



# Baldwin County Planning & Zoning Department

## Baldwin County Planning Commission Staff Report

Case No. SRP25-06 & SV25-07

Legacy Hills

May 1, 2025

### Subject Property Information

**Planning District:** 18  
**Zoning:** Unzoned  
**Location:** Subject property is east of Baldwin Beach Express and north of County Rd 38.  
**Parcel#:** 05-48-05-15-0-000-004.000 **PIN#:** 9830  
**Parcel#:** 05-48-05-15-0-000-004.001 **PIN#:** 625659  
**Lead Staff:** Fabia Waters , Associate Planner  
**Applicant/Owner:** Belle Fountain Land Company, P.O. Box 250, Elberta, AL 36530  
**Engineer/Surveyor:** David Dichiara- *Kadre Engineering*, 28678 Sampson Avenue, Orange Beach, AL 36561  
**Online Case #:** When searching online CitizenServe database, please use SRP25-000006 & SV25-000007  
**Attachments:** *Within Report*

### Subdivision Proposal

**Request:** Revise an approved preliminary plat to remove the northern 69.31 acres as a remnant parcel  
**Number of Lots:** 242  
**Linear ft of streets:** 9,727LF  
**Lot setbacks:** 30' Front, 30' Rear, 10' Side, 20' Side on street.  
**Total acreage:** New proposed acreages without the remnant parcel is 112.31 +/- acres  
**Smallest lot size:** 8,400sf

### Staff Analysis and Comments

The planning commission approved SPP24-20 Legacy Hills as shown below, the applicant is requesting a revised preliminary plat for the following: *1. Remove via subdivision variance the northern 69+/- acres as a remnant parcel.* These changes meet the requirements of section 4.8 (a) Major Changes to an approved plat.

#### **8.1.1 Variance Requests for "Remnant" Parcels**

Remnant parcels do not exist under the *Subdivision Regulations*. Every resulting parcel of a subdivision is subject to these regulations. However, when a subdivision results in a large outparcel that is greater than 20-acres, the Applicant may submit a variance request which, if granted by the Planning Commission, would allow the outparcel to be excluded from some or all the requirements of the *Subdivision Regulations*.

## Staff Recommendation:

Staff recommends that the SUBDIVISION VARIANCE & REVISED PRELIMINARY PLAT for Case No. SRP25-06 & sv25-07 LEGACY HILLS be **Approved with conditions** subject to compliance with the Baldwin County Subdivision Regulations

### Specific conditions:

1. Update the approved preliminary plat that was submitted of for the construction plans review(CPR) to reflecte the revised plat. *(The original preliminary plat approval date of 11/07/2024 will not be affected or modified with the aprval of this revised plat)*

