



Case No./Name: Z24-39 Buckley Property

Meeting Date: October 3, 2024

Request: Rezoning request from **RA**, Rural Agricultural District, to **RSF-1**, Residential Single Family District

Recommendation: **Approval**

Staff Lead: Calla McKenzie, Planning Technician II

Owner / Developer: Leigh Buckley

Applicant: Tarrel James

To view maps/plats in higher resolution and public comments received related to this case, please visit the "Upcoming Items" Planning and Zoning webpage : <https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>

Baldwin County, Alabama Planning Districts

Legend

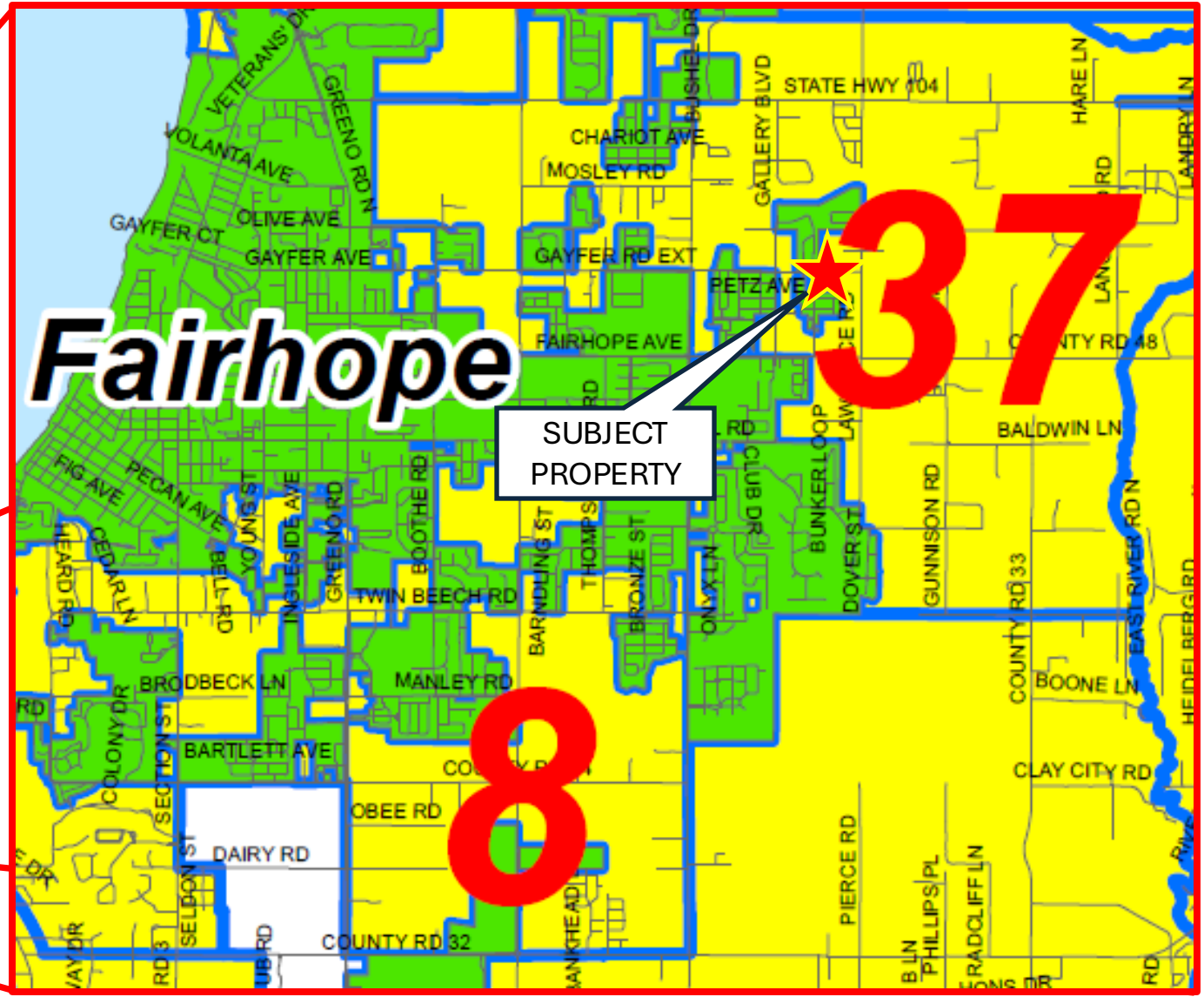
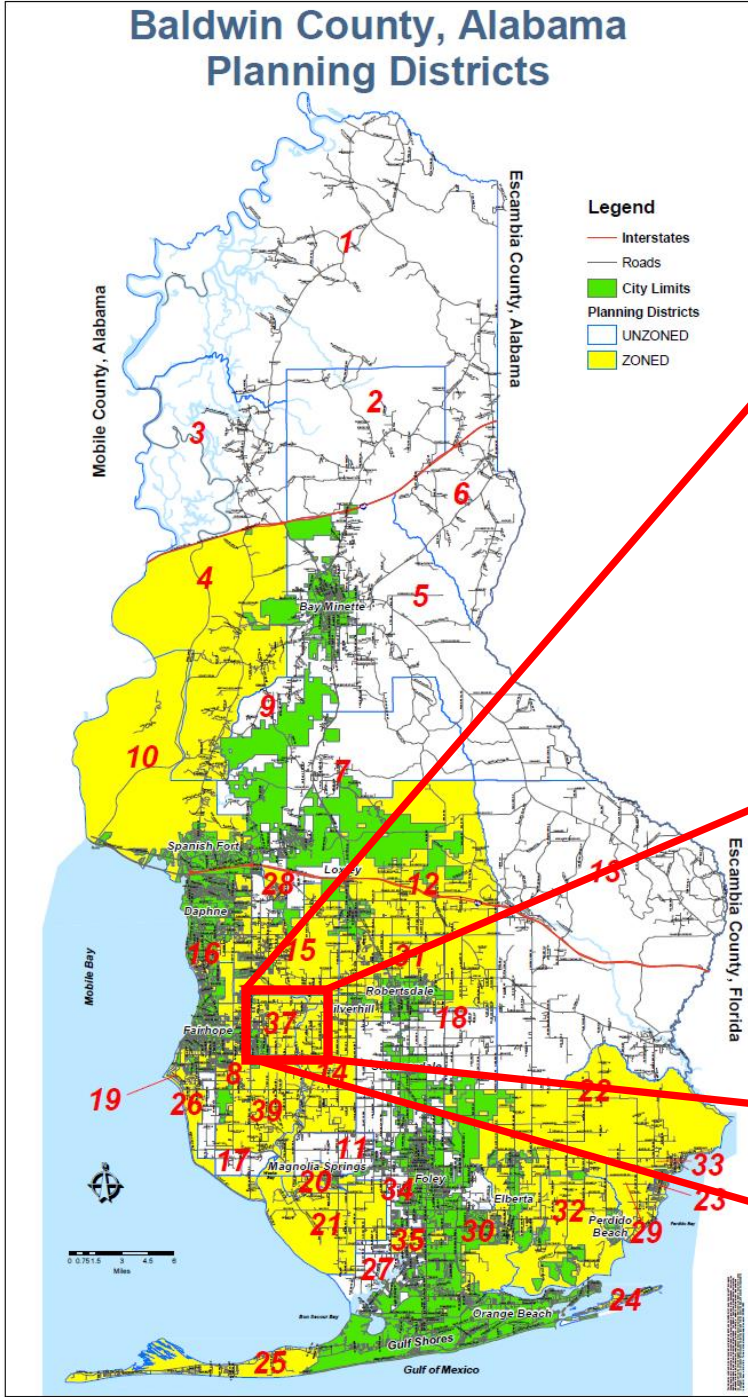
- Interstates
- Roads
- City Limits
- Planning Districts
- UNZONED
- ZONED

