

Minutes
Orange Beach Planning Commission
Monday, February 13, 2017 – 4:00 P.M.
Council Chambers – Orange Beach Municipal Complex
4099 Orange Beach Blvd.

A. CALL TO ORDER

Chairman Robert Stuart called the meeting to order at 4:00 p.m.

B. INVOCATION

Vice Chairman Chris Callaghan gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Board Members Present:

Commissioner John Davis
Commissioner Bill Jeffries
Commissioner Christina McInnis
Commissioner Annette Mitchell
Commissioner Ralph Moore
Commissioner Lannie Smith
Commissioner Jimmy Boyd
Vice Chairman Chris Callaghan
Chairman Robert Stuart

Staff Present:

John Lawler, City Attorney
Kit Alexander, E&ES Director
Griffin Powell, Planner II
Paulette Taylor, Planner I

E. APPROVAL OF AGENDA

There were no changes to the agenda and the agenda stands approved as submitted.

F. CONFLICTS OF INTEREST – None.

G. APPROVAL OF MINUTES AND CERTIFIED RECORDS – There were no changes and the minutes stand approved as submitted.

1. Approval of minutes from the Regular Meeting on January 9, 2017.

H. PUBLIC HEARING

1. **CASE NO. 0104-SD-17 – PRELIMINARY/FINAL MINOR SUBDIVISION – ORANGE BEACH #5705 RESUBDIVISION – OWNER: HOLLIS W. WILIAMS – APPLICANT: THE BROADWAY GROUP** – Request by the applicant for approval of preliminary/final plat to combine two lots into a single lot. The municipal address is 4225 ORANGE BEACH BOULEVARD in the NB (Neighborhood Business) zoning district. *Deferred from the regular meeting on 01/09/2017.* Griffin Powell presented staff comments to the Planning

Commission. The retail store will require conditional use approval. DeAnna Hyché, The Broadway Group, was present to address the Planning Commission. She stated that the current buildings on site will be removed. They have submitted an application for five variances to the Board of Adjustment for consideration on February 15. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Smith/Boyd) to approve preliminary/final plat request subject to staff comments. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Boyd, yes; Callaghan, yes, Stuart, yes. **Approved (9-0).**

2. **CASE NO. 0201-SD-17 – PRELIMINARY/FINAL MINOR SUBDIVISION – BEAR POINT ESTATES LOT 41 – OWNER/APPLICANT: AILEEN FOUNTAIN** – Request by the applicant for approval of preliminary/final plat to subdivide Lot 41 of Bear Point Estates Subdivision into two lots. The subject property is a waterfront lot located on Bayshore Drive North between Bear Point Avenue and Mobile Avenue in the RS-2 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. Chairman Robert Stuart opened the public hearing and three people were signed up to speak. Frank Matros, who is on the east side of the property, spoke in opposition. Drew and Mary Lou Falls also spoke in opposition.

Motion made (Callaghan/Jeffries) to approve preliminary/final plat request subject to staff comments. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, no; Mitchell, yes; Moore, no; Smith, yes; Boyd, yes; Callaghan, yes, Stuart, yes. **Approved (7-2).**

3. **CASE NO. 0202-SD-17 – PRELIMINARY/FINAL MINOR SUBDIVISION – RESUBDIVISION OF LOTS 70 AND 71, SECOND ADDITION TO EAST ORANGE BEACH SUBDIVISION – OWNER: RICHARD J. GIBSON – APPLICANT: SMITH, KOLB & ASSOCIATES** – Request by the applicant for approval of preliminary/final plat to resubdivide Lots 70 and 71 of the Second Addition to East Orange Beach Subdivision into four lots. The subject property is located on the south side of Park Drive, approximately 200 feet west of the intersection of Park Drive and Bayou Drive in the RS-2 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and two people spoke in opposition. Brett Holk stated the resubdivision into four lots would destroy the neighborhood's character in an old subdivision. It doesn't fit with the existing neighbors. Jim McCready stated the subdivision was created in 1959 with all 80 x 100 feet lots.

