

1 hearing at this point.

2 Does the applicant have anything you'd like for us
3 to know?

4 (No response.)

5 CHAIRMAN SAM DAVIS: Where is the applicant?

6 MR. WILLIAM MORGAN: (Standing.) No, sir.

7 CHAIRMAN SAM DAVIS: All right. We'll close
8 the public hearing at this point. Staff has recommended
9 approval of this to the County Commission. Is there a
10 motion to do so?

11 COMMISSION MEMBER SPENCE MONROE: So moved.

12 CHAIRMAN SAM DAVIS: Okay. There is a motion
13 on the table to -- to recommend approval. Is there a
14 second?

15 COMMISSION MEMBER DANIEL NANCE: Second.

16 CHAIRMAN SAM DAVIS: There is a second. All in
17 favor, say aye.

18 (Commissioners say "aye" in unison.)

19 CHAIRMAN SAM DAVIS: All opposed?

20 (No response.)

21 CHAIRMAN SAM DAVIS: Motion carries.

22

23 **7-D - CASE Z-18020 - LOXLEY SUPER STORAGE PROPERTY**

24 CHAIRMAN SAM DAVIS: Next one Z-18020, Loxley
25 Super Storage property.

26 MS. LINDA LEE: The subject property is located
27 on south side of Dawson Road, west of the State
28 Highway 59 in Planning District 12. The subject property

1 hearing at this point.

2 Does the applicant have anything you'd like for us
3 to know?

4 (No response.)

5 CHAIRMAN SAM DAVIS: Where is the applicant?

6 MR. WILLIAM MORGAN: (Standing.) No, sir.

7 CHAIRMAN SAM DAVIS: All right. We'll close
8 the public hearing at this point. Staff has recommended
9 approval of this to the County Commission. Is there a
10 motion to do so?

11 COMMISSION MEMBER SPENCE MONROE: So moved.

12 CHAIRMAN SAM DAVIS: Okay. There is a motion
13 on the table to -- to recommend approval. Is there a
14 second?

15 COMMISSION MEMBER DANIEL NANCE: Second.

16 CHAIRMAN SAM DAVIS: There is a second. All in
17 favor, say aye.

18 (Commissioners say "aye" in unison.)

19 CHAIRMAN SAM DAVIS: All opposed?

20 (No response.)

21 CHAIRMAN SAM DAVIS: Motion carries.

22

23 7-D - CASE Z-18020 - LOXLEY SUPER STORAGE PROPERTY

24 CHAIRMAN SAM DAVIS: Next one Z-18020, Loxley
25 Super Storage property.

26 MS. LINDA LEE: The subject property is located
27 on south side of Dawson Road, west of the State
28 Highway 59 in Planning District 12. The subject property

1 currently zoned RSF-1, Single-Family District, and is
2 currently occupied with a storage building and fenced
3 storage area.

4 The requested zoning designation is B-3, General
5 Business District. According to the submitted
6 information, the purpose of request is to allow for an
7 additional storage building on an existing slab.

8 The subject property is approximately
9 three-point-nine-nine (3.99) acres. Adjoining properties
10 are residential. The Baldwin County Master Plan provides
11 a future land use designation the residential for the
12 subject property. If the re-zoning is approved, the
13 future land use map will be amended to reflect the
14 designation of commercial.

15 The surrounding future land use designations are
16 residential and commercial. There are commercially zoned
17 property with frontage on State Highway 59 just east of
18 this property.

19 The requested change is compatible with the existing
20 zoning of nearby properties to the north and east. The
21 current use is commercial and was established prior to
22 the implementation of zoning in Planning District 12.

23 Unless information to the contrary is revealed at
24 the public hearing, staff feels this re-zoning
25 application should be recommended for approval. And I'll
26 answer any questions that you may have.

27 CHAIRMAN SAM DAVIS: Any questions for Linda?

28 COMMISSION MEMBER SPENCE MONROE: I've got

1 quick one.

