

**RESOLUTION NO. -22**

**A RESOLUTION  
APPROVING THE ISSUANCE OF A SITE PLAN / CONDITIONAL USE PERMIT  
FOR WATERWAY 101 AND SETTING FORTH FINDINGS OF FACT AND  
CONCLUSIONS, IN ACCORDANCE WITH REQUIREMENTS  
OF ARTICLE 3 OF ZONING ORDINANCE NO. 1584  
(ZA21-000051)**

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WHEREAS, the applicant seeks Site Plan / Conditional Use Permit (CUP) approval to develop seven, single-family cottages on a .37 acre parcel of land located at 101 East 22<sup>nd</sup> Avenue. The houses will all be 2-stories, with three, 3-bedroom houses and four, 2-bedroom houses; and

WHEREAS, the lot is a vacant grassed property located at 101 East 22<sup>nd</sup> Avenue and zoned R-4 Residential/High-Density Multiple-family District and is within the Waterway Village Overlay District; and

WHEREAS, single-family houses are permitted by “right” in the R-4 and Waterway Village Overlay District. The applicant seeks several deviations from the underlying R-4 and Waterway Village Overlay District regulations which requires Conditional Use Permit approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JANUARY 10, 2022 as follows:

**Section 1.** That the decision of the City Council to approve the Site Plan / CUP for Waterway 101 with conditions is in the public interest, based on the Standards for Approval in Article 3-4 C. of the Zoning Ordinance.

1. The plan is in accordance with applicable requirements of this Ordinance, including that the proposed use is designated as a Conditional Use within the Applicable District.
2. The development plan shall receive all applicable state and federal approvals and permits.
3. The proposed site development plan is compatible with the goals and stated plans of the City and other governmental agencies for the area, as applicable
4. The proposed use provides economic benefits and enhances the economic vitality of the surrounding area.
5. The proposed use, if granted, will not burden the infrastructure and street system of the City.
6. The proposed use will not diminish environmental quality of natural resources.
7. The proposed use and Site Plan is compatible with surrounding uses and buildings by virtue of its massing, height, relationship to the street, and architectural character.
8. The use will not cause any injury to the value of other property in the vicinity.
9. The use is so designed, located and proposed to be operated that the public health, safety, welfare and convenience will be protected from any noise, vibration, odor, glare, traffic, or other impact that may be caused by the use.

10. The buildings meet the architectural standards of the City and design guidelines, as applicable.
11. Adequacy of landscaping and screening is provided to protect neighboring properties from any visual intrusions, activities or structures that would detract from the enjoyment of neighboring property.
12. Adequacy of parking and loading arrangement, including whether ingress and egress is so designed as to cause minimum interference with traffic on abutting streets, and that heavy traffic is not introduced on residential streets.

**Section 2:** Therefore, in accordance with the Zoning Ordinance, the City Council hereby approves the issuance of a Conditional Use Permit for ZA21-000051 for Waterway 101, located at 101 East 22<sup>nd</sup> Avenue in Gulf Shores, Alabama, to construct 7 single-family houses on 0.37 acres with the following conditions:

1. The setbacks for the houses shall be listed in the site data table (rear 4', street side 20', interior side 20').
2. The City Council approves the construction of 5 on-street parking spaces in the East 22<sup>nd</sup> Avenue right-of-way in accordance with the Waterway Village Overlay District Thoroughfare Plan.
3. To allow the following deviations from the underlying R-4 and Waterway Village Overlay Zone Regulations:
  - a) To allow More Than 1 Principal Building on the Lot;
  - b) To allow the site plan to vary from the minimum rear yard setback, and interior and street side yard setbacks; and
  - c) To allow 31% Building Coverage.

**Section 3.** That this Resolution shall become effective upon its adoption.

ADOPTED this 10<sup>th</sup> day of January, 2022.

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Robert Craft  
Mayor

ATTEST:

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Wanda Parris, MMC  
City Clerk

C E R T I F I C A T E

I, Wanda Parris, MMC, City Clerk of the City of Gulf Shores, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. -22 (prepared by City Clerk), which Resolution was duly and legally adopted at a regular meeting of the City Council on January 10, 2022.

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City Clerk