

BALDWIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING 06/06/2019

1 (No response.)

2 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

3 DAVIS: All right. Thanks. Staff is recommending
4 approval. This is a recommendation to the County
5 Commission. Is there a motion to do so?

6 COMMISSION MEMBER KEVIN MURPHY: I so move.

7 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

8 DAVIS: Okay. Kevin's made the motion to recommend
9 approval. Is there a second?

10 COMMISSION MEMBER BRANDON BIAS: Second.

11 COMMISSION MEMBER DANIEL NANCE: Second.

12 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

13 DAVIS: Okay. Daniel has recommended a second. All in
14 favor, say aye.

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

16 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

17 DAVIS: All opposed?

18 COMMISSION MEMBER BRANDON BIAS: Nay.

19 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

20 DAVIS: Okay. Let the record show that there was one
21 opposition and the motion carried.

22

23 **7-D: CASE Z-19022, HAYES PROPERTY**

24 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

25 DAVIS: Next case Z-19022, Hayes Property.

26 COMMISSION MEMBER DEWANE HAYES: I'm the owner
27 of the property. I'm having to recuse myself.

28 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

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1 DAVIS: All right. Thank you. Can we have a staff
2 report.

3 MR. VINCE JACKSON: The applicant is
4 requesting re-zone approximately
5 twenty-six-point-nine-three (26.93) acres from RA, which
6 is the rural agricultural designation, to RV-1, which is
7 the Recreational V Park -- Vehicle Park Designation, for
8 the purpose of developing an RV park on the property,
9 which would consent approximately one hundred and ten
10 (110) sites.

11 Subject property is located on south side of County
12 Road 68, west of County Road 71 North, in Planning
13 District 12. And here is the -- the locator map showing
14 the zoning and the location of the property.

15 This involves three (3) parcels and, as I stated,
16 the total acreage of the three (3) parcels, when taken
17 together, is twenty-six-point-nine-three (26.93) acres.

18 And then here is the aerial showing the property.
19 And this is a proposed site plan. And now you're not
20 being asked to approve the site plan, but this is
21 provided for your information to show generally what the
22 RV park would look like once it's developed.

23 Here are pictures of the subject property, pictures
24 of adjoining properties. And I'll just go back for a
25 minute to the -- to the site plan. If the -- if the
26 re-zoning is approved and this -- you, of course, are the
27 recommending body on re-zoning.

28 This'll go to the County Commission probably in

1 mid-July for a final vote. If the re-zoning is approved,
2 then the applicant would be required to submit a site
3 plan to the Baldwin County Highway Department for final
4 site plan review.

5 That would be in accordance with the RV park
6 standards, which are in the Subdivision Regulations.
7 We're not doing that tonight, I just wanted to let y'all
8 know that that is another step in the process should the
9 re-zoning be approved.

10 We did recommend approval. This proposal is
11 consistent with other RV parks that we have reviewed and
12 recommended throughout the county.

13 And I would also point out if you -- if you look at
14 the -- the zoning, you see the RA. Any RA parcel that's
15 three (3) acres or more could potentially have an RV park
16 through the special exception process.

17 So, you know, there would be potential for other RV
18 parks in the area. But we do in this case recommend
19 approval.

20 With the RV-1 zoning, it's much more limiting. The
21 only things that the applicant will be able to do on the
22 property, if it is re-zoned, would be construct an RV
23 park or build a church. That's all.

24 The residential and rural agricultural uses that are
25 allowed now would not be allowed, and no other commercial
26 activity would be allowed. It would strictly be an RV
27 park or it could be a church, because we allow churches
28 everywhere.

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1 Those are all the comments I have right now. We
2 understand that there are a number of concerns that
3 are -- have been expressed about this re-zoning, so I
4 will be back at the conclusion of the public hearing for
5 additional comments, unless you have any questions of me
6 at this time.

7 COMMISSION MEMBER BONNIE LOWRY: I have just
8 one question.

9 MR. VINCE JACKSON: Yes, ma'am.

10 COMMISSION MEMBER BONNIE LOWRY: I know
11 there's a letter in here from ADEM -- from Scott Brown.

12 MR. VINCE JACKSON: Mm-hm.

13 COMMISSION MEMBER BONNIE LOWRY: And do you
14 have any idea of what the percentage is on these
15 wetlands.

16 MR. VINCE JACKSON: You can see, if you're
17 looking at the aerial photograph, you see the areas of
18 potential wetlands. Now, before any construction would
19 be commencing, there would have to be an actual
20 assessment and delineation to determine the exact extent
21 of wetlands.

22 Based on what the applicant has shown us on the
23 propose site plan, it doesn't appear that the potential
24 wetlands to be impacted, but we would want -- as we got
25 to the stage of construction, before we would issue any
26 permits, we would need more specific information on that.

27 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

28 DAVIS: Any other questions for Vince at this point.

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1 COMMISSION MEMBER KEVIN MURPHY: Vince, I have
2 a question.

3 MR. VINCE JACKSON: Yes.

4 COMMISSION MEMBER KEVIN MURPHY: This would be
5 the only classification re-zoning we have that says we
6 can't extract or remove natural resources on or under the
7 land; is that correct.

8 MR. VINCE JACKSON: No -- no. That's on
9 there. If you look at -- if you look at your staff
10 report, under proposed zoning requirements, extraction
11 and removal of nature resources on or under the land is
12 listed.

13 The way that actually works is that our statute says
14 that we can't prohibit it under any circumstances. So
15 we -- we list it as allowable use under every zoning
16 designation. Theoretically, we don't have to list it,
17 because our statute says that we can't regulate it. But
18 it is on there.

19 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
20 DAVIS: Any other questions for Vince.

21 (No response.)

22 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
23 DAVIS: Thank you, Vince. We'll open the public hearing
24 at this point. Thomas, are you representing the
25 applicant.

26 MR. THOMAS PILCHER: Yes, sir. So, as far as
27 beginning, I understand there's some people here that are
28 gonna say somethings, that have some concerns. And,

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1 frankly, I don't know what these concerns are, so until
2 they come up with some of those things, I'd like to come
3 back and afterwards and address some of those things.
4 I'm sure they are --

5 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

6 DAVIS: But we always give the applicant that option.

7 MR. THOMAS PILCHER: Yes, sir. But, from just
8 a general standpoint, and if you look at the situation,
9 you guys all know -- I'm not telling you anything you
10 don't know, but when the Beach Express came through right
11 there, it fundamentally changed the whole way that area
12 developed.

