horton, Truland, etc.) have huge amounts of money and clout to get these things pushed through. Especially given that some of the county officials are aligned with them business wise.

If you are going to allow these subdivisions to be built, you MUST have the infrastructure paid for by the developers/home owners and not the general public who will suffer the additional traffic and school taxes anyway.

<https://mylwr.com/165/Community-Development-Districts-CDD>

Thank you,  
Karen Brian  
11157 Redfern Rd.  
Daphne, AL 36526

Sent from my iPad

D Hart

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**From:** GLORIA CLARK <glorialclark@aol.com>  
**Sent:** Tuesday, May 3, 2022 11:39 AM  
**To:** Planning  
**Subject:** Bertolla Properties Rezoning

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I am a current resident of Belforest. I'd like to voice my opposition to the rezoning of the Bertolla 44.4 acres from RSF-2 and RSF-E to RSF-3.

It is my opinion that our area of the county is growing at too fast a pace. The additional 100+ homes that this rezoning would allow for would surely have dire consequences for our community. It would create more traffic than our roads can safely handle. Schools, utilities, water, and fire protection can't support this rapid growth. Water runoff from new construction will potentially cause issues with flooding during our heavier rainfalls. Property values would decrease as we will lose our safe, picturesque, countryside atmosphere and are instead surrounded by many cookie-cutter houses and concrete drives on all sides. Most of us moved here to escape the rushed and crowded city life.

I ask you to please consider the voices from the many who currently reside in this community.

Thank you,  
Gloria Clark

Sent from my iPhone

**D Hart**

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**From:** Joe Vosicky <jevosicky2@gmail.com>  
**Sent:** Wednesday, May 11, 2022 9:19 AM  
**To:** Planning  
**Subject:** Bertolla Property Development: Z22-9

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Good morning,

We live adjacent to the Bertolla property and have reviewed all the documents currently available on your planning. Website.

One document of particular interest to us is the Storm Water Report - possibly it has not been completed and when do you anticipate it being available for review?

Additionally, several weeks ago there were surveyors on our property who stated that their topographical measurements for the Bertolla property would be available to review; possibly you have that information as well.

Looking forward to hearing from you.

Joe & Kim Vosicky  
25091 Austin Road  
Daphne, AL  
36526

## LETTER OF OPPOSITION

to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # Z22-000009)

To Whom It May Concern:

I am Bobbi Jo Machholz, a resident living at 10135 Rebel Rd.. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states *"We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture."* It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, *"zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."*

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states *"Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?"* The applicant feels that the zoning designations were merely

placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name: Bobbi Jo Machholz  
Number: 720-339-4411  
Email: bobbijomachholz@gmail.com

D Hart

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**From:** Joe Vosicky <jevosicky2@gmail.com>  
**Sent:** Sunday, April 24, 2022 11:44 AM  
**To:** Planning  
**Subject:** Case # Z22-000009 Bertolla Properties LLC

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TO: Baldwin County Planning & Zoning Commission / Planning & Zoning Department

FR: Joe and Kim Vosicky / 25091 Austin Road, Daphne, AL 36526

RE: Comments Regarding Case # Z22-000009 / Bertolla Properties LLC Property / Planning District: 15

Date: April 25, 2022

Thank you for the opportunity to express our opposition to the proposed rezoning request Z22-000009 for the following reasons:

1. The land currently owned by Bertolla Property LLC is useful, productive agricultural land that is actively farmed and well managed.
2. This land has been used for agricultural purposes for well over a hundred years and represents an ever decreasing slice of Baldwin County history; a tribute to those folks who settled this area many years ago.
3. Allowing this land to be converted into a high density residential dwelling development is similar to an environmental disaster in that productive agricultural land (non-irrigated) that is currently in balance with the surrounding ecosystems will forever be changed for the detriment of the ecosystem itself and the current residents of Baldwin County through increased traffic, noise and automotive exhaust emission.
4. As is the case with all developments in Baldwin County, and this one being no different, a comprehensive water retention plan will need to be implemented should this project move forward.
5. We oppose the development of this amazing piece of productive agricultural land yet recognize the economic conflict it represents to the owner(s). I wish we had an easy answer for them other than to offer that you and your family before you were stewards of the land for many years so why sell out now?
6. Managing the flow of surface water from rain once the property is developed will be an issue and as property owners adjacent to yours, we oppose rezoning until a plan is developed to manage all surface waters which will stop our property from flooding.
7. Concerning to us is the possibility that all the trees along the East boarder of the Bertolla Property could be destroy, cut down, Replacing a shelter belt of trees for a view of single family high density dwellings is a very poor trade off that only benefits the developer economically. Recommend that any future site plans include the retention of the existing tree belt for the benefit of the ecosystem and residents on both sides of the property line.

Thank you.

Joe & Kim Vosicky  
25091 Austin Road  
Daphne, AL  
36526

D Hart

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**From:** Wib Magli <wrmagli@gmail.com>  
**Sent:** Monday, May 2, 2022 7:04 PM  
**To:** Planning  
**Subject:** Case # Z22-9 Bertolla Properties, LLC Property

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

Dear Chairman Pumphrey and Members of the Planning Commission:

I am writing to express my opposition to the rezoning of the Bertolla Properties, LLC property, case # Z22-9. Part of the property is currently zoned RSF-2 and part of the property is zoned RSF-E. The property can be developed under these classifications and these current classifications are consistent with the character of the neighborhood and previous development in the area. Rezoning is not consistent with the vision set forth by the District 15 Advisory Committee. One of the reasons that we have zoning is so that members of the community can have some expectation of what will be around them in the future. The subject property borders my own property and I have known all along that I can expect it to be developed under RSF-2 and RSF-E zoning. There has been no reason to expect it to be rezoned and developed otherwise.

Rezoning is an important tool that offers the flexibility to change zoning classifications when circumstances in an area change. However, in this case, circumstances have not changed in any way substantial enough to justifying rezoning these parcels. The parcels in question already have zoning in place that allows for residential development consistent with the character of the neighborhood and the vision of the District 15 Advisory Committee. In fact, Mr. Bertolla just recently purchased the northern most parcels. These parcels were zoned RSF-E when he purchased them, so there is no question of that zoning having been imposed on him. It was already in place when he bought the property. There is no reasonable expectation that it should change.

The only benefit to rezoning these parcels is that a development would be more profitable for the developer, but that is not a sufficient reason for rezoning. If zoning classifications are so easily changed, then the zoning code is essentially meaningless.

Sincerely,

Wib Magli  
25465 Austin Rd  
Daphne AL, 36526

D Hart

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**From:** Bama Rock <rockcom8@gmail.com>  
**Sent:** Monday, May 2, 2022 4:14 PM  
**To:** Planning  
**Subject:** Case #Z22-000009 Bertolla Properties LLC Property

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To whom it may concern I am a resident of the Waterford Community . I have concerns about the rezoning of the property adjoining my development. When I originally purchased my home I knew there was a probability that future development would happen to the community. It was understood that any future development would be comparable to the homes in the current community.

This new rezoning is not comparable to the current homes and lot sizes. I have multiple concerns and questions regarding the rezoning. Will the rezoning affect my current property value? Will the current utilities be able to handle the added homes if the property is rezoned? Has a traffic study been done to show the difference between current zoning and proposed new zoning ? Will the local schools be able to handle the additional students if the new zoning passes?

I understand that development will be taking place. It's progress and I understand that , but I am hoping that the current resident's concerns will be considered.

Sincerely,

Jeremy Richardson

**D Hart**

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**From:** Naomi Donaldson <nadon621@aol.com>  
**Sent:** Friday, May 6, 2022 10:06 AM  
**To:** Planning  
**Subject:** Case Z22 Proposed rezoning District 15

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Baldwin Planning Commission  
22251 Palmer Street  
Robertsdale AL 36567

Re: Case Z22-9 Bertolla Properties LLC

Mr Pumphrey and Commission Staff:

We attended the hearing last night and wish to thank each of you, and all involved in preparation for the meeting, for your professionalism in conducting the meeting, listening to the citizens' concerns and giving attention to the issues raised.

Sincerely,

Wayne and Naomi Donaldson  
10337 Burrough Ct  
Daphne AL 36526

**D Hart**

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**From:** Bob Derbes <bobderbes@gmail.com>  
**Sent:** Tuesday, May 3, 2022 3:42 PM  
**To:** Planning  
**Subject:** D.R.Horton Development

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I oppose the rezoning of our rural farm land as it will change our way of life here in the country. We are expanding way too fast already.  
No to High Density RSF-4 zoning!

Bob Derbes  
10540 Lyttleton Loop  
Lillian, AL 36549

**From:** [Matthew Brown](#)  
**To:** [D Hart](#)  
**Subject:** FW: Opposition letter for rezoning in Belforest -Bertolla  
**Date:** Thursday, May 5, 2022 6:31:55 AM  
**Attachments:** [Opposition Letter for Rezoning Belforest.docx](#)

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Matthew Brown  
Planning and Zoning Director  
Baldwin County Commission  
c: 251-421-0423

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**From:** kelly stewart <kpbstewart@gmail.com>  
**Sent:** Wednesday, May 4, 2022 11:20 PM  
**To:** Matthew Brown <Matthew.Brown@baldwincountyal.gov>  
**Subject:** Opposition letter for rezoning in Belforest -Bertolla

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Hi Matthew,  
Please accept this letter of opposition for the rezoning of the Bertolla property in Belforest.

Thank you,

Kelly Stewart

## LETTER OF OPPOSITION

to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # Z22-000009)

To Whom It May Concern:

I am Lee Ann Garrett, a resident living at 10215 Rebel Road. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states "We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture." It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, "zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states "Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?" The applicant feels that the zoning designations were merely

placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name:

*Lee Ann Garrett*

Number:

*# 251-591-8594*

Email:

*la.garrett10215@aol.com*

LETTER OF OPPOSITION  
to the proposed rezoning and development at Rebel Rd in Planning District 15  
(Case #Z22-000009 Bertolla Properties LLC Property)

To Whom It May Concern:

I am a resident living at 24626 Planters Dr. in Daphne/Belforest, Alabama. My property in Waterford Subdivision will be impacted by the proposed development designated above.

Responses on the application raise concerns for those already dealing with strained infrastructure in the Belforest area. The application contains incorrect and misleading information about the current zoning. The parcel in question includes property adjacent to Rebel Rd. that is currently zoned RSF-E, not just RSF-2 as stated in the application. The proposed rezoning to RSF-3 with parcels 1/8 the size of an RSF-E lot would NOT be "compatible with the existing pattern and zoning of nearby properties." The applicant also stated that rezoning to RSF-3 is a "good transition" because a few lots in Waterford "currently do not meet the RSF-2 zoning but would meet the RSF-3 zoning." However, a cursory satellite view of the Waterford lots compared to an RSF-3 development to the south across Austin Rd, Jubilee Farms, shows a distinct difference in the character of these developments. Juxtaposing RSF-3 lots between the estate lots on Rebel road and the RSF-2 lots in Waterford would be highly *incompatible* with the current development.

These inaccuracies on the application call into question the good faith of the developers and raise significant concerns for those of us living in the area, which is already feeling the effects of strained infrastructure. Please deny the application for rezoning to RSF-3.

Thank you.

Respectfully,

John W. Ware

## LETTER OF OPPOSITION

**to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # Z22-000009)**

To Whom It May Concern:

I am David Lyles, a resident living at 25779 Austin Road, Daphne AL, 36526. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states *"We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our **environment, character, history and culture.**"* It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, *"zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and **harmonious development** of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote **safety from fire, flood, and other dangers and the healthful and convenient distribution of population.**"*

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states *"Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?"* The applicant feels that the zoning designations were merely

placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name:	<u>David Lyles</u>
Number:	<u>251-406-9197</u>
Email:	<u>david.lyles@outlook.com</u>

D Hart

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**From:** Miranda Merritt <mirandamerritt@yahoo.com>  
**Sent:** Monday, May 2, 2022 8:30 AM  
**To:** Planning  
**Subject:** LETTER OF OPPOSITION - Z22-9 Bertolla Properties

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LETTER OF OPPOSITION

Planning and Zoning Commission

Attn: Matt Brown

Re: Z22-9, Bertolla Properties LLC Property

Dear Mr. Brown,

My name is Miranda Merrit and my family and I live on Rebel Road. We have lived here for 15 years. I am writing in opposition to the rezoning of the area located in Belforest on the between Highway 181, Austin Road and Rebel Road. This area was zoned RFS-E with the option of being rezoned to RSF-1 in 2006 by the advisory board. Everyone living in this area purchased our homes knowing that it was zoned RSF-E and expecting the area to remain that way. Mr. Bertolla purchased the property less than one year ago and is now applying to have it rezoned as RSF-3, knowing that he will probably get approved for RSF-2. If this area is rezoned, it will take lot sizes from 80,000 square feet down to 10,000/15,000 square feet. This is not acceptable to anyone that has lived here in this community. The rezoning would lower our property values and stress already overwhelmingly stressed infrastructure in our community. The influx of more housing, population and traffic will ruin the integrity and character of Belforest. There is no good reason that this property should be rezoned. Mr. Bertolla informed several residents that he would be farming the land. This in itself was a blatant

lie. Surrounding residents have offered, begged, to buy 10-20 acre lots from Mr. Bertolla and he refused. The only thing you will be doing if you rezone this area, is helping Mr. Bertolla, who lives in Point Clear, make more money instead of keeping the character of Belforest in tack. Mr. Bertolla can still make money by developing estate sized homesites with larger homes. People in Baldwin County are looking for larger homesites and doing this would ensure the reason they want to move to Belforest.

