

BALDWIN COUNTY PLANNING AND ZONING
COMMISSION REGULAR MEETING 08/01/2019

PROCEEDINGS HEARD BEFORE THE
BALDWIN COUNTY PLANNING AND ZONING COMMISSION
(REGULAR MEETING)
THURSDAY, AUGUST 1, 2019

The following proceedings were held on
this the 1st day of August, 2019, at the Baldwin
County Central Annex, Main Auditorium, 22251
Palmer Street, Robertsdale, Alabama, before
Candace Wood, CCR No. 535

A P P E A R A N C E S

PLANNING AND ZONING COMMISSIONERS PRESENT:

SAM DAVIS, JR., CHAIRMAN

ARTHUR OKEN, VICE CHAIRMAN

KEVIN MURPHY

BONNIE LOWRY

DANIEL NANCE

BRANDON BIAS

BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT

PRESENT:

VINCE JACKSON, DIRECTOR, PLANNING AND ZONING

D.J. HART, PLANNING TECHNICIAN

ON BEHALF OF THE PLANNING AND ZONING COMMISSION:

DAVID CONNER, ESQ.

I N D E X

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P R O C E E D I N G S

1 - CALL TO ORDER

PLANNING AND ZONING COMMISSION CHAIRMAN

SAM DAVIS: All right. We'll call the meeting to order at this point. Vince, will you lead us in a prayer and the pledge?

MR. VINCE JACKSON: Yes, sir. Please join me for the invocation.

2 - INVOCATION AND PRAYER

(MR. VINCE JACKSON LED IN PRAYER.)

3 - PLEDGE OF ALLEGIANCE

(THE PLEDGE OF ALLEGIANCE WAS RECITED.)

4 - ROLL CALL

PLANNING AND ZONING COMMISSION

CHAIRMAN SAM DAVIS: Thank you, Vince. Can we have roll call.

MR. VINCE JACKSON: Mr. Davis.

PLANNING AND ZONING COMMISSION

CHAIRMAN SAM DAVIS: Here.

1 MR. VINCE JACKSON: Mr. Hayes.

2 (NO RESPONSE.)

3 MR. VINCE JACKSON: Mr. Murphy.

4 COMMISSION MEMBER KEVIN MURPHY: Here.

5 MR. VINCE JACKSON: Ms. Lowry.

6 COMMISSION MEMBER BONNIE LOWRY: Here.

7 MR. VINCE JACKSON: Mr. Nance.

8 COMMISSION MEMBER DANIEL NANCE: Here.

9 MR. VINCE JACKSON: Mr. Oken.

10 COMMISSION MEMBER ARTHUR OKEN: Here.

11 MR. VINCE JACKSON: Mr. Bias.

12 COMMISSION MEMBER BRANDON BIAS: Here.

13 MR. VINCE JACKSON: And Ms. Mackey.

14 (NO RESPONSE.)

15 MR. VINCE JACKSON: Mr. Chairman, we
16 have a quorum.

17 PLANNING AND ZONING COMMISSION

18 CHAIRMAN SAM DAVIS: Okay. Thank you.

19

20 5 - APPROVAL OF MEETING MINUTES:

21 JULY 11, 2019, MEETING MINUTES

22 PLANNING AND ZONING COMMISSION

23 CHAIRMAN SAM DAVIS: The first order of business

1 will be approval of the minutes from the July
2 the 11th meeting. Is there a motion to approve
3 those?

4 COMMISSION MEMBER BONNIE LOWRY: Make
5 a motion to approve.

6 PLANNING AND ZONING COMMISSION
7 CHAIRMAN SAM DAVIS: Is there a motion second?

8 COMMISSION MEMBER KEVIN MURPHY:
9 Second.

10 PLANNING AND ZONING COMMISSION
11 CHAIRMAN SAM DAVIS: All in favor say aye.

12 (COMMISSION MEMBERS SAY "AYE" IN UNISON.)

