



**Baldwin County Planning and Zoning Commission
Meeting Minutes
Thursday, June 2, 2022**

I. CALL TO ORDER

Chairman Steve Pumphrey opened the Baldwin County Planning and Zoning Commission Meeting at 4:00 p.m. June 2, 2022, at the Baldwin County Central Annex Main Auditorium, 22251 Palmer Street, Robertsedale, Alabama.

II. OPENING

Chairman Pumphrey opened the meeting with an invocation and prayer. He also led the pledge of allegiance.

III. ROLL CALL

Chairman Pumphrey conducted a roll call. The following members were present: Steve Pumphrey, Brandon Bias, Robert Davis, Plumer Tonsmeire, Michael Mullek, Bill Booher and Jamie Strategier. Members Daniel Nance, Jason Padgett and Greg Seibert were absent. County Attorney Erin Fleming was also present.

Staff present included Matthew Brown, Buford King, Celena Boykin, DJ Hart, Mary Booth, Paula Bonner, Crystal Bates, Fabia Waters, Brenda Brock, Ashley Campbell and Weesie Jeffords.

IV. APPROVAL OF MINUTES

Bill Booher made a motion to approve the May 5, 2022, work session and the May 5, 2022 meeting minutes. Michael Mullek seconded the motion. All members voted aye. **The motion to approve the May 5, 2022, Planning Commission work session and the May 5, 2022, Planning Commission meeting minutes carried on a vote of 6-0.**

V. ANNOUNCEMENTS/REGISTRATION

Chairman Pumphrey explained the public hearing registration and meeting procedures.

VI. CONSIDERATION OF APPLICATIONS AND REQUESTS – SUBDIVISION VARIANCE CASE

a.) Case SV22-10, Sorzano Variance Request

Request for a variance from the rear yard drainage and utility ROW setback to allow construction of a swimming pool. The subject property is located at 15436 Troon Drive in the Woodmont, Phase 2 Subdivision.

Mr. Buford King presented the case. Alex Sorzano, property owner spoke in favor of the variance. The building Official for the town Of Summerdale spoke about the pool built on the adjacent property and how that was allowed to be there.

Robert Davis made a motion to deny the request. Michael Mullek seconded the motion. All members voted aye. **Motion to deny Case SV22-10 carried on a vote of 6-0.**

VII. CONSIDERATION OF APPLICATIONS AND REQUESTS – RE-ZONING CASES

a.) Case CSP22-8, Empire Construction Property

The applicant is requesting Commission Site Plan Approval to allow construction of a new office building for a construction company. The property is located at 8188 Well Road in Planning District 15.

Ms. Crystal Bates Presented the case. Jerry Miller spoke in favor of the case and explained why he needs approval. There was no one present in opposition.

Brandon Bias made a motion to approve the request. Bill Booher seconded the motion. All members voted aye. **Motion to approve case CSP22-8 carried on a vote of 6-0.**

b.) Case CSP22-9, Wise Properties LLC Property

The applicant is requesting Commission Site Plan Approval to allow construction of 1,000 sq. ft. addition to an existing building. The property is located at 9930 Milton Jones Rd., in Planning District 15.

Ms. DJ Hart Presented the case. Henry Wise was present for the applicant. There were no questions for Mr. Wise.

Michael Mullek made a motion to approve the request. Robert Davis seconded the motion. All members voted aye. **Motion to approve case CSP22-9 carried on a vote of 6-0.**

c.) Case CSP22-10, For Morgan Marina LLC Property

The applicant is requesting Commission Site Plan Approval to allow placement of a temporary trailer on the parcel. The parcel is located at 1577 Hwy 180 in Planning District 25.

Ms. Celena Boykin Presented the case and answered a few questions from the Planning Commission. Mr. David Evans was present for the applicant. He answered a few questions from the Planning Commission. Mr. David Skipper was also present for the applicant.

Bill Booher made a motion to approve the request. Robert Davis seconded the motion. All members voted aye. **Motion to approve case CSP22-10 carried on a vote of 6-0.**

d.) Case CSP22-11, North Alabama Property Leasing Property

The applicant is requesting Commission Site Plan Approval to allow two additions to existing buildings, 27,000 sq ft and 55,000 sq ft. The parcel is located at 26320 Railroad Ave in Planning District 12.

Ms. Celena Boykin Presented the case. Mr. Randy Arp spoke for the applicant. Mr. Sergio Braga was also present.

Brandon Bias made a motion to approve the request. Michael Mullek seconded the motion. All members voted aye. **Motion to approve case CSP22-11 carried on a vote of 6-0.**

VIII. CONSIDERATION OF APPLICATIONS AND REQUESTS – SUBDIVISION CASES

a.) Case SC21-3, Caney Branch Subdivision

Request for a Preliminary Plat Approval for a 6-lot subdivision. The parcel is located on the west side of Co Rd 93, north of US Hwy 98 near the Lillian Community.