Motion made (Mitchell/Jeffries) to approve preliminary/final plat request. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Boyd, yes; Callaghan, yes, Stuart, yes. **Approved (9-0).**

4. **CASE NO. 0204-SD-17 – PRELIMINARY/FINAL MINOR SUBDIVISION – ROWLAND PLAT #1 – OWNER: SCOTT ROWLAND – APPLICANT: LUCIDO ENGINEERING & SURVEYING LLC** – Request by the applicant for approval of preliminary/final plat to combine Lots A and B of Williams Coats Plat #1 (replat of Lots 36, 37 and 38, Block 1 of East Orange Beach Subdivision and the vacated portion of Bay View Park) into a single lots. The municipal address is 5299 BAY DRIVE in the RS-2 (Single-Family Residential) zoning district. Griffin Powell presented staff comments to the Planning Commission. Scott Rowland was present to address the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Davis/Moore) to approve preliminary/final plat request. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Boyd, yes; Callaghan, yes, Stuart, yes. **Approved (9-0).**

5. **CASE NO. 0206-ZT-17 – ZONING TEXT AMENDMENT – SECTION 4.01: HOME OCCUPATIONS IN THE MARINE RESORT (MR) ZONING DISTRICT** – Request by the Community Development Department for recommendation to City Council to amend Section 4.01 of the Zoning Ordinance to permit home occupations in the Marine Resort (MR) zoning district. Griffin Powell presented the zoning text amendment to the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and no one was signed up to speak.

Motion made (Moore/Smith) to recommend approval of zoning text amendment to City Council. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Boyd, yes; Callaghan, yes, Stuart, yes. **Forwarded to City Council with a positive recommendation (9-0).**

6. **CASE NO. 0207-ZT-17 – ZONING TEXT AMENDMENT – SECTION 2.02: DEFINITION OF PUBLIC PARKS** – Request by the Community Development Department for recommendation to City Council to amend Section 2.02 of the Zoning Ordinance to add the definition of *public parks* to the Section and to include public recreation areas owned and operated by the City of Orange Beach and the State of Alabama. Chairman Robert Stuart opened the public hearing for comments and Pete Peterson asked if Boggy Point would be included. The Planning Commission would like to have county parks included in the definition of public parks.

Motion made (Callaghan/Mitchell) to recommend approval of zoning text amendment subject to amending the definition of public parks to include county parks. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Boyd, yes; Callaghan, yes, Stuart, yes. **Forwarded to City Council with a positive recommendation (9-0).**

I. SITE PLAN REVIEW

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE SUBMITTAL

1. **CASE NO. 0203-SD-17 – PRELIMINARY/FINAL MINOR SUBDIVISION – BISHOP PLAT #1 – OWNER: CYNTHIA R. BISHOP – APPLICANT: LUCIDO ENGINEERING & SURVEYING LLC** – Request by the applicant for approval of preliminary/final plat to combine Lot 503 and the south 25 feet of Lot 504 into one lot. The subject property is located on the west side of Armadillo Avenue, approximately 275 feet south of the intersection of Armadillo Avenue and Low Drive in the RS-2 (Single-Family Residential) zoning district.

Motion made (Mitchell/Callaghan) to defer until the March 13, 2017 meeting. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Boyd, yes; Callaghan, yes, Stuart, yes. **Deferred (9-0).**

2. **CASE NO. 0205-SP-17 – SITE PLAN REVIEW – HUDSON MARINA BACK BAY – OWNER/APPLICANT: RODNEY JONES** – Request by the applicant for approval of site plan to convert the use of the subject property from single-family residential to a marina for the docking of a passenger cruise vessel, pontoon boats, and jet skis and to improve and extend Callaway Drive to the project site. The municipal address is 26135 CANAL ROAD in the MR (Marine Resort) zoning district.

Motion made (Moore/Mitchell) to defer until the March 13, 2017 meeting. Roll call revealed: Davis, yes; Jeffries, yes; McInnis, yes; Mitchell, yes; Moore, yes; Smith, yes; Boyd, yes; Callaghan, yes, Stuart, yes. **Deferred (9-0).**

K. OTHER BUSINESS

L. PUBLIC COMMENTS

M. ADJOURN

The meeting adjourned at 5:13 p.m.

Respectfully submitted,

Kit Alexander, Secretary

Robert Stuart, Chairman