



SMALL TOWN, BIG BEACH™

TO: Mayor Craft & Members of the City Council

FROM: Andy Bauer, Director of Planning & Zoning

SUBJECT: ZA2015-05 – Zoning Text Amendment – Article 6-6 G. Pier Structures

DATE: January 4, 2016

ISSUE: Mr. David Adams and Mr. Richard Sherman seek to amend Article 6-6 G., Pier Structures, of the Zoning Ordinance to increase the size of pier houses. Currently pier structures are limited to a maximum 400 square feet of roofed area.

BACKGROUND: The original proposal from Mr. Adams and Mr. Sherman focused on pier houses located on Little Lagoon. At the October 27, 2015 Planning Commission meeting this item was tabled to allow staff time to review the proposed pier size limitations versus how they fit not only in the Little Lagoon but also for properties which abut Mobile Bay and Bon Secour River.

PLANNING COMMISSION: At their November 24, 2015 meeting the Commission voted unanimously (5-0) to recommend approval of this zoning text amendment to the City Council.

RECOMMENDATION: Staff recommends the City Council amend the Zoning Ordinance to allow an 800 square foot pier house with a maximum 50 square feet of enclosed area for storage purposes.

ATTACHMENTS: Staff Report, Applicant Request Letter, Typical 750 Square Foot Pier House Plan, Pier House Photos



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OVERVIEW: Mr. David Adams and Mr. Richard Sherman seek to amend Article 6-6 G., Pier Structures, of the Zoning Ordinance to increase the size of pier houses. Currently pier structures are limited to a maximum 400 square feet of roofed area.

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Planning Commission: At their November 24, 2015 meeting the Commission voted unanimously (5-0) to recommend approval of this zoning text amendment to the City Council with the following stipulations:

1. The roofed area of a pier house shall not exceed 800 square feet; and
2. A maximum of 50 square feet may be enclosed for storage purposes.

REQUEST: The applicants seek to modify Article 6-6 G. of the Zoning Ordinance in order to increase the maximum size allowed for pier structures. The current pier regulations allow the roofed area of a pier structure to cover 400 square feet and the proposal is to increase the roofed area to 750 square feet. In addition to increasing the allowed coverage for pier structures the applicants seek to restrict the height of pier structures to 21 feet above mean water level and clarify that if multiple pier structures are built the total roofed area cannot exceed 750 square feet.

The applicants' state in their narrative the minimum pier house size to cover a modest size boat, boat lift, and access walkway is at least 500 square feet and if a covered gathering area is added the size of the pier structure exceeds 700 square feet. The applicants claim a maximum pier structure height of 21 feet above mean sea level will preserve views to the water and clarify that only one (1) pier structure is allowed per pier.

The applicants' have submitted a survey of the existing pier houses in the Little Lagoon, other existing pier ordinances from local municipalities, Baldwin County, and Ono Island, and

provided pier house elevations and floor plans for a 750 square foot pier house. A summary of the results of the Little Lagoon pier house survey are as follows:

- An average pier structure size of 567 square feet
- The largest pier structure is 1,650 square feet, and
- 67% of the existing pier structures exceed 400 square feet

In terms of local ordinances regulating pier structures Ono Island limits pier structures to 1,600 square feet and 20 feet in height and the city of Magnolia Springs has a graduated scale for pier structures that is based on the width of the lot and allows pier structures to range in size from 600 to 1,600 square feet. Baldwin County, Orange Beach, Fairhope, Daphne, and Dauphin Island do not regulate pier structures.

A citizen wishing to build a pier and pier structure must also obtain a joint permit from the Army Corps of Engineers and the Alabama State Lands Division. The state and Federal regulations restrict the length of piers and establish setbacks for pier structures from adjacent properties but do not address the size of pier structures.

ANALYSIS: In staff's opinion the main issues regarding the size of a pier houses are aesthetics and protection of waterfront views. These two issues apply whether a pier house is on the Little Lagoon, Mobile Bay, or Bon Secour River; therefore staff proposes one standard for all areas of the City. The amount a pier house is enclosed by walls probably contributes to the attractiveness and how much a pier house blocks waterfront views more than the square footage or height of a pier house. Therefore, staff proposes no limitation on pier house height as originally requested by the applicants, increase the roofed area for pier houses from 400 to 800 square feet and add a new section stating the pier house shall be unenclosed except for a maximum 50 square foot enclosed area for storage. The current regulations do not restrict pier house height and do not provide for any enclosed storage area.

