

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL BUSINESS MEETING AGENDA
September 8, 2020
6:30 P.M.

1. CALL TO ORDER

2. ROLL CALL

INVOCATION Pastor Nick Williams, 3 Circle Church

PLEDGE OF ALLEGIANCE

PRESENTATION: Eastern Shore Chamber update

PRESENTATION: Eastern Shore Children's Business Fair

PUBLIC HEARING: Annexation Petition of Corte Road, a portion of Austin Road and the realignment of Austin Road

PUBLIC HEARING: Revision of the Official City of Daphne Zoning Map

3. APPROVE MINUTES: Council Meeting – August 17, 2020

4. REPORTS OF STANDING COMMITTEES

A. FINANCE COMMITTEE – Conaway

Review the minutes from the August 17, 2020 meeting.

Treasurer Report –

- Unrestricted Fund Balance - \$17,536,058

- Total Cash Balance - \$27,956,166

Sales Tax for June 2020 - \$1,842,001

Lodging Tax for June 2020 - \$95,024

MOTION to recommend to Council to include \$360/month in the FY2021 Budget for the Bayfront Street decorative street lights monthly electric cost.

B. BUILDINGS & PROPERTY COMMITTEE – Goodlin

Review the August 2020 Building Reports.

C. PUBLIC SAFETY COMMITTEE – Scott

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Phillips

E. PUBLIC WORKS COMMITTEE – Coleman

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS

A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones

B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway

C. INDUSTRIAL DEVELOPMENT BOARD – Rudicell

D. LIBRARY BOARD –Phillips

E. PLANNING COMMISSION – Scott

Review the minutes from the June 25, 2020 meeting and the report from the August 27, 2020 meeting.

F. RECREATION BOARD – Coleman

G. UTILITY BOARD – LeJeune

City Council Agenda – September 8, 2020

6. MAYOR’S REPORT

7. CITY ATTORNEY REPORT

8. DEPARTMENT HEAD REPORTS

MOTION to respectfully request that the Mayor defer the filling of any current or future Department Head or Director vacancies to the pending Mayor-elect.

9. CITY CLERK’S REPORT

MOTION to approve the 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only) to Mosleys Fine Meats Inc located at 699 US Highway 98, Daphne, Alabama.

MOTION to approve the Winged Foot Block Party on October 10, 2020 from 12:00pm – 7:00pm located at 8456 Mackie Lane, Daphne, Alabama.

MOTION to approve the Eastern Shore Children’s Business Fair on October 24, 2020 from 9:00am – 2:00pm to be located at Centennial Park.

MOTION to approve the Apollo’s Mystic Ladies Mardi Gras parade on February 5, 2021 from 6:45pm – 8:30pm.

MOTION to approve the publication and set a public hearing on October 19, 2020 for the John and Deborah Kim Zoning Amendment located Southwest corner of Pollard Road and County Road 64.

MOTION to approve the publication and set a public hearing on October 19, 2020 for the ODRG 2019, L.L.C. Zoning Amendment located Southwest of Van Avenue and Main Street.

10. PUBLIC PARTICIPATION

11. RESOLUTIONS & ORDINANCES

A. RESOLUTIONS:

2020-45 – Resolution in Support of the D’Olive Bay Forever Wild Nomination

B. 2nd READ ORDINANCES:

2020-26 –Modify the Boundary of the Jubilee Farms Planned Unit Development Located Southeast of Austin Road and Alabama Highway 181

2020-27 – Re-Zone Property Located South of County Road 54 and West of Avalon Subdivision Phase 3 of Forestar “USA” Real Estate Group, Inc.

C. 1ST READ ORDINANCES:

2020-28 – Revision of the Official City of Daphne Zoning Map

2020-29 – Additional Appropriation: Legal Fees – WPNVA, LLC - \$35,000

2020-30 – Annexation of Property Contiguous to the Corporate Limits of the City of Daphne – Corte Road, a Portion of Austin Road and the Realignment of Austin Road

12. COUNCIL COMMENTS

13. ADJOURN

To: Office of the City Clerk
From: Adrienne D. Jones, 
Director of Community Development
Subject: City of Daphne Petition for Annexation
and acceptance for maintenance of the
right-of-way of Corte Road, a portion
of Austin Road and the realignment of
of Austin Road
Date: July 13, 2020

MEMORANDUM

LOCATION: The right-of-way of Corte Road, a portion of Austin Road, and the realignment of Austin Road

RECOMMENDATION: At the Thursday, June 25, 2020, regular meeting of the Daphne Planning Commission, six members were present and the motion to set forth an favorable recommendation was made and carried unanimously for annexation and acceptance for maintenance.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/jv

cc: Jeremy Sasser, Public Works Director
file

attachment(s)

1. Quit Claim Deed
2. Intergovernmental Service Agreement between the City of Daphne and Baldwin County
3. Legal Description
4. Map of Property
5. Community Development Report

FILE
07/13/20
JV

1836732

THIS INSTRUMENT PREPARED BY:
BALDWIN COUNTY HIGHWAY DEPARTMENT
ROBERTSDALE, ALABAMA 36567



STATE OF ALABAMA)
BALDWIN COUNTY)

^{OK}
CORTE ROAD
FROM COUNTY ROAD 13
RUNNING EASTERLY TO
STATE ROUTE 181;
AUSTIN ROAD
FROM STATE ROUTE 181
RUNNING EASTERLY
APPROXIMATELY 1,770
FEET TO THE INTERSECTION
OF AUSTIN ROAD AND
SEATTLE SLEW WAY, AND
THE RIGHT OF WAY
REALIGNMENT OF AUSTIN
ROAD PROJECT NO. 0205317

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that **Baldwin County, Alabama**, by and through the Baldwin County Commission, a political subdivision of the State of Alabama, hereinafter referred to as the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration this day paid to Grantor by the **City of Daphne**, Alabama, an Alabama municipal corporation, hereinafter referred to as Grantee, the receipt and sufficiency of which is hereby acknowledged, has and by these presents does hereby REMISE, RELEASE, QUITCLAIM AND CONVEY unto the Grantee, all of Grantor's right, title, interest and claim in and to the following described real property, subject to the covenants contained herein and the rights of any utilities which may be on, over, or under said real estate, situated in Baldwin County, Alabama, to wit:

CORTE ROAD

A part of the Southwest Quarter of Section 22, Township 5 South, Range 2 East and the North Half of Section 27, Township 5 South, Range 2 East, Baldwin County, Alabama and being more fully described as follows:

It is the intent of this document to remise, release, quitclaim and convey unto the City of Daphne, Alabama, any and all right and title to Corte Road right-of-way owned and maintained by Baldwin County, beginning at the east right-of-way line of County Road 13, running easterly to the west right-of-way line of State Route 181; said right-of-way being quitclaimed is described in Instrument No. 1689857; Instrument No. 1661857; Instrument No. 1677090; Instrument No. 1673712; Condemnation Order rendered in Baldwin County Probate Court Case File Number 35524, filed Instrument No. 1702120; Slide 2504-E; Slide 2587-E and Slide 2671 A-D.

GRANTOR'S ADDRESS:

BALDWIN COUNTY HIGHWAY DEPARTMENT
P.O. BOX 220
SILVERHILL, ALABAMA 36576

GRANTEE'S ADDRESS:

CITY OF DAPHNE
P. O. BOX 400
DAPHNE, ALABAMA 36526

AUSTIN ROAD

A part of the West Half of the Northwest Quarter of Section 26, Township 5 South, Range 2 East, Baldwin County, Alabama and being more fully described as follows:

It is the intent of this document to remise, release, quitclaim and convey unto the City of Daphne, Alabama, any and all right and title to Austin Road right-of-way owned and maintained by Baldwin County, beginning at the east right-of-way line of State Route 181, running easterly approximately 1,770 feet and the Austin Road right-of-way realignment, Baldwin County Project No. 0205317; said right-of-way being quitclaimed is described in Real Property Book 391 page 1306; part of Real Property Book 391 page 1307; part of Real Property Book 391 page 1304; Instrument No. 1107111; Instrument No. 1689857, corrected in Instrument No. 1824503 and Condemnation Order rendered in Baldwin County Probate Court Case File Number 35524, filed in Instrument No. 1702120.

Subject to reservations and restrictions, exceptions and encumbrances contained in the instruments and deeds set forth above.

TO HAVE AND TO HOLD unto the said Grantee, or its successors and assigns for FOREVER.

IN WITNESS WHEREOF, the Grantor has hereunto caused this instrument to be executed by its duly authorized representative on this the 16th day of June, 2020.

GRANTOR

BALDWIN COUNTY, ALABAMA,
by and through the Baldwin County Commission,
a political subdivision of the State of Alabama

By: Billie Jo Underwood
Billie Jo Underwood
Chairman of Baldwin County Commission

Attest

By: Wayne Dyess
Wayne Dyess
County Administrator of Baldwin County Commission



GRANTOR'S ADDRESS:

BALDWIN COUNTY HIGHWAY DEPARTMENT
P.O. BOX 220
SILVERHILL, ALABAMA 36576

GRANTEE'S ADDRESS:

CITY OF DAPHNE
P. O. BOX 400
DAPHNE, ALABAMA 36526

STATE OF ALABAMA

COUNTY OF BALDWIN

I, Miranda W. McKinnon, a Notary Public, in and for said County in said State, hereby certify that Billie Jo Underwood, whose name as Chairman of the County Commission of BALDWIN COUNTY, ALABAMA, a political subdivision of the State of Alabama, and Wayne Dyess, whose name as County Administrator, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said political subdivision .

Given under my hand and seal this 11th day of June, 2020.

Miranda W. McKinnon
Notary Public, Baldwin County, Alabama

My Commission Expires:
February 25, 2023

My Commission Expires: _____

GRANTOR'S ADDRESS:

BALDWIN COUNTY HIGHWAY DEPARTMENT
P.O. BOX 220
SILVERHILL, ALABAMA 36576

GRANTEE'S ADDRESS:

CITY OF DAPHNE
P. O. BOX 400
DAPHNE, ALABAMA 36526



COUNTY COMMISSION

BALDWIN COUNTY
312 Courthouse Square, Suite 12
BAY MINETTE, ALABAMA 36507
(251) 937-0264
Fax (251) 580-2500
www.baldwincountyal.gov

MEMBERS
DISTRICT 1. JAMES E. BALL
2. JOE DAVIS, III
3. BILLIE JO UNDERWOOD
4. CHARLES F. GRUBER

March 17, 2020

The Honorable Dane Haygood
Mayor
City of Daphne
Post Office Box 400
Daphne, Alabama 36526

RE: Corte Road and Austin Road Improvements - Intergovernmental Service Agreement between Baldwin County and the City of Daphne

Dear Mayor Haygood:

The Baldwin County Commission, during its regularly scheduled meeting held on March 17, 2020, took the following actions:

- 1) **Rescinded** the action taken by the Baldwin County Commission, during its regularly scheduled meeting on June 6, 2017, more specifically, the staff recommendation regarding Agenda Item GA1, which approved as follows:

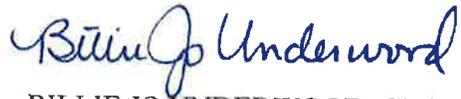
"APPROVE AN INTERGOVERNMENTAL SERVICE AGREEMENT BETWEEN THE BALDWIN COUNTY COMMISSION AND THE CITY OF DAPHNE FOR ROAD BED PREPARATION AND RIGHT-OF-WAY ACQUISITION ON PHASE I AND RIGHT-OF-WAY ACQUISITION ON PHASE II OF THE CORTE ROAD AND AUSTIN ROAD IMPROVEMENT PROJECT."

- 2) Approved and authorized me, as Chairman, to execute the **enclosed Intergovernmental Service Agreement** with the City of Daphne which will rescind the previous agreement, approved during the June 6, 2017, Baldwin County Commission Regular Meeting, and establish new responsibilities for the proposed improvements to Corte Road and Austin Road.

The Honorable Dane Haygood
March 17, 2020
Page 2 of 2

If you have any questions or need further assistance, please do not hesitate to contact me at (251) 972-8515 or Joey Nunnally, County Engineer, at (251) 937-0371

Sincerely,



BILLIE JO UNDERWOOD, Chairman
Baldwin County Commission

BJU/me Item BN1

cc: Joey Nunnally (Original Agreement)
Stacy Appleton
Lisa Sangster

ENCLOSURE(S)

INTERGOVERNMENTAL SERVICE AGREEMENT
TO RESCIND PRIOR AGREEMENT AND ESTABLISH NEW
RESPONSIBILITIES FOR THE PROPOSED IMPROVEMENTS
TO CORTE ROAD AND AUSTIN ROAD

This Intergovernmental Service Agreement ("Agreement") is entered into by and between the Baldwin County Commission (hereinafter "County") and the City of Daphne, Alabama (hereinafter "City"), as follows:

RECITALS

Whereas, County is the duly formed governing body in and for Baldwin County, Alabama, and City is an incorporated municipality of the State of Alabama; and

Whereas, County and City are authorized under Alabama law to control, manage, supervise, regulate, repair, maintain, and improve (hereinafter collectively "control") certain public roads or rights-of-way inside their respective jurisdictions; and

Whereas, City has determined that an additional east-west arterial connecting County Road 13 and State Route 181 is needed; and

Whereas, City has planned an additional connector between County Road 13 and State Route 181 by making improvements to Corte Road to include design, right-of-way acquisition, grading, drainage, basing and paving of Corte Road from County Road 13 to State Route 181 (hereinafter "Phase I") and improvements to Austin Road to include design, right-of-way acquisition and construction of new roadway from the intersection of State Route 181 and Corte Road eastward to Austin Road (hereinafter "Phase II"); and

Whereas, County and City acknowledge and agree that County currently maintains the sections of Corte Road and Austin Road that lie within the project limits; and

Whereas, County and City entered into a prior Agreement (hereinafter "Prior Agreement") dated June 13, 2017, whereby the County and City agreed to the following:

- 1) County agreed to assist the City by providing labor and equipment for grading and compacting assistance in the preparation of the Corte Road roadbed prior to paving (Phase I) and assist the City with right-of-way acquisition by providing personnel to assist in the procurement of needed right-of-way and donating Baldwin County employee personnel time and services as "in kind" services (Phase I and Phase II);
- 2) City agreed to provide all design work and materials and be responsible for any other costs or expenses related to improvements on Phase I and Phase II and reimburse the County for all costs associated with the right-of-way acquisition (less donated County time and services) and provide all required right-of-way survey support for Phase I and Phase II; and

- 3) County agreed to transfer maintenance obligations of Phase I and Phase II via quitclaim deed and annexation by the City, and City agreed to take the steps necessary to facilitate such transfer; and

Whereas, unforeseen circumstances and changes to the project scope require the County and City rescind its Prior Agreement dated June 13, 2017; and

Whereas, County and City wish to enter into this new Agreement to provide for their joint cooperation for the Phase I and Phase II improvements described above; and

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the sufficiency of which being hereby acknowledged, County and City do hereby agree as follows:

1. **Recitals:** The recitals set out above are incorporated into this Agreement, as though the same were set out in full in this paragraph.
2. **Rescission of Prior Agreement:** The parties acknowledge and agree that the Prior Agreement dated June 13, 2017, is hereby rescinded in its entirety and replaced with the present Agreement.
3. **Purpose:** The parties acknowledge and agree that the purpose of this Agreement is for the County to assist the City with right-of-way acquisition and for the City to manage the design, public letting, and construction of Phase I and Phase II at the City's expense.
4. **County Remains Owner of Right-of-Way until Completion of the Project:** The County shall retain exclusive responsibility for and control over Corte Road and Austin Road until the Project is complete. The City will have exclusive responsibility for and control over Phase I and Phase II upon receipt of Quitclaim Deeds from the County following Completion of the Project.
5. **Maintenance:** Upon completion of the Project and receipt of Quitclaim Deeds, the City shall retain exclusive maintenance responsibilities for Phase I and Phase II.
6. **No Joint Ownership of Property:** The parties acknowledge and agree that they will not jointly acquire, own, or otherwise come into joint or common possession of any property as a result of or in relation to this Agreement.
7. **Financing and Budgeting:** Each party shall be responsible for financing the obligations undertaken by that party hereunder and shall not be responsible for financing, or in any other manner contributing to, the actual costs or expenses of the obligations undertaken by the other party unless expressly identified herein.
8. **Approval and Effective Date:** This Agreement shall become effective upon the date of full execution by both parties ("Effective Date").

9. **Term:** The term of this Agreement shall be for twenty-four (24) months from its effective date. This document may be amended only upon written approval by the Parties hereto, and any such amendment shall be approved by the same method by which this original Agreement has been approved by the Parties.
10. **Reimbursements:** The City will reimburse the County for costs set forth herein within thirty (30) days from invoice date.
11. **Services to be Performed by County (Phase I and Phase II):**
- A. Donate Baldwin County employee time and services as “in kind” services to acquire all right-of-way necessary to complete the project. (This item has been completed between the date of the original agreement and the new agreement)
 - B. Send invoices to the City for all actual right-of-way acquisition costs (excluding in-kind services). (This item has been completed between the date of the original agreement and the new agreement. All invoices have been submitted and full payment has been received.)
 - C. Prepare and execute a Quitclaim Deed to the City conveying all rights, title and interest to any right-of-way owned on Phase I or Phase II following completion of the project.
 - D. Provide payment to the City in the amount of two-hundred thousand dollars \$200,000 to be used for the Project.
 - E. Any tasks necessary for the completion of Phase I and Phase II not specifically delineated in Paragraphs 11(A)-(C) as a responsibility of County shall be the responsibility of City.
12. **Services to be Performed by City (Phase I and Phase II):**
- A. Pay all outstanding invoices to reimburse the County for all actual costs associated with right-of-way acquisition (less donated County time and services), as a prior condition to the County’s performance of any of the services listed in paragraph 11(A)-(C). (This item has been completed between the date of the original agreement and the new agreement. All invoices have been submitted and full payment has been received.)
 - B. Provide to County, at City’s own expense, an engineered plan set for Phase I and Phase II that includes the following:
 - a. Title Sheet
 - b. General and Project Notes

- c. Typical Section for twenty-two foot roadway with 220 LB/SY wearing surface and eight-inch sand/clay base
- d. Project Details
- e. Geometric Layout (including location of temporary elevation benchmarks)
- f. Plan Profile (including overlay with future SR 181 intersection)
- g. Temporary Traffic Control Plan
- h. Cross Sections
- i. Utility Sheets (existing and proposed)
- j. Summary of Quantities
- k. Erosion and Sediment Control Plan
- l. Bid additive for Corte Road West 1700'
- m. Bid additive for additional Bellaton Entrance features
- n. Any other sheets deemed necessary to successful letting, award, and construction of Phase I and Phase II.

(This item has been completed between the date of the original agreement and the new agreement)

- C. Provide to County for review and approval, at City's own expense, an itemized Project Cost Estimate for Phase I and Phase II construction, prepared by the Engineer of Record, that includes the following:
 - a. Construction cost estimate by pay item (including mobilization, engineering controls, and traffic control)
 - b. County Utility Relocation cost estimate
 - c. Materials and Testing cost estimate
 - d. CE&I cost estimate
 - e. Bid additive for Corte Road West 1700' cost estimate
 - f. Bid additive for Bellaton Entrance Features cost estimate

(This item has been completed between the date of the original agreement and the new agreement)

- D. Hold a pre-bid meeting, pre-construction meeting, and ensure the City's Engineer of Record is available at any other times necessary to answer questions about the proposed design, at the City's expense. (This item has been completed between the date of the original agreement and the new agreement)
- E. Provide written correspondence from all utility companies within the Phase I and Phase II scopes of work stating that the company has reviewed and concurs the utility plans for the project. In the case that the project is designed such that the new roadbed will be constructed over existing utilities, the City shall provide written confirmation that this is the intended design. Any utility costs associated with the project shall be at the City's expense. (This item has been completed between the date of the original agreement and the new agreement)

- F. Any and all additional costs associated with the project shall be at the City's expense.
- G. Acquire all required permits on behalf of the County, including but not limited to permits required by ADEM, the US Army Corps of Engineers, and ALDOT, and pay any associated costs. (This item has been completed between the date of the original agreement and the new agreement)
- H. Responsible for maintenance of Phase I and Phase II after receipt of Quitclaim Deeds from the County.
- I. Responsible for maintenance of the existing Austin Road from State Route 181 to the project limits of Phase II after receipt of Quitclaim Deeds from the County.
- J. Take all necessary action to take over maintenance of the subject rights-of-way and the project, including, but not limited to, the passage of resolutions accepting maintenance and annexation of the rights-of-way.

13. **Termination and Notice:** Notwithstanding the foregoing, the County may terminate this Agreement, with reasonable cause, upon written notice to the City. The County's said notice shall be deemed effective, and the Agreement deemed terminated, thirty (30) days after the date such notice is mailed by certified mail to the City. In the event of termination by the County, the City shall be responsible for all actual costs incurred by the County, as set forth in this agreement, through the date of receipt of the requisite termination notice. All notices provided for herein shall be sent as follows:

To City: City of Daphne
P.O. Box 400
Daphne, Alabama 36526

To County: Baldwin County Commission
312 Courthouse Square, Suite 12
Bay Minette, Alabama 36507

14. **Indemnity:** To the fullest extent allowed by law, City shall indemnify, defend and hold the County and its Commissioners, departments, department heads, affiliates, employees, agents, and representatives (collectively referred to in this section as "County") harmless from and against any and all claims, demands, liabilities, damages, losses, judgments, costs, and expenses including, without limitations, attorneys' fees and costs, for any and all personal injury (including death) and property damage of any kind or nature whatsoever, incurred by, asserted against, or imposed upon the County, as a result of or in any manner related to the work or services performed by the County and City pursuant to this Agreement or in any way related to the work or services performed by the County or City pursuant to this

Agreement, excluding those which arise from an alleged injury to a County employee. This indemnification provision shall survive the expiration or termination of this Agreement.

City accepts the improvement, work, property, product, funds and services of the County as a result of the Project in its "WHERE IS", "AS IS", condition and acknowledges that the County has made no representation or warranty to City as to, and has no obligation for the condition of, the improvements, work, property, product, funds and services of the County. City assumes the risk of any latent or patent defects or problems that are or may be contained in the improvements, work, property, product, funds and services of the County or City. City agrees that the County shall not be liable for any injury, loss or damage on account of any such defects or problems. City for itself and City Representatives waive and release the County from any claims for injury to persons (other than County employees) or damage to the personal property by reason of the condition of the improvements, work, property, product, funds and services of the County or otherwise.

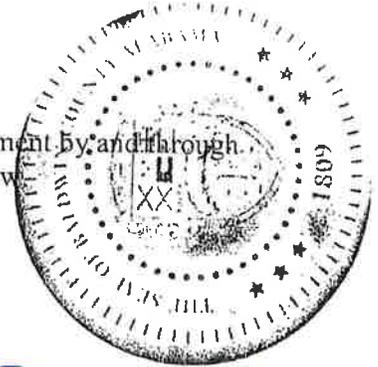
All guarantees, duties, representations, assurances, without limitation, contained within this Agreement shall survive and exist beyond the date of termination or expiration of this Agreement, and time, or the lapse thereof, shall not be used for, or argued as a defense by, the City against the same.

Nothing contained herein shall be construed to limit or modify the laws of Alabama as the same may apply to the County or City related to any immunity, absolute or qualified, to which the County and City are otherwise entitled by law.

15. **Entire Agreement:** This Agreement represents the entire and integrated agreement between County and City and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended only by written instrument signed by the parties.
16. **Both Parties Contributed Equally to the Agreement:** This Agreement shall not be construed more strictly against one party than against the other merely by virtue of the fact that it may have been prepared by counsel for one of the parties, it being recognized that both County and City have contributed substantially and materially to the preparation of this Agreement.
17. **Failure to Strictly Enforce Performance:** The failure of either party to insist upon the strict performance of any of the terms, covenants, agreements and conditions of this Agreement shall not constitute a default or be construed as a waiver or relinquishment of the right of a party to thereafter enforce any such term, covenant, agreement, or condition, but the same shall continue in full force and effect.
18. **Assignment:** Neither this Agreement nor any interest herein shall be assigned, transferred or otherwise encumbered without a prior written agreement providing for such assignment, transfer, or other encumbrance, signed by the parties.

