

Minutes
Orange Beach Planning Commission
Monday, May 11, 2015 – 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

Commissioner Chris Callaghan gave the invocation.

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Board Members Present:

Commissioner Chris Callaghan
Commissioner John Davis
Commissioner Bill Jeffries
Commissioner Annette Mitchell
Commissioner Ralph Moore
Commissioner Lannie Smith
Vice Chairman Tim Blackwell
Chairman Robert Stuart

Staff Present:

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

Board Member Absent:

Commissioner Mark Williams

E. APPROVAL OF AGENDA

There were no changes to the agenda and the agenda stands approved as submitted. However, the public hearing was moved to the last item on the agenda.

F. CONFLICTS OF INTEREST – None

Linda Bradley asked to address the Planning Commission to thank them and the staff for listening and acting on the concerns of the neighbors on the Amber Isle project. She stated that it was a lengthy discussion but they did somewhat address their concerns.

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 April 13, 2015.

H. PUBLIC HEARING

1. **CASE NO. 0403-ZT-15 – ZONING TEXT AMENDMENT – SECTION 5.04, ACCESSORY STRUCTURES AND/OR BUILDINGS** – Request by the Community Development Department for a recommendation to City Council for amendments to Section 5.04 of the Zoning Ordinance to regulate accessory buildings on residential properties. *Deferred from the Regular Meeting on 4/13/2015.* Griffin Powell presented the proposed zoning text amendment to the Planning Commission. Chairman Robert Stuart opened the public hearing for comments and Pete Peterson voiced concerns regarding rebuilding marine accessory structures after a storm.

Commissioner Lannie Smith made the following suggestions:

5.040 - Definitions – add similar structures.

Marine accessory structures are boathouses located over water, piers, docks, boat ramps, boat slips, *and similar structures.*

5.0402 - Number of Accessory Structures on Lot – change habitable unit to dwelling unit.

No accessory structure shall be used as a *dwelling* unit

5.0405 – Maximum Height – exclude marine accessory.

Accessory structures, *excluding marine accessory*, are limited to a maximum height of twenty (20) feet.

5.0406 – Setbacks – exclude marine accessory from the setback requirements.

5.0408 – Utilities – allow administrative approval by the Building Official to permit a second power meter if necessary.

There shall be one (1) power meter to service the principal structure and accessory structures. *The Building Official may permit a second meter if necessary.*

5.410 – Time of Construction – delete last sentence.

~~No accessory structure shall be used unless the principal structure on the lot is also being used.~~

Much discussion was held pertaining to setbacks, color, and removal of accessory structures.

Motion made (Chairman/Mitchell) to recommend approval of zoning text amendment to City Council. Motion amended to allow administrative approval for two power meters by the Building Official. Roll call to amend motion revealed: Callaghan, yes; Davis, yes; Jeffries, yes; Mitchell, yes; Moore, yes; Smith, yes; Blackwell, yes; Stuart, yes. **Approved (8-0).**

Motion made (Chairman/Mitchell) to recommend approval of zoning text amendment to City Council subject to the following changes: 5.040 - Definitions – add similar structures; 5.0402 - Number of Accessory Structures on Lot – change habitable unit to dwelling unit; 5.0405 – Maximum Height – exclude marine accessory; 5.0406 – Setbacks – exclude marine accessory from the setback requirements. 5.0408 – Utilities – allow administrative approval by the Building Official to permit a second power meter if necessary. 5.410 – Time of Construction – delete last sentence. ~~No accessory structure shall be used unless the principal structure on the lot is also being used.~~ Roll call revealed: Callaghan, yes; Davis, yes; Jeffries, yes; Mitchell, yes; Moore, yes; Smith, yes; Blackwell, yes; Stuart, yes. Forwarded to City Council with a positive recommendation (8-0).

2. **CASE NO. 0501-SD-15 – PRELIMINARY/FINAL MAJOR PLAT APPROVAL – WHARF WEST SIDE SUBDIVISION PHASE 2 – OWNER: WHARF ENTERTAINMENT PROPERTIES, L.L.C. – APPLICANT: SAWGRASS CONSULTING, L.L.C.** – Request by the applicant for approval of Preliminary/Final Plat to resubdivide Lot 1, Lot 2 and Lot 3 of the Wharf West Sides Subdivision (amended) into five lots in The Wharf PUD Master Plan. The municipal address is 4673 WHARF PARKWAY. Griffin Powell presented staff comments to the Planning Commission. Ercil Godwin was present to address the Planning Commission. Kit Alexander stated that a platted road on the south side of the Event Center is required for new access to the back of the building prior to the Chairman’s signature on the subdivision plat. She also stated that maintenance of the road needs to be addressed in the master declarations.

Motion made (Stuart/Mitchell) to approve preliminary/final plat request subject to staff comments. Roll call to revealed: Callaghan, yes; Davis, yes; Jeffries, yes; Mitchell, yes; Moore, yes; Smith, yes; Blackwell, yes; Stuart, yes. **Approved (8-0).**

I. SITE PLAN REVIEW

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE SUBMITTAL

1. **CASE NO. 0402-SP-15 – SITE PLAN APPROVAL – LOPER BUILDING – OWNER: LANCE LOPER – APPLICANT: MIKE THOMAS** – Request by the applicant for approval of Site Plan to construct a 40’ by 50’ storage building. The municipal address is 4387 MONEY BAYOU DRIVE and is located in the GB (General Business) zoning district. *Deferred from the Regular Meeting on 4/13/2015.*

K. OTHER BUSINESS

L. PUBLIC COMMENTS

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H. ADJOURN

The meeting adjourned at 5:08 p.m.

Respectfully submitted,

Kit Alexander, Secretary

Robert Stuart, Chairman