



## Baldwin County Planning & Zoning Commission Agenda

Thursday, December 2, 2021

4:00 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:**  

November 4, 2021 meeting minutes
6. **Announcements/Registration to address the Commission.**
7. **Consideration of Applications and Requests: *Subdivision Cases***
  - a.) **Case PUD21-000006, Glass Road RV Park**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting a Final Site Plan Approval for a 14 site RV Park on 3.78 acres.

Location: The subject property is located at the intersection of Patterson Road and Glass Road in the Wilcox Community.

**b.) Case SC21-000001, Resub of Lot 1 Paddock Trace**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Preliminary Plat Approval for a 4-lot subdivision to be developed on 27.3 acres.

Location: The subject property is located at the southern end of Horses-N-Hounds Road W, near the town of Magnolia Springs.

**c.) Case SPP21-000007 Silver Lake, Phase II**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting to Preliminary Plat Approval for a 14-lot subdivision to be developed on 11.03 acres.

Location: The subject property is located north of Enchantment Lane, west of West Blvd., near the town of Silverhill.

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

**a.) Case Z21-000004, Cafferty Property, Re-Zone RSF-1 to RSF-2**

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section15(b), Planning Commission By-Laws

Purpose: The applicant is requesting to rezone 0.37 acres of a 5 acre parcel from RSF-1 to RSF-2 to allow the property to be subdivided.

Location: The subject property is located on the east side of Scenic Highway 98, in Planning District 26.

**b.) Case Z21-000005, Kendrick Property**

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

Purpose: The applicant is requesting to rezone 3.60 acres from RSF-E to B-3 to allow commercial use of the property.

Location: The subject property is located on the southeast corner of State Highway 225 and Whitehouse Fork Road Extension, in Planning District 4.

**c.) Case Z21-000006, Parker Property**

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

Purpose: The applicant is requesting to rezone 40 acres from RA to RSF-4 to allow development of a single-family subdivision on the property.

Location: The subject property is located on the south side of County Road 16, east of Magnolia Springs Highway, in Planning District 21.

**9. Old Business:**

**a.) S-21089 BFLC 63775 Subdivision Phase 1 aka Beetree Creek Ph 1**

**10. New Business:**

**11. Public Comments:**

**12. Reports and Announcements:**

Staff Reports:

Legal Counsel Report:

Next Regular Meeting: **January 6, 2022**

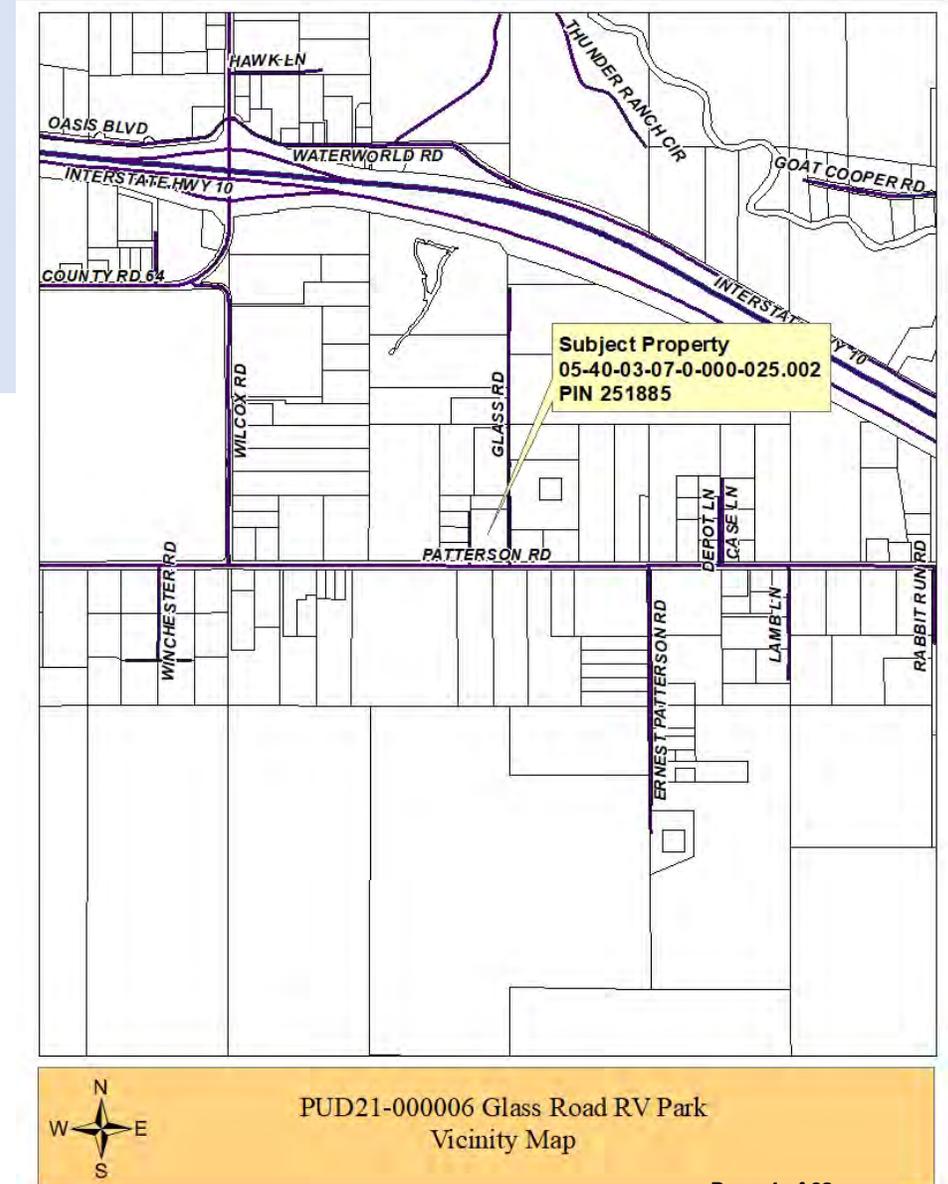
**13. Adjournment.**

# 7.a) PUD21-000006 Glass Road RV Park

## FINAL SITE PLAN APPROVAL REQUEST

- **Total Acres:** 3.78 acres
- **Total Number of Site Hookups:** 14
- **Smallest Site:** 1,602 SF
- **Setbacks:** 30' Front, 30' Rear 30' Side,
- **Surveyor of Record:** Daniel Clark, PLS  
*Smith Clark & Associates*
- **Engineer of Record:** Chris Lieb, P.E.  
*Lieb Engineering Company, LLC*

Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator

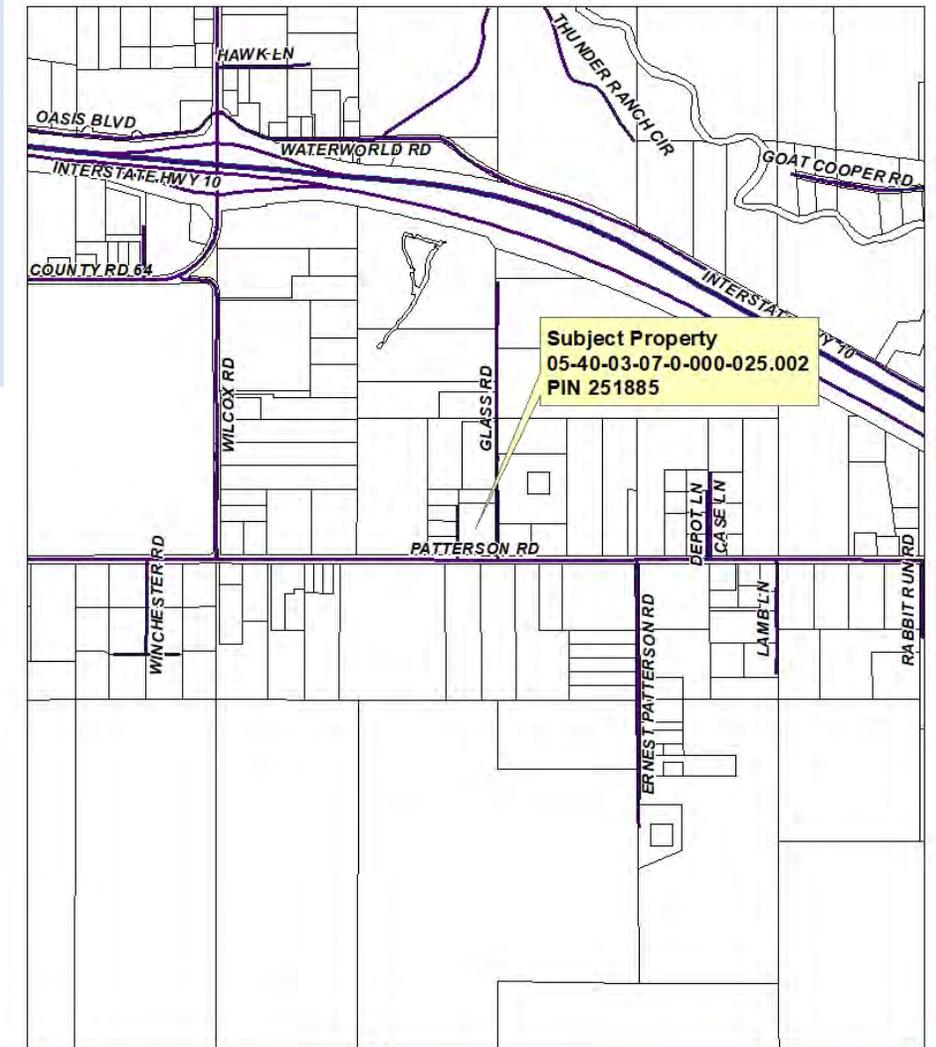


# PUD21-000006 Glass Road

## RV Park

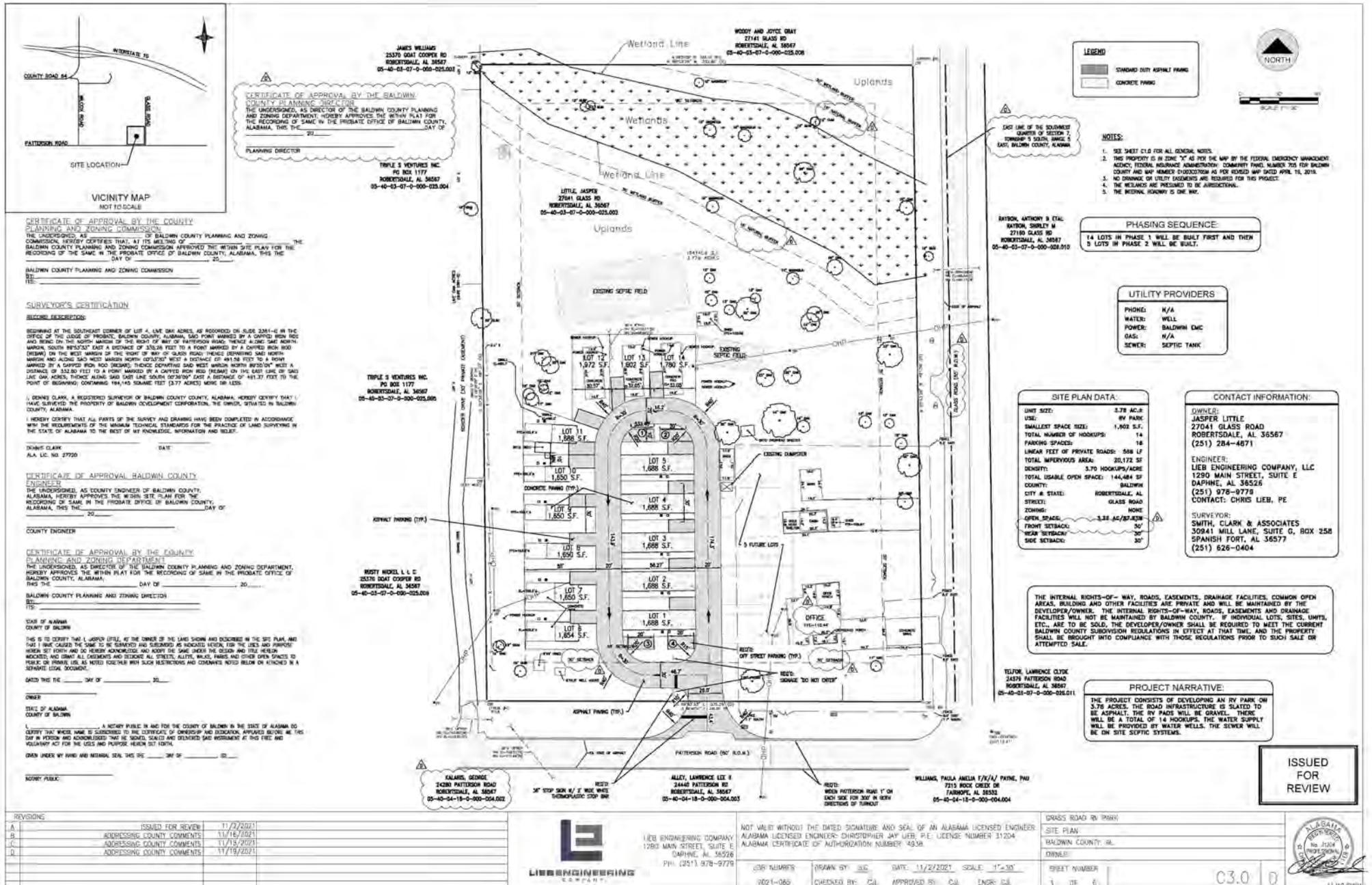
### FINAL SITE PLAN APPROVAL REQUEST

- **Development Density:** 3.70 Hookups per acre (14 sites / 3.78 acres)
- **Total Street Length:** 566 LF
  - Lots accessed via direct access to Patterson Road
- **Owner/Developer:** Jasper Little, 27041 Glass Road, Robertsedale, AL



