

**Bay Minette Planning Commission Agenda  
Conference Room at City Hall**

**June 8, 2017**

**8:00 a.m.**

1. Called to Order
2. Invocation and Pledge
3. Approval of Minutes for May 11, 2017 Regular Meeting
4. Old Business:
  - Public Hearing on Final Amendment for Accessory Buildings
5. New Business:
  - Public Hearing for the Fail Family Subdivision located at 10221 Green Jordan Road
  - Public Hearing for the Re-zoning of Property located at 201 Dickman Road from R-3 to Commercial
6. Reports:
  - A. Mayor/Council
  - B. Attorney
  - C. Commissioner's Comments
7. Adjourn

## Bay Minette Planning Commission Regular Meeting Minutes

Minutes May 11, 2017

Monthly Meeting No. 5

The Bay Minette Planning Commission met in Regular Session on Thursday, May 11, 2017. The meeting was called to order by Chairman Stewart at 8:00 a.m., in the Conference Room located in Bay Minette City Hall, in 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:

Todd Stewart, Chairman  
Ed Pepperman, Vice-Chairman  
John Biggs, Councilmember  
Oscar Waters, Building Official  
Clair Dorough, Commission Member  
Scotty Langham, Commission Member  
David Diehl, Commission Member

Absentee:

Robert A. "Bob" Wills, Mayor  
Dollie Mims, Commission Member

Other person in regular attendance:

Scotty Lewis, Attorney  
Rita Diedtrich, City Clerk  
Jessica Peed, Public Works Coordinator  
Steven Stewart, Fire Inspector  
Leslie Johnston, SARPC

**GUESTS** Guest present:

No guest present.

**INVOCATION** Chairman Stewart gave the invocation and followed by the pledge.  
Chairman Stewart welcomed everyone to the meeting.

**ITEM 3.** Approval of Minutes of the April 13, 2017 Regular Meeting. After discussion concerning Item 6 in the minutes; Commission Member Pepperman moved to

approve the minutes. The motion was seconded by Commission Member Langham and unanimously carried

**ITEM 4.** Chairman Stewart introduced Item 4: Old business:

- Review Final Amendment for Accessory Building per April 11, 2017 Meeting. The Commission discussed removing Section 8.7.1.4 and adding a permitting fee. Chairman Stewart asked that a public hearing be set for the next regular meeting.

**ITEM 5.** Chairman Stewart introduced Item 5: New Business:

- No New Business

**ITEM 6.** Reports:

A. Mayor/Council Report:

- None

B. Attorney Report

- None

C. Commissioner's Report

- Chairman Stewart lead a discussion concerning Certified Planning and Zoning Class through the University of North Alabama. Commission asked that classes to be held in Bay Minette around mid-August.
- Commission Member Dorough commented on the issue with yard sales being held on public property.

**ITEM 7.** With no further business, Chairperson Stewart adjourned the meeting at 9:00 a.m.

DONE THIS THE 11<sup>th</sup> DAY OF MAY 2017

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Todd Stewart, Chairman

ATTEST:

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Rita Diedtrich, City Clerk

**Rita Diedtrich**

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**From:** Calvin S. Means  
**Sent:** Thursday, June 01, 2017 7:47 AM  
**To:** Oscar Waters  
**Cc:** Rita Diedtrich  
**Subject:** Rebuttal (Shed -Carport

Good morning , I will address my concerns ,on 6-8-2017.it was brought to my attention ,1.that I was the only residents ,that receive notice 2. And the only resident on the side of the track,that went in front of the city councilman .So basically the board by pass 12 carports ,to mention mine in a meeting ,and there is 2 on hand avenue ,*that is in clear view ,I have contacts other sources on this matter ,and I will see you next week ,thank you*

*Chief of Security/Operations  
Baldwin County Sheriff's Corrections Center  
email: cmeans@baldwincountyal.gov  
Office: 251-937-0258  
Fax: 251-937-0311  
Cell: 251-504-7666*

***NOTICE:*** This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his or her communication device.



**Amend Article 5.2 to include the following definitions:**

Carport, detached. A detached structure of the type used for the residential storage of automobiles, with at least one side open for access. A detached carport as defined herein shall include a structure that is manufactured or constructed off-site and delivered to the residence for assembly and/or installation.

**8.7 Accessory Uses, Structures, Carports and Home Occupations**

8.7.1 *Accessory Uses.* Any use may be established as an accessory use to any permitted principal use in any district provided that such accessory use:

- 8.7.1.1 Is customarily incidental to and is maintained and operated as a part of the principal use;
- 8.7.1.2 Is not hazardous to and does not impair the use or enjoyment of nearby property in greater degree than the principal use with which it is associated;
- 8.7.1.3 Does not create levels of noise, odors, vibration and lighting, or degrees of traffic congestion, dust or pollutants, in a greater amount than customarily created by principal use; and,
- 8.7.1.4 In residential districts an accessory use will conform to the following requirements:
  - a. Where an accessory structure is attached to the residential building, a substantial part of one wall of the accessory structure shall be an integral part of the residential building or such accessory structure shall be attached to the residential building in a substantial manner by a roof and, therefore, such requirements applicable to the residential building shall apply. A detached carport constructed on-site shall be subject to applicable building codes.
  - b. Where a carport is attached to the residential building, it shall be attached to the residential building in a substantial manner by a roof and, therefore, such requirements applicable to the residential building shall apply.
  - c. A detached accessory structure shall not be closer than twenty (20) feet to the residential building, nor closer than five (5) feet to any lot line or encroach into any existing drainage or utility easements.

- d. A detached carport may be located adjacent to a residential building, but shall not be closer than five (5) feet to any lot line nor encroach into any existing drainage or utility easement.
- e. A detached accessory building, not more than one (1) story in height, may be constructed on not more than 30 percent of the rear yard.
- f. No detached accessory structure or detached carport may: (1) be located forward of the building frontage of the residential building; or (2) be closer than twenty (20) feet to any right-of-way.
- g. Attached or detached accessory structures less than one-third the area of the principal residence may be used for living quarters provided such structures do not contain kitchen facilities. Such accessory residences may also be constructed above a garage or other storage building provided they do not exceed the height limitation for the zoning district in which they are located. Notwithstanding any other provision contained herein to the contrary, all structures intended for use or used as living quarters are subject to and shall be in compliance with all applicable building codes and ordinances.

8.7.1.5 *Minimum Lot Area and Lot Width:* None specified only that the lot be large enough to accommodate principal building plus the accessory building and/or buildings and meet the yard and other requirements specified in this Ordinance.

8.7.1.6 *Maximum Building Height:* Detached accessory buildings shall not exceed one (1) story or fifteen (15) feet in height.

8.7.1.7 *Maximum Building Coverage:* None specified, only that the principal building together with accessory buildings must comply with the requirements applicable to maximum building coverage specified in this Ordinance.