13 PLANNING AND ZONING COMMISSION
14 CHAIRMAN SAM DAVIS: Motion approved.

15 COMMISSION MEMBER ARTHUR OKEN: Mr.
16 Chairman, I need to abstain. I was not present
17 at that meeting.

18 PLANNING AND ZONING COMMISSION
19 CHAIRMAN SAM DAVIS: Okay. Thank you.

20
21 6 - ANNOUNCEMENTS/REGISTRATION TO

22 ADDRESS THE COMMISSION

23 PLANNING AND ZONING COMMISSION

1 CHAIRMAN SAM DAVIS: Okay. At this point if
2 anyone's here that wishes to speak, if you have
3 signed up already, that's great, at the table
4 out front. If you didn't and you wish to
5 address the Commission on anything, you need to
6 let us know now so we can put you on the list.

7 Vince, I think you've got something
8 you want to start off with? .

9 MR. VINCE JACKSON: Yes, sir. Real
10 quick before we get into the main agenda, if you
11 all remember at last month's meeting we had the
12 RSA case and it was tabled until this meeting.
13 And in the motion to table, it specifically said
14 August 1st.

15 We -- staff had a meeting with
16 representatives of RSA recently, and there was a
17 mutual agreement between us and them that more
18 time was needed. They have some things they're
19 working on; we have some things that we're
20 working on. So they asked us could we delay it
21 until September. We told them that they could.
22 ,But because the date was specified at the last
23 meeting, we will need you to make a motion and

1 vote to extend it until September 5th.

2 PLANNING AND ZONING COMMISSION

3 CHAIRMAN SAM DAVIS: And that case was what? I
4 don't think we need a number, but just the --

5 MR. VINCE JACKSON: 19025 -- Z-19025.

6 COMMISSION MEMBER BRANDON BIAS: Mr.
7 Chairman, may I step down to recuse myself?

8 PLANNING AND ZONING COMMISSION

9 CHAIRMAN SAM DAVIS: Sure.

10 COMMISSION MEMBER DANIEL NANCE: I
11 would like to recuse as well.

12 PLANNING AND ZONING COMMISSION

13 CHAIRMAN SAM DAVIS: All right. Okay.

14 COMMISSION MEMBER KEVIN MURPHY: I
15 make a motion in this case to move it one more
16 month.

17 PLANNING AND ZONING COMMISSION

18 CHAIRMAN SAM DAVIS: All right. There's a
19 motion to postpone it until next month -- table
20 it until next month. Is there a second?

21 COMMISSION MEMBER ARTHUR OKEN:

22 Second, Mr. Chairman.

23 PLANNING AND ZONING COMMISSION

1 CHAIRMAN SAM DAVIS: There is a second. All in
2 favor, say aye.

3 (COMMISSION MEMBERS SAY "AYE" IN UNISON.)

4 PLANNING AND ZONING COMMISSION

5 CHAIRMAN SAM DAVIS: Approved unanimously.

6
7 7 - CONSIDERATION OF APPLICATIONS AND
8 REQUESTS: SUBDIVISION CASES

9
10 7-A - CASE S-19038, DEEP SOUTH BOAT AND RV
11 STORAGE - FINAL SITE PLAN APPROVAL

12 PLANNING AND ZONING COMMISSION

13 CHAIRMAN SAM DAVIS: Okay. Our first case
14 tonight is S-19038, Deep South Boat & RV
15 Storage.

16 COMMISSION MEMBER BRANDON BIAS: Mr.
17 Chairman, I also recuse myself from this case as
18 well.

19 PLANNING AND ZONING COMMISSION

20 CHAIRMAN SAM DAVIS: We talked a little bit
21 before the meeting, but would you like to go
22 ahead and tell them what the issue is?

23 MS. MARY BOOTH: Yes. The notice that

1 was sent out had an incorrect public meeting
2 date of July 11th, so we have sent out revised
3 notices with the correct meeting date; however,
4 we do not feel there's sufficient time for those
5 notices to be received by all, so we are
6 requesting that this case be tabled until next
7 month.

8 PLANNING AND ZONING COMMISSION

9 CHAIRMAN SAM DAVIS: Okay. There's a request to
10 table this one. Is there a motion to do so?

11 COMMISSION MEMBER ARTHUR OKEN: So
12 motioned, Mr. Chairman.

13 PLANNING AND ZONING COMMISSION

14 CHAIRMAN SAM DAVIS: We got a motion to table.
15 Is there a second?

16 COMMISSION MEMBER BONNIE LOWRY:
17 Second.

18 PLANNING AND ZONING COMMISSION

19 CHAIRMAN SAM DAVIS: Second. All in favor say
20 aye.

21 (COMMISSION MEMBERS SAY "AYE" IN UNISON.)

