



PLANNING & ZONING
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 2432
ORANGE BEACH, ALABAMA 36561



Orange Beach City Council
Meeting – March 21, 2023

Case No. 0202-CU-23
JPEM Duplex – 29110 Perdido Beach Boulevard
Conditional Use Approval

Owner/Applicant: JPEM LLC, Joey M. Parker (Owner/Applicant)
4864 Mill House Rd., Gulf Shores, AL 36542
(251) 269-8328, jmparker@southstatebank.com

Property Address:
29110 Perdido Beach Blvd.

Tax Parcels:
05-65-05-02-0-000-005.034

PPIN:
108243

I. GENERAL INFORMATION

Request: Conditional Use Approval

JPEM LLC requests approval of conditional use to construct a duplex on a beachfront lot located at 29110 Perdido Beach Boulevard in the Single-Family Residential (RS-1) zoning district.

Location: The vacant beachfront lot, located southwest of Jubilee Landing Condominium, is Lot 11 of the East Perdido Keys Subdivision, Phase 1 and is one of the former lots of the Verandas PUD project. Prior to Hurricane Ivan in September 2004, there was a single-family house on the lot.

Planning Commission: The Planning Commission held a public hearing and considered this application at its regular meeting on February 13, 2023. There were no participants in the public hearing. The Planning Commission approved its motion for **favorable recommendation (8-0)** subject to staff conditions.

Present Zoning: RS-1 (Single-Family Residential)

Present Use: Vacant

Future Land Use: Residential Mixed
This land use designation provides for various housing types, including duplexes.

Surrounding Land Use and Zoning: **North:** Vacant, RM-2 (Multi-Family Residential High Density); Jubilee Landing Condominium, RS-2 (Single-Family Residential)
South: Gulf of Mexico
East: Vacant, RS-1 (Single-Family Residential)
West: Vacant, RS-1 (Single-Family Residential)

Special Districts: **Overlay Zoning:** Beach Overlay District
Neighborhood District: Beach Resort
Airport Zone: Precision Instrument Approach
Flood Zone: AE-11, VE-13

Nearby Streets: This lot fronts on Perdido Beach Boulevard.

Site History:

<i>Date</i>	<i>Description</i>
August 2005	City Council gave preliminary PUD approval to rezone the subject lot and other adjacent lots from RS-1 to PUD for two, 34-story condominium towers with a total of 336 units. The project was called The Verandas. (Case No. 0701-PUD-05)
November 2005	City Council gave final PUD approval for two, 34-story condominium towers with a total of 336 units. The project was called The Verandas. (Case No. 1005-PUD-05)
November 2006	City Council approves a 12-month extension.
December 2007	City Council approves a 12-month extension.
October 2008	City Council approves a 12-month extension.
October 2009	The Verandas PUD expired.
January 2010	City Council reverted the zoning of the subject lot and other adjacent lots from PUD back to RS-1.
September 2022	The applicant submitted a request to the Planning Commission for recommendation to the City Council for conditional use approval for a duplex on this lot. Planning Commission expressed concerns with the proposed parking layout and gave the request a negative recommendation. The applicant chose not to go to City Council and pulled the request. (Case No. 0801-CU-22)

II. BUILDING & SITE PLAN REVIEW

- To apply for conditional use approval for a duplex, the request must meet the following requirements.

<i>Criteria</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Zoning	RS-1	RS-1	Yes
Lot Width	75 feet	75 feet	Yes
Lot Area	10,500 SF	24,828 SF	Yes
Location	Navigable Waterway or Arterial/Collector Roadway	Navigable Waterway and Arterial Roadway	Yes

- The project will have the following setbacks.

<i>Setback</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Front	30 feet	79 feet	Yes
Rear	CCL or 20 feet	CCL	Yes
East Side	10 feet	10 feet, 6 inches	Yes
West Side	10 feet	12 feet	Yes

The project will also have exterior side stairs. The Zoning Ordinance permits exterior stairs to encroach up to 4 feet into the side setback and be at least 6 feet from the side lot line. The exterior stairs on the east side will be 7+ feet from the east side lot line, and the exterior stairs on the west side will be 8+ feet from west side lot line.

3. The duplex will have a total footprint coverage of 4,018 SF. The overall total living area for the duplex will be 8,876 SF, with each unit having 4,438 SF. The total under roof area for the duplex will be 14,640 SF, with each unit having 7,320 SF.
4. The duplex will have three habitable levels on top of a ground level for a total height of four stories. The building height, measured from grade to the mean height of the highest roof surface, will be 48 feet and 3 inches, which is under the 50-foot height limit for duplexes on the beach.
5. Each unit will have six sleeping rooms. The second and third habitable levels in the unit will each have three sleeping rooms.
6. Each unit is required to have six parking spaces. Underneath the building, each unit will have four parking spaces arranged in two tandem stacks with each stack having two parking spaces. Each unit will have two parking spaces located in the front setback area. Two parking spaces will be located on the east side of the driveway, and two parking spaces will be on the other or west side.
7. The predominant exterior building materials or cladding will be hardie lap siding. The front or north side will have hardi board with batten strips as its siding.

