



City of Bay Minette

Planning Commission

301 D'Olive Street · Bay Minette, Alabama 36507
Phone (251) 580-1650 · COBM_Planning@cityofbayminetteal.gov

AGENDA

December 12, 2024

Regular Meeting

8:00 a.m.

City Hall Council Chambers
301 D'Olive Street, Bay Minette

- 1.) Call to Order
- 2.) Invocation and Pledge
- 3.) **Announcements & Registration to Address the Commission** *Before the meeting begins, Citizens wishing to speak must be signed in, notate they wish to speak and follow the Procedures for Addressing the Planning Commission.*
- 4.) **Approval of Minutes for the November 14, 2024, Regular Meeting**
- 5.) **Disclosure of Prior Communications and/or Conflicts of Interest**
- 6.) **Old Business**
- 7.) **New Business**
 - a.) **SD-24012, Lot 7&8 of The Pines Minor Subdivision *Public Hearing***
Disclosure of Prior Communications and/or Conflict of Interest
Request: Minor Subdivision of .79± acres for Two (2) Lots in The Pines Subdivision
Location: East side of Marks Avenue, approximately 600ft North of E 12th St. PIN: 67377
 - b.) **Updates & Upcoming Cases**
- 8.) **Reports & Comments**
 - a.) **Mayor/Council/Administration**
 - b.) **Attorney**
 - c.) **Commissioners**
 - d.) **Planning Staff**
 - e.) **Citizen Comments**
- 9.) **Adjournment**

****Next Regular Meeting – January 9, 2025****



Bay Minette Planning Commission Regular Meeting Minutes

Minutes November 14, 2024

Monthly Meeting No. 11

The City of Bay Minette Planning Commission met in Regular Session on Thursday, November 14, 2024. The meeting was called to order at 8:02 a.m. by Chairman Todd Stewart, in the Council Chambers located in Bay Minette City Hall, at 301 D'Olive Street, Bay Minette, Alabama; this being the proper place, date and hour as advertised to hold such meeting.

IN ATTENDANCE

At 8:00 a.m. the following members were present, and a quorum established

Todd Stewart, Chairman
Robert A. "Bob" Wills, Mayor
Rob Madison, Building Official/Commission Member
William Taylor, City Council/Commission Member
Neal Covington, Vice-Chairman
Earl Emmons, Commission Member
Jim Faulkner, Commission Member

Commission Members absent

Ray Clark, Commission Member
Hiram Templeton, Commission Member

Commission Members late

None

Other persons in regular attendance

Lauren Collinsworth, Attorney
Tammy Smith, City Administrator
Clair Dorough, City Planner
Steven Stewart, Fire Inspector
Paula Bonner, Planner Associate
Kristina Pittman, North Baldwin Chamber of Commerce

GUESTS

Ray Long, Representative for Stella Jones Corporation Property Site Plan
John Byrd, Representative for Stella Jones Corporation Property Site Plan
Toronto Brown, Citizen for Higher Ground Ventures, LLC Property Rezoning
Kevin Weaver, Representative for Stella Jones Corporation Property Site Plan
Victoria Taylor, Citizen for Higher Ground Ventures, LLC Property Rezoning
Jason Linder, Representative for Higher Ground Ventures, LLC Property Rezoning
Don Taylor, Citizen for Higher Ground Ventures, LLC Property Rezoning

INVOCATION

Chairman Stewart presented the invocation, followed by the pledge.

ITEM 3.

Announcements/Registration to address the Commission

Mrs. Dorough announced that Rob Madison, the Building Official, had achieved his Certified Building Official Certification.

ITEM 4. Approval of the October 10, 2024, Regular Meeting Minutes
Vice-Chairman Covington requested a correction to Item 9 in the minutes, noting that Chairman Stewart did not adjourn the meeting. After a brief discussion, it was confirmed that Acting Chairman Mayor Wills adjourned the meeting. Mayor Wills made a motion to approve the October minutes as amended. The motion was seconded by Councilman Taylor and carried unanimously.

ITEM 5. Disclosure of Prior Communications and/or Conflicts of Interest
None

ITEM 6. Old Business
None

ITEM 7. New Business

a.) Z-24003, Higher Ground Ventures, LLC Property Rezoning

Mrs. Dorough presented the rezoning request from M-2, General Industrial District to R-3, Higher Density Single Family Residential District for 8.05± acres located at the northeast intersection of Moran Street and East Ellis Street, followed by discussion of:

- A past Site Plan request in 2022 for Honey's Kitchen Event Venue on the property, which was denied due to the condition of the road, the intensity of that use, and drainage concerns.
- The current future land use and proposed future land use maps.
- The existing residential uses and how the proposed R-3 zone would provide a good transition from industrial to residential uses.
- The proposed future four-lot (4-lot) residential subdivision should the rezoning request be approved.
- The minimal impact of the proposed residential use, which would be less intense than the impacts of industrial use.
- Available options for subdivision/development of the subject property if the rezoning is approved.
- The availability of utilities and proposed sizes for the four-lots (4-lots) in the future subdivision should the rezoning request be approved.

Mrs. Dorough reported the Staff Recommendation for Case Z-24003, Higher Ground Ventures, LLC Property Rezoning Request from M-2, General Industrial District to R-3, Higher Density Single Family Residential District is to Recommend Approval to City Council.

Chairman Stewart opened the Public Hearing for Item 7 (a.) Case Z-24003, Higher Ground Ventures, LLC Property Rezoning Request at 8:20 a.m.

Public Comments:

- Don Taylor, a neighboring property owner, expressed his preference for single-family homes on the property and voiced concerns if large developments and stacked houses are built
- Jason Linder, the surveyor/applicant, stated the intention of the project is to have four (4) single-family dwellings on four (4) individual lots.

Chairman Stewart closed the Public Hearing for Item 7 (a.) Case Z-24003, Higher Ground Ventures, LLC Property Rezoning Request at 8:25 a.m.

Mrs. Dorough explained the rezoning, subdivision, and public hearing process to the public, adding that the City Council public hearing for this application is scheduled for December 2, 2024 at 6:00 p.m. in Council Chambers.

Vice-Chairman Covington made a motion to recommend approval to City Council for the Case No. Z-24003 Rezoning Request. The motion was seconded by Councilman Taylor and carried unanimously.

b.) SP-24003, Stella Jones Corporation Property Site Plan

Mrs. Bonner presented the site plan approval request for a metal roof cover over existing chemical tanks/area on 22.34± acres zoned M-2, General Industrial District located at 1101 N US Highway 31, followed by discussion of:

- The purpose of the proposed metal roof cover, which is to further limit potential contamination of storm water on the site.
- The site's existing ADEM Water Division permit.
- The permeable and impervious surface calculations submitted by the applicant's engineer.
- The need for a Hazmat review by the Fire Department during the permitting process.

Mrs. Bonner reported the Staff Recommendation for Case SP-24003, Stella Jones Corporation Property Site Plan Approval Request for a metal roof cover over existing chemical tanks/area be Approved.

