

BALDWIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING 08/02/2018

1 CHAIRMAN SAM DAVIS: All right. We'll close
2 the public hearing at this point. Staff has recommended
3 approval of this. Is there a motion to do so?

4 COMMISSION MEMBER ARTHUR OKEN: Motion,
5 Mr. Chairman.

6 CHAIRMAN SAM DAVIS: Okay. There is a motion
7 to do so. Is there a second?

8 COMMISSION MEMBER DEWANE HAYES: I'll second.

9 CHAIRMAN SAM DAVIS: All right. There --

10 COMMISSION MEMBER ARTHUR OKEN: The motion is
11 to approve the application with the eight conditions set
12 out by staff in the staff report.

13 CHAIRMAN SAM DAVIS: Okay. There is a motion
14 and a second. All in favor, say aye.

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

16 CHAIRMAN SAM DAVIS: All opposed?

17 (No response.)

18 CHAIRMAN SAM DAVIS: The motion carries.

19

20 8-B - CASE Z-18034, WISE PROPERTY

21 CHAIRMAN SAM DAVIS: Next case is Z-18034, Wise
22 property.

23 MS. CELENA BOYKIN: This is a request to
24 re-zone two (2) acres. The subject property is located
25 on the west side of State Highway 181, just south of
26 Milton Jones road, in Planning District 15.

27 The two parcels that up for re-zoning are currently
28 zoned B-2. The applicant is asking that the -- as you

1 see on the map, the north portion being re-zoned to B-4
2 and the south part to M-1.

3 So you can see that it's surrounded by M-1 zoning.
4 There is some RSF-1 to the northwest. Here is the aerial
5 photography. You can see along 181, there is quite a few
6 commercial buildings. And also to the west, there is
7 some industrial.

8 Here's some pictures of the adjacent properties.
9 And this is a survey of the current property. Staff --
10 On the B-4, they want to put an office and warehouse on
11 the northern portion. And then on the M-1, they plan to
12 do a climate control storage and also store RVs and
13 boats.

14 Staff sees no major issues with this request and has
15 recommended approval.

16 CHAIRMAN SAM DAVIS: Any questions for Celena?

17 COMMISSION MEMBER BONNIE LOWRY: We had a
18 couple questions earlier about the access that would be
19 given for the lower property, which was going to be M-1.
20 How are they going to get to it? And is it possible that
21 he's thinking about coming through that B-4 property or
22 one of his other properties?

23 MS. CELENA BOYKIN: I would ask the applicant.
24 We don't require them to submit a site plan specific
25 until they submit for major land use. So the applicant
26 can probably answer that question on how he plans to
27 access that southern parcel.

28 CHAIRMAN SAM DAVIS: Any other questions for

1 Celena at this point?

2 COMMISSION MEMBER SPENCE MONROE: You need M-1
3 zoning for climate control?

4 MS. CELENA BOYKIN: I believe B-4 would work.
5 I think he's requesting the M-1 because it was
6 surrounded, to keep it with the current, the properties
7 to the west and the east.

8 COMMISSION MEMBER SPENCE MONROE: Okay.

9 MS. CELENA BOYKIN: It would be all M-1 in that
10 area.

11 CHAIRMAN SAM DAVIS: Any other questions for
12 Celena?

13 (Sotto voce conversation between Commission Member Bonnie Lowry
14 and Commission Member Spence Monroe.)

15 CHAIRMAN SAM DAVIS: Spence, Bonnie, y'all have
16 any questions?

17 COMMISSION MEMBER BONNIE LOWRY: (Indicates
18 negatively.)

19 COMMISSION MEMBER SPENCE MONROE: No.

20 CHAIRMAN SAM DAVIS: All right. Thank you.

21 We'll open the public hearing at this point. Larry
22 Smith is the applicant. There is no opposition.

23 Mr. Smith, would you like to come up to the mic?

24 MR. LARRY SMITH: Yes. My name is Larry Smith.
25 I guess by addressing the access question, there is
26 currently an access easement that goes through the B-4 to
27 Milton Jones.

