

**CITY OF BAY MINETTE
PLANNING COMMISSION**

AGENDA

January 9, 2020

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 December 12, 2019 Regular Meeting
4. **Old Business**
Public Hearing for RA-1901 - Proposed Subdivision Regulation Amendment related to Section 8 Administrative Subdivisions
5. **New Business**
 - a.) **AS-1903, Boeschen Subdivision**
Request: Approval to divide one lot into two
Location: The subject property is located at 43800 Pine Grove Road
 - b.) **AS-1904, Boykin Subdivision**
Request: Correction related to Baldwin County exempt subdivision approval
Location: The subject property is located at Co. Rd. 138 near Tall Pine 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 December 12, 2019

Monthly Meeting No. 12

The Bay Minette Planning Commission met in Regular Session on Thursday, December 12, 2019. The meeting was called to order at 8:00 a.m., by 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:

Todd Stewart, Chairman
Ed Pepperman, Vice-Chairman
Robert A. "Bob" Wills, Mayor
Scotty Langham, Commission Member
Jessica Davis, Commission Member
Wynter Crook, Commission Member
Neal Covington, Commission Member

Commission Members absent:

Pat Robinson, Building Official

Commission Members late:

John Biggs, Council Member

Other persons in regular attendance:

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

GUESTS

Anne Price
George Price
Carolyn Capps
Steve Capps
Louis Ruffin

Tripp Ward
Paula Price

INVOCATION

Chairman Stewart gave the invocation, followed by the pledge.

ITEM 3.

Approval of Minutes of the November 14, 2019 meeting. Mayor Wills made a motion to approve the minutes. The motion was seconded by Commission Member Pepperman and unanimously carried.

ITEM 4.

Old Business

- Mrs. Dorough introduced a Subdivision Regulation amendment to Section 8, Administrative Subdivision ordinance. Mrs. Dorough requested the Planning Commission review the proposed changes which included having types of applications that would be exempt from Planning Commission review. She suggested that these be done in house so the process can move along faster with less expense on the applicant. Chairman Stewart asked for all Planning Commission Members to review the proposed amendment in the packet so staff could bring the draft the next scheduled Planning Commission meeting for a public hearing. Mrs. Johnston stated other municipalities handle certain cases in house as well.
- Chairman Stewart introduced and welcomed the new Planning Commission members, Wynter Crook and Neal Covington.

ITEM 5.

New Business:

AS- 1901, Louis Ruffin Subdivision

Request: Approval to replat the subject properties

Location: The subject property is located at 42900 Jones Road

Chairman Stewart introduced the Louis Ruffin Subdivision and asked if anyone was at the meeting to represent for the application. Mrs. Dorough explained the request to go from four parcels to two parcels, deeding the two to his sister. She stated the roadway access would be on Jones Road and the application meets the Administrative Subdivision Regulations. Chairman Stewart stated there are no setback issues, and Mrs. Dorough confirmed. Chairman Stewart asked if there were any questions or comments, and there were none. Mayor Wills made a motion for authorization for the Chairman to sign the plat. Commission Member Pepperman seconded, and the motion was unanimously carried.

Chairman Stewart asked if anyone from the public would like to speak. Carolyn Capps, who lives at 300 Northshore Drive, the first lot in Canterbury, stated there is a large commercial-looking shed built at 1700 Auburn Avenue. She stated the structure has 4 garage door bays and is larger than the adjoining dwelling. She is concerned the structure is going to devalue her property, and the drainage will be an issue. She requested an explanation of how it was permitted. Chairman Stewart explained the structure is an accessory, and only permitted for placement, not aesthetics. He briefly explained the criteria that is viewed prior to permit issuance, including lot coverage percentages and setbacks, and explained the building in question met all the criteria. Mrs. Capps requested for a large fence to be built to cover it, and for everyone to keep an eye on the structure.

George Price, who lives at 1205 Mixon Avenue, stated he has worked on the Planning Commission and understands how the process operates. He is concerned about the drainage issue that is now occurring because of the structure located at 1700 Auburn Avenue. He stated there is overflow of mud in his daughter-in-law's yard, and something needs to be done.

Steve Capps, who lives at 300 Northshore Drive, requested the structure to have new paint so it would better blend into the neighborhood. Chairman Stewart stated we do not regulate colors, only placement of accessory structures.

Chairman Stewart expressed thanks to the public who voiced their concerns, and stated that the drainage issue would be looked into.

ITEM 6.

Reports:

A. Mayor/Council Report:

- Mayor Wills apologized for the disagreement regarding the structure at 1700 Auburn Avenue, and explains that the Planning and Building Department put a lot of time into making sure all the criteria was met and approved before a permit was issued. George Price asked for the builder to try and make the structure more cohesive to the neighborhood. Mayor Wills spoke about Christmas Fest this coming Saturday, and that it was moved back to the Courthouse Square. He also mentioned the Methodist Church would be selling food in the fellowship hall. He reminded everyone that the Block Party was being held tonight, and the Employee Appreciation luncheon was scheduled for next week. Mayor Wills also stated that a new director for the Recreation Center would be appointed soon.

B. Attorney Report

- None

C. Commissioner's Report

- Chairman Stewart thanked everyone for attending. Commission Member Crook inquired on time for the Block Party. Jason Padgett said it was open to all public. Commission Member Biggs stated that Saturday was the 200th anniversary for Alabama's statehood. Carolyn Capps brought a letter from a neighbor to be entered into the record that discussed the impact the building located at 1700 Auburn Avenue has had on her.

D. Planning Staff

- Mrs. Dorough stated that we were aware of the additional construction at Auburn Avenue, and that the partially constructed structures have not been permitted but the Building Department is in contact. Commission Member Covington inquired on setbacks, and Mrs. Dorough explained the setback guidelines.
- Ron Stewart, who lives at 1700 Auburn Avenue and owns the structure in question, introduced himself at this time. He apologized for the issues that have been made since erecting the barn, and proceeds to explain how he has recently made the move back to the area. He spoke about plans for topsoil and sodding, and his intentions for the structure to cover his pontoon boats and truck. Chairman Stewart thanked Mr. Stewart for attending the meeting.