Mayor Wills made a motion to Approve Case SP-24003 Site Plan Approval Request. The motion was seconded by Commission Member Emmons and carried unanimously.

c.) Updates & Upcoming Cases

- Proposed Baldwin County Courthouse Renovations / Additions.
- Minor Subdivision Proposal on Marks Avenue Scheduled for December Planning Commission Meeting.
- Update on Proposed Comprehensive Plan Draft.
- Proposed Demolition of buildings on the Square across from the Baldwin County Courthouse.

ITEM 8. Reports

- a.) Mayor/Council Report – Mayor Wills reported on the recent Veteran's Day Ceremony.
- b.) Attorney – None
- c.) Commissioners – None
- d.) Planning Staff – None
- e.) Public Comment – Mrs. Pittman reported on upcoming Chamber events.

ITEM 9. With no further business, Chairman Stewart adjourned the meeting at 8:43 am.

DONE THIS THE 14TH DAY OF NOVEMBER 2024

Chairman, Todd Stewart

ATTEST:

Paula Bonner, Planner Associate

Motion Summary:

Item 4.) Approval of the October 10, 2024, Regular Meeting Minutes:

Mayor Wills made a motion to approve the October minutes as amended. The motion was seconded by Councilman Taylor and carried unanimously.

Item 7.) a.) Z-24003, Higher Ground Ventures, LLC Property Rezoning:

Vice-Chairman Covington made a motion to recommend approval to City Council for the Case No. Z-24003 Rezoning Request. The motion was seconded by Councilman Taylor and carried unanimously.

Item 7.) b.) SP-24003, Stella Jones Corporation Property Site Plan:

Mayor Wills made a motion to Approve Case No. SP-24003 Site Plan Approval Request. The motion was seconded by Commission Member Emmons and carried unanimously.



City of Bay Minette

Planning & Development Services

PLANNING COMMISSION STAFF ANALYSIS

Planning Commission Meeting Date: December 12, 2024

Case Number: SD-24012

APPLICATION SUMMARY

Project Name: Replat of Lots 7 & 8 of The Pines - Miller Property
Property Location: East side of Marks Ave north of E 12th St
Property PID/PPIN: 05-23-02-03-3-000-015.000 // 67377
Property Size: 0.79± acres
Zoning: R-1, Low Density Single Family Residential District

Proposed Action: Preliminary & Final Plat Approval for two-lot (2-lot) Minor Subdivision
Applicant: David Lowery Surveying
Property Owner: Jason and Lisa Miller

Subject Property	Zoning	Existing Land Use
SD-24012	R-1	Vacant / Residential
Adjacent Property	Zoning	Existing Land Use
North	R-1	Vacant / Residential / Timber
South	R-1	Single-Family Residential
East	R-1	Vacant / Residential / Timber
West	R-1	Single-Family Residential

SITE AND REQUEST SYNOPSIS

The subject property consists of approximately 0.79± acres located on the east side of Marks Avenue, north of E 12th Street in The Pines Subdivision. The subject site is zoned R-1, Low Density Single Family Residential District and is surrounded by R-1 zoning with residential uses, with a large vacant 15± acre parcel adjacent to the east and north zoned R-1 containing timber. The Minor Subdivision request is to re-subdivide the existing parcel back into the original two (2) parcels, Lots 7 & 8 of the Pines Subdivision. The proposed subdivision will result in Lot 7 containing approximately 17,122± square feet (0.39± acres), and Lot 8 containing approximately 17,524± square feet (0.40± acres). Both lots are currently vacant.

ZONING DISTRICT

CURRENT ZONING

6.02.02 R-1, Low Density Single Family Residential District. This district is provided to afford opportunity for choice of low density suburban residential environment consisting of single-family homes on large parcels of land.

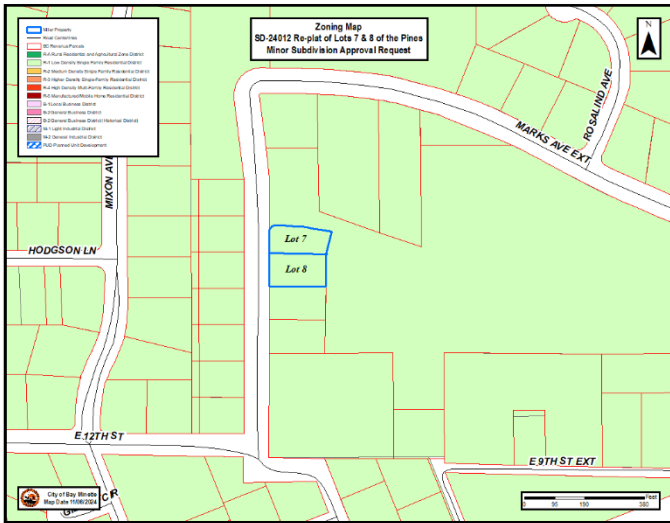
DEPARTMENT AND AGENCY COMMENTS

Bay Minette Public Works – No comments received.
 Bay Minette Police Department – Reported no issues.
 Bay Minette Fire Department – Reported no comments.

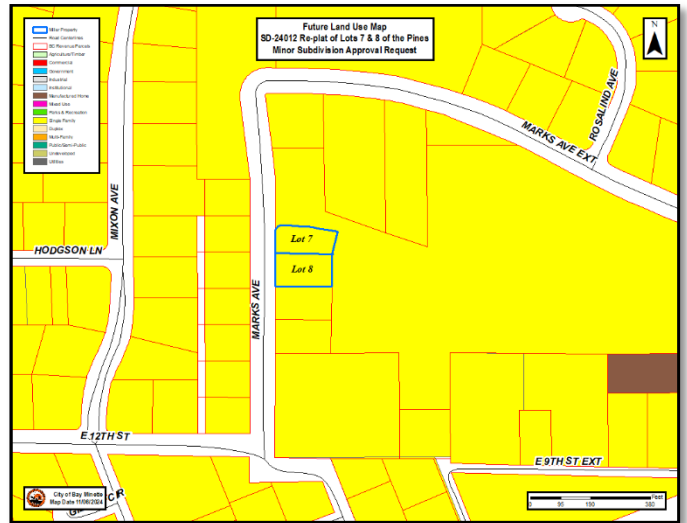
Baldwin County E-911 – No comments received.
 ALDOT – N/A
 North Baldwin Utilities – No comments received

