



## Baldwin County Planning & Zoning Commission Agenda

Thursday, December 1, 2016  
6:00 p.m.  
Baldwin County Central Annex  
Main Auditorium  
22251 Palmer Street  
Robertsdale, Alabama  
[www.planning.baldwincountyal.gov](http://www.planning.baldwincountyal.gov)

1. **Call to order.**
2. **Invocation and prayer.**
3. **Pledge of Allegiance.**
4. **Roll call.**
5. **Approval of meeting minutes:**
  - November 3, 2016, meeting
6. **Announcements/Registration to address the Commission.**
7. **Consideration of Applications and Requests: Zoning Cases**

**a.) Case P-16007, Watts Property**

Disclosure of Prior Outside Communication –Pursuant to Article VI,  
Section 15(b), Planning Commission By-Laws

*Purpose:* The applicant is requesting conditional use approval to allow automobile repair and sales on a parcel with the B-3 zoning designation.

*Location:* The subject property is located at 23736 US Highway 98 in Planning District 16.

**b.) Case Z-16041, Spence, Rowland & Powell Property**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws*

*Purpose:* The applicant is requesting to rezone 2.59 acres from B-2 to RTF-4 to allow construction of duplexes on the parcel.

*Location:* The subject property is located on the corner of State Highway 180 and Triple Tail Lane in Planning District 25.

**8. Consideration of Applications and Requests: Subdivision Cases**

**a.) Case S-16048, Grand Point Motorcoach Resort Final Site Plan Approval**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws*

*Purpose:* The applicant is requesting final site plan approval for Grand Point Motorcoach Resort.

*Location:* The subject property is located on north side of State Highway 104 approximately 0.3 miles east of Higbee Road.

**b.) Case S-16050, Osprey-Eagle Subdivision, Development Permit Approval**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws*

*Purpose:* The applicant is requesting Development Permit approval for a 6-lot subdivision.

*Location:* The subject property is located on the west side of County Road 64 Ext., adjacent to Osprey Lane.

**c.) Case S-16051, Estate of Veach L. Curtis, Development Permit Approval**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws*

*Purpose:* The applicant is requesting Development Permit approval for a 2-lot subdivision.

*Location:* The subject property is located on the southeast corner of the intersection of County Road 48 and Bohemia Hall Road.

**d.) Case S-16056, Colony Woods Variance Request**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

*Purpose:* The applicant is requesting a variance from the *Baldwin County Subdivision Regulations* as it pertains to Appendix 4, Standards for New Road Construction.

*Location:* The subject property is located on the east end of Hawthorne Lane approximately 830 feet north of the intersection of Twin Beech Road S. and Battles Road.

**e.) Key Allegro Villas, presentation of request**

**9. Public Comment:**

**10. Old Business:**

**11. New Business:** Approval of 2017 meeting calendar

**12. Reports and Announcements:**

Next Regular Meeting: January 5, 2017

Staff Reports

Legal Counsel Report

**13. Adjournment.**



# Baldwin County Planning & Zoning Department

## Baldwin County Planning Commission Staff Report

**Agenda Item 7.a  
Case No. P-16007  
Watts Property**

**Conditional Use Approval to allow auto repair and sales  
December 3, 2016**

### Subject Property Information

**Planning District:** 16  
**General Location:** Lot 1, Montfair Commercial Place (East Side of US Highway 98, North of Montrose Woods Drive)  
**Physical Address:** 23736 US Highway 98  
**Parcel Number:** 05-43-09-32-0-000-001.030  
**Zoning Designation:** B-3, General Business District  
**Proposed Use:** Automobile Repair and Sales (Conditional Use under B-3)  
**Acreage:** One (1) acre, more or less  
**Applicants:** Robert E. and Melissa A. Watts  
 1207 Lovette Lane  
 Daphne, AL 36526  
**Owners:** Same  
**Lead Staff:** DJ Hart, Planning Technician  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
<b>North</b>	Commercial	B-3 and B-2
<b>South</b>	Commercial	B-2, Neighborhood Business
<b>East</b>	Residential	RSF-2, Single Family
<b>West</b>	Montrose Cemetery	RSF-2, Single Family

### Summary

The applicant is requesting Conditional Use approval for the purpose of utilizing the existing building for automotive repair services and possible car sales. According to the information provided, the building is already configured for these uses. The parcel has recently been rezoned to B-3 and the requested use is allowed as a conditional use under the B-3 designation.

Staff recommends that Case P-16007, Watts Property, be **APPROVED\*** subject to the conditions outlined at the end of this staff report.

**Section 5.3 B-3, General Business District**

5.3.1 *Purpose and intent.* The purpose of this district is to provide for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district shall only be applied at appropriate locations: to conveniently meet these needs; in conformance with the goals, objectives and policies and location criteria of the Comprehensive Plan; compatible with the surrounding land uses and zoning districts; where it will not adversely impact the facilities and services of the County; where it will not set a precedent for the introduction of inappropriate uses into an area; and so as not to encourage non-residential strip development along streets

5.3.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-3, General Business District:

- |  |  |
|--|--|
| (a) All uses permitted by right under the B-2 zoning designation | (dd) Funeral home                        |
| (b) Air conditioning sales and service                           | (ee) Golf course                         |
| (c) Amusement arcade   | (ff) Golf driving range                  |
| (d) Animal clinic/kennel   | (gg) Grocery store                       |
| (e) Arboretum  | (hh) Landscape sales                     |
| (f) Auto convenience market                                      | (ii) Marine store and supplies           |
| (g) Automobile service station                                   | (jj) Miniature golf                      |
| (h) Bakery, wholesale  | (kk) Mini-warehouse                      |
| (i) Ball field   | (ll) Night club, bar, tavern             |
| (j) Bicycle sales and service                                    | (mm) Nursery                             |
| (k) Boat sales and service                                       | (nn) Office equipment and supplies sales |
| (l) Bowling alley  | (oo) Park or playground                  |
| (m) Business machine sales and service                           | (pp) Pawn shop                           |
| (n) Business school or college                                   | (qq) Pet shop                            |
| (o) Butane gas sales   | (rr) Plumbing shop                       |
| (p) Cemetery   | (ss) Printing/publishing establishment   |
| (q) City hall or courthouse                                      | (tt) Restaurant sales and supplies       |
| (r) Country club   | (uu) Riding academy                      |
| (s) Department store   | (vv) Rug and/or drapery cleaning service |
| (t) Discount/variety store                                       | (ww) Seafood store                       |
| (u) Drug store   | (xx) Sign shop                           |
| (v) Elevator maintenance service                                 | (yy) Skating rink                        |
| (w) Exterminator service office                                  | (zz) Stone monument sales                |
| (x) Farmer's market/truck crops                                  | (aaa) Swimming pool (outdoor)            |
| (y) Firing range   | (bbb) Taxidermy                          |
| (z) Fitness center or gym  | (ccc) Teen club or youth center          |
| (aa) Florist   | (ddd) Tennis court (outdoor)             |
| (bb) Fraternity or sorority house                                | (eee) Wildlife sanctuary                 |
| (cc) Fruit and produce store                                     | (fff) YMCA, YWCA                         |

5.3.3 **Conditional uses.** The following uses are permissible as conditional uses in the B-3: General Commercial District, subject to the standards and procedures established in *Section 18.11: Conditional Use*:

- |                           |  |
|---------------------------|--|
| (a) Airport               | (e) Auditorium, stadium, coliseum                    |
| (b) Ambulance/EMS service | (f) Automobile parts sales                           |
| (c) Amusement park        | <b>(g) Automobile repair (mechanical and body)</b>   |
| (d) Armory                | (h) Automobile storage (parking lot, parking garage) |
|                           | (i) Barge docking                                    |

- (j) Broadcasting station
- (k) Building materials
- (l) Bus and railroad terminal facility
- (m) College or university
- (n) Convalescent or nursing home
- (o) Correctional or penal institution
- (p) Dog pound
- (q) Electric power substations
- (r) Farm implements
- (s) Flea market
- (t) Freight depot, rail or truck
- (u) Home improvement center
- (v) Hotel or motel
- (w) Hospital
- (x) Landfill
- (y) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies
- (z) Manufactured housing sales, service and repair
- (aa) Marina
- (bb) Motorcycle sales service and repair
- (cc) Movie theatre
- (dd) Radio/television tower
- (ee) Railroad facility
- (ff) Recreational vehicle park
- (gg) Recreational vehicle sales service, and repair
- (hh) Restaurant, drive-in
- (ii) Restaurant, fast-food
- (jj) Sewage treatment plant
- (kk) Taxi dispatching station
- (ll) Taxi terminal
- (mm) Telephone exchange
- (nn) Water or sewage pumping station
- (oo) Water storage tank
- (pp) Wireless telecommunication facility
- (qq) Zoo

5.3.4 *Area and dimensional ordinances.*

Maximum Height of Structure in Feet	40
Maximum Height of Structure in Habitable Stories	3
Minimum Front Yard	40-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.70
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

5.3.5 *Lighting standards.* The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

5.3.6 *Distance between structures.* If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

5.3.7 *Landscaping and buffering.* All B-3, General Business District, uses shall meet the requirements of *Article 17: Landscaping and Buffers.*

**Agency Comments**

**Permit/Subdivision Manager, Seth Peterson:** No comments.

**ALDOT:** No comments.

**ADEM:** No comments received

**Municipality:** No comments received.

## Staff Analysis and Findings

As previously stated, the applicant is requesting Conditional Use approval to allow an existing building to be used for automotive repair and car sales. The Parcel was rezoned from B-2 to B-3 at the November 15, 2016 Baldwin County Commission meeting. The requested use is allowed with approval from the Planning Commission.

Adjacent property to the north and south are currently zoned for commercial use. To the east is a residential development and to the west is the Montrose Cemetery.

The following factors for reviewing Conditional Use approvals are found in Section 18.11.1 of the *Baldwin County Zoning Ordinance*:

Section 18.11.1 *Authorization*. The Planning Commission may, under the prescribed standards and procedures contained herein, authorize the construction or initiation of any use that is expressly permitted as a Conditional Use in a particular zoning district; however, the county reserves full authority to deny any request for Conditional Use, to impose conditions on the use, or to revoke approval at any time, upon finding that the permitted use will or has become unsuitable and incompatible in its location as a result of any nuisance or activity generated by the use.

Section 18.11.4 *Standards for approval*. A Conditional Use may be approved by the Planning Commission only upon determination that the application and evidence presented clearly indicate that all of the following standards have been met:

- (a) The proposed use shall be in harmony with the general purpose, goals, objectives and standards of the Baldwin County Master Plan, these ordinances, or any other official plan, program, map or ordinance of Baldwin County.**

The Baldwin County Master Plan, 2013, provides a future land use designation of Commercial for the subject property. This is consistent with the current and proposed use.

- (b) The proposed use shall be consistent with the community welfare and not detract from the public's convenience at the specific location.**

The properties to the north and south are zoned commercial.

The residential area to the east is accessed thru Montrose Woods Drive and with the existing buffers the requested use should not cause any additional adverse impact.

There should be no adverse impact on traffic as a result of the proposed additions.

- (c) The proposed use shall not unduly decrease the value of neighboring property.**

Given the commercial nature of the area, there should be no adverse impact on the value of the neighboring property.

- (d) The use shall be compatible with the surrounding area and not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses or on community facilities or services.**

See responses to items "b" and "c" listed above.

Section 18.11.5 *Conditions and restrictions on approval.* In approving a Conditional Use, the Planning Commission may impose conditions and restrictions upon the property benefited by the Conditional Use approval as may be necessary to comply with the standards set out above, to reduce or minimize any potentially injurious effect of such conditional use upon the property in the neighborhood, and to carry out the general purpose and intent of the ordinances. In approving any Conditional Use, the Planning Commission may specify the period of time for which such approval is valid for the commencement of the proposed Conditional Use. The Planning Commission may, upon written request, grant extensions to such time allotments not exceeding 6 months each without written notice or hearing. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of these ordinances. Those Conditional Uses which the Planning Commission approves subject to conditions shall have specified by the Planning Commission the time allotted to satisfy such conditions.

### Staff Comments and Recommendation

As stated previously, the subject property is currently zoned B-3, General Business District. The designation of B-3, General Business District, allows utilizing the existing building for automotive repair services and car sales with an approved Conditional Use application. According to the information provided, the building is already configured for these uses.

Staff believes that this is a reasonable request and recommended case P-16007 be **APPROVED**.\*

If approval is granted, the following conditions should be included:

- Approval shall be for this applicant and this location only.
- A Baldwin County Land Use Certificate shall be obtained no later than six (6) months from the date of Conditional Use approval. The Planning Commission may grant additional time if deemed necessary.
- Any expansion of the use shall necessitate additional review and approval by the Planning Commission.
- All signage must comply with Article 16 of the *Baldwin County Zoning Ordinance*.