19. **Choice of Law:** The parties acknowledge and agree that this Agreement shall in all respects be governed by the laws of the State of Alabama, including without limitation all issues relating to capacity, formation, interpretation, and available remedies, without regard to Alabama conflict of law principles.

IN WITNESS WHEREOF, the parties have executed this Agreement by and through their duly authorized representatives as of the date of full execution below.



COUNTY:
BALDWIN COUNTY

ATTEST:

BY: Billie Jo Underwood / 3/17/2020 /Date
Billie Jo Underwood /Date
Chairman
Wayne Dyess / 3/17/2020 /Date
Wayne Dyess /Date
County Administrator

CITY:
THE CITY OF DAPHNE

ATTEST:

BY: Dane Haygood / 2/12/2020 /Date
DANE HAYGOOD /Date
Mayor
Candace G. Antinarella / 2/12/2020 /Date
CANDACE G. ANTINARELLA /Date
City Clerk

State of Alabama)
County of Baldwin)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Billie Jo Underwood, as Chairman of the Baldwin County Commission, and Wayne Dyess, as County Administrator of the Baldwin County Commission, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the Agreement, they, as such officers and with full authority, executed the same voluntarily for and as the act of said Baldwin County Commission.

Given under my hand and official seal, this the 17th day of March, 2020.



Miranda N. McKinnon
Notary Public
My Commission Expires: February 25, 2023

State of Alabama)
County of Baldwin)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that, Dane Haygood, whose name as Mayor of the City of Daphne, and Candace G. Antinarella, whose name as City Clerk of the City of Daphne, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the Agreement, they, as such officers and with full authority, executed the same voluntarily for and as the act of said City of Daphne.

Given under my hand and official seal, this the 12th day of February, ~~2019~~ ²⁰²⁰

Jessica H. Linne
Notary Public
My Commission Expires: _____



CORTE ROAD

A part of the Southwest Quarter of Section 22, Township 5 South, Range 2 East and the North Half of Section 27, Township 5 South, Range 2 East, Baldwin County, Alabama and being more fully described as follows:

It is the intent of this document to remise, release, quitclaim and convey unto the City of Daphne, Alabama, any and all right and title to Corte Road right-of-way owned and maintained by Baldwin County, beginning at the east right-of-way line of County Road 13, running easterly to the west right-of-way line of State Route 181; said right-of-way being quitclaimed is described in Instrument No. 1689857; Instrument No. 1661857; Instrument No. 1677090; Instrument No. 1673712; Condemnation Order rendered in Baldwin County Probate Court Case File Number 35524, filed Instrument No. 1702120; Slide 2504-E; Slide 2587-E and Slide 2671 A-D.

AUSTIN ROAD

A part of the West Half of the Northwest Quarter of Section 26, Township 5 South, Range 2 East, Baldwin County, Alabama and being more fully described as follows:

It is the intent of this document to remise, release, quitclaim and convey unto the City of Daphne, Alabama, any and all right and title to Austin Road right-of-way owned and maintained by Baldwin County, beginning at the east right-of-way line of State Route 181, running easterly approximately 1,770 feet and the Austin Road right-of-way realignment, Baldwin County Project No. 0205317; said right-of-way being quitclaimed is described in Real Property Book 391 page 1306; part of Real Property Book 391 page 1307; part of Real Property Book 391 page 1304; Instrument No. 1107111; Instrument No. 1689857, corrected in Instrument No. 1824503 and Condemnation Order rendered in Baldwin County Probate Court Case File Number 35524, filed in Instrument No. 1702120.

**PORTION OF AUSTIN ROAD AND THE RIGHT OF WAY REALIGNMENT OF AUSTIN ROAD
TO BE QUITCLAIMED TO CITY OF DAPHNE**



CORTE ROAD TO BE QUITCLAIMED TO CITY OF DAPHNE



To: Office of the City Clerk
From: Adrienne D. Jones, *AS*
Community Development Director
Subject: Revision to the Official City of Daphne
Street Map
Date: July 13, 2020

MEMORANDUM

At the, June 25, 2020, regular meeting of the City of Daphne Planning Commission, six members were present. The motion carried unanimously to set forth a **favorable recommendation** of acceptance of the above-mentioned revision to the street map containing (codifications that were approved between December 1, 2019 - June 21, 2020).

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare a resolution for placement on the City Council agenda of Monday, July 20, 2020.

Thank you,
ADJ/jv

cc: file

attachment(s)

1. Street Map Planning Report (Copy Attached)
2. Street Map (Display - Posted in Council Chambers)

FILE
071120
21
N

Zoning and Street Map Edits: December 1, 2019 through June 21, 2020

Legislative Annexation	Governor Approval Date	Act #	Zoning Classification	Property Size (Acres)
N/A				
Annexation by Council Action	Council Approval Date	Council Action Ordinance #		Property Size (Acres)
N/A				
Prezoning	Council Approval Date	Ordinance #	Zoning Classification	Property Size (Acres)
N/A				
Rezoning Petitions	Council Approval Date	Ordinance #	Old/New Zoning Classification	Property Size (Acres)
Demaris Anderson	12/02/19	2019-48	R-2 to MU	0.20
Rachel Burmeister and James Stocks	1/06/20	2020-01	R-2 to MU	0.30
Zeolia Dale Family Property	6/01/20	2020-16	B-2, General Business to PUD Seagrass Village	20.72
Street Acceptances	Approved	Resolution #	Linear Feet	Miles
Oldfield Phase 3B	3/16/20	2020-13	3,271	0.619
Jubilee Farms Phase 1	3/16/20	2020-14	7,102	1.34
Jubilee Farms Phase 2	3/16/20	2020-15	2,333	0.44
Jubilee Farms Phase 3	3/16/20	2020-16	2,184	0.41
Jubilee Farms Phase 4	3/16/20	2020-17	2,216	0.42
Jubilee Farms Phase 5	3/16/20	2020-18	2,655	0.50
Winged Foot Phase 3	4/06/20	2020-21	3,410	0.645

**August 17, 2020
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

1. CALL TO ORDER:

There being a quorum present Council President Robin LeJeune called the meeting to order at 6:30pm.

2. ROLL CALL:

COUNCIL MEMBERS PRESENT: Tommie Conaway, Robin LeJeune, Pat Rudicell, Angie Phillips, Doug Goodlin and Joel Coleman

COUNCIL MEMBERS ABSENT: Ron Scott

Also Present: Candace Antinarella, City Clerk; Jay Ross, City Attorney; Kelli Reid, Finance Director; Jeremy Sasser, Public Works Director; Chief Brown, Fire Department; Ange Baggett, Marketing and Recreation Director; Conrad Bates, IT Director; Chief Carpenter, Police Department; Betsy Schneider, Director of Operations; Adrienne Jones, Planning Director; and Troy Strunk, Director of City Development.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Pastor Rife Stewart, Destiny Church.

PUBLIC HEARING: Adrienne Jones gave an overview of the modification of the boundary of Jubilee Farms Planned Unit Development Located Southeast of Austin Road and Alabama Highway 181.

Public hearing opened at 6:36pm. Closed at 6:37pm

PUBLIC HEARING: Blake Pippin, proposed owner, gave an overview on the re-zone property located south of County Rd 54 and West of Avalon Subdivision Phase 3 Forestar "USA" Real Estate Group, Inc.

Public hearing opened at 6:37pm. Public hearing closed at 6:38pm.

3. APPROVAL OF MINUTES:

The minutes from the July 6, 2020 regular meeting, July 20, 2020 regular meeting and August 3, 2020 regular meeting were approved.

3. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE

Councilwoman Conaway said Committee met that afternoon. The report from the meeting will be presented at the next Council meeting.

B. BUILDINGS & PROPERTY COMMITTEE

Councilman Goodlin said the July Building Inspection Reports are in the packet. He said the next meeting is September 14, 2020 at 5:15pm.

C. PUBLIC SAFETY COMMITTEE

Councilman LeJeune said the minutes from the July 13, 2020 meeting are in the packet.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE

Councilwoman Phillips said the next meeting will be September 8th at 4:30pm.

E. PUBLIC WORKS COMMITTEE

Councilman Coleman said the next meeting is September 8th at 5:30pm. He said the minutes from the July 6th meeting are in the packet.

**August 17, 2020
CITY COUNCIL MEETING
REGULAR BUSINESS MEETING
1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

4. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments

Mrs. Jones said there was no report.

B. Downtown Redevelopment Authority

Councilwoman Conaway said the Downtown Redevelopment Authority will meet on August 20th at 5:30pm.

C. Industrial Development Board

Councilman Rudicell asked City Clerk when the next meeting is scheduled. City Clerk said the next meeting is scheduled for tomorrow, August 18th.

D. Library Board

Councilwoman Phillips said the Board will meet on Thursday, September 10th.

E. Planning Commission

Councilman Scott was absent. Adrienne Jones said the next meeting is August 27th.

F. Recreation Board

Councilman Coleman said the Board didn't meet that month. The next meeting is September 16th.

G. Utility Board

Councilman LeJeune said the next meeting is August 26th.

5. MAYOR'S REPORT:

Mayor Haygood said the hospitalization regarding COVID was down on a local level. He said they are exploring with healthcare providers for some enhanced testing for COVID. He said in the Finance meeting, it was discussed a refinancing of debt. He reiterated a request for the Council to consider the Lott Park Tennis Center Building and the Tennis Center Coordinator.

6. CITY ATTORNEY REPORT:

City Attorney said there was no report.

7. DEPARTMENT HEAD COMMENTS:

Chief Carpenter, Police Department, thanked the Fire Department for their help when an officer had overheated.

Chief Brown, Fire Department, gave an update on the officers.

Jeremy Sasser, Public Works, gave an update on the resurfacing project.

8. CITY CLERK'S REPORT:

MOTION by Councilwoman Conaway to approve the Daphne High School Homecoming Parade on Main Street from the Daphne Civic Center to WJ Carroll on September 17, 2020 from 5:00pm – 7:00pm. Seconded by Councilwoman Phillips.

Aye – Conaway, Rudicell, Coleman, Phillips, LeJeune. Abstain – Goodlin.

MOTION CARRIED.

**August 17, 2020
CITY COUNCIL MEETING
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1705 MAIN STREET
DAPHNE, AL
6:30 P.M.**

**MOTION by Councilman Coleman to approve the Daphne United Methodist/Cub Scout Pack 271 Popcorn Fundraiser on October 3rd, 10th, 17th and 24th, 2020 from 8:00am – 10:00am in the Lake Forest Neighborhood. Seconded by Councilman Goodlin.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Rudicell to approve the 32nd Annual Jubilee Festival location change from downtown Daphne to Lott Park as well as Main Street from Lea Avenue to the north corner of Lott Park on September 25-27, 2020. Seconded by Councilman Goodlin. Mayor Haygood said the Council needs to be aware of what is happening in the State and local as well. He said there might need to be an opportunity to reassess when dealing with COVID precautions. Council President LeJeune asked the City Clerk to make a note on the first Council meeting in September as well as the September Work Session to discuss the Jubilee Festival and the precautions needed for COVID.
MOTION CARRIED UNANIMOUSLY.**

City Clerk reminded everyone the next Council meeting is Tuesday, September 8th because Monday, September 7th is Labor Day. She said that Tuesday, August 25th 7:00am – 7:00pm is Election Day. She said if anyone wants to apply for absentee ballots, they may be applied for through August 20th.

9. PUBLIC PARTICIPATION:

Public Participation opened at 6:51pm.

Public Participation closed at 6:52pm.

10. RESOLUTIONS & ORDINANCES:

A. RESOLUTIONS:

ORDINANCES:

B. 2nd READ ORDINANCES:

2020-25 – Additional Appropriation: Bayfront Master Plan Engineering and Permitting Fees - \$116,500

**MOTION by Councilwoman Conaway to waive the reading of Ordinances 2020-25. Seconded by Councilman Coleman.
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilwoman Conaway to adopt Ordinance 2020-25. Seconded by Councilwoman Phillips. Councilman Rudicell asked if the amount was coming out of the general fund.
MOTION CARRIED UNANIMOUSLY.**

C. 1ST READ ORDINANCES:

2020-26 –Modify the Boundary of the Jubilee Farms Planned Unit Development Located Southeast of Austin Road and Alabama Highway 181

2020-27 – Re-Zone Property Located South of County Road 54 and West of Avalon Subdivision Phase 3 of Forestar “USA” Real Estate Group, Inc.

**August 17, 2020
CITY COUNCIL MEETING
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11. COUNCIL COMMENTS:

Mayor Haygood reminded everyone to vote on August 25th. He thanked all who have served. He thanked the poll workers. He reminded everyone there are two voting locations. He shared that Districts 1-5 vote at the Civic Center and District 6-7 vote at Trojan Hall at the High School.

Councilwoman Conaway said the Education Advisory Committee will be August 24th.

Councilman Goodlin said there are seven portable buildings at Daphne High School. He said they do not belong to Daphne High School, but are a part of the virtual school set up by the School Board.

Councilman LeJeune asked everyone to go out and vote on August 25th. He thanked Mayor Haygood for his service the last 8 years.

12. ADJOURN:

THERE BEING NO FURTHER BUSINESS TO DISCUSS, COUNCIL ADJOURNED INTO EXECUTIVE SESSION AT 6:55PM.

Respectfully submitted by,

Certification of Presiding Officer,

Candace G. Antinarella, CMC, City Clerk

Robin LeJeune, Council President

CITY OF DAPHNE
FINANCE COMMITTEE MINUTES
AUGUST 17, 2020
4:30 P.M.

I. CALL TO ORDER/ROLL CALL

The meeting was called to order at 4:30 p.m.

Present were:

Chairperson Mrs. Tommie Conaway
Councilman Mr. Pat Rudicell
Councilman Mr. Joel Coleman
Councilman Mr. Doug Goodlin

Councilman Mr. Robin LeJeune
Councilwoman Mrs. Angie Phillips

Also Present: Mayor Dane Haygood, Finance Director Mrs. Kelli Reid, Senior Accountant Mrs. Suzâne Henson, Human Resource Director Vickie Hinman, Revenue Officer Courtney Coleman, Public Works Director Mr. Jeremy Sasser, City Clerk Mrs. Candace Antinarella, Executive Director of City Development Troy Strunk, Director of Events and Marketing Ange Baggett, City Attorney Mr. Jay Ross, and engineer Andy Bobe – Dewberry Engineers.

II. PUBLIC PARTICIPATION

There was no Public participation.

III. APPROVE MINUTES FOR THE PREVIOUS MEETING

The previous minutes were approved.

IV. HUMAN RESOURCES BUSINESS

A. Update on Human Resources Department Activity

Mrs. Vickie Hinman reviewed the Human Resource Report:

- Posted positions – 5
- Reviewing/Testing/Interviewing/Background check - 6
- Promotion/Internal Transfer - 4
- New Hires – 5
- Open positions - 0

Mrs. Hinman reviewed the monthly Safety Committee meeting topics discussed and other Human Resource projects and events.

- Safety Committee: Next Safety Committee meeting is August 26, 2020.
- Other HR projects/meetings/events:
- New Employee Orientation: Rescheduled
- 2020 Open Enrollment: August 1 – August 31, 2020

B. Overtime Report and Special Events Overtime Recap Report

The Overtime report was included in the packet for review.

V. BUSINESS LICENSE REPORT

A. Report: New Business Licenses – July, 2020

Mrs. Coleman reviewed the following reports and information:

- Code enforcement issued 2 warnings resulting in businesses becoming compliant and \$175 in revenue.
- New Businesses with a physical location in Daphne - 7
- Simplified Sellers Use Tax collections - \$79,900.53 and YTD collections - \$ 633,485.79

BUSINESS LICENSE COUNT through 07/31/2020	
NEW Licenses	33
RENEWAL Licenses (2020)	34
Total Issued THIS MONTH	67
Total Issued THIS MONTH - PREVIOUS YEAR	88
Net Gain/-Loss Current VS Previous Yr MONTH	-21
Total Issued YTD 2020	3,737
Total Issued YTD - PREVIOUS YEAR	4,505
Net Gain/-Loss Current VS Previous Yr YTD	-768

Business License Fee Historical Comparison 2019 / 2020				
	FY 19	FY 20	+/- Previous Year	Budget 2020 \$2,335,000
October	\$7,486.91	\$15,924.77	\$8,437.86	(\$2,319,075.23)
November	\$3,983.03	\$3,754.50	(\$228.53)	(\$2,315,320.73)
December	\$2,614.81	\$80,771.34	\$78,156.53	(\$2,234,549.39)
January	\$1,409,468.98	\$1,641,711.72	\$232,242.74	(\$592,837.67)
February	\$698,411.44	\$210,511.03	(\$487,900.41)	(\$382,326.64)
March	\$169,548.90	\$226,661.69	\$57,112.79	(\$155,664.95)
April	\$48,761.33	\$120,558.73	\$71,797.40	(\$35,106.22)
May	\$28,001.93	\$34,866.11	\$6,864.18	(\$240.11)
June	\$15,746.69	\$37,917.88	\$22,171.19	\$37,677.77
July	\$17,108.00	\$21,867.35	\$4,759.35	\$59,545.12
Year to Date	\$2,401,132.02	\$2,394,545.12	(\$6,586.90)	\$59,545.12
All amounts include penalty and interest.				

VI. SALES & LODGING TAX REPORT

A. Sales and Use Taxes: June, 2020

Mrs. Henson reviewed the Sales & Use Tax Reports: \$1,842,001.33 was collected for June, 2020 which was up \$243,291.76 from June 2019's collections: :

- YTD Variance over Budget - \$ 1,085,607.80

B. Lodging Tax Collections, June, 2020

Mrs. Henson reviewed the Lodging Tax Collections Report and noted the collections for June, 2020 were \$95,024.24 which is down \$34,945.28 from June 2019's collections .

- YTD Variance over Budget: (\$186,8809.45)

C. Lodging Tax Fund : Statement of Rev over Exp, July, 2020

Mrs. Henson reviewed the Lodging Tax Statement of Revenues over Expenditure report for July, 2020.

- Unreserved balance for Bayfront related purchases - \$ 610,052.65
- Recreation for related purchases - \$1,476,967.92

Mrs. Reid noted that there was a large decrease in the Bayfront balance due to the large expenditure made for the Bayfront Streetscape underground utilities project.

VII. FINANCIAL SCHEDULES & REPORTS

A. Financial Reports

1. Treasurer’s Report: July, 2020

TREASURER’S REPORT					
As of July 31, 2020					
Account Type/Title	7/31/2020	6/30/2020	Increase (Decrease) from last Month	7/31/2019	Increase (Decrease) from Last Year
GENERAL FUND & ENTERPRISE FUNDS	\$ 11,553,253	\$ 12,880,419	\$ (1,327,165)	\$ 6,406,682	\$ 5,146,571
CERTIFICATE OF DEPOSIT	-	-	-	500,000	\$ (500,000)
INVESTMENT FUND	5,927,188	5,922,656	4,533	5,618,925	\$ 308,263
CREDIT CARD ACCOUNT	55,616	176,559	(120,942)	17,563	\$ 38,053
Total Unrestricted Cash Balance	17,536,058	18,979,633	(1,443,575)	12,543,170	4,992,888
SPECIAL REVENUE FUNDS					
AGENCY FUNDS					
MUNICIPAL COURT	1,735	988	748	1,576	159
SELF INSURANCE	209,642	206,851	2,791	170,990	38,652
FLEX SPENDING	11,350	4,521	6,829	(298)	11,648
OPEB TRUST INVESTMENT FUND	521,874	508,839	13,035	-	521,874
	3,972,721	4,138,073	(165,352)	3,301,064	671,657
CAPITAL PROJECT FUNDS					
CAPITAL RESERVE	4,903,648	3,736,342	1,167,306	3,545,312	1,358,336
2019 CAPITAL IMPROVEMENTS	57,841	220,688	(162,846)	920,837	(862,996)
	4,961,489	3,957,029	1,004,460	4,466,149	495,340
DEBT SERVICE FUNDS					
DEBT SERVICE	1,485,897	1,087,839	398,058	1,550,835	(64,938)
Total Restricted Cash Balance	10,420,108	9,182,942	1,237,165	9,318,048	1,102,060
Total City Cash Balance	\$ 27,956,166	\$ 28,162,575	\$ (206,410)	\$ 21,861,218	\$ 6,094,948
	Encumbrance Total as of		7/31/2020	\$ 381,470.89	

Mrs. Reid reviewed the Treasurer’s Report and noted there was a \$1,200,000 increase in Capital Reserve fund balance mainly due to monies being transferred for street resurfacing and approximately \$400,000 for Bayfront project. Mr. Reid also noted that the OPEB account has rebounded and is now up to \$521,874.

The Treasurer’s Report as of JULY, 2020 Total Unrestricted Cash Balance - \$17,536,058 and Total City Cash Balance - \$27,956,166 was presented to be filed for audit.

2. Encumbrance Report

- Encumbrance balance is - \$381,470.89 as of July, 2020.

Mrs. Reid reviewed the Encumbrance Report and noted that the City had finally received the police vehicle that was ordered in FY2019 so that \$42,585.32 has been cleared from the report. Mrs. Reid also noted that the SAFE Room at Public Works has been completed and will also soon be cleared from the report.

3. Outstanding Appropriations

Mrs. Reid reviewed the outstanding appropriations noting some of the largest line items were the Bayfront Streetscape project - \$1,350,000, Concession stand - \$196,212.50, project sandbox - \$100,000, road resurfacing - \$1,527,569. Mrs. Reid noted that all expenditures have been made for FS#5 out of the 2019 Capital Improvements fund and the remainder of expenditures (\$833,492) will come the Capital Reserve fund.

4. Financial Overview: Debt Summaries & Monthly Financial Statements, June, 2020

Mrs. Reid reviewed the following Financial Statements:

- Debt Summary Schedules (General & Enterprise Funds), July, 2020
- Jubilee Square: Debt payments are currently fully paid through December 2019 thus 7 months in arrears. Arrearage includes \$397,313 in principal and \$38,545 in interest

Monthly Financial Statements- June 2020 Financial Highlights

General Fund:

- | | <u>FY 2020</u> | <u>FY 2019</u> | <u>Change</u> |
|---|----------------|----------------|---------------|
| • YTD Budgetary Net Income: | \$4,355,173 | \$974,148 | \$3,381,025 |
| • Total sales tax collected year to date is approximately \$961,000 over budgeted income and \$1.09 million over prior year to date income | | | |
| • Licenses and permits were approximately \$668,000 over prior year to date | | | |
| • Transfers are approximately \$1.8 million less than prior year to date. | | | |
| • Grant income is approximately \$1.3 million greater than prior year to date. Large grants include the \$800,000 GOMESA dredging grant the FEMA safe room grant. | | | |
| • Unassigned Fund Balance: \$19,158,192 | | | |
| • Outstanding Encumbrances: \$472,217 | | | |

Debt Service Fund/Outstanding Debt:

- Outstanding Warrant Balance as of June 30, 2020: \$33,603,471
- Outstanding Note Payable Balance as of June 30, 2020: \$595,495
- Outstanding Capital Lease Balance as of June 30,2020:
 - General Fund: \$1,232,054
 - Enterprise Fund: \$1,150,829

Capital Project Funds (Capital Reserve, 2019 Construction):

- Approximately \$723,000 was expended out of the 2019 Construction Fund for the construction of Fire Station #5

Special Revenue Funds (12 separate funds):

- Lodging Tax Fund-
 - Bayfront Unreserved Fund Balance: \$1,640,563
 - Recreation Unreserved Fund Balance: \$604,416
 - Total lodging tax collected was approximately \$187,000 under budgeted income and \$190,000 under prior year to date income.

