

1. Last week I expressed my concerns about the possible arbitrary nature of current zoning decisions and apparent lack of will to focus on creating some type of specific Waterfront Zoning. Having considered these issues over the intervening week, I would like to put the following before you:

2. Regarding zoning delineations: To date, some decisions have been made using subjective and in some cases inaccurate information and data. Now that accurate data has been presented to you regarding lot size, which to date seems to be your preferred means of delineating zones, it only makes sense to revisit the previous decisions made. Some of the current proposals have been determined by making statements like, these lots look this big or these lots look bigger than those lots. In light of the accurate information now before you, I would suggest that it would be, at best, irresponsible not to revisit your current proposed zoning designations and reexamine your rationale for having made them. While doing this it might be wise to determine how you will avoid the future accusations of having been arbitrary or capricious in your decisions (which could put the town at financial risk.) Some kind of absolute criteria, possibly such as an absolute maximum percentage of nonconforming lots in any given zoning area, might be advisable. Of course, legal advice would be necessary here.

3. Regarding the Waterfront issue. One should realize that Mayor Patsy and Mr. Thompson (among others) would report to you that they have spent 20 years, give or take, dealing with waterfront issues such as community/public access, proper and improper usage by waterfront owners and others and improper/inadequate maintenance to name a few. They have spent little time by comparison on issues dealing with the interior areas of Perdido Beach. If this is any indicator, one might consider that in light of the excessive time spent dealing with issues characteristic to the waterfront, this commission might wish to put all the waterfront areas into one basket so that these and similar issues can be dealt with in a concise and efficient manner. The data in your

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possession confirms the variety of lot sizes on the waterfront in Perdido Beach and thus presents you with a problem if lot size is the only criteria for assignment to a given zone. Is it not possible that another method (other than lot sizes) be used in determining zoning on the waterfront? Some common characteristics of the waterfront areas deal with the fragility of the zone during major weather events, more critical health and safety issues, the fact that the waterfront areas overwhelmingly determine the character of Perdido Beach, that waterfront provides recreation and access to recreation for all residents of Perdido Beach and the public, environmental issues, the issue of waterfront properties paying the lions share of ad valorem income for the town and how your implementation of waterfront zoning might be the critical factor that will determine whether or not adjacent waterfront areas of Josephine and the East Shore of Soldier Creek would decide to annex into Perdido Beach, thereby providing an opportunity to increase town income. There might be others. Is it not possible to set all waterfront into a unified and comprehensive zone and then deal with the other issues such as setbacks, etc. differentially by lot size within that zone? This concept would permit you to apply the concept that you have referred to numerous times, that of 'call it what it is'. This would also seem to protect you and the town from the arbitrary and capricious issue being raised in the future. Again, of course, legal advice would be necessary.

>Summarize<

Thank you for the opportunity to speak.

Bob Gross

MEMO:

From: Mayor Parker
To: Perdido Beach Citizens
RE: Planning Commission Survey
Date: March 17, 2010

Dear Town Citizens,

FYI - You've recently received a survey from the Town of Perdido Beach Planning Commission asking your opinion on various topics. The Planning Commission was asked by one of the Commissioners to conduct the survey and the motion passed. However, the idea of the survey didn't come from the Commission but from the Perdido Beach Property Owners and Residents Association.

In addition I've been told by an attorney with the League of Municipalities that the Town has no authority to conduct a non-binding referendum. For that reason the Planning Commission and the Town have withdrawn their involvement with the survey.

I don't wish for the Town to take credit or to be given credit for the survey - credit is entirely due to PBPORA.

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