### Specific Conditions that were approved for SPP24-20:

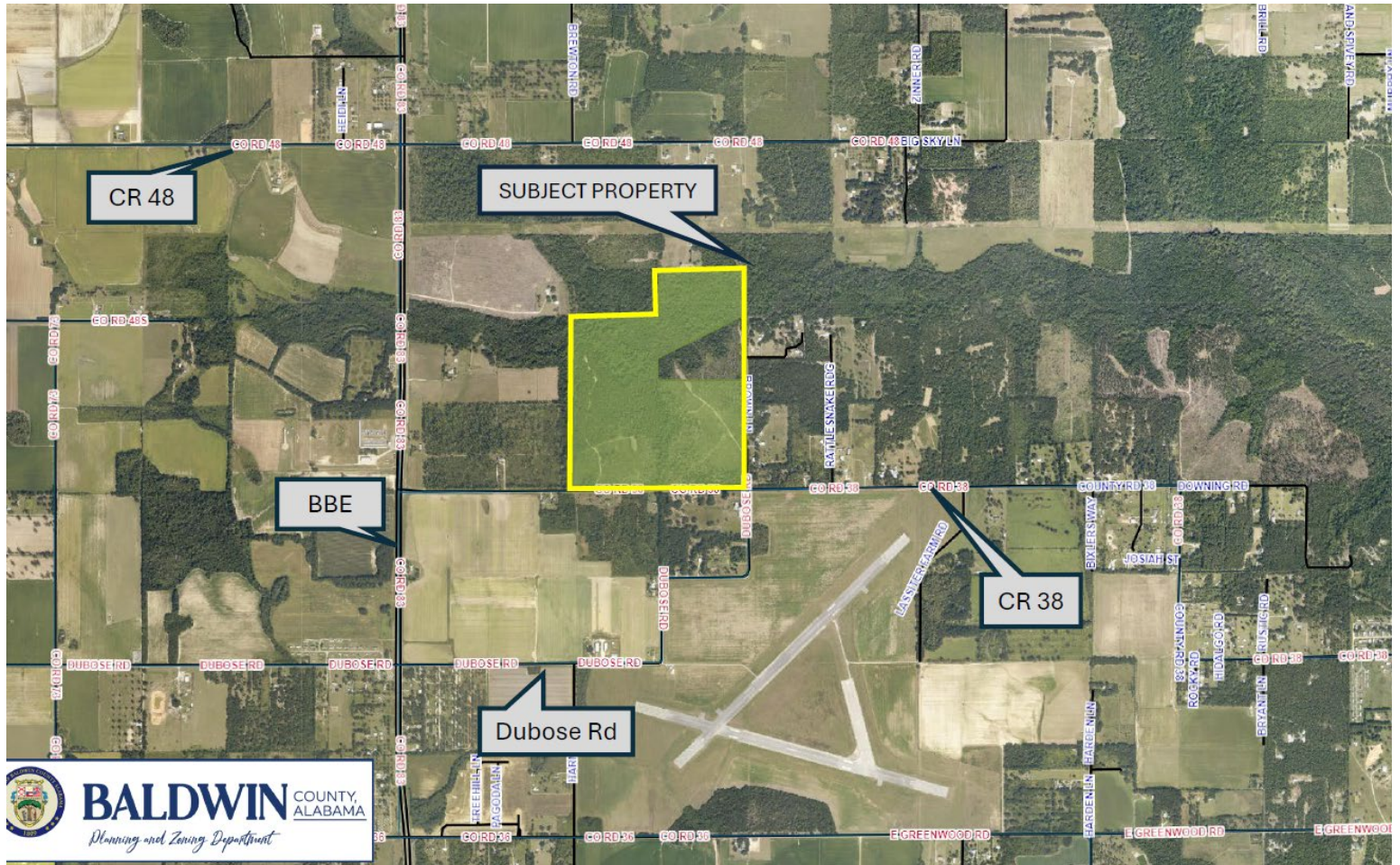
1. The developer must install necessary road improvements as determined by the Baldwin Co. Highway Dept. and ALDOT.
  - a. Install right turn lanes at Baldwin Beach Express
  - b. Southwestern entrance - Install left turn lane on County Rd 38. Design entrance for right-in, right-out only
2. Provide an approved permit for all improvements requested by ALDOT prior to applying for a Construction Plans Review with Baldwin County Planning and Zoning.
3. Two entrances onto County Rd. 38 must be constructed as part of Phase I. Redraw phase lines to show two entrances as part of Phase I.

