

20261116 10:15







3<sup>RD</sup> Street ROW



**BALDWIN COUNTY HIGHWAY DEPARTMENT  
PERMIT DIVISION  
POST OFFICE BOX 220 {Mailing}  
SILVERHILL, ALABAMA 36576  
TELEPHONE: (251) 937-0371  
FAX NO.: (251) 937-0227**

**License Agreement #19013  
Unopened Right-of-Way**

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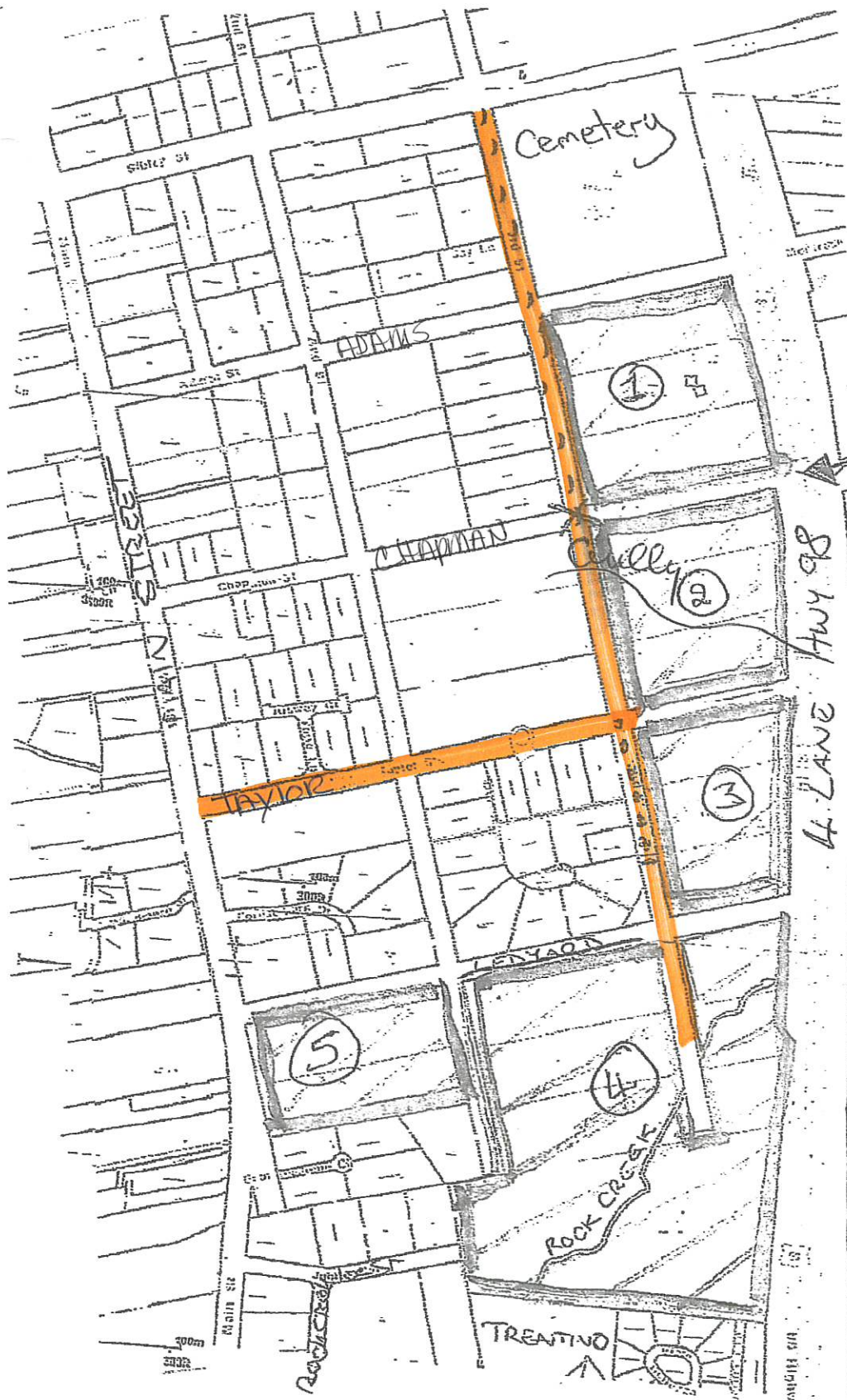
Notice is hereby given that the Baldwin County Commission will hear a request submitted by Burgess A. Thomasson Jr. and Thomasson Trust A U/A DTD 2-24-75, Trustees A Daniel Thomasson and Leigh Thomasson Brown, for the purposes of clearing 20 ft wide and 2,330 ft long of underbrush and a few small trees less than 12" in diameter to access their properties. The Licensee shall have the right of way surveyed/staked and erosion control installed prior to performing work. This agreement is only valid for clearing to access the property. Any further development shall not be allowed until a new agreement is obtained, and Licensor is willing to provide such access pursuant to this Agreement. You are receiving this notice because records of the Baldwin County Revenue Commission indicate that you are a nearby property owner.