2 Linda, it looks like there's a lot to the east of
3 this property. It's also listed as RSF-1; is that
4 correct?

5 MS. LINDA LEE: Yes, there is RSF-1 to the
6 east.

7 COMMISSION MEMBER SPENCE MONROE: Okay. So
8 everybody around it would be residentially zoned?

9 MS. LINDA LEE: Correct.

10 COMMISSION MEMBER SPENCE MONROE: Okay. I just
11 wanted to make sure.

12 MS. LINDA LEE: The parcel that's adjacent to
13 the east is zoned residential, but it's my understanding
14 that there is a commercial use on that first property
15 that's adjacent to the east. But, yes, the zoning is
16 residential.

17 COMMISSION MEMBER SPENCE MONROE: Okay.

18 CHAIRMAN SAM DAVIS: Any other questions for
19 Linda?

20 (No response.)

21 CHAIRMAN SAM DAVIS: Thank you, Linda.

22 MS. LINDA LEE: You're welcome.

23 CHAIRMAN SAM DAVIS: We'll open the public
24 hearing at this point. There are three people signed up
25 in support. I'd like one of you to come up and state
26 your case. Any then the other two will have an
27 opportunity to add to it, if you leave something out.

28 THE COURT REPORTER: State your name, please.

1 MR. TAYLOR PIERCE: My name is Taylor Pierce.

2 I'm the president of the Loxley Super Storage.

3 We bought the business in 2016. And we feel like
4 we've been good neighbors, cleaning the property. We
5 removed an old mobile home that was falling apart. We
6 also gave away the home that was previously there for
7 free for someone to move to live in. We spent
8 seventy-five hundred dollars (\$7,500) removing that
9 mobile home.

10 And the plan going forward is, in this back lot, to
11 add other building here on that pre-existing slab, which
12 is currently parking for RVs at the moment, and, also, on
13 the frontage road, to add fencing, six-foot privacy fence
14 all the way around.

15 Are there any questions?

16 CHAIRMAN SAM DAVIS: Any questions for
17 Mr. Pierce?

18 (No response.)

19 CHAIRMAN SAM DAVIS: All right. Thank you.

20 Did he leave anything out, the other two people
21 signed up to speak for it?

22 (Audience members indicate negatively.)

23 CHAIRMAN SAM DAVIS: Okay. Great. We've got
24 one person signed up to speak against.

25 Kay Wright.

26 MS. KAY WRIGHT: Hello. I'm Kay Wright. My
27 husband and I own the property that is directly south of
28 this property. And we are adversely affected by

1 excessive water runoff.

2 We had no issues when we built our home in 1998 with
3 any kind of runoff. And then once construction started
4 on this property, we were flooded. Our driveway was
5 flooded. The water ran all the way up to the foundation
6 of our home.

7 We have excess water. Our humidity under our home
8 is very high. We have had termite issues because of
9 excessive humidity and water in our home. We can't even
10 renew our termite bond, because nobody will touch us
11 because of the fact that the humidity is so high under
12 our house.

13 We've had our floors redone. They buckled because
14 of the humidity in our house is forty percent (40%). And
15 it's all because of this the water runoff from this
16 property.

17 The holding pond this was built is inadequate. It
18 dumps all the water onto our property. All this paved
19 area, all the water runs on to us.

20 And I am totally in objection to any further
21 development on this property. My husband and I called
22 the County and complained when this was being built or
23 after it was built. Because, of course, we didn't know
24 it was going to be built until we saw it going up. And
25 we called and complained.

26 We called the original builder asking him to call
27 us. They refused to call us. We called the County,
28 called the County, called the County. They finally sent

BALDWIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING 05/03/2018

1 an engineer out. The engineer said, well, you know, it's
2 not right, but, oh, well.

