

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

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1 Road, north of Blakeley Road, in Planning District 4.
2 This is a locator map showing the parcel and the adjacent
3 zoning of the parcels.

4 The large OR to -- to the west is Historic Blakeley
5 property. And here is a site map showing the property
6 itself. And these are pictures of the property.

7 This shows the home on the property that is
8 currently there. The applicant is proposing one (1)
9 half-acre lot with the home and then four (4) additional
10 lots of point-seven-three (.73) acres each. So the RSF-2
11 zoning is what would be required.

12 Granting this re-zoning would allow the property
13 owner to subdivide the property as well as bringing the
14 current dwelling into a conforming status.

15 As the property is currently zoned, OR does not
16 allow dwellings. So if this property was damaged or
17 destroyed, they would not be allowed to rebuild their
18 house back at the current zoning.

19 So staff feels this is a reasonable request and
20 recommends approval of Case Z-18036, Boykin property, to
21 the County Commission. Do you have any questions?

22 CHAIRMAN SAM DAVIS: Any questions for D. J.?

23 COMMISSION MEMBER SPENCE MONROE: Yes. They're
24 re-zoning three-point-four (3.4) acres and are going to
25 have five (5) lots on it?

26 MS. D. J. HART: That's what they asked for.
27 You can ask the applicant, you know, exactly what they
28 want.

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1 CHAIRMAN SAM DAVIS: Any other questions for
2 D. J.?

3 (No response.)

4 CHAIRMAN SAM DAVIS: Thank you, D. J.

5 We'll open the public hearing at this point. There
6 is no opposition to this request, but would the applicant
7 like to address the Commission?

8 MS. PEGGY BOYKIN: Thank you. Good afternoon.
9 My name is Peggy Boykin. And I am the owner of the
10 property mentioned. And it basically will be divided.
11 And the old homestead will have to be rebuilt, and the
12 other will just be for family.

13 CHAIRMAN SAM DAVIS: Any questions for
14 Ms. Boykin?

15 COMMISSION MEMBER SPENCE MONROE: I've got a
16 quick one.

17 MS. PEGGY BOYKIN: Okay.

18 COMMISSION MEMBER SPENCE MONROE: I see
19 Williams Road is basically your only access point; is
20 that correct?

21 MS. PEGGY BOYKIN: Yes.

22 COMMISSION MEMBER SPENCE MONROE: Are you going
23 to access five (5) properties off Williams Road? Is
24 there a driveway, or -- or what it is intent? I don't --

25 MS. PEGGY BOYKIN: Well, the road goes all the
26 way around to the side of it. Okay. It will all be
27 family. So we could easily put a road down on the
28 inside, or we have access coming off -- It's kind of hard

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1 to -- coming off -- going down either the middle of it or
2 to the edge of it, which will be on the left side. We
3 can either put a road there. But having access to the
4 property itself is no problem, if you've ever been to
5 Blakeley.

6 COMMISSION MEMBER SPENCE MONROE: I'm not
7 worried about it as long as it's family. But if you
8 subdivide it and then they sell lots, I do have an issue
9 with it.

10 CHAIRMAN SAM DAVIS: David, do you want to
11 address that --

12 ATTORNEY DAVID CONNER: Yeah.

13 CHAIRMAN SAM DAVIS: -- as County Attorney?

14 ATTORNEY DAVID CONNER: Let me make sure I'm
15 thinking about this in the right way. And if I'm not,
16 Vince and D. J. or -- and everybody -- There is a house
17 located on the property now; is that right?

18 MS. PEGGY BOYKIN: Yes.

19 ATTORNEY DAVID CONNER: So by re-zoning it to
20 the residential use, we're only bringing it into
21 conformity with the use on the property as it exists
22 today.

23 At some point in time in the future, they'll have to
24 make a determination about whether to apply for a family
25 subdivision exemption, and they'll have to meet those
26 requirements.

27 So regardless of whether they ultimately subdivide
28 or not, the re-zoning request is merely bringing it into

1 compliance with the residential uses in the area.

