



## Baldwin County Planning & Zoning Commission Agenda

Thursday, November 3, 2016  
6:00 p.m.  
Baldwin County Central Annex  
Main Auditorium  
22251 Palmer Street  
Robertsdale, Alabama  
[www.planning.baldwincountyal.gov](http://www.planning.baldwincountyal.gov)

1. **Call to order.**
2. **Invocation and prayer.**
3. **Pledge of Allegiance.**
4. **Roll call.**
5. **Approval of meeting minutes:**
  - October 6, 2016, meeting
6. **Announcements/Registration to address the Commission.**
7. **Consideration of Applications and Requests: Subdivision Cases**

a.) **Case S-16043, Global Signal Acquisitions Subdivision  
Development Permit Approval**

Disclosure of Prior Outside Communication –Pursuant to Article VI,  
Section 15(b), Planning Commission By-Laws

*Purpose:* The applicant is requesting Development Permit Approval  
for a 2-lot subdivision.

*Location:* The subject property is located on the south side of Patterson Road approximately 1.25 east of Wilcox Road.

**b.) Case S-16044, Charlie Vaughn Farms Development Permit Approval**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws*

*Purpose:* The applicant is requesting Development Permit Approval for a 7-lot subdivision.

*Location:* The subject property is located on the west side of County Road 64 Ext., just south of Truck Route 17.

**c.) Case S-16047, Silver Lake Subdivision Development Permit Approval**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws*

*Purpose:* The applicant is requesting Development Permit approval for a 23-lot subdivision.

*Location:* The subject property is located on the northeast corner of the intersection of County Road 48 and West Blvd. in the Silverhill area.

**8. Consideration of Applications and Requests: Re-Zoning Cases**

**a.) Case Z-16037, CSU Properties, LLC**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws*

*Purpose:* The applicant is requesting to rezone 4.4 acres from RA to B-4 to allow for future commercial use of the property.

*Location:* The subject property is located on the south side of Roscoe Road adjacent to the Columbia Southern Campus, in Planning District 30.

**b.) Case Z-16038 Biebricher Property**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws*

*Purpose:* The applicant is requesting to rezone 1.10 acres from RSF-1 to RSF-2 to allow the subdivision of the parcel.

*Location:* The subject property is located on the north-west corner of the intersection of James Road and Brinks Willis Road, in Planning District 30.

**c.) Case Z-16039 Sanders Property**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws*

*Purpose:* The applicant is requesting to rezone 17 acres from RA to RR to allow storage building to be sold on the property.

*Location:* The subject property is located on the west side of State Highway 181, across from Belgrove Avenue, in Planning District 15.

**d.) Case Z-16040 Malbis Plantation, Inc. Property**

*Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws*

*Purpose:* The applicant is requesting to rezone 77.54 acres of a 119.128-acre parcel from RSF-1 to RSF-3 to allow the future subdivision of the parcel into 80' wide, 12,000 square foot lots.

*Location:* The subject property is located on the east side of County Road 13, adjacent to Sehoy Subdivision, in Planning District 15.

**9. Public Comment:**

**10. Old Business:**

**11. New Business:**

**12. Reports and Announcements:**

Next Regular Meeting: December 1, 2016

Staff Reports

Legal Counsel Report

**13. Adjournment**

**Baldwin County Planning and Zoning Commission**  
**Agenda Item 7.a**  
**Case No. S-16043 – Global Signal Acquisitions Subdivision**  
**Development Permit Approval**  
Staff Report for Planning and Zoning Commission Public Hearing  
**November 3, 2016**

---

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

**I. PUBLIC HEARINGS:**

**Planning Commission:** November 3, 2016 Development Permit Approval Pending

**Attachments:** Vicinity Map  
Site Map  
Proposed Plat

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

**Planning District:** District 13 – Unzoned

**Location of Property:** The subject property is located on the south side of Patterson Road approximately 1.25 miles east of Wilcox Road.

**Parcel Number:** 05-40-04-17-0-000-002.000

**Report Prepared By:** Seth Peterson; Permit/Subdivision Manager

**III. SUBDIVISION PROPOSAL:**

**Proposed number of Lots:** 2

**Linear Feet of Streets:** N/A – Lots front existing street

**Total Acreage:** ± 16.59 acres

**Smallest Lot Size:** ± 5.96 acres

**Owner/Developer:** Global Signal Acquisitions IV LLC  
2000 Corporate Drive  
Canonsburg, PA 15317

**Engineer/Surveyor:** Bailey Land Group  
2170 Clearbrook Road  
Hoover, AL 35226

**Request:** The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

**IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:**

**Public Utilities Services:**      Water:            East Central Baldwin County  
   Sewer:            Septic Tanks  
   Electricity:      Baldwin EMC  
   Telephone:      CenturyLink

**Transportation:**                      Each lot in this proposed subdivision will have frontage on and access to an existing County maintained road.

**V. STAFF COMMENTS:**

Items for consideration:

A current title policy, title opinion or title report has not been provided to our office as required by Section 4.6.1(g) of the Baldwin County Subdivision Regulations.

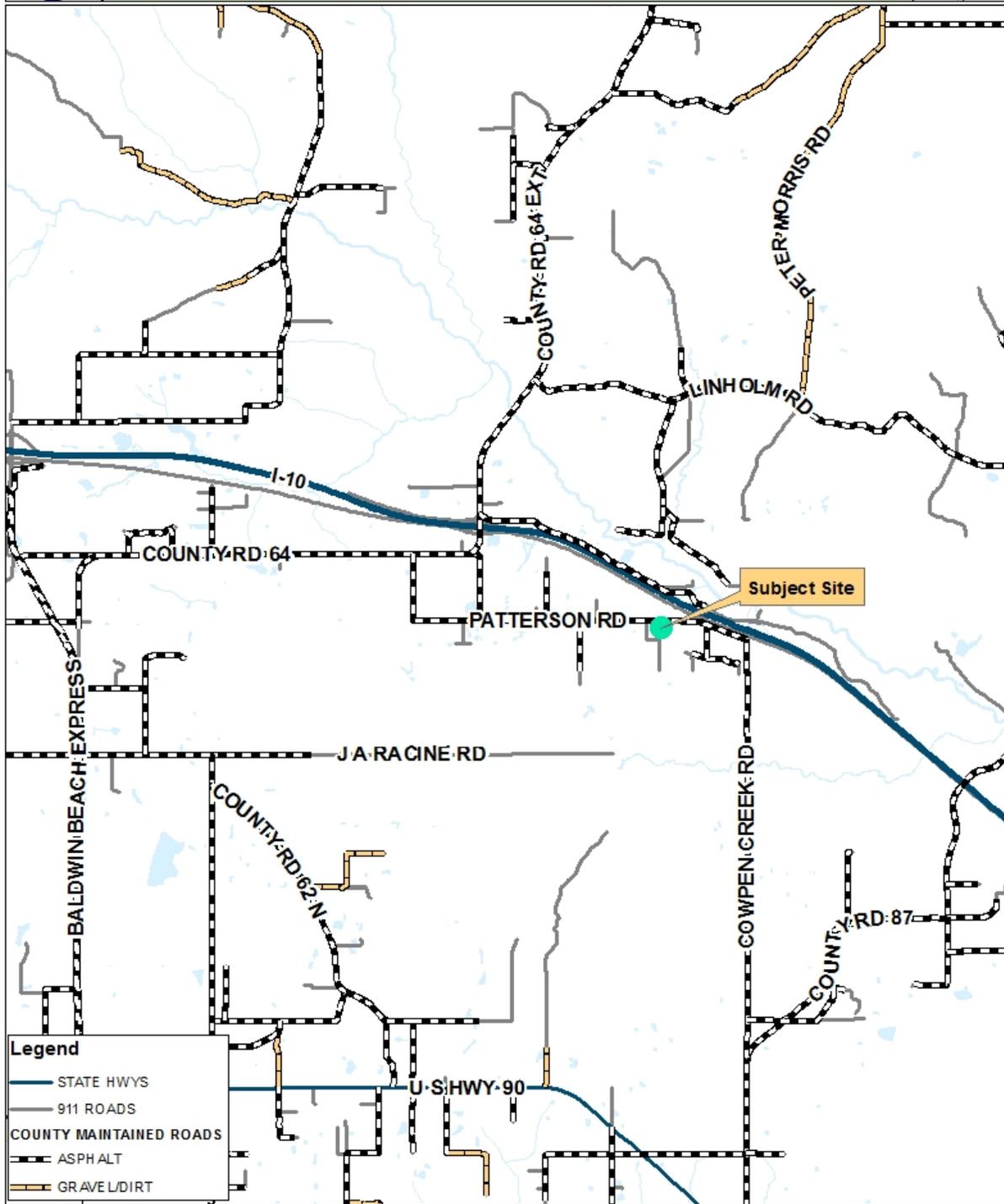
**VI. RECOMMENDATIONS:**

Staff recommends that the Development Permit for Case No. S-16043, Global Signal Acquisitions Subdivision, be **DENIED** due to the above-mentioned deficiency.

If this item is provided before the Planning Commission meeting, then the staff's recommendation would be to approve the Development Permit.



# Global Signal Acquisitions Subdivision Vicinity Map





# Global Signal Acquisitions Subdivision Site Map





**Baldwin County Planning and Zoning Commission**  
**Agenda Item 7.b**  
**Case No. S-16044 – Charlie Vaughan Farms**  
**Development Permit Approval**  
Staff Report for Planning and Zoning Commission Public Hearing  
**November 3, 2016**

---

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

**I. PUBLIC HEARINGS:**

**Planning Commission:** November 3, 2016 Development Permit Approval Pending

**Attachments:** Vicinity Map  
Site Map  
Proposed Plat

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

**Planning District:** District 13 – Unzoned

**Location of Property:** The subject property is located on the west side of County Road 64 Ext just south of Truck Route 17.

**Parcel Number:** 05-35-03-08-0-000-001.000

**Report Prepared By:** Seth Peterson; Permit/Subdivision Manager

**III. SUBDIVISION PROPOSAL:**

**Proposed number of Lots:** 7

**Linear Feet of Streets:** N/A – Lots front existing street

**Total Acreage:** ± 53 acres

**Smallest Lot Size:** ± 3.96 acres

**Proposed Use:** Residential

**Owner/Developer:** VLI LLC  
PO Box 2468  
Daphne, AL 36526

**Engineer/Surveyor:** J Pierce and Associates LLC – Jacob Pierce  
16116 Old Ganey Road  
Bay Minette, AL 36507

**Request:** The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

**IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:**

**Public Utilities Services:** Water: East Central Baldwin County  
Sewer: Septic Tanks  
Electricity: Baldwin EMC  
Telephone: AT&T

**Transportation:** Each lot in this proposed subdivision will have frontage on and access to an existing County maintained road.

