

Town of Perdido Beach-Planning Commission Meeting
PUBLIC HEARING
March 7, 2012

The Planning Commission of the Town of the Perdido Beach held its regularly scheduled meeting at the Town Hall-March 7, 2012. Chairman Love called the Meeting to order at 6:30 PM.

Members present: Chairman Steve Love, Mrs. Diana Graham, Mr. Gary Kiefer, Mr. Tom Bloxham, Mayor Patsy Parker, Mrs. Freda Fleming and Mrs. Lynn Thompson.

Members absent: Mr. Bill McGrath **Others Present:** Mrs. Sheila Stone-Schoen-Town Attorney and Members of the Town.

Invocation: Mrs. Freda Fleming

Pledge of Allegiance: Mr. Tom Bloxham

ITEM: Approval February 1st Minutes

Motion by Mr. Gary Kiefer, second by Mrs. Graham to approve the February 1st Minutes.

Roll Call Vote

“YES”

Abstain

“NO”

Mr. Tom Bloxham
Mrs. Diana Graham
Chairman Steve Love
Mayor Patsy Parker
Mrs. Freda Fleming
Mr. Gary Kiefer
Mrs. Lynn Thompson

Public Comments: None

Officer’s Reports:

Mayor’s Report: No Report

Chairman’s Report: Chairman Love reported that he had met with Caryn Warner-Town of Elberta Planning Dept. and that the proposed planning area between The Town of Elberta and the Town of Perdido Beach would be measured based on equi-distance, following property lines. He also reported Vince Jackson-Planning Director will arrange a meeting with the (3) municipalities (City of Orange Beach, Town of Elberta and Town of Perdido Beach) would be meeting soon to finalize the extra-territorial Planning jurisdictions for each Town.

For informational purposes Chairman Love also reported to the Commission that the Town Council, in a "Special Called" Meeting held on February 9th, 2012, had voted unanimously to amend administrative procedures related to the administration of the Town of Perdido Beach Land Use and Zoning Ordinance. *That change would include adding Section 1.1.5- Initiation of text Amendment. Copy of amendment Section 1.1.5 attached.*

ITEM: Chairman Love opened the Public Hearing for Case No. PBP-12002-Consider request from Mr. Gary Stephens on behalf of Perdido Beach Terrace Property Owners Association Property, requesting *Conditional Use approval*, on .75 acres more or less, located at the North end of Tuscaloosa Drive on Soldiers Creek-9370 Tuscaloosa Drive

Mrs. Nancy Mackey-Baldwin County Planning and Zoning Department, the Town's Zoning Administrator, presented to the Planning Commission Mr. Gary Stephens request, on behalf of the Perdido Beach Terrace Property Owners Association. She also presented staff recommendations regarding the request.

Option 1: After extensive research of issues pertaining to the Perdido Beach Terrace Property Owners Park, as listed in the Revenue Commission records as being the Property Owners, and it's Protective Covenants and Restrictions for PERDIDO BEACH TERRACE SUBDIVISION, it is the opinion of Planning Staff that the application submitted by Mr. Stephens, authorized by Mr. Jordan, the POA President is not valid and recommends that the application be **WITHDRAWN** until such time as concurrence from the majority of the property owners in the entire subdivision has been agreed upon.

Option 2: Should the Planning Commission look favorable towards granting the Conditional Use, as submitted, Staff would recommend the approval be subject to the following conditions:

1. Approval shall be for proposed structures described herein, and at this location only.
2. Prior to commencement of construction, an updated Town of Perdido Beach Land Use Certificate and a building permit shall be obtained. The following documentation shall be required prior to issuance:
 - a. an updated approval from the Army Corp of Engineers; and,
 - b. approval from the State Lands Division, Alabama Department of Conservation and Natural Resources (ADCNR).
 - c. Prior to additional boat slips being constructed, approval from the COE and State Lands shall be required and a Land Use Certificate and building permit shall be obtained.
3. Approval shall be for a period of six (6) months in which time construction shall commence, unless otherwise specified by the Planning Commission during the public hearing.

Option 3: The Planning Commission may elect to **DENY** the application in part or in whole.

**On Conditional Use applications, the Planning Commission shall have the final decision.*

After the presentation by Mrs. Mackey, Chairman Love opened the meeting to the public to make comments in favor of or in opposition to the proposal for conditional use. After hearing comments, Chairman Love closed the public comment period.

During discussion all Commissioners were given an opportunity to address the Chair.

