

**CITY OF BAY MINETTE
PLANNING COMMISSION**

AGENDA

October 19, 2021

Regular Meeting

8:00 a.m.

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

- 1.) Call to Order
- 2.) Invocation and Pledge
- 3.) Approval of Minutes for the September 9, 2021 Regular Meeting
- 4.) Old Business
 - a.) SE-2103 North Mobile Towing
Tabled from September 9, 2021 Meeting
- 5.) New Business
 - a.) ES-2106 Overstreet Family Division
Disclosure of Prior Communications and/or Conflict of Interest
Request: Family Exemption for a 2-lot subdivision
Location: The subject property is located on Old Brady Road
 - b.) SP-2105 The Broadway Group Site Plan Approval
Disclosure of Prior Communications and/or Conflict of Interest
Request: Site Plan Approval for new commercial retail store
Location: The subject property is located at 2303 Hand Avenue
 - c.) SP-2106 James Thomas Site Plan Approval
Disclosure of Prior Communications and/or Conflict of Interest
Request: Site Plan Approval for auto repair
Location: The subject property is located at 1100 S Highway 31
 - d.) RA-2102 Subdivision Regulation Amendments
Disclosure of Prior Communications and/or Conflict of Interest
Request: Public Hearing for amendments to the Subdivision Regulations
- 6.) Reports
 - a.) Mayor/Council
 - b.) Attorney
 - c.) Commissioner's Comments
 - d.) Planning Staff
- 7.) Adjournment

Bay Minette Planning Commission Regular Meeting Minutes

Minutes September 9, 2021

Monthly Meeting No. 9

The Bay Minette Planning Commission met in Regular Session on Thursday, September 9, 2021. The meeting was called to order at 8:04 a.m., by Chairman Stewart, in the Council Chambers 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 8:04 a.m. the following members were present:

Todd Stewart, Chairman
Robert A. "Bob" Wills, Mayor
William Taylor, Commission Member
Wynter Crook, Commission Member
Neal Covington, Commission Member
Ray Clark, Commission Member
Rob Madison, Building Official
Earl Emmons, Commission Member
Scotty Langham, Commission Member

Commission Members absent:

Neal Covington, Commission Member

Commission Members late:

Other persons in regular attendance:

Clair Dorough, City Planner
Jessica Peed, Planning Assistant
Tammy Smith, City Administrator
Scotty Lewis, City Attorney

GUESTS

Keith McDill
Marcia Ward
Sandy Lamb
Paul Stewart

INVOCATION

Chairman Stewart gave the invocation, followed by the pledge.

ITEM 3.

Approval of revised Minutes of the July 8, 2021 due to monthly typo error. Councilman Taylor made a motion to approve the July minutes with the

correction. The motion was seconded by Commission Member “Mayor” Wills and was unanimously carried. Approval of the August 12, 2021 meeting. Commission Member “Mayor” Wills made a motion to approve the August minutes as written. The motion was seconded by Commission Member Langham and was unanimously carried.

ITEM 4. Old Business

a.) Code Enforcement Procedures Discussion

Mrs. Dorough stated this discussion was briefly discussed at the prior Planning Commission agenda. Commission Member Madison gave a brief update stating the meeting was discussing the direction needed to proceed with letters, liens or citations. There was a brief overview of the meeting including the City Council determining unsafe structure priorities, the budget and properties who fall under categories, code enforcement procedures, and various ways to attempting to contact out of state LLC’s or owners of said properties. Mayor Wills stated to leave this topic on the Planning Commission agenda for next month to give update on the procedure progress.

ITEM 5. New Business:

a.) ES-2105 McDill Family Subdivision

Disclosure of Prior Communications and/or Conflict of Interest

Request: Family Exemption for a 2-lot Subdivision

Location: The subject property is located at 11990 Jaycee Road

Chairman Stewart stated the applicants were in attendance and inquired if there were any prior communications or conflicts of interest to which there were none. Mrs. Dorough introduced the request and stated the division meets all requirements. The applicant stated the request is in a response to financing purposes. Chairman Stewart commented this type of request is associated with a previous discussion within the Planning Commission and asked if there were any other questions before making a motion. Since there were no questions or comments, Commission Member Clark made a motion to authorize the Chairman to sign the plat. Commission Member Emmons seconded, and it was unanimously carried.

b.) SE-2103 North Mobile Towing

Disclosure of Prior Communications and/or Conflict of Interest

Request: Special Exception for an automobile wrecking service

Location: The subject property is located at 2513 S US Hwy 31

Chairman Stewart asked if there were any prior communication or conflicts of interested to which there were none. Mrs. Dorough introduced the request and states that there are currently multiples businesses existing around this property, and a wrecking service is only allowed in a B-2 zoning district with a Special Exception. She states the applicant has added coverings, but the issue is the property does not have enough depth to allow for screening plants, as per a requirement of a wrecking service, but the Planning Commission has the option to make a recommendation to the Board of Adjustment to allow a variation on that requirement but require the applicant to place siding on both sides. There was a discussion on the potential for unsightly issues and other businesses who have caused this issue, the wrecker rotation requirements per the State, and potential environmental issues with leaking oil/fuel. Mrs. Dorough interjected that the potential unsightly issue with this request will also be subjected to Code Enforcement should they not comply with maintaining a nice sightly appearance. Commission Member Clark stated this request does not meet the requirement of #13 of the staff report the compliance with any other matter relating to the health, safety, and welfare of the community. Chairman Stewart stated there is another option to table the request until the applicants attend a Planning Commission meeting so these matters can be discussed with them. Commission Member Emmons made a motion to table the request due to the applicant not being present at the meeting. Councilman Taylor seconded and it was unanimously carried.

- c.) SP-2104 Southern Visions Site Plan Approval
Disclosure of Prior Communications and/or Conflict of Interest
Request: Site Plan Approval for additional building
Location: The subject property is located at 2109 S US Hwy 31

Chairman Stewart asked if there were any prior communication or conflicts of interested to which there were none. Mrs. Dorough introduced the request and states that this is essentially a Site Plan revision/approval to the previous Site plan approval for Southern Visions / Sweet Brew. She states this proposal is for a larger building instead of addition but still meets the minimum lot coverage and discusses the difference in the buildings labeled "A", "B" and "C", essentially going from vertical to horizontal. Chairman Stewart inquires on the minimal increase in impervious surface to building impervious surface which there was a brief discussion. Commission Member Clark made a motion to approve the modified Site Plan to include the decrease in vertical structure. Commission Member Langham seconded the motion, and it was unanimously carried.

- d.) City/County Planning Jurisdiction Agreement

Mrs. Dorough reminded everyone of the State Law that recently passed on July 26, 2021 regarding the City/County Jurisdictions. She states the City Council approved the draft at the most recent City Council meeting, with the

primary change being that Bay Minette's subdivisions are now only reviewed within Corporate limits instead of also being reviewed within the ETJ (Extra Territorial Jurisdiction) as well. She states the County has more stringent regulations, and the County Commission will notify the City if a subdivision is being constructed within our Police Jurisdiction. There is a discussion on maps, Police Jurisdictions, building permit jurisdictions, recent municipality or county pushback on agreement, and annexation potential. Commission Member Langham made a motion to approve and adopt the Resolution. Councilman Taylor seconded the motion and it was unanimously carried.

e.) RA-2102 Subdivision Regulation Amendments

Mrs. Dorough stated there are only a few revisions to section 5,7,8 and 11 including the fee schedule to be used a reference to the most current version, the minor subdivisions to include an existing paved road instead of simply saying existing road, clarification on E-911 signature block to approve roads and addresses as they have made that request, and Exempt/Administrative Subdivisions changing Minor Subdivisions to change from 6 lots to 3 lots. Chairman Stewart inquired to why she is requesting the roads to include they be paved public roads to which Mrs. Dorough states the maintenance for paved vs. unpaved roads and it helps the City to not have public expenditures. She also states this only apply to subdivisions of 6 lots or less and Minor Subdivisions, and this is to help the general public. There is a brief discussion on residential and commercial development uses. Mrs. Dorough states the rest of the changes are related to the State Act. Chairman Stewart stated there will be a Public Hearing at the next Planning Commission and to be sure to read over the proposed changes.

ITEM 6.

Reports:

- a.) Mayor/Council Report - None
- b.) Attorney – None
- c.) Commissioner – None
- d.) Planning Staff

Mrs. Dorough states there is an upcoming Dollar General Site Plan approval on Hand Ave for the upcoming Planning Commission meeting. She also states there is a conference on October 13th through the 15th that she will most likely be attending and since these days falls on the October meeting she is

requesting to reschedule it to the following week. There is a brief discussion on possible dates with potential issues. Chairman Stewart asks that Mrs. Dorough send out an email to all members and see which day is most acceptable for the members to ensure a quorum.

ITEM 7. With no further business Chairman Stewart adjourned the meeting at 9:23 a.m.

DONE THIS THE 9th DAY OF SEPTEMBER, 2021

Neal Covington, Vice-Chairman

ATTEST:

Jessica Peed, Planning Assistant



City of Bay Minette

Planning & Development Services

Planning Commission Staff Analysis

Case No. ES-2106
 Leon Overstreet
 Family Exempt Subdivision Request
 October 19, 2021

Subject Property Information

Physical Location:	43555 Still Road	Applicant:	Leon Overstreet
Parcel Number:	05-23-06-24-0-000-15.000		43555 Still Road
Current Zoning:	Unzoned District 5, Previous ETJ *Application was submitted prior to the new agreement.		Bay Minette, AL 36507
Current Land Use:	Residential	Owner:	Same
Proposed Land Use:	Residential		
Acreage:	13.00± acres		

	Adjacent Land Use	Adjacent Zoning
North	Undeveloped / Timberland & Residential	County Unzoned District 5
South	Undeveloped / Timberland & Residential	County Unzoned District 5
East	Undeveloped / Timberland	County Unzoned District 5
West	Undeveloped / Timberland & Residential	County Unzoned District 5

Summary

The subject property, which consists of approximately 13.00± acres, is outside of municipal limits and within the City's Police Jurisdiction. The property is located in the County's Unzoned Planning District 5. The request is to subdivide the property (PIN 40881) into two parcels, for the purpose of a family division. Parcel A will contain 11.55 acres and the existing home will be located on Parcel B, on approximately 1.44 acres. Each lot will have road frontage on both county-maintained Old Brady Road and Still Road.