3 And I want to ask, do you guys have any records of
4 any of the complaints we've made on this property?

5 CHAIRMAN SAM DAVIS: We wouldn't, as a
6 Commission. But I'm sure whoever you made the complaints
7 to would have the record.

8 MS. KAY WRIGHT: Okay. But, anyway, I am
9 adversely affected with the severe runoff from this
10 property. The back end of our property, which is -- we
11 have four acres that run straight back from this
12 property. And that stays so wet that my husband can't
13 even mow the grass.

14 The neighbor that is south of us, they had to put in
15 a pond to keep their driveway from washing out because of
16 all the runoff. So we have a lot of issues with this
17 piece of property.

18 CHAIRMAN SAM DAVIS: All right. We'll get
19 staff come back and address the water situation.

20 Any questions for Ms. Wright?

21 COMMISSION MEMBER SPENCE MONROE: Where is the
22 holding pond?

23 MS. KAY WRIGHT: The holding pond? You see
24 this little area right here?

25 COMMISSION MEMBER SPENCE MONROE: Yeah.

26 MS. KAY WRIGHT: That is the holding pond.

27 COMMISSION MEMBER SPENCE MONROE: Okay. That's
28 what I wanted to know.

1 MS. KAY WRIGHT: It is overgrown. They
2 don't -- it's never been properly maintained. The
3 original builder agreed to maintain. And then, of
4 course, they lost it. And it was bank owned. Then no
5 one maintains it. The new owners don't maintain it.

6 So besides it not being maintained, it is not an
7 adequate holding pond to keep water off me. Of course,
8 this place is a nuisance to us. People are in and out
9 all hours of the day and night and --

10 COMMISSION MEMBER SPENCE MONROE: That's fine.
11 You answered the question.

12 MS. KAY WRIGHT: Uh-huh. (Indicates
13 affirmatively.)

14 CHAIRMAN SAM DAVIS: Any other questions for
15 Ms. Wright?

16 (No response.)

17 CHAIRMAN SAM DAVIS: Okay. Thank you.

18 Linda, would you like to come back up and address
19 the water issue?

20 MS. LINDA LEE: I'm actually going to have
21 Mr. Peterson address the water issue. Although, I will
22 state, on a major project, we will require a drainage
23 plan at the time a land use is issued.

24 MR. SETH PETERSON: One of the things of note
25 on this application that I believe the proposed site
26 plan -- Which you're not approving the site plan. The
27 proposed site plan we have, they're going to build on an
28 existing slab. So, in theory, they wouldn't be

1 increasing the impervious area.

2 However, with a case like this, we'd probably look
3 at the existing pond and see if it's being maintained or
4 needs additional work. I think we do that as far as the
5 land use process.

6 It wouldn't be a condition on a re-zoning. But,
7 just for your information, we would look at that at the
8 land use process when they apply for the site plan.

9 CHAIRMAN SAM DAVIS: If y'all did find the pond
10 was not maintained, you would have it redone?

11 MR. SETH PETERSON: We -- we could make that a
12 requirement of land use as far as approval on the
13 drainage side of things. However, moving forward, you
14 know, ten years down the road, I don't know if there is a
15 way to make them keep maintaining it.

16 CHAIRMAN SAM DAVIS: I guess that's probably an
17 issue for the County Commission.

18 All right. Any questions for Seth or Linda?

19 (No response.)

20 CHAIRMAN SAM DAVIS: We'll close the public
21 hearing at this point.

22 COMMISSION MEMBER DEWANE HAYES: I would like
23 to ask Taylor another question.

24 CHAIRMAN SAM DAVIS: Okay. Taylor Pierce.

25 The public hearing -- I mean, the public hearing is
26 still in session.

27 (Mr. Taylor Pierce approached the podium.)

28 COMMISSION MEMBER DEWANE HAYES: Taylor, you

BALDWIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING 05/03/2018

1 said you removed a mobile home park. On this map, could
2 you show me where you moved -- where you removed that
3 mobile home park at?

