Baldwin County Commission

Legislation Text

File #: 21-0730, **Version:** 1

Meeting Type: BCC Regular Meeting
Meeting Date: 4/6/2021
Item Status: New
From: Linda Lee, Planner
Submitted by: Linda Lee, Planner

ITEM TITLE
Baldwin County Commission Board of Adjustment Number 2 - Board Appointment(s)

STAFF RECOMMENDATION
Related to the Baldwin County Commission Board of Adjustment Number 2 take the following actions:

1) Appoint Mr. Robert Broseus as a regular member (Planning District 23 Designee), for a pro-rata reduced three (3) year term, said term commencing April 6, 2021, and expiring on March 16, 2023; and

2) Appoint Ms. Vickie Matranga as an alternate member, for a pro-rata reduced three (3) year term, said term commencing April 6, 2021, and expiring on March 16, 2023.

BACKGROUND INFORMATION

Previous Commission action/date: March 16, 2021 - Last BCC appointment to board

Background: On March 16, 2021, the County Commission appointed members to Board of Adjustment Number 2. At that time staff did not have certification documents for these appointees.

GENERAL INFORMATION:
On May 8, 2020, an amendment (Act #2020-177) to the Baldwin County Planning and Zoning statutes was adopted pertaining to the Boards of Adjustment. The Code Section in question is Alabama Code Title 45, Local Laws Section 45-2-261.10. As approved, the amendment reduced the number of Boards of Adjustment from four (4) to two (2).

On December 1, 2020, the County Commission approved the consolidation of the Boards of Adjustment for County Commission District #1, County Commission District #2, and County Commission District #3, into one Board of Adjustment to be known as Board of Adjustment #1 and approved the renaming of the Board of Adjustment for County Commission District #4 to Board of Adjustment #2.

The appointment processes related to the Boards of Adjustment as set forth in the aforementioned

Alabama law are as follows:

Establishment: The Baldwin County Commission shall appoint two boards of adjustment, and the regulations and ordinances adopted pursuant to the authority of this subpart shall provide that the boards of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, may make special exceptions to the terms of the ordinances and regulations in harmony with their general purposes and interests and in accordance with general or specific rules therein contained.

Geographic Boundaries: Board of Adjustment Number One shall serve western, central, and northern Baldwin County and shall include Planning Districts 4, 10, 12, 15, 16, 28, and 31. Board of Adjustment Number Two shall serve southern Baldwin County and shall include Planning Districts 20, 21, 22, 23, 24, 25, 29, 30, 32, and 33. If the majority of qualified electors voting in an election in a territory that is not in a planning district on August 1, 2020, vote to come within the planning and zoning authority and jurisdiction of the Baldwin County Commission in accordance with Section 45-2-261.07, the new planning district shall be under the jurisdiction of the board of adjustment with the closest geographic relationship. Each board of adjustment shall consist of one regular member from each planning district. Each member of a board of adjustment shall be a qualified elector of a planning district within the territory of the respective board of adjustment. Not more than one member of a board of adjustment shall be directly engaged in real estate sales, development, or construction or any directly related field. Each regular member shall be appointed for a term of three years in such a manner to serve staggered terms. A regular member shall continue service until a successor is duly appointed. The members of each board of adjustment shall elect a chair.

Composition: In addition to the regular members provided for in this section, the Baldwin County Commission shall appoint alternate members to serve on each board of adjustment. The number of alternate members on each board of adjustment shall be not less than two nor more than the number of regular members on each board. Alternate members may serve in the absence of any regular member and while serving he or she shall have and exercise the authority of a regular member. The alternate member shall have the same qualifications as a regular member and shall be appointed for three terms.

Qualifications: Members of each board of adjustment may be removed for cause by the Baldwin County Commission upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. Each board of adjustment shall adopt bylaws in accordance with any ordinance or regulation adopted pursuant to this subpart. Meetings of each board of adjustment shall be held at the call of the chair of the board and at such other times as each board may determine, provided that no board of adjustment shall meet less than once every three months on a day to be determined by the board. The chair or, in his or her absence, the acting chair, may administer oaths and compel the attendance of witnesses. All meetings of the boards of adjustment shall be open to the public. Each board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating that fact, and shall keep records of its examinations and of other official actions, all of which shall immediately be filed in the office of the board and shall be a public record.

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

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

Robert E. Broseus
1876 Princess Lane
Lillian, Alabama 36549

Vickie Matranga
402 Veterans Road
Gulf Shores, Alabama 36542

cc: Linda Lee
Matthew Brown
Wayne Dyess

Additional instructions/notes: N/A