ITEM 8. With no further business Chairman Stewart adjourned the meeting at 8:45am.

DONE THIS THE 12TH DAY of DECEMBER 2019

Todd Stewart, Chairman

ATTEST:

Jessica Peed, Planning Assistant



City of Bay Minette

Planning & Development Services

Planning Commission Staff Analysis

Case No. AS-1903 - Boeschen Property

Administrative Subdivision Request

January 9, 2020

Subject Property Information

Physical Address: 43800 Pine Grove Road
Parcel Number: 05-23-06-23-0-000-004.000
Zoning: N/A – Planning Jurisdiction
Land Use: Single Family Residential
Acreage: 7.15± acres
Applicant: Steven and Adrienne Boeschen
 43800 Pine Grove Road
 Bay Minette, AL 36507
Owner: Steven and Adrienne Boeschen
 43800 Pine Grove Road
 Bay Minette, AL 36507

	Adjacent Land Use	Adjacent Zoning
North	Education – Pine Grove Elementary	Unzoned, Outside City Limits
South	Residential	R-2, Single Family Residential
East	Residential	R-2, Single Family Residential
West	Residential	Unzoned, Outside City Limits

Summary

The subject property, which consists of approximately 7.15± total acres, is located outside of municipal limits and within the City’s Planning Jurisdiction. The applicant is requesting to subdivide the parcel into two lots, which will result in one 3± acre parcel and one 4.15± acre parcel, both fronting Pine Grove Road. The applicant is dividing the property to build a house on the 3-acre parcel and will deed the remaining parcel to her spouse. **The request meets items (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**.

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.

- (i) 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.
- (ii) 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.

(iii) 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.

(iv) 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.

(v) 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.



City of Bay Minette

Application for Administrative Subdivision

Fee- \$150 plus \$10.00 per parcel

Total \$ 170.00

Paid: Check Cash

Credit Card

Owner Name: Steven L. and Adrienne C. Boesch

Phone Number: 251-404-5850 Email: adrienneboesch@aol.com

Address: 43800 Pine Grove Road Bay Minette, AL 36507

Street / PO Box

City

State

Zip

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

N/A

Phone Number: _____ Email: _____

Name of Subdivision: _____

Subdivision Location: _____

Parcel/PPIN #: 23-06-23-0-000-004

Total Acreage: 7.15 acres # of Parcels Existing: 1

Lot Sizes: 3 acres and 4.15 acres # of Lots Proposed: 2

Reason for request: We need to divide the seven acres we own to build a house. The mortgage company will not mortgage a single property with two dwellings. We intend to build a 4bd./3½ ba. home with an estimated value of \$300,000.

Signature: Adrienne C Boesch Date: December 3, 2019

Submittal Requirements

Application
 Fee

N/A Agent Authorization Form (if applicant is not the owner)
 Certification for Family Administrative Subdivision Form (if applicable)
 Survey/Plat showing existing parcel(s)

Survey showing proposed subdivision in accordance with Administrative Subdivision Regulations

*Administrative Subdivision Regulations are included with packet

- 2 Hard Copies; 1 with the original seal
- Electronic Copy sent to Planning@ci.bay-minette.al.us



CERTIFICATION FOR FAMILY ADMINISTRATIVE SUBDIVISION

I, Adrienne C. Boeschen, 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:

Adrienne Boeschen
Signature

December 3, 2019
Date

Adrienne Boeschen
Print Name

WITNESS:

Tammy Burns
Signature

12-3-2019
Date

Tammy Burns
Print Name

Signature

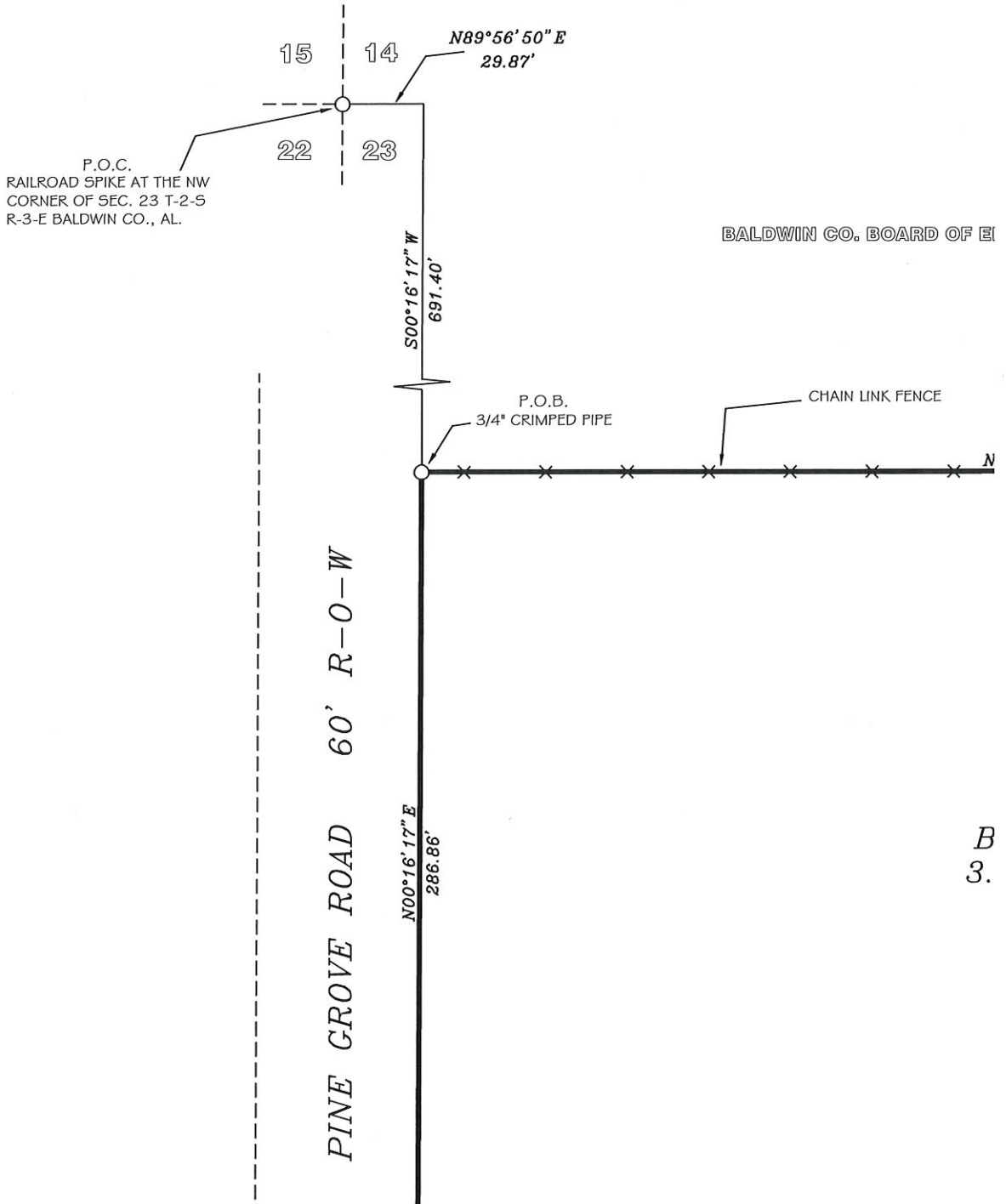
Date

Print Name

Y SURVEYING, L.L.C.

DESCRIPTION AS SURVEYED

Commencing at a RAILROAD SPIKE AT THE NW CORNER OF SEC. 23 T-2-S R-3-E BALDWIN CO., AL.; thence N89°56'50"E, a distance of 29.87 feet to a POINT on the East R-O-W of Pine Grove Road; thence S00°16'17"W, along said R-O-W a distance of 691.40 feet to a 3/4" CRIMPED PIPE to the POINT OF BEGINNING; thence N89°58'00"E, leaving said R-O-W a distance of 455.33 feet to a 1/2" CAPPED REBAR "ILLEGIBLE"; thence S00°16'47"W, a distance of 286.65 feet to a 1/2" REBAR; thence S89°56'27"W, a distance of 455.29 feet to a 1/2" CAPPED REBAR "ILLEGIBLE" on said R-O-W; thence N00°16'17"E, along said R-O-W a distance of 286.86 feet to the POINT OF BEGINNING, Said parcel containing 3.00 acres, more or less.





BRADY-RD.EXT

L BOESCHEN RD

OLD BRADY-RD

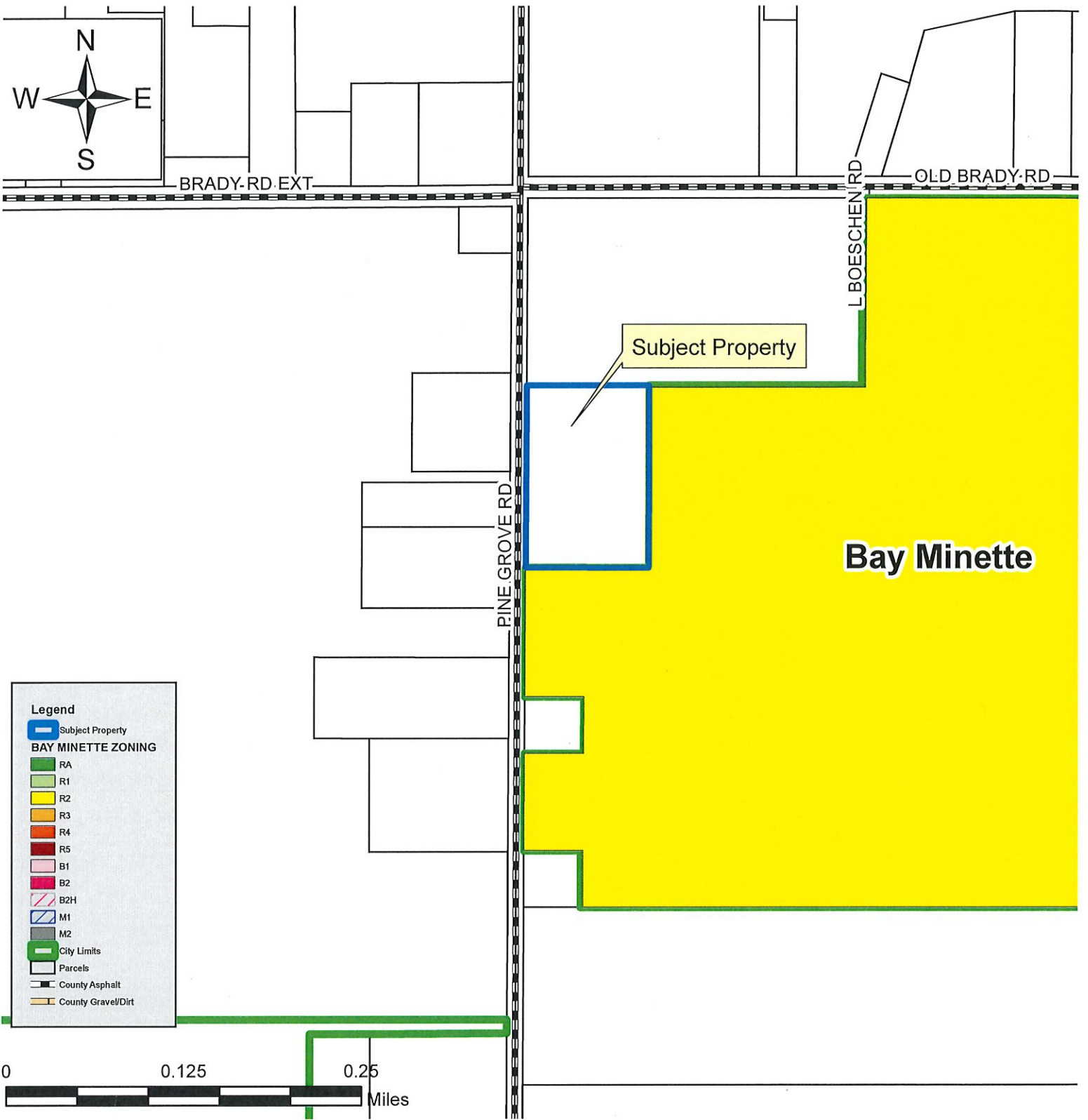
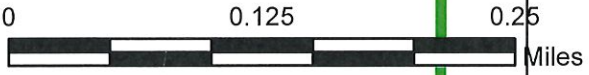
PINE GROVE RD