Fairhope

SUBJECT
PROPERTY

37

8



Location: The subject property is located south of Gayfer Rd Ext and west of Liberty Ln.

Planning District: 37

Zoning: Current zoning: **RA** Rural Agricultural
Requested zoning: **RSF-1** Single Family Residential

Parcel#: 05-46-06-14-0-000-001.540 **PIN#:** 53139

Total Acres: 7.3 +/- acres

Current Use: Residential

Applicant's Request: The applicant would like to rezone for residential use.

Online Case File Number: The official case number for this application is Z24-39, however, when searching the online CitizenServe database, please use Z24-000039.

Agency Comments

- **USACE, James Buckelew:** Staff reached out on 9/11/2024 but received no comments.
- **ADEM, Scott Brown:** Staff reached out on 9/11/2024 but received no comments.
- **BCBE:** Staff reached out on 9/11/2024 but received no comments.
- **City of Fairhope, Hunter Simmons:** Staff reached out on 9/11/2024 but received no comments.
- **Subdivisions, Shawn Mitchell:** A subdivision is not requested at this time. If the Applicant wishes to subdivide the property, Preliminary and Final Plat applications will be required.

Agency Comments (Continued)

- **Buford King on behalf of the Permit Engineer:** It is staff's understanding that the desire to re-zone PIN 53139 is so that lots 1-3 of Haven Hill Subdivision may be enlarged by consuming portions of PIN 53139 via common lot line movement. However, because the outer boundary of Haven Hill Subdivision will be altered, Planning Commission approval will be required prior to authorizing re-recording Haven Hill Subdivision to include the addition of re-configured PIN 53139. It is staff's understanding that existing lots "3" and "5" of Haven Hill Subdivision are not intended to be altered. It is also staff's understanding that the remaining portion of PIN 53139 will be brought into Haven Hill Subdivision and will become proposed lot "6" and proposed lot 6 will be accessed from existing Liberty Lane, a paved private road traversing PIN 365480. It may be possible for proposed lot 6 to use Liberty Lane for access and comply with the subdivision regulations provided that a proper ingress-egress easement instrument number is reflected on the new subdivision plat, and that Liberty Lane complies with the asphalt width and shoulder requirements of Appendix "4" of the subdivision regulations. As it appears only six (6) units would be serviced by Liberty Lane, and thus the ADT of Liberty Lane is much less than 750, then Liberty Lane may be acceptable provided that it has 18' of pavement width, among other requirements. If the re-zoning is successful and the new subdivision is requested, the engineer of record will reflect all required information for Liberty Lane on the proposed subdivision preliminary plat including easements. Staff reserves the right to inspect the existing turnout from Liberty Lane onto Gayfer Road extension and require a commercial turnout (CTP) be installed if it is determined a CTP is required for the safety of the traveling public. A CTP may include, but not be limited to installing an 18" RCP or greater culvert pipe as sized by the Engineer of Record, as well as installation of a stop sign, stop bar, etc. The existing mailboxes on the east side of Liberty Lane along Gayfer Road Ext may have to be re-located if the CTP is installed. The Permit Engineer shall have final approval authority over the requirement of installing a CTP which will be evaluated when a preliminary plat is submitted.

