

CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-27



Ordinance to Pre-Zone Property Located East of County Road 13
Red Barn, L.L.C.

WHEREAS, Red Barn, L.L.C., as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently zoned by the County as RA, Rural Agricultural, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, be pre-zoned as R-6(G), Garden or Patio Home, prior to annexation into the City of Daphne; and

WHEREAS, said real property is located East of County Road 13, being more particularly described as follows:

Legal Description for Property to be Pre-Zoned:

BEGIN AT THE NORTHWEST CORNER OF OLDFIELD PHASE 4 AMENDED SUBDIVISION, AS SHOWN BY A MAP OR PLAT THEREOF RECORDED AT SLIDE 2676-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 85 DEGREES 09 MINUTES 22 SECONDS WEST, A DISTANCE OF 287.00 FEET; THENCE RUN NORTH 48 DEGREES 09 MINUTES 19 SECONDS WEST, A DISTANCE OF 154.04 FEET; THENCE RUN SOUTH 37 DEGREES 36 MINUTES 42 SECONDS WEST, A DISTANCE OF 203.37 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS NORTH 65 DEGREES 00 MINUTES 51 SECONDS WEST, A DISTANCE OF 140.77 FEET); THENCE RUN SOUTH 22 DEGREES 05 MINUTES 33 SECONDS WEST, A DISTANCE OF 215.00 FEET; THENCE RUN SOUTH 03 DEGREES 00 MINUTES 58 SECONDS WEST, A DISTANCE OF 436.03 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 190.90 FEET, (CHORD BEARS NORTH 79 DEGREES 14 MINUTES 03 SECONDS EAST, A DISTANCE OF 188.12 FEET); THENCE RUN SOUTH 27 DEGREES 27 MINUTES 19 SECONDS EAST, A DISTANCE OF 193.22 FEET; THENCE RUN SOUTH 14 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 22 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.31 FEET; THENCE RUN SOUTH 00 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 150.00 FEET; THENCE RUN NORTH 89 DEGREES 39 MINUTES 53 SECONDS WEST, A DISTANCE OF 563.98 FEET; THENCE RUN NORTH 89 DEGREES 35 MINUTES 53 SECONDS WEST, A DISTANCE OF 1327.33 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 9905.51 FEET, AN ARC LENGTH OF 14.50 FEET, (CHORD BEARS NORTH 06 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 14.50 FEET); THENCE RUN SOUTH 84 DEGREES 05 MINUTES 07 SECONDS EAST, A DISTANCE OF 50.00 FEET; THENCE RUN NORTH 06 DEGREES 18 MINUTES 11 SECONDS EAST, A DISTANCE OF 100.90 FEET; THENCE RUN NORTH 84 DEGREES 05 MINUTES 45 SECONDS WEST, A DISTANCE OF 50.00 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 9905.51 FEET, AN ARC LENGTH OF 893.49 FEET, (CHORD BEARS NORTH 03 DEGREES 25 MINUTES 38 SECONDS EAST, A DISTANCE OF 893.19 FEET); THENCE RUN NORTH 00 DEGREES 50 MINUTES 30 SECONDS EAST, A DISTANCE OF 1612.09 FEET; THENCE RUN SOUTH 89 DEGREES 27 MINUTES 32 SECONDS EAST, A DISTANCE OF 2137.34 FEET TO THE POINT OF BEGINNING.

TRACT CONTAINS 108.30 ACRES, MORE OR LESS, AND LIES IN THE NORTHWEST QUARTER OF

SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

WHEREAS, at the regular Planning Commission meeting on February 24, 2022, the Commission considered said request and voted to set forth a unanimous favorable recommendation to the City Council to pre-zone the property R-6(G), Garden or Patio Home; and,

WHEREAS, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at City Hall, and a public hearing was held before the City Council on April 18, 2022; and,

WHEREAS, the City Council of the City of Daphne, after due consideration and upon consideration of the recommendation and notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property and as set forth on a map of the property attached hereto and made a part of this Ordinance as Exhibit "A" is proper and in the best interest of the health, safety, and welfare of the citizens of the City of Daphne, Alabama; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

SECTION I: ZONING

That above described real property is hereby pre-zoned to R-6(G), Garden or Patio Home, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map shall be amended to reflect said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

Until such time as the property is annexed into the City of Daphne, the property shall remain in the unincorporated area of Baldwin County and zoned in accordance with the Baldwin County Commission's zoning plan. The County's zoning for the property at the time the request for pre-zoning was submitted was RA, Rural Agricultural, Baldwin County District 15, Exterritorial Planning Jurisdiction.