The traffic on Rebel Road, the speeding, the long lines of people trying to reach 181 is already a disaster. The new elementary school is already full with over 30 kids in each classroom. There are over 1,100 "already approved" homes being built in Belforest, not county the over 900 homes in Jubilee Farms. At some point, it is your duty as our representatives to stop the influx before the infrastructure we have in place as of today, will not be able to catch up.

The residents of Belforest implore you to deny the rezoning of this area. To say enough is enough. The land can be developed in keeping with the character of the properties surrounding it. Bertolla can make money with larger estate homesites. It is at your discretion to deny or approve this. Please think about your long-time residents and do the right thing. Deny this rezoning.

Sincerely,

Miranda Merritt

Concerned Resident

May 5th, 2022

Mr. Matthew Brown, Director

Baldwin County Planning & Zoning

22251 Palmer Street

Robertsdale, AL 36567 (Delivered via Email)

RE: Case # Z22-000009 Bertolla Properties LLC Property

Mr. Brown,

My name is Matthew Bailey and I am a concerned homeowner residing in Waterford Subdivision. Our home backs up to the proposed rezoning site, and will be directly affected by the Planning & Zoning Commission's decision.

Over the past decade, the rapid residential growth in Baldwin County has stressed all of the infrastructure. Belforest Water System, the water system serving the parcels proposed for rezoning, is currently undergoing capacity improvements to address the needed infrastructure to accommodate known upcoming developments. The Town of Loxley, City of Daphne/Daphne Utilities, City of Fairhope, etc. are all in the same position and grappling to secure funding for improvements while keeping customer rates low, determine necessary improvements based on historical and projected future growth, and implement these improvements in time to meet the new demands. I have performed engineering work at several of these municipalities and see firsthand that the water/wastewater facilities are undersized for the population they serve. This is also readily evident by the fact that any new home construction in our area includes a grinder pump connected to the sewer line.

I say all of this to highlight the request for the Planning & Zoning Commission to scrutinize all proposed rezonings in this light. In this particular case, the parcels included in the rezoning are currently zoned RSF-2 and RSF-E (residential zonings), and the request is to rezone the entire 54+ acres to RSF-3. The conceptual plan submitted by the Applicant shows a proposed subdivision based on RSF-3 rezoning, which would create a higher density of residential homes. Allowing rezonings at a higher residential density than its current zoning, in today's rapid growth climate, would be a gross misuse of the Commission's power. In my opinion, it is the obligation of the Commission to encourage sustainable, responsible growth within the County. The only way to do that is to require residential rezonings be considered to an equal or lower density. The Applicant's request for the rezoning of these five (5) parcels is going in the completely wrong direction, and must be rejected.

In addition, the Applicant argues that the RSF-3 rezoning would be the best transition between the RSF-2 zoning of Waterford Subdivision and the business zonings west of Highway 181. The entire quadrant surrounding this development is comprised of RSF-E (not even mentioned in the application) and RSF-2 neighborhoods, with the exception of three business parcels along Highway 181.

However, the conceptual plan in the application shows no direct connectivity to Highway 181, which negates the argument that the development would be a transition between business and residential zonings.

As a resident of Waterford Subdivision, I am not opposed to the proposed residential development. The parcels are all currently zoned for residential use anyway. The owner can develop the parcels with the zonings as-is, which ensures consistency with the adjacent neighborhoods. If the Commission feels a rezoning is appropriate, I ask that they require any rezoning be consistent with the adjacent neighborhoods, especially those that are proposed to be directly connected to the development. The only appropriate rezoning that meets this criterion would be the most restrictive zoning within the parcels included and the adjacent affected neighborhoods (RSF-E).

I politely request that the Commission reject the proposed rezoning. The properties are already zoned for residential development, so a rejection of the rezoning does not hinder the owner from moving forward with a residential development in any way. What the rejection accomplishes is ensuring the adjacent residents' safety, health and welfare by guaranteeing no additional stress on the area's infrastructure and no detrimental change to the character and use of the adjacent properties.

Last, while I understand that access is not part of the rezoning request and is handled during the subdivision review, I feel it is appropriate to discuss given the application submitted by the owner. The conceptual plan submitted shows access via Rebel Road (adjacent properties zoned RSF-E) and Waterford Subdivision (RSF-2) to Austin Road with through connection across Picard Branch. As a resident of Waterford Subdivision, which has been a closed subdivision since the final plat in 2006, there is an overwhelming sentiment from residents that the thoroughfare, if allowed as shown, would completely destroy the culture and character of our neighborhood, create a safety issue due to increased traffic, and jeopardize our welfare by decreasing the value of our properties as the smaller lots would be directly connected to our development. The mission of the Planning & Zoning Commission is to ensure the safety, health, and welfare of the existing County citizens. Allowing the rezoning would create a higher density development connected to two residential developments/streets, both of which are lower densities than the requested rezoning. There is no reasonable argument that can be made that the approval of the requested rezoning, connected to the two residential neighborhoods of lower densities, would not be detrimental to the health, safety and welfare of the existing County citizens residing in the Waterford Subdivision and along Rebel Road. However, my point in bringing this to the Commission's attention now is that I would personally view the rezoning request differently if the proposed higher density development were connected directly to Highway 181 via the highway frontage parcel included in the rezoning request and not via the two residential neighborhoods of lower density.

Your time and attention to this matter is very much appreciated. If you have any questions or comments, please feel free to reach me at 251-895-6458.

Sincerely,

Matthew Bailey

## Opposition Letter for Re-Zoning request from Bertolla Properties, LLC case # Z22-9

Dear Members of the Planning Commission,

My name is Kelly Stewart. I am a resident of the Belforest Community, living in Waterford Subdivision, 10401 Goodrich Way. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Waterford Subdivision and Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property between Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

Rezoning is not consistent with the vision set forth by the District 15 Advisory Committee which states:

### **2.3.15 Planning District 15.**

#### **2.3.15.3 Local Provisions for Planning District 15**

- (a) Advisory Committee Philosophy. It is the intent of the District 15 Advisory Committee to encourage residential zoning for the vast majority of District 15, and furthermore, to encourage zoning in the areas of RSF-E, Residential Single Family Estate District, and RSF-1, Single Family District, when possible in order to protect the values of homes and properties already established throughout the district. While we understand the need for affordable housing and commercial

growth when properly zoned, we believe that protecting property values should be higher priority in making future zoning decisions

Zoning is in place so that members of the community can have some expectation of what might come in the future. The parcels in question were already zoned RSF-E and a RSF 2 on a parcel when purchased by Mr. Bertolla. This zoning was put in place to maintain the community and allows for residential development consistent with the character of the adjoining properties. There is no reasonable expectation to be rezoned.

The only benefit to rezoning is to be more profitable for the developer not to benefit the integrity of this community especially those properties adjoining. This is NOT a sufficient reason for rezoning.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concerns have already been raised. Rebel Road has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. The other area of concern is the intersection of Austin Road and Hwy. 181. While a traffic light is planned, this will only influence more drivers to cut through Waterford Subdivision causing Planters Drive to become a major thoroughfare. Page 3 of the Baldwin County Master Plan states "We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture." It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, "zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs

best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."

Lastly, I too, do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states "Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?" This land has been used for farming historically. The applicant feels that the zoning designations were merely placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The adjoining properties and the community will be significantly impacted.

In summary, my opposition is based on these potential/probable negative effects:

- The loss of neighborhood and community character.
- Increased traffic congestion at Austin Road & Rebel Road, Austin Road and Hwy. 181 as well as tripling traffic down Planters Dr. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with – it is a problem now.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff has already been noted as an issue.

I would like to request that the commission NOT authorize the rezoning to the RSF-3 designation.

Respectfully,

Kelly Stewart

D Hart

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**From:** Traveis Cunningham <travc66@gmail.com>  
**Sent:** Tuesday, April 19, 2022 4:38 PM  
**To:** Matthew Brown; Planning  
**Subject:** Letter of Opposition to Proposed rezoning and development at/near Waterford Subdivision in Planning District 15 (Case # Z22-000009)

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To Whom It May Concern:

I am Traveis Cunningham, a resident living at 24941 Planters Drive. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Waterford Subdivision and Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been raised. Rebel Road has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. The other area of concern is the intersection of Austin Road and Hwy. 181. While a traffic light is planned, this will only influence more drivers to cut through Waterford Subdivision causing Planters Drive to become a major thoroughfare. Page 3 of the Baldwin County Master Plan states "We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture." It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, "zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and

economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population.”

Lastly, I too, do not agree with the applicant’s comment on the current zoning designations. Question 2 of the application process states “Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?” The applicant feels that the zoning designations were merely placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

In summary, my opposition is based on these potential/probable negative effects:

- The loss of neighborhood and community character.
- Increased traffic congestion at Austin Road & Rebel Road, Austin Road and Hwy. 181 as well as tripling traffic down Planters Dr. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Traveis Cunningham  
251-404-4848  
[travc66@gmail.com](mailto:travc66@gmail.com)

### LETTER OF OPPOSITION

to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # Z22-000009)

To Whom It May Concern:

I am Renee Landry, a resident living at 10631 Belforest Cem. Rd.. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states "*We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture.*" It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, "*zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population.*"

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states "*Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?*" The applicant feels that the zoning designations were merely

placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name:

Renee Landry

Number:

251 626-4050

Email:

ReneeWinLandry@aol.com

## LETTER OF OPPOSITION

**to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # 222-000009)**

To Whom It May Concern:

I am Frederick Machholz, a resident living at 10135 Rebel Rd.. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states "*We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture.*" It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, "*zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population.*"

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states "*Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?*" The applicant feels that the zoning designations were merely

placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name: Frederick Machholz  
Number: 251-281-7467  
Email: fredmachholz@gmail.com

April 19, 2022

Mr. Matthew Brown, Director

Baldwin County Planning & Zoning

22251 Palmer Street

Robertsdale, AL 36567 (Delivered via Email)

RE: Case # Z22-000009 Bertolla Properties LLC Property

Mr. Brown,

My name is Denise King and I am a licensed Professional Civil Engineer in the State of Alabama. My focus is in infrastructure and specifically, I have more than a decade of experience working with municipal and utility infrastructure in Baldwin County alone. I also live immediately adjacent to the proposed rezoning at the very northern parcel of Waterford Subdivision, and will be directly affected by the Planning & Zoning Commission's decision.

Over the past decade, the rapid residential growth in Baldwin County has stressed all of the infrastructure. Belforest Water System, the water system serving the parcels proposed for rezoning, is currently undergoing capacity improvements to address the needed infrastructure to accommodate known upcoming developments. The Town of Loxley, City of Daphne/Daphne Utilities, City of Fairhope, etc. are all in the same position and grappling to secure funding for improvements while keeping customer rates low, determine necessary improvements based on historical and projected future growth, and implement these improvements in time to meet the new demands. This challenge is spread across all of our infrastructure – water, sanitary sewer, drainage, roadways, schools, everything. Struggling to keep up with the rapid growth and continue to provide the minimum level of service to existing residents has become the new normal.

I say all of this to highlight the request for the Planning & Zoning Commission to scrutinize all proposed rezonings in this light. In this particular case, the parcels included in the rezoning are currently zoned RSF-2 and RSF-E (residential zonings), and the request is to rezone the entire 54+ acres to RSF-3. The conceptual plan submitted by the Applicant shows a proposed subdivision based on RSF-3 rezoning, which would create a higher density of residential homes. Allowing rezonings at a higher residential density than its current zoning, in today's rapid growth climate, would be a gross misuse of the Commission's power. In my opinion, it is the obligation of the

Commission to encourage sustainable, responsible growth within the County. The only way to do that is to require residential rezonings be considered to an equal or lower density. The Applicant's request for the rezoning of these five (5) parcels is going in the completely wrong direction, and must be rejected.