28 When the property was subdivided, that was a

1 requirement of the two-lot division that was done. That
2 will be the continued access point to access the rear
3 property to Milton Jones.

4 CHAIRMAN SAM DAVIS: How wide is that access?

5 MR. LARRY SMITH: The proposed road, I believe,
6 it is twenty-five (25) feet wide that we're proposing in
7 from the B-4. Right now it's just a dirt path. It
8 starts off gravel, and it just goes to dirt back to the
9 back.

10 There is no development on there right now. The
11 access easement, I -- I don't remember off the top of my
12 head, but I think it's also about twenty-five (25) feet.

13 CHAIRMAN SAM DAVIS: Okay. Any other questions
14 for Mr. Smith?

15 COMMISSION MEMBER SPENCE MONROE: Just out of
16 curiosity more than anything, which side of the B-4 is
17 that on?

18 MR. LARRY SMITH: The access easement is --
19 currently, it is sitting about twenty-five (25) feet off
20 of the western property line. We are sliding it over a
21 little bit more so we can get the buffer in.

22 When we come down for the approval, we're also going
23 to adjust that so we can put the required buffer between
24 the residential and the -- our development.

25 CHAIRMAN SAM DAVIS: Any other questions?

26 (No response.)

27 CHAIRMAN SAM DAVIS: Thank you, Mr. Smith.

28 We'll now close the public hearing. Staff has

1 recommended approval of this. This will be a
2 recommendation to the County Commission from this body.
3 Is there a motion to do so?

4 COMMISSION MEMBER SPENCE MONROE: I make a
5 motion to approve.

6 CHAIRMAN SAM DAVIS: Okay. There is a motion
7 to recommend approval. Is there a second?

8 COMMISSION MEMBER KEVIN MURPHY: I'll second.

9 CHAIRMAN SAM DAVIS: There is a second. All in
10 favor, say aye.

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

12 CHAIRMAN SAM DAVIS: All opposed?

13 (No response.)

14 CHAIRMAN SAM DAVIS: Motion carries.

15

16 8-C - CASE Z-18035 - STOUT PROPERTY

17 CHAIRMAN SAM DAVIS: Next case is Z-18035,
18 Stout property.

19 MR. VINCE JACKSON: Mr. Chairman, real quick,
20 before I get started, I wanted to just quickly recognize
21 someone who's in the audience tonight. Billie Jo
22 Underwood is here.

23 She is the Republican Nominee for the County
24 Commission District 3. I just wanted to acknowledge her
25 being here. And we're glad that she's here tonight.

26 MS. BILLIE JO UNDERWOOD: Thank you.

27 CHAIRMAN SAM DAVIS: Thank you for doing that,
28 Vince.

1 And thank you for coming.

2 MS. BILLIE JO UNDERWOOD: Thank you.

3 CHAIRMAN SAM DAVIS: Okay. Can we have a staff
4 report now on the Stout property?

5 MR. VINCE JACKSON: Yes, sir. The applicant is
6 requesting to re-zone point-one-two (.12) acres from
7 RSF-1, Single-Family, to LB, Limited Business, in order
8 to allow for the establishment of a community bakery in
9 the existing building.

10 The subject property is located on the southwest
11 corner of 6th Street and Barclay Avenue in Planning
12 District 22. Here is the locator map showing the
13 location of the property as well as the surrounding
14 property.

15 The entire parcel is highlighted in the -- the sort
16 of blueish-green. Only the corner, the part highlighted
17 in blue, which is part of the overall parcel, is up for
18 re-zoning. The remainder of the parcel would remain
19 R-1 -- RSF-1.

20 This is the aerial. There is a dwelling on the
21 property. You can see the location of the dwelling. The
22 building where the proposed bakery would be located was
23 actually constructed sometime around 1950.