### General Conditions:

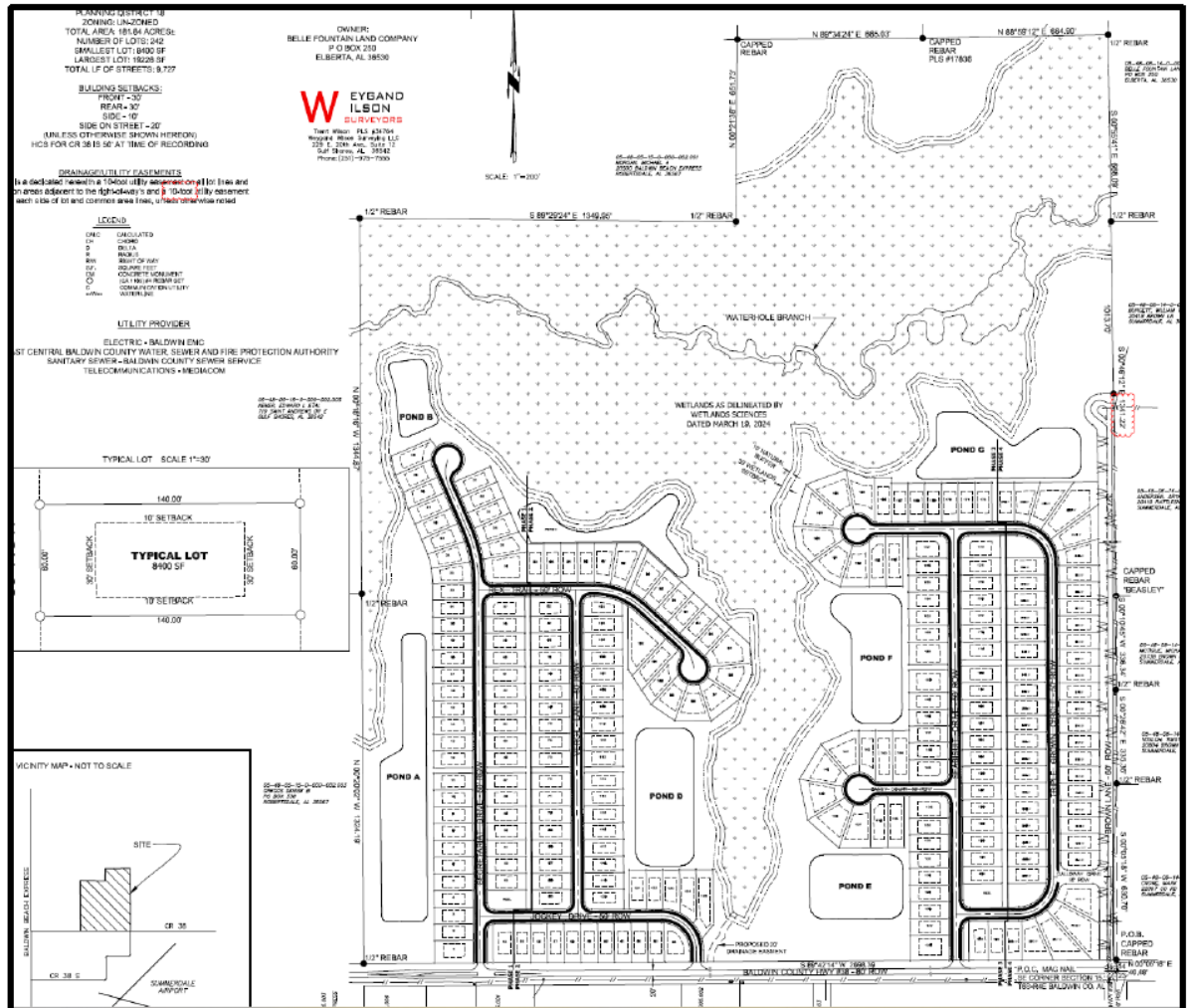
1. Compliance with the Baldwin County Subdivision Regulations, including but not limited to submission of a Construction Plan Review and Commercial Turnout Permit to the Baldwin County Planning and Zoning Department for all improvements and system upgrades (including, but not limited to, water main, sewer, and traffic improvements) to be installed with the development.
2. As required by Sections 4.5.6 and 4.5.7, any and all local, state, and federal permits shall be submitted to the County Engineer and Planning and Zoning staff as a component of the construction plans submittal.
3. Effective period is 2 years from approval of the Preliminary Plat.

To view maps/plats in higher resolution and public comments received related to this case, please visit the "Upcoming Items" Planning and Zoning webpage : <https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>

## Locator Maps



## Approved Plat





# Revised Plat

## SITE DATA

TAX PARCELS: R05-49-05-15-0-000-004.000  
R05-49-05-15-0-000-004.001  
PLANNING DISTRICT 18  
ZONING: UNZONED  
TOTAL AREA: 161.54 ACRES  
NUMBER OF LOTS: 242  
SMALLEST LOT: 8400 SF  
LARGEST LOT: 19226 SF  
TOTAL LF OF STREETS: 9,727