4 MR. TAYLOR PIERCE: This used to be a mobile
5 home right here.

6 COMMISSION MEMBER DEWANE HAYES: A mobile home?

7 MR. TAYLOR PIERCE: Yes, sir.

8 MS. LINDA LEE: One.

9 MR. TAYLOR PIERCE: One.

10 MS. LINDA LEE: One mobile home. It wasn't a
11 park.

12 COMMISSION MEMBER DEWANE HAYES: Okay. Now, do
13 you live in that house there?

14 MR. TAYLOR PIERCE: No, sir. We gave that --
15 that house away.

16 COMMISSION MEMBER DEWANE HAYES: Okay.

17 MR. TAYLOR PIERCE: And had it moved.

18 CHAIRMAN SAM DAVIS: You want to say anything
19 concerning the condition of the drainage pond or
20 retention pond?

21 MR. TAYLOR PIERCE: I will say that we can have
22 it fixed and will have it fixed. And, also, about the --
23 the people coming around late hours, we're going to put
24 in a new gate. It'll be 6 a.m. to 9:00 p.m., a swipe
25 access.

26 CHAIRMAN SAM DAVIS: Any other questions for
27 Mr. Pierce?

28 (No response.)

BALDWIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING 05/03/2018

1 CHAIRMAN SAM DAVIS: All right. Being none,
2 thank you.

3 We'll close the public hearing. Staff has
4 recommended a recommendation of approval to the County
5 Commission. Is there a motion to do so?

6 COMMISSION MEMBER SPENCE MONROE: I make a
7 motion to approve it contingent upon them repairing the
8 stormwater retention pond.

9 ATTORNEY DAVID CONNER: Really, the -- the --
10 the determination that should be made tonight is whether
11 or not that zoning classification is appropriate for the
12 property. And then any stormwater drainage issues will
13 be addressed in the Building Department and the site plan
14 review process.

15 Normally, we don't put conditions like that. I
16 understand why you're trying to do it. And I agree with
17 you. We like to try to catch it. But I think -- I think
18 that may be complicated when you do that.

19 COMMISSION MEMBER SPENCE MONROE: I make the
20 recommendation to approve.

21 COMMISSION MEMBER DANIEL NANCE: And I'll
22 second.

23 CHAIRMAN SAM DAVIS: All right. There is a
24 motion to recommend for Commission approval and a second.
25 All in favor, say aye.

26 (Commission Members say "aye" in unison.)

27 CHAIRMAN SAM DAVIS: All opposed?

28 (No response.)

1 CHAIRMAN SAM DAVIS: Motion carries.

2
3 7-E - CASE Z-18021 - MCCLAIN TRAILERS INC PROPERTY

4 CHAIRMAN SAM DAVIS: The next case is Z-18021,
5 McClain Trailers, Inc.

6 MS. LINDA LEE: The applicant is requesting
7 re-zone approximately ten-point-five (10.5) acres from RA
8 to M-1 to allow industrial use of the property and to
9 sell trailers.

10 The subject property is located east side of State
11 Highway 59, north of Hinote Glass Road in Planning
12 District 12. The adjacent property to the north was
13 re-zoned from R-1 to -- I'm sorry -- RA to M-1 in
14 September 2008 for the Ecovery recycling business. The
15 adjoining property to the south and east are zoned RA and
16 have residential uses.

17 The Baldwin County Master Plan provide a future land
18 use designation of rural for the subject property. If
19 re-zoning is approved, the future land use map will be
20 amended to reflect the designation of industrial. The
21 surroundings future land use designations are industrial,
22 rural, and commercial.

23 Staff is not aware of any opposition to this
24 request. On your screen is the site map. This is a
25 survey of the two parcels that are requested to be
26 re-zoned. These are pictures of the subject property and
27 adjacent properties and the property across 59 that is
28 commercial.