13 And it -- the next big step was obviously Buc-ee's;
14 right? So what we're talking about, this property is
15 roughly a mile away from a major traffic -- I mean, a
16 major thoroughfare down to -- to the south. And one of
17 those things that's gonna come with that is RV parks.

18 People are wanting to -- to have their RV parked
19 down there and go further south. And -- and this
20 particular spot is -- is just ideal for that, which is
21 the purpose for what we're doing it here.

22 Now, I do think it's important to note, and one of
23 the -- probably the main important thing to note about
24 all of this is that what we're talking about here is not
25 some lumpy, trashy kind of property, okay?

26 If y'all been -- seen what these RV cost, and
27 anywhere from two hundred and fifty thousand dollars
28 (\$250,000) on -- on up. And -- and I'll tell ya, I had

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1 somebody come into my office the other day with one that
2 they said was a million dollars (\$1,000,000).

3 So what I'm telling you -- and I'm telling you that
4 for is to say people that have something that cost half a
5 million dollars (\$500,000), a million dollars
6 (\$1,000,000), two hundred and fifty thousand dollars
7 (\$250,00), they're not going to come just park their RV
8 anywhere. They going to make sure it's somewhere that's
9 kept up, that's gated, that's secure, that's got security
10 cameras, that's -- that's -- that's put in a position
11 that protects that asset; right?

12 That's an expensive RV. So -- so, when you look
13 down the line, that's what we're talking about. We're
14 talking about putting a nice property there, talking
15 about doing something that -- that would benefit really
16 the whole area, and not just this part of town, the whole
17 county.

18 Because it's something that's needed. And I think
19 that's proven by the fact in the last, what, six (6)
20 months or so, y'all have already approved two (2) that
21 really didn't fit as nicely as this one does. So y'all
22 got any questions.

23 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

24 DAVIS: Any questions for Thomas at this point.

25 AN AUDIENCE MEMBER: Yeah. Have you seen these
26 pictures?

27 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

28 DAVIS: Sir -- sir -- sir --

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1 AN AUDIENCE MEMBER: Maybe you haven't seen
2 these pictures.

3 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
4 DAVIS: Sir, you -- you'll have an opportunity, but we
5 don't have questions back and forth. This is a -- a
6 forum that the Commission is addressed and we address
7 them. So you -- you need to address the Commission when
8 your turn comes.

9 AN AUDIENCE MEMBER: Yes, sir.

10 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
11 DAVIS: Okay. All right. I'm going to do the same
12 thing here with the -- there's multiple people signed up
13 to speak for. Is there anyone else that signed up for
14 that would like to add anything to what Thomas had to say
15 at this particular point.

16 (An audience member indicates.)

17 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

18 DAVIS: Are you for.

19 AN AUDIENCE MEMBER: Yes.

20 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

21 DAVIS: Okay.

22 THE COURT REPORTER: State your name, please.

23 MR. TIM ARANT: Tim Arant, Re/Max of Gulf
24 Shores, live in Orange Beach.

25 Personally, I don't have a dog in the hunt. I have
26 no personnel or professional interest in this. But I
27 just wanted to add merely that any investment that the
28 Hayes group -- they're -- that they -- their ventures are

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1 of positive benefit for the community and the county.

2 And I've seen they've got a proven track record. That's
3 all I want to say.

4 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

5 DAVIS: All right. Thank you. Okay, now it's time for
6 the opposition. Did y'all -- did y'all choose a
7 spokesperson.

8 AN AUDIENCE MEMBER: Donna Hinote -- Donna
9 Hinote.

10 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

11 DAVIS: Donna Hinote. Okay. Donna, where are you?
12 Right there.

13 MS. DONNA HINOTE: Right here. I turned in
14 papers last week.

15 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

16 DAVIS: Come on up to the mic so that you can be heard.

17 MS. DONNA HINOTE: I turned in papers last week
18 with pictures of what is been being done out there. They
19 didn't seem to get to y'all. I don't know why.

20 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

21 DAVIS: We have them.

22 MS. DONNA HINOTE: You have --

23 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

24 DAVIS: Yes.

25 MS. DONNA HINOTE: -- all of those pictures?

26 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

27 DAVIS: Yes.

28 MS. DONNA HINOTE: No -- no -- no -- no. You

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1 don't have what's been out there recently.

2 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

3 DAVIS: We have pictures of the site.

4 MS. DONNA HINOTE: No. Vince? Celena? Pass
5 these out, please. It's one for every one of them. My
6 name is Donna Hinote. I live in the Rosinton Community.

7 (An audience member speaking inaudibly.)

8 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

9 DAVIS: Excuse me.

10 AN AUDIENCE MEMBER: It was our understanding
11 that Mr. Hayes was supposed to remove himself from the
12 room and stand in the hallway, but yet he's sitting right
13 here in the chair.

14 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

15 DAVIS: He doesn't have to remove himself from the --
16 from the --

17 ATTORNEY DAVID CONNER: He has a conflict of
18 interest, so that he can't participate in the
19 deliberations with Planning Commission. So he stepped
20 down and recused himself from discussions.

21 But because it does involve his property, he has a
22 lawyer that's doing the speaking for him, and he does
23 have the right to communicate with his lawyer if
24 necessary. That's the only reason that he's here.

25 AN AUDIENCE MEMBER: We were told he was
26 supposed to leave the room.

27 ATTORNEY DAVID CONNER: And who told you that,
28 ma'am.

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1 AN AUDIENCE MEMBER: He did.

2 MR. VINCE JACKSON: I told them. Because that
3 was my understanding, but you're the attorney. I defer
4 to you.

5 ATTORNEY DAVID CONNER: Normally we do that.
6 Vince, is exactly right. And, for example, if it was a
7 family member that was coming up, or some other party
8 that he was recusing himself from, but the fact that it
9 involves his property -- if it'd make you feel more
10 comfortable, he can outside. And his lawyer can go back
11 and forth to see him, if that would make things better.

12 Thomas, do you mind doing that? Vince is exactly
13 right. We normally do that when they -- for example,
14 let's say his brother or sister had a piece of property,
15 he would recuse himself and step outside.

16 AN AUDIENCE MEMBER: He's --

17 ATTORNEY DAVID CONNER: I understand.

18 AN AUDIENCE MEMBER: He's --

19 ATTORNEY DAVID CONNER: And so he's going to
20 go step outside at this moment, and he can converse with
21 his attorney that way. Thank you.

22 MS. DONNA HINOTE: It doesn't bother me. I'm
23 used to it. Okay, we've got --

24 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
25 DAVIS: Let me interrupt for just a minute. One thing I
26 do wanna ask everybody is to be civil. So we don't wanna
27 get in a shouting match, no arguing back and forth.

