

9/25/2019

Dear Commissioners,

I am writing you as a Fort Morgan homeowner and someone who cares deeply for the Fort Morgan community. Fort Morgan is the last remaining place along the Baldwin County Gulf Coast that hasn't been overdeveloped and retains its unique beach front cottage character. However, over the last several years the character has begun to be altered. The beach front cottages are now being torn down and replaced with 3 story, 50' tall mini hotels that contain at least 18 bedrooms and sleeps 44 people. The parking generated by these mini hotel is tremendous and causes streets to be routinely blocked. Not only does this effect the residents and other renters, but it also severely impedes emergency services such as fire fighters and EMS staff. This issue is a fundamental critical emergency services issue that directly affects the safety and welfare of visitors and citizens alike.

This exploitation of the zoning rules has diminished the unique character and only benefits a few while the rest are left to deal with the negative consequences it causes over generations. I can't imagine that the citizens that initiated the District 25 zoning process ever envisioned that these small 50'-75' lots would be so overdeveloped with mini hotels destroying the unique character that they fought so hard to protect and which has existed for years in Fort Morgan.

Fortunately, the citizens and homeowners have banded together with a common goal to protect this unique place we all love. Before you on October 15th are several amendments that directly affect Fort Morgan. These zoning amendments demonstrate a great deal of hard work and a reasonable, fair approach to re-establishing and reaffirming the unique character and original vision of Fort Morgan. These amendments fit squarely within the charge provided by the Local Act of the Alabama Legislature. In **Section 45-2-261.64 of the Act**, it says that the Baldwin County Commission shall specifically consider the historical nature of existing development within the Fort Morgan District, the historical and environmental character of the district, and the unique needs of the district related to hurricane safety and infrastructure for potential evacuation.

It is clear that the "historical nature of existing development" is not gigantic mini-hotels that have sprung up in Fort Morgan. It is one of beach front cottages and a family friendly environment. Also, I urge you to consider the public safety associated with hurricane evacuation and the affect that these mini-hotels. I urge you to not only consider the current issues and the negative effects of this overdevelopment, but please consider future generations and their ability to enjoy this unique asset we have in Fort Morgan and the unique beach cottage atmosphere which it represents.

Please support the residents and homeowners and the unique character of Fort Morgan and vote to adopt the zoning amendments as presented by the Fort Morgan Zoning Advisory Committee and unanimously recommended by the Baldwin County Planning and Zoning Commission.

Thank you for your consideration.

Paul Stanton

The Code of Alabama 1975 **Section 45-2-261.64**

Enforcement and administration of subpart.

The Baldwin County Commission shall enforce this subpart in the same manner as provided in Section 16 of Act 91-719, and, in performing its functions related to planning and zoning, the Baldwin County Planning and Zoning Commission and the Baldwin County Commission shall specifically consider the historical nature of existing development within the Fort Morgan District, the historical and environmental character of the district, and the unique needs of the district related to hurricane safety and infrastructure for potential evacuation.

(Act 2015-411, §5.)

FORT MORGAN NEWS

November 2017~Issue 129



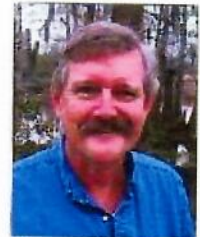
PRESIDENT'S MESSAGE

Hi, Folks,

We had a good turnout for the fish fry and collected a good contribution to the benevolent fund. All systems are go for the Fort Morgan Pier!! Hope for a good turnout for the November 13 meeting.