22 PLANNING AND ZONING COMMISSION

23 CHAIRMAN SAM DAVIS: All opposed.

1 (NO RESPONSE.)

2 PLANNING AND ZONING COMMISSION

3 CHAIRMAN SAM DAVIS: It's unanimous. Thank you.

4

5 8 - CONSIDERATION OF APPLICATIONS AND
6 REQUESTS - RE-ZONING CASES

7

8 8-A - CASE P-19003, LAZZARI PROPERTY

9

10 PLANNING AND ZONING COMMISSION

11 CHAIRMAN SAM DAVIS: Next case is P-19003,
12 Lazzari property.

13 COMMISSION MEMBER KEVIN MURPHY: Mr.
14 Chairman, I must recuse myself on this case.

15 PLANNING AND ZONING COMMISSION

16 CHAIRMAN SAM DAVIS: All right. Thank you. Do
17 we have a staff report?

18 MS. D.J. HART: Okay. Case P-19003,
19 Lazzari property, is a request for conditional
20 use to allow -- approval to allow the
21 construction of a one-hundred-ninety-foot
22 self-support communications tower and support
23 facilities on property which is zoned rural

1 agriculture.

2 The tower of this type may be allowed
3 under the RA designation subject to the
4 conditions in a conditional-use approval from
5 the Planning Commission.

6 The subject property is located on the
7 County Road 54 West south of Garrett Road in
8 Planning District 15.

9 These are some pictures of the
10 property and adjoining properties. This is our
11 locator map of the property, and this is our
12 aerial photography.

13 This is our site plan. There's one
14 that's showing the entire parcel. It's a
15 thirty -- I think thirty-seven-acre parcel
16 total. The tower is going to be located up in
17 the northwest area.

18 And the bottom site plan shows a
19 closer site plan of the location of the -- where
20 the tower's going to be. It's in the small
21 square with that little triangle area in it.

22 And this is the landscaping plan that
23 was provided for the -- that shows the tower and

1 the vegetative buffer that will go around it.

2 This is a current coverage map that
3 was provided from Verizon of the current
4 coverage for their towers. And then this a --
5 this is the coverage if they add the additional
6 tower. It will take up an area in the center of
7 that.

8 This case was heard last August by the
9 Planning Commission, and it was approved with
10 conditions; but one of the conditions was that
11 they obtain a land-use application within six
12 months of the approval.

13 Well, they weren't -- they did not
14 come in and get the approval -- I mean the land
15 use; so, therefore, their conditional use has
16 expired, so they came back. That's why they're
17 here again tonight.

18 I have received one call of opposition
19 to the tower, and I gave you a copy of what
20 was -- what we received. And the staff
21 recommends approval of the tower with the
22 following conditions:

23 Approval shall be for this applicant

1 and this location only. A Baldwin County land
2 use certificate shall be obtained no later than
3 six months from the date of conditional use
4 approval. You may grant additional time, if
5 necessary.

6 Signage, if any, must comply with
7 Article 16 of the Baldwin County Zoning
8 Ordinance. Appropriate lighting, if required by
9 the FAA, shall be provided. All requirements of
10 the Baldwin County subdivision regulations shall
11 be met.

12 Any expansion of the proposed tower
13 shall necessitate additional review and approval
14 by the Planning Commission. FAA approval
15 required, if applicable. And the Planning
16 Commission can place other conditions if you
17 deem it necessary. And that's all I have.

18 PLANNING AND ZONING COMMISSION

19 CHAIRMAN SAM DAVIS: D.J., did I understand you
20 to say there was a letter of opposition?

21 MS. D.J. HART: Yeah. There was one.
22 It's just a little sentence on there.

23 PLANNING AND ZONING COMMISSION

1 CHAIRMAN SAM DAVIS: That's -- actually she's in
2 support.

3 MS. D.J. HART: I thought that said
4 she was against it.

5 PLANNING AND ZONING COMMISSION

6 CHAIRMAN SAM DAVIS: The one that I'm seeing --
7 looking at, Ms. Ruth Garrett does approve for
8 the cell tower to be built.

