

ORDINANCE NO. 1582

**AN ORDINANCE AMENDING ORDINANCE NO. 1253
KNOWN AS THE ZONING ORDINANCE;
AMENDING ORDINANCE NO. 1279 KNOWN AS
HUNTINGTON SUBDIVISION PUD; TO BE KNOWN AS
OLD BATTLES VILLAGE, PHASE II PLANNED UNIT DEVELOPMENT**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA, as follows:

The ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, together with the Zoning Map of the City of Fairhope, be and the same hereby is changed and altered in respect to that certain property described below:

The appropriate public notice and hearing of the Planning Commission of the City of Fairhope, Alabama, has forwarded a favorable recommendation.

The property of Truland Homes, LLC, to be known as Old Battles Village, Phase II PUD, generally located on the north side of Old Battles Village, Phase 1 and west of Huntington Woods.

Legal Description: (Case Number ZC 16.03)

BEGINNING AT A ½ INCH CAPPED REBAR (CA-0951-LS) AT THE CENTER OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SAINT STEPHENS MERIDEAN; BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 00 DEGREES 09 MINUTES 09 SECONDS EAST, A DISTANCE OF 1325.14 FEET TO A ½ INCH CAPPED REBAR (FAIRHOPE) AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 29; THENCE RUN NORTH 89 DEGREES 44 MINUTES 07 SECONDS EAST, A DISTANCE OF 1125.38 FEET TO A ½ INCH CAPPED REBAR (BUTLER) AT THE NORTHWEST CORNER OF HUNTINGTON SUBDIVISION, PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2184-D, PROBATE RECORDS BALDWIN COUNTY, ALABAMA; THENCE RUN ALONG THE WEST MARGIN AND SOUTH MARGIN OF SAID HUNTINGTON SUBDIVISION, PHASE ONE, THE FOLLOWING DESCRIBED COURSES, TO WIT: SOUTH 00 DEGREES 13 MINUTES 51 SECONDS EAST, A DISTANCE OF 425.65 FEET TO A ½ INCH CAPPED REBAR (BUTLER); SOUTH 00 DEGREES 19 MINUTES 16 SECONDS EAST, A DISTANCE OF 70.00 FEET TO A ½ INCH CAPPED REBAR (CA-0951-LS); SOUTH 89 DEGREES 45 MINUTES 11 SECONDS WEST, A DISTANCE OF 44.26 FEET TO A ½ INCH CAPPED REBAR (CA-0951-LS); SOUTHWESTERLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 65.00 FEET, AN ARC LENGTH OF 102.13 FEET, (CHORD BEARS SOUTH 44 DEGREES 44 MINUTES 26 SECONDS WEST, A DISTANCE OF 91.94 FEET) TO A ½ INCH CAPPED REBAR (CA-0951-LS); SOUTH 00 DEGREES 16 MINUTES 10 SECONDS EAST, A DISTANCE OF 563.71 FEET TO A ½ INCH CAPPED REBAR (CA-0951-LS); SOUTHWESTERLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 269.00 FEET, AN ARC LENGTH OF 227.30 FEET, (CHORD BEARS SOUTH 24 DEGREES 46 MINUTES 30 SECONDS WEST, A DISTANCE OF 220.13 FEET) TO A ½ INCH CAPPED REBAR (CA-0951-LS); NORTH 89 DEGREES 39 MINUTES 15 SECONDS EAST, A DISTANCE OF 394.77 FEET TO A ½ INCH CAPPED REBAR (GEOSURVEYING) AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29; THENCE RUN SOUTH 00 DEGREES 15 MINUTES 46 SECONDS WEST, A DISTANCE OF 1327.66 FEET TO A 1 INCH IRON PIN AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29; THENCE RUN SOUTH 89 DEGREES 46 MINUTES 35 SECONDS WEST, A DISTANCE OF 329.73 FEET TO 1 INCH OPEN END PIPE; THENCE RUN SOUTH 00 DEGREES 00 MINUTES 38 SECONDS WEST, A DISTANCE OF 617.33 FEET TO ½ INCH CAPPED REBAR (CA-0604-LS) AT THE NORTHEAST CORNER OF OLD BATTLES VILLAGE, PHASE ONE, A PLANNED UNIT DEVELOPMENT, AS SHOWN MAP OR PLAT THEREOF, RECORDED AT SLIDE 2312-B AND SLIDE 2312-C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN ALONG THE NORTH MARGIN AND EAST MARGIN OF SAID OLD BATTLES VILLAGE, PHASE ONE, THE FOLLOWING DESCRIBED COURSES, TO WIT:

SOUTH 89 DEGREES 57 MINUTES 49 SECONDS WEST, A DISTANCE OF 170.05 TO ½ INCH CAPPED REBAR (CA-0604-LS); NORTH 63 DEGREES 35 MINUTES 36 SECONDS WEST, A DISTANCE OF 44.76 FEET TO ½ INCH CAPPED REBAR (CA-0604-LS); SOUTH 89 DEGREES 57 MINUTES 32 SECONDS WEST, A DISTANCE OF 824.13 FEET TO ½ INCH CAPPED REBAR (CA-0604-LS); NORTH 00 DEGREES 05 MINUTES 07 SECONDS EAST, A DISTANCE OF 593.15 FEET TO ½ INCH CAPPED REBAR (CA-0604-LS); THENCE RUN NORTH 89 DEGREES 58 MINUTES 54 SECONDS EAST, A DISTANCE OF 38.59 FEET TO 5/8 INCH REBAR AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29; THENCE RUN NORTH 00 DEGREES 09 MINUTES 09 SECONDS EAST, A DISTANCE OF 1325.89 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 86.76 ACRES, MORE OR LESS, AND LIES IN THE EAST HALF OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

1. **That**, a map of property to be rezoned is attached as “Exhibit A”.
2. **That**, Attached as “Exhibit B” is an approved Master Plan. The property must develop in substantial conformance with the approved site plan. Any substantial deviation from the attached site plan, as determined by the Director of Planning, will require re-approval by the Planning Commission and the City Council of the City of Fairhope, Alabama, as a PUD amendment.
3. **That**, the following development regulations shall govern:

Lot sizes: The sizes are specified on the site plan.

Use: There are 177 single family residential lots.

Building Height: All structures shall have a maximum building height of 30 feet.

Lot Coverage: Maximum lot coverage is 37%.

Setbacks: The setbacks are indicated on the site plan.

Amenities: Amenities shall include a tennis court, basketball court, putting green, clubhouse, pool, horseshoe area, playground, and an open field area for soccer and football.

Fencing: A wooden fence shall be constructed along the western right-of-way stub-outs adjacent to the open fields.

The Planned Unit Development (PUD), Old Battles Village (Ordinance No. 1279) is hereby amended. This property shall hereafter be lawful to construct on such property any structures permitted by Ordinance No. 1253 and to use said premises for any use permitted or building sought to be erected on said property shall be in compliance with the building laws of the City of Fairhope and that any structure shall be approved by the Building Official of The City of Fairhope and that any such structure be erected only in compliance with such laws, including the requirements of Ordinance No. 1253.

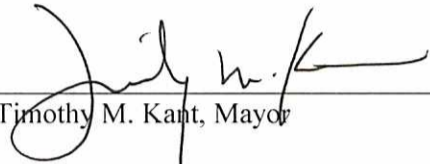
Severability Clause - That it is hereby declared to be the intention of the City Council that the section, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

Ordinance No. 1582

Page -3-

Effective Date - This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS 22ND DAY OF AUGUST, 2016



Timothy M. Kant, Mayor

ATTEST:



Lisa A. Hanks, MMC
City Clerk

Ord. No. 1582 Published in
FAIRHOPE COURIER
on Wednesday, September 7, 2016
 City Clerk

SITE DATA:

- ZONE: PUD
- TOTAL AREA: 86.76 AC.
- NO. OF LOTS: 177
- DENSITY: 2.04 UNITS/AC.
- SMALLEST LOT: 11,200 SQ. FT.
- LARGEST LOT: 20,780 SQ. FT.
- STREETS: 12, 948 L.F.
- TOTAL OPEN SPACE: 23.76 AC.
- TOTAL GREENSPACE: 13.46 AC. (18%)
- MAX. BLDG. HEIGHT: 30'
- MAX. LOT COVERAGE: 37% (PRINCIPLE BLDG.)
- BLDG. SETBACKS:
 - FRONT: 30'
 - REAR: 25'
 - SIDE: 10'
 - STREET SIDE: 20'