In addition, the Applicant argues that the RSF-3 rezoning would be the best transition between the RSF-2 zoning of Waterford Subdivision and the business zonings west of Highway 181. The entire quadrant surrounding this development is comprised of RSF-E (not even mentioned in the application) and RSF-2 neighborhoods, with the exception of three business parcels along Highway 181. However, the conceptual plan in the application shows no direct connectivity to Highway 181, which negates the argument that the development would be a transition between business and residential zonings.

As a resident of Waterford Subdivision, I am not opposed to the proposed residential development. The parcels are all currently zoned for residential use anyway. The owner can develop the parcels with the zonings as-is, which ensures consistency with the adjacent neighborhoods. If the Commission feels a rezoning is appropriate, I ask that they require any rezoning be consistent with the adjacent neighborhoods, especially those that are proposed to be directly connected to the development. The only appropriate rezoning that meets this criterion would be the most restrictive zoning within the parcels included and the adjacent affected neighborhoods (RSF-E).

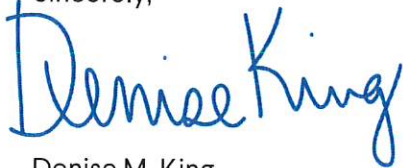
I politely request that the Commission reject the proposed rezoning. The properties are already zoned for residential development, so a rejection of the rezoning does not hinder the owner from moving forward with a residential development in any way. What the rejection accomplishes is ensuring the adjacent residents' safety, health and welfare by guaranteeing no additional stress on the area's infrastructure and no detrimental change to the character and use of the adjacent properties.

Last, while I understand that access is not part of the rezoning request and is handled during the subdivision review, I feel it is appropriate to discuss given the application submitted by the owner. The conceptual plan submitted shows access via Rebel Road (adjacent properties zoned RSF-E) and Waterford Subdivision (RSF-2) to Austin Road with through connection across Picard Branch. As a resident of Waterford Subdivision, which has been a closed subdivision since the final plat in 2006, there is an overwhelming sentiment from residents that the thoroughfare, if allowed as shown, would completely destroy the culture and character of our neighborhood, create a safety issue due to increased traffic, and jeopardize our welfare by decreasing the value of our properties as the smaller lots would be directly connected to our development. The mission of the Planning & Zoning Commission is to ensure the safety, health, and welfare of the existing

County citizens. Allowing the rezoning would create a higher density development connected to two residential developments/streets, both of which are lower densities than the requested rezoning. There is no reasonable argument that can be made that the approval of the requested rezoning, connected to the two residential neighborhoods of lower densities, would not be detrimental to the health, safety and welfare of the existing County citizens residing in the Waterford Subdivision and along Rebel Road. However, my point in bringing this to the Commission's attention now is that I would personally view the rezoning request differently if the proposed higher density development were connected directly to Highway 181 via the highway frontage parcel included in the rezoning request and not via the two residential neighborhoods of lower density.

Your time and attention to this matter is very much appreciated. If you have any questions or comments, please feel free to reach me at 251-776-0358.

Sincerely,

A handwritten signature in blue ink that reads "Denise King". The signature is written in a cursive, flowing style. The first name "Denise" is written in a larger, more prominent script, and the last name "King" follows it in a similar but slightly smaller script. The ink is a vibrant blue.

Denise M. King

**D Hart**

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**From:** Jennifer Magli <jenmagli@gmail.com>  
**Sent:** Wednesday, May 4, 2022 10:06 AM  
**To:** Planning  
**Subject:** Opposition to Rezoning of Bertolla Properties

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Dear Chairman Pumphrey and Members of the Planning Commission:

I am writing to express my opposition to the rezoning of the Bertolla Properties, LLC property, case # Z22-9. I have read the staff report and recommendation for the approval of the rezoning. The staff report overstates the intensity of commercial use nearby and uses that as a justification for the recommendation to rezone. The nearby commercial use amounts to a few local businesses that well suit the area's rural flavor. Rezoning the subject property to a more intense residential use based on the presence of the small amount of nearby commercial property will lead to a cycle where the more intense residential use will then be used to justify the rezoning of other property to commercial use and the character of the Belforest community will be completely lost.

I would also like to add that the pictures in the staff report of the properties neighboring the subject property are misleading. The subject property is bordered on two sides primarily by houses on lots of 5 acres or more. Rezoning the subject property would lead to a very abrupt transition from a very intense residential use on the subject property to a very low intensity residential use on the neighboring properties. This type of abrupt transition violates well established planning principles.

Zoning was established in this district in part to plan for future growth and to give residents a reasonable expectation of the type of development and community that would be around them in the future. The subject property can already be developed under the existing zoning in a way that is consistent with the Belforest neighborhood and there is no justification for the rezoning.

Sincerely,

Jennifer Magli  
25465 Austin Road  
Daphne, Alabama 36526

**D Hart**

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**From:** August McWhirter <whitfield34@bellsouth.net>  
**Sent:** Wednesday, May 4, 2022 12:17 PM  
**To:** Planning  
**Subject:** Opposition Z22-000009

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**Subject: Opposition Z22-000009**

Zoning change Request #Z22-000009 Bertolla

Baldwin County Zoning Commission members,

I am writing to express my concerns with the above mentioned zoning change request.

I will be very direct and to the point. We purchased this home/property to live in an area that had space for my Children and Family to enjoy a specific style or quality of life. The then and current zoning of RSF-E that was and is surrounding our property and others was the main consideration in the purchase for that lifestyle. The "placeholder" status of the one parcel currently zoned RSF-2 should not exist and was an oversight of the commission at that time in my opinion.

Real estate is location, location, location (as they say).

This Belforest Estate zoned area (RSF-E) checks all of the boxes.

- Location - close to everything (schools, shopping, travel)
- Location - friends, family, neighbors
- Location - estate property with SPACE to breathe between Homes

If we were seeking for our Children to be in an RSF 1, 2 or 3 zoned neighborhood we would have purchased there. I also have built a brand new barn for my horses, so my daughter can continue to train here at home. She is a nationally ranked athlete in the Interscholastic Equestrian Association. It's not like I can pick up and move nor do I want unwanted people and kids on my property to see the horses. We moved here when Rebel Rd was a dirt road and loved it. Now the road is a speed way/cut through with so much traffic I can't walk across the street to my neighbors, or my son ride his bicycle.

We are requesting that you deny/reject the request of zoning to be changed to anything less than RSF-E.

With the current growth in the Belforest area and the strain on our schools, traffic and general infrastructure (sewer, water, fire, etc.) it makes sense to start taking into consideration the long-term effects the rapid growth is having on our community. There are currently 1100+ homes on 400+ acres approved and under construction in the Belforest community with RSF-2 or 3 zoning. There are requests and plans (not including this one) to build on 4-600 acres and 6-900 homes that are underway or seeking approval as I write this letter with more to come.

Our community here in Belforest deserves an option to choose something other than just a small lot development and to live in an area or neighborhood with more space.

August McWhirter

Sent from my iPhone

**D Hart**

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**From:** Naomi Donaldson <nadon621@aol.com>  
**Sent:** Wednesday, May 4, 2022 4:21 PM  
**To:** Planning  
**Subject:** Proposed rezoning and development

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Baldwin County Planning Commission  
22251 Palmer Street  
Robertsdale, AL 36567

RE: Case Z22 Proposed rezoning District 151

Thank you for your time and attention to this matter. We oppose rezoning of the Bertolla Properties, LLC which will directly affect properties in our subdivision, as well as on Rebel Road. We certainly recognize growth is inevitable but it should be a good thing when planned for responsibly.

We purchased in Waterford five years ago, under the assumption additional housing could be added but we felt secure in our decision because the original planning commission had made the designation of RSF-2. To rezone this property now to RSF-3 seems to directly contradict zoning considerations set out in the Baldwin County Master Plan.

If the records are correct and Mr. Bertolla purchased the property within the last year or so and if it is also true that he told several people in the surrounding area that he planned to farm the property, then it would seem a valid issue to raise the fact that he would have certainly known the zoning that was already in place.

There are numerous questions and concerns regarding the infrastructure and the heavily increased traffic flow already in this specific area and adding this many more homes would greatly exacerbate the problems we are already dealing with.

Thank you for allowing us to express our opposition and we sincerely ask that you not authorize the rezoning of this property.

Wayne and Naomi Donaldson  
10337 Burrough Ct  
Waterford Subdivision

**D Hart**

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**From:** Sandra Esposito <sespo515@gmail.com>  
**Sent:** Monday, May 2, 2022 4:30 PM  
**To:** Planning  
**Subject:** RE: Case # Z22-000009 Bertolla Properties LLC Property

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Mr. Matthew Brown, Director  
Baldwin County Planning & Zoning  
22251 Palmer Street  
Robertsdale, AL 36567

RE: Case # Z22-000009 Bertolla Properties LLC Property

Mr. Brown,

My name is Sandra Esposito-Richardson and I am a resident of the Waterford Community. Waterford is directly adjacent to the land, proposed for rezoning to RSF-3. I purchased my home 2 years ago. We specifically chose to purchase in this location, due to the surrounding land being zoned the same as our community. I am very aware of all of the new communities popping up all over Baldwin County. I am not opposed to new residential development. I do have serious concerns about the infrastructure of Baldwin County being seriously over burdened. I am concerned about my property value being greatly affected, if the property is rezoned to RSF-3. I would like to politely ask that the Commission reject the proposed rezoning.

Thank you for your attention to this matter

Sincerely,

Sandra Esposito-Richardson

**D Hart**

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**From:** Elizabeth Hayes <ejvhayes@gmail.com>  
**Sent:** Wednesday, May 4, 2022 2:52 PM  
**To:** Planning  
**Subject:** RE: Proposed Rezoning of 44.4+/- acres Z22- 9 BERTOLLA PROPERTIES, LLC PROPERTY

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Dear Baldwin County Planning and Zoning Commission Members,

First, I want to thank you all for serving our awesome county. I'm sure it's not always the easiest job so please know that I realize that and appreciate you all and your efforts planning for our county's continuous changes.

My name is Elizabeth Hayes, and I'm writing to you today as a concerned Belforest community resident. I've lived in this area my entire life (minus going to college and then 2 years in Huntsville) and my family (the Volovecky, Allegri and Berga families) all or most of theirs. We're living the growth in our lovely Belforest community real time and have been for decades now. We know growth is inevitable. That is not why I'm writing to you today.

I'm specifically writing to oppose the proposed rezoning of the Bertolla property referenced in the subject line from RSF-E & RSF-2 to RSF-3 to plan for a subdivision with 104 lots. RSF-3 means more lots in the same 44.4 +/- acreage. More lots means more people, traffic and congestion on already high-traffic Rebel Road and Austin Road. 104 new homes equates to 1-2 extra cars per home (minimum; could easily be 2-3) travelling those small roads everyday. An estimated 100-200 (maybe 300) extra vehicles daily funnelling out to Highway 181 from Rebel and Austin Roads to intersections that do not have turn lanes, merge lanes or traffic lights to safely assist with their travel, not to mention the ongoing construction with the widening of 181. I'm no city/county/state planning expert but this does not seem safe. Not to mention, it is not desirable by most Belforest residents to have subdivisions crammed in anywhere they may fit and our community seems like a prime target right now. I hate to pick this particular property to state my opposition but my opposition holds for this rezoning request and any future requests for RSF-1, 2 or 3. If there is going to be growth, please consider the current residents when you are making planning decisions. And consider the fact that there are already plenty of RSF-2 and 3 zoned neighborhoods with houses practically touching. It would be nice to offer people options for other types of housing with larger lots.

In addition to my full time career as a senior aerospace engineering missile defense contractor, I have served as President on the Belforest Volunteer Fire Department's (BVFD) Board of Directors since November 2019. This organization is a great collection of some of the best volunteers I've known and they have kept up with the growth in our area well with no plans of being unable to serve our Belforest community effectively. The Bertolla property being rezoned would immediately impact BVFD since this property is in our response jurisdiction. BVFD is not a paid fire department. In order to grow our current membership, we have to wait for the right volunteers to walk through our doors, be able to be properly trained and be available to leave their families and jobs to make those calls. We don't simply get to post a job requisition and hire the most qualified individual(s). That being said, this is an aspect to county planning that simply

cannot be overlooked. It is my duty to the Belforest residents and to the BVFD firefighters to make sure I'm communicating these facts to all the decision makers to help them make informed decisions. I'm stating all of this here to simply say that it would be nice to be contacted in advance when requests like these come through your office that would impact BVFD, or any other zoning request that would impact another Baldwin County fire department, as there are over 30 volunteer fire departments in our county. It would give us ample time to plan for growth we know is coming rather than react to growth that is already here. Regardless, BVFD will do what BVFD has been doing since 1979 and we will run those calls and will stay dedicated to serving our community.