9 MS. D.J. HART: I'm sorry.

10 PLANNING AND ZONING COMMISSION

11 CHAIRMAN SAM DAVIS: She's an adjacent property
12 owner.

13 MS. D.J. HART: Oh. I'm so sorry.

14 PLANNING AND ZONING COMMISSION

15 CHAIRMAN SAM DAVIS: I just wanted to be sure
16 because there's no -- no one signed up in
17 opposition --

18 MS. D.J. HART: No one signed up.

19 PLANNING AND ZONING COMMISSION

20 CHAIRMAN SAM DAVIS: -- to the project?

21 MS. D.J. HART: No. We haven't had
22 any other calls either.

23 PLANNING AND ZONING COMMISSION

1 CHAIRMAN SAM DAVIS: Any other questions for
2 D.J.?

3 (NO RESPONSE.)

4 PLANNING AND ZONING COMMISSION

5 CHAIRMAN SAM DAVIS: Any other questions for
6 staff?

7 (NO RESPONSE.)

8 PLANNING AND ZONING COMMISSION

9 CHAIRMAN SAM DAVIS: All right. Thank you. Mr.
10 Chopra.

11 (MR. BOB CHOPRA APPROACHED THE PODIUM.)

12 MR. BOB CHOPRA: Good evening. Bob
13 Chopra, agent for Verizon Wireless.

14 PLANNING AND ZONING COMMISSION

15 CHAIRMAN SAM DAVIS: Anything you would like for
16 us to know?

17 MR. CHOPRA: I pretty much agree with
18 the staff report. Unfortunately this site fell
19 out of budget in 2018 for construction. When we
20 came back this past spring and contacted
21 planning staff, they said our conditional use
22 had expired, land usage agreement was not filed
23 in time, and we had to come back in front of the

1 board, so we're here today.

2 PLANNING AND ZONING COMMISSION

3 CHAIRMAN SAM DAVIS: Any questions for this
4 gentleman?

5 (NO RESPONSE.)

6 PLANNING AND ZONING COMMISSION

7 CHAIRMAN SAM DAVIS: Thank you, sir. All right.
8 Staff has recommended approval. There's no
9 opposition. Is there a motion to approve? This
10 is in our purview, so --

11 COMMISSION MEMBER ARTHUR OKEN: Mr.
12 Chairman, I move that this be approved with the
13 eight conditions set out by staff in their staff
14 report. The ninth condition is one that we
15 simply have the -- just acknowledges the fact
16 that we have the authority to impose additional
17 restrictions, and I believe the record should
18 reflect that we impose no additional
19 restrictions.

20 PLANNING AND ZONING COMMISSION

21 CHAIRMAN SAM DAVIS: Okay. There's a motion to
22 approve subject to the conditions set out by
23 staff. Is there a second?

1 COMMISSION MEMBER KEVIN MURPHY:

2 Second.

3 PLANNING AND ZONING COMMISSION

4 CHAIRMAN SAM DAVIS: There is a second. All in
5 favor say aye.

6 (COMMISSION MEMBERS SAY "AYE" IN UNISON.)

7 PLANNING AND ZONING COMMISSION

8 CHAIRMAN SAM DAVIS: All opposed.

9 (NO RESPONSE.)

10 PLANNING AND ZONING COMMISSION

11 CHAIRMAN SAM DAVIS: Passed unanimously.

12 MS. D.J. HART: Thank you.

13

14 8-B - CASE Z-19033, McNEIL PROPERTY

15 PLANNING AND ZONING COMMISSION

16 CHAIRMAN SAM DAVIS: The final case for tonight
17 is Z-19033, McNeil property. Do we have a staff
18 report?

19 MR. VINCE JACKSON: Yes, sir. The
20 applicant is requesting to rezone approximately
21 one acre from RTF-4, which is the duplex -- a
22 two- family residential designation. And the
23 request is to rezone to MR, marine recreation,

1 in order to allow a charter boat business and a
2 residence on the subject property. This
3 property is located on the north side of State
4 Highway 180 west of Boykin Court in Planning
5 District 25.