Paul

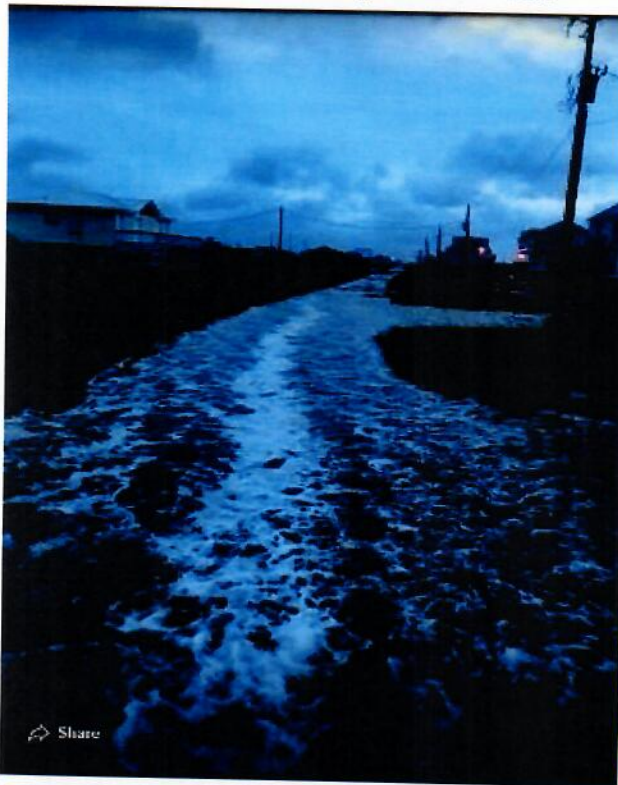
Paul Barefield



MEMBER NOTICES

Fort Morgan Volunteer Fire DepartmentChief Glenn Stevens

Ponce de Leon Ct. during Hurricane Nate



Your Fire Department had several firefighters stay at Station 1 during Hurricane Nate, just to be on standby if anyone needed assistance. Fortunately, we only took a mild hit from Nate and our firefighters enjoyed all the food that was provided by the community. Following the storm, warnings were issued about the high risk of dangerous rip currents and all the condominium complexes were flying red flags, which warn swimmers not to enter the water. Despite all the alerts and warnings, a 12-year-old boy, supervised by his mother, decided to ignore all the warnings and go into the Gulf. The boy got caught in a rip current. Four adults attempted a rescue. The boy made it to shore, two adults survived, and two men drowned. Unfortunately, similar situations occur far too often.

During September, your Fire Department responded to 21 emergency calls:

- ~ 11 medical
- ~ 6 false alarms
- ~ 2 motor vehicle accidents
- ~ 1 bicycle accident
- ~ 1 swimmer in distress

One of our fire officers has expressed some public safety concerns that the Fire Department has no authority to control. The following are some of these concerns:

Hazardous Conditions at Duplex Houses

1. Extremely large duplexes with 3 stories above pilings:

[Editor's Note: one has 22 bedrooms!]

- a. The interior stairs from floor to floor are extremely steep and narrow, making it difficult to move patients through the house and down to an ambulance. These narrow, steep stairs would

be dangerous in the event of a fire – for both the occupants and the firefighters.

b. The houses are so tall that our ladders do not reach beyond the second floor.

c. Response to these buildings can be impeded by the number of vehicles that park at the structures.

Driveways Dangerously Impeded

2. Some driveways do not allow fire apparatus access to the structure:

a. Some driveways, especially on the bay side, are so heavily vegetated that fire vehicles are blocked from entering the property. Some driveways have overhanging tree limbs, while other driveways are so narrow that our fire trucks cannot maneuver.

b. Some of the extremely long driveways on the Gulf side do not have enough rock to support a fire truck.

Illegal Golf Carts on Highway 180

3. Golf carts driving down Hwy. 180:
 - a. Illegal.
 - b. Extremely dangerous.
 - c. Underage drivers in some cases.
 - d. Ingredients for a tragic accident.

Dangerous Swimming Conditions

4. People that ignore warnings and alerts of dangerous swimming conditions in the Gulf.
 - a. Weather agencies release daily advisories of surf conditions.
 - b. When severe rip current advisories are issued.
 - i. Fire Dept. posts warnings on the highway sign at Station 1.
 - ii. Firefighters patrol the beach on ATVs and advise swimmers to stay out of the water.
 - c. Condominium complexes fly red flags advising swimmers to stay out of the water.
 - d. Even with all the warnings and advisories, people still go into the water, and innocent people attempting to rescue them end up drowning.

The purpose of these comments is to make the community aware of issues that affect you and your family.

Just a reminder to those who might have an interest in joining the Fire Department: our meetings are on the 1st and 3rd Mondays each month at 6:30 p.m. at Station 1.

Auxiliary Fish Fry a Resounding Success!

Thanks to everyone who attended our Fish Fry and thanks to all who donated baked goods. We set a record for proceeds on baked goods—double the previous amount—\$800!! Overall we served nearly 300 dinners. From calls for help to donate baked goods in both the Fire Department website and from this Fort Morgan NEWS, there was such a huge response that we had to set up an extra table just for baked goods. Thanks, everyone. As you know, proceeds go to firefighters in need.

