

ORDINANCE 1037



AN ORDINANCE OF THE CITY COUNCIL OF BAY MINETTE, REGARDING
Case No. Z-23005, Rezoning of the Koestler Property,
AS AUTHORIZED PURSUANT TO SECTION 11-52-1 THROUGH 11-52-85, CODE OF ALABAMA (1975).

WHEREAS, Kevin Koestler, has petitioned the City of Bay Minette to rezone certain property located within the municipal limits along Dickman Road, said property containing approximately 4.70 acres, identified herein and described as follows:

Commencing from a point on the intersection of the Eastern Right-of-Way line of Daphne Road and the North Right-of-Way line Dickman Road, run thence East 261.6 feet along the Northern line of Dickman Road to the POINT OF BEGINNING; continue East along said line 372 feet; thence North 544 feet, more or less; thence West 372 feet; thence South 544 feet, more or less, to the POINT OF BEGINNING. Said parcel located in the City of Bay Minette, Section 21, Township 2 South, Range 3 East, Baldwin County, Alabama and containing 4.70 acres.

Otherwise known as tax parcel number 05-23-05-21-1-000-023.001 (PIN# 83581) as found in the Office of the Revenue Commissioner of Baldwin County, Alabama. Said property further identified as set forth on a map of the property attached hereto and made a part of this Ordinance as Exhibit "A"; and

WHEREAS, the petitioner has requested that property herein identified be rezoned from R-3, Higher Density Single Family Residential District to R-5, Manufactured Home Residential District; and

WHEREAS, the Planning Commission of the City of Bay Minette held a public hearing in a regular meeting on September 14, 2023, and voted to recommend to the City Council approval of the rezoning request from R-3, Higher Density Single Family Residential District to R-5, Manufactured Home Residential District; and

WHEREAS, due notice of said proposed rezoning has been provided to the public as required by and in accordance with Section 11-45-8 of the *Code of Alabama (1975)*, upon 15 or more days' notice of the time, place and purpose of the public hearing, and the City Council held a public hearing on October 2, 2023; and

WHEREAS, the City Council of Bay Minette after due consideration and upon consideration of the recommendation and notes of the Planning Commission, deemed that said application for rezoning of the above described real property and as set forth in Exhibit "A" is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Bay Minette, Alabama;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY MINETTE, ALABAMA, IN REGULAR MEETING ASSEMBLED, AS FOLLOWS:

SECTION I: ZONING.

That above-described real property is hereby rezoned from R-3, Higher Density Single Family Residential District to R-5, Manufactured Home Residential District. Upon adoption and publication as required by law, the properties shall be assigned the zoning district in accordance with the rezoning; and the zoning ordinance and zoning map shall be amended to reflect said zoning.

SECTION II: REPEALER.

Any ordinance or resolution heretofore adopted by the Council which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION IV: EFFECTIVE DATE.

This Ordinance shall be in full force and effect upon its adoption by the City Council of the City of Bay Minette and publication as required by law.

FURTHER, BE IT RESOLVED AND ORDAINED, BY THE CITY COUNCIL OF BAY MINETTE, ALABAMA IN REGULAR MEETING ASSEMBLED, in the interest of public health, safety and welfare of the general public, determined that **Ordinance 1037, Case Z-23005, Rezoning of the Koestler Property, is hereby ADOPTED AND IMPLEMENTED.**

Done this the 16th day of October, 2023.



Robert A. Wills, Mayor
City of Bay Minette, Alabama

ATTEST:


Rita Diedrich, City Clerk

I, the undersigned qualified and acting Clerk of the City of Bay Minette, Alabama, do hereby certify that the above and foregoing is a true copy of an Ordinance lawfully passed and adopted by the Bay Minette City Council, at a regular meeting of such council, held on the 16th day of October, 2023 and that said Ordinance is on file in the office of the Bay Minette City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Bay Minette, on this the 16th day of October, 2023.


Rita Diedrich
City Clerk



Ordinance 1037 - Exhibit "A" Map
Z-23005, Koestler Property Manufactured Home Park
Rezoning from R-3 to R-5 for Zoning Compliance and Temporary
Workforce Housing Development

Z-23005 Site
 PID: 05-23-05-21-1-000-023.001
 PPIN: 83581

	Z-23005 Site Location
	Road Centerlines
	BC Revenue Parcels
	R-A Rural Residential and Agricultural Zone District
	R-1 Low Density Single Family Residential District
	R-2 Medium Density Single Family Residential District
	R-3 Higher Density Single-Family Residential District
	R-4 High Density Multi-Family Residential District
	R-5 Manufactured/Mobile Home Residential District
	B-1 Local Business District
	B-2 General Business District
	B-2 General Business District (Historical District)
	M-1 Light Industrial District
	M-2 General Industrial District
	PUD Planned Unit Development

