

The City of Daphne
Planning Commission Minutes
Regular Meeting of April 24, 2014
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

The regular meeting of the City of Daphne Planning Commission was called to order at 5:02 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

Monty Montgomery (arrived @ 5:09 p.m.)
Don Terry, Secretary
Larry Chason, Chairman
Ron Scott, Councilman
Hudson Sandefur
Chief White

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Jay Ross, Attorney
Kevin Boucher, Attorney

The first order of business is the approval of the minutes.

Chairman asked for questions, comments or corrections to the minutes of *the regular meeting of March 27, 2014*. He asked to amend the minutes during the discussion of the motion for approval of the preliminary/final plat of Malbis Plantation, Inc. to include: "Chairman stated regardless of the fact that the ALDOT has issued the permit he felt that the access to CVS at Alabama Highway 181 was too close to the intersection, in his opinion someone will be injured and/or killed". *There was no further discussion regarding the correction. The minutes stand approved as corrected.*

Ms. Jones reminded the Commissioners to state in the record the need for comments to be documented verbatim.

The next order of business is site plan review for Ford Lumber & Millworks.

An introductory presentation was given by Mr. Jason Estes, representative of Preble-Rish, of a retail sales office and thirty thousand square foot warehouse facility north of U.S. Highway 90, Lot 1, Wooten Subdivision, and formerly Harley Davidson. Drainage and utilities are in place and will be extended to the building to the rear.

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A Motion was made by Mr. Scott and Seconded by Mr. Terry to approve the subdivision replat for Lands South, L.L.C. There was no discussion on the motion. The Motion carried unanimously.

Chairman recused himself from any discussion and/or action on the matter, but continued to conduct the meeting.

The next order of business is subdivision replat review for Velma Dale Jackson, et.al.

An introductory presentation was given by Mr. Joseph Thetford, Chason & Chason, of a three-lot subdivision consisting of twenty-two point six four acres northeast of the intersection of U.S. Highway 98 and Dale Road. The firm represents Velma Dale Jackson, the plaintiff, in the court case in a sale for division of the property. In 2008, the court entered an order to sale the twenty-two acres. Because two of the heirs had constructed houses on the property, the court ordered that those lots be divided from the parcel and reserved. The remaining twenty acres is to be sold. It is technically a subdivision, however, I asked for a subdivision exemption because one of the grounds for an exemption from the subdivision regulations is a court order.

Mr. Scott asked Mr. Ross if any action is required. Mr. Ross stated no action is required by the Commission other than discussion that is reflected in the minutes of the meeting as a copy of the approved minutes can be acquired for reference. Mr. Scott asked for the record to transcribe his comments verbatim. The discussion at the work session was that the minutes of the meeting would reflect that the Planning Commission understands that the Circuit Court has created three lots from a twenty-two point six four acre parcel. This body also recognizes the Court's authority to create such a division, and the action will be recorded in the minutes. When the minutes are approved, you may obtain a copy as an official recognition by this body that the lots created by the court order are legal. He asked if his comments were correct. Mr. Boucher stated I could not have said it better myself. Mr. Ross stated you can add that I echo that on behalf of Mr. Scott. That was very well stated. Mr. Scott stated we have the survey, but I would ask that staff get a PPIN number, parcel number, or legal description to reference the parcels.

Mr. Thetford stated a copy of the legal description of the three lots created, a survey, and the court order were attached to the exemption request. Mr. Scott stated once those deeds are recorded, Baldwin County will recognize the new parcels of which Daphne will collect ad valorem tax. Mr. Thetford asked is it my understanding that there is no need for a resolution, and that the minutes will be sufficient, and the Commission agreed.