



**City of Fairhope
Planning Commission Worksession
4:00 PM
Council Chambers
August 5, 2019**

1. Greeno Road Corridor Overlay District Discussion – Buford King

Karin Wilson
Mayor

Council Members

Kevin G. Boone

Robert A. Brown

Jack Burrell, ACMO

Jimmy Conyers

Jay Robinson

Lisa A. Hanks, MMC
City Clerk

Michael V. Hinson, CPA
City Treasurer

**City of Fairhope
Planning Commission Agenda
5:00 PM
Council Chambers
August 5, 2019**

1. Call to Order

2. Consideration of Agenda Items:

- A. ZC 19.08 Public participation to discuss the request of the City of Fairhope Planning and Zoning Department for an amendment to Article V. Special Districts and Uses in the Zoning Ordinance to establish a Greeno Road Corridor Overlay District.
- B. ZC 19.07 Public hearing to consider the request of Mullins, LLC to rezone property from RA Residential Agriculture to PUD (Planned Unit Development). The property is located on the southwest corner of the intersection of State Hwy. 181 and Bay Meadows Avenue, at 19401 St. Hwy. 181, to be known as Live Oak Estates, a 107-lot subdivision with a commercial component.
PPIN #: 15078
- C. ZC 19.09 Public hearing to consider the request of Anil Vira to rezone property from R-2 Medium Density Single Family Residential District to B-1 Local Shopping District. The property is located on the north side of Fels Avenue between Church Street and S. Section Street at 303 Fels Avenue.
PPIN #: 37258
- D. ZC 19.12 Public hearing to consider the request of Myrtle F. Bung to rezone property from M-1 Light Industrial District to PUD (Planned Unit Development), to be known as Summer Lane, a 15-lot subdivision. The property is located at the east terminus of Summer Lane and on the west side of S. Section Street.
PPIN #: 6511

161 North Section Street

P.O. Drawer 429

Fairhope, Alabama 36533

251-928-2136

251-928-6776 Fax

www.fairhopeal.gov

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- E. SD 19.31 Public hearing to consider the request of Wayne and Betty Hoffren for plat approval of Hoffren Subdivision, a 2-lot minor division. The property is located on the west side of Troyer Road between Morphy Avenue and Nichols Avenue.
PPIN #: 77764

- F. IR 19.05 Request to consider an Informal Review of Carrigan Properties, LLC to rezone multiple properties from R-6 Mobile Home Park District, R-2 Medium Density Single Family Residential District, and RA Residential/Agriculture District to PUD (Planned Unit Development). The property is located on the west side of St. Hwy. 181 just north of Bay Meadows Avenue.
PPIN #: 77751, 15244, and 226928

























- G. IR 19.06 Request to consider an Informal Review of Matt Sankey for an amendment to the East Park PUD. The property is located on the north side of Parker Road just east of US Hwy. 98.
PPIN #: 32028 and 15985

4. Old/New Business

5. Adjourn

Proposed Greeno Road Corridor Overlay

City of Fairhope Greeno Buffer

-  District Boundary Lines
-  Greeno Road Corridor
-  Unzoned Parcels
-  B-1 - Local Shopping District
-  B-2 - General Business District
-  B-3a - Tourist Resort Lodging District
-  B-3b - Tourist Resort Commercial Service District
-  B-4 - Business and Professional District
-  M-1 - Light Industrial District
-  P-1 - Parking
-  PUD - Planned Unit Development
-  R-1 - Low Density Single-Family
-  R1(a) - Residential Uncertain
-  R1(b) - Residential Uncertain
-  R1(c) - Residential Uncertain
-  R-2 - Medium Density Single-Family
-  R-3 - High Density Single-Family
-  R-3PGH - Patio/Garden Single-Family
-  R-3TH - Townhouse Single Family
-  R-4 - Low Density Multi-Family
-  R-5 - High Density Dwelling Residential
-  R-6 - Mobile Home Park District
-  R-A - Residential/Agriculture District
-  TR - Tourist Resort

North Village Center District

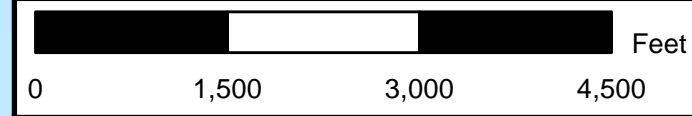
Northern Edge District

Gateway District

Fairhope Avenue Village Center District

Southern Edge District

MOBILE BAY



1 in = 1,500 feet

City of Fairhope
 Planning and Zoning Department
 Mike Jeffries
 07-23-19

Disclaimer:
 The City of Fairhope makes no claims as to the reliability of this data and shall not be held liable for inaccuracies that may exist. Any user of this map product accepts faults and assumes all responsibility for the use thereof, and further agrees to hold the City of Fairhope harmless from and against any damage, loss, or liability arising from any use of the map product. Do not make business decisions based on this data before validating your decision with the appropriate city office.

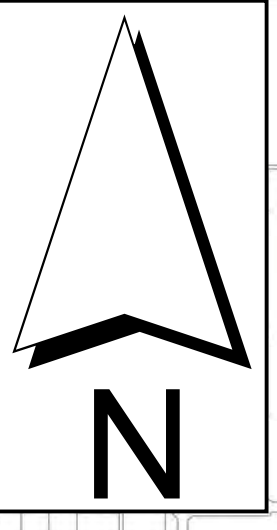


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C. Applicability

1. Establishment of Districts

The following districts are established to maintain the character of the districts and their suitability for particular uses, and to conserve the value of buildings and encourage the most appropriate use of land throughout the municipality.

- R-A - Residential/Agriculture District
- R-1 - Low Density Single-Family Residential District
- R-1(a) - Low Density Single-Family Residential District
- R-1(b) - Low Density Single-Family Residential District
- R-1(c) - Low Density Single-Family Residential District
- R-2 - Medium Density Single-Family Residential District
- R-3 - High Density Single-Family Residential District
- R-3 PGH - High Density Single-Family Patio Garden Home Residential District
- R-3 TH - High Density Single-Family Townhouse Residential District
- R-4 - Low density Multi-Family Residential District
- R-5 - High Density Dwelling Residential District
- R-6 - Manufactured Home District
- B-1 - Local Shopping District
- B-2 - General Business District
- B-3a - Tourist Resort Lodging District
- B-3b - Tourist Resort Commercial Service District
- B-4 - Business and Professional District
- M-1 - Light Industrial District
- M-2 - General Industrial District
- CBD - Central Business District Overlay
- AO - Airport Overlay
- P-1 - Parking District
- FH-1 - Flood Hazard District
- PUD - Planned Unit Development
- VRM - Village Residential Mix
- NVC - Neighborhood Village Center
- CVC - Community Village Center
- TR - Tourist Resort District
- MO - Medical Overlay District
- GRC - Greeno Road Corridor Overlay District

2. Application of Regulations

- a. *Use:* No building or land shall be used or occupied and no building or part thereof shall be erected, constructed, moved, or altered except in conformity with the regulations for the district in which it is or is to be located.
- b. *Structures:* No structure shall be erected, constructed or altered so as to exceed the height limit or dimensional standards specified in the regulations herein for the district in which it is located.
- c. *Lots:* No lot shall be reduced in size below the minimum requirement for lot width or depth, front, side, or rear yard, inner or outer courts, lot area per family or other requirements of this ordinance. This section shall not apply when a portion of a lot is acquired for public use.

3. Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of any of the districts as shown on the official zoning map, the following rules shall apply:

Article III Zoning Districts

A. Purpose and Intent

1. RA Residential/Agriculture District
2. R-1 Low Density Single-Family Residential District
 - R-1(a)
 - R-1(b)
 - R-1(c)
3. R-2 Medium Density Single-Family Residential District
4. R-3 High Density Single-Family Residential District
5. R-3 PGH High Density Single-Family Patio/Garden Home Residential District
6. R-3 TH High Density Single-Family Townhouse Residential District
7. R-4 Low Density Multi-Family Residential District
8. R-5 High Density Dwelling Residential District
9. R-6 Mobile Home Park District
10. B-1 Local Shopping District
11. B-2 General Business District
12. B-3a Tourist Resort Lodging District
13. B-3b Tourist Resort Commercial Service District
14. B-4 Business and Professional District
15. M-1 Light Industrial District
16. M-2 General Industrial District
17. PUD Planned Unit Development
18. Central Business District Overlay
19. Airport Overlay
20. Flood Hazard District
21. Parking District
22. VRM – Village Residential Mix
23. NVC – Neighborhood Village Center
24. CVC – Community Village Center
25. Tourist Resort District
26. Medical Overlay District
27. Greeno Road Corridor Overlay District

B. Allowed Uses

1. Use Table
2. Accessory Uses
3. Temporary Uses

C. Dimension Standards

1. Lots and Principle Structure – Dimension Table
2. Residential Accessory Structures – Dimension Table
3. Yards
4. Free-standing Commercial Structures

D. Special Conditions for Uses

A. Purpose and Intent

The following zoning districts, established pursuant to Section 1.C.1 of Article I., are for the purpose of promoting the health, safety, morals and general welfare, and for the additional purposes and intent listed in Articles III, IV, V, and VI of the Zoning Ordinance, all in accordance with the Comprehensive Plan.

Center component of the Comprehensive Plan. See Article VI, Section C. for more detailed standards regarding this district.

25. *Tourist Resort (TR) District:* This district is intended to provide for large acreage under unified control to be planned and developed as a whole; encourage the growth of resort-oriented residential and mixed-use properties around resort properties; provide places for resort-type amenities coupled with proximately located hotel, residential and commercial uses; promote a sustainable future, and encourage and develop connections between environmental quality and economic vitality; provide for a mix of residential types that are designed to form a compact, compatible and stable neighborhood directed toward resort and tourism trade; support the development of a comprehensive pedestrian network with linkages to and between residential and resort areas; promote increased privacy by permitting private roadways within the TR District property; promote the preservation and enhancement of existing natural landscape features and their scenic qualities; create a zoning classification which allows flexibility and creative development concepts that would not be possible through conventional zoning regulations and allow for certain modifications and exemptions from existing subdivision and other regulations; provide places for social interaction and recreation; provide general merchandising convenience destinations for both residents and tourists; and create development opportunities which encourage multiple use of recreational and other resort-type amenities by hotel guests as well as residents within the TR District.

26. *Medical Overlay (MO) District:* This district is intended to establish and provide for the logical expansion of medical office needs to accommodate the growing community and region. Medical uses vary in need and impacts on the community. The MO District is also intended to establish and accommodate highly-specialized, unique uses and development types related to the medical field and to accommodate additional specialized needs and growth of the medical field and community. It is the express intent of this MO district surrounding the existing medical center to be as generous as possible in permitted uses while at the same time maintaining a clean, attractive community that provides an extension of the medical office needs for medical practices and appropriate facilities for the medical community it serves. Property located within the MO District is permitted the use allowed by right of the underlying zoning district. The provisions relating to nonconformities in Article VII of the Zoning Ordinance shall apply to all properties within this MO District.

27. *Greeno Road Corridor (GRC) Overlay District:* This district is intended to provide a transition of use intensity from less intensity to greater intensity back to less intensity along Greeno Road. The GRC is much more automobile-oriented than the CBD, however the GRC seeks to reflect the “Fairhope Image” contemplated by the Comprehensive Plan through controlled signage, interconnectivity, sidewalks, and extensive landscaping. The GRC is intended to serve the entire community by: better-managing the automobile-oriented nature of Greeno Road by limiting drive-up windows; providing a mix of uses; Encouraging retrofit of existing shopping centers by building nearer the right-of-way line; prohibiting backlit or illuminated plastic signs, neon signs, and video boards; buffering residences from automobile-oriented uses through landscape buffers; buffering surrounding neighborhoods from any adverse impacts of activities in the GRC; requiring mandatory site plan reviews for all construction activities within the GRC; and allowing certain specified uses only upon appeal to the Board of Adjustment and/or subject to special conditions.

B. Allowed Uses

1. **Use Table** – Table 3-1 indicates seven categories of uses: (1) residential; (2) civic; (3) office; (4) retail; (5) service; (6) manufacturing, and (7) rural. Within each category, specific uses are listed and indicated as either allowed, allowed subject to special conditions, or allowed by special exception.

See Table 3-1: Use Table - Zoning Districts and Specific Land Uses

Table 3-1: Use table

Zoning District	R-A	R-1(a,b,c)	R-2	R-3 TH	R-3 P/GH	R-3	R-4	R-5	R-6	B-1	B-2	B-3a	B-3b	B-4	M-1	M-2	PUD	VRM	NVC	CVC
Dwelling																				
Single-family	●	●	●			●	●	●		●	●	●	●	●				●		
Two-family							●	●		●	●	●	●					●		
Townhouse				⊗			⊗	⊗		⊗	⊗			⊗				⊗	●	●
Patio Home					⊗													⊗		
Multiple-family / Apartment							⊗	●				○	○					⊗	⊗	⊗
Manufactured Home									⊗											
Mixed-use										●	●	●	●	●					●	●
Accessory Dwelling										⊗	⊗	⊗	⊗	⊗				⊗	⊗	⊗
Estate																		●		
Civic																				
Elementary School		●	●			●	●	●		●	●	●	●	●	●	●		●	●	●
Secondary School		●	●			●	●	●		●	●	●	●	●	●	●		●	●	●
Education Facility		●	●			●	●	●		●	●	●	●	●	●	●		●	●	●
Library		●	●			●	●	●		●	●	●	●	●	●	●		●	●	●
Place of Worship																		●	○	○
Cemetery	○	○	○			○	○	○		○	○	○			○	○			○	○
Hospital										○	○	○			○	○			○	○
Public Open Space	●	●	●			●	●	●		●	●	●			●	●		●	●	●
Common Open Space	●	●	●			●	●	●		●	●	●			●	●		●	●	●
Community Center or Club	○	○	○			○	○	○		○	○	○			○	○		○	○	○
Public Utility	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○		○	○	○
Office																				
General										●	●		●	●	●	●			●	●
Professional										●	●		●	●	●	●			●	●
Home Occupation	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗				⊗	⊗	⊗
Retail																				
Grocery										●	●		●		●	●			●	●
Convenience Store										⊗	⊗		⊗		⊗	⊗			⊗	⊗
Car Wash										⊗	⊗		⊗		⊗	⊗			⊗	⊗
General Merchandise										●	●		●		●	●			●	●
Shopping Center											●				●	●				
Automobile Service Station										○	○				○	○			○	○
Outdoor Sales Limited											○				○	○			○	○
Outdoor Sales Lot											○				○	○			○	○
Garden Center											○	○			○	○			○	○
Service																				
Convalescent or Nursing Home	○	○	○			○	○	○		○	○	○		○	○	○			○	○
Clinic	○	○	○			○	○	○		○	○	○	○	○	○	○			○	○
Outdoor Recreation Facility	○	○	○			○	○	○		○	○	○	●	○	○	○			○	○
Day Care	○	○	○			○	○	○		○	○	○		○	○	○			○	○
General Personal Services										●	●				●	●			●	●
Mortuary or Funeral Home											○			○	○	○			○	○
Automobile Repair											⊗			⊗	⊗	⊗			⊗	⊗
Indoor Recreation										●	●		○		●	●			●	●
Dry Cleaner / Laundry										●	○				○	○			○	○
Personal Storage											○		⊗	⊗	○	○			○	○
Bed & Breakfast															○	○			○	○
Hotel / Motel											○	○	●						○	○
Boarding House or Dormitory											○	○	●		○	○			○	○
Recreational Vehicle Park											⊗		⊗		⊗	⊗			⊗	⊗
Restaurant										○	●	○	●		○	○			○	○
Catering											⊗		⊗		⊗	⊗			⊗	⊗
Bar											●	○	●						●	●
Entertainment Venue											●	○	○						○	○
Marina											○	○	○						○	○
Kennel or Animal Hospital											○	○							○	○
Warehouse															○	○			○	○
Junk Yard or Salvage Yard															○	○			○	○
Manufacturing																				
Limited											○			○	○	○			○	○
Light															○	○			○	○
General															○	○			○	○
Food Processing																○			○	○
Rural																				
Agriculture	●																			
Rural Market	●																			
Plant Nursery	●																			

Uses in the PUD District shall be specified based on a development plan according to the standards and procedures of this ordinance

- Permitted subject to general ordinance standards and conditions.
- ⊗ Permitted subject to special conditions listed in the ordinance
- Permitted only on appeal and subject to special conditions

- (9) The exterior walls of the patio home, or any accessory structures located on the zero-foot side yard setback shall not project over the property lines. Roof overhang may penetrate maintenance and drainage easement of the adjacent lot a maximum of 30 inches, provided the roof shall be so designed that water run off shall be restricted to the drainage easement area.
 - (a) Where adjacent zero lot line dwellings are not constructed against or along a common lot line, a perpetual drainage easement shall be provided which shall be approved by the city engineering department. Fences and walls may be located on or along this easement provided gates or other openings that will not block local lot drainage are maintained.
 - (b) The lot adjacent to the zero setback side yard must be under the same ownership at the time of initial construction (ensuring that a developer does not infringe on the property rights of owners of adjacent tracts).
 - (c) A 15-foot side setback shall be required, provided the adjacent property is not zoned for patio homes or is not a permitted use in the adjacent zoning district.

4. Automobile Service Stations, Convenience Stores, Car Wash Facilities, and Automobile Repair Facilities

- a. *Intent:* The intent of the special conditions for Automobile Service Stations, Convenience Stores, **Car Wash Facilities, and Automobile Repair Facilities** is to:
 - Provide access to necessary services offered by automobile service stations, convenience stores, **car wash facilities, and automobile repair facilities** from all areas of the city;
 - Allow service stations, convenience stores, **car wash facilities, and automobile repair facilities** to be appropriately mingled with other non-residential uses;
 - Ensure location and design standards compatible with surrounding property, particularly the scale and intensity of surrounding commercial uses;
 - Minimize the potential negative impact that automobile service stations, convenience stores, **car wash facilities, and automobile repair facilities** may have on surrounding property and neighborhoods;
 - Recognize that the design and scale of automobile service stations, convenience stores, **car wash facilities, and automobile repair facilities** can determine how well this use fits in with surrounding uses.
- b. *Location Restrictions:*
 - (1) In the NVC district or CVC district, automobile service stations may be located anywhere subject to the special design requirements listed in Section D.4.d of this Article
 - (2) In all other districts, the property on which an automobile service station or convenience store is located shall not be within 100 feet of any residential district, or any property containing a school, public playground, church, hospital, public library, institution for children or dependents.
 - (3) Additional requirements and/or restrictions may apply within the Greeno Road Corridor (GRC) Overlay District.**
- c. *Site Requirements:*
 - (1) **All uses within this section** ~~automobile service station or convenience store~~ shall have a minimum front lot line on the primary right-of-way of 120 feet and a minimum lot area of 12,000 square feet.
 - (2) All buildings shall be set back **at least** 40 feet from all right-of-way lines and ~~all canopies shall be set back 15 feet from all right-of-way lines.~~
 - **Greeno Road Corridor (GRC) Overlay District requirements shall apply as appropriate to the "build to" line and distance from right-of-way.**
 - (3) Service bay doors shall not front upon public rights-of-way and shall not face toward residential uses.**
 - (4) Building facades open to view from public rights-of-way shall have a minimum 5'-0" wide planter strip along the building foundation.**
 - **Greeno Road Corridor (GRC) Overlay District Requirements shall apply as appropriate to landscape buffers and sidewalk placement.**
 - (5) A raised curb of at least six inches in height shall be erected along the right-of-way lines, except for driveway openings.

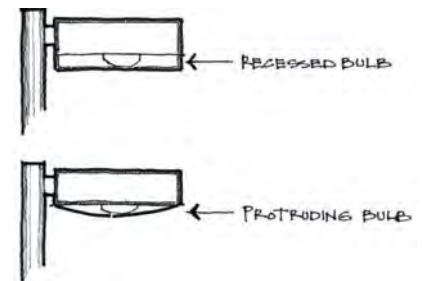


Figure 3-3. All light sources shall be shielded. Protruding bulbs and lenses are prohibited.

- (6) A solid fence or wall not less than six feet nor more than eight feet in height Screening and buffering as required by Section 20.5-4 (11) Buffer Zone Landscaping of Ordinance number 1444 shall be erected along all adjacent property lines facing any adjacent residential use.
- (7) Light or glare shall not spill onto adjacent property or right-of-ways. In addition to the requirements of Article IV, Section "B", all light fixtures shall be either recessed into a canopy, or if they protrude shall have a box that shields the bulb from direct view. A light fixture that protrudes from the bottom of a canopy shall have a box completely surrounding the bulb and the lens shall be flush with the box. Lenses shall not protrude past the bottom of the box. See figure 3-3. Should a gas station canopy be repaired or improved and the value of the improvements or the repair total 50% or more of the assessed value of the structure, these lighting requirements must be met. This 50% value is a cumulative total.
- i. Lights shall not be mounted on the top or fascia of the canopy, and fascias of the canopy shall not be illuminated
 - ii. Fuel station canopies fascia shall not be illuminated, transparent, reflective, or encircled in lights
- (8) All driving, parking storage, and service areas shall be paved and curbed.
- (9) No uses within this section automobile service station or convenience store shall be extended in area unless the proposed extension is in conformity with the requirements.
- (10) All gasoline fuel pump islands shall be set back at least 15 feet from the rear building line of the principle structure. right of way line, or where a future widening line has been established, the setback line shall be measured from such line, and where pump islands are constructed perpendicular to the right-of-way. However, the pumps shall be at least 60 feet from the centerline of an arterial street, 55 feet from the centerline of a collector street and 45 feet from the centerline of other streets.
- (11) Vehicular entrances or exits shall be provided according to Article V. of the Subdivision Regulations.
- d. *Special Design Requirements – All convenience stores, automobile service stations, car wash facilities, and automobile repair facilities in all districts:* In addition to the above site requirements, the following special design requirements shall apply:
- (1) Automatic Teller Machines (ATMs) shall be located inside the convenience store, automobile service station, car wash facility, or automobile repair facility building.
 - (2) Snipe signs and commercial displays in and around fuel pump islands shall not be permitted.
 - (3) Electronic fuel pricing signage is permitted, however no electronic signage in addition to fuel pricing is allowable. Fuel pricing shall remain static between fuel pricing changes.
 - (4) Fuel station canopies shall not exceed a ceiling height of 15'-0" and the clearance height shall be clearly identified with a telltale bar.
 - (5) Adornments to the canopy fascia shall not be designed to express corporate identities via signs, logos, paint colors, or other brand identification
 - (6) Buildings, roofs, and canopies shall not have corporate color banding.
 - (7) Any signage (including corporate logos or images) provided on a fuel station canopy shall be deducted from the allowable wall signage of the primary structure as allowed by Ordinance 1537 and may not comprise any more than 50% of the vertical height of the canopy face.
 - (8) Fuel tank vents shall be screened from view or integrated into the building
 - (9) Car Wash facilities (both self-serve and automated)
 - i. Car washes and vacuums shall not be located within 100'-0" of any residential use.
 - ii. Buildings, roofs, and canopies shall not have corporate color banding. Any signage provided on a car wash building shall be deducted from the allowable wall signage of the primary structure as allowable by Ordinance 1537.

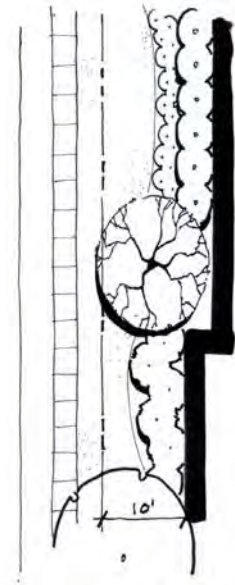


Figure 3-4. Maximum 10-foot setback in the NVC or CVC Districts.

e. *Special Design Requirements - NVC and CVC Districts:* In addition to the above site requirements, the following special design requirements shall apply to automobile service stations or convenience stores located in the NVC or CVC districts. (Automobile Repair and Car Wash Facilities are not allowable uses in the NVC or CVC).

- (1) All buildings shall be set back no more 10 feet from all right-of-way lines. Any area between the building and the right-of-way shall only be used for landscape elements. See Figure 3-4.
- (2) All buildings shall have a primary entrance facing the street, directly connected to the public sidewalk.
- (3) At least 60% of all street-frontages on the lot shall be occupied by the building. On corner lots, the street frontage on the secondary street may be occupied by the building on as little as 50% of that frontage, provided that the 60% requirement is met when both frontages are combined. See Figure 3-5.
- (4) All buildings shall have at least 50% clear glazing on of any street facing ground level. Glazing on windows and doors shall count towards this requirement. See Figure 3-6.
- (5) Pump islands shall be located behind or to the side of the building.
- (6) No more than two pump islands with a maximum of four pumping stations per island shall be located on the site.
- (7) No more than two service bays shall be located on the site. Service bays shall not face the primary street frontage of the building.
- (8) All driving, parking storage, and service areas shall be paved and curbed.
- (9) All fuel gas line pump islands shall be set back at least 15 feet from the rear building line of the principle structure, right of way line, or where a future widening line has been established, the setback line shall be measured from such line, and where pump islands are constructed perpendicular to the right of way. However, the pumps shall be at least 60 feet from the centerline of an arterial street, 55 feet from the centerline of a collector street and 45 feet from the centerline of other streets.
- (10) Vehicle entrance and exits shall be subject to the specifications in the Subdivision Regulations.
- (11) No outdoor storage of any kind is permitted on the site.
- (12) All vehicles shall be stored in an enclosed area and all vehicle repairs shall occur in an enclosed area.
- (13) All automobile service stations are subject to special site enhanced screening conditions to appropriately screen adjacent property from parking, pump islands, or service bays. This site screening shall be specific to the context of the site and may involve landscape, walls, or other elements in accordance with the tree and landscape ordinance.

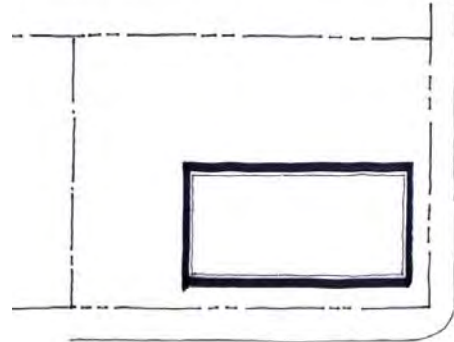


Figure 3-5. Street frontages shall be occupied by building facades for at least 60% of the lot width on the buildings primary street. Corner buildings may reduce this to as much as 50% on the buildings secondary street provided the cumulative total for both streets exceed 60%.

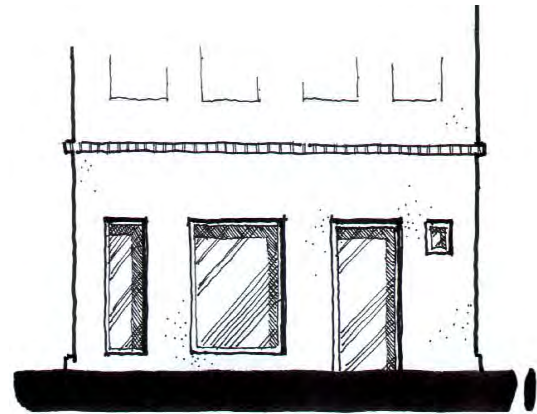


Figure 3-6. Ground level, street-facing facades shall have at least 50% clear glazing.

5. Home Occupations

- a. *Intent:* The intent of the special conditions of Home Occupations is to:
 - Provide opportunities for residents to earn income and operate businesses from their home;

- Allow cemeteries to establish a park-like, civic setting to mourn, honor, and commemorate the deceased; and
 - Ensure location and site conditions that are compatible to surrounding property and neighborhoods.
- b. *Location Restrictions:*
- (1) The site proposed for a cemetery shall not interfere with the development of a system of collector or larger streets in the vicinity of the site. In addition, the site shall have direct access to an arterial street.
 - (2) Any new cemetery shall be located on a site containing not less than twenty (20) acres.
- c. *Site Requirements:*
- (1) All structures shall be set back no less than 25 feet from any property line or minor street right-of-way.
 - (2) All graves or burial lots shall be set back not less than 25 feet from any property line on local street right-of-way lines, and not less than 50 feet from any collector or arterial street right-of-way.
 - (3) The entire cemetery property shall be landscaped and maintained.
 - (4) The expansion of any existing cemetery shall only be allowed according to the Special Exception procedures in Article II.