SECTION II: REPEALER.

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

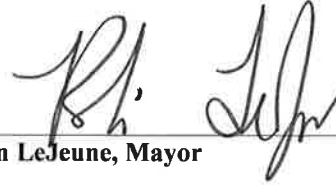
SECTION III: SEVERABILITY.

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

SECTION IV: EFFECTIVE AND EXPIRATION DATE.

This Ordinance shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the subject property shall become effective upon the date the territory is annexed into the corporate limits. If any portion of the subject property is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law, this pre-zoning shall be null and void. Should the pre-zoning become null and void, the applicant may reapply for pre-zoning at any time as long as an annexation petition is pending.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE,
ALABAMA, THIS 16th day of May, 2022.**



Robin LeJeune, Mayor

ATTEST:

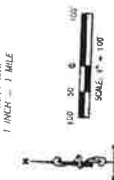


Candace G. Antinarella, CMC, City Clerk

EXHIBIT "A"**LEGAL DESCRIPTION: HOPE VINEYARD**

BEGIN AT THE NORTHWEST CORNER OF OLDFIELD PHASE 4 AMENDED SUBDIVISION, AS SHOWN BY A MAP OR PLAT THEREOF RECORDED AT SLIDE 2676-E, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 85 DEGREES 09 MINUTES 22 SECONDS WEST, A DISTANCE OF 287.00 FEET; THENCE RUN NORTH 48 DEGREES 09 MINUTES 19 SECONDS WEST, A DISTANCE OF 154.04 FEET; THENCE RUN SOUTH 37 DEGREES 36 MINUTES 42 SECONDS WEST, A DISTANCE OF 203.37 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS NORTH 65 DEGREES 00 MINUTES 51 SECONDS WEST, A DISTANCE OF 140.77 FEET); THENCE RUN SOUTH 22 DEGREES 05 MINUTES 33 SECONDS WEST, A DISTANCE OF 215.00 FEET; THENCE RUN SOUTH 03 DEGREES 00 MINUTES 58 SECONDS WEST, A DISTANCE OF 436.03 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 190.90 FEET, (CHORD BEARS NORTH 79 DEGREES 14 MINUTES 03 SECONDS EAST, A DISTANCE OF 188.12 FEET); THENCE RUN SOUTH 27 DEGREES 27 MINUTES 19 SECONDS EAST, A DISTANCE OF 193.22 FEET; THENCE RUN SOUTH 14 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 22 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.31 FEET; THENCE RUN SOUTH 00 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 150.00 FEET; THENCE RUN NORTH 89 DEGREES 39 MINUTES 53 SECONDS WEST, A DISTANCE OF 563.98 FEET; THENCE RUN NORTH 89 DEGREES 35 MINUTES 53 SECONDS WEST, A DISTANCE OF 1327.33 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 9905.51 FEET, AN ARC LENGTH OF 14.50 FEET, (CHORD BEARS NORTH 06 DEGREES 38 MINUTES 12 SECONDS EAST, A DISTANCE OF 14.50 FEET); THENCE RUN SOUTH 84 DEGREES 05 MINUTES 07 SECONDS EAST, A DISTANCE OF 50.00 FEET; THENCE RUN NORTH 06 DEGREES 18 MINUTES 11 SECONDS EAST, A DISTANCE OF 100.90 FEET; THENCE RUN NORTH 84 DEGREES 05 MINUTES 45 SECONDS WEST, A DISTANCE OF 50.00 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 9905.51 FEET, AN ARC LENGTH OF 893.49 FEET, (CHORD BEARS NORTH 03 DEGREES 25 MINUTES 38 SECONDS EAST, A DISTANCE OF 893.19 FEET); THENCE RUN NORTH 00 DEGREES 50 MINUTES 30 SECONDS EAST, A DISTANCE OF 1612.09 FEET; THENCE RUN SOUTH 89 DEGREES 27 MINUTES 32 SECONDS EAST, A DISTANCE OF 2137.34 FEET TO THE POINT OF BEGINNING.