As a Belforest resident and volunteer, I am concerned for our infrastructure. Not just our roads, but also our water and sewer system performance, as well as, fire and police response. These organizations are expected to keep up with the growth without much advanced warning, if any, and without ever being contacted or polled and asked "Can your current system/group support this growth and future growth if approved today?". I feel like this research is the main part of the job for a Baldwin County Planning and Zoning Commission Member. To ask the questions, get the answers and do due diligence in respecting those answers. I'm opposed to this rezoning request because it simply is not the time for it. So much else needs to be addressed with infrastructure first in our county before requests like this should pass. These requestors should have to wait, just like the current residents are having to wait on infrastructure to catch up. We are always going to be behind if we keep approving rezoning efforts for RSF-2 or 3 subdivisions before giving priority to upgrading basic infrastructure.

I will close by just asking that you deny this rezoning request based on the basic needs of our community. I live in Chamberlain Trace. My family is not directly impacted by this change if it gets approved other than more congestion at the Highway 181/64 intersection which is already at max. I just can't let another one of these requests go through without contributing to stating my and my neighbors' clear opposition to these rezoning efforts in our county.

Thank you very much for your time in considering my views. I'm available for any kind of discussion as I refuse to be someone who states problems but doesn't stick around to help to find solutions.

Respectfully,  
Elizabeth Volovecky Hayes  
Cell: 251-459-2082  
Email: [ejvhayes@gmail.com](mailto:ejvhayes@gmail.com)

For Belforest Volunteer Fire Department correspondence, please email me at [e.hayes@belforestfiredept.com](mailto:e.hayes@belforestfiredept.com) or call my cell.

**D Hart**

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**From:** jcuhaj@gmail.com  
**Sent:** Sunday, May 1, 2022 6:58 PM  
**To:** Planning  
**Subject:** Rebel Rd. Rezoning Case # Z22-000009

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To Whom It May Concern,

My wife and I – Maggie and Joe Cuhaj – would like to express our opposition to the proposed rezoning and development of the property along Rebel Road through to the Waterford sub-division, case # Z22-000009. Our three acre property at 10286 Rebel Rd. is bordered on two sides by the proposed sub-division and we have concerns about this rezoning request.

We have been residents of the Belforest community for the past 30 years. Rebel Road has been a quiet, family-oriented neighborhood. We have always known that at some point, the farm next door (the property in this request) would eventually go up for sale and a new subdivision would be built. However, the zoning request affects not only the properties on Rebel Rd. but also along Austin Rd. and the communities that have recently been built there.

Currently, the property along Rebel Rd. – including ours – is currently zoned as RSF-E. The developer is requesting a change to RSF-3 that would significantly change the square footage of the lots on the property in question to 10,000 SF. That is not consistent with our adjoining properties. This will greatly decrease the market value of our home and land.

This type of development is not sustainable for the community in many other ways. In terms of infrastructure, the first thing that comes to mind is traffic flow. The developer stated in their application that they did not anticipate any adverse changes in traffic. If you have not travelled Rebel Rd. lately, the traffic on this tiny road is already becoming unmanageable with just the current subdivisions in the area who use Rebel Rd. to access Hwy. 181. The number of houses planned for this new development, along with 1100+ other new houses being built in the area, will increase traffic exponentially.

And of course, storm water management, sewage, and water will all be greatly impacted by this rapid growth.

The Baldwin County Master Plan desires that there should be “continued economic growth but it must complement our environment, character, and history.” Sadly, this proposed zoning change would greatly impact the character, environment, and history of the area. Therefore, we request that the commission not authorize the rezoning to the RSF-3 designation on the property outlined in case # Z22-000009. Ideally, we would like to keep the zoning at RSF-E or even RSF-1 which would be more in line with the current community.

Respectfully yours,

Joe and Maggie Cuhaj  
10286 Rebel Rd., Daphne, AL 36526  
(251) 533-1812  
Email: [jcuhaj@gmail.com](mailto:jcuhaj@gmail.com)

**D Hart**

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**From:** Diane Fitzpatrick <dianef0126@gmail.com>  
**Sent:** Monday, May 2, 2022 10:48 PM  
**To:** Planning  
**Subject:** Request for rezoning Bertolla Properties...z22-9

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I am asking that this rezoning request be denied. The area surrounding this has seen many zoning changes recently adding to runaway growth. Certainly, I understand that development is going to happen and growth is inevitable. But, please consider that previous zoning is in place for a reason. The surrounding established area is zoned RSF-2 and RSF-E and this adjacency should be kept as is to assist in maintaining property/home values. Please deny this request to rezone the area to RSF-3. It is in the best interest of all residents in Belforest area.  
Thank you for consideration.

D Hart

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**From:** Natalie Weaver <gnatxoxo@gmail.com>  
**Sent:** Wednesday, May 4, 2022 4:35 PM  
**To:** Planning  
**Subject:** Rezoning #Z22-000009 Bertolla

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To whom it may concern,

As a Baldwin County resident, I was born and raised in Belforest. My grandparents bought several acres of land and split it between their children. When I was about 5 years old our home sat 2 houses down from Co Rd 64 and Co Rd 27 when it was a 4 way stop. When, I got a little older the growth in the Daphne area had come down to the point that they had to put a light in at this intersection. My grandparents sold their land not long before passing, my uncles all did the same. My mom, she stayed, not because she wanted to, but because the offers being made on her property were laughable to say the least. The issue was not that she wanted to move away from where she raised her family. The issue was the extreme growth made getting in her driveway EXTREMELY dangerous! Almost 2 years ago, the right offer finally came. However, we made friends "like family" with the remaining people on this part of 181. The extreme growth has caused the SAME dangerous situations getting in and out of the driveways on Rebel. Trust me, I work for a local developer. I understand what the money in rezoning to put a subdivision in will do. I get it. I may not live in Belforest anymore but I drive through it EVERYDAY for work. The traffic is INSANE and you want to add more cars/people to it?? Please have mercy on your communities!! The elderly people still on 181 and Rebel do NOT have the means to just pick up and move away! This isn't fair to anyone that lives in the area! Please reconsider this zoning!!

Thank you!

Natalie Horton

**D Hart**

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**From:** Neal Arnold <neal@benradcliff.com>  
**Sent:** Wednesday, May 4, 2022 8:54 AM  
**To:** Planning  
**Cc:** Jennifer Arnold  
**Subject:** Re-Zoning of property on Rebel Road

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Good morning,

I live on Rebel road and part of the reason I moved here was the beauty of the area and the land around me. It was zoned "Estate" and, therefore, would guarantee to be similar to my house and no neighborhood could be put in congesting the small road. Over the years as more and more neighborhoods have been built south and east of us, the road has become a primary cut-through by all of those neighborhoods. I have 4 children and some kids have to walk down the road to the bus stop. This is a safety concern for me now as there are no sidewalks and the R.O.W. isn't large enough to install the walks needed. Adding an additional 170+ houses to this road would cause grave danger to the kids and people who use the road.

In considering the rezoning, I would like to ask how changing the already in-place zoning would add to the beauty and safety of the area. It is already zoned for someone to build houses on the property, and I'm sure when the zoning was put on the property, the size and location of the road as well as the safety of the residents was first and foremost on the minds of the district zoning commission. I don't understand how changing this would add to and not detract from the area.

Thank you for your time,  
Neal and Jennifer Arnold  
10300 Rebel Road

D Hart

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**From:** Jacqueline Barfield <jackieb410@bellsouth.net>  
**Sent:** Tuesday, May 3, 2022 10:42 AM  
**To:** Planning  
**Subject:** Rezoning on Rebel Road

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Dear planning commission,

I've been following the recent increase in residential developments and have witness first hand the impact it's having on Belforest area. Here are some of the major issues that are of great concern to me and my neighbors.

Traffic off of 181 and Austin Road at 7:30am and again at 5pm becomes so congested that people start pulling out in front of oncoming traffic which poses a threat to life. Why do they take these risks? Because they've been sitting at the cross street for over 5 minutes. I'm not sure if this seems to be a legal requirement that the traffic division needs to address but certainly you are aware that this problem will only increase with continued growth of residential neighborhoods. There are other roads out of this area. 64 and Austin road is one. This intersection has accidents regularly. Rebel Road is also a way out of the area. It is a residential street with a speed limit of 25 mph. Most cars traveling this road go over 35mph. This can be a concern to residents with kids and pets. With the new zoning and increase in traffic I can only imagine the dangers this would impose.

Another concern I have about approving this rezoning is that the groundwater will be used up faster than it can be restored by rain and other natural ways. In my neighborhood a sinkhole recently formed. As Jubilee Farms continues to develop the houses (nearing over 900 homes in a densely populated area) the full impact is beginning to be seen in surrounding neighborhoods. Natural reserves are not able to flow how they used to. Beavers are making dams further up the creek. This may be contributing to the sinkhole in my neighborhood. I'm not an environmental engineer but I would ask the planning commission to have a study done on the stability of the land before approving the rezoning.

Another concern of mine is population growing faster than the schools can handle. We were blessed to get Belforest Elementary built and allow children that were going to Daphne East to now attend this new school. Education should be a priority. If classrooms are so overcrowded that the learning environment suffers that makes those childrens future less prosperous. Teachers will be forced to keep the peace rather than teach. We've seen this happen in big cities over and over. I pray that this does not happen in Baldwin County. I believe there should be a plan to include more classrooms, more teachers, more buses before more homes are built.

I want to thank you for your time and dedication to this matter. Growth is a good thing when planned for responsibly. I know your job has not been easy with all the new projects being proposed. I do have faith that together we can come up with a plan to make sure each resident in Belforest is looked after and cared for.

Sincerely,

Jacqueline Parks  
11750 Halcyon Loop  
Daphne, AL 36526  
251-454-9545

Sent from my iPhone

D Hart

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**From:** Kelly Ross <smiley2284@yahoo.com>  
**Sent:** Wednesday, May 4, 2022 2:45 PM  
**To:** Planning  
**Subject:** Rezoning, Case # Z22-000009

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May 4, 2022

Baldwin County Planning & Zoning Commission Members,

My name is Kelly Ross, and I am a resident of Waterford Subdivision located in the Belforest community. I am writing to express my opposition to the rezoning and development of the proposed property at Rebel Road and Waterford subdivision, Case #Z22-000009.

My family and I have lived at our home in Waterford for over 7 years. Our once small and quiet community has seen significant and rapid growth over the past several years. With this growth our community continues to face traffic congestion/safety issues, general infrastructure concerns and overcrowding of schools among other problems. In addition, the rezoning of the proposed property will negatively impact the property values and character of adjacent homes.

I would personally love nothing more than to see our beautiful remaining farmland stay just that. I am requesting the commission to reject the proposed rezoning and development of the above mentioned property. Thank you for your time.

Respectfully,

Kelly Ross

850-803-0357

Smiley2284@yahoo.com

D Hart

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**From:** Daryl Cleworth <251daryl@gmail.com>  
**Sent:** Wednesday, May 4, 2022 11:35 AM  
**To:** Planning  
**Subject:** Zoning permit #Z22-000009 Bertolla

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Baldwin County Zoning Commission members,

My name is Daryl Cleworth resident at 25575 Austin Rd, Daphne, AL 36526.  
I am writing to express my concerns with the above mentioned zoning change request.

I will be very direct and to the point. We purchased this home/property to live in an area that had space for my Children and Family to enjoy a specific style or quality of life. The then and current zoning of RSF-E that was and is surrounding our property and others was the main consideration in the purchase for that lifestyle. The "placeholder" status of the one parcel currently zoned RSF-2 should not exist and was an oversight of the commission at that time in my opinion.

Real estate is location, location, location (as they say).  
This Belforest Estate zoned area (RSF-E) checks all of the boxes.

- Location - close to everything (schools, shopping, travel)
- Location - friends, family, neighbors
- Location - estate property with SPACE to breathe between Homes

If we were seeking for our Children to be in an RSF 1, 2 or 3 zoned neighborhood we would have purchased there.