Enterprise Funds (Solid Waste, Civic Center, and Bayfront):

- Year to date transfers for each of the enterprise funds were as follows:

	<u>FY 2020</u>	<u>FY 2019</u>	<u>Change</u>
Solid Waste Fund	\$433,736	\$217,356	\$216,380
Civic Center Fund	\$215,747	\$ 42,614	\$173,133
Bayfront Park Fund	\$ 71,256	\$ 96,502	\$ (25,246)

- June was the second month of the three month waiver of garbage fees in response to the COVID-19 pandemic

Mrs. Conaway asked what the status was on the Daphne High School track resurfacing. Mr. LeJeune stated that they are just waiting on the company to move forward with construction. Mrs. Phillips asked how COVID cost were being tracked. Mrs. Reid explained they COVID cost will be a separate line item in the budget and explained the reimbursement process.

5. Unfunded Future Projects Expenditure Summary

Mrs. Reid reviewed the Unfunded Future Projects Expenditure Summary and noted changes from the previous month.

6. Summary of Budgetary Amendments

Mrs. Reid reviewed the General Fund budgetary amendments made to the FY2020 Budget.

- Total Appropriations Year to Date – \$2,773,141
- Adjusted Expenses over Revenue – (\$2,720,178)

Mrs. Reid reviewed the largest amendments as follows: Fire Station #5 - \$856,500, Street Resurfacing - \$777,569, and response to COVID-19 Pandemic - \$489,800.

B. Bills Paid Reports – July, 2020

The Bills Paid Report were previously presented electronically.

VIII. APPROPRIATION REQUESTS: (Ordinance)

A. Legal Fees for WPNVA litigation- \$35,000

Mrs. Reid noted that the last bill received for legal fees for the WPNVA litigation was \$15,000 and that currently the fees are over budget by \$10,000. Mr. Ross discussed that AMIC and a separate legal firm is handling the claim and estimated that at least an additional \$20,000 would need to be appropriated for legal fees for the trial. Mr. LeJeune discussed appropriating \$35,000 to cover the \$10,000 and the \$20,000 to have enough funding to get through the trial period. Mr. Ross stated he would reach out the other attorney and request an estimate be sent for any anticipated additional legal cost.

MOTION BY Mr. Lejeune to recommend to Council to adopt the Ordinance amending the budget to appropriate \$35,000 for an additional appropriation for legal Fees for WPNVA litigation. Seconded by Mr. Rudicell.

MOTION CARRIED UNANIMOUSLY

IX. NEW BUSINESS

A. Bayfront Streetscape project – Decorative Street lights (24) monthly cost - \$360 – FY2021

Mrs. Reid stated that the FY2021 Budget will need to include \$360/month for the decorative street lights electric cost. Jeremy discussed that the underground utilities would be installed in 2-3 months but the lights will be installed at the end of project construction. Discussion was made on how the ROW fee would be handled and that an update on the project would be presented as the project progresses.

MOTION BY Mr. Lejeune to recommend to Council to include \$360/month in the FY2021 Budget for the Bayfront Street decorative street lights monthly electric cost. Seconded by Mr. Coleman.

MOTION CARRIED UNANIMOUSLY

B. Refunding of 2017 Warrants

Mayor Haygood discussed the refunding of the 2017 Warrant. The Mayor stated that there would be approximately \$1 million in savings resulting from the refunding that could be used for funding large projects or paying debt down. Discussion continued on projects to consider such as the Animal Shelter, splash pads, security cameras. The Mayor noted that \$125,000 has already been appropriated for the animal shelter project. Discussion continued on possible lease revenues that could be received for the current animal shelter property which could also help fund that project. The Mayor stated that more information would be presented as soon as available.

X. BIDS (Resolution)

A. 2020-K-Daphne Tennis Center and Restroom Facility at Lott Park

Mayor Haygood discussed the Daphne Tennis Center and Restroom Facility at Lott Park project. Mr. Rudicell continued on the discussion of considering using the 2017 bond refunding proceeds for a large project and including the tennis center project as an option as well as considering the pier extension, splash pad or a new animal shelter projects. Mr. LeJeune discussed that the tennis center and restroom facility project were still being evaluated.

XI. OLD BUSINESS

There was no old business.

XII. ADJOURN

The meeting adjourned at 5:53p.m.



PERMIT ISSUANCE SUMMARY (08/01/2020 TO 08/31/2020) FOR CITY OF DAPHNE

Permit Type	Permit Work Class*	Permits Issued	Square Feet	Valuation	Fees Paid
Building Permit (Commercial)	Addition	1	0	\$42,000.00	\$404.84
	Alteration or Remodel	4	0	\$1,828,603.19	\$13,550.04
	Misc.	1	0	\$2,500.00	\$53.43
	New Construction (Commercial)	1	0	\$0.00	\$12,193.86
	Repair	2	0	\$55,164.11	\$396.59
	Re-Roof	2	0	\$19,815.00	\$84.55
BUILDING PERMIT (COMMERCIAL) TOTAL:		11	0	\$1,948,082.30	\$26,683.31
Building Permit (Residential)	Alteration or Remodel	1	0	\$0.00	\$307.56
	Demolition	1	0	\$0.00	\$51.38
	Misc.	1	0	\$7,978.00	\$66.79
	New Construction (Residential)	33	0	\$8,669,678.54	\$46,998.29
	Pool	1	0	\$0.00	\$284.26
	Re-Roof	32	0	\$398,222.31	\$2,995.15
	Sunroom	1	0	\$82,900.00	\$465.00
	Termite Repair	2	0	\$0.00	\$210.64
BUILDING PERMIT (RESIDENTIAL) TOTAL:		72	0	\$9,158,778.85	\$51,379.07
Certificate of Occupancy	Certificate of Occupancy	34	0	\$569,567.97	\$0.00
CERTIFICATE OF OCCUPANCY TOTAL:		34	0	\$569,567.97	\$0.00
Electrical Permit (Commercial)	Misc.	4	0	\$175,500.00	\$2,889.65
ELECTRICAL PERMIT (COMMERCIAL) TOTAL:		4	0	\$175,500.00	\$2,889.65
Electrical Permit (Residential)	Misc.	14	0	\$45,941.50	\$765.46
	New Construction (Residential)	36	0	\$195,755.15	\$4,053.62
ELECTRICAL PERMIT (RESIDENTIAL) TOTAL:		50	0	\$241,696.65	\$4,819.08
HVAC Permit (Commercial)	Change Out HVAC	4	0	\$12,389.00	\$429.55
	New Construction (Commercial)	4	0	\$333,424.00	\$5,381.05
HVAC PERMIT (COMMERCIAL) TOTAL:		8	0	\$345,813.00	\$5,810.60
HVAC Permit (Residential)	HVAC Changeout	12	0	\$41,245.00	\$769.51
	Misc.	1	0	\$15,100.00	\$107.89
	New Construction (Residential)	52	0	\$0.00	\$5,849.86
HVAC PERMIT (RESIDENTIAL) TOTAL:		65	0	\$56,345.00	\$6,727.26
Land Disturbance New Residential Land Disturbance		9	0	\$0.00	\$924.75
LAND DISTURBANCE NEW RESIDENTIAL HOME TOTAL:		9	0	\$0.00	\$924.75
Plumbing Permit (Commercial)	Misc.	1	0	\$40,000.00	\$657.60
	New Construction (Commercial)	1	0	\$0.00	\$82.20
PLUMBING PERMIT (COMMERCIAL) TOTAL:		2	0	\$40,000.00	\$739.80
Plumbing Permit (Residential)	Misc.	3	0	\$15,982.00	\$164.39
	New Construction (Residential)	48	0	\$391,510.30	\$4,969.86
	Sewer	1	0	\$3,000.00	\$40.00

** Double-click the Permit Work Class Name while in the browser to see Permit details for that Work Class.*

PERMIT ISSUANCE SUMMARY (08/01/2020 TO 08/31/2020)

Permit Type	Permit Work Class*	Permits Issued	Square Feet	Valuation	Fees Paid
PLUMBING PERMIT (RESIDENTIAL) TOTAL:		52	0	\$410,492.30	\$5,174.25
Site Disturbance	Site Disturbance (Commercial with CI	3	0	\$0.00	\$2,242.00
SITE DISTURBANCE TOTAL:		3	0	\$0.00	\$2,242.00
GRAND TOTAL:		310	0	\$12,946,276.07	\$107,389.77

** Double-click the Permit Work Class Name while in the browser to see Permit details for that Work Class.*

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020) FOR CITY OF DAPHNE

Building Permit (Commercial)

Work Class New Construction (Commercial)

BLDC-004195-2020	Type: Building Permit (Commercial)	District:	Main Address:	1301 U S Hwy 98
Status: Issued	Workclass: New Construction (Commercial)	Project: River Bank & Trust	Parcel: 103689	Daphne, AL 36526
Application Date: 08/19/2020	Issue Date: 08/24/2020	Expiration: 02/22/2021	Last Inspection: 08/26/2020	Finalized Date:
Zone:	Sq Ft: 0	Valuation: \$1,741,976.00	Fee Total: \$12,193.86	Assigned To:
Additional Info:				
Master Permit: 19-	Contract Value: 1741976.00			
Contractor: Marshal Group 4437 Atlanta HWY Montgomery, AL 36109 334-277-8820				

Value total for Work Class New Construction (Commercial):	Fee total for Work Class New Construction (Commercial):
\$1,741,976.00	\$12,193.86

Value total for Permit Type Building Permit (Commercial): \$1,741,976.00	Fee total for Permit Type Building Permit (Commercial): \$12,193.86	PERMITS ISSUED for Permit Type:	1
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Building Permit (Residential)

Work Class New Construction (Residential)

BLDR-004015-2020	Type: Building Permit (Residential)	District:	Main Address:	9528 Cumbria Dr
Status: Issued	Workclass: New Construction (Residential)	Project: Oldfield Phase 4	Parcel: 379961	Daphne, AL 36526
Application Date: 08/03/2020	Issue Date: 08/04/2020	Expiration: 02/01/2021	Last Inspection:	Finalized Date:
Zone:	Sq Ft: 0	Valuation: \$210,092.72	Fee Total: \$1,135.39	Assigned To:
Additional Info:				
Heated and Cooled Valuation: 184656	Number of Stories: 0	Heated and Cooled Square Feet: 1774	Non-Heated and Cooled Square Feet: 522	Non-Heated and Cooled Valuation: 25437.1
IRC Residential Building Code Year: 2018	Subdivision: OLD Field	Subdivision Unit or Phase: 4	Lot Number: 259	Watershed: Fly Creek

Description: LOT 259 PHASE 4 OLD FIELD LAND DISTURBANCE

Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004016-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 23934 Avernus Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Oldfield Phase 4 **Parcel:** 379947 Daphne, AL 36526
Application Date: 08/03/2020 **Issue Date:** 08/04/2020 **Expiration:** 02/01/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$195,755.15 **Fee Total:** \$1,058.32 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 168418 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
1618 561 27337.5
IRC Residential Building Code Year: **Subdivision:** OLD FIELD **Subdivision Unit or Phase:** 4 **Lot Number:** 272 **Watershed:** Fly Creek
2018
Description: LOT 272 PHASE 4 OLD NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004021-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 24604 Thunder Gulch Ln
Status: Issued **Workclass:** New Construction (Residential) **Project:** Jubilee Farms Phase 1 **Parcel:** 377768 Daphne, AL 36526
Application Date: 08/04/2020 **Issue Date:** 08/05/2020 **Expiration:** 02/01/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$302,300.54 **Fee Total:** \$1,665.00 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 264389 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
2540 778 37911.9
IRC Residential Building Code Year: **Subdivision:** JUBILEE ARAMS **Subdivision Unit or Phase:** 1 **Lot Number:** 56 **Zoned:** PUD
2018
Description: LOT 56 PH 1 JUBILEE FARMS NEW HOME
Contractor: TRULAND HOMES LLC 29891 WOODROW LN SPANISH FORT, AL 36527 251-621-0850 TOM@TRULANDHOMES.COM

BLDR-004022-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 8721 Rosedown Ln
Status: Issued **Workclass:** New Construction (Residential) **Project:** French Settlement **Parcel:** Daphne, AL 36526
Application Date: 08/04/2020 **Issue Date:** 08/05/2020 **Expiration:** 02/01/2021 **Last Inspection:** 08/24/2020 **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$268,966.55 **Fee Total:** \$1,495.00 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 236805 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
2275 660 32161.8
IRC Residential Building Code Year: **Subdivision:** FRENCH SETTLEMENT **Subdivision Unit or Phase:** 1B **Lot Number:** 23 **Zoned:** R-3
2018
Watershed: Tiawasee
Description: LOT 23 PH 1B FRENCH SETTLEMENT - NEW HOME
Contractor: TRULAND HOMES LLC 29891 WOODROW LN SPANISH FORT, AL 36527 251-621-0850 TOM@TRULANDHOMES.COM

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004037-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 8371 Harmon St
Status: Issued **Workclass:** New Construction (Residential) **Project:** Winged Foot Phase 3 **Parcel:** Daphne, AL 36526
Application Date: 08/05/2020 **Issue Date:** 08/05/2020 **Expiration:** 02/01/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$210,092.72 **Fee Total:** \$1,135.39 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 184656 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
1774 522 25437.1
IRC Residential Building Code Year: **Subdivision:** WINGED FOOT **Subdivision Unit or Phase:** 3 **Lot Number:** 152 **Zoned:** R3
2018
Watershed: Tiawasee **Flood Zone:** X

Description: LOT 152 PH 3 WINGED FOOT NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004038-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 23926 Avernus Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Oldfield Phase 4 **Parcel:** Daphne, AL 36526
Application Date: 08/05/2020 **Issue Date:** 08/05/2020 **Expiration:** 02/01/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$210,092.72 **Fee Total:** \$1,135.39 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 184656 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
1774 522 25437.1
IRC Residential Building Code Year: **Subdivision:** OLD FIELD **Subdivision Unit or Phase:** 4 **Lot Number:** 273 **Zoned:** R-6G
2018

Description: LOT 273 PHASE 4 OLD FIELD LAND DIST
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004040-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 23942 Avernus Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Oldfield Phase 4 **Parcel:** 379948 Daphne, AL 36526
Application Date: 08/05/2020 **Issue Date:** 08/05/2020 **Expiration:** 02/01/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$210,092.72 **Fee Total:** \$1,135.39 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 184656 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
1774 522 25437.1
IRC Residential Building Code Year: **Subdivision:** OLD FIELD **Subdivision Unit or Phase:** 4 **Lot Number:** 271 **Zoned:** R-6G
2018

Description: LOT 271 PHASE 4 OLD FIELD LAND DISTURBANCE
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004041-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 23948 Avernus Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Oldfield Phase 4 **Parcel:** Daphne, AL 36526
Application Date: 08/05/2020 **Issue Date:** 08/05/2020 **Expiration:** 02/01/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$210,092.72 **Fee Total:** \$1,135.39 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 184656 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
1774 25437.1
IRC Residential Building Code Year: 2018 **Subdivision:** OLD FIELD **Subdivison Unit or Phase:** 4 **Lot Number:** 270 **Zoned:** R6-G

Description: LOT 270 PHASE 4 OLD FIELD
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004050-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 24915 Spectacular Bid Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Jubilee Farms Phase 2 **Parcel:** Daphne, AL 36526
Application Date: 08/06/2020 **Issue Date:** 08/07/2020 **Expiration:** 02/03/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$325,495.37 **Fee Total:** \$1,726.20 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 284270 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
2731 41225.6
IRC Residential Building Code Year: 2018 **Subdivision:** Jubilee Farms **Subdivison Unit or Phase:** 2 **Lot Number:** 89 **Watershed:** Fish River

Description: New Home Jubilee Farms Lot 79 PH 2
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004051-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 8377 Harmon St
Status: Issued **Workclass:** New Construction (Residential) **Project:** Winged Foot Phase 3 **Parcel:** Daphne, AL 36526
Application Date: 08/06/2020 **Issue Date:** 08/07/2020 **Expiration:** 02/03/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$210,092.72 **Fee Total:** \$1,135.39 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 184656 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
1774 25437.1
IRC Residential Building Code Year: 2018 **Subdivision:** WINGED FOOT **Subdivison Unit or Phase:** 3 **Lot Number:** 151 **Zoned:** R3
Watershed: Tiawasee **Flood Zone:** X

Description: LOT 151 PH 3 WINGED FOOT NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com



PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004052-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 9524 Camberwell Dr
Status: Issued **Workclass:** New Construction (Residential) **Project:** Oldfield Phase 2B **Parcel:** Daphne, AL 36526
Application Date: 08/06/2020 **Issue Date:** 08/07/2020 **Expiration:** 02/03/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$376,030.06 **Fee Total:** \$2,035.00 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 318724 **Number of Stories:** 0 **Heated and Cooled Square Feet:** 3062 **Non-Heated and Cooled Square Feet:** 1176 **Non-Heated and Cooled Valuation:** 57306.5
IRC Residential Building Code Year: 2018

Description: LOT 22 Phase 2B Old Field New Home
Contractor: DSLD HOMES LLC (GULF COAST) 29000 HIGHWAY 98 A305 DAPHNE, AL 36526 251-370-9581 KRIEL@DSL DHOMES.COM

BLDR-004053-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 9945 Dunleith Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Oldfield Phase 2B **Parcel:** Daphne, AL 36526
Application Date: 08/06/2020 **Issue Date:** 08/07/2020 **Expiration:** 02/03/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$321,041.38 **Fee Total:** \$1,760.00 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 281668 **Number of Stories:** 0 **Heated and Cooled Square Feet:** 2706 **Non-Heated and Cooled Square Feet:** 808 **Non-Heated and Cooled Valuation:** 39373.8
IRC Residential Building Code Year: 2018

Description: LOT 97 PH 2B OLD FIELD NEW HOME
Contractor: DSLD HOMES LLC (GULF COAST) 29000 HIGHWAY 98 A305 DAPHNE, AL 36526 251-370-9581 KRIEL@DSL DHOMES.COM

BLDR-004154-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 7973 Irwin Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Winged Foot Phase 3 **Parcel:** Daphne, AL 36526
Application Date: 08/14/2020 **Issue Date:** 08/18/2020 **Expiration:** 02/15/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$195,755.15 **Fee Total:** \$1,058.32 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 168418 **Number of Stories:** 0 **Heated and Cooled Square Feet:** 1618 **Non-Heated and Cooled Square Feet:** 561 **Non-Heated and Cooled Valuation:** 27337.5
IRC Residential Building Code Year: 2018 **Subdivision:** Winged Foot **Subdivison Unit or Phase:** 3 **Lot Number:** 195 **Watershed:** Tiawasee

Description: Land Dist New Home Winged Foot Lot 195 PH 3
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004164-2020
Status: Issued
Application Date: 08/18/2020
Zone:
Additional Info:
Heated and Cooled Valuation: 210054
IRC Residential Building Code Year: 2018
Watershed: Fly Creek

Type: Building Permit (Residential)
Workclass: New Construction (Residential)
Issue Date: 08/19/2020
Sq Ft: 0
Number of Stories: 0
Subdivision: Blackstone Lakes

District:
Project: Blackstone Lakes
Expiration: 02/15/2021
Valuation: \$243,433.67
Subdivison Unit or Phase: 1

Main Address:
Parcel:
Last Inspection:
Fee Total: \$1,304.92
Lot Number: 1

9652 Volterra Ave
Daphne, AL 36526
Finalized Date:
Assigned To:
Non-Heated and Cooled Square Feet: 685
Non-Heated and Cooled Valuation: 33380.1
Zoned: PUD

Description: New Home Blackstone Lakes Lot 1 PH 1
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004167-2020
Status: Issued
Application Date: 08/18/2020
Zone:
Additional Info:
Heated and Cooled Valuation: 284270
IRC Residential Building Code Year: 2018
Watershed: D'Olive

Type: Building Permit (Residential)
Workclass: New Construction (Residential)
Issue Date: 08/19/2020
Sq Ft: 0
Number of Stories: 0
Subdivision: DIAMANTE

District:
Project: Diamante Phase 2
Expiration: 02/15/2021
Valuation: \$325,495.37
Subdivison Unit or Phase: 138

Main Address:
Parcel:
Last Inspection:
Fee Total: \$1,726.20
Lot Number: 2

9539 Vargas Blvd
Daphne, AL 36526
Finalized Date:
Assigned To:
Non-Heated and Cooled Square Feet: 846
Non-Heated and Cooled Valuation: 41225.6
Zoned: R-3

Description: DIAMANTE PH 2 LOT 138 LAND DIST NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004168-2020
Status: Issued
Application Date: 08/18/2020
Zone:
Additional Info:
Heated and Cooled Valuation: 236597
IRC Residential Building Code Year: 2018
Watershed: D'Olive

Type: Building Permit (Residential)
Workclass: New Construction (Residential)
Issue Date: 08/19/2020
Sq Ft: 0
Number of Stories: 0
Subdivision: DIAMANTE

District:
Project: Diamante Phase 2
Expiration: 02/15/2021
Valuation: \$280,940.87
Subdivison Unit or Phase: 2

Main Address:
Parcel:
Last Inspection:
Fee Total: \$1,495.01
Lot Number: 119

9511 Diamante Blvd
Daphne, AL 36526
Finalized Date:
Assigned To:
Non-Heated and Cooled Square Feet: 910
Non-Heated and Cooled Valuation: 44344.3
Zoned: R-3

Description: DIAMANTE PH 2 LOT 119 LAND DIST NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004171-2020
Status: Issued
Application Date: 08/18/2020
Zone:
Additional Info:
Heated and Cooled Valuation: 236597
IRC Residential Building Code Year: 2018

Type: Building Permit (Residential)
Workclass: New Construction (Residential)
Issue Date: 08/19/2020
Sq Ft: 0
Number of Stories: 0
Subdivision: DIAMANTE

District:
Project: Diamante Phase 2
Expiration: 02/15/2021
Valuation: \$280,940.87
Subdivison Unit or Phase: 2

Main Address:
Parcel:
Last Inspection:
Fee Total: \$1,495.01
Lot Number: 133

9614 Amethyst Dr
 Daphne, AL 36526
Finalized Date:
Assigned To:
Non-Heated and Cooled Square Feet: 910
Non-Heated and Cooled Valuation: 44344.3
Watershed: D'Olive

Description: DIAMANTE PH 2 LOT 133 NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004172-2020
Status: Issued
Application Date: 08/18/2020
Zone:
Additional Info:
Heated and Cooled Valuation: 210054
IRC Residential Building Code Year: 2018

Type: Building Permit (Residential)
Workclass: New Construction (Residential)
Issue Date: 08/19/2020
Sq Ft: 0
Number of Stories: 0
Subdivision: JUBILEE FARMS

District:
Project: Jubilee Farms Phase 5
Expiration: 02/15/2021
Valuation: \$247,819.37
Subdivison Unit or Phase: 5

Main Address:
Parcel:
Last Inspection:
Fee Total: \$1,325.48
Lot Number: 298

10739 War Emblem Ave
 Daphne, AL 36526
Finalized Date:
Assigned To:
Non-Heated and Cooled Square Feet: 775
Non-Heated and Cooled Valuation: 37765.8
Watershed: Fish River

Description: LOT 298 PH 5 JUBILEE FARMS NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004174-2020
Status: Issued
Application Date: 08/18/2020
Zone:
Additional Info:
Heated and Cooled Valuation: 253459
IRC Residential Building Code Year: 2018

Type: Building Permit (Residential)
Workclass: New Construction (Residential)
Issue Date: 08/19/2020
Sq Ft: 0
Number of Stories: 0
Subdivision: DIAMANTE

District:
Project: Diamante Phase 2
Expiration: 02/15/2021
Valuation: \$293,953.78
Subdivison Unit or Phase: 2