6 And here's the locator map showing the
7 subject property. As you can see, the property
8 to the east carries the RTF-4 duplex
9 designation. The property to the west, which is
10 zoned B-4, is the location of the Fort Morgan
11 Marina. Property to the south -- on the south
12 side of State Highway 180 is zoned RMF-6, which
13 is multi-family.

14 And then here's the aerial
15 photography. Again, you can see the location of
16 this property in relation to the adjacent Fort
17 Morgan Marina. And then we have some pictures
18 of the subject property and the adjoining
19 properties.

20 As we stated in the staff report, the
21 reason for this request is to allow the
22 applicant to establish a charter fishing
23 business on the subject property and also reside

1 on the subject property.

2 The MR designation is a designation
3 that is intended for water-related activities,
4 and it does also allow single-family dwellings.
5 So by rezoning the property to the MR
6 designation, the applicant will be able to
7 achieve both the goal of establishing a business
8 and establishing a single-family dwelling.

9 Also, I would point out that the
10 current zoning is a zoning designation that
11 would allow duplexes. And I think in terms of
12 the adjacency of the marina and just the
13 location in the Fort Morgan area in general, I
14 feel like the MR designation is a better fit for
15 this property than a zoning designation which
16 allows duplexes.

17 This application was considered by the
18 Fort Morgan Zoning Advisory Committee, and they
19 voted to recommend approval to the Planning
20 Commission, and the staff concurs with the
21 recommendation.

22 PLANNING AND ZONING COMMISSION

23 CHAIRMAN SAM DAVIS: All right. Any questions

1 for Vince?

2 COMMISSION MEMBER BONNIE LOWRY: Mr.
3 Chairman, I'd just like to let everyone know
4 that the Fort Morgan Planning and Zoning
5 Advisory Committee looked at all of the details
6 related to this property and felt that this MR
7 was appropriate due to the fact that it's near
8 the marina right there, and it would be much
9 better than a B-2, B-3 or B-4, which is what the
10 marina is.

11 PLANNING AND ZONING COMMISSION

12 CHAIRMAN SAM DAVIS: All right. Thank you. Any
13 more questions for Vince?

14 COMMISSION MEMBER BRANDON BIAS: I
15 have a question, Mr. Chairman. Vince, is there
16 parking requirements with MR on this lot?

17 MR. VINCE JACKSON: Yes. I mean the
18 parking -- the parking is based on the use.
19 There would be separate requirements for the
20 dwelling and then separate requirements for the
21 charter boat business.

22 And we would look at it in terms of
23 the -- whatever building the applicant builds.

1 The applicant would require a parking ratio
2 consistent with the size of the building.
3 That's something that we look at at the time of
4 land use certificate approval when building
5 plans are actually submitted.

6 Now, you know, in this area there are
7 likely to be some environmental considerations
8 that we'll have to look at that will have an
9 effect on the parking, and we'll evaluate those
10 at the time of land use approval.

11 PLANNING AND ZONING COMMISSION

12 CHAIRMAN SAM DAVIS: Thank you. Any other
13 questions for Vince?

14 (NO RESPONSE.)

15 PLANNING AND ZONING COMMISSION

16 CHAIRMAN SAM DAVIS: Okay. Thank you, Vince.
17 We'll open the public hearing at this point.
18 There's no one signed up in opposition. There
19 was one letter of opposition, but no one is here
20 opposing. Walter McNeil, would you like to come
21 up to the podium?

22 (MR. JAMES MCCONNELL APPROACHED THE PODIUM.)