Below is the proposed zoning text amendment. Deletions are in ~~red and struck through~~ and proposed insertions are underlined in red.

§. Pier Structures. ~~An partially enclosed, A~~ roofed Structure may be built on a pier over a body of water provided that:

1. No portion of the Structure shall be enclosed by walls except for fifty (50) square feet which shall be used for storage purposes only the upper portions of the Structure may be enclosed by walls and that no portion of such walls shall be less than sixty (60) inches from the pier deck;
2. open railings, if used, do not extend to a height exceeding forty-two (42) inches above the pier deck;
3. the Structure shall contain no permanent facilities for toilets, bathing or cooking; and,
4. the roof shall not cover an area of more than 400-800 sf.

RECOMMENDATION: Staff recommends the City Council approve the zoning text amendment regarding pier houses.

Covered Pier Size Limit

Introduction - The current P&Z regulation for piers limits covered area to 400SF. A cover or roof structure for a modest size boat slip and lift with an access walkway requires over 500SF. If a covered gathering area is added, the total covered area exceeds 700SF. Also, the current regulation does not limit height which could obstruct views. We propose the current regulation be modified to allow 750SF covered areas and impose a height limit of 21' above mean water level.

Existing Ordinance - See **Attachment 1** for complete ordinance; Assume existing ordinance was written to: prohibit living spaces from being built on piers and preserve views

- 6.6.G Pier Structures - A partially enclosed roofed Structure may be built on a pier over a body of water provided that:
1. only the upper portion of the Structure may be enclosed by walls
 2. open railings, if used do not extend to a height exceeding 42"
 3. the Structure shall contain no permanent facilities for toilets, bathing, or cooking; and, the roof shall not cover an area of more than 400SF

Issues With Existing Ordinance

1. It does not specifically prohibit multiple 400SF roof structures on a pier.
2. The area limit of cover is too small (See **Attachment 2- A100.0**)
3. The area necessary to cover a 20' boat, motor with lift and 6' wide access walkway is approx. 520 SF)
4. The limited area all but prohibits having any modest sized covered area with boat/lift and seating area.
5. The regulation does not limit height which could obstruct views from adjacent homes
6. The regulation does not limit the number of covered areas on a single pier.

Practical Size Limits (See Attached 4 Drawings A100.0-A100.3)

20' Boat with Motor and lift covers 24'x12'	= 288SF
Boat walkway access and gathering area 24'x14'	= 336SF
<u>Allow Min. 1'-0" Roof overhang</u>	<u>= 104SF</u>
Total Area (26'x28')	= 728SF

Proposed Height Limit-1st flr. elev. average (new house) is approx.. EL16.0',
add 5'-0" to eye level = EL21.0'

Proposed Ordinance

6.6.G Pier Structures - A partially enclosed roofed Structure may be built on a pier over a body of water provided that:

1. only the upper portion of the Structure may be enclosed by walls
2. open railings, if used do not extend to at height exceeding 42"
3. the Structure shall contain no permanent facilities for toilets, bathing, or cooking; and,
4. the roof shall not cover more than **750sf and not extend more than 21' above mean water level.**
5. **if multiple covered areas are built on one pier, the total covered area shall not exceed 750SF.**

Existing Little Lagoon Pier Cover Sizes (Attachment 3)

1. Currently there are 167 covered piers on the Little Lagoon.
2. The average pier cover size on the Little Lagoon is 567SF.
3. The percentage of existing pier covers exceeding 400SF is 67%.
4. The percentage of existing pier covers exceeding 750SF is 24%.

Other Existing City and County Pier Regulations (Attachment 4)