The request meets the requirements for item (c) of Section 8.1 relating to Exempt Subdivisions

Exempt Subdivision Review Criteria

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

- 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.

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

- a) *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 any easements, 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 certified plat. Neither the City nor the County shall be responsible for any easement or improvements thereto.

Planning Commission Action

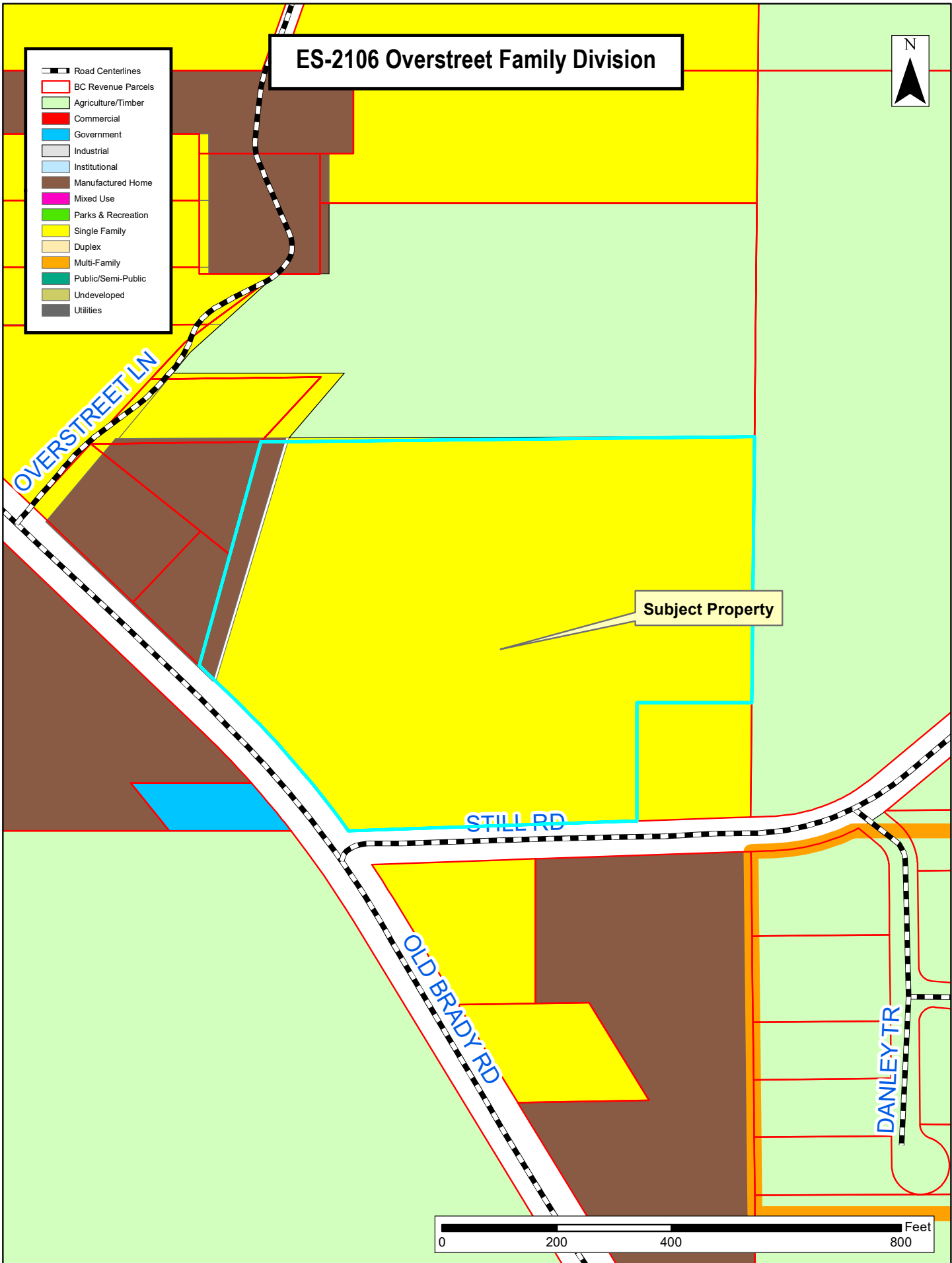
For exempt subdivisions, no public hearing shall be required, but shall be subject to review and approval of the Planning Commission for compliance with the requirements contained in Section 8. Upon consideration and approval by the Planning Commission, the Chairman shall be authorized to sign the plat on behalf of the Planning Commission.

The Planning Commission has the option to:

- Authorize the Chairman to sign the plat
- Authorize the Chairman to sign the plat with conditions
- Deny signatory authorization, with stated factors for the denial
- Table Request due to lack of information or applicant(s)

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 exempt or administrative subdivision shall not be eligible for consideration for further subdivision as an exempt or administrative subdivision for a period of one (1) year from the date of the last exempt or administrative subdivision.



ES-2106 Overstreet Family Division

- Road Centerlines
- ▭ BC Revenue Parcels
- ▭ Potential Wetlands
- ▭ Bay Minette



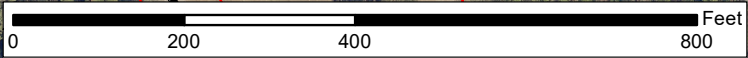
OVERSTREET LN

Subject Property

STILL RD

OLD BRADY RD

DANLEY TR



OVERSTREET FAMILY SUBDIVISION

NOTES

1. All bearings shown hereon are relative to GRID NORTH. GRID NORTH was obtained by G.P.S. observations.
2. Corner monuments shown as set iron pins are 5/8" reinforcing bars with a durable plastic cap stamped "26623".
3. Only Select Fixed Interior Improvements shown hereon.
4. This survey was prepared for the client shown and is not to be used for any other purpose without prior approval from this surveyor.
5. No instruments of record reflecting easements, right of ways, and/or ownership were furnished this surveyor, except as shown or noted.
6. No underground installations or improvements have been located, except as shown or noted.
7. This survey was prepared without the benefit of an abstract of title or a title search unless stated hereon. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract, title search, or legal judgement rendered on the property.
8. Liability of the undersigned for the survey shown shall not exceed the amount paid for this survey.

Parcel A
 Commencing at THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 3 EAST; thence N00°32'26"W, a distance of 200.00 feet to a 1/2" CAPPED REBAR '26014' to the POINT OF BEGINNING; thence S89°10'37"W, a distance of 200.00 feet to a 1/2" CAPPED REBAR '26014'; thence S00°32'26"E, a distance of 200.00 feet to a 1/2" CAPPED REBAR '26014' on the North R-O-W of Still Road; thence S89°10'37"W, along said North R-O-W a distance of 325.00 feet to a SET 5/8" CAPPED REBAR; thence N00°32'26"W, leaving said R-O-W a distance of 230.00 feet to a SET 5/8" CAPPED REBAR; thence S89°10'37"W, a distance of 230.00 feet to a SET 5/8" CAPPED REBAR; thence S46°01'56"W, a distance of 134.13 feet to a SET 5/8" CAPPED REBAR on the NE R-O-W of Old Brady Road; thence Northwesterly along said R-O-W along a curve to the left, having a Radius of 2,106.70 feet, a chord bearing of N44°35'55"W, a chord distance of 200.10 feet, an arc length of 200.18 feet to a 1/2" CAPPED REBAR '26014'; thence leaving said R-O-W, N15°10'40"E, a distance of 404.27 feet to a 1/2" CAPPED REBAR '26014'; thence N89°17'30"E, a distance of 882.03 feet to a 1/2" CAPPED REBAR '26014'; thence S00°32'26"E, a distance of 469.61 feet to the POINT OF BEGINNING, said parcel containing 11.55 acres, more or less.

Parcel B
 Commencing at THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 3 EAST; thence S89°10'37"W, along the North R-O-W of Still Road a distance of 200.00 feet to a 1/2" CAPPED REBAR '26014'; thence continue Westerly along said bearing and R-O-W a distance of 325.00 feet to a SET 5/8" CAPPED REBAR to the POINT OF BEGINNING; thence S89°10'37"W, along said R-O-W a distance of 216.17 feet to a 1/2" CAPPED REBAR "LINDSEY" at the intersection with the Northeast R-O-W of Old Brady Road; thence Northwesterly along said R-O-W along a curve to the left, having a Radius of 2,106.70 feet, a chord bearing of N39°28'06"W, a chord distance of 177.04 feet, an arc length of 177.09 feet to a SET 5/8" CAPPED REBAR; thence leaving said R-O-W, N46°01'56"E, a distance of 134.13 feet to a SET 5/8" CAPPED REBAR; thence N89°10'37"E, a distance of 230.00 feet to a SET 5/8" CAPPED REBAR; thence S00°32'26"E, a distance of 230.00 feet to the POINT OF BEGINNING, said parcel containing 1.44 acres, more or less.

Planning Director
 The undersigned, as Planning Director of the County of Baldwin of Alabama, hereby certifies on this _____ day of _____, 20____, that the City of Bay Minette Planning Commission approved the within plat for the recording of same in the Probate Office of Baldwin County, Alabama.

County Engineer
 Baldwin County Al.
 The undersigned, as County Engineer of the County of Baldwin of Alabama, hereby certifies on this _____ day of _____, 20____, that the City of Bay Minette Planning Commission approved the within plat for the recording of same in the Probate Office of Baldwin County, Alabama.

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS THE _____ DAY OF _____, 2021

NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____

CERTIFICATION OF OWNERSHIP AND DEDICATION
 STATE OF ALABAMA
 COUNTY OF BALDWIN
 I, BARBARA OVERSTREET, OWNER, HAVE CAUSED THE LAND EMBRACED IN THE WITHIN PLAT TO BE SURVEYED, LAID OUT, AND PLATTED TO BE KNOWN AS OVERSTREET FAMILY DIVISION, AS SHOWN HEREON, A PART OF SECTION 24, T-2-S, R-3-E, BALDWIN COUNTY, AL. AND THAT NO STREETS ARE DEDICATED TO THE USE OF THE PUBLIC.

