

## Bay Minette Planning Commission Regular Meeting Minutes

Minutes July 8, 2021

Monthly Meeting No. 7

The Bay Minette Planning Commission met in Regular Session on Thursday, July 8, 2021. The meeting was called to order at 8:03 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 8:03 a.m. the following members were present:

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

Commission Members absent:

Wynter Crook, Commission Member  
Scotty Langham, Commission Member

Commission Members late:

Other persons in regular attendance:

Scotty Lewis, Attorney  
Clair Dorrough, City Planner  
Tammy Smith, City Administrator  
Jason Padgett, North Baldwin Utilities  
Steven Stewart, Fire Inspector  
Jessica Peed, Planning Assistant

**GUESTS**

Cindy Moye  
Robert Branum  
Chris Branum  
Andre Cox

**INVOCATION**

Commission Member "Mayor" Wills gave the invocation, followed by the pledge.

*Jason Padgett enters the meeting at 8:05am*

ITEM 3. Approval of Minutes of the June 10, 2021 meeting. Councilman Taylor made a motion to approve the June minutes as written. The motion was seconded by Commission Member Clark and was unanimously carried.

ITEM 4. Old Business

ITEM 5. New Business:

a.) S-2121 COPA / COBM Mural

Request: City's Committee on Public Arts Mural

b.) S-2122 COPA / COBM Mural

Request: City's Committee on Public Arts Mural

Chairman Stewart states the next two items for New Business will consist of the City's Committee on Public Arts request for two (2) new murals to be painted within City limits. He then asks Mrs. Dorrough to summarize both requests. Mrs. Dorrough states the first mural will be located on the Faulkner Building on US Hwy 31 across from Edward Jones, and is located within a public parking area. The second request will be located on the alley wall on the backside of the Pearl and Addie's building that will face Blackburn Park. Chairman Stewart inquires on last meeting's reviews to which Mrs. Dorrough states that mural request was located behind Beans on Hand Coffee Shop. Mrs. Dorrough also states these murals are being painted by two local artists with one being Jessica Merchant. Chairman Stewart states these murals are well placed and inquired on the maintenance going forward and offers up the example of the Statue of Liberty on US Hwy 31 not being maintained. Mrs. Dorrough states these murals are within the realm of the City, and the Statue of Liberty mural was a private endeavor painted on a privately owned building, but that going forward maintenance will need to be considered when applicants apply for murals. Commission Member Clark inquired if the City would be allowed to maintain to which Mr. Lewis states the City would need to get permission. Mrs. Dorrough states Tina Covington works with the owners and has agreements in place.

With no further questions or comments, Chairman Stewart asked for a motion for S-2121. Commission Members Emmons made a motion to approve the butterfly mural located on the storage garage building facing US 31 North. Commission Member Clark seconded, and it was unanimously carried, with the exception of Commission Member Covington abstaining due to his spouse being the applicant.

Commission Member Clark commented that the first proposal's parking lot, S-2121 is not being maintained. Chairman Stewart stated this will be a great catalyst for improvement.

With no further comments or questions, Chairman Stewart asked for a motion for S-2122. Commission Member "Mayor" Wills made a motion to approve the proposed mural located on the alley wall of the Pearl and Addie's property facing Blackburn Avenue. Councilman Taylor seconded, and it was unanimously carried with the exception of Commission Member Covington abstaining due to his spouse being the applicant.

c.) ES-2103, Moye 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 at 9640 Green Jordan Road, east of State Hwy 225

Mrs. Dorough states the property is County Zoned, District 4, and that the property owner is present at the meeting today. She states there is a residential structure where the split would take place to construct a new home, but since it is County zoned there cannot be two (2) residences on one (1) lot. She also states there is a 30 ft easement that will access the back lot, and the County has already reviewed and approved the proposed division. Chairman Stewart inquires if the property owner has the Certificate of Subdivision Affidavit, to which Mrs. Dorough states the property owner has it with her at present, and it will be going in her name. Councilman Taylor inquires about the Staff Recommendation conditions to which Chairman Stewart and Mr. Lewis clarifies that the staff recommendations are there if a problem arises at the meeting and the Planning Commission finds they need to impose conditions on approvals or deny an application. Commission Member Emmons made a motion to approve and authorize the Chairman to sign the plat. Councilman Taylor seconds and it is unanimously carried. Chairman Stewart asks the applicant to see Mrs. Dorough so she would not have to drive to multiple places unnecessarily. Mrs. Dorough states she will issue a Letter of Notice, and Chairman Stewart signed the plat.

