

**CITY OF BAY MINETTE
PLANNING COMMISSION**

**AGENDA
December 12, 2019
Regular Meeting
8:00 a.m.
City Hall Conference Room
301 D'Olive Street, Bay Minette**

1. Call to Order
2. Invocation and Pledge
3. Approval of Minutes for the November 14, 2019 Regular Meeting
4. **Old Business**
Proposed Subdivision Regulation amendment related to Section 8 Administrative Subdivisions
5. **New Business**
 - a.) **AS-1901, Louis Ruffin Subdivision**
Request: Approval to replat the subject properties
Location: The subject properties are located at 42990 Jones Road
6. **Reports**
 - a.) Mayor/Council
 - b.) Attorney
 - c.) Commissioner's Comments
 - d.) Planning Staff
7. **Adjournment**

Bay Minette Planning Commission Regular Meeting Minutes

Minutes November 14, 2019

Monthly Meeting No. 11

The Bay Minette Planning Commission met in Regular Session on Thursday, November 14, 2019. The meeting was called to order at 8:00 a.m., by Vice-Chairman, Ed Pepperman who was filling in for Chairman Todd Stewart, 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:

Ed Pepperman, Vice-Chairman
Robert A. "Bob" Wills, Mayor
John Biggs, Council Member
Pat Robinson, Building Official
Scotty Langham, Commission Member
Jessica Davis, Commission Member

Commission Members absent:

Todd Stewart, Chairman
David Diehl, Commission Member

Other persons in regular attendance:

Scotty Lewis, Attorney
Tammy Smith, City Administrator/Finance Director
Clair Dorrough, City Planner
Leslie Johnston, SARPC
Jason Padgett, North Baldwin Utilities
Jessica Peed, Planning Assistant
Thomas Brown, Code Enforcement Officer

GUESTS

William Beasley
Kitty Beasley
Jesse W. Joiner
La'Ray Mims
Brenda Barnes

INVOCATION

Vice-Chairman Pepperman gave the invocation, followed by the pledge.

ITEM 3.

Approval of Minutes of the October 10, 2019. Mayor Wills made a motion to approve the minutes. The motion was seconded by Commission Member Langham and unanimously carried.

ITEM 4.

Old Business

- Vice Chairman introduced new Code Enforcement Officer Thomas Brown. Thomas Brown gave a brief introduction, and Clair Dorrough gave a summarized update on Code Enforcement cases that have been opened, closed, and the number of Sign Violations and Overgrown Lots.
- Proposed City Ordinance - Scotty Lewis noted the Ordinance would give the Code Enforcement Officer and Fire Inspector authority to access property, and the ability to issue violations. A motion to recommend approval of the proposed City Ordinance to the City Council was made by Commissioner Langham, and was seconded by Councilman Biggs. The motion was unanimously carried.

ITEM 5.

New Business:

A.) SP-1901, Beasley Property Site Plan Approval

Request: Site Plan Approval of single family dwelling in a B-2, General Business District.

Location: The subject property is located at 10190 D'Olive Street.

Vice-Chairman Pepperman presented the site plan and the request for approval of the site plan. Mrs. Dorrough informed the Commission of the revised site plan layout that Mr. Beasley brought with him at the time of the meeting. The revision consisted of a thirty (30) foot setback from the original setback of 60.3'. The revised setback still met the required Zoning Ordinance setback criteria. Upon review of the site plan, Mayor Wills moved to approve the revised Site Plan with the setbacks of thirty (30) feet. The motion was seconded by Commission Member Langham, and unanimously carried.

B.) Public Hearing Case No. Z-1902, Joiner Property PUD.

Request: Approval of a Planned Unit Development

Location: The subject property is located at 310 Clay Street.

Vice Chairman Pepperman opened the Public Hearing at 8:13am for the rezoning request for property located at 310 Clay Street from the R-5, Manufactured/Mobile Home Residential District to a PUD, Planned Unit Development. Mayor Wills asked applicant, Jesse W. Joiner to briefly state his intentions for the property. Mr. Joiner proceeded to explain his intended process in removing the trailers and cleaning the property. Scotty Lewis mentioned the Development Regulations provided by the applicant will need to clarify the Use of the PUD is for Single Family residences and state which outside structures will be prohibited. He suggested it read "No outside structures allowed (Accessory Structures, Carports) instead of simply "No outside structures." Mr. Lewis also stated that the Development Regulations should read "No home occupations allowed" in order to keep the Development Regulation language consistent with the Zoning Ordinance. Vice-Chairman Pepperman asked Mr. Joiner if units will be owned or rented. Mr. Joiner stated all units will be rentals. Vice Chairman Pepperman also asked Mr. Joiner about the Development Regulations regarding signs. Vice-Chairman Pepperman closed the Public Hearing at 8:22am. Vice-Chairman Pepperman suggested a motion to recommend approval to the City Council for the rezoning of PUD from a R-5, with the revisions to the Development Regulations as follows:

- o Use: Single Family Residential
- o No outside structures allowed (accessory structures, carports)
- o No home occupations allowed

Mayor Wills made a motion to recommend approval with the revisions to the Site Plan and the Development Regulations as stated above. The motion was seconded by Commission Member Biggs, and was unanimously carried.

C.) Case No. Z-1902, Joiner Property PUD Site Plan Approval

Request: Approval of a Planned Unit Development Site Plan

Location: The subject property is located at 310 Clay Street.

