

D Hart

From: Matthew Brown
Sent: Monday, April 26, 2021 11:40 AM
To: robin.hutch1@gmail.com
Cc: Celena Boykin; Linda Lee; D Hart
Subject: FW: District 19 Vote

Good morning Ms. Hutchinson,

It was great meeting you during our District 19 meetings last week. Thank you for participating in the process and for being invested in the community.

I did want to respond briefly to your email below and explain that the County Commission doesn't have the authority to "vote down" the new zoning jurisdiction in District 19. State statute establishes a Citizen-driven process to initiate zoning in an area. Once the citizens vote to bring in zoning, the Commission cannot undo the citizens' vote.

We do welcome your input on changes to the ordinance, including language regarding home occupations. That would be better addressed separate from the District 19 issue. I would love to meet with you and discuss sometime.

Matthew Brown
Interim Planning and Zoning Director
Director of Transportation (BRATS)
Baldwin County Commission
o: 251-580-1657
c: 251-421-0423

----- Original message -----

From: Robin Hutchison <robin.hutch1@gmail.com>
Date: 4/25/21 7:16 PM (GMT-06:00)
To: Jeb Ball <Jeb.Ball@baldwincountyal.gov>
Subject: District 19 Vote

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Honorable Jeb Ball,

The planning and zoning of District 19 was hurried and gave the public little opportunity for comment and or consent. The voting took place 4 days after Christmas at Bethel Church in Point Clear which was an inopportune time and suspect in itself. The often quoted protection of the "Grandfather Clause", which is not even in the Baldwin County Planning and Zoning manual or in the glossary of terms, is a gross misrepresentation of the Non conforming structures, Section 20. Most of the non-conforming section of the manual is in violation of The Code of Alabama : Section 45-2-261.18

Zoning ordinances and regulations not retroactive.

No zoning ordinance or regulation promulgated by the Baldwin County Commission under the authority of this subpart shall change any use to which land is being made at the time the zoning ordinance or regulation becomes applicable to any district.

(Act 91-719, p. 1389, §20; Act 98-665, p. 1455, §1.)

I pray that the County Commission will vote this down and give the population time to read the Planning and Zoning Manual with the codes and restrictions placed on their parcels. It is very difficult to get a variance once planning and zoning has passed. The law is there nobody wants to alter it. I know because I have tried for about 10 years to get home occupation laws to come into line with modern at home business use. The family heritage overlay district was a very positive development and needed to be addressed. Please table passing this and allow more time for public consent and education because a good part of this district had no idea about the vote, or the intricacies, permitted uses, conditional uses, exceptional uses etc., etc., etc. An informed public is necessary for the proper implementation of land use law.

Sincerely,

Michael and Robin Hutchison

D Hart

From: Keri Green on behalf of Billie Jo Underwood
Sent: Monday, May 3, 2021 3:59 PM
To: Matthew Brown; D Hart
Subject: FW: District 19 Proposal

Please see the email below that was sent to Commissioner Underwood.

Respectfully,

Keri E. Green

Commission Executive Assistant
Baldwin County Commission
22251 Palmer Street
Robertsdale, AL 36567
(251) 972-8555 office



From: Barbara Engeriser <bengeriser@gmail.com>
Sent: Monday, May 3, 2021 11:14 AM
To: Billie Jo Underwood <BUnderwood@baldwincountyal.gov>
Subject: District 19 Proposal

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Honorable Commissioner Underwood,

As a member of the Polo Ridge Homeowners Association in Point Clear/Fairhope, I highly encourage you to accept "as is" District 19's zoning proposal submitted by our Advisory Committee when it comes before you in the next few weeks.

District 19 is very small and primarily residential, as well as having several churches and outdoor recreational areas with the Lakewood Golf courses and facilities. There are very few businesses in our district but the committee certainly supports community focused small businesses. As shown with our votes in December, we want to have well-thought-out and considered growth in our area.

Thank you in advance for your consideration and support in this matter.

Respectfully yours,

Barbara and Luke Engeriser

--

Barbara Wilson Engeriser
Dr. J. Luke Engeriser
251-214-6930 (text ok)

D Hart

From: Barbara Engeriser <bengeriser@gmail.com>
Sent: Monday, May 3, 2021 11:16 AM
To: D Hart
Subject: District 19 Proposal

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

P&Z Commission Members,

As a member of the Polo Ridge Homeowners Association in Point Clear/Fairhope, I highly encourage you to accept "as is" District 19's zoning proposal submitted by our Advisory Committee when it comes before you in the next few weeks.