**We are requesting that you deny/reject the request of zoning to be changed to anything less than RSF-E.**

With the current growth in the Belforest area and the strain on our schools, traffic and general infrastructure (sewer, water, fire, etc.) it makes sense to start taking into consideration the long-term effects the rapid growth is having on our community. There are currently 1100+ homes on 400+ acres approved and under construction in the Belforest community with RSF-2 or 3 zoning. There are requests and plans (not including this one) to build on 4-600 acres and 6-900 homes that are underway or seeking approval as I write this letter with more to come.

Our community here in Belforest deserves an option to choose something other than just a small lot development and to live in an area or neighborhood with more space.

His & Yours,  
Daryl Cleworth  
251.979.7121

**D Hart**

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**From:** Susan Dean <grinchdean@yahoo.com>  
**Sent:** Monday, May 2, 2022 10:19 AM  
**To:** Planning  
**Subject:** ZONING

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NO R 3 !!  
Our beautiful Belforest community is forever changed!  
ENOUGH!  
We didn't sign up to live in a Cracker Jack community!

Sent from my iPhone

May 3, 2022

To Whom It May Concern:

My name is David Winck. My family and I have been residents at 24665 Planters Dr. in the Waterford neighborhood for 10 years. I would like to voice my concerns about rezoning the Z22-9 Bertolla property from SF-E and SF-2 to SF-3.

The requested zoning change is not consistent with the adjacent properties. SF-3 size lots will be dramatically different from the currently zoned SF-E lots on Rebel Road. SF-3 lots will not match the Waterford subdivision or other subdivisions on Austin Road zoned SF-2.

I do not agree with the staff finding of increasing commercial use at SR 181 and County Rd 64. As stated by the staff this not developed and not being utilized in a commercial manner. Therefore, using higher density residential zoning as a transition commercial zoning to lower density residential zoning is not needed.

The proposed change will negatively affect traffic patterns. Rebel road is currently classified as a local road. Creating an entrance/exit for this subdivision will encourage through traffic on Rebel Rd as people bypass SR 181 and CR 64 while going to other neighborhoods in the area. This is also a concern of mine as a Waterford resident. I believe people will "cut through" Waterford to enter the new subdivision.

The Daphne school system is already stressed. The newly built Belforest Elementary School is nearly full. Despite recently adding many new classrooms, Daphne Middle School has an average class size of 35 students. The high school is in a similar situation. Adding a densely zoned subdivision will only add to the issue.

Based on these facts the rezoning request should be denied.

Thank you,



David Winck

## D Hart

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**From:** william rando <urwilliam@yahoo.com>  
**Sent:** Tuesday, May 3, 2022 2:54 PM  
**To:** Planning  
**Subject:** Zone changes

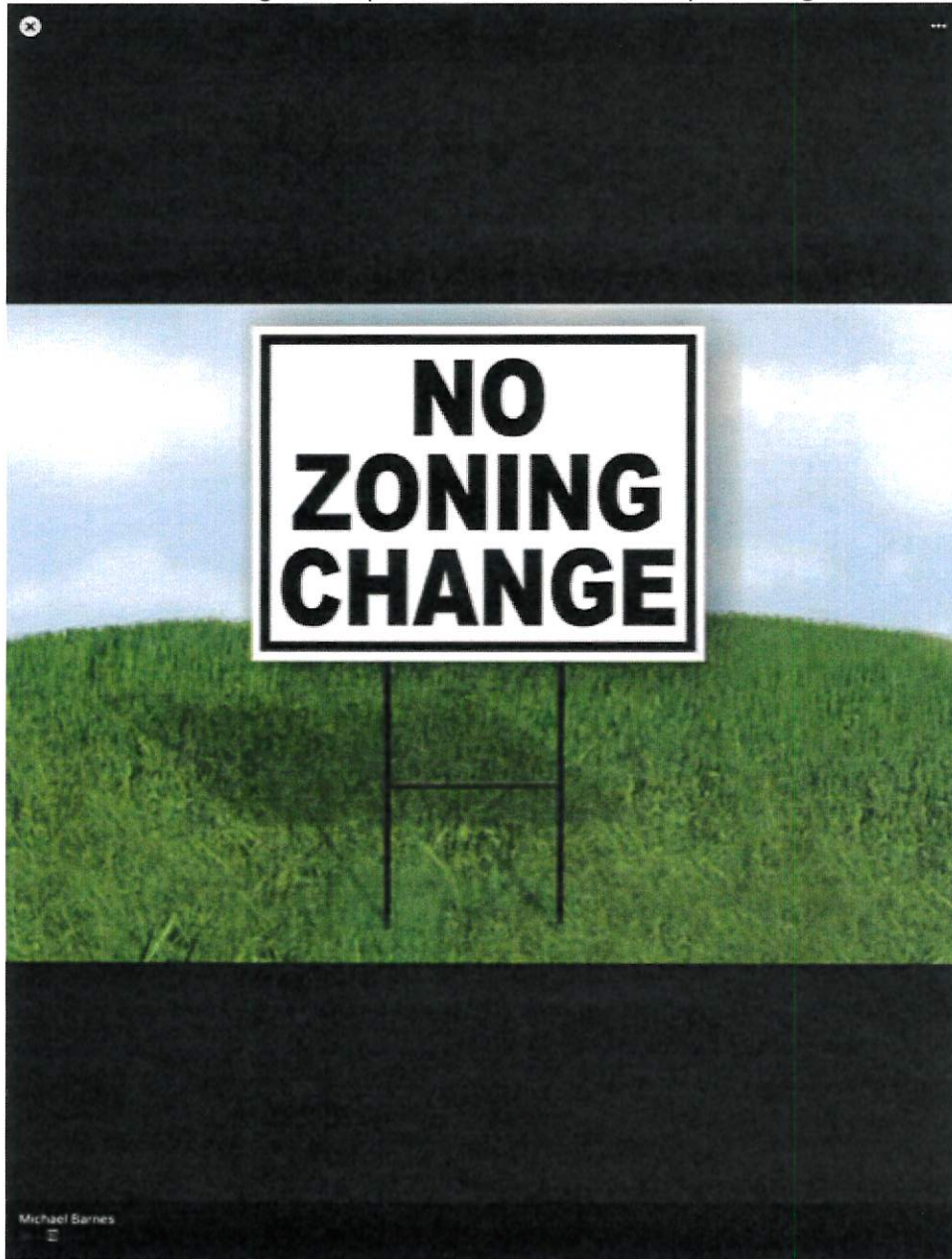
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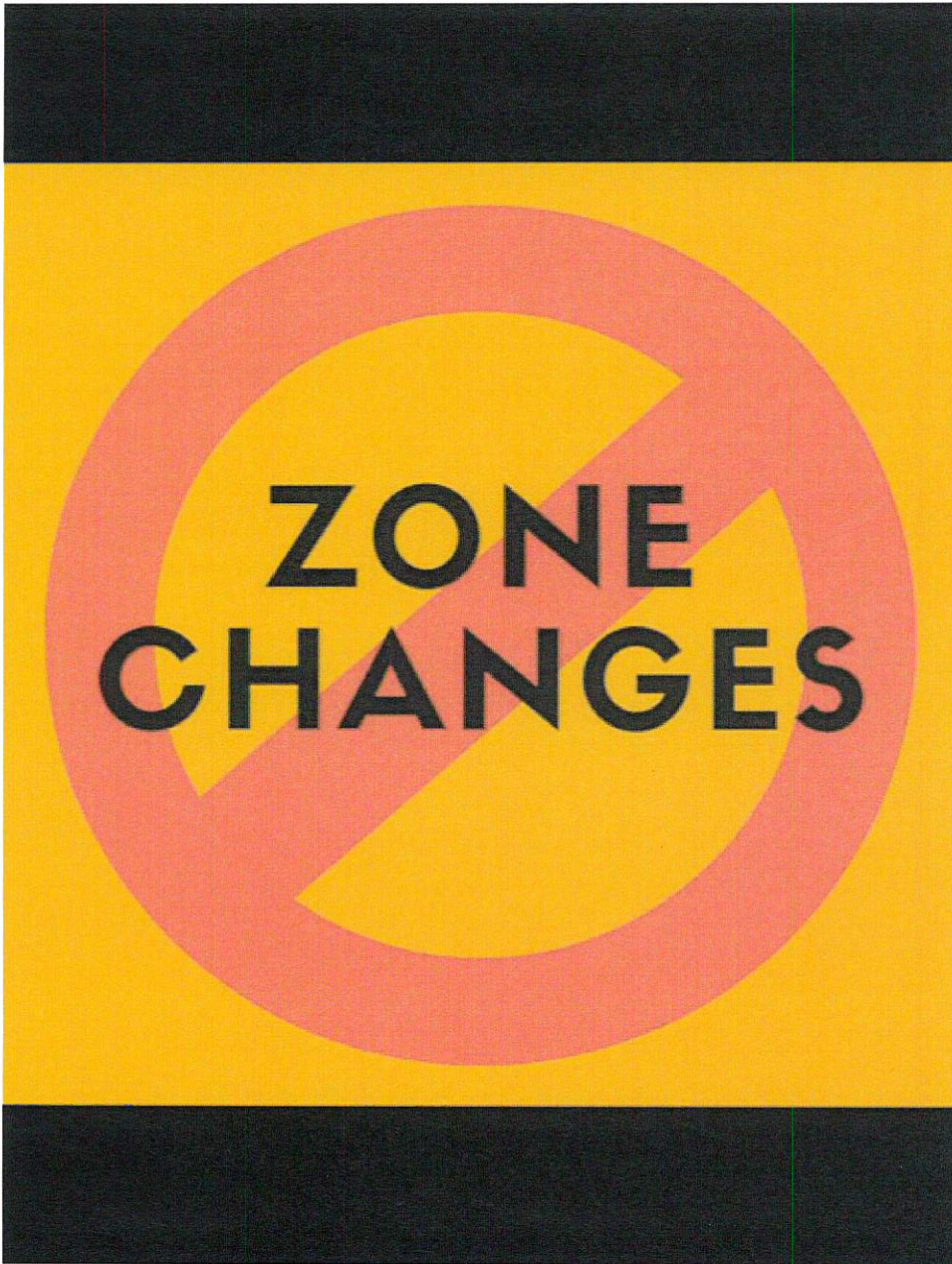
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> ATT: Matt Brown  
> Zone changes .  
> You should not change zones for expanding housing in a rural area. Only supports land owners and developers !  
> Zones are for the make up and character of a neighborhood  
> It should be uniformed to the existing land. Example houses are on 3 acre lots it should stay that way exactly . For ever in this area. This is not the city but will be if you continue to do these changes .ITS WRONG.  
> So where some on slips in a development every land owner wants the same. This is what zoning is suppose to prevent.  
> Obviously the people who spent a life time working and invested to live in the country their dreams and investment are no longer an consideration. Shame on all those who forget we exist.  
> We all know the traffics is in mayhem in Baldwin County. Their may never be enough money to correct this problem properly. Over crowding in the country is here right now and still changing zoning and continue over crowding is being considered and just for land owners and developers pockets. We pay the price in so many ways.  
> Emergency services and volunteers fire department is overwhelmed.  
> You say others will come to our rescue if our department is busy. No always true.  
> Do you have forgotten about the pollution or did you? The recycling ?  
> LANDFILLS?  
> Do you know all the cars you're adding to our environment. Do you know how much pollution you get from every drop of oil , fluid , antifreeze for our streets and go down to our sewer services. WATER and is absorbed in our soil?  
> I would like to speak for the children that you are polluting their air the ground they play in . The air they breath . No one considers this. It's never brought up.. Do we not have enough pollution that we have to add to it. Baldwin county is terrible on the environment. We don't even recycle properly if we recycle at all. Put our recycling in landfills for the last year and a half. And you may still be doing it. What about this.  
> Let me also speak for the animals in the wildlife . Do you not think they're not important.  
> Do you have any idea what happens when we lose them.  
> I don't have a problem with anybody Selling their land. I do have a problem when you guys change the zones and therefore become a city.  
> That enhances all the problems I just spoke about.  
> And it also brings crime. Rural areas should stay rural.  
> Those in charge need to keep it that way. If there are problems to keep rural areas rural you should be speaking to all those in power to help fix the problem. We are willing to help achieve this goal.  
> Just let us know what we need to do. The meantime remembering this will be appreciated.

> Thank you William Randolph and Family

> P.s. I do believe the sign went up On 4-28 . I was under the impression signs had to be up 3 weeks prior to hearing?