MAPPING

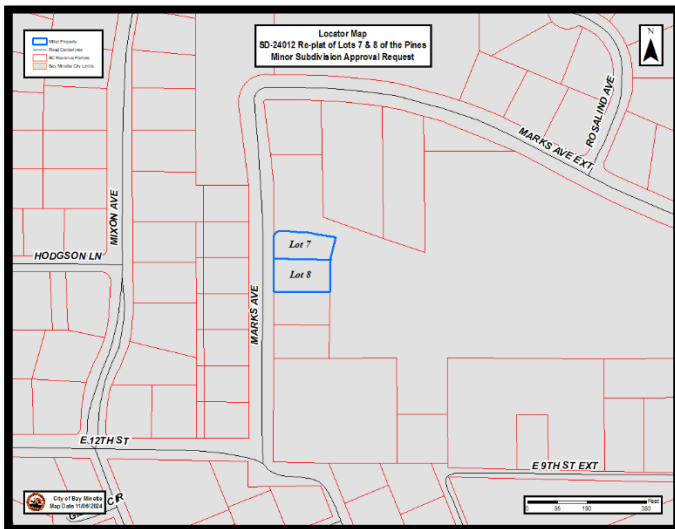
Existing Zoning Map



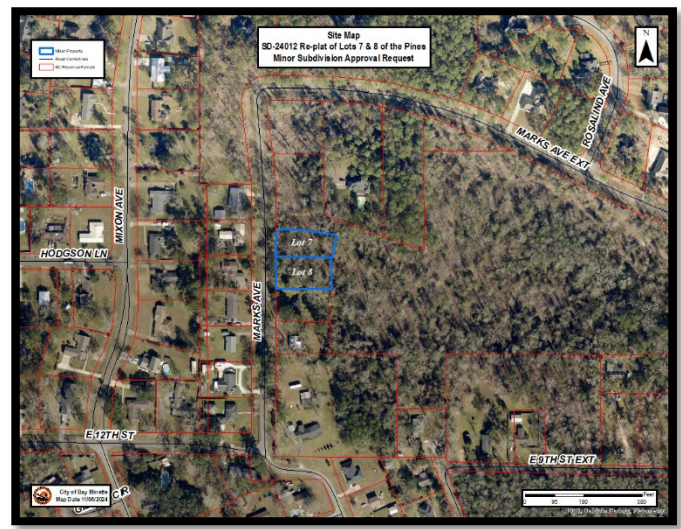
Future Land Use Map



Locator



Site Map



PUBLIC UTILITIES & SITE CONSIDERATIONS

- Public Utility Services:**
- Water:** North Baldwin Utilities (*Service Availability Letter Provided*)
 - Gas:** North Baldwin Utilities (*Service Availability Letter Provided*)
 - Sewer:** North Baldwin Utilities (*Service Availability Letter Provided*)
 - Telephone/Internet:** AT&T (*Service Availability Letter Not Provided*)
 - Electricity:** Alabama Power (*Service Availability Letter Provided*)

Transportation: The proposed two-lot (2-lot) subdivision fronts Marks Avenue, a paved and City-maintained 75-ft right-of-way classified as a local street.

REVIEW STAGE

SECTION 3.03 CLASSIFICATION OF SUBDIVISIONS

3.03.02 Minor Subdivisions. Applications for approval of a Minor Subdivision shall consist of subdivisions that create not more than 4 lots, each lot fronting on an existing, paved public road and does not involve any new street or drainage improvements, the extension of public facilities, nor the creation of any public improvements. Minor Subdivisions do not require Preliminary Plat approval but must receive Final Plat approval. Prior to submitting a plat application for Commission consideration, a Pre-Application Conference is required with City Staff. If staff determines that no street, drainage or other improvements are required and that the proposed subdivision is in conformance with the Comprehensive Plan, Zoning Ordinance and these Regulations, the applicant may then prepare and submit a Final Plat application. If City Staff determines that any improvements are necessary for the proposed subdivision to comply with these Regulations, the proposed subdivision is considered a Major Subdivision subject to review and approval as such.

SECTION 3.16 FINAL PLAT

The purpose of the Final Plat is to provide an accurate record of street and property lines and other elements being established on the land and the conditions of their use. The Final Plat must conform substantially to the approved Preliminary Plat. All inspections and testing must be completed and approved by the Subdivision Official prior to the Final Plat being placed on the agenda for Commission action. A Final Plat may include only that portion of the approved Preliminary Plat, which the Subdivider proposes to record and develop at that time. If it is submitted in portions, each portion must individually conform to all requirements of these Regulations.

No lot may be sold, or utilities extended to, or connected with, any subdivision of land, as defined herein until the Final Plat has been approved by the Planning Commission.

3.16.01 Final approval will be considered only for subdivisions or portions of subdivisions that meet the requirements of 3.14 Construction of Improvements. Or, in the case of Minor Subdivisions which do not involve any new street or drainage improvements, the extension of public facilities, nor the creation of any public improvements, after the required Pre-Application Conference. If qualified, those subdividers shall submit a complete application for Final Plat to the Planning and Development Services Department prior to a regularly scheduled Planning Commission meeting and in accordance with the established Meeting and Application Deadline Schedule.

3.16.04.01 The subdivider shall be responsible for the full installation of all required minimum improvements in the proposed subdivision prior to the submission of a final plat application to the Planning Commission. In lieu of full installation of minimum improvements, after no less than ninety percent (90%) of the minimum improvements have been installed, a developer may issue a financial guarantee with surety to the City ensuring that the remaining minimum improvements shall be completed.

3.16.04.02 One (1) or more of the following may be accepted as a financial guarantee with surety payable to the City of Bay Minette:

- 1. a letter of credit approved by the City Administrator and City Attorney, or*
- 2. a cash deposit to be held by the City, or*
- 3. a certified check from an Alabama lending institution in an amount not to exceed one hundred and fifty percent (150%) of the cost of the required improvements remaining.*

3.16.04.03 A cost estimate for any remaining civil improvements shall be certified and submitted by the design engineer with the application for final plat approval; a cost estimate of any remaining landscaping improvements must be certified and submitted by the professional landscape architect with the application for final plat approval and the financial guarantee.

3.16.06 Planning Commission Action. Presentation to the Planning Commission of Final Plat at a regularly scheduled meeting constitutes formal submission of said plat. At such meeting, the Planning Commission will review the plat and, after a public hearing, have the option to take the following actions:

3.16.06.01 Approve the Final Plat as presented.

3.16.06.02 Disapprove the Final Plat. If the Planning Commission determines that the Final Plat is in conflict with the approved Preliminary Plat or with the Subdivision Regulations, said plat may be disapproved. The reasons for such action shall be stated in the hearing, presented to the subdivider in writing and documented in the records of the Planning Commission. Reference shall be made to the specific section(s) of the regulations with which the Final Plat does not comply. The developer may resubmit the Final Plat application for Planning Commission review after the noted deficiencies have been corrected.

3.16.06.03 Delay Action on the Final Plat. The Planning Commission shall act to approve or disapprove a subdivision plat within thirty (30) calendar days after its formal submission at a regularly scheduled Planning Commission meeting. If the applicant waives this

requirement and consents to an extension, the Planning Commission may defer action on the plat for a period not to exceed an additional thirty (30) calendar days. If no action is taken within the initial 30-day time period, or if there is no action taken within the extension period, such plat shall be deemed to have been approved, and notification to that effect shall be issued by the Planning Commission on request.

3.16.07 Expression of Approval

3.16.07.01 Approval and recordation of the final plat does not constitute the acceptance of any street or other public space shown on the plat. After approval of the Final Plat and the construction of streets, the Commission may recommend to the City Council that it accept the streets and take over their perpetual maintenance. Specific City Council resolution accepting streets and/or other public spaces is required as noted herein.

STAFF ANALYSIS / RECOMMENDATION

The subject property currently consists of one (1) parcel. The proposal is to split the parcel into two (2) parcels fronting on Marks Avenue. The minimum lot width and building line for R-1 zoning is 100'. Both proposed lots meet that requirement with a proposed width of 100.17± for Lot 7 and a proposed width of 100.14± for Lot 8.

The minimum lot area requirement for R-1 zoning is 15,000 square feet. The proposed lots meet that as will with 17,122 proposed square feet for Lot 7, and 17,524 proposed square feet for Lot 8.