TRACT CONTAINS 108.30 ACRES, MORE OR LESS, AND LIES IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



- LEGEND**
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ADJOINING PROPERTY OWNERS

OWNER	ADDRESS	SECTION	TOWNSHIP	COUNTY
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REGIONAL OVERVIEW DATA

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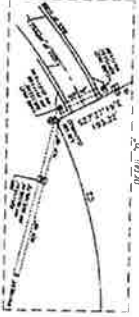
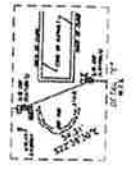
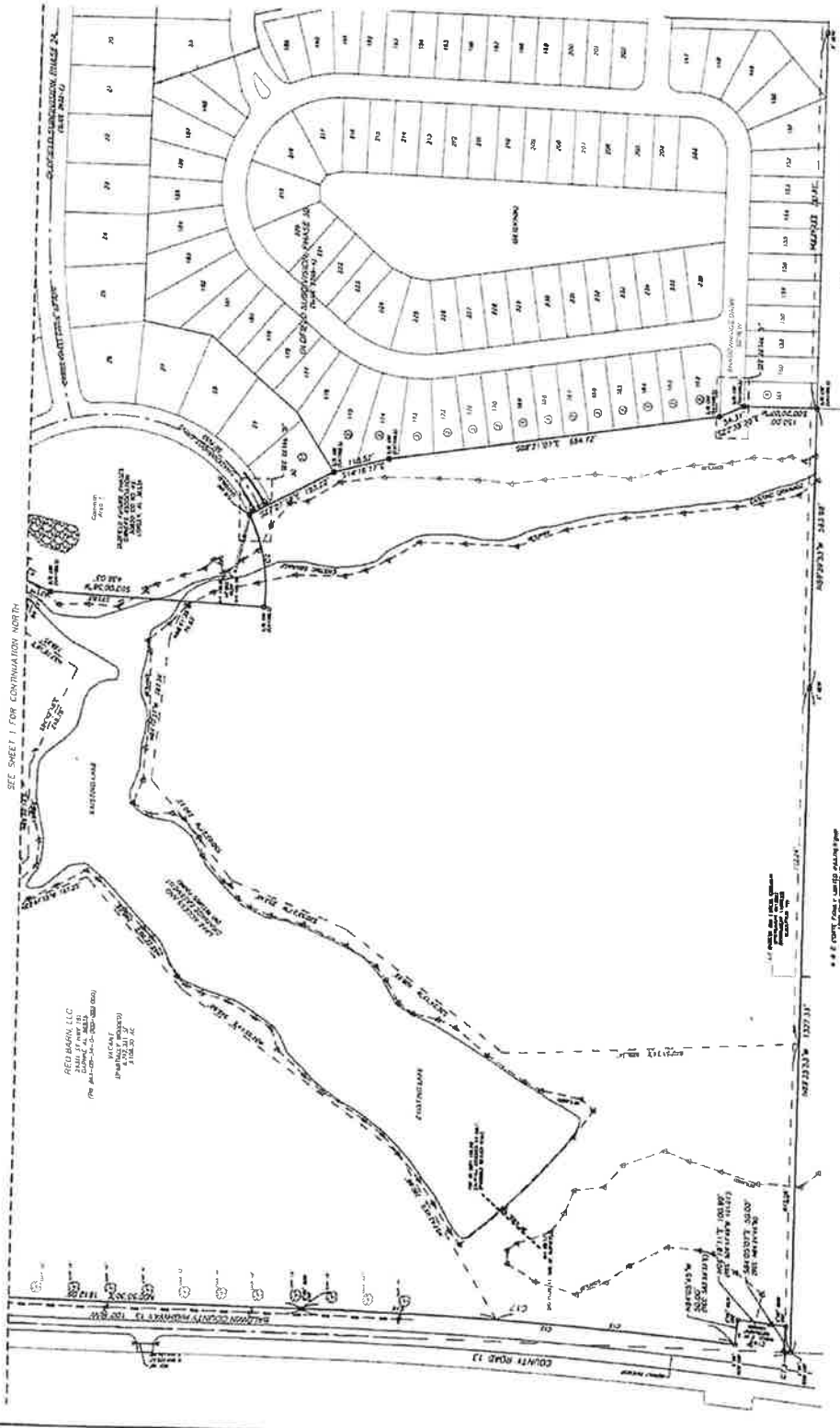