Mr. Buford King presented the case. Randall Tillman was there to answer questions for the applicant. There were questions about the driveway in the wetland buffer. Tracey Gambrill and Davd Williams were also present in support.

Brandon Bias made a motion to approve the request with conditions. Must show the full wetland buffer on lot 1 and any minor adjustments may be made and taken care of administratively. Plumer Tonsmeire seconded the motion. All members voted aye. **Motion to approve Case SC21-3 carried on a vote of 6-0**

b.) Case SC22-6, Baudin Acres Subdivision

Request for a Preliminary Plat Approval for a 3-lot subdivision. The parcel is located on the east side of Baudin Lane, east of Co Rd 6, near the town of Magnolia Springs.

Mr. Buford King presented the case. Cathy Barnett, Dewberry Engineers, was present for the applicant. No one spoke on the application.

Robert Davis made a motion to approve the request. Bill Booher seconded the motion. All members voted aye. **Motion to approve Case SC22-6 carried on a vote of 6-0**

c.) Case SC22-12, Joshua Acres Subdivision

Request for a Preliminary Plat Approval for a 10-lot subdivision. The parcel is located on the east side of Lottie Road, north of Doil Hadley Rd, in the Lottie Area.

Ms. Mary Booth presented the case. Randall Tillman was there to answer questions for the applicant.

Bill Booher made a motion to approve the request. Robert Davis seconded the motion. All members voted aye. **Motion to approve Case SC21-12 carried on a vote of 6-0**

d.) Case SPP22-3, Cottonwood Estates

Request for a Preliminary Plat Approval for a 84-lot subdivision. The parcel is located at the northwest intersection of River Park Road and Champion Road, west of Fish River.

Mr. Buford King presented the case. Mr. King answered questions from the Planning Commission. David Diehl represented the applicant, He addressed fire coverage questions. David Martin spoke about drainage problems, Mr. Deihl responded. Michelle Moore spoke about the ownership of the property

Robert Davis made a motion to approve the request with conditions sited in the staff report. Brandon Bias seconded the motion. All members voted aye. **Motion to approve Case SPP22-3 carried on a vote of 6-0**

e.) Case SV22-8, Ashbury Townhomes Variance Request

Request for a variance from section 9.3.2 and 5.17 of the Baldwin County Subdivision Regulations to allow each townhome unit to be on a recorded lot of record. The subject property is located on the south side of Co Rd 12S, west of State Highway 59 near the city of Foley.

Ms. Mary Booth presented the case and answered questions from the Planning Commission. David Diehl represented the applicant, He answered questions from the Planning Commission. Richard Hoff was present in opposition and a letter of opposition was received from Lynn and Martha Lovelady

Robert Davis made a motion to approve the request, Plumer Tonsmeire seconded the motion. 5 members voted aye. Mr. Booher voted no to the motion. **Motion to approve Case SV22--8 carried on a vote of 5-1**

f.) Case PUD22-6, Ashbury Townhomes

Requesting final site plan approval of a 80-lot planned unit development to be know as Ashbury Townhomes. The subject property is located on the south side of Co Rd 12S, west of State Highway 59 near the city of Foley.

Ms. Mary Booth presented the case and answered questions from the Planning Commission. David Diehl represented the applicant. Richard Hoff was present in opposition and a letter of opposition was received from Lynn and Martha Lovelady

Robert Davis made a motion to approve the request, Plumer Tonsmeire seconded the motion. 5 members voted aye. Mr. Booher voted no to the motion. **Motion to approve Case SV22--8 carried on a vote of 5-1**

IX. CONSIDERATION OF APPLICATIONS AND REQUESTS – NEW PLANNING DISTRICTS

a.) Case TA-22002 Amendments to the Baldwin County Zoning Ordinance to add Planning District 8 & Planning District 37

Proposed amendments to the Baldwin County Zoning Ordinance to add Planning District 8 & Planning District 37.

Matthew Brown presented the proposed text amendments to the Baldwin County Zoning Ordinance and reported recommendation of approval by staff.

Brandon Bias recused himself from Planning District 8 text amendments. No one spoke in favor or opposition of Planning District 8 text amendments.