Fort Morgan Planning & Zoning Advisory Committee.....Chan West, Chair Semi-Annual Meeting Minutes

A semi-annual meeting of the Fort Morgan Planning and Zoning Advisory Committee was held at 9:00 am, October 18, 2017, at the Fellowship Hall of Shell Bank Baptist Church. Members present were Thelma Strong, Bonnie Lowry, Ernie Church, Chan West, and Commissioner Charles Gruber. Absent were Randy Ulrich and Carol Kittrell (secretary). Also present were Vince Jackson, D. J. Hart, and Linda Lee of the Baldwin County Planning and Zoning Department; David Conner, County Attorney; and Greg and Jamie Strategier, residents of District 25.

Local members had prepared a letter for the County Commission requesting that they reconsider their decision not to include an exemption for District 25, from a new zoning category TA-17001 High Density Residential (HDR) which permits an increased density of 12 units/acre from 6 units/acre. Discussion focused on the timing of the proposed exemption. Both David Conner and Vince Jackson indicated that now was not the time to submit this proposal. They suggested that since no applications had been received from District 25 for the new zoning, we wait and see what the potential impact may be when such an application is submitted to the county. Commissioner Gruber advised the current commission shares our concerns; but would prefer to defer any zoning ordinance exemption at this time. The committee agreed and decided to revisit the issue after the first of the year.

The Strategiers raised their opposition to the recently constructed highly elevated dune walk-overs on Ponce de Leon. The county contingent agreed to go have a look at the structures following the meeting.

New Variance Request ~ Meeting

Our advisory committee has received a variance request, V-170040, for a reduction of the wetlands setback for a home to be built at 8837 Bluefish Dr., Cabana Beach. We will meet at the church at 9:00am on Wednesday, November 8, to consider this request. [See the details on our website www.fortmorgancivic.org under Planning & Zoning tab.]

Fort Morgan Pier Update

Commissioner Gruber reported that a design for the Fort Morgan Pier is being finalized. The old pier will be enclosed with sheet piling and covered with fill, thereby avoiding its removal. As soon as the design is finalized, it is expected that bids will be advertised.

Please document, with photos, any problems you see with overflow parking along the streets in District 25 due to high-density "duplexes." Send to Chan West: chan@goefish.com

The Fort Morgan Planning and Zoning Advisory Committee will post on our website [www.fortmorgancivic.org] re-zoning and variance request notices received from the county commission. Please refer other non-FMCA property owners who wish to stay up to date to our website.

Notices of rezoning requests are posted on the property involved and mailed to adjacent landowners by the County. FMCA also will send a special email to all members on our email list of the time and place of our Fort Morgan committee meeting and will post signs on Fort Morgan road near both fire stations. Our email notice to members is to let non-adjacent property owners who may be affected by the request express their concerns to our local committee before it submits a recommendation to the county. Any FMCA member who receives the Fort Morgan NEWS by U.S. Postal Service and wishes to receive these rezoning request notices will have to furnish us with an email address, to be sent to Chan West at: chan@goefish.com. We encourage property owners with vested interests to bring their concerns and comments to these meetings. In most cases these notices are received about 10 days before the county Planning and Zoning Commission or Board of Adjustments meeting.

Turtle Tracks 2017 ~~~~~ Total Fort Morgan = 84 Nests!!

At least 4,991 babies were assisted to the Gulf water this season!!! With no UTV, our non-Refuge beach was walked this year for the first time. All this was accomplished with about 25 active volunteers.

This year there was a rare, healthy leucistic hatchling, resembling an albino but with normal eyes. Only one albino hatchling was reported on Fort Morgan in the last few years. Several years ago a two-headed hatchling did not survive but appeared to be in the latter stages of development.

Nine nests were completely washed away by the two storms we experienced. Only three had been relocated, so the loss of six nests could be attributed to natural disasters and to being laid too close to the water.

Congratulations to Debbie Harbin and her team of valiant turtle soldiers! Many people did not believe the 9 miles of non-Refuge beach on Fort Morgan peninsula could be covered on foot, but it was done—and superbly!!! [Note: The Refuge still has a UTV to cover their 5 miles of beach. In the past, they provided shared coverage by UTV of all 14 miles of beachfront turtle patrol.]

Bon Secour National Wildlife Refuge.....Chan West



Haley's Mosaic

This week the Bon Secour National Wildlife Refuge is saying "Good Bye" to Haley Lesmerises. She has spent the past six months with the sea turtle program as an intern from Americorps and the Student Conservation Association, which promote conservation and environmental education. Home is Milford, New Hampshire, and she is a graduate of the University of New Hampshire in Wildlife Management and Conservation Biology.

