

Correction to Roll Call Note

Planning Commission Minutes
Al Thompson Community Center
Date: October 3, 2018 - 6:30 pm

Call to Order: The Planning Commission met in a regular meeting. Chairman Head called the meeting to order at 6:35 pm.

Roll Call:

Members Present: Commissioners: Kae Hamilton, Lynn Thompson, John LaGrone, Christi Koehle, Glenna Smith and Chris Head.

Others Present: Mr. and Mrs. Wayne Hollis-Applicant; Councilman Steve Love; Diane Burnett, South Alabama Regional Planning Commission (SARPA) and members of the public.

Members Absent: Commissioners: Hank Jordan, Bob Gross and Andrew Stewart.

Invocation was led by Commissioner Head.

Pledge of Allegiance recited by All.

Reading and Approval of Prior Meeting's Minutes:

- August 15, 2018
- August 29, 2018
- September 5, 2018

Motion and a second to approve the prior meeting's minutes.

All in favor, motion carried to approve with corrections to the August 29, 2018 minutes.

Hearing of Applications:

- Master Pro Tem*
- Public Hearing-Rezone R-1, Single Family District to R-2, Single Family District
 - PBZ-18002
- Councilman Steve Love presented Case No. PBZ 18002-Application to rezone R-1 Single Family District to R-2 Single Family District. The purpose of the rezoning request was to allow for a family split to keep the property in the family.

Public Comments:

There were numerous public comments in opposition to the requested rezoning:

Original zoning provided for larger waterfront lots, instead of smaller lots on the water.

A second dwelling would not meet building setbacks

Issues with a septic system on smaller lot size

Motion by Mayor Hamilton, second Commissioner Koehle to approve the rezoning request.

Roll Call Vote

"Yes"

"Abstain"

"No"

~~Christi Koehle~~

Chris Head

Commissioner Hamilton

Commissioner ~~Chris Head~~ Christi Koehle

Commissioner John LaGrone

Commissioner Glenna Smith

Commissioner Lynn Thompson

Motion to approve the zoning request was denied due to lack of a majority vote.

Communications from Town Council: None

Public Comments: None

New Business: None

Unfinished Business: None

Officer's Reports:

Mayor's Report- None

Chairman's Report- None

SARPC Representative- None

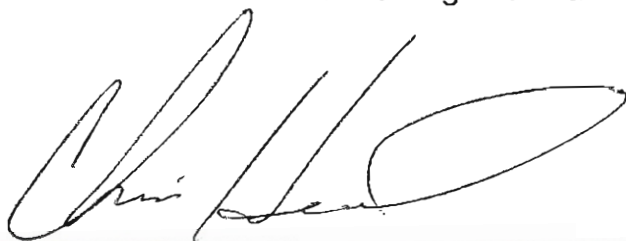
Announcements:

Next Regular Planning Commission Meeting Date: November 7, 2018 - 6:30 pm

Adjournment:

Being no further business there was a motion by Commissioner Koehle, second by Commissioner Thompson.

The meeting ended at 7:25 pm.



Planning Commission Meeting Agenda
Al Thompson Community Center
Date: October 3, 2018 - 6:30 pm

1. **Call to Order:**

2. **Roll Call:**

3. **Invocation and Pledge of Allegiance:**

4. **Reading and Approval of Prior Meeting's Minutes:**

- August 15, 2018 (revised)
- August 29, 2018
- September 5, 2018

5. **Hearing of Applications:**

- Public Hearing-Rezone R-1, Single Family District to R-2, Single Family District
- PBZ-18002