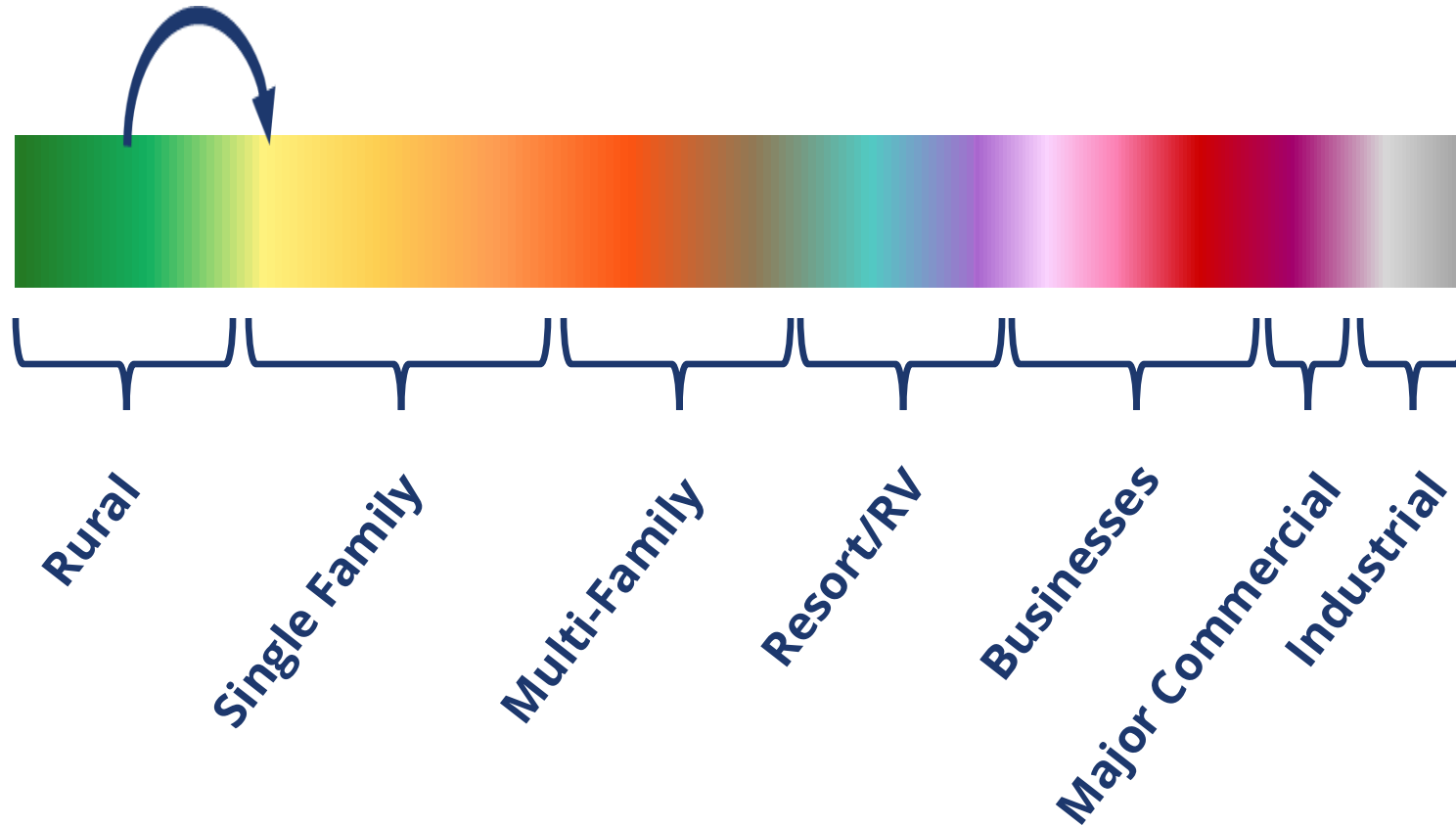
Z24-39 BUCKLEY PROPERTY

RE-ZONING REQUEST FROM RA TO RSF-1

Lead Staff: Calla McKenzie, Planning Technician II

Current Zoning:
Rural Agriculture (RA)

Proposed Zoning:
Residential Single Family 2 (RSF-2)