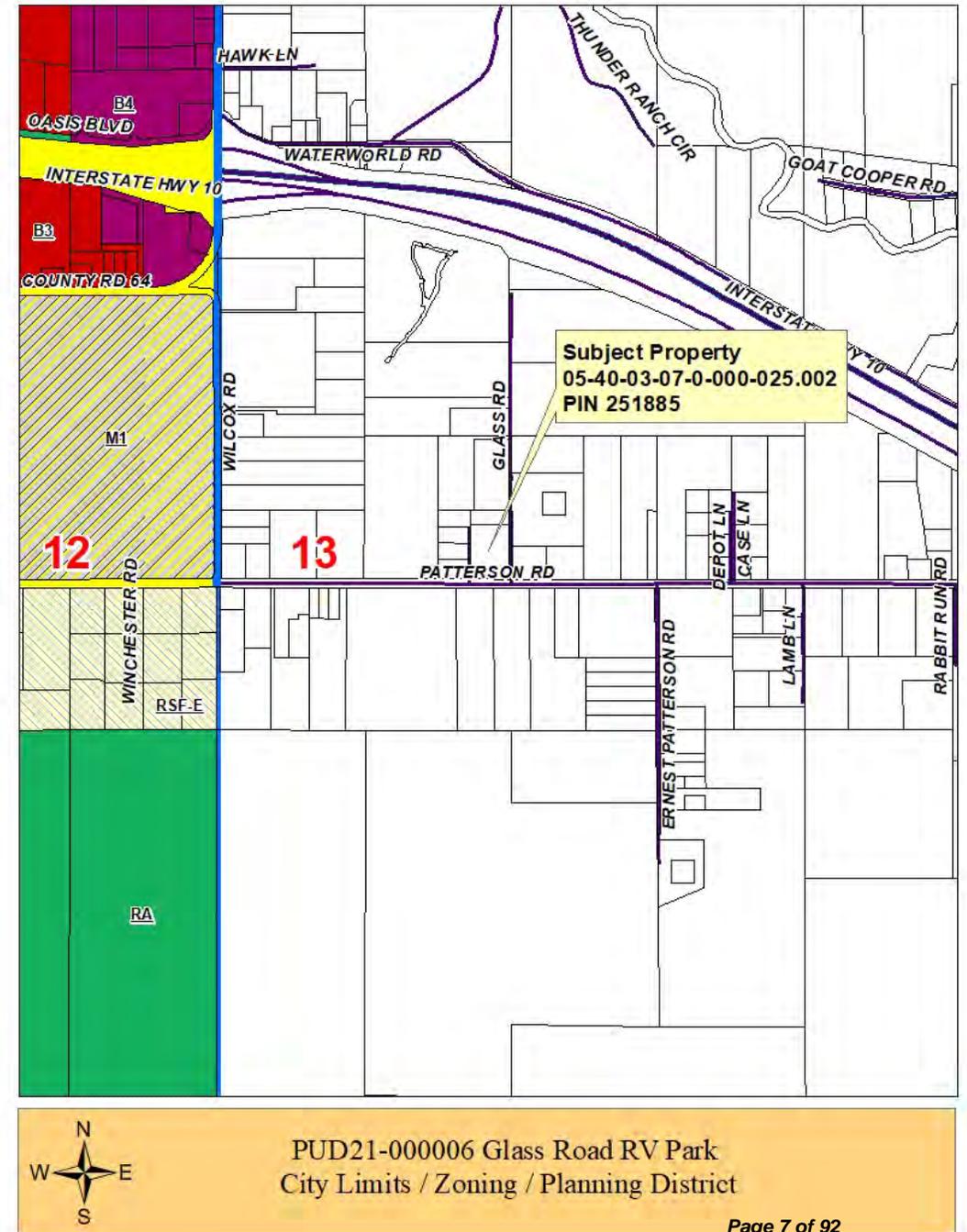
PUD21-000006 Glass Road RV Park  
Vicinity Map

# GLASS ROAD RV PARK



# PUD21-000006 Glass Road RV Park

- **Subject property is located at intersection of Patterson Road and Glass Road in the Wilcox Community**
- **Parcel Number**
  - 05-40-03-07-0-000-025.002  
(PIN 251885)
- **Subject property is unzoned, Planning District 13**