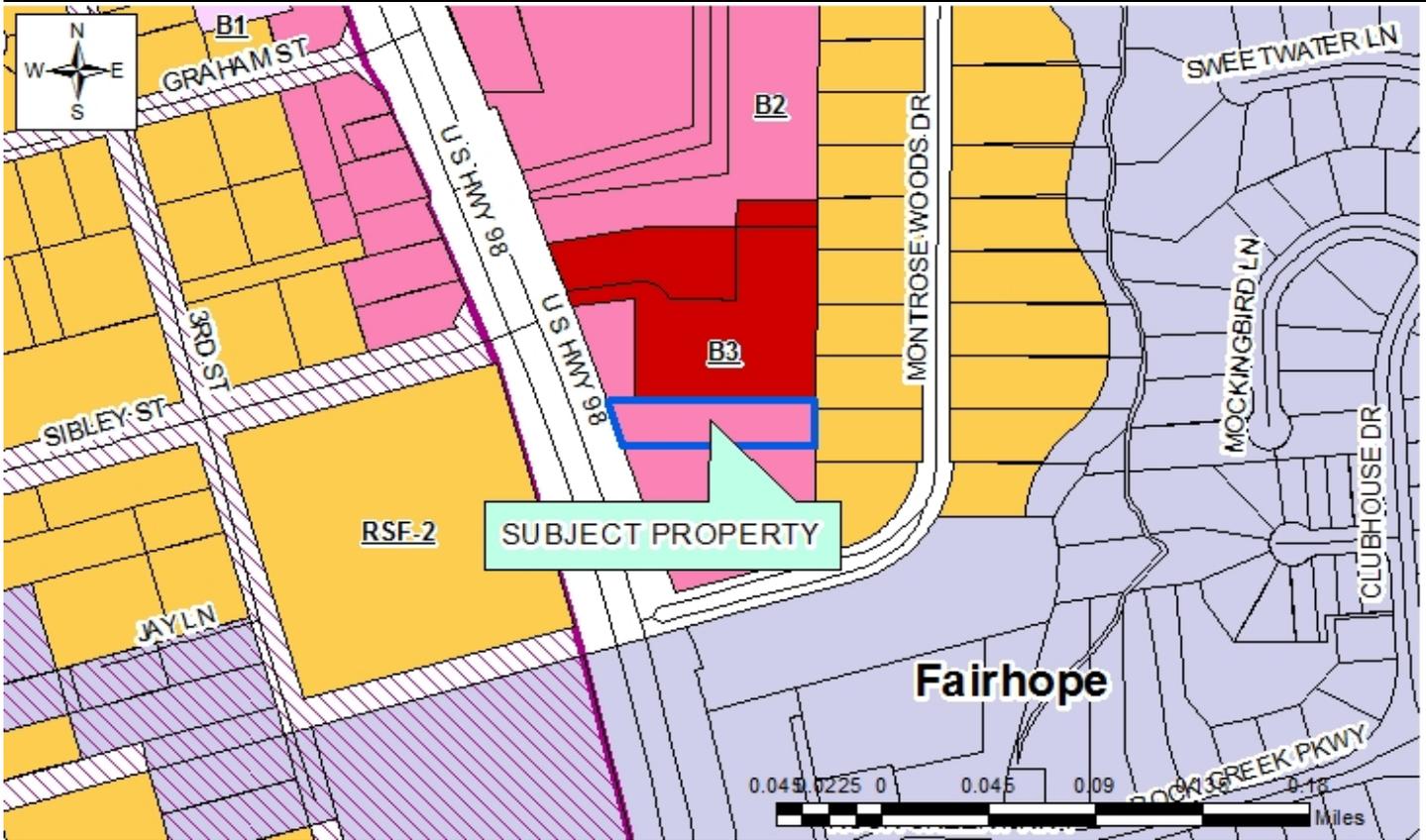
*\*On Conditional Use applications, the Planning Commission will have the final decision.*

Property Images

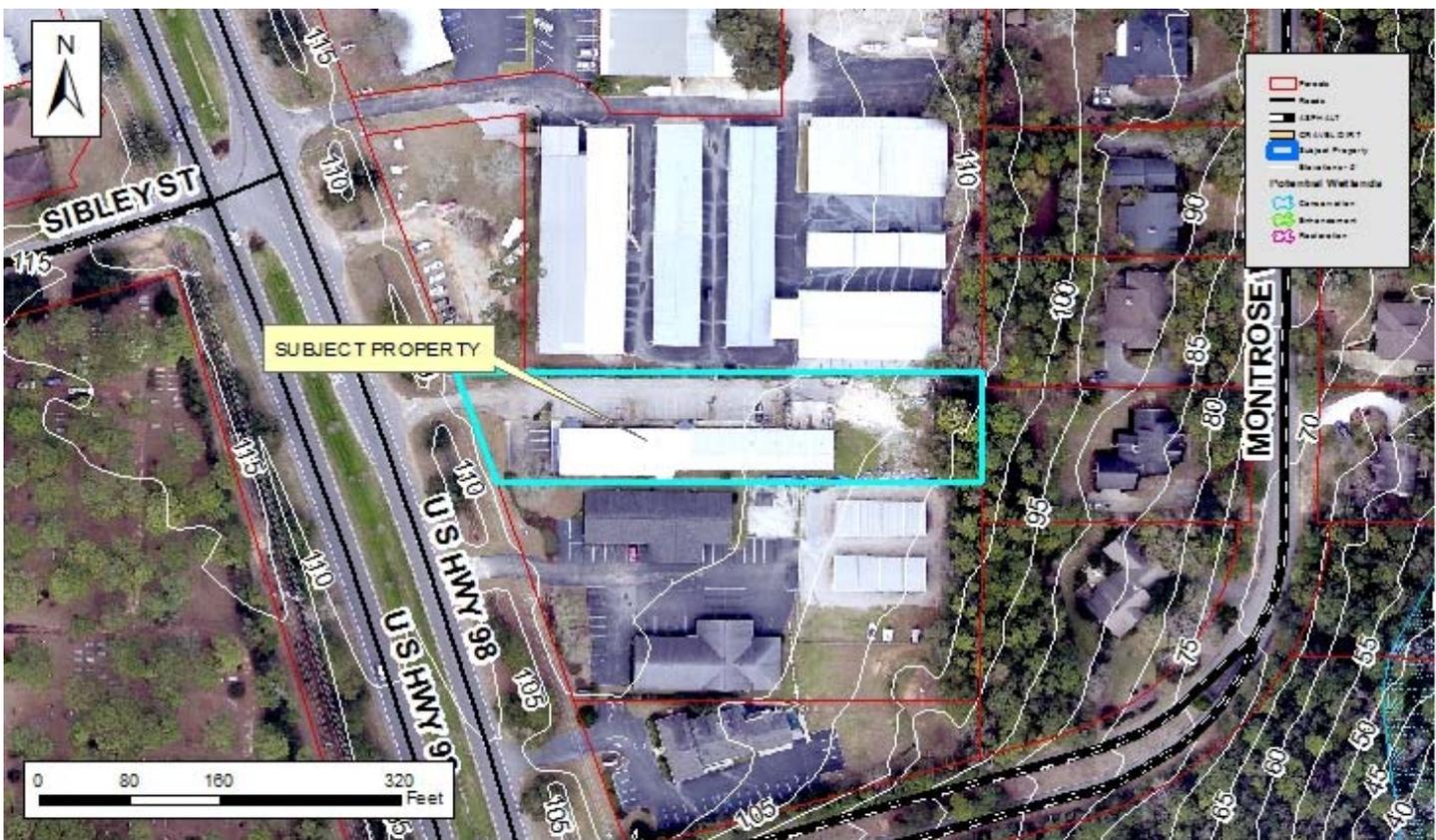




Locator Map



Site Map







# Baldwin County Planning & Zoning Department

## Baldwin County Planning Commission Staff Report

**Agenda Item 7.b**

**Case No. Z-16041**

**Spence, Rowland & Powell Properties**

**Rezone B-2, Neighborhood Business District to RTF-4, Two Family District**

**December 1, 2016**

### Subject Property Information

**Planning District:** 25  
**General Location:** Corner of State Hwy 180 and Triple Tail Lane  
**Physical Address:** State Hwy 180 (Lots 90 thru 99 Gulf Beach Subdivision "C")  
**Parcel Number:** 05-69-08-01-0-002-007.000, 05-69-08-01-0-002-007.001, 05-69-08-01-0-002-007.002, 05-69-08-01-0-002-007.003, and 05-69-08-01-0-002-007.004  
**Existing Zoning:** B-2, Neighborhood Business District  
**Proposed Zoning:** RTF-4, Two Family District  
**Existing Land Use:** Vacant  
**Proposed Land Use:** Duplexes  
**Acreage:** 3.51± acres  
**Applicant:** Kathy or Kris Powell  
 PO Box 3454  
 Gulf Shores, AL 36547  
**Owner:** Kathy and Kris Powell  
 PO Box 3454  
 Gulf Shores, AL 36547  
 Edwin J. Spence  
 Russell Rowland  
 PO Box 904  
 Gulf Shores, AL 36547  
**Lead Staff:** Linda Lee, Planner  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Vacant	RMF-6, Multi-Family District
South	Vacant and Residential	RSF-1, Single Family District
East	Vacant	RSF-1, Single Family District
West	Vacant	RSF-1, Single Family District

### Summary

The subject property is currently zoned B-2, Neighborhood Business District, and is unoccupied. The requested designation is RTF-4, Two Family District. According to the submitted information, the purpose of this request is to allow for the construction of duplexes.





**Section 5.2 B-2, Neighborhood Business District**

5.2.1 *Purpose and intent.* The purpose and intent of the B-2 Neighborhood Business District is to provide a limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit.

5.2.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-2, Neighborhood Business District:

- |  |  |
|--|--|
| (a) All uses permitted by right under the B-1 zoning designation | (v) Floor covering sales or service          |
| (b) Antique store  | (w) Florist                                  |
| (c) Apparel and accessory store                                  | (x) Fraternity or sorority house             |
| (d) Appliance store including repair                             | (y) Fruit and produce store                  |
| (e) Art gallery or museum  | (z) Gift shop                                |
| (f) Art supplies   | (aa) Hardware store, retail                  |
| (g) Bait store   | (bb) Ice cream parlor                        |
| (h) Bakery retail  | (cc) Interior decorating shop                |
| (i) Bed and breakfast or tourist home                            | (dd) Laundry, self service                   |
| (j) Bicycle sales and service                                    | (ee) Lawnmower sales and service             |
| (k) Boarding, rooming or lodging house, dormitory                | (ff) Locksmith                               |
| (l) Book store   | (gg) Music store                             |
| (m) Café   | (hh) Neighborhood convenience store          |
| (n) Camera and photo shop  | (ii) News stand                              |
| (o) Candy store  | (jj) Paint and wallpaper store               |
| (p) Catering shop or service                                     | (kk) Picture framing and/or mirror silvering |
| (q) Copy shop  | (ll) Restaurant                              |
| (r) Delicatessen   | (mm) Shoe repair shop                        |
| (s) Discount/variety store (not to exceed 8,000 square feet)     | (nn) Shoe store                              |
| (t) Drug store (not to exceed 8,000 square feet)                 | (oo) Sign shop                               |
| (u) Fixture sales  | (pp) Sporting goods store                    |
|  | (qq) Tailor shop                             |
|  | (rr) Tobacco store                           |
|  | (ss) Toy store                               |

5.2.3 *Conditional uses.* The following uses are permissible as conditional uses in the B-2, Neighborhood Business District, subject to the standards and procedures established in *Section 18.11: Conditional Uses*:

- |  |   |
|--|---|
| (a) Air conditioning sales and service                   | (k) Exterminator service office         |
| (b) Amusement arcade                                     | (l) Golf course                         |
| (c) Animal clinic/kennels                                | (m) Liquor store                        |
| (d) Arboretum  | (n) Mini-warehouse                      |
| (e) Ball field   | (o) Night club, bar, tavern             |
| (f) Business machine sales and service                   | (p) Office equipment and supplies sales |
| (g) Car wash   | (q) Park or playground                  |
| (h) Country club   | (r) Pawn shop                           |
| (i) Discount/variety store (exceeding 8,000 square feet) | (s) Pet shop                            |
| (j) Drug store (exceeding 8,000 square feet)             | (t) Plumbing shop                       |
|  | (u) Restaurant sales and supplies       |
|  | (v) Riding academy                      |

- (w) Rug and/or drapery cleaning service
- (x) Seafood store
- (y) Swimming pool (outdoor)
- (z) Tennis court (outdoor)
- (aa) Water storage tank
- (bb) Wildlife sanctuary
- (cc) Wireless telecommunication facility
- (dd) Dwellings, in combination with commercial uses, subject to the standards listed under *Section 5.2.4: Mixed uses*

5.2.4 *Mixed uses.* Mixed residential and commercial uses may be permissible as conditional uses in the B-2 Neighborhood Business District, subject to the standards and procedures established in *Section 18.11: Conditional Uses*, and subject to the following criteria:

- (a) The commercial uses in the development may be limited in hours of operation, size of delivery trucks and type of equipment.
- (b) The residential uses shall be designed so that they are compatible with the commercial uses.
- (c) Residential and commercial uses shall not occupy the same floor of a building.
- (d) Residential and commercial uses shall not share the same entrances.
- (e) The number of residential dwelling units shall be controlled by the dimensional standards of the B-2 district. A dwelling unit density of .5 (1/2) dwelling units per 1,000 square feet of the gross floor area devoted to commercial uses, may be allowed (structures with less than 2,000 square feet devoted to commercial uses shall be allowed one dwelling unit). In no case, however, shall the overall dwelling unit density for a mixed use project exceed 4 dwelling units per acre.
- (f) Building height shall not exceed three stories.
- (g) A minimum of 30 percent of the mixed use development shall be maintained as open space. The following may be used to satisfy the open space requirements: areas used to satisfy water management requirements, landscaped areas, recreation areas, or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained).
- (h) The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular access ways and parking areas from residential units, to the greatest extent possible.
- (i) Off-street parking spaces for the mixed residential and commercial uses shall be the sum total of the residential and commercial uses computed separately (*See Article 15: Parking and Loading Requirements*).

5.2.5 *Area and dimensional ordinances.*

Maximum Height of Structure in Feet	35
Maximum Height of Structure in Habitable Stories	2 1/2
Minimum Front Yard	30-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet

Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.60
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

5.2.6 *Lighting standards.* The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

5.2.7 *Distance between structures.* If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

5.2.8 *Landscaping and buffering.* All B-2, Neighborhood Business District, uses shall meet the requirements of *Article 17: Landscaping and Buffers.*

## Proposed Zoning Requirements

### Section 4.6 RTF-4, Two Family District

4.6.1 *Generally.* The intent of this zoning designation is to provide the opportunity for two family residential development.

4.6.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Two family dwellings.
- (e) Single family dwellings including manufactured housing and mobile homes.
- (f) Accessory structures and uses.
- (g) The following institutional use: church or similar religious facility.