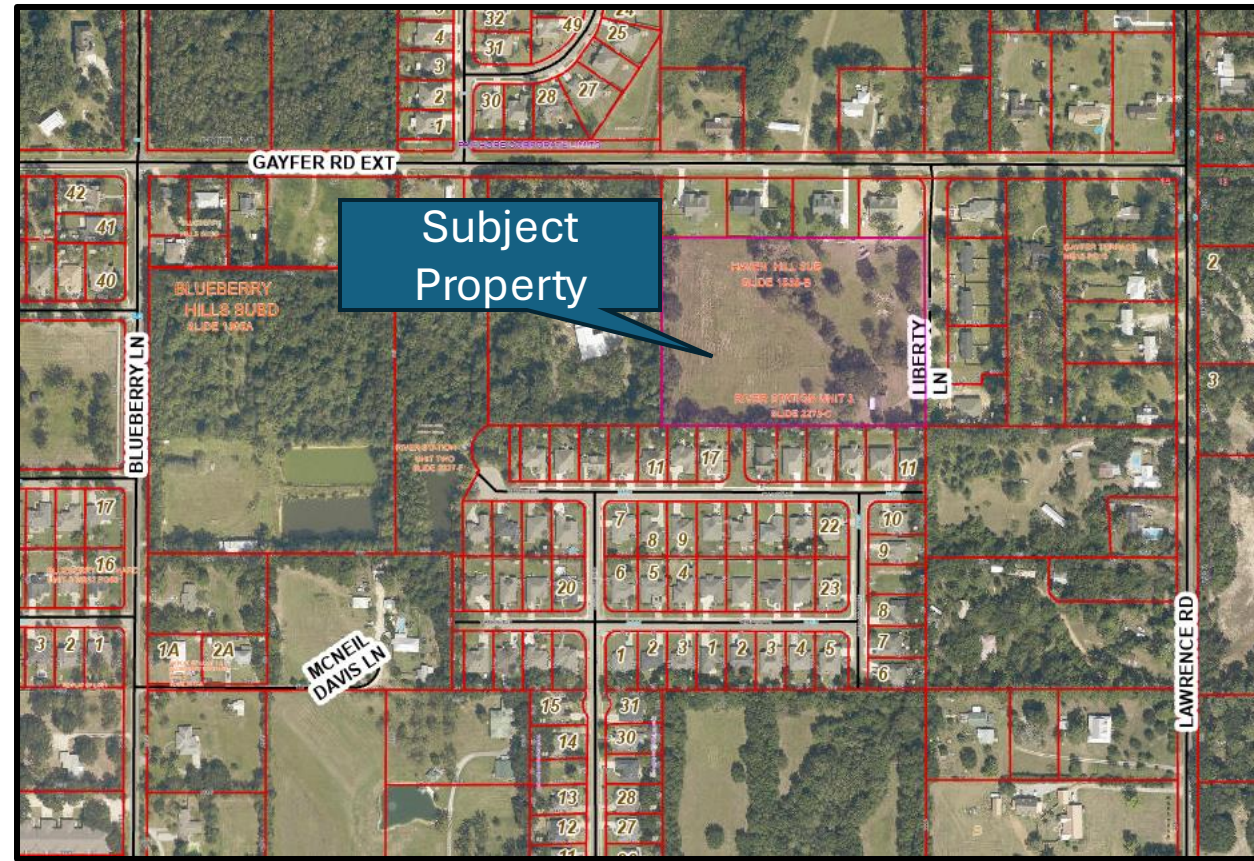
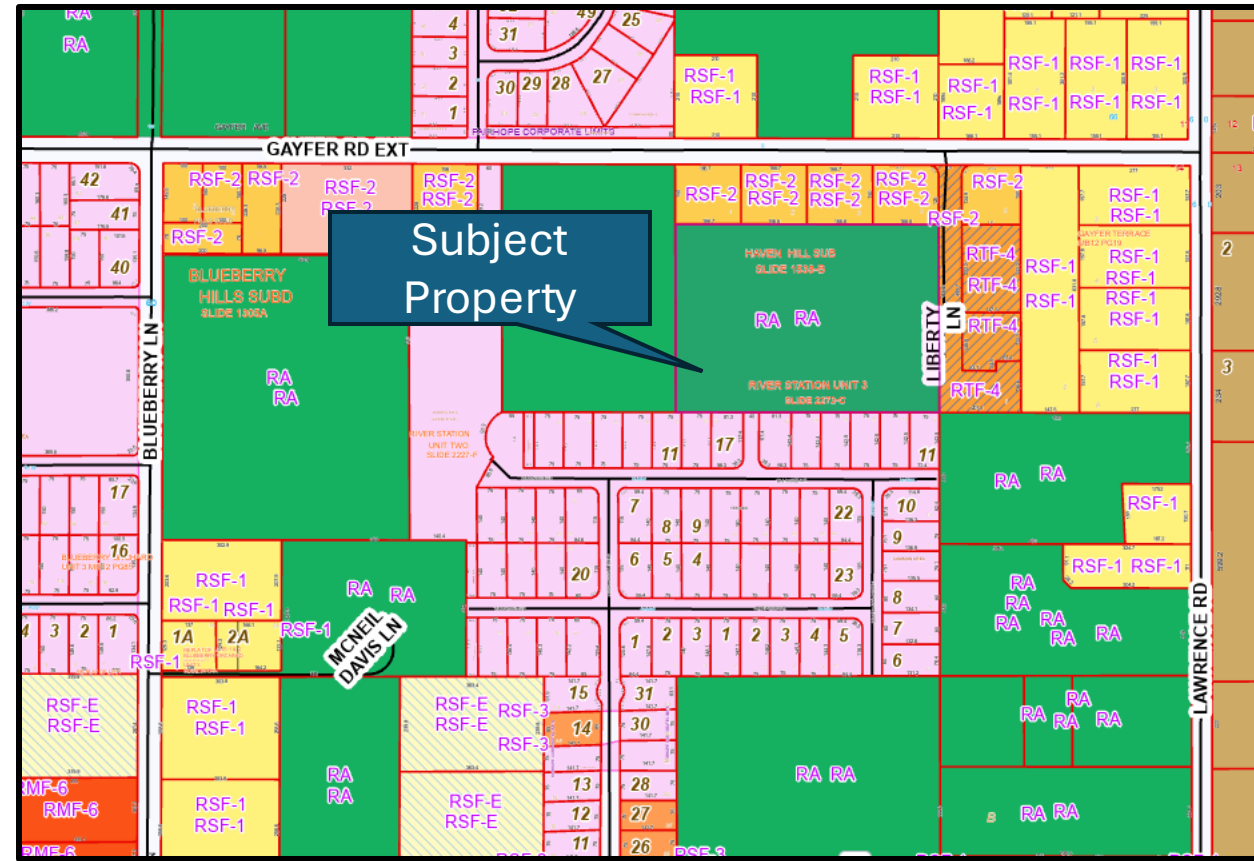
Staff's Recommendation:

Unless information to the contrary is revealed at the public hearing, staff feels the application should be recommended for **APPROVAL**.*

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

Locator Map

Site Map



Adjacent Zoning

North	RSF-2, Residential Single Family
South	N/A - City of Fairhope
East	RTF-4, Residential Two Family
West	RA, Rural Agricultural

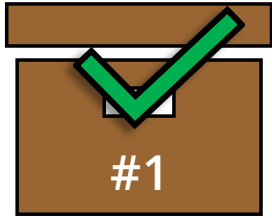
Adjacent Land Use

North	Residential
South	Residential
East	Residential
West	Residential

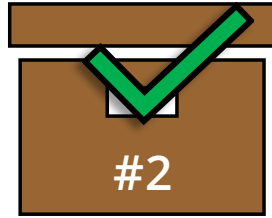


Factor Summary:

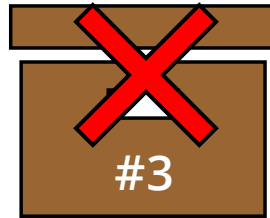
- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.



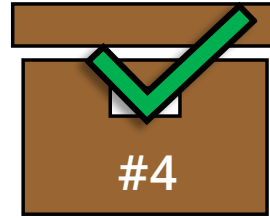
Compatible with development pattern?



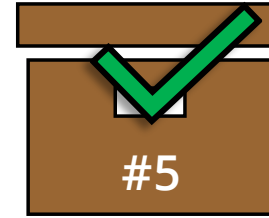
Change of conditions since originally zoned?



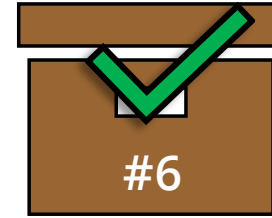
Proposal conform to Master Plan?



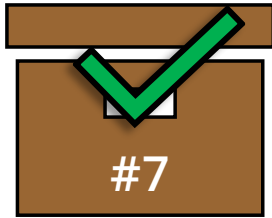
Conflicts with public improvements?



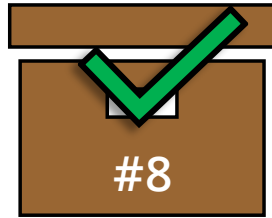
Adverse affect to traffic?



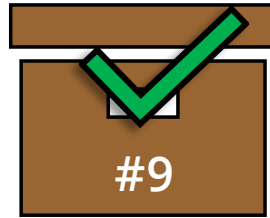
Consistent with development pattern?



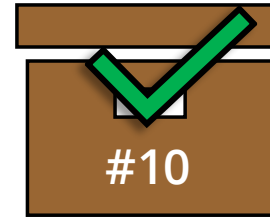
Logical expansion of adjacent zoning?



Timing appropriate given development trends?



Environmental or Historic impact?



Adverse impact on health, safety, & wellness?



Other appropriate matters?

Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.

STAFF ANALYSIS

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. Nearby parcels are zoned RSF-2 and RTF-4. The uses adjacent to the subject property are residential. The parcel that is to the south of the subject property, in the City of Fairhope, is also residential. Therefore, staff feels that the requested change is compatible with the development pattern of the surrounding areas.

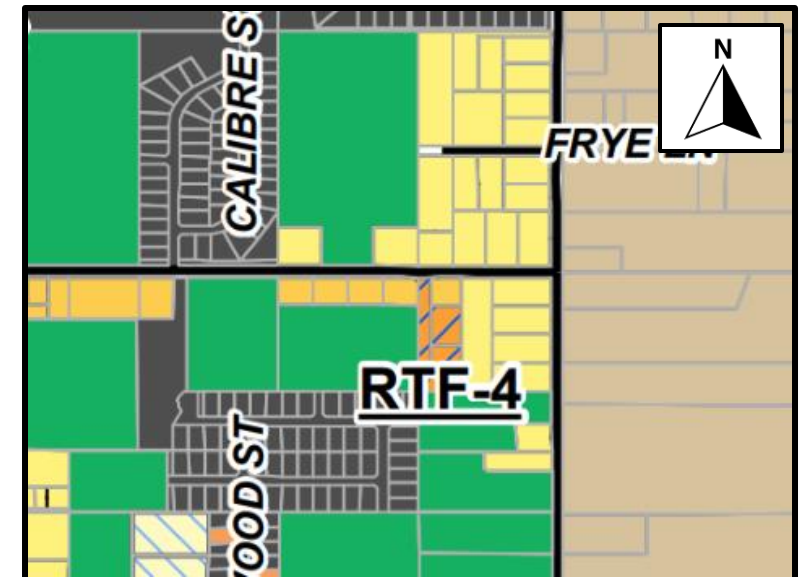
2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Planning District 37 adopted a zoning map on July 18, 2022. Since this area was zoned, there have been no rezonings or land use changes in this immediate area. However, the land use of this property was and still is residential. It was likely zoned RA due to the size of the property.