Mayor Wills inquired about the landscape requirements. Mrs. Dorrough stated it must be fifteen (15) percent of the common area. She stated the common area is located on the north side of the property. Mayor Wills inquired about the fence. Mr. Joiner stated the existing fence would be removed and a new fence would be built. SARPC representative Leslie Johnston recommended that the existing fence shown on the site plan be removed and a note added to the site plan detailing the new fence, including height, material and construction timeline. Vice-Chairman Pepperman stated it would be a great improvement. There was more discussion about landscape regarding removal of trees, and the landscape entrance. Commission Member Biggs commented

on the drainage, and Leslie Johnston commented on the pavement. Tammy Smith inquired about garbage pickup and payment. Mr. Joiner stated it is individual pickup and payment. Mayor Wills made a motion to approve the site plan with the inclusions of replacing the fence on the site plan, and the site plan approval would also be contingent upon the City Council approving the Re-zoning from a R-5 to a PUD. Commission Member Langham seconded the motion and it was unanimously carried.

C.) Proposed 2020 Meeting and Application Deadline Schedule

Mrs. Dorough explained why the deadline dates were chosen, stating that Public Hearing dates need more administrative time than the Administrative Subdivision submission deadline because of the Public Hearing Notices. Commission Member Jessica Davis made a motion to adopt the meeting and application deadline schedule. Commission Member Langham seconded, and was it unanimously carried.

ITEM 6. Reports:

A. Mayor/Council Report:

- Mayor Wills spoke of the Veterans Day activities. Stated the Christmas decorations are starting to go up, and Christmas Fest will be back on the square this year. Traffic will be allowed to go from Hwy 31 to Hand Ave, and the rest of the square will be blocked off. He also spoke about the Old Elementary School demolitions of the “flat roof building” to be remade into green space, more parking, or a playground.
- City Administrator, Tammy Smith spoke of the success of Ladies Night Out, and that money will be donated to COPA.
- Jason Padgett spoke of the ALDOT grant for the Dobson Avenue sidewalk; the sidewalk will end before the railroad crossing and pick up after the crossing. The agreement was made with the stipulation that the City will apply for future TAP grant funding for the railroad crossing project.

B. Attorney Report

- None

C. Commissioner’s Report

- None

D. Planning Staff

- Mrs. Dorough announced that the City Council had approved the re-zoning of the Lighthouse property. She also stated there is a resolution to remove Tripp Ward from the Planning Commission due to work ineligibility, and David Diehl resigned his position on the Planning Commission due to moving outside of municipal limits. She stated there are several spots that needed to be filled on the Planning Commission and the Board of Adjustments. She concluded with introducing Thomas Brown, Code Enforcement Officer, and briefly detailing the number of code enforcement cases that have been opened, closed, and most of the cases being Overgrown lots or Signage violations.

ITEM 8.

With no further business Vice-Chairman Pepperman adjourned the meeting at 8:48am.

DONE THIS THE 14TH DAY of NOVEMBER 2019

Ed Pepperman, Vice-Chairman

ATTEST:

Jessica Peed, Planning Assistant

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City of Bay Minette Subdivision Regulations Proposed Revisions

Sec. 8. - Subdivisions and resubdivisions not subject to the provisions of these regulations.

8.1 – Exempt Subdivisions. Except as set forth in this Section 8, the provisions of these regulations shall not otherwise apply to the following ~~administrative~~ exempt subdivisions:

a) The resubdivision of land into six (6) or less lots, tracts, or parcels where each of the lots, tracts, or parcels established by the resubdivision fronts on an existing public road.

~~b) An owner of a parcel of real property may convey a portion thereof to an adjoining owner without being subject to the provisions of these regulations provided that no new lots are thereby created.~~

~~c) Subdivision wherein the size of each and every resulting lot equals or exceeds twenty (20) acres including existing public rights-of-way. Each parcel shall have access from an ingress/egress and utility easement of a minimum of thirty (30) feet in width.~~

d) Subdivision wherein the size of each and every resulting lot equals or exceeds ten (10) acres including existing public rights-of-way. Each parcel shall have frontage on publicly maintained road.

e) The subdivision of property for the limited purpose of sale, deed or transfer of land by the owner to a person or persons, all of whom are members of the owner's immediate family. Each parcel which is subdivided pursuant to this subparagraph shall have deeded ingress/egress and utility access or easement that runs with the land of not less than 30 feet in width. A qualifying division hereunder is limited to a division among the following designated legally related immediate family members: spouse, children, siblings, parents, grandparents, grandchildren, nieces, nephews, or step-related individuals of the same status.

~~f) The public acquisition by purchase or donation of strips of land for the widening or opening of streets."~~

8.1.1 In addition to the requirements set forth above, the following requirements must be satisfied: each lot created hereunder shall comply with all minimum lot size and setback requirements otherwise specified by the provisions herein or by provisions of the Zoning Ordinance; maintenance of the easement, together with all improvements thereto, shall be the responsibility of all parties to which it is granted by (1) written agreement or (2) deed reference, and shall be noted on a Recorded Plat of Survey.

1 Neither the City nor the County shall be responsible for any easement or improvements
2 thereto. The property owner shall be responsible for the preparation of a certified plat, in
3 form as approved by the Planning Commission, to be filed in the Baldwin County
4 Probate records upon receiving approval hereunder. In the event the property to be
5 divided is an existing lot (or lots) of record in a recorded subdivision, the applicant shall
6 be required to cause a certified plat, in form as approved by the Planning Commission,
7 to be recorded in the Baldwin County Probate records upon receiving an exemption
8 hereunder.

9
10 ~~Provided, however, no administrative subdivision shall consist of more than six lots;~~
11 ~~contain any public improvements; or require the expenditure of any public funds.~~

12
13 8.1.2 For **administrative exempt** subdivisions hereunder, no public hearing shall be
14 required, but shall be subject to review and approval of the Planning Commission for
15 compliance with the requirements contained in this Section 8. Upon consideration and
16 approval by the Planning Commission, the Chairman shall be authorized to sign the plat
17 on behalf of the Planning Commission.