8.7.1.8 *Permitting Requirement:* For any detached carport that is manufactured or constructed off-site and delivered to the residence for assembly and/or installation, the property owner shall obtain a permit from the Building Official in accordance with the following requirements:

- a. The property owner shall submit an application accompanied by a \$75.00 fee and all documentation required by the Building Official, which shall include, without limitation, engineered drawings and the manufacturer's installation requirements.

- b. Upon review and approval of the application by the Building Official, the property owner shall request and schedule a site inspection by the Building Official or his or her designee, to confirm that the proposed location for the accessory structure is in accordance with the requirements contained herein. The property owner shall not deviate from the approved location without approval of the Building Official.
  
- c. Upon completion of assembly and/or installation of the accessory structure, the property owner or his/her contractor shall submit a certification, in form as provided by the Building Official, that the accessory structure was installed in accordance with the approved manufacturer's installation requirements.



**Bay Minette Planning Commission  
Regular Meeting Minutes**

Minutes May 11, 2017

Monthly Meeting No. 5

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David Diehl, Commission Member

Absentee:

Robert A. "Bob" Wills, Mayor  
Dollie Mims, Commission Member

Other person in regular attendance:

Scotty Lewis, Attorney  
Rita Diedtrich, City Clerk  
Jessica Peed, Public Works Coordinator  
Steven Stewart, Fire Inspector  
Leslie Johnston, SARPC

**GUESTS** Guest present:

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B. Attorney Report

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DONE THIS THE 11<sup>th</sup> DAY OF MAY 2017

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Todd Stewart, Chairman

ATTEST:

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Rita Diedrich, City Clerk

LAW OFFICES OF

**BLACKBURN & CONNER, P.C.**

DANIEL G. BLACKBURN  
DAVID J. CONNER  
REBECCA A. GAINES  
GRANT BLACKBURN

110 COURTHOUSE SQUARE  
BAY MINETTE, AL 36507  
TELEPHONE (251) 937-1750  
FAX (251) 937-1785

MAILING ADDRESS  
POST OFFICE BOX 458  
BAY MINETTE, AL 36507  
  
ORANGE BEACH OFFICE  
25299 CANAL ROAD, SUITE A-6  
ORANGE BEACH, AL 36561

May 5, 2017

VIA: HAND DELIVERY

Bay Minette Planning and Zoning Commission  
301 D'Olive Street  
Bay Minette, AL 36507

RE: Fail Family Subdivision

Dear Sir or Madam:

Enclosed on behalf of our clients are the following:

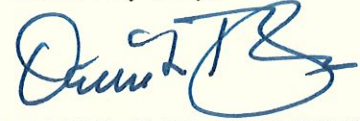
1. Applications for approval of a five (5) lot subdivision executed by J. M. Fail, Kenneth A. Fail and Julia C. Corley;
2. List of adjacent property owners verified by the Baldwin County Revenue Commissioner;
3. Separate metes and bounds legal descriptions for Parcels A - E;
4. Separate metes and bounds legal descriptions for Easements 1, 2, 3 and 4;
5. Three copies of the proposed subdivision plat;
6. Our check payable to the City of Bay Minette in the amount of \$320.00; and
7. Pre-addressed certified mail envelopes to all nearby property owners who are entitled to notification of this application.

At your earliest opportunity, please advise us of the date on which this application will be considered for approval.

Bay Minette Planning and Zoning Commission  
May 5, 2017

- Page 2 -

Yours very truly,

A handwritten signature in blue ink, appearing to read "Daniel G. Blackburn".

DANIEL G. BLACKBURN  
For the Firm

DGB/aw

Enclosures

# City of Bay Minette

## Planning Commission Application for Preliminary Subdivision Plat (PUD) approval

Date October 18, 2016

Name of Subdivision (PUD)  
Fail Family Subdivision

Name of applicant/owner See attached.

Address See attached.  
Street or PO Box City State zip

Daniel G. Blackburn, Attorney for Applicants

Name of Local Agent/ Engineer, if other than Applicant

Address: P. O. Box 458, Bay Minette, AL 36507  
Street or PO Box City State zip

Subdivision (PUD) Location: 10221 Green Jordan Road, Bay Minette, AL 36507

Total Acreage 36 # of Lots (units) 5

Average Lot Size See attached.

Water Source private well (city water availability expected December 2016)

Sewer Source Septic

### Owners of land 100' adjacent or opposite:

	Name	Address
1	<u>See attached.</u>	<u></u>
2	<u></u>	<u></u>
3	<u></u>	<u></u>
4	<u></u>	<u></u>
5	<u></u>	<u></u>

Applicant Name: J. M. Fail

Signature: *J. M. Fail*

Date 10/27/16

Total \$

Cost- **\$150.00** plus **\$10.00** per lot certified letters **\$10.00 ea** (certified letters and advertising cost must be paid in advance)

Attachment to City of Bay Minette  
Application for Preliminary Subdivision Plat (PUD) Approval

Fail Family Subdivision

Names of Applicants/Owners:

KENNETH A. FAIL  
6872 Campbell Drive  
Salem, VA 24153

JULIA C. CORLEY  
10321A Green Jordan Road  
Bay Minette, AL 36507

J. M. FAIL  
P. O. Box 396  
Bay Minette, AL 36507

Adjacent Property Owners of Proposed Fail Family Subdivision

Parcel Number	Pin	Owner Name	Address	City	State	Zip
05-22-01-05-0-000-012.006	243012	COOK, JON D	10242 GREEN JORDAN RD	BAY MINETTE	AL	36507
05-22-01-05-0-000-012.004	275013	COOK, JON D	10242 GREEN JORDAN RD	BAY MINETTE	AL	36507
05-22-01-11-0-000-001.000	75092	ATCHISON, JAMES E ETAL ATCHISON, KAREN O	62 CROYDON RD	MOBILE	AL	36608
05-22-01-05-0-000-011.004	243007	PHILLIPS, GEORGE W ETAL PHILLIPS, LORI	10105 GREEN JORDAN RD	BAY MINETTE	AL	36507
05-22-01-05-0-000-011.001	78546	KOEN, CHARLES E ETAL KOEN, CYNTHIA D	P O BOX 7435	SPANISH FORT	AL	36577
05-22-01-05-0-000-012.003	209269	HOILES-SHIVER, PHYLLIS A ETAL SHIVER, CH	10191 GREEN JORDAN RD	BAY MINETTE	AL	36507
05-22-02-47-0-000-003.005	111520	BROWN, NORMAN H & JOHNETTE L	45779 ST HWY 225	BAY MINETTE	AL	36507
05-22-02-47-0-000-005.002	106888	JORDAN, JAMES LOUIS ETUX MARY B	P O BOX 515	BAY MINETTE	AL	36507



PARCEL A  
LEGAL DESCRIPTION  
AS SURVEYED

Commencing at a 1 1/2" PIPE AT A FENCE CORNER AT THE LOCALLY ACCEPTED NW CORNER OF THE SW1/4 OF NORMAL SECTION 11, T-2-S, R-2-E, BALDWIN COUNTY, AL; thence S00°05'18"W, a distance of 180.53 feet to a POINT; thence N88°50'46"E, a distance of 446.54 feet to a POINT; thence continue Easterly along said line, a distance of 296.06 feet to the POINT OF BEGINNING; thence North, a distance of 180.52 feet; thence N88°50'46"E, a distance of 300.76 feet to a POINT; thence S00°13'29"E, a distance of 180.51 feet to a 5/8" CAPPED REBAR "LOWERY"; thence S88°50'46"W, a distance of 301.47 feet to the POINT OF BEGINNING, Said parcel containing 1.25 acres, more or less.