**V. STAFF COMMENTS:**

Items for consideration:

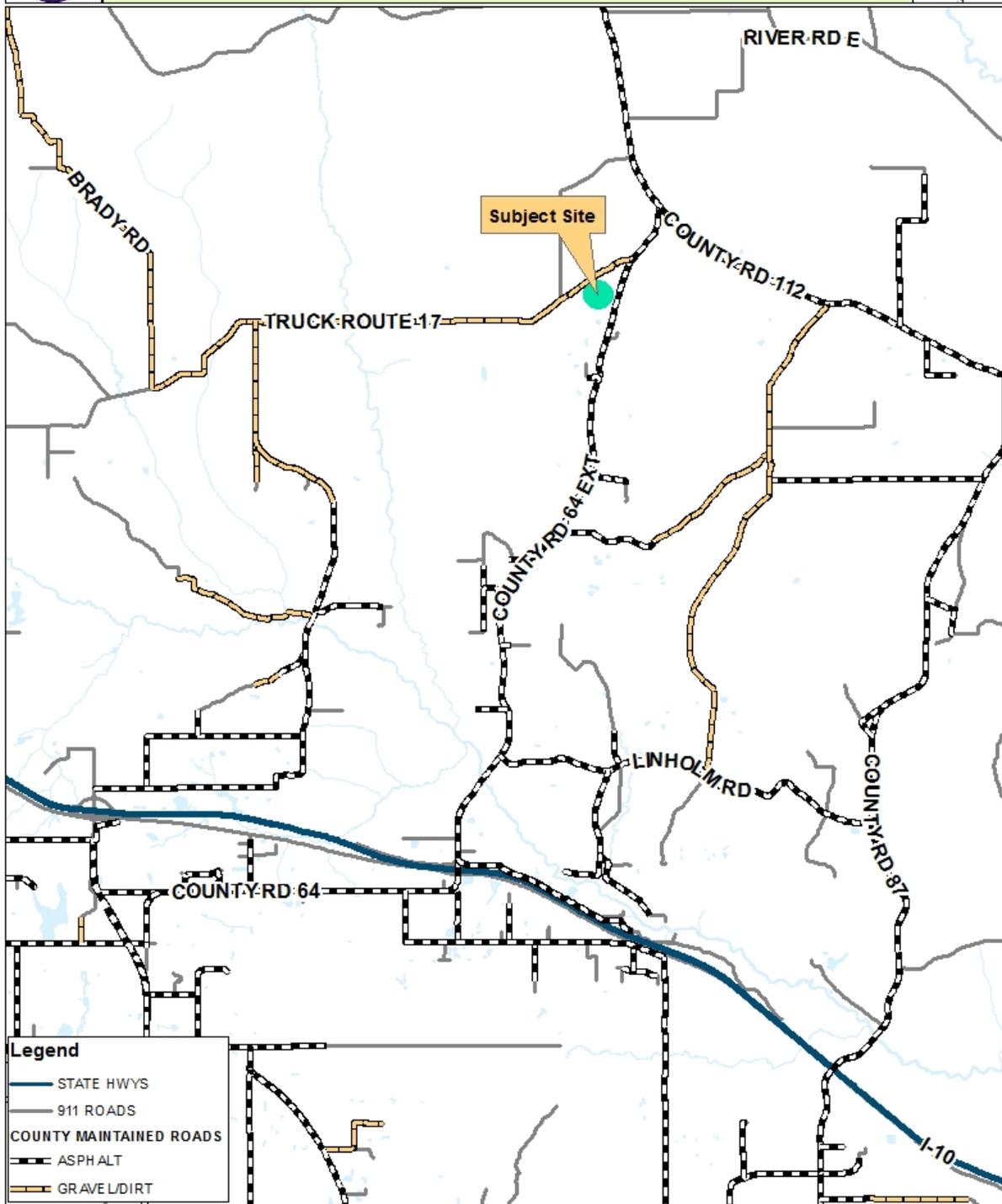
All items of the Subdivision Regulations have been met.

**VI. RECOMMENDATIONS:**

Staff recommends that the Development Permit for Case No. S-16044, Charlie Vaughan Farms, be **APPROVED.**

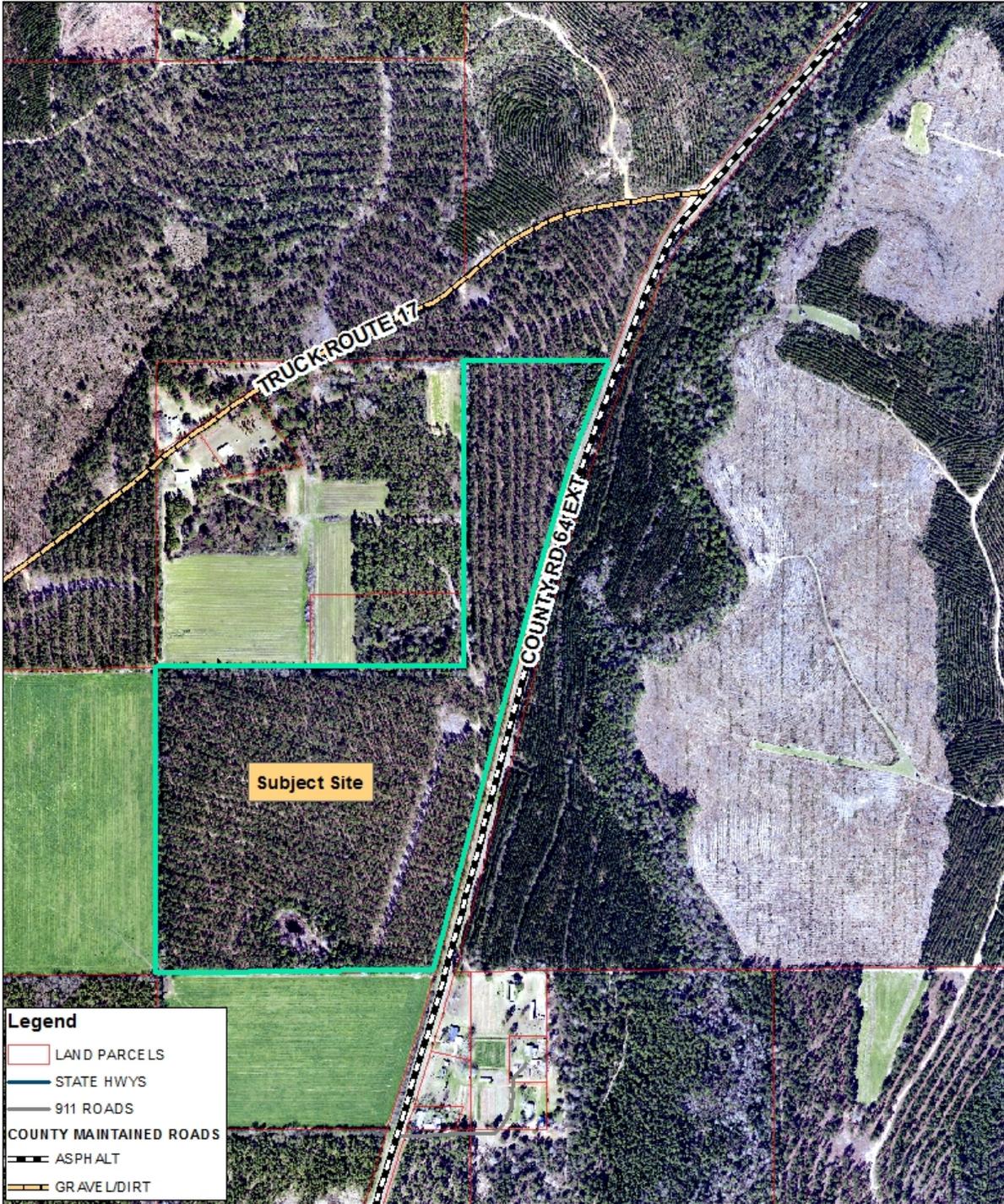


# Charlie Vaughan Farms Vicinity Map





# Charlie Vaughan Farms Site Map





Baldwin County Planning and Zoning Commission  
Agenda Item 7.c  
Case No. S-16047 – Silver Lakes Subdivision  
Development Permit Approval  
Staff Report for Planning and Zoning Commission Public Hearing  
November 3, 2016

---

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

**I. PUBLIC HEARINGS:**

**Planning Commission:** November 3, 2016 Development Permit Approval Pending

**Attachments:** Vicinity Map  
Site Map  
Proposed Plat

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

**Planning District:** District 14 – Unzoned

**Location of Property:** The subject property is located on the northeast corner of the intersection of County Road 48 and West Blvd in the Silverhill area.

**Parcel Number:** 05-47-05-15-0-000-013.000

**Report Prepared By:** Seth Peterson; Permit/Subdivision Manager

**III. SUBDIVISION PROPOSAL:**

**Proposed number of Lots:** 23

**Linear Feet of Streets:** +/- 1,229 feet

**Total Acreage:** ± 34.03 acres

**Smallest Lot Size:** ± 25,393 acres

**Owner/Developer:** Guilford Barnard  
16707 Barnard Road  
Summerdale, AL 36580

**Surveyor:** Raber Surveying  
14613-A Raber Road  
Summerdale, AL 36580

**Request:** The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

**IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:**

**Public Utilities Services:**      Water:            On-site Wells  
   Sewer:            Baldwin County Sewer Service  
   Electricity:      Baldwin EMC  
   Telephone:      CenturyLink

**Transportation:**                    A new street is proposed off West Boulevard to provide access to many of the new lots. The other lots will front on either West Blvd or County Road 48. Common driveways will be utilized on West Blvd and County Road 48.