District 19 is very small and primarily residential, as well as having several churches and outdoor recreational areas with the Lakewood Golf courses and facilities. There are very few businesses in our district but the committee certainly supports community focused small businesses. As shown with our votes in December, we want to have well-thought-out and considered growth in our area.

Thank you in advance for your consideration and support in this matter.

Respectfully yours,

Barbara and Luke Engeriser

--

Barbara Wilson Engeriser
Dr. J. Luke Engeriser
251-214-6930 (text ok)

D Hart

From: NANCY FREDERICK <flofred3@bellsouth.net>
Sent: Sunday, May 2, 2021 10:28 AM
To: D Hart
Subject: zoning proposal

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Honorable Commissioner) Hart,

As a member of the Polo Ridge Homeowners Association in Point Clear, I highly encourage you to accept District 19's zoning proposal submitted by our Advisory Committee when it comes before you in the next few weeks. Thank you in advance for your support in this matter.

Respectfully yours,
Nancy M. Frederick
6506 Saddlewood Lane
Fairhope, AL

D Hart

From: Elizabeth Phyfer <elizabethphyfer2@gmail.com>
Sent: Friday, April 30, 2021 6:14 PM
To: D Hart
Subject: zoning for Planning District 19

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Hi DJ,

I understand you will forward this to the Baldwin County Planning Commission members.

I have reviewed the zoning proposal for Planning District 19. I live in the new Planning District 19 and am in full support of the proposed zoning in this new district. This is citizen driven so I wanted to be sure you were hearing from the citizens in the district. I hope you will approve the zoning proposal for Planning District 19.

Thanks,
Elizabeth Phyfer

D Hart

From: Billy Frost <billyf@delaneyinc.net>
Sent: Friday, April 30, 2021 12:59 PM
To: D Hart
Subject: Planning District 19

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Baldwin County Planning Commission Members:

Steve Pumphrey
Brandon Bias
Robert Davis
Bonnie Lowry
Michael Mullek
Daniel Nance
Jason Padgett
Plumer Tonsmeire

I am writing you today in support of planning and zoning district 19. As a resident of the newly formed district, I have learned the importance of zoning within this area. A citizen driven initiative overwhelmingly voted to form district 19 in December of 2020. An advisory committee was then appointed by Baldwin County. The appointed committee was tasked with assigning zoning designations within the district. The advisory committee heard, and followed, the wishes of the majority of citizens living within district 19. The committee, working with the county, took into account compromises, zoning overlays, and designations that satisfy the needs and wishes of citizens within this small and unique district. The sole purpose of zoning designations is to protect and preserve the surrounding properties from non-conforming and/or destabilizing development. I am in full support of the zoning designations mapped out by the appointed advisory committee.

Please accept the hard work and dedication that the zoning advisory committee has done and approve the recommendations "as is".

Thank you,
Edward Frost
18204 Woodland Dr

D Hart

From: Ginger MacMicking <glmacgma@gmail.com>
Sent: Friday, April 30, 2021 11:15 AM
To: D Hart
Subject: District 19 Advisory Board's Zoning Proposal

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Chairman Pumphrey:

As President of the Polo Ridge Homeowners Association in Point Clear, my husband and I highly encourage you to accept District 19's zoning proposal submitted by our Advisory Committee when it comes before you in the next few weeks. Thank you in advance for your support in this matter.

Respectfully yours,

Ginger & Jim MacMicking
17375 Polo Ridge Blvd
Fairhope, AL 36532
251-610-2363

D Hart

From: Ginger MacMicking <glmacgma@gmail.com>
Sent: Friday, April 30, 2021 11:14 AM
To: D Hart
Subject: District 19 Advisory Board's Zoning Proposal

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Brandon Bias
Robert Davis
Bonnie Lowry
Michael Mullek
Daniel Nance
Jason Padgett
Plumer Tonsmeire

Dear Sirs:

As President of the Polo Ridge Homeowners Association in Point Clear, my husband and I highly encourage you to accept District 19's zoning proposal submitted by our Advisory Committee when it comes before you in the next few weeks. Thank you in advance for your support in this matter.