- ACCESSORY BLDGS. - (REAR YARD ONLY)
- MAX. BLDG. HEIGHT: 30'
- MAX. LOT COVERAGE: 25% OF REAR YARD
- BLDG. SETBACKS:
 - REAR: 5'
 - SIDE: 5'
 - STREET SIDE: 20'

LEGEND:

- 1. MAIN ROAD
- 2. DRIVEWAY
- 3. SIDEWALK
- 4. DRIVEWAY
- 5. DRIVEWAY
- 6. DRIVEWAY
- 7. DRIVEWAY
- 8. DRIVEWAY
- 9. DRIVEWAY
- 10. DRIVEWAY
- 11. DRIVEWAY
- 12. DRIVEWAY
- 13. DRIVEWAY
- 14. DRIVEWAY
- 15. DRIVEWAY
- 16. DRIVEWAY
- 17. DRIVEWAY
- 18. DRIVEWAY
- 19. DRIVEWAY
- 20. DRIVEWAY
- 21. DRIVEWAY
- 22. DRIVEWAY
- 23. DRIVEWAY
- 24. DRIVEWAY
- 25. DRIVEWAY
- 26. DRIVEWAY
- 27. DRIVEWAY
- 28. DRIVEWAY
- 29. DRIVEWAY
- 30. DRIVEWAY
- 31. DRIVEWAY
- 32. DRIVEWAY
- 33. DRIVEWAY
- 34. DRIVEWAY
- 35. DRIVEWAY
- 36. DRIVEWAY
- 37. DRIVEWAY
- 38. DRIVEWAY
- 39. DRIVEWAY
- 40. DRIVEWAY
- 41. DRIVEWAY
- 42. DRIVEWAY
- 43. DRIVEWAY
- 44. DRIVEWAY
- 45. DRIVEWAY
- 46. DRIVEWAY
- 47. DRIVEWAY
- 48. DRIVEWAY
- 49. DRIVEWAY
- 50. DRIVEWAY
- 51. DRIVEWAY
- 52. DRIVEWAY
- 53. DRIVEWAY
- 54. DRIVEWAY
- 55. DRIVEWAY
- 56. DRIVEWAY
- 57. DRIVEWAY
- 58. DRIVEWAY
- 59. DRIVEWAY
- 60. DRIVEWAY
- 61. DRIVEWAY
- 62. DRIVEWAY
- 63. DRIVEWAY
- 64. DRIVEWAY
- 65. DRIVEWAY
- 66. DRIVEWAY
- 67. DRIVEWAY
- 68. DRIVEWAY
- 69. DRIVEWAY
- 70. DRIVEWAY
- 71. DRIVEWAY
- 72. DRIVEWAY
- 73. DRIVEWAY
- 74. DRIVEWAY
- 75. DRIVEWAY
- 76. DRIVEWAY
- 77. DRIVEWAY
- 78. DRIVEWAY
- 79. DRIVEWAY
- 80. DRIVEWAY
- 81. DRIVEWAY
- 82. DRIVEWAY
- 83. DRIVEWAY
- 84. DRIVEWAY
- 85. DRIVEWAY
- 86. DRIVEWAY
- 87. DRIVEWAY
- 88. DRIVEWAY
- 89. DRIVEWAY
- 90. DRIVEWAY
- 91. DRIVEWAY
- 92. DRIVEWAY
- 93. DRIVEWAY
- 94. DRIVEWAY
- 95. DRIVEWAY
- 96. DRIVEWAY
- 97. DRIVEWAY
- 98. DRIVEWAY
- 99. DRIVEWAY
- 100. DRIVEWAY
- 101. DRIVEWAY
- 102. DRIVEWAY
- 103. DRIVEWAY
- 104. DRIVEWAY
- 105. DRIVEWAY
- 106. DRIVEWAY
- 107. DRIVEWAY
- 108. DRIVEWAY
- 109. DRIVEWAY
- 110. DRIVEWAY
- 111. DRIVEWAY
- 112. DRIVEWAY
- 113. DRIVEWAY
- 114. DRIVEWAY
- 115. DRIVEWAY
- 116. DRIVEWAY
- 117. DRIVEWAY
- 118. DRIVEWAY
- 119. DRIVEWAY
- 120. DRIVEWAY
- 121. DRIVEWAY
- 122. DRIVEWAY
- 123. DRIVEWAY
- 124. DRIVEWAY
- 125. DRIVEWAY
- 126. DRIVEWAY
- 127. DRIVEWAY
- 128. DRIVEWAY
- 129. DRIVEWAY
- 130. DRIVEWAY
- 131. DRIVEWAY