**V. STAFF COMMENTS:**

Items for consideration:

The following items are deficient:

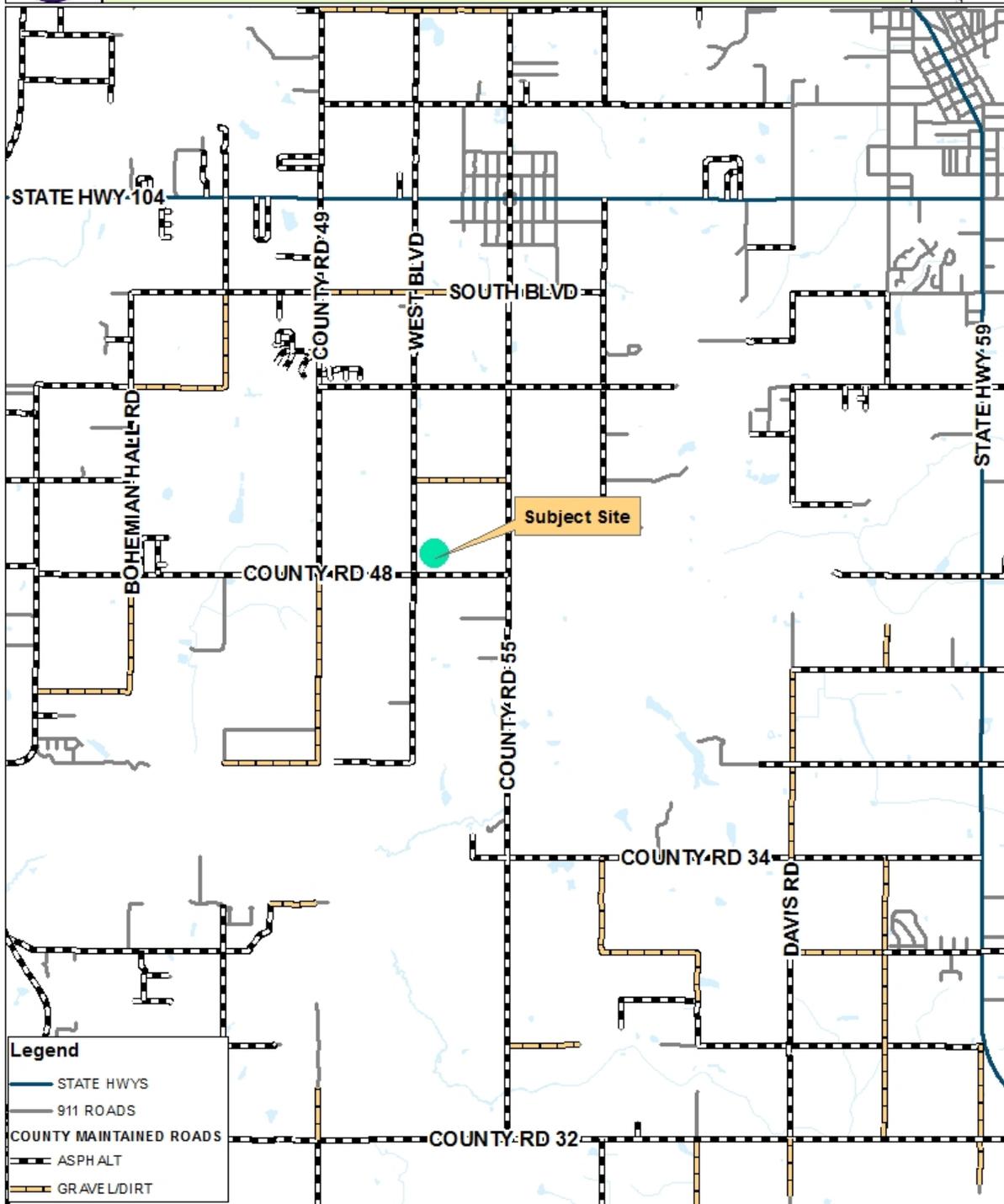
- The street name shown on the proposed plat has not been approved by E-911 addressing.
- A generalized drainage plan has not been provided to our office
- A revised plat has not been provided showing:
  - Approved street name
  - Surveyor's certificate and license information
  - Highway Construction Setback
  - Drainage and utility easements along the side lot lines
  - Island at the entrance needs to be called out as common area (if used for decorative purposes)

**VI. RECOMMENDATIONS:**

Staff recommends that the Development Permit for Case No. S-16047, Silver Lakes Subdivision, be **DENIED** due to the above-mentioned deficiencies.



# Silver Lake Subdivision Vicinity Map





# Silver Lake Subdivision Site Map







# Baldwin County Planning & Zoning Department

## Baldwin County Planning Commission Staff Report

### Agenda Item 8.a

Case No. Z-16037

### CSU Properties LLC Property

Rezone RA, Rural Agricultural District to B-4, Major Commercial District

November 3, 2016

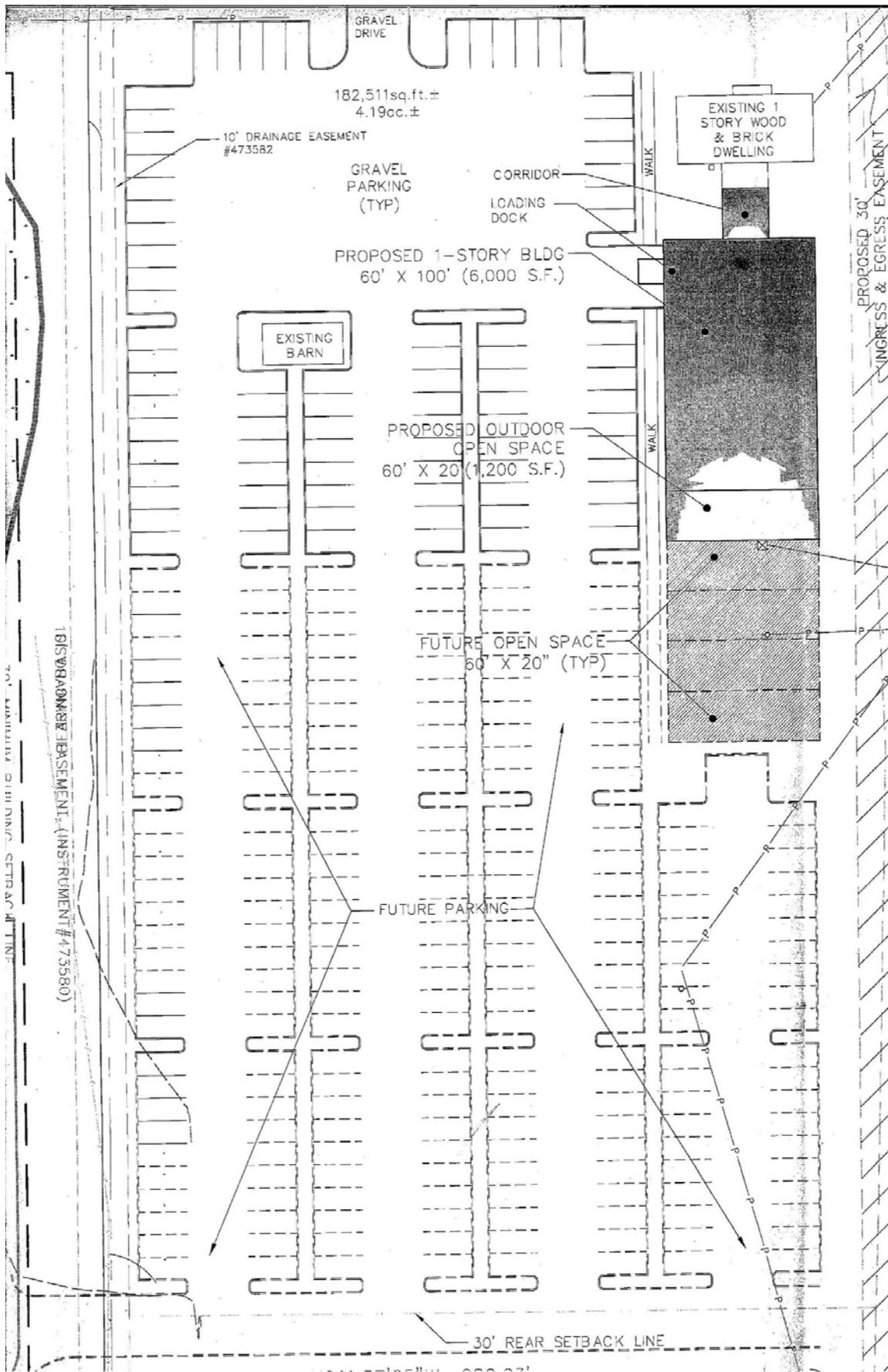
## Subject Property Information

**Planning District:** 30  
**General Location:** Corner of University Land and Roscoe Road (adjacent to Columbia Southern University)  
**Physical Address:** 7293 Roscoe Road  
**Parcel Number:** 05-61-06-23-0-000-018.004  
**Existing Zoning:** RA, Rural Agricultural District  
**Proposed Zoning:** B-4, Major Commercial District  
**Existing Land Use:** Residential  
**Proposed Land Use:** Storage Building/Parking Lot  
**Acreage:** 4.4± acres  
**Applicant:** Ken Gates, Gates Builders, Inc.  
 PO Box 6247  
 Gulf Shores, AL 36542  
**Owner:** CSU Properties LLC  
 21982 University Lane  
 Orange Beach, AL 36561  
**Lead Staff:** Linda Lee, Planner  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Vacant	RA, Rural Agricultural District
South	Residential	RA, Rural Agricultural District
East	Residential	RA, Rural Agricultural District
West	Columbia Southern University	City of Orange Beach

## Summary

The subject property is currently zoned RA, Rural Agricultural District, and is occupied with a single family dwelling and two accessory structures. The requested designation is B-4, Major Commercial District. According to the submitted information, the purpose of this request is to allow for a storage building for supplies and books and a future parking lot for overflow parking for the university.



## Section 3.2 RA Rural Agricultural District

3.2.1 *Generally.* This zoning district provides for large, open, unsubdivided land that is vacant or is being used for agricultural, forest or other rural purposes.

3.2.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Outdoor recreation uses.
- (d) The following general commercial uses: animal clinic and/or kennel; farm implement sales; farmers market/truck crops; nursery; landscape sales; country club.
- (e) The following local commercial uses: fruit and produce store.
- (f) The following institutional uses: church or similar religious facility; school (public or private).
- (g) Agricultural uses.
- (h) Single family dwellings including manufactured housing and mobile homes.
- (i) Accessory structures and uses.

3.2.3 *Special exceptions.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as special exceptions:

- (a) The following general commercial uses: recreational vehicle park (see *Section 13.9: Recreational Vehicle Parks*).
- (b) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

3.2.4 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.

3.2.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	3 Acres
Minimum Lot Width at Building Line	210-Feet
Minimum Lot Width at Street Line	210-Feet

3.2.6 *Area and dimensional modifications.* Within the RA district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status.

Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	40,000 Square Feet
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	120-Feet

## Proposed Zoning Requirements

### Section 5.4 B-4, Major Commercial District

5.4.1 *Purpose and intent.* The B-4, Major Commercial District, is intended for business uses which require a location with access to an arterial or major collector road (as defined by the Functional Classification System attached as Appendix) or which have close proximity to major intersections. Due to the nature of the businesses permitted within the B-4 district, this zoning designation should be limited to property fronting on principal arterials, major arterials or minor arterials. Ingress and egress to a roadway should promote safe and smooth traffic flow for the general traveling public. It is also the intent of this district to provide areas for businesses which, because of their intensity, outside storage areas, or large volumes of traffic, would have significant negative impacts on adjoining properties. These uses often have an actual or potential negative impact on surrounding properties due to late hours of operation, noise, and or light.

5.4.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-4, Major Commercial District:

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>(a) All uses permitted by right under the B-3 zoning designation</li> <li>(b) Amusement park</li> <li>(c) Auto convenience market</li> <li>(d) Automobile parts sales</li> <li>(e) Automobile repair (mechanical and body)</li> <li>(f) Automobile sales</li> <li>(g) Automobile service station</li> <li>(h) Automobile storage (parking lot, parking garage)</li> <li>(i) Boat sales and service</li> <li>(j) Building materials</li> <li>(k) Farm implements</li> </ul> | <ul style="list-style-type: none"> <li>(l) Flea market</li> <li>(m) Home improvement center</li> <li>(n) Hotel or motel</li> <li>(o) Manufactured housing sales, service and repair</li> <li>(p) Marina</li> <li>(q) Motorcycle sales service and repair</li> <li>(r) Movie theatre</li> <li>(s) Recreational vehicle park</li> <li>(t) Recreational vehicle sales, service and repair</li> <li>(u) Restaurant, drive-in</li> <li>(v) Restaurant, fast food</li> </ul> |
|---|--|

5.4.3 *Conditional uses.* The following uses are permissible as conditional uses in the B-4, Major Commercial District, subject to the standards and procedures established in *Section 18.11: Conditional Uses*:

- (a) Airport
- (b) Ambulance/EMS service
- (c) Armory
- (d) Auditorium, stadium, coliseum
- (e) Barge docking
- (f) Broadcasting station
- (g) Bus and railroad terminal facility
- (h) College or university
- (i) Convalescent or nursing home
- (j) Correctional or penal institution
- (k) Dog pound
- (l) Electric power substations
- (m) Freight depot, rail or truck
- (n) Hospital
- (o) Landfill
- (p) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies
- (q) Race track
- (r) Radio and television station and transmitting tower
- (s) Railroad facility
- (t) Sewage treatment plant
- (u) Taxi dispatching station
- (v) Taxi terminal
- (w) Telephone exchange
- (x) Water or sewage pumping station
- (y) Water storage tank
- (z) Wireless telecommunication facility
- (aa) Zoo

5.4.4 *Area and dimensional ordinances.*

Maximum Height of Structure in Feet	40
Maximum Height of Structure in Habitable Stories	3
Minimum Front Yard	40-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.70
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

5.4.5 *Lighting standards.* The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

5.4.6 *Distance between structures.* If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

5.4.7 *Landscaping and buffering.* All B-4, Major Commercial District, uses shall meet the requirements of *Article 17, Landscaping and Buffers*.

**Baldwin County Highway Department:**

**From:** Frank Lundy

**Sent:** Tuesday, October 18, 2016 3:59 PM

**To:** D Hart <[DHart@baldwincountyal.gov](mailto:DHart@baldwincountyal.gov)>

**Cc:** Audra Mize <[AMIZE@baldwincountyal.gov](mailto:AMIZE@baldwincountyal.gov)>

**Subject:** FW: Z-16037 Frank Lundy.docx

Traffic impacts to Roscoe Rd will need to be reviewed if approved. Access to Roscoe Rd in relation to 90 deg curve and intersection of University Ln will need close review.

Thanks,

Frank

**Army Corps of Engineers:** No comments received.

**ADEM:** No comments received.

**Baldwin County Subdivision Department:**

**From:** Seth L. Peterson

**Sent:** Monday, October 17, 2016 1:22 PM

**To:** D Hart <[DHart@baldwincountyal.gov](mailto:DHart@baldwincountyal.gov)>

**Cc:** Laurie Rumbaugh <[LRUMBAUGH@baldwincountyal.gov](mailto:LRUMBAUGH@baldwincountyal.gov)>

**Subject:** RE: Z-16037 Seth Peterson.docx

I do not have any comments for this case.

Thanks,

Seth

**Municipality:**

**From:** Andy Bauer [<mailto:abauer@gulfshoresal.gov>]

**Sent:** Monday, October 17, 2016 2:18 PM

**To:** D Hart <[DHart@baldwincountyal.gov](mailto:DHart@baldwincountyal.gov)>

**Subject:** RE: Z-16037

Thanks DJ we have no objection to this rezoning request.

**Andy Bauer, AICP**

Director of Planning & Zoning

P.O. Box 299

205 Clubhouse Drive Suite B

Gulf Shores, Alabama 36542

[www.gulfshoresal.gov](http://www.gulfshoresal.gov)

## Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

### 1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

The subject property is currently zoned RA, Rural Agricultural District, and is occupied with a dwelling and two accessory structures. The requested designation is B-4, Major Commercial District. The adjacent property to the west is Columbia Southern University which proposes to use this property for storage and overflow parking.

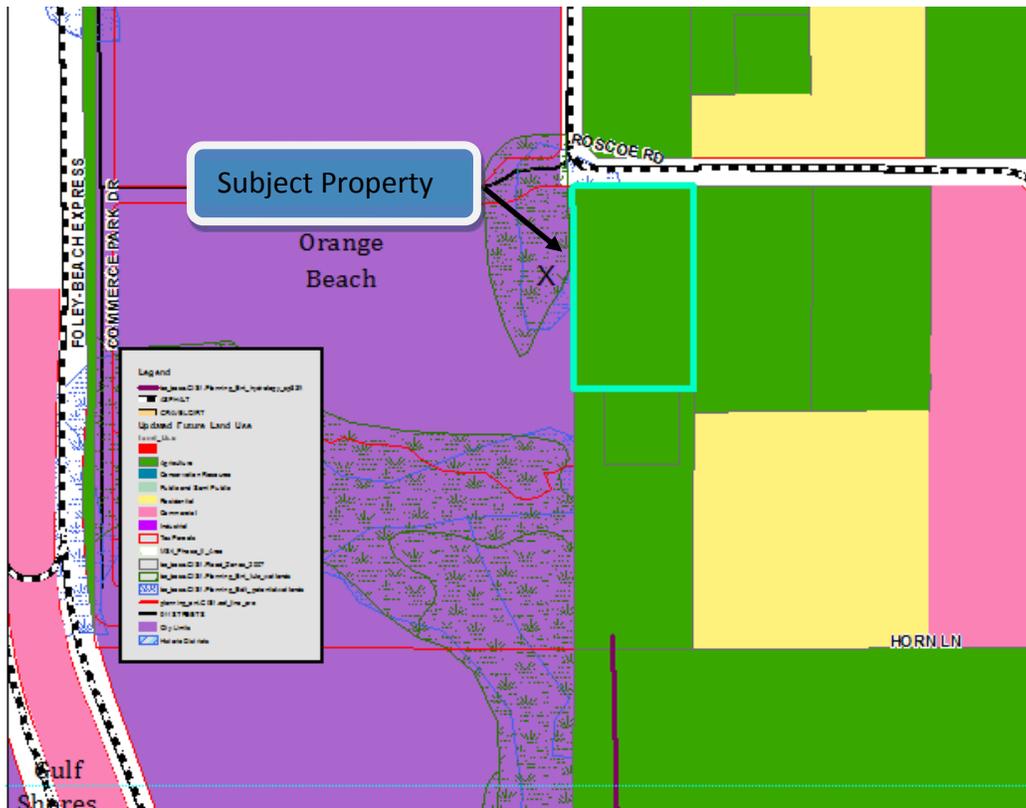
### 2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Planning District 30 was zoned in February 1995. Since that time the Foley Beach Express was completed. In February 2007 parcel number 61-05-22-0-000-005.000 consisting of approximately 80 acres was rezoned from RA to M-1 for a commercial park (case Z-06056). At that time the property was owned by the City of Orange Beach. The property has since been subdivided and annexed into the city. Baldwin County EMC owns 20 acres and Columbia Southern University owns the 20 acres south of Baldwin County EMC. Both parcels have been developed.



### 3.) Does the proposed zoning better conform to the Master Plan?

The Baldwin County Master Plan, 2013, provides a future land use designation of Agriculture for the subject property. This category provides for single family dwellings, **institutional uses**, recreational uses, limited commercial uses which are intended to serve a rural area and transportation, communication and utility uses are also included subject to the requirements found within the Zoning Ordinance. *This category is designed to protect the essential open character of rural areas until it is timely to reclassify the land to appropriate residential, commercial or industrial categories.*



**4.) Will the proposed change conflict with existing or planned public improvements?**

No conflicts.

**5.) Will the proposed change adversely affect traffic patterns or congestion?**

University Lane is maintained by the city of Orange Beach. Roscoe Road is a county maintained Road. Per the Baldwin County Highway Department - Traffic impacts to Roscoe Road will need to be reviewed if approved. Access to Roscoe Road in relation to 90 degree curve and intersection of University Lane will need close review.

**6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**

Properties to the west although now in the City of Orange Beach were zoned M-1, Light Industrial by the county in 2007. According to the submitted information, the purpose of this request is to allow for a storage building and future overflow parking for the university.

**7.) Is the proposed amendment the logical expansion of adjacent zoning districts?**

See response to item number 6 which is listed above.

**8.) Is the timing of the request appropriate given the development trends in the area?**

Yes.

**9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?**

Staff anticipates no adverse impacts.

**10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?**

Staff anticipates no adverse impacts.

**11.) Other matters which may be appropriate.**

A 25-foot buffer will be required between the adjacent properties to the east and south.

**Staff Comments and Recommendation**

As stated previously, the subject property is currently zoned RA, Rural Agricultural District, and is occupied with a single family dwelling and two accessory structures. The requested designation is B-4, Major Commercial District. According to the submitted information, the purpose of this request is to allow for a storage building for supplies and books and a future parking lot for overflow parking for the university.