This request will be considered during the meeting of the Baldwin County Commission Work Session which is scheduled for Tuesday, October 8, 2019 beginning at 8:30 a.m. at the Baldwin County Foley Satellite Courthouse Large Meeting Hall 201 East Section Avenue Foley, Alabama 36535.

The application materials are available for public review at the office of the Baldwin County Highway Department – Permit Division, located on the 4<sup>th</sup> floor of the Baldwin County Central Annex II Building (Regions Bank Building) located at 22070 State Highway 59 Robertsedale, Alabama 36567. If you desire to speak with someone by telephone about this application, please contact the Baldwin County Highway Department Permit Division at the above referenced phone number. If you wish to submit written comments concerning this application please address your correspondence to: (please include the case number #LA-19013)

Baldwin County Highway Department  
Permit Division  
Post Office Box 220  
Silverhill, Al. 36576

You may fax your comments to the Baldwin County Highway Department at (251) 937-0227.



3rd Street  
Currently goes  
Sibley to Chapman  
and stops






3rd starts again  
at Taylor Street but  
Dead ends where indicate



BLOCKS FOR  
DEVELOPMENT





- |   |   |
|---|---|
|  | 31 @ 60'x115'<br>5.44 Acres<br>10 %     |
|  | 40 @ 60'x135-150'<br>8.54 Acres<br>16 % |
|  | 6 Estate Lots<br>5.13 Acres<br>9.3 %    |
|  | Open Space<br>29.92 Acres<br>55.5 %     |
|  | Detention<br>1 Acre<br>1.8 %            |

# Montrose Preserve

## LAND USE SUMMARY

**Dewberry** | PREBLE-F

9549 Bellagio Ave Daphne, AL 36526  
FOI07/10/2019



**ORDINANCE NO. 1596**

**AN ORDINANCE AMENDING ORDINANCE NO. 1253  
KNOWN AS THE ZONING ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA as follows:

The ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, together with the Zoning Map of the City of Fairhope, be and the same hereby is changed and altered in respect to that certain property described below:

After the appropriate public notice and hearing of the Planning Commission of the City of Fairhope, Alabama has forwarded a **favorable** recommendation,

The property of Burgess A. Thomasson, Jr. generally located on the west side of US Hwy. 98 from the south side of Adams Street to just south of Ledyard Street, Fairhope, Alabama.

**TAX PARCEL 05-43-09-32-0-000-058.000  
05-43-09-32-0-000-059.000  
05-43-09-32-0-000-064.000  
05-43-09-32-0-000-066.000  
05-43-09-43-0-000-023.000**

**Legal Description:** (Case number ZC 15.12)

LOTS 2 AND 3 OF BLOCK ONE OF THE VILLAGE OF MONTROSE AS PER A PLAT THEREOF RECORDED IN DEED BOOK "E". PAGE 388 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

AND

BLOCK 18 OF THE VILLAGE OF MONTROSE AS PER A PLAT THEREOF RECORDED IN DEED BOOK "E". PAGE 388 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

AND

ALL THAT PART OF BLOCK 19 OF THE VILLAGE OF MONTROSE AS PER A PLAT THEREOF RECORDED IN DEED BOOK "E". PAGE 388 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, LYING WEST OF U.S. HIGHWAY 98.

**MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGINNING AT A ONE INCH CRIMPED IRON PIPE AT THE NORTHWEST CORNER OF BLOCK 19 OF THE VILLAGE OF MONTROSE AS PER A PLAT THEREOF RECORDED IN DEED BOOK "E". PAGE 388 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA. AND RUN THENCE SOUTH 15 DEGREES 10 MINUTES 21 SECONDS EAST. ALONG THE WEST MARGIN OF SAID BLOCK 19 (AND THE EAST MARGIN OF 3RD STREET), A DISTANCE OF 667.23 FEET TO A ONE INCH CRIMPED IRON PIPE AT THE SOUTHWEST CORNER OF SAID BLOCK 19; THENCE RUN NORTH 75 DEGREES 06 MINUTES 10 SECONDS EAST. A DISTANCE OF 201.20 FEET TO A ONE INCH CRIMPED IRON PIPE ON THE WEST MARGIN OF U.S. HIGHWAY 98; THENCE RUN ALONG THE WEST MARGIN OF SAID U.S. HIGHWAY 98, THE FOLLOWING DESCRIBED COURSES: NORTH 02 DEGREES 44 MINUTES 09 SECONDS WEST, A DISTANCE OF 313.93 FEET; SOUTH 86 DEGREES 59 MINUTES 57 SECONDS WEST, A DISTANCE OF 20.00 FEET TO A CAPPED REBAR (CA 1109LS); NORTH 02 DEGREES 35 MINUTES 46 SECONDS WEST, A DISTANCE OF 299.79 FEET TO A CONCRETE MONUMENT; NORTH 86 DEGREES 50 MINUTES 18 SECONDS EAST, A DISTANCE OF 10.00 FEET TO A CONCRETE MONUMENT;



NORTH 02 DEGREES 48 MINUTES 02 SECONDS WEST, A DISTANCE OF 68.62 FEET TO A CAPPED REBAR (CA 1109LS) AT THE INTERSECTION OF THE WEST MARGIN OF U.S. HIGHWAY 98 AND THE SOUTH MARGIN OF LEDYARD STREET; THENCE RUN SOUTH 74 DEGREES 48 MINUTES 27 SECONDS WEST, ALONG SAID SOUTH MARGIN OF LEDYARD STREET, A DISTANCE OF 339.02 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 4.06 ACRES, MORE OR LESS.

AND

ALL THAT PART OF BLOCK 20 OF THE VILLAGE OF MONTROSE AS PER A PLAT THEREOF RECORDED IN DEED BOOK "E". PAGE 388 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, LYING WEST OF U.S. HIGHWAY 98.

AND

ALL THAT PART OF BLOCK 21 OF THE VILLAGE OF MONTROSE AS PER A PLAT THEREOF RECORDED IN DEED BOOK "E". PAGE 388 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, LYING WEST OF U.S. HIGHWAY 98.

AND

ALL THAT PART OF BLOCK 22 OF THE VILLAGE OF MONTROSE AS PER A PLAT THEREOF RECORDED IN DEED BOOK "E". PAGE 388 OF THE RECORDS OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, LYING WEST OF U.S. HIGHWAY 98.

1. **That**, Attached as "Exhibit A" is an approved site plan. The property must develop in substantial conformance with the approved site plan and supporting documents. Any substantial deviation from the attached site plan, as determined by the Planning Director, will require re-approval by the Planning Commission and the City Council of the City of Fairhope, Alabama, as a PUD amendment.
2. **That**, the following development regulations shall govern:

Lots: There shall be 77 total lots.

Use: Lots shall be single family residential.

Setbacks:

- 60' lot setbacks shall be as follows: Front – 25', Rear – 25', Side – 5', Street side – 15'.
- Estate lot setbacks shall be as follows: Front – 30', Rear – 30', Side – 10', Street side – 30'.

Principal Structures:

- Maximum lot coverage shall be 40%.
- Building height shall not exceed 35' as measured per the City of Fairhope Zoning Ordinance.

Accessory Structures:

- Maximum lot coverage shall be 25% of the required rear yard.
- Building height shall not exceed 30' as measured per the City of Fairhope Zoning Ordinance.
- Setbacks shall be as follows: Rear – 5', Side – 10', Street side – 20', Separation from principal structure – 10'.



\* Buffers: All buffers labeled on the Site Plan shall remain natural, with the exception that where a visual buffer does not exist buffer plant materials shall be installed.

Parks: All parks labeled on the Site Plan shall remain undisturbed, except for minimal clearing to construct walking trails.

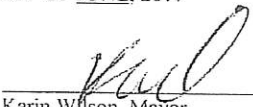
3. **That**, any item not specifically outlined in this ordinance shall meet all City regulations and ordinances that govern development.