Many hours were spent riding the refuge beaches, where she came to know Connie Smith, a resident of Laguna Key who walks our beaches with his pockets stuffed with plastic bags from the WalMart recycle bin, picking up marine debris and trash left by visitors. He leaves the filled bags beside the track of the UTVs where Haley and others pick them up.

Haley has created a mosaic, now on display in the refuge Visitor Center. This piece of artwork was made almost entirely from plastic bottles, aluminum cans, netting, wood, canvas, Styrofoam, fishing

debris, plastics and other trash and debris collected from the beaches of the Bon Secour National Wildlife Refuge. She has also posted documentation of the scope of the marine debris problem and some simple steps we all can take to reduce the debris entering our waters:

- ~ Use reusable water bottles and shopping bags instead of disposable ones
- ~ Take along a reusable mug for coffee to avoid Styrofoam or plastic cups
- ~ Don't litter; make sure your garbage is disposed of responsibly
- ~ Get involved in your local beach clean- up
- ~ Avoid using disposable plastics
- ~ Reduce, Reuse, Recycle!

Haley will be returning to New Hampshire as a Conservation Steward intern at Bean Brook State Park. Thank you, Haley, for your service here. Do stop by the refuge office to view the mosaic and the display.

Community History ~ Indian Canal ~ Fall ExcavationHarry King

In mid-October Dr. Greg Waselkov and Dr. Bonnie Gums of the University of South Alabama Archaeology Department, Harry King and 15 adventurous volunteers began an excavation of the Indian Canal off Fort Morgan Road. At the site earlier this year, material for carbon-14 dating had been obtained and subsequently verified by a professional lab in Florida—approximately 566 A.D.—or 1450 B.P. [1,450 years ago]. This native socio-economic population was thriving in the Fort Morgan and Bon Secour, Alabama area 1400 to 1500 years ago. Although no artifacts were found at the initial dig site, pottery and other artifacts were found at a mound on the south side of Fort Morgan Road.

We will reconvene at 9:00 am, Sunday, December 3rd at the last dig site.

We are fortunate to have such veteran archaeologists volunteering their time and expertise documenting the oldest Trade Canal in North America! Thank you all for your interest and contributions.

Note from Dr. Waselkov: We've looked over the pottery from last Saturday and it is all Middle Woodland, right in the middle of that period, so probably dating around AD 300 to 400. There was modern glass found in the layer we're currently in, so I am hoping that disappears once we get into the shell midden layer.

[NOTE: Anyone interested in volunteering for this project should contact Harry King: harryking1525@gmail.com]

Fort Morgan Community History

Did You Know?Bonnie Lowry

EARLY LOTS & DEEDS FROM SPAIN

The story of Fort Morgan is fascinating from the time of the Spanish expedition under the command of Admiral Alvarez de Pineda, who, according to history, sailed into Mobile Bay in 1519, twenty-six years after the visit of Columbus to America and one hundred years before the Pilgrims landed.

One of the first tracts of land on the west end of Fort Morgan (Sec. 1, TS 9, Range 1) was 1276 acres granted to Francisco Swarez from Spain. This is recorded in Deed Book A, pp. 292-294 on November 10, 1818.

One of the more interesting tracts of the early 1800's is that of APK Jones (don't know what the initials stand for) but this was an even larger tract (now known as Navy Cove and Pilot Town) than the Swarez tract – going north from the Gulf of Mexico to the Bay of Mobile.

By 1820 the Swarez tract had been deeded to Joshua Kennedy – Apr. 27, 1820, as recorded in Deed Book A, pp. 352-353. The APK Jones will is in Deed Book C and dated Jun. 29, 1928. No mention of the large tract – I presume much, if not all, had been deeded to others, perhaps his family.

Another interesting tidbit: In March of 1910 the trustees of the Alabama Insane Hospital certified to the governor of Alabama that they had examined the claim of James D. Hand, the lands known as "Swamp and overflow Lands" in Sections 22, 23, & 24 – speaking of a subdivision in Township 9. (This would be to the east and encompassed 2495 acres near the Bon Secour National Wildlife Refuge office. Note: J D Hand was the president of Navy Cove Harbor and Railroad Company (1912). Book ISNS, bag 624.

Way back in the 1900's almost all transactions were "quit title actions." The families owned large tracts of land in Fort Morgan, and according to the books they were both on-shore and off-shore (for example, the gas royalties, thanks to Senator Boykin's reservation of the oil and gas ownership which titles were transferred to the State of Alabama).