Unless information to the contrary is revealed at the public hearing, this rezoning application should be recommended for **APPROVAL**.\*

*\*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*

Property Images





**ADJOINING VACANT  
PROPERTY TO THE NORTH**

10/13/2016

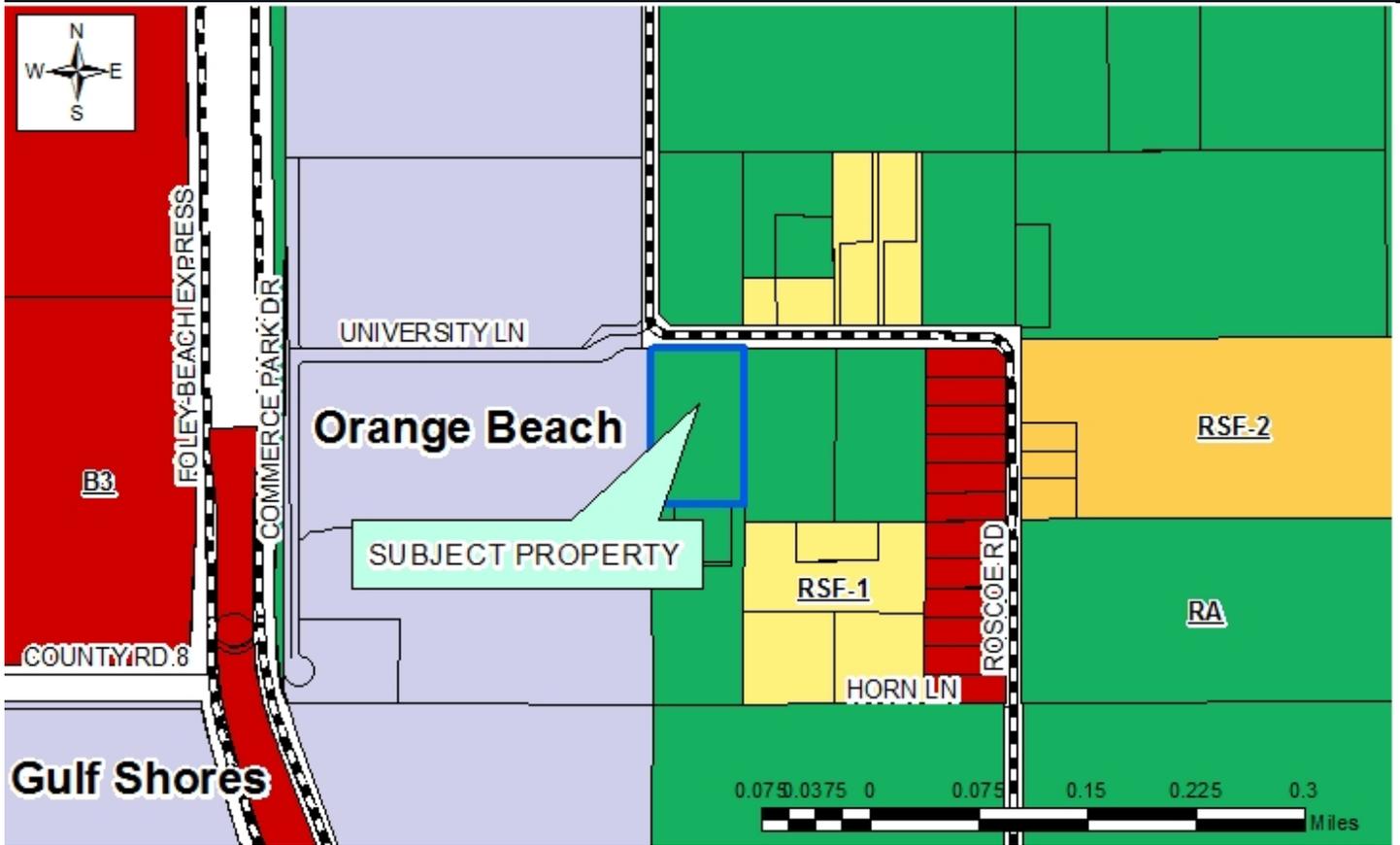


**ADJOINING RESIDENCE  
TO THE EAST**

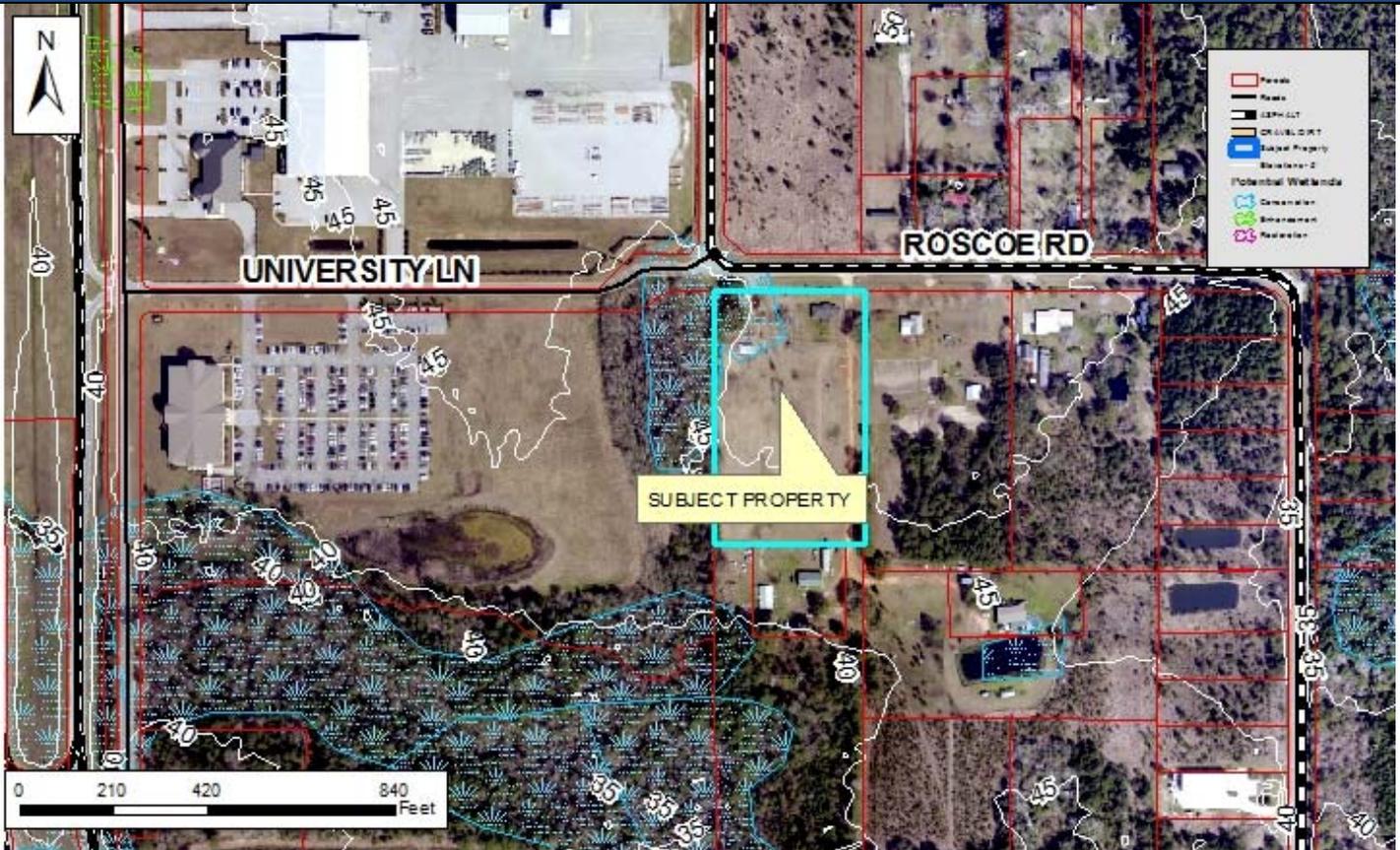
10/13/2016



### Locator Map



### Site Map





# Baldwin County Planning & Zoning Department

## Baldwin County Planning Commission Staff Report

**Agenda Item 8.b**  
**Case No. Z-16038**  
**Biebricher Property**  
**Rezone RSF-1, Single Family District, to RSF-2, Single Family District**  
**November 3, 2016**

### Subject Property Information

**Planning District:** 30  
**General Location:** Northwest corner of James Rd. and Brinks Willis Rd  
**Physical Address:** 8529 James Rd, Foley, AL  
**Parcel Number:** 05-61-05-16-0-001-024.000  
**Existing Zoning:** RSF-1, Single Family District  
**Proposed Zoning:** RSF-2, Single Family District  
**Existing Land Use:** Single Family  
**Proposed Land Use:** Single Family (Family Division of Property)  
**Acreage:** 1.10 acres, more or less  
**Applicants:** Monty Gilbert  
 24951 Perdido Beach Blvd  
 Orange Beach, AL 36561  
**Owner:** Harold and Geraldine Biebricher  
 234 Wooten Dr.  
 Canton, GA 30114  
**Lead Staff:** Celena Boykin, Planner  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential	RA, Rural Agriculture District
South	Residential	RSF-1, Residential Single Family
East	Argiculture	City of Foley
West	Residential	RSF-1, Residential Single Family
<b>Summary</b>		

The subject property, which consists of approximately 1.10 acres, is currently zoned RSF-1, Single Family District. The applicant is requesting rezoning to RSF-2, Single Family District, in order to facilitate a family division of the property.

## Current Zoning Requirements

### Section 4.2 RSF-1, Single Family District

4.2.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a low density residential environment consisting of single family homes on large lots.

4.2.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.2.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.2.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

4.2.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	30,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Minimum Lot Width at Street Line	50-Feet
Maximum Ground Coverage Ratio	.35

## Proposed Zoning Requirements

### Section 4.3 RSF-2, Single Family District

4.3.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a moderate density residential environment consisting of single family homes.

4.3.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.3.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.3.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

4.3.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts, Section 12.4: Height Modifications, Section 12.5: Yard Requirements, Section 12.6: Coastal Areas, Section 12.8: Highway Construction Setbacks, Section 18.6 Variances, and Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	15,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	40-Feet
Maximum Ground Coverage Ratio	.35

**Agency Comments**

**Permit/Subdivision Manager, Seth Peterson:** They will need either water or public sewer if they are wanting to divide the parcel into 2 parcels.

**Baldwin County Highway Department:** No comments.

**ADEM:** No comment received.

**BCBE:** N/A

**Municipality:** No comment received.

**Staff Analysis and Findings**

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

**1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?**

The subject property is currently occupied with one accessory structure. The property adjoins James Road to the east and Brinks Willis Road to the south. The adjoining properties to the north, west, and south are residential. The adjoining property to the east is agriculture.

**2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?**

No changes.