18
19 8.1.3. - Official recording. No Plat or description of land subdivided as set forth in
20 Section 8.1, shall be filed in the probate records until such plat shall have been finally
21 approved by the Planning Commission.

22
23 8.2 – Administrative Subdivisions. Except as set forth in this Section 8, the provisions of
24 these regulations shall not otherwise apply to the following administrative subdivisions:

25
26 a) An owner of a parcel of real property may convey a portion thereof to an
27 adjoining owner without being subject to the provisions of these regulations
28 provided that no new lots are thereby created.

29
30 b) Subdivision wherein the size of each and every resulting lot equals or exceeds
31 twenty (20) acres including existing public rights-of-way. Each parcel shall have
32 access from an ingress/egress and utility easement of a minimum of thirty (30)
33 feet in width.

34
35 c) The public acquisition by purchase or donation of strips of land for the
36 widening or opening of streets-" or for other public uses.

37
38 d) A "one-time" split of a single parcel into two parcels, if, and only if, the parcel
39 existed and has not been divided since July 1, 1991. Sufficient documentation of
40 property status as of July 1, 1991 must be submitted along with request for
41 exemption.

42
43 e) Common property lines are being moved or reconfigured, where no new lots
44 are being created. The revised parcels shall meet minimum lot size and width
45 requirements.

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2 8.2.1 In addition to the requirements set forth above, the following requirements must
3 be satisfied: each lot created hereunder shall comply with all minimum lot size and
4 setback requirements otherwise specified by the provisions herein or by provisions of the
5 Zoning Ordinance; maintenance of the easement, together with all improvements
6 thereto, shall be the responsibility of all parties to which it is granted by (1) written
7 agreement or (2) deed reference. Neither the City nor the County shall be responsible
8 for any easement or improvements thereto.

9
10 8.2.2 For administrative subdivisions hereunder, no public hearing shall be required, but
11 shall be subject to review and approval of the City Planner for compliance with the
12 requirements contained in this Section 8. Administrative Subdivision applicants shall
13 not be required to submit a plat to the City of Bay Minette Planning Commission.
14 Applicants shall be required to submit to the Planning and Community Development
15 Department, a completed Administrative Subdivision application; a plot plan or survey
16 of the original parcel, drawn to scale, indicating any existing structures (with
17 dimensions) and the setbacks from property lines; a plot plan or survey of the proposed
18 parcel, drawn to scale, indicating any existing structures (with dimensions) and the
19 setbacks from proposed property lines; and any additional documentation deemed
20 necessary to complete the review.

21
22 8.2.3 Any subdivider who appears to the Planning & Community Development
23 Department to be circumventing the intent and substance of these Regulations shall be
24 required to submit a plat for review and approval by the Planning Commission.

25
26 **8.3** Provided, however, no exempt or administrative subdivision shall: consist of more than
27 six lots; contain any public improvements; or require the expenditure of any public funds.

28
29 **8.4** Any property included as part of an exempt or administrative subdivision shall not be
30 eligible for consideration for further subdivision as an exempt or administrative subdivision
31 for a period of one (1) year from the date of the last exempt or administrative subdivisions.

32
33 **8.5** Exemption from the requirement for approval to subdivide does not constitute exemption
34 from the requirements of other applicable regulations including but not limited to state law,
35 zoning regulations, ordinances, Health Department requirements or, if located within the
36 planning jurisdiction of the City, the regulations of Baldwin County.

37
38 ~~**Sec. 9. — Official recording.**~~

39 ~~No Plat or description of land subdivided shall be filed in the probate records until such plat shall~~
40 ~~have been finally approved by the planning commission.~~

41
42 **Sec. 9. - Penalties.** Whoever, being the owner or agent of the owner of any land located within a
43 subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other
44 use of a plat of a subdivision, before such plat has been approved by the Planning Commission
45 and recorded in the records of the office of the judge of probate of Baldwin County, shall forfeit
46 and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred to be sold

1 or agreed or negotiated to be sold; and the description of such lot or by metes and bounds in the
2 instrument of transfer or other document used in the process of selling or transferring shall not
3 exempt the transaction from such penalties or from the remedies herein provided. The City of Bay
4 Minette may enjoin such transfer or sale or agreement by action for injunction brought in any court
5 of equity jurisdiction or may recover the same penalty by a civil action in any court of competent
6 jurisdiction.

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1 **City of Bay Minette**
2 **Subdivision Regulations**
3 **Proposed Revisions – WITHOUT MARK UPS**
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6 **Sec. 8. - Subdivisions and resubdivisions not subject to the provisions of these regulations.**
7

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17 frontage on publicly maintained road.
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31 Minette may enjoin such transfer or sale or agreement by action for injunction brought in any court
32 of equity jurisdiction or may recover the same penalty by a civil action in any court of competent
33 jurisdiction.
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City of Bay Minette

Application for Administrative Subdivision

Date: 11-05-2019

Name of Subdivision: LOUIS RUFFIN SUBDIVISION

Name of Owner: LOUIS RUFFIN

Address: 42200 CARLEE LANE BAY MINETTE AL 36507

Street / PO Box City State Zip

Name of Agent / Professional Land Surveyor, if other than applicant:

David E Diehl, PLS

Address: 880 Holcomb Blvd Fairhope, AL 36532

Street / PO Box City State Zip

Subdivision Location: East side of Jones Rd just south of Oak Ridge Unit 1

Total Acreage: 5.78 # of Parcels Existing: 2

Average Lot Size: 2 ac # of Lots Proposed: 2

Submittal Requirements:

- Application
- Fee
- Survey/Plat showing existing parcel(s)
- Survey showing proposed subdivision in accordance with Subdivision Regulations

Agent / Applicant Name: Louis Ruffin

Signature: Louis Ruffin 937-9258

Date: 11-19-19

Total \$ \$170.00

Cost - \$150.00 plus \$10.00 per parcel



CERTIFICATION FOR FAMILY ADMINISTRATIVE SUBDIVISION

I, Louis Ruffin, the undersigned, do hereby certify and attest to the City of Bay Minette, Alabama and the Bay Minette Planning Commission that the attached administrative subdivision request is in compliance with Section 8 of the Bay Minette Subdivision Regulations. Specifically, the undersigned certifies and attests that the requested subdivision is for the limited purpose of sale, deed, or transfer of land to a person or persons, all of whom are members of the undersigned's immediate family. For purposes of this certification, I understand that immediate family members are limited to the following individuals: spouse, children, siblings, parents, grandparents, grandchildren, nieces, nephews or step-related individuals of the same status.

If approved, subdivided parcels will only be conveyed to a qualifying immediate family member as defined herein and in Section 8 of the Bay Minette Subdivision Regulations.

APPLICANT:

Louis Ruffin
Signature

11-20-19
Date

Louis Ruffin
Print Name

WITNESS:

Clair Dorough
Signature

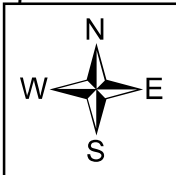
11/20/19
Date

Clair Dorough
Print Name

Signature

Date

Print Name



TOLBERT RD

CARDINAL DR

N LAKE DR

S LAKE DR

JONES RD. EXT

JONES RD

EARL OVERSTREET RD

SUBJECT PROPERTY

Legend

- SUBJECT PROPERTY
- City Limits

BAY MINETTE ZONING

- Unknown Zoning Designation

ZONE

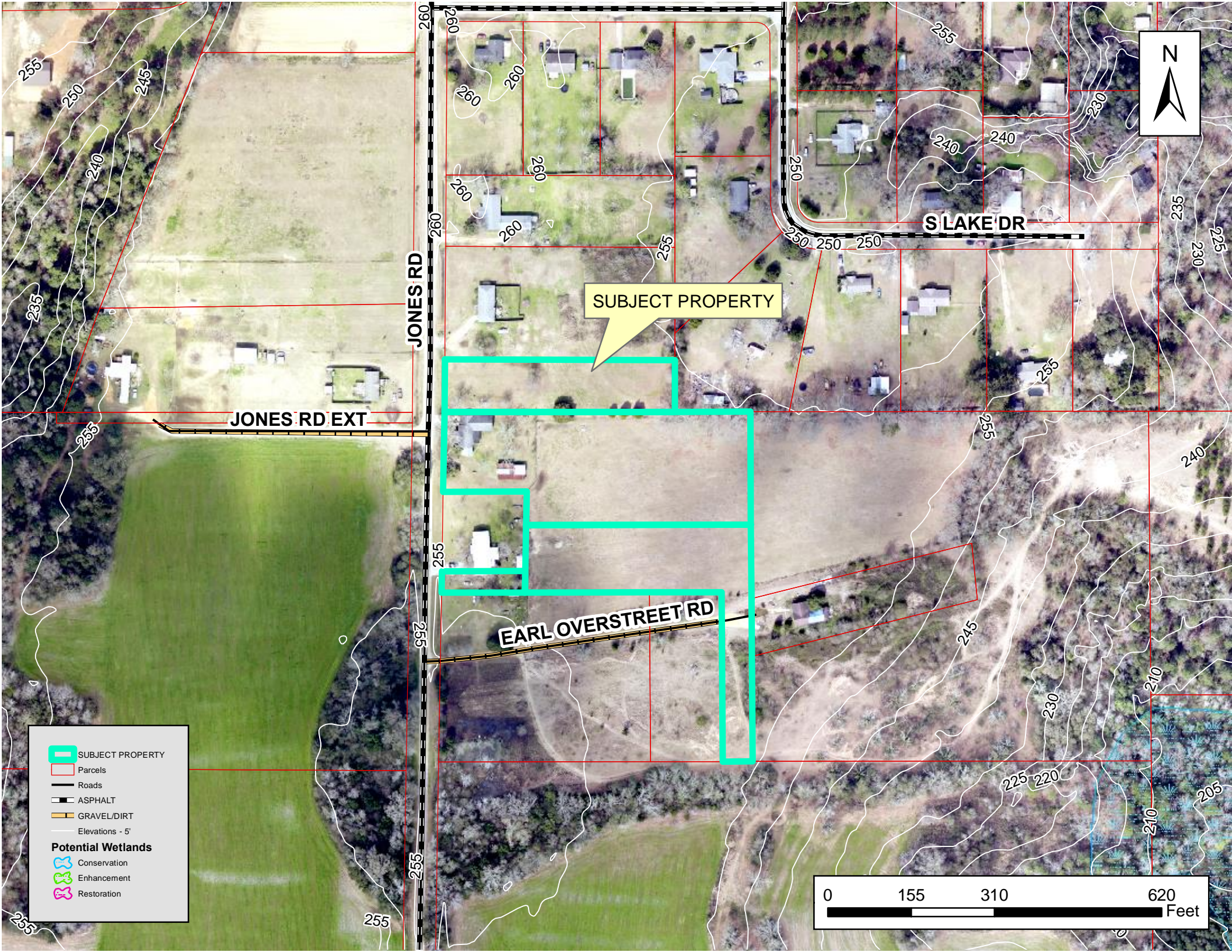
- RA
- R5
- R4
- R3
- R2
- R1
- M2
- M1
- B3H
- B2H
- B2
- B1

