



City of Bay Minette

Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507 · Phone (251) 580-1650

ENCLOSURE: LIST OF RECOGNIZED VIOLATIONS

CE-21136, Oak Cove RV Park

Date of Initial Notice: December 1, 2022

Property Address: 175 Dickman Road

Parcel Number: 05-23-05-21-1-000-023.001

PPIN: 83581

Zoning: R-3, Higher Density Single Family Residential

The City Zoning Ordinance and Subdivision Regulations include provisions regarding commercial land uses within the City as well as specific standards for the development and operation of RV Parks. The remarks below are considered a list of violations noted from site visits conducted by staff on 10/18/2022, 10/26/2022 and 11/28/2022. These standards are the minimum requirements that must be addressed to bring the property and the RV Park into compliance but is in no way considered an exhaustive compilation.

Zoning Ordinance Violations

- 1. A commercial use has been illegally established and the Oak Cove RV Park has been illegally occupied without prior zoning approval and in a manner that is in conflict with the standards of the Zoning Ordinance. Per Section 7.1 Use, no building, structure or land shall hereafter be used or occupied, and no building or part thereof shall be erected, constructed, moved, or altered except in conformity with the regulations herein specified for the district in which it is or is to be located. It shall be the responsibility of the owner/developer to show proof of compliance with the requirements of this Ordinance.*
- 2. The RV Park and RVs are located on PIN 83581, which is zoned R-3, Higher Density Single Family Residential. An RV Park is not a permitted use in the R-3 zoning district. Per Section 8.10, Table of Permitted Uses, RV Parks are only allowed with Planning Commission Approval in the R-5, Manufactured/Mobile Home Residential District; the B-2, General Business District; or the M-1, Light Industrial District.*
- 3. Planning Commission Approval was not received for the RV Park use. Per Section 8.8.2, Uses Requiring Planning Commission Approval must have an application submitted to the Planning Commission for approval and be accompanied by a site plan prepared by the applicant or his agent. Site Plans must be prepared in accordance with Section 8.9.3. Such uses/applications will be reviewed by the Planning Commission for the location and the site plan as being appropriate with regard to transportation, access, water supply, waste disposal, fire and police protection and other public facilities; as not causing undue traffic congestion or creating a traffic hazard; and as being in harmony with the orderly and appropriate development of the district in which the use is located.*
- 4. The previous manufactured home park was considered a non-conforming use in the R-3 zoning district. Per Section 7.18.2 Alterations, any change in a non-conforming building site or yard area requires that any improvements, alterations, repairs or installation of new fixtures or equipment for an existing non-conforming structure may be accomplished by the owner of the structure upon obtaining the proper permits or applications from the City Planner and Building Official, provided that such improvements will bring into conformity, if possible, or that it will at least not increase, unnecessarily, the nonconformity and will in all other respects, meet the requirements of the district in which it is located.*
- 5. The non-conforming status of the previous manufactured home park does not apply to new structures or recreational vehicles. Per Section 7.18.2.3, a non-conforming use of land shall be restricted to the lot occupied by*

such use as of the effective date of this Ordinance. A non-conforming use of a building or buildings shall not be extended to include either additional buildings or land after the effective date of this Ordinance.

6. A Commercial Banner/Wind Sign Permit was not received. Per Section 16.5.5 Commercial Banners and Wind Signs, Banners and Wind Signs may be utilized by commercial establishments provided that at least five business days before signs are to be posted, a Commercial Banner/Wind Sign Permit is submitted by the designated representative of the business or commercial establishment with a sign installation and removal plan. Commercial Banners may only be posted up to thirty (30) days; each sign or banner shall require a separate permit, and no more than four (4) permits per calendar year shall be issued for any one commercial establishment.

