



# Baldwin County Planning & Zoning Department

## Baldwin County Planning Commission Staff Report

**Agenda Item 8.c**  
**Case No. Z-16031**  
**Carter Property**  
**Rezone RSF-2, Single Family, to RSF-4, Single Family District**  
**October 6, 2016**

### Subject Property Information

**Planning District:** 16  
**General Location:** North of Graham St and west of US Hwy 98  
**Physical Address:** N/A  
**Parcel Number:** 05-43-09-32-0-000-010.001  
**Existing Zoning:** RSF-2, Residential Single Family District  
**Proposed Zoning:** RSF-4, Residential Single Family District  
**Existing Land Use:** Single Family  
**Proposed Land Use:** Single Family  
**Acreage:** 0.359 acres, more or less  
**Applicant:** Geneva Carter  
PO Box 324  
Montrose, AL 36559  
**Owners:** Same  
**Lead Staff:** Celena Boykin, Planner  
**Attachments:** *Within Report*

|              | Adjacent Land Use | Adjacent Zoning            |
|--------------|-------------------|----------------------------|
| <b>North</b> | Commercial        | B-1, Professional Business |
| <b>South</b> | Residential       | RSF-2, Single Family       |
| <b>East</b>  | Commercial        | B-2, Neighborhood Business |
| <b>West</b>  | Residential       | RSF-2, Single Family       |

**Summary**

The subject property, which encompasses approximately 0.359 acres, is currently zoned RSF-2, Single Family District. According to the information provided, the applicant would like to apply for a family division of land and deed her daughter part of the property. In order for the applicant to split her property with her daughter she would need the RSF-4 zoning to meet the minimum lot area.

### Current 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                |

## Section 4.5 RSF-4, Single Family District

4.5.1 *Generally.* This zoning designation is provided to afford the opportunity for the choice of a moderate density residential development consisting of single family homes.

4.5.2 *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.

4.5.3 *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.

4.5.4 *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*).

4.5.5 *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 per Dwelling Unit  | 7,500 Square Feet |
| Minimum Lot Width at Building Line  | 60-Feet           |
| Minimum Lot Width at Street Line    | 30-Feet           |
| Maximum Ground Coverage Ratio       | .35               |

**Permit/Subdivision Manager, Seth Peterson:** No comments.

**Baldwin County Highway Department, Frank Lundy:** No comments.

**Corps of Engineers:** No comments recieved.

**ADEM:** No comments received.

**BCBE:** N/A

**Municipality:** No comments received recieved.

## 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 dwelling. The adjoining properties are residential and commercial.

**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 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.**

There are several parcels in the surrounding area that are zoned RSF-2 but are smaller than the minimum required lot size for RSF-2. Also, two parcels just south of Graham St. were recently rezoned from RSF-2 to B-2.

**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?**

The subject property is located in Montrose Historic District and if any structure is put on the property the applicant will have to receive approval from the Baldwin County Architectural Review Board.

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

No impacts.

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

None

**Staff Comments and Recommendation**

As stated previously, the subject property, which encompasses approximately 0.359 acres, is currently zoned RSF-2, Single Family District. According to the information provided, the applicant would like to apply for a family division of land and deed her daughter part of the property. In order for the applicant to split her property with her daughter she would need the RSF-4 zoning to meet the minimum lot area.

Staff believes that this is a reasonable request which is consistent with the surrounding area and recommends APPROVAL to the County Commission.\*

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

**Property Images**





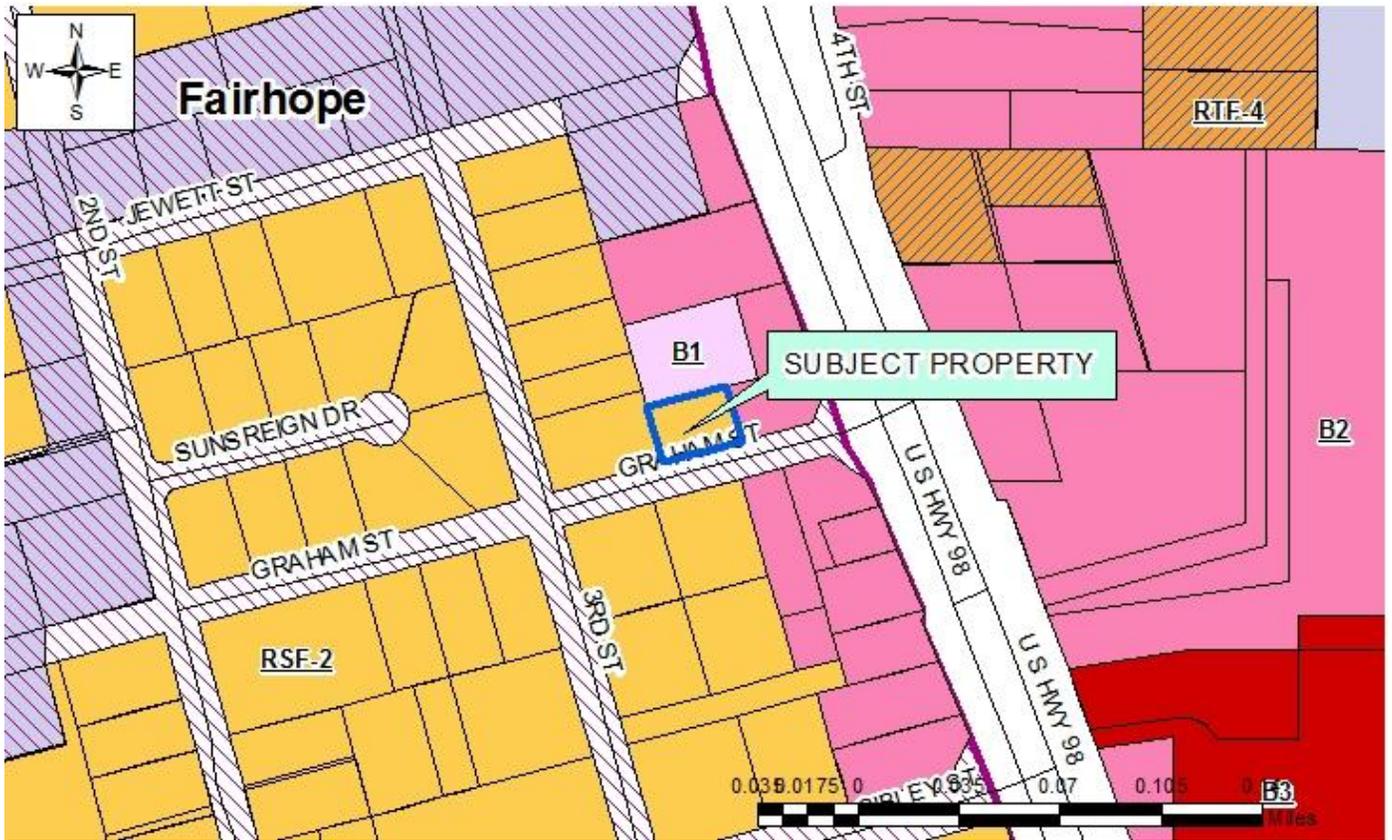
**ADJOINING RESIDENCE  
TO THE WEST**

09/13/2016



**ADJOINING PROPERTY  
TO THE EAST**

09/13/2016



**Site Map**