4.6.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.6.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

4.6.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Maximum Density	4 Dwelling Units per Acre
Minimum Lot Area/Dwelling Unit	7,500 Square Feet
Minimum Lot Width at Building Line	60-Feet
Minimum Lot Width at Street Line	30-Feet
Ground Coverage Ratio	.35

## Agency Comments

**Baldwin County Highway Department:** No comments received.

**Army Corps of Engineers:** No comments received.

**ADEM:** No comments received.

**Baldwin County Subdivision Department:**

**From:** Seth L. Peterson

**Sent:** Thursday, November 17, 2016 2:04 PM

**To:** D Hart <[DHart@baldwincountyal.gov](mailto:DHart@baldwincountyal.gov)>

**Cc:** Laurie Rumbaugh <[LRUMBAUGH@baldwincountyal.gov](mailto:LRUMBAUGH@baldwincountyal.gov)>

**Subject:** RE: Z-16037 Seth Peterson.docx

If they are placing more than 2 dwellings on a single parcel then they will need planned development approval from the subdivision regulations. If they are placing 1-2 dwellings per parcel on several different parcels then they do not need planned development approval.

Thanks,  
Seth

**Fort Morgan Planning and Zoning Advisory Committee:**

November 18, 2016

TO:

DJ Hart

Baldwin County Planning and Zoning Department

22251 Palmer Street

Robertsdale AL 36567

Attention: DJ Hart

The Fort Morgan Planning and Zoning Advisory Committee met on Friday, November 18, 2016.

Members present reviewed the information provided regarding Case No. Z-16041 and found no reason to turn down the rezoning request.

Submitted by Carol N. Kittrell, Committee Secretary.

**Municipality:** No comments received

## Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

**1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?**

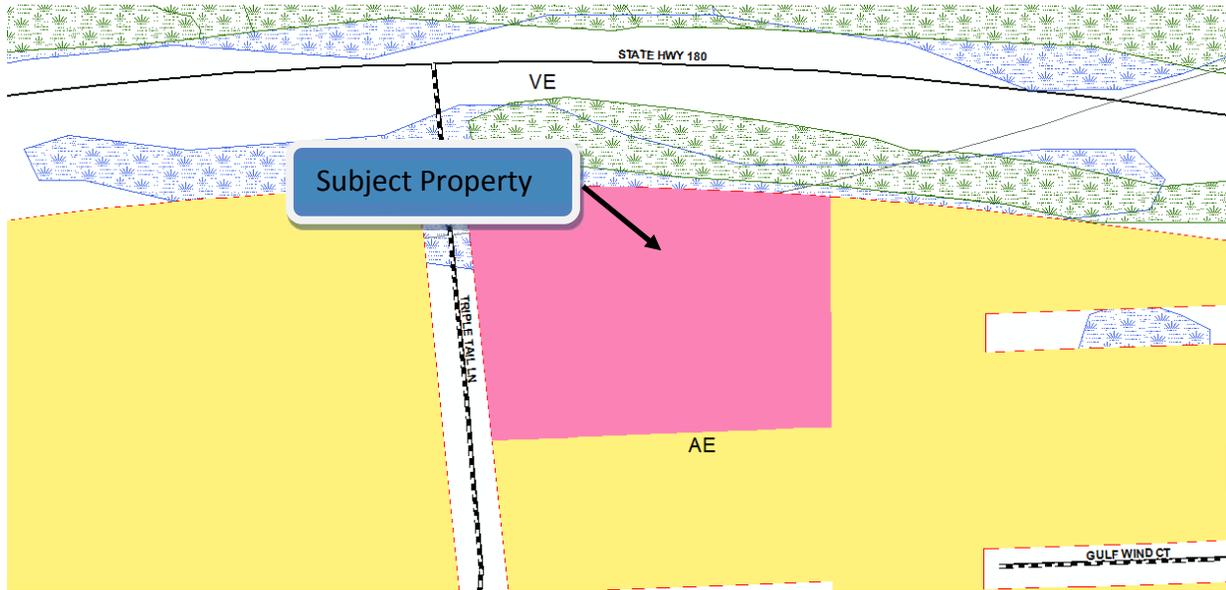
The subject property is currently zoned B-2, Neighborhood Business District, and is unoccupied. The requested designation is RTF-4, Two Family District. The adjacent properties are zoned residential with RTF-4 zoning to the southwest on Ponce de Leon Court.

**2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?**

Planning District 25 was zoned in November 1993. In the last ten years three parcels have been rezoned from single family district to two family district. One of these parcels is within a mile of the subject property.

**3.) Does the proposed zoning better conform to the Master Plan?**

The Baldwin County Master Plan, 2013, provides a future land use designation of Commercial for the subject property. If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Residential. The proposed zoning would be inline with the surrounding properties.



**4.) Will the proposed change conflict with existing or planned public improvements?**

No conflicts.

**5.) Will the proposed change adversely affect traffic patterns or congestion?**

Per the Federal Highway Administration the functional classification of this portion of State Highway 180 is major collector. Collectors serve a critical role in the roadway network by gathering traffic from Local Roads and funneling them to the Arterial network. As such, staff anticipates no major impacts to traffic patterns or congestion.

**6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**

Yes. The surrounding properties are zoned residential.

**7.) Is the proposed amendment the logical expansion of adjacent zoning districts?**

See response to item number 6 which is listed above.

**8.) Is the timing of the request appropriate given the development trends in the area?**

Yes.

**9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?**

Staff anticipates no adverse impacts.

**10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?**

Staff anticipates no adverse impacts.

**11.) Other matters which may be appropriate.**

The applicant is requesting this rezoning due to US Fish and Wildlife constraints.

Describe briefly why the rezoning is being requested and what uses are proposed for the property:

**This property is zoned commercial and to comply with the restrictions on commercial property by Fish & Wildlife, to have a business with parking space, the owner would have to buy other suitable property approved by F & W and donate that property back to F & W to mitigate the use of more space for parking. This is extremely difficult since it has to be "like kind property" and it has to touch F & W properties . This is unreasonable to think that any owner would buy another lot to donate to F & W to proceed with a "small" business. Since these properties are surrounded by Duplex zoning and higher, my request is for duplex zoning for the purpose of eventually building duplexes.**

**Staff Comments and Recommendation**

As stated previously, the subject property is currently zoned B-2, Neighborhood Business District, and is unoccupied. The requested designation is RTF-4, Two Family District. According to the submitted information, the purpose of this request is to allow for the construction of duplexes.

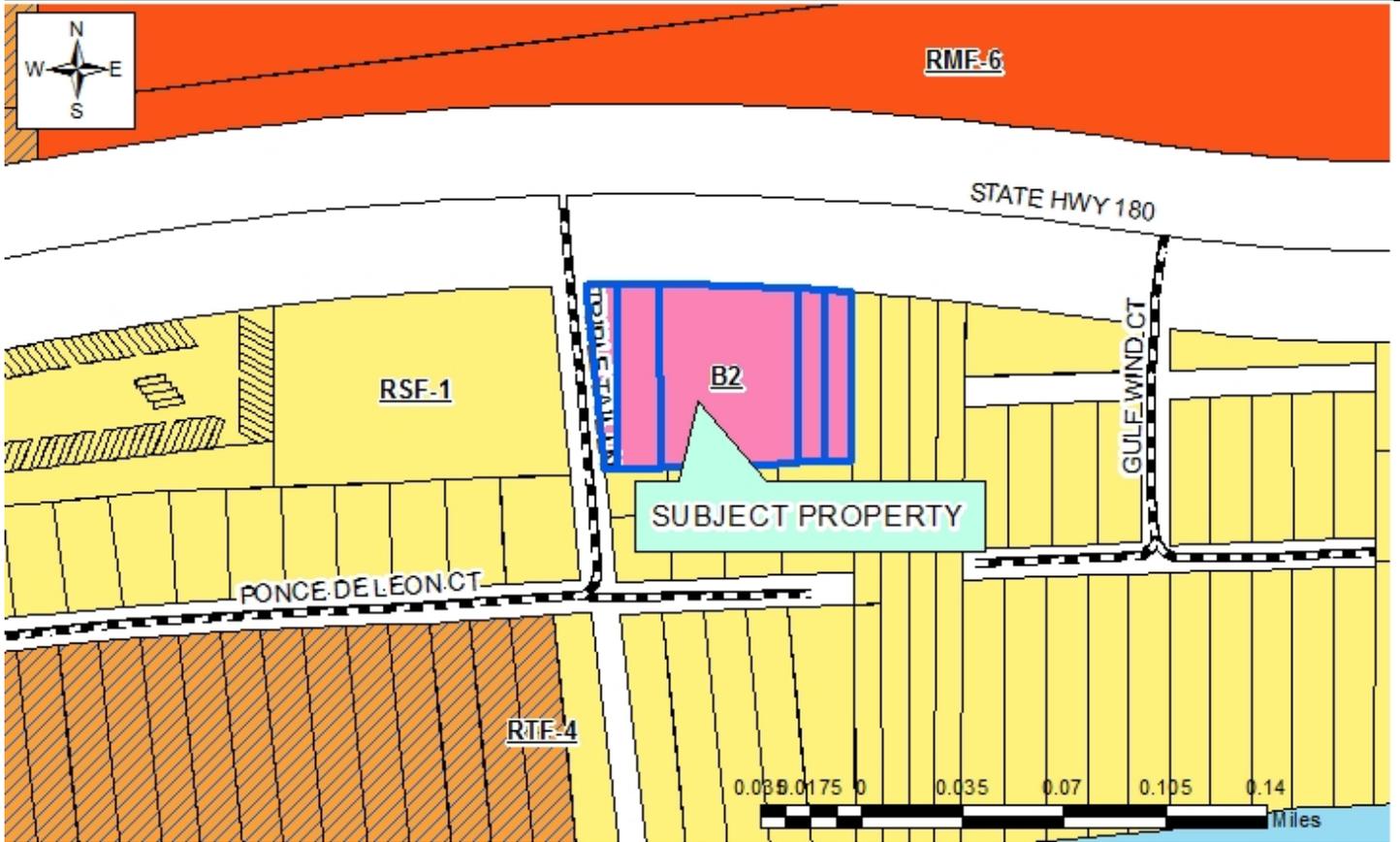
Unless information to the contrary is revealed at the public hearing, this rezoning application should be recommended for **APPROVAL**.\*

*\*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*

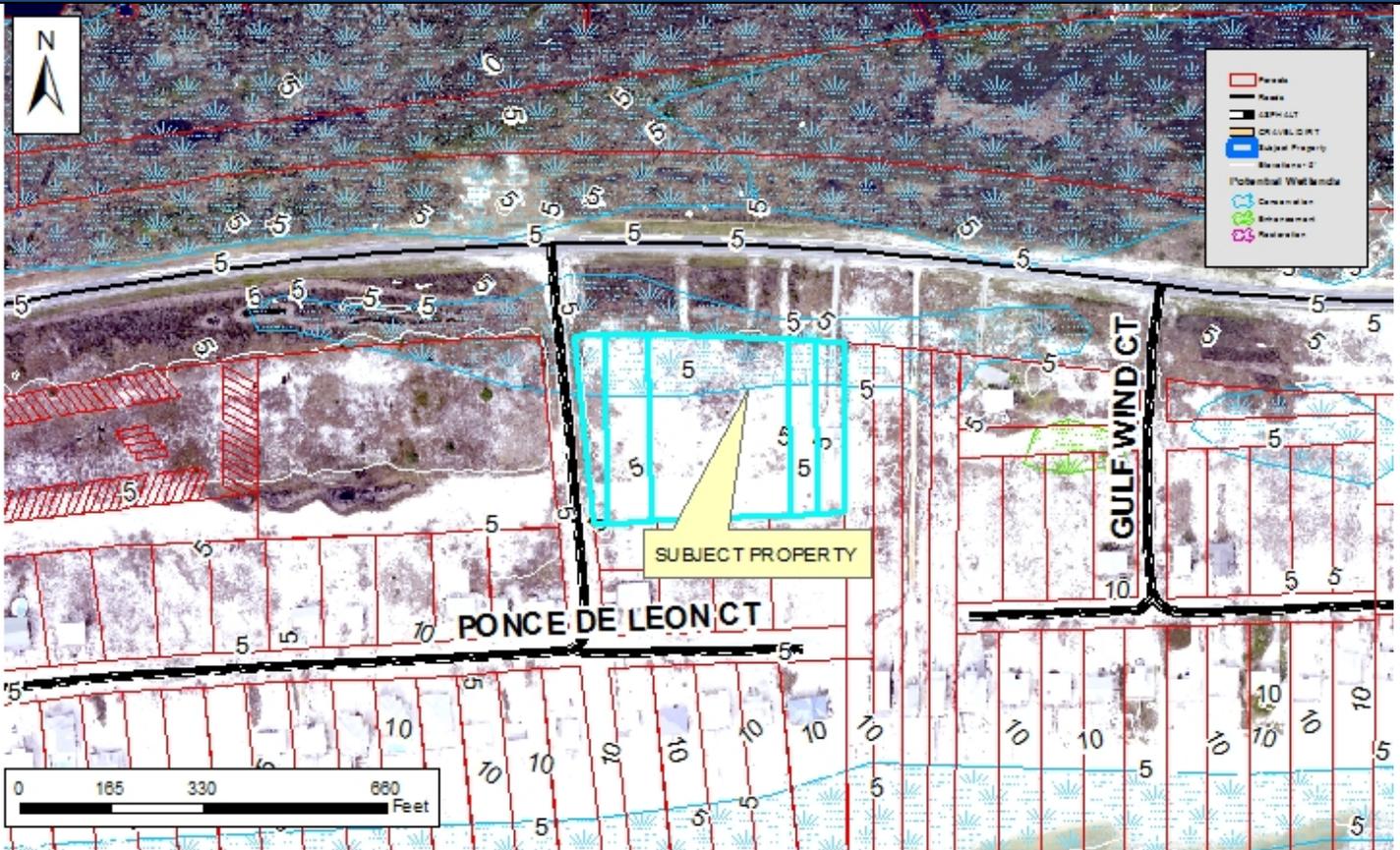
Property Images



# Locator Map



# Site Map



Baldwin County Planning & Zoning Commission  
Case No. S-16048 – Grand Pointe Motorcoach Resort  
Final Site Plan Approval  
December 1, 2016  
Staff Report  
8.a

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This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

**I. PUBLIC HEARINGS:**

**Planning Commission:** December 1, 2016 Final Site Plan Approval - Pending

**Attachments:** Vicinity Map  
Site Map  
Final Site Plan

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

**Planning District:** District 14 – Unzoned

**Location of Property:** The subject property is located on the north side of State Highway 104 approximately 0.3 miles east of Higbee Road.