PARCEL B  
LEGAL DESCRIPTION  
AS SURVEYED

Commencing at a 1 1/2" PIPE AT A FENCE CORNER AT THE LOCALLY ACCEPTED NW CORNER OF THE SW1/4 OF NORMAL SECTION 11, T-2-S, R-2-E, BALDWIN COUNTY, AL; thence S00°05'18"W, a distance of 180.53 feet to a POINT; thence N88°50'46"E, a distance of 446.54 feet to the POINT OF BEGINNING; thence North, a distance of 295.22 feet to a POINT; thence N88°50'46"E, a distance of 296.06 feet to a POINT; thence South, a distance of 295.22 feet to a POINT; thence S88°50'46"W, a distance of 296.06 feet to the POINT OF BEGINNING, Said parcel containing 2.00 acres, more or less.

PARCEL C  
LEGAL DESCRIPTION  
AS SURVEYED

Beginning at a 1 1/2" PIPE AT A FENCE CORNER AT THE LOCALLY ACCEPTED NW CORNER OF THE SW1/4 OF NORMAL SECTION 11 T-2-S, R-2-E, BALDWIN COUNTY, AL, said point being the POINT OF BEGINNING; thence N88°50'46"E, a distance of 446.26 feet to a POINT; thence South, a distance of 180.52 feet to a POINT; thence S88°50'46"W, a distance of 446.54 feet to a SET 5/8" CAPPED REBAR; thence N00°05'18"E, a distance of 180.53 feet to the POINT OF BEGINNING, Said parcel containing 1.85 acres, more or less.

PARCEL D  
LEGAL DESCRIPTION  
AS SURVEYED

Commencing at a 1 1/2" PIPE AT A FENCE CORNER AT THE LOCALLY ACCEPTED NW CORNER OF THE SW1/4 OF NORMAL SECTION 11 , T-2-S, R-2-E, BALDWIN COUNTY, AL; thence S00°05'18"W, a distance of 180.53 feet to the POINT OF BEGINNING; thence N88°50'46"E, a distance of 637.02 feet to a SET 5/8" CAPPED REBAR; thence S00°08'20"E, a distance of 924.39 feet to a SET 5/8" CAPPED REBAR; thence S88°42'06"W, a distance of 640.73 feet to a 1/2" REBAR; thence N00°05'18"E, a distance of 926.07 feet to the POINT OF BEGINNING, Said parcel containing 13.57 acres, more or less.

PARCEL E  
LEGAL DESCRIPTION  
AS SURVEYED

Commencing at a 1 1/2" PIPE AT A FENCE CORNER AT THE LOCALLY ACCEPTED NW CORNER OF THE SW1/4 OF NORMAL SECTION 11, T-2-S, R-2-E, BALDWIN COUNTY, AL; thence S00°05'18"W, a distance of 180.53 feet to POINT; thence N88°50'46"E, a distance of 637.02 feet to a SET 5/8" CAPPED REBAR being the POINT OF BEGINNING; thence N88°50'46"E, a distance of 407.05 feet to a 5/8" CAPPED REBAR "LOWERY"; thence S75°15'24"E, a distance of 82.47 feet to a POINT; thence S66°09'52"E, a distance of 69.53 feet to a POINT; thence S42°03'21"E, a distance of 124.01 feet to a POINT; thence S32°03'47"E, a distance of 131.22 feet to a 5/8" CAPPED REBAR "LOWERY"; thence S00°12'29"E, a distance of 131.35 feet to a POINT ON THE NORTH R.O.W. OF GREEN JORDAN ROAD; thence S21°37'11"W, along said R.O.W. a distance of 305.19 feet; thence along said R.O.W. along a curve to the right, having a Radius of 387.26 feet; a chord of S35°53'10"W 206.36 feet, an arc length of 208.88 feet; thence S47°40'49"W, along said R.O.W. a distance of 133.06 feet to a POINT ON SAID R.O.W.; thence S88°42'06"W, leaving said R.O.W. a distance of 369.59 feet to a SET 5/8" CAPPED REBAR; thence N00°08'20"W, a distance of 924.39 feet to the POINT OF BEGINNING, Said parcel containing 12.76 acres, more or less.

PARCEL F  
LEGAL DESCRIPTION  
AS SURVEYED

Commencing at a 1 1/2" PIPE AT A FENCE CORNER AT THE LOCALLY ACCEPTED NW CORNER OF THE SW1/4 OF NORMAL SECTION 11 T2S, R2E, BALDWIN COUNTY, AL.; thence S00°05'18"W, a distance of 180.53 feet to a SET 5/8" CAPPED REBAR; thence continue Southerly along said line, a distance of 926.07 feet to a 1/2" REBAR; thence N88°42'06"E, a distance of 640.73 feet to a SET 5/8" CAPPED REBAR; thence continue Easterly along said line, a distance of 369.59 feet to a POINT ON THE WEST R.O.W. OF GREEN JORDAN ROAD; thence continue Easterly along said line, a distance of 87.65 feet to a 1/2" CAPPED REBAR ON THE EAST R.O.W. OF GREEN JORDAN ROAD and the POINT OF BEGINNING; thence N47°40'49"E, ALONG SAID EAST R.O.W., a distance of 65.08 feet; thence along said R.O.W. along a curve to the left, having a Radius of 447.26 feet; a chord of N35°45'32"E 236.42 feet, an arc length of 239.26 feet; thence N21°37'11"E, ALONG SAID R.O.W., a distance of 158.64 feet to a POINT ON SAID R.O.W.; thence S00°12'29"E, LEAVING SAID R.O.W., a distance of 377.57 feet to a SET 5/8" CAPPED REBAR; thence S88°42'06"W, a distance of 246.16 feet to the POINT OF BEGINNING, Said parcel containing 0.82 acres, more or less.