The property is hereby rezoned from R-1 Low Density Single Family Residential District to PUD (Planned Unit Development). This property shall hereafter be lawful to construct on such property any structures permitted by Ordinance No. 1253 and to use said premises for any use permitted or building sought to be erected on said property shall be in compliance with the building laws of the City of Fairhope and that any structure shall be approved by the Building Official of the City of Fairhope and that any structure be erected only in compliance with such laws, including the requirements of Ordinance No. 1253.

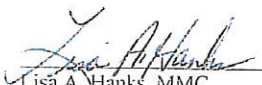
**Severability Clause** - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

**Effective Date** - This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS 12TH DAY OF JUNE, 2017

  
Karin Wilson, Mayor

ATTEST:

  
Lisa A. Hanks, MMC  
City Clerk



minutes  
Fairhope City Council page - 10 -

18 May 2017

Mayor Wilson also mentioned the City would be launching a Blog next week which will be incorporated with the new website.

Councilmember Robinson commented we have had a great couple of weeks in Fairhope; and he said, "The Little Mermaid" was wonderful.

Councilmember Conyers thanked everyone for attending the Eastern Shore Repertory's production of "The Little Mermaid." He said there were three performances; and applauded Erin Langley and Doug Scott. Councilmember Conyers stated this was a testament to how well they train. He said that school will be out next week; and Monday will be Memorial Day.



Councilmember Brown said he also attended the Eastern Shore Repertory Theatre's production on the Bluff. He said this is an asset to Fairhope. He mentioned Chive Talkin' won the Fairhope Rotary Steak Cookoff. Councilmember Brown said good luck to the graduating Class of 2017; and Happy Memorial Day to everyone.

Councilmember Burrell said that Sunset Rotary won the People Choice Award at the Fairhope Rotary Steak Cookoff.

A Public Hearing was held as advertised on a proposed ordinance to amend Zoning Ordinance No. 1253. Councilmember Robinson introduced in writing an ordinance to rezone the property of Burgess A. Thomasson, Jr. from R-1 Low Density Single Family Residential District to PUD (Planned Unit Development). This property is generally located on the west side of Adams Street to just south of Ledyard Street, Fairhope, Alabama. Parcels No. 05-43-09-32-0-000-058.000, 05-43-09-32-0-000-059.000, 05-43-09-32-0-000-064.000, 05-43-09-32-0-000-066.000, and 05-43-09-43-0-000-023.000. The Planning Commission gave a favorable recommendation of this ordinance. Council President Burrell read the proposed ordinance.

Planning Director Wayne Dyess briefly explained the proposed ordinance. Council President Burrell questioned the conservation easement as a Preserve and/or Park. He stated this is a steep slope and not always amenities. Mr. Dyess recommending removing No. 5: The City attorney shall review the conservation easement to assure it is kept in perpetuity as a park. He stated the Site Plan of the PUD will be followed. The density of the proposed PUD was questioned by Councilmember Brown. Mr. Dyess stated this will be moderate density with proposed single family residential.

Council President Burrell opened the Public Hearing at 6:22 p.m.

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- 1) Steve Pumphrey with Dewberry/Preble-Rish addressed the City Council and said he had met with adjacent property owners and staff. He commented the access will only be from Highway 98. The 18 acres to the South has steep grades; and there are other parks and buffer areas. He said the right-of-ways are not open; and they listened to the residents with the property being heavy wooded with many buffers.