# PUD21-000006 Glass Road RV Park

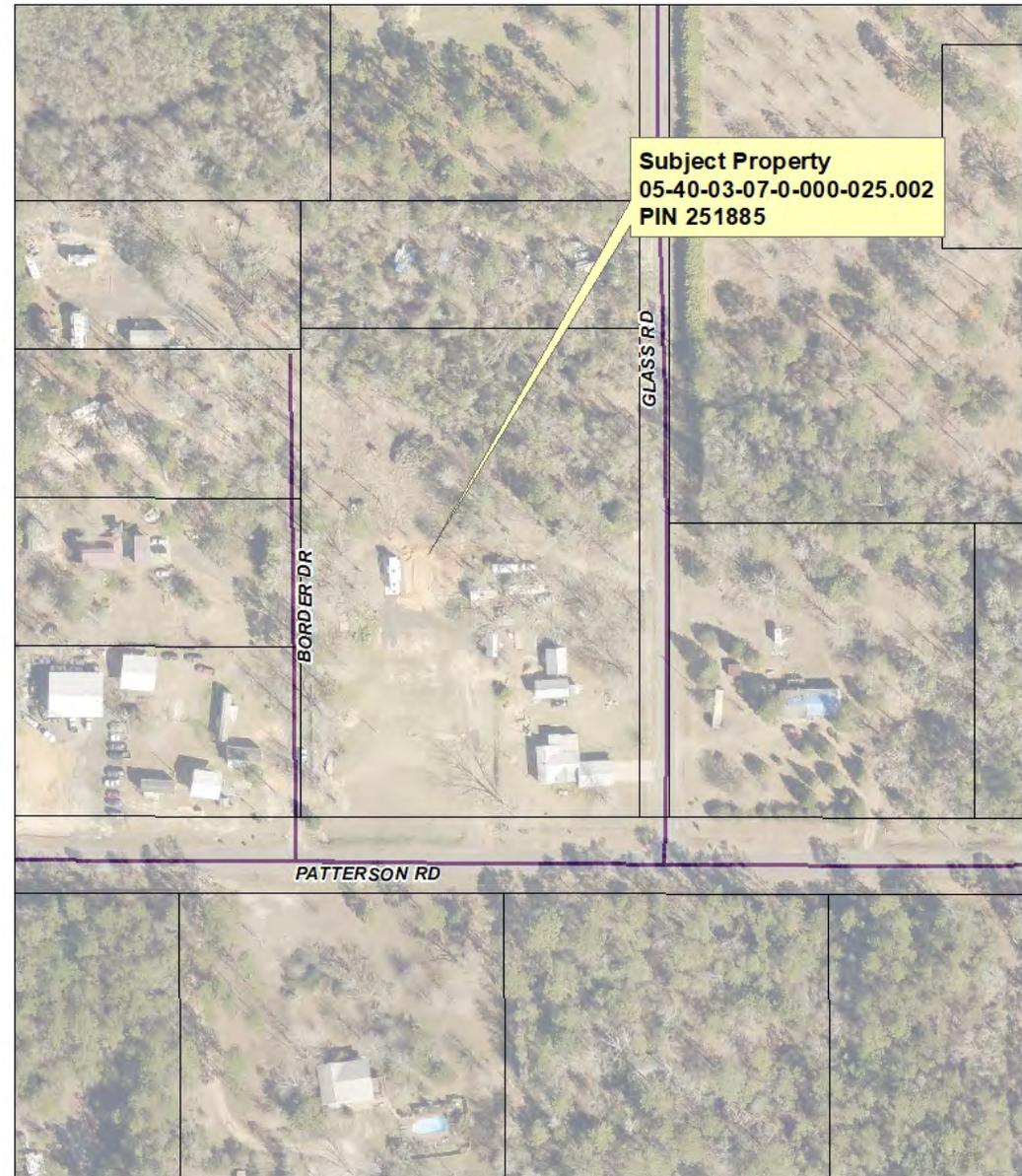
## Utilities Services

Water: *On-Site Well*

Sewer: *On-Site Septic*

Electricity: *Baldwin EMC*

Telephone: *Presumed CenturyLink*



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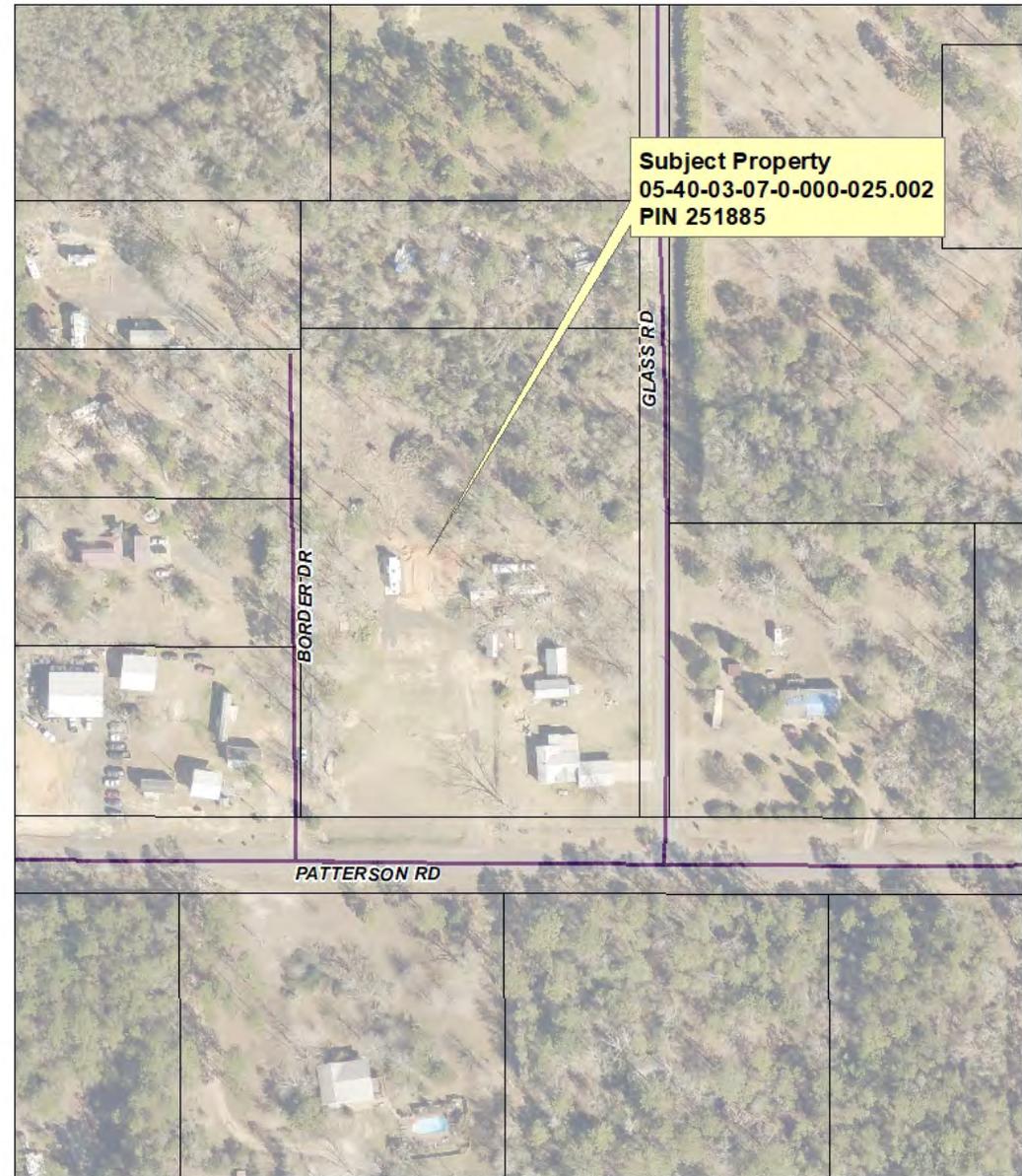
PUD21-000006 Glass Road RV Park  
Site Map

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# PUD21-000006 Glass Road RV Park

## Staff Comments

- No traffic study is required
- Drainage has been reviewed and accepted by the Baldwin County Highway Department
- Wetlands have been reviewed and accepted by the Natural Resource Planner



PUD21-000006 Glass Road RV Park  
Site Map

# PUD21-000006 Glass Road

## RV Park

### FINAL SITE PLAN APPROVAL REQUEST **STAFF RECOMMENDATION**

Staff recommends that the Final Site Plan application for Case No. PUD21-000006, Glass Road RV Park be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations with the condition for roadway improvements to Patterson Road and issuance of a Subdivision Permit from Baldwin County Highway Department.