Main Address:
Parcel:
Last Inspection: 08/28/2020
Fee Total: \$1,561.80
Lot Number: 87

9464 Amethyst Dr
 Daphne, AL 36526
Finalized Date:
Assigned To:
Non-Heated and Cooled Square Feet: 831
Non-Heated and Cooled Valuation: 40494.6
Watershed: D'Olive

Description: DIAMANTE PH 2 LOT 87 NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004175-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 9456 Amethyst Dr
Status: Issued **Workclass:** New Construction (Residential) **Project:** Diamante Phase 2 **Parcel:** Daphne, AL 36526
Application Date: 08/18/2020 **Issue Date:** 08/19/2020 **Expiration:** 02/15/2021 **Last Inspection:** 08/28/2020 **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$325,495.37 **Fee Total:** \$1,726.20 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 284270 **Number of Stories:** 0 **Heated and Cooled Square Feet:** 2731 **Non-Heated and Cooled Square Feet:** 846 **Non-Heated and Cooled Valuation:** 41225.6
IRC Residential Building Code Year: 2018 **Subdivision:** DIAMANTE **Subdivison Unit or Phase:** 2 **Lot Number:** 88 **Watershed:** D'Olive

Description: DIAMANTE PH 2 LOT 88 NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004233-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 9626 Amethyst Dr
Status: Issued **Workclass:** New Construction (Residential) **Project:** Diamante Phase 2 **Parcel:** Daphne, AL 36526
Application Date: 08/21/2020 **Issue Date:** 08/21/2020 **Expiration:** 02/17/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$293,953.78 **Fee Total:** \$1,561.80 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 253459 **Number of Stories:** 0 **Heated and Cooled Square Feet:** 2435 **Non-Heated and Cooled Square Feet:** 831 **Non-Heated and Cooled Valuation:** 40494.6
IRC Residential Building Code Year: 2018 **Subdivision:** DIAMANTE **Subdivison Unit or Phase:** 2 **Lot Number:** 134 **Watershed:** D'Olive

Description: DIAMANTE PH 2 LOT 134 NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004234-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 10731 War Emblem Ave
Status: Issued **Workclass:** New Construction (Residential) **Project:** Jubilee Farms Phase 5 **Parcel:** Daphne, AL 36526
Application Date: 08/21/2020 **Issue Date:** 08/21/2020 **Expiration:** 02/17/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$243,433.67 **Fee Total:** \$1,304.92 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 210054 **Number of Stories:** 0 **Heated and Cooled Square Feet:** 2018 **Non-Heated and Cooled Square Feet:** 685 **Non-Heated and Cooled Valuation:** 33380.1
IRC Residential Building Code Year: 2018 **Subdivision:** JUBILEE FARMS **Subdivison Unit or Phase:** 5 **Lot Number:** 299 **Watershed:** Fish River

Description: LOT 299 PH 5 JUBILEE FARMS NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004235-2020
Status: Issued
Application Date: 08/21/2020
Zone:
Additional Info:
Heated and Cooled Valuation: 236597
IRC Residential Building Code Year: 2018

Type: Building Permit (Residential)
Workclass: New Construction (Residential)
Issue Date: 08/21/2020
Sq Ft: 0
Number of Stories: 0
Subdivision: DIAMANTE

District:
Project: Diamante Phase 2
Expiration: 02/17/2021
Valuation: \$280,940.87
Subdivison Unit or Phase: 137

Main Address:
Parcel:
Last Inspection:
Fee Total: \$1,495.01
Lot Number: 2

9547 Vargas Ct
Daphne, AL 36526
Finalied Date:
Assigned To:
Non-Heated and Cooled Square Feet: 910
Non-Heated and Cooled Valuation: 44344.3
Watershed: D'Olive

Description: DIAMANTE PH 2 LOT 137 NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004276-2020
Status: Issued
Application Date: 08/25/2020
Zone:
Additional Info:
Heated and Cooled Valuation: 284270
IRC Residential Building Code Year: 2018

Type: Building Permit (Residential)
Workclass: New Construction (Residential)
Issue Date: 08/25/2020
Sq Ft: 0
Number of Stories: 0
Subdivision: DIAMANTE

District:
Project: Diamante Phase 2
Expiration: 02/22/2021
Valuation: \$325,495.37
Subdivison Unit or Phase: 2

Main Address:
Parcel:
Last Inspection:
Fee Total: \$1,726.20
Lot Number: 135

9638 Amethyst Dr
Daphne, AL
Finalied Date:
Assigned To:
Non-Heated and Cooled Square Feet: 846
Non-Heated and Cooled Valuation: 41225.6
Watershed: D'Olive

Description: DIAMANTE PH 2 LOT 135 NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004284-2020
Status: Issued
Application Date: 08/26/2020
Zone:
Additional Info:
Heated and Cooled Valuation: 240864
IRC Residential Building Code Year: 2018

Type: Building Permit (Residential)
Workclass: New Construction (Residential)
Issue Date: 08/28/2020
Sq Ft: 0
Number of Stories: 0
Subdivision: Old Field

District:
Project: Oldfield 2A
Expiration: 02/24/2021
Valuation: \$282,089.84
Subdivison Unit or Phase: 2A

Main Address:
Parcel:
Last Inspection:
Fee Total: \$1,565.00
Lot Number: 16

9572 Camberwell Dr
Daphne, AL 36526
Finalied Date:
Assigned To:
Non-Heated and Cooled Square Feet: 846
Non-Heated and Cooled Valuation: 41225.6
Watershed: Fly Creek

Description: LOT 16 PH 2A OLD FIELD NEW HOME
Contractor: DSLD HOMES LLC (GULF COAST) 29000 HIGHWAY 98 A305 DAPHNE, AL 36526 251-370-9581 KRIEL@DSL DHOMES.COM

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004285-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 9878 Dunleith Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Oldfield Phase 2B **Parcel:** Daphne 36526
Application Date: 08/26/2020 **Issue Date:** 08/28/2020 **Expiration:** 02/24/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$240,541.36 **Fee Total:** \$1,355.00 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 206723 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
1986 694 33818.6
IRC Residential Building Code Year: 2018 **Subdivision:** Old Field **Subdivison Unit or Phase:** 2B **Lot Number:** 16 **Watershed:** Fly Creek

Description: LOT 71 PH 2B OLD FIELD NEW HOME
Contractor: DSLD HOMES LLC (GULF COAST) 29000 HIGHWAY 98 A305 DAPHNE, AL 36526 251-370-9581 KRIEL@DSL DHOMES.COM

BLDR-004286-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 10017 Dunleith Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Oldfield Phase 2B **Parcel:** Daphne 36526
Application Date: 08/26/2020 **Issue Date:** 08/28/2020 **Expiration:** 02/24/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$240,541.36 **Fee Total:** \$1,355.00 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 206723 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
1986 694 33818.6
IRC Residential Building Code Year: 2018 **Subdivision:** Old Field **Subdivison Unit or Phase:** 89 **Lot Number:** 2B **Watershed:** Fly Creek

Description: LOT 89 PH 2B OLD FIELD NEW HOME
Contractor: DSLD HOMES LLC (GULF COAST) 29000 HIGHWAY 98 A305 DAPHNE, AL 36526 251-370-9581 KRIEL@DSL DHOMES.COM

BLDR-004302-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 9544 Volterra Av
Status: Issued **Workclass:** New Construction (Residential) **Project:** **Parcel:** Daphne, AL 36526
Application Date: 08/27/2020 **Issue Date:** 08/27/2020 **Expiration:** 02/23/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$258,826.06 **Fee Total:** \$1,445.00 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 222961 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
2142 736 35865.3
IRC Residential Building Code Year: 2018 **Subdivision:** BLACKSTONE LAKES **Subdivison Unit or Phase:** 1 **Lot Number:** 130 **Zoned:** PUD
Watershed: Fly Creek

Description: LOT 130 PH 1 BLACKSTONE LAKES NEW HOME
Contractor: TRULAND HOMES LLC 29891 WOODROW LN SPANISH FORT, AL 36527 251-621-0850 TOM@TRULANDHOMES.COM

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004311-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 8066 Irwin Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Winged Foot Phase 3 **Parcel:** Daphne, AL 36526
Application Date: 08/28/2020 **Issue Date:** 08/31/2020 **Expiration:** 03/01/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$215,306.83 **Fee Total:** \$1,161.08 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 184656 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
1774 629 30651.2
IRC Residential Building Code Year: 2018 **Subdivision:** Winged Foot **Subdivision Unit or Phase:** 3 **Lot Number:** 172 **Watershed:** Tiawasee

Description: LOT 172 PH 3 WINGED FOOT NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004312-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 8123 Irwin Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Winged Foot Phase 3 **Parcel:** Daphne, AL 36526
Application Date: 08/28/2020 **Issue Date:** 08/31/2020 **Expiration:** 03/01/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$215,306.83 **Fee Total:** \$1,161.08 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 184656 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
1774 629 30651.2
IRC Residential Building Code Year: 2018 **Subdivision:** Winged Foot **Subdivision Unit or Phase:** 3 **Lot Number:** 182 **Watershed:** Tiawasee

Description: LOT 182 PH 3 WINGED FOOT
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

BLDR-004313-2020 **Type:** Building Permit (Residential) **District:** **Main Address:** 24929 Spectacular Bid Loop
Status: Issued **Workclass:** New Construction (Residential) **Project:** Jubilee Farms Phase 2 **Parcel:** Daphne, AL 36526
Application Date: 08/28/2020 **Issue Date:** 08/31/2020 **Expiration:** 03/01/2021 **Last Inspection:** **Finalized Date:**
Zone: **Sq Ft:** 0 **Valuation:** \$351,953.79 **Fee Total:** \$1,959.78 **Assigned To:**
Additional Info:
Heated and Cooled Valuation: 313311 **Number of Stories:** 0 **Heated and Cooled Square Feet:** **Non-Heated and Cooled Square Feet:** **Non-Heated and Cooled Valuation:**
3010 793 38642.9
IRC Residential Building Code Year: 2018 **Subdivision:** Jubilee Farms **Subdivision Unit or Phase:** 2 **Lot Number:** 78 **Watershed:** Fish River

Description: LOT 78 PH 2 JUBILEE FARMS NEW HOME
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com

PERMITS ISSUED BY (08/01/2020 TO 08/31/2020)

BLDR-004316-2020	Type: Building Permit (Residential)	District:	Main Address:	7967 Irwin Loop
Status: Issued	Workclass: New Construction (Residential)	Project:	Parcel:	Daphne 36526
Application Date: 08/28/2020	Issue Date: 08/31/2020	Expiration: 03/01/2021	Last Inspection:	Finalized Date:
Zone:	Sq Ft: 0	Valuation: \$215,306.83	Fee Total: \$1,261.08	Assigned To:
Additional Info:				
Heated and Cooled Valuation: 184656	Number of Stories: 0	Heated and Cooled Square Feet: 1774	Non-Heated and Cooled Square Feet: 629	Non-Heated and Cooled Valuation: 30651.2
IRC Residential Building Code Year: 2018	Subdivision: WINGED FOOT	Subdivison Unit or Phase: 3	Lot Number: 196	Watershed: Tiawasee
Description: LOT 196 PH 3 WINGED FOOT NEW HOME				
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com				

BLDR-004320-2020	Type: Building Permit (Residential)	District:	Main Address:	24939 Spectacular Bid Loop
Status: Issued	Workclass: New Construction (Residential)	Project: Jubilee Farms Phase 2	Parcel:	Daphne 36526
Application Date: 08/31/2020	Issue Date: 08/31/2020	Expiration: 03/01/2021	Last Inspection:	Finalized Date:
Zone:	Sq Ft: 0	Valuation: \$262,002.13	Fee Total: \$1,402.54	Assigned To:
Additional Info:				
Heated and Cooled Valuation: 224626	Number of Stories: 0	Heated and Cooled Square Feet: 2158	Non-Heated and Cooled Square Feet: 767	Non-Heated and Cooled Valuation: 37375.9
IRC Residential Building Code Year: 2018	Subdivision: Jubilee Farms	Subdivison Unit or Phase: 2	Lot Number: 77	Zoned: PUD
Watershed: Fish River				
Description: LOT 77 PH 2 JUBILEE FARMS NEW HOME				
Contractor: D R HORTON 25366 PROFIT DR DAPHNE, AL 36526 251-316-5429 Drhortoninspections@drhorton.com				

Value total for Work Class New Construction (Residential):	Fee total for Work Class New Construction (Residential):
\$8,669,678.54	\$59,192.15

Value total for Permit Type Building Permit (Residential): \$8,669,678.54	Value total for Permit Type Building Permit (Residential):	PERMITS ISSUED for Permit Type:	33
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GRAND TOTAL VALUE: \$10,411,654.54	GRAND TOTAL FEES: \$59,192.15	GRAND TOTAL OF PERMITS: 34
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City of Daphne Building Department

2019 / 2020 Comparison Report

	Fees Collected		Permits Issued		CO's Issued	
	2019	2020	2019	2020	2019	2020
October	\$41,508.58	\$93,181.87	141	215	23	11
November	\$30,939.41	\$79,708.00	106	224	18	26
December	\$28,050.20	\$235,986.32	108	254	23	33
January	\$54,262.58	\$129,763.37	180	280	21	14
February	\$65,020.99	\$140,814.44	225	309	17	33
March	\$66,919.78	\$77,362.98	204	363	20	45
April	\$62,429.27	\$98,639.04	228	275	23	32
May	\$76,949.69	\$95,010.56	247	294	18	39
June	\$57,871.17	\$179,966.08	223	400	24	49
July	\$69,166.73	\$77,442.81	239	323	10	45
August	\$119,198.28	\$107,389.77	272	310	44	34
September						
Total	\$672,316.68	\$1,315,265.24	2173	3247	241	361
Percent +/-	95.63%		49.42%		49.79%	

To: Office of the City Clerk
From: Adrienne D. Jones, AICP, 
Community Development Director
Subject: Planning Commission Minutes and Report
Date: August 31, 2020

MEMORANDUM

Attached please find a copy of the approved minutes for the City of Daphne Planning Commission regular meeting of June 25, 2020 and the report of the regular meeting of August 27, 2020 for placement on the September 8, 2020 City Council agenda for review.

Should you have any questions or comments in this regard, please do not hesitate to call.

ADJ/jv

From the Office of

Adrienne D. Jones,
Community Development Director
P. O. Box 400
Daphne, Alabama 36526
251-620-1700 ph

FILE
09/31/20
AP

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 25, 2020
Council Chamber, City Hall - 5:00 P.M.

Call to Order:

Chairman called the regular meeting of the City of Daphne Planning Commission to order at 5:03 p.m. The number of members present constitutes a quorum.

Call of Roll:

Members Present:

William "BJ" Eringman, Deputy Public Works Director
Ed Kirby
James "Bo" White
Marybeth Bergin, Chairman
Ron Scott
Andrew Prescott, Vice Chairman

Staff Present:

Adrienne Jones, Director of Community Development
Jan Vallecillo, Planning Coordinator
Patrick Dungan, Attorney
Ashley Campbell, Environmental Programs Manager

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 May 28, 2020. There being none, minutes are approved as submitted.*

The next order of business is final plat review and street acceptance for Diamante Subdivision, Phase 2.

An introductory presentation was given by Al Finley, representative of Dewberry, requesting final review of Diamante Subdivision, Phase 2 located on the east side of County Road 13, northeast of the intersection of Amethyst Drive and Red Eagle Drive. He stated that the issues have been resolved; therefore, we are asking for your consideration of final plat review and street acceptance.

Chairman asked for Commission questions or comments and stated the subdivision final plat was held over from the previous month relative to drainage issues abutting the property to the south. She advised that restrictive covenant modifications presented address those concerns. She stated staff is confident they can address the issues at lot level when plans are presented for site development.

Chairman asked for Commission questions or comments.

Mr. Scott asked about a councilmember's concern about inspection of sidewalks prior to acceptance. Ms. Jones deferred the question to the Deputy Public Works Director.

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 25, 2020
Council Chamber, City Hall - 5:00 P.M.

Mr. Eringman concurred and expressed concern about the location of sidewalks in subdivisions relative to roadways and storm drain.

Chairman asked for Commission questions or comments and a motion for the associated applications.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Eringman **to approve Diamante Subdivision, Phase 2 final plat. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Prescott and **Seconded** by Mr. Eringman **to set forth a favorable recommendation to City Council to accept the streets in Diamante Subdivision, Phases 2, contingent upon submitting the recorded subdivision plat to Community Development. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is an administrative presentation of a modification to the PUD General Plan and master plan revision of Jubilee Farms Subdivision and rezoning request for Forestar "USA" Real Estate Group, Inc.

An introductory presentation was given by Al Finley, representative of Dewberry, requesting a modification to the PUD General Plan and boundary survey associated with Ordinance 2017-39 to separate a thirteen-point six acre parcel from the PUD boundary and standards. He stated that the developer has also submitted a master plan revision to remove Jubilee Farms Subdivision, Phase 16 associated with this modification and to rezone from PUD, Planned Unit Development, to R-1, Low Density Single Family Residential.

Chairman asked for Commission questions or comments and a motion.

Mr. Scott stated these are two estate lots with access to County Road 54.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion for the associated applications.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Scott **to modify Phase One of Jubilee Farms to set forth a favorable recommendation to amend the Jubilee Farms PUD General Plan. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Scott and **Seconded** by Mr. Prescott **to set forth a favorable recommendation to rezone the subject property from PUD, Planned Unit Development, to R-1, Low Density Single Family Residential. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Prescott and **Seconded** by Mr. Scott **to approve the Jubilee Farms Subdivision master plan modification, contingent upon City Council modifying the Jubilee Farms PUD General Plan. There was no discussion on the motion. The Motion carried unanimously.**

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 25, 2020
Council Chamber, City Hall - 5:00 P.M.

The next order of business is preliminary/final plat review for Belforest K-6 Water Well Subdivision.

An introductory presentation was given by Stuart Smith, representative of Goodwyn, Mills & Cawood, requesting preliminary/final plat review of a two-lot subdivision proposed with the construction of a Belforest Water Authority for the school site at the southwest corner of County Road 54 East and County Road 64. He stated the subdivision plat was presented to Baldwin County to request rezoning of Lot 2 to RSF-4, Single Family District.

Chairman asked for Commission questions or comments and the status of the rezoning with Baldwin County. Mr. Smith stated that the Planning Commission meeting is next week.

Chairman noted although Lot 2 does not meet Baldwin County's zoning requirements, they will not sign the plat until the rezoning occurs. Ms. Jones concurred.

Mr. Eringman asked about the access to Lot 2. Mr. Smith responded County Road 64.

Chairman asked who owns the right-of-way. Mr. Eringman stated Baldwin County. Ms. Jones responded the site plan for the well site would be reviewed by Baldwin County.

Mr. Scott stated that the City of Daphne has sent a letter to the Baldwin County Board of Education to request annexation of the school site to support schools in the feeder pattern to provide resource officers.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Eringman **to approve Belforest K-6 Water Well Subdivision preliminary/final plat. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is master plan review, preliminary/final plat and site plan for Seagrass Village.

An introductory presentation was given by Larry Smith, representative of S.E. Civil, to request master plan review of Seagrass Village located northeast of U.S. Highway 98 and Dale Road. He presented an overview of master plan for approximately one hundred and seventy units consisting of independent living, dependent living, villas, and single-family units; or, with a mixture of duplexes, triplexes and patio homes. He stated this is a multi-phased development of which the infrastructure will be constructed in the first phase of the development along with the improvement of Dale Road. The phasing will be mainly for acceptance of those improvements. We are carving of Lot 2, the location of the single-family units, patio homes and duplexes. He noted that staff comments have been addressed.

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 25, 2020
Council Chamber, City Hall - 5:00 P.M.

Chairman asked for Commission questions or comments and about the drainage outfall being within twenty-five feet of the property line. Ms. Jones stated that will be a part of the motion for approval of the site plan.

Chairman asked about ALDOT approval of the drainage outfall. Mr. Smith advised that comments are pending.

Chairman opened the floor to public participation. No one came forth. She closed public participation and asked for a motion for the associated applications.

A Motion was made by Mr. Prescott and **Seconded** by Mr. Kirby **to approve the Seagrass Village master plan. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Prescott and **Seconded** by Mr. Kirby **to approve Seagrass Village Subdivision preliminary/final plat. There was no discussion on the motion. The Motion carried unanimously.**

A Motion was made by Mr. Prescott and **Seconded** by Mr. Eringman **to approve Seagrass Village site plan and allowing the outfall within twenty-five feet of the property line. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is an update to the Official Zoning Map and Official Street Map.

Ms. Jones stated there were three amendments to the street map; the amendments to the official zoning map include: rezoning of Damaris Anderson, Main Street; Rachel Burmeister & James Stocks, Main Street, and Zeolia Dale, c/o Velma Jackson, Dale Road and U.S. Highway 98.

Chairman asked for Commission questions or comments and asked for a motion.

A Motion was made by Mr. Scott and **Seconded** by Ms. Bergin **to set forth a favorable recommendation to City Council to amend the Official Zoning Map and Official Street Map. There was no discussion on the motion. The Motion carried unanimously.**

An introductory presentation was given by Al Finley, representative of Dewberry, requesting approval of a one-year extension of the preliminary plat for Saint Augustine Subdivision, Phase Four.

Chairman asked for Commission questions or comments and a motion for approval.

A Motion was made by Mr. Scott and **Seconded** by Mr. Prescott **to approve a one-year extension of Saint Augustine Subdivision, Phase Four preliminary plat to expire August 23, 2021. There was no discussion on the motion. The Motion carried unanimously.**

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 25, 2020
Council Chamber, City Hall - 5:00 P.M.

The next order of business is the proposed annexation of Corte Road, a portion of Austin Road, and the right-of-way realignment of Austin Road.

An introductory presentation was given by Ms. Jones, Community Development, requesting annexation of Corte Road right-of-way, a portion of Austin Road right-of-way, and the right-of-way realignment of Austin Road. As a part of an agreement with Baldwin County for the improvements, the City of Daphne agreed to the annexation of the rights-of-way into the corporate limits of the City of Daphne for maintenance.

Chairman asked for Commission questions or comments and a motion for recommendation of acceptance.

A Motion was made by Mr. Scott and **Seconded** by Mr. Prescott **to set forth a favorable recommendation to City Council to annex and to accept for maintenance Corte Road right-of-way.**

During discussion, Mr. Eringman asked if staff recommended acceptance. Ms. Jones concurred and clarified that the Public Works Director recommended acceptance. Mr. Eringman asked about outstanding staff deficiencies. Ms. Jones stated Baldwin County staff said comments have been addressed.

Mr. Scott advised that this is not final acceptance of the rights-of-way; it will require further discussion by the Council and advised that the purpose of the realignment is the installation of a traffic signal at Corte Road to alleviate traffic congestion on Alabama Highway 181.

Ms. Jones noted that the Public Works Director will present the annexation of the right-of-ways to the Public Work Committee and that may be the appropriate time to address outstanding staff deficiencies.

There was no further discussion on the motion. The Motion carried unanimously.

A Motion was made by Mr. Scott and **Seconded** by Mr. Prescott **to set forth a favorable recommendation to City Council to annex and to accept for maintenance a portion of Austin Road right-of-way and the right-of-way alignment of Austin Road. There was no discussion on the motion. The Motion carried unanimously.**

The next order of business is public participation.

Chairman asked for public participation.

None presented.

The next order of business is the attorney's report.

Mr. Dungan stated no report.

The next order of business is commissioner's comments.

The City of Daphne
Planning Commission Minutes
Regular Meeting of June 25, 2020
Council Chamber, City Hall - 5:00 P.M.

Mr. Eringman commented about the preparation of a presentation of an amendment to the Land Use Ordinance to regulate street lighting in subdivisions.

The next order of business is director's comments.