28 As I stated earlier, the speaker addresses the

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1 Commission, and the Commission answers the questions.

2 There are no questions that come from the floor, only
3 from that podium. Thank you.

4 MS. DONNA HINOTE: Baldwin County is growing,
5 developing, and is changing rapidly. Our entire
6 community understands this.

7 We also understand that there are unscrupulous and
8 exploitative developments everywhere, these folks who are
9 ready and even eager to take advantage of good people.

10 In the middle of this growth cycle, we do want to
11 improve our community. Our community is looking for good
12 neighbors. It is a growing, private, residential
13 neighborhood. So our desire is for all of our entire
14 community's residential neighborhoods evolve in a good
15 way.

16 This RV park re-zoning will be detrimental to our
17 community on any number of levels. First, on property
18 improvement, by the plan that was submitted, they're
19 planning on having a gravel road RV park.

20 A gravel road RV park will not improve the property
21 values of this neighborhood or any of the other
22 surrounding neighborhoods. It will depress the current
23 property values for miles and miles in all directions.

24 This project will increase traffic on County Road 68
25 and cause dangerous traffic issues at the entrances where
26 are there ditches that the road cannot be widened.

27 This neighborhood is currently in the early stages
28 of new development phases. Private property owners have

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1 already moved to this area and built their dream homes --
2 custom-type homes.

3 There are other young, professional families
4 currently making plans to move to this area and looking
5 to build their custom dream homes. They are in search of
6 a quiet, rural setting to raise their children in.

7 This is a low-rent project that will forever
8 paralyze the custom home development in this neighborhood
9 and all neighborhoods in surrounding areas.

10 Law enforcement, the size and number of the units on
11 this property will increase law enforcement and emergency
12 services. Which law enforcement entity will be
13 responsible for maintaining the peace and security of
14 this park?

15 Trash, we've all seen reports where the City of
16 Orange Beach is forced to spend over a million dollars
17 (\$1,000,000) a year in beach cleanup. That's from
18 cleaning up the mess at the expensive beach condos. How
19 are the tons of discarded trash generated by campers
20 going to be handled?

21 How about off-leash pets? RV parks are known for
22 creating pet problems for the surrounding neighbors.
23 Which government entity will ensure that this is not a
24 highly contentious situation for local homeowners, their
25 own pets, and their children?

26 Noise and light pollution problems, these types of
27 RVs parks are very likely to turn into weekend party
28 towns. Site lighting and people in and out at all hours

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1 will definitely change this area.

2 Invasive development, this project is trying to
3 enter into a close community of neighbors that is
4 longstanding and already established. This community is
5 rural, it is residential, and it is single-family.

6 Filling this property up with traveling mobile home
7 culture will destroy good and positive property
8 development for generations to come.

9 Predatory development, this gravel road RV park is
10 not a community service project. It is not a goodwill
11 project. It is not any kind of humanitarian project. It
12 is not an innovative custom home showcase project.

13 This ill-advised project will adversely change our
14 neighborhood forever. It will adversely change all the
15 surrounding neighborhoods forever. And it will change
16 our lives providing few, if any, benefits to anyone who
17 lives in the area.

18 This project -- it is contradictory to a good
19 community and all the people in the community, people who
20 will be paying for the consequences of this re-zoning for
21 generations to come.

22 None of you folks here tonight would be willing to
23 put this in your backyard, so we do not believe that you
24 should be willing to impose it in our backyards.

25 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

26 DAVIS: Thank you.

27 (Applause.)

28 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

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1 DAVIS: I take it by that applause that you have
2 adequately represented the opposition.

3 MS. DONNA HINOTE: Yes, I have.

4 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

5 DAVIS: Thank you.

6 MS. DONNA HINOTE: I have over -- I have turned
7 in an updated petition. I didn't go out and stand at a
8 street corner and get any Tom, Dick, and Harry.

9 I worked a three (3) mile radius of people who
10 travel that road, who live in that area. I didn't get
11 strangers. I got people who live in the community. The
12 community supports me on this, so I hope that y'all will
13 support me also.

14 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

15 DAVIS: Let me ask if there's any questions for you.

16 MS. DONNA HINOTE: Go ahead.

17 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

18 DAVIS: Anyone here have any questions for Ms. Hinote.

19 (No response.)

20 ATTORNEY DAVID CONNER: Just for the record,
21 how many signatures did you get? Some of them are
22 numbered and some are not.

23 MS. DONNA HINOTE: There is one hundred and
24 forty-six (146).

25 ATTORNEY DAVID CONNER: Thank you.

26 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

27 DAVIS: Thank you very much. What.

28 COMMISSION MEMBER ARTHUR OKEN: Are they open

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1 to seeing development out there.

2 MS. DONNA HINOTE: Pardon?

3 COMMISSION MEMBER ARTHUR OKEN: Are those
4 folks who signed the petition opposed to this re-zoning,
5 are they all from that --

6 MS. DONNA HINOTE: Yes.

7 COMMISSION MEMBER ARTHUR OKEN: They're all
8 from the same --

9 MS. DONNA HINOTE: All from County Road 68, 71,
10 64, the RSF-3 subdivision that's up there. Those people
11 signed it. I mean, I went all around in the community
12 asking who would want this in their area. And I had no
13 one that approved it.

14 COMMISSION MEMBER ARTHUR OKEN: Thank you.

15 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

16 DAVIS: Any other questions for Ms. Hinote.

17 COMMISSION MEMBER BONNIE LOWRY: Where exactly
18 do you live.

19 MS. DONNA HINOTE: I live on County Road 71. I
20 will show you my property. This is my property as well
21 as this. I have an L in here.

22 COMMISSION MEMBER BONNIE LOWRY: Thank you.

23 MS. DONNA HINOTE: It is right in my backdoor.

24 COMMISSION MEMBER BONNIE LOWRY: You have a
25 home on that property.

26 MS. DONNA HINOTE: Yes, I do, and my son also
27 does.

28 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

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1 DAVIS: Any other questions for Ms. Hinote.

2 (No response.)

3 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

4 DAVIS: Thank you.

5 Okay, as I said at the beginning of the meeting, if
6 anyone has signed up in opposition has anything
7 additional to add, we'd be glad to hear from you. No one
8 does.

9 (An audience member indicating.)

10 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

11 DAVIS: I take it you do.

12 THE COURT REPORTER: And when you get up
13 there, state your name, please.

14 AN AUDIENCE MEMBER: Say what?

15 THE COURT REPORTER: When you get up there,
16 state your name, please.

17 MR. ROBERT CUMBIE: Oh okay. My name's Robert
18 Cumbie, and I own the ten (10) acres adjacent to this
19 property right here that I just purchased.