7. Storage and Parking of Trailers and Commercial Vehicles

- a. *Intent:* The intent for the special conditions for Storage and Parking of commercial Vehicles is to:
- Provide opportunities for residents to own, utilize, and store commercial vehicles, trailers, and recreational vehicles; and
 - Ensure that parking and temporary storage of commercial vehicles, trailers, and recreational vehicles is not detrimental to the neighborhood character and adjacent residents or property owners.
- b. *Location Requirements:* Commercial vehicles and trailers of all types, including travel, boat, camping and hauling, shall not be parked or stored on any lot occupied by a dwelling or any lot in any residential district except in accordance with the requirements in this section.
- c. *Site Requirements:*
- (1) No more than one commercial vehicle per dwelling shall be permitted. In no case shall a commercial vehicle used for hauling explosives, gasoline or liquefied petroleum products be permitted.
 - (2) No travel trailer, hauling trailer, utility trailer, boat, boat trailer, motor home or commercial vehicle shall be parked or stored in the front yard, or on corner lots, in a side yard abutting a public right-of-way or upon the right-of-way. The length of said vehicle shall not exceed twenty-eight feet (28').
 - (3) These vehicles shall be allowed in a side yard only if the rear yard cannot be reasonably accessed. Topographical features, the existence of mature trees or the existence of properly permitted and constructed structures, which prevent rear yard parking, is sufficient to establish a lack of rear yard access. If parked in the rear yard, a hard surface pad with access shall be provided by either a hard surface drive, hard surface drive strips or an access drive constructed of turf block materials. All vehicles covered by this section shall have a minimum side and rear setback of six feet (6'). No vehicle covered in this section shall be located in a side yard containing a driveway.
 - (4) A travel trailer shall not be occupied either temporarily or permanently while it is parked or stored in any area except in a recreational vehicle park authorized under this ordinance.
 - (5) A junked vehicle, or one that is not operational shall not be permitted to be located on or near lots with dwelling units. These junked autos shall be confined to junkyards.
 - (6) Heavy equipment, including but not limited to large wheeled, tracked, or static pieces of equipment, (including trailers, implements, and attachments used in conjunction with heavy equipment) normally associated with commercial agricultural, construction, or utility industries or other similar pieces of heavy equipment are inappropriate for storage and/or parking in residential use areas and storage and/or parking shall be forbidden. Examples include but are not limited to tractors greater than 40 horsepower, any metal-tracked vehicle, dozers, backhoes, excavators, trenchers, forklifts, aerial lifts, dump trucks greater than 20,000 lbs Gross Vehicle Weight Rating (GVWR), ride-on soil compactors, skid steer loaders, logging machines, knuckle boom loaders, wheel or tracked loaders, trailers greater than 10,000 lbs GVWR, or other similar pieces of heavy equipment. Walk-behind equipment rented

for temporary uses such as small stump grinders, trenchers, dethatchers, or other similar equipment are excluded from the heavy equipment definition.

8. Personal Storage

- a. *Intent:* The intent of the special conditions for Personal Storage is to:
- Allow for personal storage services to be mixed with other compatible commercial uses;
 - Ensure that personal storage facilities are located appropriately in order to minimize the impact on adjacent property; and
 - Recognize that the design and scale of personal storage facilities can determine how well this use fits in with surrounding uses.
- b. *Location Requirements:*
- (1) Exterior personal storage facilities on more than two acres shall be located only in the M-1 and M-2 districts and only by special exception.
 - (2) Exterior personal storage facilities on less than two acres and indoor personal storage facilities may be located in the B-2 district and only by special exception.
- c. *Site Requirements:*
- (1) All one-way drive aisles shall provide for one 10-foot wide travel lane. Traffic direction and parking shall be designated by signs or painting.
 - (2) All two-way drive aisles shall provide for one 10-foot wide parking lane and two 12-foot wide travel lanes.
 - (3) Two parking spaces, to be located at the project office for use of clients, shall be provided for the manager's quarters plus one additional space for every 25 storage cubicles.
 - (4) Any other site requirements determined through the special exception procedure to minimize impacts on adjacent property.

9. Accessory Structures and Accessory Dwelling Units

- a. *Intent:* The intent of the special conditions for accessory structures and accessory dwelling units is to allow flexibility in living arrangements and home occupations while maintaining the residential character of existing neighborhoods. These standards apply to all districts or as indicated in Table 3-1, Use Table, except for the Village Districts in Article VI.
- b. *Location Restrictions:* Accessory dwelling units shall be located on the same lot as the principal structure and are subject to the dimension standards in Section C.2. of this Article.
- c. *Site Requirements:*
- (1) Any accessory structures shall only have a half bath.
 - (2) Kitchens and electrical wiring or gas-supporting kitchens are prohibited.
 - (3) Any accessory structure proposed for office or extra living areas shall not be larger than 50% of the gross square footage of the principal structure.
 - (4) Any utilities for an accessory structure shall run through the principal structure.
- d. *Exception:* Notwithstanding anything contained in this subsection 9 to the contrary any "bona-fide" mother-in-law suite with a kitchen, attached to the principle structure, under common roof, shall not be deemed to be an accessory dwelling unit for purpose of this zoning ordinance but, instead, shall be deemed to be a part of the principle dwelling unit.

10. Building Materials on Commercially Zoned Property

- a. *Intent:* The intent of the special conditions on building material for commercially zoned property is to prevent negative visual impact, provide attractiveness and beautification, and protect commercial property values.

- b. *Location restrictions:* The special conditions in this section shall apply to any commercially zoned property in the City of Fairhope.
- c. No building or portion of a building visible from a public street or right-of-way shall be exposed metal. A façade of some type or material shall be used to visually screen the metal from the public street or right-of-way.

11. Restaurants and Accessory Bars in the M-1 Light Industrial District

- a. *Intent:* The intent of these special conditions for restaurants and associated bars in the M-1 Light Industrial District is to provide a method for restaurants to be permitted in the M-1 district.
- b. *Location Requirements:* The special conditions in this section shall apply only to the M-1 Light Industrial District.
- c. *Site Requirements:*
 - (1) Prohibition of drive throughs. Restaurants shall not contain drive through windows or pick up windows. Restaurant must be a sit-down style restaurant.

12. Uses Containing Drive Through Lanes / Drive Through Windows

- a. *Intent:* The intent of the special conditions for Drive Through Lanes / Drive Through Windows is to:
 - Provide access to various services offered by uses containing drive through lanes and drive through windows;
 - Allow uses containing drive through lanes and drive through windows to be appropriately mingled with other non-residential uses;
 - Ensure location and design standards compatible with surrounding property, particularly the scale and intensity of surrounding commercial uses;
 - Minimize the potential negative impact that uses containing drive through lanes and drive through windows may have on surrounding property and neighborhoods;
- b. *Location Restrictions:*
 - (1) In the NVC district or CVC district, uses containing drive through lanes / drive through windows are not allowable.
 - (2) In all other districts, the property on which a drive through lane / drive through window is otherwise allowable shall not be within 100 feet of any residential district, or any property containing a residential use.
 - (3) Additional requirements and/or restrictions may apply within the Greeno Road Corridor (GRC) Overlay District.
- c. *Special Design Requirements* – In addition to the above location restrictions, the following special design requirements shall apply:
 - (1) Drive through speaker shall not exceed 50 decibels
 - i. Shall not play recorded messages.
 - (2) Menu boards / order boards
 - i. Shall be a maximum of 30 square feet in area
 - ii. Shall be a maximum 6' tall
 - iii. Shall be shielded from view from any public street and adjacent residential uses or residentially zoned property
 - (3) No less than four (4), 20' long and 10' wide stacking lanes shall be located at or behind the drive through window or appurtenance
 - i. May be reduced in number if recommended by a traffic impact study prepared by a licensed professional engineer
 - ii. Separated from other vehicular use and site circulation areas by a landscaped raised divider median or other divider identified in the landscape plan
 - iii. Shall be 12' wide in curved areas

- iv. Shall not enter or exit directly into a public street
 - v. Shall not interfere with waste handling and material loading areas
 - vi. If curbed, shall include an emergency by-pass or exit
- (4) Uses including a drive through lane located adjacent to residential uses or residentially zoned property shall provide screening and buffering as required by Section 20.5-4 (11) *Buffer Zone Landscaping* of Ordinance number 1444.

B. Screening, Lighting and Landscape Material

1. Intent

The screening, lighting, and landscape material sections are intended to create a quality community image, minimize the impact of development on adjacent sites, allow property owners to create comfortable and appropriate private environments, and integrate all development into the overall community plan.

2. Screening

- a. In any district, all mechanical or operating equipment, materials, or activities not contained within a building, such as drive-through equipment, outdoor storage of materials, stationary machinery, and outdoor servicing activities, shall be enclosed by a wall or fence of solid appearance or tight evergreen hedge not less than six feet in height. If the owner elects to build a wall or fence of bare or severe appearance it shall be enhanced with the planting of shrubs.
- b. In any district where a commercial/industrial use abuts a residential use, screening/buffering shall be required. Acceptable screening/buffering shall include a wall or fence of solid appearance, or tight evergreen hedge not less than six feet (6') in height and a twenty foot (20') landscaped buffer containing at least one (1) overstory tree and five (5) shrubs per every twenty-five linear feet (25').

3. Parking Lot/Open Area Lighting

~~Parking lots with 50 or fewer spaces and open area requiring lighting for general purposes shall have light poles that do not exceed 10 feet overall height. Parking lots having more than 50 spaces shall have light poles that do not exceed 20 feet overall height. Luminaries of a sharp cut off design to shield light source above 72 degrees from vertical and providing 1.0 average maintained foot candles with the following uniformity ratios: 3:1 average/minimum * (.33 FC minimum), 12:1 maximum/minimum * (4.0 FC maximum) are required in all cases. Public facilities such as lighted ball fields are excluded. A photometric grid shall be furnished by developer at time of building permit application.~~

~~* maximum or minimum foot candle level at any point lighted area.~~

Lighting

- a. **Applicability.** The applicant for any permit required for work involving lighting shall submit documentation at time of site plan, multiple occupancy project plot plan, or building permit request that the proposed lighting plan complies with the provisions of this Code. The submission shall contain, but not be limited to the following, all or part of which may be part of or in addition to the information required elsewhere in this Code:
 - (1) A point-by-point footcandle array in a printout format indicating the location and aiming of illuminating devices. The printout shall indicate compliance with the maximum maintained footcandles required by this Code.
 - (2) Description of the illuminating devices, fixtures, lamps, supports, reflectors, poles, raised foundations and other devices (including but not limited to manufacturers or electric utility catalog specification sheets and/or drawings, and photometric report indicating fixture classification [cutoff fixture, wall pack, flood light, etc.]).
- b. **Nonconformities.** Following application of this regulation, the installation of lighting, replacement of lighting, and changes to existing light fixture wattage, type of fixture, mounting, or fixture location shall be made in strict compliance with this Code. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is permitted for all existing fixtures.

c. Exemptions:

- (1) A detached single family home shall be exempt from the requirement of submission of the photometric analysis with the building permit.
- (2) When federal or state laws, rules and regulations take precedence over these provisions.
- (3) Public Schools.
- (4) City of Fairhope recreational facilities.

d. Light Measurement Technique. Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or party requesting inquiry or at any other location on the property of the complainant or party requesting inquiry. Measurements shall be made at finished grade (ground level), with the light-registering portion of the meter held parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five percent. Measurements shall be taken with a light meter that has been calibrated within the year. Light levels are specified, calculated and measured in footcandles (FC). All FC values below are maintained footcandles.

e. General Standards for Lighting

- (1) Unless otherwise specified below, the maximum light level shall be ten maintained footcandle at any property line in a residential use area, or on a lot occupied by a dwelling, congregate care or congregate living structure, and 15 maintained footcandles at any public street right-of-way.
- (2) No operation or activity producing glare in excess of the amounts permitted below:
 - i. All business and industrial districts: Any operation or activity producing glare shall be conducted so that direct or indirect light from the source shall not cause illumination in excess of ten footcandles when measured in a residential use area.
- (3) All flood lights shall be installed so that the fixture shall be aimed down at least 45 degrees from vertical, or the front of the fixture is shielded so that no portion of the light bulb extends below the bottom edge of an external shield. Flood lights and display lights shall be positioned so that any such fixture located within 50 feet of a public street right-of-way is mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed 15 degrees from perpendicular to the right-of-way.
- (4) All flood lamps emitting 1,000 or more lumens shall be aimed at least 60 degrees down from horizontal, or shielded such that the main beam from the light source is not visible from adjacent properties or the public street right-of-way.
- (5) All wall pack fixtures shall be cutoff fixtures.
- (6) Within the Greeno Road Corridor (GRC) Overlay District all lighting fixtures shall be either semi-cutoff or full- cutoff fixtures.

f. Lighting in Parking Lots and Outdoor Areas

- (1) Parking lots with 50 or fewer spaces and open area requiring lighting for general purposes, except outdoor sports field lighting and outdoor performance area lighting, shall have light poles that do not exceed 10 feet overall height. Parking lots having more than 50 spaces shall have light poles that do not exceed 20 feet overall height.
- (2) Other than flood lights and flood lamps, all outdoor area and parking lot lighting fixtures of more than 2,000 lumens shall be cutoff fixtures, or comply with at least one of the provisions in subsection (3) below.
- (3) Exceptions:
 - i. Non-cutoff fixtures may be used when the maximum initial lumens generated by each fixture shall not exceed 9,500 initial lamp lumens per fixture.
 - ii. All metal halide, mercury vapor, fluorescent, induction, white high pressure sodium and color improved high pressure sodium lamps used in non-cutoff

fixtures shall be coated with an internal white frosting inside the outer lamp envelope.

iii. All metal halide fixtures equipped with a medium base socket must utilize either an internal refractive lens or a wide-body refractive globe.

iv. All non-cutoff fixture open-bottom lights shall be equipped with full cutoff fixture shields that reduce glare and limit uplight.

(4) All light fixtures shall meet the Illuminating Engineering Society of North America (IESNA) definition of cutoff fixtures. Forward throw fixtures (type IV light distribution, as defined by the IESNA) are required within 25 feet of any public street right-of-way. Alternatively, directional fixtures (such as flood lights) may be used provided they shall be aimed and shielded in accordance with this ordinance.

g. Lighting for Vehicular Canopies

(1) Areas under a vehicular canopy shall have a maximum point of horizontal illuminance of 24 maintained footcandles (FC). Areas outside the vehicular canopy shall be regulated by the standards of subsection (b) "General Standards for Lighting" above. Lighting under vehicular canopies shall be designed so as not to create glare off-site. Acceptable methods include one or more of the following:

i. Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the vehicular canopy.

ii. Light fixture incorporating shields, or shielded by the edge of the vehicular canopy itself, so that light is restrained to five degrees or more below the horizontal plane.

iii. Surface mounted fixture incorporating a flat glass that provides a cutoff fixture or shielded light distribution.

iv. Surface mounted fixture, typically measuring two feet by two feet, with a lens cover that contains at least two percent white fill diffusion material.

v. Indirect lighting where light is beamed upward and then reflected down from the underside of the vehicular canopy. Such fixtures shall be shielded such that direct illumination is focused exclusively on the underside of the vehicular canopy.

h. Lighting of Buildings and Landscaping

(1) Lighting fixtures shall be selected, located, aimed, and shielded so that direct illumination is focused exclusively on the building facade, plantings, and other intended site feature and away from adjoining properties and the public street right-of-way.

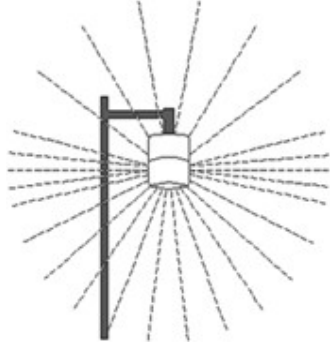
i. Diagrams.

(1) Full cutoff fixture: an outdoor light fixture shielded or constructed in such a manner that it emits no light above the horizontal plane of the fixture.

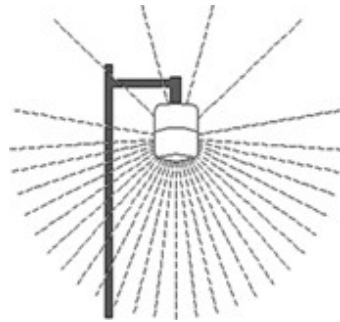


(2) Semi-Cutoff Fixture: An outdoor light fixture shielded or constructed in such a manner that it emits no more than five percent of its light above the horizontal plane of the

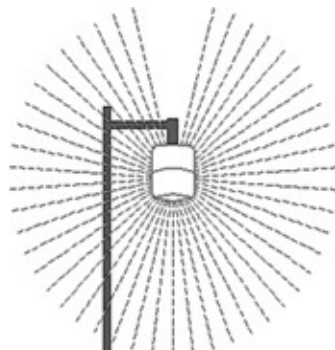
fixture, and no more than 20 percent of its light ten degrees below the horizontal plane of the fixture.



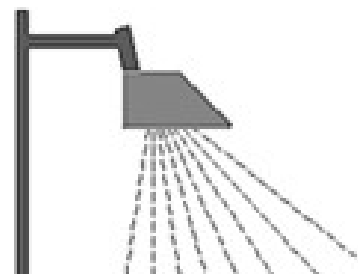
(3) Cutoff Fixture: An outdoor light fixture shielded or constructed in such a manner that no more than two and one-half percent of the total light emitted by the fixture is projected above the horizontal plane of the fixture.



(4) Non-Cutoff Fixture: An outdoor light fixture constructed in such a manner that it emits light in all directions.



(5) Flood Light: A form of lighting designed to direct its output in a diffuse, more or less specific direction, with reflecting or refracting elements located external to the lamp.



- (1) The B-4 (Business and Professional District) development standards and area and dimensional requirements shall apply in this district:
- (2) Any residential, hotel, dormitory, nursing home or convalescent use shall not exceed the density established for the R-5 (High Density Multi-Family Residential District) at a minimum lot area of 10,500 square feet for two dwelling units plus 4,100 square feet for each additional unit / 10 units per acre maximum.
- (3) No building or portion of a building visible from a public street or right of way shall be exposed metal. A façade of some type or material shall be used to visually screen the metal from the public street or right of way.

I. GRC – Greeno Road Corridor Overlay Districts

1. Intent and Description – The Greeno Road Corridor Overlay (GRC) is intended to provide a transition of use intensity from less intensity to greater intensity back to less intensity along Greeno Road. The GRC overlay includes all property within or intersected by a line 400 feet east of the centerline of Greeno Road (U.S. Highway 98) and a line 400 feet west of said centerline, and begins at Dale Drive near the Daphne City limits and terminates at Old Battles Road (County Road 34), a distance of approximately 6.5 miles. Thus, the GRC includes all parcels lying wholly within the GRC overlay lines and the entirety of any parcels which either of the GRC overlay lines cross. Some properties within the geographic area of the GRC are not now within the corporate limits and thus this ordinance does not apply to such properties; however, land subsequently annexed into the City of Fairhope located within the GRC shall automatically be included within the GRC. The GRC includes the following five districts:

- Northern Edge District
 - Dale Drive to South Drive
- North Village Center (Parker Road) District
 - South Drive to State HWY 104
- Gateway District
 - State HWY 104 to Edwards Avenue
- Fairhope Avenue Village Center District
 - Edwards Avenue to Morphy Avenue
- Southern Edge District
 - Morphy Avenue to Old Battles Road

The GRC is much more automobile-oriented than the CBD, however the GRC seeks to reflect the “Fairhope Image” contemplated by the Comprehensive Plan through controlled signage, interconnectivity, sidewalks, and extensive landscaping. The GRC is intended to serve the entire community by:

- Better-managing the automobile-oriented nature of Greeno Road by limiting drive-up windows;
- providing a mix of uses;
- Encouraging retrofit of existing shopping centers by building nearer the right-of-way line
- Prohibiting backlit or illuminated plastic signs, neon signs, and video boards;
- Buffering residences from automobile-oriented uses through landscape buffers;
- buffering surrounding neighborhoods from any adverse impacts of activities in the GRC;
- requiring mandatory site plan reviews for all construction activities within the GRC; and
- Allowing certain specified uses only upon appeal to the Board of Adjustment and/or subject to special conditions.

1. Location and Size – LEGAL DESCRIPTION TO BE REFLECTED IN THE DOCUMENT TO BE CONSIDERED BY THE PLANNING COMMISSION

2. Applicability – This section applies to all new construction, demolition, Class III renovations, sidewalks, uses, private improvements, and landscape alterations of any kind occurring within the GRC overlay; provided however, this section shall not apply to properties zoned R-A, R-1, R-2, or R-3. The GRC overlays the underlying zoning districts. The provisions contained elsewhere within the Zoning Ordinance

shall also apply unless pre-empted by the GRC overlay. Where a conflict exists between the GRC Overlay and the underlying zoning regulations, the GRC Overlay provisions shall prevail. Non-conforming uses, structures, lots, and other non-conformities existing within the GRC at the time of establishment shall be governed by Article VII, non-conformities.

3. Appeals and Variances – Appeals and Variances shall be subject to the same standards contained within Article, II, Section C.3. of this ordinance.

4. Allowable Uses

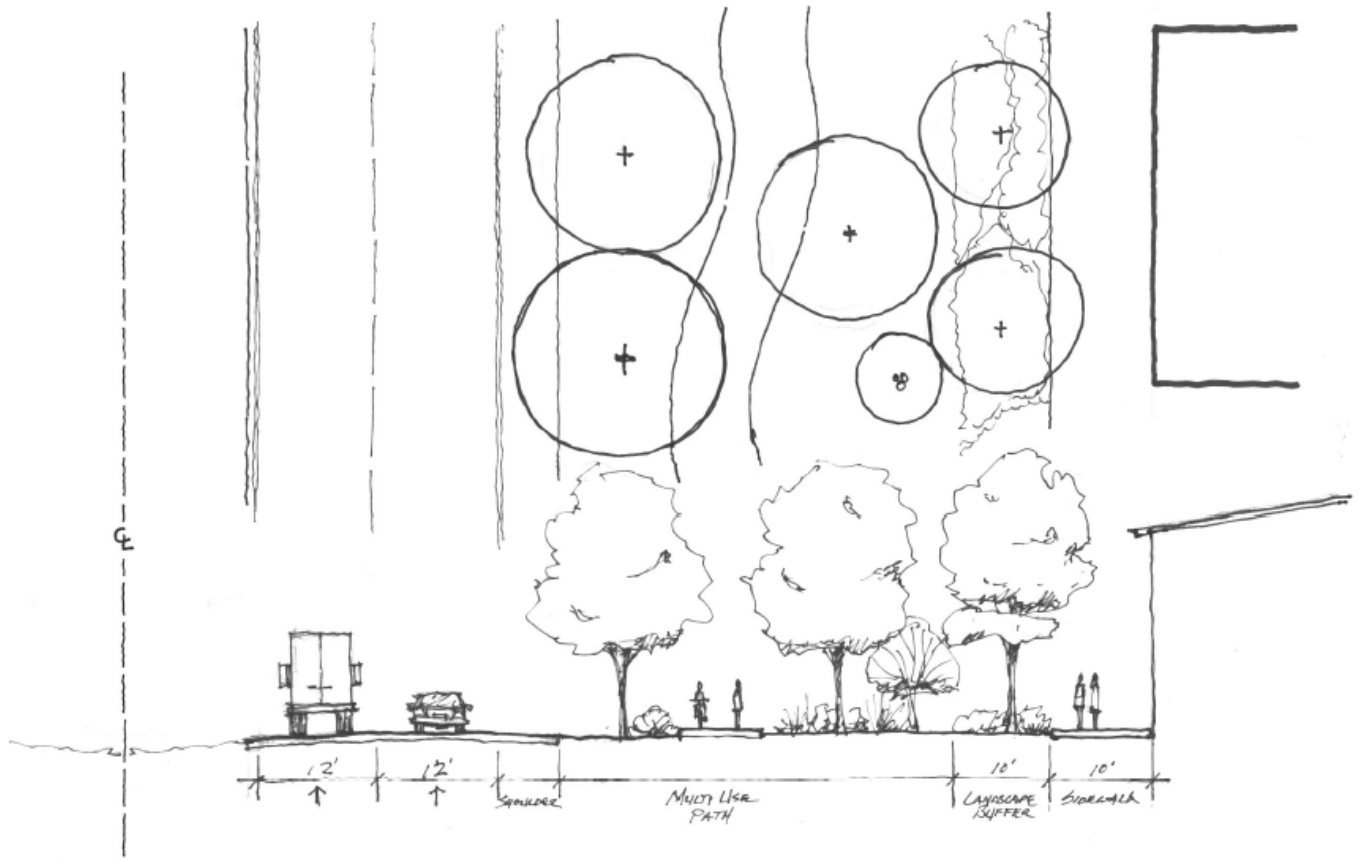
The uses allowable within the underlying zoning districts applicable to a particular property within the GRC shall continue to apply, subject to the additional provisions in this section. Article III, and the Use Table 3-1 identify the zoning districts created by the zoning ordinance and reflect seven general categories of uses: (1) residential; (2) civic; (3) office; (4) retail; (5) service; (6) manufacturing, and (7) rural. Within each category, specific uses are listed and indicated as either allowed, allowed subject to special conditions, or allowed by special exception.

5. Special Conditions for Uses within the GRC – The following special conditions shall apply to all applicable uses within the GRC overlay. These special conditions are in addition to the generally applicable standards that apply to all uses within the GRC overlay district. In the case of a conflict between the generally applicable standard for the underlying zoning district and the specific standard listed in this section for properties within the GRC overlay, the more specific standards in this section apply.