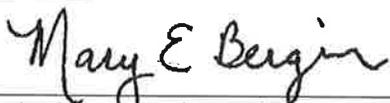
Director advised that there are no July meetings. She presented the upcoming meeting dates. Site Preview is August 19, and the Regular Meeting is August 27, 2020.

There being no further business, the meeting was adjourned at 5:32 p.m.

Respectfully submitted by:


Jan Vallecillo, Planning Coordinator

Approved: August 27, 2020


Marybeth Bergin, Chairman

**CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF AUGUST 27, 2020
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.**

Report 

1. **CALL TO ORDER:** 5:07 p.m.
2. **CALL OF ROLL:** Marybeth Bergin, James “Bo” White, Andrew Prescott, Ed Kirby, Ron Scott, BJ Eringman, and Phillip Hodgson
3. **APPROVAL OF MINUTES:** Review of minutes of the regular meeting of June 25, 2020.
4. **NEW BUSINESS:**

A. SITE PLAN REVIEW:

1. **File SP20-07: (Approved)**

Site: Daphne City Hall Parking Lot Addition

Zoning: *MU, Mixed Use, and B-2, General Business*

Location: Southwest of Main Street and Belrose Avenue, and Southeast of Belrose Avenue and Sixth Street

Area: 0.47 Acres ±

Owner: City of Daphne - Mayor Dane Haygood

Agent: Public Works Director - Jeremy Sasser

Engineer: Goodwyn, Mills & Cawood - Amanda Thompson

B. PRELIMINARY/FINAL PLAT REVIEW:

1. **File SDPF20-06: (Approved)**

Subdivision: Lazzari Acres

Zoning: *Unzoned, Baldwin County District 7, in the Extraterritorial Planning Jurisdiction of Daphne*

Location: Northwest of County Road 64 and Pursley Road

Area: 75.3 Acres ±, (2) lots

Owner: Louis H. Lazzari, Jr. and Spotswood Tree Service, Inc.

Agent: Smith, Clark & Associates - Hunter Smith

C. ORDG 2019, L.L.C. APPLICATIONS:

1. **PRELIMINARY/FINAL PLAT REVIEW:**

File SDPF20-05: (Approval contingent upon City Council’s favorable determination regarding the rezoning petition for R-6(G))

Subdivision: Van Avenue Gardens

Zoning: *B-3, Professional Business, pending rezoning to R-6(G), Garden/Patio Home District*

Location: Southwest of Van Avenue and Main Street

Area: 1.15 Acres ±, (3) lots

Owner: ODRG 2019, L.L.C. - Nathan Cox

Agent: S.E. Civil - David Diehl

CITY OF DAPHNE
PLANNING COMMISSION AGENDA
REGULAR MEETING OF AUGUST 27, 2020
COUNCIL CHAMBERS, CITY HALL - 5:00 P.M.

Report

2. ZONING AMENDMENT:

File Z20-03: (Set forth a favorable recommendation to City Council to rezone the subject property, with the following conditions: development of the subject property shall be limited to no more than three (3) residential lots upon review and approval through the city's subdivision process and thereafter shall not be further subdivided; and, the rezoning shall not be subject to the reversionary clause)

Applicant: ODRG 2019, L.L.C.

Present Zoning: *B-3, Professional Business*

Proposed Zoning: *R-6(G), Garden/Patio Home District*

Location: Southwest of Van Avenue and Main Street

Area: 1.15 Acres ±

Owner: ODRG 2019, L.L.C. - Nathan Cox

Agent: S.E. Civil - David Diehl

D. ZONING AMENDMENT:

1. File Z20-04: (Due to the lack of a supermajority vote of the Planning Commission failed to set forth a favorable recommendation to City Council to rezone the subject property from R-2 to B-3, Professional Business. There were five affirmative votes and two dissenting votes).

Applicant: John & Deborah Kim

Present Zoning: *R-2, Medium Density Single Family Residential*

Proposed Zoning: *B-3, Professional Business*

Location: Southwest corner of County Road 64 and Pollard Road

Area: 0.46 Acres ±

Owner: John & Deborah Kim

5. PUBLIC PARTICIPATION: Comments expressed regarding the proposed zoning amendment for John and Deborah Kim (see minutes for details).

6. ATTORNEY'S REPORT: No report

7. COMMISSIONER'S COMMENTS: None presented

8. DIRECTOR'S COMMENTS: Director presented the upcoming meeting dates. Site Preview is September 14 and the Regular Meeting is September 23, 2020; commented that she is now a Certified Planner.

9. ADJOURNMENT: 6:50 p.m.



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20200825081601334

Type License: **050 - RETAIL BEER (OFF PREMISES ONLY)** State: \$150.00 County: \$75.00

Type License: **070 - RETAIL TABLE WINE (OFF PREMISES ONLY)** State: \$150.00 County: \$75.00

Trade Name: **MOSLEYS FINE MEATS** Filing Fee: \$100.00

Applicant: **MOSLEYS FINE MEATS INC** Transfer Fee:

Location Address: **699 US HIGHWAY 98 DAPHNE, AL 36526**

Mailing Address: **7174 BELLE CHASE DRIVE MOBILE, AL 36695**

County: **BALDWIN** Tobacco sales: **NO** Tobacco Vending Machines:

Product Type: Type Ownership: **CORPORATION**

Book, Page, or Document info: **INST 629-476**

Do you sell Draft Beer?:

Date Incorporated: **05/04/2020** State incorporated: **AL** County Incorporated:

Date of Authority: **05/04/2020**

Federal Tax ID: **85-0930392** Alabama State Sales Tax ID: **R010734832**

Name:	Title:	Date and Place of Birth:	Residence Address:
CHRISTOPHER ONEIL MOSLEY 7040528 - AL	MEMBER	03/23/1984 MOBILE, AL	5375 LEANN DRIVE GRAND BAY, AL 36542
DARON ONEIL MOSLEY 4973380 - AL	PRESIDENT	08/13/1965 MOBILE, AL	7174 BELLE CHASE DRIVE MOBILE, AL 36695

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? **YES**

Does ABC have any actions pending against the current licensee? **NO**

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? **NO**

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? **NO**

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? **YES**

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? **NO**

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? **NO**

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? **NO**

Contact Person: **DARON MOSLEY**

Business Phone: **251-626-1942**

Fax:

Home Phone: **251-422-5270**

Cell Phone: **251-422-5270**

E-mail: **MOSLEYSFINEMEATS@GMAIL.COM**

PREVIOUS LICENSE INFORMATION:

Trade Name: **MOSLEYS MARKET**

Applicant: **MOSLEYS MARKET INC**

Previous License Number(s)

License 1: **040-000974002-530**

License 2: **060-000974002-530**



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20200825081601334

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: **DARON MOSLEY LLC 251-422-5270**
 What is lessors primary business? **RENTAL**
 Is lessor involved in any way with the alcoholic beverage business? **YES**
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **NO**
 Is the business used to habitually and principally provide food to the public? **NO**
 Does the establishment have restroom facilities? **NO**
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **NO**

Will the business be operated primarily as a package store? **NO**
 Building Dimensions Square Footage: **0** Display Square Footage:
 Building seating capacity: **0** Does Licensed premises include a patio area? **NO**
 License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**
 Number of licenses in the vicinity: Nearest:
 Nearest school: **1 blocks** Nearest church: **1 blocks** Nearest residence: **1 blocks**
 Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA

ALCOHOLIC BEVERAGE CONTROL BOARD

ALCOHOL LICENSE APPLICATION



Confirmation Number: 20200825081601334

Initial each

Signature page

In reference to law violations, I attest to the truthfulness of the responses given within the application.

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): *DANON MUSLER*

Signature of Applicant: *Danon Musler*

Notary Name (print): *Ann Goodhue McCormick*

Notary Signature: *Ann Goodhue McCormick* Commission expires: *8/9/2021*

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION**



Confirmation Number: 20200825081601334

Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: Ending Date:

Special terms and conditions for special event/special retail:

Other Explanations

Is the lessor involved in any way with the alcohol beverage business?: LESSOR AND APPLICANT INCLUDE THE SAME MEMBER

Receipt Confirmation Page

Receipt Confirmation Number: **20200825081601334**
Application Payment Confirmation Number: **64299122**

Payment Summary	
Payment Item	Fee
Application Fee for License 050 and License 070	\$100.00
Total Amount to be Charged	\$100.00

License Payment Confirmation Number:

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
050 - RETAIL BEER (OFF PREMISES ONLY)	\$75.00	\$150.00	\$225.00
070 - RETAIL TABLE WINE (OFF PREMISES ONLY)	\$75.00	\$150.00	\$225.00
Total Amount to be Charged	\$150.00	\$300.00	\$450.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 050 - RETAIL BEER (OFF PREMISES ONLY)
License Type 2: 070 - RETAIL TABLE WINE (OFF PREMISES ONLY)
License County: BALDWIN
Business Type: CORPORATION
Trade Name: **MOSLEYS FINE MEATS**
Applicant Name: **MOSLEYS FINE MEATS INC**
Location Address: 699 US HIGHWAY 98
DAPHNE, AL 36526

Mailing Address: 7174 BELLE CHASE DRIVE
MOBILE, AL 36695

Contact Person: DARON MOSLEY
Contact Home Phone: 251-422-5270
Contact Business Phone: 251-626-1942
Contact Fax:
Contact Cell Phone: 251-422-5270
Contact Email Address:
Contact Web Address:

Application Payment Receipt Confirmation Page

Receipt Confirmation Number: 20200825081601334

Application Payment Confirmation Number: 64299122

Payment Summary	
Payment Item	Fee
Application Fee for License 050 and License 070	\$100.00
Total Amount to be Charged	\$100.00

Application Information

Application Type: APPLICATION

License Type 1: 050 - RETAIL BEER (OFF PREMISES ONLY)

License Type 2: 070 - RETAIL TABLE WINE (OFF PRMISES ONLY)

Continue

Technical Support: 866-353-3468 or support@alabamainteractive.org

Version 2.8.10



City of Daphne Event Permit Application

Date of Application: 8-26-2020 Permit Requested: Event/Fundraiser Parade/Run Band

Contact Information

Organization Name: Winged Foot Block Party
Contact Name: Mike Gilbreth E-mail Address: MGilbreth64@gmail.com
Address: 8456 Mackie Lane Daphne AL 36526
Street / P.O. Box City/State/Zip Code
Primary Phone Number: 918-894-9330 Secondary: _____

Event Information

Event Name: Neighborhood Gathering Event Date: 10/10/2020
Event Location: 8456 Mackie Lane # Participants/Vehicles: 30
Start Time: 12:00 pm Stop Time: 7:00 pm Assembly Time: 3 pm
Parade/Run Only
Special Requests: Allowed us to Assemble tent + Grills
in Street + Tables. Block The Street From 8456 - 8468 Mackie Lane
Road Closures Requested: Yes No

Special Instructions

Approval: Internal Use Only

Date Routed: 8/27/2020
Fire Dept: Melvin Brown
Police Dept: Russell Carpenter
Public Works: [Signature]
Parks & Recreation: _____
Only required if event takes place near Daphne parks

For Special Event/Band Permits:

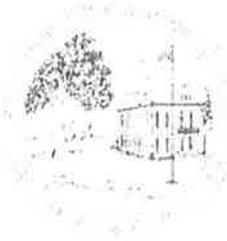
City Clerk: _____
Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____
Date of Approval

Parade/Run Permits ONLY

Fee Paid: \$ _____ N/A Waived
 Insurance Filed N/A
Route Selection: 1 2 3 4



City of Daphne Event Permit Application

Date of Application: August 14, 2020 Permit Requested: Event/Fundraiser Parade/Run Band

Contact Information

Organization Name: Eastern Shore Children's Business Fair
Contact Name: Lynne Holloway E-mail Address: EasternShoreCBF@gmail.com
Address: 23849 Dublin Drive, Daphne
Primary Phone Number: 2513912286 Secondary: _____
Street / P.O. Box City/State/Zip Code

Event Information

Event Name: Eastern Shore Children's Business Fair Event Date: 10-24-20
Event Location: Centennial Park # Participants/Vehicles: 25
Start Time: 9:00 Stop Time: 2:00 Assembly Time: _____
Parades/Runs Only
Special Requests: _____
Road Closures Requested: Yes No

Special Instructions

This will be our third fair. The past two fairs have had a combined 50 participants and 400+ attendees. We are so grateful to the City of Daphne for supporting the children in our community!

Approval: Internal Use Only

Date Routed: 8/31/2020
Fire Dept: Melvin Brown
Police Dept: [Signature]
Public Works: _____
Parks & Recreation: _____
Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

Council Member: _____
District # Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____
Date of Approval

Parade/Run Permits ONLY

Fee Paid: \$ _____ N/A Waived
 Insurance Filed N/A
Route Selection: 1 2 3 4



City of Daphne Event Permit Application

Date of Application: September 1, 2020 Permit Requested: Event/Fundraiser Parade/Run Band

Contact Information

Organization Name: Apollo's Mystic Ladies

Contact Name: Charli Linn E-mail Address: amlparadecommittee@gmail.com

Address: P.O. Box 3133, Daphne, AL 36532

Primary Phone Number: 251-300-4313 Secondary: _____
Street / P.O. Box City/State/Zip Code

Event Information

Event Name: Apollo's Mystic Ladies Mardi Gras Parade Event Date: February 5, 2021

Event Location: Mardi Gras route - Civic Center start/finish # Participants/Vehicles: approx 25-30

Start Time: 6:45pm Stop Time: 8:30pm Assembly Time: 5:30pm
Parades/Runs Only

Special Requests: rain date - Thursday, February 11, 2021

Road Closures Requested: Yes No

Special Instructions

Approval: Internal Use Only

Date Routed: 9/3/2020

Fire Dept: Melvin Brown

Police Dept: Shud Carpenter

Public Works: Jeremy Sasser

Parks & Recreation: _____
Only required if event interrupts traffic near Daphne parks

For Special Event/Band Permits:

Council Member: _____
District # Signature

For Parade/Run Permits & Use of City Grounds:

City Council: _____
Date of Approval

Parade/Run Permits ONLY

Fee Paid: \$ _____ N/A Waived

Insurance Filed N/A

Route Selection: 1 2 3 4

To: Office of the City Clerk
From: Adrienne D. Jones, AICP, 
Director of Community Development
Subject: John & Deborah Kim Zoning Amendment
Date: August 31, 2020

MEMORANDUM

PRESENT ZONING: R-2, Medium Density Single Family Residential

PROPOSED REZONING: B-3, Professional Business

LOCATION: Southwest corner of Pollard Road and County Road 64

RECOMMENDATION: At the Thursday, August 27, 2020, regular meeting of the Daphne Planning Commission, due to the lack of a supermajority vote, the Planning Commission failed to set forth a favorable recommendation to the City Council to rezone the subject property from R-2 to B-3, Professional Business.

Five affirmative votes and two dissensions votes.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/jv

Attachment(s)

1. Zoning Amendment Application
2. Legal Description (Exhibit A)
3. Boundary Survey (Exhibit B)
4. Adjacent property owners list
5. Community Development Report

FILE
08/31/20
ADJ



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816	Date Submitted Aug 3, 2020
Application Number: ZA-20-04 or PZA-	Planning Commission Public Hearing Date: Aug 27, 2020

Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.

SITE DATA

Site Location (Address or General Proximity to Nearest Intersection): 1709 Pollard Road	PPIN#(s): 21113
Gross Site Area (acreage): 0.46	Requested Zoning or Pre-Zoning: B-3
Current Zoning Designation(s): R-2	Amended Request:
Current Land Use: Residential	Initials: JK Date: 7/20/20
Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]": Attached	Anticipated Land Use: Professional Office

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

Annexation
 Subdivision
 Site Plan
 Special Exception
 Variance
 Specify Other

APPLICANT & AGENT INFORMATION

**If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent and provide a copy of Articles of Incorporation.*

Name of Current Owner: John Kim Deborah K	
Mailing Address: 25478-B Friendship Road, Daphne	Phone/Fax: E-mail:
Name of Authorized Agent: Deborah Kim / JOHN KIM	(251) 391-0546
Mailing Address: 25478-B Friendship Road, Daphne	Phone/Fax: E-mail: jkimtkd@gmail.com
Name of Developer*:	Phone/Fax: E-mail:
Other:	Phone/Fax: E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature:	Date 7/20/20
Agent's Signature:	Date



REVERSIONARY CLAUSE ACKNOWLEDGEMENT

SKIP THIS PAGE IF REQUESTING PRE-ZONING OR PLANNED UNIT DEVELOPMENT ZONING

Pursuant to Article 22-2 of the Land Use & Development Ordinance, zoning and rezoning may revert back to prior designation if certain conditions are not met. Said conditions are specified in Article 22 of the Land Use Ordinance. Legibly sign and print/type responses below. Indicate N/A or an "X" where item is not applicable. **Submit with rezoning request where applicable.**

CURRENT OWNER'S ACKNOWLEDGEMENT

I, John Kim, acknowledge that I am aware that this rezoning request is subject to a reversionary clause as noted in Article 22-2 of the Land Use & Development Ordinance. Date: 7/20/20

JOHN KIM

PRINTED NAME OF CURRENT OWNER/PETITIONER

DEVELOPER'S ACKNOWLEDGEMENT

I, _____, acknowledge that I am aware that this rezoning request is subject to a reversionary clause as noted in Article 22-2 of the Land Use & Development Ordinance. Date: _____

PRINTED NAME OF DEVELOPER

PROPERTY ADDRESS OR PPIN#(s):

21113

**JOHN & DEBORAH KIM
ZONING AMENDMENT**

**SOUTHWEST CORNER OF COUNTY ROAD 64
AND POLLARD ROAD**

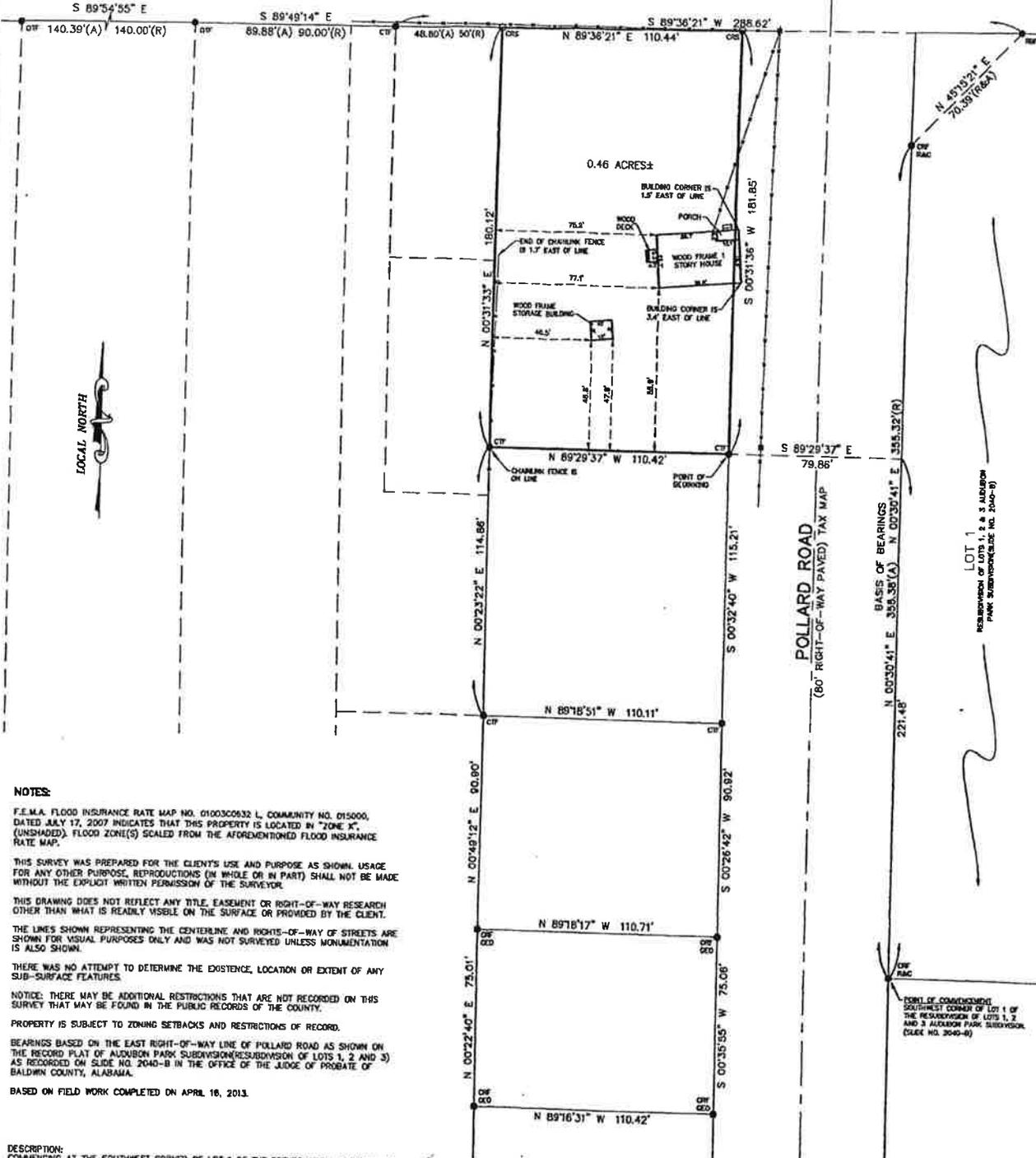
EXHIBIT "A"

**STATE OF ALABAMA
COUNTY OF BALDWIN**

**DESCRIPTION OF PROPERTY TO BE REZONED FROM (R-2), MEDIUM DENSITY SINGLE
FAMILY RESIDENTIAL, TO (B-3) PROFESSIONAL BUSINESS**

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 OF THE RESUBDIVISION OF LOTS 1, 2, AND 3 AUDUBON PARK SUBDIVISION AS RECORDED ON SLIDE NO. 2040-B IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00-DEGREES 30-MINUTES 41-SECONDS EAST ALONG THE WEST LINE OF SAID LOT 1 AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' RIGHT-OF-WAY) A DISTANCE OF 221.48 FEET; THENCE RUN NORTH 89-DEGREES 29-MINUTES 37-SECONDS WEST, 79.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF POLLARD ROAD; SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUE NORTH 89-DEGREES 29-MINUTES 37-SECONDS WEST, 110.42 FEET; THENCE RUN NORTH 00-DEGREES 31-MINUTES 33-SECONDS EAST, 180.12 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 64 (80' RIGHT-OF-WAY); THENCE RUN NORTH 89-DEGREES 36-MINUTES 21-SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 110.44 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF POLLARD ROAD; THENCE RUN SOUTH 00-DEGREES 31-MINUTES 36-SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 181.85 FEET TO THE POINT OF BEGINNING CONTAINING 0.46 ACRES, MORE OR LESS.

BALDWIN COUNTY HWY. NO. 64
(80' RIGHT-OF-WAY PAVED) TAX MAP



NOTES:

F.E.M.A. FLOOD INSURANCE RATE MAP NO. 0100300832 L, COMMUNITY NO. 015000, DATED JULY 17, 2007 INDICATES THAT THIS PROPERTY IS LOCATED IN "ZONE X" (UNSHADED). FLOOD ZONE(S) SCALED FROM THE AFOREMENTIONED FLOOD INSURANCE RATE MAP.

THIS SURVEY WAS PREPARED FOR THE CLIENT'S USE AND PURPOSE AS SHOWN. USAGE FOR ANY OTHER PURPOSE, REPRODUCTIONS (IN WHOLE OR IN PART) SHALL NOT BE MADE WITHOUT THE EXPLICIT WRITTEN PERMISSION OF THE SURVEYOR.

THIS DRAWING DOES NOT REFLECT ANY TITLE, EASEMENT OR RIGHT-OF-WAY RESEARCH OTHER THAN WHAT IS READILY VISIBLE ON THE SURFACE OR PROVIDED BY THE CLIENT.

