

Minutes
Orange Beach Planning Commission
March 11, 2024 – 4:00 PM
Council Chamber – Orange Beach Municipal Complex
4099 Orange Beach Boulevard

A. CALL TO ORDER

Chairman Stuart called the meeting to order at 4:00 PM.

B. INVOCATION

Chairman Stuart gave the invocation

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Board Members Present:

Commissioner Bill Jeffries
Commissioner Pat Simpson
Commissioner Jack Robertson
Commissioner Glenn Smith
Commissioner Lannie Smith
Commissioner Nelson Bauer
Commissioner Kathy Lindsey
Chairman Robert Stuart

Staff Present:

Adam Roberson, Community Development Director/Building
Official
Griffin Powell, City Planner
Sherri Descalzo, Planning Coordinator
Sean Brumley, GIS Specialist
Jamie Logan, City Attorney

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 to the minutes, and the minutes stand approved as submitted.

1. Approval of minutes from Work Session Planning Commission meeting on February 12, 2024.
2. Approval of minutes from Regular Planning Commission meeting on February 12, 2024.

H. PUBLIC HEARING

1. Case Nos. 0103-PUD-04 and 0704-PUD-04, Reversion of the Bama Bayou Planned Unit Development Master Plan

Pursuant to Section 7.08 of the Orange Beach Zoning Ordinance, the Community Development Department requests recommendation to the City Council to repeal Case No. 0103-PUD-04 (Ordinance No. 2004-792) and Case No. 0707-PUD-04 (Ordinance No. 2004-818) to rescind the

Planned Unit Development zoning for the Bama Bayou PUD and parcel PINS 228840, 300713, 69654, 234423, 285653, 232649, and 285612. The zoning will return to the original zoning classification of General Business (GB). *Deferred from the Regular Meeting on February 12, 2024.*

Griffin Powell addressed the Planning Commission about deferring this request to the next regular meeting on April 8, 2024. Jamie Logan, City Attorney, stated that the City would prefer this request be deferred due to litigation.

Motion made and seconded to defer to April 8, 2024 meeting.

Motion made and seconded (L.Smith/Bauer) Commissioner Jeffries, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Glenn Smith, yes; Commissioner Robertson, yes; Commissioner Lannie Smith, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

Approved (8-0).

2. Case No. 0203-SD-24, The Wharf Landing, Phase 1 Subdivision

Sawgrass Consulting LLC, on behalf of The Wharf Landing LLC and Intracoastal Investments LLC, requests approval of **Preliminary and Final Minor Subdivision** to replat 105+ acres into three lots. The property is located on the east side of the Foley Beach Express and Brown Lane along the Intracoastal Waterway. *Deferred from the Regular Meeting on February 12, 2024.*

Griffin Powell stated that the applicant would like to defer this request to the next regular meeting on April 8, 2024.

Motion made and seconded to defer to the April 8, 2024 meeting.

Motion made and seconded (Lindsey/G.Smith) Commissioner Jeffries, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Glen Smith, yes; Commissioner Robertson, yes; Commissioner Lannie Smith, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

Approved (8-0).

3. Case No. 0301-SD-24, Barba Replat, Replat of Lots 1&2, East Orange Beach, Third Addition Subdivision

Adrian Barba requests approval of **Preliminary and Final Minor Subdivision** to amend the lot line between Lots 1 & 2 of East Orange Beach, Third Addition Subdivision. The lots are located at 27300 and 27312 Park Drive in the Single-Family Residential (RS-2) zoning district.

Griffin Powell presented the request and staff comments to the Planning Commission.

Chairman Stuart opened the Public Hearing. Adrian Barba, applicant, was the only person registered to speak. The Public Hearing was closed. There were no questions from the Planning Commission. Chairman Stuart called for a motion and vote.

Motion made and seconded to approve the Preliminary and Final Minor Subdivision subject to staff comments.

Motion made and seconded (Jeffries/L.Smith) Commissioner Jeffries, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Glen Smith, yes; Commissioner

Robertson, yes; Commissioner Lannie Smith, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

Approved (8-0).

4. Case No. 0302-SD-24, Moyer Replat, Replat of Lots 482 & 483, Bear Point Estates Subdivision

Paul Dennis & Carla Moyer requests approval of **Preliminary and Final Minor Subdivision** to combine Lots 482 & 483 of Bear Point Estates Subdivision into a single lot. The property is located at 5707 Pensacola Avenue in the Single-Family Residential (RS-2) zoning district.