20 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

21 DAVIS: Come on back up to the mic.

22 (Mr. Robert Cumbie approached the podium.)

23 MR. ROBERT CUMBIE: I'm not from Baldwin
24 County, but it's always been my dream to buy a piece of
25 property in Rosinton because I know it's a nice,
26 tight-knit community.

27 And for him to build this up-scale RV center,
28 it's -- it's just not right for the community. And I

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1 don't think you could ever do anything good for the
2 community.

3 So being the owner of the property next door, I'm
4 against it all the way. And I hope y'all can see that
5 this community right here, they don't want it in their
6 backyard. And I darn sure don't want it in my backyard.

7 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

8 DAVIS: Thank you, sir.

9 MR. ROBERT CUMBIE: And anybody that would put
10 this in their sister's backyard or in their own family's
11 backyard, I hope y'all can see what kind of person he is.

12 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

13 DAVIS: You got a question.

14 COMMISSION MEMBER ARTHUR OKEN: (Indicates
15 affirmatively.)

16 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

17 DAVIS: Okay. We have a question for you here.

18 COMMISSION MEMBER ARTHUR OKEN: So you reside
19 on that lot.

20 MR. ROBERT CUMBIE: Yes.

21 COMMISSION MEMBER ARTHUR OKEN: Is that your
22 residence.

23 MR. ROBERT CUMBIE: Yes, sir.

24 COMMISSION MEMBER ARTHUR OKEN: Thank you.

25 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

26 DAVIS: Any other questions for Mr. Cumbie.

27 (No response.)

28 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

1 DAVIS: Thank you, sir.

2 (An audience member approached the podium.)

3 THE COURT REPORTER: And state your name,
4 please.

5 MR. STEVEN HINOTE: Steven Hinote. My family
6 and I live on the adjoining property, just to the east of
7 Mr. Hayes' camper campground. I have a wife and two
8 girls. One is six, and one is eighteen months old.

9 With that being said, we do not need or want an RV
10 park in our backyard next to us, because you do not know
11 who or what is moving in with the intention of a
12 long-term rental.

13 If you take the Wilderness RV Park down the road in
14 Wilcox, for example, a small child died last year from
15 the negligence of a manager, their parents, and neighbors
16 in the park keeping an eye on what was going on inside
17 that home.

18 These parks are stomping grounds for drug users and
19 drug makers. So there will constantly be people in and
20 out, because they can pack up move away in the middle of
21 the night.

22 These parks harbor sex offenders and pedophiles.
23 Because, once again, they can pack up and move in the
24 middle of the night.

25 A man should not have to worry about his wife and
26 his children while he's gone to work or doing whatever he
27 is whenever he is away from his home. And if this is put
28 in next door to my house, I will worry every time that

1 I'm not at home with my wife and my kids.

2 I have personally had run-ins with Mr. Hayes'
3 tenants that were living in that camper and in those
4 tents. On a Saturday afternoon, they have medium-sized
5 dog that came in my yard, approached me, teeth showing,
6 growling, barking, hair standing on its back, aggressive.

7 Made my way to my house, grabbed my cellphone, came
8 back out. The man got the dog rounded up. I walked over
9 to the property line and I advised him, please keep your
10 dog on your side of this fence, or we're going to have an
11 issue.

12 I don't mind that they have dogs, but that's -- but
13 keep them contained. A week or so went by. On a
14 Wednesday after I got home from work, I was fixin' to get
15 on my lawnmower and cut my grass. Low and behold,
16 there's their dog once again in my yard, barking, showing
17 its teeth, and growling at me.

18 I advised a different guy that was wearing a Sweat
19 Tire T-shirt that also claimed he lived down there, told
20 him, the third time, I'm calling the police, and I'm
21 calling the animal control.

22 Fast forward four (4) days. It's Sunday, eleven
23 a.m., piddling around in my yard. Now they've got a
24 second dog with the first dog, Both of them in my yard
25 growling, barking, aggressive at me.

26 I'm in my barn, scared, because I do not know what
27 these two dogs are gonna do. I back away cautiously to
28 my house, grab both my cellphones, a pistol, and I dialed

1 911.

2 The police come out. They tell me and Mr. Hayes'
3 tenants that I have every right to exercise -- to shoot
4 that dog if it comes back in my yard.

5 Now, if it took me three times telling his tenants
6 to keep their dog in their yard, what is Mr. Hayes gonna
7 do to keep all this trash down? Who's gonna manage it?

8 Because he, obviously, doesn't care about rules,
9 because here he is dragging in campers and mobile homes
10 and setting up and letting people live on property in
11 tents while it's up for re-zoning.

12 I've called the County countless times, and no one
13 seemed to want to handle any of it. No one seemed to
14 want to do anything about it.

15 They had a septic system there on their property
16 with a single-wide trailer there not hooked up to the
17 septic tank, people living there, children in diapers
18 running around, water hoses ran in the windows to supply
19 water for them, extension cords ran in and out of every
20 window.

21 If they're not gonna do it right from the beginning,
22 what are they gonna do right at the end? And like my
23 mother said, none of y'all would want that in your
24 backyard.

25 What if that had been my six-year-old in the yard
26 checking her chickens by herself and those dogs came in.
27 A six-year-old's instinct, they're gonna run. What's
28 that dog gonna do? It's gonna chase her. And if it had

1 attacked her, it'd be a different outcome.

2 So if that was one of y'all's six-year-olds,
3 six-year-old grandkids, how would you feel about it? We
4 do not need this in our community.

5 Thank you for your time.

6 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

7 DAVIS: Thank you.

8 (Applause.)

9 THE COURT REPORTER: And state your name,
10 please.

11 MR. ERIC RUSSELL: My name is Eric Russell.
12 I'm going to show you my property. This is me. I'm
13 surrounded.

14 The gentleman said, yes, we -- we do have RVs that
15 are a quarter million dollars (\$250,00), but you can also
16 buy one for about twelve thousand dollars (\$12,000). You
17 can buy them forty-feet (40) long, you can buy them
18 twenty-two-feet (22) feet long. Unless there are
19 restrictions, you can't tell who's actually going to be
20 living there.

21 My concern is more ecology. What is all this gonna
22 do to the runoff? There are ponds there. There's a
23 creek there. How is it going to affect my property,
24 which is slightly downhill from there, when they will
25 level this property in order to put an RV?