EXHIBIT B

PROPERTY BOUNDARY SURVEY
HOPE VINEYARD
Dewberry

DATE: 10/27/2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NUMBER: [Number]
 SHEET NUMBER: [Number]

LOT DISTRIBUTION	NORTH	SOUTH	TOTAL PAV
57' SIDE	121	121	242 (100%)
40'	45	37	82 (34%)
30'	40	15	55 (23%)
20'	11	17	28 (12%)
TOTAL	127	170	297 (100%)



PROPERTY OWNER
 RED BERRY, LLC
 2801 STATE HIGHWAY 191
 DAPHNE, AL 36606

APPLICANT
 MARIONDA HOMES
 9416 CAMDEN FIELD PARKWAY
 RIVERVIEW, FL 33579

SITE DATA

PARCEL ID = PIN 9824
 TOTAL AREA = 103.30 AC
 EXIST ZONING = RA (DIST. 15)
 PROP. ZONING = RA(G)
 CITY OF DAPHNE

BULK STANDARDS

LOTS (ZONE RA(G))
 MINIMUM AREA = 5,000 SQ
 MIN. WIDTH = 50'
 MAX. DENSITY = 8 DU/AC

SETBACKS

FRONT = 25' (MIN)
 SIDE = 25' (MIN)
 REAR = 25' (MIN)

ROADS (CITY OF DAPHNE)

MINOR LOCAL = 50' HIGH 50' WIDE
 ROAD WIDTH = 22' PAVEMENT
 10' SIDEWALK
 4E R. PAVEMENT

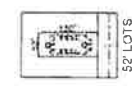
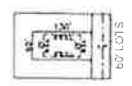
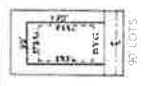
DEVELOPMENT SUMMARY

PROPOSED USE = SINGLE FAMILY RES.

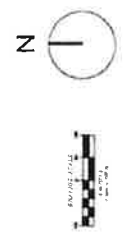
LOT SUMMARY = 297 LOTS TOTAL
 SMALLEST LOT = 6,076 SF (LOT 217)
 LARGEST LOT = 30,304 SF (LOT 29)
 MIN. WIDTH = 27'
 GROSS DENSITY = 21.8 DU/AC
 NET DENSITY = 14.71 AC (10.9 DU)
 OPEN SPACE = 29.96 AC (14.5%)

TOTAL ROADS = 11.536 LF
 PAVEMENT = 22' x 2.5' CURBS
 SIDEWALKS = 5' BOTH SIDES

TYPICAL LOT DETAILS



- LEGEND**
- D THREE-WAY STOP
 - WALKING TRAIL
 - RASSED CROSSWALK
 - WOODEN BRIDGE



OLDFIELD PHASE 3B

HOPE VINEYARD
 FEBRUARY 23, 2022

CONCEPTUAL MASTER PLAN

REV.	DATE	BY	CHK.	DESCRIPTION
1.0	02/23/22	JL	ML	ISSUED FOR PERMIT



EXHIBIT "C"