DATED THIS THE _____ DAY OF _____, 2021
 OWNER _____

PLAT OF A FAMILY DIVISION SURVEY
 PREPARED FOR

**OVERSTREET
 BALDWIN CO., AL.**

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

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

DWG. NO.	SURVEY DATE	SCALE
21-09-010	SEPT 2021	1"=60'
DRAWN BY: R. TILLMAN		CHECKED BY: D. LOWERY

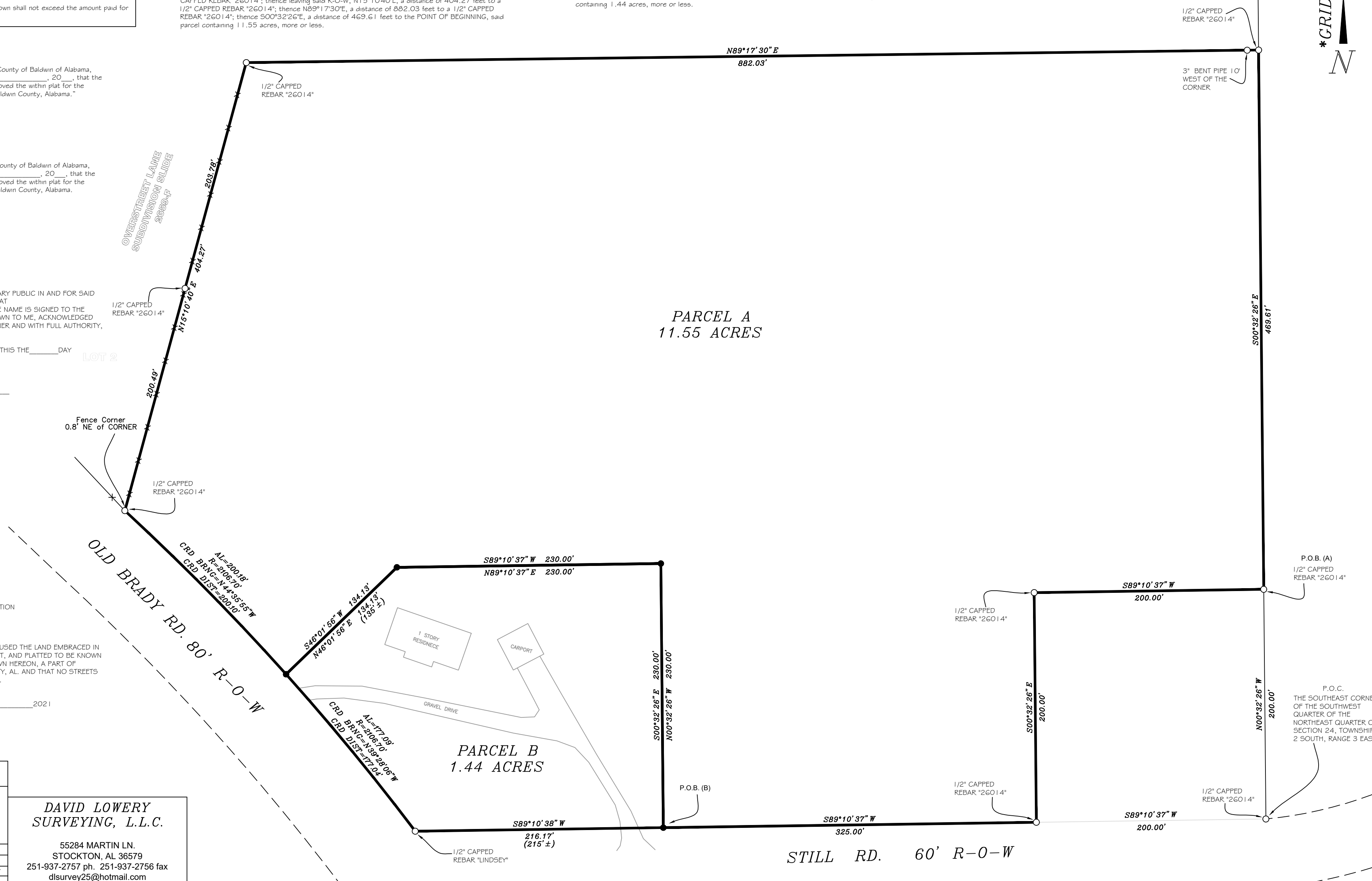
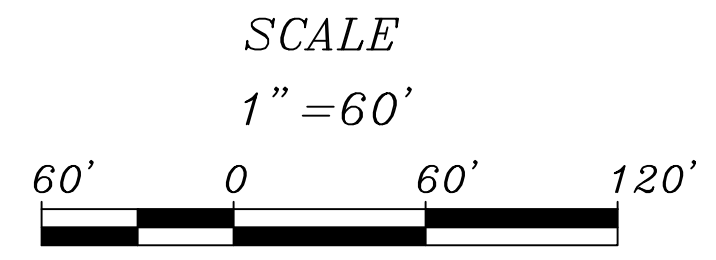
- LEGEND AND SYMBOLS**
- (**)
 - OE RECORD BEARING/DISTANCE
 - OVERHEAD ELECTRIC
 - SET IRON PIN
 - FOUND IRON PIN
 - △ PIN NOT SET
 - P.O.C. POINT OF COMMENCEMENT
 - P.O.B. POINT OF BEGINNING
 - ~ NOT TO SCALE
 - FENCE
 - FENCE CORNER POST
 - CONCRETE MONUMENT



D.L.H.

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

CERTIFICATION
 I, David Lowery, a licensed land surveyor in the State of Alabama, do hereby certify the foregoing to be a true plat 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 SURVEYING, L.L.C.



City of Bay Minette

Exempt Subdivision Application

OFFICE USE ONLY
ES- 2106
Fee- \$200 + \$10/per Lot

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@ci.bay-minette.al.us

Owner Name: W^m. LEON OVERSTREET

Phone Number: 251-604-7688 Email: N/A

Address: 43555 Still Rd Bay Minette, Al. 36507
Street / PO Box City State Zip

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

LEON OVERSTREET (N/A)

Phone Number: 251 Email: _____

Name of Subdivision: _____

Subdivision Location: _____

Parcel/PPIN #: 40881

Total Acreage: _____ # of Parcels Existing: 1

Lot Sizes: _____ # of Lots Proposed: 2

Reason for request: Sub dividing into 2 lots

Signature: [Signature] Date: 8.9.2021

<u>Fees</u>	
Application Fee: \$200.00	
No. of Parcels: <u>2</u>	X \$10 = \$ <u>20.00</u>
Total \$ <u>220.00</u>	Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Credit Card
	<input checked="" type="checkbox"/> Check # <u>5542</u>

Submittal Requirements

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

*Exempt Subdivision Regulations are included with packet

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

Version 1.2 7/22/2020



City of Bay Minette Agent Authorization Form

Office Use Only
Case No.: ES-2106

I/We hereby appoint and designate Leon Overstreet ("Agent") to act as my/our-agent in all matters concerning this application/permit which relates to property described as tax parcel PPIN# 40881. I/We understand that the scope of the agency designation granted herein is general in nature and includes, without limitation, all decision-making authority relating to submittals, status, conditions, or withdrawal of this application/permit. To the fullest extent permitted under Alabama law, I/we release and agree to hold the City of Bay Minette harmless from and against any liability resulting from acts or omissions of our Agent. I/We warrant and certify to the City of Bay Minette that I/we are the owner(s) of the real property identified herein, and that I/we have fully authority to make the agency designation herein. I/We further certify that the information stated on and submitted with this application/permit is true and correct. I also understand that the submittal of incorrect information will result in the revocation of this application/permit and any work performed will be at the risk of the applicant. I understand further that any changes which vary from the approved plans will result in the requirement of a new application/permit.

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

PROPERTY OWNER(S)

Barbara J. Overstreet

Name(s) - Printed

Barbara J. Overstreet

Mailing Address

43555 Still Rd.

City/State

Bay Minette, AL 36507

Phone

~~204-7688~~ Barbara J. Overstreet

Email

8/11/21

Signature(s)

Date

AUTHORIZED AGENT

Leon Overstreet

Name(s) - Printed

43555 Still Rd.

Mailing Address

Bay Minette AL - 8/10/2021

City/State

251-604-7688 (Barbara J. Overstreet) / Phone 251-318-0942

Phone

Email

Barbara J. Overstreet

8/11/21

Signature(s)

Date

Leon Overstreet

CERTIFICATION FOR FAMILY EXEMPT SUBDIVISION

I, Barbara Overstreet, 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:

X Barbara J. Overstreet
Signature

8/11/21
Date

Barbara J. Overstreet
Print Name

WITNESS:

Janica Peed
Signature

8/11/21
Date

Jessica Peed
Print Name

Jodi Robison
Signature

8.11.2021
Date

Jodi Robison
Print Name



City of Bay Minette Agent Authorization Form

Office Use Only
Case No.: ES-2106

I/We hereby appoint and designate Leon Overstreet ("Agent") to act as my/our-agent in all matters concerning this application/permit which relates to property described as tax parcel PPIN# 40881. I/We understand that the scope of the agency designation granted herein is general in nature and includes, without limitation, all decision-making authority relating to submittals, status, conditions, or withdrawal of this application/permit. To the fullest extent permitted under Alabama law, I/we release and agree to hold the City of Bay Minette harmless from and against any liability resulting from acts or omissions of our Agent. I/We warrant and certify to the City of Bay Minette that I/we are the owner(s) of the real property identified herein, and that I/we have fully authority to make the agency designation herein. I/We further certify that the information stated on and submitted with this application/permit is true and correct. I also understand that the submittal of incorrect information will result in the revocation of this application/permit and any work performed will be at the risk of the applicant. I understand further that any changes which vary from the approved plans will result in the requirement of a new application/permit.

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

PROPERTY OWNER(S)

Richard Walker

Name(s) - Printed

17617 Old Brady Rd.

Mailing Address

Bay Minette AL 36507

City/State

(251) 327-2705

Phone

Email

ricfly bay39@yahoo.com

Signature(s)

R. Walker

Date

8-13-21

AUTHORIZED AGENT

Leon Overstreet

Name(s) - Printed

Leon Overstreet

Mailing Address

43555 Still Rd

City/State

Bay Minette

(N/A)

Phone

Email

Signature(s)

Leon Overstreet

Date

CERTIFICATION FOR FAMILY EXEMPT SUBDIVISION

I, Richard Walker, 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:

X R. Walker
Signature

8-13-21
Date

Richard T. Walker
Print Name

WITNESS:

Jodi Robison
Signature

8.13.21
Date

Jodi Robison
Print Name

Clair Dough
Signature

8-13-21
Date

Clair Dough
Print Name



City of Bay Minette

Planning & Development Services

Planning Commission Staff Analysis

Case No. SP-2105
 The Broadway Group
 New Commercial Retail Store
 October 19, 2021

Subject Property Information

Physical Location:	2303 Hand Ave	Applicant:	The Broadway Group, LLC
Parcel Number:	05-23-03-05-1-000-011.000		PO Box 18968
Current Zoning:	B-1, Local Business District		Huntsville, AL 35804
Current Land Use:	Vacant	Owner:	Irene Benham
Proposed Land Use:	Commercial Retail Store		36063 Spring Road N
Acreage:	2.6± acres		Stapleton, AL 36578

	Adjacent Land Use	Adjacent Zoning
North	Kolb Investment Company LLC	R-2, Medium Density Single Family Residential
South	Bethel Baptist Church	R-2, Medium Density Single Family Residential
East	Vacant Land	R-2, Medium Density Single Family Residential
West	Vacant Land	R-2, Medium Density Single Family Residential

Summary

The subject property, which consists of approximately 2.6± acres, is currently zoned B-1, Local Business District. The property is located at 2303 Hand Ave. This Site Plan request is for a new commercial retail store. In the B-1 zoning district, a variety store and all new commercial structures require Planning Commission Site Plan approval.