6. **Public Comments:**

7. **Communications from Town Council:**

8. **Public Comments:**

9. **New Business:**

- Public Hearing: PBZ-18002

10. **Unfinished Business:**

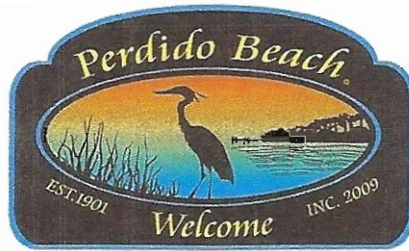
11. **Officer's Reports:**

Mayor's Report-
Chairman's Report-
SARPC Representative-

12. **Announcements:**

- Next Regular Planning Commission Meeting Date: November 7, 2018 - 6:30 pm

12. **Adjournment:**



**TOWN OF PERDIDO BEACH – PLANNING COMMISSION
NOTICE OF PUBLIC HEARING
October 3, 2018**

Notice is hereby given that a Public Hearing will be held by the Town of Perdido Beach PLANNING COMMISSION on Wednesday, October 3, 2018 beginning at 6:30 p.m. at the Al Thompson Community Center- 9212 County Rd 97, Perdido Beach, Alabama. The Planning Commission will conduct a public hearing concerning a request submitted by G. Wayne Hollis-412 W Satsuma Ave., Foley, AL 36535, owner of property located at 9276 Tuscaloosa Drive, Perdido Beach, Al. The applicant is requesting approval to rezone from R-1, Single Family District to R-2, Single Family District. The Parcel Identification Number is 05-63-03-07-0-000-101.000.

The public is invited to attend this public hearing to voice an opinion for or against the proposed rezoning. Written comments should be addressed as follows:

**Lynn Thompson, Town Clerk
Perdido Beach Planning & Zoning Department
9212 County Rd 97 – Perdido Beach, AL 36530**

You may fax your comments to Lynn Thompson at (251)962-2206. 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

If you have any questions, please contact Lynn Thompson at (251) 962-2200.



Town of Perdido Beach Planning Commission

Case No. PBZ-18002

Mr. G Wayne Hollis

Rezone R-1, Single Family District to R-2, Single Family District

October 3, 2018

Public Hearing: October 3, 2018-6:30 pm - Al Thompson Community Center

***Staff Report Prepared by: Lynn Thompson-Town Clerk and Steve Love-Mayor
Pro-tempore***

BACKGROUND:

In accordance with the Town of Perdido Beach Land Use and Zoning Ordinance, Section 19.2, on August 31, 2018 the Town received application to authorize the initiation of the rezoning process for parcel number 05-63-03-07-0-000-101.000.

| | Adjacent Land Use | Adjacent Zoning |
|-------|-------------------|-----------------------------|
| North | Residential | R-1, Single Family District |
| South | Residential | R-1, Single Family District |
| East | Soldier's Creek | N/A |
| West | Residential | R-2, Single Family District |

Summary

The subject property is currently zoned R-1, Single Family District, and is occupied. The requested designation is R-2 Single Family District. According to the submitted information, the purpose of this request is to allow for a family split to keep the property in the family.

Current Zoning Requirements

Section 4.2 R-1 Single Family District

4.2.1 *Generally.* This zoning district provides for medium density residential development consisting of single family dwellings on medium size lots.

4.2.2 *Permitted uses.* The uses and structures identified with a “P” on the Table of Permitted Uses attached to this ordinance.

4.2.3 *Conditional uses.* The uses and structures identified with a “C” on the Table of Permitted Uses attached to this ordinance.

4.2.4 *Special exception.* The uses and structures identified with an “S” on the Table of Permitted Uses attached to this ordinance.

4.2.5 *Area and dimensional values.* In addition to the requirements of *Article XII General Requirements* and except as allowed by *Section 18.6 Variances*, and *Article XX Nonconformities*, the area and dimensional values set forth below shall be observed

| | |
|--|-------------------------|
| Maximum Building Height of Structure in Feet | 34.75-Feet |
| Maximum Height of Structure in Habitable Stories | 2 |
| Minimum Front Yard Set Back | 30-Feet |
| Minimum Rear Yard Set Back | 30-Feet |
| Minimum Side Yards Set Back | 10-Feet |
| Maximum Density | 1 Dwelling Unit per lot |
| Minimum Lot Area per Dwelling Unit | 30,000 Square Feet |
| Minimum Lot Width at Street Line | 60-Feet |

Proposed Zoning Requirements

Section 4.3 R-2 Single Family District

4.3.1 *Generally.* This zoning district provides for high density residential development consisting of single family dwellings on small size lots.