Fort Morgan Crime Report ~ October 2017.....Sgt. Nathan Lusk, BCSO

We had only one burglary, which was off Ponce De Leon and was during the night at an occupied house. Purse or wallet was stolen from downstairs while the victim was sleeping upstairs. No forced entry to get inside. This was a very rare occurrence. I don't remember anything similar in the last couple of years.

[Lock your doors at night and remind your visitors, tenants and neighbors to do the same!]

Thefts from unlocked vehicles and homes are preventable crimes. Remove valuables from your vehicles and lock your doors. Security cameras and exterior lights are encouraged. If you have video cameras and are near a reported crime, please check them and call the Sheriff's Office. As always, report suspicious activity.

We request that a family member notify us of any FMCA member's death and the website where an obituary and funeral arrangements can be found. With over 400 member families, we have no certain way of knowing of a member's death.

Baldwin County Commission Contacts

Commissioners:

Charles "Skip" Gruber
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251-943-5061

Tucker Dorsey
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251-972-8502

Chris Elliott
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251-990-4606

Frank Burt, Jr.
fburt@baldwincountyal.gov
251-937-0395

To speak at a regular commission meeting, you must have signed up before the meeting. Check the dates, times and locations for all meetings at <http://www.baldwincountyal.gov>

FMCA Executive Board Contacts

If you have questions, need information or would like to volunteer, please contact one of the following board members.

Officers

President	Paul Barefield	540-7727	csbarefield@gmail.com
Vice President	Ernie Church	334-220-0851	ecaces4@gmail.com
Treasurer	Chan West	979-4932	chan@goefish.com
Secretary	Carol Kittrell	251-605-4134	ckittrell@southalabama.edu
Standing Committee Chairs			
District 25 Planning & Zoning	Chan West	979-4932	chan@goefish.com
Incorporation	Paul Barefield	540-7727	csbarefield@gmail.com
Membership	Bonnie Lowry	540-9327	
NEWS & Website Editor	Sonja Sanders	233-6208	
	39sunnisands@gmail.com		
Sunshine	Vickie Matranga	543-1555	vpowers110@gmail.com

FMCA 2017 MEETINGS

FMCA Monthly Member Meetings ~ 2nd Monday, 6:30pm, Shell Banks Church:
November 13 ~ December 11

Fort Morgan Civic Association
P. O. Box 5313 ~ Gulf Shores, AL 36547
www.fortmorgancivic.org

Wayne Dyess
County Administrator
Baldwin County Administration Building
County Commission Office
322 Courthouse Square
Bay Minette, Alabama 36507

July 9, 2019

The Ft Morgan Volunteer Fire Department strongly encourages the Planning and Zoning Department to establish in District 25 a 2 story limit on residential construction vice the suggested 2 1/2 story proposal discussed at our recent joint planning and zoning meeting.

Despite the proposed caveat to limit habitability in the additional 1/2 story, our experience is that people who rent out their homes will go to virtually any length to maximize bedroom count and sleeping numbers. We have seen cots on top of cots in hallways, bunk beds in rooms the size of a closet and narrow stairs leading to attics filled with similar bedding. There are homes here where reasonable emergency access to attic areas and third stories is virtually impossible. A spiral staircase to an upstairs area causes unnecessary limitations on emergency responders who are there to potentially save lives.

Standard 2 story construction is more likely to adhere to traditional stairway width - not the more narrow stairways we encounter when third stories are used as sleeping areas, or when attics are used for habitation.

A 2 story limit may not solve all the problems but will at least make firefighting and medical rescues less problematic. We have a ladder capability to second stories but not to greater heights. And parking along narrow roadways limits the ability of first responders to reasonably access homes that need our help. Your stacking initiative will help alleviate some of the parking situations we encounter - we agree that needs to be implemented here in District 25.

Other concerns we have in the fire department:

Is there a fire code review/enforcement as part of the building permit process?

Can a reasonable occupancy limit be established for residential rental properties?

As homeowners maximize habitability there is a coincidental negative influence on infrastructure (from sewer to water to garbage collection) as well as on evacuation during hurricanes. Road congestion becomes nightmarish. Even

Gulf Shores Mayor Craft has stated his concerns about Ft Morgan traffic merging onto highway 59. Nightmares can soon become reality if growth and density are not better controlled. A 2 story limit would help considerably.

Signage is becoming a safety issue. People are putting up signs within the highway centerline right of way and line of sight in areas is severely limited. We know this is a contributing factor to motor vehicle accidents.