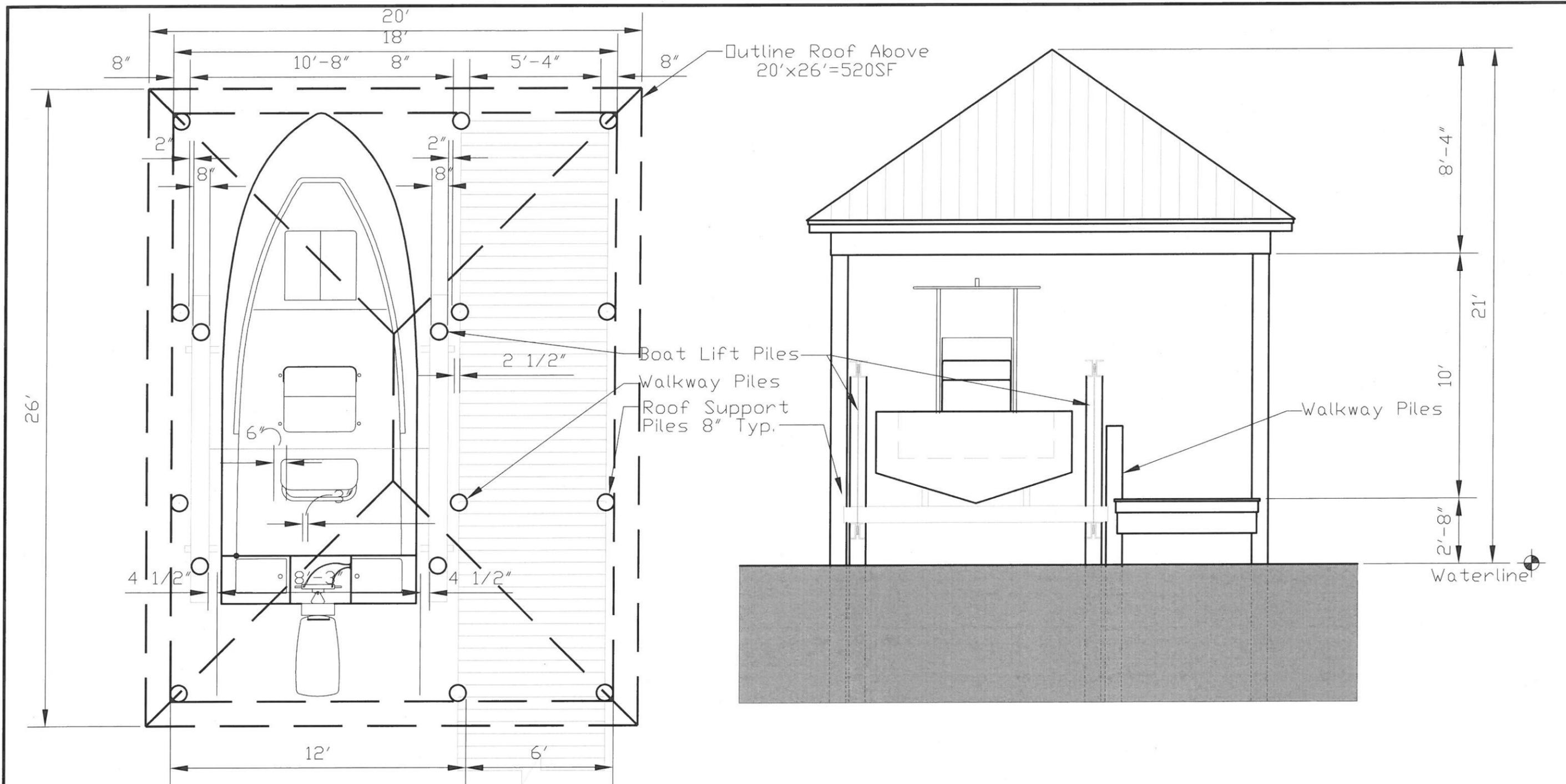
Orange Beach - None

Ono Island & Bayou St. John - 40' x 40' (1600SF) - 20' height (above high tide)

Magnolia Springs - 600SF for lots <50' wide, 900SF lots 50'-75' wide, 1200SF for lots 75-100' wide, 1600SF for lots >100' wide, and a boathouse width is limited to 45% of shoreline lot width

Baldwin County - None (except Ono Island Canal Lot piers)