>

>

> 🙏 have a blessed day 🐦

🙏 have a blessed day 🐦

May 2, 2022

Baldwin County Zoning and Planning  
22251 Palmer Street  
Robertsdale, Alabama 36567

Re: Case # Z-22-000009

Dear Zoning and Planning Members,

This letter is a written objection, to the proposal to change the existing zoning of the referenced property in Case # Z-22-000009.

I am a property owner and a resident on Rebel Road. I, like all of the others that live in his area, have spent our money on this property and have built homes with the intention of living here with the spacious living conditions that the RSF-E zoning provides.

Then along comes a developer from Dallas or Atlanta or somewhere else that wants to change the zoning to much smaller lots sizes and more crowded living conditions. Why do they want to do this? So they can take a pocket full of money home and leave use to make do with mess that they created.

I am pleading with you to take the side with the local residents and not with the out of town developers. If they want to sell lots and homes, let them build them on the requirements that RSF-E provides.

Please don't allow the change in zoning around our homes.

Wayne Sanders  
10175 Rebel Road  
Daphne, Alabama 36526

May 5, 2022

Baldwin County Planning and Zoning Department  
22251 Palmer Street  
Robertsdale, AL 36567  
Re: **Case No. Z22-000009**

Planning Commission,

I, Barbara Sanders, as a resident of Rebel Road Daphne, Alabama, am writing to express my opposition to the proposed rezoning of the property on Rebel Road.

I am against the proposed rezoning from RSF-Estate District to RSF-3 for the following reasons:

- The RSF-3 Single Family District designation is not consistent with properties in the Rebel Road area. Per the Baldwin County Zoning Ordinances a RSF-3 designation would allow lot sizes to have a minimum area of 10,000 square feet. Currently the average residential lot size that utilizes a Rebel Road address is about 96,900 square feet. Of those 18 residential properties, 12 properties are greater than 60,000 square feet with 8 of those being well over 100,000 square feet.
- The proposed plan currently includes up to 104 households which is greater than the 2.9 houses per acre as stated in Chapter 3 of the Baldwin County Master Plan.
- Through the past several years, Rebel Road has experienced a significant increase in traffic. This increase is mainly due to residential development that continues in the Belforest area east and south of Rebel Road. Many local residents use Rebel Road as a route to and from Highway 181. These residents utilize Rebel Road as a bypass to avoid intersections along Highway 64. As traffic has increased, the safety of Rebel Road has deteriorated. The proposed plan would add 100+ additional households traveling Rebel Road on a daily basis.
- During significant rain events, there has been an increase in flooding in our area. We are concerned that if the proposed construction on Rebel Road takes place, long standing residents could face flooding issues due to changes in the stormwater runoff.
- If the property was to be rezoned RSF-3, the developer can change the original concept to include manufactured homes and mobile homes and still stay within the RSF-3 designation. This type of change would decrease the value of the homes along Rebel Road.

In conclusion, I ask that the commission deny the rezoning and maintain the RSF-Estate zoning.

Thank you for your time and consideration.

Respectfully,

Barbara Sanders

### LETTER OF OPPOSITION

to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # Z22-000009)

To Whom It May Concern:

I am August McWhirter, a resident living at 10309 Rebel Rd. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states *"We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture."* It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, *"zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."*

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states *"Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?"* The applicant feels that the zoning designations were merely

placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name: \_\_\_\_\_

Number: \_\_\_\_\_

Email: \_\_\_\_\_

May 5, 2022

Mr. Matthew Brown, Director

Baldwin County Planning & Zoning

22251 Palmer Street

Robertsdale, AL 36567 (Delivered via Email)

RE: Case # Z22-000009 Bertolla Properties LLC Property

Mr. Brown,

My name is Kevin Strickland and I am a resident of the Waterford subdivision in Daphne, Alabama. Alabama. My property is immediately adjacent to the proposed rezoning at the very northern parcel of Waterford Subdivision, and will be directly affected by the Planning & Zoning Commission's decision.

When I built this house in 2013, I was assured that the parcel of land where the entire Jubilee subdivision now lies was "under 100-year lease and would never be developed." That was a lie. I was assured that Waterford would remain a closed subdivision, thus ensuring relatively stable property values and an enhanced sense of safety for me, my family and my neighbors. That now appears to be yet another lie.

Over the past ten years I've watched as this entire area has been developed to the point that it cannot be sustained. Water, sewer, traffic, schools... everything that makes this area viable and attractive to residents is already stretched beyond capacity.

Your job personally and the job of this commission is to ensure the safety, comfort, stability and value of the land and property owned by current residents. Instead, this entire board appears to be driven by developer interests and unrestrained greed.

In that respect you and this board have failed spectacularly. The Jubilee subdivision has already placed an undue burden on the infrastructure and the residents of this subdivision.

I am ADAMANTLY opposed to this new subdivision in general principle. Every reason I chose to move to this area will be eradicated when this unnecessary money-grab is built.

Since it appears that there is no stopping this out-of-control cash train and that this area will be absurdly developed – adding unbearable stress to an already overburdened infrastructure, the least your board can do is deny the application to rezone the entire development to RS-3.

While rejecting the application to rezone won't completely negate the massive negative impact, it could potentially lessen the death blow to the property values here. Our investment could further be protected by refusing to allow access to this massive annoyance via our neighborhood.

Other residents of this area have been more polite and more detailed. I will be blunt. If this application passes and if the traffic to this abomination is routed through our neighborhood, I will do my best to see that this is the last term any of you serve on this board.

I moved to Daphne 14 years ago, but the charming and beautiful town I chose for my home no longer exists. It has instead been swallowed up by out-of-control development, an absolute lack of concern for the residents, unchecked greed, and shockingly poor planning.

It is a situation that cannot continue. You, and this board have an opportunity to take some small steps to mitigate the ongoing development disaster the residents of this area have already endured.

Your time and attention to this matter is very much appreciated.

Sincerely,

A handwritten signature in black ink, appearing to be 'K Strickland', with a long horizontal flourish extending to the right.

Kevin Strickland

April 29, 2022

Mr. Matthew Brown, Director  
Baldwin County Planning & Zoning  
22251 Palmer Street  
Robertsdale, AL 36567 (delivered via email)

Re: Case #Z22-000009 Bertolla Properties LLC Property

Mr. Brown,

My name is Wanda Taylor, my husband and I live on Rebel Road, across from the proposed rezoning and will directly affected by the Planning & Zoning Commission's decision.

We have lived her for over 30 years and have seen the insane rapid residential growth in Baldwin County which has stressed all of our infrastructures – water, sanitary sewer, drainage,, roadways, schools, everything. They are just barely able to provide minimum levels of service to the existing residents in addition to the known upcoming developments.

I am requesting that the Planning & Zoning Commission scrutinize all proposed rezonings, particularly this one! The parcels included are currently zoned RSF-2 and RSF-E (residential) and the request is to rezone the entire 54+ acres to RSF-3. This would created a higher density of residential homes. Allowing rezonings at this higher density would be a gross misuse of the Commission's power. Residential rezonings should be considered to an equal or lower density. This proposed rezoning must be rejected.

I disagree with the applicants answers on the application stating that the RSF-3 rezoning would be the best transition between the RSF-2 rezoning of Waterford Subdivision and the business zonings west of Highway 181. The entire area surrounding this development is comprised of RSF-E and RSF-2 neighborhoods with the exception of the three business parcels along Highway 181. The conceptual plan in the application shows no direct connection to Highway 181, which negates the argument that the development would be a transition between business and residential zonings.

As a resident on Rebel Road I don't oppose residential development – it is currently zoned for residential use anyway – the applicant can develop the parcels with the zonings as –is, which ensures consistency with the adjacent properties. If the commission feels rezoning is warranted, I request that they require it be consistent with the adjacent properties. The only rezoning that meets this criterion would be the most restrictive zoning within the parcels included and the adjacent neighbors – RSF-E.

I respectfully request that the Commission reject the proposed rezoning. The properties are already zoned for residential development. The owner can move forward with a residential development. The rejection would ensure the adjacent residents' safety, health and welfare by guaranteeing no additional stress on the infrastructure and no change to the character and use of the adjacent properties. All of the properties on Rebel Road are one acre or more parcels – RSF-3 would not be consistent with our neighborhood and I feel it would destroy the culture and character of our neighborhood, And I'm not even addressing the increased traffic, which is already a major problem on Rebel Road.

Thank you for your time and attention to this matter.

Sincerely,

Wanda S. Taylor (Mrs. William P.)  
10295 Rebel Road  
Daphne, AL 36526  
251-533-1545

## LETTER OF OPPOSITION

to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # 222-000009)

To Whom It May Concern:

I am Kristen Ware, a resident living at 24629 Planters Drive.

My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states "We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture." It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, "zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states "Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?" The applicant feels that the zoning designations were merely

placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

In summary, my opposition is based on these potential/probable negative effects:

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name:

Kristen Ware

Number:

24629 Planters Drive, 260-479-7754

Email:

KAWAREPT@gmail.com

Mr. Matthew Brown, Director  
Baldwin County Planning & Zoning  
22251 Palmer Street, Robertsdale, AL 36567

Regarding Case #Z22-000009 Bertolla Properties LLC

Dear Mr. Brown,

Our names are Matthew and Jill Yawn, residents at 10380 Rebel Road. Matthew is a commercial property and casualty insurance underwriter. Jill is a dedicated volunteer at Belforest Elementary School, subbing occasionally in the office.

When we moved to Daphne 10 years ago to raise our family, the main draw for us was the small-town feel and highly rated school system. Inevitably we have seen much growth in these past 10 years, and our children's class sizes have swelled 35%+. As involved parents in their school, we have seen the dire need for teachers and substitutes alike. There simply are not enough educators in our area to adequately teach our children, as the growth in Daphne has not allowed for the school system to catch up. Belforest Elementary School was built to accommodate a number of students that will soon be in excess. Classrooms are already being split as teachers are out and no substitutes can be found to shoulder the load. Zero learning is done on these days, and the school becomes merely childcare.

We understand the area will continue to grow and provide homes for families who want to move here, as we did. However, the Bertolla property applicant claims that rezoning the land currently zoned RSF-E and RSF2, to RSF3 would be "similar". Similar means alike, almost identical, much the same. Frankly, the applicant's response to this question is absurd. Rezoning of the Bertolla property would be doing our children and our futures a disservice, putting even more stress on an already bulging school district, in the name of greed and higher profits.

RSF-E lots like ours and the rest of Rebel Rd are a treasure that the entire community enjoys keeping as they were intended, with the "country" feel, even though the city has grown up around us. "Residential Single Family **Estate** District" should be upheld to the highest residential standard, as true Estate-sized lots, as they were intended. Changing this would have a negative effect on our property value and the neighborhood landscape. Our 1919 farmhouse has been here for 103 years. We have a responsibility to keep these magnificent historical gems as they were intended. To squeeze as many houses as possible into the land next to us, due to nothing more than the greed of developers, is not acceptable and would ruin the character of our precious area. Respectfully, it is your commission to ensure this degradation of the surrounding landscape is not permitted.

This Estate zoning is in place for a reason, not merely a "place-holder" as the applicant claims. Take one drive down Rebel Rd and you will understand why. The applicant also claims that adverse traffic patterns and congestion is "not anticipated". This is a fallacy. Residents of Rebel Rd are already dealing with the incredible increase in traffic caused by the Jubilee Farms subdivision, and other communities cutting through Rebel Rd to Hwy 181. The congestion and UNSAFE conditions this has caused has already limited our children's ability to ride their bikes or walk down the road safely. Vehicles speed

down Rebel Rd in excess of 30 MPH OVER the speed limit daily, and we have data to show if needed. The applicant is clearly making statements either known to be untrue, or convenient ignorance in order to make a desired profit.

104 new homes as proposed would generate an additional 250+ vehicles on our road daily. Rebel Rd was a dirt road not long ago. Now it seems to be a speedway. More vehicles means more congestion, less safety, and degradation of the community character.

Due to the reasons given, we respectfully submit our opposition for the rezoning of the subject property, and if this is ever submitted again in the future we hope the applicant will complete some level of due-diligence on the issues raised in the application process, rather than false answers in order to obtain their intended goals, which only hurt the community.

Thank you very much for your time and consideration,

A handwritten signature in black ink, appearing to read "Matt. Yawn", with a large, stylized loop at the end.