Current Zoning Map



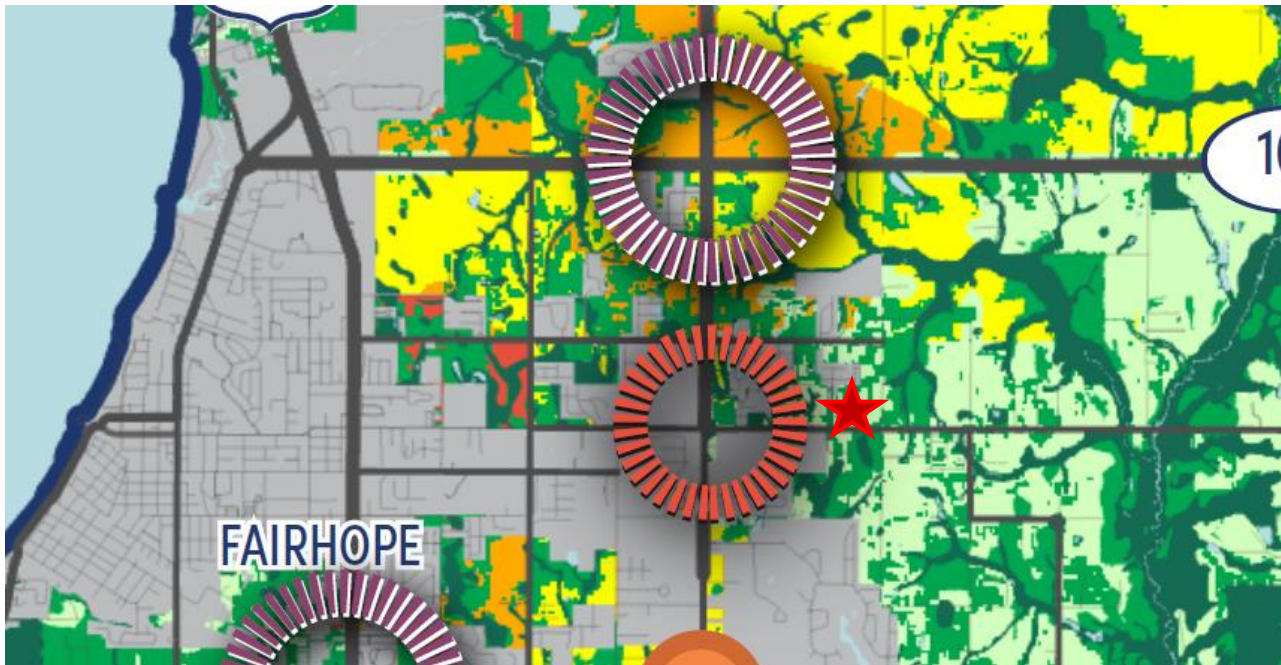
Original Zoning Map 2022





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

The majority of the future land use on the FLUM (Future Land Use Map) for the subject property is Rural Agriculture LID Potential Area with some Conservation Development Potential Area. Rural Development Potential Areas include large lots, open space views, and a large buffer distance between buildings. Residential homes may be on large tracts and could include estate homes and working farmland. The related zoning districts include RR, RA and RSF-E. **The existing lots within the existing Haven Hill Subdivision predate the FLUM by several years.** As staff understand the request, the subdivision that would follow the re-zoning would add one (1), 30,000sf lot to the existing subdivision.




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

Staff is unaware of any planned public improvements.

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

Gayfer Rd EXT is classified as a major collector, which are used to connect local roads and streets with arterial roads. Staff does not perceive the proposed zoning and its permitted use would adversely affect traffic patterns or congestion.