23 PLANNING AND ZONING COMMISSION

1 CHAIRMAN SAM DAVIS: You are the applicant;
2 correct?

3 MR. JAMES McCONNELL: Sir?

4 PLANNING AND ZONING COMMISSION

5 CHAIRMAN SAM DAVIS: You're the applicant?

6 MR. WALTER McNEIL: No, sir.

7 PLANNING AND ZONING COMMISSION

8 CHAIRMAN SAM DAVIS: No?

9 MR. WALTER McNEIL: I'm the applicant.

10 PLANNING AND ZONING COMMISSION

11 CHAIRMAN SAM DAVIS: You're Mr. McConnell?

12 MR. JAMES McCONNELL: I'm Mr.

13 McConnell.

14 PLANNING AND ZONING COMMISSION

15 CHAIRMAN SAM DAVIS: Oh, you're Mr. McConnell.

16 MS. D.J. HART: That's McConnell.

17 PLANNING AND ZONING COMMISSION

18 CHAIRMAN SAM DAVIS: Oh. I'd asked for

19 McNeil --

20 MR. JAMES McCONNELL: Oh, I'm sorry.

21 PLANNING AND ZONING COMMISSION

22 CHAIRMAN SAM DAVIS: -- first as the applicant,
23 but if you're representing the applicant,

1 then --

2 MR. JAMES McCONNELL: No, no, no.

3 I'm -- I have the home next door to it that I'm
4 concerned about it.

5 PLANNING AND ZONING COMMISSION

6 CHAIRMAN SAM DAVIS: Oh, okay. It's customary
7 that we let the applicant go first, so --

8 MR. JAMES McCONNELL: Sure.

9 (MR. WALTER MCNEIL APPROACHED THE PODIUM.)

10 MR. WALTER McNEIL: I'm Walter McNeil,
11 the owner of the property. And it's exactly
12 like Mr. Vince said, you know. I just want to
13 build a house, run a charter business out of it.
14 If y'all have any questions.

15 PLANNING AND ZONING COMMISSION

16 CHAIRMAN SAM DAVIS: What size boat are you
17 going to be running out of there?

18 MR. WALTER McNEIL: I got a
19 thirty-foot Grady-White center console.

20 PLANNING AND ZONING COMMISSION

21 CHAIRMAN SAM DAVIS: How many passengers at one
22 time maximum?

23 MR. WALTER McNEIL: Six.

1 PLANNING AND ZONING COMMISSION

2 CHAIRMAN SAM DAVIS: Six. Okay. Any other
3 questions for Mr. McNeil?

4 COMMISSION MEMBER BONNIE LOWRY: Just
5 one question for him. The letter against states
6 that you're using the same driveway as that's on
7 the east side of the property where the three
8 homes are. You will have a separate individual
9 driveway, I'm presuming, into the property,
10 especially if you're talking about parking cars
11 that charger -- that go on the charter.

12 MR. WALTER McNEIL: Yes, ma'am. I do
13 have another driveway. Right now that driveway
14 doesn't go all the way in. It goes across the
15 hundred-and-fifty-foot state property there, the
16 right-of-way, and then dead ends. And sometimes
17 I use the other driveway, but I mean I do have a
18 driveway on the other side -- on the west side
19 of the property.

20 PLANNING AND ZONING COMMISSION

21 CHAIRMAN SAM DAVIS: Your plan is to use that
22 one?

23 MR. WALTER McNEIL: Yes, sir.

1 PLANNING AND ZONING COMMISSION

2 CHAIRMAN SAM DAVIS: Okay. Any other questions
3 for this gentleman?

4 (NO RESPONSE.)

5 PLANNING AND ZONING COMMISSION

6 CHAIRMAN SAM DAVIS: Okay. Thank you, sir. Now
7 Mr. McConnell.

8 (MR. JAMES MCCONNELL APPROACHED THE PODIUM.)

9 PLANNING AND ZONING COMMISSION

10 CHAIRMAN SAM DAVIS: And just for the record, I
11 had stated there was no one here in opposition.
12 That was based on the color of these sheets, so
13 you actually signed the one in support of.

14 MR. JAMES MCCONNELL: Oh, I'm sorry.

15 PLANNING AND ZONING COMMISSION

16 CHAIRMAN SAM DAVIS: That's perfectly fine.
17 Just for the record.

18 MR. JAMES MCCONNELL: Okay. Great.

19 James McConnell is my name, and I own 1625A and
20 B of State Highway 180, which is the property --
21 the house that's right next door to it. And I
22 noticed when I was down that someone had been
23 using my driveway to go in where the motor

1 home -- not motor home, but camper -- pull-
2 behind camper was parked. It had temporary
3 service to it and had an old boat trailer out
4 there, and it was just kind of junky.