A. General – applicable to all districts within GRC

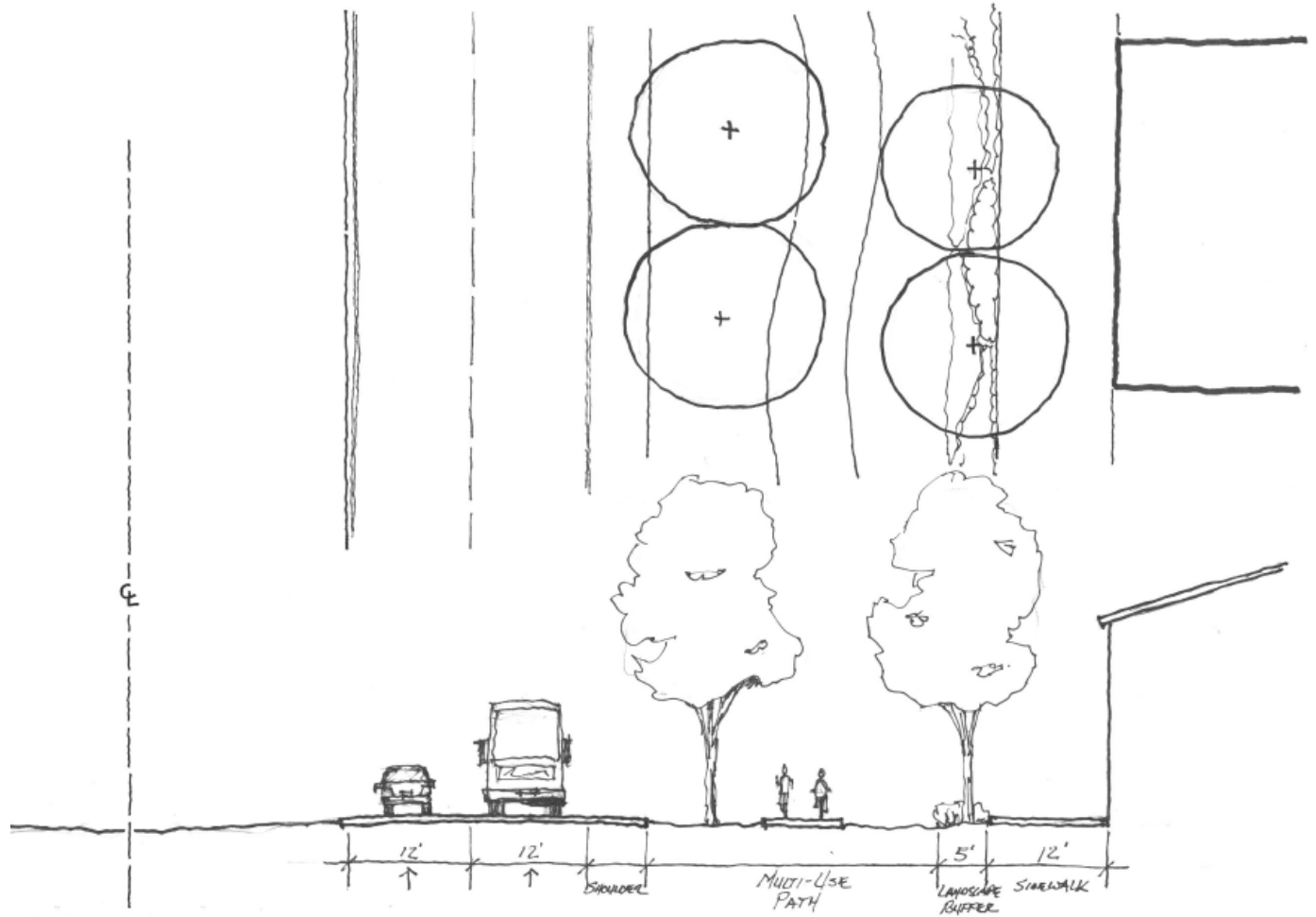
- a. In addition to the requirements of Ordinance 1537, Signs, the following shall apply to all districts within the GRC
 - i. Backlit or illuminated plastic signs are prohibited
 - ii. Neon signs are prohibited
 - iii. Video boards are prohibited
 - iv. The GRC is designated a Beautification Area as contemplated by Ordinance 1537, Sign Ordinance.
- b. Four-sided architecture
 - i. Blank, featureless walls are prohibited
 - ii. Between 50% and 80% of ground level, street-facing facades of non-residential buildings shall be transparent with glazing.
 - iii. Between 25% and 60% of upper floor, street-facing facades of non-residential buildings shall be transparent with glazing.
 - iv. Roofs shall be either pitched between 6:12 to 12:12 or be flat with parapets or decorative cornices. Roof mounted equipment shall be screened from public view on all sides.
- c. Mandatory site plan review
 - i. All work as described in “applicability”, above, requires a mandatory site plan review and approval within the GRC, regardless of whether or not it triggers the site plan review requirements of Article II, Section C.2. The procedures set out in Article II section C.2. shall apply to the review and approval of site plans within the GRC.
 1. Site plan review process shall be completed prior to approval of a building permit or land disturbance permit.
 - ii. A landscape plan in compliance with ordinance 1444 shall be submitted concurrently with the mandatory site plan review for administrative review by staff.
 1. In addition to the requirements of Ordinance 1444, tree and landscape ordinance, for all properties adjacent to Greeno Road / US HWY 98, the landscape plan shall also comply with figures XXXX through XXX, below, for the various districts. In the event of a conflict, the physical placement of the figures below shall govern.

a. Northern Edge District



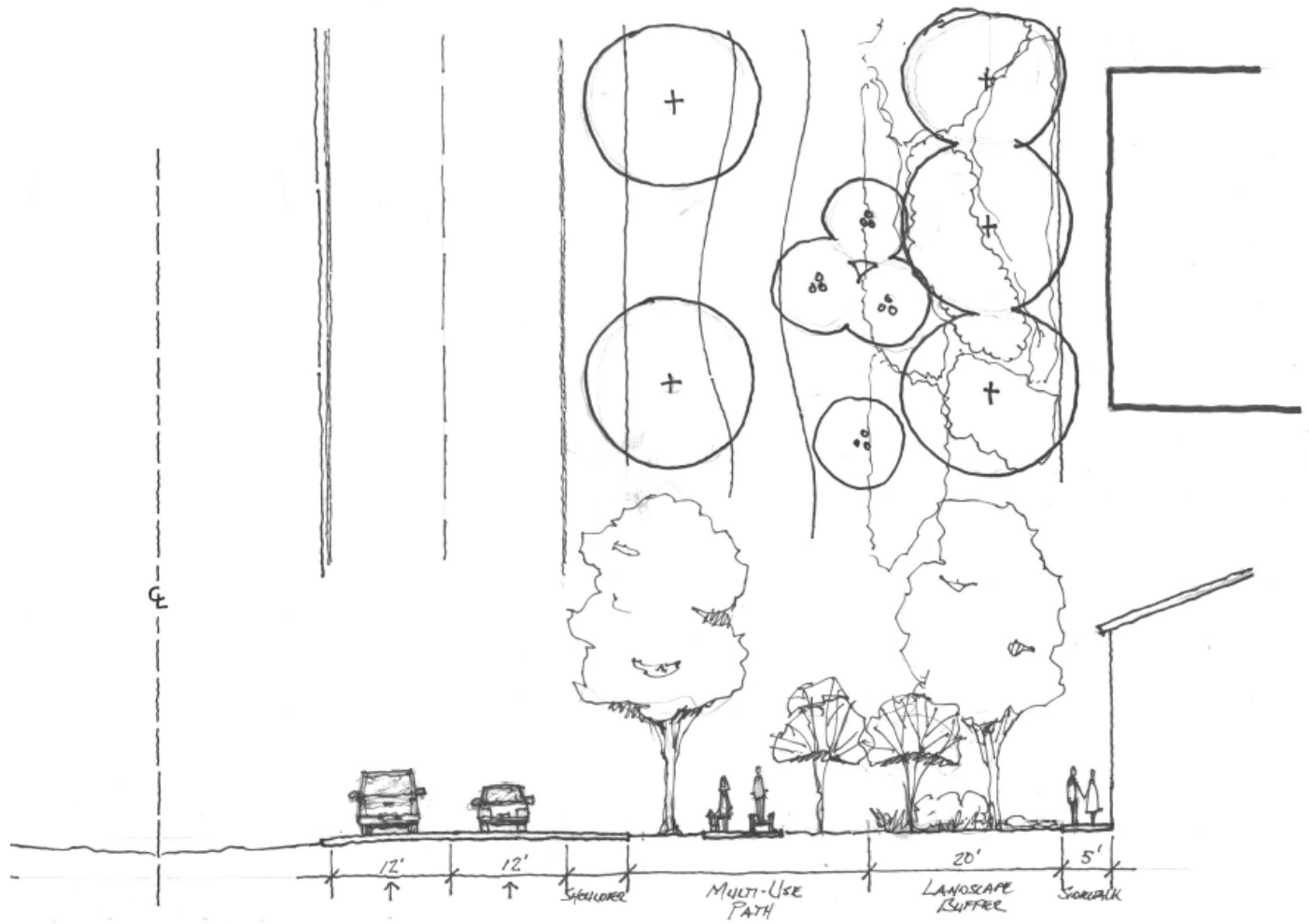
Edge District.

b. North Village Center (Parker Road) District



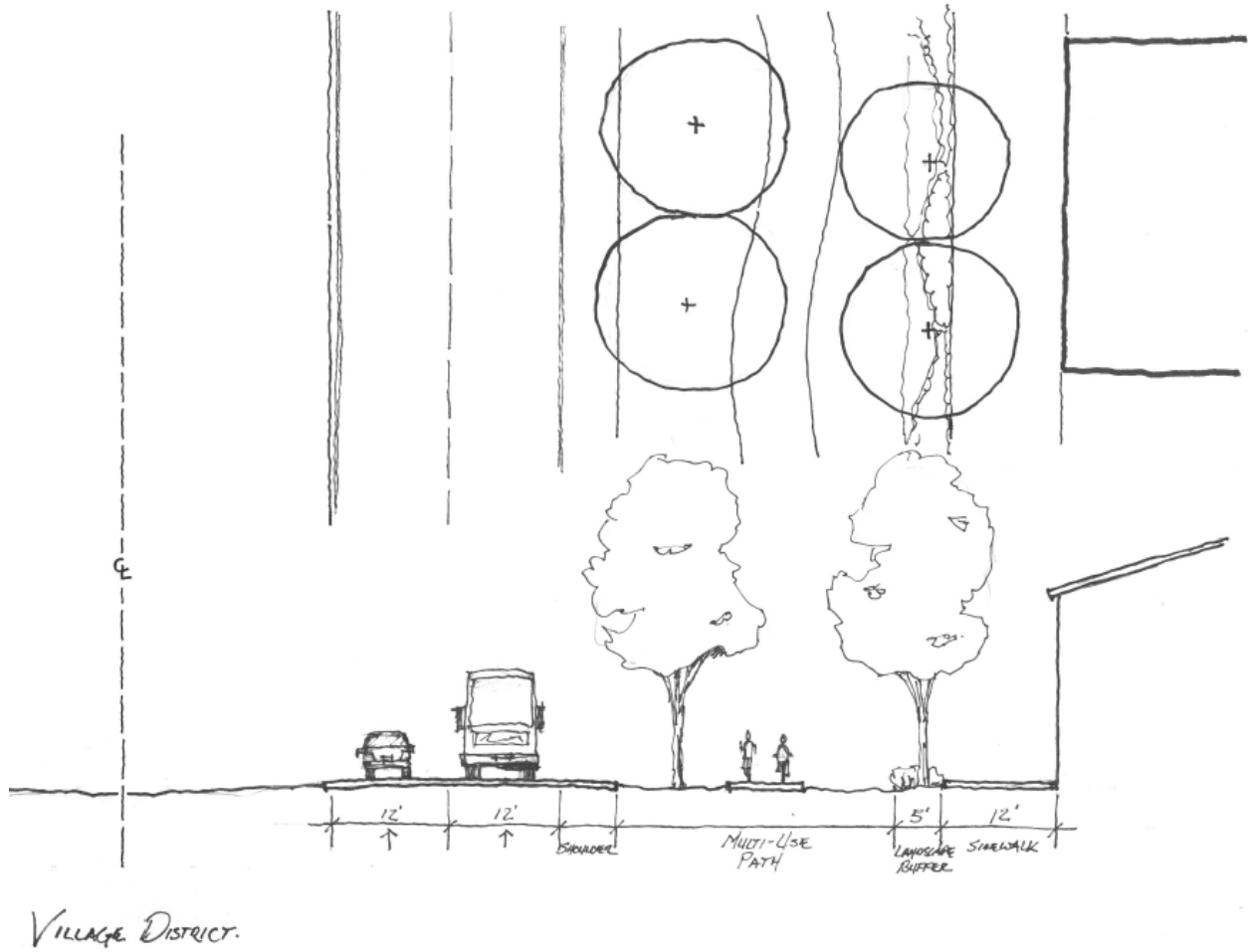
Village District.

c. Gateway District

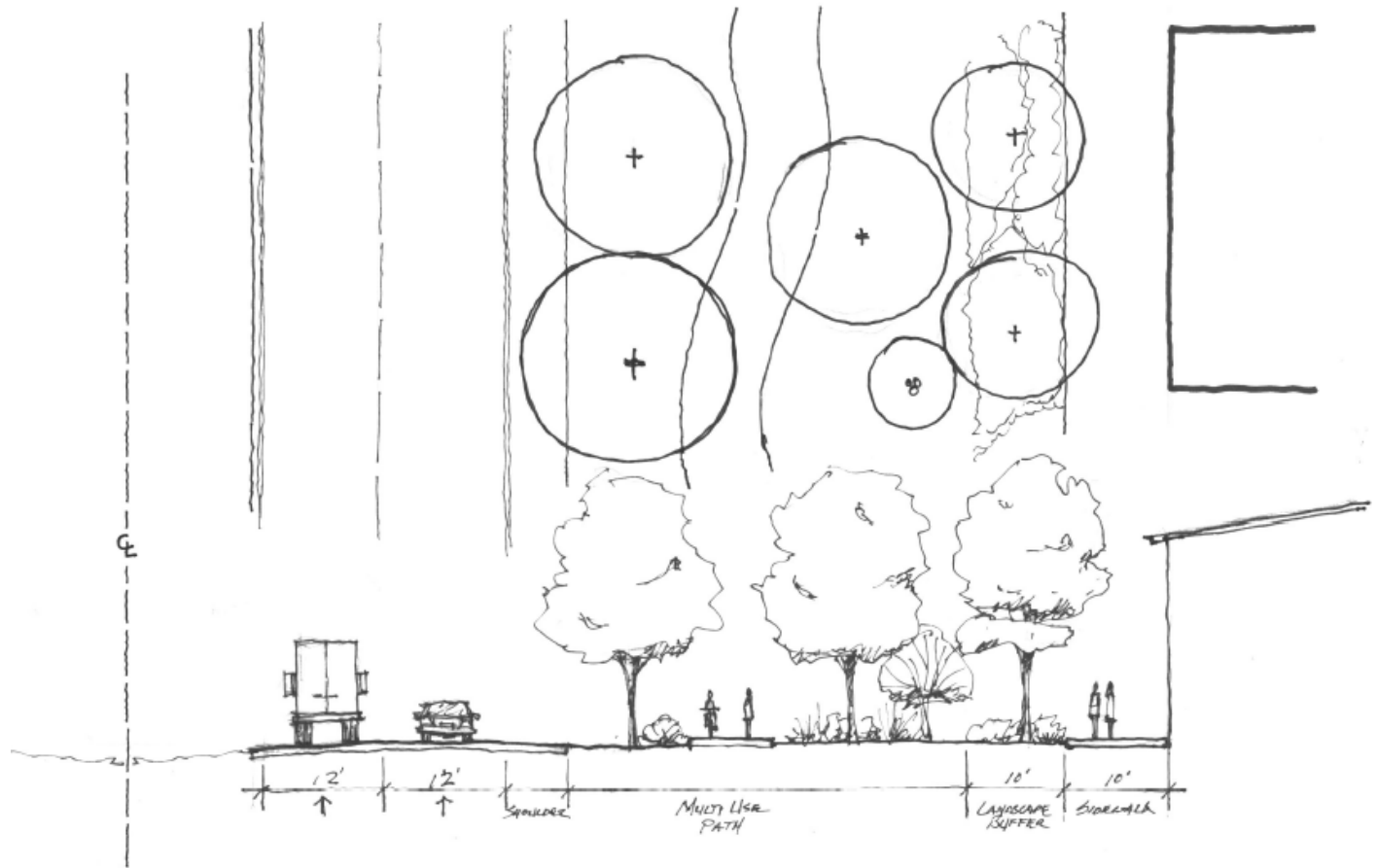


GATEWAY DISTRICT.

d. Fairhope Avenue Village Center District



e. Southern Edge District



Edge District

B. Uses – The uses allowable by the underlying zoning of each parcel within the GRC as indicated in table 3-1 shall be allowable within the GRC subject to the following restrictions and/or requirements:

a. Northern Edge District

1. General – applies to entire district

- i. Stand-alone ice vending machines are a prohibited use
- ii. Stand-alone automatic teller machines (ATMs) are a prohibited use
- iii. Car wash facilities, both automated and self-serve, are a prohibited use

1. General Personal Services

- i. Drive-throughs prohibited

2. Bed and Breakfast

- ii. No more than 12 rooms
 - iii. Must be owner occupied and operated
 - 3. Hotel / Motel
 - iv. No more than 30 rooms
 - 4. Restaurant
 - v. Drive-Throughs Prohibited
 - 7. Dry Cleaner / Laundry
 - vi. Drive-Throughs Prohibited
- b. Southern Edge District
 - 1. General – applies to entire district
 - a. Stand-alone ice vending machines are a prohibited use
 - b. Stand-alone automatic teller machines (ATMs) are a prohibited use
 - 1. General Personal Services
 - a. Single drive-through lane allowable at rear and one side of principle building
 - 2. Dry Cleaner / Laundry
 - a. Single drive-through lane allowable at rear and one side of principle building
 - 3. Bed and Breakfast
 - a. No more than 12 rooms
 - b. Must be owner occupied and operated
 - 4. Hotel / Motel
 - a. No more than 30 rooms
 - 5. Restaurant
 - a. Single drive-through lane allowable at rear and one side of principle building
- c. Gateway District
 - 1. General – applies to entire district and all uses within district
 - a. Stand-alone ice vending machines are prohibited use
 - b. Stand-alone automatic teller machines (ATMs) are a prohibited use
 - c. Quick-serve restaurants are a prohibited use, including but not limited to the following:
 - i. Restaurants offering no table service
 - ii. Restaurants offering take-out or pick-up meals only
 - iii. Food vendors operating via food truck
 - d. Car wash facilities, both automated and self-serve, are a prohibited use
 - e. Automobile Repair is a prohibited use
 - f. Automobile Service Station is a prohibited use
 - g. Convenience Store is a prohibited use
 - 2. Grocery / General Merchandise / Shopping Center
 - a. Individual uses shall not exceed 8,000sf per owner or tenant
 - 3. Two-family and Townhouses
 - a. Shall be a minimum of two stories
 - 4. Mixed use
 - a. Ground floor retail/commercial/restaurant use shall not exceed 8,000sf
 - 5. General Personal Services
 - a. Drive-throughs prohibited
 - 6. Bed and Breakfast
 - a. No more than 6 rooms
 - b. Must be owner occupied and operated
 - 7. Restaurant
 - a. Drive-throughs prohibited
 - 8. Dry Cleaner / Laundry
 - a. Drive-throughs prohibited

- d. Fairhope Avenue Village Center District / North Village Center (Parker Road) District
 - 1. General – applies to entire district
 - a. Stand-alone ice vending machines are a prohibited use
 - b. Stand-alone automatic teller machines (ATMs) are a prohibited use
 - c. Quick-serve restaurants are a prohibited use, including but not limited to the following:
 - i. Restaurants offering no table service
 - ii. Restaurants offering take-out or pick-up meals only
 - iii. Food vendors operating via food truck
 - d. Single-use buildings are a prohibited
 - i. Hotel/motel use is an exception to this requirement and is/are an allowable use
 - e. Car wash facilities, both automated and self-serve, are a prohibited use
 - f. Automobile Repair is a prohibited use
 - g. Automobile Service Station is a prohibited use
 - h. Convenience Store is a prohibited use
 - 2. Mixed-use
 - a. Ground floor retail/commercial/restaurant use shall not exceed 8,000sf
 - 3. Grocery / General Merchandise / Shopping Centers
 - a. Individual uses shall not exceed 8,000sf per owner or tenant
 - 4. General Personal Services
 - a. Drive-throughs prohibited
 - 5. Restaurant
 - a. Drive-throughs prohibited
 - 6. Dry Cleaner / Laundry
 - a. Drive-throughs prohibited

- e. *Automobile Service Station* – any building or land used for retail sale and dispensing of automobile fuel. Vehicle lubricants, supplies, accessories, and minor services may be offered if incidental to the sale of fuel and no more than three (3) interior vehicle storage and service bays are provided.
- f. *Garden Center* – any retail sales of plants that require outdoor storage of merchandise at any time of the year.
- g. *Outdoor Sales Limited* – a retail use where a minor portion of the merchandise, both in area and in business value, is typically stored outside during business hours.
- h. *Outdoor Sales Lot* – a retail use where a significant portion of the merchandise, either in area or in business value, is typically stored outside during business hours.
- i. *Car Wash* –
 - a. *Automated* - A structure containing facilities for washing automobiles using a chain conveyor or other method of moving the cars along and automatic or semi-automatic application of cleaner, brushes, rinse water and heat or air for drying.
 - b. *Self-Service* - A car wash wherein the customer provides labor to wash, dry, and otherwise clean a vehicle and where no self-propelled wash racks are provided.

5. Service Use Category

The Service Use category is for businesses that offer clients, customers, or patrons goods for consumption on the premises, or offer services for performance and delivery on the premises.

- a. *Convalescent or Nursing Home* – a business providing living accommodations and care for persons suffering from illness, other than mental or contagious, which is not of sufficient severity to require hospitalization, or for persons requiring further institutional care after being discharged from a hospital, and where non-resident staff is present for more than 8 hours per day.
- b. *Clinic* – a place used for the care, diagnosis and treatment of ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board. Includes medical laboratory facilities; professionally licensed therapists and therapy facilities of various types including but not limited to physical therapy, emotional, psychological and psychiatric therapy, and professionally-licensed counseling facilities.
- c. *Outdoor Recreation Facility* – a business primarily engaged in the provision of outdoor sports, entertainment, or similar recreation opportunities for participants or spectators.
- d. *Mortuary or Funeral Home* – an establishment used for the preparation of deceased humans and ceremonies prior to burial or cremation.
- e. *Day Care* – a business providing for the day care and/or instruction of non-resident children.
- f. *General Personal Services* – a business that provides including uses such as post office, bank, barber shop or beauty saloon, film processing, small appliance repair, tailor, office support, or other similar service. Any personal service that is more specifically described is excluded from this use.
- g. *Automobile Repair* – the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles. Vehicle lubricants, supplies, and accessories may be supplied and sold at retail.

Definitions and Interpretation

Defined Terms

- h. *Indoor Recreation Facility* – a business engaged in the provision of indoors sports, entertainment, or similar recreation opportunities for participants or spectators. Examples of uses include roller skating rinks, movie theaters, or fitness clubs.
- i. *Dry Cleaner/Laundry* – a business engaged in cleaning clothes, fabrics, or upholstery on-site either by drop-off and pick-up by customers or through delivery services.
- j. *Personal Storage* – a business offering separate storage areas leased or rented on an individual basis.
- k. *Bed and Breakfast or Tourist Home* – a business where lodging and/or meals are provided incidental to a principle single-family dwelling, where no cooking or dining facilities are provided in individual rooms, and where the owner resides on the premises.
- l. *Hotel or Motel* – a business where lodging services, including accessory uses such as eating and drinking facilities, recreation facilities and parking, are provided. Lodgings may consist of sleeping rooms only or may include cooking facilities also, but are not intended for long-term occupancy.
- m. *Boarding House or Dormitory* – a business where lodging and/or meals are provided, where no cooking or dining facilities are provided in individual rooms, and where an owner or manager resides on the premises.
- n. *Recreational Vehicle Park* – a development providing rental spaces for recreational vehicles such as a trailer, camper, or motor home on a short-term basis, including accessory recreation and service facilities for the use of the tenants.
- o. *Restaurant* – a business serving prepared meals for consumption on the premises, which may include an accessory bar, carry out, drive-through, or catering services.
- p. *Catering* – a business of providing food service where food is prepared or stored at a permitted food facility then delivered and/or served at a remote site.
- q. *Bar* – a business serving alcoholic beverages, which may include accessory food and entertainment services.
- r. *Entertainment Venue* – a business where floorshows or other forms of entertainment by persons are provided for guests, which may include accessory dining, bar, and similar refreshment services. Examples include concert halls, dinner theaters, or banquet halls.
- s. *Marina* – a business providing boat storage and services on the water.
- t. *Kennel or Animal Hospital* – any business where four (4) or more dogs over four (4) months of age are kept for general boarding or medical care.
- u. *Warehouse* – a business where a major portion of the floor area is used for storage of goods, products, or parts for distribution at bulk retail or wholesale, or where the storage is a service provided for a fee.
- v. *Junk Yard or Salvage Yard* – a structure or lot where discarded or salvaged materials are bought, sold, exchanged, baled, packed, stored, accumulated, disassembled, or handled. This definition shall not include properly licensed establishments for the sale, purchase, or storage, of usable second-hand goods. Nor shall it apply to the processing of used, discarded, or salvaged materials as part of properly licensed manufacturing operations.
- w. *Wholesale Establishment* – business establishments that generally sell commodities in large quantities or by the place to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by a business service.

Driveway Access Lane: The principal means of vehicular ingress and egress from the right-of-way to a lot.

Driveway Aisle: A vehicular circulation lane internal to a site exclusive of the ingress and egress from the right-of-way.

Dry Well: A cavity of sufficient size, filled to the surface with compacted rocks to allow water storage capacity.

Dry Swale: A shallow stormwater management facility designed to store or convey excess runoff in a large storm event for gradual evaporation and infiltration, but does not retain water in normal storm events or dry periods.

Easement: A grant by a property owner of the use of land for a specific purpose or purposes by the general public or a corporation or a certain person or persons.

Erected: To cause to be built, constructed, reconstructed, moved upon or any other physical operations such as excavations, fill, or drainage on the premises required for building.

Expansion, Building: The addition of enclosed or unenclosed rooms or storage spaces, porches, structures or parking area to an existing building.

Expansion, Use: The increase in area of land or structure that serves a particular use.

Family: One (1) or more persons occupying a single dwelling unit and using common cooking facilities, provided that, unless all members are related by blood, adoption or marriage, no such family shall contain over five (5) persons.

Family (Home Occupation): For purposes of home occupations, family is defined as only those persons related by blood, marriage or adoption and using common cooking facilities within a single dwelling unit.

First Flush: This is the given volume of water generated in the drainage area from the first 1" to 1.5" of rainfall.

Flood: A temporary rise in stream or surface water level that results in inundation of areas not ordinarily covered by water.

Flood Frequency: The average frequency statistically determined, for which it is expected that a specific flood level may be equaled or exceeded.

Floodway: That portion of the flood plain, including the channel, which is reasonably required to discharge the bulk of the regional floodwaters. Floods of less frequent recurrence and non-inundating are usually contained completely within the floodway.

Flood Plain: Those areas defined by the U.S. Geological Survey of the U.S. Army Corps of Engineers as subject to flooding once in one hundred (100) years, based on topography and FEMA; and further including any areas as may be designated at a future date by regulatory authority of such times.

Frontage, Building: The outside wall surface of a building, excluding porch or deck, nearest to the front lot line.

Frontage: The area of a lot made up of the front building façade and any area between the front building façade and the front lot line.

Ground Cover: Natural (mulch) or low growing plants other than deciduous varieties installed to form a continuous cover over the ground.

Heavy Equipment: Including but not limited to large wheeled, tracked, or static pieces of equipment, including trailers, implements, and attachments used in conjunction with heavy equipment, normally associated with commercial agricultural, construction, or utility industries or other similar pieces of heavy equipment. Examples

include but are not limited to tractors greater than 40 horsepower, any metal-tracked vehicle, dozers, backhoes, excavators, trenchers, forklifts, aerial lifts, dump trucks greater than 20,000 lbs Gross Vehicle Weight Rating (GVWR), ride-on soil compactors, skid steer loaders, logging machines, knuckle boom loaders, wheel or tracked loaders, trailers greater than 10,000 lbs GVWR, or other similar pieces of heavy equipment. Walk-behind equipment rented for temporary uses such as small stump grinders, trenchers, dethatchers, or other similar equipment are excluded from the heavy equipment definition.

Heritage Tree: Any live tree greater than or equal to twenty inches (20") in diameter at breast height (DBH). Breast height is established as the height of the trunk of a tree fifty-four inches (54") above grade.

Homeowners Association or Association: An incorporated, non-profit organization operating under recorded land agreements through which, (a) each lot and/or home owner in a planned or other described land area is automatically a member, and, (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property, and (c) the charge if unpaid becomes a lien against the property.

Lot, Corner: A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of a street which form an interior angle of less than one hundred thirty-five (135) degrees. The point of intersection of the right-of-way lines is the corner.

Lot, Double Frontage or Through: A lot or plot, but not corner lot that abut upon two streets, the two frontages being noncontiguous.

Lot, Interior: A lot other than a corner lot.

Lot, Depth: The mean, (average) horizontal distance between the front and rear lot lines, measured at right angles to the front right-of-way lines.

Lot Width: The mean, (average) horizontal distance between the side lot lines, measured at the right angles to the lot depth. A minimum lot width shall be applied at the front setback line.

Lot line, Front: On an interior lot, the lot line abutting a street; on a corner lot, the shorter lot line abutting a street; on a through lot, the lot line abutting the street providing the primary means of access to the lot; on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained; or on a waterfront lot, the lot line abutting the water.

Lot Line, Rear: The lot line opposite to and most distant from the front lot line.

Lot Line, Side: Any lot line other than a front or rear lot line. A side lot line of a corner lot separating a lot from a right-of-way is called a side street lot line. A side lot line separating a lot from another lot is called an interior lot line.

Lot of Record: A lot, which is a part of the recorded plat or a plot, described by metes and bounds, the map and/or description of which has been recorded according to Alabama law.

Master Plan: Any portion of the Comprehensive Plan adopted by the Planning Commission for the physical development of the City and areas outside the boundaries, which bear relation to the planning of the municipality.

Parking Space or Parking Lot: An area reserved for temporary storage of motor vehicles.

Plat: A map, plan or layout of a county, city, town, section or subdivision indicating the location and boundaries of properties.

Planned Unit Development: A planned unit development (1) is land under unified control, planned and developed as a whole in a single development operation or approved programmed series of development operations for dwelling units and related uses and facilities; (2) includes principal and accessory uses and structures substantially related to

the character of the development itself and the surrounding area of which it is a part; (3) is developed according to comprehensive and detailed plans which include not only streets, utilities, lots, or building sites and the like, but also site plans, floor plans, and elevations for all building as intended to be located, constructed, used, and related to each other, and detailed plans for other uses and improvements, facilities, and services as will be for common use by some or all of the occupants of the planned unit development but will not be provided, operated or maintained at public expense.

Porch: A roofed-over or open space attached to the outside of an exterior wall of a building, which has no enclosure other than the exterior walls of such building. Open mesh screening shall not be considered an enclosure.

Rain Garden: A shallow depression in a landscape that captures water and holds it for a short period of time to allow for infiltration, filtration of pollutants, habitat for native plants, and effective stormwater treatment for small-scale residential or commercial drainage areas. Rain gardens use native plants, mulch, and soil to clean up runoff.

Recreational Vehicle: A self-propelled vehicle used for temporary housing of individuals and families during travel. This includes campers, camping trailers, motor homes and smaller mobile manufactured homes (up to a length of twenty-eight (28) feet exclusive of hitch) capable of being towed by a passenger motorcar.

Regulatory Flood: The flood which is representative of large floods known to have occurred generally in the area and reasonably characteristic of what can be expected to occur. The regulatory flood generally has a flood frequency of approximately one hundred (100) years as determined from an analysis of floods at a particular site and other sites in the same general regions (See Ordinance No. 668).

Regulatory Flood Protection, Elevation: The elevation of the regulatory flood plus one (1) foot of freeboard to provide a safety factor.

Renovation, Class III: The work area exceeds 50% of the building area.

Right-of-Way: A strip of land taken or dedicated for use as a public way. In addition to the roadway it normally incorporates the curb, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features, (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridges.

Seat: For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated or each twenty-four (24) lineal inches of benches, pews or space for loose chairs.

Setback Line: A line established by the subdivision regulations and/or this ordinance, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure, may be located above ground.

Sewers, Public or Community: An approved sewage disposal system, which provides a collection network and disposal system and central sewage and treatment facility for a single community, development, or region.