- 132. DRIVEWAY
- 133. DRIVEWAY
- 134. DRIVEWAY
- 135. DRIVEWAY
- 136. DRIVEWAY
- 137. DRIVEWAY
- 138. DRIVEWAY
- 139. DRIVEWAY
- 140. DRIVEWAY
- 141. DRIVEWAY
- 142. DRIVEWAY
- 143. DRIVEWAY
- 144. DRIVEWAY
- 145. DRIVEWAY
- 146. DRIVEWAY
- 147. DRIVEWAY
- 148. DRIVEWAY
- 149. DRIVEWAY
- 150. DRIVEWAY
- 151. DRIVEWAY
- 152. DRIVEWAY
- 153. DRIVEWAY
- 154. DRIVEWAY
- 155. DRIVEWAY
- 156. DRIVEWAY
- 157. DRIVEWAY
- 158. DRIVEWAY
- 159. DRIVEWAY
- 160. DRIVEWAY
- 161. DRIVEWAY
- 162. DRIVEWAY
- 163. DRIVEWAY
- 164. DRIVEWAY
- 165. DRIVEWAY
- 166. DRIVEWAY
- 167. DRIVEWAY
- 168. DRIVEWAY
- 169. DRIVEWAY
- 170. DRIVEWAY
- 171. DRIVEWAY
- 172. DRIVEWAY
- 173. DRIVEWAY
- 174. DRIVEWAY
- 175. DRIVEWAY
- 176. DRIVEWAY
- 177. DRIVEWAY
- 178. DRIVEWAY
- 179. DRIVEWAY
- 180. DRIVEWAY
- 181. DRIVEWAY
- 182. DRIVEWAY
- 183. DRIVEWAY
- 184. DRIVEWAY
- 185. DRIVEWAY
- 186. DRIVEWAY
- 187. DRIVEWAY
- 188. DRIVEWAY
- 189. DRIVEWAY
- 190. DRIVEWAY
- 191. DRIVEWAY
- 192. DRIVEWAY
- 193. DRIVEWAY
- 194. DRIVEWAY
- 195. DRIVEWAY
- 196. DRIVEWAY
- 197. DRIVEWAY
- 198. DRIVEWAY
- 199. DRIVEWAY
- 200. DRIVEWAY
- 201. DRIVEWAY
- 202. DRIVEWAY
- 203. DRIVEWAY
- 204. DRIVEWAY
- 205. DRIVEWAY
- 206. DRIVEWAY
- 207. DRIVEWAY
- 208. DRIVEWAY
- 209. DRIVEWAY
- 210. DRIVEWAY
- 211. DRIVEWAY
- 212. DRIVEWAY
- 213. DRIVEWAY
- 214. DRIVEWAY
- 215. DRIVEWAY
- 216. DRIVEWAY
- 217. DRIVEWAY
- 218. DRIVEWAY
- 219. DRIVEWAY
- 220. DRIVEWAY
- 221. DRIVEWAY
- 222. DRIVEWAY
- 223. DRIVEWAY
- 224. DRIVEWAY
- 225. DRIVEWAY
- 226. DRIVEWAY
- 227. DRIVEWAY
- 228. DRIVEWAY
- 229. DRIVEWAY
- 230. DRIVEWAY
- 231. DRIVEWAY
- 232. DRIVEWAY
- 233. DRIVEWAY
- 234. DRIVEWAY
- 235. DRIVEWAY
- 236. DRIVEWAY
- 237. DRIVEWAY
- 238. DRIVEWAY
- 239. DRIVEWAY
- 240. DRIVEWAY
- 241. DRIVEWAY
- 242. DRIVEWAY
- 243. DRIVEWAY
- 244. DRIVEWAY
- 245. DRIVEWAY
- 246. DRIVEWAY
- 247. DRIVEWAY
- 248. DRIVEWAY
- 249. DRIVEWAY
- 250. DRIVEWAY
- 251. DRIVEWAY
- 252. DRIVEWAY
- 253. DRIVEWAY
- 254. DRIVEWAY
- 255. DRIVEWAY
- 256. DRIVEWAY
- 257. DRIVEWAY
- 258. DRIVEWAY
- 259. DRIVEWAY
- 260. DRIVEWAY
- 261. DRIVEWAY
- 262. DRIVEWAY
- 263. DRIVEWAY
- 264. DRIVEWAY
- 265. DRIVEWAY
