



# Baldwin County Commission

## Legislation Details (With Text)

**File #:** 19-0148      **Version:** 1  
**Type:** Consent      **Status:** Passed  
**File created:** 10/23/2018      **In control:** Baldwin County Commission Regular  
**On agenda:** 11/6/2018      **Final action:** 11/6/2018  
**Title:** Baldwin County Planning and Zoning Commission - Board Appointment

**Indexes:**

**Attachments:** 1. Baldwin County Planning and Zoning Commission Current Membership.pdf

Date	Ver.	Action By	Action	Result
11/6/2018	1	Baldwin County Commission Regular	Approved	

**Meeting Type:** BCC Regular Meeting  
**Meeting Date:** 11/6/2018  
**Item Status:** New  
**From:** Vince Jackson, Planning Director  
**Submitted by:** Vince Jackson, Planning Director

### ITEM TITLE

Baldwin County Planning and Zoning Commission - Board Appointment

### STAFF RECOMMENDATION

As relates to the Baldwin County Planning and Zoning Commission, take the following action:

Re-appoint Mr. Daniel Nance as a regular member of the Board (At-large Nominee) for a four (4) year term, said term to commence on November 17, 2018, and expire on November 17, 2022.

### BACKGROUND INFORMATION

**Previous Commission action/date:** May 1, 2018

**Background:** The Baldwin County Planning and Zoning Commission was created by Baldwin County Local Legislative Act, specifically Act No. 91-719 (1991), as amended by Act. No 93-668 (1993), as amended by Act No. 98-665 (1998), as amended by Act No. 2006-609 (2006), as amended by Act No. 2010-719 (2010). The aforementioned Alabama laws are codified at Section 45-2-261 through 45-2-261.18 of the Code of Alabama 1975.

Section 45-2-261.01 of the Code of Alabama 1975 provides that the Planning and Zoning Commission shall be composed as a board of nine (9) regular members and other temporary members appointed by the Baldwin County Commission. All regular members shall be qualified electors and actual residents of Baldwin County; one (1) and only one (1) regular member may be a

qualified elector who resides in the corporate limits of a Baldwin County municipality. All regular members shall serve a term of four (4) years each except when filing a vacant place seat (which shall be for the balance of the unexpired term). All temporary members shall serve a one-time term of three (3) years each and represent, respectively and singularly, a new Planning (Zoning) district which elects to come within the planning and zoning authority of the Baldwin County Commission. A temporary member shall be a qualified elector from the new Planning (Zoning) District. In the event of any vacancy, such vacancy shall be filled by appointment of the Baldwin County Commission.

All members of the Planning and Zoning Commission shall serve without compensation and no member shall be a county officer or employee.

Furthermore, Section 45-2-261.40 of the Code of Alabama 1975 authorizes the Baldwin County Commission to appoint real estate agents or other persons in the field of real estate to the Planning and Zoning Commission; however, such number shall not exceed three (3) members.

On May 1, 2018, the Baldwin County Commission appointed Mr. Daniel Nance to the place seat formerly held by the late Mr. Arthur George Hosey, Jr. This term is set to expire on November 17, 2018. Mr. Nance has agreed to continue and will need to be re-appointed to a four (4) year term which will expire on November 17, 2022. As a result, the Planning Department staff respectfully requests the re-appointment of Mr. Daniel Nance.

Mr. Nance is a resident of the City of Fairhope. The board can have one member who resides within a municipality, and Mr. Nance currently holds this position. Mr. Nance is a qualified elector of Baldwin County, he is not a county employee or officer, and is not involved in real estate.

Planning staff has verified that this appointment meets the qualifications to be appointed to the Baldwin County Planning and Zoning Commission.

### **FINANCIAL IMPACT**

**Total cost of recommendation:** N/A

**Budget line item(s) to be used:** N/A

**If this is not a budgeted expenditure, does the recommendation create a need for funding?**  
N/A

### **LEGAL IMPACT**

**Is legal review necessary for this staff recommendation and related documents?**  
N/A

**Reviewed/approved by:** N/A

**Additional comments:** N/A

**ADVERTISING REQUIREMENTS**

Is advertising required for this recommendation? N/A

If the proof of publication affidavit is not attached, list the reason: N/A

**FOLLOW UP IMPLEMENTATION**

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up: Commission Administration Office

Action required (list contact persons/addresses if documents are to be mailed or emailed):

Send appointment letter to:

Mr. Daniel Nance  
101 Pinetop Circle East  
Fairhope, Alabama 36532

Cc:  
Vince Jackson  
DJ Hart

Additional instructions/notes: N/A