Sewers, On-Site: A septic tank or similar installations on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Short-Term Rental: Includes any person, firm, entity, partnership, trust, corporation, association or organization that is renting a dwelling for less than 30 days are not allowed in R-1, R-2 and R-3. Short-term Rentals shall only be allowed in the R-4, R-5, B-1, B-2, B-3a and B-3b zoning districts. Short-term rentals shall be subject to the Business License Code of the City of Fairhope.

Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks or combination thereof, by which anything is made known, such as the designation of an individual, a firm, an association, a profession, a business, a commodity, or product which are visible from any public way and/or used as an outdoor display.



Planning Commission

August 5, 2019

Zoning Change: RA to PUD

Case: ZC 19.07 Live Oak Estates

Project Name:

Live Oak Estates

Project Type:

Zoning Change From R-A Residential/Agriculture District To PUD-Planned Unit Development

Jurisdiction:

City of Fairhope

PPIN Number:

15078

General Location:

Southwest corner of Bay Meadows Ave and ST. HWY 181

Project Acreage:

Approximately 38 acres

Engineer:

Mullins, LLC

Applicant:

Mullins, LLC, Joe Rector, PS

School District:

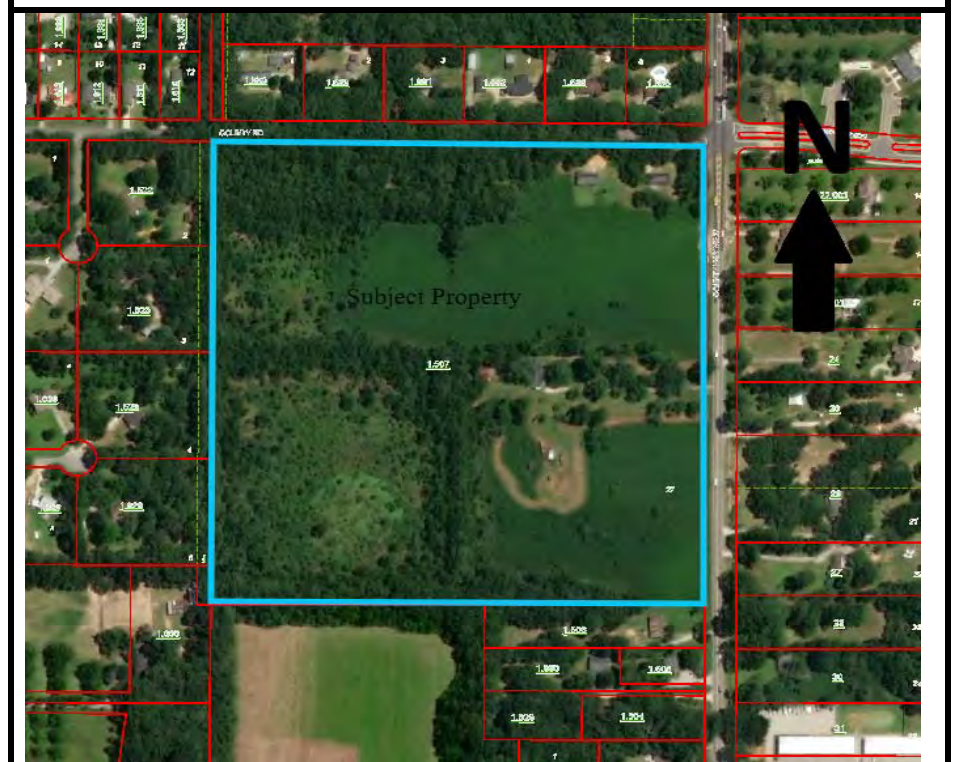
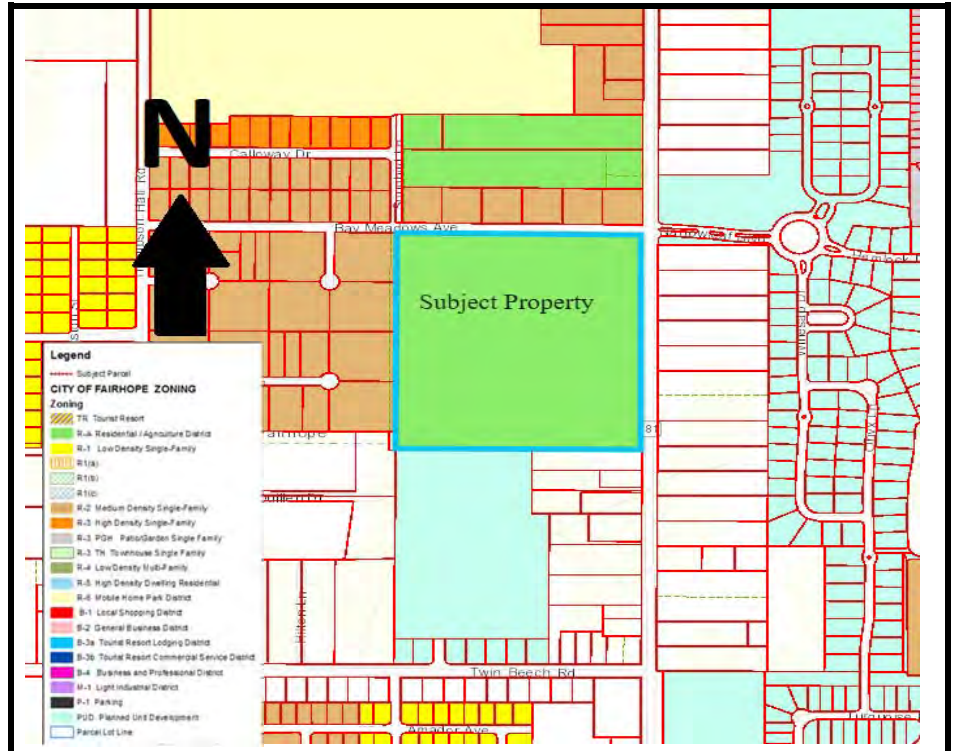
Fairhope Elementary
Fairhope Intermediate
Fairhope Middle
Fairhope High

Recommendation:

Approve with conditions

Reviewed by:

Mike Jeffries, QCI
City Planner



Summary of Request:

The applicant is requesting a re-zoning of approximately 38 acres from R-A Residential/Agriculture to a PUD- Planned Unit Development. The property is located at the southwest corner of Bay Meadows Ave and ST. HWY 181. The applicant is proposing 99 single family dwelling units on approximately 33.66 acres and the remainder approximately 4.30 acres is reserved for a future commercial parcel requiring a self-imposed standalone site-plan. The requested density is 2.94 units per acre.

Current Conditions:

The subject property currently has three structures and is predominately previously farmed land.

The site plan below was provided pursuant to the Fairhope Zoning Ordinance, Article II.C.2(a) which says in part “Initiation – Review of (preliminary) site plans accompanying a zoning map amendment shall be reviewed according to the zoning amendment procedures.”



Comments:

Fairhope Zoning Ordinance

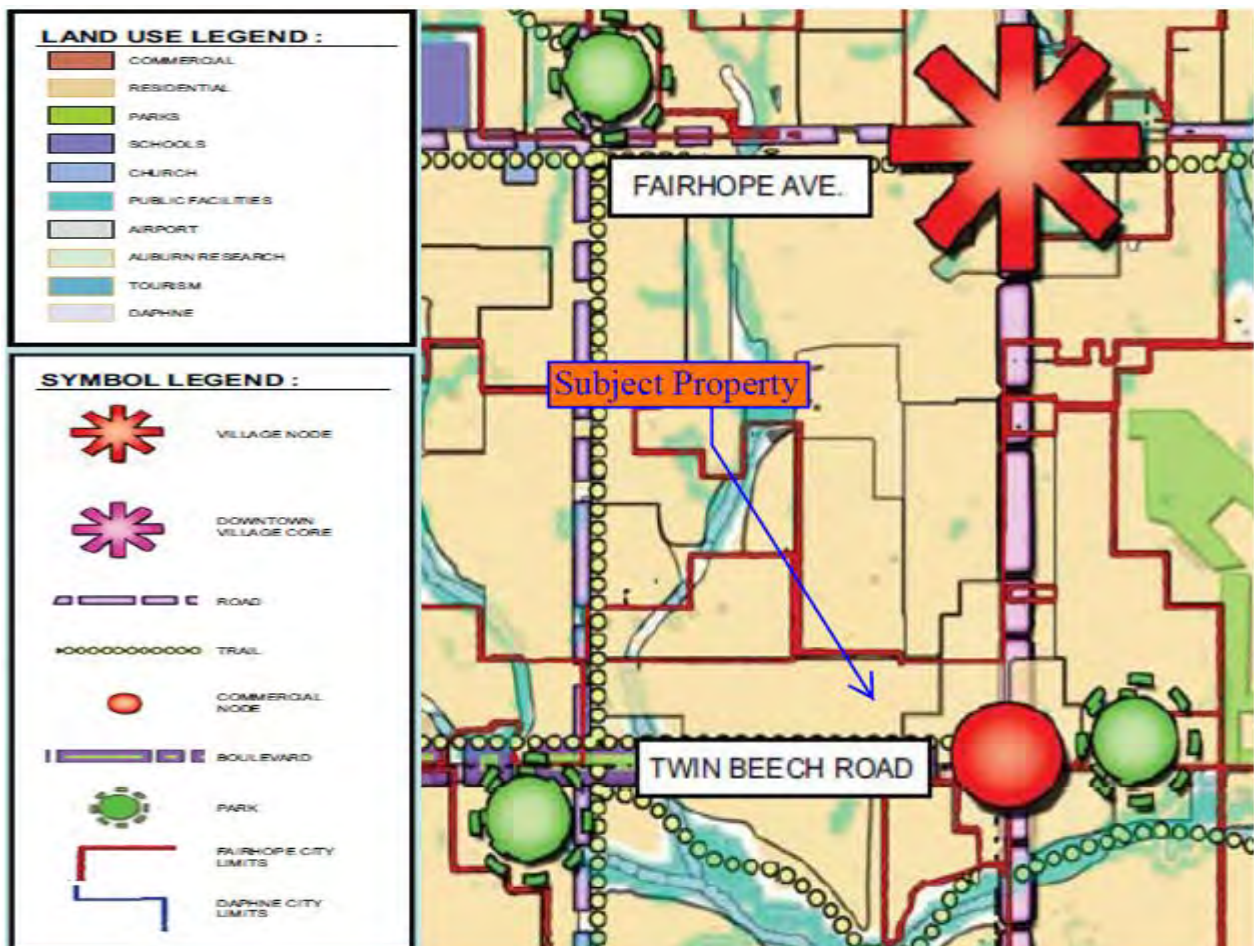
Article II.C(e).

Criteria – The application shall be reviewed based on the following criteria:

(1) Compliance with the Comprehensive Plan;

Response:

The requested zoning is a PUD which is intended to encourage innovative development that meets the comprehensive plan goals and is tailored to the unique constraints and conditions of a particular site. The proposed PUD is a multi-use development with most of the property consisting of single-family dwelling units buffered from ST HWY 181 by a future commercial parcel. The subject property is categorized as residential in the Comprehensive Plan. Therefore, the requested zoning is consistent with the Comprehensive Plan guidance in terms of a residential use. The Comprehensive plan contemplates a commercial node at the intersection of Twin Beech Rd. and ST. HWY. 181. Land uses such a gas station (nonrepair), bank, small shopping center, drug store, and restaurants are likely candidates at these locations. It also warns that these nodes are only to be at the corners of the intersections and must not be the start of strip commercialization along the corridors. The subject property is located to the north of this commercial node. The corridor on St. HWY 181 from Twin Beech Rd to Windmill Rd. is predominately residential except for a storage facility approximately 300' south of the subject property. The location of the commercial parcel is isolated by Bay Meadows Ave to the north, ST. HWY. 181 to the east, retention/detention to the south, and residential housing to the west preventing the expansion and creation of strip commercialization.



(2) Compliance with the standards, goals, and intent of this ordinance;

Response:

The purpose of this district is intended to encourage innovative development that meets comprehensive plan goals and is tailored to the unique constraints and conditions of a particular site. This district allows flexibility in uses, designs, and building layouts as opposed to other zoning districts to better serve community needs.

District Two lot sizes.	Min. Lot Area/ Allowed Units Per Acre (UPA)	Min. Lot Width	Setbacks				Max. total lot coverage by principle structure	Max. height
			Front	Rear	Side	Street side		
PUD	6760	52'	20'	15'	6'	20'	40%	30'
PUD	9000	75'	20'	15'	7.5'	20'	40%	30'

If the rezoning is approved, any subsequent subdivision plat must conform to the above standards which will be included on the site plan. The dimensions table reflects a minimum lot width of 52' and 75'. There are 57 lots that are 52' wide and 42 lots that are 75'.

The commercial parcel will be subject to a stand-alone site plan at time of development.

(3) The character of the surrounding property, including any pending development activity;

Response:

The proposed PUD will utilize lots that are 75'X120', 75X130' and 52'X130' in width. The reduction on the 75'X120" lots allows for extra buffering along Bay Meadows Ave protecting existing large oak trees and extra buffering to the west.

The lots were designed to mimic the sizes of the recently approved Twin Beech Estates adjacent to the south. The property on the west side is zoned R-2 which has a minimum lot size of 10,500sq ft or approximately .25 acres; however, the lots are currently approximately 2.3 acres with single-family dwelling units. The difference in lot sizes is remedied by a 30' natural vegetative buffer. The north end of the property adjacent to Bay Meadows Ave. is proposed to have a natural buffer of 50' that will aid in a visual and sound barrier as well as preserve the oak trees previously mentioned. The adjacent properties on the north side of Bay Meadows are zoned R-2 and approximately 1.0 acre. The properties adjacent to the subject property on the east side are made up of various sized unincorporated unzoned parcels. The commercial parcel and retention/detention pond will be located on this side providing a transition from commercial use to residential use coming from ST HWY 181. A 30' landscape buffer will separate the commercial development from the residential development.

A Density Compatibility Analysis is a planning and zoning tool that is utilized to examine the surrounding areas to get a snapshot of the current density. A ¼ mile buffer is drawn around the subject property using the buffer tool within KCS Fairhope Map Viewer. In order to arrive at an average development density for all adjacent areas and surrounding neighborhoods, a weighted average is utilized so that though the actual or allowable development density remains constant, the weighted average will be in terms of the *actual acreage* of the development within the buffer area.

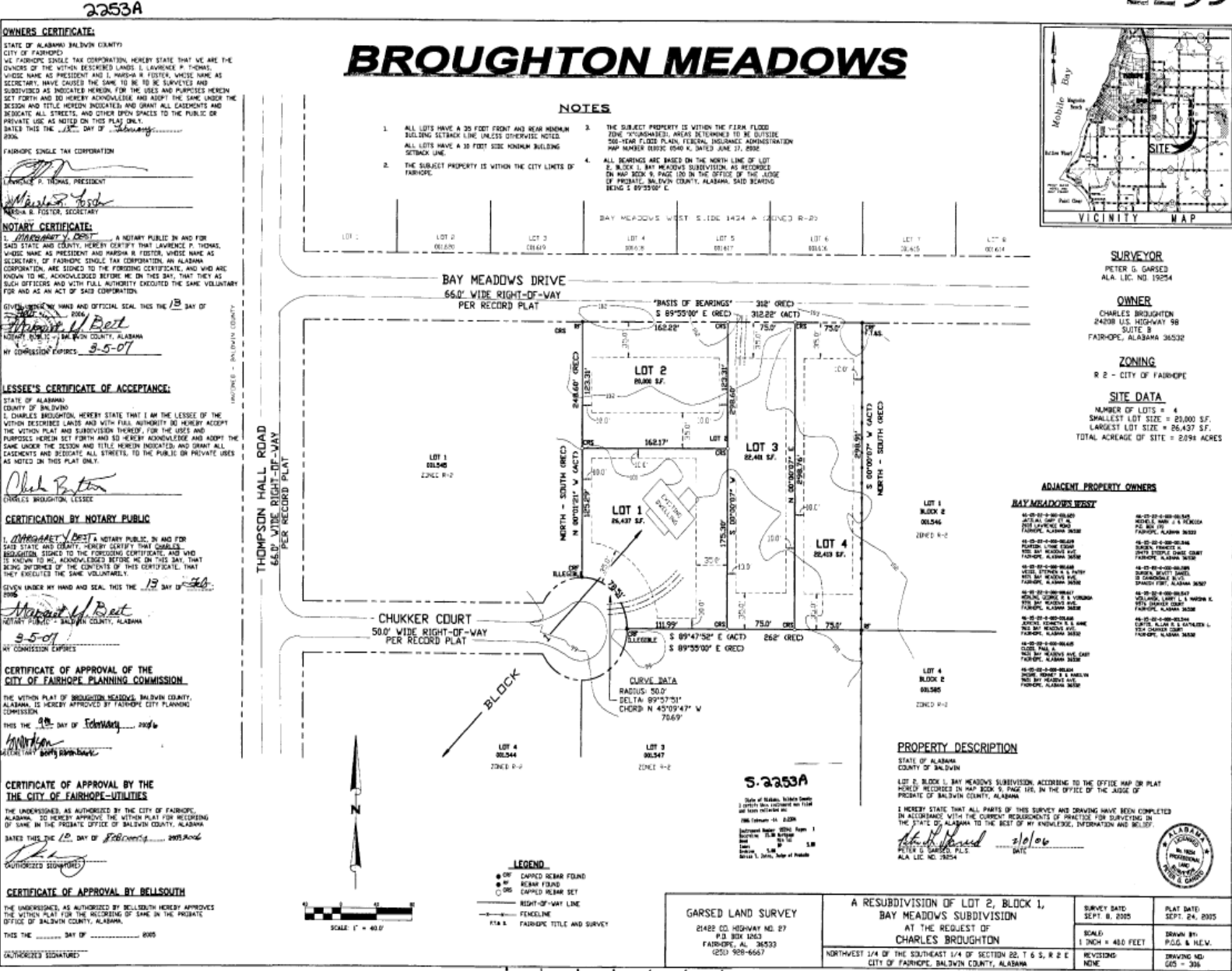
According to the site plan submitted pursuant Article II.C.2(a), the requested 99 single-family residential lots result in a requested density is 2.94 units per acre. Staff conducted a compatibility analysis which indicated a compatible density of 2.01 units per acre.

Weighted Actual	1.089396
Weighted Allowable	2.940308
Weighted Average	2.014852
Requested Density	2.94

The difference between Weighted Actual and Weighted Allowable is due to the larger R-2 sized lots west of the subject property. The larger R-2 lots can be subdivided further and has been done three times.

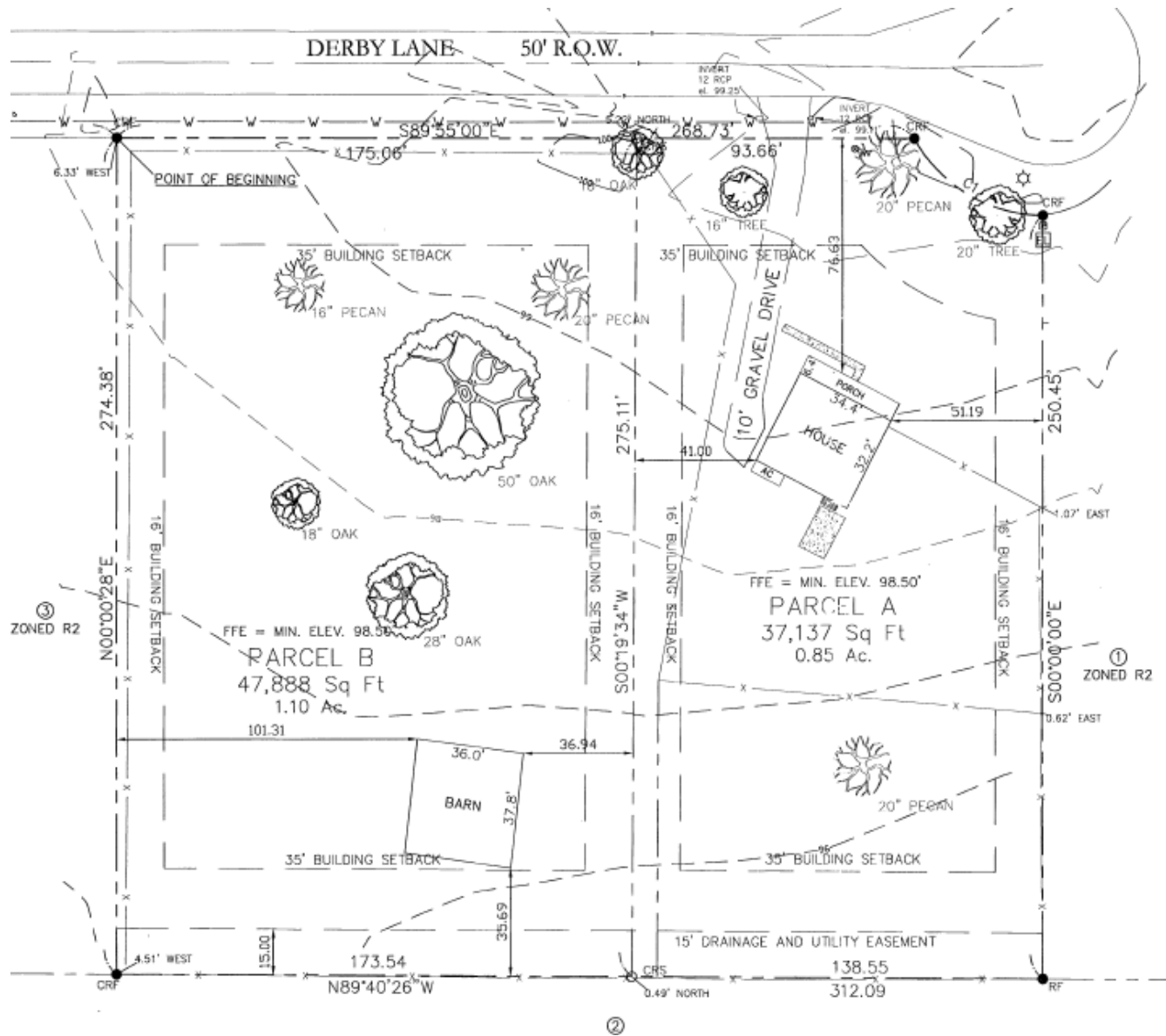
One lot subdivided into four

2253



One lot subdivided into two

SLIDE 0002423-1



REQUIRED SETBACKS
 FRONT: 35 FT
 REAR: 35 FT
 SIDE: 16 FT

SITE DATA
 TOTAL SITE 1.95 AC
 TOTAL LOTS: 2
 LARGEST LOT: 47,888 S.F.
 SMALLEST LOT: 37,137 S.F.
 ZONED: R2 CITY OF FAIRHOPE

CLIENT/OWNER:
 PAUL RIPP
 22985 HIGH RIDGE ROAD
 OR 9654 DERBY LANE
 FAIRHOPE, AL 36532

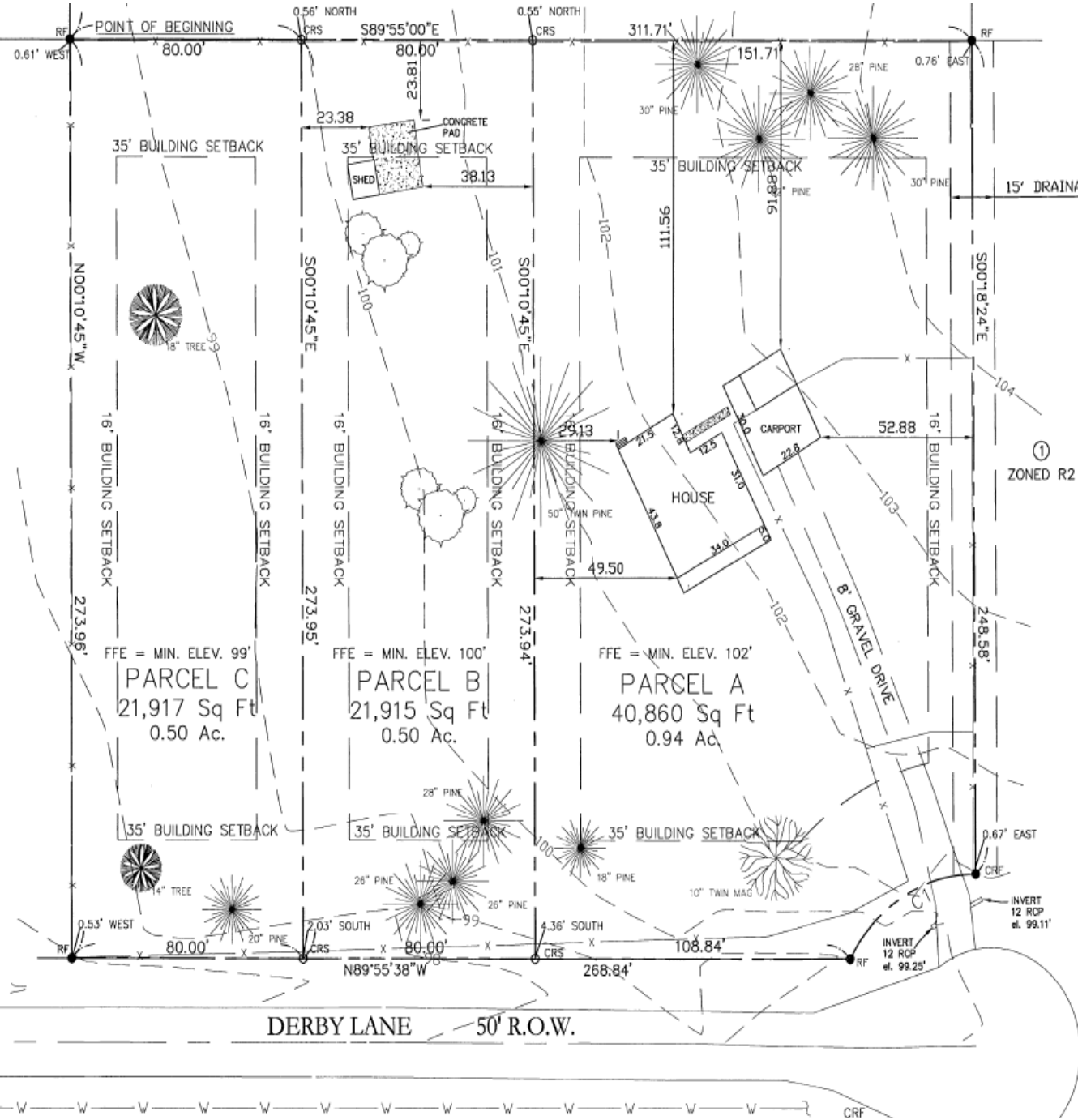
SURVEYOR:
 B. CRAIG JOHNSON
 BES, INC.
 786 MIDDLE STREET
 FAIRHOPE, AL 36532
 (251) 929-0551

ENGINEERING:
 WILLIAM WALTER BOLTON
 BES, INC.
 311 FELLS AVENUE
 FAIRHOPE, AL 36532
 (251) 929-0551

One lot subdivided into three

JUDGE ADRIAN T. JOP
Filed/cont. 9/9/2009
TOTAL \$ 25
1 Pages

SLIDE 0002



REQUIRED SETBACKS

FRONT: 35 FT
REAR: 35 FT
SIDE: 16 FT

SITE DATA

TOTAL SITE 1.94 AC
TOTAL LOTS: 3
LARGEST LOT: 40,860 S.F.
SMALLEST LOT: 21,915 S.F.
ZONED: R2 CITY OF FAIRHOPE

CLIENT/OWNER:

SEDERA DARBY
9655 DERBY LANE
FAIRHOPE, AL 36532

SURVEYOR:

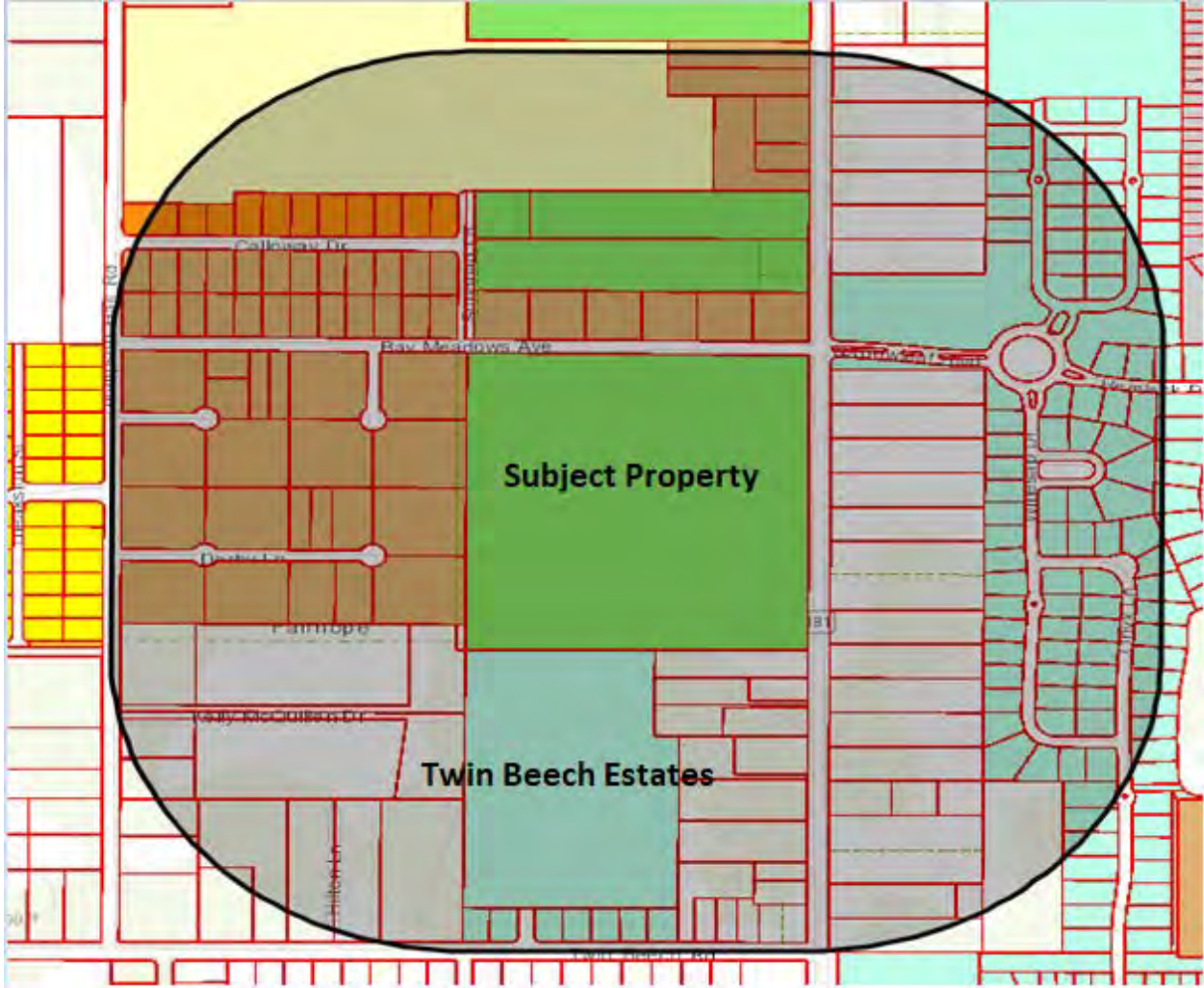
B. CRAIG JOHNSON
BES, INC.
766 MIDDLE STREET
FAIRHOPE, AL 36532
(251) 929-0551

ENGINEERING:

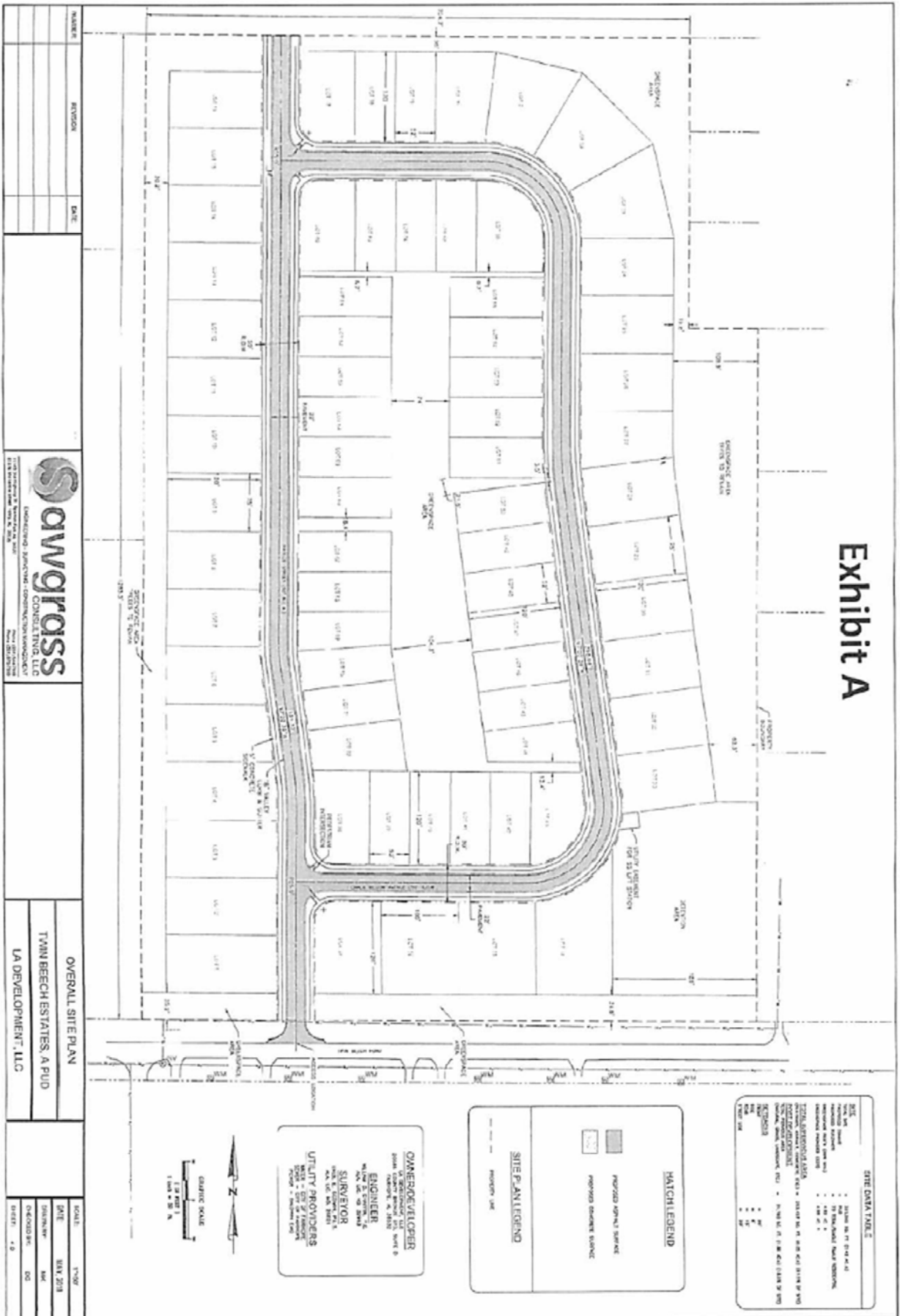
WILLIAM WALTER BOLTON
BES, INC.
311 FELLS AVENUE
FAIRHOPE, AL 36532
(251) 929-0551

The site plan also indicates a green belt along the perimeter separating the subject properties lots and those adjacent to the property. The buffering and separation are used as a mitigation measure between dissimilar lot sizes. The site plan also shows 2 points of access. One from Bay Meadows Ave. and one uses a connection to Twin Beech Estates which has a higher density of 3.18 UPA and similar lot sizes.

The shaded area represents the ¼ mile buffer.



Approved Site Plan Twin Beech Estates PUD 10-22-18



Approved Site Plan Firethorne PUD 6-23-14



(4) Adequacy of public infrastructure to support the proposed development;

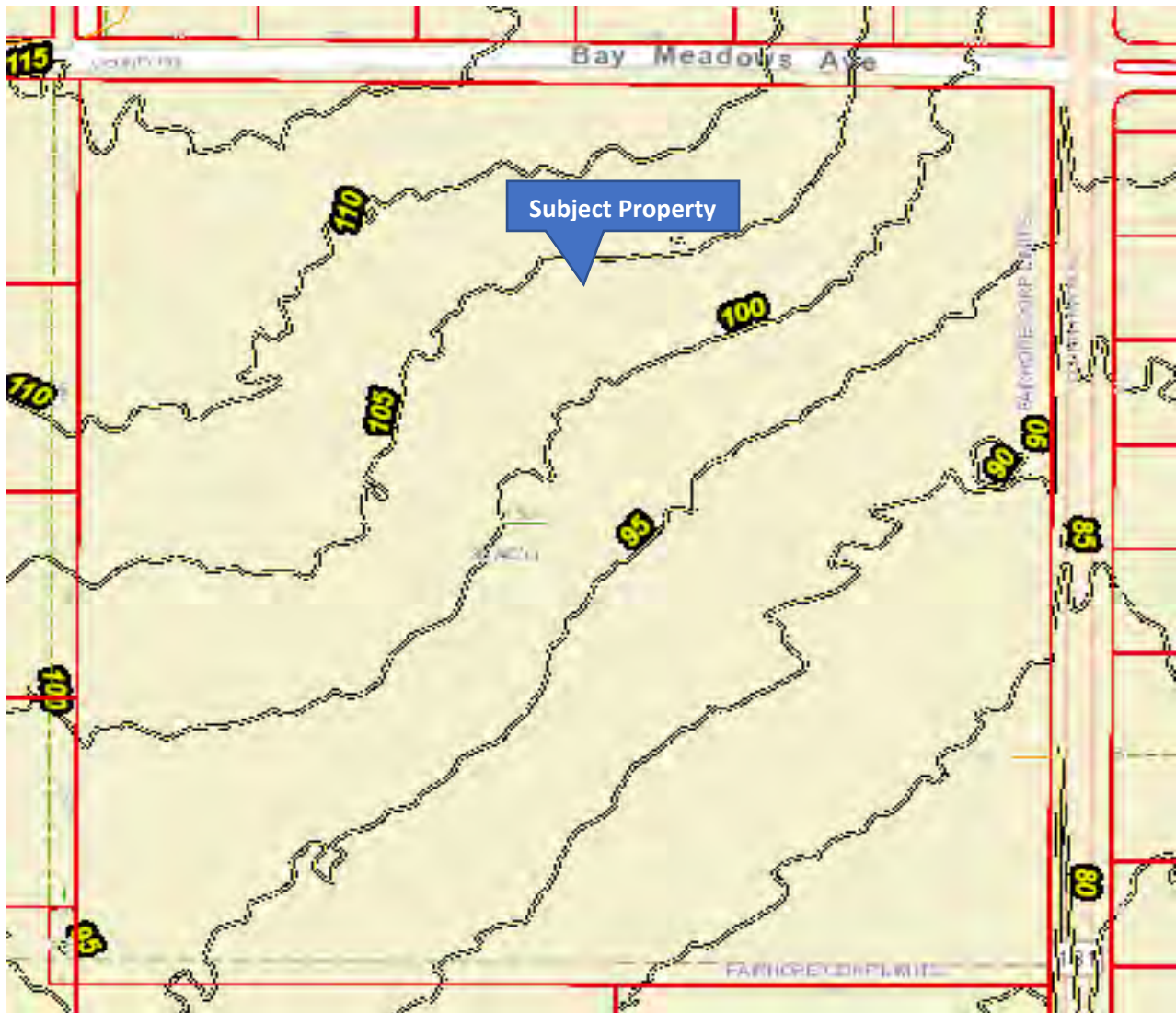
Response:

Fairhope Utilities water and power are readily available and Fairhope Utilities sewer and gas can be made available during the subdivision process.

(5) Impacts on natural resources, including existing conditions and ongoing post-development conditions;

Response:

The subject property is located on previously farmed land with no indication of wetlands being present. The image below indicates the topographic relief. The high point is at an approximate elevation of 115 in the northwest corner and the low point is at an approximate elevation of 80 in the southeast corner. The preliminary site plan shows a retention/detention pond in the southeast corner of the property to capture and treat the stormwater runoff.



(6) Compliance with other laws and regulations of the City;

Response:

At the time of development all applicable laws of the City will be applied.

(7) Compliance with other applicable laws and regulations of other jurisdictions;

Response:

At the time of development all applicable laws will be applied.

(8) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; and,

Response:

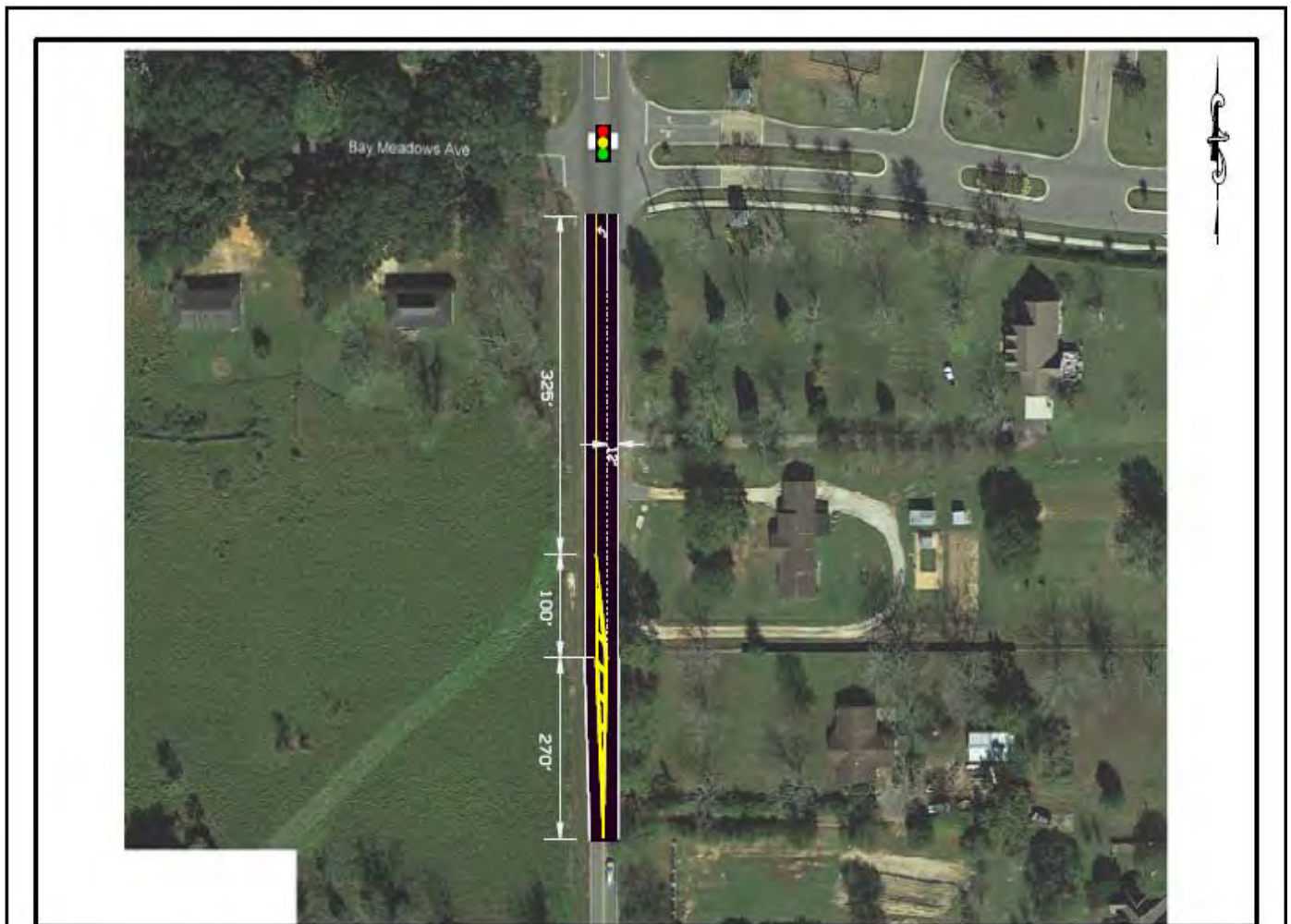
Staff does not anticipate any significant issues relating to these criteria.

(9) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.

Response:

Staff does not anticipate any significant issues relating to these criteria. A traffic study was conducted and any recommended improvements at time of subdivision will be required.

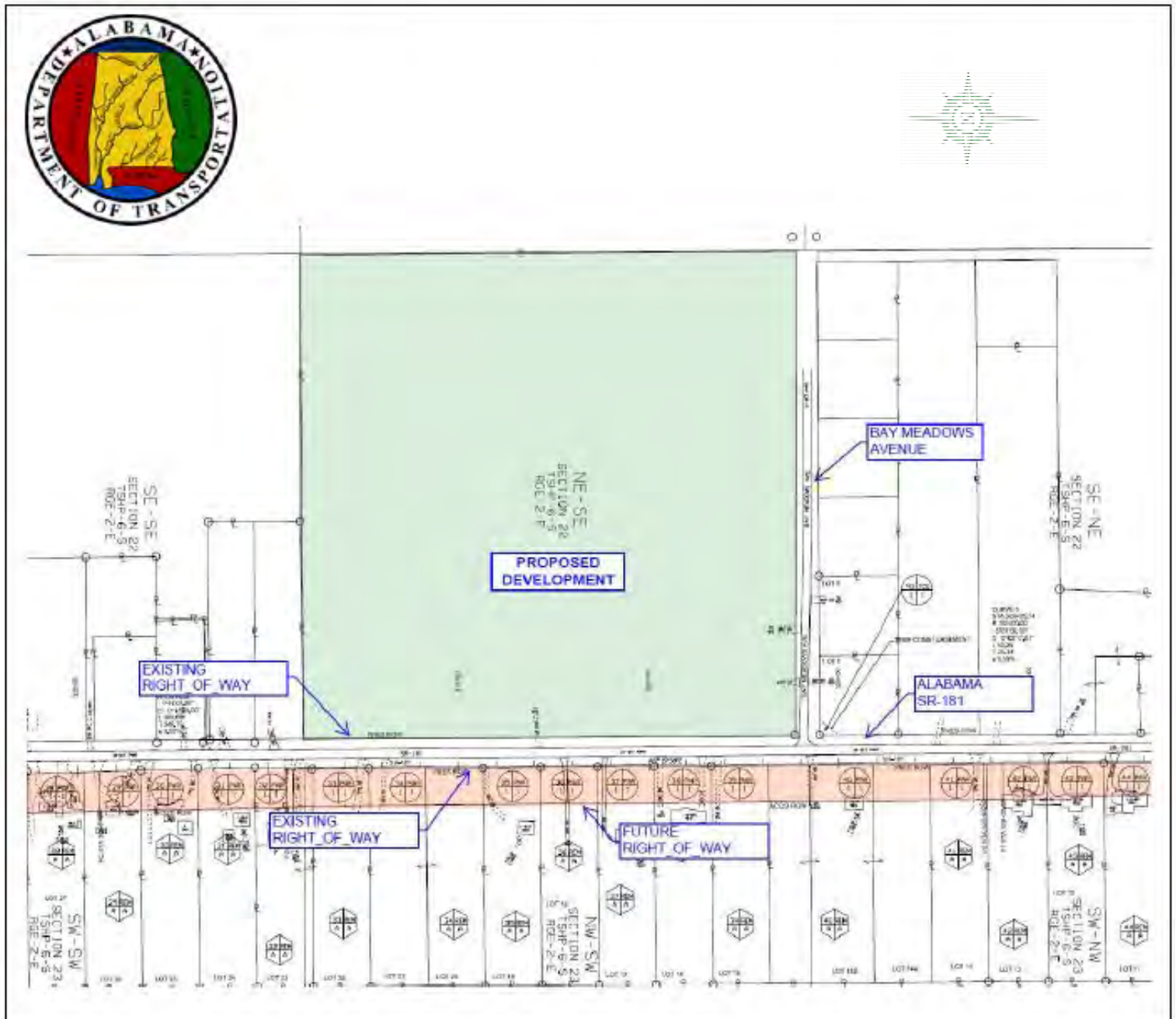
Currently the traffic study recommends that “the intersection of AL Highway 181 and Bay Meadows Avenue be widened to accommodate a northbound left turn lane. This lane will allow the future signal to operate with permitted/protected concurrent left turn phasing for the northbound and southbound approaches.”



	LIVE OAK ESTATES	RECOMMENDED IMPROVEMENTS	FIGURE 5.1
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ALDOT's Future

Alabama DOT has plans to continue the widening of SR-181 south from SR-104. According to ALDOT the project is on hold pending funding, however they have indicated that much of the property for additional right-of-way has been purchased or has at the least been identified for purchase. The map below was provided by ALDOT depicting the area adjacent to the proposed development, indicating that the future expansion is planned for the east side of SR-181. As a result the current west right-of-way and east property.



Comments:

The proposed PUD utilizes buffers that are above the minimum required to retain more of the natural forested vegetation therefore removing less trees. The large pond is to be used as an amenity and not just a basin to capture the storm water. The area around the pond can be used for passive recreation and the pond itself for active recreation such as fishing or kayaking. The developer is proposing a pond that will meet the requirements of the subdivision regulations to allow for 30% of the area to be counted as green space. Currently the greenspace percentage is met without it. If approved the greenspace will likely be increased during the subdivision process. The large green in the middle of the development provides a centralized area for the mail kiosk and room for active and passive recreation. Similar lot sizes to the Twin Beech Estates would allow for a seamless transition between the two developments.

Recommendation:

Staff recommends Case: ZC 19.07 Live Oak Estates be **APPROVED** with the following conditions:

1. The site plan shall reflect the same setbacks as in Table 3-3: Dimensions Table as the “all other residential districts” found in Fairhope’s Zoning Ordinance for accessory structures.

All other residential districts	Behind rear building line of principle structure	5'	5'	no nearer than principle structure	25% of required rear yard	30' but no taller than the principle structure	10'
---------------------------------	--	----	----	------------------------------------	---------------------------	--	-----

2. The site plan shall reflect the setbacks for a 30’ maximum building height and 37% maximum lot coverage by principle structure.
3. The commercial parcel shall have a stand-alone Site Plan review.

CURRENT ZONING
R-A
REQUESTED ZONING
PUD

LIVE OAK ESTATES

A Planned Unit Development

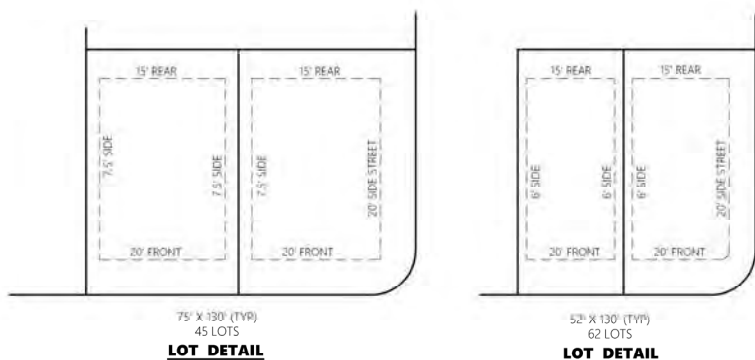
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22
TOWNSHIP 6 SOUTH, RANGE 2 WEST
OF THE ST. STEPHENS MERIDIAN, BALDWIN COUNTY, ALABAMA

JULY 2019

PROPERTY IS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 2 WEST OF THE ST. STEPHENS MERIDIAN, BALDWIN COUNTY, ALABAMA

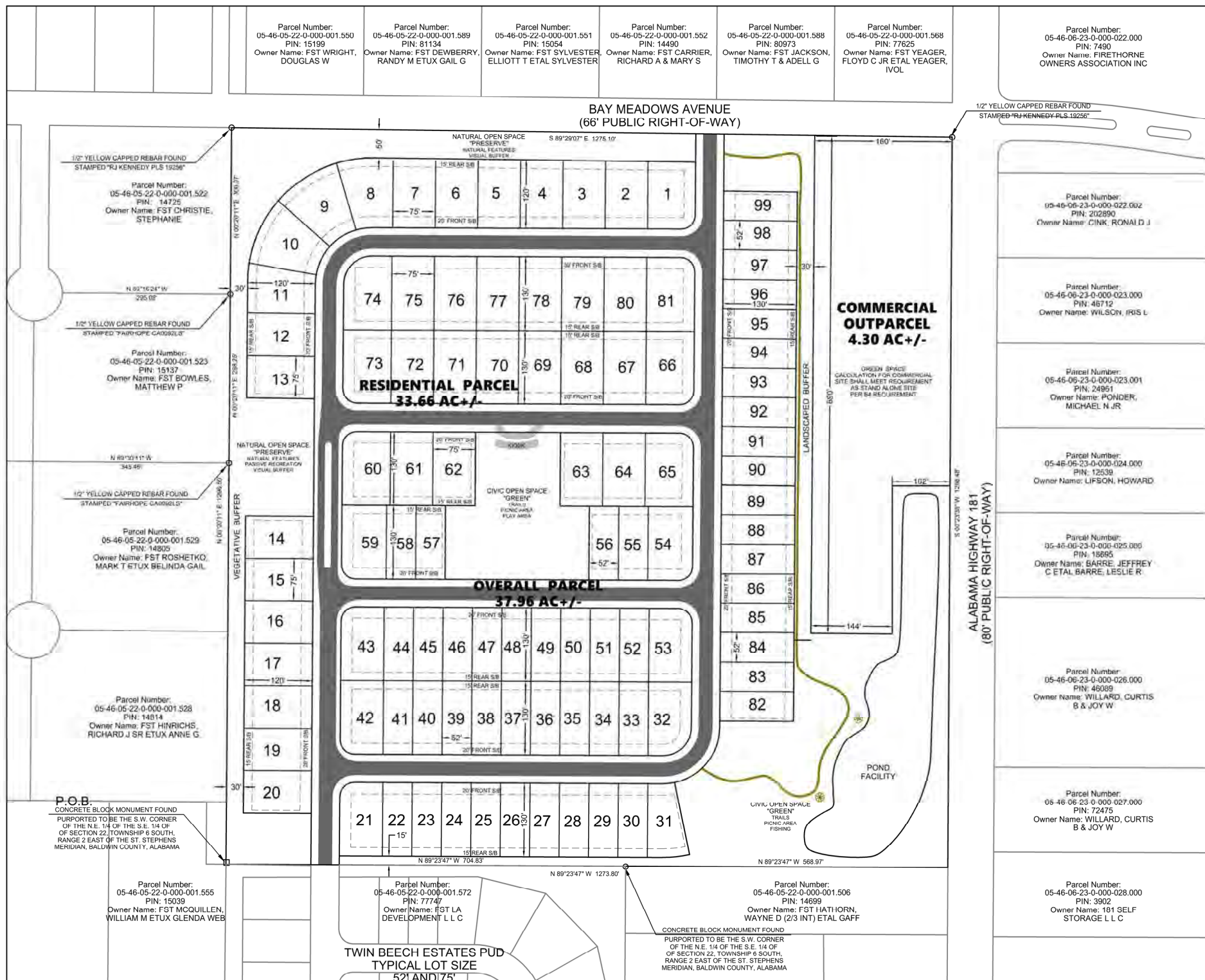


VICINITY MAP



LOT DETAIL

LOT DETAIL



LEGAL DESCRIPTION:
FAIRHOPE, ALABAMA
STATE OF ALABAMA
BALDWIN COUNTY

ALL THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 2 WEST OF THE ST. STEPHENS MERIDIAN, BALDWIN COUNTY, ALABAMA.

MORE PARTICULARLY DESCRIBED AS BEGINNING AT A CONCRETE BLOCK MONUMENT FOUND, PURPORTED TO BE THE S.W. CORNER OF THE N.E. 1/4 OF THE S.E. 1/4 OF SECTION 22, TOWNSHIP 6 SOUTH, RANGE 2 EAST OF THE ST. STEPHENS MERIDIAN, BALDWIN COUNTY, ALABAMA;

THENCE FROM SAID POINT OF BEGINNING, ALONG AND WITH THE WEST MARGIN OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, NORTH 00 DEGREES 20 MINUTES 11 SECONDS EAST, A DISTANCE OF 1296.50 FEET TO A 1/2" YELLOW CAPPED REBAR FOUND, STAMPED "RJ KENNEDY PLS 19256";

THENCE ALONG AND WITH SAID SOUTH MARGIN, SOUTH 89 DEGREES 29 MINUTES 07 SECONDS EAST, A DISTANCE OF 1273.10 FEET TO A 1/2" YELLOW CAPPED REBAR FOUND, STAMPED "RJ KENNEDY PLS 19256", AT THE INTERSECTION OF THE SOUTH MARGIN OF A RIGHT-OF-WAY FOR BAY MEADOWS AVENUE WITH THE WEST MARGIN OF A RIGHT-OF-WAY FOR ALABAMA HIGHWAY 181;

THENCE LEAVING SAID RIGHT-OF-WAY FOR BAY MEADOWS AVENUE, ALONG AND WITH SAID WEST MARGIN OF A RIGHT-OF-WAY FOR ALABAMA HIGHWAY 181, SOUTH 00 DEGREES 23 MINUTES 38 SECONDS WEST, A DISTANCE OF 1298.48 FEET TO A 1/2" YELLOW CAPPED REBAR SET, STAMPED "MULLINS CA#1001", ON SAID WEST MARGIN;

THENCE LEAVING SAID WEST MARGIN, NORTH 89 DEGREES 23 MINUTES 47 SECONDS WEST, A DISTANCE OF 1273.80 FEET (PASSING A 3/4" PIPE FOUND, PROTRUDING 1.5 FEET ABOVE GROUND, AT A DISTANCE OF 568.97 FEET) TO THE POINT OF BEGINNING AND CONTAINING 37.961 ACRES, MORE OR LESS.