Ancillary issues we would like addressed but not necessarily in your purview have to do with driveway construction. Since owners have to abide by US Fish and Wildlife footprint limitations, we notice driveways narrower than many of our fire apparatus' can traverse. As a result, we would have to lay a line from highway 180 all the way up the driveway to fight the fire directly, or lay line to feed hydrant water to a smaller truck with smaller hoses to battle a blaze. Certainly not an ideal scenario.

Evacuation from FHA and CHHA locales is critical during weather events. The additional people (and vehicles) who would be here if a habitable 1/2 story were permitted only exacerbates challenges we are facing to achieve an orderly evacuation.

The bottom line is: a 2 story residential limitation reasonably ameliorates both controlled growth and reduced density.

Ernie Church
President, Board of Directors
Ft Morgan Volunteer Fire Department



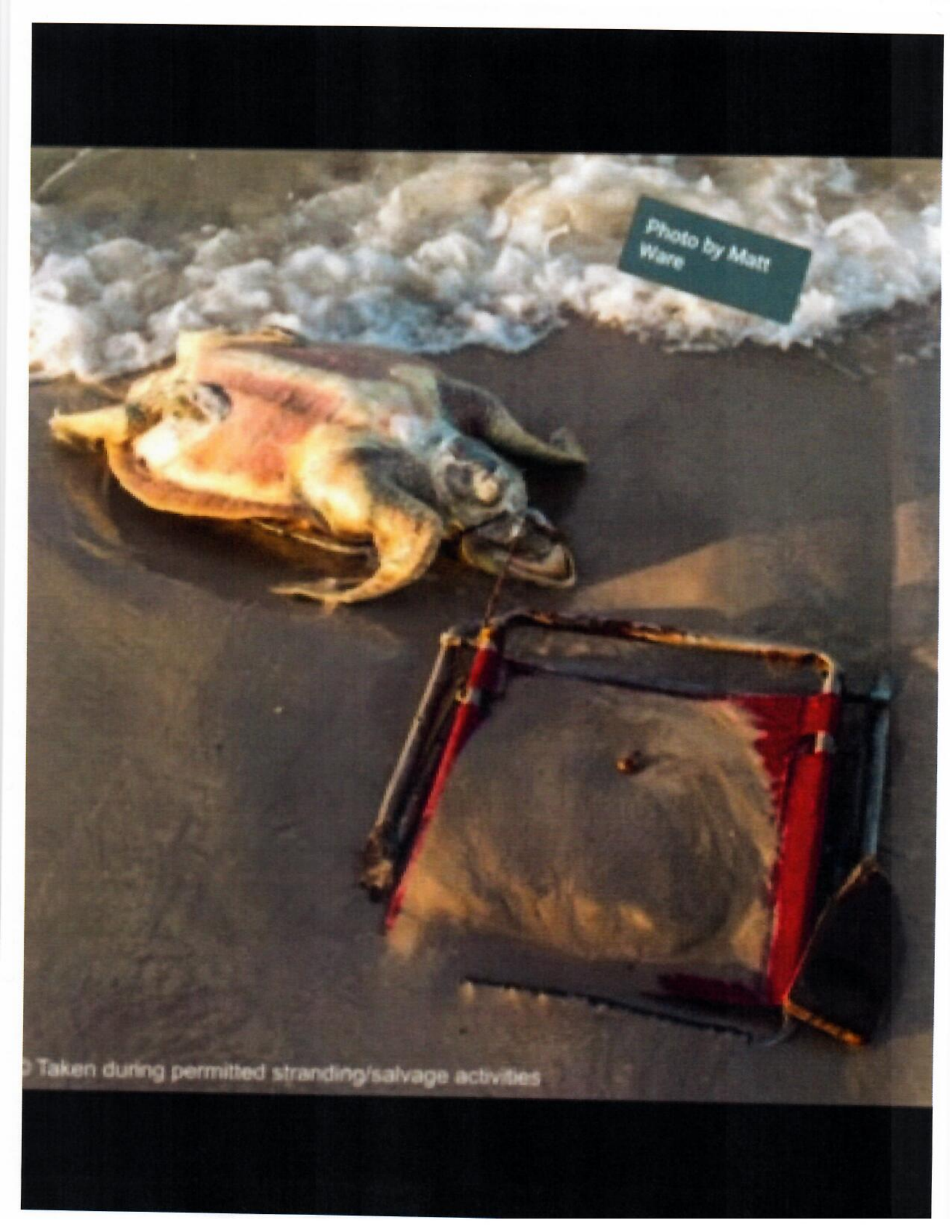
A photograph showing a dead turtle lying on a dark, sandy beach. The turtle's carapace is visible, showing a mix of brown, orange, and yellow colors. To the right of the turtle is a red and black bag, possibly a cooler or a bag of equipment. In the background, there are white, foamy waves crashing onto the shore. A small, dark green rectangular tag is placed on the sand near the waves.