Dauphin Island - None



1 Floor Plan for a Basic 20ft. Boat
A100.0
1/4" = 1'-0"

2 Elevation for a Basic 20ft. Boat
A100.0
1/4" = 1'-0"

SHEET NUMBER:
FLOOR PLAN
BASIC 20FT. BOAT

A100.0

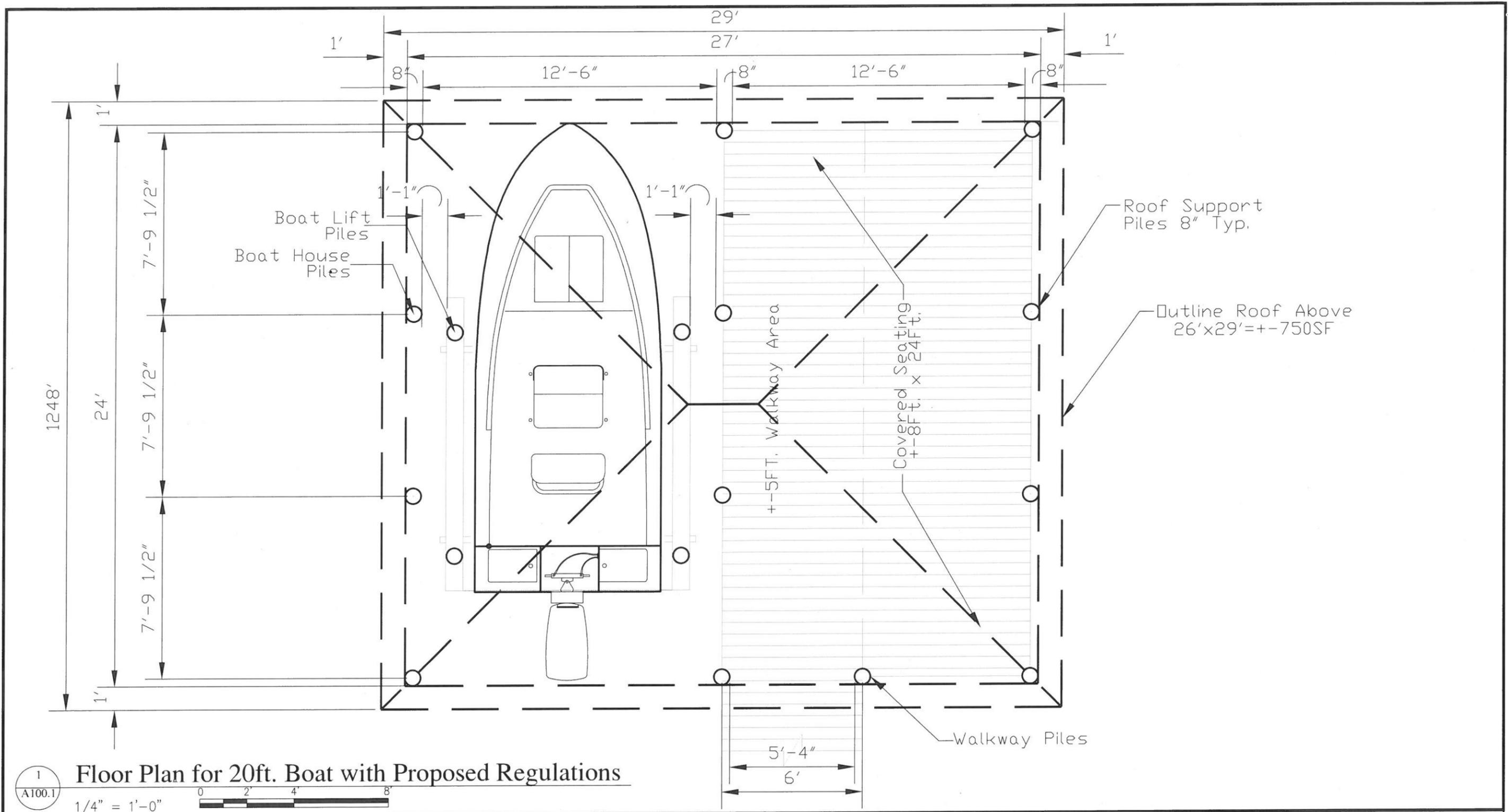
FILE NO	
DWG BY	dca
REVISION DATE	
DATE	16SEPT15