Michael Mullek made a motion to recommend approval of Planning District 8 proposed text amendments with the conditions recommended by staff. Bill Booher seconded the motion. Brandon Bias was recused, all other members voted aye. **Motion to approve Case TA-22002 Amendments to the Baldwin County Zoning Ordinance to add Planning District 8 with the modifications listed below carried on a vote of 5-0.**

- **Adding the Farming Use definition.**
- **Removing the local provision related to Speculative Rezoning for further consideration as part of a full zoning ordinance amendment in the future.**
- **Three parcels referenced at the intersection of Thomson Hall Road and Twin Beech Road (05-46-05-22-0-000-001.558, 05-46-08-27-0-000-002.502, 05-46-08-27-0-000-002.537) shall be RMF-6. If after three years, a building permit has not been obtained to develop the proposed multifamily projects, the County Commission may, after providing the notice and due process required under Article 19 of the Zoning Ordinance, take necessary action to institute RA or RSF-E zoning districts on the said parcels.**
- **Add the following language in sections with requirements related to non-jurisdictional wetlands: “The requirements of this provision shall not apply to man-made wetlands constructed in uplands”.**

Brandon Bias returned for the Planning District 37 text amendments. Joe Thedford and Andy Alexander were present to represent Robert Randal and request Mr. Randal's parcel (PPIN # 77702) be zoned for high density.

Mary Hawkins expressed her concerns regarding the proposed community preservation zone and animal husbandry in the amendments in District 37. Timothy Teel, Rebecca Teell, Gina Todia, and Elisabeth Wilson spoke in favor of the text amendments for Planning District 37.

Bill Booher made a motion to recommend approval of the proposed text amendments with conditions listed by staff plus the conditions for animal husbandry. Robert Davis seconded the motion. All members voted aye. **Motion to approve Case TA-22002 Amendments to the Baldwin County Zoning Ordinance to add Planning District 37 with the modifications listed below carried on a vote of 6-0.**

- **Adding the Farming Use definition.**
- **Removing the local provision related to Speculative Rezonings for further consideration as part of a full zoning ordinance amendment in the future.**
- **Removal of the highlighted redundant language related to setting aside wetlands.**
- **Add the following language in sections with requirements related to non-jurisdictional wetlands: "The requirements of this provision shall not apply to man-made wetlands constructed in uplands".**
- **Staff to propose modified language to address the parcel size for animal husbandry**

X. OLD BUSINESS- CAMELLIA PLACE SUBDIVISION

a.) Case S-20013, Camellia Place Subdivision Extension Request

Requesting an extension of preliminary plat approval for Camellia Place Subdivision. The property is located at the intersection of Camellia Road and County Road 49 in the Silverhill area.

Ms. Mary Booth presented the case and answered questions from the Planning Commission.

Michael Mullek made a motion to approve the request, Brandon Bias seconded the motion. All members voted aye. **Motion to approve Case S-20013 carried on a vote of 6-0**

XI. PUBLIC COMMENT:

a.) Riva Fralick

Ms. Fralick spoke about the subdivision in Silverhill, Camellia Place. Also spoke on a number of other issues including; light pollution, danger of high tension power lines, pesticide problems and cancer cluster, DR Horton problems, Ft. Morgan Sewer Co. and social and environmental issues.

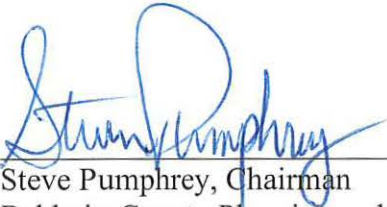
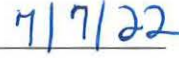
VI. ADJOURNMENT

As there were no further items to discuss the meeting adjourned at 7:27 p.m.



DJ Hart, Planning Technician

Date



Steve Pumphrey, Chairman
Baldwin County Planning and Zoning Commission

Date



NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

SV22-10

- All individuals wishing to address the Planning Commission MUST fill out a speaking request form.
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- **When four (4) or more persons have registered to speak, the Chair may encourage the speakers to appoint a spokesperson, who will then be given up to ten (10) minutes to speak.**
- Speakers shall be required to speak from the podium equipped with a microphone and will be expected to state their name and address for the record at the onset of their presentation.
- Speakers shall confine comments or questions solely to matters that pertain to the particular case and shall observe time limits.
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I would like to address the Planning Commission on the following:

SV22-10, Sorozano Variance

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Alex Sorzano

Name (Print Clearly)

Date 6/2/22

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

CSP22-8

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I would like to address the Planning Commission on the following:

CSP22-8, Empire Construction Property

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Jere Miller

Name (Print Clearly)

Date 6/2/22

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

CSP22-9

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I would like to address the Planning Commission on the following:

CSP22-9, Wise Properties LLC Property

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Henry Wise

Name (Print Clearly)

Date _____

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BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

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CSP22-10

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I would like to address the Planning Commission on the following:

CSP22-10, Fort Morgan Marina LLC Property

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

DAVID EVANS

Name (Print Clearly)

Date 6/2/22

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

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I would like to address the Planning Commission on the following:

CSP22-10, Fort Morgan Marina LLC Property

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David O. Skipper

Name (Print Clearly)

Date 8-2-2022

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

CSP22-11

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I would like to address the Planning Commission on the following:

CSP22-11, North Alabama Property Leasing Property

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Randy ARP P.E.