**Parcel Number:** 05-46-01-01-0-000-004.000

**Report Prepared By:** Seth Peterson; Permit/Subdivision Manager

**III. PLANNED DEVELOPMENT PROPOSAL:**

**Proposed Number of Sites:** 70 units (45 in Phase I, 25 in Phase II)

**Linear Feet of New Streets:** 3,869' total (3,084' in Phase I, 785' in Phase II) PRIVATE STREETS

**Total Acreage:** +/- 19.97 acres used for this development

**Density:** 3.51 units/acre

**Proposed Use:** Motorcoach Resort

**Applicant:** Grand Properties, LLC  
PO Box 904  
Montrose, AL 36559

**Engineer:** JADE Consulting, LLC  
PO Box 1929  
Fairhope, AL 36533

**Request:** The applicant is requesting Final Site Plan approval for Grand Pointe Motorcoach Resort from the Baldwin County Planning and Zoning Commission.

**IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:**

**Public Utilities Services:** Water: Fairhope Public Utilities  
Sewer: Fairhope Public Utilities  
Electricity: Riviera Utilities  
Telephone: AT&T

**Transportation:** The applicant is proposing to construct internal streets with an asphalt driving surface. These internal streets would be private, and would not be maintained by Baldwin County. The project will access State Highway 104. The applicant has applied for an access permit from ALDOT and is waiting on that approval.

**Storm Water Management:** Post development run off release rates are required to be less or equal than its respective predevelopment rates for all critical storm events, up to and including the 25 year -24 hour event, as required by the Baldwin County Subdivision Regulations. The applicant has submitted the storm water plan in accordance with these regulations

**Permits and Approvals:** The developer will be responsible for obtaining all applicable County, State and Federal Permits required for a development of this magnitude prior to beginning any construction.

**V. STAFF COMMENTS:**

Items for consideration:

- This development falls under the requirements of Section 9 of the Baldwin County Subdivision Regulations. The proposed project is considered a small scale planned development based on its size [9.2].

Deficiencies:

- Documentation from ALDOT has not been provided for the access to State Highway 104
- A current title policy, title opinion or title report has not been provided
- Documentation from E-911 addressing has not been given confirming that the new streets do not need street names
- The total open space and useable open space need to be added to the site data on the site plan

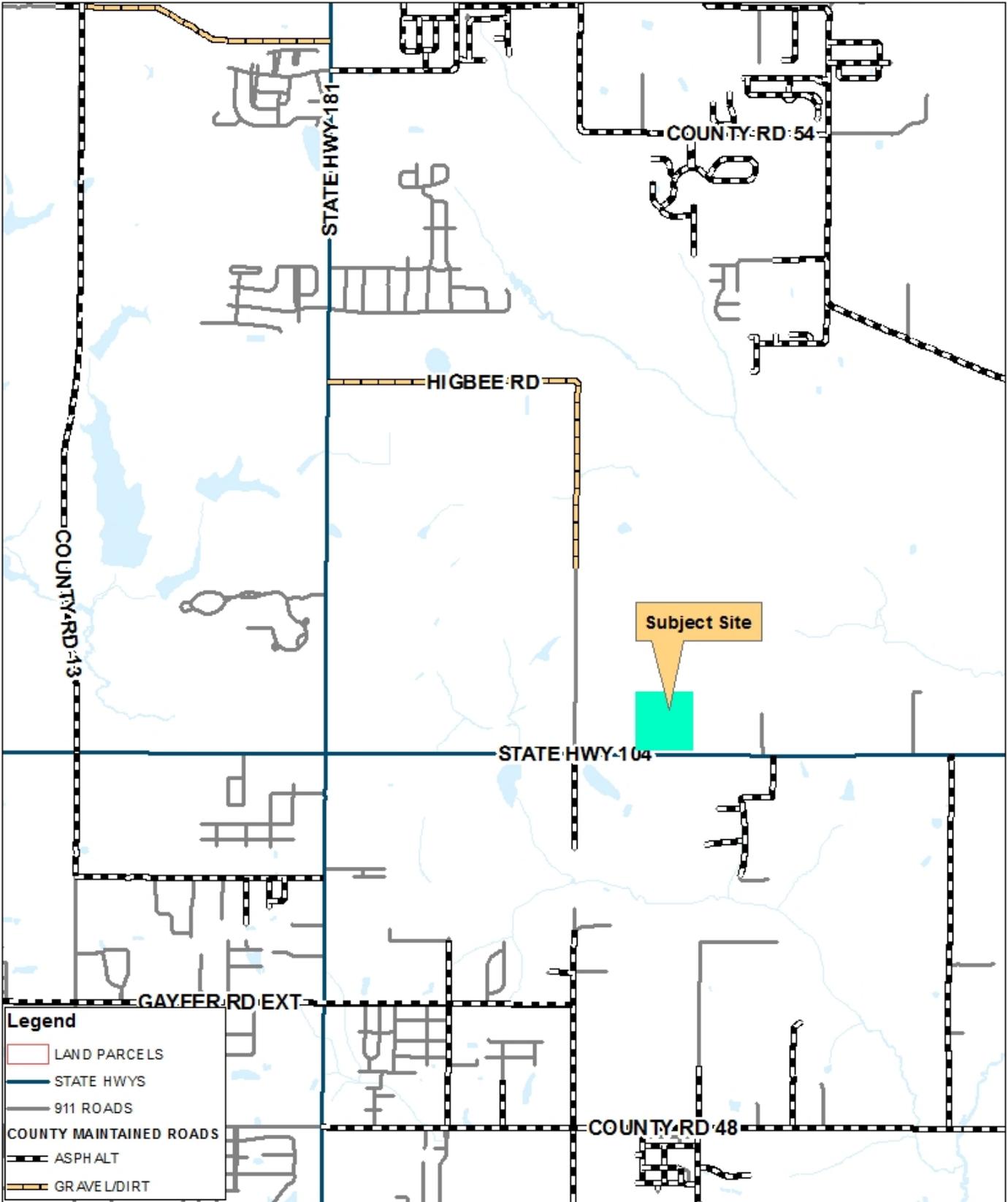
**VI. RECOMMENDATIONS:**

Staff recommends that the Final Site Plan for Case No. S-16048, Grand Pointe Motorcoach Resort, be **DENIED** due to the deficiencies listed above.

If the Planning Commission chooses to approve the Final Site Plan, then the staff would recommend it be contingent upon the above deficiencies being brought into compliance.

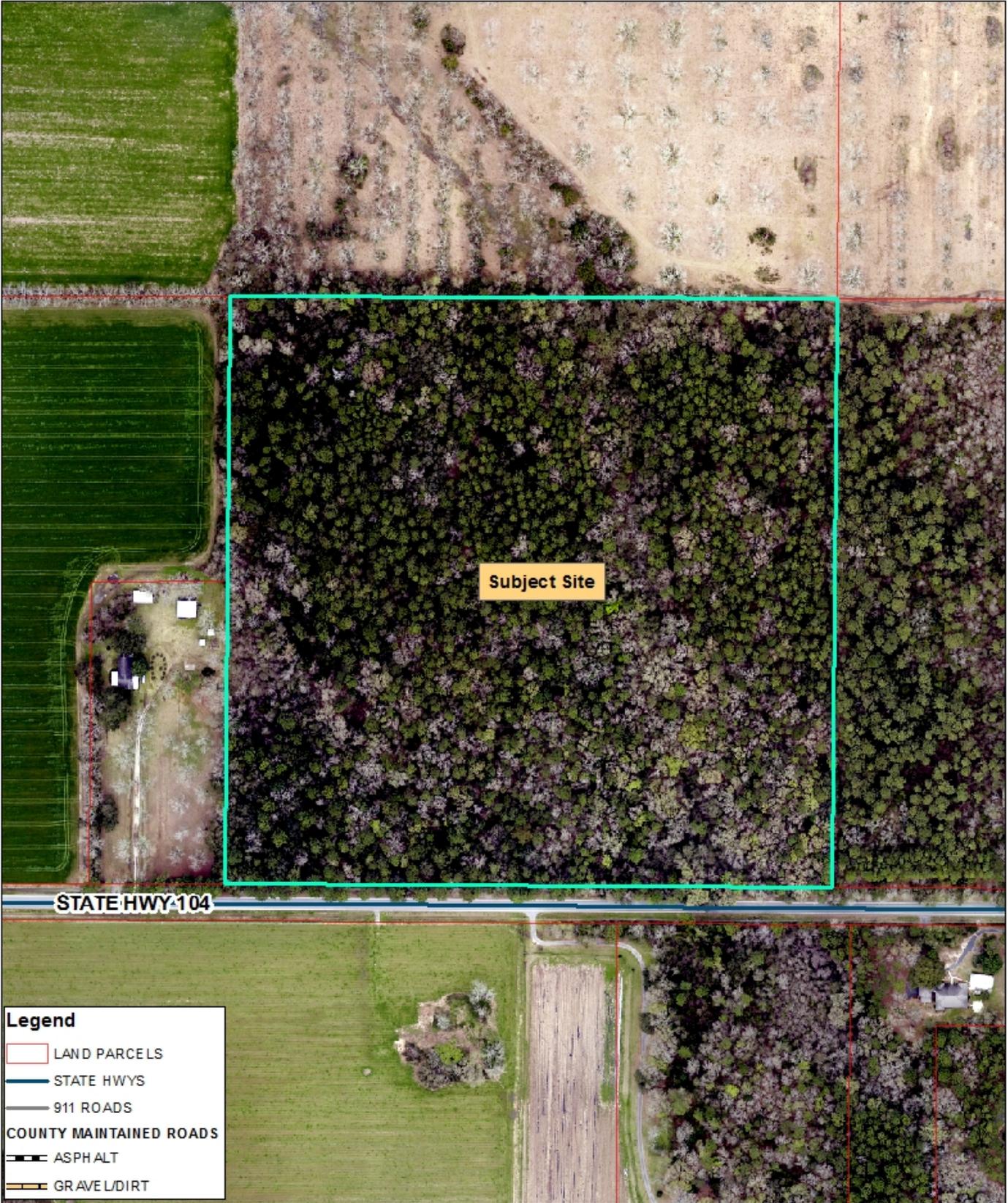


# Grand Pointe Motorcoach Resort Vicinity Map





# Grand Pointe Motorcoach Resort Site Map





**Baldwin County Planning and Zoning Commission**  
**Case No. S-16050 – Osprey-Eagle Subdivision**  
**Development Permit Approval**  
Staff Report for Planning and Zoning Commission Public Hearing  
**December 1, 2016**  
Agenda Item 8.b

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This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

**I. PUBLIC HEARINGS:**

**Planning Commission:** December 1, 2016 Development Permit Approval Pending

**Attachments:** Vicinity Map  
Site Map  
Proposed Plat

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

**Planning District:** District 13 – Unzoned

**Location of Property:** The subject property is located on the west side of County Road 64 Ext adjacent to Osprey Lane.

**Parcel Number:** 05-35-09-30-0-000-006.001

**Report Prepared By:** Seth Peterson; Permit/Subdivision Manager

**III. SUBDIVISION PROPOSAL:**

**Proposed number of Lots:** 6

**Linear Feet of Streets:** N/A – Lots front existing street

**Total Acreage:** ± 28.49 acres

**Smallest Lot Size:** ± 4.75 acres

**Proposed Use:** Residential

**Owner/Developer:** Danny and Melissa Stegall  
25301 Waterworld Road  
Robertsdale, AL 36567

**Engineer/Surveyor:** Moody & Associates, Inc  
281 Ratliff Street  
Lucedale, MS 39452

**Request:** The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

**IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:**

**Public Utilities Services:**      Water:              Well Water  
   Sewer:              Septic Tanks  
   Electricity:        Baldwin EMC  
   Telephone:        CenturyLink

**Transportation:**                      Each lot in this proposed subdivision will have frontage on and access to an existing County maintained road.