THE LINES SHOWN REPRESENTING THE CENTERLINE AND RIGHTS-OF-WAY OF STREETS ARE SHOWN FOR VISUAL PURPOSES ONLY AND WAS NOT SURVEYED UNLESS DOCUMENTATION IS ALSO SHOWN.

THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION OR EXTENT OF ANY SUB-SURFACE FEATURES.

NOTICE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY.

PROPERTY IS SUBJECT TO ZONING SETBACKS AND RESTRICTIONS OF RECORD.

BEARINGS BASED ON THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD AS SHOWN ON THE RECORD PLAN OF AUDUBON PARK SUBDIVISION (RESUBDIVISION OF LOTS 1, 2 AND 3) AS RECORDED ON SLIDE NO. 2040-B IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

BASED ON FIELD WORK COMPLETED ON APRIL 16, 2013.

DESCRIPTION:
COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 OF THE RESUBDIVISION OF LOTS 1, 2 AND 3, AUDUBON PARK SUBDIVISION AS RECORDED ON SLIDE NO. 2040-B IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00°30'41" EAST ALONG THE WEST LINE OF SAID LOT 1 AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' RIGHT-OF-WAY) A DISTANCE OF 221.48 FEET; THENCE RUN NORTH 89°29'37" WEST, 79.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF POLLARD ROAD; SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUE NORTH 89°29'37" WEST, 110.42 FEET; THENCE RUN NORTH 00°31'33" EAST, 180.12 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 64 (80' RIGHT-OF-WAY); THENCE RUN NORTH 89°36'21" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 110.44 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF POLLARD ROAD; THENCE RUN SOUTH 00°31'36" WEST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 181.85 FEET TO THE POINT OF BEGINNING CONTAINING 0.46 ACRES, MORE OR LESS.

LEGEND	
○ORS	CAPPED REBAR SET (CA 0088LS)
●OF	CAPPED REBAR FOUND
○OF	OPEN TOP IRON PIPE FOUND
●CF	CORRP TOP IRON PIPE FOUND
(R)	RECORD DATA
(A)	ACTUAL DATA
---	CHAINLINK FENCE
---	OVERHEAD ELECTRICITY
■	POWER POLE

STATE OF ALABAMA
COUNTY OF BALDWIN

I, MERLIN J. MILLER, HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE BOARD REGISTRATION PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Merlin J. Miller
MERLIN J. MILLER, PLS
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER 14556

DATE: APR 16, 2013
DRAWN BY: SMY
APPROVED BY: MAM
SHEET 1 OF 1

AS-BUILT SURVEY FOR JOHN KIM

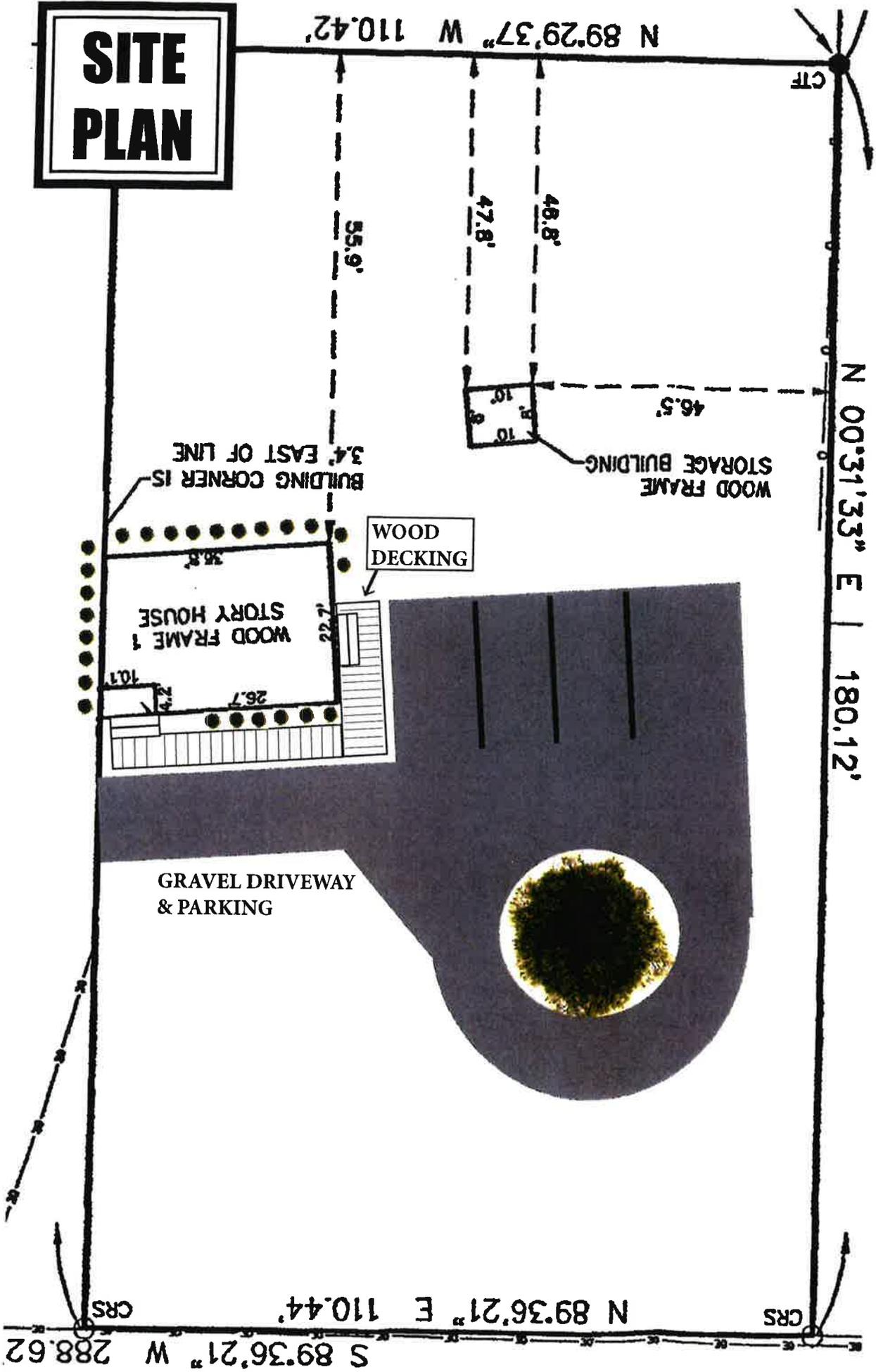
SECTION 20, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA

DDNO: K5148-1001 SCALE: 1" = 30' DATE: APR 16, 2013 DRAWN BY: SMY APPROVED BY: MAM SHEET 1 OF 1

McCrorry Williams
INCORPORATED
Engineers Surveyors

1024-B STANTON ROAD
DAPHNE, ALABAMA 36526
PHONE: (251) 825-2072
FAX: (251) 821-4040
EMAIL: daphne@mccrorry.com
CA 008LS

SITE PLAN



JOHN & DEBORAH KIM

ADJACENT PROPERTY OWNERS FOR ZONING AMENDMENT

John & Deborah Kim
25478-B Friendship Road
Daphne, AL 36526

Baldwin Bone & Joint
1505 Daphne Avenue
Daphne, AL 36526

Irmgard Brantley
26070 Pollard Road
Daphne, AL 36526

Gates LLC
c/o Stephen Crawford
P.O. Box 123
Mobile, AL 36601

Leonda Jones
1408 Daphne Ave.
Daphne, AL 36526

Celestine Martin
P.O. Box 1443
Daphne, AL 36526

Charles Hubbard
1707 Pollard Road
Daphne, AL 36526

DANE HAYGOOD
MAYOR

ADRIENNE D. JONES
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
PAT RUDICELL
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
ROBIN LEJEUNE
DISTRICT 6
ANGIE PHILLIPS
DISTRICT 7

August 14, 2020

NOTICE OF PUBLIC HEARING

A petition for REZONING will be considered by the Daphne Planning Commission for John & Deborah Kim containing 0.46 acres +/- located at the southwest of County Road 64 and Pollard Road, R-2, Medium Density Single Family Residential, proposed to be rezoned zoned B-3, Professional Business.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, August 19, 2020 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, August 27, 2020 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, or by representation.

Adrienne D. Jones, Director

John & Deborah Kim

P. O. Box 400 - Daphne, Alabama 36526
Phone: 251.620.1700



John & Deborah Kim
 Zoning Amendment

Zoning Classification:

R-2, Medium Density Single Family Residential

Surrounding Zonings/Uses:

North B-2, General Business zoned (Baldwin Bone & Joint Medical Office)

South R-2, Medium Density Single Family Residential District (residence)

East Baldwin County unincorporated Neighborhood Business District, B-2

West R-2, Medium Density Single Family Residential District (residence)

Existing Utility Service Providers: Daphne Utilities, Riviera Utilities

Affected City Service Providers: Fire Station 1, Police Beat 1

Staff Recommendation to PC: Favorable recommendation City Council

Proposed Zoning:

B-3, Professional Business

Development Concept:

To convert of a rehabilitated residential structure to a professional office

Council District:

1

Existing Conditions:

0.46 ac

Planning Commission Recommendation:

Pending

Staff Comments:

The subject property, 1709 Pollard Road, is located at the southwest intersection of County Road 64 and Pollard Road. There are various uses and zones along Pollard Road, as there are various uses and zones along County Road 64. Zones range from B-2 General Business (near intersection of Hwy 98 and County Road 64 (CR 64) as well as near the intersection of CR 13 and CR 64, and to the east along Friendship Road, R-4 Single and Multi-Family (south of Pollard and CR 64-- AHEPA apartments and St. Charles Village townhomes, and to the east, Audubon Park apartments), R-2 Medium Density Single Family Residential (immediately west and south). The immediately abutting property is zoned R-2 and used for single family dwellings. The Comprehensive Plan's overarching policy regarding land development encourages harmony and compatibility.

There have been several parcels rezoned within a 2 mile radius of the subject property. Since the approval of those zoning requests, many have been developed, for example, Winged Foot Subdivision is a mixed use Planned Unit Development zoned PUD; Pollard Road Business park was partly zoned R-4 and was rezoned B-2; the Belforest Apartments site was zoned B-2 and rezoned R-7(A); and, Italian Settlement Business Park was zoned B-1 and after 10 years rezoned B-2.

One may be tempted to use the phrase "spot zoning," however, it's important to determine whether there will be any significantly negative impacts that can't be mitigated or prevented. It is unlikely that an office use inside the remodeled house would have a significant negative impact on the neighboring properties.

According to Article 15-1(b), Procedures for Site Plan Review, Use & Applicability, changes in land use (i.e., from residential to commercial) warrant site plan review by the city staff. No business license will be issued until such review has occurred. The intent of the review is to certify that any development would meet the provisions of the LUDO, including parking, buffering, landscaping, setbacks etc. The size of the property (0.46 acres) inherently limits the potential use of the site. Future expansion or redevelopment must meet the provisions of the Land Use and Development Ordinance.

In May 2020, the applicant obtained a Miscellaneous Remodel Permit for the house from the City Building Department. Additionally, a privacy fence, and gravel parking lot was installed. The structural remodel has made a significant aesthetic impact on the parcel. At this time, if any commercial zone were to be considered at this location, B-3, Professional Business, would be the most appropriate district.

Rezoning the property to B-3 does not establish precedent for future “carte blanche” commercial zoning amendments. Every rezoning application is weighed on its own merits. The merits of this application are such that the applicant has already remodeled the residential structure for commercial use but the structure still looks like a single family dwelling unit. Additionally, a privacy fence has been installed where abutting adjacent residences, and furthermore, no business license will be issued by the City until the provisions of Article 15-1(b) have been satisfied. The merits of this application are unique, such that the proposed rezoning request should be considered for approval.

RECOMMENDATION

In summary, if the Planning Commission and City Council find it to be the right time to introduce commercial zoning to this end of Pollard Road, then B-3 certainly would be the most appropriate district to allow. Staff recommends that the Planning Commission setforth a favorable recommendation to City Council to rezoned the site to B-3 and the rezoning should not be subject to the reversionary clause.



PERMIT DETAILED REPORT (BLDR-002941-2020) FOR CITY OF DAPHNE

Permit Type: Building Permit (Residential)	Project:	App Date: 05/01/2020
Work Class: Misc.	District:	Issue Date: 05/01/2020
Status: Complete	Square Feet: 0.00	Exp Date: 01/04/2021
Description: MISC REMODEL	Valuation: \$2,000.00	Final Date: 07/06/2020

Parcel: 21113	Main	Address: 1709 Pollard Rd Daphne, AL 36526	Main
---------------	------	--	------

Owner/Builder
 John & Deborah Kim
 1709 Pollard Rd
 Daphne, AL 36526
 Home:
 Business:
 Mobile: 2513910546

Invoice No.	Fee	Fee Amount	Amount Paid
INV-00002287	Building Permit Residential Misc	\$35.00	\$35.00
	Credit Card (CC) Processing Fee	\$0.96	\$0.96
Total for Invoice INV-00002287		\$35.96	\$35.96
Grand Total for Permit		\$35.96	\$35.96

B-3, Professional Business District

What is B-3 zoning?

According to Article 13 of the Land Use & Development Ordinance, “the B-3 zoning district is established to provide an opportunity for business establishments of a professional nature and is restricted to offices and businesses which provide specific corporate functions or professional services to the general public, but not the sale of goods or services at retail or wholesale.”

What is allowed in a B-3 district?

According to Article 35-3 Permitted Uses & Conditions, of the Land Use & Development Ordinance the following are permissible uses by right and/or by Planning Commission approval:

By Right: Agriculture and related farming operations, bank, including drive in bank, church or related accessory bldg., city hall or public bldg., clinic-dental, medical, or psychiatric for humans, employee credit union, home occupation, professional office building, optician, radio and tv antenna.

By Planning Commission Approval: business school or college, college or university, college sorority or frat house, electric power substation, gas regulator station, hospital, clinic, extended care facility, police substation, post office, public utility substation with proper screening, telephone exchange, water storage.

What buffers are required for B-3 zoned district? According to Article 19 of the LUDO, the minimum buffer is a 10-ft wide buffer zone between B-3 and R-2 (and any other residential zone district).

What is the difference in the proposed zone and the adjacent property? See Article 13-6 of the Land Use & Development Ordinance to compare and contrast the minimum requirements.

Article 13-6 Setbacks

EXCERPT FROM 13-6	Front Yard Local Streets	Front Yard County Roads	Rear Yard	Side Yard	Corner Lot Side Yard
R-2	35	75	35	10	35 or 20
B-3	30	75	30	30	30 or 25

Article 13-4 Minimum Lot Requirements Excerpt

EXCERPT FROM 13-4	Minimum Lot Area Square feet (sq ft)	Minimum Lot Width at Setback Line (ft)	Maximum Lot Coverage Percent (%) ^a	Maximum Density ^b (units/acre)	Maximum Height ^c (stories) (ft)
ZONING OF PROPERTY TO NORTH ACROSS CR 64 AND PROPOSED B-1, B-2, B-3 Business Districts and Mixed Use Districts	N/A	N/A	N/A	N/A	4 stories 50 ft
EXISTING ZONING OF SITE AND SURROUNDING R-2, Medium Density Single Family	15,000	90	25	2.5	2.5 stories 35 ft

ARTICLE XV PROCEDURES FOR SITE PLAN REVIEW

15-1 USE AND APPLICABILITY

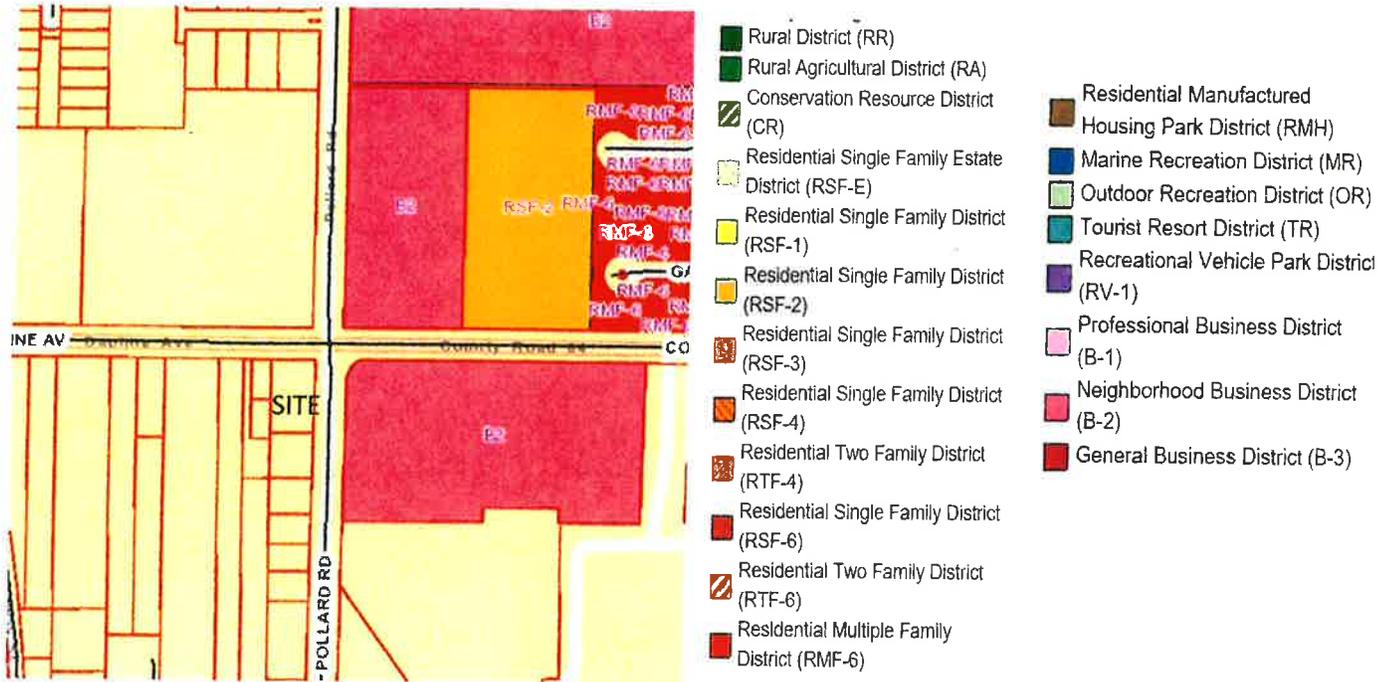
- (a) The provisions of this Article shall be required for all residential developments involving the construction of two (2) or more dwelling units including apartments, town homes, condominiums, business, commercial, industrial, and/or institutional structures; all existing

structures which increase the gross floor area by thirty percent (30%) or more, except a single family residence; construction of a park, public way, open space, public building or structure; construction of a public utility whether publicly or privately owned; and other uses as required by the Planning Commission.

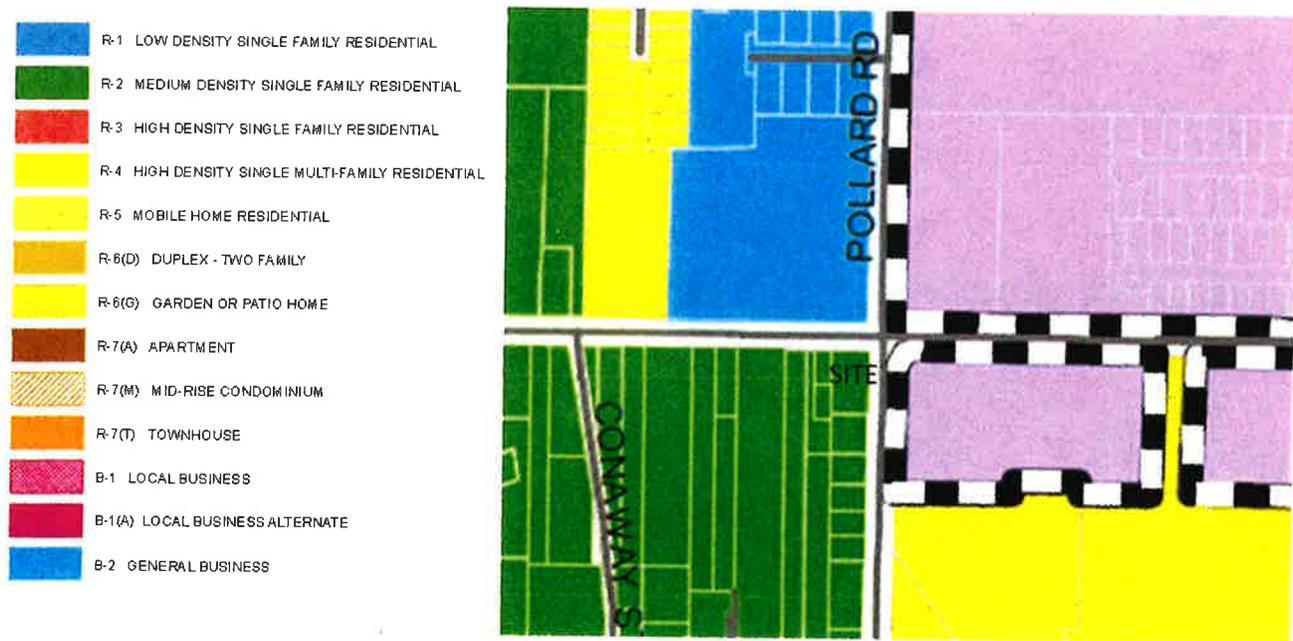
- (b) A site plan review for minor expansions of commercial or institutional uses, renovations or changes in use shall be subject to administrative review and approval by the Director of Community Development to determine compliance with the provisions of this Ordinance.

Adjoining property owner notices shall be distributed, a zoning notification sign has been posted, and the notice for a public hearing for this petition has been properly advertised in the Baldwin Times in accordance with applicable sections of the Code of Alabama.

Baldwin County Zoning Map



City of Daphne Zoning Map



**JOHN & DEBORAH KIM
ZONING AMENDMENT**

**SOUTHWEST CORNER OF COUNTY ROAD 64
AND POLLARD ROAD**

EXHIBIT "A"

**STATE OF ALABAMA
COUNTY OF BALDWIN**

**DESCRIPTION OF PROPERTY TO BE REZONED FROM (R-2), MEDIUM DENSITY SINGLE
FAMILY RESIDENTIAL, TO (B-3) PROFESSIONAL BUSINESS**

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 OF THE RESUBDIVISION OF LOTS 1, 2, AND 3 AUDUBON PARK SUBDIVISION AS RECORDED ON SLIDE NO. 2040-B IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 00-DEGREES 30-MINUTES 41-SECONDS EAST ALONG THE WEST LINE OF SAID LOT 1 AND THE EAST RIGHT-OF-WAY LINE OF POLLARD ROAD (80' RIGHT-OF-WAY) A DISTANCE OF 221.48 FEET; THENCE RUN NORTH 89-DEGREES 29-MINUTES 37-SECONDS WEST, 79.86 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF POLLARD ROAD; SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUE NORTH 89-DEGREES 29-MINUTES 37-SECONDS WEST, 110.42 FEET; THENCE RUN NORTH 00-DEGREES 31-MINUTES 33-SECONDS EAST, 180.12 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 64 (80' RIGHT-OF-WAY); THENCE RUN NORTH 89-DEGREES 36-MINUTES 21-SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 110.44 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF POLLARD ROAD; THENCE RUN SOUTH 00-DEGREES 31-MINUTES 36-SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 181.85 FEET TO THE POINT OF BEGINNING CONTAINING 0.46 ACRES, MORE OR LESS.

To: Office of the City Clerk
From: Adrienne D. Jones, AICP, *ADJ*
Director of Community Development
Subject: ODRG 2019, L.L.C. Zoning Amendment
Date: August 31, 2020

MEMORANDUM

PRESENT ZONING: B-3, Professional Business
PROPOSED REZONING: R-6(G), Garden/Patio Homes
LOCATION: Southwest of Van Avenue and Main Street
RECOMMENDATION: At the Thursday, August 27, 2020, regular meeting of the Daphne Planning Commission, the motion carried for a favorable recommendation of the above mentioned zoning amendment from B-3, Professional Business, to R-6(G), Patio/Garden Homes, with the following conditions: development of the subject property shall be limited to no more than three (3) residential lots upon review and approval through the City's subdivision process and thereafter shall not be further subdivided; and, the rezoning shall not be subject to the reversionary clause.