Parcels

ASPHALT

GRAVEL/DIRT














SUBJECT PROPERTY

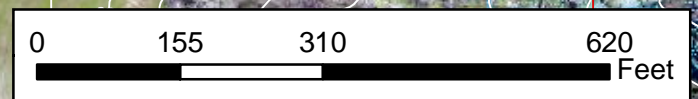
S LAKE DR

JONES RD EXT

JONES RD

EARL OVERSTREET RD

-  SUBJECT PROPERTY
-  Parcels
-  Roads
-  ASPHALT
-  GRAVEL/DIRT
-  Elevations - 5'
- Potential Wetlands**
-  Conservation
-  Enhancement
-  Restoration



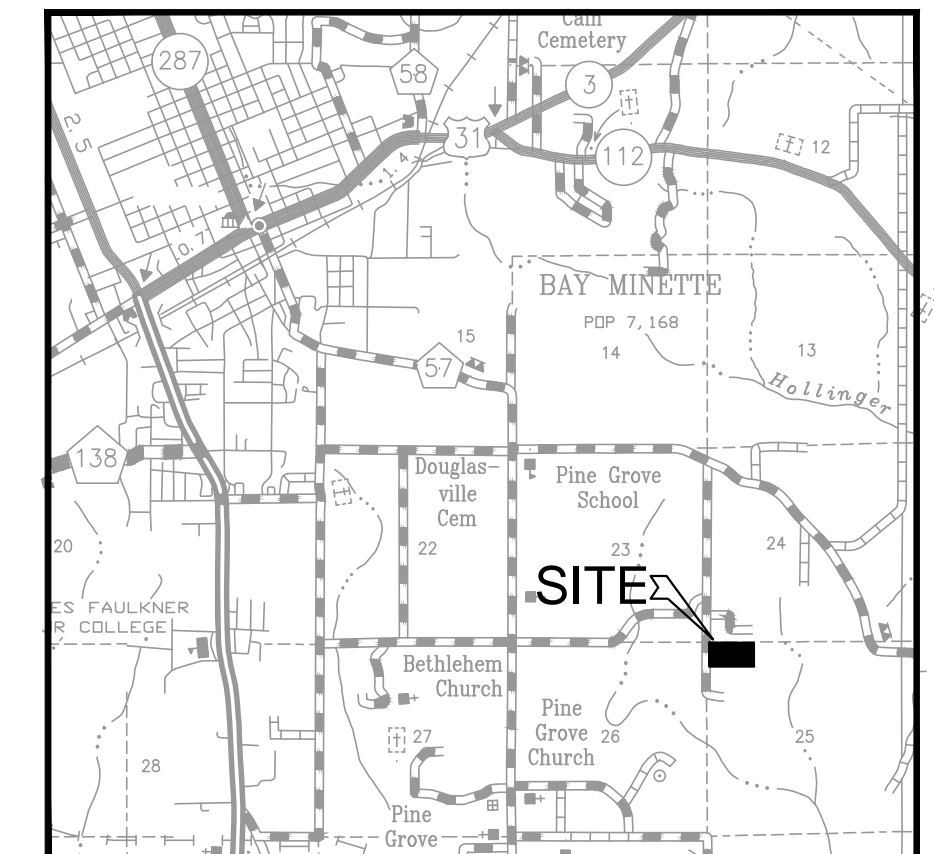
14 | 13
3" STAMPED
BRASS DISK
23 | 24

SECTION CORNER NOTE:

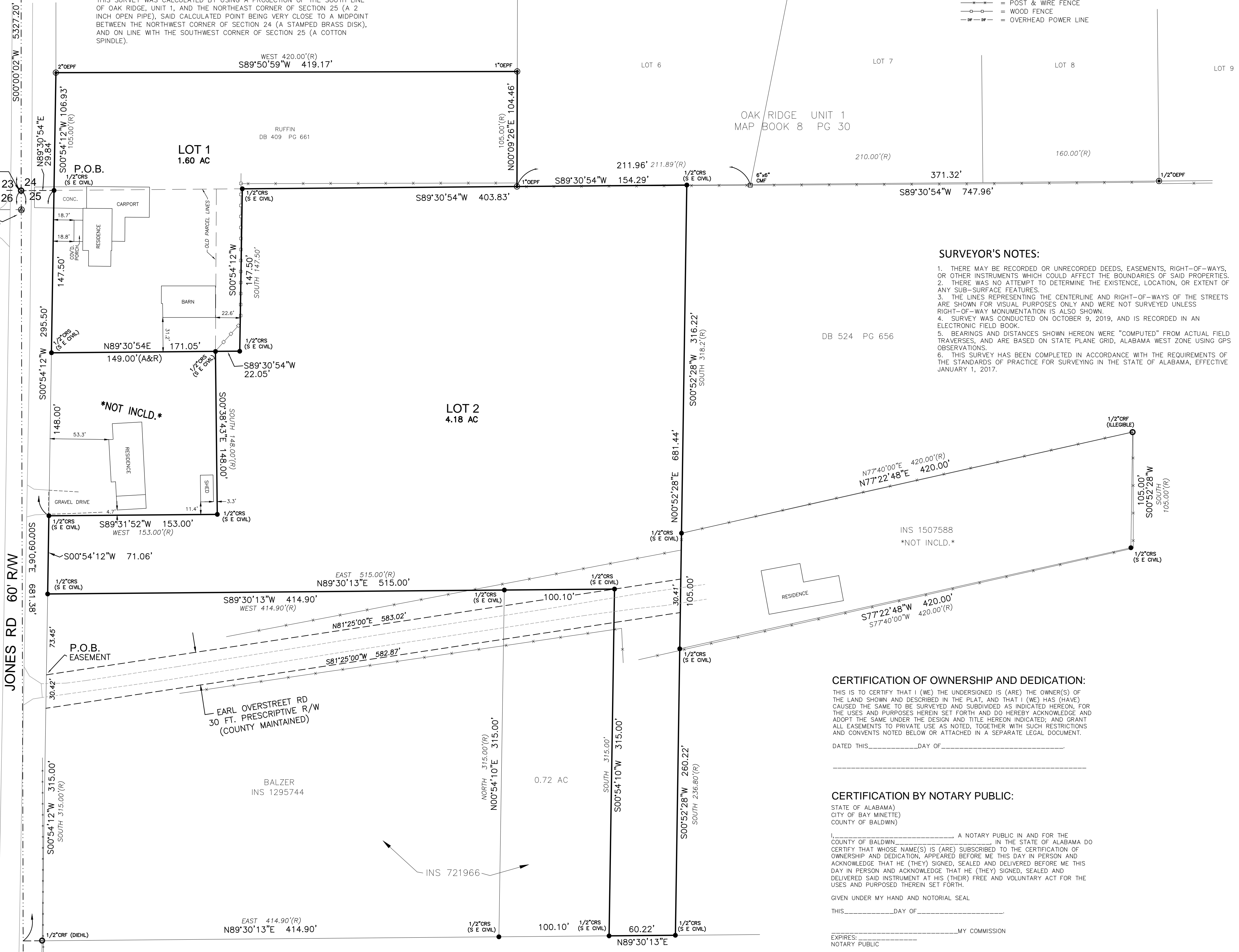
RAILROAD FOUND SPIKE IN CENTER OF JONES ROAD, HELD AS THE "LOCALLY ACCEPTED" NORTHEAST CORNER OF SECTION 26 FOR SURVEYS TO THE WEST, DOES NOT COINCIDE WITH THE CALCULATED LOCATION OF THE NORTHWEST CORNER OF SECTION 25. THE NORTHWEST CORNER OF SECTION 25 HELD FOR THIS SURVEY WAS CALCULATED BY USING A PROJECTION OF THE SOUTH LINE OF OAK RIDGE, UNIT 1, AND THE NORTHEAST CORNER OF SECTION 25 (A 2 INCH OPEN PIPE), SAID CALCULATED POINT BEING VERY CLOSE TO A MIDPOINT BETWEEN THE NORTHWEST CORNER OF SECTION 24 (A STAMPED BRASS DISK), AND ON LINE WITH THE SOUTHWEST CORNER OF SECTION 25 (A COTTON SPINDLE).

LEGEND:

- B.S.L. = BUILDING SETBACK LINE
- (A & R) = ACTUAL & RECORD BEARING/DISTANCE
- (R) = RECORD BEARING/DISTANCE
- = CAPPED REBAR SET (26014 S)
- = CAPPED REBAR FOUND
- = CRIMP TOP IRON FOUND
- = CONCRETE MONUMENT FOUND
- = OPEN END PIPE FOUND
- = CHAIN LINK FENCE
- = POST & WIRE FENCE
- = WOOD FENCE
- = OVERHEAD POWER LINE



VICINITY MAP
1" = 1 MILE



SURVEYOR'S NOTES:

1. THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTIES.
2. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION, OR EXTENT OF ANY SUB-SURFACE FEATURES.
3. THE LINES REPRESENTING THE CENTERLINE AND RIGHT-OF-WAYS OF THE STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE NOT SURVEYED UNLESS RIGHT-OF-WAY MONUMENTATION IS ALSO SHOWN.
4. SURVEY WAS CONDUCTED ON OCTOBER 9, 2019, AND IS RECORDED IN AN ELECTRONIC FIELD BOOK.
5. BEARINGS AND DISTANCES SHOWN HEREON WERE "COMPUTED" FROM ACTUAL FIELD TRAVERSES, AND ARE BASED ON STATE PLANE GRID, ALABAMA WEST ZONE USING GPS OBSERVATIONS.
6. THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, EFFECTIVE JANUARY 1, 2017.