**V. STAFF COMMENTS:**

Items for consideration:

The following items were sent to the applicant and do not meet the Baldwin County Subdivision Regulations:

1. Please provide a current title policy, title opinion or title report. [§4.6.1(g)]
2. Please add a note that Lot 4 shall access Osprey Lane only and shall not have direct access to County Road 64.
3. Please show the existing ROW widths on the plat. Also, please show that 30 feet from the centerline of Osprey Lane is being dedicated to the public. [§4.6.4(i & j)]
4. Please add the site data to the plat. The total acreage, smallest lot size, total number of lots, minimum setbacks and zoning district/classification should be included. The minimum setbacks are 50 feet front, 30 feet rear, 30 feet and 30 feet side. Also, the Highway Construction Setback is 75 feet from the center of the ROW on CR 64. This property is in Planning District 13 and is unzoned. [§4.6.4(m)]
5. Please add the flood zoned and written statement to the plat. [§4.6.4(q)]
6. Please remove the Baldwin County Planning Director certificate and the Licensed Engineer's Certification. [§4.6.4(r)]
7. Please provide calculations for the driveway pipe sizes and show these pipe sizes on the plat for each lot. [§5.11.3]

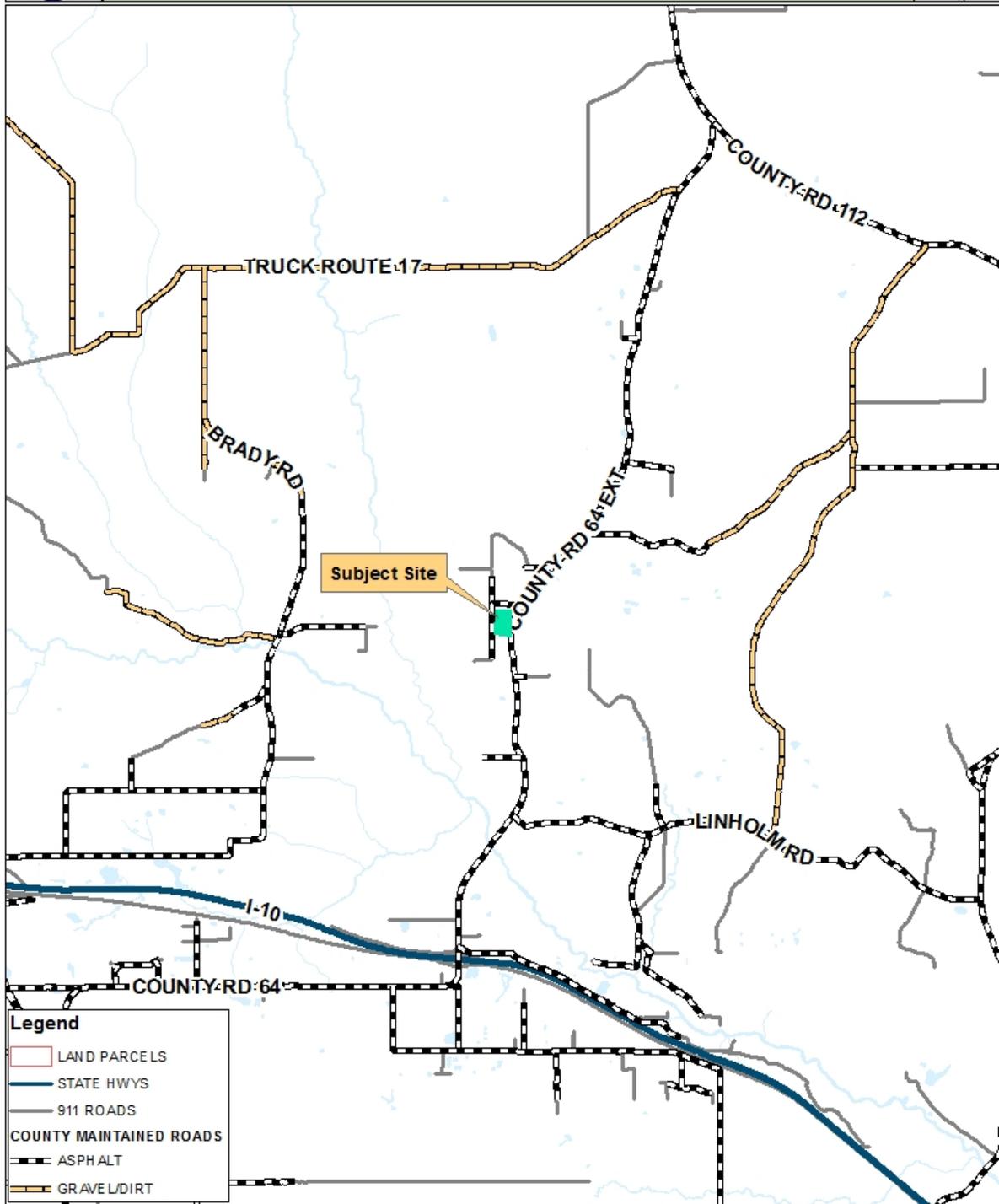
**VI. RECOMMENDATIONS:**

Staff recommends that the Development Permit for Case No. S-16050, Osprey-Eagle Subdivision, be **DENIED** due to the deficiencies listed above.

If the Planning Commission chooses to approve the Development Permit, staff requests that the approval be contingent on the above-mentioned items being brought into compliance with the Baldwin County Subdivision Regulations.



# Osprey-Eagle Subdivision Vicinity Map





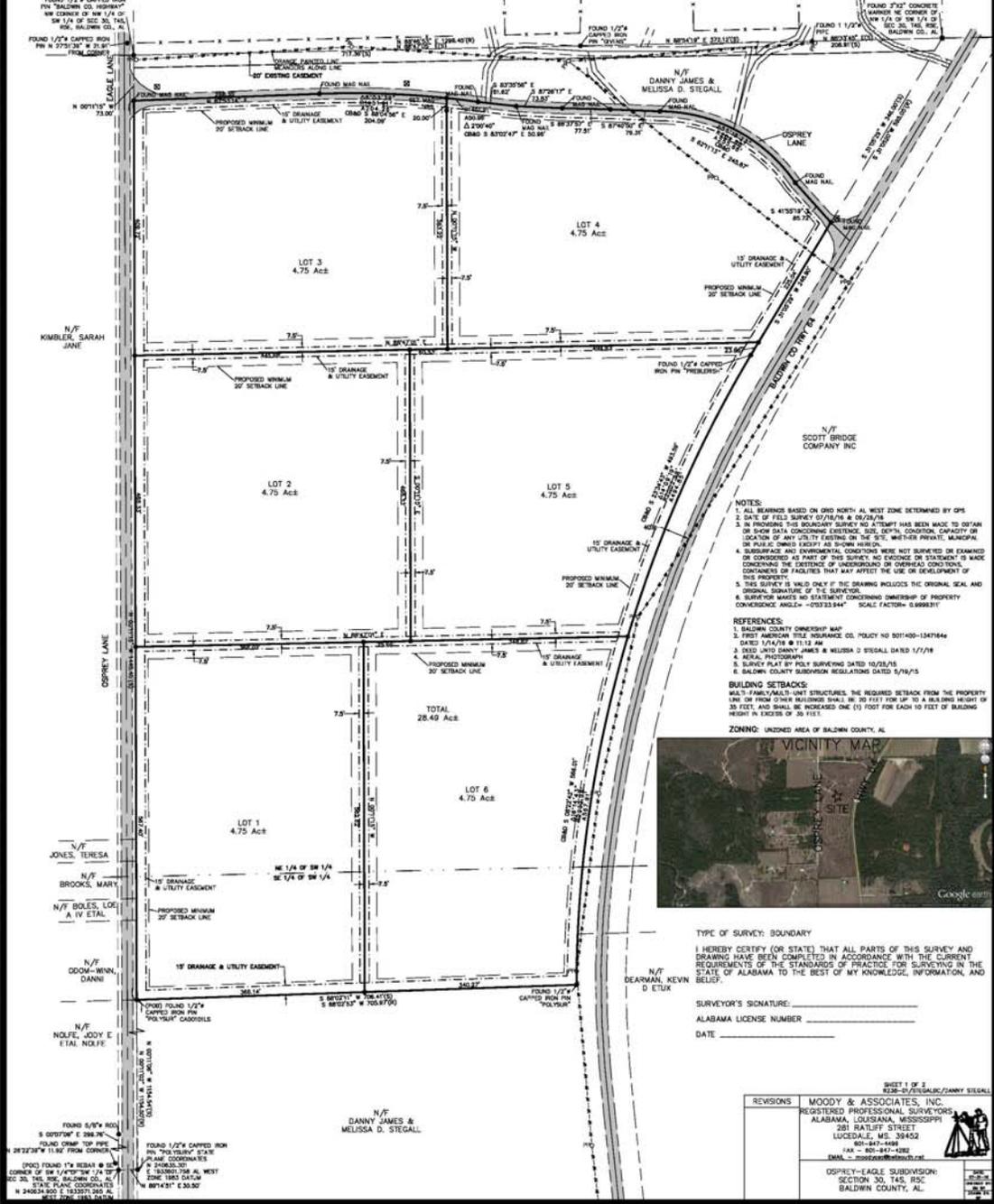
# Osprey-Eagle Subdivision Site Map



# OSPREY-EAGLE SUBDIVISION



- LEGEND**
- ⊠ TELEPHONE POCKET
  - ⊡ POWER POLE
  - OVERHEAD ELEC. LINE
  - 2" IRON PIN UNLESS OTHERWISE NOTED
  - FENCE
  - ▨ GRAVEL PAVING
  - ASPHALT PAVING
  - POINT OF COMMENCEMENT (P.O.C.) POINT OF BEGINNING
  - CENTER FOR SURVEY
  - MARKS PER RECORD
  - RIGHT-OF-WAY
  - N/O = NOW OF FORMERLY
  - UTILITY EASEMENT (TYPICAL FOR RECORD)
  - 15' DRAINAGE & UTILITY EASEMENT
  - 20' SETBACK LINE



- NOTES:**
1. ALL BEARINGS BASED ON GRID NORTH AL WEST ZONE DETERMINED BY GPS
  2. DATE OF FIELD SURVEY 02/09/16 @ 08:20/16
  3. IN PROGRESS THIS BOUNDARY SURVEY NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EVIDENCE, SIZE, DEPTH, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL, OR PUBLIC, OWNED HEREIN OR BY OTHER PERSONS.
  4. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
  5. THIS SURVEY IS VALID ONLY IF THE DRAWING INCLUDES THE ORIGINAL SEAL AND ORIGINAL SIGNATURE OF THE SURVEYOR.
  6. SURVEYOR MAKES NO STATEMENT CONCERNING DIMENSIONS OF PROPERTY CORNER/NEIGHBORING ADJACENT. SCALE FACTOR = 0.9999971
- REFERENCES:**
1. BALDWIN COUNTY OWNERSHIP MAP
  2. FIRST AMERICAN TITLE INSURANCE CO. POLICY NO 807400-1247844 DATED 1/14/16 @ 11:12 AM
  3. DEED 1/14/16 DANNY JAMES & MELISSA D STEGALL DATED 1/17/16
  4. AERIAL PHOTOGRAPHS
  5. SURVEY PLAN BY JAMES SURVING DATED 10/23/15
  6. BALDWIN COUNTY SUBDIVISION REGULATIONS DATED 5/16/15
- BUILDING SETBACKS:**  
 MULTI-FAMILY/HIGH-UNIT STRUCTURES, THE REQUIRED SETBACK FROM THE PROPERTY LINE OR FROM OTHER BUILDINGS SHALL BE 30 FEET FOR UP TO A BUILDING HEIGHT OF 30 FEET AND SHALL BE INCREASED ONE (1) FOOT FOR EACH 10 FEET OF BUILDING HEIGHT IN EXCESS OF 30 FEET.
- ZONING:** UNZONED AREA OF BALDWIN COUNTY, AL



**TYPE OF SURVEY:** BOUNDARY

I HEREBY CERTIFY (OR STATE) THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

**SURVEYOR'S SIGNATURE:** \_\_\_\_\_  
 ALABAMA LICENSE NUMBER \_\_\_\_\_  
 DATE \_\_\_\_\_

SHEET 1 OF 5  
 PLSM-20/25/2016/DANNY STEGALL

REVISIONS	MOODY & ASSOCIATES, INC.
	REGISTERED PROFESSIONAL SURVEYORS
	ALABAMA, LOUISIANA, MISSISSIPPI
	281 RATLIFF STREET
	LUCEDALE, MS 39402
	601-847-4498
	FAX - 601-847-4282
	EMAIL - 202@moodyinc.com

OSPREY-EAGLE SUBDIVISION  
 SECTION 30, T4S, R0C  
 BALDWIN COUNTY, AL

# OSPREY-EAGLE SUBDIVISION

## SURVEYOR'S CERTIFICATE AND DESCRIPTION OF PROPERTY

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, GERALD MOODY SR., A LICENSED SURVEYOR OF BALDWIN COUNTY, ALABAMA, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY OF DANNY JAMES STEGALL AND MELISSA D. STEGALL, SITUATED IN BALDWIN COUNTY, ALABAMA:

A PARCEL OF LAND SITUATED IN THE NE 1/4 OF SW 1/4 AND THE SE 1/4 OF SW 1/4 ALL IN SECTION 30, TOWNSHIP 4 SOUTH, RANGE 5 EAST, BALDWIN COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED BY BEARINGS BASED ON GRID NORTH ALABAMA WEST ZONE 1983 DATUM AS FOLLOWS:

COMMENCING AT A FOUND 1" DIAMETER REBAR AT THE SE CORNER OF SW 1/4 OF SW 1/4 OF SECTION 30, SAID TOWNSHIP AND RANGE SAID POINT HAVING ALABAMA STATE PLANE COORDINATES OF N 74284.800 E 123231.265 THENCE RUN N 89°14'51" E 30.50 FEET TO A FOUND 3/4" DIAMETER CAPPED IRON PIN ON THE EAST RIGHT-OF-WAY OF OSPREY LANE, THENCE RUN ALONG SAID RIGHT-OF-WAY OF SAID LANE N 09°11'08" W 1184.54 FEET TO A FOUND 1" DIAMETER CAPPED IRON PIN, ALSO BEING THE POINT OF BEGINNING, THENCE RUN ALONG SAID RIGHT-OF-WAY OF SAID LANE N 00°11'15" W 1445.45 FEET TO A FOUND MAG NAIL, THENCE RUN ALONG THE CENTERLINE OF OSPREY LANE S 87°05'14" E 238.28 FEET TO A FOUND MAG NAIL AT THE BEGINNING OF A NON-TANGENTIAL CURVE, THENCE RUN ALONG SAID CENTERLINE AND SAID CURVE IN A SOUTHEASTERLY DIRECTION CONCAVE TO THE RIGHT HAVING A RADIUS OF 1451.91 FEET CENTRAL ANGLE OF 62°02'49" FOR AN ARC LENGTH OF 50.36 FEET CHORD BEARING AND DISTANCE S 88°04'58" E 204.09 FEET TO A SET MAG NAIL AT THE BEGINNING OF A NON-TANGENTIAL CURVE, THENCE RUN ALONG SAID CENTERLINE AND SAID CURVE IN A SOUTHEASTERLY DIRECTION CONCAVE TO THE RIGHT HAVING A RADIUS OF 1451.91 FEET CENTRAL ANGLE OF 62°02'49" FOR AN ARC LENGTH OF 50.36 FEET CHORD BEARING AND DISTANCE S 87°02'47" E 50.36 FEET TO A FOUND MAG NAIL, THENCE RUN ALONG SAID CENTERLINE S 33°25'50" E 81.42 FEET TO A FOUND MAG NAIL, THENCE RUN ALONG SAID CENTERLINE S 87°28'17" E 73.83 FEET TO A FOUND MAG NAIL, THENCE RUN ALONG SAID CENTERLINE S 87°28'17" E 73.83 FEET TO A FOUND MAG NAIL, THENCE RUN ALONG SAID CENTERLINE AND SAID CURVE IN A SOUTHEASTERLY DIRECTION CONCAVE TO THE RIGHT HAVING A RADIUS OF 261.49 FEET CENTRAL ANGLE OF 55°12'22" FOR AN ARC LENGTH OF 25.68 FEET CHORD BEARING AND DISTANCE S 62°11'13" E 245.87 FEET TO A FOUND MAG NAIL, THENCE RUN ALONG SAID CENTERLINE S 41°51'19" E 165.77 FEET TO A FOUND MAG NAIL ON THE WEST RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY NO. 84, THENCE RUN ALONG SAID RIGHT-OF-WAY OF SAID HIGHWAY S 21°05'29" W 225.04 FEET TO A SET 1" DIAMETER CAPPED IRON PIN, THENCE CONTINUE ALONG SAID RIGHT-OF-WAY OF SAID HIGHWAY S 21°05'29" W 225.04 FEET TO A SET 1" DIAMETER CAPPED IRON PIN AT THE BEGINNING OF A NON-TANGENTIAL CURVE, THENCE RUN ALONG SAID RIGHT-OF-WAY AND SAID CURVE IN A SOUTHWESTERLY DIRECTION CONCAVE TO THE LEFT HAVING A RADIUS OF 2002.98 FEET CENTRAL ANGLE OF 14°01'19" FOR AN ARC LENGTH OF 494.85 FEET CHORD BEARING AND DISTANCE S 23°24'43" W 493.28 FEET TO A SET 1" DIAMETER IRON PIN AT THE BEGINNING OF A NON-TANGENTIAL CURVE, THENCE RUN ALONG SAID RIGHT-OF-WAY AND SAID CURVE IN A SOUTHWESTERLY DIRECTION CONCAVE TO THE LEFT HAVING A RADIUS OF 2002.98 FEET CENTRAL ANGLE OF 14°01'19" FOR AN ARC LENGTH OF 494.85 FEET CHORD BEARING AND DISTANCE S 23°24'43" W 493.28 FEET TO A SET 1" DIAMETER IRON PIN, THENCE RUN S 85°02'11" W 340.27 FEET TO A SET 1" DIAMETER IRON PIN, THENCE CONTINUE S 85°02'11" W 368.14 FEET BACK TO THE POINT OF BEGINNING, CONTAINING 28.49 ACRES MORE OR LESS.