 **6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community?**

The proposed zoning (RSF-1) allows for residential uses. This consistent with the adjacent development.

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

The permitted uses allowable in RSF-1 Zoning include residential uses. Staff believes this is a logical expansion to adjacent zoning and land uses.

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

Staff believes there are no conflicts regarding the timing of this request.

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

Staff does not anticipate any adverse impacts on environmental conditions of the vicinity or the historic resources of the County with the proposed change.

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

Staff does not anticipate any adverse impacts to the health, safety and welfare of the County and the vicinity.

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

N/A

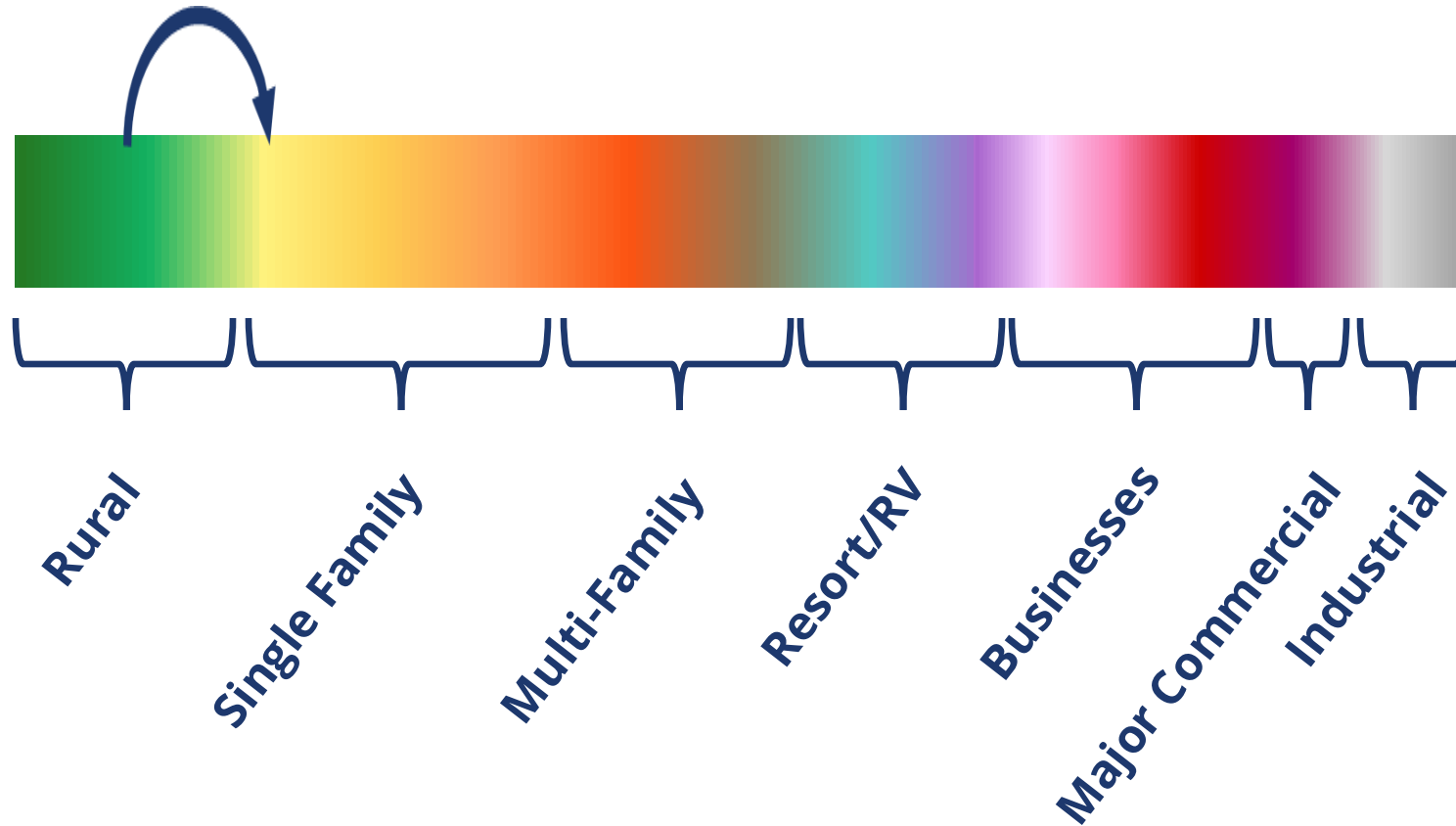
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