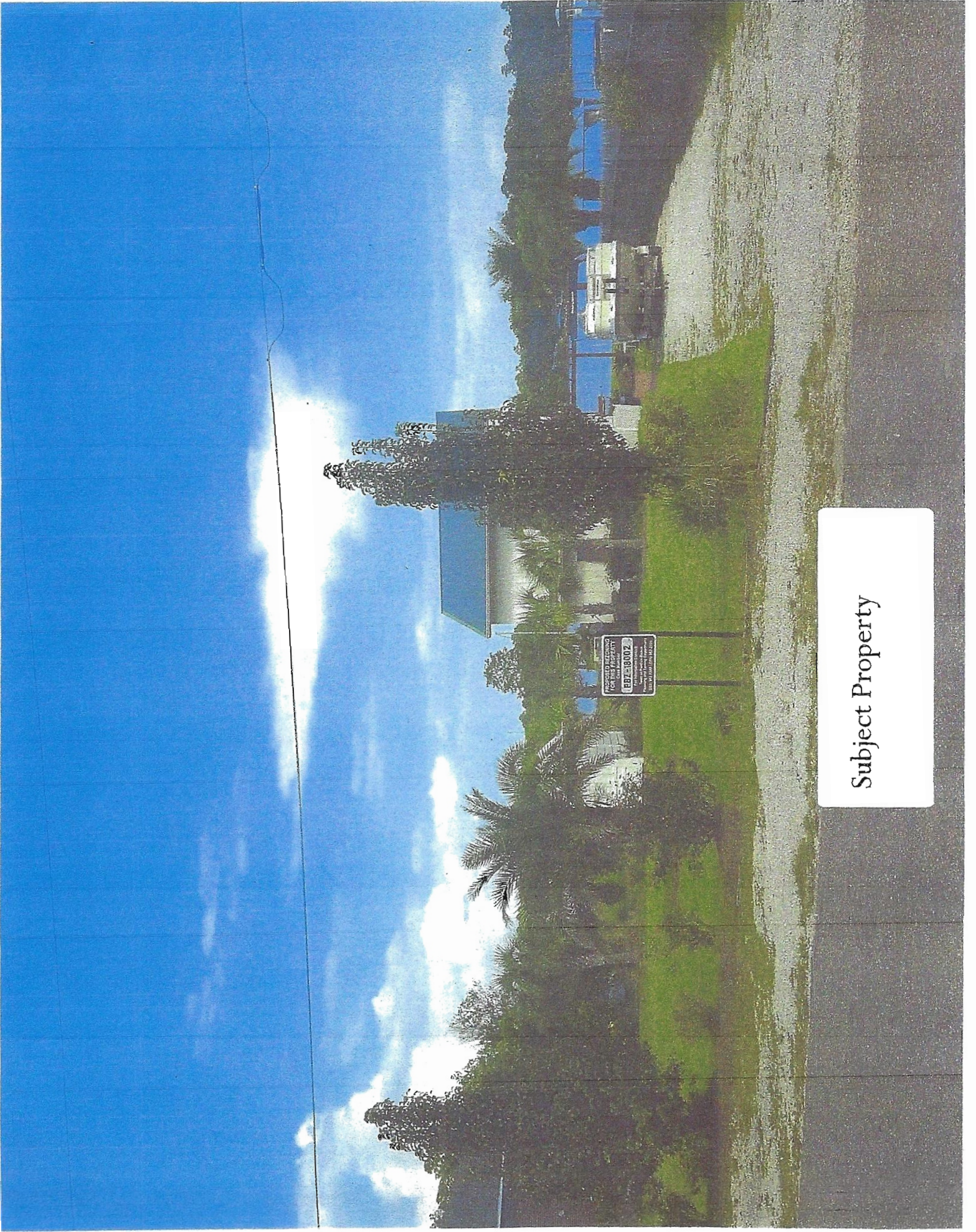
4.3.2 *Permitted uses.* The uses and structures identified with a “P” on the Table of Permitted Uses attached to this ordinance.