Table of Permitted Uses and Conditions	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Variety Store							P	R		

Current Zoning District

6.4.2 B-1, Local Business District. This district is intended to provide for limited retail convenience goods, personal service, and professional service establishments in residential neighborhoods and to encourage the concentration of these uses in one location for each residential neighborhood rather than in scattered sites occupied by individual shops throughout a neighborhood.

Staff Analysis and Findings

The following guidelines for Uses Requiring Planning Approval are found in Article 8 – District Requirements in the *Zoning Ordinance of the City of Bay Minette* and are to be considered when an application is being reviewed for site plan approval.

1.) Is the Location and Site Plan appropriate with regard to transportation, access, water supply, waste disposal, fire and police protection and other public facilities; not causing undue traffic congestion or creating a traffic hazard.

The proposed use should have a nominal impact on public infrastructure due to the location along Hand Avenue, classified as a Minor Arterial in the City's Traffic Study. This portion of Hand Avenue is under the State's jurisdiction and the applicant has received approval from ALDOT for the access. The Bay Minette Fire Department has stated that a fire hydrant will be required at the site and North Baldwin Utilities stated that the existing waterline was sufficient to handle the additional hydrant.

2.) Being in harmony with the orderly and appropriate development of the district in which the use is located.

The proposed use is consistent with its current zoning designation of B-1, Local Business District.

3.) Other matters which may be appropriate in relation to *Section 8.9 Site Plan*

a) *The density or intensity of land use to be allocated to all parts of the site together with tabulations by acreage and percentages thereof itemized by use and density.*

- Site: 114,697±sq ft // 2.63± acres
- Proposed Building Area: 10,640 ±sq ft // 9.27% lot coverage
- Other Impervious Surface Area: 22,681±sq ft // 19.83% lot coverage
- Total Impervious Surface Area: 33,321± sq ft // 29.1% lot coverage

b) *The location, size and character of any common open space, commonly owned facilities and form of organization which will own and maintain any common open space and such facilities.*

N/A

c) *The use and maximum height, bulk and location of all buildings and other structures to be located on the site.*
Building elevations are included in the submitted plans. The proposal is for a 10,640±sq ft commercial retail building with an asphalt-paved parking lot containing 35 (of required 29) spaces and a truck delivery area. 18'x18' concrete dumpster pad with privacy fence

d) *The substance of covenants, grants of easements or other restrictions which will be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities or other purposes.*

N/A

e) *The provisions for disposition of open space, including tree protection, landscaping provisions and buffering requirements.*

N/A

f) *In the case of plans which call for development over a period of years, a schedule showing the proposed times within which applications for building permits are intended to be filed.*

N/A

g) *Where required by the Alabama Department of Transportation ("ALDOT"), the Building Official shall be proved proof that the applicant has submitted a driveway permit application to ALDOT. In the event that any type of traffic study is required by the ALDOT, copies thereof shall be provided to the Building Official.*

The applicant has submitted thier letter from ALDOT showing approval to construct a commercial access Sheet 8 of 18 of the submittals includes the ROW Permit Notes and the ALDOT Paving Detail.

h) *Front and side architectural elevations.*

Included in submittals. Finishes include brick veneer, hardipanel and batten strips on the majority of the external facade with multiple architectural features.

i) *The location and size of all signs to be located on the site. In the event that a sign is pre-existing and fails to conform to the requirements as set forth in this ordinance, site plan approval will be granted only under the condition that all signs will comply with the regulations as set forth in the sign ordinance.*

N/A – signage will require a Sign Permit prior to construction/installation

j) *Landscape plans.*

Sheet 12 of 18 includes the Landscape details. The plans have exceeded the minimum 10-foot Greenbelt Zone with 15 feet of landscaped area with tree plantings meeting the minimum size requirements. The sodded and mulched areas account for 26.4% of the site, exceeding the required 15% landscaped/open green space area.

k) *Any additional data, plans or specifications which the applicant or the City believes is pertinent and which will assist in clarifying the application including, but not limited to plans for screening, lighting and space, surface drainage, erosion and sediment control, water and sewer connections, landscaping, and signs.*

The on-site stormwater will be detained in a stormwater detention basin and the outflow will be controlled by the use of an outlet control box located south of the driveway. Drainage from the outlet control box will be discharged to the east of the ROW through a 15" reinforced concrete pipe and connected to the city's stormwater sewer system. The applicant has submitted Erosion Control plans for the various stages of construction, including stabilization plans for disturbed and/or sloped areas, Type A silt fencing, temporary seeding when appropriate and the installation of a construction exit pad.

Staff Recommendation // Planning Commission Action

Staff Recommendation: Based on the submitted information and the analysis above, staff recommends that the proposed Site Plan Request for The Broadway Group for a new commercial retail store be **Approved**.

For Site Plan Approval, the Planning Commission makes the final decision and has the option to:

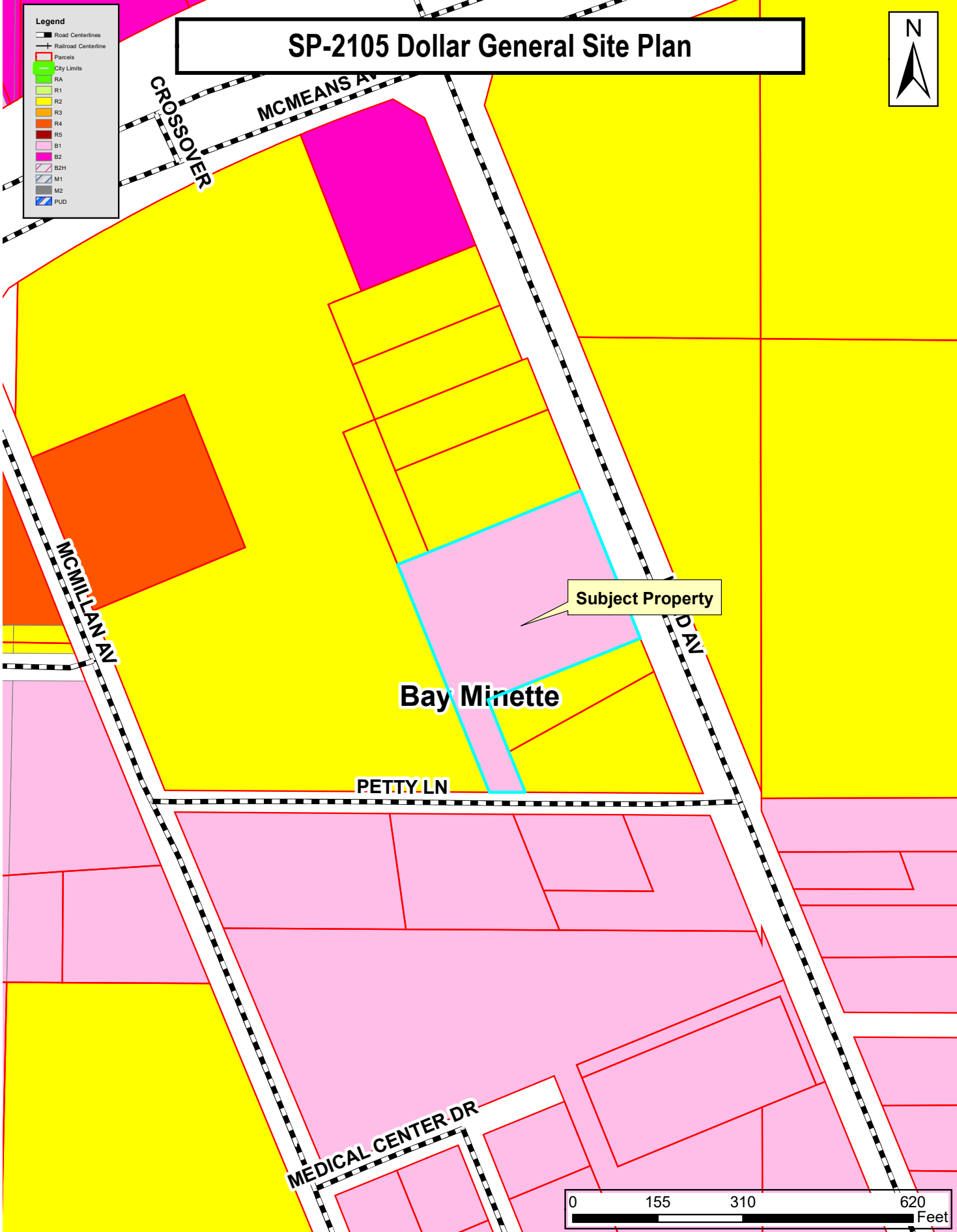
- Approve the Site Plan
- Approve the Site Plan with conditions
- Deny the Site Plan, with stated factors for the denial
- Table Request, due to lack of information or applicant(s)

SP-2105 Dollar General Site Plan



Legend

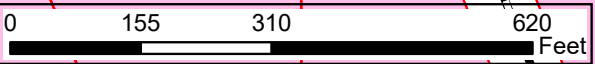
- Road Centerlines
- Railroad Centerline
- Parcels
- City Limits
- RA
- R1
- R2
- R3
- R4
- R5
- B1
- B2
- B2H
- M1
- M2
- PUD