24 Originally, it served as a Post Office for the
25 Lillian Community. And at the time when zoning was
26 adopted for Planning District 22, there was an optical
27 center in this building. At that time, the entire parcel
28 was zoned B-1, which is a Professional Business District.

1 Around 2008, the property was re-zoned to
2 Single-Family by the previous owners due to financing
3 purposes. And so the re-zoning at that time included
4 this old commercial building. And the business use at
5 that time became nonconforming and grandfathered.

6 It's our understanding that -- that between the
7 operation of the Post Office and the adoption of zoning,
8 there were other commercial uses in this building,
9 including a bait shop.

10 You can also see a parcel just behind this property
11 to the west. That's a residentially-zoned property, but
12 there are RV sites. So there is a small RV park on that
13 property.

14 Property directly to the north across the street is
15 undeveloped. Property to the south is also undeveloped.
16 And then here are some pictures of the subject property.

17 The building that you see there on the corner,
18 that's the building where the proposed bakery would be
19 located. And we see the adjacent properties.

20 And I want to go back to this building. As you can
21 see, there are parking spaces in the front of the
22 building.

23 And we've -- we've looked at that. We've done a
24 math. And the number of parking spaces that are already
25 in place is more than sufficient for a building of this
26 size.

27 I want to explain the Limited Business designation.
28 That's a fairly new zoning designation that we -- we

1 adopted through a text amendment back in 2016.

2 As of yet, we have not had a property actually
3 re-zoned to that designation. But it is intended to be
4 in areas where you have adjacent residential uses.

5 And it is exactly what the name says; Limited
6 Business. It's limited in terms of the uses that can be
7 placed on the property, and it is limited in terms of
8 size. The maximum size that we allow by right is four
9 thousand square feet. And this building is under that.

10 So the proposed use, the bakery, and the size of the
11 building, those are all within the parameters of the
12 Limited Business district. And we feel like a community
13 bakery in an area like this is a good fit for this type
14 of designation.

15 If this re-zoning is ultimately approved by the
16 County Commission, this will be the first property to
17 carry that Limited Business destination.

18 As we stated in the staff report, we do feel that
19 this is a reasonable request, and our recommendation is
20 for approval.

21 COMMISSION MEMBER BONNIE LOWRY: Did you count
22 the number of signature the --

23 ATTORNEY DAVID CONNER: I was going to note
24 something unusual about the application as well. We
25 oftentimes get petitions in opposition to re-zoning
26 requests. But here is twelve (12) pages of signatures in
27 favor of the re-zoning request.

28 (Applause.)

1 CHAIRMAN SAM DAVIS: Lillian must be in dire
2 need of a bakery and a coffee shop.

3 MR. VINCE JACKSON: We think it's a good idea.
4 And, you know, we -- we actually encourage our
5 applicants, when they can bring out support, to do so.
6 So this is a case where that's been done. And we're
7 certainly glad to see everyone here.

8 COMMISSION MEMBER BONNIE LOWRY: It sounds like
9 everybody's got a sweet tooth.

10 MR. VINCE JACKSON: Those are all the comments
11 right now, but if you have any questions of me, I'll be
12 glad to answer them. And I'll be back once the public
13 hearing is closed.

14 COMMISSION MEMBER SPENCE MONROE: I've got one
15 quick question.

16 MR. VINCE JACKSON: Yes.

17 COMMISSION MEMBER SPENCE MONROE: Where's the
18 samples?

19 MR. VINCE JACKSON: No samples yet.

20 CHAIRMAN SAM DAVIS: Thank you, Vince.

21 We'll open the public hearing at this point. Would
22 everyone here in support stand up?

23 (A large majority of the audience members complied.)

24 CHAIRMAN SAM DAVIS: I think that's the best
25 showing we've ever had for support. Thank y'all.

26 (Applause.)

27 CHAIRMAN SAM DAVIS: Would the applicant like
28 to address the Commission on anything? There is

1 absolutely no opposition.