26 Because you can't have an RV sitting on a hill. It
27 won't -- the hydraulics won't work. So, my concern is,
28 besides everything else, what is this gonna do to

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1 drainage? What is this gonna do to the water, where that
2 water goes when we get a rain?

3 Where is the oil, the gasoline that's leaking out of
4 vehicles, which typically is gonna happened? Where is
5 this gonna go? Is it gonna go into the watershed? Is it
6 gonna go into my well, which is fifty-feet (50) away from
7 these things.

8 I have a sixty-foot (60) deep well. Is it gonna
9 pollute my well? These are the questions, you know,
10 these are my concerns, besides everything else.

11 Thank you.

12 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

13 DAVIS: Thank you.

14 Thomas, would you like to come up and address some
15 of these concerns?

16 AN AUDIENCE MEMBER: I had something I wanted
17 to say.

18 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

19 DAVIS: Excuse me.

20 AN AUDIENCE MEMBER: Can I speak here?

21 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

22 DAVIS: Sure.

23 THE COURT REPORTER: State your name, please.

24 MR. DAN MIDDLETON: I'm Dan Middleton. I join
25 Mr. Hayes to the direct south.

26 My concern is all y'all do a fine job for this
27 county, everything you're doing. Are y'all aware that
28 after the re-zoning application was submitted, Mr. Hayes

1 put a travel trailer out there, had people -- excuse
2 me -- living in a tent?

3 Police got involved. They left. Then he pulls
4 another trailer in, bootlegged two septic tank systems
5 in -- on the weekend.

6 If he's sitting on your board and doesn't know that
7 he should get permits before he does that, I would think
8 that's problem, Or I think he thinks he's above the law.

9 Either case, how do we know that it's going to be a
10 quality establishment? We have no assurance to that. We
11 just know what he's done so far, how it looks, and he
12 doesn't seem to care how he affects the community.

13 The community does care. So the fact that he's
14 sitting on your board and y'all are now aware of these
15 things, I think the board is responsible to help make
16 sure that this is a positive atmosphere, if it's done, or
17 it should be shut down.

18 Buc-ee's came in. There's a lot of traffic on the
19 road out there. Buc-ee's paid for a turning lane for
20 safety. Is Mr. Hayes gonna do a turning lane?

21 You know, it's a bottom of hill. It's not safe.
22 We're talking about a huge change to this area. But my
23 main concern is, he will not adhere to the rules of the
24 law that y'all enforce.

25 Thank you.

26 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

27 DAVIS: Thanks.

28 MR. THOMAS PILCHER: Ready for me now?

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1 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

2 DAVIS: Thomas, you're next.

3 MR. THOMAS PILCHER: All right. First of all,
4 just because --

5 AN AUDIENCE MEMBER: Can't hear you.

6 MR. THOMAS PILCHER: Just because the last
7 thing said, I think -- my understanding, if y'all look if
8 your packets --

9 COMMISSION MEMBER ARTHUR OKEN: Mr. Chairman,
10 I can't hear what's being said.

11 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

12 DAVIS: They're having trouble hearing you in the --

13 MR. THOMAS PILCHER: How about now? Can
14 everybody hear me?

15 All right. With respect to the septic, I think if
16 you look in your packets, you'll see that there were two
17 trailers put out there. That is perfectly within the
18 current existing zoning regulations, I want everybody --
19 just for everybody to know.

20 Secondly, there's permitted and purchased septicS
21 that's out there. So that's just an outright lie.

22 AN AUDIENCE MEMBER: No, it's not.

23 MR. THOMAS PILCHER: So, secondly, I haven't
24 seen the pictures that y'all are talking about. I have
25 some others of the existing property right now, if y'all
26 wanna look at those. It shows a cleaned-up property.
27 But what it looks like right now is not really what we're
28 here for.

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1 Obviously, we're here for what it's gonna look like
2 in the future. And -- and to that point, I want to
3 address some of the things that Donna said or Ms. Hinote
4 said.

5 First off, I wanna talk about the traffic. I think
6 if -- I don't know the studies off the top of my head,
7 but I'm sure Vince can tell you, maybe even Brandon can
8 tell you over there.

9 If you look at the actual traffic studies with
10 respect to RV parks and compare those to other
11 developments such as residential -- let's say you want to
12 put a subdivision out there. RV parks have less
13 impact -- and the studies say this. I'm not saying this.
14 You don't have to take my word for it. Take what the
15 studies' word says.

16 It's less impact to traffic patterns than it is on
17 actual -- an RV park -- an RV park has less impact on
18 traffic pattern than would be a subdivision. That's --
19 that's -- that's an issue that I understand they may have
20 and may bring.

21 And I understand that. I do. But I want y'all to
22 be aware that that is not a concern that you should have.
23 Because it's less than -- than the other thing.

24 Now, another point that's been made, this is not --
25 and, yeah, I know it was said several times; this is our
26 neighborhood. This is our neighborhood. And I don't
27 mean to say this to diminish that this is a neighborhood
28 and this is a place where y'all live. I get that. I

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1 understand that. I don't mean it to say that.

2 But what I do think is important to note is this is
3 not zoned residential. So, I mean, it's a neighborhood,
4 I know. It's -- it's where you live and -- and
5 colloquy -- colloquial -- I can't say that word --
6 speaking that this is your neighborhood, it's not in a
7 residentially zone. There is a lot of things you do in
8 RA.

9 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

10 DAVIS: Thomas, I'm gonna have ask you to address us.

11 MR. THOMAS PILCHER: Yeah, sorry. There's a
12 lot of things you can do -- and I should be looking at
13 y'all. I'm sorry about that -- a lot of things that you
14 can do in current zoning that you couldn't do in a
15 residential neighborhood. We can put multiple trailers
16 out there.

17 MR. VINCE JACKSON: You can put two trailers
18 on each lot. One is a principal dwelling and one is an
19 accessory dwelling. In order to do a manufactured
20 housing park, it would have be re-zoned or subdivided.

21 MR. THOMAS PILCHER: Right. So that's one
22 thing I wanted to point out.

23 A low-rent project, that's never been the case.
24 It's never been discussed. I don't know where that's
25 coming from, other than that's just her personal opinion
26 of what it's gonna be.

27 That's never, at any point in time, been what's
28 discussed. It's never been in what's being represented.

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1 We intend for this to be a high-scale, nice RV park
2 for -- like I said, for RV units for people who have half
3 a million dollars (\$500,000) to a million dollar
4 (\$1,000,000) RVs, and they're gonna feel comfortable
5 putting their RV in. So that's another issue.