Subject Property

Bay Minette

PETTY LN

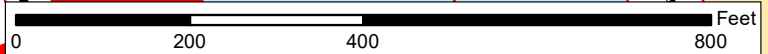


SP-2105 The Broadway Group



- Road Centerlines
- BC Revenue Parcels
- Agriculture/Timber
- Commercial
- Government
- Industrial
- Institutional
- Manufactured Home
- Mixed Use
- Parks & Recreation
- Single Family
- Duplex
- Multi-Family
- Public/Semi-Public
- Undeveloped
- Utilities

Subject Property



- Road Centerlines
- ▭ BC Revenue Parcels
- ▭ Potential Wetlands

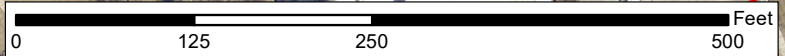
SP-2105 Broadway Group Site Map

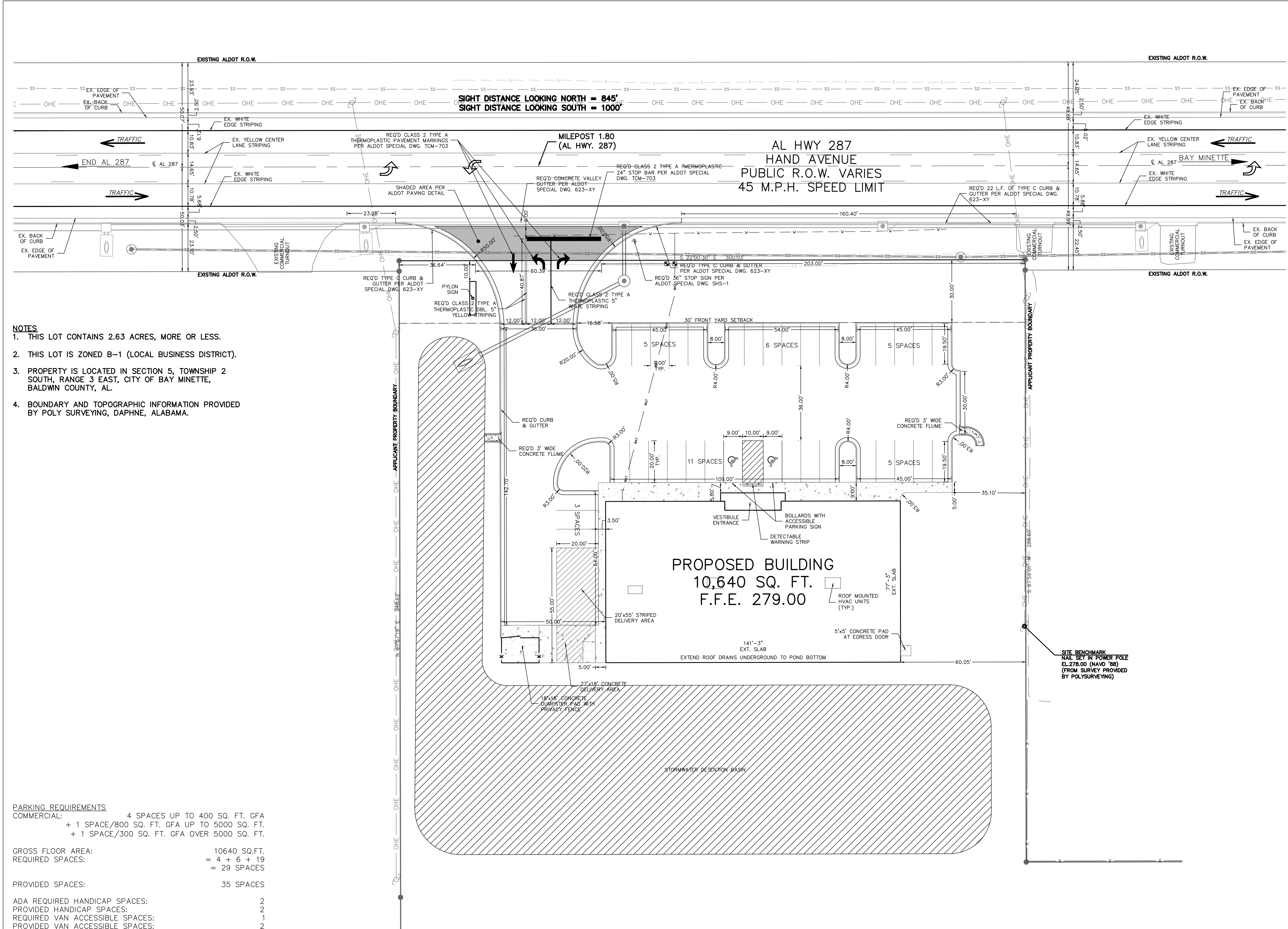


Subject Property

HANDAL

PETTY LN





- NOTES**
1. THIS LOT CONTAINS 2.63 ACRES, MORE OR LESS.
 2. THIS LOT IS ZONED B-1 (LOCAL BUSINESS DISTRICT).
 3. PROPERTY IS LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 3 EAST, CITY OF BAY MINETTE, BALDWIN COUNTY, AL.
 4. BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY POLY SURVEYING, DAPHNE, ALABAMA.

PARKING REQUIREMENTS

COMMERCIAL: 4 SPACES UP TO 400 SQ. FT. GFA
+ 1 SPACE/800 SQ. FT. GFA UP TO 5000 SQ. FT.
+ 1 SPACE/300 SQ. FT. GFA OVER 5000 SQ. FT.

GROSS FLOOR AREA: 10640 SQ.FT.
REQUIRED SPACES: = 4 + 6 + 19
= 29 SPACES

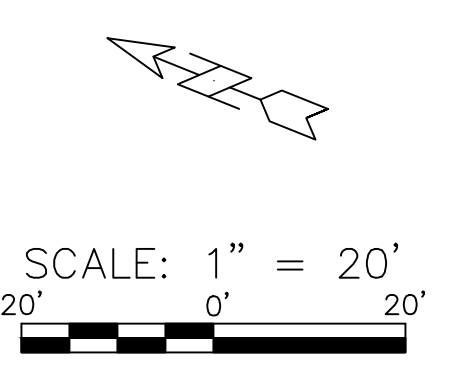
PROVIDED SPACES: 35 SPACES

ADA REQUIRED HANDICAP SPACES: 2
PROVIDED HANDICAP SPACES: 2
REQUIRED VAN ACCESSIBLE SPACES: 1
PROVIDED VAN ACCESSIBLE SPACES: 2



DRAWN BY:	JAC
DATE:	06-25-2021
REVISED:	07-27-2021
LAYOUT PLAN	
SHEET 13 OF 18	

NEW RETAIL STORE
HAND AVENUE
BAY MINETTE, AL
BALDWIN COUNTY





City of Bay Minette

Site Plan Review Application

301 D'Olive Street · Bay Minette, Alabama 36507
Phone (251) 580-1650 · COBM_Planning@ci.bay-minette.al.us

Office Use Only	
Case No.:	_____
Fee:	\$300.00
Paid:	<input type="checkbox"/> Cash <input type="checkbox"/> Check
	<input type="checkbox"/> Credit Card

Are you the property owner? Yes No
(If you are not the property owner, you must submit an Agent Authorization Form signed by the property owner)

Applicant Name: The Broadway Group, LLC Date: 7/2/21

Mailing Address: PO Box 18968

City: Huntsville State: AL Zip Code: 35804

Phone Number: 256-533-7287 Email: alyssa.carter@broadwaygroup.net

Site Information

Property Address: TBD Hand Avenue

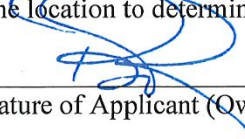
or Property Location: _____

*Parcel No.: 05-23-03-05-1-000-011.000 *PPIN No.: 4866

**Parcel or PPIN information must be completed*

Request: Site Plan Approval for a new commercial retail store.

I, the undersigned, do hereby request the City of Bay Minette Planning Commission to grant a Site Plan Review for the location to determine if it meets the regulations of the **Zoning Ordinance** for the reason(s) stated above.

 _____ 8/20/21
Signature of Applicant (Owner of Property or Authorized Agent) Date

Submittal Requirements

- Application
- Fee paid in full
- Agent Authorization Form (if applicant is not the owner)
- Complete Legal Description of Property
- Plot Plan or Survey – indicating any existing structures, proposed structures, and setbacks from property lines
- Submittal Requirements listed in 8.9 Site Plan, as applicable



City of Bay Minette Agent Authorization Form

Office Use Only
Case No.: _____

I/We hereby appoint and designate The Broadway Group, LLC ("Agent") to act as my/our-agent in all matters concerning this application/permit which relates to property described as tax parcel PPIN#05-23-03-05-1-000-011.000. I/We understand that the scope of the agency designation granted herein is general in nature and includes, without limitation, all decision-making authority relating to submittals, status, conditions, or withdrawal of this application/permit. To the fullest extent permitted under Alabama law, I/we release and agree to hold the City of Bay Minette harmless from and against any liability resulting from acts or omissions of our Agent. I/We warrant and certify to the City of Bay Minette that I/we are the owner(s) of the real property identified herein, and that I/we have fully authority to make the agency designation herein. I/We further certify that the information stated on and submitted with this application/permit is true and correct. I also understand that the submittal of incorrect information will result in the revocation of this application/permit and any work performed will be at the risk of the applicant. I understand further that any changes which vary from the approved plans will result in the requirement of a new application/permit.

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

PROPERTY OWNER(S)

Irene Benham
Name(s) - Printed

36063 Spring Road N.
Mailing Address

Stapleton, AL 36578
City/State

251-454-0084 benhami@bellsouth.net
Phone Email

Irene Benham 6/30/2021
Signature(s) Date

AUTHORIZED AGENT

The Broadway Group, LLC
Name(s) - Printed

PO Box 18968
Mailing Address

Huntsville, AL 35804
City/State

256-533-7287 alyssa.carter@broadwaygroup.net
Phone Email

[Signature] 6/30/21
Signature(s) Date

rev. 10/21/2019



ALABAMA
DEPARTMENT OF TRANSPORTATION



SOUTHWEST REGION
OFFICE OF REGION ENGINEER
1701 I-65 WEST SERVICE ROAD NORTH
MOBILE, ALABAMA 36618-1109
TELEPHONE: (251) 470-8200
FAX (251) 473-3624

Kay Ivey
GOVERNOR

John R. Cooper
TRANSPORTATION DIRECTOR

August 12, 2021

The Broadway Group
216 Westside Square
Huntsville, AL 35801

RE: Permit Number: 9-2-11887/ 11888/ 11889
Baldwin Co. SR 287 MP 1.8

Permit Exp. Date: **August 12, 2022**

Dear Sir:

Attached, please find approval to construct a commercial access for the proposed Dollar General on SR 287 at milepost 1.8, as shown in the attached plans and in accordance with the associated documents.