III. STAFF COMMENTS

1. Planning Commission had expressed concerns with the parking layout in the previous submission, which showed more than two parking spaces in the tandem stack underneath the building. In this submission, each unit will have four parking spaces arranged in two tandem stacks with each stack having two parking spaces. Each unit will also have two parking spaces located in the front setback area. Two parking spaces will be located on the east side of the driveway, and two parking spaces will be on the other or west side.
2. With the surface parking spaces being located in the front setback area, landscaping is needed between the parking spaces and the front lot line along Perdido Beach Boulevard to provide buffering and screening.
3. The conditional use approval shall terminate when one of the following occurs:
 - Termination of the site plan in accordance with Article 10.0310.
 - Transfer, lease or sale of the use permitted as a conditional use to another person, persons, or other entities.
 - Transfer, lease, or sale of the property on which the conditional use approval has been granted.
 - Any change to the conditions or requirements on which the conditional use was approved.
 - Rezoning.
4. The conditional uses shall not be transferrable, and conditional uses shall not be considered grandfathered under any circumstances.

5. No extensions of the conditional uses approval are permitted. The conditional use approval is good for 12 months after the date of approval by the City Council.
6. The project requires permits for Coastal Permitting and Perdido Key Beach Mouse.
7. Alabama Department of Transportation approval is required for the access onto Perdido Beach Boulevard.
8. A dune walkover will be required for proper access onto the beach.

IV. CITY COUNCIL ACTION

1. **APPROVE AS SUBMITTED** the request for conditional use approval to construct a duplex on a beachfront lot located at 29110 Perdido Beach Boulevard in the Single-Family Residential (RS-1) zoning district.
2. **APPROVE WITH CHANGES OR CONDITIONS** the request for conditional use approval.

STAFF & PLANNING COMMISSION CONDITIONS:

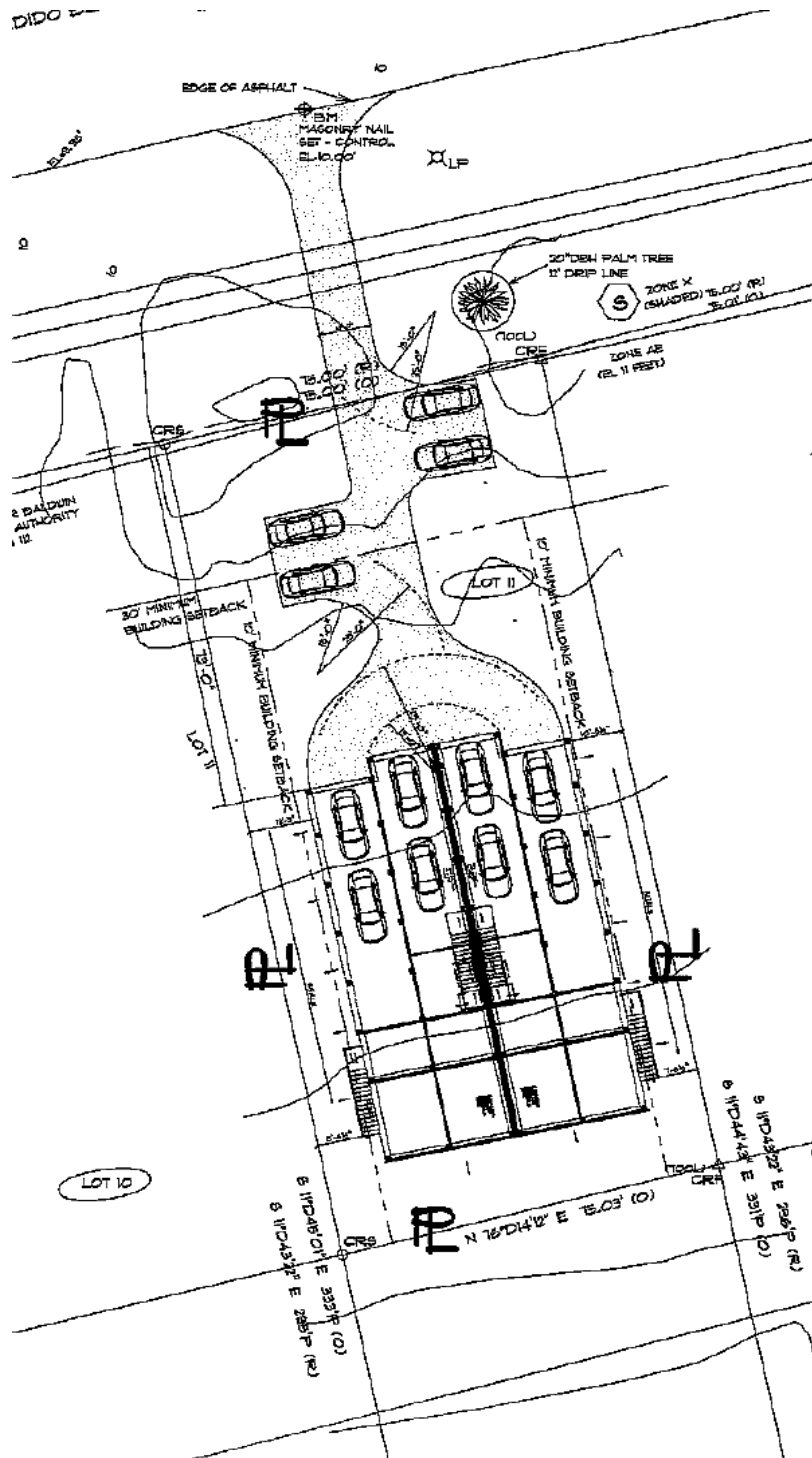
1. Landscaping is needed between the surface parking areas in the front setback and the front lot line along Perdido Beach Boulevard for buffering and screening.
 2. Obtaining approval from Alabama Department of Transportation (ALDOT) for the access onto Perdido Beach Boulevard.
 3. A dune walkover being required for proper access onto the beach.
 4. Perdido Key Beach Mouse Permit being required for construction on Perdido Key prior to any site construction commencing. Please contact City of Orange Beach Coastal Resources Department for additional information. PH: 251-981-1063.
 5. Coastal Permits being required for this project. Please contact City of Orange Beach Coastal Resources Department at 251-981-1063 for details on initiating consultation.
 6. A NFPA 13R sprinkler system will be required to be installed.
 7. The roadway shall hold a gross weight of no less than 75,000 gross pounds.
3. **DISAPPROVE** the request for conditional use approval.