MAY BE SUBJECT TO EASEMENTS FOR OVERHEAD UTILITY LINES AND/OR UNDERGROUND SANITARY OR STORM SEWER LINES, AND ANY OTHER RIGHTS-OF-WAY, EASEMENTS OR RESTRICTIONS THAT EXIST, RECORDED OR UNRECORDED.

JOHN J. SCHAFER, PLS # 31150

GENERAL NOTES:

- All common areas, including drainage facilities outside the R/W's are not the responsibility of City of Fairhope to maintain, but shall be owned and maintained by the Live Oak Estates property owners association, as outlined in the covenants and restrictions, to be recorded in the Baldwin County probate records.
- All utilities will be constructed underground. For the location of all utilities, refer to construction plans.
- There is dedicated herewith a 10 foot utility easement on all lot lines adjacent to rights-of-way and a 10 foot (5 feet each side) utility easement along all side lot lines and a 10' utility easement along all common area right-of-ways, unless otherwise shown hereon.
- There is dedicated herewith a 10 foot (5 feet each side) drainage easement along the side and rear of all lots, unless otherwise shown hereon.
- There is dedicated easement that shall follow the principle structure setbacks and a blanket easement over all common areas.

FLOOD CERTIFICATE:
(This property lies within Zone "X" (unshaded) as scaled from the Federal Emergency Management Agency's Flood Insurance Rate Map of Baldwin County, Alabama, Map Number 01003C0663M, Community Number 015000, Panel Number 0663, Suffix M, Map revised date April 19, 2019.

OWNERS/DEVELOPER:
BRELAND HOMES COASTAL, LLC
2101 W. CLINTON AVE., SUITE 201
HUNTSVILLE, ALABAMA 35805

SURVEYOR:
MULLINS, LLC
9949A BELLATON AVENUE
DAPHNE, ALABAMA 36526
JOE A. RECTOR, JR., PLS NO. 30005
BUSINESS LICENSE NO. 1001

ENGINEER:
MULLINS, LLC
41 NORTH JEFFERSON STREET, SUITE 106
PENSACOLA, FLORIDA 32502
MICHAEL J. JONES, PE NO. 29240
BUSINESS LICENSE NO. 32609



COMMON AREA

RESIDENTIAL AREA: 33.66 AC +/-
NET DENSITY: 26.30 AC +/-
*Open Space amounts to be provided shall be based on the net density of a subdivision.

OPEN SPACE REQUIRED:
Percentage Required 20%: 6.73 AC +/-

OPEN SPACE PROVIDED:
Percentage Provided 27.4%: 9.22AC +/-

ELIGIBLE GREENSPACE:
Percentage Provided 22.8%: 7.67 AC +/-

COMMERCIAL AREA:
GREEN SPACE REQUIRED: 4.30 AC +/-
10 %

NOTE: COMMERCIAL SITE SUBJECT TO STAND ALONE SITE PLAN SUBMITTAL AND REVIEW

PROPOSED PUD LOT DATA

PHASE	WIDTH	LOTS	ACREAGE
1	75'	42	
1	52'	57	
1		99	33.66 +/-
PHASE	S.F. BUILDINGS	F.A.R.	ACREAGE
2	80,000 sf	0.33	4.30

TOTAL DENSITY
99 UNITS / 33.66 ACRES = 2.94 UNITS PER ACRE

RESIDENTIAL PARCEL LAND USE IS FOR SINGLE-FAMILY RESIDENTIAL
COMMERCIAL PARCEL LAND USE IS FOR B-4 ZONING

SITE DATA TABLE

PUD – Planned Unit Development

The special standards listed in this section for the Planned Unit development district are intended to:

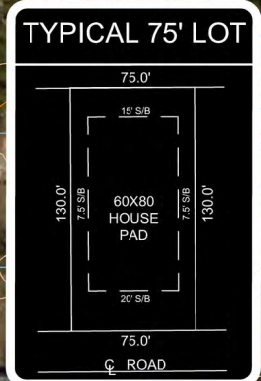
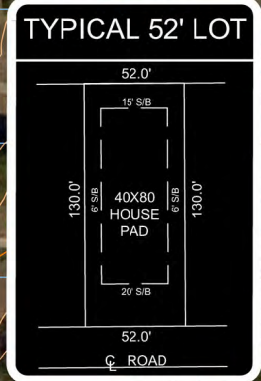
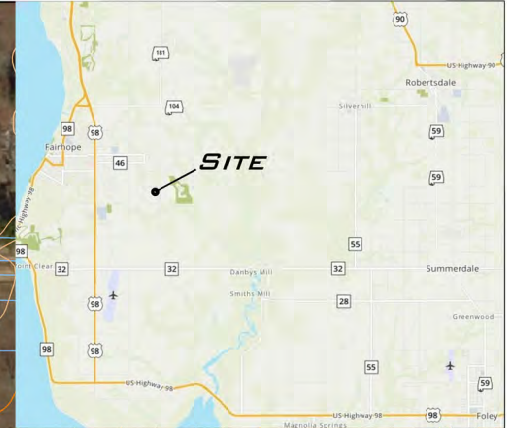
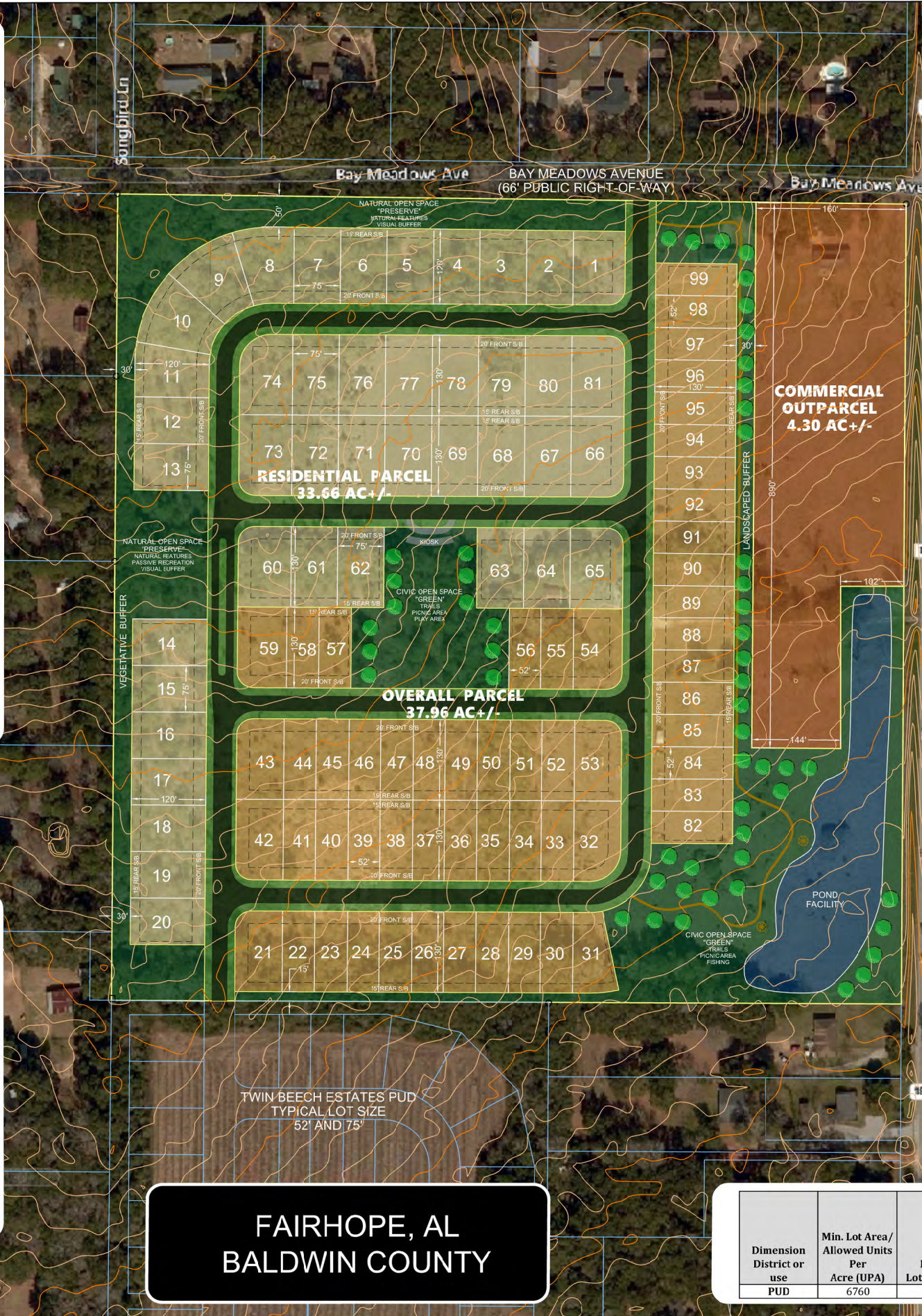
- encourage opportunities for development innovation tailored to a particular site, that while clearly furthering the goals of the comprehensive plan, could not explicitly be established by generally applicable standards or guidelines;
- allow mixed-use development which offer a greater variety in type, design, and layout of buildings;
- encourage land conservation, and more efficient use of open space;
- permit modification of certain controls in a manner so as to produce large area development arranged to better serve community needs..

Conditions Related to Approval – In addition to the general criteria for zoning map amendments, a map amendment to the PUD district shall include review of the following conditions for compliance with the goals and intent of the Comprehensive Plan and this ordinance.

- Setbacks for building structures
- Public street access
- Vehicular traffic, circulation, connections, and parking
- Screening or buffer zones
- Hours of operation
- Activities or uses permitted on the property
- Building or structure heights
- Landscaping
- Maximum lot coverage, impervious percentages
- Pedestrian circulation
- Signs
- Mitigation of noise, fumes, odors, vibration or airborne particles
- Exterior lighting
- Exterior construction materials
- Special fire protection
- Outside storage and display of merchandise
- Refuse and waste storage
- Lot size and dimensions
- Accessory buildings
- Drainage
- Other information shown on the site plan

LOT DATA TABLE

PROPERTY ACREAGE:	37.96± ACRES (TOTAL)
COMMERCIAL AC:	4.30± ACRES
RESIDENTIAL AC:	33.66± ACRES
52' LOTS:	57 LOTS
75' LOTS:	42 LOTS
OPEN SPACE RQD. 20%:	6.73 AC+/-
OPEN SPACE TBP 27.4%:	9.22 AC+/-
ELIGIBLE GREENSPACE:	7.67 AC+/- (22.8%)
REQUESTED DENSITY:	2.94 UNITS PER ACRE



**FAIRHOPE, AL
BALDWIN COUNTY**

Dimension District or use	Min. Lot Area/ Allowed Units Per Acre (UPA)	Min. Lot Width	Setbacks				Max. total lot coverage by principle structure	Max. height
			Front	Rear	Side	Street side		
PUD	6760	52'	20'	15'	6'	20'	40%	30'

All documents, including Drawings and Bid Specifications, prepared or furnished by Firms listed on face, are instruments of service in respect of the client and firms listed on face, shall remain an ownership and property of the client and shall not be reproduced, copied, or used for any other project. Any reuse without the written verification of Firms listed on face will entitle Firms listed on face to further compensation at rates to be agreed upon by Firms listed on face and the Client.

MULLINS, LLC
 9949A Bellaton Avenue,
 Daphne, AL 36526
 (850) 378-8141



Preliminary Plan
Live Oak Estates
 City of Fairhope, Baldwin County, AL
 PREPARED FOR: Breland Homes Coastal, LLC



Job No: 19-113P
 Date: 03/18/2019
 Drawn by: JAR
 Approved by: BRE

SHEET NUMBER

Live Oak Estates
Fairhope, Alabama

Legend



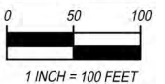
Date	By

All documents, including Drawings and Bid Specifications, prepared or furnished by Firms listed on face, are instruments of service in respect of the client and firms listed on face, shall retain an ownership and property interest in such documents and shall not be loaned, copied, reproduced, or otherwise disseminated without the written consent of the Client. Such documents are not to be used for any other project. Any reuse without written verification by Firms listed on face will entitle Firms listed on face to further compensation at rates to be agreed upon by Firms listed on face and the Client.

MULLINS, LLC
9949A Bellaton Avenue,
Daphne, AL 36526
(850) 378-8141



Preliminary Plan
Live Oak Estates
City of Fairhope, Baldwin County, AL
PREPARED FOR: Breland Homes Coastal, LLC



Job No: 19-113P
Date: 03/18/2019
Drawn By: JAR
Approved By: BRE

SHEET NUMBER
1



Planning Commission

August 5, 2019

Zoning Change: R-2 to B-1

Case: ZC 19.09 303 Fels Ave.

Project Name:
ZC 19.09 303 Fels

Project Type:
Zoning Change R-2 to B-1

Project Acreage:
Approximately .4 acres

Jurisdiction:
City of Fairhope

PPIN Number:
37258

General Location:
One lot east of the northeast corner of the intersection of Fels Ave and Church St.

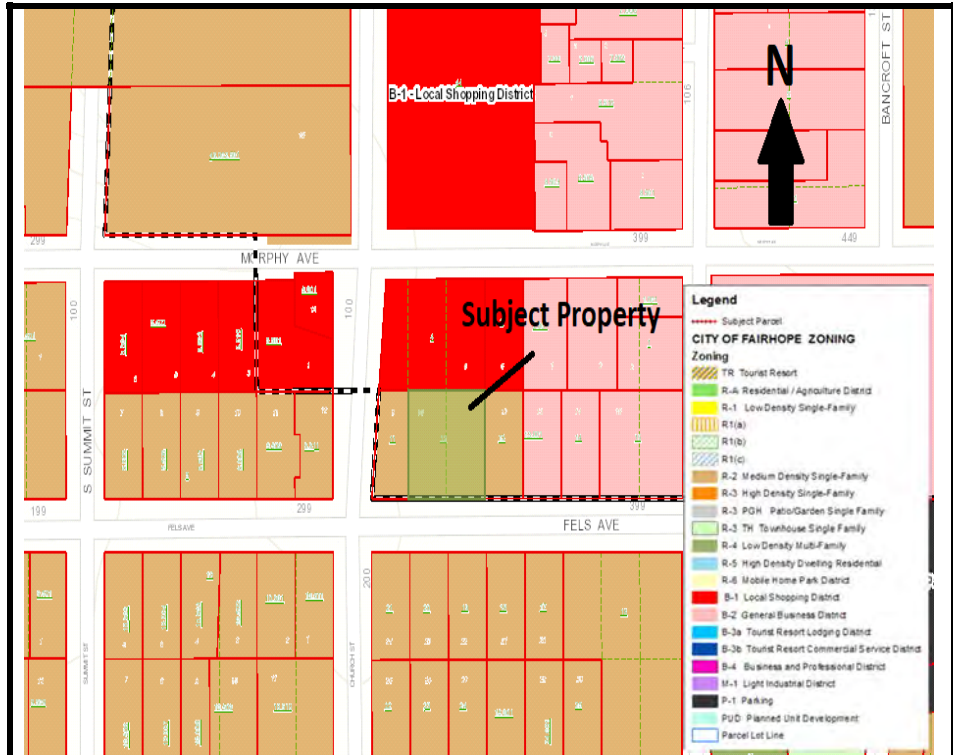
Engineer:
None

Applicant:
Anil Vira

School District:
Fairhope Elementary
Fairhope Intermediate
Fairhope Middle
Fairhope High

Recommendation:
Approve

Prepared by:
Mike Jeffries, QCI
City Planner



Summary of Request:

The applicant is requesting to rezone the subject property which is in the Central Business District (CBD) from R-2 Medium Density Single-Family Residential District to B-1 Local Shopping District. The property currently contains a home that is to be converted to a real estate office if the zoning change request is approved.

Comments:

The subject property being in the CBD makes it appropriate for its underlying zoning to be commercial. The subject property is bordered by R-2 zoned properties to the east and west. The property to the east is Bay Shore Ballet Academy the west side is the First Church of Christ Scientist. The property to the north is zoned B-1. This area of the CBD is a 1/2 block of contiguous B-1 zoning on the west side between De la Mare St. and Morphy Ave. The table below is an excerpt from Fairhope's Zoning Ordinance reflecting the uses for areas zoned B-1 and B-2. Staff believes rezoning to B-1 is the appropriate zoning for the property. It allows the office use requested by the applicant and is less intense in use than B-2 General Business District.



Zoning District	11-1	11-2
Uses Categories / Specific Uses		
Dwelling		
Single-family	●	●
Two-family	●	●
Townhouse	●	●
Patio Home		
Multiple-family / Apartment		
Manufactured Home		
Mixed-use	●	●
Accessory Dwelling	●	●
Estate		
Civic		
Elementary School	●	●
Secondary School	●	●
Education Facility	●	●
Library	●	●
Place of Worship		
Cemetery	○	○
Hospital	○	○
Public Open Space	●	●
Common Open Space	●	●
Community Center or Club	○	○
Public Utility (??)	○	○
Office		
General	●	●
Professional	●	●
Home Occupation	●	●
Retail		
Grocery	●	●
Convenience Store	●	●
General Merchandise	●	●
Shopping Center	●	●
Automobile Service Station	○	○
Outdoor Sales Limited		
Outdoor Sales Lot		
Garden Center		
Service		
Convalescent or Nursing Home	○	○
Clinic	○	○
Outdoor Recreation Facility		
Day Care	○	○
General Personal Services	●	●
Mortuary or Funeral Home		
Automobile Repair		
Indoor Recreation	●	●
Dry Cleaner / Laundry		
Personal Storage		
Bed & Breakfast		
Hotel / Motel		
Boarding House or Dormitory		
Recreational Vehicle Park		
Restaurant		
Bar		
Entertainment Venue		
Marina		
Kennel or Animal Hospital		
Warehouse		
Junk Yard or Salvage Yard		
Manufacturing		
Limited		
Light		
General		
Food Processing		
Rural		
Agriculture		
Rural Market		
Plant Nursery		

- Permitted subject to general ordinance standards and conditions.
- Permitted subject to special conditions listed in the ordinance
- Permitted only on appeal and subject to special conditions

Criteria – The application shall be reviewed based on the following criteria:

(1) Compliance with the Comprehensive Plan;

Response: The requested zoning is B-1 Local Shopping District and subject property is in the Central Business District. The subject property is in the Downtown Village per the Comprehensive Plan. Therefore, the requested zoning is consistent with the Comprehensive Plan guidance in terms of a commercial use.

(2) Compliance with the standards, goals, and intent of this ordinance;

Response: The CBD encourages infill development, including shopping, restaurant and entertainment, cultural and artistic institutions, offices, government functions, and residential uses.

(3) The character of the surrounding property, including any pending development activity;

Response: The surrounding property is primarily commercial use and compatible to the recommended zoning change.

(4) Adequacy of public infrastructure to support the proposed development;

Response: There is a current structure that utilizes utilities.

(5) Impacts on natural resources, including existing conditions and ongoing post-development conditions;

Response: Subject property is already developed.

(6) Compliance with other laws and regulations of the City;

Response: At the time of any redevelopment all applicable laws of the City will be applied.

(7) Compliance with other applicable laws and regulations of other jurisdictions;

Response: At the time of a redevelopment all applicable laws will be applied.

(8) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; and,

Response: Staff does not anticipate any significant issues relating to this criterion.

(9) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.

Response: Staff does not anticipate any significant issues relating to this criterion.

Subject Property looking northwest from across street on Fels Ave.



Subject Property looking northeast from across street on Fels Ave.



Recommendation:

Staff recommends Case: ZC 19.09 303 Fels Avenue rezoning from R-2 to B-1 be **Approved**.



Planning Commission

August 5, 2019

Zoning Change: M-1 to PUD

Case: ZC 19.12 Summer Lane PUD

Project Name:
Summer Lane PUD

Project Type:
Zoning Change From M-1 Industrial District To PUD-Planned Unit Development

Jurisdiction:
City of Fairhope

PPIN Number:
5611

General Location:
West side of Section Street
Approximately 300' south of the intersection of Pecan Ave and Section Street.

Project Acreage:
Approximately 5.2 acres

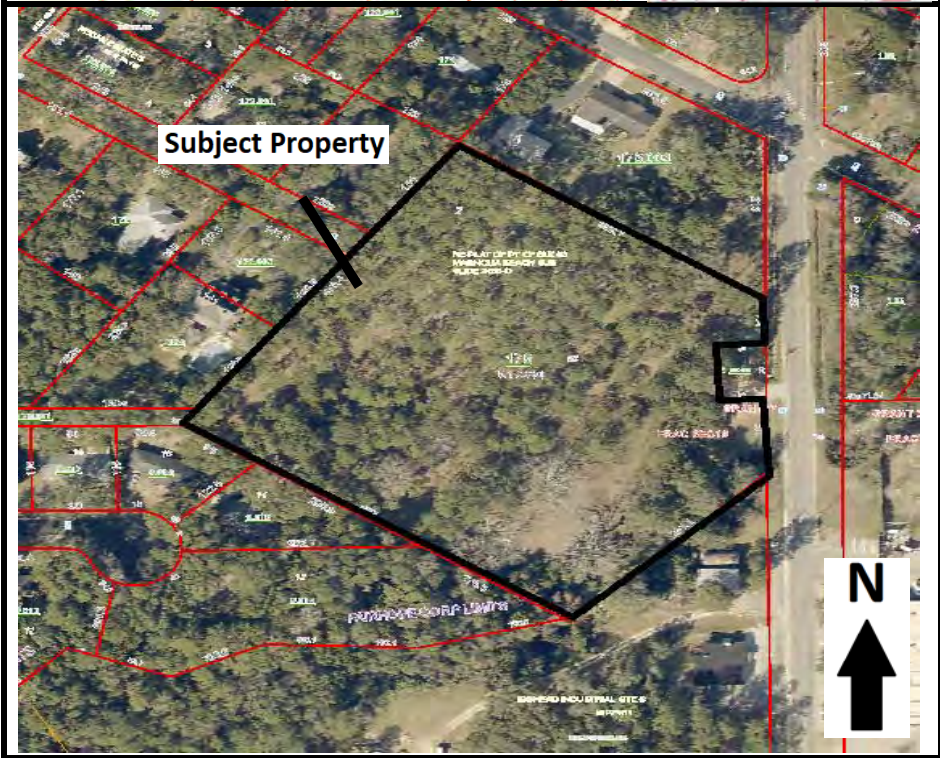
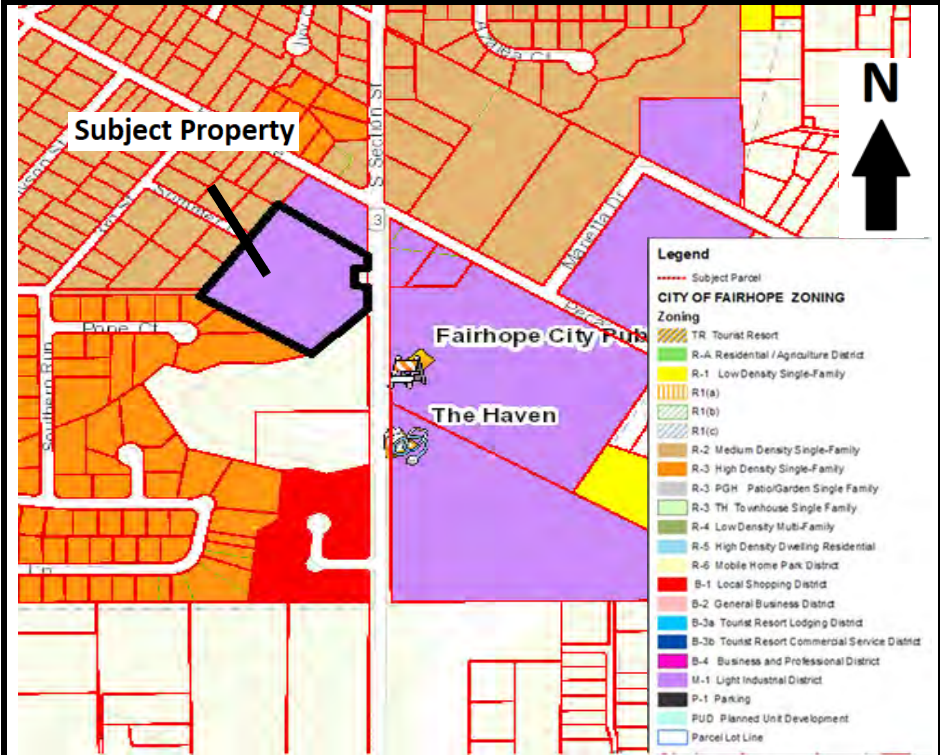
Engineer:
Dewberry Engineers, Inc

Applicant:
Dewberry Engineers, Inc

School District:
Fairhope Elementary
Fairhope Intermediate
Fairhope Middle
Fairhope High

Recommendation:
Denial

Reviewed by:
Mike Jeffries, QCI
City Planner



Summary of Request:

The applicant is requesting a re-zoning of approximately 5.2 acres from M-1 Light Industrial to a PUD-Planned Unit Development. The property is located approximately 300' south of the intersection of Pecan Ave. and Section Street on the west side of Section Street. The applicant is proposing 15 single family dwelling units. The requested density is 2.87 units per acre.

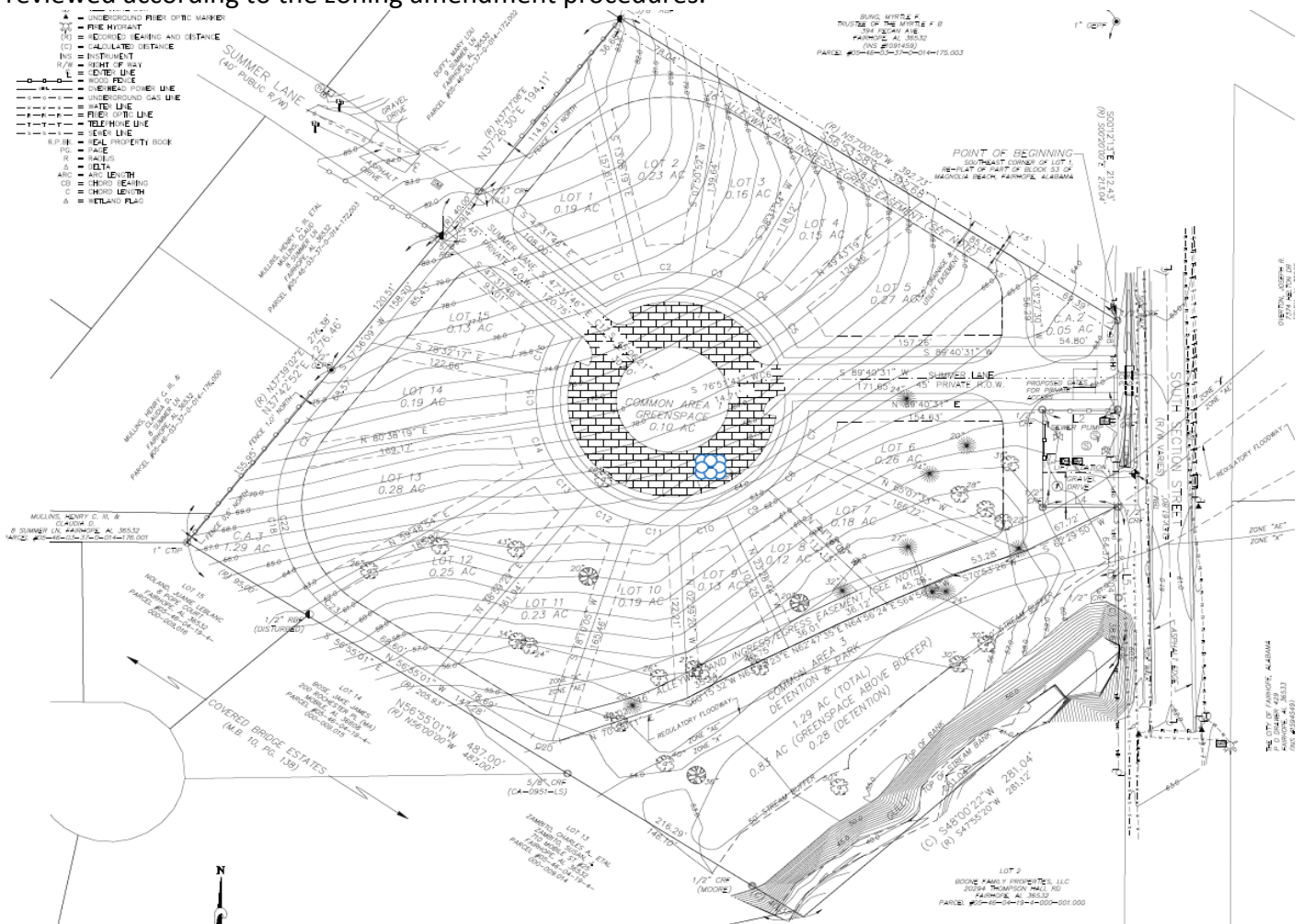
The concept for this development as provided by the applicant:

Provide a village concept with all residences sharing common architectural designs and elements per an established pattern book, to give the development a true cohesive architectural plan. All of the exterior materials will be similar in color and the general roof slopes will be the same. The Summer Lane site plan design places a priority on community, social interaction, shared green spaces and a pedestrians, cyclist, and golf cart friendly environment.