Performance of this work shall be done in accordance with all current requirements of the Alabama Department of Transportation. It is required that a print of the approved drawings, bearing my stamped signature, be on the jobsite any time work is being performed. During the permitted work, all traffic control devices shall be in accordance with the MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES - PART VI, 2009 EDITION. All work performed under this permit shall comply with current EPA and ADEM policies.

Mr. David M. Styron II, P.E., District Administrator, will administer the inspection for the Alabama Department of Transportation. It is **required** you contact him at least 48 hours prior to beginning work, and notify him in writing upon completion of the work to request a final inspection. His address is 47450 Rabun Road, Bay Minette, Alabama 36507. His telephone number is (251) 937-2086.

Sincerely,

MATTHEW ERICKSEN, P.E., REGION ENGINEER

By: Jason Shaw
Jason Shaw, P.E.
Maintenance Engineer Southwest Region - Mobile

JS/shd
Attachment

c: Mr. Stacey N. Glass, P.E.
Mr. David M. Styron II, P.E.
File

DIG SAFELY - As Required by Alabama Act 94-487
Call 2 Working Days Before Digging - 1-800-292-8525



City of Bay Minette

Planning & Development Services

Planning Commission Staff Analysis

Case No. SP-2106

James Thomas

Site Plan Request for Minor Automotive Repair

October 19, 2021

Subject Property Information

Physical Location:	1100 S Hwy 31	Applicant:	James E Thomas
Parcel Number:	05-23-05-21-2-002-001.001		PO Box 344
Current Zoning:	B-2, General Business District		Bay Minette, AL 36507
Current Land Use:	Automobile Repair & Adult Probation	Owner:	Milton Wilson
Proposed Land Use:	Automobile Repair Garage		PO Box 267
Acreeage:	7± acres		Bay Minette, AL 36507

	Adjacent Land Use	Adjacent Zoning
North	S&S Investments (Timberland)	B-2, General Business District
South	Stevens Automotive	B-2, General Business District
East	Stevens Automotive, Shrimp Basket, Abandoned Gas Station	B-2, General Business District
West	Rainview Apartments	R-3, Higher Density Single Family Residential

Summary

The subject property, which consists of approximately 7± acres, is currently zoned B-2, General Business District. The request is for the operation of a minor auto repair and service shop for small vehicles only in the existing structures in the center of the property. According to the Zoning Ordinances, automobile repair is allowed in B-2 with Planning Commission approval. This application came about through the business licensing process, where the applicant had been operating in the location without a license or other city approvals. This site is the former location of a U-haul rental location and a used car lot.

Table of Permitted Uses and Conditions	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Automobile and truck repair garage, mechanical and body; must be conducted in a structure which shall not have any opening, other than a stationary window, within 100 feet of a residential district and which shall not store or otherwise maintain any parts or waste materials outside such structures.								P	S	S

Current Zoning District

6.4.2 B-2, General Business District. This district is intended to provide opportunity for activities causing noise and heavy traffic, not considered compatible in the more restrictive business district. These uses also serve a regional as well as a local market and require location in proximity to major transportation routes. Recreational vehicle parks, very light production and processing activities are included.

Staff Analysis and Findings

The following guidelines for Uses Requiring Planning Approval are found in Article 8 – District Requirements in the *Zoning Ordinance of the City of Bay Minette* and are to be considered when an application is being reviewed for site plan approval.

1.) Is the Location and Site Plan appropriate with regard to transportation, access, water supply, waste disposal, fire and police protection and other public facilities; not causing undue traffic congestion or creating a traffic hazard. The proposed use should have a nominal impact on public infrastructure or traffic congestion as it is located on the City's Principle Arterial. Bay Minette Fire Department noted that there are multiple unknown code violations at the site that will be addressed during the business licensing procedures if the Site Plan application is approved.

2.) Being in harmony with the orderly and appropriate development of the district in which the use is located. The proposed use itself is consistent with its current zoning designation, however the specific requirements listed in the Table of Permitted Uses and other applicable regulations including landscaping and metal building façade coverings must be met: Automobile and truck repair garage, mechanical and body; must be conducted in a structure which shall not have any opening, other than a stationary window, within 100 feet of a residential district and which shall not store or otherwise maintain any parts or waste materials outside such structures.

This property is also the location of the Baldwin County Adult Probation offices, located in the north west corner of the property and accessed from Rain Drive. The proposed auto repair would be located in the center of the property and accessed from Highway 31. Across the roadway is the Shrimp Basket restaurant and the recently demolished gas stations. Future plans for that site include a new seafood market.

3.) Other matters which may be appropriate in relation to *Section 8.9 Site Plan*

a) *The density or intensity of land use to be allocated to all parts of the site together with tabulations by acreage and percentages thereof itemized by use and density.*

- Site: 304,920±sq ft // 7± acres
- Estimated Auto Repair Building Area: 1,010± sq ft // .33% lot coverage
- Estimated Adult Probation Facility Area: 7,700± sq ft // 2.52% lot coverage
- Total Est Building Area: 8,710± sq ft // 2.85% lot coverage

b) *The location, size and character of any common open space, commonly owned facilities and form of organization which will own and maintain any common open space and such facilities.*

N/A

c) *The use and maximum height, bulk and location of all buildings and other structures to be located on the site.*

The proposed auto repair is currently operating out of two partially enclosed metal structures and a trailer. Based on aerial photography, the metal structures are approximately 20'x20' and 18'x20' while the trailer is approximately 10'x25'.

d) *The substance of covenants, grants of easements or other restrictions which will be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities or other purposes.*

N/A

e) *The provisions for disposition of open space, including tree protection, landscaping provisions and buffering requirements.*

N/A

f) *In the case of plans which call for development over a period of years, a schedule showing the proposed times within which applications for building permits are intended to be filed.*

N/A

g) *Where required by the Alabama Department of Transportation ("ALDOT"), the Building Official shall be proved proof that the applicant has submitted a driveway permit application to ALDOT. In the event that any type of traffic study is required by the ALDOT, copies thereof shall be provided to the Building Official.*

N/A – the access is existing

h) *Front and side architectural elevations.*

None submitted

i) *The location and size of all signs to be located on the site. In the event that a sign is pre-existing and fails to conform to the requirements as set forth in this ordinance, site plan approval will be granted only under the condition that all signs will comply with the regulations as set forth in the sign ordinance.*

N/A – signage will require a Sign Permit prior to construction/installation

j) *Landscape plans.*

No landscape plans submitted. The majority of this 7-acre site is open green space to exceed the 15% minimum, however, as this site is located along the Greenbelt Zone it will require 10' of the 30' setback to be landscaped according to *Section 10.6.4 Greenbelt Zone*.

k) *Any additional data, plans or specifications which the applicant or the City believes is pertinent and which will assist in clarifying the application including, but not limited to plans for screening, lighting and space, surface drainage, erosion and sediment control, water and sewer connections, landscaping, and signs.*

The Table of Permitted Uses specifically notes that auto repair must be conducted in a structure which shall not have any opening, other than a stationary window, within 100 feet of a residential district and which shall not store or otherwise maintain any parts or waste materials outside such structures. Based on site visits and photographs from the Building Official/Code Enforcement Officer, the structures are not enclosed and parts such as tires and other waste materials are being stored outside.

Staff Recommendation: Based on the submitted information and the analysis above, staff recommends that the proposed Site Plan Request for a Minor Automotive Shop be ***Denied, due to the application's failure to meet the standards of the Zoning Ordinance, specifically the requirements of Section 8.6 Metal Buildings, Section 8.10 Table of Permitted Uses and Section 10.6.4 Greenbelt Zone.***

Staff Recommendation // Planning Commission Action

For Site Plan Approval, the Planning Commission makes the final decision and has the option to:

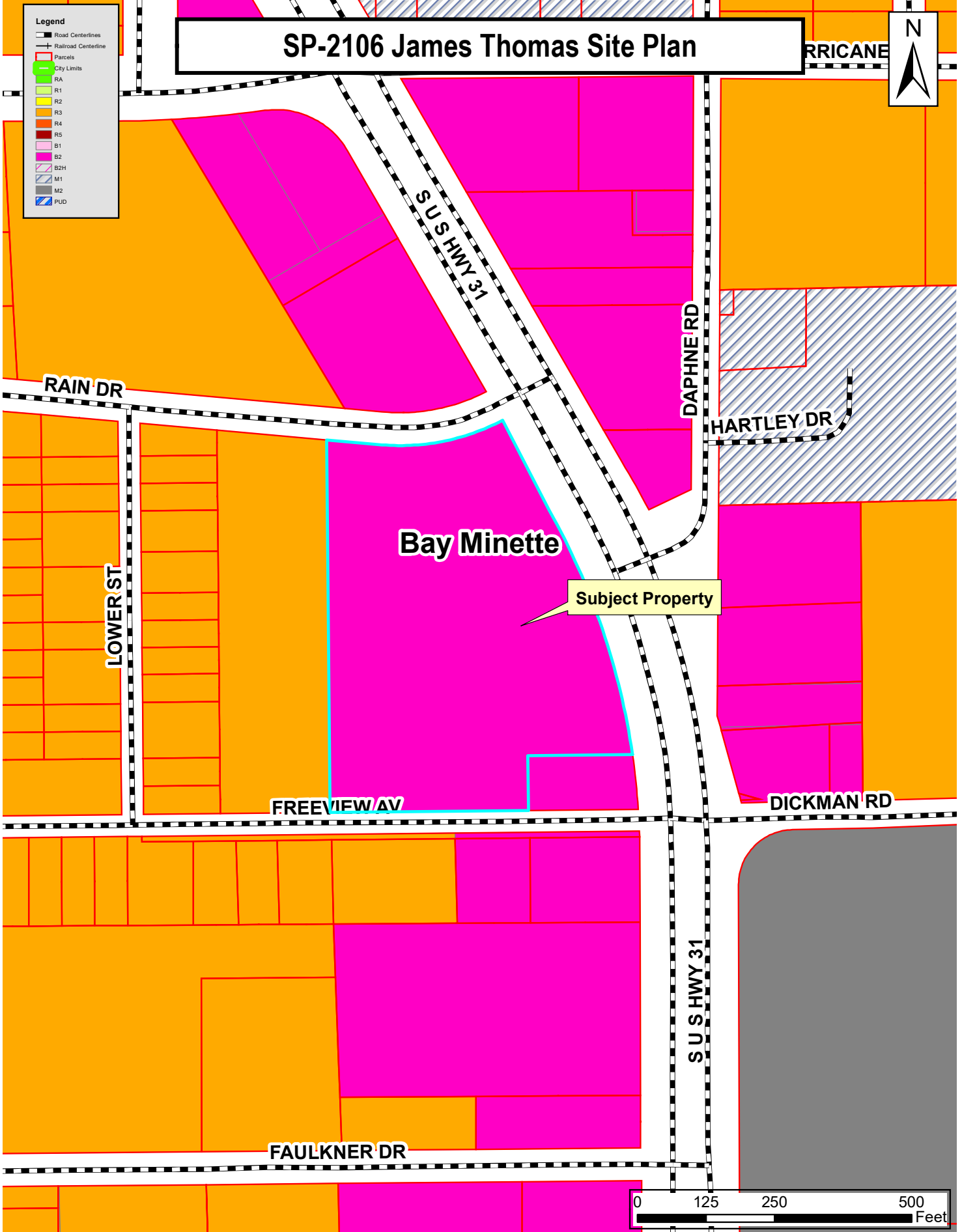
- Approve the Site Plan
- Approve the Site Plan with conditions
- Deny the Site Plan, with stated factors for the denial.
- Table the Site Plan, due to lack of information or applicant