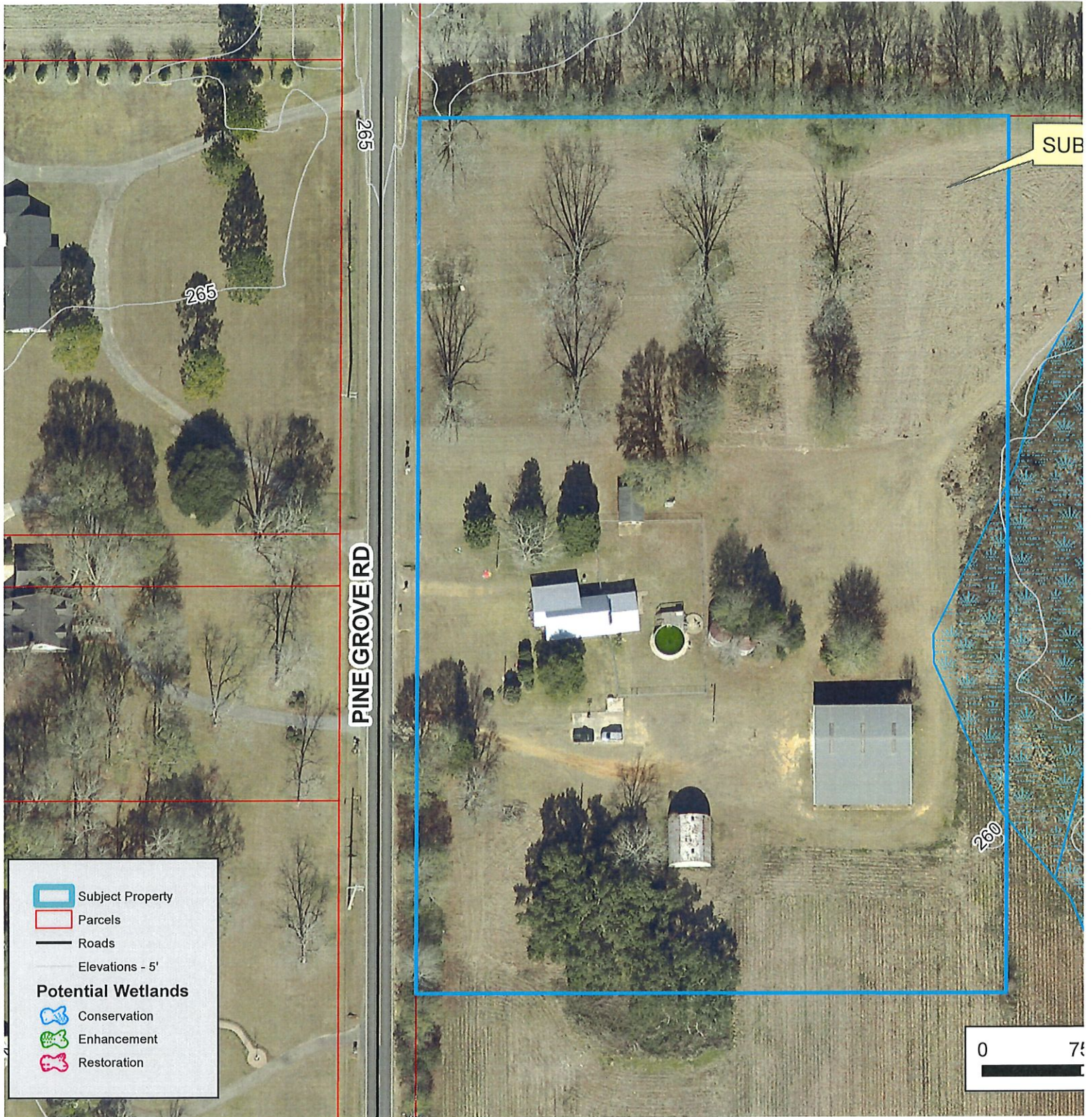
Subject Property

Bay Minette

Legend

- Subject Property
- BAY MINETTE ZONING**
- RA
- R1
- R2
- R3
- R4
- R5
- B1
- B2
- B2H
- M1
- M2
- City Limits
- Parcels
- County Asphalt
- County Gravel/Dirt





PINE GROVE RD

265

265

200

SUB

Subject Property
 Parcels
 Roads
 Elevations - 5'

Potential Wetlands

- ~ Conservation
- ~ Enhancement
- ~ Restoration





City of Bay Minette

Planning & Development Services

Planning Commission Staff Analysis

Case No. AS-1904 - Boykin Property

Administrative Subdivision Request

January 9, 2020

Subject Property Information

Physical Address: None – Co. Rd. 138 near Tall Pine Road

Parcel Number: 05-23-09-30-0-000-012.000

05-23-09-30-0-000-012.001

Zoning: N/A – Planning Jurisdiction

Land Use: Single Family Residential

Acreeage: .68± acres and 3.32± acres

Applicant: J. Allison Boykin

405 Northshore Drive

Bay Minette, AL 36507

Owner: J. Allison Boykin (.68± acre parcel)