5 And when you open the doors on my
6 houses, both of them, they face to that lot, so
7 that lot's been a nice buffer in the past for
8 our little spot from the marina.

9 And I personally don't have any
10 opposition to what the gentleman wants to do
11 with it. I'm just concerned about the people
12 using my driveway to get into that. And also
13 early morning -- you know, it's a bedroom-type
14 community with two the houses on it. Early
15 morning fishing trips could be a problem, so
16 that's my concern.

17 PLANNING AND ZONING COMMISSION

18 CHAIRMAN SAM DAVIS: Okay. Now, you heard him
19 state that he was going to use the other
20 driveway and not yours --

21 MR. JAMES McCONNELL: Yeah.

22 PLANNING AND ZONING COMMISSION

23 CHAIRMAN SAM DAVIS: -- so does that make you

1 feel better?

2 MR. JAMES McCONNELL: As long as
3 everyone knows that's coming to use that
4 driveway too, because mine's the first one you
5 come to, and it's easy to just pop in there. So
6 that -- yeah.

7 PLANNING AND ZONING COMMISSION

8 CHAIRMAN SAM DAVIS: Any other questions for Mr.
9 McConnell?

10 (NO RESPONSE.)

11 PLANNING AND ZONING COMMISSION

12 CHAIRMAN SAM DAVIS: Okay. Thank you. Mr.
13 McNeil, got one question for you, if you
14 wouldn't mind coming back up.

15 (MR. WALTER McNEIL APPROACHED THE PODIUM.)

16 PLANNING AND ZONING COMMISSION

17 CHAIRMAN SAM DAVIS: Are you going to have
18 signage out by the driveway that you're going to
19 be using for your customers to come in?

20 MR. WALTER McNEIL: Yes, sir.

21 PLANNING AND ZONING COMMISSION

22 CHAIRMAN SAM DAVIS: Okay. So that should
23 alleviate that concern, so --

1 MR. WALTER McNEIL: And I did want to
2 say, you know, with his -- I mean by talking to
3 the people at the Planning and Zoning that's
4 been helping me out, I'm aware that I do have to
5 have a twenty-five-foot buffer on that side, so
6 that would make sure that nobody, you know,
7 would be able to --

8 PLANNING AND ZONING COMMISSION

9 CHAIRMAN SAM DAVIS: Come in that way?

10 MR. WALTER McNEIL: -- use his
11 driveway.

12 PLANNING AND ZONING COMMISSION

13 CHAIRMAN SAM DAVIS: Okay. Any other questions
14 for Mr. McNeil?

15 (NO RESPONSE.)

16 PLANNING AND ZONING COMMISSION

17 CHAIRMAN SAM DAVIS: All right. Thank you, sir.
18 We'll close the public hearing at this time.
19 Vince, you have anything to add?

20 MR. VINCE JACKSON: I was going to
21 mention the twenty-five-foot buffer that Mr.
22 McNeil just mentioned, that would be applicable
23 on the east side of the property where it does

1 about the residential. There would be no buffer
2 requirement on the west side where it abuts the
3 marina.

4 Also, I would mention that during the
5 land use certificate process, because the
6 property -- there are driveways, of course, but
7 because the property will have a business and as
8 we go through the land use process, we'll need
9 to have an access permit from ALDOT.

10 Now, the right-of-way is actually I
11 think owned by the Department of Conservation,
12 and ALDOT I believe has an easement, but they
13 would still have to have -- and they might have
14 to have a permit from the Department of
15 Conservation, too, but we'll have to have all of
16 that in place. And I think if they require some
17 improvements, then that will give a better
18 indication of where the entrance to the property
19 is supposed to be.

20 PLANNING AND ZONING COMMISSION

21 CHAIRMAN SAM DAVIS: All right. Any other
22 questions for Vince?

23 (NO RESPONSE.)

1 PLANNING AND ZONING COMMISSION

2 CHAIRMAN SAM DAVIS: All right. Recommendation
3 is to recommend approval. This would be a
4 recommendation to the County Commission. Is
5 there a motion to do so?