4.3.3 *Conditional uses.* The uses and structures identified with a “C” on the Table of Permitted Uses attached to this ordinance.

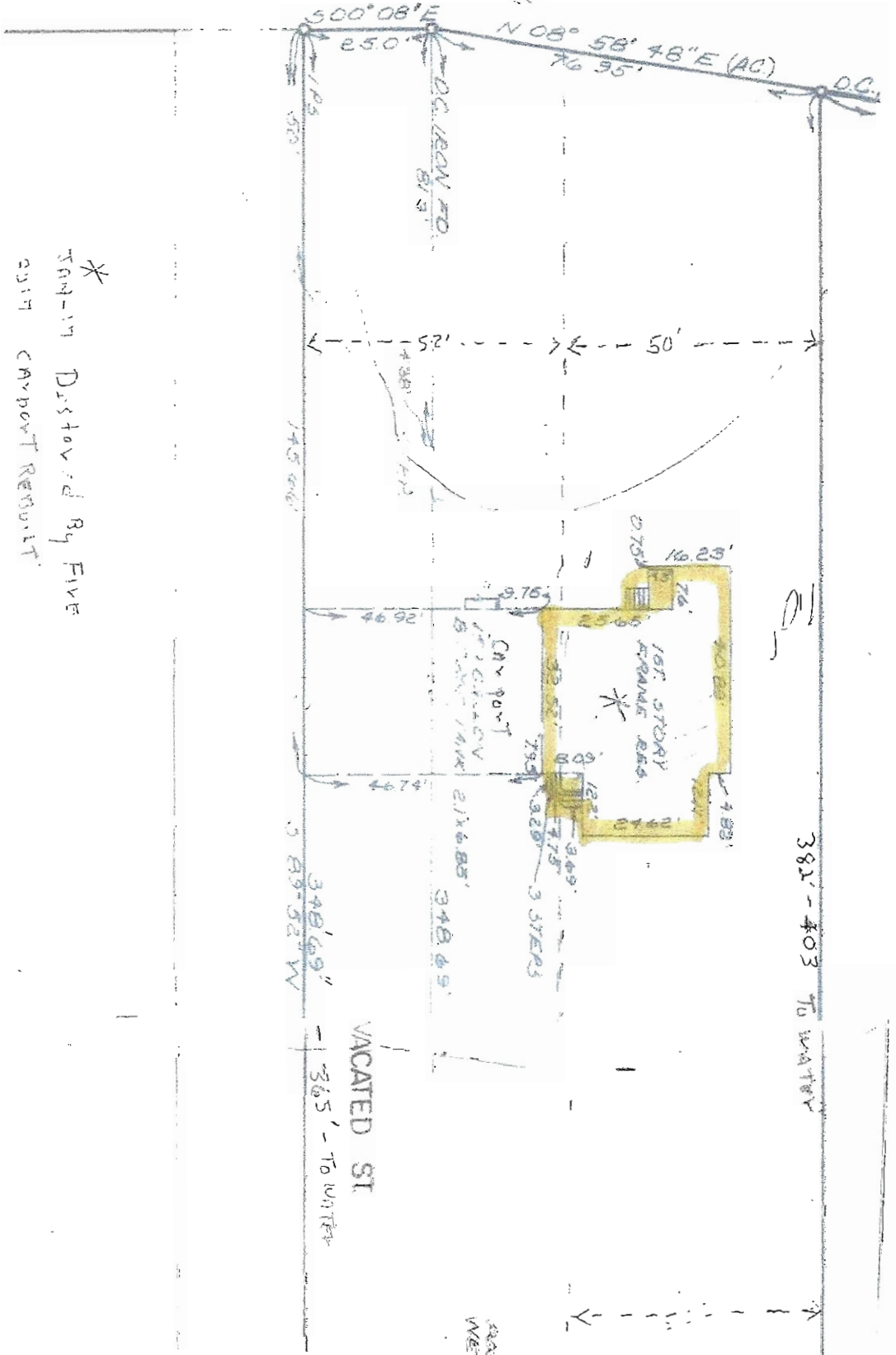
4.3.4 *Special exception.* The uses and structures identified with an “S” on the Table of Permitted Uses attached to this ordinance.