Matthew & Jill Yawn

561-716-3686

Matt.Yawn@yahoo.com

**Stephen K. George**  
**24991 Planters Drive**  
**Daphne, Alabama 36526**

To: Baldwin County Planning Commission

Re: Opposition to Preposed Rezoning of Property Described in Case #Z22-000009  
Bertolla Properties, LLC

Dear Planning Commission Member,

As a Belforest community resident, living at 24991 Planters Drive, my subdivision, Waterford, adjoins the above referenced property proposed for rezoning immediately to the south. In review of the information provided on the Planning Commission website, I wish to formally oppose the rezoning of the property. The developer designates in the application that the property is currently zoned RSF-2. However, that statement is not correct. Much of the proposed rezoned property (North Section above the wetlands area) is in fact currently designated as RSF-E. The South Section of the property is indeed currently zoned RSF-2. While the properties currently zoned RSF-E have 80,000sf minimum lot sizes and properties currently zoned RSF-2 have 15,000sf minimum lot sizes, the developer has requested rezoning to RSF-3, which requires only a minimum of 10,000sf lot sizes. In addition to the adverse effects to traffic congestion, storm water runoff difficulties, current residents' property values, etc. this rezoning would create due to effectively increasing the potential total number of home sites in the North Section of the property to 800% of current plan, and increasing the potential number of home sites in the South Section to 150% of current plan, I feel this potential rezoning directly goes against the Master Plan as set forth by the Baldwin County Planning Commission. Section 45-2-261.06 of the Master Plan states **"zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."** Introduction of RSF-3 home sites into an area surrounded by, and currently zoned for RSF-E and RSF-2 sites, is far from creating a "harmonious development". Additionally, increased construction in the area in recent years has already negatively impacted flood dangers. In fact, the proposed rezoned area has a main runoff route cutting through the North and South Sections. I feel the development of more than the currently zoned home sites would only increase

the flooding dangers to current residents. Also, it is my understanding that there is currently over 1,100 approved home sites currently awaiting construction within a 2-mile radius of the proposed rezoned property. I feel this negates a need to allow variance from RSF-E and RSF-2 to RSF-3 to create more home sites, and rezoning the proposed property would definitely not equate to a "convenient distribution of population".

Overall, while I feel any increased development in the Belforest area would negatively impact current home values, traffic flow/safety, green space, stormwater control, community character and school class sizes, I also understand the property owner has rights as well. If the developer wishes to proceed with development of the land under current zoning conditions, I have no true contentions to oppose that. However, I feel allowing variance of the current zoning from RSF-E and RSF-2 to RSF-3, to allow even more home sites, would be misguided in the spirit of the established Master Plan for the area. Thus, I wish to request the commission not authorize the rezoning of the proposed property as presented in case Z22-000009.

Thank you for your time and consideration of this Letter of Opposition. If you have any questions or comments, I can be reached at [stephengeorge1704@yahoo.com](mailto:stephengeorge1704@yahoo.com). Have a good day.

Sincerely,

*Stephen K. George*

## LETTER OF OPPOSITION

**to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # Z22-000009)**

To Whom It May Concern:

I am Frederick Machholz, a resident living at 10135 Rebel Rd.. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states *"We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture."* It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, *"zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."*

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states *"Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?"* The applicant feels that the zoning designations were merely

placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name: Frederick Machholz  
Number: 251-281-7467  
Email: fredmachholz@gmail.com

April 19, 2022

Mr. Matthew Brown, Director  
Baldwin County Planning & Zoning  
22251 Palmer Street  
Robertsdale, AL 36567 (Delivered via Email)

RE: Case # Z22-000009 Bertolla Properties LLC Property

Mr. Brown,

My name is Denise King and I am a licensed Professional Civil Engineer in the State of Alabama. My focus is in infrastructure and specifically, I have more than a decade of experience working with municipal and utility infrastructure in Baldwin County alone. I also live immediately adjacent to the proposed rezoning at the very northern parcel of Waterford Subdivision, and will be directly affected by the Planning & Zoning Commission's decision.

Over the past decade, the rapid residential growth in Baldwin County has stressed all of the infrastructure. Belforest Water System, the water system serving the parcels proposed for rezoning, is currently undergoing capacity improvements to address the needed infrastructure to accommodate known upcoming developments. The Town of Loxley, City of Daphne/Daphne Utilities, City of Fairhope, etc. are all in the same position and grappling to secure funding for improvements while keeping customer rates low, determine necessary improvements based on historical and projected future growth, and implement these improvements in time to meet the new demands. This challenge is spread across all of our infrastructure – water, sanitary sewer, drainage, roadways, schools, everything. Struggling to keep up with the rapid growth and continue to provide the minimum level of service to existing residents has become the new normal.

I say all of this to highlight the request for the Planning & Zoning Commission to scrutinize all proposed rezonings in this light. In this particular case, the parcels included in the rezoning are currently zoned RSF-2 and RSF-E (residential zonings), and the request is to rezone the entire 54+ acres to RSF-3. The conceptual plan submitted by the Applicant shows a proposed subdivision based on RSF-3 rezoning, which would create a higher density of residential homes. Allowing rezonings at a higher residential density than its current zoning, in today's rapid growth climate, would be a gross misuse of the Commission's power. In my opinion, it is the obligation of the

Commission to encourage sustainable, responsible growth within the County. The only way to do that is to require residential rezonings be considered to an equal or lower density. The Applicant's request for the rezoning of these five (5) parcels is going in the completely wrong direction, and must be rejected.

In addition, the Applicant argues that the RSF-3 rezoning would be the best transition between the RSF-2 zoning of Waterford Subdivision and the business zonings west of Highway 181. The entire quadrant surrounding this development is comprised of RSF-E (not even mentioned in the application) and RSF-2 neighborhoods, with the exception of three business parcels along Highway 181. However, the conceptual plan in the application shows no direct connectivity to Highway 181, which negates the argument that the development would be a transition between business and residential zonings.

As a resident of Waterford Subdivision, I am not opposed to the proposed residential development. The parcels are all currently zoned for residential use anyway. The owner can develop the parcels with the zonings as-is, which ensures consistency with the adjacent neighborhoods. If the Commission feels a rezoning is appropriate, I ask that they require any rezoning be consistent with the adjacent neighborhoods, especially those that are proposed to be directly connected to the development. The only appropriate rezoning that meets this criterion would be the most restrictive zoning within the parcels included and the adjacent affected neighborhoods (RSF-E).

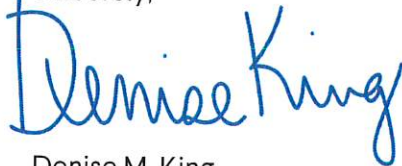
I politely request that the Commission reject the proposed rezoning. The properties are already zoned for residential development, so a rejection of the rezoning does not hinder the owner from moving forward with a residential development in any way. What the rejection accomplishes is ensuring the adjacent residents' safety, health and welfare by guaranteeing no additional stress on the area's infrastructure and no detrimental change to the character and use of the adjacent properties.

Last, while I understand that access is not part of the rezoning request and is handled during the subdivision review, I feel it is appropriate to discuss given the application submitted by the owner. The conceptual plan submitted shows access via Rebel Road (adjacent properties zoned RSF-E) and Waterford Subdivision (RSF-2) to Austin Road with through connection across Picard Branch. As a resident of Waterford Subdivision, which has been a closed subdivision since the final plat in 2006, there is an overwhelming sentiment from residents that the thoroughfare, if allowed as shown, would completely destroy the culture and character of our neighborhood, create a safety issue due to increased traffic, and jeopardize our welfare by decreasing the value of our properties as the smaller lots would be directly connected to our development. The mission of the Planning & Zoning Commission is to ensure the safety, health, and welfare of the existing

County citizens. Allowing the rezoning would create a higher density development connected to two residential developments/streets, both of which are lower densities than the requested rezoning. There is no reasonable argument that can be made that the approval of the requested rezoning, connected to the two residential neighborhoods of lower densities, would not be detrimental to the health, safety and welfare of the existing County citizens residing in the Waterford Subdivision and along Rebel Road. However, my point in bringing this to the Commission's attention now is that I would personally view the rezoning request differently if the proposed higher density development were connected directly to Highway 181 via the highway frontage parcel included in the rezoning request and not via the two residential neighborhoods of lower density.

Your time and attention to this matter is very much appreciated. If you have any questions or comments, please feel free to reach me at 251-776-0358.

Sincerely,

A handwritten signature in blue ink that reads "Denise King". The signature is written in a cursive, flowing style. The first name "Denise" is written in a larger, more prominent script, and the last name "King" follows it in a similar but slightly smaller script. The ink is a vibrant blue.

Denise M. King

## Opposition Letter for Re-Zoning request from Bertolla Properties, LLC case # Z22-9

I am Chris Stewart, a resident of the Belforest Community, living in Waterford Subdivision, 10401 Goodrich Way. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Waterford Subdivision and Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property between Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

Rezoning is not consistent with the vision set forth by the District 15 Advisory Committee. Zoning is in place so that members of the community can have some expectation of what might come in the future. The parcels in question were already zoned RSF-E and a RSF 2 on a parcel when purchased by Mr. Bertolla. This zoning was put in place to maintain the community and allows for residential development consistent with the character of the adjoining properties. There is no reasonable expectation to be rezoned.

The only benefit to rezoning is to be more profitable for the developer not to benefit the integrity of this community especially

those properties adjoining. This is NOT a sufficient reason for rezoning.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concerns have already been raised. Rebel Road has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. The other area of concern is the intersection of Austin Road and Hwy. 181. While a traffic light is planned, this will only influence more drivers to cut through Waterford Subdivision causing Planters Drive to become a major thoroughfare. Page 3 of the Baldwin County Master Plan states "We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture." It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, "zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."

Lastly, I too, do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states "Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?" This land has been used for farming historically. The applicant feels that the zoning designations were merely placed on these properties as place holders and hold no value. I do not agree

with this statement. Existing zoning and their designations matter and are considered when purchasing property. The adjoining properties will be significantly impacted.

In summary, my opposition is based on these potential/probable negative effects:

- The loss of neighborhood and community character.
- Increased traffic congestion at Austin Road & Rebel Road, Austin Road and Hwy. 181 as well as tripling traffic down Planters Dr. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with – it is a problem now.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff has already been noted as an issue.

I would like to request that the commission NOT authorize the rezoning to the RSF-3 designation.

Respectfully,

Chris Stewart

May 3, 2022

Mr. Matthew Brown, Director  
Baldwin County Planning & Zoning  
22251 Palmer Street  
Robertsdale, AL 36567 (Delivered via Email)

RE: Case # Z22-000009 Bertolla Properties LLC Property

Mr. Brown,

My name is Joseph Lentivech. I am a resident of 6 years in the Waterford community in Belforest, AL. I live on Planters Dr. and will be directly effected by the new community that is being proposed to connect to our existing community.

Over the past decade, the rapid residential growth in Baldwin County has stressed all of the infrastructure. Belforest Water System, the water system serving the parcels proposed for rezoning, is currently undergoing capacity improvements to address the needed infrastructure to accommodate known upcoming developments. The Town of Loxley, City of Daphne/Daphne Utilities, City of Fairhope, etc. are all in the same position and grappling to secure funding for improvements while keeping customer rates low, determine necessary improvements based on historical and projected future growth, and implement these improvements in time to meet the new demands. This challenge is spread across all of our infrastructure – water, sanitary sewer, drainage, roadways, schools, everything. Struggling to keep up with the rapid growth and continue to provide the minimum level of service to existing residents has become the new normal.

I say all of this to highlight the request for the Planning & Zoning Commission to scrutinize all proposed rezonings in this light. In this particular case, the parcels included in the rezoning are currently zoned RSF-2 and RSF-E (residential zonings), and the request is to rezone the entire 54+ acres to RSF-3. The conceptual plan submitted by the Applicant shows a proposed subdivision based on RSF-3 rezoning, which would create a higher density of residential homes. Allowing rezonings at a higher residential density than its current zoning, in today's rapid growth climate, would be a gross misuse of the Commission's power. In my opinion, it is the obligation of the Commission to encourage sustainable, responsible growth within the County. The only way to do that is to require residential rezonings be considered to an equal or lower density. The Applicant's request for the rezoning of these five (5) parcels is going in the completely wrong direction, and must be rejected.

In addition, the Applicant argues that the RSF-3 rezoning would be the best transition between the RSF-2 zoning of Waterford Subdivision and the business zonings west of Highway 181. The entire quadrant surrounding this development is comprised of RSF-E (not even mentioned in the application) and RSF-2 neighborhoods, with the exception of three business parcels along Highway 181. However, the conceptual plan in the application shows no direct connectivity to Highway 181, which negates the argument that the development would be a transition between business and residential zonings.