405 Northshore Drive

Bay Minette, AL 36507

Calvin Johnson (.3.32± acre parcel)

12280 Co. Rd. 138

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 property is located outside of municipal limits and within the City’s Planning Jurisdiction. In 2015, the owner received approval for an Exempt Subdivision from Baldwin County under the family subdivision rule. This request split the 4 acre parcel into a 3.32 acre parcel and a .68 acre parcel. The approved subdivision was recorded and parcel lines changed based on the County’s approval letter. In June of 2019, the applicant sold the 3.32 acre parcel and then recently attempted to obtain an address from E-911. The address request was denied since the property is in the City’s Extra-Territorial Jurisdiction and did not receive subdivision approval from the City Planning Commission. Currently, and at the time of the original subdivision in 2015, the split met the City’s Administrative Subdivision Regulations. The applicant is asking for Planning Commission approval that will essentially ratify the subdivision that was recorded based on the County’s approval.

The request meets items (i) of Section 8 relating to Administrative Subdivisions.

Administrative Subdivision Review Criteria

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(ii) 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.

(iii) 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.

(iv) 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.

(v) 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:

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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
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- Deny the subdivision, with stated factors for the denial

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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.



City of Bay Minette

Application for Administrative Subdivision

Fee- \$150 plus \$10.00 per parcel

Total \$ 170.00

Paid: Check Cash

41089
 Credit Card

Owner Name: J, ALLISON BOYKIN
 Phone Number: 251 234 4165 Email: ALBOYKIN@AOL.COM
 Address: 425 NORTHSIDE DR BAYMINETTE AL 36507-428
 Street / PO Box City State Zip

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

Phone Number: _____ Email: _____

Name of Subdivision: _____

Subdivision Location: _____

Parcel/PPIN #: 9061

Total Acreage: 4.0 # of Parcels Existing: 1

Lot Sizes: .68 + 3.32 # of Lots Proposed: 2

Reason for request: SUBDIVISION CORRECTION

Signature: [Signature] Date: 12/30/2019

Submittal Requirements

- _____ Application
- _____ Fee
- _____ Agent Authorization Form (if applicant is not the owner)
- _____ Certification for Family Administrative Subdivision Form (if applicable)
- _____ Survey/Plat showing existing parcel(s)
- _____ Survey showing proposed subdivision in accordance with Administrative Subdivision Regulations

**Administrative Subdivision Regulations are included with packet*

- 2 Hard Copies; 1 with the original seal
- Electronic Copy sent to Planning@ci.bay-minette.al.us

AS-1904



BALDWIN COUNTY

HIGHWAY DEPARTMENT

P.O. Box 220
SILVERHILL, ALABAMA 36576

TELEPHONE (251) 937-0371
FAX (251) 937-0201

CAL MARKERT, P.E.
COUNTY ENGINEER

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 3/15/2018 2:02 PM
TOTAL \$ 16.00
2 Pages

1685056



April 30, 2015

J. Allison Boykin
405 Northshore Drive
Bay Minette, AL 36507

Subject: Exempt Subdivision Parcel ID: 05-23-09-30-0-000-012.000
SEC. 30, T2S, R3E (District 5, Unzoned)

Dear Ms. Boykin:

This letter is in response to your request for an exemption from the *Baldwin County Subdivision Regulations* as provided in Section 4.2(c) which states the following:

§4.2 Exceptions to Required Approval.

(c) Sale, deed or transfer of land by the owner to an immediate family member, except that, in the event that there is any sale, deed, or transfer of land by the owner or an immediate family member to someone other than an immediate family member, these regulations shall apply. Each parcel shall have its own ingress/egress and utility access of not less than 30 feet in width;

Exemption from the requirement for approval to subdivide does not constitute exemption from the requirements of other applicable regulations including but not limited to zoning ordinance, Health Department requirements, highway construction setbacks, or, if located within the extraterritorial jurisdiction of a municipality, the regulations of that municipal planning commission. Any subdivider who is circumventing the intent and substance of the *Baldwin County Subdivision Regulations* shall be required to submit a plat for review and approval by the Baldwin County Planning and Zoning Commission and shall be subject to the penalties under *Section 13.3: Enforcement of the Baldwin County Subdivision Regulations*.

Based upon your request for an exemption, the proposed division of this parcel into two (2) parcels as shown on the attached drawing is **Exempt** from the *Baldwin County Subdivision Regulations*.

This property is located within the extraterritorial jurisdiction of the City of Bay Minette and as such you are required to contact their Planning Department to verify compliance with their regulations.

If you have any questions please feel free to call me.

Sincerely,

CAL MARKERT, P.E.
COUNTY ENGINEER

By: Seth Peterson
Seth Peterson, E.I.
Permit / Subdivision Manager

Cc: Mike Howell; Building Official (via interoffice mail)
Annette Lubertozzi; E911 Addressing (via interoffice mail)
City of Bay Minette Planning Department
File

SECONDS EAST, A DISTANCE OF 336.72 FEET TO A CAPPED IRON PIN; THENCE RUN NORTH 00 DEGREES 10 MINUTES 39 SECONDS EAST, A DISTANCE OF 336.72 FEET TO A CAPPED IRON PIN; THENCE RUN NORTH 75 DEGREES 00 MINUTES 34 SECONDS EAST, A DISTANCE OF 96.38 FEET TO A CAPPED IRON PIN; THENCE RUN NORTH 09 DEGREES 41 MINUTES 51 SECONDS WEST, A DISTANCE OF 75.91 FEET TO A CAPPED IRON PIN; THENCE RUN NORTH 00 DEGREES 10 MINUTES 39 SECONDS EAST, A DISTANCE OF 100.00 FEET TO A CAPPED IRON PIN; THENCE RUN NORTH 10 DEGREES 12 MINUTES 52 SECONDS EAST, A DISTANCE OF 161.88 FEET TO A CAPPED IRON PIN ON THE SOUTH MARGIN OF BALDWIN COUNTY HIGHWAY 138; THENCE RUN NORTH 79 DEGREES 50 MINUTES 05 SECONDS EAST, ALONG SAID SOUTH MARGIN, A DISTANCE OF 143.03 FEET TO AN IRON PIPE; THENCE RUN SOUTH 00 DEGREES 10 MINUTES 39 SECONDS WEST, A DISTANCE OF 722.33 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 3.32 ACRES, MORE OR LESS, AND LIES IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA

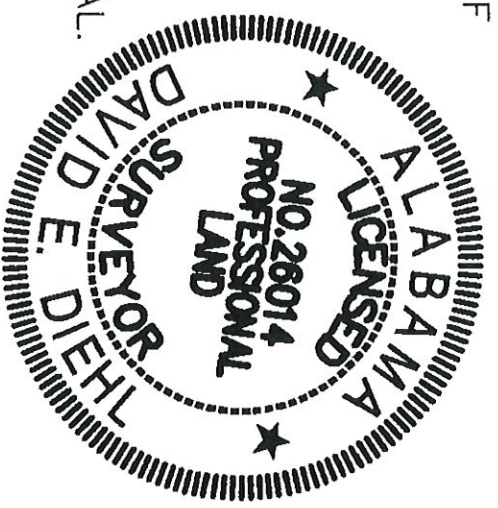
P.U.B. (A) N00°10'39"E

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.

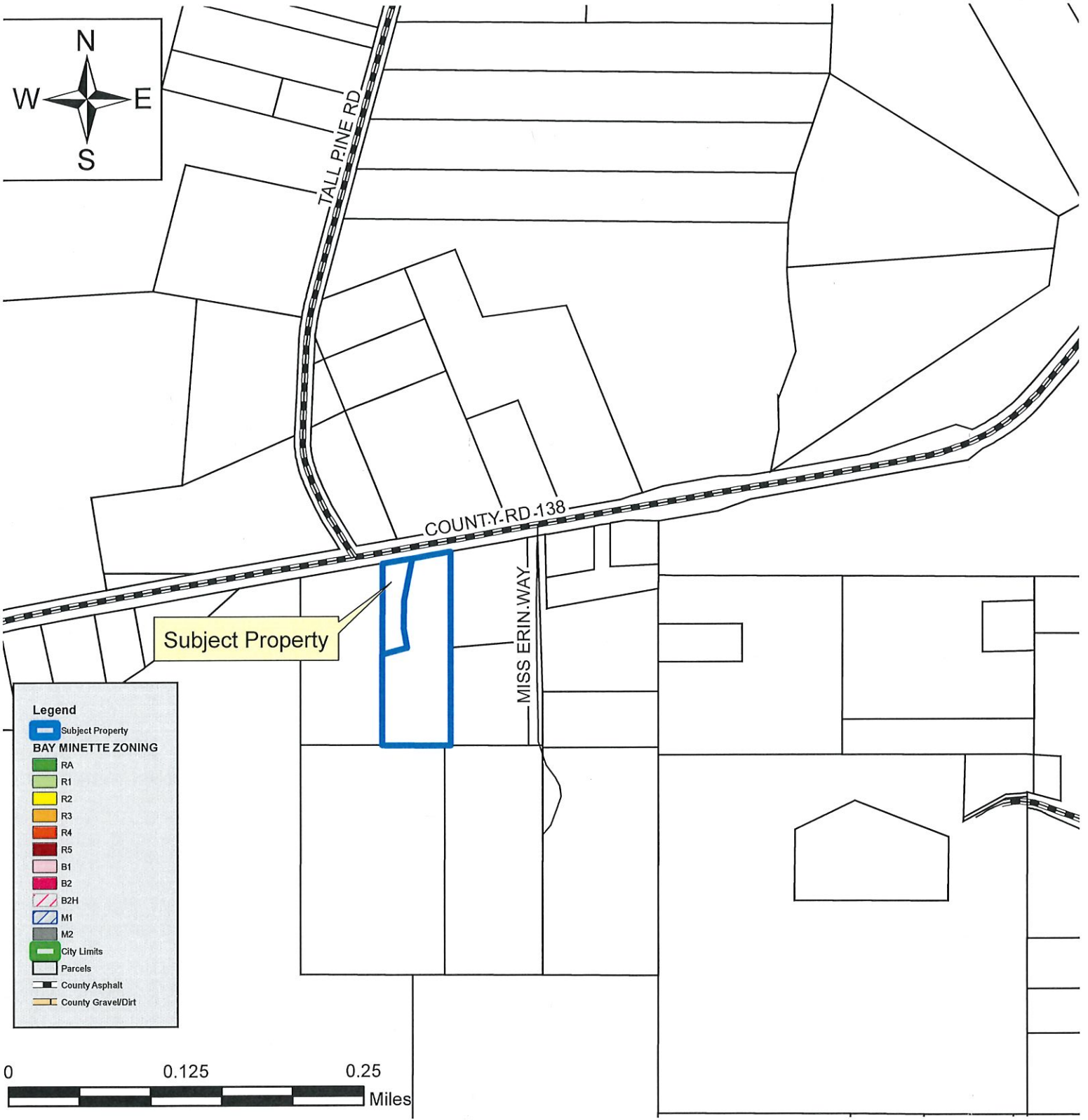
[Signature]
 DAVID E. DIEHL AL. P.L.S. NO. 26014 DATE 11-8-2015
 607 RACHEL CT BAY MINETTE, AL. 251-510-2792

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.