**Montrose Preserve**  
Site Plan

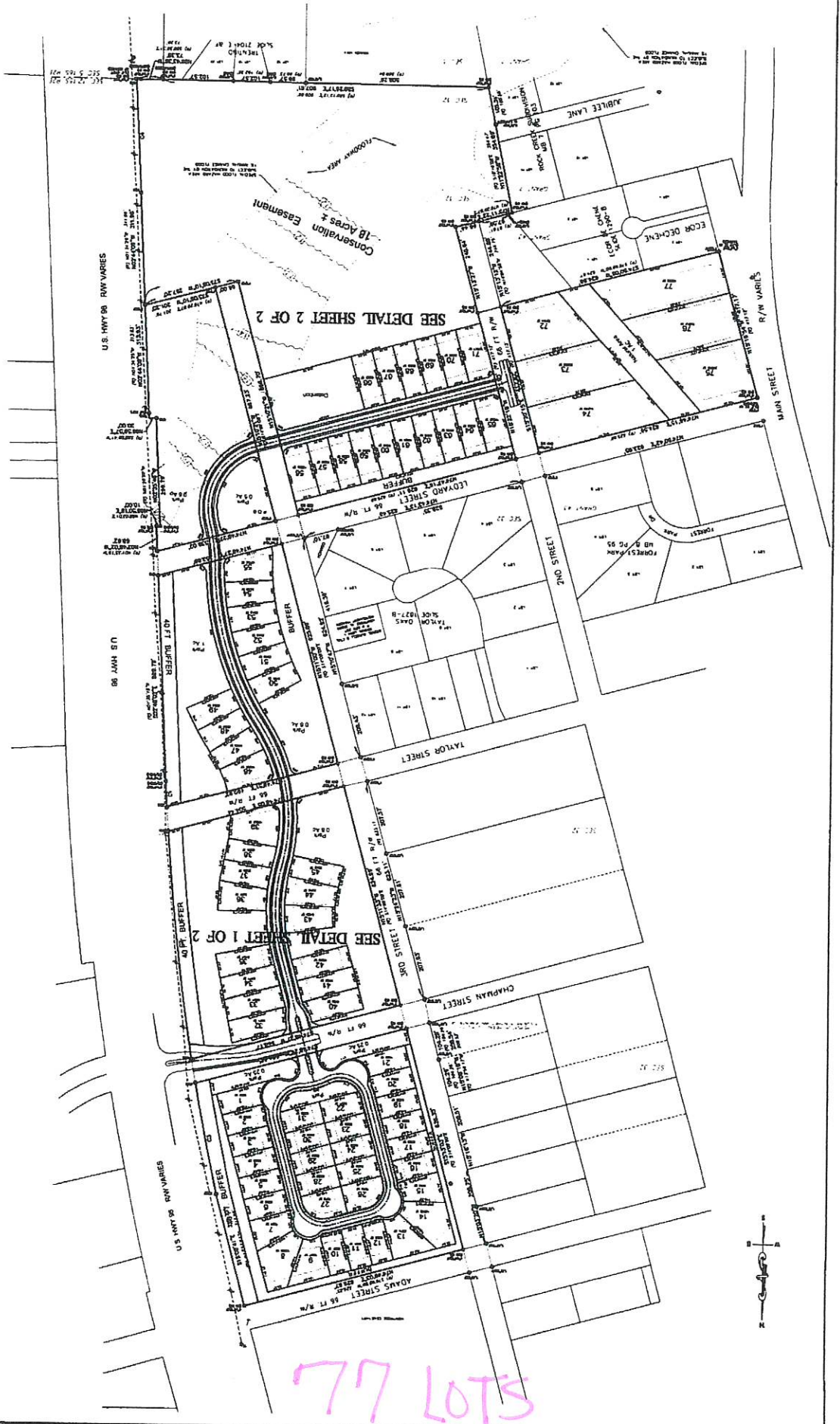
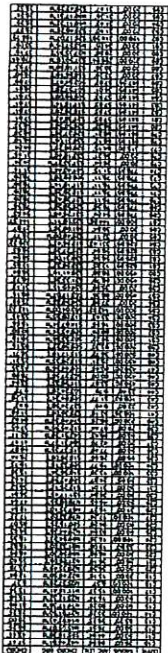
Estate Lots

Street	Street
1	2
3	4
5	6
7	8
9	10
11	12
13	14
15	16
17	18
19	20
21	22
23	24
25	26
27	28
29	30
31	32
33	34
35	36
37	38
39	40
41	42
43	44
45	46
47	48
49	50
51	52
53	54
55	56
57	58
59	60
61	62
63	64
65	66
67	68
69	70
71	72
73	74
75	76
77	78
79	80
81	82
83	84
85	86
87	88
89	90
91	92
93	94
95	96
97	98
99	100

60 Ft. Lots

Street	Street
1	2
3	4
5	6
7	8
9	10
11	12
13	14
15	16
17	18
19	20
21	22
23	24
25	26
27	28
29	30
31	32
33	34
35	36
37	38
39	40
41	42
43	44
45	46
47	48
49	50
51	52
53	54
55	56
57	58
59	60
61	62
63	64
65	66
67	68
69	70
71	72
73	74
75	76
77	78
79	80
81	82
83	84
85	86
87	88
89	90
91	92
93	94
95	96
97	98
99	100