**3.) Does the proposed zoning better conform to the Master Plan?**

The Baldwin County Master Plan, 2013, provides a future land use designation of Residential for the subject property.

**4.) Will the proposed change conflict with existing or planned public improvements?**

No impacts.

**5.) Will the proposed change adversely affect traffic patterns or congestion?**

The addition of a new single family lot and dwelling will potentially generate a minimal amount of traffic, but there should be no adverse effects.

**6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**

See response to Standard 1.

**7.) Is the proposed amendment the logical expansion of adjacent zoning districts?**

See response to Standard Number 1.

**8.) Is the timing of the request appropriate given the development trends in the area?**

Timing is not a factor.

**9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?**

No impacts.

**10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?**

No adverse impacts.

**11.) Other matters which may be appropriate.**

N/A



Property Images





**ADJOINING PROPERTY  
TO THE NORTH**

10/13/2016



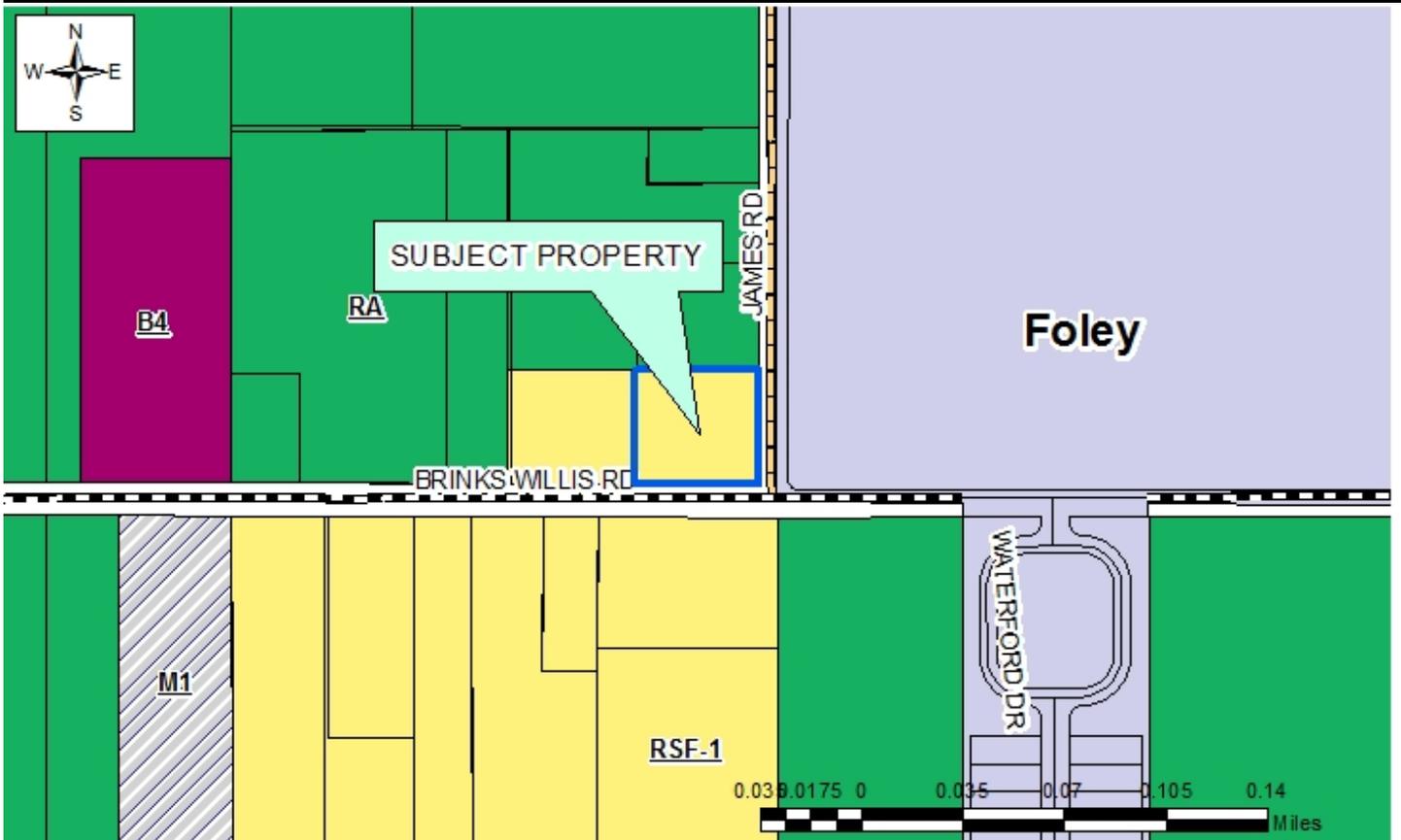
**ADJOINING PROPERTY  
TO THE WEST**

10/13/2016

Site Map



Locator Map





# Baldwin County Planning & Zoning Department

## Baldwin County Planning Commission Staff Report

**Agenda Item 8.c**  
**Case No. Z-16039**  
**Sanders Property**  
**Rezone ER, Single Family Estate District to RR, Rural District**  
**November 3, 2016**

### Subject Property Information

**Planning District:** 15  
**General Location:** West side of State Highway 181  
**Physical Address:** 26675 State Highway 181  
**Parcel Number:** 05-43-05-15-000-007.000  
**Existing Zoning:** RA, Rural Agriculture District  
**Proposed Zoning:** B-4, Major Commercial District  
**Existing Land Use:** Residential, Agricultural, Accessory Structures and Commercial Uses  
**Proposed Land Use:** Continued sale of accessory buildings  
**Acreage:** 17 acres, more or less  
**Applicant:** Raymond Bruce Sanders, Jr.  
 26675 State Highway 181  
 Daphne, AL 36526  
**Owner:** Same  
**Lead Staff:** Vince Jackson, Planning Director  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
<b>North</b>	Agricultural	RA, Rural Agricultural
<b>South</b>	Residential	RSF- E, Estate Residential
<b>East</b>	Residential	RSF-E and RSF-2
<b>West</b>	Agricultural	RA, Rural Agricultural

### Summary

The subject property is currently zoned RSF-E, Residential Single Family Estate District. It consists of approximately 17 acres and is the location for a single-family dwelling, several accessory structures,

agricultural uses and commercial uses. The designation of RR, Rural District, has been requested for the purposes of legally continuing the sale of accessory (storage) buildings and preserving the conforming status of the existing residential use. According to the information provided, the applicant has sold, and has allowed others to sell, items such as cars, trucks boats, trailers and used farm equipment at this location since 1975. The storage of campers, boats and trailers has also been allowed. The accessory (storage) buildings in question serve as models with no actual sales or deliveries taking place from the site. The applicant has indicated no development plans for the property.

## Current Zoning Requirements

### Section 4.1 RSF-E, Residential Single Family Estate District

4.1.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a very low density residential environment consisting of single family homes on estate size lots.

4.1.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Agricultural uses.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.1.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.1.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

4.1.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	80,000 Square Feet
Minimum Lot Width at Building Line	165-Feet
Minimum Lot Width at Street Line	165-Feet
Maximum Ground Coverage Ratio	.35

4.1.6 *Area and dimensional modifications.* Within the RSF-E district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status.

Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	40,000 Square Feet
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	120-Feet

## Proposed Zoning Requirements

### Section 3.1 RR, Rural District

3.1.1 *Generally.* This zoning district is provided to accommodate the rural areas of Baldwin County. Rural District ordinances are designed to protect the rural character of the area.

3.1.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.

- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Marine recreation uses.
- (d) Outdoor recreation uses.
- (e) The following general commercial uses: animal clinic and/or kennels; farm implement sales; farmer's market/truck crops; nursery; landscape sales.
- (f) Local commercial uses.
- (g) Professional service and office uses.
- (h) The following institutional uses: church or similar religious facility; child care center; child care institution; day care home; fire station; library; post office; school (public or private).
- (i) Agricultural uses.
- (j) Single family dwellings including manufactured housing and mobile homes.
- (k) Accessory structures and uses.

3.1.3 *Special exceptions.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as special exceptions:

- (a) Light industrial uses.
- (b) General commercial uses not permitted by right, except race track.
- (c) Institutional uses not permitted by right, except correctional, detention, or penal institution and sanitarium.
- (d) Boarding house, rooming house, lodging house, or dormitory.
- (e) Fraternity or sorority house.

3.1.4 *Conditional use.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

Transportation, communication, and utility uses not permitted by right.

3.1.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts, Section 12.4: Height Modifications, Section 12.5: Yard Requirements, Section 12.6: Coastal Areas, Section 12.8: Highway Construction Setbacks, Section 18.6 Variances, and Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35
Minimum Front Yard	30-feet
Minimum Rear Yard	30-feet
Minimum Side Yards	10-feet
Minimum Lot Area	40,000 Square Feet
Minimum Lot Width at Building Line	120-feet
Minimum Lot Width at Street Line	120-feet

3.1.6 *Area and dimensional modifications.* Within the RR district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status.

Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	20,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	80-Feet

**Agency Comments**

**Baldwin County Highway Department:**

Seth Peterson – No comments.

**ADEM:** No comments received.

**BCBE:** No comments received.

**Municipality (City of Daphne):** No comments received.

Additional comments, if any, will be forwarded to the members of the Planning Commission prior to the November 3rd meeting.

## Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

**1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?**

The subject property is currently occupied with a dwelling and several accessory structures. The property adjoins State Highway 181 to the east. The adjoining properties to the west and north are agriculture. The adjoining properties to the east and south are residential.

**2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?**

The zoning for Planning District 15 was approved by the County Commission on August 1, 2006. Since that time, State Highway 181 has been widened and several parcels have been rezoned from residential and agricultural to commercial. The majority of the rezonings have taken place along Highway 181 and near its intersections with County Road 64 and Milton Jones Road.

**3.) Does the proposed zoning better conform to the Master Plan?**

The Baldwin County Master Plan, 2013, provides a future land use designation of Residential for the subject property. If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Agricultural. This designation will be appropriate due to existing uses and the zoning designations of adjacent parcels.

**4.) Will the proposed change conflict with existing or planned public improvements?**

No conflicts.

**5.) Will the proposed change adversely affect traffic patterns or congestion?**

No adverse impacts.

**6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**

See response to Standard #1. The surrounding area is primarily residential and agricultural in nature. The widening of the highway and recent rezonings, however, indicate that the area is transitioning to commercial. Several commercial uses are located within less than a half mile from the subject property.

**7.) Is the proposed amendment the logical expansion of adjacent zoning districts?**

The nearest properties which carry the RR designation are located along County Road 64.

**8.) Is the timing of the request appropriate given the development trends in the area?**

Timing is not a factor.