SP-2106 James Thomas Site Plan

HARRICANE

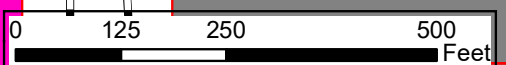


- Legend**
- Road Centerlines
 - Railroad Centerline
 - ▭ Parcels
 - City Limits
 - RA
 - R1
 - R2
 - R3
 - R4
 - R5
 - B1
 - B2
 - B2H
 - M1
 - M2
 - PUD



Bay Minette

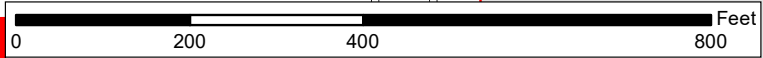
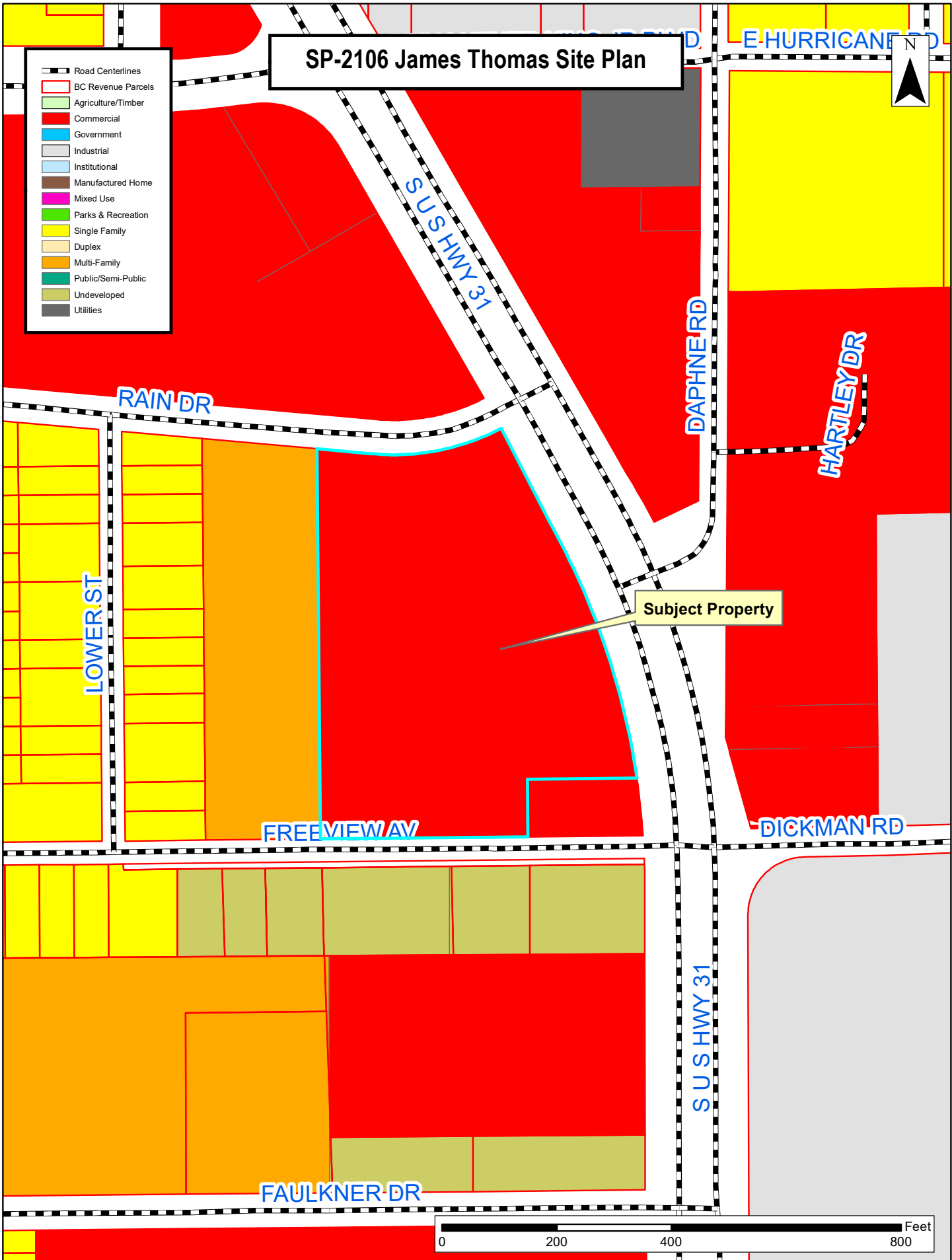
Subject Property



SP-2106 James Thomas Site Plan

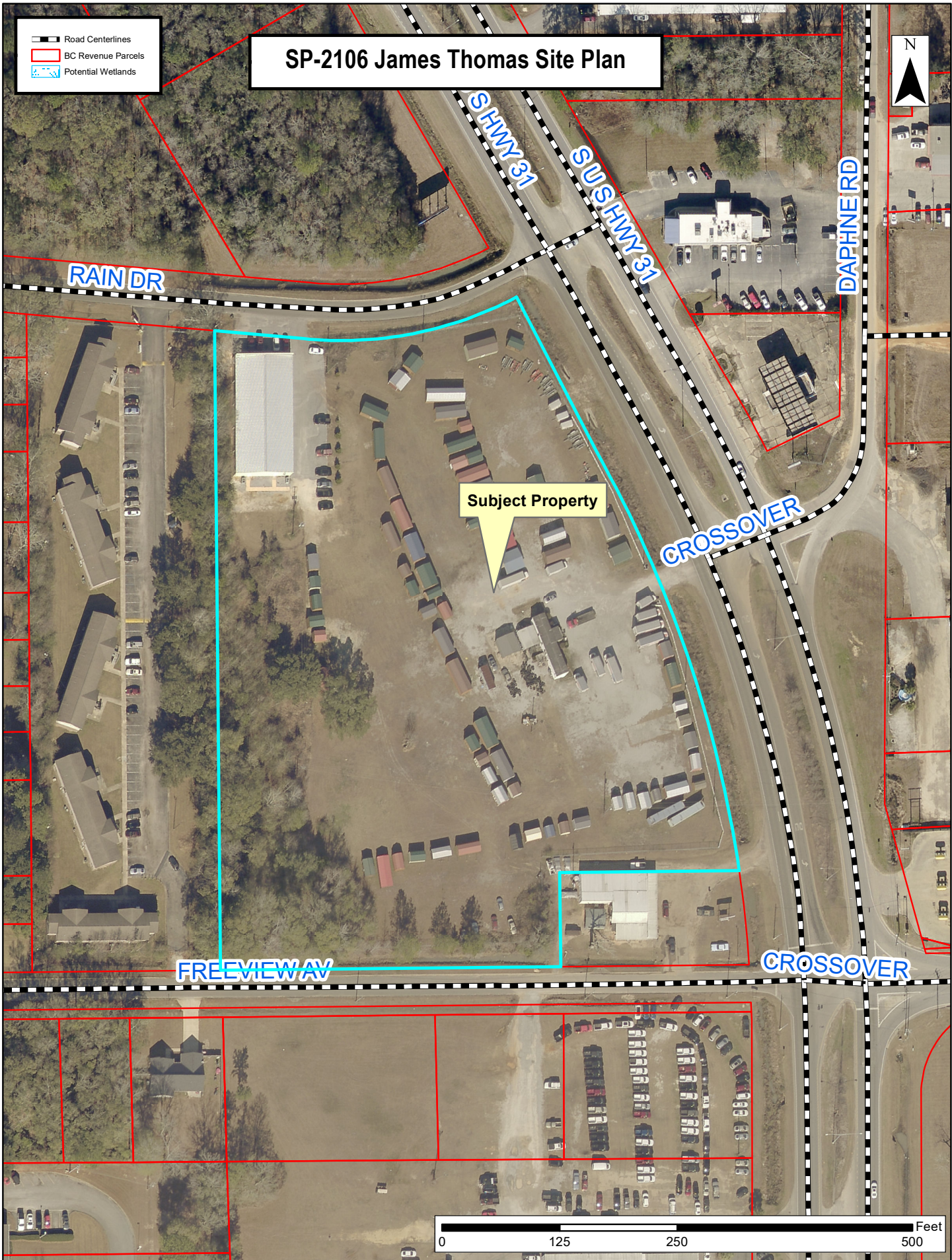


- Road Centerlines
- BC Revenue Parcels
- Agriculture/Timber
- Commercial
- Government
- Industrial
- Institutional
- Manufactured Home
- Mixed Use
- Parks & Recreation
- Single Family
- Duplex
- Multi-Family
- Public/Semi-Public
- Undeveloped
- Utilities

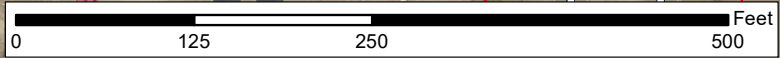


- Road Centerlines
- ▭ BC Revenue Parcels
- ▭ Potential Wetlands

SP-2106 James Thomas Site Plan



Subject Property





City of Bay Minette

Site Plan Review Application

301 D'Olive Street · Bay Minette, Alabama 36507
 Phone (251) 580-1650 · COBM_Planning@ci.bay-minette.al.us

Office Use Only	
Case No.:	<u>2106</u>
Fee:	\$300.00
Paid:	<input checked="" type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Credit Card

paid

Are you the property owner? Yes No
 (If you are not the property owner, you must submit an Agent Authorization Form signed by the property owner)

Applicant Name: James E Thomas Date: _____
 Mailing Address: P.O. Box 342
 City: Bay Minette State: AL Zip Code: 36507
 Phone Number: 251-253-8374 Email: _____

Site Information

Property Address: 1100 S Hwy 31
 or Property Location: _____

*Parcel No.: 05-23-05-21-2-002-00.001 *PPIN No.: 72510
 *Parcel or PPIN information must be completed

Request: Minor auto repair - small vehicles only + service
2 existing structures - partially enclosed. existing trailer

I, the undersigned, do hereby request the City of Bay Minette Planning Commission to grant a Site Plan Review for the location to determine if it meets the regulations of the **Zoning Ordinance** for the reason(s) stated above.