- 266. DRIVEWAY
- 267. DRIVEWAY
- 268. DRIVEWAY
- 269. DRIVEWAY
- 270. DRIVEWAY
- 271. DRIVEWAY
- 272. DRIVEWAY
- 273. DRIVEWAY
- 274. DRIVEWAY
- 275. DRIVEWAY
- 276. DRIVEWAY
- 277. DRIVEWAY
- 278. DRIVEWAY
- 279. DRIVEWAY
- 280. DRIVEWAY
- 281. DRIVEWAY
- 282. DRIVEWAY
- 283. DRIVEWAY
- 284. DRIVEWAY
- 285. DRIVEWAY
- 286. DRIVEWAY
- 287. DRIVEWAY
- 288. DRIVEWAY
- 289. DRIVEWAY
- 290. DRIVEWAY
- 291. DRIVEWAY
- 292. DRIVEWAY
- 293. DRIVEWAY
- 294. DRIVEWAY
- 295. DRIVEWAY
- 296. DRIVEWAY
- 297. DRIVEWAY
- 298. DRIVEWAY
- 299. DRIVEWAY
- 300. DRIVEWAY
- 301. DRIVEWAY
- 302. DRIVEWAY
- 303. DRIVEWAY
- 304. DRIVEWAY
- 305. DRIVEWAY
- 306. DRIVEWAY
- 307. DRIVEWAY
- 308. DRIVEWAY
- 309. DRIVEWAY
- 310. DRIVEWAY
- 311. DRIVEWAY
- 312. DRIVEWAY
- 313. DRIVEWAY
- 314. DRIVEWAY
- 315. DRIVEWAY
- 316. DRIVEWAY
- 317. DRIVEWAY
- 318. DRIVEWAY
- 319. DRIVEWAY
- 320. DRIVEWAY
- 321. DRIVEWAY
- 322. DRIVEWAY
- 323. DRIVEWAY
- 324. DRIVEWAY
- 325. DRIVEWAY
- 326. DRIVEWAY
- 327. DRIVEWAY
- 328. DRIVEWAY
- 329. DRIVEWAY
- 330. DRIVEWAY
- 331. DRIVEWAY
- 332. DRIVEWAY
- 333. DRIVEWAY
- 334. DRIVEWAY
- 335. DRIVEWAY
- 336. DRIVEWAY
- 337. DRIVEWAY
- 338. DRIVEWAY
- 339. DRIVEWAY
- 340. DRIVEWAY
- 341. DRIVEWAY
- 342. DRIVEWAY
- 343. DRIVEWAY
- 344. DRIVEWAY
- 345. DRIVEWAY
- 346. DRIVEWAY
- 347. DRIVEWAY
- 348. DRIVEWAY
- 349. DRIVEWAY
- 350. DRIVEWAY
- 351. DRIVEWAY
- 352. DRIVEWAY
- 353. DRIVEWAY
- 354. DRIVEWAY
- 355. DRIVEWAY
- 356. DRIVEWAY
- 357. DRIVEWAY
- 358. DRIVEWAY
- 359. DRIVEWAY
- 360. DRIVEWAY
- 361. DRIVEWAY
- 362. DRIVEWAY
- 363. DRIVEWAY
- 364. DRIVEWAY
- 365. DRIVEWAY
- 366. DRIVEWAY
- 367. DRIVEWAY
- 368. DRIVEWAY
- 369. DRIVEWAY
- 370. DRIVEWAY
- 371. DRIVEWAY
- 372. DRIVEWAY
- 373. DRIVEWAY
- 374. DRIVEWAY
- 375. DRIVEWAY
- 376. DRIVEWAY
- 377. DRIVEWAY
- 378. DRIVEWAY
- 379. DRIVEWAY
- 380. DRIVEWAY
- 381. DRIVEWAY
- 382. DRIVEWAY
- 383. DRIVEWAY
- 384. DRIVEWAY
- 385. DRIVEWAY
- 386. DRIVEWAY
- 387. DRIVEWAY
- 388. DRIVEWAY
- 389. DRIVEWAY
- 390. DRIVEWAY
- 391. DRIVEWAY
- 392. DRIVEWAY
- 393. DRIVEWAY
- 394. DRIVEWAY
- 395. DRIVEWAY
- 396. DRIVEWAY
- 397. DRIVEWAY
- 398. DRIVEWAY
- 399. DRIVEWAY
- 400. DRIVEWAY