6 Law enforcement -- Baldwin County Sheriff's Office
7 covers this, covers it very well. There's no concern
8 from Baldwin County Sheriff's Office about policing this,
9 to my understanding.

10 Trash, trash pickup in this area would be privately
11 maintained between and within the confines of the
12 property. There'd be pickups for that. And that's all
13 County -- that's all done through the County. There's
14 nothing that -- that's outside of the County.

15 And regular, general work is when County has things
16 that's standard. I mean, there's any type of
17 development, any type done like that. Of course, we take
18 care of the property. We wanna make it look nice. We're
19 not gonna have any trash.

20 Pets, same way. There's leash laws in the county.
21 There's leash laws in all the municipalities. And we
22 have -- we'd have any pets contained on the property.

23 There's gonna be, obviously, rules and regulations
24 within the property -- within the use of the property.
25 That would take care of any pets.

26 Noise and light, I think I talked about that
27 basically when I talked about traffic and the traffic
28 patterns, so I don't -- I don't think that needs to be

1 addressed again.

2 Depression of the property value, the -- the realty
3 is, I don't have a crystal ball. I can't tell you what's
4 gonna happen up, down, or indifferent. I'm not gonna lie
5 about that. But, I can't see the scale of -- the scale
6 of product that we're talking about putting in, I can't
7 see any way in the world there to depress anybody's
8 property value; If anything, it would go up. And
9 that's -- that's my personal opinion.

10 I -- I know there's been some talk about this
11 petition. I haven't seen it. Just like I hadn't seen
12 those pictures that were presented to you guys. But,
13 there's a hundred and forty-six (146) petitions within a
14 three (3) square mile radius, then I don't know -- I
15 don't know where they all came from. I think you might
16 wanna check some of those addresses and see if it
17 actually directly affects them.

18 As to the ecology, which I think was brought up at
19 one point when I walked out, this is kind of standard
20 stuff with you guys. You know that with drainage, any of
21 that kind of stuff, all drainage has to be confined
22 within confines of the property.

23 So whatever's drawn up in the site plan, drawn up,
24 any engineering that's done will take care of any issues
25 as far as flooding, drainage, water, and those kind of
26 things. We wouldn't be able to get to the point of
27 building without doing that.

28 And I guess as far as living in the camper, there is

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1 nobody living out there in a tent. There's a tent out
2 there with some -- that the guy that lives out there has
3 some kids that use the tent. They don't live in the
4 tent. It's kids. That's -- that's, you know, it's just
5 kind of silly, I guess.

6 But the reality of the situation is this: We've got
7 a guy, Mr. Hayes, he's -- he's in his county, he
8 volunteers, he works down at the community, he does a lot
9 of -- a lot of good things for Baldwin County.

10 That's what he's trying to do here. He's trying to
11 improve this, get Baldwin County growing again, and keep
12 it like supposed to be on another path.

13 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

14 DAVIS: Thomas, let me ask you question. What's out
15 there now would be removed.

16 MR. THOMAS PILCHER: Yeah. We'd -- we'd have
17 to remove it to put this in. It'd be cleaned up, cleared
18 up, everything.

19 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

20 DAVIS: Okay. I think there's another question -- I
21 think our attorney has a question for you.

22 ATTORNEY DAVID CONNER: Thomas, you mentioned
23 that there's a permitted septic tank out there. Is that
24 right.

25 MR. THOMAS PILCHER: Yes, sir.

26 ATTORNEY DAVID CONNER: Is -- is there water
27 hooked up to the trailer other than through a water hose.

28 MR. THOMAS PILCHER: I don't know how it

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1 couldn't be, But I'd have to go out and ask for sure,
2 because I don't know. But my understanding is
3 everything's got water; everything's hooked up to septic.

4 ATTORNEY DAVID CONNER: Check that for us. I
5 think that might help.

6 The other one is do they have electrical --
7 electrical power, or is it being runoff extension cords
8 to that power pole?

9 MR. VINCE JACKSON: I was going to address
10 this later, but when we became aware that there was a
11 recreational vehicle out there, we did address that with
12 the -- with the owner. That has been removed.

13 Subsequently, we've addressed the -- the
14 manufactured homes with the owner. He is in the process
15 of getting those properly permitted.

16 One of the land use certificates was dropped off in
17 our office yesterday. And I think there is another one
18 that'll be forthcoming. So we are working to get those
19 addressed, and that includes looking at the -- how the
20 water and sewer are handled. Those are part of the
21 requirements.

22 ATTORNEY DAVID CONNER: I appreciate that.
23 Because I just wanted the room to know that when we
24 receive requests or concerns, that you all were handling
25 that.

26 MR. VINCE JACKSON: Yes.

27 ATTORNEY DAVID CONNER: Regardless of where
28 they sit and who they are.

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1 MR. VINCE JACKSON: Yes.

2 ATTORNEY DAVID CONNER: The next question for
3 Thomas would be, are -- as part of the -- this, are y'all
4 proposing restricted covenances as it relates to the use
5 the property, the types of RVs, et cetera? That --
6 that's what they're looking for, Some comfort about what
7 level service, what level project this will be.

8 MR. THOMAS PILCHER: Absolutely. And what
9 we're talking about putting in here would -- would
10 restrict the uses for sure. You couldn't put in --
11 unless it's -- I mean, low-rent trailers wouldn't be
12 going in there, if that's what your asking.

13 AN AUDIENCE MEMBERS: That's discrimination.

14 ATTORNEY DAVID CONNER: Just think, as you
15 start to look at going to the -- this is a recommendation
16 to the County Commission --

17 MR. THOMAS PILCHER: I -- I understand that.

18 ATTORNEY DAVID CONNER: They'll ultimate make
19 that decision. Before gets there, I would think that you
20 probably want to have a discussion regarding what you are
21 or not going to do.

22 MR. THOMAS PILCHER: We intend to -- to have
23 some restrictive -- some --

24 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
25 DAVIS: There's been a sewer out at the highway. Are
26 these gonna be connected to the sewer, or are they gonna
27 septic tanks.

28 MR. THOMAS PILCHER: I don't know.

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1 ATTORNEY DAVID CONNER: That would be a part
2 of the development planning process. Because it goes
3 beyond the zoning a little bit. The only reason I asked
4 that was there was a lot of people here asking questions,
5 and I wanna make sure that everybody knows that we treat
6 everybody the same, regardless of who they are or where
7 they are.

8 MR. VINCE JACKSON: Right. And I would -- I
9 would also point out that -- and we've mentioned this
10 already -- if the re-zoning is ultimately approved, the
11 owner will still need to come back for final site plan
12 approval. So any -- any questions related to water and
13 sewer service can be addressed during that process.