Proposed Pier and Boat House Regulation Amendment

City of Gulf Shores, Gulf Shores, AL 36542

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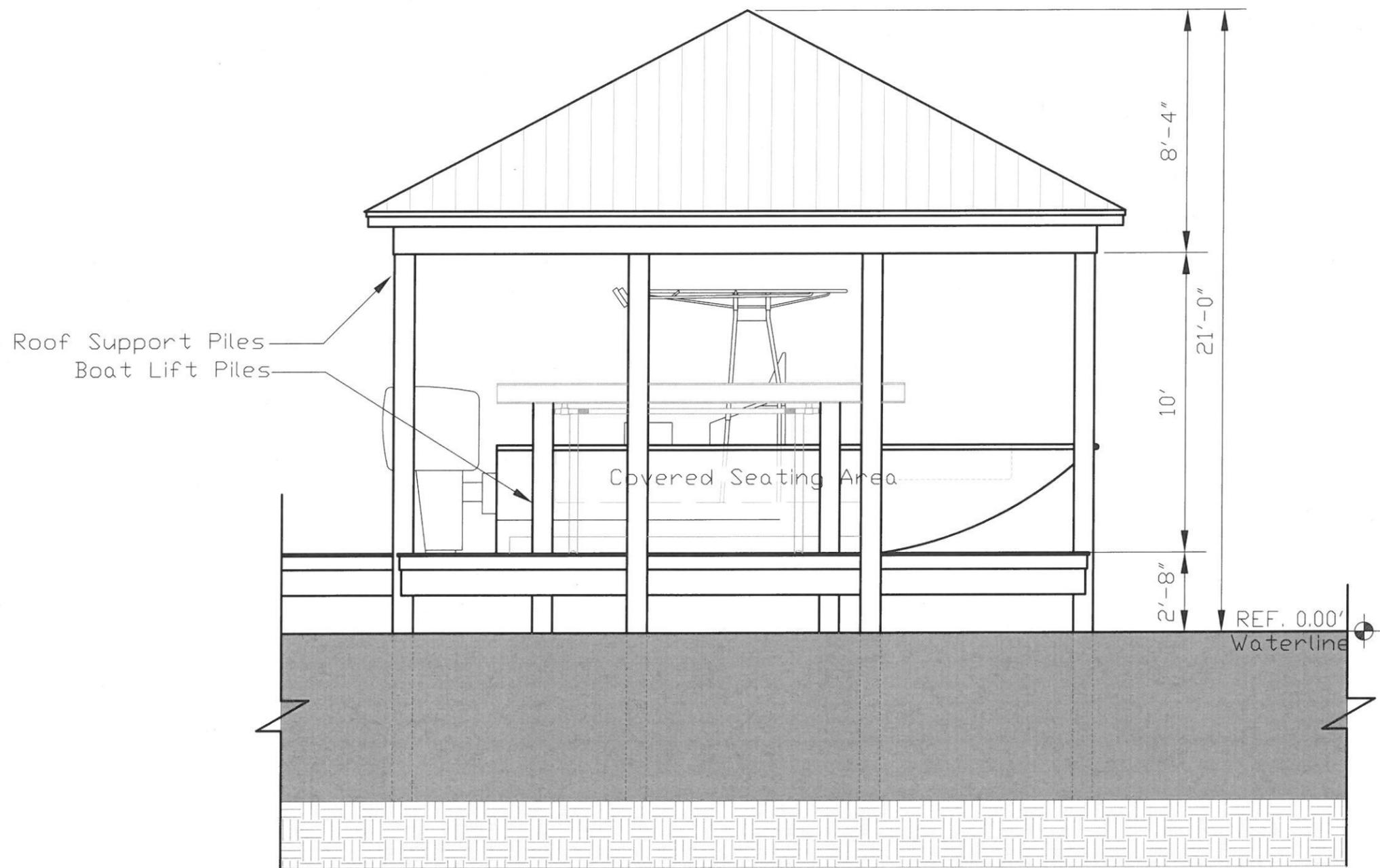
Floor Plan for 20ft. Boat with Proposed Regulations

SHEET NUMBER:
FLOOR PLAN
20FT. BOAT
WITH SEATING
AREA
A100.1

FILE NO	
DWG BY	dca
REVISION DATE	
DATE	16SEPT15

Proposed Pier and Boat House Regulation Amendment
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1 Elevation for 20ft. Boat with Proposed Regulations
 A100.0 1/4" = 1'-0"

SHEET NUMBER:
 SIDE
 ELEVATION
 20FT. BOAT
 WITH SEATING
 AREA
 A100.3

FILE NO	
DWG BY	dca
REVISION DATE	
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Pier house 1 = 1958 sq ft



Pier house 2 = 936 sq ft



Pier house 3 = 1232 sq ft



Pier house 4 = 620 sq ft



Pier house 5 = 366 sq ft



Panorama of Pier Houses