2 So whether or not they have access, whether or not
3 they qualify for a family subdivision exemption, all
4 those other issues are something that will be addressed,
5 you know, in a separate application in the future through
6 staff.

7 COMMISSION MEMBER SPENCE MONROE: So let me --
8 let me just restate that: This hearing tonight is
9 strictly to re-zone this and not to subdivide or anything
10 else?

11 ATTORNEY DAVID CONNER: The only thing you're
12 doing tonight is making a recommendation to the County
13 Commission to re-zone. And then whether or not they meet
14 the requirements for a subdivision exemption or -- or
15 whatever they plan to do with the property in the future,
16 they would have to make further application to the County
17 Commission.

18 COMMISSION MEMBER SPENCE MONROE: Thank you.

19 CHAIRMAN SAM DAVIS: Any other questions for
20 Ms. Boykin?

21 (No response.)

22 CHAIRMAN SAM DAVIS: All right. Thank you,
23 Ms. Boykin.

24 MS. PEGGY BOYKIN: Thank you.

25 CHAIRMAN SAM DAVIS: We'll close the public
26 hearing -- Well, Mr. Boykin, do you have anything?

27 MR. BARRY BOYKIN: Yes.

28 COMMISSION MEMBER ARTHUR OKEN: Motion,

1 Mr. Chairman.

2 MR. BARRY BOYKIN: Yes. I'm Barry Boykin,
3 Peggy's husband. One of the main reasons we wanted to
4 divide the one-half acre off of the house is because we
5 wanted to share it with her sister.

6 And so would there be a problem with that part of
7 it, sharing that half acre with the -- even if we don't
8 subdivide the rest of it, that the half-acre lot with the
9 house on it be her property?

10 ATTORNEY DAVID CONNER: Well, as I said, the
11 only thing that's before the -- the Planning Commission
12 tonight is whether or not to re-zone property --

13 MR. BARRY BOYKIN: Okay.

14 ATTORNEY DAVID CONNER: -- which would be
15 necessary in order for you to do that type of
16 subdivision.

17 MR. BARRY BOYKIN: Okay.

18 ATTORNEY DAVID CONNER: Whether or not you meet
19 the requirements for a family subdivision exemption --

20 MR. BARRY BOYKIN: Okay.

21 ATTORNEY DAVID CONNER: -- access, all those
22 things will be based on information you provide to staff.
23 And they would have to review and make the determination
24 about which process or path to pursue that.

25 MR. BARRY BOYKIN: Okay. Thank you.

26 CHAIRMAN SAM DAVIS: All right. Thank you.

27 All right. We'll close the public hearing.

28 COMMISSION MEMBER ARTHUR OKEN: Motion,

1 Mr. Chairman.

2 CHAIRMAN SAM DAVIS: Excuse me?

3 COMMISSION MEMBER ARTHUR OKEN: Regarding the
4 case, I recommend that this Planning Commission recommend
5 to the County Commission approval of this request for
6 reasons set out by staff in their staff report.

7 CHAIRMAN SAM DAVIS: All right. There is a
8 motion to approve. Is there a second?

9 COMMISSION MEMBER SPENCE MONROE: Second.

10 CHAIRMAN SAM DAVIS: All right. There is a
11 motion and a second to recommend approval. All in favor,
12 say aye.

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

14 CHAIRMAN SAM DAVIS: All opposed?

15 (No response.)

16 CHAIRMAN SAM DAVIS: It is unanimously
17 approved.

18 MR. VINCE JACKSON: Before I start on my case,
19 I just wanted to say, real quick, this is D. J.'s first
20 re-zoning staff report, and I think she did a great job.

21 (Applause.)

22

23 8-E - CASE Z-18037 - LAZARRI PROPERTY

24 CHAIRMAN SAM DAVIS: All right. Next case is
25 Z-18037, Lazzari property. Can we have a staff report?

26 MR. VINCE JACKSON: Yes, sir. The applicant is
27 requesting to re-zone eight-point-seven (8.7) acres from
28 RSF-E, which is the Estate Residential district, to B-4,