



City of Bay Minette

Rezoning Application

301 D'Olive Street • Bay Minette, Alabama 36507

Phone (251) 580-1650 • COBM_Planning@cityofbayminetteal.gov

Case No.: _____
Fee- \$500 + \$10/Certified Letter
Date Paid: _____
Paid: ☐ Credit Card ☐ Cash
☐ Check- No. _____

Are you the property owner? ☐ YES ☐ NO

If you are not the property owner, you must submit an Owner Authorization Form signed by the property owner

Applicant Name: Jo Williams

Date: 02/03/2025

Mailing Address: 12978 Ibis Blvd

City: Spanish Fort

State: AL

Zip Code: 36527

Telephone Number: 985-703-1294

Email: learningadventure115@gmail.com

Site Information

Property Owner Name: Sellers

Phone Number: _____

Property Address: _____

Parcel/PPIN #: 35843

Area of Property, Sq. Ft., or Acres: _____

Present Zoning: _____

Requested Zoning: _____

Reason for Request/ Intended use of property: rezoning

I, the undersigned applicant, understand that payment of these fees does not entitle me to approval of this rezoning and that no refund of these fees will be made. I have reviewed a copy of the applicable zoning regulations and understand that I must be present on the date of the meeting.

Signature: _____

Date: 2-3-2025

Submittal Requirements

- ☒ Application
- ☐ Fee
- ☐ Agent Authorization Form (if applicant is not the owner)
- ☐ Survey or boundary map showing exact dimensions of the property to be rezoned
- ☐ Legal description of property

ARTICLE 15. AMENDMENT

15.01 PROCEDURE

The regulations and the number, area and boundaries of districts established by this Ordinance may be amended, supplemented, changed, modified or repealed by the municipal governing body, but no amendment shall become effective unless it is first submitted to the City Planning Commission for its recommendation. The City Planning Commission, upon its own initiative, shall hold public hearings, public notice of which shall be given, for the consideration of any proposed amendment to the provisions of this Ordinance or to the Zoning Map and report its recommendation to the municipal governing body. The provisions of *Title 11, Chapter 52, Article 4, Sections 77 and 78, Code of Alabama, 1975*, as the same may be amended, shall apply to all changes and amendments.

15.02 PROCEDURE FOR REQUESTING A ZONING AMENDMENT

Any request for rezoning shall be treated in accordance with the following procedures:

- 15.02.01 An application must be submitted in writing to the zoning enforcement office at thirty (30) days prior to the regularly scheduled meeting of the Bay Minette Planning Commission and a site plan of the proposed use included in any petition for a zoning amendment. The use shown on the site plan shall be binding to the application for rezoning. Any deviation from the use shown on the Site Plan shall require approval by the Planning Commission and City Council. Such Site Plan shall include the existing land use on adjacent and surrounding properties. Payment of all necessary fees is due at this time. (*See Section 15.06 for fee schedule*)
- 15.02.02 The application shall be reviewed by the Planning Commission at its next regular meeting. The Planning Commission shall take action and forward an advisory recommendation to the City Council.
- 15.02.03 Before enacting any amendment to this Ordinance, a public hearing thereon shall be held by the City Council with proper notice as required by law. Said notice stating the date, time and location of the public hearing shall be published in full for one (1) insertion and an additional insertion of a synopsis of the proposed amendment one (1) week after the first insertion in a newspaper of general circulation published in the municipality, both insertions shall be at least fifteen (15) days prior to the said public hearing; or, if no newspaper is published in the municipality, then said notice shall be posted in four (4) conspicuous places within the municipality at least fifteen (15) days prior to the said public hearing. The applicant shall furnish the City the names and mailing addresses of all persons owning property within 100 feet of any specific property that is the subject of the application. Names and addresses shall be from the latest records of the Baldwin County Revenue Office and accuracy of the list shall be the applicant's responsibility. Where land within 100 feet involves leasehold property, the names and addresses of the landowner and the leasehold improvements shall be provided to the City. Said notices shall be mailed at least fifteen (15) days prior to the public hearing. Due notice shall also be posted on the property which is the subject of the application and given to the parties in interest of the date, time and place of said hearing.
- 15.02.04 Said public hearing shall be held at the earliest possible time to consider the proposed zoning amendment, and the Council shall take action on said proposed zoning amendment within forty-five (45) days from the date of the public hearing except in the case where the tentative action is not in accordance with the Planning Commission's certified recommendation. In such case, the Council shall not make any change in or departure from the text or maps, as recommended for approval and certified by the Planning Commission, unless such change or departure be first resubmitted to the Commission for an additional review and recommendation.
- 15.02.05 **Criteria**
The application shall be reviewed based on the following criteria;
- Compliance with the Comprehensive Plan;
 - Compliance with the standards, goals, and intent of this Ordinance;
 - The character of the surrounding property, including any pending development activity;
 - Adequacy of public infrastructure to support the proposed development;

- e. Impacts on natural resources, including existing conditions and ongoing post-development conditions;
- f. Compliance with other laws and regulations of the City;
- g. Compliance with other applicable laws and regulations of other jurisdictions;
- h. Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; and,
- i. Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.

15.02.06 Limitation on Resubmittal

No application for a zoning map amendment shall be considered within 365 days from a final decision on a previous application for the same or similar parcel of land. An application may be withdrawn without prejudice prior to the public hearing being opened by the City Council. A request to withdraw an application shall be made in writing.