Subdivision Regulation Violations

1. RV Parks shall be planned and developed under the guidance of a Master Plan and established as a whole in a single, unified development operation or as a series of phased development operations.
2. The master plan shall be a conceptual plan showing the entire development site and all component stages or phases and shall express the overall development concept for the site at build-out.
3. The applicant shall submit a written request for review and approval by the Planning Commission and a copy of said master plan. The master plan shall be of sufficient detail to show the proposed street, sidewalk and lot layout, drainage, utilities, detention, common, recreational, and landscaped areas.
4. All recreational vehicle parks within the corporate limits of the City of Bay Minette shall conform to the Comprehensive Plan, the Zoning Ordinance of the City, and any other official development or planning document of the City of Bay Minette.
5. No person shall engage in the construction of an RV Park until such time as it has been approved and applicable permits have been obtained for such construction.
6. Recreational vehicle parks are uses permitted subject to the approval of the Planning Commission.
7. No recreational vehicle park shall be located except with direct access from a collector or arterial roadway with a minimum lot width of not less than one hundred (100) feet for the portion used for entrance and exit.
8. Unless otherwise determined by a professional engineer, undercut, backfill, or other base and subbase requirements shall be in accordance with a geotechnical report prepared and signed by a licensed professional engineer. The minimum street pavement thickness requirement is two- and one-half inches (2.5") and shall consist of one- and one-half inch (1.5") bituminous binder layer and one inch (1") bituminous surface course placed over a minimum of eight inches (8") of stabilized base. Streets shall meet the City's latest approved technical specifications for streets.
9. The minimum land area for a recreational vehicle park shall be five (5) acres.
10. A drainage plan shall be made for each recreational vehicle park by the Owner's Engineer.
11. Fire hydrants shall be installed along each street every six hundred (600) feet, or at the ends and center of each block. The water supply and pressure shall be sufficient to adequately serve the potential needs of the intended land use.
12. Recreational Vehicle Sites shall only be rented by the day, week, or month and users shall not occupy any RV Site in the same recreational vehicle park for a duration exceeding 180 days per calendar year.
13. A landscaped buffer with a minimum width of twenty (20) feet shall be provided on the property lines. Said buffer shall consist of a combination of canopy trees, understory trees and shrubs which shall be of sufficient height to create a visual barrier.
14. Camping spaces shall be so located in relation to internal streets as to provide for convenient vehicular ingress and egress if the space is intended for use by wheeled units. Where back-in or back-out spaces are used, appropriate maneuvering room shall be provided in the adjacent internal street and within the space.

15. Spaces for non-self-contained units shall be located within two hundred (200) feet by normal pedestrian routes of toilet, washroom, and bath facilities.
16. Spaces for self-contained units, operating as such, may not be located more than four hundred (400) feet by normal pedestrian routes from toilet, washroom, and bath facilities.
17. All R/V units or accessory buildings shall be parked or located at least 25 feet from any public roadway or right-of-way.
18. No structures, camp sites or RV spaces may encroach into the following minimum setbacks:
 - a. Front yard: 35 ft
 - b. Side yard: 30 ft
 - c. Rear yard: 35 ft
 - d. All required yards shall be permanently landscaped and maintained with ground cover, trees and shrubs
19. The following facilities must be provided, at a minimum, for the exclusive use of park occupants: two toilets and lavatories for every 15 Recreational Vehicle Sites or fraction thereof not provided with a water connection, two shower facilities and a washer and dryer.
20. Two-cubic yard or larger waste containers must be located within 300 ft of every Recreational Vehicle Site, but no closer than 100 ft. Alternatively, the Planning Director may approve the use of individual waste containers for each Recreational Vehicle Site provided the park operator provides for regular waste pickup from Recreational Vehicle Sites.
21. One or more storm shelters must be provided on-site with a minimum floor area of seven (7) square feet for each Recreational Vehicle Site and camp site and be located no more than 1,320 linear ft from the furthest Recreational Vehicle Site.
22. Shelters must be designed by a licensed structural engineer or architect, must comply with all applicable City Building Codes and be installed as approved by the Building Official. Shelters must meet all applicable requirements of the Americans with Disabilities Act and, if located within a floodplain, must meet all FEMA requirements.
23. Manufactured homes, mobile homes or other similar structures are prohibited.