4.3.5 *Area and dimensional values.* In addition to the requirements of *Article XII General Requirements* and except as allowed by *Section 18.6 Variances*, and *Article XX Nonconformities*, the area and dimensional values set forth below shall be observed.

| | |
|--|-------------------------|
| Maximum Building Height of Structure in Feet | 34.75 |
| Maximum Height of Structure in Habitable Stories | 2 |
| Minimum Front Yard Set Back | 30-Feet |
| Minimum Rear Yard Set Back | 30-Feet |
| Minimum Side Yards Set Back | 10-Feet |
| Maximum Density | 1 Dwelling Unit per lot |
| Minimum Lot Area per Dwelling Unit | 15,000 Square Feet |
| Minimum Lot Width at Street Line | 50-Feet |



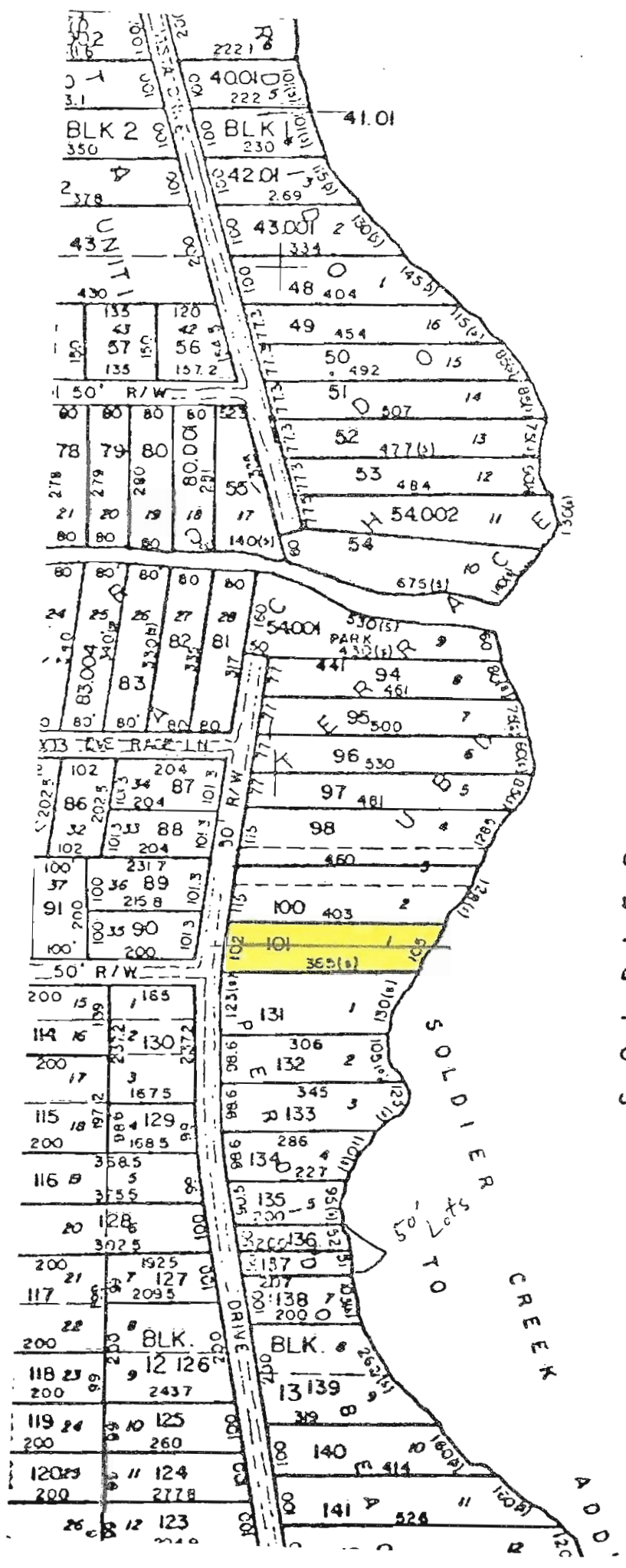
Subject Property



*
TOWN DISTRICT BY FIVE
CAMP REPORT REMOVED

22

47



C R E E K

S O L D I E R

S O L D I E R C R E E K

BEE MAP 05-63-03-08

T18 185 187
R1E R2E R3E
TOWNS
(INDEX TO)

| | |
|----|----|
| 6 | 5 |
| 7 | 8 |
| 9 | 10 |
| 11 | 12 |
| 13 | 14 |
| 15 | 16 |
| 17 | 18 |
| 19 | 20 |
| 21 | 22 |
| 23 | 24 |
| 25 | 26 |
| 27 | 28 |
| 29 | 30 |
| 31 | 32 |

SUB

- STATE LINE
- COUNTY LINE
- CORPORATION LINE
- DISTRICT LINE
- ROAD R/W
- TRAVELED ROAD WAY
- RAILROAD R/W
- PROPERTY LINE
- LAND HOOK
- INTERIOR TRACT LINE, OR ORIGINAL TRACT LINE
- SUBDIVISION LOT NUMBER
- PARCEL NUMBER
- BLOCK LIMIT, (WHERE APPLICABLE)
- OWNERSHIP MAP BLOCK (WHERE APPLICABLE)
- CHURCHES, SCHOOLS, CEMETRIES, AIRPORTS, GOVERNMENT LANDS, ETC.

| DATE | BY | DATE |
|-------|------|-------|