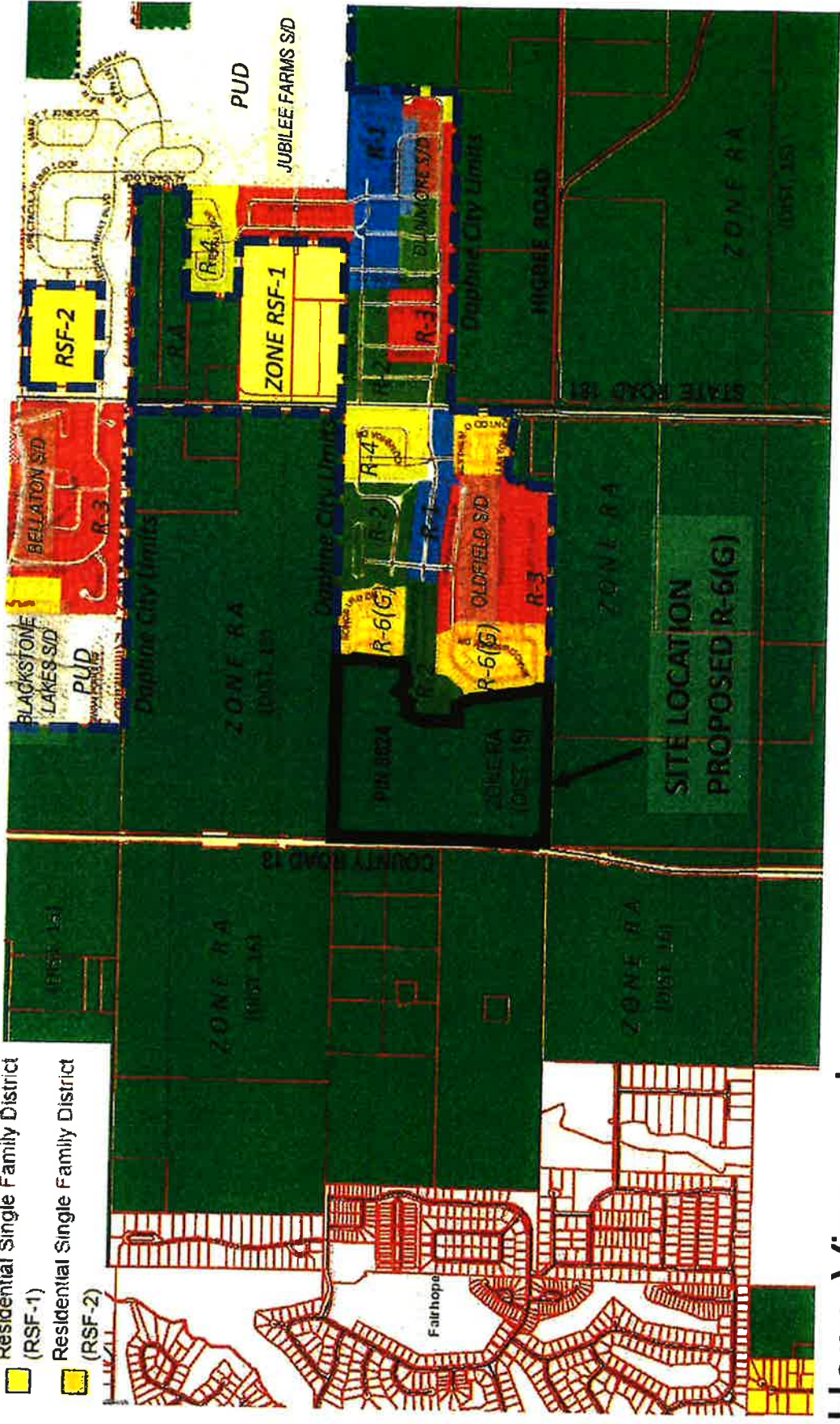


25353 FRIENDSHIP ROAD
 DAPHNE, AL 36526
 251-929-9809

EXHIBIT "D"
CURRENT ZONING



- County Zoning
- Rural District (RR)
- Rural Agricultural District (RA)
- Conservation Resource District (CR)
- Residential Single Family Estate District (RSF-E)
- Residential Single Family District (RSF-1)
- Residential Single Family District (RSF-2)



Hope Vineyard

December 28, 2021