Current Conditions:

The subject property currently is a maintained wooded vacant parcel and has a gully on the southeastern side of the property.

The site plan below was provided pursuant to the Fairhope Zoning Ordinance, Article II.C.2(a) which says in part "Initiation – Review of (preliminary) site plans accompanying a zoning map amendment shall be reviewed according to the zoning amendment procedures."



Comments:

Fairhope Zoning Ordinance

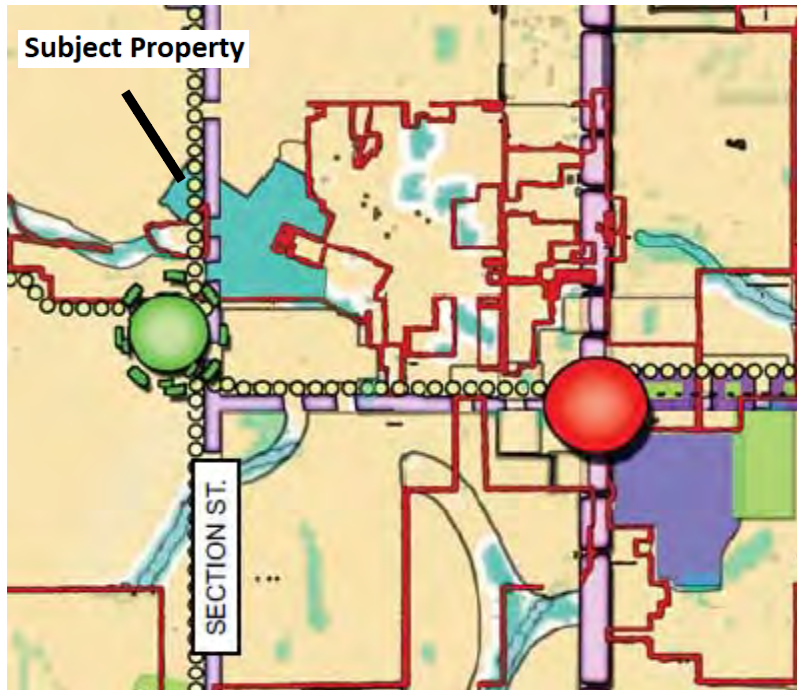
Article II.C(e).

Criteria – The application shall be reviewed based on the following criteria:

(1) Compliance with the Comprehensive Plan;

Response:

The requested zoning is a PUD which is intended to encourage innovative development that meets the comprehensive plan goals and is tailored to the unique constraints and conditions of a particular site. The proposed PUD is a single-family residential use designed around the natural features and limited road frontage on Section Street and Summer Lane. This development proposes to connect to an existing dead end street improving connectivity and the development is in walking distance to Fairhope parks and the down town area.



(2) Compliance with the standards, goals, and intent of this ordinance;

Response:

The purpose of this district is intended to encourage innovative development that meets comprehensive plan goals and is tailored to the unique constraints and conditions of a particular site. This district allows flexibility in uses, designs, and building layouts as opposed to other zoning districts to better serve community needs.

Building Setbacks:

Front – 20'
Rear – Alley
Side – 8'
Street Side – 8'
Max Building Height – 30'
Max Lot Coverage – 32.5%

Parking:

4 Spaces per lot (2 enclosed or covered, 2 outside)
13 guest spaces at roundabout

If the rezoning is approved, any subsequent subdivision plat must conform to the above standards which will be included on the site plan.

(3) The character of the surrounding property, including any pending development activity;

Response:

The proposed PUD will utilize lots that are approximately 45' in width at the building setback line. The zoning of the surrounding property is R-3 High Density Single-Family to the north and southwest, R-2 Medium Density Single-Family to the west, north, and northwest, and M-1 to the north and across Section Street on the east side. The M-1 property to the norths current use is single family with the subject property owners residence and the M-1 property across Section Street houses the City of Fairhope's Public Works.

(4) Adequacy of public infrastructure to support the proposed development;

Response:

Fairhope Utilities are readily available and upsizing or improvement needs would be reviewed during the subdivision process.

(5) Impacts on natural resources, including existing conditions and ongoing post-development conditions;

Response:

The subject property has a gully located on it and there is a proposed retention/detention pond in the southeast corner of the property to capture and treat the stormwater runoff from the site before entering the gully. Additional LID techniques may be required during the subdivision process to ensure post development flow is less than or equal to pre-development flow. And to ensure a minimum of 80% total suspended solids removal.

(6) Compliance with other laws and regulations of the City;

Response:

At the time of development all applicable laws of the City will be applied. There will be the need for various waivers from Fairhope's Subdivision Regulations during the subdivision process if this zoning change request is approved.

(7) Compliance with other applicable laws and regulations of other jurisdictions;

Response:

At the time of development all applicable laws will be applied.

(8) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; and,

Response:

Staff does not anticipate any significant issues relating to these criteria. A traffic study shall be required for all applications that will generate an average daily traffic (ADT) count of 1,000 trips or more, or which will generate 50 trips or more during any peak hour period.

(9) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.

Response:

Staff does not anticipate any significant issues relating to these criteria. A traffic study may be required

Comments:

The proposed PUD characterizes the intent of the PUD district by proposing an innovative design that is not your typical lot and block subdivision that could not be done in any other zoning district. The proposed design is to allow for a community to be developed near the downtown area that has very minimal maintenance and promotes a pedestrian friendly environment. The applicant goes into detail in the attached narrative.

The design for this community also incorporates some aspects that would require multiple waivers from the subdivision regulations to be approved by the Planning Commission during the subdivision process. They desire to have the entrance from Section Street gated, to have private roads, to have non-paved roads. The private non paved roads then require a waiver to create lots not on paved publicly maintained road. The 15% green space requirement based on the net density is met but only by counting the 16' alley as one continuous driveway and not a private ROW. During the subdivision process this could require a waiver as well.

There is an alleged mapping error on the FEMA Flood Maps and the applicant is on the process of requesting a Letter of Map Amendment (LOMA) through FEMA. A flood way is mapped north of where the topographic survey shows the gulley being located. Staff does not disagree that there may be a possible error but, because of this the site had to be designed around where the floodway is mapped. If this PUD is approved and the LOMA is granted by FEMA a possible PUD amendment could be done to increase the lot sizes and other small aspects of the design.

Although staff approves of the design and concept of this project staff can not recommend approval of a PUD that would require the Planning Commission to also approve the various waivers that would be associated with the subdivision application.

Recommendation:

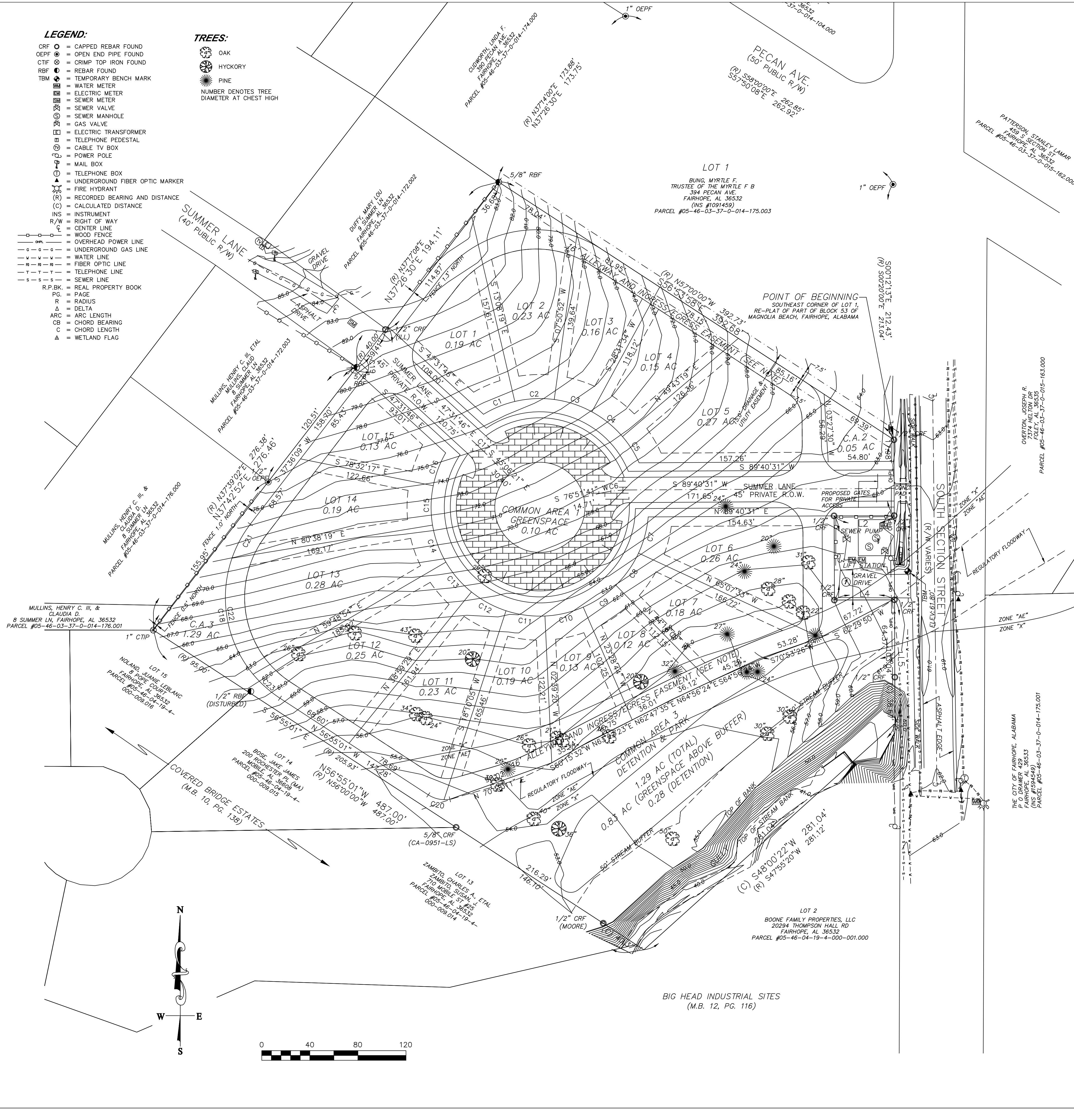
Staff recommends Case: ZC 19.12 Summer Lane PUD be **DENIED**.

LEGEND:

- CRF ○ = CAPPED REBAR FOUND
- OEPF ⊙ = OPEN END PIPE FOUND
- CTIF ⊙ = CRIMP TOP IRON FOUND
- RFB ⊙ = REBAR FOUND
- TBM ⊙ = TEMPORARY BENCH MARK
- = WATER METER
- ⊠ = ELECTRIC METER
- ⊠ = SEWER METER
- ⊠ = SEWER VALVE
- ⊠ = SEWER MANHOLE
- ⊠ = GAS VALVE
- ⊠ = ELECTRIC TRANSFORMER
- ⊠ = TELEPHONE PEDESTAL
- ⊠ = CABLE TV BOX
- ⊠ = POWER POLE
- ⊠ = MAIL BOX
- ⊠ = TELEPHONE BOX
- ⊠ = UNDERGROUND FIBER OPTIC MARKER
- ⊠ = FIRE HYDRANT
- (R) = RECORDED BEARING AND DISTANCE
- (C) = CALCULATED DISTANCE
- INS = INSTRUMENT
- R/W = RIGHT OF WAY
- C.L. = CENTER LINE
- = WOOD FENCE
- = OVERHEAD POWER LINE
- = UNDERGROUND GAS LINE
- = WATER LINE
- = FIBER OPTIC LINE
- = TELEPHONE LINE
- = SEWER LINE
- R.P.BK. = REAL PROPERTY BOOK
- PG. = PAGE
- R = RADIUS
- Δ = DELTA
- ARC = ARC LENGTH
- CB = CHORD BEARING
- C = CHORD LENGTH
- Δ = WETLAND FLAG

TREES:

- = OAK
- = HYCORY
- = PINE
- = NUMBER DENOTES TREE DIAMETER AT CHEST HIGH



SITE DATA:

EXISTING ZONE: M-1
 PROPOSED ZONE: PUD
 TOTAL AREA: 5.22 AC.
 NO. OF LOTS: 15
 DENSITY: 2.87 UNITS/AC.
 SMALLEST LOT: 5,430 S.F. (LOT 8)
 LARGEST LOT: 16,065 S.F. (LOT 13)
 STREETS: 649 L.F.
 ELIGIBLE GREENSPACE: 0.79 AC. (15.1%)
 DETENTION: 0.28 AC. (5.4%)

MAX BUILDING HEIGHT: 30'
 MAX LOT COVERAGE: 32.5%
 PARKING:

4 SPACES PER LOT (2 ENCLOSED, 2 OUTSIDE)
 13 GUEST SPACES AT ROUNDABOUT
 BLDG. SETBACKS:

FRONT- 20'
 REAR- ALLEY
 SIDE- 8'
 STREET SIDE- 8'

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	28.21'	90.50'	S 67°44'21" W	28.09'
C2	33.00'	90.50'	S 87°06'56" W	32.82'
C3	33.11'	90.50'	N 71°57'20" W	32.93'
C4	32.93'	90.50'	N 51°02'59" W	32.75'
C5	28.01'	90.50'	N 32°23'32" W	25.92'
C6	22.36'	100.00'	N 83°18'06" E	22.32'
C7	31.36'	90.50'	N 14°56'49" E	31.20'
C8	32.89'	90.50'	S 35°17'09" W	32.71'
C9	32.89'	90.50'	S 56°06'34" W	32.71'
C10	32.89'	90.50'	N 76°55'58" E	32.71'
C11	32.92'	90.50'	S 82°14'03" E	32.74'
C12	32.86'	90.50'	S 61°24'39" E	32.68'
C13	32.89'	90.50'	S 40°35'48" E	32.71'
C14	32.89'	90.50'	S 19°46'24" E	32.71'
C15	32.89'	90.50'	N 01°03'01" E	32.71'
C16	29.28'	90.50'	S 20°43'55" W	29.16'
C17	4.23'	100.00'	N 46°19'04" W	4.23'
C19	11.89'	8.00'	S 04°57'49" E	10.82'
C20	18.82'	25.00'	S 78°28'42" E	18.37'
C21	32.28'	100.00'	N 28°21'16" E	32.14'
C22	102.61'	100.00'	N 10°17'25" W	98.17'
C23	30.07'	100.00'	S 48°18'06" E	29.96'

SURVEYOR'S CERTIFICATE:

STATE OF ALABAMA
 COUNTY OF BALDWIN

WE, DEWBERRY, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

LOT 2, RE-PLAT OF PART OF BLOCK 53 OF MAGNOLIA BEACH, FAIRHOPE, ALABAMA, AS SHOWN IN MAP OR PLAT RECORDED IN SLIDE 2635-D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A 1/2" INCH CAPPED REBAR AT THE SOUTHEAST CORNER OF LOT 1, RE-PLAT OF PART OF BLOCK 53 OF MAGNOLIA BEACH, FAIRHOPE, ALABAMA, AS SHOWN IN MAP OR PLAT RECORDED IN SLIDE 2635-D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°12'13" EAST ALONG THE WEST RIGHT OF WAY OF SOUTH SECTION STREET, A DISTANCE OF 63.09 FEET TO A 1/2" INCH CAPPED REBAR; THENCE LEAVING SAID WEST RIGHT OF WAY, RUN SOUTH 89°47'47" WEST, A DISTANCE OF 50.00 FEET TO A 1/2" INCH CAPPED REBAR; THENCE RUN SOUTH 00°12'13" EAST, AND PARALLEL TO SAID WEST RIGHT OF WAY, A DISTANCE OF 70.05 FEET TO A 1/2" INCH CAPPED REBAR; THENCE RUN NORTH 89°47'47" EAST, A DISTANCE OF 50.00 FEET TO A 1/2" INCH CAPPED REBAR ON SAID WEST RIGHT OF WAY; THENCE RUN SOUTH 00°12'13" EAST ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 103.04 FEET TO A POINT ON THE NORTH LINE OF LOT 2, BIGHEAD INDUSTRIAL SITES, AS SHOWN IN MAP OR PLAT RECORDED IN SLIDE 1072-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 48°00'22" WEST ALONG SAID NORTH LINE, A DISTANCE OF 281.04 FEET TO A POINT; THENCE RUN NORTH 56°55'01" WEST ALONG PART OF SAID NORTH LINE OF LOT 2 AND ALONG THE EASTERLY LINE OF COVERED BRIDGE ESTATES, AS SHOWN BY MAP OR PLAT RECORDED IN SLIDE 905-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, A DISTANCE OF 487.00 FEET TO A 1" INCH CRIMP TOP; THENCE RUN NORTH 37°42'52" EAST A DISTANCE OF 276.46 FEET TO A 5/8" INCH REBAR ON THE SOUTHWEST CORNER OF SUMMER LANE; THENCE RUN NORTH 37°26'30" EAST, A DISTANCE OF 194.11 FEET TO A 5/8" INCH ON THE SOUTHWEST CORNER OF THE FOREMENTIONED LOT 1, RE-PLAT OF PART OF BLOCK 53 OF MAGNOLIA BEACH; THENCE RUN SOUTH 56°53'58" EAST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 392.68 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING, AND BEING IN THE CITY OF FAIRHOPE, BALDWIN COUNTY, ALABAMA AND CONTAINING 227,418 SQUARE FEET (5.22 ACRES) MORE OR LESS.

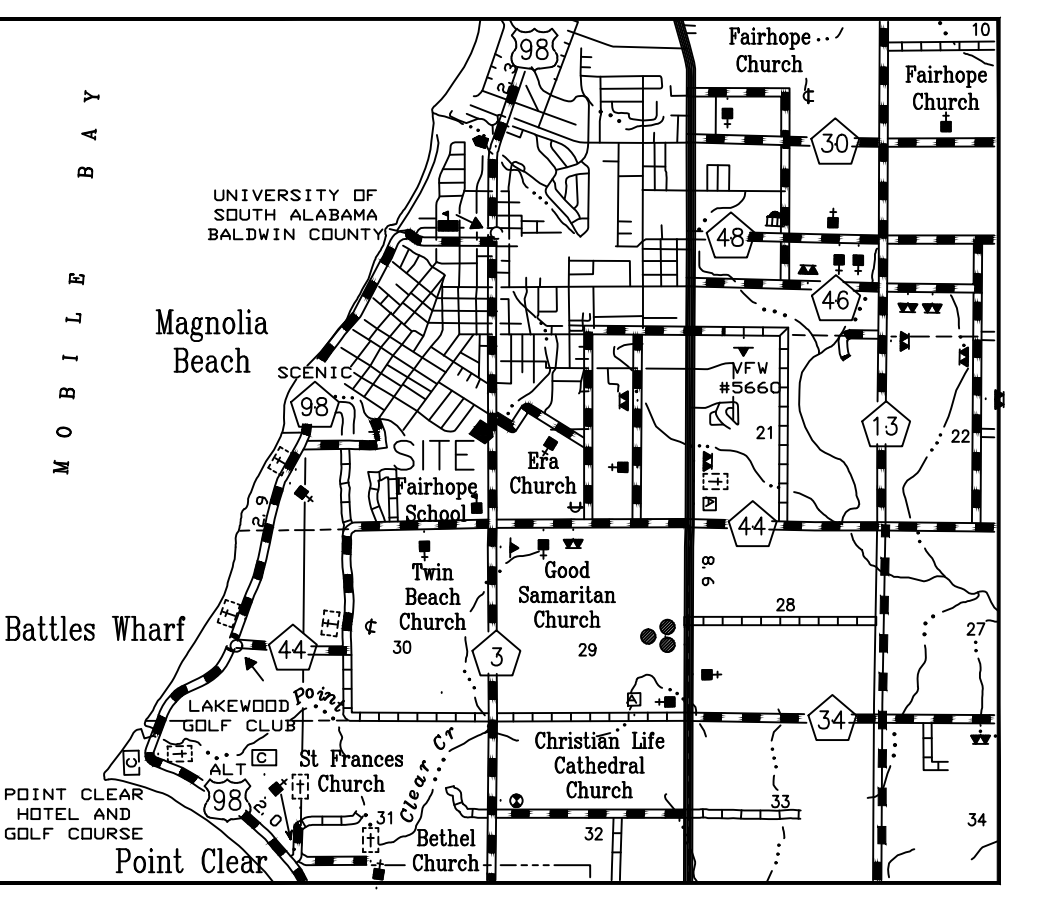
(DESCRIPTION COMPOSED FROM PROBATE RECORDS AND AN ACTUAL FIELD SURVEY).

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

DEWBERRY DATE
 VICTOR L GERMAIN AL P.L.S. NO. 38473
 SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.



PROPERTY IS LOCATED IN GRANT SECTION 37, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



VICINITY MAP
 1" = 1 MILE

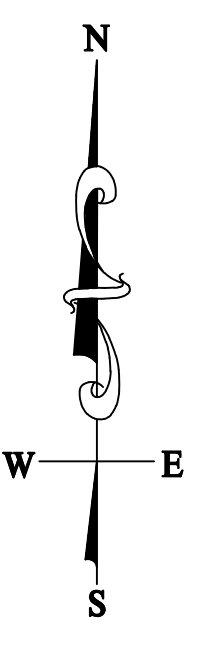
FLOOD CERTIFICATE:
 THIS PROPERTY LIES WITHIN ZONE "X" & ZONE "AE" AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY, ALABAMA, MAP NUMBER 01003C0644M, COMMUNITY NUMBER 15000, PANEL NUMBER 0644, SUFFIX M, MAP REVISED DATE APRIL 19, 2019.

GENERAL NOTES:

- ALL RIGHTS AND RIGHTS-OF-WAY SHOWN ON THIS PLAT ARE PRIVATE, AND ARE NOT SUBJECT TO MAINTENANCE BY THE CITY OF FAIRHOPE, AND THE OWNERS OF ALL LOTS SHALL BEAR THE EXPENSE OF MAINTAINING ALL PRIVATE STREETS.
- THE ALLEYWAY IS PROPOSED TO BE A CRUSHED AGGREGATE SURFACE MATERIAL.
- THE ROUNDABOUT WILL BE BRICK PAVERS. THE REMAINDER OF SUMMER LANE SHALL BE ASPHALT.
- A GATED ENTRANCEWAY IS PROPOSED FOR THE SECTION STREET ENTRANCE ONLY.
- THERE EXISTS A 16 FOOT ALLEYWAY AND INGRESS/EGRESS EASEMENT ACROSS THE REAR OF ALL LOTS.
- THE FLOODWAY AND FLOOD ZONES SHOWN HEREON HAVE BEEN SCALED FROM THE FEMA FLOOD MAPS. IT APPEARS THESE HAVE BEEN MAPPED INCORRECTLY AS THEY DO NOT ALIGN WITH THE EXISTING GULLY LOCATED ON SITE. A REQUEST IS BEING FILED WITH FEMA FOR A LETTER OF MAP AMENDMENT (LOMA) TO CORRECT THIS OBVIOUS ERROR.
- VARIOUS WAIVERS FROM FAIRHOPE'S SUBDIVISION REGULATIONS SHALL BE REQUIRED TO ALLOW FOR SOME OF THE DESIGN ELEMENTS DURING SUBDIVISION APPROVAL AND ARE NOT GUARANTEED BY APPROVAL OF THIS PUD.

**SUMMER LANE
 A PLANNED UNIT DEVELOPMENT
 MAY 28, 2019 - SHEET 1 OF 1 SHEETS**

BOUNDARY SURVEY AND MASTER PLAN				
DESIGN	C.K.H.	DRAWN	C.K.H.	CHKD. M.S.P.
ENG	J.N.E.	SURVEYOR	V.L.G.	PROJ MGR J.N.E.
SCALE		1"=40'		
PROJ. NO.		50114070		
FILE		50114070 PUD		
SHEET		1 of 1		



LINE TABLE (MEASURED)	LINE TABLE (RECORDED)
L1 S00°12'13"E 63.09'	L1 S00°20'00"E 63.10'
L2 S89°47'47"W 50.00'	L2 S89°40'00"W 50.00'
L3 S00°12'13"E 70.05'	L3 S00°20'00"E 70.00'
L4 N89°47'47"E 50.00'	L4 N89°40'00"E 50.00'
L5 S00°12'13"E 103.04'	L5 S00°20'00"E 103.04'

BIG HEAD INDUSTRIAL SITES
 (M.B. 12, PG. 116)

LOT 2
 BOONE FAMILY PROPERTIES, LLC
 20294 THOMPSON HALL RD
 FAIRHOPE, AL 36532
 PARCEL #05-46-04-19-4-000-001.000



Planning Commission

August 5, 2019

Subdivision Approval

Case: SD 19.31 Hoffren Subdivision

Project Name: Hoffren Subdivision

Property Owner /Applicant:
Owner-Fairhope Single Tax
Applicant-Wayne and Betty Hoffren

General Location: West side of Troyer Boothe Road between Morphy Avenue and Nichols Avenue.

Project Type: Minor Subdivision (inside corporate limits, in the permit jurisdiction, the Police jurisdiction and ETJ)

Number of lots: 2

Project Acreage: Approx. 8.45

Zoning District: R3-PGH

PPIN Number: 77764

Engineer of record: Dewberry

School District: Fairhope Elementary, Middle and High Schools

Report prepared by:
J. Buford King, Development Services Manager

Recommendation:
Approval with conditions.



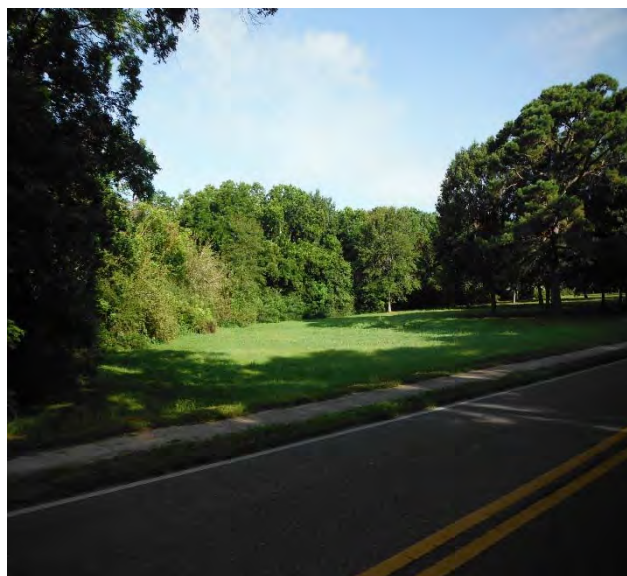
Summary of Request: Public hearing to consider the request of Wayne and Betty Hoffren for minor plat approval of Hoffren Subdivision, a 2-lot minor division. The owner of the property is Fairhope Single Tax. The applicants are Wayne and Betty Hoffren. Mr. Steve Pumphrey with Dewberry is the applicant's authorized representative. The property is located on the west side of Troyer Road (Booth) Road between Morphy Avenue and Nichols Avenue. The applicant is proposing a two-lot minor subdivision with the largest lot being approximately 7.22 acres and the smallest lot being approximately 1.22 acres in size.

Site History: The property is currently undeveloped with the exception of an existing house. The subject property is located adjacent to Booth Road. According to the applicant's authorized agent, Mr. Steve Pumphrey, the applicant gave up a portion of his property when the road was placed along his property. They did this as a measure to preserve the significant trees located on Booth Road. This allowed the road to curve in an effort to preserve the trees.

Site Photos: Hoffren Subdivision



View from Nichols Ave looking north at property.



View of subject property (west of Booth Road)



View of the subject property from Morphy Ave and existing house.

Comments:

Article 4 Procedure for Plat Approval: The original submitted plat was missing some details. Some of these have been addressed and some have not.

Preliminary Plat:

- Buffers shall be shown. A 50-foot buffer is required for a tributary and a 30-foot buffer is required for wetlands.
- A note regarding the requirement for stream buffers and allowed uses and referencing the regulation Article V Section F 4 (Stream Buffers) shall be added to the plat. Also, note the requirement for buffer signage along the stream buffer at 100-foot intervals.

Article 5 Planning Design Standards:

All Associated Investors: The associated investors appear to be Mr. Wayne Hoffren and Betty Hoffren. The leaseholders appear to be Mr. Hoffren and Ms. Betty Hoffren, while the actual owner of the property is the Fairhope Single Tax.

Lot Standards: The current zoning for the property is R-3PGH. The setbacks for R-3PGH are as follows: 20'- front, 15' rear, 10'side (15' drive side), 10' street side. The applicant has provided more than the required 40' minimum lot width and all lots front on a publicly maintained right-of-way. The minimum lot dimensions appear to be met. However, the drainage easement along Booth Road was changed to 10 feet from 15 feet, inadvertently.

Natural Features: The applicant provided a narrative, site data and all applicable permits relative to items such as soils, wetlands, flooding, drainage, natural features and potential archeological features. The applicant has requested a waiver for the wetland delineation and wetland buffer signage.

Easements: A 15-foot easement is required along the rights-of-way. The drainage easement along Booth Road shall be 15 feet. No building setback shall be less than the drainage and utility easement.