1/2" CRF (POLY)

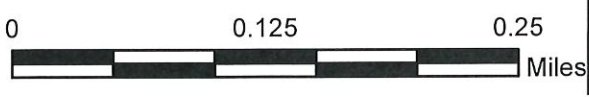
REVISION OF SURVEY DATED 6/21/15

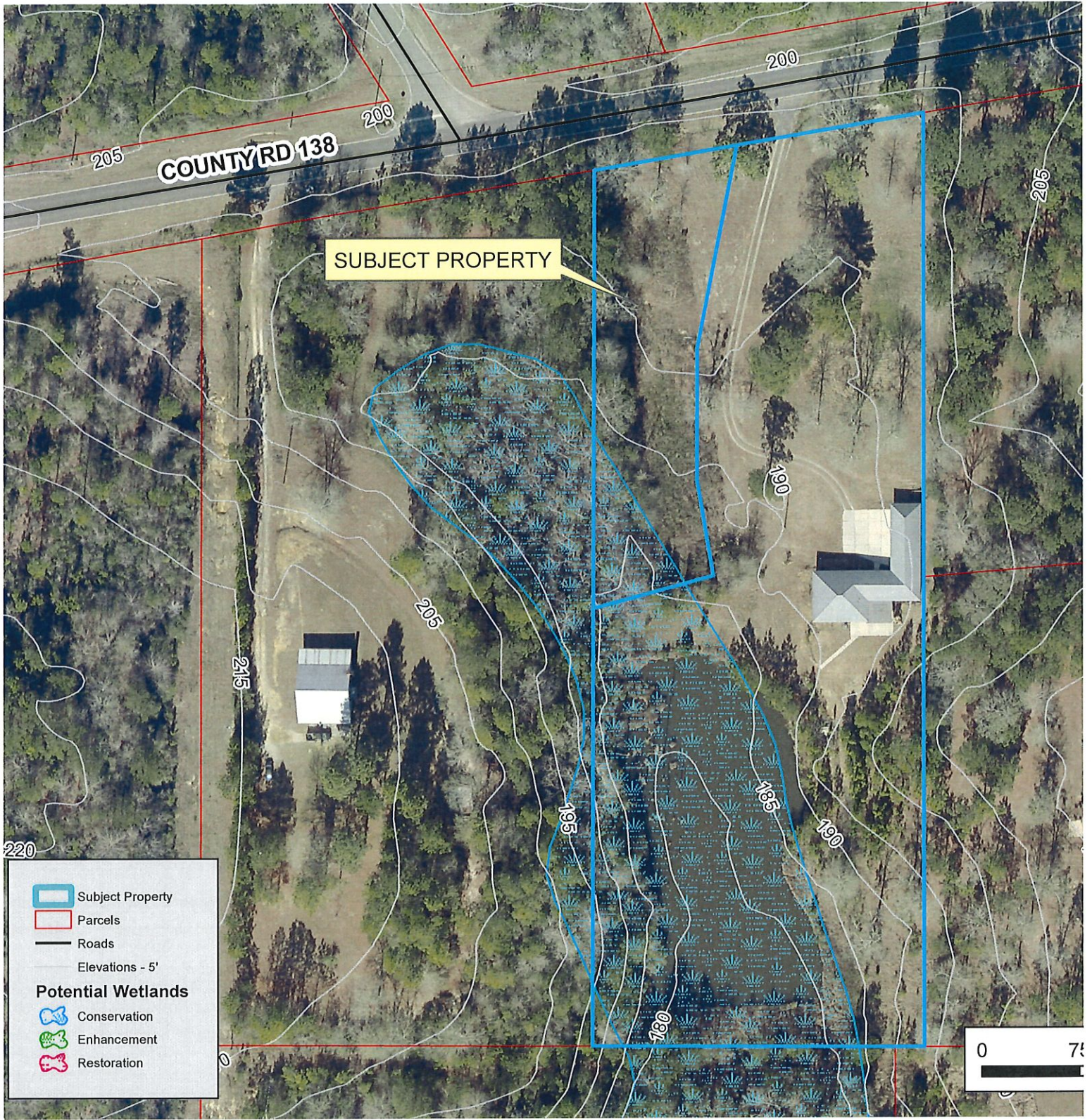


Subject Property

Legend

- Subject Property
- BAY MINETTE ZONING**
- RA
- R1
- R2
- R3
- R4
- R5
- B1
- B2
- B2H
- M1
- M2
- City Limits
- Parcels
- County Asphalt
- County Gravel/Dirt







City of Bay Minette

Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507 · Phone (251) 580-1610

NOTICE OF PUBLIC HEARING

RA-1901 Proposed Subdivision Regulation Amendment related to Section 8 Administrative Subdivisions

Notice is hereby given that the City of Bay Minette Planning Commission will conduct a public hearing concerning RA-1901 Proposed Subdivision Regulation Amendment related to Section 8 Administrative Subdivisions.

The public hearing will be conducted during the next regularly scheduled meeting of the City of Bay Minette Planning Commission which is scheduled for **Thursday, January 9, 2020** beginning at 8:00 a.m. in the Conference Room at Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

The proposed amendment materials are available for public review at Bay Minette City Hall. If you desire to speak with someone by telephone about this public hearing, please contact the Bay Minette Planning Department at (251) 580-1610. If you desire to submit written comments, please address your correspondence to:

City of Bay Minette Planning Commission
301 D'Olive Street
Bay Minette, AL 36507

You may email your comments to: COBM_Planning@ci.bay-minette.al.us or fax your comments to the Planning Department at (251) 580-1611. If you desire to address the Planning Commission in person about this proposed amendment, please attend the public hearing at the time and location listed above.

Public participation is solicited without regard to race, color, national origin, sex, age, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or those requiring language translation services should contact the City of Bay Minette Planning & Development Department at 251-580-1610.

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City of Bay Minette
Subdivision Regulations
RA-1901 - Proposed Amendment to Section 8

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 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) 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.

c) 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.

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. Neither the City nor the County shall be responsible for any easement or improvements thereto. 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.