EASEMENT 1  
LEGAL DESCRIPTION  
AS SURVEYED

An easement 30 feet in width for ingress and egress running contiguous with the following described centerline:

Commencing at a 1 1/2" PIPE AT A FENCE CORNER AT THE LOCALLY ACCEPTED NW CORNER OF THE SW1/4 OF NORMAL SECTION 11, T-2-S, R-2-E, BALDWIN COUNTY, AL; thence S00°05'18"W, a distance of 180.53 feet to POINT; thence N88°50'46"E, a distance of 637.02 feet to a SET 5/8" CAPPED REBAR; thence N88°50'46"E, a distance of 407.05 feet to a 5/8" CAPPED REBAR "LOWERY"; thence S75°15'24"E, a distance of 82.47 feet to a POINT; thence S66°09'52"E, a distance of 69.53 feet to a POINT; thence S42°03'21"E, a distance of 124.01 feet to a POINT; thence S32°03'47"E, a distance of 131.22 feet to a 5/8" CAPPED REBAR "LOWERY"; thence S00°12'29"E, a distance of 131.35 feet to a POINT ON THE NORTH R.O.W. OF GREEN JORDAN ROAD; thence S21°37'11"W, a distance of 40.34 feet to the POINT OF BEGINNING OF SAID CENTERLINE; thence ALONG SAID CENTERLINE, N00°12'29"W, a distance of 162.64 feet to a POINT; thence N32°03'47"W, a distance of 125.63 feet to a POINT; thence N42°03'21"W, a distance of 119.49 feet to a POINT; thence N66°09'52"W, a distance of 65.13 feet to a POINT; thence N75°15'24"W, a distance of 81.38 feet to a POINT; thence N74°30'21"W, a distance of 50.26 feet to a POINT; thence continue Westerly along said line, a distance of 52.36 feet to a POINT; thence S88°50'46"W, a distance of 198.65 feet to a POINT; thence continue Westerly along said line, a distance of 296.06 feet to the POINT OF TERMINUS.

EASEMENT 2  
LEGAL DESCRIPTION  
AS SURVEYED

An easement 30 feet in width for ingress and egress running contiguous with the following described centerline:

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EASEMENT 3  
LEGAL DESCRIPTION  
AS SURVEYED

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EASEMENT 4  
LEGAL DESCRIPTION  
AS SURVEYED

An easement 30 feet in width for ingress and egress running contiguous with the following described centerline:

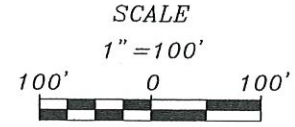
Commencing at a Commencing at a 1 1/2" PIPE AT A FENCE CORNER AT THE LOCALLY ACCEPTED NW CORNER OF THE SW1/4 OF NORMAL SECTION 11 T2S, R2E, BALDWIN COUNTY, AL.; thence S00°05'18"W, a distance of 180.53 feet to a SET 5/8" CAPPED REBAR; thence continue Southerly along said line, a distance of 926.07 feet to a 1/2" REBAR; thence N88°42'06"E, a distance of 640.73 feet to a SET 5/8" CAPPED REBAR; thence N00°08'20"W, a distance of 15.00 feet to the POINT OF BEGINNING OF SAID CENTERLINE; thence N88°42'06"E, a distance of 386.53 feet to a POINT OF THE WEST R.O.W. OF GREEN JORDAN ROAD being the POINT OF TERMINUS.





**NOTES**

- All bearings are true bearings unless otherwise noted.
- Dimensions are in feet and inches unless otherwise noted.
- Curved boundaries are shown as straight lines unless otherwise noted.
- Dimensions are given in feet and inches unless otherwise noted.
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**PARCEL A**  
1.25 acres

**PARCEL B**  
2.00 acres

**PARCEL C**  
1.85 acres

**PARCEL D**  
13.57 acres

**PARCEL E**  
13.57 acres

**30' INGRESS/EGRESS EASEMENTS 1, 2 & 3**

**30' INGRESS/EGRESS EASEMENT 4**

**30' INGRESS/EGRESS EASEMENT 5**

**30' INGRESS/EGRESS EASEMENT 6**

**30' INGRESS/EGRESS EASEMENT 7**

**30' INGRESS/EGRESS EASEMENT 8**

**30' INGRESS/EGRESS EASEMENT 9**

**30' INGRESS/EGRESS EASEMENT 10**

**30' INGRESS/EGRESS EASEMENT 11**

**30' INGRESS/EGRESS EASEMENT 12**

**30' INGRESS/EGRESS EASEMENT 13**

**30' INGRESS/EGRESS EASEMENT 14**

**30' INGRESS/EGRESS EASEMENT 15**

**30' INGRESS/EGRESS EASEMENT 16**

**30' INGRESS/EGRESS EASEMENT 17**

**30' INGRESS/EGRESS EASEMENT 18**

**30' INGRESS/EGRESS EASEMENT 19**

**30' INGRESS/EGRESS EASEMENT 20**

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**30' INGRESS/EGRESS EASEMENT 22**

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**30' INGRESS/EGRESS EASEMENT 96**

**30' INGRESS/EGRESS EASEMENT 97**

**30' INGRESS/EGRESS EASEMENT 98**

**30' INGRESS/EGRESS EASEMENT 99**

**30' INGRESS/EGRESS EASEMENT 100**

**PLAT OF A BOUNDARY LINE SURVEY PREPARED FOR**

**MIXON ESTATE**  
BALDWIN COUNTY, AL.

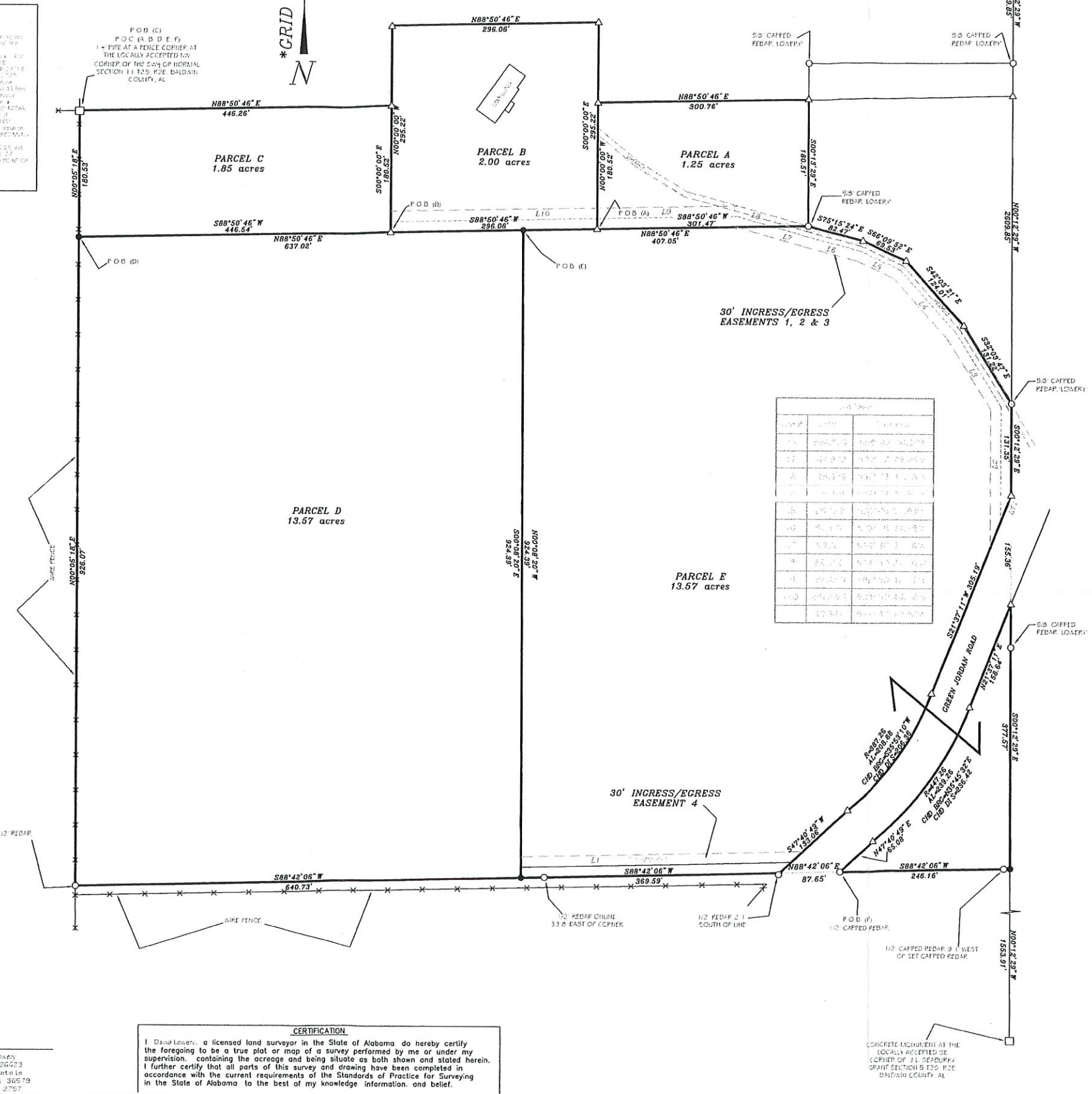
**DAVID LOWERY**  
SURVEYING, L.L.C.