6 MR. DANIEL NANCE: Motion to approve.

7 PLANNING AND ZONING COMMISSION

8 CHAIRMAN SAM DAVIS: Okay. There's a motion to
9 recommend approval to the Commission. Is there
10 a second?

11 COMMISSION MEMBER KEVIN MURPHY:
12 Second.

13 PLANNING AND ZONING COMMISSION

14 CHAIRMAN SAM DAVIS: Okay. There's a second.
15 All in favor say aye.

16 (COMMISSION MEMBERS SAY "AYE" IN UNISON.)

17 PLANNING AND ZONING COMMISSION

18 CHAIRMAN SAM DAVIS: All opposed.

19 (NO RESPONSE.)

20 PLANNING AND ZONING COMMISSION

21 CHAIRMAN SAM DAVIS: Carried unanimously. Thank
22 you, Vince.
23

1 9 - PUBLIC COMMENT

2 PLANNING AND ZONING COMMISSION

3 CHAIRMAN SAM DAVIS: All right. Is there any
4 public comment for the commission tonight?

5 (NO RESPONSE.)

6

7 10 - OLD BUSINESS

8 PLANNING AND ZONING COMMISSION

9 CHAIRMAN SAM DAVIS: Any old business?

10 MR. VINCE JACKSON: No old business.

11 PLANNING AND ZONING COMMISSION

12

13 11 - NEW BUSINESS

14 PLANNING AND ZONING COMMISSION

15 CHAIRMAN SAM DAVIS: Any new business?

16 MR. VINCE JACKSON: No new business.

17

18 12 - REPORTS AND ANNOUNCEMENTS

19 MR. VINCE JACKSON: I just wanted to
20 mention that we will not have this short of an
21 agenda for next month. We know already. The
22 RSA case will be coming back. We'll have some
23 zoning text amendments on the agenda, and we

1 will -- also, we're planning to have some
2 amendments to the Planning Commission bylaws on
3 the agenda.

4 The deadline for submission is
5 actually not until Tuesday of next week, so by
6 then we'll know better what your agenda is going
7 to be like, but it will be somewhat more lengthy
8 than this one.

9 PLANNING AND ZONING COMMISSION

10 CHAIRMAN SAM DAVIS: All right. Well, it's nice
11 to have a short one every now and then.

12 MR. VINCE JACKSON: Yes, sir. It
13 certainly is.

14 PLANNING AND ZONING COMMISSION

15 CHAIRMAN SAM DAVIS: All right. Any legal
16 counsel report?

17 MR. DAVID CONNER: No report, sir.

18 13 - ADJOURNMENT

19 PLANNING AND ZONING COMMISSION

20 CHAIRMAN SAM DAVIS: The next meet is September
21 the 5th, so we are adjourned.

22
23 (THE BALDWIN COUNTY PLANNING AND ZONING

1 COMMISSION REGULAR MEETING WAS
2 ADJOURNED AT 6:25 P.M.)
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1 CERTIFICATE OF REPORTER

2 STATE OF ALABAMA)

3 COUNTY OF MOBILE)

4 I, CANDACE WOOD, a Certified Shorthand
5 Reporter and Notary Public for the State of
6 Alabama, do hereby certify that the witness
7 whose testimony appears in the foregoing
8 deposition was duly sworn by me; that the
9 testimony of said witness was taken by me to the
10 best of my ability and thereafter reduced to
11 typewriting under my direction; that I am
12 neither counsel for, related to, nor employed by
13 any of the parties to the action in which this
14 deposition was taken, and further that I am not
15 a relative or employee of any attorney or
16 counsel employed by the parties thereto, nor
17 financially or otherwise interested in the
18 outcome of the action.


19 Signed this 17th day of October, 2019.

20 Candace Wood
21 CANDACE WOOD, Court Reporter
22 CCR #535, Expires 9/30/2020
23

C E R T I F I C A T E

I, SAM DAVIS, JR., Chairman of the Baldwin County Planning and Zoning Commission, do hereby certify that the foregoing transcript of the minutes of August 1st, 2019, monthly meeting are a true and correct transcription of the minutes as prepared by Candace Wood, Alabama Certified Court Reporter, License Number 535.

I, SAM DAVIS, JR., do hereby affix my signature on this, the 5TH day of Sept., 2019.


SAM DAVIS, JR., Chairman,
Baldwin County Planning
and Zoning Commission

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