Six affirmative votes and one abstention.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,
ADJ/jv

Attachment(s)

1. Zoning Amendment Application
2. Legal Description (Exhibit A)
3. Boundary Survey (Exhibit B)
4. Adjacent property owners list
5. Community Development Report

FILE
08/31/20
ADJ 83



APPLICATION FOR REZONING OR PRE-ZONING

Office use only: Rev. 072816	Date Submitted: <u>July 27, 2020</u>
Application Number: <u>ZA-20-03</u> or PZA-	Planning Commission Public Hearing Date: <u>Aug. 27, 2020</u>

Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.

SITE DATA	
Site Location (Address or General Proximity to Nearest Intersection): <u>South side of Van Avenue 145' west of Main Street</u>	PPIN#(s): <u>9953</u>
Gross Site Area (acreage): <u>1.18 Ac</u>	Requested Zoning or Pre-Zoning: <u>R-6(G)</u>
Current Zoning Designation(s): <u>B-3</u>	Amended Request:
	Initials: _____ Date: _____
Current Land Use: <u>Mobile Home Park</u>	Anticipated Land Use: <u>(3) Residential Lots</u>
Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]": <u>see attached</u>)	

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).

Annexation Subdivision Site Plan Special Exception Variance Specify Other

APPLICANT & AGENT INFORMATION	
<i>*If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent and provide a copy of Articles of Incorporation.</i>	
Name of Current Owner: <u>ODRG 2019 LLC</u>	
Mailing Address: <u>29891 Woodrow Ln #300 Spanish Fort, AL 36527</u>	Phone/Fax: <u>251-625-1198</u> E-mail: <u>ncox@68ventures.com</u>
Name of Authorized Agent: <u>Nathan L. Cox</u>	
Mailing Address: <u>same</u>	Phone/Fax: E-mail:
Name of Developer: <u>same</u>	Phone/Fax: E-mail:
Other: _____	Phone/Fax: E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature:	Date: <u>7/20/2020</u>
Agent's Signature: _____	Date: _____

EXHIBIT "A"

ODRG 2019 LLC Rezoning Request

Legal Description

COMMENCE AT THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH A DISTANCE OF 2315.00 FEET; THENCE RUN WEST A DISTANCE OF 182.00 FEET TO A CAPPED REBAR (ILLEGIBLE) AT THE NORTHWEST CORNER OF LOT 1, MORSE SUBDIVISION AS RECORDED IN SLIDE 2176-D, JUDGE OF PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE RUN NORTH 00 DEGREES 28 MINUTES 45 SECONDS EAST, A DISTANCE OF 91.50 FEET TO A CAPPED REBAR (SE CIVIL) ON THE SOUTH RIGHT-OF-WAY LINE OF VAN AVENUE; THENCE RUN SOUTH 89 DEGREES 54 MINUTES 08 SECONDS WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 214.92 FEET TO A REBAR (NO CAP); THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 00 DEGREES 15 MINUTES 37 SECONDS WEST, A DISTANCE OF 238.53 FEET TO A CAPPED REBAR (MOORE) ON THE NORTH MARGIN OF GREEN ACRES SUBDIVISION AS RECORDED IN MAP BOOK 3, PAGE 139 (SLIDE 172-B), JUDGE OF PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 89 DEGREES 44 MINUTES 31 SECONDS EAST, ALONG SAID NORTH MARGIN, A DISTANCE OF 214.00 FEET TO A CAPPED REBAR (MOORE) AT THE SOUTHWEST CORNER OF LOT 2, MORSE SUBDIVISION; THENCE RUN NORTH 00 DEGREES 28 MINUTES 45 SECONDS EAST, ALONG THE WEST LINE OF THE AFORESAID MORSE SUBDIVISION, A DISTANCE OF 148.37 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 1.18 ACRES, MORE OR LESS.



VICINITY MAP
1 INCH = 1 MILE

REZONING APPLIED FOR
PLAT APPROVAL IS CONTINGENT
ON THE RECEIPT OF A PERMIT FOR
R-6(G) REZONING REQUEST

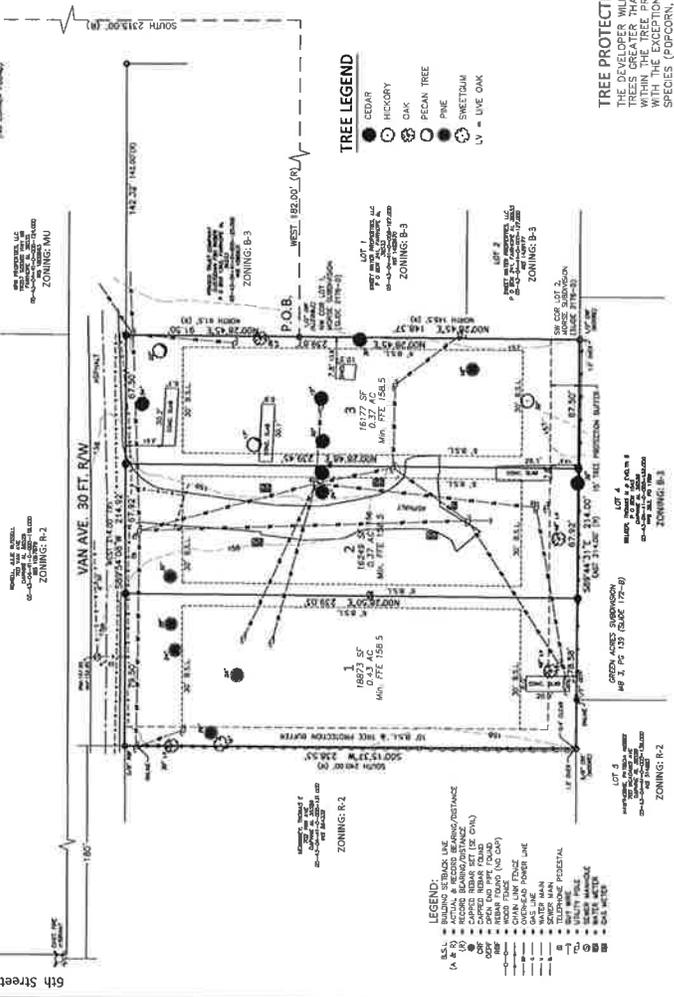
RESUBDIVISION RESTRICTION
NO FURTHER RESUBDIVISION SHALL
BE PERMITTED ON THIS PROPERTY.

ZONING CLASSIFICATION	PROPOSED ZONING	PROPOSED SUBDIVISION
B-3	R-6(G)	R-6(G)
N/A	5000 SF	16,177 SF
N/A	50 FT.	67.5 FT.
N/A	38%	38%
4 STORIES	2.5 STORIES	2.5 STORIES
50 FT.	35 FT.	35 FT.
30 FT.	25 FT.	30 FT.
NONE	6 FT.	6 FT.
30 FT.	6 FT.	6 FT.
NONE	6 FT.	6 FT.

- TREE LEGEND**
- CEDAR
 - HICKORY
 - OAK
 - PECAN TREE
 - PINE
 - SWEETGUM
 - LIVE OAK

TREE PROTECTION BUFFER
THE DEVELOPER WILL PROTECT ALL
TREES GREATER THAN 12 INCHES D.B.H.
WITHIN THE TREE PROTECTION BUFFER.
SPECIES (POPCORN, CORMOSA, ETC.)

P.O.C.
SECTION 15, TOWNSHIP 19 S
RANGE 18 E, COUNTY 10 W, ALA.



CERTIFICATE OF APPROVAL BY TELEPHONE (AT&T):
THE UNDERSIGNED, AS AUTHORIZED BY AT&T, HEREBY APPROVES THE WITHIN PLAT FOR
RECORDATION IN THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.

CERTIFICATE OF APPROVAL BY RIVERA UTILITIES (ELECTRIC):
I, _____, AS AUTHORIZED BY RIVERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR
RECORDATION IN THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.

CERTIFICATE OF APPROVAL BY DAPHNE UTILITIES (WATER):
I, _____, AS AUTHORIZED BY DAPHNE UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR
RECORDATION IN THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.

CERTIFICATE OF APPROVAL BY DAPHNE UTILITIES (SEWER):
I, _____, AS AUTHORIZED BY DAPHNE UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR
RECORDATION IN THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.

CERTIFICATE OF APPROVAL FOR RECORDING:
I, _____, AS AUTHORIZED BY THE BALDWIN COUNTY CLERK, HEREBY APPROVES THE WITHIN PLAT FOR
RECORDATION IN THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.

PURCHASER'S CERTIFICATE:
I, _____, AS AUTHORIZED BY THE BALDWIN COUNTY CLERK, HEREBY APPROVES THE WITHIN PLAT FOR
RECORDATION IN THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.

DIRECTOR OF COMMUNITY DEVELOPMENT:
I, _____, AS DIRECTOR OF THE BALDWIN COUNTY DEVELOPMENT
DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR
RECORDATION IN THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.

CERTIFICATION OF OWNERSHIP AND DEDICATION:
I, _____, AS OWNER OF THE WITHIN PLAT, HEREBY CERTIFY THAT I AM THE
SOLE AND LEGAL OWNER OF THE WITHIN PLAT AND THAT I HAVE THE
AUTHORITY TO MAKE THIS DEDICATION. I HEREBY DEDICATE THE WITHIN
PLAT TO THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.

ACKNOWLEDGEMENT OF NOTARY PUBLIC:
I, _____, AS NOTARY PUBLIC, HEREBY CERTIFY THAT I AM THE
SOLE AND LEGAL OWNER OF THE WITHIN PLAT AND THAT I HAVE THE
AUTHORITY TO MAKE THIS DEDICATION. I HEREBY DEDICATE THE WITHIN
PLAT TO THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.

PLANNING COMMISSION CERTIFICATE:
I, _____, AS PLANNING COMMISSION CHAIRMAN, HEREBY APPROVES THE WITHIN PLAT FOR
RECORDATION IN THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.

SURVYOR'S NOTES:
1. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I HAVE
PERSONALLY REVIEWED THE INSTRUMENTS OF SURVEY.
2. THERE WAS NO ATTEMPT TO DETERMINE THE EXACT LOCATION, OR EXTENT OF
THE SURVEYED PROPERTY OR THE EXACT LOCATION OF THE SURVEYED
PROPERTY OR THE EXACT LOCATION OF THE SURVEYED PROPERTY.
3. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I HAVE
PERSONALLY REVIEWED THE INSTRUMENTS OF SURVEY.
4. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I HAVE
PERSONALLY REVIEWED THE INSTRUMENTS OF SURVEY.
5. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I HAVE
PERSONALLY REVIEWED THE INSTRUMENTS OF SURVEY.
6. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I HAVE
PERSONALLY REVIEWED THE INSTRUMENTS OF SURVEY.
7. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I HAVE
PERSONALLY REVIEWED THE INSTRUMENTS OF SURVEY.
8. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I HAVE
PERSONALLY REVIEWED THE INSTRUMENTS OF SURVEY.
9. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I HAVE
PERSONALLY REVIEWED THE INSTRUMENTS OF SURVEY.
10. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I HAVE
PERSONALLY REVIEWED THE INSTRUMENTS OF SURVEY.

SURVYOR'S CERTIFICATE
I, _____, AS SURVYOR, HEREBY CERTIFY THAT I AM THE
SOLE AND LEGAL SURVYOR OF THE WITHIN PLAT AND THAT I HAVE THE
AUTHORITY TO MAKE THIS DEDICATION. I HEREBY DEDICATE THE WITHIN
PLAT TO THE PUBLIC RECORDS OF BALDWIN COUNTY, ALABAMA.
DATE: _____ DAY OF _____, 2020.



DAVID C. DICK, AL. FILE NO. 07174-2020
DATE: _____

SURVEY NOT VALID WITHOUT ORIGINAL SIGNATURE AND SEAL

**VAN AVENUE GARDENS
BOUNDARY SURVEY
& SUBDIVISION**



PROFESSIONAL SEAL
REGISTERED PROFESSIONAL ENGINEER
REGISTERED PROFESSIONAL SURVEYOR

BOUNDARY SURVEY
& SUBDIVISION
ORDG 2019 LLC

FLOOD STATEMENT
PROPERTY IS IN FLOOD ZONE "X" AS
SHOWN ON THE FLOOD INSURANCE RATE
MAP, APRIL 16, 2015. DATE: APRIL 16, 2015.



ODRG 2019 LLC REZONING

Adjacent Property Owners

05-43-04-41-0-005-127.000
SWEETWATER PROPERTIES L L C
P O BOX 241
FAIRHOPE AL 36533

05-43-04-41-0-005-124.000
4PM PROPERTIES, LLC
19267 SCENIC HWY 98
FAIRHOPE AL 36532

05-43-04-41-0-005-118.000
ROWELL, JULIE RUSSELL
703 VAN AVE
DAPHNE AL 36526

05-43-04-41-0-005-127.001
OLDE TOWN PROPERTIES L L C
101 PINETOP CIR E
FAIRHOPE AL 36532

05-43-04-41-0-005-131.000
MCKINNEY, THOMAS E ETAL MCKINNEY, DAWN
702 VAN AVE
DAPHNE AL 36526

05-43-04-41-0-005-124.000
4PM PROPERTIES L L C
19267 SCENIC HWY 98
FAIRHOPE AL 36532

S E CIVIL, LLC
880 HOLCOMB BLVD.
FAIRHOPE AL 36532

05-43-04-41-0-005-125.000
PENSCO TRUST COMPANY CUSTODIAN FBO ROBER
P O BOX 1342
FAIRHOPE AL 36533

05-43-04-41-0-005-130.000
ODRG 2019 L L C
29891 WOODROW LN #300
SPANISH FORT AL 36527

05-43-04-41-0-005-132.000
HAWTHORNE, PATRICIA HIGBEE ETAL HAWTHORN
703 MCADAMS AVE
DAPHNE AL 36526

05-43-04-41-0-005-129.000
WALKER, THOMAS M & EVELYN B
P O BOX 1545
DAPHNE AL 36526

DANE HAYGOOD
MAYOR

ADRIENNE D. JONES
COMMUNITY DEVELOPMENT
DIRECTOR/ZONING ADMINISTRATOR



CITY COUNCIL
TOMMIE CONAWAY
DISTRICT 1
PAT RUDICELL
DISTRICT 2
JOEL COLEMAN
DISTRICT 3
DOUG GOODLIN
DISTRICT 4
RON SCOTT
DISTRICT 5
ROBIN LEJEUNE
DISTRICT 6
ANGIE PHILLIPS
DISTRICT 7

August 14, 2020

NOTICE OF PUBLIC HEARING

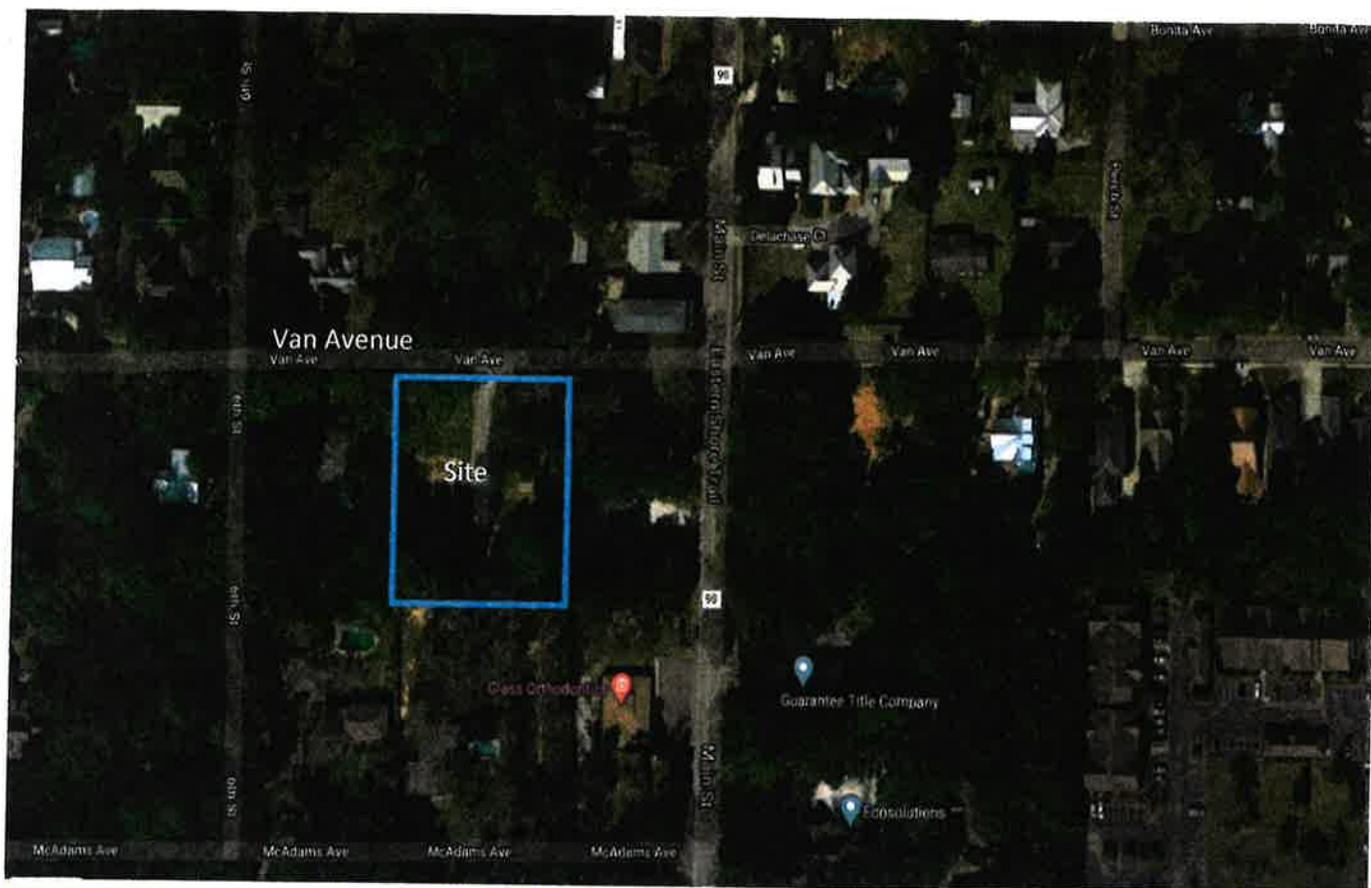
A petition for REZONING will be considered by the Daphne Planning Commission for ODRG 2019, L.L.C. containing 1.15 acres +/- located southwest of Van Avenue and Main Street, zoned B-3, Professional Business, proposed to be rezoned R-6(G) Garden/Patio Home District.

Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, August 19, 2020 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, August 27, 2020 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, or by representation.

Adrienne D. Jones, Director

ODRG 2019, L.L.C.



ORDG 2019, LLC Zoning Amendment

Zoning Classification: B-3, Professional Business

Surrounding Zonings/Uses:

Northeast: MU, Mixed Use/residence and office

North and West: R-2, Medium Density Single Family Residential District/residence

South: B-3, Professional Business/residence

East: B-3, Professional Business/office and undeveloped

Existing Utility Service Providers: Daphne Utilities, Riviera Utilities

Affected City Service Providers: Fire Station 1, Police Beat 1

Staff Recommendation to PC: Favorable recommendation City Council with conditions

Proposed Zoning:
R-6(G), Garden/Patio Homes

Development Concept:
To develop a 3 lot single family residential subdivision infill development

Council District:
2

Existing Conditions:
1.15 ac

Planning Commission Recommendation:
Pending

Staff Comments:

The subject property is located in the Olde Towne Daphne overlay district. According to the LUDO, *the Olde Towne Daphne area represents the area of original colonization of the Daphne community. As such, the area represents unique, historical character. This uniqueness and charm is demonstrated by the subdivisions of land in Olde Towne area since the city's formal incorporation in 1927. The subdivision of land in Olde Towne Daphne has resulted in unique lot sizes, configuration and a lack of uniformity within the Olde Towne residential areas.* The Comprehensive Plan's overarching policy regarding land development encourages harmony and compatibility.

In the recent past, the subject property was rezoned from R-2 to B-3. At that time, there were trailers; however, those have been removed. The parcel to the northeast, across Van Avenue, was rezoned from R-2 to MU and operates as a residence/production studio.

There is a single family residence to the north, west and south as well as two professional offices to the south east. The lot to the east is zoned B-3. With the exception of the aforementioned, the land use and zoning of the other abutting parcels have not changed.

Residential development on the site would be an improvement over the mobile home park that previously occupied the site and a more compatible use than a professional office. The district would serve as a transition from commercial to residential.

One may be tempted to use the phrase "spot zoning," however, rezoning the property for a high density single family residential district *technically is not spot zoning*. R-6(G) would be a transition from the existing B-3 commercial districts on Main Street toward the R-2 medium density residential district to the west. The applicant for this rezoning petition has also applied to the Planning Commission for a subdivision called Van Avenue Gardens. Van Avenue Gardens is 2.5 units/acre in density—the same as the R-2 district to the north and west.

The proposed infill 3-lot development is consistent and compatible with the existing developed land in the vicinity and in the Olde Towne District. The smallest lot area is 16,777 square feet. **There is a note on the plat that says, "no further resubdivision shall be permitted on this property."** The note cannot be removed unless such is approved the Planning Commission through the preliminary/final subdivision plat review process.

Rezoning the property to R-6(G) does not establish precedent for future “carte blanche” R-6(G) zoning amendments. Every rezoning application is weighed on its own merits. The merits of this application are that the applicant has submitted a subdivision request for a 3-lot subdivision, the density of which is 2.5 units/acre (same as the adjacent residential properties within 500-ft of the site), and there is a note that prevents further division of the property. The merits of this application are unique and such that the proposed subdivision and rezoning request should be considered for approval by the appropriate authorities.

RECOMMENDATION

Staff recommends that the Planning Commission set forth a favorable recommendation to City Council with the condition that development of the subject property shall be limited to no more than 3 residential lots as illustrated on the Van Avenue Gardens subdivision preliminary/final plat review as presented for public hearing on August 27, 2020; and the rezoning shall not be subject to the reversionary clause.

A Comparison of ODRG proposal to Zoning Districts

13-4 REQUIREMENTS FOR LOT AREA, WIDTH, COVERAGE, DENSITY, HEIGHT AND OTHER FACTORS

The following shall apply in districts as outlined, except Planned Unit Developments or Innovative Design for Single Family, and as provided below:

MINIMUM LOT REQUIREMENTS

	Minimum Lot Area Square feet (sq ft)	Minimum Lot Width at Setback Line (ft)	Maximum Lot Coverage Percent (%) ^a	Maximum Density^b (units/acre)	Maximum Height^e (stories) (ft)
Van Ave Gardens R-1, Low Density Single Family	16,000 20,000	67 100	38 25	2.5 2.0	2.5/35-ft 2.5 stories 35 ft
R-2, Medium Density Residential	15,000	90	25	2.5	2.5 stories 35 ft
R-3, High Density Single Family	12,000	80	30	3.5	2.5 stories 35 ft
R-4, High Density Single Family-- Multi-Family--	5,000 7,500 ^c	50 85	38 35	8.0 14.0	3 stories 50 ft
R-5, Mobile Homes	See	Articles	25 & 26	for	Details
R-6(G) Garden/Patio Homes	5,000	50	38	8	2.5 stories 35 ft
R-6(D), Duplex, R-7(A), R-7(M), R-7(T) respectively: Apartments, Mid Rise Condominium, Townhouses	See	Section	13-9	for	Details
B-1, B-1(a), B-2, B-3 Business Districts and Mixed Use Districts	N/A	N/A	N/A	N/A	4 stories 50 ft
Extra-territorial Planning Jurisdiction	12,000 ^d	80	30	3.5	2.5 stories 35 ft

a. Maximum lot coverage percentages do not apply to lots of record smaller than required in the district in which they are located. **b.** Maximum density = total number of dwelling units per gross acre to be developed. **c.** Minimum lot area determined by adding 7,500 square feet for one (1) unit plus two thousand five hundred (2,500) square feet for each additional unit. **d.** Applies to unzoned lots contained within any subdivision located in the extraterritorial planning jurisdiction where the size of the development exceeds ten (10) acres. **e.** Maximum height does not apply to overlay districts (see specific applicable overlay districts). Structures up to seventy-five (75) feet may be permitted on sites zoned B-2 or R-7 upon approval by the Planning Commission. In no case shall such building exceed seventy-five feet in height.