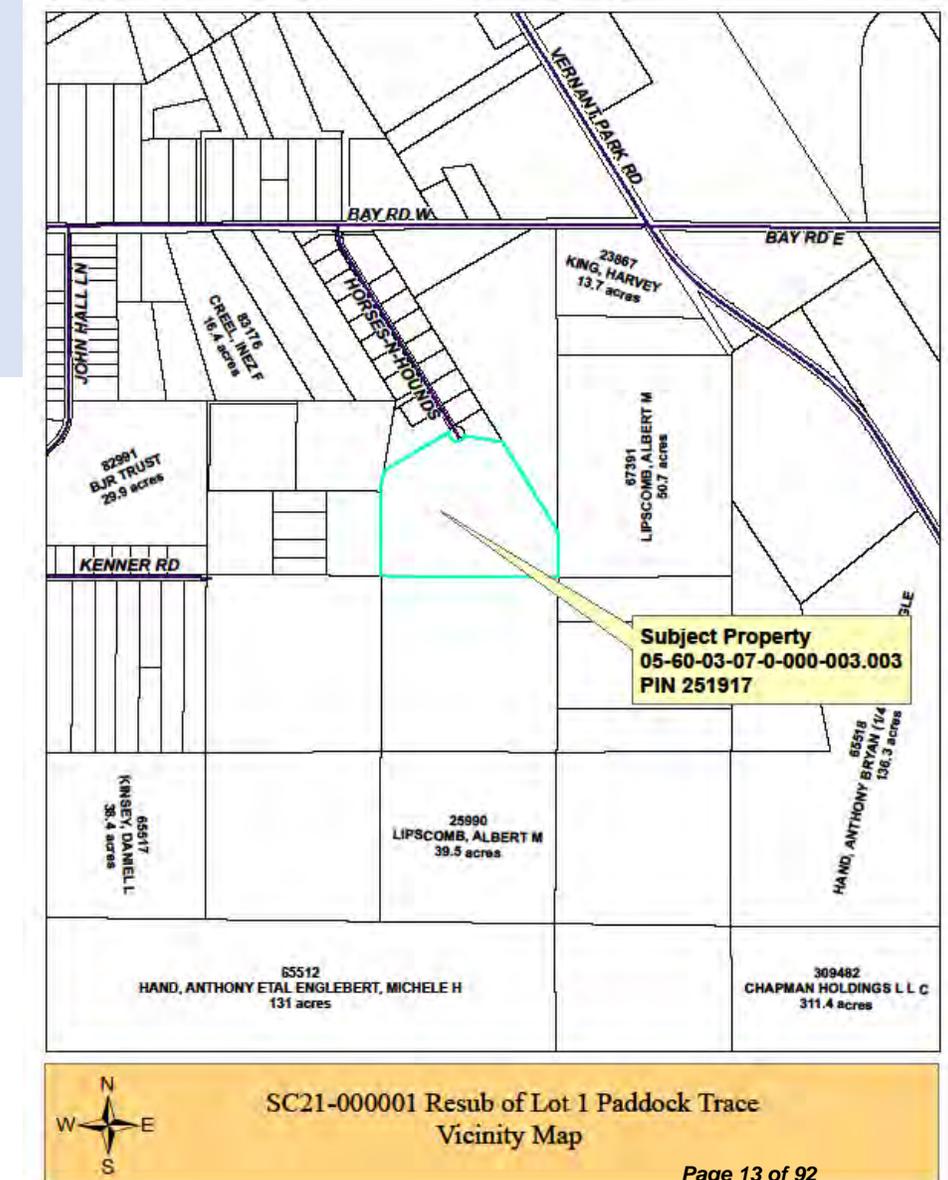
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# 7.b) SC21-00001 Resub Lot 1 Paddock Trace

## PRELIMINARY PLAT APPROVAL REQUEST

Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator

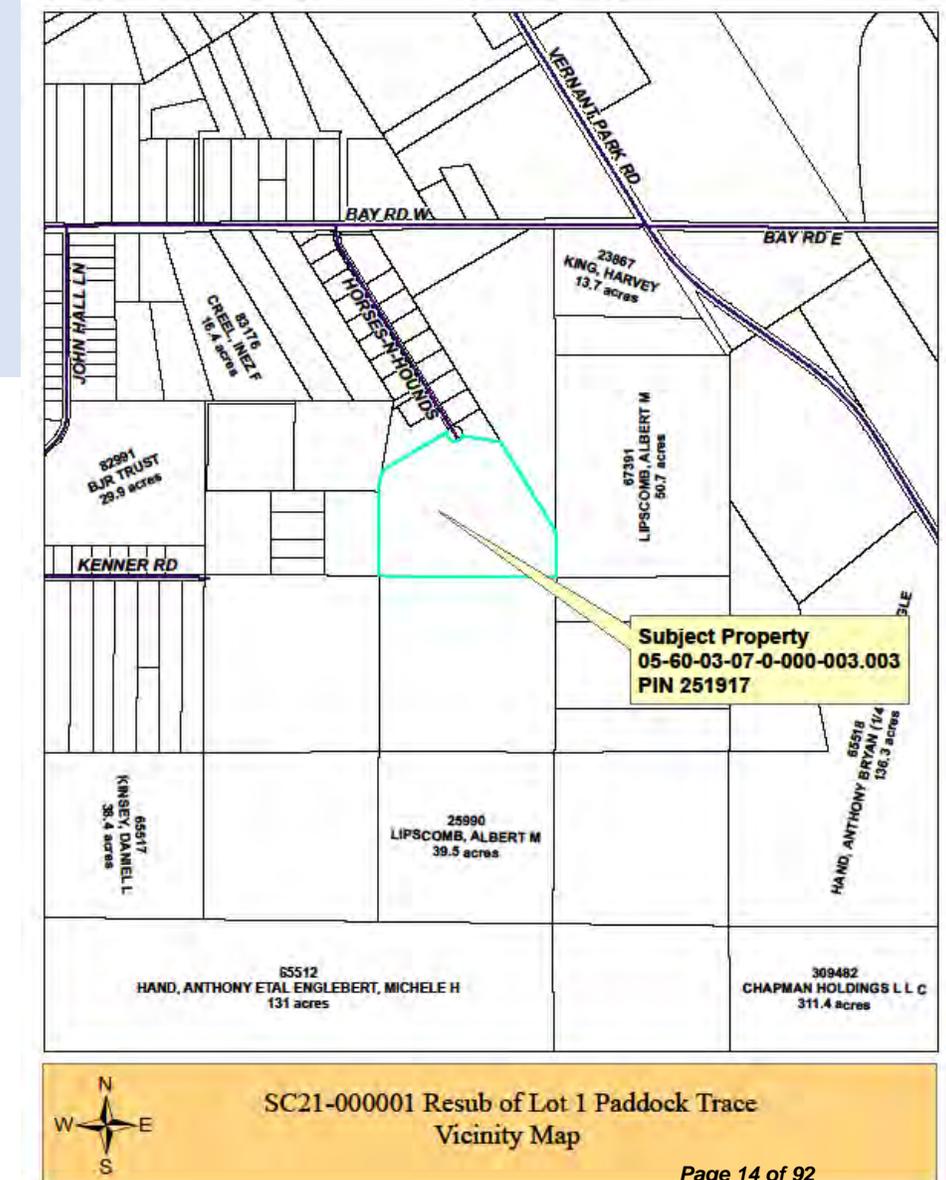
- **Smallest Lot:** 5 acres
- **Largest Lot:** 9.46 acres
- **Setbacks:** 30' Front, 30' Rear 10' Side,
- **A re-subdivision of portions of Lot 1 of Paddock Trace** Slide 2623-D
- **Surveyor of Record:** Daniel Clark, PLS  
*Smith Clark & Associates*



