

BJ's Residential Properties, LLC
1299 GREYSTONE CREST
BIRMINGHAM, ALABAMA 35242

JUNE 9, 2021

BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT
22251 Palmer Street
Robertsdale, Alabama 36567

Re: Case 5-21047
Blackwater Farm Subdivision
Identification No. 05-41-07-35-0-000-039.001

Baldwin County
Administration Department
Received: June 10, 2021
By: B. Pote 9:18 AM
Hand delivered

To Whom It May Concern:

BJ's Residential Properties, LLC hired Barton Shumer Engineering to request a portion of a large tract of property to be rezoned RSF-1 (including the highway front 4 lot) and leaving the rear acreage RA. This was reviewed/approved as compliant by the planning and zoning staff on December 11, 2020.

At the Planning Commission meeting the county staff recommended approval based on the application's compliance with the Baldwin County Zoning and Planning regulations. In fact, the plan exceeds the criteria of the subdivision regulations and zoning ordinance. Engineering provided drainage calculation as part of the drainage analysis report which was reviewed and approved by the County's staff engineer.

The purpose of this appeal is the unwarranted denial by the Commission:

The neighbors who spoke gave no legal reason based in the Baldwin County regulations they simply referred to water runoff as a possibility. They do not want a subdivision. Not wanting a subdivision is not a justifiable reason for denial.

Roman Bonner subdivided and rezoned his R/A property on the south west corner to RSF-1 in 2019. He sold to Mr. Gene Hinote who promptly put a mobile home on it with the entrance on the north side of the property next to Mr. Bonner's land. This parcel borders my property on my northside (PPIN 382723).

Please note the elevation of Highway 85 south off Highway 98 is in excess of 15' running south to two 30 inch culverts. After any drainage water passes under Hwy 85 it drains to the west. My 4 lots all slope to the south, not towards either the Bonner or the Hinote pieces.

During the Planning Commission meeting, and despite the facts of the land sloping south of Mr. Hinote expressed concern that my subdivision would cause erosion to his driveway on the north side of his lot even though all of my property is south of Mr. Hinote's. The contour of the proposed 4 lot subdivision drains straight south. Any driveway entrance erosion, is coming from the Bonner property.

Please note that Mr. Roman Bonner tried to prejudice a fair hearing by mentioning the following during the Planning Commission public hearing:

Mr. Blanchard lives in Birmingham and does not care about Baldwin County.

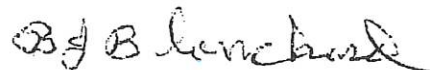
I have had six residences over the last 30 years in Baldwin County. I currently have a home at 951 Sea Cliff Drive in Fairhope. I have always had a home and numerous investment properties in Baldwin County. I have my fulltime office located at 19653-A State Highway 59. I have had 8 full time employees for the past 22 years in Baldwin County. My wife and I and associated LLCs pay property taxes on 100 plus properties in Baldwin County. I currently employ 2 Baldwin County subcontractors performing work on 4 ongoing projects in Baldwin County. I spend a significant part of my time living and working in Baldwin County and doing planning and building with my Baldwin County office, lawyers, engineers, subcontractors and other professionals.

I consider myself a good, hard working citizen. I have donated the property the Chamber of Commerce building sits on in Robertsdale. I recently donated property on Lipscomb Road off Highway 98 in Magnolia Springs for paving, not because I don't care, but because I do.

Please find attached pictures of Mr. Hinote's land and home after Bonner subdivided and rezoned it. I have also included a letter from a real estate agent in Robertsdale from whom I purchased the property through. The letter explains communications with Mr. Bonner after my purchase which should give you some idea of the true motivations to the opposition to what we are trying to do. Also attached is a letter from J. E. Hamlin who performed perk tests on the property once it was administratively approved for RSF-1.

I plan on being at the meeting you have set should you have any questions or want any comment.