James E. Thomas
 Signature of Applicant (Owner of Property of Authorized Agent) _____ Date _____

Submittal Requirements

- _____ Application
- _____ Fee paid in full
- Agent Authorization Form (if applicant is not the owner)
- Complete Legal Description of Property
- _____ Plot Plan or Survey – indicating any existing structures, proposed structures, and setbacks from property lines
- _____ Submittal Requirements listed in 8.9 Site Plan, as applicable

PPIN 72510 - WILSON, MILTON C

Line Description Total Lines on File 5

- 1 6.54 AC(C) FM INT OF W R/W OF HWY 31 & N R/W OF FREEVIEW AVE
- 2 TH W 200' TO POB CONT W 355', TH N 681.7' TO S ROW OF RAIN
- 3 DRIVE TH E'LY ALG ROW 340'(S), TH S ALG R/W OF HWY 31 650'(S
- 4) TO POB BEING PT OF NE1/4 OF NW1/4 LYING IN CITY OF BAY MIN
- 5 ETTE SEC 21 T2S R3E
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15

Go directly to line ____
Copyright 1994, Delta Computer Systems, Inc. - All Rights Reserved 08/10-JR3

F1=UP F2=DOWN F5=UP F6=DOWN F9=FIRST F10=LAST F24=EXIT



City of Bay Minette Agent Authorization Form

Office Use Only
Case No.: <u>SP-2106</u> <u>LU-2183</u>

I/We hereby appoint and designate James E. Thomas ("Agent") to act as my/our-agent in all matters concerning this application/permit which relates to property described as tax parcel PPIN# 72510. I/We understand that the scope of the agency designation granted herein is general in nature and includes, without limitation, all decision-making authority relating to submittals, status, conditions, or withdrawal of this application/permit. To the fullest extent permitted under Alabama law, I/we release and agree to hold the City of Bay Minette harmless from and against any liability resulting from acts or omissions of our Agent. I/We warrant and certify to the City of Bay Minette that I/we are the owner(s) of the real property identified herein, and that I/we have fully authority to make the agency designation herein. I/We further certify that the information stated on and submitted with this application/permit is true and correct. I also understand that the submittal of incorrect information will result in the revocation of this application/permit and any work performed will be at the risk of the applicant. I understand further that any changes which vary from the approved plans will result in the requirement of a new application/permit.

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

PROPERTY OWNER(S)

Name(s) - Printed
Rachael W Jackson

Mailing Address
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City/State
Bay Minette, AL 36507

Phone _____ Email _____

Signature(s) Rachael W Jackson rbjackson@gmail.com
Date 8/26/21

AUTHORIZED AGENT

Name(s) - Printed
James E. Thomas

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City/State
Bay Minette, AL 36507

Phone 251-253-8374 ✓

Signature(s) James E. Thomas Date 8/25/21

RA-2102 Proposed Regulation Amendment related to Sections 5, 7, 8 & 11

Subdivision Regulations of the City of Bay Minette

Adopted
February 14, 2006

Amended
July 10, 2012
January 9, 2020
October 14, 2021

5.26 Minor Subdivision: A subdivision that creates not more than 5 lots, each lot fronting on an existing, paved public road and does not involve any new street or drainage improvements.

7.2.2 Filing and Advertising Fees

In order to defray the City's costs in the course of review and approval and costs of revisions to maps and regulations, there shall be paid to the City upon submission of application the following ~~sums~~:

7.2.2.1 Minor Subdivisions: The applicant for a Minor Subdivision shall be required to pay an application and advertising fee according to the current schedule of fees established by the City Council of Bay Minette.

~~a) The sum of one hundred and fifty dollars plus ten dollars per lot (\$150.00 + \$10.00 per lot) shall accompany the preliminary/final plat to cover the administrative cost of the Planning Commission.~~

~~b) The total of all postage for certified letters (\$10.00 each) to adjacent property owners.~~

7.2.2.2 Major Subdivisions

~~a) The sum of two hundred dollars plus ten dollars per lot (\$200.00 + \$10.00 per lot) shall accompany the preliminary plat to cover the administrative cost of the Planning Commission.~~

~~b) The total of all postage for certified letters (\$10.00 each) to adjacent property owners.~~

a) The applicant for a Major Subdivision shall be required to pay an application and advertising fee according to the current schedule of fees established by the City Council of Bay Minette.

~~e) b)~~ In the case that the planning and zoning administrator determines that the plat should be reviewed by the City's Contracted Engineer, the applicant will be required to cover the cost of the review.

~~d) The sum of one hundred dollars shall accompany the Final Plat to cover administrative cost of the Planning Commission.~~

7.2.2.3 Fees are not subject to refund or adjustment, irrespective of the final outcome of the application.

7.2.2.4 Applicants are responsible for recording their Approved Final Plat at the Baldwin County Probate and the cost that it incurs.

7.2.9 Preliminary/Final Plat Content: Minor Subdivisions
(...)

12. Certifications showing:

- a. Notarized proof of ownership of the land.
- b. Surveyor's attest to the accuracy of the survey.
- c. Compliance with applicable Board of Health Codes and Ordinances.
- d. Granting of all easements included in the plat.
- e. ~~Space on the plat for approval of~~ Signatory block for approval by the City of Bay Minette Planning Commission.
- f. Provide lot restrictions or restrictive covenants when applicable.
- g. Signatory block for approval by E-911 GIS/Addressing

7.4.4 Final Plat Content.
(...)

20. Certifications showing:

- a. Notarized proof of ownership of the land.
- b. Surveyor's attest to the accuracy of the survey.
- c. Lot restrictions, trusteeships and/or protective covenants.
- d. Dedication of streets, rights-of-way and other sites.
- e. Compliance with applicable Board of Health Codes and Ordinances.
- f. Granting of all easements included in the plat.
- g. Engineer's attest that all improvements have been installed in accordance with the requirements of the subdivision regulations or that a bond in sufficient amount to assure

the proper installation of such improvements has been accepted by the City of Bay Minette.

- h. ~~Space on the plat for approval of~~ Signatory block for approval by the City of Bay Minette Planning Commission and authorization for the recording of said plat by the judge of probate.

i.) Signatory block for approval by E-911 GIS/Addressing.

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)~~ three (3) or less lots, tracts, or parcels where each of the lots, tracts, or parcels established by the resubdivision fronts on an existing, paved public road.

b) Subdivisions of land into five (5) or less lots, tracts or parcels 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 into five (5) or less lots, tracts or parcels 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.

(...)

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

(...)

b) Subdivision s of land into five (5) or less lots, tracts or parcels 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.

8.3 ~~No exempt or administrative subdivision shall: consist of more than six five lots; contain any public improvements; or require the expenditure of any public funds.~~

All exempt and administrative subdivisions shall meet the following eligibility criteria:

a) Consist of five or less lots

b) Shall not contain any public improvements, nor require the expenditure of any public funds.

c) Shall apply to residential uses only.

8.5 Exemption from the requirement for approval to subdivide does not constitute exemption from the requirements of other applicable regulations including but not limited to state law, zoning regulations, other municipal ordinances, Health Department requirements or, ~~if located within the planning police jurisdiction of the City,~~ where applicable, the regulations of Baldwin County Planning Department or Highway Department.

11.2.1 To ~~insure~~ ensure proper development in flood-prone areas, the commission shall require the subdivider to provide elevation and flood profiles sufficient to demonstrate that the sites will be free from the danger of flooding.

From: [Jessica Peed](#)
To: [Joanna Bailey](#); ["Marlee Bailey"](#); [Tracy Rogers](#)
Subject: Public Hearing Notice.pdf
Date: Tuesday, September 21, 2021 9:47:00 AM
Attachments: [Public Hearing Notice.pdf](#)
[image_20.png](#)

Good morning,

Please post the attached Public Hearing Notice in an area that is visible to the public.

Thank you!

Jessica Peed
Planning Assistant
City of Bay Minette
Planning & Development Services
301 D'Olive Street
Bay Minette, AL 36507
(251) 580-1650, Ext. 7065





City of Bay Minette

Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507 · Phone (251) 580-1650

NOTICE OF PUBLIC HEARING

Case No. RA-2102

Proposed Subdivision Regulation Amendment related to Sections 5, 7, 8 & 11

Notice is hereby given that the City of Bay Minette Planning Commission will conduct a public hearing concerning RA-2102, Proposed Subdivision Regulation Amendment for the following Sections: 5.26- Definitions, 7.2.2- Filing and Advertising Fees, 7.2.9- Preliminary/Final Plat Content: Minor Subdivisions, 7.4.4- Final Plat Content, 8- Subdivisions and Resubdivisions not subject to the provisions of these regulations, and 11.2.1- L and Subject to Flooding.

The public hearing will be conducted during the next regularly scheduled meeting of the City of Bay Minette Planning Commission which is scheduled for **Tuesday, October 19, 2021** beginning at 8:00 a.m. in the Council Chambers 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 or on the City of Bay Minette's website [Planning & Development Services Department \(cityofbayminette.org\)](http://cityofbayminette.org). If you desire to speak with someone by telephone about this public hearing, please contact the Bay Minette Planning Department at (251) 580-1650. 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. Please include the case number noted above in all correspondence. If you desire to address the Planning Commission in person about this application, 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 & Zoning Department at 251-580-1650.