## BUILDING SETBACKS:

FRONT - 30'  
REAR - 30'  
SIDE - 10'  
SIDE ON STREET - 20'  
(UNLESS OTHERWISE SHOWN HEREON)  
HCS FOR CR 38 IS 50' AT TIME OF RECORDING

## DRAINAGE/UTILITY EASEMENTS

There is a dedicated herewith a 10-foot utility easement on all lot lines and common areas adjacent to the right-of-way's and a 10-foot utility easement on each side of lot and common area lines, unless otherwise noted

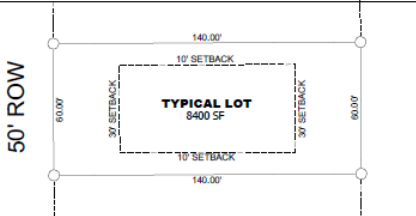
## LEGEND

CLC CALCULATED  
CH CHORD  
D DELTA  
R RADIUS  
RW RIGHT OF WAY  
S.F. SQUARE FEET  
CM CONCRETE MOUNT  
CA 1100-44 REBAR SET  
COMMUNICATION UTILITY  
WATER LINE

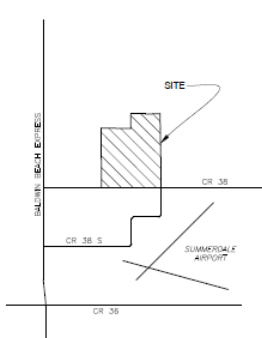
## UTILITY PROVIDER

ELECTRIC - BALDWIN EMC  
WATER - EAST CENTRAL BALDWIN COUNTY WATER, SEWER AND FIRE PROTECTION AUTHORITY  
SANITARY SEWER - BALDWIN COUNTY SEWER SERVICE  
TELECOMMUNICATIONS - MEDIACOM