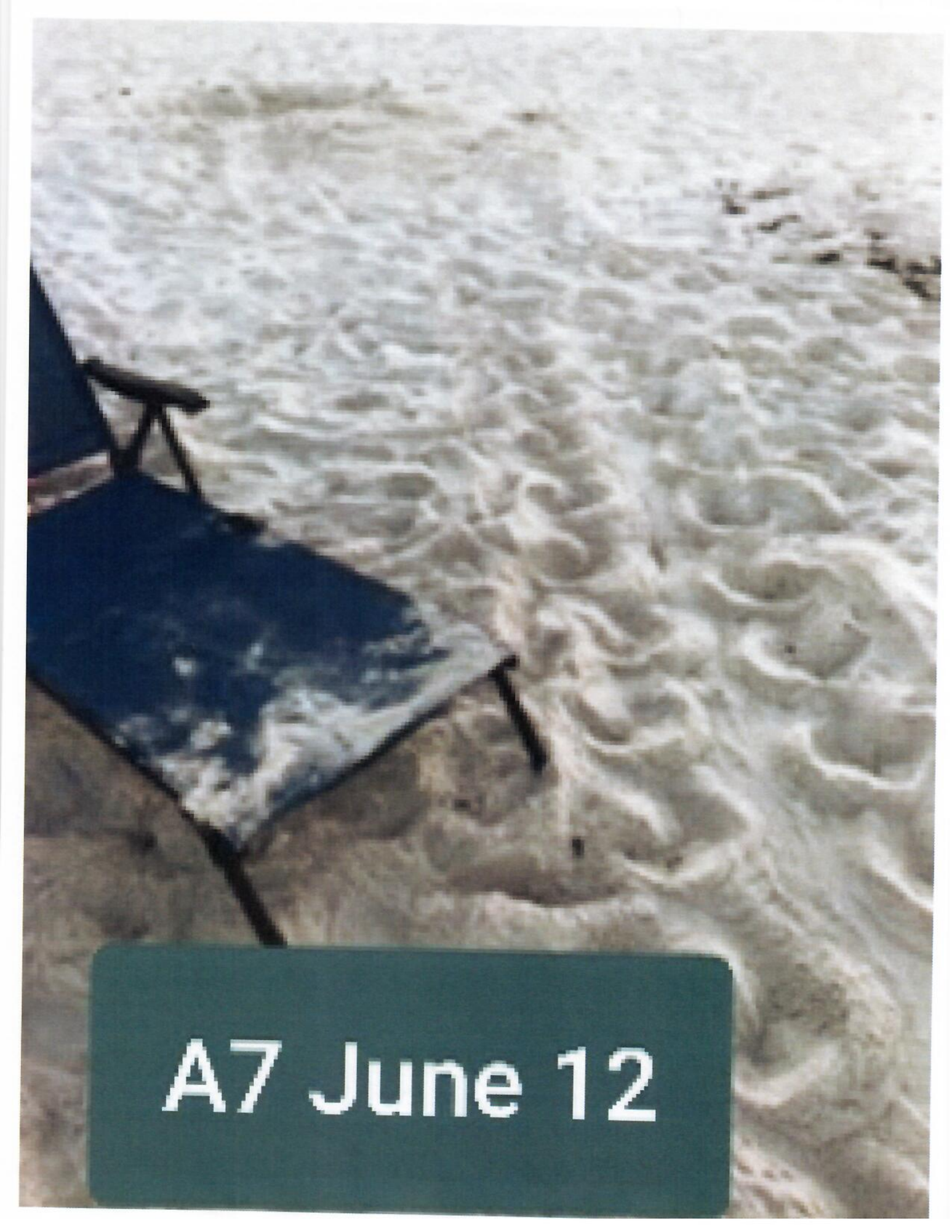
Photo by Matt
Ware

© Taken during permitted stranding/salvage activities



A7 June 12



A photograph of a beach scene. In the foreground, a blue lounge chair with a black metal frame is partially visible on the left. The sand is light-colored and shows some footprints. In the background, the ocean waves are breaking, creating white foam. The overall tone is bright and sunny.