Respectfully yours,

Ginger & Jim MacMicking
17375 Polo Ridge Blvd
Fairhope, AL 36532
251-610-2363

D Hart

From: Carroll Sullivan <csullivan@scottsullivanlaw.com>
Sent: Friday, April 30, 2021 8:47 AM
To: Joe Davis; Jeb Ball; Billie Jo Underwood; Charles F. Gruber; plumert13@gmail.com
Cc: D Hart; Matthew Brown; Brad Hicks
Subject: Planning District 19 Zoning Proposal

This message has originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

My wife and I are residents of Baldwin County. We live just south of Battles Road and adjoin #3 on Lakewood's Azalea Golf Course.

I have a copy of Tracy Frost's recent email to you seeking approval of the Zoning Proposal presented to you by the District 19 Advisory Committee.

I concur wholeheartedly and 100% in the position set forth by Tracy Frost in her email.

What is striking to me is that all 5 members of this diverse Advisory Board voted UNANIMOUSLY on the details of these zoning designations and this Proposal.

We respectfully request that the Baldwin County P&Z and the Baldwin County Commission approve the Proposal without modification at your upcoming May 6 and June 1 meetings.

Thank you,

Carroll & Carol Sullivan

D Hart

From: Ruffner, Brian <brian.ruffner@ssab.com>
Sent: Thursday, April 29, 2021 10:27 AM
To: D Hart
Subject: Planning District 19

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P&Z Commission Members, Steve Pumphrey, Brandon Bias, Robert Davis, Bonnie Lowry, Michael Mullek, Daniel Nance, Jason Padgett, & Plumer Tonsmeire,

As a member of the Polo Ridge Homeowners Association in Point Clear, I highly encourage you to accept District 19's zoning proposal submitted by our Advisory Committee when it comes before you in the next few weeks. Thank you in advance for your support in this matter.

Respectfully yours,

Brian Ruffner
Superintendent, Rolling Mill & Plate Finishing
SSAB Alabama Inc
D 251 264 3869 M 563 505 6785
brian.ruffner@ssab.com

SSAB Alabama Inc
12400 Highway 43 N
Axis, AL 36505
United States
T F
www.ssab.com

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D Hart

From: Kimberly Jardine <kimjardine1958@gmail.com>
Sent: Thursday, April 29, 2021 9:59 AM
To: D Hart
Subject: Proposal of District 19

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

County commissioners: I am a resident of District 19. My address is 6420 Beaver Creek Drive in Fairhope. As a resident of District 19, I am a bit overwhelmed by the pace and extent of growth here in our area. My husband and I feel it is very important to have a voice and perhaps some semblance of control over what happens in our area. Please vote to approve our Proposal "AS IS". Thank you for this AND your service on the board. Kim Hodgson Jardine

D Hart

From: Lee Webb <LeeWebb@trustmark.com>
Sent: Thursday, April 29, 2021 9:17 AM
To: Joe Davis; Jeb Ball; Billie Jo Underwood; Charles F. Gruber; D Hart
Cc: leewebb3@yahoo.com
Subject: Planning District 19 recommendation of approval

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Baldwin County Planning Commission Members and Baldwin County Commissioners:

I am writing you today in support of approval "as is" of Planning District 19. This District was approved by a citizen vote on 12/29/20, where this community clearly stated its wishes to form this district. In January, the Probate Court certified these election results to create this district. An Advisory Committee was formed and met several times to create zoning designations for our area. This committee unanimously voted on the proposal before you now.

This entire initiative has been citizen driven and not initiated by the county. It is important the County Planning and Zoning Commission and the County Commissioners understand that myself, and other citizens of this district, wish to preserve this area. District 19 is one of the smallest districts in Baldwin County but a very vital and visible part of the Eastern Shore. We want to maintain that identity.

District 19 is primarily residential, with several churches and outdoor recreational areas, particularly the Lakewood Golf courses and facilities. There are very few businesses in our district but the committee certainly supports community focused small businesses. In the County Master Plan it clearly states, "the Eastern Shore has a strong sense of identity and care for its environment and landscape and will not be willing to significantly compromise for the benefit of growth itself. Growth on the Eastern Shore will need to characteristically fit with its history". This is extremely important and relevant considering continual changes to our community.

I am writing you today to let this body know that I support the recommendation of the Advisory Committee "as is" and expect a "citizen driven outcome" for our initiative.