14 COMMISSION MEMBER BONNIE LOWRY: I have a
15 quick question. The trailer that was put out there, I
16 guess it was April 13th, according to the notes. Whose
17 trailer is that.

18 MR. THOMAS PILCHER: It's Mr. Hayes' trailer.

19 COMMISSION MEMBER BONNIE LOWRY: And, is
20 anybody living in that trailer now.

21 MR. THOMAS PILCHER: I'd have to go step out
22 and ask him. I understand somebody's moving in there.
23 But I'm not a hundred percent (100%) sure. I don't know.
24 I -- I can outside -- if you give me two seconds, I can
25 go ask and find out. You wanna take -- you wanna ask
26 another question?

27 COMMISSION MEMBER BONNIE LOWRY: And is that
28 trailer going to be moved if this becomes a RV.

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1 MR. THOMAS PILCHER: It would. Yes, ma'am.

2 COMMISSION MEMBER BONNIE LOWRY: Yes.

3 MR. THOMAS PILCHER: Yes, ma'am.

4 COMMISSION MEMBER BONNIE LOWRY: Thank you.

5 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

6 DAVIS: Any other questions for Thomas.

7 (No response.)

8 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

9 DAVIS: Anything else for us, Thomas.

10 COMMISSION MEMBER KEVIN MURPHY: I have one
11 question. Is this property for sale.

12 MR. THOMAS PILCHER: No.

13 COMMISSION MEMBER KEVIN MURPHY: It can't be
14 bought.

15 MR. THOMAS PILCHER: I mean, it's not actively
16 for sale. Is that what you're asking me?

17 COMMISSION MEMBER KEVIN MURPHY: Enough people
18 here, they could put a little bit of money together, and
19 they could probably afford to buy it.

20 MR. THOMAS PILCHER: I dont' know --

21 COMMISSION MEMBER KEVIN MURPHY: There's no
22 chance that it's actively --

23 MR. THOMAS PILCHER: It's not actively for
24 sale. No, sir.

25 COMMISSION MEMBER BONNIE LOWRY: I have a
26 Vince question.

27 Vince, when this becomes an RV park, all of the
28 various utility hookups, will that be permitted, right,

BALDWIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING 06/06/2019

1 In each one of the lots?

2 MR. VINCE JACKSON: Yes, ma'am. There is a --
3 we have a section related to the development of RV parks
4 in our zoning. And that's included in your staff report.

5 And o, before -- before they could build anything,
6 we have to review their plans and make sure that all of
7 that would be in place. And so it does require utility
8 hookups.

9 COMMISSION MEMBER BONNIE LOWRY: And it would
10 include electric, water --

11 MR. VINCE JACKSON: Yes, ma'am.

12 COMMISSION MEMBER BONNIE LOWRY: -- and sewer.

13 MR. VINCE JACKSON: Yes, ma'am.

14 COMMISSION MEMBER BONNIE LOWRY: Thank you.

15 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

16 DAVIS: All right. Any other questions for Thomas.

17 (No response.)

18 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

19 DAVIS: Okay. Thank you, Thomas. We're gonna close the
20 public hearing at --

21 COMMISSION MEMBER KEVIN MURPHY: One other
22 question.

23 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

24 DAVIS: You got one more.

25 COMMISSION MEMBER KEVIN MURPHY: Yes. Has
26 anyone -- has anyone in the audience or anybody on this
27 petition talked to Mr. Hayes to try to work this out? Or
28 is this only a family dispute.

BALDWIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING 06/06/2019

1 MR. THOMAS PILCHER: As far as I know, nobody's
2 talked to him. So I would say it's probably a family
3 dispute.

4 COMMISSION MEMBER KEVIN MURPHY: Thank you.

5 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

6 DAVIS: All right. Any other questions.

7 MS. PENNY THAMES: Do I get to speak.

8 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

9 DAVIS: Excuse me.

10 MS. PENNY THAMES: Why was it closed when I'm
11 supposed to speak.

12 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

13 DAVIS: Do you have something different to add.

14 MS. PENNY THAMES: I think so.

15 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

16 DAVIS: All right. Come on up.

17 THE COURT REPORTER: And state your name,
18 please.

19 MS. PENNY THAMES: I'm Penny Thames. I live in
20 the property adjoins this property.

21 I'd just like to state that there is a huge, stark
22 difference between the first RV park that is going in --
23 that y'all agreed to let that happen tonight and what
24 Mr. Hayes is gonna do next to us.

25 These pictures show the quality and the caliber of
26 what he's planning to do in our community. If he came in
27 here with a proposal like the first one, I think we'd all
28 feel a lot better about what he was gonna do.

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1 But if y'all go ahead and let this pass and he does
2 something like what you see in these pictures, we're
3 gonna have to live with that. And y'all need to know
4 y'all are gonna have to live with making that okay to
5 pass.

6 Thanks.

7 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

8 DAVIS: All right. We're closing the public hearing at
9 this point. We've heard enough from both sides. I think
10 we got a real good understanding --

11 COMMISSION MEMBER BONNIE LOWRY: May --

12 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

13 DAVIS: -- of what both sides want.

14 COMMISSION MEMBER BONNIE LOWRY: May I ask
15 Vince one more question.

16 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

17 DAVIS: Yeah. I'm closing the public hearing, but I was
18 gonna ask if there was anything more to Vince. So let's
19 try to make it clear.

20 AN AUDIENCE MEMBER: Should we get a lawyer?

21 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

22 DAVIS: Excuse me.

23 AN AUDIENCE MEMBER: Should we get a lawyer?

24 THE COURT REPORTER: I don't know who was
25 talking.

26 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

27 DAVIS: Can't answer that question for you. The public
28 hearing is closed at this point.

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1 So any more questions for staff.

2 (No response.)

3 MR. VINCE JACKSON: Ms. Lowry, you have a
4 question.

5 COMMISSION MEMBER BONNIE LOWRY: We're talking
6 about a hundred and ten (110) RV spaces.

7 MR. VINCE JACKSON: Yes, ma'am.

8 COMMISSION MEMBER BONNIE LOWRY: Is that
9 considered a high-density or a low-density RV.

10 MR. VINCE JACKSON: Uh --

11 COMMISSION MEMBER BONNIE LOWRY: And I
12 understand high density is about -- is -- the low density
13 is about six (6) per acre.

14 MR. VINCE JACKSON: Right.

15 COMMISSION MEMBER BONNIE LOWRY: Which is
16 normally one house is at seven thousand, five hundred
17 (7,500) square feet.