AND THAT THE PLAT OR MAP CONTAINED HEREON IS A TRUE AND CORRECT MAP SHOWING THE SUBDIVISION INTO WHICH THE PROPERTY DESCRIBED IS DIVIDED GIVING THE LENGTH AND BEARINGS OF THE BOUNDARIES OF EACH LOT AND EASEMENT AND ITS NUMBER AND SHOWING THE STREETS, ALLEYS AND PUBLIC GROUNDS AND GIVING THE BEARINGS, LENGTHS, WIDTHS AND NAMES OF THE STREETS. SAID MAP FURTHER SHOWS THE RELATION OF THE SO PLATTED TO THE GOVERNMENT SURVEY AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED AT POINTS MARKED THEREON AS HEREIN SHOWN. I FURTHER CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

SURVEYOR \_\_\_\_\_ ALABAMA LICENSE # \_\_\_\_\_

## ACKNOWLEDGMENT

STATE OF MISSISSIPPI  
COUNTY OF GEORGE

I, \_\_\_\_\_, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT GERALD MOODY SR., WHOSE NAME AS PROFESSIONAL SURVEYOR OF MOODY & ASSOCIATES, INC. IS SIGNED TO THE FOREGOING INSTRUMENTS, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT BEING INFORMED OF THE CONTENT OF THE INSTRUMENT AND AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC

## OWNER'S DEDICATION

WE, DANNY JAMES STEGALL AND MELISSA D. STEGALL, 2031 WATERWORLD RD, ROBERTSDALE, AL 36867 AS PROPRIETORS, HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT AND PLATTED TO BE KNOWN AS OSPREY-EAGLE SUBDIVISION, A PART OF SECTION 30, T4S, R5E, BALDWIN COUNTY, ALABAMA, AND THAT 1 STREETS, DRIVES, ALLEYS, EASEMENTS, ETC. AS SHOWN ON SAID PLAT ARE HEREBY DEDICATED TO THE USE OF THE PUBLIC.

PROPERTY OWNER \_\_\_\_\_ PROPERTY OWNER \_\_\_\_\_  
SIGNED AND SEALED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, IN THE PRESENCE OF:

WITNESS

## ACKNOWLEDGMENT

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, \_\_\_\_\_, NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT DANNY STEGALL, WHOSE NAME AS PROFESSIONAL SURVEYOR OF MOODY & ASSOCIATES, INC. IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT BEING INFORMED OF THE CONTENT OF THE INSTRUMENT AND AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION. GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC

## LICENSED ENGINEER'S CERTIFICATION OF IMPROVEMENTS

I, \_\_\_\_\_, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF ALABAMA WITH A LICENSED NUMBER OF \_\_\_\_\_, HEREBY CERTIFY THAT I HAVE DESIGNED THE WITHIN IMPROVEMENTS IN CONFORMANCE WITH APPLICABLE CODES AND LAWS AND WITH THE PRINCIPLES OF GOOD ENGINEERING PRACTICE INCLUDING THE DRAINAGE DESIGN REQUIREMENTS OF THE BALDWIN COUNTY SUBDIVISION REGULATIONS. I FURTHER CERTIFY THAT I HAVE PROVIDED DIVERSITY OF THE CONSTRUCTION TOY DESIGN AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE WITHIN IS A TRUE AND ACCURATE REPRESENTATION OF IMPROVEMENTS AS INSTALLED.

ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

FIRM \_\_\_\_\_

## CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

COUNTY ENGINEER \_\_\_\_\_

## CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY PLANNING AND ZONING COMMISSION

THE UNDERSIGNED, AS \_\_\_\_\_ OF BALDWIN COUNTY PLANNING AND ZONING COMMISSION, HEREBY CERTIFIES THAT AT ITS MEETING OF \_\_\_\_\_ THE BALDWIN COUNTY PLANNING AND ZONING COMMISSION APPROVED THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BALDWIN COUNTY PLANNING AND ZONING COMMISSION

BY \_\_\_\_\_

## CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY PLANNING DIRECTOR

THE UNDERSIGNED, AS DIRECTOR OF THE BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

PLANNING DIRECTOR \_\_\_\_\_

## CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY HEALTH DEPARTMENT

THE LOT(S) ON THIS PLAT ARE SUBJECT TO APPROVAL OR DELAY BY THE BALDWIN COUNTY HEALTH DEPARTMENT. THE APPROVALS MAY CONTAIN CERTAIN CONDITIONS PERTAINING TO THE ONSITE WASTEWATER TREATMENT SYSTEMS THAT COULD RESTRICT THE USE OF THE LOT(S) OR OBLIGATE OWNERS TO SPECIAL MAINTENANCE AND REPORTING REQUIREMENTS. THESE CONDITIONS ARE ON FILE WITH THE SAID HEALTH DEPARTMENT AND ARE MADE A PART OF THIS PLAT AS IF SET OUT HEREON.

SIGNED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

AUTHORIZED SIGNATURE \_\_\_\_\_

## CERTIFICATE OF APPROVAL BY THE BALDWIN COUNTY E-911 ADDRESSING

THE UNDERSIGNED, AS AUTHORIZED BY THE BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AND NEW ROADS AS DEPICTED ON THE WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

AUTHORIZED SIGNATURE \_\_\_\_\_

## CERTIFICATE OF APPROVAL BY THE EMC BALDWIN ELECTRIC

THE UNDERSIGNED, AS AUTHORIZED BY THE EMC BALDWIN ELECTRIC COMPANY, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

AUTHORIZED SIGNATURE \_\_\_\_\_

## CERTIFICATE OF APPROVAL BY THE CENTURY LINK TELEPHONE

THE UNDERSIGNED, AS AUTHORIZED BY THE CENTURY LINK TELEPHONE COMPANY, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

AUTHORIZED SIGNATURE \_\_\_\_\_

SHEET 3 OF 5  
E136-20/STEGALL/DANNY STEGALL

REVISIONS	MOODY & ASSOCIATES, INC. REGISTERED PROFESSIONAL SURVEYORS ALABAMA, LOUISIANA, MISSISSIPPI 281 RATLIFF STREET LUCEDALE, MS 39452 601-947-4499 FAX - 601-647-4262 EMAIL - moody@moodyinc.net
	
OSPREY-EAGLE SUBDIVISION: SECTION 30, T4S, R5E BALDWIN COUNTY, AL	

**Baldwin County Planning and Zoning Commission**  
**Case No. S-16051 – Estate of Veach L. Curtis**  
**Development Permit Approval**  
Staff Report for Planning and Zoning Commission Public Hearing  
**December 1, 2016**  
Agenda Item 8.c

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This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

**I. PUBLIC HEARINGS:**

**Planning Commission:** December 1, 2016 Development Permit Approval Pending

**Attachments:** Vicinity Map  
Site Map  
Proposed Plat

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

**Planning District:** District 14 – Unzoned

**Location of Property:** The subject property is located on the southeast corner of the intersection of County Road 48 and Bohemian Hall Road.

**Parcel Number:** 05-47-05-21-0-000-006.000

**Report Prepared By:** Seth Peterson; Permit/Subdivision Manager

**III. SUBDIVISION PROPOSAL:**

**Proposed number of Lots:** 2

**Linear Feet of Streets:** N/A – Lots front existing street

**Total Acreage:** ± 56.191 acres

**Smallest Lot Size:** ± 14.0 acres

**Proposed Use:** Residential

**Owner/Developer:** The Estate of Veach L. Curtis  
PO Box 1224  
Robertsdale, AL 36567

**Engineer/Surveyor:** Moore Surveying  
555 N. Section Street  
Fairhope, AL 36532

**Request:** The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

**IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:**

<b>Public Utilities Services:</b>	Water:	Fairhope Utilities
	Sewer:	Septic Tanks
	Electricity:	Baldwin EMC
	Telephone:	Gulftel

**Transportation:** Each lot in this proposed subdivision will have frontage on and access to an existing County maintained road.

**V. STAFF COMMENTS:**

Items for consideration:

The following items were sent to the applicant and do not meet the Baldwin County Subdivision Regulations:

1. A digital copy of the proposed subdivision has not been provided.
2. Written reports from Baldwin EMC and the City of Fairhope Utilities have not been provided.

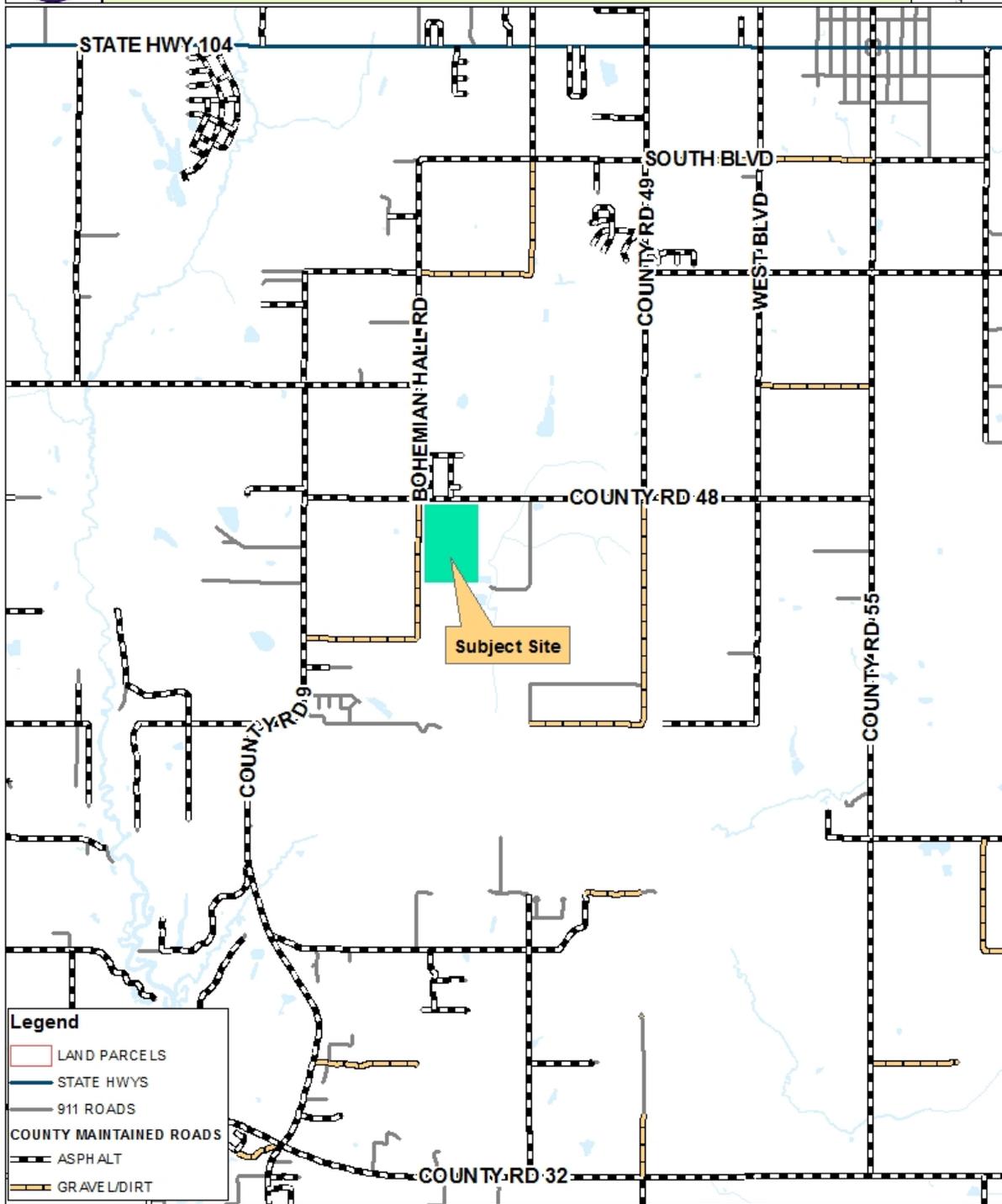
**VI. RECOMMENDATIONS:**

Staff recommends that the Development Permit for Case No. S-16051, Estate of Veach L. Curtis, be **DENIED** due to the deficiencies listed above.