The proposed plat does include the required setbacks for R-1, which are 30' in the front, 30' in the rear, and 15' on each side.

A 10' utility easement on lot lines adjacent to Marks Avenue and a 10' utility easement on all side and rear lot lines are required.

8.11 REQUIREMENTS FOR LOT AREA, LOT WIDTH, COVERAGE, DENSITY AND OTHER FACTORS:

The following shall apply in each residential district as listed:

ZONING DISTRICT	DWELLING TYPE	MINIMUM LOT AREA	MINIMUM LOT WIDTH & BUILDING LINE	MAXIMUM LOT COVERAGE*	MAXIMUM DENSITY**
R-1, LOW DENSITY RESIDENTIAL					
	Single Family	15,000 sq. ft.	100 ft.	25%	3.0 units/ac.
R-2, MEDIUM DENSITY RESIDENTIAL					
	Single Family	9,000 sq. ft.	70 ft.	25%	4.0 units/ac.
R-3, HIGHER DENSITY RESIDENTIAL					
	Single Family	7,200 sq. ft.	50 ft.	30%	5.0 units/ac.
	Two Family	10,000 sq. ft.	65 ft.	35%	7.0 units/ac.
R-4, HIGH DENSITY MULTI-FAMILY					
	Single Family	7,200 sq. ft.	50 ft.	30%	5.0 units/ac.
	Two Family	10,000 sq. ft.	65 ft.	35%	7.0 units/ac.
	Multiple Family	7,500 sq. ft.***	65 ft.	35%	14.0 units/ac.

* Does not apply to lots of record smaller than required in the district in which they are located.
 ** Dwelling units per gross acre to be developed.
 *** For one (1) unit plus 2,500 sq. ft. for each additional unit.

8.12 MINIMUM SETBACKS

The following front, rear and side yard setbacks shall apply in districts as listed, except in Planned Unit Development and Innovative Design Residential Developments:

Zoning District	Front Yard		Rear Yard	Side Yard	Corner Lot Side Yard	
	Arterial & Collector Streets	Local Streets & Service Roads			Arterial & Collector Streets	Local Streets & Service Roads
R-1, Low Density Single Family Residential	30	30	30	15	30	25
R-2, Medium Density Single Family Residential	30	25	30	10	30	20
R-3, Higher Density Single Family Residential	30	25	30	a	30	20
R-4, High Density Multi-Family Residential	30	25	30	a	30	30
R-5, Manufactured Home Residential	**See Article 9, Section 9.01**					
B-1, Local Business	30	20	b	b	20	10
B-2, General Business	30	20	b	b	30	25
DHB, Downtown Historic Business Overlay Zone	d	d	d	d	d	d
M-1, Light Industrial	50	30	c	c	50	30
M-2, General Industrial	50	30	c	c	50	30

- a Ten (10) feet plus two (2) additional feet for each floor above two (2) stories, but not exceeding twenty (20) feet; and when dwelling unit faces side yard, the dwelling unit must not be less than twenty-five (25) feet from the side lot line.
- b None, except it will be five (5) feet if abutting an alley, and when abutting a residential district, it shall be not less than twenty (20) feet.
- c None, except it will be five (5) feet if abutting an alley; and when abutting a residential district, it shall be not less than fifty (50) feet.
- d The building setback lines in the DHB District Overlay Zone shall be similar and consistent with what is existing on the same street within the same block of the proposed building.

STAFF RECOMMENDATION

Based on the information submitted by the applicant, City Staff input and the analysis above, staff recommends that the Planning Commission Approve Case SD-24012, Replat of Lots 7 & 8, The Pines Minor Subdivision

STANDARDS OF APPROVAL / PLANNING COMMISSION ACTION

SECTION 3.05 STANDARDS OF APPROVAL

The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:

3.05.01 The proposed subdivision is not consistent with these Regulations;

3.05.02 The proposed subdivision is not consistent with the City's Comprehensive Plan, Zoning Ordinance and/or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Transportation Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or a Capital Improvements Program, where applicable;

3.05.03 The proposed subdivision is not consistent with other applicable Federal, State or County laws and regulations; or

3.05.04 Notwithstanding that the proposed subdivision may satisfy the technical, objective provisions of these Regulations, the Commission has discretion to deny a subdivision if there is any articulable, rational basis for a determination that the proposed subdivision otherwise endangers the health, safety, or welfare of persons or property.

The applicant has requested Minor Subdivision Final Plat approval. Minor Subdivisions do not require Preliminary Plat approval but must receive Final Plat approval. For Final Plat applications, the Planning Commission makes the final decision based on the Standards of Approval and has the option to:

- Approve the Final Plat as presented
- Deny the Final Plat, reasons for denial and referencing the specific section(s) with which the plat does not comply
- Delay action on the Final Plat due to lack of information

3.16.06.03 Delay Action on the Final Plat.

The Planning Commission shall act to approve or disapprove a subdivision plat within thirty (30) calendar days after its formal submission at a regularly scheduled Planning Commission meeting. If the applicant waives this requirement and consents to an extension, the Planning Commission may defer action on the plat for a period not to exceed an additional thirty (30) calendar days. If no action is taken within the initial 30-day time period, or if there is no action taken within the extension period, such plat shall be deemed to have been approved, and notification to that effect shall be issued by the Planning Commission on request.



City of Bay Minette

Subdivision Plat Application

301 D'Olive Street · Bay Minette, Alabama 36507
Phone (251) 580-1650 · COBM_Planning@cityofbayminetteal.gov

<i>Office Use Only</i>	
Case Number: SD-	_____
App Submittal Date:	_____
PC Meeting Date:	_____

Print or Type your responses below and attach additional pages as necessary. If an item is not applicable, mark "X" or "N/A" where appropriate.

APPLICATION TYPE

Exempt Pre-App Conference Sketch Plat Final - Minor Preliminary - Major Final - Major Master Plan

Pre-Application Conference Preferred Dates/Times: _____

PROJECT CONTACTS

Owner Name: Jason and Lisa Miller Phone: 251-406-2141

Developer: same Phone: same

Authorized Agent/Application Contact: David Lowery

Phone: 251-937-2757 Email: dlsurvey25@hotmail.com

Mailing Address: po box 995 Bay Minette Al 36507

Surveyor Name: David Lowery APLS Lic#: 26623

Surveying Firm Name: David Lowery Surveying LLC City Business Lic#: _____

Phone: 251-937-2757 Email: dlsurvey25@hotmail.com

Engineer Name: na Registration #: _____

Engineering Firm Name: _____ City Business Lic#: _____

Phone: _____ Email: _____

SITE INFORMATION

Subdivision Type: Single Family Two-Family Multi-Family Commercial Industrial Mixed-Use

Subdivision Name: Re-plat of Lots 7&8 of The Pines

Location: Marks Ave in Bay Minette

Section: 3 Township: 2S Range: 3E Instrument# or Slide# of Existing Recorded Plat: mb 6 pg 148

Parcel ID/PPIN(s): 67377

Total Acreage: 0.79 Total # Lots: 2 Average Lot Size (sq ft) : 0.40

Required Number of Certified Letters: _____ Adjacent Property Owner/Leaseholder Information Attached: Yes No

UTILITY PROVIDERS

Water: NBU Sewer: NBU

Power: Alabama Power Gas: na

Telephone: na Internet: na

ACCESS

Roadway Name: marks Ave Total Frontage (linear feet): 178.5'

Roadway Access Authority: City Baldwin County Highway Dept Alabama Dept of Transportation (ALDOT)

SUBMITTAL DOCUMENTATION

- Legal Description Attached: Yes No
- Recorded Warranty Deed(s) Attached: Yes No
- Access Authority Approval Attached Yes No
- Service Availability Letters Attached: Yes No
- Requesting Waivers: Yes No
- List and Description of Requested Waivers Attached: Yes No
- Covenants or Deed Restrictions: Yes No
- Copy of Covenants or Restrictions Attached: Yes No

Refer to the Subdivision Regulations for full submittal requirements and specifications. All plans and application materials are due by the application deadline date. Partial applications will not be processed. Submittal of incomplete applications may delay application review.