CONCLUSION: Proposed subdivision lots are comparable in size and density to an R-2, Medium Density district. The site abuts R-2 to the west. Additionally, the lots are comparable to R-6(G) in lot width and lot coverage.

Amended 01/10/20

District Requirements 5

R-6(G), Garden/Patio Home, District

What is R-6(G), Garden/Patio Homes zoning?

According to Article 13 of the Land Use & Development Ordinance, “This district is provided to afford the opportunity for a considerably higher density of single family residences on smaller lots than those allowed in the R-1, R-2, or R-3, Districts and for their amenities. R-6(G) shall replace the R-4 [High Density Single Family Residential] designation.”

What is allowed in an R-6(G) district?

According to Article 35-3 Permitted Uses & Conditions, of the Land Use & Development Ordinance the following are permissible uses by right and/or by Planning Commission approval:

By Right: Dwelling, one family, home occupation, library, radio and tv antenna

By Planning Commission Approval: tennis courts, riding stables, park, playground, boat dock, water or sewage pump station, water storage, telephone exchange, racquetball, public utility station, post office, natural preserve area, manufactured home, laundry, innovative design development, business school or college, college or university, college sorority or frat house, electric power substation, gas regulator station, hospital, clinic, extended care facility, police substation, post office, public utility substation with proper screening, telephone exchange, water storage.

What is the difference in the proposed zone and the adjacent property?

See Article 13-4 of the Land Use & Development Ordinance to compare and contrast the minimum requirements.

13-4 Minimum Lot Requirements

	Minimum Lot Area Square feet (sq ft)	Minimum Lot Width at Setback Line (ft)	Maximum Lot Coverage Percent (%) ^a	Maximum Density^b (units/acre)	Maximum Height^e (stories) (ft)
R-1, Low Density Single Family	20,000	100	25	2.0	2.5 stories 35 ft
R-2, Medium Density Residential	15,000	90	25	2.5	2.5 stories 35 ft
R-3, High Density Single Family	12,000	80	30	3.5	2.5 stories 35 ft
R-4, High Density Single Family-- Multi-Family--	5,000 7,500 ^c	50 85	38 35	8.0 14.0	3 stories 50 ft
R-5, Mobile Homes	See	Articles	25 & 26	for	Details
R-6(G) Garden/Patio Homes	5,000	50	38	8	2.5 stories 35 ft
R-6(D), Duplex, R-7(A), R-7(M), R-7(T) respectively: Apartments, Mid Rise Condominium, Townhouses	See	Section	13-9	for	Details
B-1, B-1(a), B-2, B-3 Business Districts and Mixed Use Districts	N/A	N/A	N/A	N/A	4 stories 50 ft
Extra-territorial Planning Jurisdiction	12,000 ^d	80	30	3.5	2.5 stories 35 ft

a. Maximum lot coverage percentages do not apply to lots of record smaller than required in the district in which they are located. b. Maximum density = total number of dwelling units per gross acre to be developed. c. Minimum lot area determined by adding 7,500 square feet for one (1) unit plus two thousand five hundred (2,500) square feet for each additional unit. d. Applies to unzoned lots contained within any subdivision located in the extraterritorial planning jurisdiction where the size of the development exceeds ten (10) acres. e. Maximum height does not apply to overlay districts (see specific applicable overlay districts. Structures up to seventy-five (75) feet may be permitted on sites zoned B-2 or R-7 upon approval by the Planning Commission. In no case shall such building exceed seventy-five feet in height.

14-17 SETBACKS

MINIMUM DISTRICT REQUIREMENTS^d				
Zoning Districts	Front Yard	Rear Yard	Side Yard	Corner Lot Side Yard
R-4 ^c , Single Family R-6(D or G), Duplex or Garden or Patio Home	15	20	6	25
R-4 ^c , Multi-Family	15	20	a	25
B-1, Local Business B-1(a), Limited Local Business	10	b	b	25
B-2, General Business	10	b	b	25
B-3, Professional Business	10	b	b	25
MU, Mixed Use	15	e	b	25

- (a) When dwelling unit faces side yard, the dwelling unit shall not be less than twenty-five (25) feet from the side lot line.
- (b) None. If there is a rear alley, the setback shall be twenty-five (25) feet. When abutting a residential district it shall be not less than ten (10) feet. (See Buffer Requirements, Section 14-13, Landscape Standards).
- (c) The Planning Commission shall no longer consider zoning or rezoning amendments to an R-4 zoning district. All existing R-4, High Density Single and Multi-Family Residential Districts shall be developed in accordance with the standards provided herein. For all new requests, the following districts shall be considered in lieu of R-4: R-6(G) for all garden/patio homes developments; R-6(D) for duplexes; R-7(A) for apartments; and R-7(T) for townhouses and R-7(M) for mid-rise condominiums.
- (d) Minimum district requirements for any zoning district not specifically listed in this table shall meet the minimum standards as established in Requirement for lot area, width and setbacks in Section 13-4, Requirements For Lot Area, Width, Coverage, Density, Height and Other Factors and 13-6, Minimum Zoning District Setback Requirements, herein.
- (e) None. If there is an alley, the setback shall be twenty-five (25) feet. When abutting a residential district it shall be not less than fifteen (15) feet. (See Buffer Requirements, Section 14-13, Landscape Standards).

REZONING REQUEST ORDG 2019, LLC

City of Daphne Zoning Map

- R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL
- R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL
- R-3 HIGH DENSITY SINGLE FAMILY RESIDENTIAL
- R-4 HIGH DENSITY SINGLE MULTI-FAMILY RESIDENTIAL
- R-5 MOBILE HOME RESIDENTIAL
- R-6(D) DUPLEX - TWO FAMILY
- R-6(G) GARDEN OR PATIO HOME
- R-7(A) APARTMENT
- R-7(M) MID-RISE CONDOMINIUM
- R-7(T) TOWNHOUSE
- B-1 LOCAL BUSINESS
- B-1(A) LOCAL BUSINESS ALTERNATE
- B-2 GENERAL BUSINESS

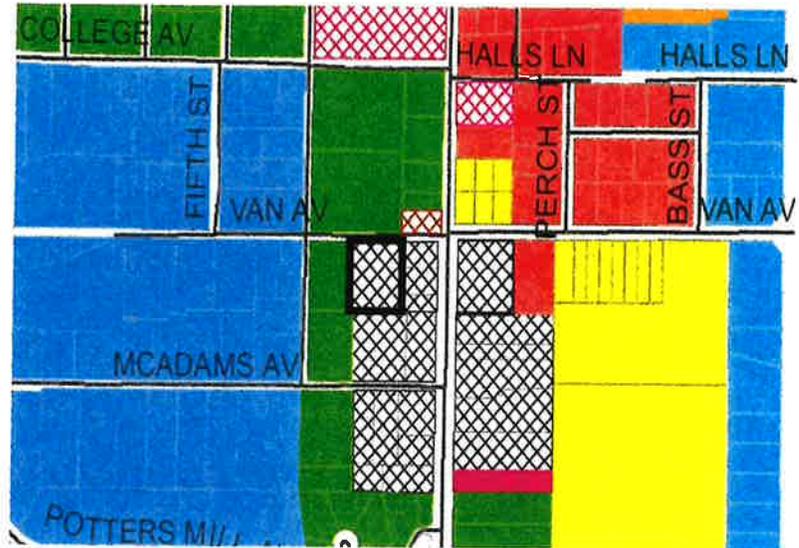


EXHIBIT "A"

ODRG 2019 LLC Rezoning Request

Legal Description

COMMENCE AT THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH A DISTANCE OF 2315.00 FEET; THENCE RUN WEST A DISTANCE OF 182.00 FEET TO A CAPPED REBAR (ILLEGIBLE) AT THE NORTHWEST CORNER OF LOT 1, MORSE SUBDIVISION AS RECORDED IN SLIDE 2176-D, JUDGE OF PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE RUN NORTH 00 DEGREES 28 MINUTES 45 SECONDS EAST, A DISTANCE OF 91.50 FEET TO A CAPPED REBAR (SE CIVIL) ON THE SOUTH RIGHT-OF-WAY LINE OF VAN AVENUE; THENCE RUN SOUTH 89 DEGREES 54 MINUTES 08 SECONDS WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 214.92 FEET TO A REBAR (NO CAP); THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 00 DEGREES 15 MINUTES 37 SECONDS WEST, A DISTANCE OF 238.53 FEET TO A CAPPED REBAR (MOORE) ON THE NORTH MARGIN OF GREEN ACRES SUBDIVISION AS RECORDED IN MAP BOOK 3, PAGE 139 (SLIDE 172-B), JUDGE OF PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 89 DEGREES 44 MINUTES 31 SECONDS EAST, ALONG SAID NORTH MARGIN, A DISTANCE OF 214.00 FEET TO A CAPPED REBAR (MOORE) AT THE SOUTHWEST CORNER OF LOT 2, MORSE SUBDIVISION; THENCE RUN NORTH 00 DEGREES 28 MINUTES 45 SECONDS EAST, ALONG THE WEST LINE OF THE AFORESAID MORSE SUBDIVISION, A DISTANCE OF 148.37 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 1.18 ACRES, MORE OR LESS.

**CITY OF DAPHNE, ALABAMA
RESOLUTION 2020 - 45**

RESOLUTION IN SUPPORT OF THE D'OLIVE BAY FOREVER WILD NOMINATION

WHEREAS, the Mobile and D'Olive Bays are considered exceptional for their historic, environmental and economic importance; and

WHEREAS, several parcels along Mobile and D'Olive Bays in Daphne that adjoin the City's existing Gator Boardwalk Park and are owned by JT LLC (Friday Construction LLC), PPIN #067154 (15 acres), PPIN #066484 (72 acres), PPIN # 066750 (11 acres) and PPIN #086554 (~.3 acre), are being acquired by the Forever Wild Land Trust Program; and

WHEREAS, the City is donating the 67 acre parcel (PPIN #46012) that was donated to the City by The Property at Blakely River, LLC in 2015; and

WHEREAS, these parcels consist of upland, wetland, and marsh areas which provide habitat for diverse native species and also aid in the protection of water quality; and

WHEREAS, the acquisition and preservation of Mobile Bay coastal access would be of great benefit to the City of Daphne and the community, and

NOW, THEREFORE BE IT RESOLVED, AND IT IS HEREBY RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA supports the D 'Olive Bay Forever Wild Nomination; and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE that the Mayor is authorized to execute any documents in conjunction with the transfer of the 67 acres to the Forever Wild Program.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA this __ day of _____, 2020.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-26**

**Ordinance to Amend Ordinance 2017-39 to Modify the Boundary of the
Jubilee Farms Planned Unit Development
Located Southeast of Austin Road and Alabama Highway 181**

WHEREAS, the Daphne City Council adopted and approved Ordinance 2017-39 on June 5, 2017 to establish the Jubilee Farms Planned Unit Development; and,

WHEREAS, Forestar “USA” Real Estate Group, Inc., as the developer of certain real property located within the City of Daphne, has requested *that said property within the original boundary of the Jubilee Farms Planned Unit Development be modified; and,*

WHEREAS, said real property to be modified is located Southeast of Austin Road and Alabama Highway 181; and,

WHEREAS, said real property to be removed from the original boundary is located on the east side of Jubilee Farms Planned Unit Development, south of County Road 54; and more particularly described as follows:

Legal Description for Removal from the Jubilee Farms Planned Unit Development:

COMMENCE AT A 1/2" CAPPED REBAR (CA-1109) AT THE SOUTHWEST CORNER OF TRACT 1 IN SECTION 26 OF HIGHLAND FARMS, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT MISCELLANEOUS BOOK 1, PAGE 290-291, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 89°47'09" EAST, A DISTANCE OF 668.21 FEET TO A 5/8" CAPPED REBAR (CA-1109) FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°47'09" EAST, A DISTANCE OF 1254.83 FEET TO A 1/2" CAPPED REBAR; THENCE RUN NORTH 00°06'23" EAST, A DISTANCE OF 630.48 FEET TO A 1/2" REBAR ON THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY 54; THENCE RUN SOUTH 89°34'12" EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID BALDWIN COUNTY HIGHWAY 54, A DISTANCE OF 60.00 FEET TO A 1/2" CAPPED REBAR (CA-1109) AT THE NORTHWEST CORNER OF LOT 1 OF AVALON PHASE 1A, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2104-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°06'23" WEST, A DISTANCE OF 630.25 FEET TO A 1/2" CAPPED REBAR ON THE WEST MARGIN OF LOT 73 OF AVALON, PHASE 3, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2220-D AND 2220-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°23'53" WEST, ALONG THE WEST MARGIN OF SAID AVALON, PHASE 3, A DISTANCE OF 663.68 FEET TO A 5/8" CAPPED REBAR; THENCE RUN SOUTH 88°35'21" EAST, A DISTANCE OF 7.96 FEET TO A 5/8" CAPPED REBAR (CA-728); THENCE RUN SOUTH 00°08'21" WEST, CONTINUING ALONG THE WEST MARGIN OF SAID AVALON, PHASE 3, A DISTANCE OF 182.79 FEET TO A 5/8" CAPPED REBAR (CA-1109); THENCE RUN NORTH 57°07'41" WEST, A DISTANCE OF 1568.94 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 13.60 ACRES, MORE OR LESS, AND LIES IN SECTION 25, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

WHEREAS, at the regular Planning Commission meeting on June 25, 2020, the Commission considered said request and set forth a favorable recommendation to modify the Jubilee Farms PUD General Plan; and,

WHEREAS, due notice of said proposed modification has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, and a public hearing was held before the City Council on August 17, 2020; and,

WHEREAS, the City Council of the City of Daphne, after due consideration and upon

consideration of the recommendation and notes of the Planning Commission, deemed that said application for modification of the above described real property is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

SECTION I: JUBILEE FARMS PUD MODIFICATION

The above described real property is hereby removed from the Jubilee Farms Planned Unit Development and shall be removed from the PUD General Plan and PUD boundary.

SECTION II: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE DATE AND REVERSION.

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and after publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2020.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-27**

**Ordinance to Re-Zone Property Located
South of County Road 54 and west of Avalon Subdivision Phase 3
Forestar "USA" Real Estate Group, Inc.**

WHEREAS, Forestar "USA" Real Estate Group, Inc., as the owners of certain real property located within the City of Daphne, has requested that said property that is currently zoned as PUD, Planned Unit Development, be re-zoned as R-1, Low Density Single Family Residential District; and

WHEREAS, said real property is located South of County Road 54 and west of Avalon Subdivision Phase 3, and more particularly described as follows:

Legal Description of Property to be Re-Zoned to R-1, Low Density Single Family Residential District:

COMMENCE AT A 1/2" CAPPED REBAR (CA-1109) AT THE SOUTHWEST CORNER OF TRACT 1 IN SECTION 26 OF HIGHLAND FARMS, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT MISCELLANEOUS BOOK 1, PAGE 290-291, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 89°47'09" EAST, A DISTANCE OF 668.21 FEET TO A 5/8" CAPPED REBAR (CA-1109) FOR THE POINT OF BEGINNING: THENCE CONTINUE SOUTH 89°47'09" EAST, A DISTANCE OF 1254.83 FEET TO A 1/2" CAPPED REBAR; THENCE RUN NORTH 00°06'23" EAST, A DISTANCE OF 630.48 FEET TO A 1/2" REBAR ON THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY 54; THENCE RUN SOUTH 89°34'12" EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID BALDWIN COUNTY HIGHWAY 54, A DISTANCE OF 60.00 FEET TO A 1/2" CAPPED REBAR (CA-1109) AT THE NORTHWEST CORNER OF LOT 1 OF AVALON PHASE 1A, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2104-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°06'23" WEST, A DISTANCE OF 630.25 FEET TO A 1/2" CAPPED REBAR ON THE WEST MARGIN OF LOT 73 OF AVALON, PHASE 3, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 2220-D AND 2220-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00°23'53" WEST, ALONG THE WEST MARGIN OF SAID AVALON, PHASE 3, A DISTANCE OF 663.68 FEET TO A 5/8" CAPPED REBAR; THENCE RUN SOUTH 88°35'21" EAST, A DISTANCE OF 7.96 FEET TO A 5/8" CAPPED REBAR (CA-728); THENCE RUN SOUTH 00°08'21" WEST, CONTINUING ALONG THE WEST MARGIN OF SAID AVALON, PHASE 3, A DISTANCE OF 182.79 FEET TO A 5/8" CAPPED REBAR (CA-1109); THENCE RUN NORTH 57°07'41" WEST, A DISTANCE OF 1568.94 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 13.60 ACRES, MORE OR LESS, AND LIES IN SECTION 25, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

WHEREAS, at the regular Planning Commission meeting on June 25, 2020, the Commission considered said request and set forth a favorable recommendation; and,

WHEREAS, due notice of said proposed re-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, and a public hearing was held before the City Council on August 17, 2020; and,

WHEREAS, the City Council of the City of Daphne, after due consideration and upon consideration of the recommendation and notes of the Planning Commission, deemed that said application for re-zoning of the above described real property is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

SECTION I: ZONING

The above described real property is hereby re-zoned from PUD, Planned Unit Development, be re-zoned as R-1, Low Density Single Family Residential District, and the zoning ordinance and zoning map shall be amended to reflect the said zoning change.

SECTION II: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE DATE AND REVERSION.

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and after publication as required by law. This zoning classification is subject to a two (2) year reversionary clause. Two years from the date this Ordinance is enacted, if the site development has not started for the purpose listed herein, the zoning shall be null and void and the property shall revert to the prior zoning district. Refer to Section 22-2, Reversionary Clause, of the Daphne Land Use and Development Ordinance.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ day of _____, 2020.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-28**

**Zoning District Map
Revision to the City of Daphne Land Use and Development Ordinance**

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on June 25, 2020, favorably recommended to the City Council of the City of Daphne certain amendments to the Daphne Land Use and Development Ordinance / Zoning District Map approved and adopted by Ordinance No. 2011-54, referenced in Appendix H “Exhibit A” thereof, and amended by Ordinance No. 2016-69, Ordinance No. 2017-49, Ordinance No. 2018-02, Ordinance 2018-27, Ordinance 2019-19 and Ordinance 2020-12; and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2020-12; and

WHEREAS, due notice of said proposed zoning map amendments has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

WHEREAS, a public hearing regarding the proposed Zoning District Map amendments was held by the City Council on September 8, 2020; and

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of the health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

SECTION I: ZONING DISTRICT MAP

The Zoning District Map referenced hereto as Exhibit “A” shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2011-54 and its amendments.

SECTION II: REPEALER

Ordinance No. 2011-54, Appendix H “Exhibit A”, Ordinance No. 2016-69, Ordinance No. 2017-49, Ordinance No. 2018-02, Ordinance 2018-27, Ordinance 2019-19 and Ordinance 2020-12 are hereby repealed, and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its approval by the City of Daphne City Council and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS _____ DAY OF _____, 2020.

Dane Haygood, Mayor

ATTEST:

**Candace G. Antinarella, CMC
City Clerk**

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-29**

ADDITIONAL APPROPRIATION: LEGAL FEES-WPNVA, LLC

WHEREAS, Ordinance 2019-43 approved and adopted the Fiscal Year 2020 Budget on October 1, 2019; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2020 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2020 budget; and

WHEREAS, an additional appropriation is needed for legal services not covered by Alabama Municipal Insurance Corporation related to litigation involving WPNVA, LLC.

WHEREAS, monies were previously appropriated in the amount of \$25,000 (Ord 2020-06) for legal services relating to litigation involving WPNVA, LLC; and

WHEREAS, an additional appropriation is needed in the amount of \$35,000 for legal services relating to litigation involving WPNVA, LLC

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that monies from the **General Fund** in the amount of **\$35,000** are hereby appropriated for the above-stated purpose and made a part of the Fiscal Year 2020 Budget.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS _____ DAY OF _____, 2020.

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2020-30**

**ORDINANCE TO ANNEX PROPERTY CONTIGUOUS
TO THE CORPORATE LIMITS OF THE CITY OF DAPHNE**

**The right-of-way of Corte Road, a portion of Austin Road
and the realignment of Austin Road
City of Daphne**

WHEREAS, on the 25th day of June 2020, being the owner of all real property, hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

WHEREAS, said petition did contain the signatures of all owners of the described territory, and a map of said property showing its relationship to the corporate limits of the City of Daphne, Alabama; and

WHEREAS, after proper publication, a public hearing was held by the City Council on September 8, 2020 concerning the petition for annexation; and

WHEREAS, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on June 25, 2020, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, AS FOLLOWS:

SECTION ONE: ANNEXATION

The City Council of the City of Daphne, Alabama finds that and declares as the legislative body of the City of Daphne, Alabama that it is in the best interest of the citizens of the City of Daphne, Alabama and the citizens of the affected area, to bring the territory described in Section Two of this Ordinance into the City of Daphne, Alabama, and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, et seq., Code of Alabama, 1975; effective on publication as required by Section 11-42-21, Code of Alabama 1975, as amended.

SECTION TWO: ZONING

The proposed property is a right-of-way.

SECTION THREE: DESCRIPTION OF TERRITORY

The boundary lines of the City of Daphne, Alabama, be, and the same are hereby altered or rearranged so as to include all the territory hereto before encompassed by the corporate limits of the City of Daphne, Alabama and in addition thereto the following described property, to-wit:

Legal Description for Annexation:

CORTE ROAD – A part of the Southwest Quarter of Section 22, Township 5 South, Range 2 East and the North Half of Section 27, Township 5 South, Range 2 East, Baldwin County, Alabama and being more fully described as follows: Corte Road right-of-way owned and maintained by Baldwin County, beginning at the east right-of-way line of County Road 13, running easterly to the west right-of-way line of State Route 181; said right-of-way being described in Instrument No. 1689857; Instrument No. 1661857; Instrument No. 1677090;

Instrument No. 1673712; Condemnation Order rendered in Baldwin County Probate Court Case File Number 35524, filed Instrument No. 1702120; Slide 2504-E; Slide 2587-E and Slide 2671 A-D.

AUSTIN ROAD - A part of the West Half of the Northwest Quarter of Section 26, Township 5 South, Range 2 East, Baldwin County, Alabama and being more fully described as follows Austin Road right-of-way owned and maintained by Baldwin County, beginning at the east right-of-way line of State Route 181, running easterly approximately 1,770 feet and the Austin Road right-of-way realignment, Baldwin County Project No. 0205317; said right-of-way is described in Real Property Book 391 page 1306; part of Real Property Book 391 page 1307; part of Real Property Book 391 page 1304; Instrument No. 1107111; Instrument No. 1689857, corrected in Instrument No. 1824503 and Condemnation Order rendered in Baldwin County Probate Court Case File Number 35524, filed in Instrument No. 1702120.

SECTION FOUR: MAP OF PROPERTY

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit "A" and attached hereto a map of the property (*Exhibit "B"*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

SECTION FIVE: PUBLICATION

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS THE _____ DAY OF _____, 2020.

Dane Haygood, Mayor

ATTEST

Candace G. Antinarella, CMC, City Clerk