If the Planning Commission chooses to approve the Development Permit, staff requests that the approval be contingent on the above-mentioned items being brought into compliance with the Baldwin County Subdivision Regulations.



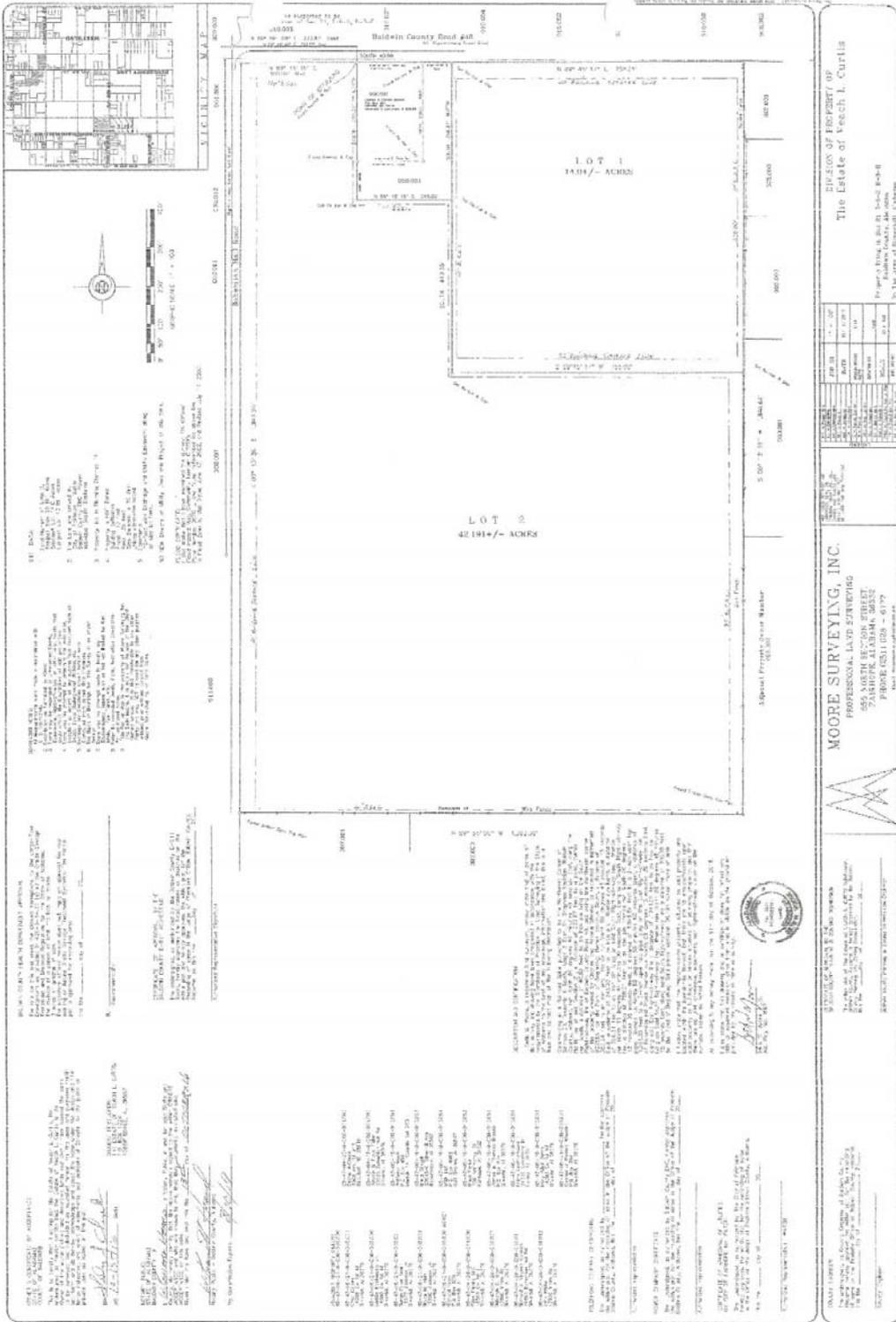
# The Estate of Veach L. Curtis Vicinity Map





# The Estate of Veach L. Curtis Site Map





Baldwin County Planning and Zoning Commission  
Case No. S-16056 – Colony Woods  
Variance Request  
Staff Report for Planning and Zoning Commission Public Hearing  
**December 1, 2016**  
Agenda Item 8.d

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This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

**I. PUBLIC HEARINGS:**

**Planning Commission:** December 1, 2016 Variance Request Pending

**Attachments:** Vicinity Map  
Site Map  
Proposed Plat  
Proposed Roadway Build-up

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

**Planning District:** District 17 – Unzoned

**Location of Property:** The subject property is located at the east end of Hawthorne Lane approximately 830 feet north of the intersection of Twin Beech Road S and Battles Road.

**Parcel Number:** 05-46-09-30-0-000-044.000

**Report Prepared By:** Seth Peterson; Permit/Subdivision Manager

**III. SUBDIVISION PROPOSAL:**

**Proposed number of Lots:** 4

**Linear Feet of Streets:** +/- 800 feet

**Total Acreage:** ± 7.17 acres

**Smallest Lot Size:** ± 23,000 SF (± 0.53 acres)

**Proposed Use:** Residential

**Owner:** Jason M. Tickle  
19303 Scenic Highway 98  
Fairhope, AL 36532

**Engineer/Surveyor:** Hutchinson, Moore & Rauch, LLC  
2039 Main Street  
Daphne, AL 36526

**Request:** The applicant is requesting a variance from the requirements of the Baldwin County Commission Design Standards for New Road Construction found in Appendix 4 of the *Baldwin County Subdivision Regulations*. The applicant is proposing to construct a private roadway with a stone surface as opposed to asphalt. The proposed road would be located within an easement that is mostly 30 feet wide except for a short stretch that is 20 feet wide. Typical subdivision roads have ROW widths of 50 feet or larger. Single purpose streets have ROW widths of 30 feet or larger.

**IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:**

**Public Utilities Services:**      Water:              Fairhope Public Utilities  
   Sewer:              Septic tanks  
   Electricity:        Riviera Utilities

**Transportation:**                      The applicant is proposing to construct a private roadway with a stone surface as opposed to asphalt. The proposed road would be located within an easement that is mostly 30 feet wide except for a short stretch that is 20 feet wide. Typical subdivision roads have ROW widths of 50 feet or larger. Single purpose streets have ROW widths of 30 feet or larger.

**V. STAFF COMMENTS:**

Items for consideration:

The use of a private street is only allowed if approved by the Baldwin County Commission. The Baldwin County Commission will hear that request at a later date.

The applicant has stated the following conditions that prevent them from using the property in accordance with the Subdivision Regulations:

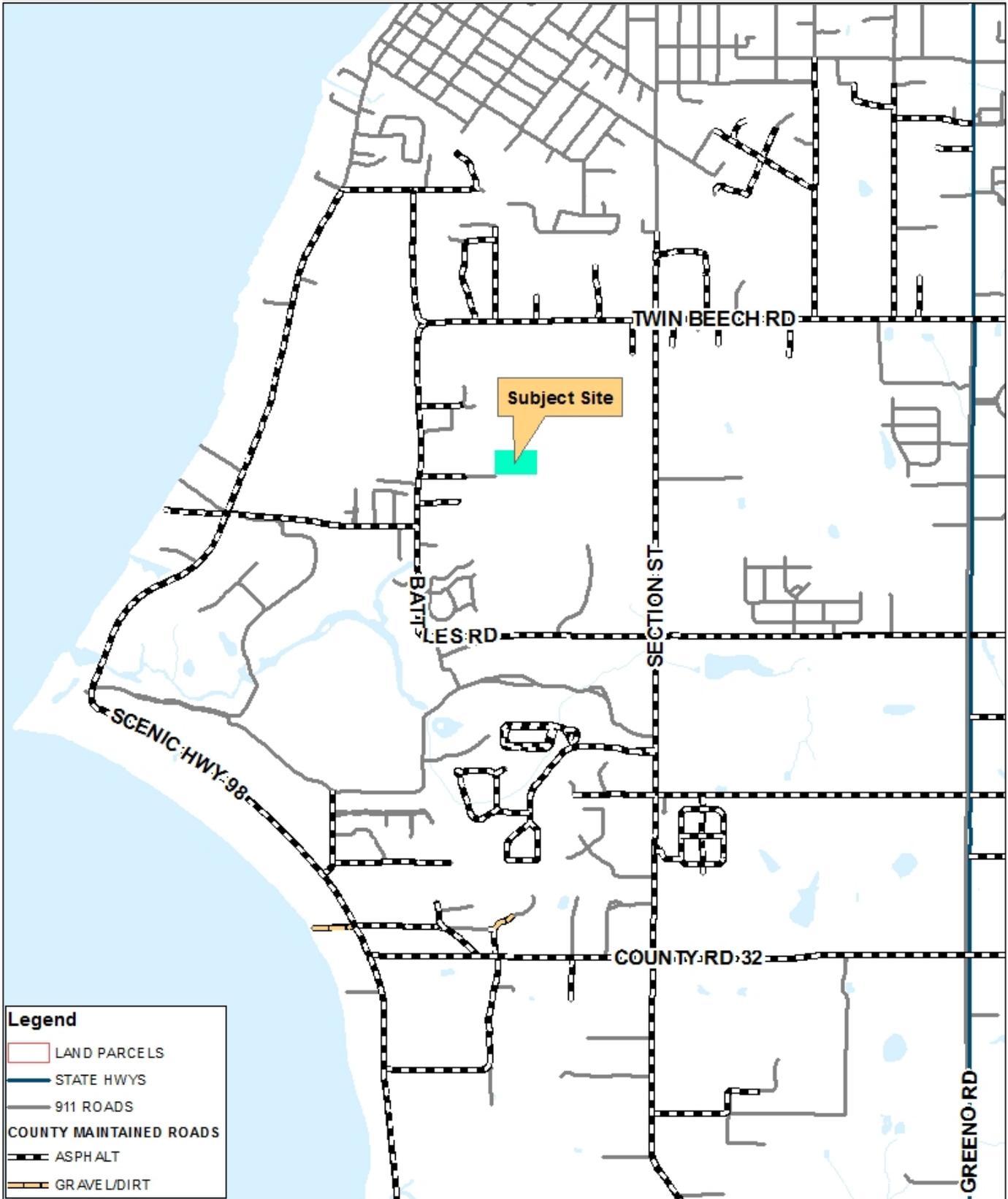
“The private drive will provide access to four single-family residential homes on the referenced parcel (3 new and one existing). A full width drive and buildup is not necessary for this development. It would result in the unnecessary removal of numerous trees and would be difficult to construct within the existing 30’ ROW/easement. Furthermore, the 750 LF County maintained section of Hawthorne Lane (located to the west) is 12’ – 15’ wide and located within a 30’ ROW.”

**VI. RECOMMENDATIONS:**

Staff recommends that the Variance Request for Case No. S-16056, Colony Woods Subdivision, be **DENIED**.



# Colony Woods Subdivision Vicinity Map



**Legend**

- LAND PARCELS
- STATE HWYS
- 911 ROADS
- COUNTY MAINTAINED ROADS
- ASPHALT
- GRAVEL/DIRT



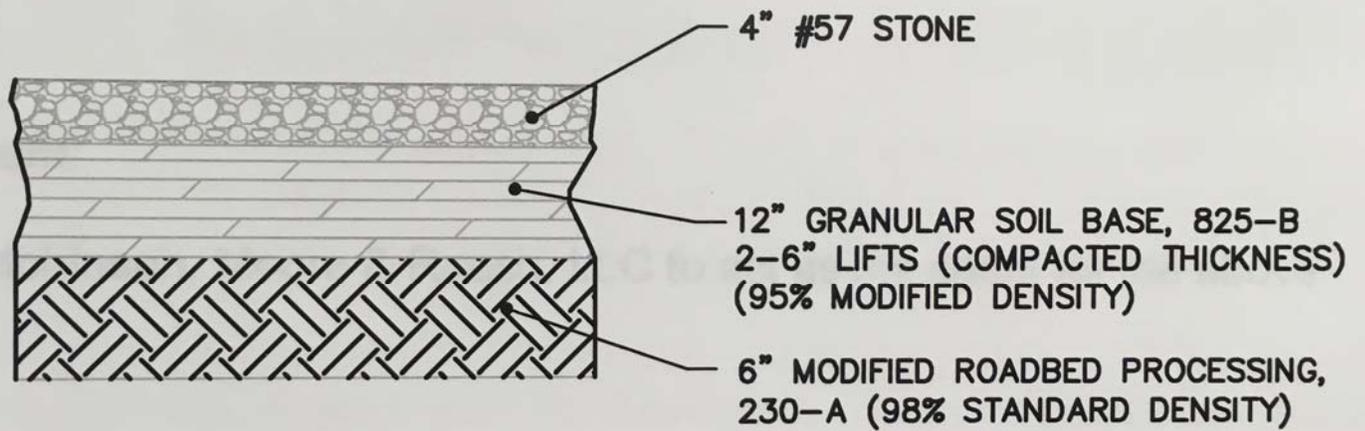
# Colony Woods Subdivision Site Map



**Legend**

- LAND PARCELS
- STATE HWYS
- 911 ROADS
- COUNTY MAINTAINED ROADS
- ASPHALT
- GRAVEL/DIRT





**15' PRIVATE DRIVE**

November 21, 2016

Seth Peterson  
Permit Subdivision Manager  
P.O. Box 220  
Silverhill, AL 36576

Mr. Peterson

For the past twenty years I have owned and been operating the Key Allegro Villas Retirement Community. It's a 90 lot mobile home park located on US Hwy 98 at the intersection of Keller Rd. I have attached a copy of the location (exhibit 1) directly off the web from the Baldwin County Parcel Viewer.