As a resident of Waterford Subdivision, I am not opposed to the proposed residential development. The parcels are all currently zoned for residential use anyway. The owner can develop the parcels with the zonings as-is, which ensures consistency with the adjacent neighborhoods. If the Commission feels a rezoning is appropriate, I ask that they require any rezoning be consistent with the adjacent neighborhoods, especially those that are proposed to be directly connected to the development. The only appropriate rezoning that meets this criterion would be the most restrictive zoning within the parcels included and the adjacent affected neighborhoods (RSF-E).

I politely request that the Commission reject the proposed rezoning. The properties are already zoned for residential development, so a rejection of the rezoning does not hinder the owner from moving forward with a residential development in any way. What the rejection accomplishes is ensuring the adjacent residents' safety, health and welfare by guaranteeing no additional stress on the area's infrastructure and no detrimental change to the character and use of the adjacent properties.

Last, while I understand that access is not part of the rezoning request and is handled during the subdivision review, I feel it is appropriate to discuss given the application submitted by the owner. The conceptual plan submitted shows access via Rebel Road (adjacent properties zoned RSF-E) and Waterford Subdivision (RSF-2) to Austin Road with through connection across Picard Branch. As a resident of Waterford Subdivision, which has been a closed subdivision since the final plat in 2006, there is an overwhelming sentiment from residents that the thoroughfare, if allowed as shown, would completely destroy the culture and character of our neighborhood, create a safety issue due to increased traffic, and jeopardize our welfare by decreasing the value of our properties as the smaller lots would be directly connected to our development. The mission of the Planning & Zoning Commission is to ensure the safety, health, and welfare of the existing County citizens. Allowing the rezoning would create a higher density development connected to two residential developments/streets, both of which are lower densities than the requested rezoning. There is no reasonable argument that can be made that the approval of the requested rezoning, connected to the two residential neighborhoods of lower densities, would not be detrimental to the health, safety and welfare of the existing County citizens residing in the Waterford Subdivision and along Rebel Road. However, my point in bringing this to the Commission's attention now is that I would personally view the rezoning

request differently if the proposed higher density development were connected directly to Highway 181 via the highway frontage parcel included in the rezoning request and not via the two residential neighborhoods of lower density.

Your time and attention to this matter is very much appreciated. If you have any questions or comments, please feel free to reach me at 330-285-0674.

Sincerely,

*Joseph Lentivech*

**LETTER OF OPPOSITION to the proposed rezoning and development in  
Planning District 15 (Case #Z22-000009)**

To Whom It May Concern,

I am Genevieve Hutfless, a resident of the Waterford subdivision, living at 10331 Goodrich Way, Daphne, AL 36526. My property is directly south of the proposed rezoning area & will be impacted by the Planning & Zoning Commission's decision. As part of the Belforest Community I am writing to express my opposition to this proposed rezoning of property located between Rebel Road and the Waterford Subdivision.

According to the current permit application, the developer has designated a current zoning of RSF-2. This is not completely true as the land adjoining Rebel Road is currently zoned RSF-E, which is not even mentioned in the application. The current ordinance of RSF-E is 80,000 square feet and is consistent with all adjoining properties to the north, east and west. The Waterford subdivision, to the south, is zoned RSF-2. Our property is 18,000 square feet. The proposed rezoning of RSF-3 which is only 10,000 square feet is counter to all adjoining properties. It would also strain all current infrastructure and stormwater controls in place. It's approximately 5000 square feet or 30% reduction of lot size compared to most of the Waterford lots and would definitely impact our home values.

Our area is under heavy development and infrastructure and traffic is of great concern. Rebel Road is heavily congested and used as a thoroughfare for traffic due to dangerous conditions at Austin Road and County Road 64. The new Jubilee Farm subdivision and Belforest Elementary school has increased traffic in the area exponentially. Flooding has become a concern in areas that previously were of no risk. Even the area of the proposed development has flooded in recent past.

Question 2 of the application process states "Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established. The applicant feels that the zoning designations were merely placed on the properties as place holders and hold no value. I strongly disagree with that statement. The existing zoning and their designations matter and are considered when purchasing property. The land use has not changed nor have the adjoining properties. We purchased our property in Waterford 11 years ago knowing full well the zoning all around us.

I oppose this rezoning change in summary because it will decrease the market value of my home and land. The traffic congestion will increase adding to problems we already encounter daily north and south on Austin Road and on Rebel Road. The destruction of the space and trees growing on the land will adversely impact the stormwater runoff that is already an issue.

I respectfully request that the commission not authorize the rezoning to the RSF-3 designation on the above property.

Thank you for your careful consideration.



Genevieve Hutfless

850-292-8909

ghutfless@gmail.com

## LETTER OF OPPOSITION

to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # Z22-000009)

To Whom It May Concern:

I am Wanda Taylor, a resident living at 10295 Rebel Road, Daphne, AL 36526.. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states *"We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture."* It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, *"zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."*

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states *"Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since*

*the zoning was established?"* The applicant feels that the zoning designations were merely placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name:   
Number: 251-753-6997 \_\_\_\_\_  
Email: \_taylorbristol@aol.com\_\_\_\_\_

*the zoning was established?"* The applicant feels that the zoning designations were merely placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name: Wanda Taylor

Number: 251-533-1545 \_\_\_\_\_

Email: \_wandatat4@gmail.com

## LETTER OF OPPOSITION

to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # Z22-000009)

To Whom It May Concern:

I am William Taylor, a resident living at 10295 Rebel Road, Daphne, AL 36526.. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states *"We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture."* It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, *"zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."*

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states *"Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since*

## LETTER OF OPPOSITION

**to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # Z22-000009)**

To Whom It May Concern:

I am Wanda Taylor, a resident living at 10295 Rebel Road, Daphne, AL 36526.. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states *"We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture."* It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, *"zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."*

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states *"Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since*

*the zoning was established?"* The applicant feels that the zoning designations were merely placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name: \_\_\_\_\_

Number: 251-753-6997 \_\_\_\_\_

Email: \_taylorbristol@aol.com\_\_\_\_\_

*the zoning was established?"* The applicant feels that the zoning designations were merely placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

**In summary, my opposition is based on these potential/probable negative effects:**

- The loss of neighborhood and community character.
- A decrease in the market value of my home and land.
- Increased traffic congestion adding to an already dangerous situation at Austin Road & Rebel Road. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Name: Wanda Taylor

Number: 251-533-1545 \_\_\_\_\_

Email: \_wandatat4@gmail.com

## LETTER OF OPPOSITION

**to the proposed rezoning and development at Rebel Road in Planning District 15 (Case # Z22-000009)**

To Whom It May Concern:

I am William Taylor, a resident living at 10295 Rebel Road, Daphne, AL 36526.. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been risen. The area of concern (Rebel Road) has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. This area has already observed 2 major flooding events in the last 10 years that has flooded or inundated households that previously were of no risk. Additional development would further complicate stormwater runoff and adversely affect surrounding areas. Page 3 of the Baldwin County Master Plan states *"We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture."* It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, *"zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population."*

Lastly, I do not agree with the applicant's comment on the current zoning designations. Question 2 of the application process states *"Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since*

D Hart

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**From:** Traveis Cunningham <travc66@gmail.com>  
**Sent:** Tuesday, April 19, 2022 4:38 PM  
**To:** Matthew Brown; Planning  
**Subject:** Letter of Opposition to Proposed rezoning and development at/near Waterford Subdivision in Planning District 15 (Case # Z22-000009)

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To Whom It May Concern:

I am Traveis Cunningham, a resident living at 24941 Planters Drive. My property either adjoins or will be impacted by the proposed property in the subject line. As part of the Waterford Subdivision and Belforest Community, I am writing to express my opposition to the proposed rezoning and development of the property at Rebel Road and the Waterford Subdivision.

In reviewing the current permit application, the developer has designated a current zoning of RSF-2. This is only true for part of the proposed land. The land adjoining Rebel Road is currently zoned RSF-E. The current zoning ordinance of RSF-E which is 80,000 square feet is consistent with all adjoining properties in this area and most other properties in the immediate area. The proposed zoning of RSF-3 which is 10,000 square feet would not only be counter to all adjoining properties but would strain the infrastructure and stormwater controls already in place. This would also be 5,000 sq/ft or 30% reduction of lot size compared to the adjoining Waterford Subdivision which would be counter to home values in this current designation.

It should be noted that this area is already under heavy development just South in the Jubilee Farms Subdivision and infrastructure and traffic concern has already been raised. Rebel Road has been heavily congested and used as a thoroughfare for traffic from the Austin Road and County Road 64 corridor. This area has seen a large increase of traffic since the construction of the new Belforest Elementary. The other area of concern is the intersection of Austin Road and Hwy. 181. While a traffic light is planned, this will only influence more drivers to cut through Waterford Subdivision causing Planters Drive to become a major thoroughfare. Page 3 of the Baldwin County Master Plan states "We desire for our children to have employment opportunities in Baldwin County resulting from continued economic growth, but this growth must complement our environment, character, history and culture." It's my belief that the environment and character of the surrounding area would be adversely impacted. Also, Section 45-2-261.06 of the Master Plan states, "zoning ordinances, and regulations shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the county which will in accordance with present and future needs best promote the health, environment, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and

economy in the process of development, and shall promote safety from fire, flood, and other dangers and the healthful and convenient distribution of population.”

Lastly, I too, do not agree with the applicant’s comment on the current zoning designations. Question 2 of the application process states “Has there been a change in the conditions upon which the original zoning designation was based? Has land uses or conditions changed since the zoning was established?” The applicant feels that the zoning designations were merely placed on these properties as place holders and hold no value. I do not agree with this statement. Existing zoning and their designations matter and are considered when purchasing property. The land use and conditions for these properties have not changed and neither have the adjoining properties.

In summary, my opposition is based on these potential/probable negative effects:

- The loss of neighborhood and community character.
- Increased traffic congestion at Austin Road & Rebel Road, Austin Road and Hwy. 181 as well as tripling traffic down Planters Dr. The applicant indicated in Question 4 of their application that they do not anticipate adversely impacting traffic patterns or congestion which I do not agree with.
- The destruction of green space and mature trees which would adversely impact the stormwater runoff that has already been noted as an issue.

I would like to request that the commission not authorize the rezoning to the RSF-3 designation on the above property or to consider the rezoning to a RSF-1 designation which would be more in line with the current community.

Respectfully,

Travis Cunningham  
251-404-4848  
[travc66@gmail.com](mailto:travc66@gmail.com)

D Hart

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**From:** Morgan Landry <morlandry@gmail.com>  
**Sent:** Wednesday, May 4, 2022 10:43 AM  
**To:** Planning  
**Subject:** LETTER OF OPPOSITION  
**Attachments:** LETTER OF OPPOSITION.pdf

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D Hart

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**From:** Denise King <denise.mk1214@gmail.com>  
**Sent:** Thursday, April 21, 2022 10:28 AM  
**To:** Matthew Brown; Planning  
**Subject:** Opposition Letter - Item Z22-000009  
**Attachments:** Bertolla Properties Opposition Letter.pdf

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Please allow the attached letter to serve as my opposition to the item identified above.

Thank you.  
Denise King

**D Hart**

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**From:** Jennifer Magli <jenmagli@gmail.com>  
**Sent:** Wednesday, May 4, 2022 10:06 AM  
**To:** Planning  
**Subject:** Opposition to Rezoning of Bertolla Properties

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

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Dear Chairman Pumphrey and Members of the Planning Commission:

I am writing to express my opposition to the rezoning of the Bertolla Properties, LLC property, case # Z22-9. I have read the staff report and recommendation for the approval of the rezoning. The staff report overstates the intensity of commercial use nearby and uses that as a justification for the recommendation to rezone. The nearby commercial use amounts to a few local businesses that well suit the area's rural flavor. Rezoning the subject property to a more intense residential use based on the presence of the small amount of nearby commercial property will lead to a cycle where the more intense residential use will then be used to justify the rezoning of other property to commercial use and the character of the Belforest community will be completely lost.

I would also like to add that the pictures in the staff report of the properties neighboring the subject property are misleading. The subject property is bordered on two sides primarily by houses on lots of 5 acres or more. Rezoning the subject property would lead to a very abrupt transition from a very intense residential use on the subject property to a very low intensity residential use on the neighboring properties. This type of abrupt transition violates well established planning principles.

Zoning was established in this district in part to plan for future growth and to give residents a reasonable expectation of the type of development and community that would be around them in the future. The subject property can already be developed under the existing zoning in a way that is consistent with the Belforest neighborhood and there is no justification for the rezoning.

Sincerely,

Jennifer Magli  
25465 Austin Road  
Daphne, Alabama 36526