8.1.2 For exempt subdivisions hereunder, 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 this Section 8. Upon consideration and approval by the

1 Planning Commission, the Chairman shall be authorized to sign the plat on behalf of the
2 Planning Commission.

3
4 **8.1.3. - Official recording.** No Plat or description of land subdivided as set forth in
5 Section 8.1, shall be filed in the probate records until such plat shall have been finally
6 approved by the Planning Commission.
7

8 **8.2 – Administrative Subdivisions.** Except as set forth in this Section 8, the provisions of
9 these regulations shall not otherwise apply to the following administrative subdivisions:
10

11 a) An owner of a parcel of real property may convey a portion thereof to an
12 adjoining owner without being subject to the provisions of these regulations
13 provided that no new lots are thereby created.
14

15 b) Subdivision wherein the size of each and every resulting lot equals or exceeds
16 twenty (20) acres including existing public rights-of-way. Each parcel shall have
17 access from an ingress/egress and utility easement of a minimum of thirty (30)
18 feet in width.
19

20 c) The public acquisition by purchase or donation of strips of land for the
21 widening or opening of streets^u or for other public uses.
22

23 d) A “one-time” split of a single parcel into two parcels, if, and only if, the parcel
24 existed and has not been divided since July 1, 1991. Sufficient documentation of
25 property status as of July 1, 1991 must be submitted along with request for
26 exemption.
27

28 e) Common property lines are being moved or reconfigured, where no new lots
29 are being created. The revised parcels shall meet minimum lot size and width
30 requirements.
31

32 **8.2.1** In addition to the requirements set forth above, the following requirements must
33 be satisfied: each lot created hereunder shall comply with all minimum lot size and
34 setback requirements otherwise specified by the provisions herein or by provisions of the
35 Zoning Ordinance; maintenance of the easement, together with all improvements
36 thereto, shall be the responsibility of all parties to which it is granted by (1) written
37 agreement or (2) deed reference. Neither the City nor the County shall be responsible
38 for any easement or improvements thereto.
39

40 **8.2.2** For administrative subdivisions hereunder, no public hearing shall be required, but
41 shall be subject to review and approval of the City Planner for compliance with the
42 requirements contained in this Section 8. Administrative Subdivision applicants shall
43 not be required to submit a plat to the City of Bay Minette Planning Commission.
44 Applicants shall be required to submit to the Planning and Community Development
45 Department, a completed Administrative Subdivision application; a plot plan or survey

1 of the original parcel, drawn to scale, indicating any existing structures (with
2 dimensions) and the setbacks from property lines; a plot plan or survey of the proposed
3 parcel, drawn to scale, indicating any existing structures (with dimensions) and the
4 setbacks from proposed property lines; and any additional documentation deemed
5 necessary to complete the review.
6

7 8.2.3 Any subdivider who appears to the Planning & Community Development
8 Department to be circumventing the intent and substance of these Regulations shall be
9 required to submit a plat for review and approval by the Planning Commission.
10

11 **8.3** Provided, however, no exempt or administrative subdivision shall: consist of more than
12 six lots; contain any public improvements; or require the expenditure of any public funds.
13

14 **8.4** Any property included as part of an exempt or administrative subdivision shall not be
15 eligible for consideration for further subdivision as an exempt or administrative subdivision
16 for a period of one (1) year from the date of the last exempt or administrative subdivision.
17

18 **8.5** Exemption from the requirement for approval to subdivide does not constitute exemption
19 from the requirements of other applicable regulations including but not limited to state law,
20 zoning regulations, ordinances, Health Department requirements or, if located within the
21 planning jurisdiction of the City, the regulations of Baldwin County.
22

23 **Sec. 9. - Penalties.** Whoever, being the owner or agent of the owner of any land located within a
24 subdivision, transfers or sells or agrees to sell any land by reference to or exhibition of or by other
25 use of a plat of a subdivision, before such plat has been approved by the Planning Commission
26 and recorded in the records of the office of the judge of probate of Baldwin County, shall forfeit
27 and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred to be sold
28 or agreed or negotiated to be sold; and the description of such lot or by metes and bounds in the
29 instrument of transfer or other document used in the process of selling or transferring shall not
30 exempt the transaction from such penalties or from the remedies herein provided. The City of Bay
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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PO #:	24347
Order Date:	01/02/2020
Vendor #:	1612
Date:	01/02/2020

DUPLICATE

To: Staples Business Advantage
 P O Box 105748
 Atlanta, GA 30348-5748

Print Date: 01/02/2020
Date Needed:
Terms:


DELIVER ITEMS TO:

City of Bay Minette
 301 D'olive Street
 Bay Minette, AL 36507

SPECIAL INSTRUCTIONS

Attn:

Item	Fund Account Number	Qty	Description	Unit Price	Amount
1	01-650-6201	4.0000	SMEAD REINFORCED FILE FOLDER, 2/5 TAB, LETTER SIZE, MANILA, 100/BOX	\$33.990000	\$135.96
2	01-610-6201 01-611-6201 01-650-6201	1.0000	10 CASES COPY PAPER	\$415.300000	\$415.30
3	01-610-6211	2.0000	GREEN MOUNTAIN BREAKFAST BLEND COFFEE, KEURIG K-CUP PODS, LIGHT ROAST, 24/BOX	\$13.140000	\$26.28
4	01-610-6211	1.0000	BUNN 10-12 CUP BREWER COFFEE FILTERS, WHITE, 1000/CARTON	\$13.590000	\$13.59
5	01-610-6211	6.0000	COFFEE-MATE ORIGINAL POWDERED CREAMER, 22 OZ	\$5.560000	\$33.36
6	01-610-6211	1.0000	SPLENDA ARTIFICIAL SWEETENERS, 700/BOX	\$19.460000	\$19.46
7	01-610-6211	1.0000	DIXIE PERFECTOUCH PAPER HOT CUP, 12 OZ., MULTICOLOR, 500/CARTON	\$59.650000	\$59.65
8	01-610-6211	4.0000	FOLGERS CLASSIC ROAST GROUND COFFEE, MEDIUM ROAST, 30.5 OZ	\$9.990000	\$39.96
Grand Total					\$743.96

	There is an otherwise unencumbered balance to the credit of the proper appropriation, allotment or fund to meet the expenditure covered by this purchase.	APPROVED
	 AUTHORIZED SIGNATURE	PURCHASING AGENT