Sincerely,

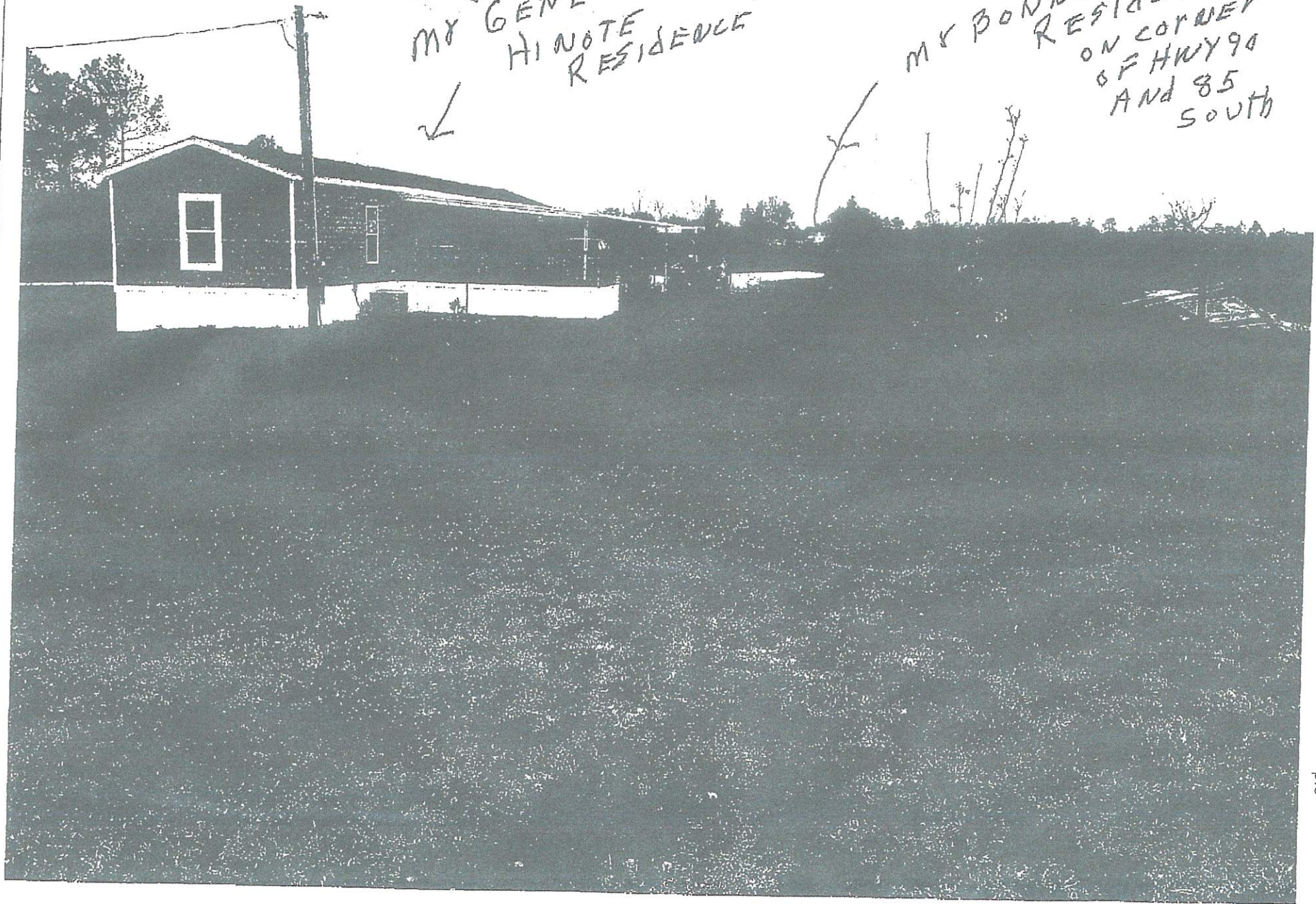


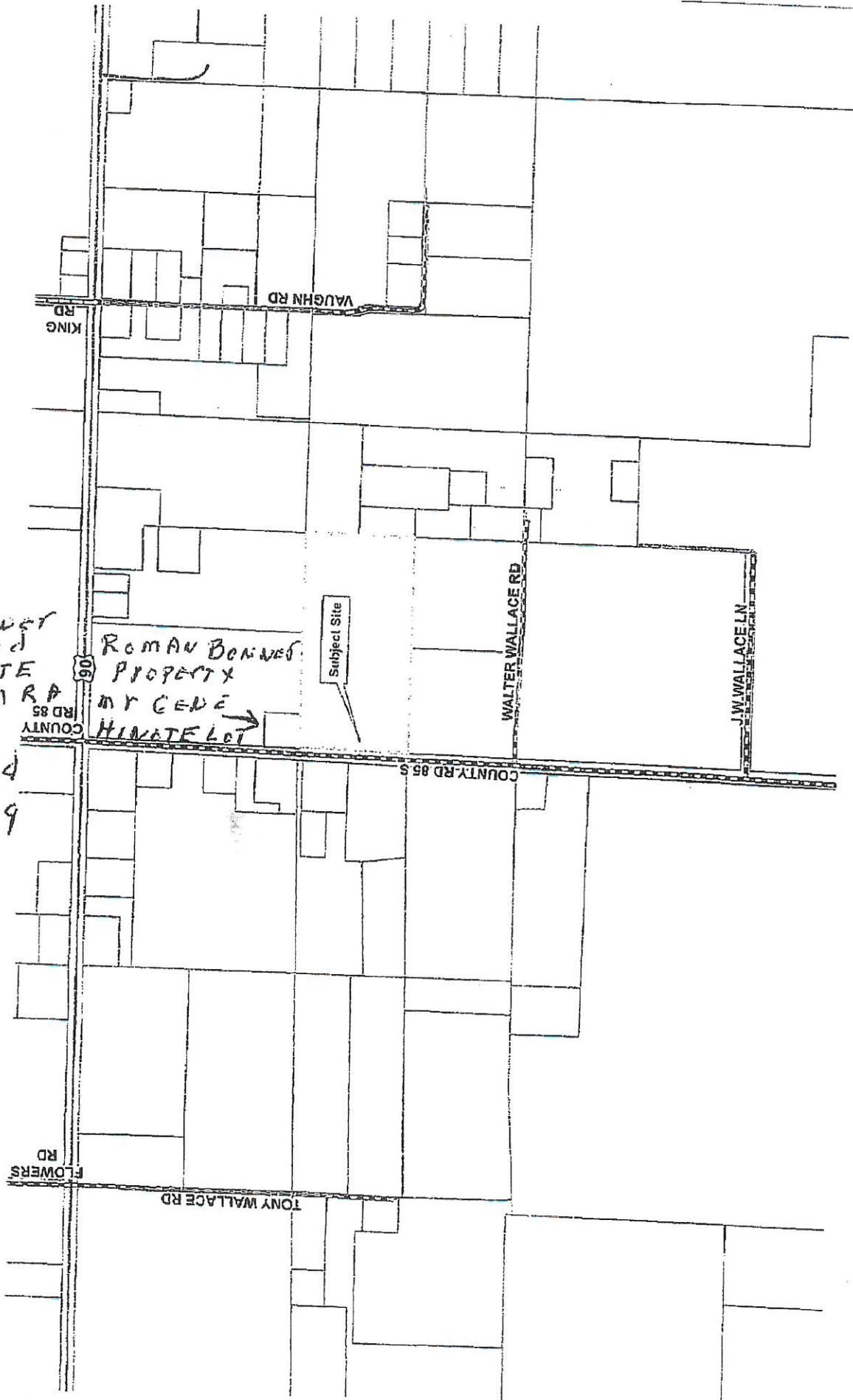
B. J. Blanchard

PLEASE NOTE ENTRANCE IS ON NORTH SIDE

OF
MY GENE
HINOTE
RESIDENCE

MY BONNET
RESIDENTS
ON CORNER
OF HWY 90
AND 85
SOUTH





MY BOND
 REZONED
 MY HINATE
 LOT FROM RA
 -OR SF-1
 AND SOLD
 4-14-19

ROMAN BONNED
 PROPERTY
 MY CENE
 HINATE LOT

Subject Site

June 8, 2021

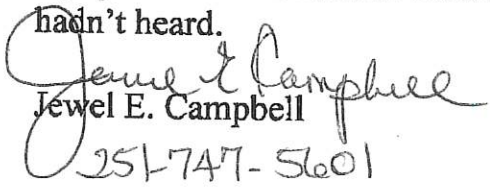
A couple of years ago BJ Blanchard was looking for property and I told him about a piece of land on 85 S that I had seen and called the agent and got a price for him, but he wasn't interested at that time. Fast forward and he is looking for land and I told him he should re-visit the piece on 85 S it was very pretty, but I couldn't remember what they had been asking price wise and the sign was gone. I called Roman Bonner and asked him had it sold, and he said "No, no one would pay what she was asking."

So, I looked up on the tax record to see who owned the land and could not find their phone number, but the middle name was Novak, so I called Anthony Novak and he gave me his cousins phone number. I called she told me what she wanted for the land, I told BJ and he bought it. After the sale closed BJ called me and asked if I would call and see who owned the farm equipment on the property and let them know he had bought the property and they could come get the equipment. I called Roman and he said the equipment belonged to Bruce and he didn't care what happened to it and he went into a cussing tirade at me and said I could tell BJ he would never be able to subdivide that property or put trailers on it he would see to that.

He was going to put signs up and get a petition started it would never happen. I said Roman he was just trying to be nice about the equipment why are you so upset. You just divided your property right next to his and let them put a mobile home on it.

He said he didn't like me anymore and don't ever call him again. So, I called Kathy Foley because I didn't have Bruce's phone number and told her about the equipment and Roman.

She said Bruce was out of town, but he would get the equipment off the land as soon as he got home. I guess he did I hadn't heard.


Jewel E. Campbell

251-747-5601

J. E. Hamlin
Professional Engineer
14200 South Blvd.
Silverhill, Al. 36576

March 1, 2021

B J Blanchard and to whom else it may concern:

Re; Property on Co. Rd. 85 south of U S 90
I have had encounters with Mr. Bonner twice:

1. He came out to what is now Mr. Blanchard's property and wanted to know what I was doing on property that he owned. He did not come on the property that time.
2. I was digging soil borings, part of the procedure of doing perc tests, and he again came out and told me that I could not proceed with things relative to dividing this property because the zoning would not allow it. I told him, after he had walked about 60-80' onto Mr. Blanchard's property, that he was trespassing. He immediately left. This happened on 12/10/20 and was witnessed by my nephew, who was working with me for the day.

If you need further information, let me know.

J. E. Hamlin, P. E.