NOTE:
A WOODEN FENCE SHALL BE CONSTRUCTED AT THE END OF THIS ROADWAY STUBOUT AND THE END OF EACH OF THE 2 ADDITIONAL STUBOUTS TO THE NORTH

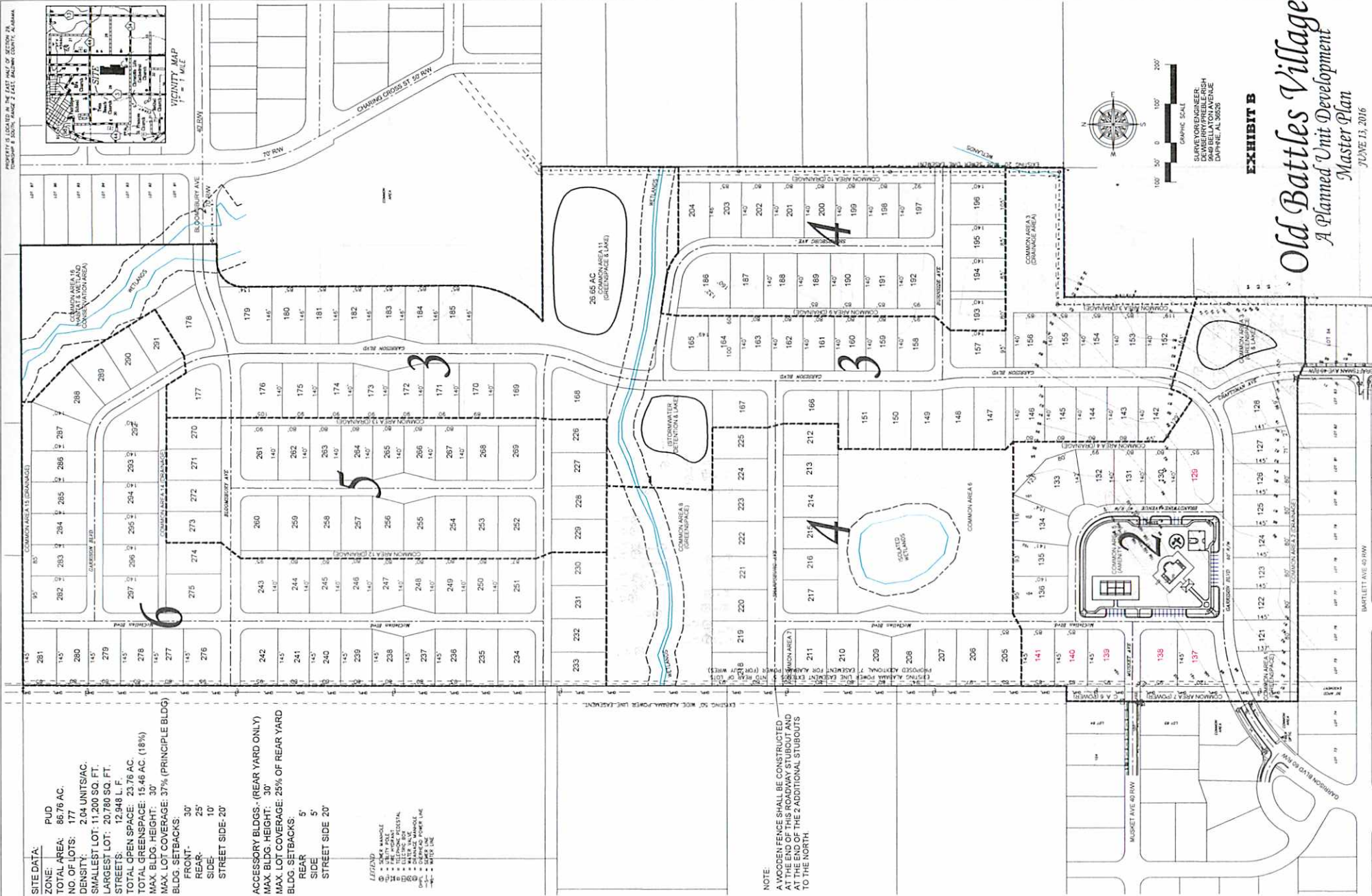


EXHIBIT B

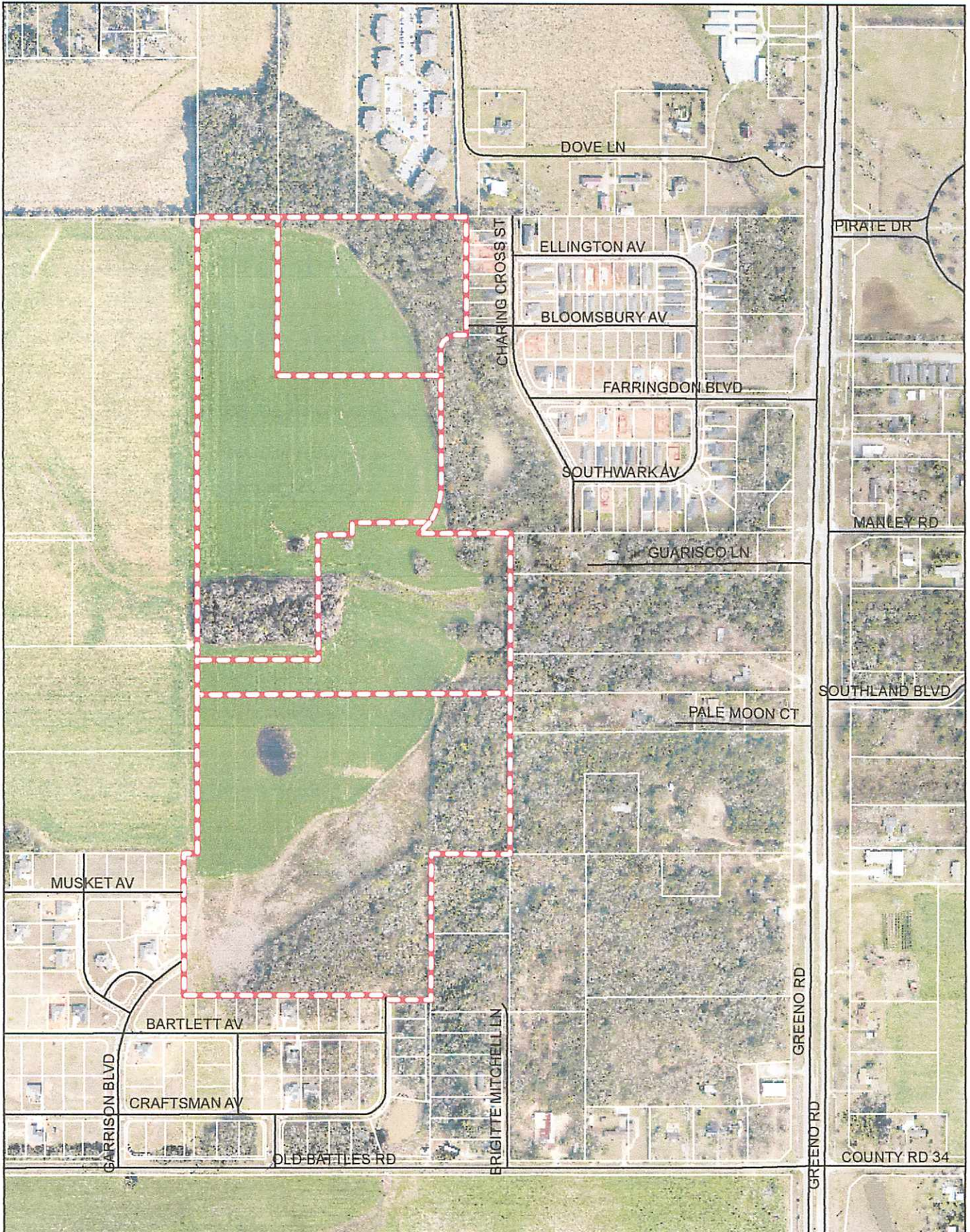
Old Battles Village
A Planned Unit Development
Master Plan