ITEM: After deliberations, Chairman Love asked for a motion to deny or accept the application.

There was no further discussion.

Motion by Mr. Kiefer, seconded by Mrs. Graham to deny the application.

Roll Call Vote

“YES”

“Abstain”

“NO”

Mr. Tom Bloxham
Mrs. Diana Graham
Chairman Steve Love
Mayor Patsy Parker
Mrs. Freda Fleming
Mr. Gary Kiefer
Mrs. Lynn Thompson

Motion carried to deny the application.

ITEM: Chairman Love opened the Public Hearing for Case No. PBTA-12001 to consider a proposed text amendment to the Town of Perdido Beach Land Use and Zoning Ordinance as it pertains to Recreational Vehicle Parks.

Mrs. Nancy Mackey-Baldwin County Planning and Zoning Department, the Town’s Zoning Administrator, presented to the Planning Commission a residents request to allow for a provision and standards for Recreational Vehicle Parks in the Town of Perdido Beach Land Use and Zoning Ordinance and in designated areas established by the Town.

STAFF RECOMMENDATION

Staff recognizes the need for recreational vehicle parks in certain designated areas, however it may not be the desire or vision of the Town to have these type uses since zoning has only been established since 2011. The proposed text amendment would be for the Town as a whole versus one specific parcel of land. Should an individual desire to establish a recreational vehicle park on their parcel of land, a rezoning, conditional use or special exception may be warranted. Approval would be based upon evidence presented at the time of application and under specific guidelines established in the *Town of Perdido Beach Land Use and Zoning Ordinance*.

Staff recommends that the proposed text amendment to allow for Recreational Vehicle Parks be **Approved*** subject to standards outlined in Exhibit A.

Should the Planning Commission recommend **DENIAL*** of the proposed amendment, Staff would suggest that denial also include removing the definition of Recreation Vehicle Parks from the *land use and zoning ordinance* under Article XXII Definitions.

**The Planning Commission will be making a recommendation only to the Town Council to whom will make the final decision on the proposed amendment, after a public hearing thereto.*

After the presentation by Mrs. Mackey, Chairman Love opened the meeting to the public to make comments in favor of or in opposition to the proposed text amendment. After hearing comments from the public, Chairman Love closed the public comment period.

During Discussion all Commissioners were given an opportunity to address the Chair.

ITEM: After deliberations Chairman Love asked for a motion to either approve or deny the proposed text amendment.

No further discussion:

Motion by Mrs. Graham, seconded by Mrs. Fleming to recommend to the Town Council that they deny the proposed text amendment to the Town of Perdido Beach Planning and Zoning Ordinance as it pertains to Recreational Vehicle Parks.

“YES”

Roll Call Vote

“Abstain”

“NO”

Mr. Tom Bloxham

Mrs. Diana Graham
Chairman Steve Love
Mayor Patsy Parker
Mrs. Freda Fleming
Mr. Gary Kiefer
Mrs. Lynn Thompson

Motion carried to make a recommendation to the Town Council that they deny the proposed text amendment.

ITEM: Motion by Mrs. Graham, second by Mrs. Fleming to recommend to the Town Council that they remove the definition of RV Parks from the land use and zoning ordinance under Article XXII Definitions.

“YES”

Roll Call Vote

“Abstain”

“NO”

Mr. Tom Bloxham

Mrs. Diana Graham

Chairman Steve Love
Mayor Patsy Parker
Mrs. Freda Fleming
Mr. Gary Kiefer
Mrs. Lynn Thompson

Motion carried to recommend to the Town Council that the definition for RV parks be removed from the Town of Perdido Beach Land Use and Zoning Ordinance.

Unfinished Business:

Mrs. Diane Burnett-South Alabama Regional Planning Commission presented "SARPC'S" Involvement in the Comprehensive Plan and how it relates to the Planning Commission She reported the following:

- Deadline for the comprehensive plan-September 30, 2012.
- It is the responsibility of the Planning Commission to create and adopt the Comprehensive Plan.
- It was agreed that SARPC would email their reports directly to the Planning Commission for review prior to its meetings.

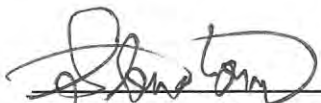
New Business: None

Next Meeting Date: Wednesday, April 11, 2012.


Next Meeting's Business:

ITEM: Motion by Mrs. Graham, second by Mrs. Fleming to adjourn. All in favor.
Meeting adjourned at 8:20

ATTEST:



Steve Love, Chairman



Lynn Thompson, Secretary