A7 June 12



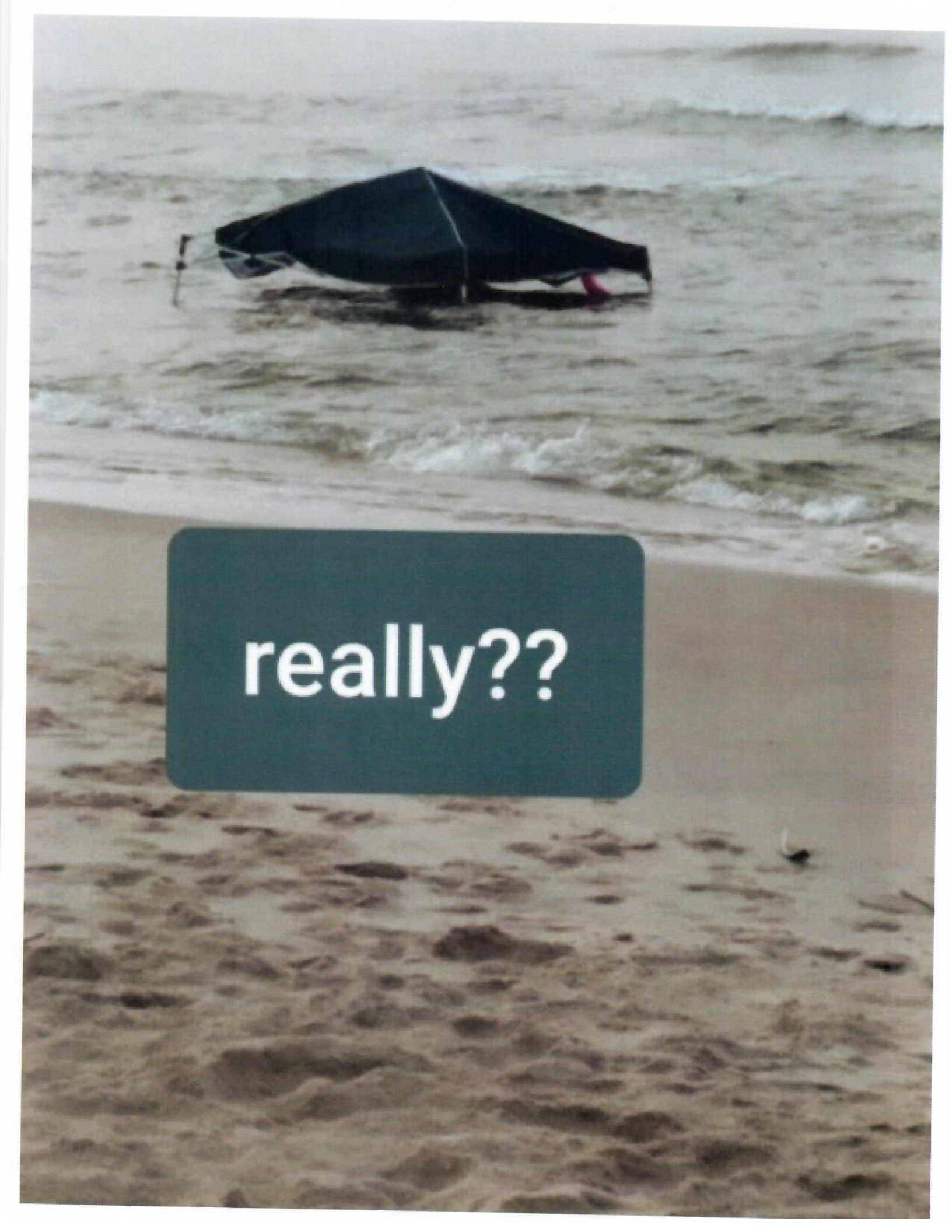


Not acceptable

please remove
at night!!

A photograph of a collapsed tent on a sandy beach. The tent is a light-colored, possibly silver or white, with blue accents. It is lying flat on the sand, with its poles and structure visible. To the left of the tent, there is a black folding chair and a blue bag. In the foreground, there is a green plastic container with a red and yellow object inside. The background shows the ocean with waves breaking on the shore. A dark green rectangular box is overlaid at the bottom of the image, containing the word "totally" in white text.

totally

A black beach umbrella is lying on its side in the shallow surf of a beach. The umbrella is partially submerged, with its frame and fabric visible. The water is a light brownish-yellow color, and the sand in the foreground is wet and shows many footprints. The sky is overcast and grey.

really??