JUNE 13, 2016

SURVEYOR/ENGINEER
CRAWLEY PETERLEIGH SURVEYING
DAPHNE, AL 36526

N
100' 50' 0' 100' 200'
GRAPHIC SCALE

ZC 16.03 Old Battles Village PUD

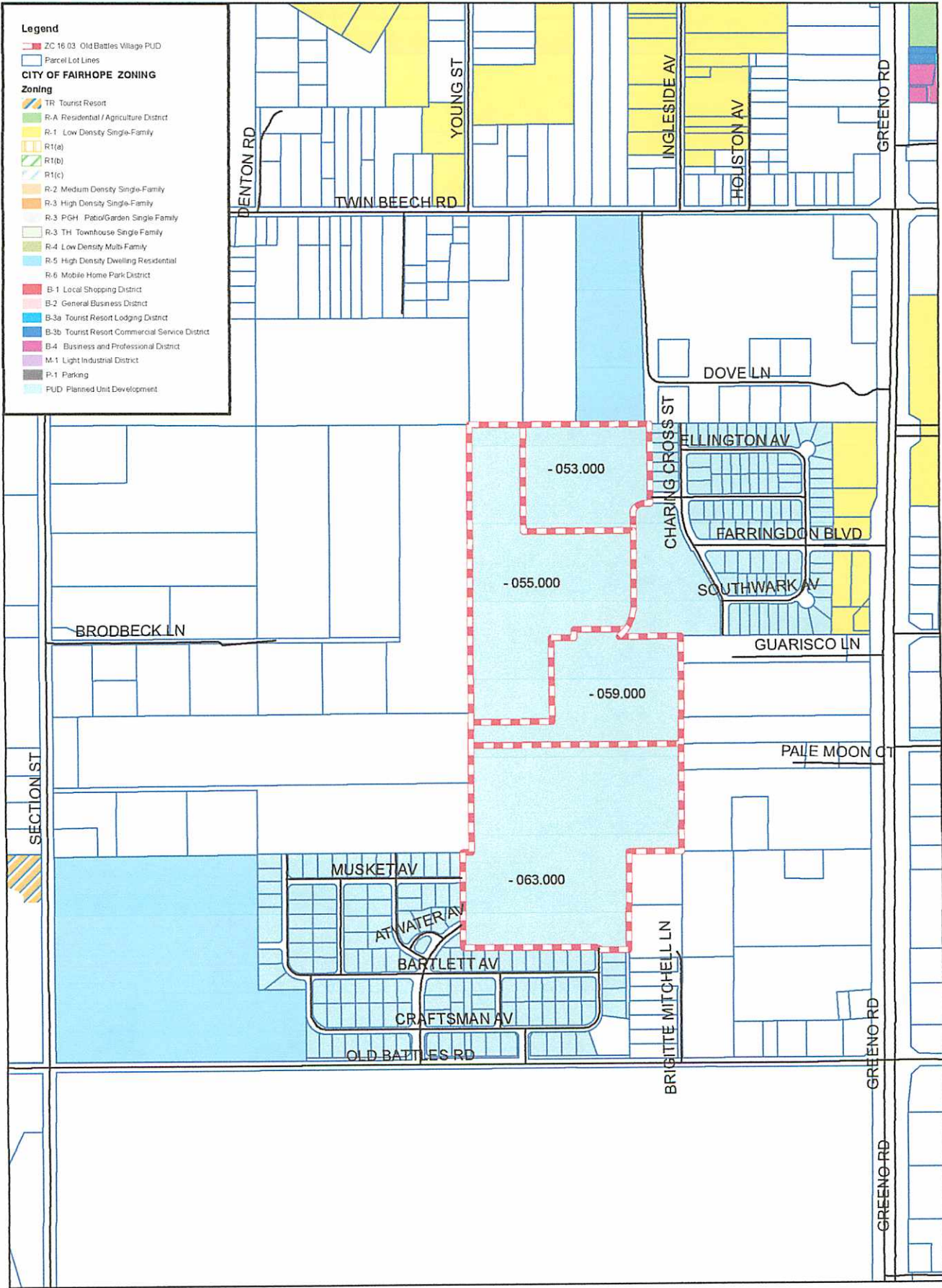


ZC 16.03 Old Battles Village PUD

Parcel No.: 05-46-09-29-0-000-053.000, -055.000, -059.000, -063.000



ZC 16.03 Old Battles Village PUD



ZC 16.03 Old Battles Village PUD

Parcel No.: 05-46-09-29-0-000-053.000, -055.000, -059.000, -063.000