# SC21-00001 Resub Lot 1 Paddock Trace

## PRELIMINARY PLAT APPROVAL REQUEST

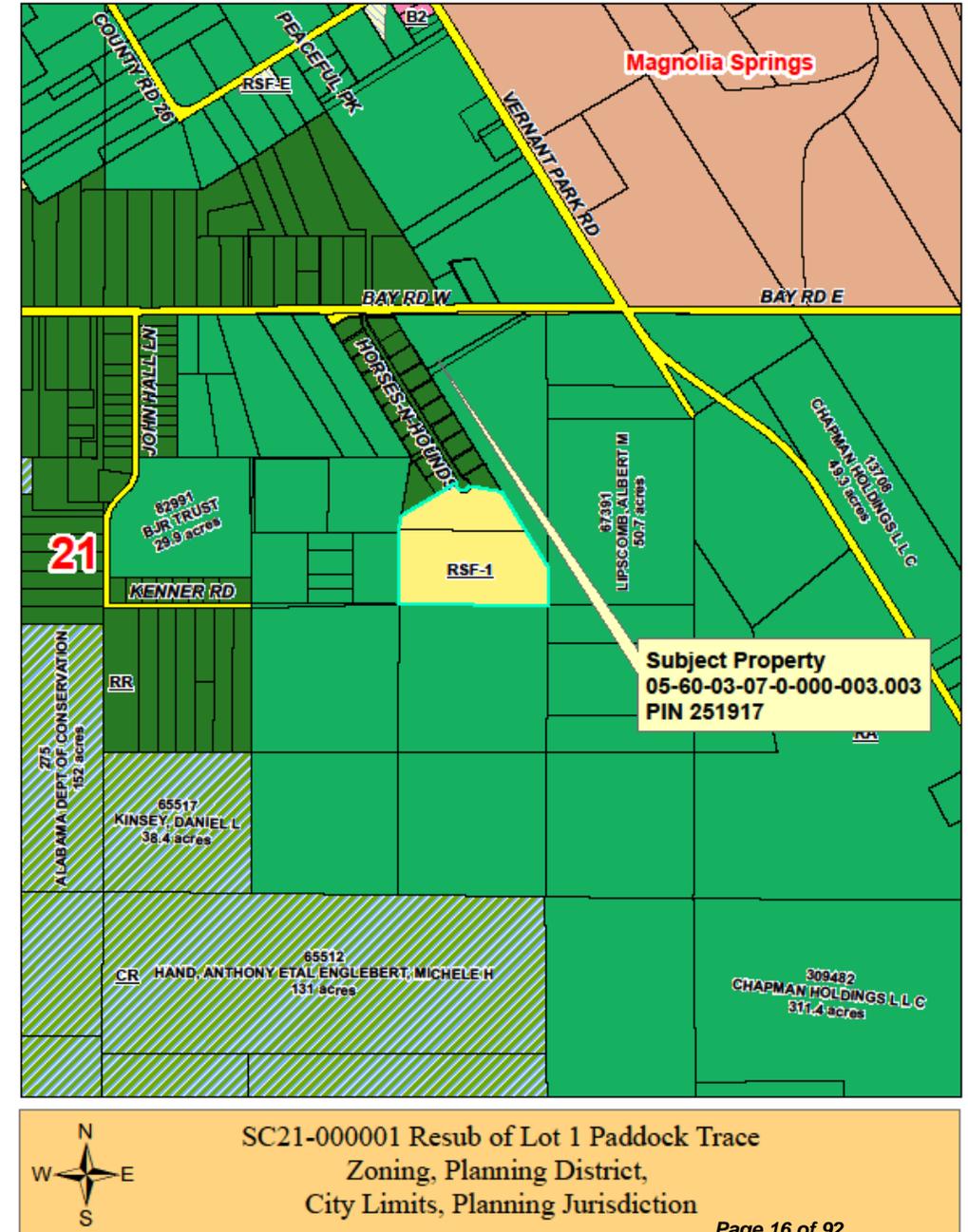
- **Development Density:** 0.146 units per acre (4 lots / 27.3 acres)
- **Total Street Length:** N/A
  - Lots accessed via existing cul-de-sac
- **Owner/Developer:** Darrell Keith and Ramona S. Roberts, 137 Old Mill Road, Fairhope, AL





# SC21-00001 Resub Lot 1 Paddock Trace

- Subject property is located at the terminus of Horses N Hounds Road W near the Town of Magnolia Springs
- Parcel Number
  - 05-60-03-07-0-000-003.003 (PIN 251917)
- Subject property is zoned RSF-1, Planning District 21