## TYPICAL LOT SCALE 1"=30'



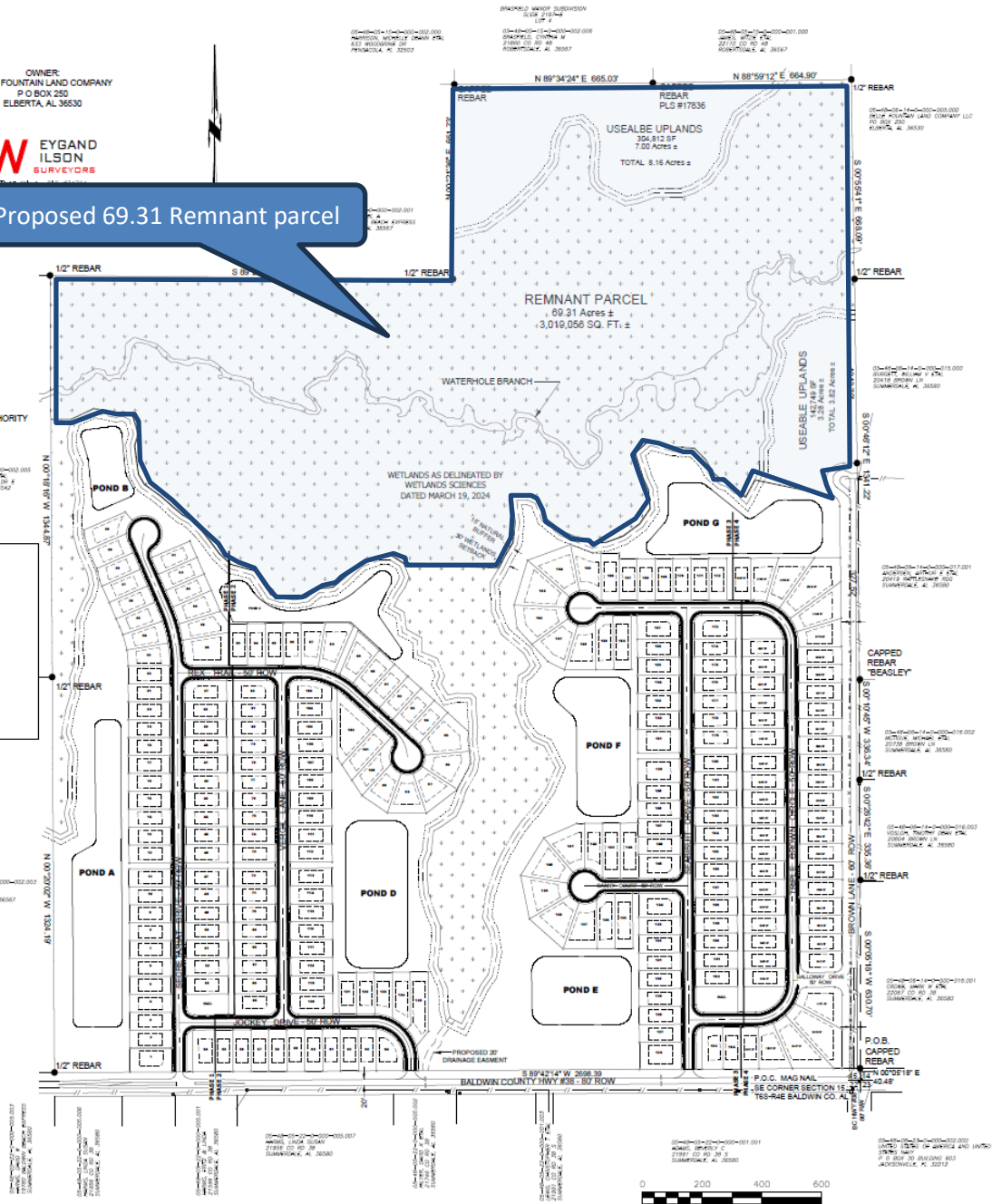
## VICINITY MAP - NOT TO SCALE



OWNER:  
BELLE FOUNTAIN LAND COMPANY  
P O BOX 250  
ELBERTA, AL 36530

**W EYGAND  
ILSON  
SURVEYORS**

Proposed 69.31 Remnant parcel



March 17, 2025

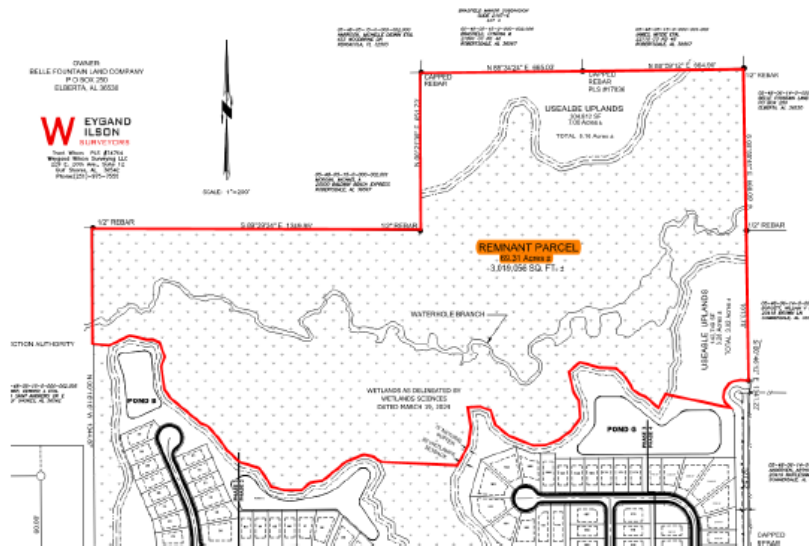
**Baldwin County Planning & Zoning Department**

22251 Palmer Street  
Robertsdale, AL 36567  
(251) 580-1655  
Attn: Fabia Waters

**RE: Legacy Hills Preliminary Plat – SPP24-000020  
Revised Preliminary Plat Request**

Dear Fabia,

We are making submittal to you for a request to make a revision to the previously approved preliminary plat. The only change is that a remnant parcel be created north of the proposed subdivision improvements. Generally as can be seen in the image below. The detailed revised plat is included in this submittal for your review. There are no changes to drainage or any other improvements as the remnant is located north of its limits.



Should you need any additional information please don't hesitate to contact me.

*D. Di Chiara*

David Dichiar, PE

Principal

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(205) 777-9064

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