**SITE SUMMARY**  
Total Area 53.94 Ac  
Total Lots 77  
Density 1.4 / Acre  
Open Space 29.92 Ac (55.5%)  
Streets 35 Ft.  
Max. Height 40 Ft.  
Max. Coverage 40%



77 LOTS



## ZC 15.12 Thomasson PUD



Parcel No.: 05-43-09-32-0-000-058.000, - 059.000, - 064.000, - 066.000  
05-43-09-43-0-000-023.000



COF GIS  
Planning Dept.  
02 / 2016  
dp



Proposed start  
of cleared path

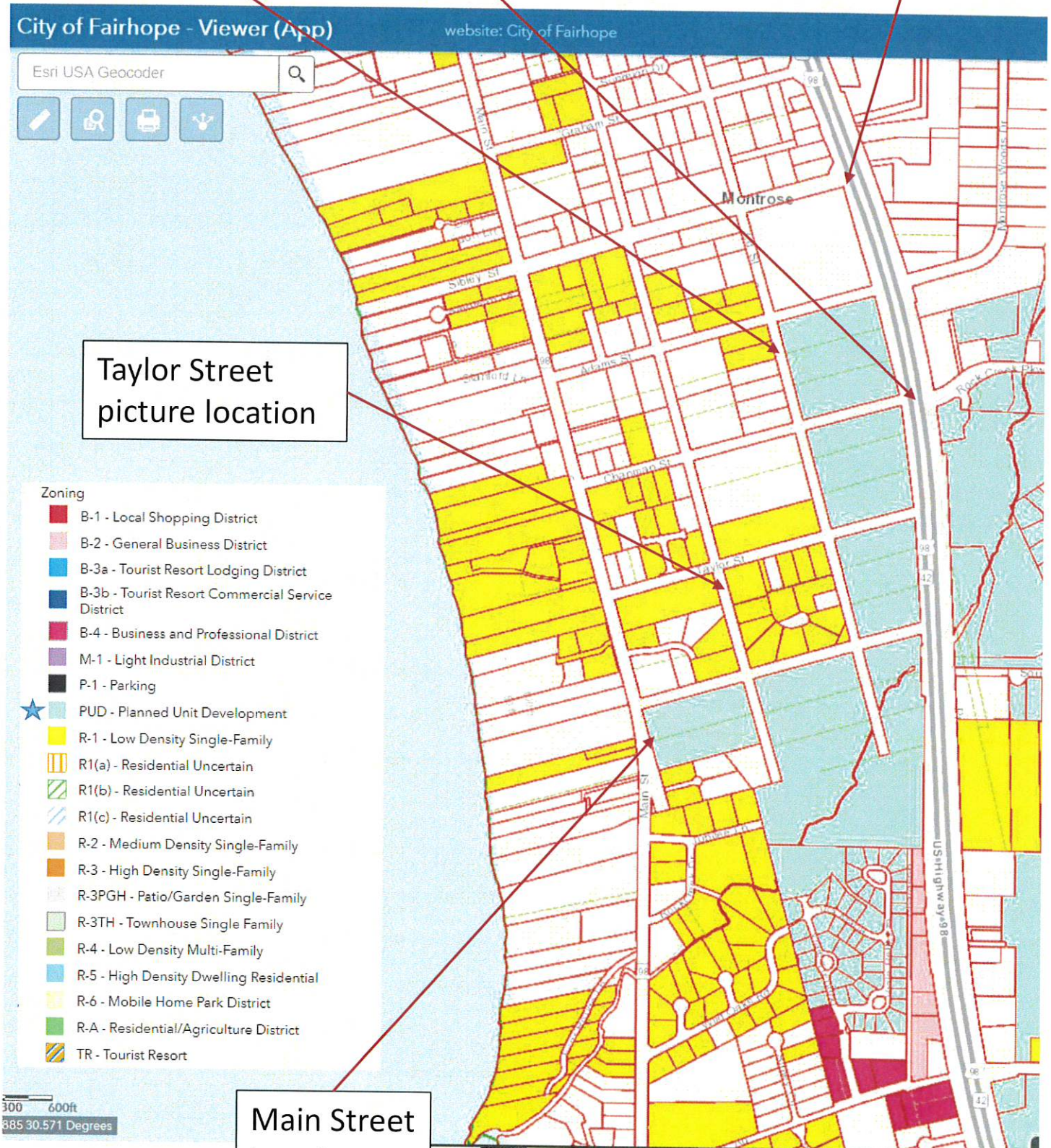
Rock Creek  
Subdivision  
stop light

Power line road  
picture location

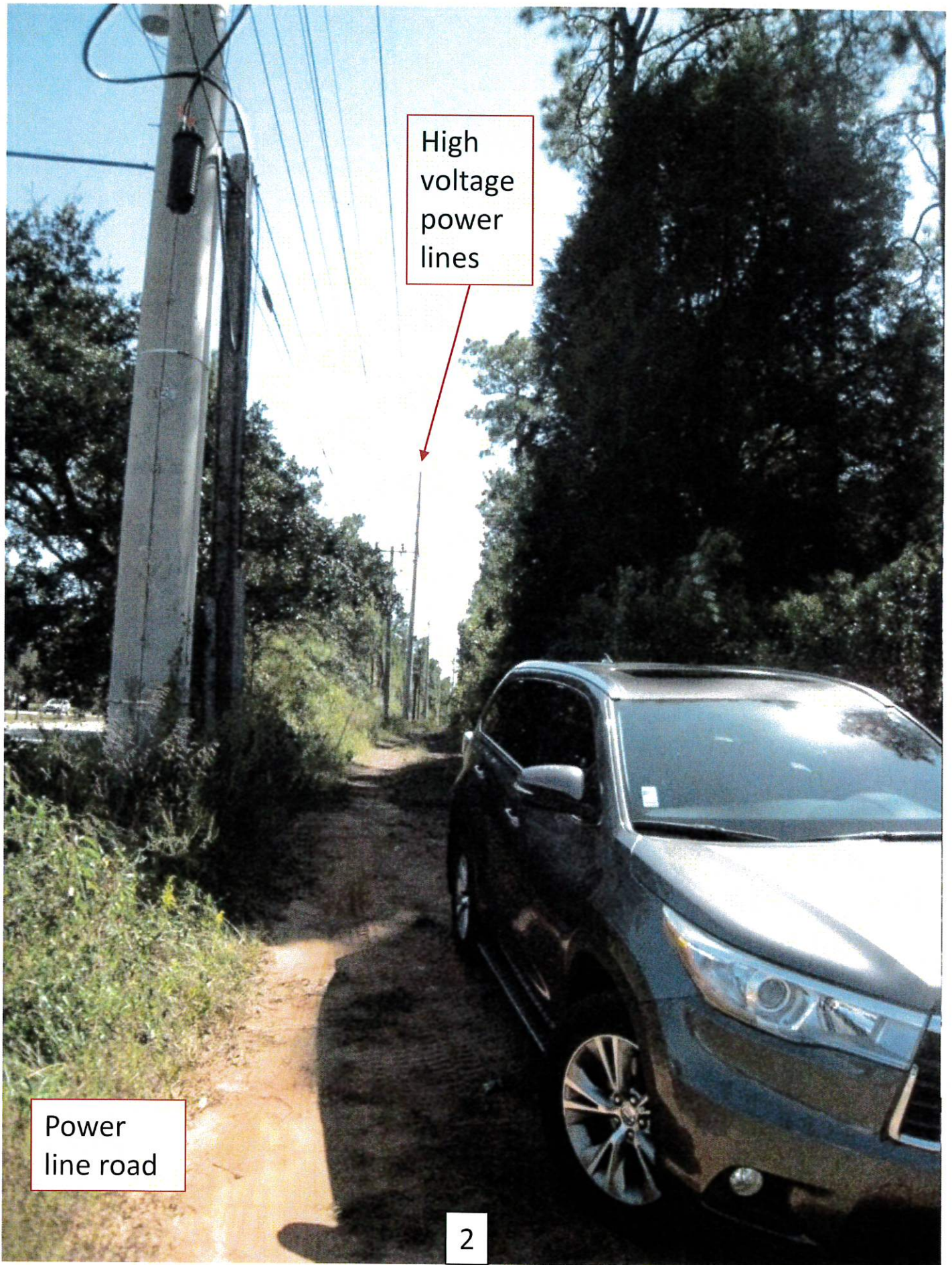
Taylor Street  
picture location

Main Street  
location

1







High  