55284 MARTIN LN.  
STOCKTON, AL 36579  
251-937-2757 ph. 251-937-2756 fax  
dlsurvey25@hotmail.com

DATE: 06/26/2014  
SCALE: 1" = 100'

LEGEND AND SYMBOLS

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



NO.	DATE	DESCRIPTION
1	06/26/2014	FIELD SURVEY
2	06/26/2014	FIELD SURVEY
3	06/26/2014	FIELD SURVEY
4	06/26/2014	FIELD SURVEY
5	06/26/2014	FIELD SURVEY
6	06/26/2014	FIELD SURVEY
7	06/26/2014	FIELD SURVEY
8	06/26/2014	FIELD SURVEY
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98	06/26/2014	FIELD SURVEY
99	06/26/2014	FIELD SURVEY
100	06/26/2014	FIELD SURVEY

DAVID LOWERY SURVEYING, L.L.C.

**CERTIFICATION**

I, David Lowery, a licensed land surveyor in the State of Alabama do hereby certify the foregoing to be a true plot or map of a survey performed by me or under my supervision, containing the acreage and being situate as both shown and stated herein. I further certify 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.

David Lowery  
AL Lic No 26623  
55284 Martin Ln  
Stockton AL 36579  
251-937-2757

# City of Bay Minette

Application for Zoning Amendment  
State of Alabama  
County of Baldwin  
City of Bay Minette

This is to certify that I (we) the undersigned do hereby request the City of Bay Minette to grant a zoning amendment for the property and reasons identified below:

1- Description of property for which the amendment is requested:

- a) Address 201 DICKMAN RD, BAY MINETTE, AL. 36507
- b) Name of Subdivision plat: ?
- c) Lot numbers involved in change: #14
- d) Total acreage of change: 150' x 200' APPROX. 3/4 ACRE
- e) Recorded in Plat Book Number: Deed Book # 26 NS  
Page Number: 78-9
- f) Owned in whole by the undersigned: \_\_\_\_\_
- g) If owned in part, list name(s) of the co-owner(s):  
SEE ATTACHED PAGE - LETTER

2- Zoning change requested TO COMMERCIAL

- a) Present Classification of property: RESIDENTIAL
- b) Reclassification desired: COMMERCIAL
- c) Character of neighborhood: ALL COMMERCIAL (HSIDES)

3- Reasons for requesting change (a site plan must accompany this request):

OUR PARENTS ARE DECEASED AND WE PLAN TO SELL THE PROPERTY EVENTUALLY

4- The following attachments must accompany the request for zoning amendment:

- a) Two copies of a list of the names and addresses of the owners of all properties see forms lying within 100' (one hundred feet) of any part of the property proposed to be rezoned.
- b) Two copies of a plat, drawn to scale showing the existing and proposed zoning reclassification and other pertinent information ✓
- c) Two copies of the legal description of the property to be rezoned ✓
- d) A check for the required fees in compliance with the City of Bay Minette Land Use and Development Ordinance. ✓

5) Certifications:

a) Applicants

Name: see ATTACHED LETTER

b)

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Owner \_\_\_\_\_

Date: \_\_\_\_\_

Owner \_\_\_\_\_

Date: \_\_\_\_\_

**Rezoning Fee \$100.00**

April 4, 2017

39875 Ryals Road

Bay Minette, AL 36507

Dear Sir:

In 1944, our parents, Mr. and Mrs. Hestle H. Johnson, purchased property located at 201 Dickman Rd., Bay Minette, AL.

All of the surrounding property is designated Commercial; we were grandfathered in as Residential. (see attached diagram of area involved).

The owner is deceased and did not have a will. On her behalf, the children are in agreement that said property be zoned Commercial.

