March 13, 2008
Planning Commission
12191 Magnolia Springs Hwy.
Magnolia Springs, Al.
5:00 P.M.

1. **Call to Order**
Chairman Farmer called the meeting to order at 5:00 p.m.

2. **Invocation and Pledge of Allegiance**
Member – Mayor Houser

3. **Roll Call**
Commission members present: Chairman Farmer, Vice Chairman Costigan, Jennifer Haffner, Bob Holk, Mayor Houser, Karen Biel, Steve Mobley, Ed Stone and Rodney Hubble

4. **Approval of Minutes from February 14, 2008 Meeting**
Motion by Mayor Houser, 2nd by Member Mobley to approve the minutes from February 14, 2008 meeting. All in favor. Motion carried.

5. **Subdivision Variance Application – Allen property**
Member Biel advised the commission that on March 10th she received a letter from the attorney representing the Allen’s on their subdivision variance application and that the Allen’s wish to withdraw the application. The commission members had a copy of the letter.

Motion by Vice Chair Costigan, 2nd by Member Holk to accept the letter from the attorney, withdrawing the subdivision variance application for the Allen property. All in favor. Motion carried.

6. **Sandra Lingis – Lot line changes**
Member Holk explained Ms. Lingis wanted to change lot lines. The three lots run north and south and she wants to make it two lots, parcels A&B. He did state that it would meet lot size requirements according to our subdivision regulations.

Motion by Member Holk, 2nd by Vice Chair Costigan to approve the re-subdivision of parcel Id# 55-08-28-0-000-067.00, lots 5, 6 & 7, with the condition that parcel A&B can not be split again. All in favor. Motion carried. Member Biel will draft a letter to Ms. Lingis.

7. **David Shumar - Beasley Lake Estates – Informal discussion**
Mr. Shumar, an engineer with Barton Engineering was here representing B.J. Blanchard on a 4 lot subdivision on Beasley Rd. This property is located in the Magnolia Springs planning jurisdiction. Mr. Shumar spoke with Richard Johnson and Richard told him it would meet the county regulations for a minor subdivision, all four lots front a paved, county maintained road. Commission members were in agreement that the subdivision is nice and would meet our regulations but Mayor Houser raised some present issues with the pond that Mr. Blanchard has made on the property. He stated there is a lot of mud that is going into the creek bed, then into the springs and into the river. This is a problem that has been on going for awhile, which Mr. Blanchard said he would take care of and nothing has been done. Mayor Houser said we need some assurance that this problem will be taken care of. Chairman Farmer
asked what could be done to rectify the problem. Councilmember Underwood and Mayor Houser met with Phillip Taylor, who is the contractor on the pond and discussed what could be done to alleviate the problems. Mr. Shumar was not aware of the problems and said he will take the Planning Commission’s concerns back to Mr. Blanchard and see what can be resolved.

8. Member Holk – Family Subdivision
He explained that our subdivision regulations do not allow for family subdivision and being advised by legal counsel that the Planning Commission should consider amending the Subdivision Regulations to include Family Subdivision. It was Member Holk’s suggestion to amend our subdivision regulations to add the family subdivision exemption. He stated all we need to do is set a public hearing and advertize that hearing once a week for two weeks along with a copy of the proposed amendment. His suggestion for the amendment was “Family Division of Land – sell, deed or transfer of land by owner to immediate family members. Each parcel shall have its own ingress/egress and utility access of not less than 30 feet in width. If multiple parcels share access, an all weather road sufficient for emergency vehicles must be provided and maintained. Each resulting parcel shall meet the minimum lot size and width requirements of Section 5.c. of the Magnolia Springs Subdivision Regulations”. Member Holk was asked to research a definition for “all weather road” and another amendment would be to our definition at the same time. Member Holk will get with Member Biel about the amendment.

9. Reports and/or announcements
Mayor Houser gave the commission a copy of a letter from the firm handling the law suit between Deidre Lee v. Baldwin Co. Planning & Zoning and the Town of Magnolia Springs. He explained, at first she did not ask for compensatory damages and know that she has asked for a dollar amount the insurance company will cover what ever it costs to defend us.

Mayor Houser also reported that seven different firms were contacted for RFP’s on the comprehensive plan and we received five responses back. Christopher Baker is out of the county and when he returns the working group will set up a meeting to go over the five proposals. Mr. Baker has sent an evaluation sheet to each member of the working group to fill out before the meeting. The working group would make a recommendation to the Planning Commission and then the Planning Commission would make a recommendation to the Town Council. Mayor Houser also stated that the town has applied for a $25,000, one to one matching grant. The grant money must be spent after October 1st and we should find out in the next couple of weeks if we are awarded the grant.

10. Public Comment
No public comment.

Motion by Member Biel, 2nd by Vice Chair Costigan to adjourn. All in favor. Motion carried.

Meeting ended at 6:10 PM

Approved this the 10th day of April, 2008

ATTEST:

Karen S. Biel – Secretary

Les Farmer - Chairman