April 9, 2015  
Planning Commission  
12191 Magnolia Springs Hwy.  
Magnolia Springs, AL  
4:00 P.M.

1. **Call to Order**  
Chairman Costigan called the meeting to order at 4:00 p.m.

2. **Roll Call**

<table>
<thead>
<tr>
<th>Members present</th>
<th>Members not present</th>
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<tbody>
<tr>
<td>Chairman – Mike Costigan</td>
<td>Ed Stone</td>
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<td>Vice Chair – Bob Holk</td>
<td>Ben Dykema</td>
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<tr>
<td>Karen Biel</td>
<td>Lewis Wood</td>
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<tr>
<td>Rodney Hubble</td>
<td>Steve Mobley</td>
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<td>Nick Klarman joined the meeting at 4:07 p.m.</td>
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Diane Burnett with South Alabama Regional Planning Commission was also present.

3. **Invocation and Pledge was led by Rodney Hubble**

4. **Approval of Minutes – February 12, 2015**  
There were no corrections or additions:

Motion by Member Hubble, 2nd by Member Holk to accept the minutes. All in favor. Motion carried.

5. **Public Hearing – Zoning Amendment – Magnolia Farm Estates – from RA (Rural Agricultural District) to R-1(a) (Single Family District)**

Member Biel stated that the town received an application for rezoning the seven lots located on Pecan Grove, know as Magnolia Farm Estates. Chairman Costigan opened the public hearing at 4:05 p.m. Steven Pumphrey, a representative from Preble-Rish Consulting Engineers & Surveyors gave a brief history on the property that is requesting the rezoning. He stated that the original developer started this subdivision at the time the Town of Magnolia Springs was being incorporated. At that time the town did not have subdivision regulations and Baldwin County would not approve it because it was within the towns limits. An attorney involved at the time had the plat recorded anyway. One of the lots was sold to a couple in Georgia, D.R. Horton owns five lots and then the common area is owned by Magnolia Farms Property Owners Association. Mr. Pumphrey stated that he represents all interested parties and to gain proper approval they are starting from the beginning. They are asking for a rezoning from RA – Rural Agricultural District to R-1(a) Single Family District which the lots are the same original lots, but because of the size they do not meet RA zoning.

**Tom Miller** - inquired about future subdivision of the lots. Member Holk stated that a subdivision application would need to be submitted and because of lot size requirements it probably would not be approved. Member Holk added that he had a copy of the covenants which he believes would not allow any further subdivision of the property. Chairman Costigan added that it would not be approved because it would not meet the requirements for lot size.

**Clem Clapp** – asked if access to the lots is on Pecan Grove or Highway 98. Member Holk said that the access is from Pecan Grove. Mr. Clapp also inquired about the access road behind Woodland - Steven Pumphrey stated that the 60 foot easement is in the common area and was on the original plat therefore must stay there.
Joel Schambeau – stated that the new subdivision will cause more drainage issues. Right now all of the water runs down Pecan Grove through his yard. He asked if anything has been done with stormwater runoff. Member Holk stated that when the town issues the building permits we can advise them on how much drainage can enter onto Pecan Grove. He added that the ditch on Pecan Grove is being cleaned out and put back to its original shape and size and that should help with the drainage to Mr. Schambeau’s property. Mr. Pumphrey added that as each house is built the pad is elevated and that will create some what of a break to detain the water to go around and then into the sandy soil.

Virginia Stone – questioned about the traffic risk with the added vehicles and not everyone respecting the speed limits. Chairman Costigan stated that the speed bumps of Pecan Grove will take care of that.

Chairman Costigan closed the public hearing at 4:32 p.m.

Motion by Member Biel, 2nd by Member Wood to recommend to the Town Council to approve the zoning change for D.R. Horton. All in favor. Motion carried.

6. D.R. Horton – Preliminary and Final Plat Approval – Magnolia Farm Estates
Member Stone stated according to the regulations a generalized drainage plan should have been submitted with the application but he has not seen it. Mr. Pumphrey said that is wasn’t submitted but they can certainly get one to the town. After a lengthy discussion on drainage Member Holk reminded Mr. Pumphrey that there are some tree requirements with the regulations.

Ms. Burnett from SARPC reminded the commission that they must have a public hearing on the subdivision before voting on it. Mr. Pumphrey agreed to wait till the next meeting for any approval and this will also give him time to provide the additional information needed.

Motion by Member Holk, 2nd by Member Mobley to table the subdivision review/approval with the consent of the applicant until the next Planning Commission meeting. All in favor. Motion carried.

Member Hubble stated that there are three issues that need to be addressed, drainage, swells and sewer. He stated that there is an illegal sewer system, it’s in violation or our ordinances and it needs to be addressed before he approves any subdivision. Member Biel asked how the sewer is in violation. Member Hubble stated that they did not follow the ordinance and told her to read it. Member Holk stated that Baldwin County Sewer has submitted as-built drawings of the sewer system they installed signed by an engineer. Member Holk also added that he was present when Baldwin County Sewer tested the system.

7. Adjourn
Motion by Member Stone, 2nd by Member Wood adjourn the meeting. All in favor. Motion carried.

Meeting ended at 4:55 p.m.
Approved this the 14th day of May, 2015

ATTEST:

Mike Costigan - Chairman
Karen S. Biel - Secretary