| 9-55 | 250 | 1-56 |
| 10-51 | WAM | 5-57 |
| 1-57 | 1-57 | 2-58 |
| 5-58 | CP | 12-58 |
| 7-64 | SR | 1-90 |

Section 19A.3 Factors for Reviewing Proposed Amendments to this Ordinance or the Official Zoning Map

In deciding whether to recommend approval of a proposed amendment to the Land Use and Zoning Ordinance or the Official Zoning Map (rezoning) or in deciding whether to adopt a proposed amendment to such, the Planning Commission and Town Council shall consider whether the proposed action (rezoning) is consistent with the following inquiries:

The following factors for reviewing amendments are found in Section 19A.3 of the *Town of Perdido Beach Land Use and Zoning Ordinance*.

- (a) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?
No. Change is not compatible with adjacent waterfront properties. R-2 is compatible with properties across the street.
- (b) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions in the near vicinity affected by the proposed action changed since the zoning was established or last amended?
No.
- (c) Does the proposed zoning improve conformity of land use to the Town's Master Plan?
NO.
- (d) Will the proposed change conflict with existing or planned public improvements?
No conflicts
- (e) Will the proposed change adversely affect traffic patterns or congestion?
The effect of a rezoning from R-1 Single Family District to R-2 Single Family, should not adversely impact traffic patterns or increase congestion.
- (f) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.