**9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?**

There should be no adverse impacts on environmental conditions or historic resources.

**10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?**

Staff anticipates no adverse impacts.

**11.) Other matters which may be appropriate.**

N/A

**Staff Comments and Recommendation**

As stated previously, the subject property is currently zoned RSF-E, Residential Single Family Estate District. It consists of approximately 17 acres and is the location for a single-family dwelling, several accessory structures, agricultural uses and commercial uses. The designation of RR, Rural District, has been requested for the purposes of legally continuing the sale of accessory (storage) buildings and preserving the conforming status of the existing residential use. According to the information provided, the applicant has sold, and has allowed others to sell, items such as cars, trucks boats, trailers and used farm equipment at this location since 1975. The storage of campers, boats and trailers has also been allowed. The accessory (storage) buildings in question serve as models with no actual sales or deliveries taking place from the site. The applicant has indicated no development plans for the property.

Staff has no major issues with this application and views it primarily as means for continuing activities which have been taking place on the subject property for several years. Unless information to the contrary is revealed at the public hearing, this request should be recommended to the County Commission for **APPROVAL**. \*

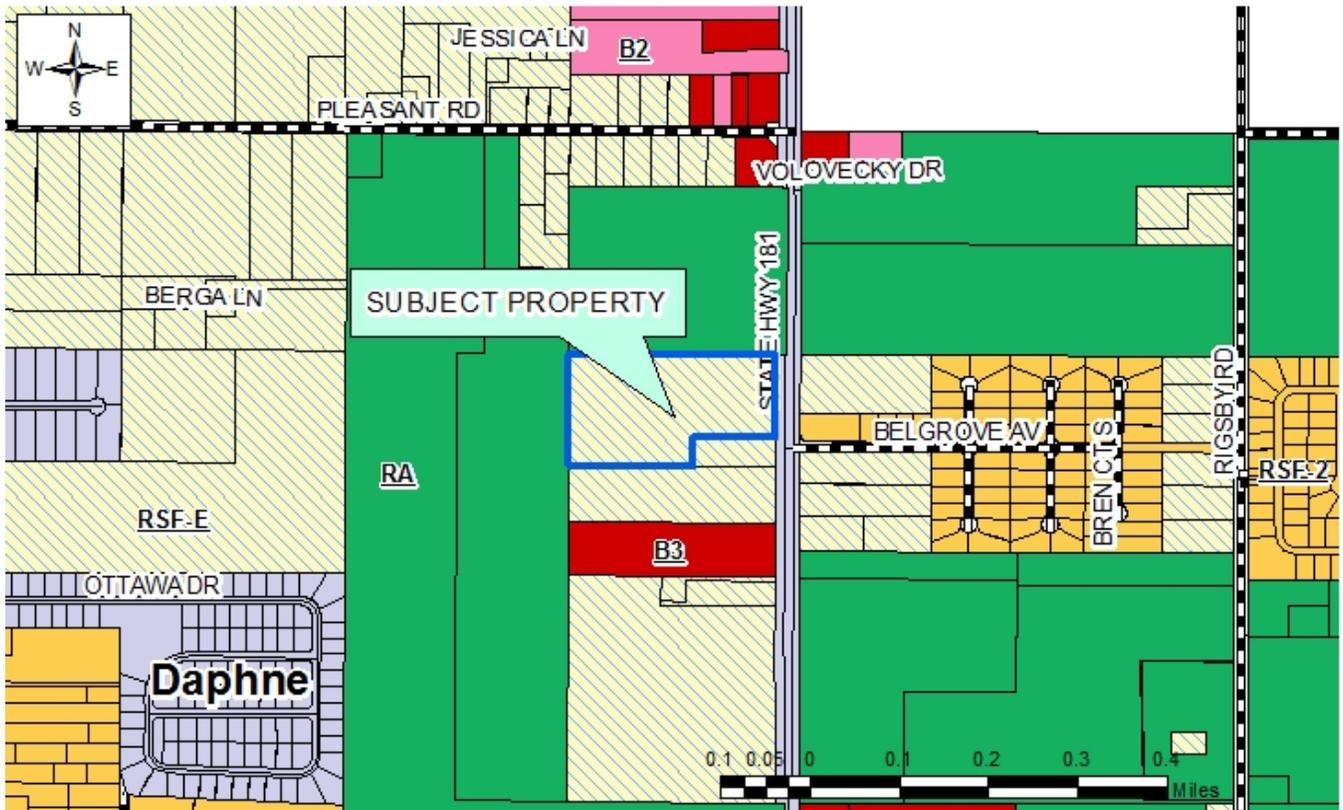
*\*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*

Property Images











# Baldwin County Planning & Zoning Department

## Baldwin County Planning Commission Staff Report

**Agenda Item 8.d**  
**Case No. Z-16040**  
**Malbis Plantation Inc., Property**  
**Rezone RSF-1, Single Family District to RSF-3, Single Family District**  
**November 3, 2016**

### Subject Property Information

**Planning District:** 15  
**General Location:** East side of County Road 13, North of Sehoj Subdivision  
**Physical Address:** N/A  
**Parcel Number:** A part of 05-43-02-10-000-003.000  
**Existing Zoning:** RSF-1, Single Family District  
**Proposed Zoning:** RSF-3, Single Family District  
**Existing Land Use:** Undeveloped  
**Proposed Land Use:** Residential Subdivision  
**Acreage:** 77.54 acres, (parent parcel consists of approximately 119.128 acres)  
**Applicant:** Dewberry/Prebble-Rish, LLC  
 9949 Bellaton Avenue  
 Daphne, AL 36526  
**Owner:** Malbis Plantation, Inc.  
 29470 State Highway 181  
 Daphne, AL 36526  
**Lead Staff:** Vince Jackson, Planning Director  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
<b>North</b>	Undeveloped	RSF-1, Single Family
<b>South</b>	Residential (Sehoj)	City of Daphne
<b>East</b>	Residential (Apartments under construction)	RSF-1 and RMF-6, Multiple Family District
<b>West</b>	Residential	City of Daphne

## Summary

The subject property is currently zoned RSF-1, Single Family District. It consists of approximately 119.128 acres of which approximately 77.54 acres are proposed for rezoning. The designation of RSF-3, Single Family District, has been requested for the purpose of subdividing into 80' wide lots of approximately 12,000 square feet per lot. According to the information provided, 153 lots are proposed which would represent a dwelling unit density of 1.97 units per acre.

## Current Zoning Requirements

### Section 4.2 RSF-1, Single Family District

4.2.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a low density residential environment consisting of single family homes on large lots.

4.2.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.2.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.2.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

4.2.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	30,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Minimum Lot Width at Street Line	50-Feet
Maximum Ground Coverage Ratio	.35

## Proposed Zoning Requirements

### Section 4.4 RSF-3, Single Family District

4.4.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a moderate density residential environment consisting of single family homes.

4.4.2 *Permitted uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.4.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.4.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

4.4.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	10,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	40-Feet
Maximum Ground Coverage Ratio	.35

### Agency Comments

**Baldwin County Highway Department:**

Seth Peterson – In order to subdivide the property, the applicants will need to meet the subdivision regulations for both the City of Daphne and the County.

Frank Lundy- The City of Daphne maintains County Road 13. The County Highway Department will need to coordinate with the City in order to determine traffic impacts.

**ADEM:** No comments received.

**BCBE:** No comments received.

**Municipality (City of Daphne):** No comments received.

Additional comments, if any, will be forwarded to the members of the Planning Commission prior to the November 3rd meeting.

### Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

**1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?**

The subject property is currently vacant and is forested timberland. The property adjoins County Road 13 to the west. The adjoining property to the north is vacant and is forested timberland. The adjoining property to the south is residential. The adjacent property to the west is residential.

**2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?**

The zoning for Planning District 15 was approved by the County Commission on August 1, 2006. Since that time, Planning District 15 has seen significant residential and commercial growth. Commercial development has primarily occurred along State Highway 181.

**3.) Does the proposed zoning better conform to the Master Plan?**

The Baldwin County Master Plan, 2013, provides a future land use designation of Residential for the subject property. This designation is consistent with the proposed development.

**4.) Will the proposed change conflict with existing or planned public improvements?**

Staff is unaware of any conflicts with existing or planned public improvements.

**5.) Will the proposed change adversely affect traffic patterns or congestion?**

See Frank Lundy's comments under Agency Comments. A development of this type will certainly have an impact on traffic patterns and congestion, but the extent of the impact is difficult to ascertain at this time. A discussion on traffic impacts is more appropriately reserved for the Subdivision approval process.

**6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**

See response to Standard #1. The surrounding area is primarily residential. The subject property is adjacent to Sehoj. This subdivision is located within the City of Daphne and appears to have been developed in a manner consistent with the County's RSF-3 zoning and with the development proposed for this parcel. Some of the lots, in Sehoj, appear to be slightly larger, while others are smaller than the minimum lot size of 10,000 square feet which would be required under the proposed RSF-3 designation.

**7.) Is the proposed amendment the logical expansion of adjacent zoning districts?**

As stated above, the development patterns in the adjacent Sehoj subdivision appears to be consistent with the area and dimensional requirements for the RSF-3 designation which has been requested for the subject property. In addition, the adjacent property to the west is zoned RMF-6 and is the location for an apartment complex which is currently under construction.

**8.) Is the timing of the request appropriate given the development trends in the area?**

Timing is not a factor.

**9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?**

County GIS indicates potential wetlands to the north of the area proposed for rezoning. The zoning ordinance requires a development setback of 30-feet from wetlands. It appears, from the submitted information, that the proposal will meet this requirement. Staff has been expecting agency comments concerning the wetlands but has received none as of the writing of this report. If comments are received prior to the November 3rd meeting, they will be forwarded to the members of the Planning Commission.

**10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?**

Staff anticipates no adverse impacts.

**11.) Other matters which may be appropriate.**

- Staff anticipates significant opposition to this request. Having said that, public sentiment is not a standard for determining if a rezoning request should be approved.
- Although a subdivision is planned, the only issue before the Planning Commission at this time is the request for rezoning.