Sincerely,

E. Lee Webb, III
18302 Woodland Drive
Fairhope, AL 36532

D Hart

From: Tracy Frost <tracyafrost@gmail.com>
Sent: Thursday, April 29, 2021 8:15 AM
To: Joe Davis; Jeb Ball; Billie Jo Underwood; Charles F. Gruber; D Hart; Matthew Brown
Subject: Planning District 19 Zoning Proposal

This message has originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Planning and Zoning Commission and County Commissioners,

I am writing to express my support of the District 19 Zoning Proposal which will be presented to you on May 6th and June 1st respectively. This newly created district is very small and unique for a myriad of reasons. To begin, we are the first area to request zoning in 10+ years, the majority of our community is developed residential with outdoor recreation, several churches and our local post office. We border Planning District 26, the City of Fairhope and a portion of un-zoned Baldwin County so while we now fall under the County Zoning jurisdiction, we are within the Fairhope ETJ. The community sought to come under the County Zoning jurisdiction to aid in preserving this beautiful area. While there is little raw land left in our small area, without zoning, we learned we were extremely vulnerable to unbridled development with no regard to the effects of the environment, infrastructure, safety, health or welfare of the community. As outlined in the County Master Plan, Point Clear, as part of the Eastern Shore, "has a strong sense of identity and care for the environment and landscape and will not be willing to significantly compromise for the benefit of growth itself. Growth on the Eastern Shore will need to characteristically fit with its history".

I had the privilege of working with the District 19 Advisory Committee on creating and preparing the proposal that was voted on unanimously to submit for your approval. We worked together with the County P&Z Department to evaluate the current land use, surrounding areas and vulnerabilities within our community. Zoning designations were applied accordingly and local provisions created to support the County Master Plan, preserve the community and allow for the development of community supported businesses. You will see these examples as you review the proposal including an innovative approach of protecting a portion of the community that has been here for many many generations. The newly proposed Family Heritage Overlay District will protect the most vulnerable in our community by allowing non-conforming use which otherwise could cause substantial undue hardship. I feel strongly we have put forth great effort to address this and other concerns and now ask the P&Z Commission and County Commission to support this citizen driven initiative with a citizen driven outcome.

Our Local Provisions outline the needs to keep our area primarily residential without stifling further residential or commercial business opportunities which would compliment and support our community. The details outlined are somewhat specific as we studied allowable uses by zoning designations to ensure we were thorough but flexible. Again, this was done to preserve this area and protect from causing additional issues. One prime example is stormwater run-off. In the past 3 weeks, roughly 27,000 gallons of stormwater run-off was dumped into Mobile Bay including sanitary sewer overflow due to issues at the Grand Hotel Lift Station and Quail Run Lift Station. Some would debate it is caused by substantial rainfall, however, we have always ranked #1 or #2 nationally for annual rainfall. If rainfall isn't increasing, what is causing this issue? With the increase in development, unrealistic expectations on our infrastructure plus the loss of so many trees and impact to our wetlands, we are now reaping the effects in unwanted ways. For District 19, there is no additional space for high density development and all additions should add value not harm to the area. With the complexity of the ETJ some designations and restricted uses are extremely vital to support preservation. Please carefully consider these as you review and decide how to vote on this proposal.

I would welcome any of you to come meet with me, others in the area or simply drive the district boundaries to see why our proposal makes sense. It would take less than 10-15 minutes to canvas the entire district and you could enjoy the

D Hart

From: Carolyn Strickland <carolyndavisstrickland@gmail.com>
Sent: Wednesday, April 28, 2021 3:03 PM
To: D Hart
Subject: planning district 19

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

I am very much in favor of this zoning and I agree with their recommendations

--

Carolyn Strickland

D Hart

From: Ron Culberson <RLCConsulting@hotmail.com>
Sent: Monday, May 3, 2021 12:12 PM
To: Buford King; D Hart
Subject: Variance Request Fell Road Subdivisions (Case No. S-21040 / S-21039)

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Dear Sir and Madame,

As a land owner and resident of an adjacent property I'd like to voice my opinion in the negative for such a request. I don't feel the request is in the best interest of the present adjacent property owners and may in fact negatively impact our values.

Thank you both for the opportunity to have a say in the matter. Please keep my wishes in mind during Thursday evenings meeting.

Many Thanks.
Ronnie L. Culberson

Sent from [Mail](#) for Windows 10