V. MAPS & PLANS

Aerial Map



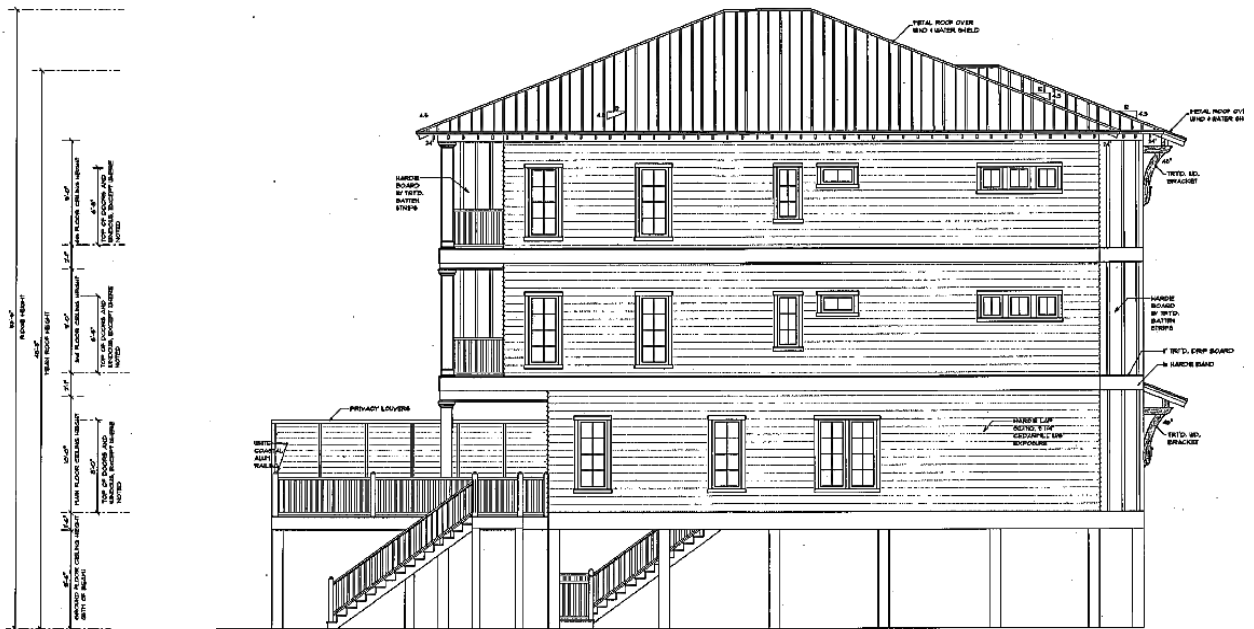
Site Plan



Front and Left Side Elevations



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"