15.03 CONTINUANCE OF PREVIOUSLY ISSUED PERMITS

All permits which were previously issued shall not be affected by the provisions of this Ordinance, except as otherwise provided herein.

15.04 PROCEDURE FOR ZONING NEWLY ANNEXED LAND

Any unzoned land annexed to the City of Bay Minette hereafter shall automatically be classified R-1, Low Density Single Family District; except that, the City Council may consider, after due process of publication and hearing as required by law, specific applications to zone newly annexed land into one (1) or more existing or proposed new zoning classifications.

15.05 PENALTIES AND REMEDIES

15.05.01 Penalties

Any person violating any provision of this Ordinance shall be fined upon conviction, not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) and costs of court for each offense. Each day such violation continues shall constitute a separate offense.

15.05.02 Remedies

In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, converted, or maintained, or any building, structure or land is or is proposed to be used in violation of this Ordinance, the Building Official, Legal Officer, or other appropriate authority or any adjacent or neighboring property owner who would be specially damaged by such violation may, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use; or to correct or abate such violation; or to prevent the occupancy of said building, structure, or land. Each and every day such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use continues shall be deemed as separate offense and shall be subject to the fines and penalties specified.

15.06 FEES

Fees for applications to the Planning Commission and Board of Adjustment are in accordance with the current schedule of fees established by the City Council of Bay Minette. These fees shall be nonrefundable irrespective of the final outcome of the application.



City of Bay Minette

Agent Authorization Form

Office Use Only

Case No.: _____

I/We hereby appoint and designate Jo Williams ("Agent") to act as my/our-agent in all matters concerning this application/permit which relates to property described as tax parcel PPIN# 35843. I/We understand the scope of the agency designation granted herein is general in nature and includes, without limitation, all decision-making authority relating to submittals, status, conditions, or withdrawal of this application/permit. To the fullest extent permitted under Alabama law, I/we release and agree to hold the City of Bay Minette harmless from and against any liability resulting from acts or omissions of our Agent. I/We warrant and certify to the City of Bay Minette that I/we are the owner(s) of the real property identified herein, and that I/we have fully authority to make the agency designation herein. I/We further certify that the information stated on and submitted with this application/permit is true and correct. I also understand that the submittal of incorrect information will result in the revocation of this application/permit and any work performed will be at the risk of the applicant. I understand further that any changes which vary from the approved plans will result in the requirement of a new application/permit.

*NOTE: All correspondence will be sent to the authorized Agent. It will be the Agent's responsibility to keep the owner(s) adequately informed as to the status of the application.

PROPERTY OWNER(S)

Susan Sellers

Name(s) - Printed

1102 Northshore Dr

Mailing Address

Bay Minette, Al.

City/State

251-605-0034

Jpsellers2@gmail.com

Phone

Susan Sellers

dotloop verified
02/04/25 10:31 AM CST
DLXR-LHSR-BKGK-QU60

Email

Signature(s)

Date

AUTHORIZED AGENT

Jo Williams

Name(s) - Printed

12978 Ibis Blvd

Mailing Address

Bay minette Al

City/State

985-703-201294

Phone

learningadventure@gmail.com

Email

Signature(s)

Date



City of Bay Minette

Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@cityofbayminetteal.gov

NOTICE OF PUBLIC HEARINGS

Case No. Z-25001, Sellers Property Rezoning Request from R-2, Medium Density Single Family Residential District to B-2, General Business District

Notice is hereby given that the City of Bay Minette Planning Commission and City Council will each conduct a public hearing for Case No. Z-25001, the Sellers Property, related to a request to rezone property from the R-2, Medium Density Single Family Residential District to the B-2, General Business District for a proposed expansion of an existing daycare facility. The subject property, consisting of two parcels, specifically identified as Parcel I.D. 05-23-04-17-1-000-023.000 // PIN 49942 at 0.66± acres, and Parcel I.D. 05-23-04-17-1-000-027.000 // PIN 35843 at 5.4± acres, totaling approximately 6.06± acres and located on the west side of N Dobson Avenue approximately 600 feet north of D'Olive Street. A map can be found on the back of this notice.

The Bay Minette **Planning Commission** will conduct the first public hearing during its regularly scheduled meeting on **Thursday, March 13, 2025** beginning at 8:00 a.m. in the Council Chambers of Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

The Bay Minette **City Council** will conduct a second public hearing and first reading during its regularly scheduled meeting on **Monday, April 7, 2025** beginning at 6:00 p.m. in the Council Chambers of Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507. The second reading of the rezoning ordinance is scheduled during its regularly scheduled meeting on **Monday, April 21, 2025** beginning at 6:00 p.m., also in the Council Chambers of Bay Minette City Hall.

The application materials will be available for public review at Bay Minette City Hall and on the Planning & Development Department website. If you desire to speak with someone by telephone about this application, please contact Planning & Development Services at (251) 580-1650. If you desire to submit comments, please email to COBM_Planning@cityofbayminetteal.gov or address your correspondence to:

City of Bay Minette Planning & Development Services
301 D'Olive Street
Bay Minette, AL 36507

Please include the case number noted above in all correspondence. If you desire to address the Planning Commission or City Council in person about this application, please attend the public hearings on the dates, times and location listed above.

Public participation is solicited without regard to race, color, national origin, sex, age, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or those requiring language translation services should contact Planning & Development Services.

** See Reverse for Map

Notice Date – February 11, 2025