2 MS. DENICE STOUT: Hi. Thank you for your
3 time. That was fun, wasn't it?

4 I'm not a public speaker, but I will say this is
5 exactly why we want to open the bakery. One, the
6 historic significance of this building and this place
7 goes back to 1896. We really want to keep that.

8 I've been in Lillian for over forty (40) years. So
9 has my husband. That's our home. We raised our children
10 there. They told me not to talk personally, but, gosh, I
11 just can't help myself.

12 So I -- I just want to say that there has been a
13 business running there since 1896, that we know of. It
14 was a Post Office. When the Cline's took over, they
15 continued the Post Office. I had a Post Office Box there
16 when I was young.

17 We know that Mr. Cline turned it into a self-service
18 grocery along with the Post Office at one time. After
19 that, we know the Champaigns opened it as an optical
20 store.

21 I guess my -- my biggest thing I want you to know,
22 the -- the history of this building is very important to
23 us. Our community is very important to us. There is
24 nothing no better -- Sorry -- than having a kid come up
25 and get a cookie or stick their hand in a jar and smile,
26 is worth everything to us.

27 So we just want to continue this -- this community
28 place where we can make goodies that don't cost twenty

1 dollars (\$20) to walk out the -- the door. We'll always
2 have a dollar (\$1) coffee.

3 I do want to make sure that you all know that we've
4 received another hundred and fifty (150) petitions
5 signed, all in favor, if you want to add them to your
6 pile.

7 Also, we received a letter from the people who were
8 directly east of us who face the bakery, wrote us a
9 beautiful letter -- Reverend and Mrs. Gibson -- stating
10 that they encourage and they are excited, as a lot of our
11 community is, for us to open this bakery.

12 So we appreciate your time. I'm sorry for talking
13 so much. So, please, we really just want to be a part of
14 our community and continue the history of this building
15 and -- and what Lillian stands for in this community.

16 CHAIRMAN SAM DAVIS: Thank you very much.

17 Any questions for this lady?

18 (No response.)

19 CHAIRMAN SAM DAVIS: Thank you.

20 MS. DENISE STOUT: Thank you.

21 CHAIRMAN SAM DAVIS: We'll close the public
22 hearing at this point. There is a motion to recommend
23 approval. The staff recommends approval. Is there a
24 motion to do so?

25 COMMISSION MEMBER KEVIN MURPHY: I would like
26 to make to a motion to approve this.

27 COMMISSION MEMBER BONNIE LOWRY: Second.

28 COMMISSION MEMBER SPENCE MONROE: Second.

BALDWIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING 08/02/2018

1 COMMISSION MEMBER KEVIN MURPHY: I was actually
2 raised in this community. And I wish her the best of
3 luck. My aunt was Mrs. Cline and my uncle was Mr. Cline.

4 (Applause.)

5 CHAIRMAN SAM DAVIS: There's a motion -- there
6 is a motion and a second. All in favor, say aye.

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

8 CHAIRMAN SAM DAVIS: All opposed?

9 (No response.)

10 CHAIRMAN SAM DAVIS: Unanimously carries.

11 MS. DENICE STOUT: Yea.

12 CHAIRMAN SAM DAVIS: Thank you.

13 (Applause.)

14 MS. DENICE STOUT: Thank you.

15

16 **8-D - CASE Z-18036 - BOYKIN PROPERTY**

17 CHAIRMAN SAM DAVIS: Next case is Z-18036,
18 Boykin property.

19 MS. D. J. HART: Okay. This is Case Z-18036,
20 Boykin property. The applicant is Peggy Boykin.

21 (Many audience members exiting.)

22 MS. D. J. HART: I'll give them a second to get
23 out. The applicant is requesting to re-zone
24 three-point-four (3.4) acres from OR, Outdoor Recreation
25 district, to RSF-2, Single -- Residential Single-Family,
26 to the allow a family subdivision of the property into
27 five (5) lots.

28 The property is located on the east side of Williams