voltage  
power  
lines

Power  
line road

2

next to 4 Lane 48





Taylor  
Street road

3

2<sup>ND</sup> Street... Suppose to leave 12" & larger



5th Street



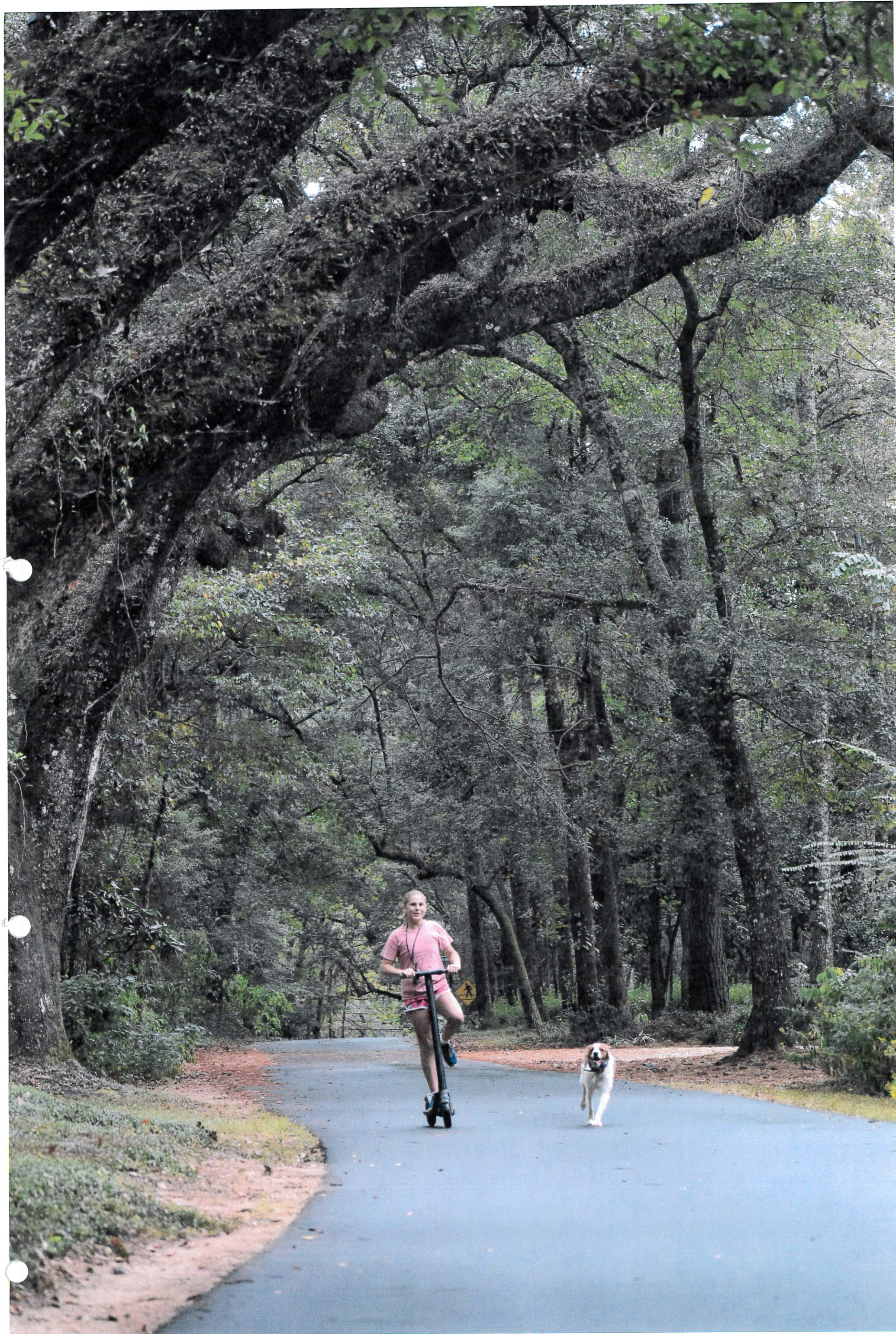
12'-13' wide





Taylor Street 14'-15' wide





Taylor Street 14'-15' wide





midway street 11/15/15