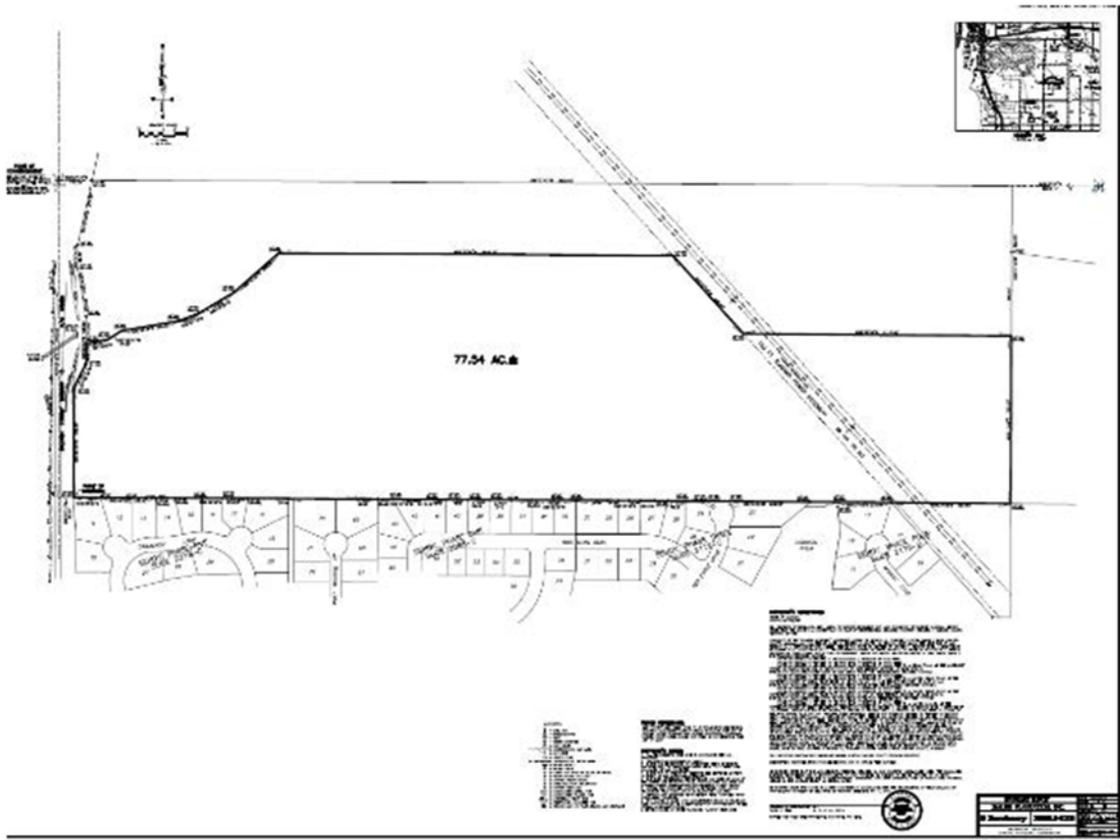
**Staff Comments and Recommendation**

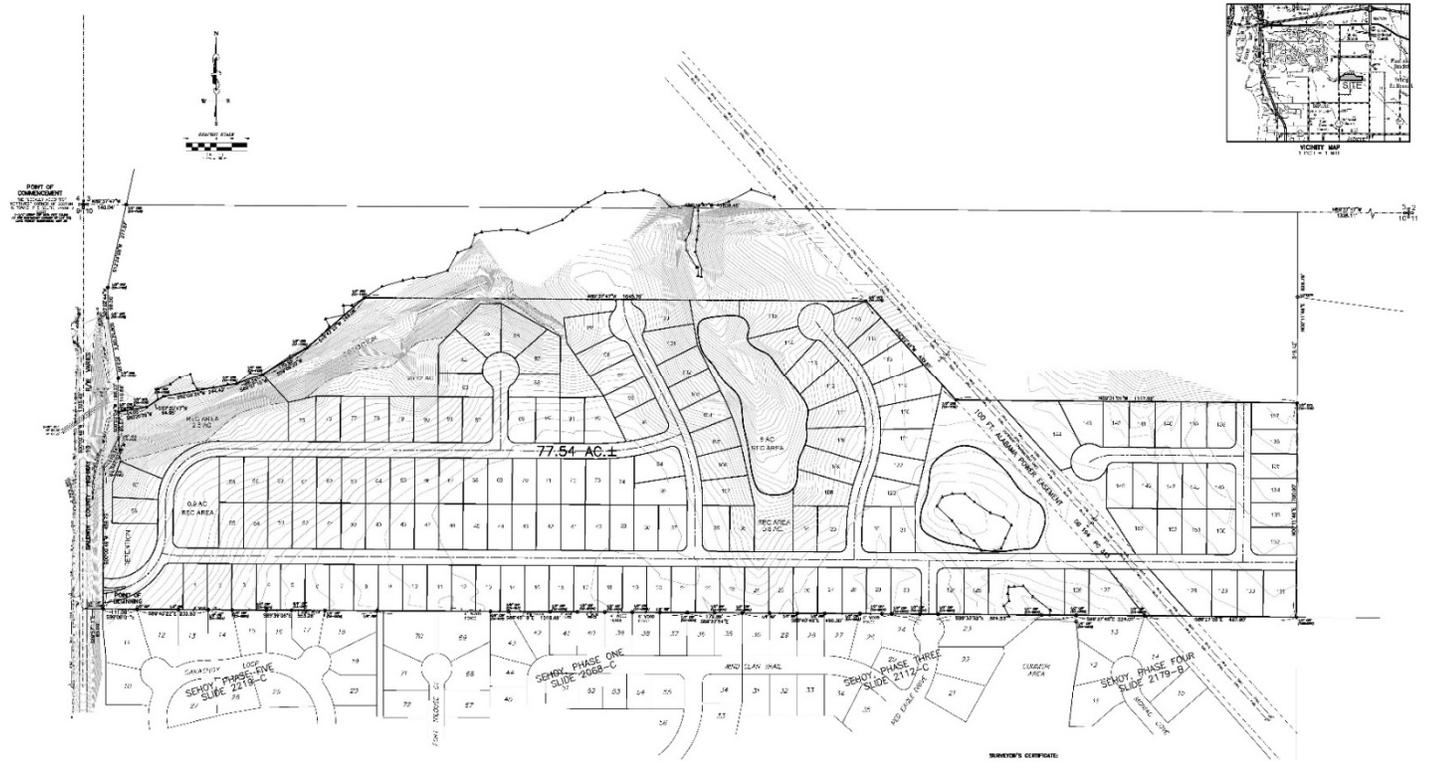
As stated previously, the subject property is currently zoned RSF-1, Single Family District. It consists of approximately 119.128 acres of which approximately 77.54 acres are proposed for rezoning. The designation of RSF-3, Single Family District, has been requested for the purpose of subdividing into 80'

wide lots of approximately 12,000 square feet per lot. According to the information provided, 153 lots are proposed which would represent a dwelling unit density of 1.97 units per acre.

Staff has no major issues with this application. Although issues such as impacts on traffic and wetlands should be considered, the proposed RSF-3 designation is consistent with the development of adjacent properties. Unless information to the contrary is revealed at the public hearing, this request should be recommended to the County Commission for **APPROVAL**. \*

*\*On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*







10/19/2016



10/19/2016



**ADJACENT RESIDENCE  
TO THE WEST**

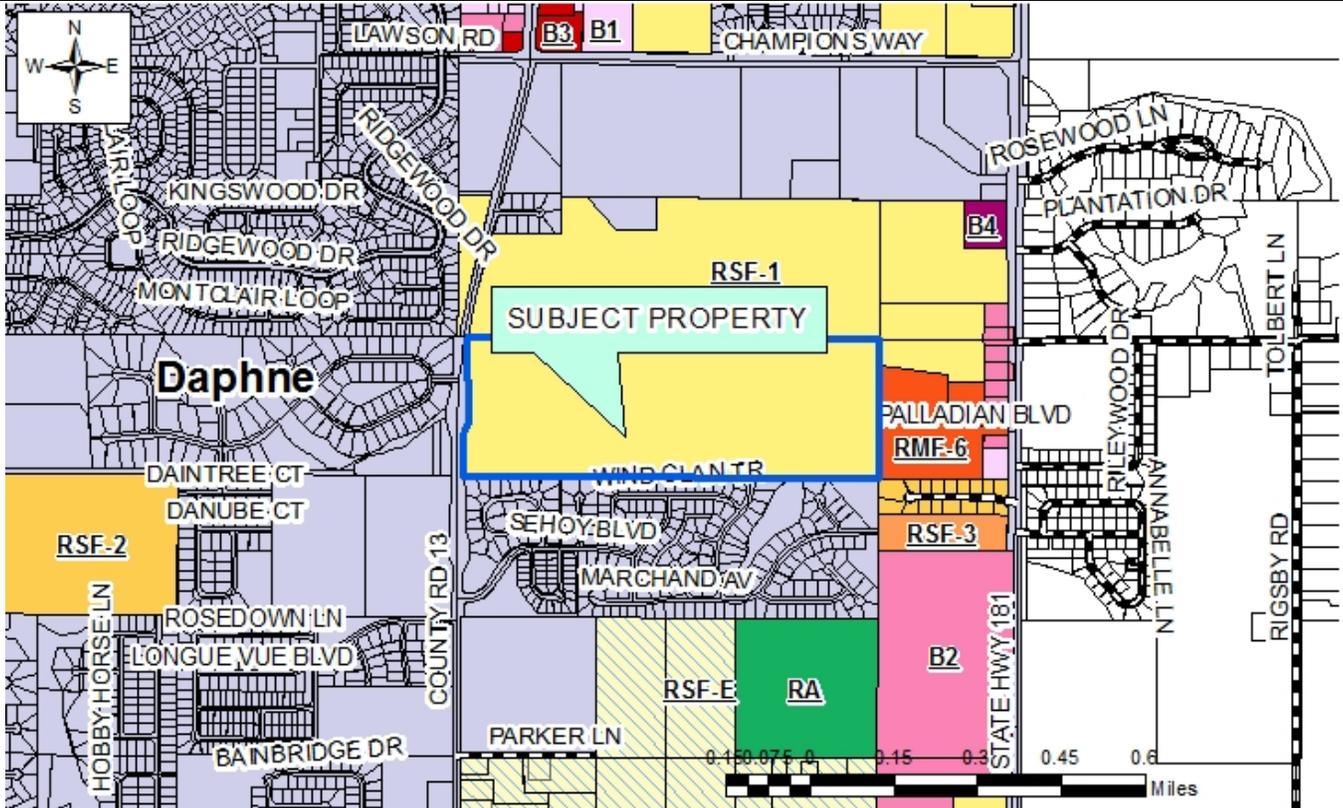
10/19/2016



**ADJOINING RESIDENTIAL  
SUBDIVISION TO THE SOUTH  
"SEHOY"**

10/19/2016

## Locator Map



## Site Map