Traffic: The applicant has not submitted verification letter that a traffic study will not be required.

Storm water standards: Any portion of land in the proposed subdivision, subject to periodic inundation by storm drainage, overflow or ponding shall be clearly identified on the plat.

Fire Hydrants: As per Article VI Section G Fire Hydrants:

Fire hydrants shall be installed along each street at a maximum interval of four hundred and fifty (450) feet, or at the ends and center of each block, or as otherwise required by the fire authority having jurisdiction. Water supply and pressure shall be adequate to provide fire protection and for the future needs of the development.

The applicant has shown the closest fire hydrant on the plat.

Fire Flow: Staff met with Mr. Richard Peterson regarding the requirement for a flow model. Typically, fire flow tests are required on two lot minor subdivisions. However, this property has an existing structure. Mr. Richard Peterson verbally instructed that staff that no fire flow model will be required in this particular case.

Utility Letters: All utilities in all proposed subdivisions shall be installed underground. The applicant has submitted the required utility letters.

Water and Sewer: The applicant shall comply with all City of Fairhope Water and Sewer Standards.

Waivers: The applicant is requesting multiple waivers, including:

- The requirement for a wetland delineation and installation of wetland buffer boundary signs.
- The requirement of sidewalks along the northern boundary of the property.
- The requirement for a tree survey.
- Any greenspace requirements.

Staff is not in support of the waiver from the wetland delineation requirements and installation of buffer signs. The City has been consistent in enforcing this requirement for minor subdivisions. If the lot is sold, the wetland delineation shows the limit of the buffer and the signage and reference note on the plat referencing the allowed buffer uses provides information to potential new owners of the environmental sensitivity of the property. If the property is sold and built upon, the owner may not be aware of the environmental sensitivity of the property without the required signage and may inadvertently encroach into the buffer. The buffer requirements were created with the intent to protect the natural feature of the properties when being subdivided.

Staff is not in support of the waiver of the requirement of a tree survey. It appears there are significant trees on the property, but they appear to be a limited number of these trees based on a drive by assessment of the property and staff does not believe that there is a hardship preventing documentation of these trees. The applicant may wish to contact the City of Fairhope Horticulturalist, and identify, at his discretion, any heritage trees on the subject property and note the locations of those heritage trees on the plat as a means of satisfying the tree survey requirement.

The applicant is advised the Planning Commission historically requires sidewalks or pedestrian easements for subdivisions of various sizes and at various locations, including minor subdivisions. It is possible the Planning Commission, via condition of approval, may require sidewalks or a sidewalk/pedestrian easement along the northern property line (along Morphy Avenue) as well as the southern property line (along Nicholls Avenue). There is an existing sidewalk along Boothe Road.

Staff is supportive of the waiver for greenspace requirements at this time. The property currently has a great deal of greenspace. By virtue of the property being zoned R3-PGH, the maximum allowable lot coverage is currently restricted to 32.5%, leaving approximately 67% of the property not built upon (greenspace) If the property is further subdivided and developed in the future, the need for greenspace inclusion will be evaluated at the time of future development activities.

The applicant is advised that it may provide additional supporting information for the requested waivers, including information explaining the hardships that precipitated the request for waivers in subject application and describe those hardships during the Planning Commission meeting.

Other: Any applicable outside agency permits shall be obtained.

The subdivision regulations contain the following criteria in Article IV.B.2. Approval Standards.

“2. Consistency with Plans, Regulations and Laws - The Planning Commission shall not approve the subdivision of land if the Commission makes a finding that such land is not suitable for platting and development as proposed, due to any of the following:

- a. The proposed subdivision is not consistent with the City’s Comprehensive Plan, and/or the City’s Zoning ordinance, where applicable;*
- b. The proposed subdivision is not consistent with the City’s Comprehensive Plan or any other plan or program for the physical development of the City including but not limited to a Master Street Plan, a Parks Plan, a Bicycle Plan, a Pedestrian Plan, or the Capital Improvements Program;*
- c. The proposed subdivision is not consistent with these Regulations;*
- d. The proposed subdivision is not consistent with other applicable state or federal laws and regulations;*
or
- e. The proposed subdivision otherwise endangers the health, safety, welfare or property within the planning jurisdiction of the City.”*

The proposed subdivision appears to be consistent with the minimum requirements for Preliminary Plat and Final Plat subdivision requirements. Staff is unaware of any pending issues related to the applicable state, federal, or local regulations and health and safety. The burden of responsibility is on the applicant to coordinate with appropriate agencies regarding their proposed project, as applicable.

Recommendation:

Staff recommends **APPROVAL** of Case number SD 19.31, Hoffren Subdivision, subject to the following conditions:

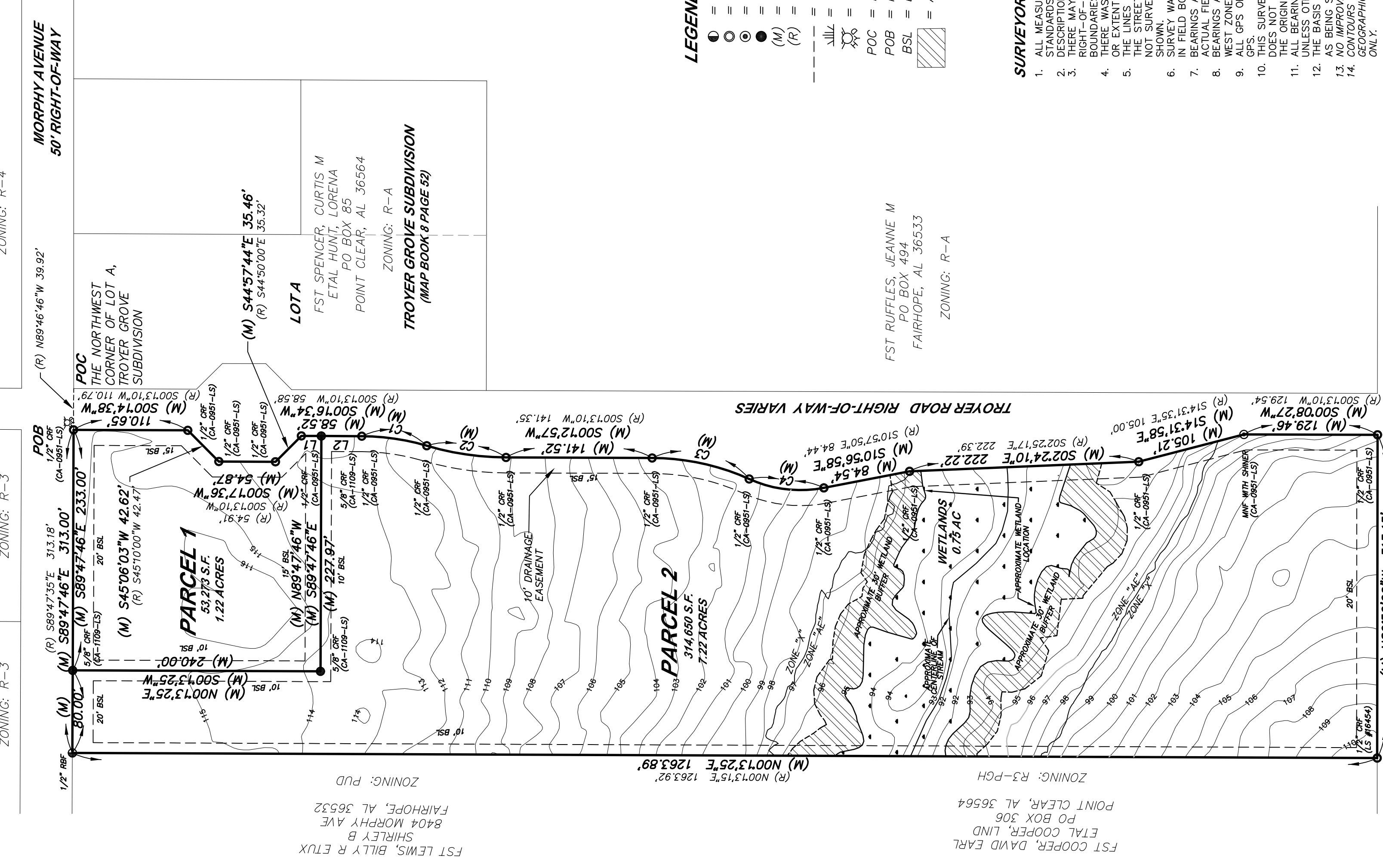
1. Correct the error to the drainage easements described above (a routine edit of the plat).
2. The applicant shall submit a verification letter regarding the need (or lack thereof) of a traffic study.
3. The applicant has submitted the following waivers for consideration:
 - Tree Survey (location of heritage trees)
 - Staff is not in support of this waiver and recommends **disapproval**. The applicant may contact the City of Fairhope Horticulturalist as noted in the staff report for an inquiry regarding heritage trees on the subject property.
 - Wetland survey and installation of wetland buffer signs
 - Staff is not in support of this wavier and recommends **disapproval**.
 - Green space requirements.
 - Staff supports this waiver as stated in the staff report due to the incidental greenspace created by the lot sizes of the development, and staff recommends **approval** of this wavier.
 - Sidewalks (or sidewalk easement) along Morphy Avenue and Nichols Avenue
 - Staff does not support this waiver and defers to the desire of the planning commission as the planning commission has in recent history required sidewalks and/or sidewalk easements for minor subdivisions.

FST PATTERSON, JEREMY
ETAL PATTERSON, LI
8447 MORPHY AVE
FAIRHOPE, AL 36532

FAT CLANTON, DWAYNE E
ETUX JACINDA A
22950 WOLF BAY DR
FOLEY, AL 36535

RECORDING STAMP

PROPERTY IS LOCATED IN SECTION 16, TOWNSHIP 6 SOUTH,
RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



OWNER
FAIRHOPE SINGLE TAX CORPORATION
336 FAIRHOPE AVENUE
FAIRHOPE, AL 36532

LEASEHOLD OWNER
HOFFREN, WAYNE ETUX BETTY A
F444 MORPHY AVE
FAIRHOPE, AL 36532

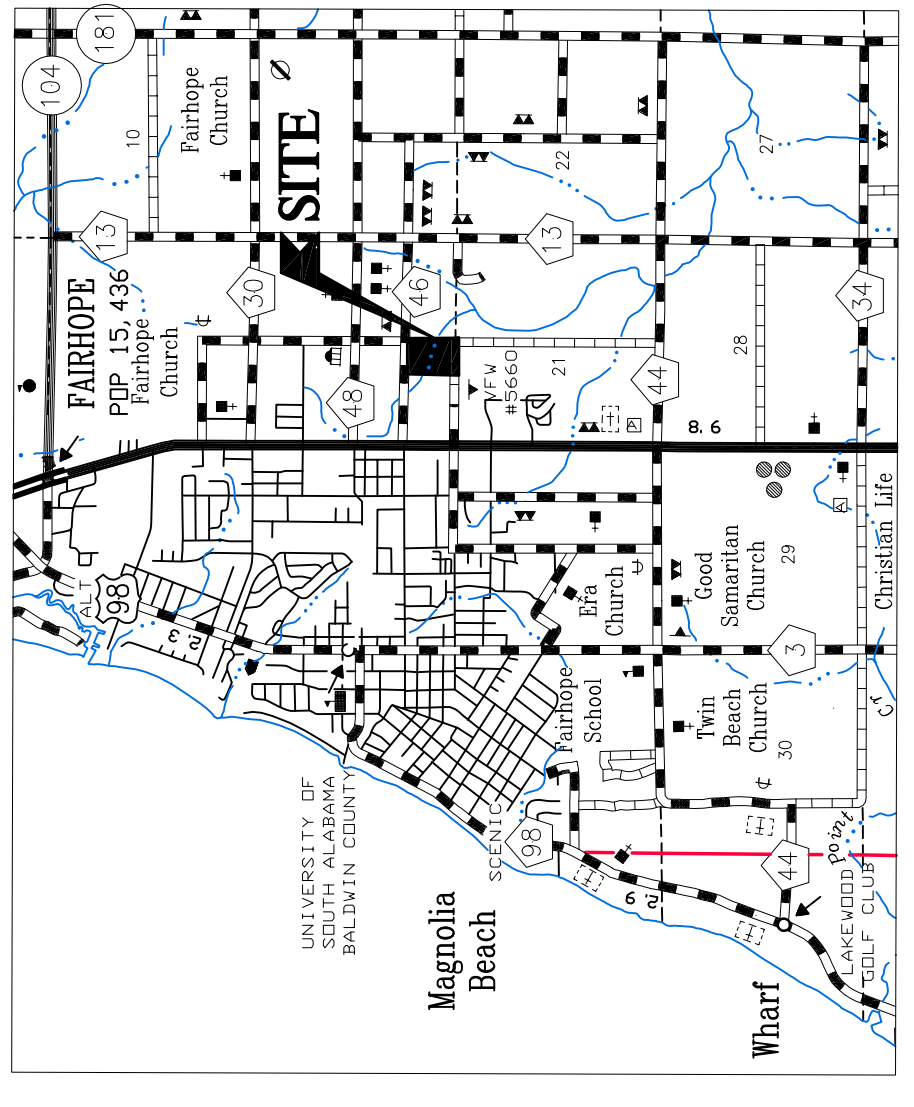
ENGINEER/SURVEYOR
25153 FRIENDSHIP ROAD
DAPHNE, AL 36526
JASON ESTES, AL PE 22714
VICTOR GERMAIN, AL PLS 38473

SITE DATA:
ZONING: R-3PGH
TOTAL ACREAGE: 8.44 ACRES
NUMBER OF LOTS: 2
DENSITY: 0.24 LOTS/AC
LARGEST LOT: 7.22 AC
AVERAGE LOT: 12,983 SF
LIN. FT. OF STREETS: 0 LF, 73 AC
ELIGIBLE GREENSPACE: 7.71 AC

REQUIRED SETBACKS
FRONT - 20 FEET
REAR - 10 FEET
SIDE - 10 FEET
SIDE STREET - 15 FEET

UTILITIES
WATER SERVICE: CITY OF FAIRHOPE
SEWER SERVICE: CITY OF FAIRHOPE
TELEPHONE SERVICE: AT&T

VICINITY MAP
1" = 1 MILE



CERTIFICATE OF APPROVAL BY THE CITY OF FAIRHOPE (GAS)
THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE HEREBY APPROVES
THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN
COUNTY, ALABAMA, THIS _____ DAY OF _____, 20____.

CERTIFICATE OF APPROVAL BY AT&T (TELEPHONE)
THE UNDERSIGNED, AS AUTHORIZED BY AT&T HEREBY APPROVES THE WITHIN PLAT
FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY,
ALABAMA, THIS _____ DAY OF _____, 20____.

CERTIFICATE OF APPROVAL BY THE CITY OF FAIRHOPE (SEWER)
THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE HEREBY APPROVES
THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN
COUNTY, ALABAMA, THIS _____ DAY OF _____, 20____.

**CERTIFICATE OF APPROVAL BY
CITY OF FAIRHOPE UTILITIES (WATER):**
THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE UTILITIES HEREBY
APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE
OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 20____.

**CERTIFICATE OF APPROVAL BY
CITY OF FAIRHOPE UTILITIES (ELECTRIC):**
THE UNDERSIGNED, AS AUTHORIZED BY THE CITY OF FAIRHOPE UTILITIES HEREBY
APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE
OF BALDWIN COUNTY, ALABAMA, THIS _____ DAY OF _____, 20____.

LEGEND:
● = REBAR FOUND
○ = CAPPED REBAR FOUND
○ = NAIL AND SHINER FOUND (CA-951-LS)
○ = CAPPED REBAR FOUND (CA-1109-1LS)
(M) = OBSERVED BEARING AND DISTANCE
(R) = RECORD MAP OR PLAT BEARING AND DISTANCE
--- = BUILDING SETBACK LINES
||||| = WETLAND
X X = FIRE HYDRANT
P C C = POINT OF COMMENCEMENT
P O B = POINT OF BEGINNING
B S L = BUILDING SETBACK LINE
||||| = APPROXIMATE 30' WETLAND BUFFER

SURVEYOR'S NOTES:
1. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S.
DESCRIPTION AS FURNISHED BY CLIENT.
2. THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS,
RIGHTS OF WAY OR OTHER INSTRUMENTS WHICH COULD AFFECT THE
OR EXTENT OF ANY SUB-SURFACE FEATURES.
3. THE STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WERE
NOT SURVEYED UNLESS RIGHT-OF-WAY MONUMENTATION IS ALSO
SURVEY WAS CONDUCTED ON APRIL 23RD, 2018, AND IS RECORDED
IN FIELD BOOK #316, AT PAGE 44, AND IN AN ELECTRONIC DATA FILE.
7. BEARINGS AND DISTANCES SHOWN HEREON WERE "COMPUTED" FROM
BEARINGS ARE BASED ON STATE PLANE GRID COORDINATES ALABAMA
WEST ZONE 0102 (NAD 83 DATUM).
8. GPS OBSERVATIONS WERE TAKEN USING REAL TIME KINEMATIC
DOES NOT PURPORT TO BE A RETRACEMENT AND PROPORTIONING OF
UNLESS OTHERWISE SHOWN HEREON.
11. ALL BEARINGS AND DISTANCES ARE MEASURED AND OBSERVED
12. HIS BEING STATE PLANE GRID COORDINATES.
13. NO IMPROVEMENTS LOCATED AT TIME OF SURVEY.
14. CONTOURS SHOWN HEREON WERE SCALED FROM BALDWIN COUNTY
ONLY.

NICHOLS AVENUE 60' RIGHT-OF-WAY
ZONING: R-1(C)
ROGERS, MARGARET R
ETAL ROGERS, RONALD W
205 BAYVIEW ST SOUTH
FAIRHOPE, AL 36532

BOOTHE ROAD 60' RIGHT-OF-WAY
ZONING: R-1(C)
J THOMAS HOLDINGS LLC
PO BOX 257
FAIRHOPE, AL 36533
ZONING: R-1(C)

FLOOD CERTIFICATE:
THIS PROPERTY LIES WITHIN ZONE "X" (UNSHADED) AND ZONE "AE"
AS SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S
FLOOD INSURANCE RATE MAP OF BALDWIN COUNTY, ALABAMA, MAP
0944; SUFFIX M, MAP REVISED DATE APRIL 19, 2019.

MEASURED LINE

LINE	BEARING	ANGLE	DISTANCE
L1	S00°16'54"W		39.23
L2	S00°16'54"W		39.23

MEASURED CURVE

CURVE	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING
C1	225.00'	63.90'	32.17'	S08°20'58"W
C2	230.00'	66.92'	33.46'	S12°13'05"W
C3	230.00'	66.92'	33.46'	S08°20'58"W
C4	120.00'	74.02'	36.23'	S06°47'31"W

RECORD CURVE

CURVE	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING
C2	225.00'	78.04'	37.78'	S08°20'58"W
C3	230.00'	96.94'	48.22'	S12°17'59"W
C4	120.00'	74.00'	36.23'	S06°42'08"W

CERTIFICATE OF OWNERSHIP

THE TITLE COMPANY, AN ALABAMA CORPORATION,
HEREBY STATE THAT WE ARE THE OWNERS OF THE LANDS DESCRIBED
HEREON, AND DO HEREBY DEDICATE ALL ROADS, STREETS, ALLEYS,
AND EASEMENTS SHOWN ON THIS PLAT TO THE PUBLIC.

WE, _____ AND _____, WHOSE
NAMES AS PRESIDENT AND SECRETARY HAVE CAUSED THE SAME TO
BE DRAWN, AND WHOSE NAMES AS PRESIDENT AND SECRETARY
AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE
AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON
INDICATED.

DATED THIS _____ DAY OF _____,
FAIRHOPE SINGLE TAX CORPORATION,
AN ALABAMA CORPORATION

BY: AS ITS: PRESIDENT _____
BY: AS ITS: SECRETARY _____

CERTIFICATE OF NOTARY PUBLIC

NOTARY PUBLIC IN AND FOR SAID COUNTY, IN
SAID STATE, HEREBY CERTIFY THAT _____ AS
PRESIDENT, AND _____ AS SECRETARY, OF
FAIRHOPE SINGLE TAX CORPORATION, AN ALABAMA CORPORATION,
OWNER OF THE LANDS PLATTED HEREON IS SIGNED TO THE FOREGOING
INSTRUMENT, AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME
ON THIS DAY, AND IN BEING CALLED ON BY ME, OWNER AND WITH FULL
AUTHORITY, EXECUTED THE SAME VOLUNTARILY.
GIVEN UNDER MY HAND AND OFFICIAL SEAL THE _____ DAY
OF _____, 20____.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

CERTIFICATE OF NOTARY PUBLIC

NOTARY PUBLIC IN AND FOR SAID COUNTY, IN
SAID STATE, HEREBY CERTIFY THAT _____ WHOSE NAME AS OWNER OF THE
LANDS PLATTED HEREON IS SIGNED TO THE FOREGOING INSTRUMENT,
AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY,
AND AS SUCH LEASEHOLD OWNER AND WITH FULL AUTHORITY,
EXECUTED THE SAME VOLUNTARILY.
GIVEN UNDER MY HAND AND OFFICIAL SEAL THE _____ DAY
OF _____, 20____.

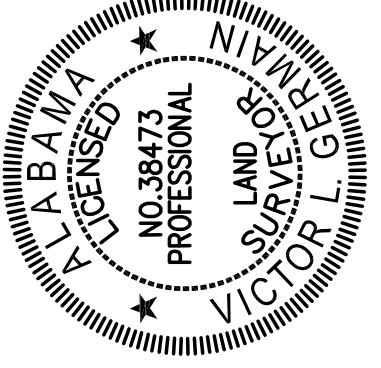
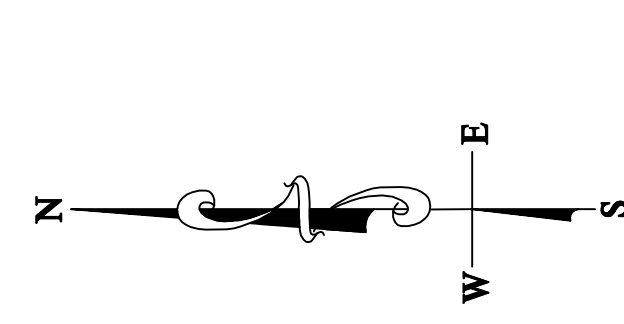
NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

CERTIFICATE OF LEASEHOLD OWNERSHIP

WE, THE UNDERSIGNED, HOFFREN, WAYNE ETUX BETTY A, AS
PROPRIETOR(S), HAVE CAUSED THE LAND EMBRACED IN THE WITHIN
PLAT TO BE LEASED TO _____ OF THE CITY OF FAIRHOPE,
HOFFREN SUBDIVISION, BALDWIN COUNTY, ALABAMA, AND THAT THE
STREETS AND EASEMENTS, AS SHOWN ON SAID PLAT, ARE HEREBY
DEDICATED TO THE USE OF THE PUBLIC.

DATED THIS _____ DAY OF _____, 20____.

PRINT NAME _____ SIGNATURE _____

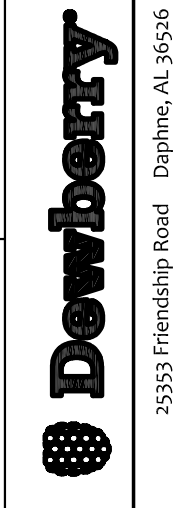


**HOFFREN
SUBDIVISION**

FINAL PLAT
JULY 19, 2019 - SHEET 1 OF 1 SHEETS

BOUNDARY SURVEY AND PLAT OF SUBDIVISION

DESIGN M.S.P. DRAWN C.K.H. CHKD. M.S.P.
ENG J.N.E. SURVEYOR V.L.G. PROJ. MGR M.S.P.
SCALE 1"=80'
PROJ. NO. 50114921
FILE 50114921_PRELIMINAL
SHEET 1 OF 1



I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS
OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

DEWBERRY AL P.L.S. No. 38473
VICTOR L. GERMAIN SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL.

GENERAL NOTES:
1. THERE IS DEDICATED HEREWITH A 15 FOOT UTILITY EASEMENT ON ALL LOT LINES
UNLESS OTHERWISE NOTED.
2. THERE IS A 7.5 FOOT UTILITY EASEMENT ON EACH SIDE OF SIDE LOT LINES,
UNLESS OTHERWISE NOTED.
3. STREAM
4. BECAUSE OF THE WIDTH OF THE WETLANDS, THE 50 FOOT STREAM BUFFER IS
BUILT INTO THE WETLAND BUFFER. BUFFERS SHOWN HEREON ARE APPROXIMATE.
WETLANDS SHALL BE DELINEATED AND BUFFERS SHALL BE ADDED IN THE CASE
OF FURTHER SURVEY OR SITE DEVELOPMENT.
5. THE CENTERLINE OF THE STREAM SHALL BE LOCATED AS ABOVE. THE HIGHEST
GROUND ELEVATION 10 FEET OUTSIDE OF BUILDING. SEE FAIRHOPE BUILDING
DEPT. FOR SPECIFIC REQUIREMENT.
6. THE CENTERLINE OF THE STREAM IS APPROXIMATE.

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY PLANNING
COMMISSION OF FAIRHOPE, ALABAMA, AND IS APPROVED BY SUCH COMMISSION.

THE CITY OF FAIRHOPE PLANNING COMMISSION
BY: _____ DATE: _____
SECRETARY

WE, DEWBERRY, A FIRM OF LICENSED ENGINEERS AND LAND SURVEYORS OF DAPHNE, ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT
MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:
"COMMENCING AT THE NORTHWEST CORNER OF LOT A, TROYER GROVE SUBDIVISION, AS SHOWN BY THE MAP OR PLAT THEREOF RECORDED IN MAP
BOOK 8, PAGE 52, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, SAID POINT BEING THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF
MORPHY AVENUE AND THE EAST RIGHT OF WAY OF TROYER ROAD, THENCE RUN NORTH 89 DEGREES 46 MINUTES 46 SECONDS WEST, ALONG THE
AVENUE AND THE WEST RIGHT OF WAY OF TROYER ROAD, SAID POINT BEING THE POINT OF BEGINNING, THENCE LEAVING SAID SOUTH RIGHT OF
WAY OF MORPHY AVENUE, RUN SOUTH 08 DEGREES 13 MINUTES 10 SECONDS WEST, ALONG SAID WEST RIGHT OF WAY OF TROYER ROAD FOR A
DISTANCE OF 141.35 FEET; THENCE RUN SOUTH 00 DEGREES 13 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 54.91
FEET; THENCE RUN SOUTH 44 DEGREES 50 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 35.32 FEET; THENCE RUN SOUTH 00 DEGREES 13
MINUTES 10 SECONDS WEST FOR A DISTANCE OF 58.58 FEET; THENCE RUN SOUTHWARDLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF
CONTINUE SOUTHWARDLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 276.00 FEET, AN ARC DISTANCE OF 78.04 FEET (CHORD BEARS
SOUTH 08 DEGREES 20 MINUTES 59 SECONDS WEST, 77.78 FEET); THENCE RUN SOUTH 00 DEGREES 13 MINUTES 10 SECONDS WEST FOR A
DISTANCE OF 141.35 FEET; THENCE RUN SOUTHWARDLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET, AN ARC DISTANCE
CURVE TO THE LEFT, HAVING A RADIUS OF 120.00 FEET, AN ARC DISTANCE OF 74.00 FEET (CHORD BEARS SOUTH 08 DEGREES 42 MINUTES 08
SECONDS WEST, 72.83 FEET); THENCE RUN SOUTH 10 DEGREES 57 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 84.44 FEET; THENCE RUN
SOUTH 02 DEGREES 29 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 222.39 FEET; THENCE RUN SOUTH 14 DEGREES 31 MINUTES 35
LEAVING SAID WEST RIGHT OF WAY OF TROYER ROAD, RUN NORTH 89 DEGREES 55 MINUTES 48 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY
FEET TO THE INTERSECTION OF SAID WEST RIGHT OF WAY OF TROYER ROAD AND THE NORTH RIGHT OF WAY OF NICHOLS AVENUE; THENCE
DEGREES 13 MINUTES 10 SECONDS EAST FOR A DISTANCE OF 126.92 FEET TO THE APPOINTMENTED SOUTH RIGHT OF WAY OF MORPHY AVENUE;
THENCE ALONG SAID SOUTH RIGHT OF WAY OF MORPHY AVENUE, RUN SOUTH 89 DEGREES 47 MINUTES 35 SECONDS EAST FOR A DISTANCE OF
433.18 FEET TO THE POINT OF BEGINNING, BEING THE EAST END OF A 10' FOOT DRAINAGE EASEMENT OVER AND ACROSS THE EASTERN MARGIN OF THE
SECTION 16, TOWNSHIP 6 SOUTH, RANGE 2 EAST, ST. STEPHEN'S MERIDIAN, BALDWIN COUNTY, ALABAMA."
(DESCRIPTION COPIED FROM INSTRUMENT 1395984, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.)