Name (Print Clearly)

Date 6/2/22

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.


CSP22-11

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CSP22-11, North Alabama Property Leasing Property

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

SERGIO BRAGA 

Name (Print Clearly)

Date 06.02.2022

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

SC21-3

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I would like to address the Planning Commission on the following:

SC21-3, Caney Branch Subdivision

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

RANDALL TILLMAN

Name (Print Clearly)

Date 06/02/22

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

SC21-3

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I would like to address the Planning Commission on the following:

SC21-3, Caney Branch Subdivision

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

TRACEY GAMBILL

Name (Print Clearly)

Date 6.2.2022

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

SC21-3

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I would like to address the Planning Commission on the following:

SC21-3, Caney Branch Subdivision

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

DAVID WILLIAMS

Name (Print Clearly)

Date 6-2-22

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

SC22-6

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I would like to address the Planning Commission on the following:

SC22-6, Baudin Acres Subdivision

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Cathy Barnette, Dewberry Engineers

Name (Print Clearly)

Date 6/2/21

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

SC22-12

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I would like to address the Planning Commission on the following:

SC22-12, Joshua Acres Subdivision

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

RANDALL TILLMAN

Name (Print Clearly)

Date 06/02/22

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

SV22-8 and PUD22-6

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I would like to address the Planning Commission on the following:

SV22-8 and PUD22-6, Ashbury Townhomes

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

David Diehl

Name (Print Clearly)

Date 06-02-22

OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

SV22-8 and PUD22-6

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I would like to address the Planning Commission on the following:

SV22-8 and PUD22-6, Ashbury Townhomes

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Richard N. Hoff

Name (Print Clearly)

Date 6/2/2022

OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

TA-22002

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I would like to address the Planning Commission on the following:

TA-22002

Planning District 8

Planning District 37 ✓

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Joseph Thelford, Chason & Chason, for Robert Randall

Name (Print Clearly)

Date 6/2/22

OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

TA-22002

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I would like to address the Planning Commission on the following:

TA-22002

Planning District 8

Planning District 37 ✓

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Andrew Alexander

Name (Print Clearly)

Date 6-2-22

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

TA-22002

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I would like to address the Planning Commission on the following:

TA-22002

Planning District 8

Planning District 37

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Timothy J. T. T.

Name (Print Clearly)

Date 6-2-22

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

TA-22002

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I would like to address the Planning Commission on the following:

TA-22002

Planning District 8

Planning District 37

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Rebecca Teel

Name (Print Clearly)

Date June 2, 2022

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

TA-22002

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I would like to address the Planning Commission on the following:

TA-22002

Planning District 8

✓ Planning District 37

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

GENA TODIA

Name (Print Clearly)

Date 6/2/2022

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

TA-22002

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I would like to address the Planning Commission on the following:

TA-22002

Planning District 8 _____

Planning District 37 _____

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Elizabeth Wilson _____

Name (Print Clearly)

Date 6/2/22 _____

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

TA-22002

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I would like to address the Planning Commission on the following:

TA-22002

Planning District 8

Planning District 37

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

Mary D Hawkins

Name (Print Clearly)

Date 6-2-2022

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

SPP22-3

- All individuals wishing to address the Planning Commission MUST fill out a speaking request form.
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I would like to address the Planning Commission on the following:

SPP22-3, Cottonwood Estates

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

David Diehl

Name (Print Clearly)

Date 06/02/22

NO OPPOSITION REGISTRATION FORM

BALDWIN COUNTY PLANNING COMMISSION

SPEAKING REGISTRATION TO ADDRESS THE COMMISSION

Baldwin County Central Annex, Robertsdale, AL.

SPP22-3

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I would like to address the Planning Commission on the following:

SPP22-3, Cottonwood Estates

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

DAVID MARTIN

Name (Print Clearly)

Date 06/02/2022

**REGISTRATION FORM
BALDWIN COUNTY PLANNING COMMISSION
SPEAKING REGISTRATION TO ADDRESS THE COMMISSION**

Baldwin County Central Annex, Robertsdale, Al.

Public Comment

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I would like to address the Planning Commission on the following:

11 Old Business a) Case S-20013 Camellia Place
Subdivision in Silverhill (Camellia + CR 49)
consideration of several relevant factors prior to extension

(If you want to speak on multiple items, you must fill out a separate registration form for each.)

RIVA FRALICK

Name (Print Clearly)

P.O. Box 132 (20810 West Blvd)
Silverhill, AL 36576

1-251-677-2001

*of
approval*