Griffin Powell presented the request and staff comments to the Planning Commission.

Chairman Stuart opened the Public Hearing. With no persons registered to speak, the Public Hearing was closed. There were no questions from the Planning Commission. Chairman Stuart called for a motion and vote.

Motion made and seconded to approve the Preliminary and Final Minor Subdivision subject to staff comments.

Motion made and seconded (Simpson/Bauer) Commissioner Jeffries, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Glen Smith, yes; Commissioner Robertson, yes; Commissioner Lannie Smith, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

Approved (8-0).

5. Case No. 0303-SD-24, Bay Grove Subdivision

Mitchell G. Lattof, Jr. requests approval of **Preliminary and Final Minor Subdivision** to subdivide 4.36 acres into two lots. The property is located at the southwest corner of the intersection of Canal Road and Captain Trent Lane in the Marine Resort (MR) zoning district.

Griffin Powell presented the request and staff comments to the Planning Commission.

Chairman Stuart opened the Public Hearing. With no persons registered to speak, the Public Hearing was closed. Vice Chairman Lindsey asked if this property were attached to the proposed Abaco development to the south. Griffin Powell stated that the property was not attached. No further questions were asked by the Planning Commission. Chairman Stuart called for a motion and vote.

Motion made and seconded to approve the Preliminary and Final Minor Subdivision subject to staff comments.

Motion made and seconded (Lindsey/Jeffries) Commissioner Jeffries, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Glen Smith, yes; Commissioner Robertson, yes; Commissioner Lannie Smith, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

Approved (8-0).

6. Case No. 0304-ZT-24, Zoning Text Amendment, Sections 4.01 and 5.1303, Charter Boat Home Occupations

The Community Development Department requests recommendation to the City Council for approval of **Zoning Text Amendment** to remove the references of charter boat home occupations from Section 4.01, Table of Permitted Uses, and Section 5.1303, Home Occupations. Griffin Powell presented the request to the Planning Commission. He stated the purpose of the proposed amendments to the two sections was to make the Zoning Ordinance consistent with the Commercial Vessel Ordinance recently passed by the City Council.

Chairman Stuart opened the Public Hearing. No one registered to speak. Commissioner Lannie Smith asked if the new ordinance would allow existing charter boat home occupations to be grandfathered. Vice Chairman Lindsey said she had confirmed with Jamie Logan that existing charter boat home occupations would be grandfathered to the owner of the vessel and land, and it would not follow the sale of the property to a new owner nor would it follow the charter fisherman to a new property. Adrian Barba stated that he operates at Bear Point Marina and asked how the proposed revisions would impact the overall conditions of the charter boat operations. Jamie Logan confirmed that the proposed revisions changes nothing and brings the Zoning Ordinance in line with the Commercial Vessel Ordinance. The Public Hearing was closed. Chairman Stuart called for a motion and vote.

Motion made and seconded for favorable recommendation to City Council subject to staff comments.

Motion made and seconded (L.Smith/Robertson) Commissioner Jeffries, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Glen Smith, yes; Commissioner Robertson, yes; Commissioner Lannie Smith, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

Approved (8-0).

I. SITE PLAN REVIEW

J. ITEMS SUBMITTED BUT NOT MEETING SECOND DEADLINE

1. Case No. 0201-SD-24, Sampson Replat, Resubdivision of Parcel Four

Engineering Design Group, on behalf of Alan & Donna Burns and Silver Shaft LLC, requests approval of **Preliminary and Final Minor Subdivision** to relocate the lot line between Property PINS 14315 and 16085. The lots are located at 28633 and 28675 Sampson Avenue in the Single-Family Residential (RS-1) zoning district. *Deferred from the Regular Meeting on February 12, 2024.*

Motion made and seconded to defer to April 8, 2024 meeting.

Motion made and seconded (L.Smith/Bauer) Commissioner Jeffries, yes; Vice Chairman Lindsey, yes; Commissioner Simpson, yes; Commissioner Glen Smith, yes; Commissioner Robertson, yes; Commissioner Lannie Smith, yes; Commissioner Bauer, yes; Chairman Stuart, yes.

Approved (8-0).

K. OTHER BUSINESS

Griffin Powell indicated that there are five new applications along with three deferred applications for the April meeting.

L. PUBLIC COMMENT

M. ADJOURN

The meeting was adjourned at 4:15 PM.



Griffin Powell, City Planner



Robert Stuart, Chairman