d.) ES-2104, Branum 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 West 7<sup>th</sup> Street, just east of Hutchinson Avenue



Chairman Stewart introduces the case for a Family Exemption for a 2-lot subdivision. He then inquires if anyone has had any prior communication or has a conflict of interest, to which Mrs. Dorrough states she is related to Robert Branum. The Chairman clarifies to the Commission that her statement is more of an informational note as she does not vote on the cases. Chairman Stewart states that at the last Planning Commission, the front property was ratified and in process of getting recorded, but that Revenue is extremely behind on recordings. Mayor Wills inquires on what has been platted and approved to which Mrs. Dorrough states this is the revised plat, but the prior portion was approved. There is a discussion on driveway access, easements, utility, and sewer requirements. Chairman Stewart states that there will need to be research on sewer requirements and the Commission will need more information in order to proceed. Mr. Lewis states that the 9-lot subdivision actually consists of 10 lots, and the platted subdivision is actually considered a re-subdivision of lot 10; therefore, it would need to be a replat. Mrs. Dorrough states there is a one-year timeframe from the date of approval because it is a family division, unless the applicant would like to change it to a Major Subdivision. Mr. Branum, the applicant, states he acknowledges the one-year time limit to subdivide and there are no issues. With no further comments or questions, Chairman Stewart tables the application at the applicant's request until more information can be obtained, particularly regarding access and easement to the back parcel.

#### ITEM 6.

##### Reports:

##### a.) Mayor/Council Report

Mayor Wills states that Mrs. Smith and Mr. Lewis have done a good job discussing the lease agreement to the applicant who will be leasing the bowling alley, and states the lease agreement is very close to being finalized. He states Mr. Nolan, the potential person to leave the bowling alley, is going to improve the facility and activity, and it will be the 1<sup>st</sup> of August before it is opened. Mayor Wills also states the agreement for the Justice Center is almost completed as well.

Commission Member Emmons inquires on the property owners at the "old Baggett property". Mayor Wills comments that Bay Minette had State Champions for 12 and under, and they were coached by Councilman Sellers. He also states the fireworks production were great.

Councilman Taylor inquired if the Church's Chicken building could be maintained or torn down. Mrs. Dorrough explains the process for declaring a building an unsafe structure and that the City will assume the responsibility of the obligation to tear down if there is no response from the owner within 45 days. Mayor Wills states there must be an attempt made to contact the owners to have properties cleaned. Commission Member Clark discusses the unappealing structures coming into the City, and states the City must weigh

the actual cost of tearing down vs. not tearing down in regards to the environment Bay Minette displays by allowing these types of structures to remain visible to incoming and outgoing passerby's. Jason Padgett states people in the community have offered to donate money in order to have some of the buildings torn down on the main thoroughfare. He also states Eugene Overstreet is wanting to put in a new seafood market close to the Church's structure. Commission Member Clark inquires on potentially placing liens on the property to which Mr. Lewis states he is not prepared to answer that question at this moment in time. Commission Member Emmons inquires if unsafe structures also include residential homes to which Mrs. Dorrough states there is currently a list of with unsafe structures which includes residential homes. Tammy Smith states the City is currently pursuing the property next to Church's Chicken for farmers to sell their goods.

b.) Attorney - NONE

c.) Commissioner- NONE

d.) Planning Staff

- Mrs. Dorrough states she recently attended a webinar and that there was a Supreme Court case that determined some municipal sign ordinances to be unconstitutional. She briefly discusses the highlights of the seminar including off premise, political, real estate, reviewing signs regarding what the sign displays, and the legal cases she learned about while attending the webinar. She states she will be submitting an overhaul of our current Sign Ordinance soon. She states the next Planning Commission meeting will be August 12, 2021.

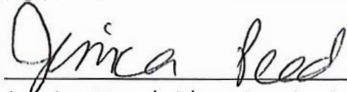
**ITEM 7.** With no further business Chairman Stewart adjourned the meeting at 8:55 a.m.

DONE THIS THE 8<sup>th</sup> DAY OF JULY, 2021



Todd Stewart, Chairman

ATTEST:



Jessica Peed, Planning Assistant