Application is hereby made for approval of the subdivision as described herein and shown in accompanying plans and documentation. The signature below constitutes acknowledgement that all information submitted is true and accurate and that the documentation noted above has been submitted. Further, it is hereby certified that the adjacent property owner list included with this application was obtained from the current records available from the Baldwin County Revenue Commissioner's Office and is a complete and accurate list of all property owners/leaseholders adjacent to the property submitted for subdivision approval. It is understood and agreed by this applicant that any error, misstatement or misrepresentation of material fact or expression of material fact, either with or without intention on the part of this applicant, such as might, or would, operate to cause a refusal of this application, or any material alteration or change in the accompanying plans without the approval of the City Planner and/or Planning Commission, shall constitute sufficient grounds for the revocation of such approval.

Signature of Applicant/Authorized Agent:  Date: 9-2-24

INTERNAL USE ONLY

<p>FEES & PAYMENT DETAILS</p> <p>Application Fee: \$ _____</p> <p>Total # of Lots _____ x \$10 = \$ _____</p> <p>Total # Certified Letters: _____ x \$10 = \$ _____</p> <p>TOTAL DUE \$ _____</p> <p><input type="checkbox"/> Cash <input type="checkbox"/> Card* 3.99% Fee</p> <p><input type="checkbox"/> Check #: _____</p> <p>Date Paid: _____</p>	<p>Zoning: _____ FEMA: _____ Potential Wetlands <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Printed Set <input type="checkbox"/> Yes <input type="checkbox"/> No PDF Plat <input type="checkbox"/> Yes <input type="checkbox"/> No Digital .SHP or .DWG <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Owner Permission <input type="checkbox"/> Deed <input type="checkbox"/> Legal Description <input type="checkbox"/> Adjacent Property List</p> <p><input type="checkbox"/> Service Availability <input type="checkbox"/> Access <input type="checkbox"/> Waiver <input type="checkbox"/> Covenants</p> <p>Completeness Review Date: _____ <input type="checkbox"/> Complete <input type="checkbox"/> Incomplete</p> <p>Deficiencies: _____</p> <p>_____</p> <p>_____</p> <p>PC Meeting Date: _____ Public Notice Deadline Date: _____</p>
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City of Bay Minette Agent Authorization Form

Office Use Only
Case No.: _____

I/We hereby appoint and designate David Lowery ("Agent") to act as my/our-agent in all matters concerning this application/permit which relates to property described as tax parcel PPIN# 05-23-02-03-3-000-015,000. I/We understand that the scope of the agency designation granted herein is general in nature and includes, without limitation, all decision-making authority relating to submittals, status, conditions, or withdrawal of this application/permit. To the fullest extent permitted under Alabama law, I/we release and agree to hold the City of Bay Minette harmless from and against any liability resulting from acts or omissions of our Agent. I/We warrant and certify to the City of Bay Minette that I/we are the owner(s) of the real property identified herein, and that I/we have fully authority to make the agency designation herein. I/We further certify that the information stated on and submitted with this application/permit is true and correct. I also understand that the submittal of incorrect information will result in the revocation of this application/permit and any work performed will be at the risk of the applicant. I understand further that any changes which vary from the approved plans will result in the requirement of a new application/permit.

*NOTE: All correspondence will be sent to the authorized Agent. It will be the Agent's responsibility to keep the owner(s) adequately informed as to the status of the application.

PROPERTY OWNER(S)

Name(s) - Printed Jason M and Lisa J Miller

Mailing Address 1303 Rosalind Ave

City/State Bay Minette, AL 36507

Phone 251-406-2141 Email jasonlisamiller@bellsouth.net

Signature(s) Jason M Miller Lisa J Miller Date 2/28/24

AUTHORIZED AGENT

Name(s) - Printed David Lowery

Mailing Address Po Box 995

City/State Bay Minette, AL 36507

Phone 251-937-2757 Email dlsurvey25@hotmail.com

Signature(s) [Signature] Date 9-1-24

Parcel 2:

From the Southwest corner of the Southwest Quarter of Section 3, Township 2 South, Range 3 East, Baldwin County, Alabama, run thence East 396 feet to a point; run thence North 150 feet for a point of beginning; continue North 180 feet to a point; run thence West 218 feet to a point; run thence North 305 feet to a point; run thence Northeast 171 feet to a point; run thence Northwest 150 feet to a point; run thence Southwest 40 feet, more or less, to the East right-of-way of Marks Avenue; run thence Northerly along the Eastern right-of-way of Marks Avenue 279 feet to a point; run thence East 160 feet to a point; run thence South 218 feet to a point; run thence Southeast 343 feet to a point; run thence North 323 feet to a point; run thence East 280 feet to the South right-of-way of Marks Avenue; run thence Southeastwardly along the South right-of-way of Marks Avenue 620 feet to a point; run thence South 414 feet to a point; run thence West 764 feet to a point; run thence South 184 feet to a point; run thence West 160 feet to the point of beginning, containing 15 acres, more or less, and located in the Southwest Quarter of Section 3, Township 2 South, Range 3 East, Baldwin County, Alabama.

Parcel 3:

Lots of 7 and 8, The Pines, according to the map or plat thereof recorded in Map Book 6, Page 148 in the Office of the Judge of Probate of Baldwin County, Alabama.

Parcel 4:

Commence at the Southwest corner of the Southwest Quarter of Section 3, Township 2 South, Range 3 East, Baldwin County, Alabama, run thence East 40 feet to a point; run thence North 1,170 feet, more or less, to the South right-of-way of Marks Avenue; run thence Southeastwardly along the South right-of-way of Marks Avenue 500 feet for a point of beginning; continue thence Southeastwardly 305 feet to a point; run thence West 280 feet to a point; run thence North 112 feet, more or less, to the point of beginning.

Parcel 5:

That part of the Southeast Quarter of the Southwest Quarter of Section 3, Township 2 South, Range 3 East, lying South of the South right-of-way of Marks Avenue, LESS AND EXCEPT the following described property: Begin at the Southwest corner of the said Southeast Quarter of the Southwest Quarter of Section 3, Township 2 South, Range 3 East, and run North 3.5 yards; run thence East 840 yards; run thence South 315 yards; run thence West 840 yards to the point of beginning.