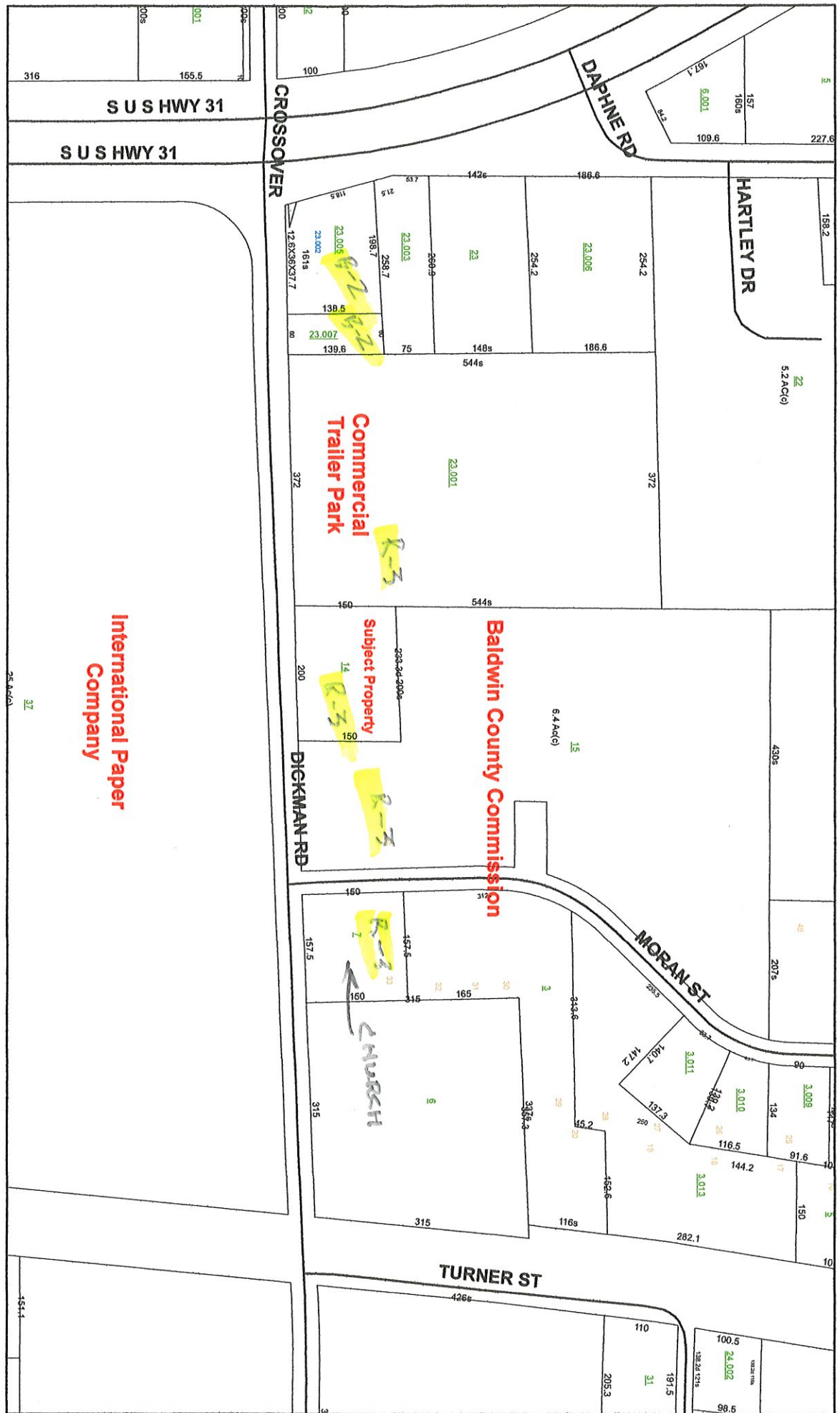
The children are: Nora Godwin, 39875 Ryals Rd., Bay Minette, AL 36507 phone 251-937-8221; Claude Johnson, 203 Stover Dr., Bay Minette, AL 36507 phone 251-937-8477; Raymond Johnson, 2911 Criswell Ave., Pascagoula, MS 39867 phone 228-219-4775; Gloria Wallace, 11100 Whitehouse Fork Rd. Ext., Bay Minette, AL 36507 phone 251-937-8915.

Any assistance you can give us is greatly appreciated.

Sincerely,

*Nora Godwin*





201 Dickman RD  
 23-05-21-1-000-14.000  
 PPIN 22358

To have And To hold to the said Hestle Johnson and Lorena Johnson, his wife, during their joint lives and upon the death of either of them, then to the survivor of them, in fee simple and to their heirs and assigns forever. And we do covenant with the said Hestle Johnson, and Lorena Johnson, his wife, that we are seized in fee of the above described premises; that we have the right to sell and convey the same; that the said premises are free from all incumbrances; and that we will, and our heirs executors and administrators shall forever warrant and defend the same to the said Hestle Johnson, and Lorena Johnson, his wife, heirs and assigns, against the lawful claims of all persons whomsoever.

Witness our hand and seal this 4th day of November, 1944.

Witness :  
Ort H. Ertzinger

Sherrel Jacobs  
Lecy Jacobs

L.S.  
L.S.

State of Alabama  
Baldwin County

I, Ort H. Ertzinger, a Notary Public, in and for said County and State, hereby certify that Sherrel Jacobs and Lecy Jacobs, his wife, whose names signed to the foregoing conveyance, and who are known to me, acknowledged before me, on this day, that being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date. Given under my hand and official seal this 4th day of November, A. D. 1944.

Seal

Ort H. Ertzinger

State of Alabama,  
Baldwin County

I, Ort H. Ertzinger, a Notary Public, in and for said County and State, do hereby certify that on the 4th day of November, 1944, came before me the within named Lecy Jacobs known to me to be the wife of the within named Sherrel who being examined separate and apart from her husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

In Witness whereof, I hereunto set my hand and official seal this 4th day of November, 1944.

Seal

Ort H. Ertzinger

State of Alabama  
Baldwin County

Filed Nov. 4, 1944 at 12 Noon, and recorded in Deed book 83 at page 573-4, I certify that \$1.00 Deed Tax has been paid as required by law.

G. W. Robertson, Judge of Probate.

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Warranty Deed

Warranty Deed

Know All Men By These Presents: That for and in consideration of the sum of Ten Dollars and other good and valuable consideration to them in hand paid by Sherrel Jacobs the receipt whereof is hereby acknowledged Hestle Johnson and Lorena Johnson his wife, do grant, bargain, sell and convey unto the said Sherrel Jacobs the following described lands situated in Baldwin County, Alabama, to-wit:

The southwest quarter of the northwest quarter of the northeast quarter of section eleven, township three south of range three east, containing ten acres, more or less.

To Have and To hold to the said Sherrel Jacobs, his heirs and assigns forever. And they do covenant with the said Sherrel Jacobs that we are seized in fee of the above described premises; that we have the right to sell and convey the same; that the said premises are free from all incumbrances; and that we will, and our heirs executors and administrators shall forever warrant and defend the same to the said Sherrel Jacobs, and to his heirs and assigns, against the lawful claims of all persons whomsoever.

Witness our hand and seal this 4th day of November, 1944.

Witness:  
Ort H. Ertzinger

Hestle Johnson  
Lorena Johnson

L.S.  
L.S.

State of Alabama  
Baldwin County

I, Ort H. Ertzinger, a Notary Public, in and for said County and State, hereby certify that Hestle Johnson and Lorena Johnson, his wife, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me, on this day, that being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date. Given under my hand and official seal this 4th day of November, A. D. 1944.

Seal

Ort H. Ertzinger

State of Alabama  
Baldwin County

I, Ort H. Ertzinger, a Notary Public, in and for said County and State, do hereby certify that on the 4th day of November, 1944, came before me the within named Lorena Johnson, known to me to be the wife of the within named Hestle Johnson, who being examined separate and apart from her husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of the husband.

In Witness whereof, I hereunto set my hand and official seal this 4th day of November, 1944.

Seal

Ort H. Ertzinger

State of Alabama  
Baldwin County

State of Alabama / A  
Baldwin County  
filed Nov. 4, 1944 at 10:20 A.M. and recorded in Deed Book 83 at page 572-3, I certify that \$2.00 Deed Tax has been paid as required by law.