Yes, the primary surrounding land uses in that area are residential. The properties to the north and to the south are zoned R-1, Single Family District and the property to the West is zoned R-2, Single Family District.
- (g) Is the proposed amendment the logical expansion of adjacent zoning districts?

Yes. See response to item (f) which is listed above.
- (h) Is the timing of the request appropriate given the development trends in the area?
Not applicable.
- (i) Will the proposed change adversely impact the environmental conditions of the vicinity or the desirable historic resources or nature of the Town?
No,
- (j) Will the proposed change adversely affect the health, safety or welfare of the Town?
No, staff does not anticipate any adverse impacts.

(k) Other matters which may be appropriate.

Applicant wished^s to rezone to R-2 Single Family District to allow property to be subdivided into two lots to convey ownership to a family member.

Staff recommends denial of request to rezone based on the incompatibility of adjacent properties.



TOWN OF PERDIDO BEACH
9212 County Road 97
Perdido Beach, Alabama 36530
Telephone: 251.962.2200
Fax: 251.962.2206

www.townofperdidobeach.org

REZONING APPLICATION PROCESS SYNOPSIS

Application

All application materials, including parcel numbers, payment of fees, legal descriptions and completed Authorized Agent Forms when appropriate, must be submitted according to the approved application deadline schedule. Incomplete applications will not be processed and will not be scheduled for a public hearing. Irrespective of the outcome, fees will not be refunded once the application has been processed.

Staff Review

A staff member performs an evaluation of the site and surrounding properties as well as consults all relevant materials including the standards contained in Town of Perdido Beach Land Use & Zoning Ordinance Section 19A.3. The evaluation process for the property that is the subject of the rezoning includes a physical inspection of the property by Town of Perdido Beach Staff. Each rezoning will contain a staff report and a recommendation from the staff. The staff member assigned to the case is the point of contact for the application and will prepare the report. Staff reports are mailed to the applicant prior to the public hearing and are also available for public inspection.

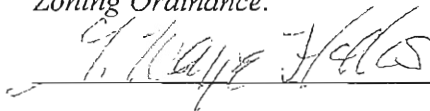
Standards For Approval

A public hearing on the rezoning application will be held by the Planning Commission in accordance with their approved meeting schedule. The Planning Commission receives an agenda with staff reports and supporting materials approximately 1 week prior to the meeting date. The assigned staff member will present the pertinent details of the rezoning case as well as the staff recommendation. During the public hearing the applicant is allowed to address the Planning Commission. In addition, those for or against the rezoning application will also be allowed to address the Planning Commission. Please note: Prior to the hearing, each person desiring to address the Planning Commission must complete a Speaker Sign Up form. Staff members will be present at the meeting to provide the proper form for you to complete in order to speak. Any written correspondence received in a timely manner will be presented to the Planning Commission. At the conclusion of the Planning Commission hearing a recommendation will be made to the Town Council.

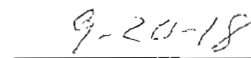
The Town Council will hold a public hearing in the same manner as the Planning Commission. The Town Council will then make the final decision on the rezoning application. Please note: When a rezoning request is decided upon by the Town Council, whether approved or denied, another rezoning for the same property will not be heard for a period of 6 months.

Acknowledgement

I acknowledge that I have read the information contained herein. I understand that this synopsis is not an exhaustive list of requirements and I have had ample opportunity to inquire and become familiar with the requirements of the entire *Town of Perdido Beach Zoning Ordinance*.