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. Oil, Gas and Minerals Conveyances in Instrument Number 559347 and Instrument Number 559348 (All).
2. Oil, Gas and Minerals Reservation in Instrument Number 679188 (Parcels 1, 2, 4 & 5).
3. Building setback lines, drainage and utility easements, terms, conditions and restrictions as set out on recorded plat of said subdivision in Map Book 6, Page 148 (Parcel 3).
4. Easement in Alabama Power Company in Deed Book 75, Page 173 and Deed Book 174, Page 175.

5. A Non-Exclusive easement for utilities 10 feet wide as contained in Deed recorded in Real Property Book 568, Page 349 and rights of others thereto.
6. Right of Way in Baldwin County in Deed Book 282, Page 411.
7. No mobile homes shall be permitted on the subject property.
8. There shall be a 1400 square foot minimum for any residential construction on the subject property and include at least a one-car garage. The recording references refer to the records in the Office of the Judge of Probate of Baldwin County, Alabama, unless otherwise indicated.

GRANTOR, DAVID E. LINDSEY, HEREBY AFFIRMS THAT THE SAID PROPERTY IS NOT HIS HOMESTEAD NOR THAT OF HIS SPOUSE.

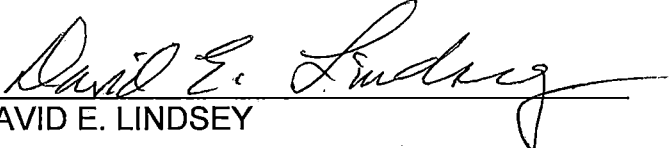
TOGETHER WITH ALL AND SINGULAR, the rights, members, privileges and appurtenances thereunto belonging or in anywise appertaining;

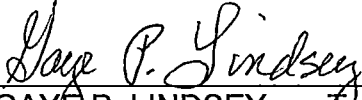
TO HAVE AND TO HOLD unto the said JASON M. MILLER and LISA J. MILLER, during their joint lives and upon the death of either of them, then to the survivor of them in fee simple and to the heirs and assigns of such survivor, forever.


This conveyance is made subject to restrictive covenants, easements and reservations, if any, applicable to said property of record in the Probate Court records of Baldwin County, Alabama.

The parties of the first part for themselves, their successors and assigns, hereby covenant and warrant to and with the said parties of the second part, their heirs and assigns, that they are seized of an indefeasible estate in and to the said property; that they have a good right to convey the same as herein contained; that they will guarantee the peaceable possession thereof; that the said property is free from all liens and encumbrances, and that they will, and their successors and assigns will forever warrant and defend the same unto the said parties of the second part, their heirs and assigns, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and affixed their seals on this the day and year first above written.


 DAVID E. LINDSEY


 GAYE P. LINDSEY, as Trustee of the
 Gaye P. Lindsey Trust dated August 2, 1999


 DONALD R. LINDSEY, as Trustee of The
 Revocable Living Trust Agreement of Donald
 R. Lindsey dated December 29, 1995

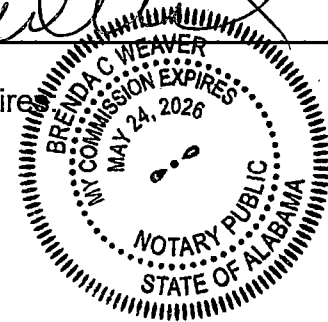
STATE OF ALABAMA

COUNTY OF BALDWIN

I, the undersigned authority, a Notary Public, within and for said County and State, hereby certify that DAVID E. LINDSEY, whose name is signed to the foregoing conveyance and who is known to me acknowledged before me on this day that, being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 13th day of June, 2022.


NOTARY PUBLIC
My Commission Expires:



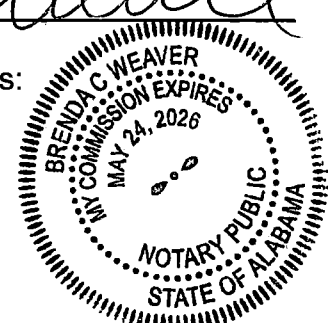
STATE OF ALABAMA

COUNTY OF BALDWIN

I, the undersigned authority, a Notary Public, within and for said County and State, hereby certify that GAYE P. LINDSEY, whose name as Trustee of the Gaye P. Lindsey Trust dated August 2, 1999, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, she, as such Trustee and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said Trust.

Given under my hand and seal on this the 13th day of June, 2022.


NOTARY PUBLIC
My Commission Expires:

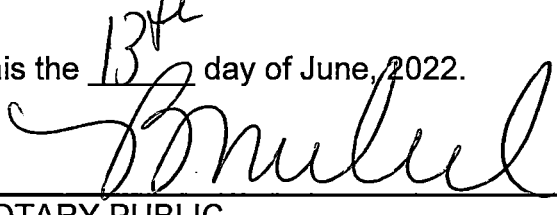


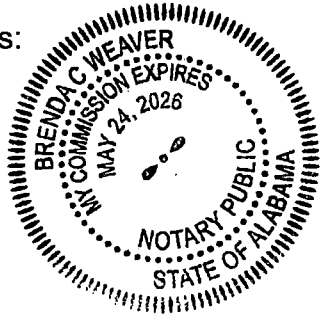
STATE OF ALABAMA

COUNTY OF BALDWIN

I, the undersigned authority, a Notary Public, within and for said County and State, hereby certify that DONALD R. LINDSEY, whose name as Trustee of The Revocable Living Trust Agreement of Donald R. Lindsey dated December 29, 1995, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he, as such Trustee and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said Trust.

Given under my hand and seal on this the 13th day of June, 2022.


NOTARY PUBLIC
My Commission Expires:



THIS INSTRUMENT PREPARED BY:
L. D. OWEN, III
Attorney at Law
135 Hand Avenue
Bay Minette, Alabama 36507

600 D'Olive St.

Bay Minette Al, 36507

1-251-694-2584

09/06/24

Miller Plat

Bay Minette Al. 36507

David Lowery Surveying,

This is to confirm that Alabama Power Company will provide permanent electric service to the proposed development located at 05-23-02-03-3-000-015.000. Customer participation in the form of aid-to-construction costs and/or installation of underground duct systems may be required.

The ability of Alabama Power to provide this service is contingent upon obtaining all necessary rights-of-way from appropriate landowners. As plans are finalized for each portion of the project, please provide site plans and expected electrical load requirements in order that our Engineering Department can begin the design of the system.

All plans and inquiries regarding service to the commercial and residential developments should be forwarded to:

Thomas E. Sheffield Jr.

Alabama Power Company

Bay Minette Al. / Engineering Dept.

600 D'Olive St.

Bay Minette Al., 36507

Should you have any questions, please feel free to contact this office.

Sincerely,

Alabama Power

Thomas E. Sheffield Jr.

Distribution Specialist Sr.

Engineering

1-251-694-2584



NORTH BALDWIN UTILITIES

25 Hand Ave | Bay Minette, AL 36507
251.937.0345 fax | 251.580.1626 phone
www.northbaldwinutilities.com

PROVIDING QUALITY SERVICES SINCE 1945 - NATURAL GAS • WATER • WASTEWATER

September 5, 2024

David Lowery Surveying, L.L.C.
Attn: David Lowery
55284 Martin Lane
Stockton, AL 36579
dlsurvey25@hotmail.com

Re: The Pines - Residential Subdivision
Marks Ave. Bay Minette, AL 36507
Lots 7 & 8
Parcel #: 05-23-02-03-3-000-015.000
PIN: 67377

Dear David,

At your request, this letter is to confirm that the above referenced development is in North Baldwin Utilities' service territory for water, wastewater and natural gas. We have received a copy of the preliminary plat map for The Pines Subdivision.