SURVEYOR'S CERTIFICATE

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

COMMENCE AT THE CALCULATED NORTHWEST CORNER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA, AND RUN THENCE NORTH 89 DEGREES 30 MINUTES 54 SECONDS EAST, A DISTANCE OF 29.84 FEET TO A CAPPED REBAR (SE CIVIL) ON THE EAST RIGHT-OF-WAY OF JONES ROAD FOR THE POINT OF BEGINNING; THENCE RUN SOUTH 00 DEGREES 54 MINUTES 12 SECONDS WEST, ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 147.50 FEET TO A CAPPED REBAR (SE CIVIL); THENCE DEPARTING SAID EAST RIGHT-OF-WAY, RUN NORTH 89 DEGREES 30 MINUTES 54 SECONDS EAST, A DISTANCE OF 149.00 FEET TO A CAPPED REBAR (SE CIVIL); THENCE RUN SOUTH 00 DEGREES 38 MINUTES 43 SECONDS EAST, A DISTANCE OF 148.00 FEET TO A CAPPED REBAR (SE CIVIL); THENCE RUN SOUTH 89 DEGREES 31 MINUTES 52 SECONDS WEST, A DISTANCE OF 153.00 FEET TO A CAPPED REBAR (SE CIVIL) ON THE AFOREMENTIONED EAST RIGHT-OF-WAY OF JONES ROAD; THENCE RUN SOUTH 00 DEGREES 54 MINUTES 12 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 71.06 FEET TO A CAPPED REBAR (SE CIVIL); THENCE DEPARTING SAID RIGHT-OF-WAY, RUN NORTH 89 DEGREES 30 MINUTES 13 SECONDS EAST, A DISTANCE OF 615.00 FEET TO A CAPPED REBAR (SE CIVIL); THENCE RUN SOUTH 00 DEGREES 54 MINUTES 10 SECONDS WEST, A DISTANCE OF 315.00 FEET TO A CAPPED REBAR (SE CIVIL); THENCE RUN NORTH 89 DEGREES 30 MINUTES 13 SECONDS EAST, A DISTANCE OF 60.22 FEET TO A CAPPED REBAR (SE CIVIL); THENCE RUN NORTH 00 DEGREES 52 MINUTES 28 SECONDS EAST, A DISTANCE OF 681.44 FEET TO A CAPPED REBAR (SE CIVIL); THENCE RUN SOUTH 89 DEGREES 30 MINUTES 54 SECONDS WEST, A DISTANCE OF 154.29 FEET TO AN OPEN END PIPE; THENCE RUN NORTH 00 DEGREES 09 MINUTES 26 SECONDS EAST, A DISTANCE OF 104.46 FEET TO AN OPEN END PIPE; THENCE RUN SOUTH 89 DEGREES 50 MINUTES 59 SECONDS WEST, A DISTANCE OF 419.17 FEET TO AN OPEN END PIPE ON THE AFOREMENTIONED EAST RIGHT-OF-WAY OF JONES ROAD; THENCE RUN SOUTH 00 DEGREES 54 MINUTES 12 SECONDS WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 106.93 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 5.78 ACRES, MORE OR LESS.

CERTIFICATION OF OWNERSHIP AND DEDICATION:

THIS IS TO CERTIFY THAT I (WE) THE UNDERSIGNED IS (ARE) THE OWNER(S) OF THE LAND SHOWN AND DESCRIBED IN THE PLAT, AND THAT I (WE) HAS (HAVE) CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED, AND GRANT ALL EASEMENTS TO PRIVATE USE AS NOTED, TOGETHER WITH SUCH RESTRICTIONS AND CONVENTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

CERTIFICATION BY NOTARY PUBLIC:

STATE OF ALABAMA
 COUNTY OF BALDWIN
 I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN, IN THE STATE OF ALABAMA DO CERTIFY THAT WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE CERTIFICATION OF OWNERSHIP AND DEDICATION, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT HE (THEY) SIGNED, SEALED AND DELIVERED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT HE (THEY) SIGNED, SEALED AND DELIVERED SAID INSTRUMENT AT HIS (THEIR) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL
 THIS _____ DAY OF _____

 MY COMMISSION
 EXPIRES: _____
 NOTARY PUBLIC

CERTIFICATION OF APPROVAL FOR RECORDING:

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE BAY MINETTE LAND USE AND DEVELOPMENT ORDINANCE WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND WRITTEN UPON SAID PLAT AND THAT IT HAS BEEN APPROVED FOR THE RECORDING IN THE OFFICE OF THE BALDWIN COUNTY JUDGE OF PROBATE.

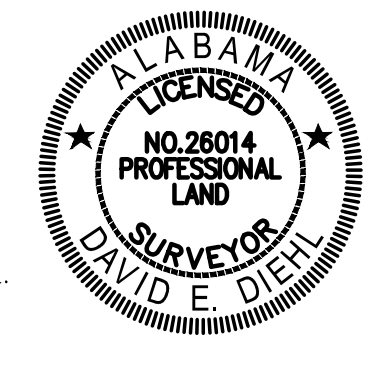
DATED THIS _____ DAY OF _____

 PLANNING COMMISSION CHAIRMAN, OR HIS AUTHORIZED REPRESENTATIVE

TOGETHER WITH AND SUBJECT TO A 30 FOOT PRESCRIPTIVE EASEMENT FOR EARL OVERSTREET ROAD, DESCRIBED AS:

COMMENCE AT THE CALCULATED NORTHWEST CORNER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA, AND RUN THENCE NORTH 89 DEGREES 30 MINUTES 54 SECONDS EAST, A DISTANCE OF 29.84 FEET TO A CAPPED REBAR (SE CIVIL) ON THE EAST RIGHT-OF-WAY OF JONES ROAD; THENCE RUN SOUTH 00 DEGREES 54 MINUTES 12 SECONDS WEST, ALONG SAID EAST RIGHT-OF-WAY, A DISTANCE OF 147.50 FEET TO A CAPPED REBAR (SE CIVIL); THENCE DEPARTING SAID EAST RIGHT-OF-WAY, RUN NORTH 89 DEGREES 30 MINUTES 54 SECONDS EAST, A DISTANCE OF 149.00 FEET TO A CAPPED REBAR (SE CIVIL); THENCE RUN SOUTH 00 DEGREES 38 MINUTES 43 SECONDS EAST, A DISTANCE OF 148.00 FEET TO A CAPPED REBAR (SE CIVIL); THENCE RUN SOUTH 89 DEGREES 31 MINUTES 52 SECONDS WEST, ALONG SAID EAST MARGIN, RUN SOUTH 81 DEGREES 25 MINUTES 00 SECONDS EAST, A DISTANCE OF 583.02 FEET TO A POINT ON THE EAST MARGIN OF THE SUBJECT PROPERTY; THENCE RUN SOUTH 00 DEGREES 52 MINUTES 28 SECONDS WEST, ALONG SAID EAST MARGIN, A DISTANCE OF 30.41 FEET; THENCE DEPARTING SAID EAST MARGIN, RUN SOUTH 81 DEGREES 25 MINUTES 00 SECONDS WEST, A DISTANCE OF 582.87 FEET TO A POINT ON THE EAST MARGIN OF JONES ROAD; THENCE RUN NORTH 00 DEGREES 54 MINUTES 12 SECONDS EAST, ALONG SAID EAST MARGIN OF JONES ROAD, A DISTANCE OF 30.42 FEET TO THE POINT OF BEGINNING.