G. W. Robertson, Judge of Probate.

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State of Alabama  
Baldwin County

Know All Men By These Presents, That We, Nellie H. Crumpton and H.T. Crumpton, her husband, Grantors, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration to us in hand paid by A. B. McDill, Grantee, the receipt of which is hereby acknowledged, do hereby Grant, bargain, Sell, and convey unto the said Grantee, the following described property in Baldwin County, State of Alabama, to-wit:

Starting at the half section post on the South boundary line of Section 15, Township 2 South Range 3 East, run East 6.32 chains to a post for a beginning corner, thence run East continuing the same line 6.32 chains to a post, thence run North 6.32 chains to a post thence run West 6.32 chains to a post, thence run South 6.32 chains to place of beginning, containing four acres more or less.  
Starting at the Southwest corner of the Southwest quarter of the southeast quarter of Section 15, Township 2 South Range 3 East run thence East 6 chains 32 links to a post, thence run North 6 chains 32 links to a post for a beginning corner, thence North 31 1/2 feet 9 in. to a post, thence East 558 feet to a post, thence South 31 1/2 feet 9 inches to a post thence West 558 feet to a post at the place of beginning, containing 4 acres, more or less.  
Starting at a half section post on the South boundary line of Section 15, Township 2 South Range 3 East, run East 12.64 chains, thence North 281 feet for a beginning corner, thence run East 133 feet, thence North 134 feet, thence run West 136 feet, thence run South 144 feet to beginning, containing 3/8 acres, more or less.  
The acreage hereby covered being 8 3/8 acres more or less, and all being in Section 15, Township 2 South Range 3 East.

Together with all and singular the rights, members, privileges, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. To Have And To Hold unto the said Grantee, his heirs and assigns, forever. And we do covenant with the said Grantee that we are lawfully seized in fee simple of the said premises; of which we are in the quiet and peaceable possession; that we have a good right to sell and convey the same as aforesaid; that said premises are free from all liens and encumbrances, and that we will, and our heirs and assigns forever, warrant and defend the title to and the possession of the same unto the said Grantee, his heirs and assigns, against the lawful claims of all persons whomsoever.

In Witness whereof, we have hereunto set our hands and seals on this the 6 day of October, 1943.

Nellie H. Crumpton  
H.T. Crumpton

Seal  
Seal

State of Alabama  
Baldwin County

I, Winnie G. Scarborough, a Notary Public, in and for said County, in said State, hereby certify that Nellie H. Crumpton and H. T. Crumpton, her husband, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that being informed of the contents of said conveyance, they executed the same voluntarily on the day the same bears date.

And I do further certify that on the 6 day of October, 1943, came before me the within named Nellie H. Crumpton, known to me to be the wife of the within named H.T. Crumpton, and who being examined separate and apart from her husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraints or threats on the part of her husband.  
Given under my hand and seal on this the 6 day of October, 1943.

State of Alabama  
Baldwin County

Winnie G. Scarborough  
Notary Public, Baldwin County, Alabama.  
Filed Nov. 4th, 1944 at 3:30 P.M. and recorded in Deed Book 83 at page 573, I certify that \$2.50 Deed Tax has been paid as required by law.

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C. W. Robertson, Judge of Probate.

The State of Alabama  
Baldwin County

Warranty Deed

Know All Men By These Presents: That for and in consideration of the sum of ten Dollars and other good and valuable consideration to them in hand paid by Hestle Johnson and Lorene Johnson, his wife, the receipt whereof is hereby acknowledged Sherril Jacobs and Lucy Jacobs, his wife, do grant, bargain, sell and convey unto the said Hestle Johnson and Lorene Johnson, his wife, the following described lands situated in Baldwin County, Alabama, to-wit:

beginning at the southwest corner of a tract of land sold by W. D. Stapleton and wife to Baldwin County Bank by deed recorded in Deed Book number 26NS, at pages 78-9, Baldwin County records and run thence east 100 feet, thence north 150 feet, thence west 100 feet, thence south 150 feet to the place of beginning, in section 21, township 2 south range 3 east.

IN THE PROBATE COURT OF BALDWIN COUNTY, ALABAMA

IN RE: ESTATE OF

**ANNIE LORENA JOHNSON,**

CASE NO. 34405

DECEASED

ORDER GRANTING LETTERS OF ADMINISTRATION

Now, on this day comes **NORA LEE JOHNSON GODWIN** and presents to the Court a petition in writing, under oath, praying that **LETTERS OF ADMINISTRATION** for the Estate of **ANNIE LORENA JOHNSON**, Deceased, issue to her, which petition is examined by this Court and ordered to be Filed and Recorded; and it appearing to the Court from the allegations contained in said petition, and from other good and sufficient evidence, that the said **ANNIE LORENA JOHNSON** departed this life on or about the 14th day of November, 2016, being at the time of death an inhabitant of said County and State; that **ANNIE LORENA JOHNSON** died leaving assets in said County and State, which assets are estimated to have a value of approximately \$4,000.00 dollars, and leaving **NO WILL**, testament or other writing, relating to the disposal or distribution of her estate, and that the death of the said Decedent was more than five (5) days before this day; and it further appearing to the satisfaction of the Court that **NORA LEE JOHNSON GODWIN**, the said Petitioner, is a daughter of said Deceased, is over nineteen (19) years of age, an inhabitant of this State, and a suitable person, under the law and in the estimation of this Court, to serve as Personal Representative and no person having appeared to oppose the granting of **LETTERS OF ADMINISTRATION** to the said **NORA LEE JOHNSON GODWIN**, or show cause why the prayer of said Petitioner should not be granted, it is **ORDERED** that the same be granted, provided that the said **NORA LEE JOHNSON GODWIN** first file in this Court a bond in the sum of \$5,000.00

dollars, meeting the terms and requirements of bonds prescribed in Code of Alabama § 43-2-852 (1975, as amended). It is **FURTHER ORDERED** that the said petition be Recorded.

Further, Petitioner presents to this Court for approval a bond complying with the terms and requirements required by Code of Alabama § 43-2-852; with **RLI INSURANCE COMPANY** as securities thereon; and this Court being now sufficiently advised concerning said bond and said security, it is **ORDERED** and adjudged by this Court that the said bond be Accepted, Approved and Recorded.

It is therefore further **ORDERED, ADJUDGED AND DECREED** by this Court, that the petition for the Appointment of **NORA LEE JOHNSON GODWIN** as Personal Representative is hereby granted, that **LETTERS OF ADMINISTRATION** on the estate of said deceased be granted to **NORA LEE JOHNSON GODWIN**, as Personal Representative, and that she be, and hereby is, authorized to administer said estate.

It is further **ORDERED** by this Court that said Personal Representative shall have all the powers and duties to act in transactions as enumerated in Code of Alabama § 43-2-843 (1975, as amended).

It is further **ORDERED** that the said Personal Representative proceed without delay to collect and take into possession or control the goods and chattels, money, books, papers and evidences of the said Deceased's property interests, except the personal property exempted from administration under Code of Alabama § 43-8-111 (1975, as amended) and make due return, under oath, to this Court, a full and complete Inventory thereof within two (2) months.