North Baldwin Utilities (NBU) is willing and able to provide water, wastewater and natural gas service to the above referenced location, subject to the applicant paying all fees required for this service.

All new or modified utility infrastructure shall be in accordance with NBU specifications. The developer shall coordinate with NBU throughout the planning, design and construction of the development to ensure conformity with NBU protocols and requirements.

I am available to further discuss your project and welcome any inquiries regarding NBU services and requirements regarding this development.

Sincerely,

Jeffrey L. Donald
Chief Operations Officer

JLD/alr

REPLAT OF LOTS 7 & 8, THE PINES

NOTES

- All bearings shown hereon are relative to GRID NORTH, GRID NORTH was obtained by G.P.S. observations.
- Corner monuments shown as set iron pins are 5/8" reinforcing bars with a diameter of 1/2" and a length of 12".
- Only Select Fixed Interior Improvements shown hereon.
- This survey was prepared for the client shown and is not to be used for any other purpose without prior approval from the surveyor.
- No monuments of record reflecting easements, right of ways, and/or ownership were furnished the surveyor, except as shown or noted.
- No underground installations or improvements have been located, except as shown or noted.
- This survey was prepared without the benefit of an abstract of title or a title search unless stated herein. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract, title search, or legal judgment rendered on one property.
- Liability of the undersigned for the survey shown shall not exceed the amount paid for the survey.

CERTIFICATE OF APPROVAL BY THE CITY OF BAY MINETTE PLANNING COMMISSION CHAIRMAN

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE MAP WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA. THIS DAY OF _____, 20____.

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY E-911 BOARD

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN COUNTY E-911 BOARD, HEREBY APPROVES THE ROAD NAMES AS DEPICTED ON THE MAP WITHIN PLAT AND HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA. THIS DAY OF _____, 20____.

CERTIFICATE OF APPROVAL BY ALABAMA POWER POWERS

THE UNDERSIGNED, AS AUTHORIZED BY ALABAMA POWER, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA. THIS DAY OF _____, 20____.

CERTIFICATE OF APPROVAL BY NORTH BALDWIN UTILITIES

THE UNDERSIGNED, AS AUTHORIZED BY NORTH BALDWIN UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA. THIS DAY OF _____, 20____.

PHYSICAL ADDRESS:
O MARKS AVE
BAY MINETTE AL 36507

BUILDING SETBACKS:

FRONT: 30'
REAR: 30'
SIDE: 15'

PARCEL IS ZONED: R-1

SITE DATA:

SMALLEST LOT: 0.38 Acres
LARGEST LOT: 0.40 Acres
TOTAL # OF LOTS: 9
TOTAL AREA: 0.79 Acres
LINEAR FT. STREETS: 0
Parcel ID: 67377

OWNER & DEVELOPER

JASON M MILLER
LISA J MILLER
1303 ROSALIND AVE
BAY MINETTE, AL 36507

SURVEYOR

DAVID LOWERY SURVEYING LLC
55284 MARTIN LN.
STOCKTON, AL 36579
DAVID LOWERY, PLS. LIC. NO 26623

NOTE:
THERE IS A DEDICATED HEREWITH A 10 FOOT UTILITY EASEMENT ON ALL LOT LINES ADJACENT TO THE R-O-W AND A 10 FOOT UTILITY EASEMENT ON ALL SIDE AND REAR LOT LINES UNLESS OTHERWISE NOTED.

All lots shall comply with applicable utility and fire protection requirements, including without limitation, the Zoning Ordinance of the City of Bay Minette, the Subdivision Regulations of the City of Bay Minette, and the 2011 International Residential Code and 2021 International Fire Code, as adopted by the City of Bay Minette. No lot shall be eligible for a certificate of occupancy until all utility and fire protection requirements have been satisfied in connection therewith.

FINAL PLAT PREPARED FOR

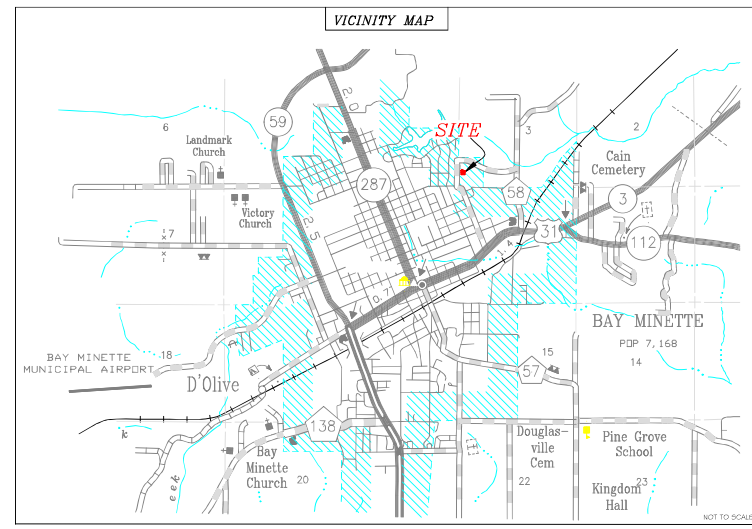
JASON AND LISA MILLER BAY MINETTE, AL

DAVID LOWERY SURVEYING, L.L.C.
55284 MARTIN LN.
STOCKTON, AL 36579
251-937-2757 ph, 251-937-2756 fax
dlsurvey25@hotmail.com

DATE: 08/12/2024 SCALE: 1"=20'
DRAWN BY: K. TALMAN CHECKED BY: D. LOWERY

LEGEND AND SYMBOLS

- (*) RECORD BEARING/DISTANCE
- OE OVERHEAD ELECTRIC
- SET IRON PIN
- FOUND IRON PIN
- △ PIN NOT SET
- P.O.C. POINT OF COMMENCEMENT
- P.G.B. POINT OF BEGINNING
- NOT TO SCALE
- FENCE
- FENCE CORNER POST
- CONCRETE MONUMENT



CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

I, JASON M MILLER, HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT, AND PLATTED TO BE KNOWN AS REPLAT OF LOTS 7 & 8, THE PINES, A PART OF SECTION 5, T-2-S, R-3-E, BALDWIN COUNTY, AL, AND THAT THE STREETS SHOWN HEREON ARE HEREBY NOT DEDICATED TO THE USE OF THE PUBLIC.

DATED THIS THE _____ DAY OF _____, 2024.

JASON M MILLER, OWNER

CERTIFICATE OF NOTARY PUBLIC

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN SAID STATE, HEREBY CERTIFY THAT JASON M MILLER, WHOSE NAME AS OWNER, IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, HE, AS OWNER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE _____ DAY OF _____, 20____.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

I, LISA J MILLER, HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT, AND PLATTED TO BE KNOWN AS REPLAT OF LOTS 7 & 8, THE PINES, A PART OF SECTION 5, T-2-S, R-3-E, BALDWIN COUNTY, AL, AND THAT THE STREETS SHOWN HEREON ARE HEREBY NOT DEDICATED TO THE USE OF THE PUBLIC.