Over those past twenty years as I've brought new homes in to my community, I have gone to the Baldwin County Building Department to pull permits. Approximately three weeks ago I went in again to pull another permit and was told by Michael Howell that he would not issue a building permit because it was his interpretation that my community had never been fully approved. I understand that the County's Subdivision requirements are now in excess of 100 pages but in 1996 when we started the community I was given two pages and only the first 5 lines pertained to mobile homes (see exhibit 2). I complied with all the requirements including providing a signed and sealed copy of our community. I was told then that there was no need to have it recorded because the plot was not actually being subdivided, the lots would never be sold and would remain one parcel. From the notes that I could find (my financial records for this timeframe have long been destroyed) I paid a fee of \$3690.00 based on the following schedule: \$150 plan review, building fee of \$10/lot, Electric fee of \$5/lot plus a fee of \$51/transformer (total of 20), plumbing fee of \$13/lot. The plan that was reviewed by the County in 1996 was the full parcel. It was not a phased development. The first permit issued was for the pole barn (May 1996) in the southwest corner of the property and the latest (May 2016) was for the new home on lot #50 (9536 Boca Raton Dr). The community streets have been on the County 911 maps for 20 years.

My community consists of concrete streets, City of Fairhope water complete with fire hydrant, City of Fairhope sewer system (they installed a lift station on the property to pump back to their treatment facility), Baldwin EMC electrical system, City of Fairhope natural gas, as well as Media Con cable television. The community is complete other than two partial streets. I have provided some pictures of the community as well as pictures of the type homes we are bringing in. The first home was installed in January of 1997. I currently have a new home sitting on the property awaiting the issuance of a building permit, one due in the week after Thanksgiving, and another due in just after the first of the year. So as you can imagine not being able to pull building permits is putting me under financial strain, having invested in these new homes and not being able to sell them. I did everything I that was requested back in 1996 to get the community approved and I'm asking the planning committee to agree and re-approve the community either thru grandfather clause or waiver so that I can get 911 addresses for the rest of my lots and pull building permits as needed.

Respectfully,



Donald J DeBourge  
Owner  
Key Allegro Villas

Key Allegro Villas Retirement Community  
Fairhope Alabama

Mailing Address · 15877 County Rd 9 · Summerdale, AL 36580 · 251/753-2705

# Baldwin County Parcel Viewer

Find address or place



Navigation Tools

Search Tools

Map Tools

Navigation Tools

Zoom In Zoom Out Full Screen

Layers

- Baldwin County Data
- Baldwin County Contours
- Baldwin County Imagery 2013
- US Topo
- Light Grey Canvas
- Dark Grey Canvas

Legend

Find Address

Search

Print

Google Street View

Go To Coordinate

Markup

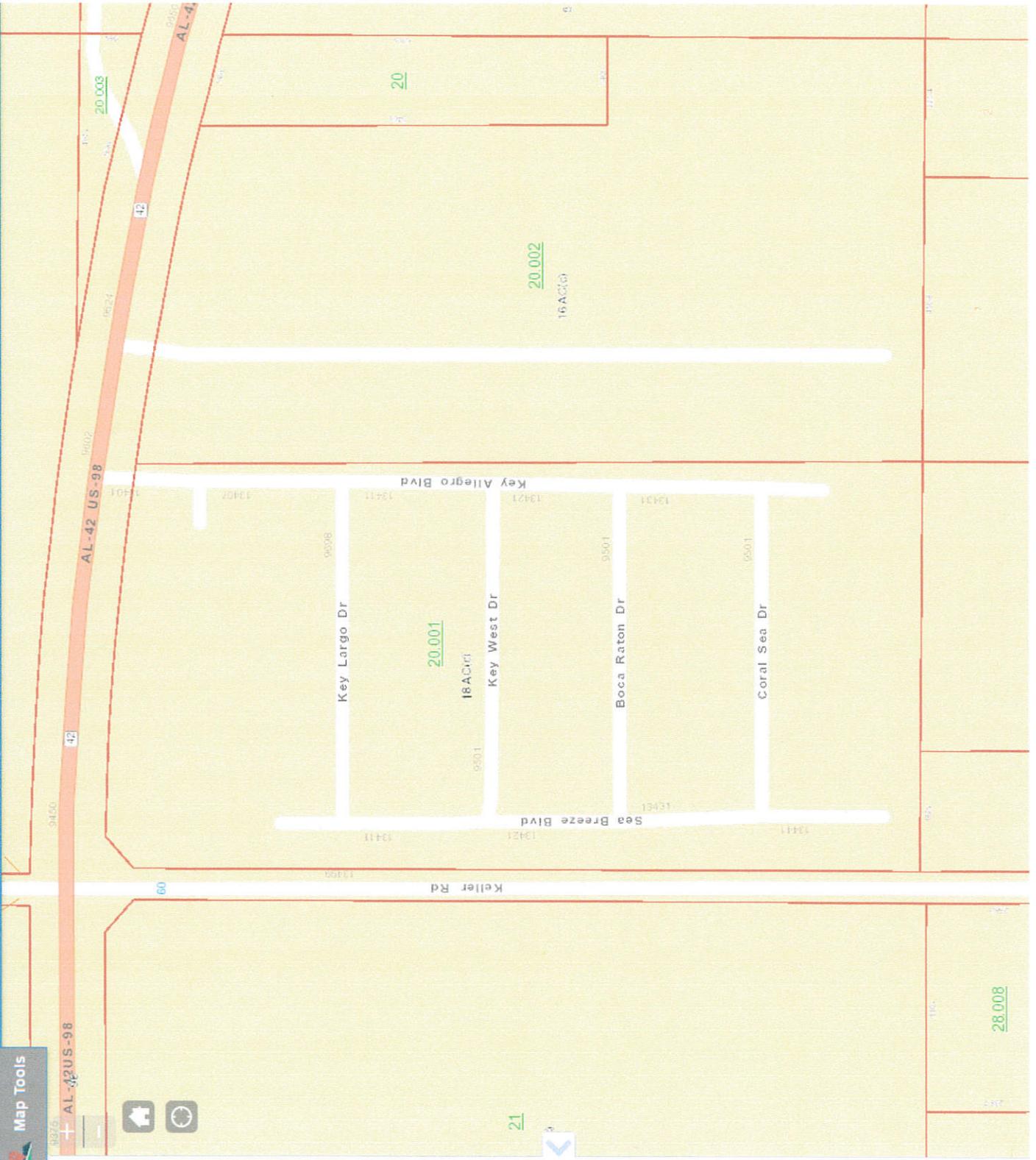


EXHIBIT 1

LIST OF REQUIRED ITEMS TO BE SUBMITTED PRIOR TO ISSUANCE OF A  
BALDWIN COUNTY BUILDING PERMIT

MOBILE HOME/ELECTRICAL PERMIT:

1. 911 Address..
2. Property Tax Map and Parcel Number (off tax bill)
3. Health Department release
4. Name of Utility company.
5. Plot plan

NEW SINGLE FAMILY DWELLING PERMITS: (Non-flood zone areas)

1. 911 Address
2. Property Tax Map and Parcel Number (of
3. Health Department/Sewer Release (which
4. Two (2) complete sets of blueprints
5. Plot plan (includes footprint of propos
6. Survey of property
7. Name of Utility company
8. If in a County zoned district a Land-Us
9. Any other information the department de

Standard 4mH  
PK & RV Park  
Plan Rev. 150<sup>00</sup>

NEW SINGLE FAMILY DWELLING PERMITS: (Flood

1. All of the above documents plus the fol
  - a.) TBM (Temporary Bench Mark)
  - b.) For V-zones a "V-Zone certificatio
  - c.) Prior to a rough-in inspection a "

bldg. 1000 x lot  
elect. \$500 x lot +  
\$5100 ea. transf.  
plbg \$1300 per lot

ADDITIONS, REPAIRS, ALTERATIONS, ETC.:

1. 911 Address
2. Property tax map and parcel number (off tax bill)
3. Health Department release/Sewer release (required for those adding a bedroom and bath)
4. Two (2) complete sets of plans.
5. For those "general remodeling" permits a detailed contract price of renovations etc....
6. Plot plan
7. Name of Utility company
8. Land-Use application (if applicable)
9. Any other information the department deems necessary.

EXHIBIT 2

page 2.

ADEM PERMIT APPLICATIONS: (FOR STRUCTURES BUILT ON BEACH)

1. Six (6) application forms completed
2. Six (6) certified surveys including all (but not limited) to:
  - a) footprint of proposed dwelling with measurements, setbacks etc.
  - b) coastal construction control line with state plane coordinates
  - c) ADEM monuments for both east and west side of property
  - d) Vicinity Map
  - e) Legal description of property
  - f) Two (2) copies of Blueprints
  - g) any other information the department deems necessary
3. \$300.00 application fee (for those not requiring a variance)  
\$500.00 application fee (for those requiring a variance)  
Larger development application fees available upon request

TO OBTAIN A 911 ADDRESS: Have your tax map and parcel number available and call 911 at 947-5911 to obtain address. If you do not have the tax map and parcel number contact the Tax Assessor's office at any of the three courthouses for assistance (911 WILL BE UNABLE TO ASSIGN AN ADDRESS WITHOUT THIS INFORMATION!!!!!!!!!!!!!!!!!!!!)

TO OBTAIN A HEALTH DEPARTMENT RELEASE: Contact the Baldwin County Health Department, 947-3618 or 947-3619 for assistance.

\*\*\*Should the department require additional information on any of the above permit, the applicant shall be responsible for presenting same.

EXHIBIT 2

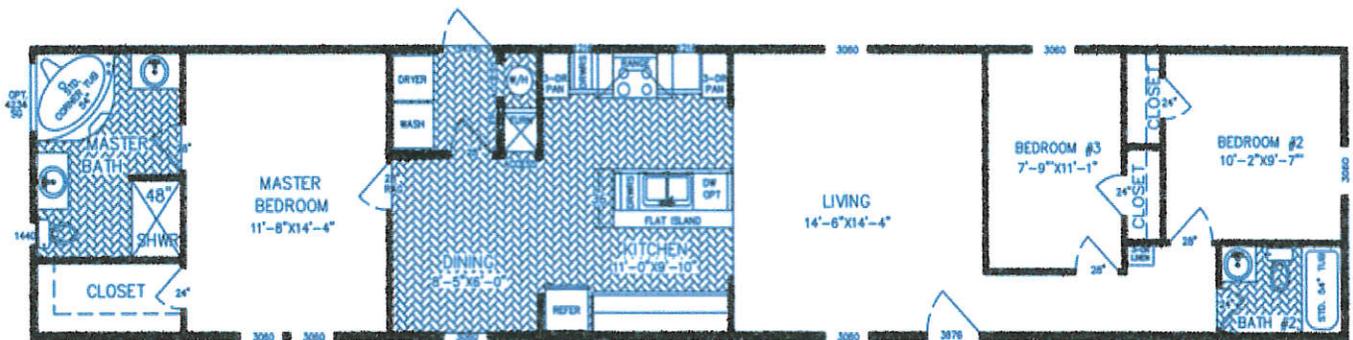
PAGE 2

9553 Key Largo Dr.  
Fairhope, AL 36532

Find and Like us on Facebook  
Just search for Key Allegro Villas  
Lots more pics available

**\$ 59000**

<https://www.facebook.com/Key-Allegro-Villas-146805352040936/?ref=hl>



Brand New 2015 Lexington Homes Cypress model completely setup and decked out in Key Allegro Villas Retirement Community (55+). Covered aluminum carport, 14x24 screened Florida room on the front and a 8x10 covered deck on the back. Tape and textured walls. This is a beautiful home. Call Don to view 251-753-2705

**Don DeBourge**  
Phone: 251-753-2705  
Email: [debourgeproperties@yahoo.com](mailto:debourgeproperties@yahoo.com)

Bedrooms:	3	Last Sold:	New
Bathrooms:	2	Type of Floors:	Vinyl/Carpet
Parking:	Covered	Central Air:	Yes
Home Sq. Ft:	1140	Heat:	Electric

9598 Key Biscayne Dr.  
Fairhope, AL 36532

Find and Like us on Facebook

Just search for Key Allegro Villas

Lots more pics available

<https://www.facebook.com/keyallegrovillas>

**\$ 125000**



Brand New 2016 Norris Homes Marlette model completely setup and decked out in Key Allegro Villas Retirement Community (55+). Aluminum carport (Double Car), 14x28 screened Florida room. Tape and textured walls. Huge Kitchen, Laundry Room, over 1700 Sq Ft. This is a beautiful home. Call Don to view 251-753-2705

**Don DeBourge**

Phone: 251-753-2705

Email: [debourgeproperties@yahoo.com](mailto:debourgeproperties@yahoo.com)

Bedrooms:	3	Last Sold:	New
Bathrooms:	2	Type of Floors:	Vinyl/Carpet
Parking:	Covered	Central Air:	Yes
Home Sq. Ft:	1740	Heat:	Electric

To \_\_\_\_\_

Office of Probate Judge Date 1-13-97

Baldwin County

Bay Minette, Ala.

Received of Donald J. DeBourge

Twenty One and no/100 DOLLARS

For

Bus. Fee

ADRIAN T. JOHNS, Probate Judge

\$ 21.<sup>00</sup>

Mary Grace Spence

Please Sign and Return as Soon as Possible













**BALDWIN COUNTY PLANNING & ZONING COMMISSION  
2017  
MEETING  
AND  
APPLICATION SCHEDULE**

**MEETING LOCATION:** Baldwin County Central Annex  
22251 Palmer St.  
Robertsdale, Al. 36567

**MEETING TIME:** 6:00 p.m.

MEETING DATE	APPLICATION DEADLINE DATE
January 5, 2017	December 6, 2016
February 2, 2017	January 3, 2017
March 2, 2017	January 31, 2017
April 6, 2017	March 7, 2017
May 4, 2017	April 4, 2017
June 1, 2017	May 2, 2017
July 6, 2017	June 6, 2017
August 3, 2017	July 5, 2017
September 7, 2017	August 8, 2017
October 5, 2017	September 5, 2017
November 2, 2017	October 3, 2017
December 7, 2017	November 7, 2017

Approved the \_\_\_\_\_ day of \_\_\_\_\_

Signature of Chairman: \_\_\_\_\_