DAVID E DIEHL AL. P.L.S. NO. 26014 DATE _____
 SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.



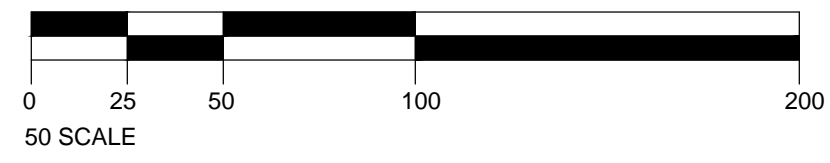
LEWIS RUFFIN SUBDIVISION

BOUNDARY SURVEY & RESUBDIVISION

LOUIS RUFFIN



DRAWN	DED
CHKD.	DED
PROJ MGR	DED
SCALE	1"=50'
PROJECT	20190571
FILE	20190571REPLAT
SHEET	1 OF 1





City of Bay Minette

Planning & Development Services

Planning Commission Staff Analysis

Case No. AS-1901

Ruffin Property

Administrative Subdivision Request

December 12, 2019

Subject Property Information

Physical Address: 42990 Jones Road
Parcel Numbers: 05-23-07-25-0-000-014.000
05-23-07-25-0-000-014.002
05-23-07-25-0-000-014.003
05-23-06-24-0-000-049.000
Zoning: N/A – Planning Jurisdiction
Land Use: Single Family Residential
Acreage: 5.78± acres
Applicant: Louis Ruffin
42200 Carlee Lane
Bay Minette, AL 36507
Owner: J.W. Ruffin
42990 Jones Road
Bay Minette, AL 36507

	Adjacent Land Use	Adjacent Zoning
North	Residential	Unzoned, Outside City Limits
South	Residential	Unzoned, Outside City Limits
East	Residential	Unzoned, Outside City Limits
West	Residential	Unzoned, Outside City Limits

Summary

The subject properties, which consist of approximately 5.78± total acres, are located outside of municipal limits and within the City's Planning Jurisdiction. The applicant is requesting to replat the four parcels, which will result in two parcels, one with 1.60± acres and one with 4.18± acres. The applicant will be deeding one of the lots to his sister. Each proposed parcel will have access availability from Jones Road. The request meets item (i) and (v) of Section 8 relating to Administrative Subdivisions.

Administrative Subdivision Review Criteria

The following Administrative Subdivision types are found in **Section 8** of the *Subdivision Regulations of the City of Bay Minette*.

- (i) The resubdivision of land into six (6) or less lots, tracts, or parcels where each of the lots, tracts, or parcels established by the resubdivision fronts on an existing public road.

- (ii) An owner of a parcel of real property may convey a portion thereof to an adjoining owner without being subject to the provisions of these regulations provided that no new lots are thereby created.

- (iii) Subdivision wherein the size of each and every resulting lot equals or exceeds twenty (20) acres including existing public rights-of-way. Each parcel shall have access from an ingress/egress and utility easement of a minimum of thirty (30) feet in width.

- (iv) Subdivision wherein the size of each and every resulting lot equals or exceeds ten (10) acres including existing public rights-of-way. Each parcel shall have frontage on publicly maintained road.

- (v) The subdivision of property for the limited purpose of sale, deed or transfer of land by the owner to a person or persons, all of whom are members of the owner's immediate family. Each parcel which is subdivided pursuant to this subparagraph shall have deeded ingress/egress and utility access or easement that runs with the land of not less than 30 feet in width. A qualifying division hereunder is limited to a division among the following designated legally related immediate family members: spouse, children, siblings, parents, grandparents, grandchildren, nieces, nephews, or step-related individuals of the same status.

- (vi) The public acquisition by purchase or donation of strips of land for the widening or opening of streets.

In addition to the requirements set forth above, the following requirements must be satisfied:

- 1) Each lot created hereunder shall comply with all minimum lot size and setback requirements otherwise specified by the provisions herein or by provisions of the Zoning Ordinance;
- 2) Maintenance of the easement, together with all improvements thereto, shall be the responsibility of all parties to which it is granted by (1) written agreement or (2) deed reference, and shall be noted on a Recorded Plat of Survey. Neither the City nor the County shall be responsible for any easement or improvements thereto.
- 3) No administrative subdivision shall: consist of more than six lots; contain any public improvements; or require the expenditure of any public funds.

Planning Commission Action

For administrative subdivisions, no public hearing shall be required, but shall be subject to review and approval of the Planning Commission for compliance with the requirements contained in Section 8. Upon

consideration and approval by the Planning Commission, the Chairman shall be authorized to sign the plat on behalf of the Planning Commission.

The Planning Commission has the option to:

- Approve the subdivision and authorize the Chairman to sign the plat
- Approve the subdivision with conditions and authorize the Chairman to sign the plat
- Deny the subdivision, with stated factors for the denial

Certified Plat: The property owner shall be responsible for the preparation of a certified plat, in form as approved by the Planning Commission, to be filed in the Baldwin County Probate records upon receiving approval hereunder. In the event the property to be divided is an existing lot (or lots) of record in a recorded subdivision, the applicant shall be required to cause a certified plat, in form as approved by the Planning Commission, to be recorded in the Baldwin County Probate records upon receiving an exemption hereunder.

Limitation on resubmittal. Any property included as part of an administrative subdivision shall not be eligible for consideration for further subdivision as an administrative subdivision for a period of one (1) year from the date of the last administrative subdivision.