**WITNESS** my hand this 5th day of May, 2017.

  
JUDGE OF PROBATE

THE STATE OF ALABAMA

COURT OF PROBATE

COUNTY OF BALDWIN

Case #34405

LETTERS OF ADMINISTRATION

Letters of Administration on the estate of ANNIE LORENA JOHNSON, Deceased, are hereby granted to NORA LEE JOHNSON GODWIN who has duly qualified and given bond as such Personal Representative, and is authorized to administer such estate. Subject to the priorities stated in Code of Alabama (1975, as amended) § 43-8-76, the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers, without limitation, authorized in transactions under Code of Alabama (1975, as amended) § 43-2-843.

WITNESS my hand, and dated this 5th day of May, 2017.

/s/ Tim Russell  
JUDGE OF PROBATE

THE STATE OF ALABAMA }  
                                  }  
BALDWIN COUNTY      }

I, TIM RUSSELL, Judge of Probate in and for said County and State, hereby certify that the within and foregoing is a true, correct and complete copy of the **Letters of Administration** issued to NORA LEE JOHNSON GODWIN as Personal Representative of the estate of ANNIE LORENA JOHNSON, Deceased, as the same appears of record in my office, and are still in full force and effect.

Given under my hand and seal of office, this the 5th day of May, 2017.

  
JUDGE OF PROBATE

EAST



**Baldwin County**  
**Revenue Commissioner**

## Property Appraisal Link

BALDWIN COUNTY, AL

Current Date 5/25/2017

**Tax Year 2017**

**Valuation Date October 1, 2016**

### OWNER INFORMATION

**PARCEL** 23-05-21-1-000-015.000 **PPIN** 001712 **TAX DIST** 03H  
**NAME** BALDWIN COUNTY ALA  
**ADDRESS** BALDWIN COUNTY ADMIN BLDG  
 ATTN: CO COMMISSION OFFICE  
 312 COURTHOUSE SQUARE STE 12  
 BAY MINETTE AL 36507  
**DEED TYPE** RP **BOOK** 0201 **PAGE** 0000659  
**PREVIOUS OWNER**  
**LAST DEED DATE** //0000

### DESCRIPTION

CALC AC 6.4 C A THOMPSON SUB 6 LOT 36-44 PT BLK A DESC AS  
 BE  
 G AT THE NW COR OF LOT 43 C A THOMPSON SUB # 6 TH S 137' TH  
 W 150' TH S 140' TH W 25' TH S 165' TH E 233.3' TH N 460'S T  
 H E 410'S TO POB SEC 21-3

### PROPERTY INFORMATION

**PROPERTY ADDRESS** 203 DICKMAN RD  
**NEIGHBORHOOD** BMINETTES  
**PROPERTY CLASS** **SUB CLASS**  
**SUBDIVISION** 07TC **SUB DESC** C A THOMPSON SUBD  
**LOT BLOCK**  
**SECTION/TOWNSHIP/RANGE** 00-00 -00  
**LOT DIMENSION** **ZONING** R-3BM

### PROPERTY VALUES

**LAND:** 51200 **CLASS 1:** **TOTAL ACRES:** 6.40  
**BUILDING:** 200000 **CLASS 2:** 251200 **TIMBER ACRES:**  
 ===== **CLASS 3:**



*WEST*

**Baldwin County**  
**Revenue Commissioner**

## Property Appraisal Link

### BALDWIN COUNTY, AL

Current Date 5/25/2017

Tax Year 2017

Valuation Date October 1, 2016

**OWNER INFORMATION**

**PARCEL** 23-05-21-1-000-023.001 **PPIN** 083581 **TAX DIST** 03H  
**NAME** DOBBINS, WILLIAM H JR  
**ADDRESS** P O BOX 369  
 BAY MINETTE AL 36507  
**DEED TYPE** RP **BOOK** 0808 **PAGE** 0001271  
**PREVIOUS OWNER**  
**LAST DEED DATE** 1/ 8/1998

**DESCRIPTION**

372' X 544'(S) FR INTER OF E R\W DAPHNE RD & N R\W OF DICKMA  
 N RD RUN TH E 261.6' TO POB CONT E 372', TH N 544'(S), TH W  
 372', TH S 544'(S) TO POB SEC 21-T7S-R3E (CORR D) RP723 PG21  
 3

**PROPERTY INFORMATION**

**PROPERTY ADDRESS** 169 DICKMAN RD  
**NEIGHBORHOOD** BMINETTES  
**PROPERTY CLASS** **SUB CLASS**  
**LOT BLOCK**  
**SECTION/TOWNSHIP/RANGE** 00-00 -00  
**LOT DIMENSION** 352X510 **ZONING**

**PROPERTY VALUES**

**LAND:** 63500 **CLASS 1:** **TOTAL ACRES:** 4.70  
**BUILDING:** 74800 **CLASS 2:** 138300 **TIMBER ACRES:**  
 ===== **CLASS 3:**  
**TOTAL PARCEL VALUE:** 138300  
**ESTIMATED TAX:** \$1,175.55

**DETAIL INFORMATION**

**CODE TYPE** **REF METHOD** **DESCRIPTION** **LAND USE** **TC HsPn**



South



**Baldwin County**  
**Revenue Commissioner**

# Property Appraisal Link

**BALDWIN COUNTY, AL**

Current Date 5/25/2017

**Tax Year 2017**

**Valuation Date October 1, 2016**

## OWNER INFORMATION

**PARCEL** 23-05-21-1-000-037.000 **PPIN** 021549 **TAX DIST** 03H  
**NAME** INTERNATIONAL PAPER COMPANY  
**ADDRESS** TAX DEPARTMENT  
 P O BOX 2118  
 MEMPHIS TN 381012118  
**DEED TYPE** **BOOK** 0226 **PAGE** 0000678  
**PREVIOUS OWNER**  
**LAST DEED DATE** //0000

## DESCRIPTION

24 ACC PAR BEG AT SE COR INT HWY 31S & DICKMAN RD TH E  
 1520  
 TH SLY 720 TH SW 1455 TH N 720 TO POB SEC 21-2-3  
 DB350 P83-85

## PROPERTY INFORMATION

**PROPERTY ADDRESS** US HWY 31  
**NEIGHBORHOOD** BMINETTECO  
**PROPERTY CLASS** **SUB CLASS**  
**LOT BLOCK**  
**SECTION/TOWNSHIP/RANGE** 00-00 -00  
**LOT DIMENSION** **ZONING**

## PROPERTY VALUES

**LAND:** 367200 **CLASS 1:** **TOTAL ACRES:** 24.00  
**BUILDING:** 3437600 **CLASS 2:** 3804800 **TIMBER ACRES:**  
 ===== **CLASS 3:**  
**TOTAL PARCEL VALUE:** 3804800  
**ESTIMATED TAX:** \$32,340.80