18 MR. VINCE JACKSON: The -- the high-density RV
19 park zoning actually allows up to fifteen (15) sites per
20 acre. Okay, this is one hundred and ten (110) on
21 twenty-six (26) acres. So this actually -- this actually
22 falls in more with how we define low density rather than
23 high density.

24 COMMISSION MEMBER BONNIE LOWRY: Thank you.

25 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
26 DAVIS: All right. Vince, you've heard both sides of
27 this tonight. Is there anything you've heard that would
28 change staff's recommendation for approval.

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1 MR. VINCE JACKSON: I really don't have
2 anything else to add at this point. I would just -- I
3 would remind you all that this is a recommendation to the
4 County Commission.

5 As we move forward to the public hearing with the
6 County Commission, it's possible that things could change
7 between now and then. I don't wanna stand here say yes
8 or no, one way or the other. But, you know, a lot of
9 times as we gather information, we do begin to look at
10 things differently.

11 The meeting before the County Commission -- we will
12 probably know within the next day or two when that will
13 take place. It will probably be mid-July. And I think
14 based on the schedule, that would probably be -- I'm
15 gonna say July 16th.

16 But if you want to know specifically when that
17 meeting will be, please call our office early next week,
18 and we'll know the date by then.

19 And the re-zoning sign will remain on the property
20 until it has been considered by the County Commission.
21 But do check with us next week, and we'll know for sure.

22 That meeting will be in Bay Minette. And it'll also
23 be a public hearing. When they come back, you know,
24 assuming the re-zoning is approved, when he comes back
25 for final site plan approval, that will be a public
26 hearing as well. And that will be before you all.

27 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

28 DAVIS: Art, do you have a question.

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1 COMMISSION MEMBER ARTHUR OKEN: Yes, sir.

2 With regard to the re-zoning question, re-zoning issue,
3 the staff -- the staff has recommended approval of this
4 request.

5 MR. VINCE JACKSON: We have.

6 COMMISSION MEMBER ARTHUR OKEN: Have you heard
7 anything during this hearing that would change that
8 position.

9 PLANNING AND ZONING COMMISSION CHAIRMAN SAM
10 DAVIS: Vince, let me help you on that one.

11 Art, you just didn't understand my question. I'd
12 asked the exact same question, and he just answered that
13 he had not.

14 COMMISSION MEMBER ARTHUR OKEN: I'm sorry. I
15 missed it.

16 MR. VINCE JACKSON: I don't have -- I don't
17 have anything -- I don't have anything different to say
18 right now. Because I think in -- in an active public
19 hearing when we've already presented information, I can't
20 stand up here tell you something different.

21 COMMISSION MEMBER ARTHUR OKEN: I--

22 MR. VINCE JACKSON: I've heard a lot --

23 COMMISSION MEMBER ARTHUR OKEN: If it's been
24 asked and answered, I'll withdraw the question.

25 MR. VINCE JACKSON: Yes, I've heard a lot.
26 And we have some time before we go to the County
27 Commission. And it's possible that some things could
28 change between now and then.

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1 I just don't want to say, standing here, yes or no
2 and get into all -- and then get into all the details of
3 what that might be. There's gonna be a lot for the
4 County Commission to consider once this gets to them.

5 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

6 DAVIS: All right. Thank you, Vince.

7 MR. VINCE JACKSON: And let me just add, when,
8 you know -- our staff report, that is primarily a -- a
9 way that we provide information to you all about the
10 current zoning conditions, about the proposed zoning,
11 what they're wanting to do, what the issues are.

12 You all are the recommending body. So that's what
13 the County Commission is going to be looking for,
14 primarily, is your recommendation.

15 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

16 DAVIS: All right. Thank you, Vince.

17 At this point we're gonna call for vote. I wanna
18 remind everybody here, Vince has said it two or three
19 times. In this case, whatever we decide will be our
20 recommendation to the County Commission. County
21 Commission will make the final decision when they meet in
22 July. So right now we're dealing with a recommendation
23 of approval from the staff. Is there a motion to do so?

24 COMMISSION MEMBER BONNIE LOWRY: I'm sorry.
25 Would you repeat.

26 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

27 DAVIS: We're dealing with a recommendation from staff
28 to approve -- to recommend approval of this application

BALDWIN COUNTY PLANNING AND ZONING COMMISSION REGULAR MEETING 06/06/2019

1 to the County Commission. So is there a motion to do
2 that.

3 COMMISSION MEMBER BONNIE LOWRY: Yes.

4 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

5 DAVIS: Okay. Bonnie made a motion to recommend
6 approval. Is there a second.

7 COMMISSION MEMBER BRANDON BIAS: Second.

8 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

9 DAVIS: And that was Brandon. Okay. Motion to approve
10 and second. All in favor, say aye.

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

12 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

13 DAVIS: All opposed.

14 (No response.)

15 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

16 DAVIS: Motion carried unanimously.

17 MR. VINCE JACKSON: We'll carry that to the
18 County Commission.

19 ATTORNEY DAVID CONNER: Excuse me, everybody.
20 This is a recommendation to the County Commission. There
21 will be another public hearing held at County Commission
22 meeting. I encourage y'all to come speak your -- your
23 concerns to the Commission.

24 PLANNING AND ZONING COMMISSION CHAIRMAN SAM

25 DAVIS: Give everybody's that's leaving a moment to move
26 out so we can hear.

27 All right. We're gonna to take a five-minute break.
28

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(A recess was taken at 8:20 p.m.)

(The Baldwin County Planning and Zoning Meeting resumed at
8:30 p.m.)

PLANNING AND ZONING COMMISSION CHAIRMAN SAM

DAVIS: We'll call the meeting back to order, if
everybody will take their seats.

7-E - SHOENIGHT PROPERTY

PLANNING AND ZONING COMMISSION CHAIRMAN SAM

DAVIS: Okay. Next case is Z-19023, Shoenight property.
Do have a staff report, Ms. Linda?

MS. LINDA LEE: Good evening. The subject
property, which consists of twenty-five (25) acres is
currently zoned RMF-6, Multi-Family District, and RA,
Rural Agricultural District. The designation of B-3,
General Business District, has been requested for
approximately four-point-five (4.5) acres of the subject
property for the purpose of establishing a storage
business for boats and recreational vehicles.

If this re-zoning request is approved, the applicant
would also need conditional use approval for the proposed
storage business.

The portion of the subject property requested to be
re-zoned is vacant. The property is on County Road 12 to
the north. The adjoining properties are vacant,
residential, churches, and golf course.

This portion of County Road 12 doesn't have any