Signature of applicant or authorized agent

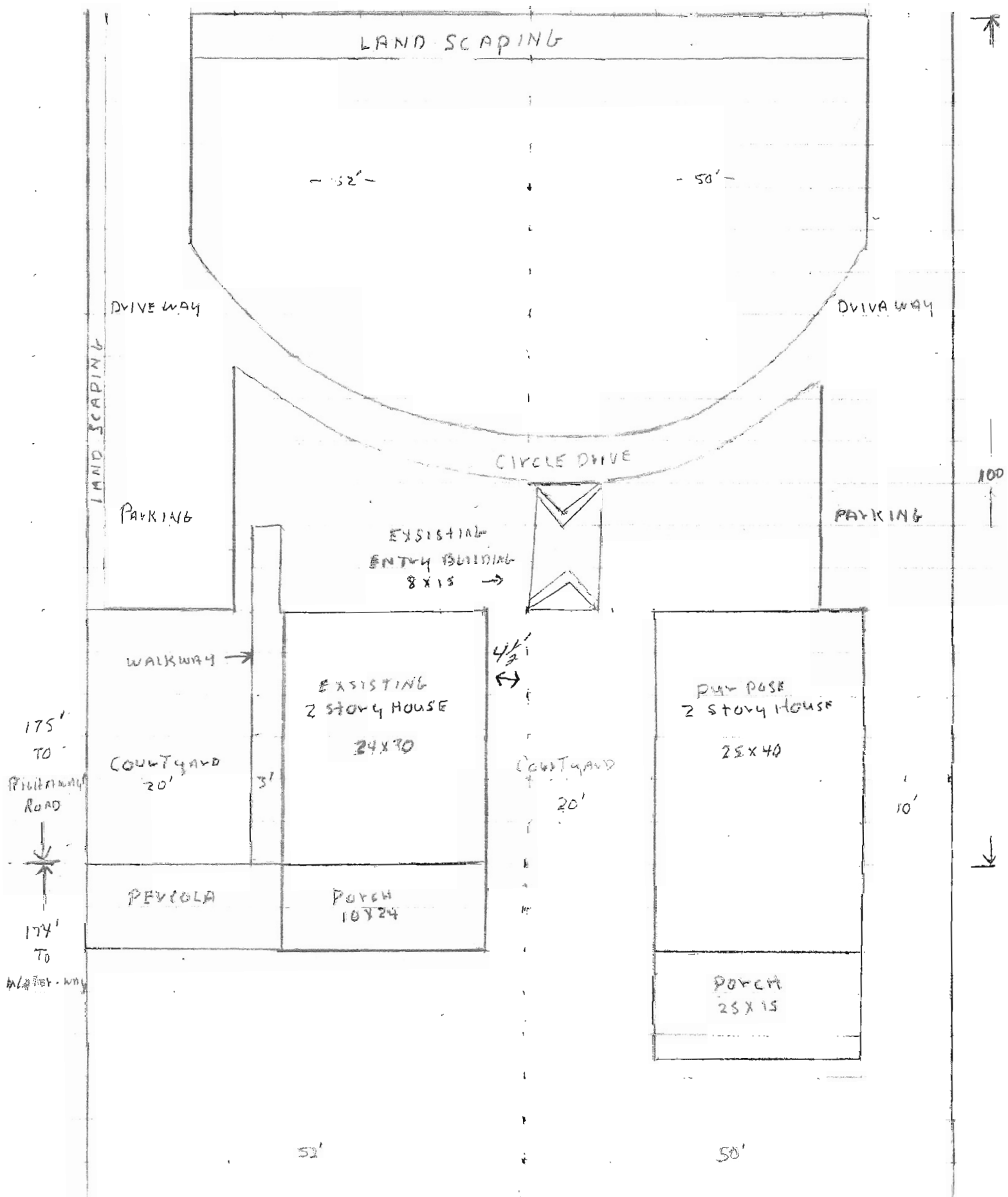


Date

RIGGS ST

WEST
9276 TUSCALOOSA DRIVE
102'

NOT SHOWN
ADDITIONAL 45' ↑
FRONTAGE



[illegible]

NEW HOUSE APPRO.
SAME SIZE - LOCATED
AS OLD HOUSE

*
Total Loss By Five

0257 ED 023'
WEST OF DC 120N

POST #2
0231 SOUTH
OF #26

CANDLER CREEK