DATED THIS THE _____ DAY OF _____, 2024.

LISA J MILLER, OWNER

CERTIFICATE OF NOTARY PUBLIC

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN SAID STATE, HEREBY CERTIFY THAT LISA J MILLER, WHOSE NAME AS OWNER, IS SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, HE, AS OWNER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE _____ DAY OF _____, 20____.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF PROPERTY

STATE OF ALABAMA
COUNTY OF BALDWIN

I, David Lowery, a licensed Surveyor of Baldwin County, Alabama, hereby certify that I have surveyed the property of JASON AND LISA MILLER, owners, situated in Baldwin County, Alabama and described as follows:

LOT 7 AND LOT 8 OF THE PINES AS SHOWN IN MAP BOOK 6, ON PAGE 148, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE FOR BALDWIN COUNTY, AL

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, length, width and names of the streets, said map further shows the relation of the lot so platred to the Government Survey, and that permanent monuments have been placed at points marked thus (o) as hereon shown. I further certify that all parts of this survey and drawing have been completed in accordance with the requirements of the Standards of Practice of land surveying in the State of Alabama to the best of my knowledge, information, and belief.

WITNESS my hand this the _____ day of _____, 2024.

Surveyor

Alabama License # 26623

LOT 6

Parcel Number: 05-23-02-04-4-000-084.000
PIN: 4629
Owner Name: ALLEN, KELLY S
Address: 1213 MARKS AVE
City: BAY MINETTE
State: AL
Zip: 36507

LOT 5

Parcel Number: 05-23-02-04-4-000-083.000
PIN: 6378
Owner Name: SUTTON-YOUNG, TINA LOUISE ETVX
YOUNG, J AND EFREY ALLEN
Address: 14171 HOLLAND PLACE
City: BAY MINETTE
State: AL
Zip: 36507

LOT 4

Parcel Number: 05-23-02-04-4-000-082.000
PIN: 9180
Owner Name: MAY, GREGORY S ETUX CHARLOTTE L
Address: 1109 MARKS AVE
City: BAY MINETTE
State: AL
Zip: 36507

LOT 3

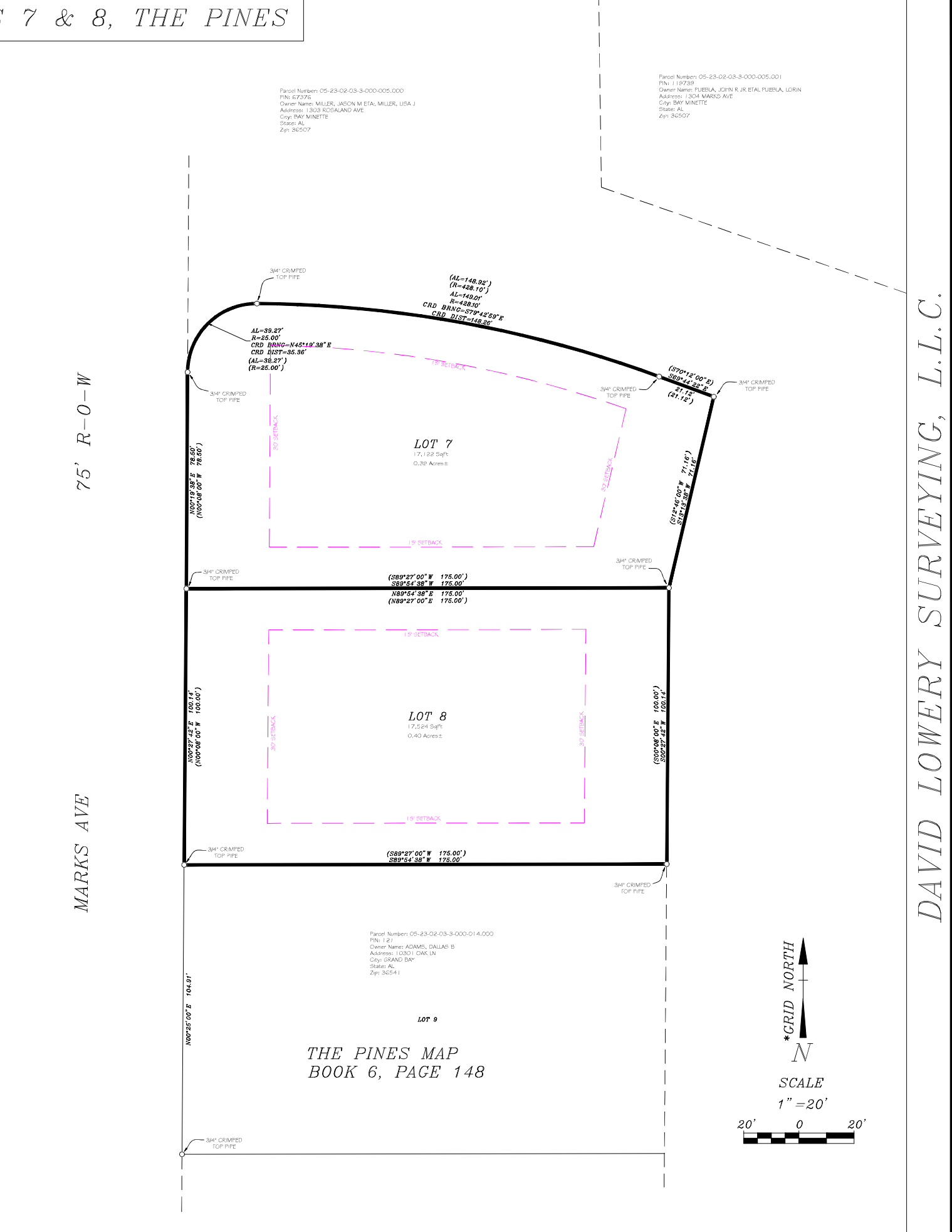
Parcel Number: 05-23-02-03-3-000-005.000
PIN: 67376
Owner Name: MILLER, JASON M ETAL; MILLER, LISA J
Address: 1303 ROSALIND AVE
City: BAY MINETTE
State: AL
Zip: 36507

LOT 2

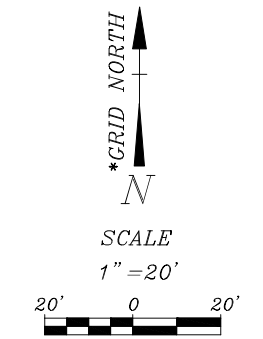
Parcel Number: 05-23-02-03-3-000-005.001
PIN: 118738
Owner Name: FUELLA, JOHN R JR ETAL; FUELLA, LORIN
Address: 1304 MARKS AVE
City: BAY MINETTE
State: AL
Zip: 36507

LOT 1

Parcel Number: 05-23-02-03-3-000-005.001
PIN: 118738
Owner Name: FUELLA, JOHN R JR ETAL; FUELLA, LORIN
Address: 1304 MARKS AVE
City: BAY MINETTE
State: AL
Zip: 36507



75' R-O-W
MARKS AVE



THE PINES MAP
BOOK 6, PAGE 148

DAVID LOWERY SURVEYING, L.L.C.