October 14, 2010  
Planning Commission  
12191 Magnolia Springs Hwy.  
Magnolia Springs, Al.  
4:00 P.M.  
1. Call to Order  
Vice Chairman Holk called the meeting to order at 4:00 p.m.  

2. Invocation & Pledge of Allegiance  
Vice Chairman Holk led the Invocation & Pledge of Allegiance  

3. Roll Call  
Commission members present: Vice Chair, Bob Holk, Karen Biel, Ed Stone, Steve Mobley, and Rodney Hubble. Not present: Mayor Charles Houser, Jennifer Haffner, and Justin Yarbrough, and  
Chairman Costigan  

4. Approval of minutes from September 16, 2010 meeting  
No corrections noted  
Motion by Member Mobley, 2nd by Member Hubble to approve the minutes from September 16, 2010. All in favor. Motion carried.  

5. Magnolia RV Park - Extension  
Vice Chair Holk explained that the Magnolia RV Park submitted an application request to the County before the town had a Planning Commission. The Town Council agreed at that time that any subdivision requests that started with the county, before our incorporation or establishment of the Planning Commission, would stay with the county for final approval. The members were given a copy of a written request from Magnolia RV Park for a 24 month extension stating sales were down because of the economy. The county is requesting a letter from the Planning Commission stating that the prior agreement for Magnolia RV Park will stay with the county for final approval.  
Motion by Member Mobley, 2nd by Member Stone to leave the Magnolia RV Park approval within the County’s jurisdiction. All in favor. Motion carried.  

6. William Inge – request for exempt subdivision letter  
Vice Chair Holk stated that Mr. Inge is subdividing his lot into 10 parcels for a family subdivision. According to our Subdivision Regulations it can be sold, deeded or transferred to immediate family members. It does meet our requirements such as, ingress/egress, all weather road and they have also provided us with a list of family members that the property will be deeded to. The lots do meet the minimum lot size of 40,000 sq. ft.; most of the lots are 5+ acres. Also in the exemption letter we would request that they provide us with a copy of the deeds for our records, that they are in a zoned area and that they meet the Magnolia Springs Erosion Control Ordinance.  
Motion by Member Biel, 2nd by Member Hubble to authorize the Vice Chairman to sign a letter of exemption for the Inge family subdivision. All in favor. Motion carried.  

Member Jennifer Haffner joined the meeting at 4:20  

7. Discussion of Article 5 – Drainage – Subdivision Regulations  
Vice Chair Holk stated that he has received a copy of the county’s drainage and is working on the section and hopes to have it completed by the next meeting.
8. Public comment
No public comment
Vice Chair Holk gave an update on the status of the Family Dollar. Member Biel stated she talked with the developer and he said about another 30 days.

Vice Chair Holk also discussed:
1. Board of Adjustments received an application for a restrictions variance. The pharmacy wants to move into the building behind the doctor’s office, but the land use certificate was denied by staff because they do not meet the setbacks. The set backs should be rear 25’ and side 15’ and there are rear and side 5’. The meeting is set for November 3rd at 4:00 pm.
2. Fuller/Turner Rock Street lawsuit — they are claiming ownership of Rock St. Depositions are being taken this month. The town will be expending a lot of money to defend this lawsuit. The lawsuit has taken the rights of the people to go to the river. Member Hubble stated if they prevail, then maybe a class action suit by the citizens of Magnolia Springs could be brought forward, because going back to the original deed, the intent was for the town citizens to have access to the river. Member Hubble also suggested a public meeting to let all the people know what is happening with the Rock Street access. Most of the Planning Commission members agreed that a public meeting is a good idea.

9. Adjourn

Motion by Member Biel, 2nd by Member Hubble to adjourn. Meeting ended at 5:00 p.m.

Approved this the 18th day of November, 2010

[Signature]
Mike Costigan – Chairman

ATTEST:

[Signature]
Karen S. Biel – Secretary