

STATE OF ALABAMA

COUNTY OF BALDWIN

RESOLUTION # 2019-105

DETERMINATION OF THE BALDWIN COUNTY COMMISSION, REGARDING **Case No. Z-19008, Kircharr Property**, SUCH DETERMINATION AS AUTHORIZED PURSUANT TO ACT NO. 91-719, AS AMENDED.

WHEREAS, Kevin Kircharr, as owner of J & S Land Company, LLC, and on behalf of Triple K Mining, LLC, has petitioned the Baldwin County Commission to rezone certain properties, in Planning (Zoning) District No. 15, for properties identified herein and described as follows:

22 AC+/- COM AT THE SW COR OF SEC 13 RUN TH N 1904.6', TH E 29.4' FOR POB TH RUN N 736.7', TH E 1304.9', TH S 736.7', TH W 1300.7' TO POB SEC 13-T5S-R2E (WD); 40 AC+/- THE NE1/4 OF SW1/4 OF SEC 13-T5S-R2E (VL) 10 AC+/- N1/2 OF S1/2 OF SW1/4 OF NE1/4 SEC 13-5-2 (WD); 30 AC+/- N1/2 OF NW1/4 OF SE1/4 & S1/2 OF S1/2 OF SW1/4 OF NE1/4 DB523 PG988 SEC 13-T5S-R2E (WD); 20 AC+/- THE S 1/2 OF NW 1/4 OF SE 1/4 OF SEC 13-T5S-R2E (VLD); 24 AC+/- COM AT THE 1/2 SEC COR OF S LN OF SEC 13 RUN TH N 40', TH E 448'(S) FOR POB TH N 92'(S), TH NW 95'(S), TH W 221'(S), TH N 447'(S), TH W 210', TH N 645'(S), TH E 1330'(S), TH S 665'(S), TH W 800'(S), TH S 630'(S), TH W 83'(S) TO POB SEC 13-T5S-R2E (VL); 2 AC+/- COM AT THE HALF SEC COR ON THE SO LINE OF SEC 13, T5S, R2E; TH N 00°48'36" E A DIST OF 40.19 FEET; TH N 00°48'36" E A DIST OF 207.79 FEET; TH S 89°52'53" E A DIST OF 210.13 FEET; TH N 00°47'24" E A DIST OF 416.21 FEET; TH N 89°44'25" W A DIST OF 209.95; TH S 00°48'36" E A DIST OF 416.73 FEET

Said properties consisting of approximately 148.55 acres.

Otherwise known as tax parcel numbers **05-43-06-13-0-000-002.009, 05-43-06-13-0-000-014.003, 05-43-06-13-0-000-013.000, 05-43-06-13-0-000-002.006, 05-43-06-13-0-000-014.004** and **05-43-06-13-0-000-018.000** as found in the office of the Revenue Commissioner of Baldwin County, Alabama; and

WHEREAS, the petitioner has requested that the properties herein identified be rezoned from RA, Rural Agricultural District, B-4, Major Commercial District, and M-1, Light Industrial District, to RSF-2, Single Family District; and

WHEREAS, the Baldwin County Planning and Zoning Commission held a public hearing on June 6, 2019, and voted to recommend **APPROVAL** to the Baldwin County Commission; and

WHEREAS, the Baldwin County Commission held a public hearing on July 16, 2019; and

WHEREAS, the requirements of Act No. 91-719, as amended by Act No. 93-668, as amended by Act No. 98-665, as amended by Act No. 2006-609, and further amended by Act No. 2010-719, regarding procedures to consider this rezoning request, which would affect the Planning (Zoning) District Boundary designations of the Planning (Zoning) District No. 15 Official Map, have been met; now therefore

BE IT RESOLVED, BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, That the petitioner's request to rezone the properties (Case No. Z-19008, Kircharr Property) as herein identified and described and as found within the confines of Planning (Zoning) District No. 15 from to RA, Rural Agricultural District, B-4, Major Commercial District, and M-1, Light Industrial District, to RSF-2, Single Family Park District, which amends the Planning (Zoning) District Boundary Designations of the Planning (Zoning) District No. 15 Official Map, is hereby **APPROVED**.

DONE, Under the Seal of the County Commission of Baldwin County, Alabama, on this the 16th day of July, 2019.

Honorable Charles F. Gruber, Chairman

ATTEST:

Wayne A. Dyess, County Administrator