# SC21-00001 Resub Lot 1 Paddock Trace

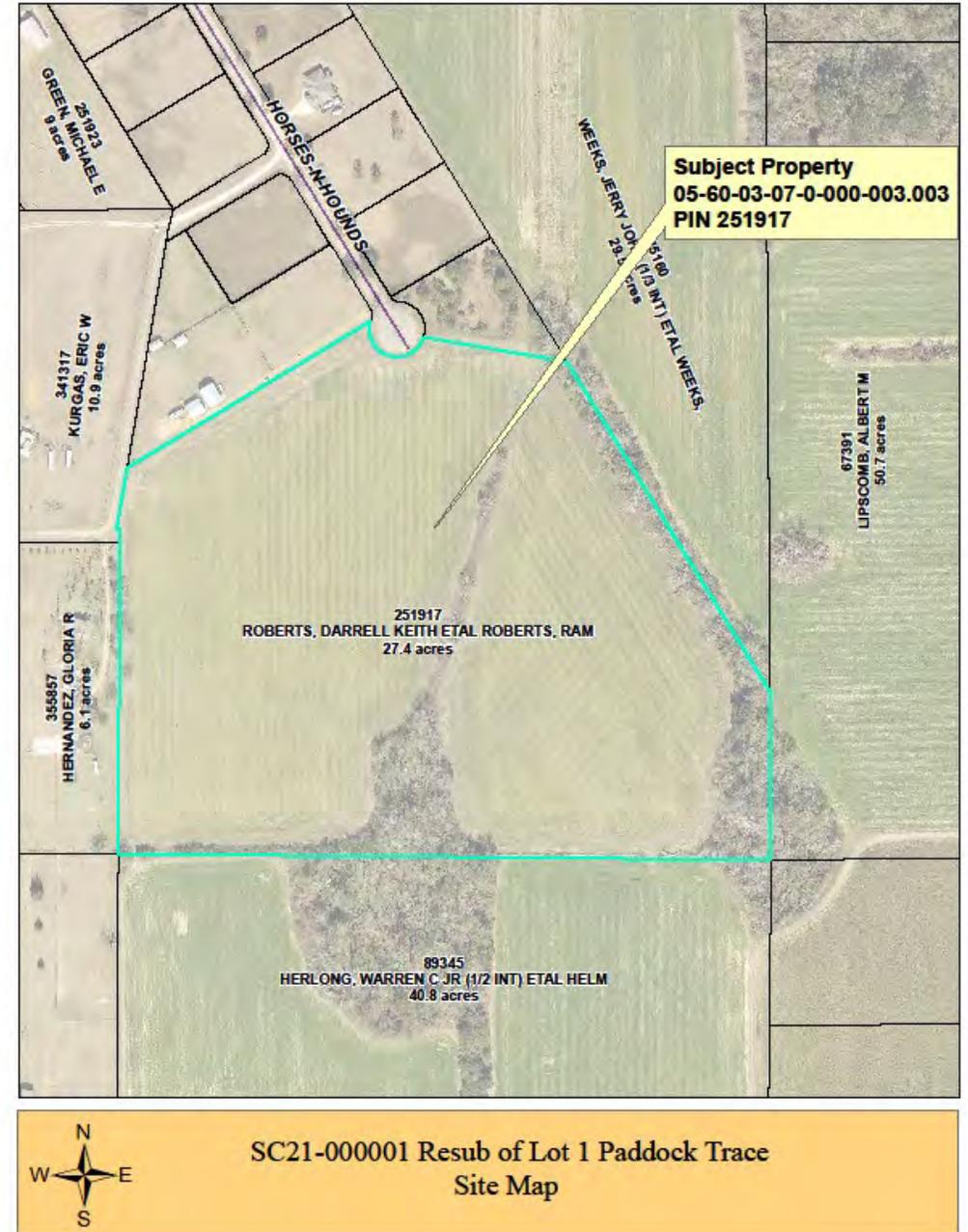
## Utilities Services

Water: *On-Site Well*

Sewer: *On-Site Septic*

Electricity: *Baldwin EMC*

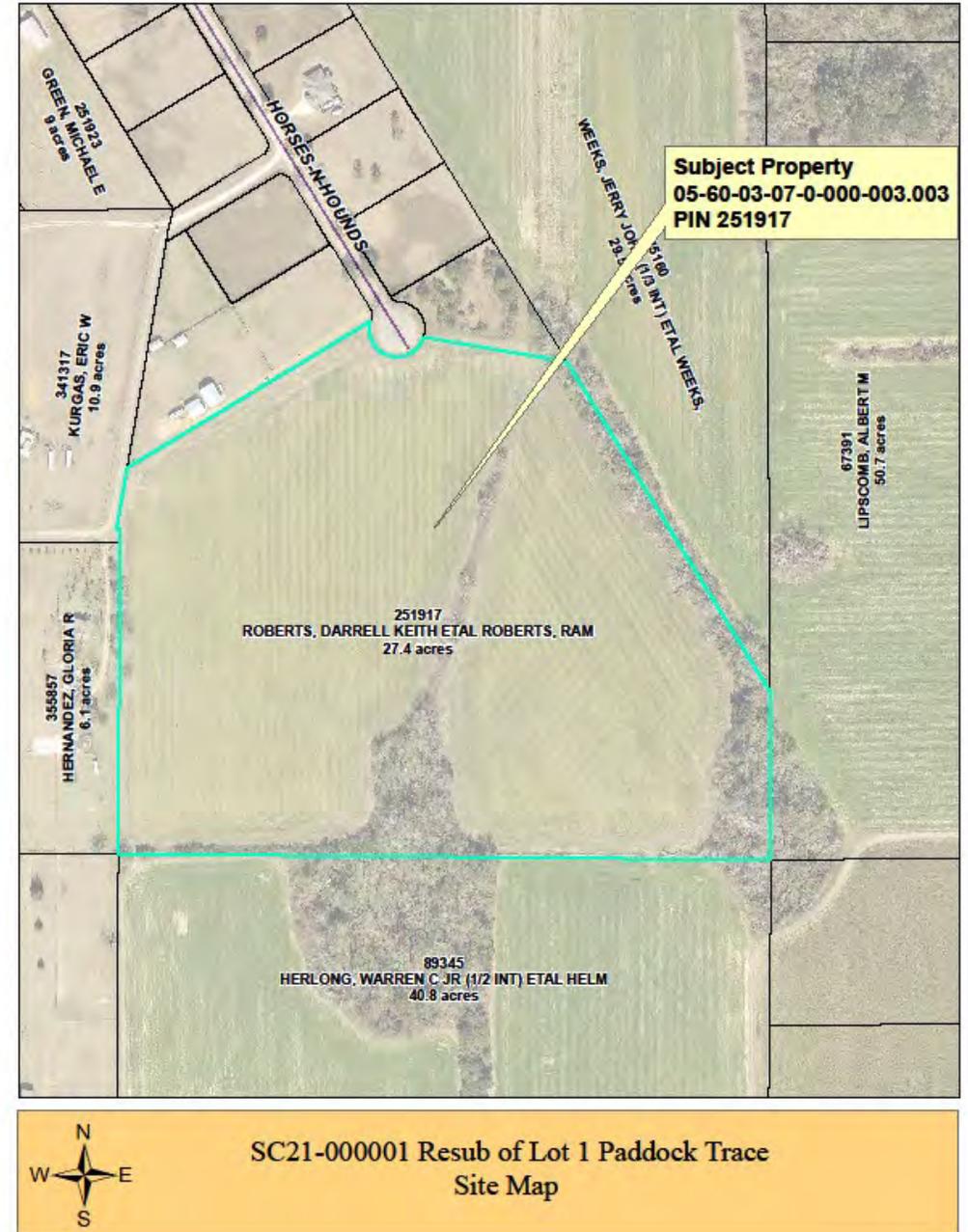
Telephone: *Centurylink*



# SC21-00001 Resub Lot 1 Paddock Trace

## Staff Comments

- No traffic study is required
- Drainage has been reviewed and accepted by the Baldwin County Highway Department
- Wetlands have been reviewed and accepted by the Natural Resource Planner



# SC21-00001 Resub Lot 1

## Paddock Trace

### PRELIMINARY PLAT APPROVAL REQUEST **STAFF RECOMMENDATION**

Staff recommends that the Development Permit / Preliminary Plat application for Case No. SC21-000001, Resub Lot 1 Paddock Trace be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations



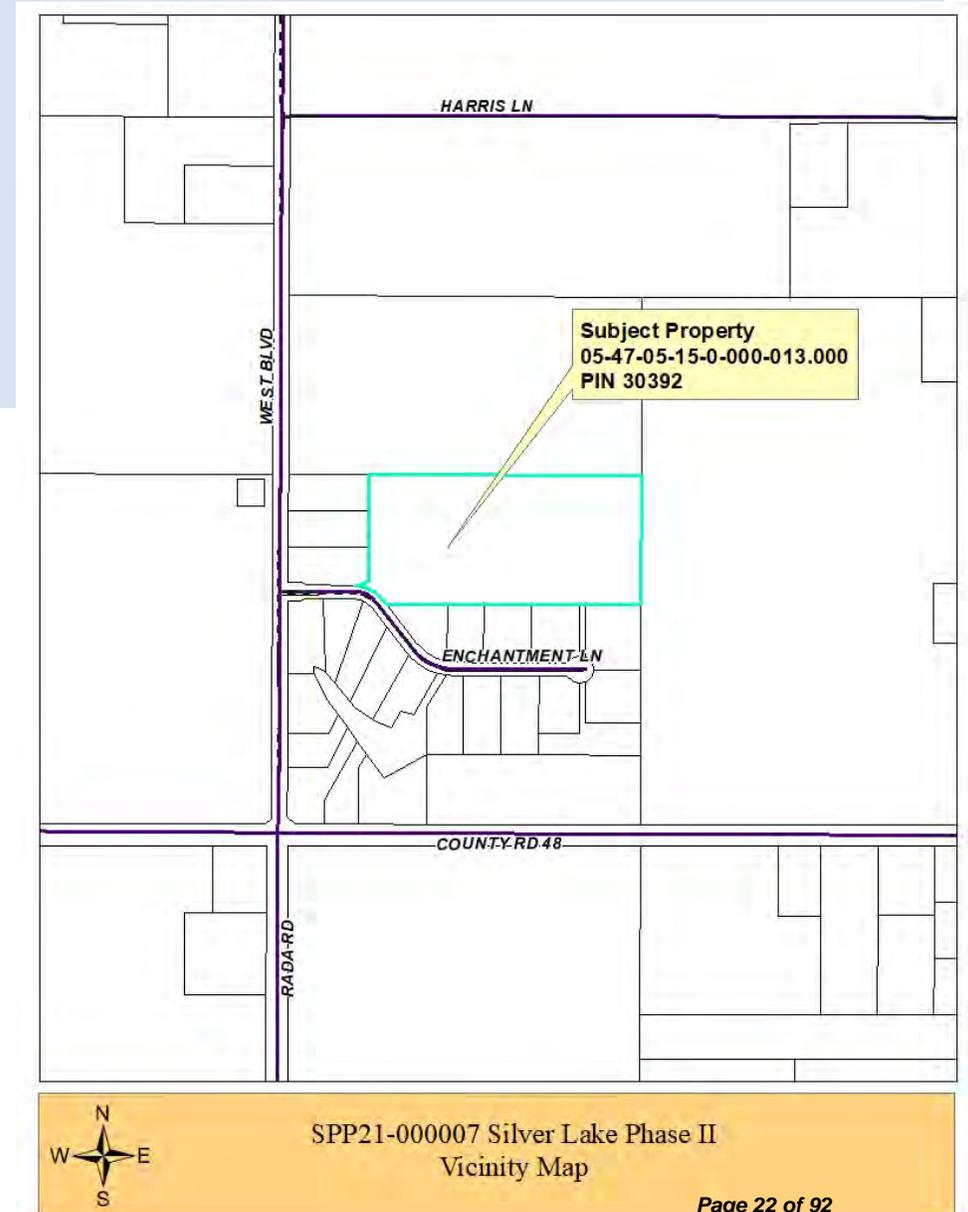
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# 7.c) SPP21-00007 Silver Lake Phase II

## PRELIMINARY PLAT APPROVAL REQUEST

- **Smallest Lot:** 0.55 acres (23,971SF)
- **Largest Lot:** 0.78 acres (34,100.9SF)
- **Setbacks:** 30' Front, 30' Rear 10' Side,
- **Surveyor of Record:** William Raber, PLS  
*Raber Surveying*
- **Engineer of Record:** Randy Arp, P.E  
*L.E. Stiffler Engineer, LLC*

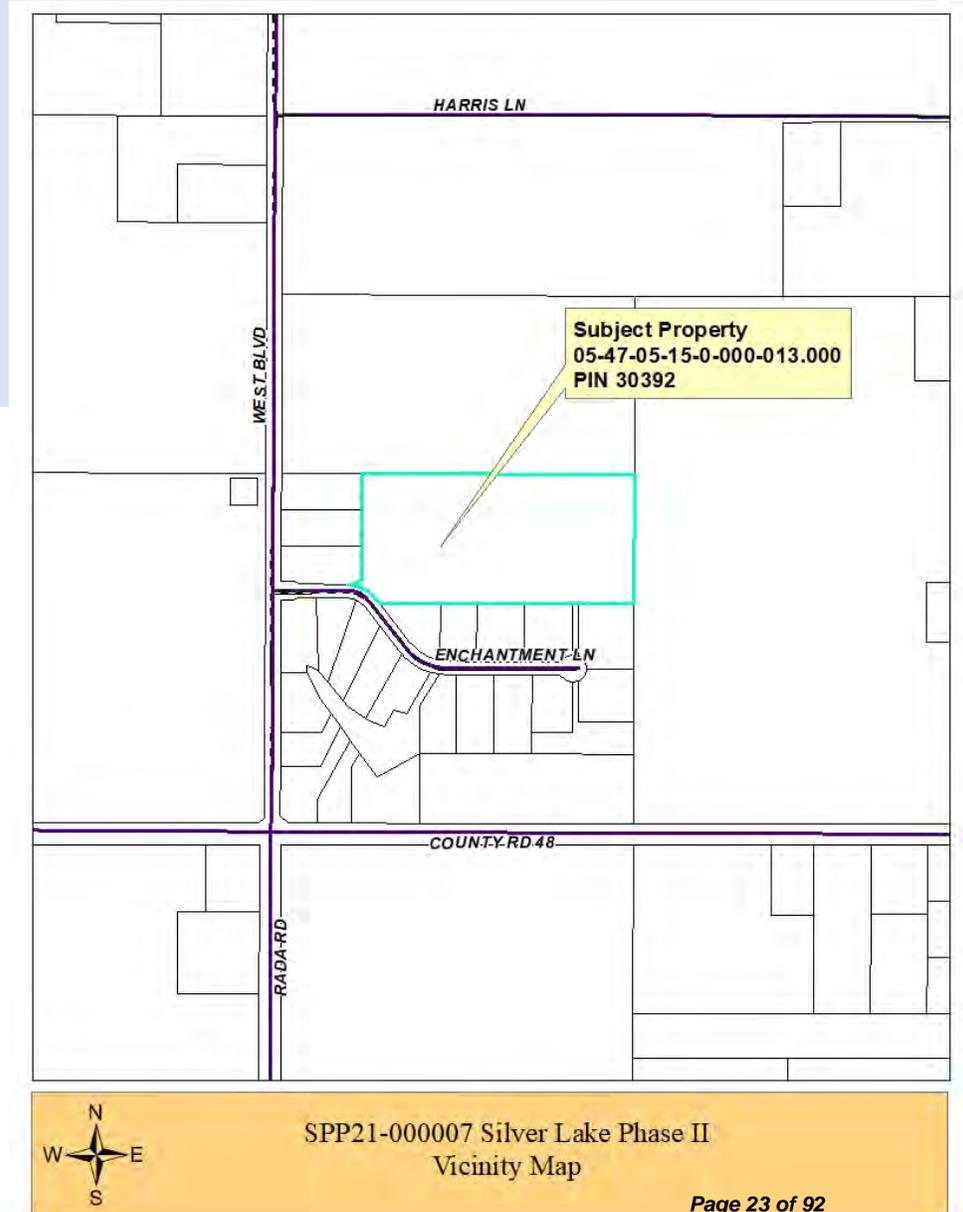
Staff Report Prepared by:  
Mary Booth, Subdivision Coordinator



# SPP21-00007 Silver Lake Phase II

## PRELIMINARY PLAT APPROVAL REQUEST

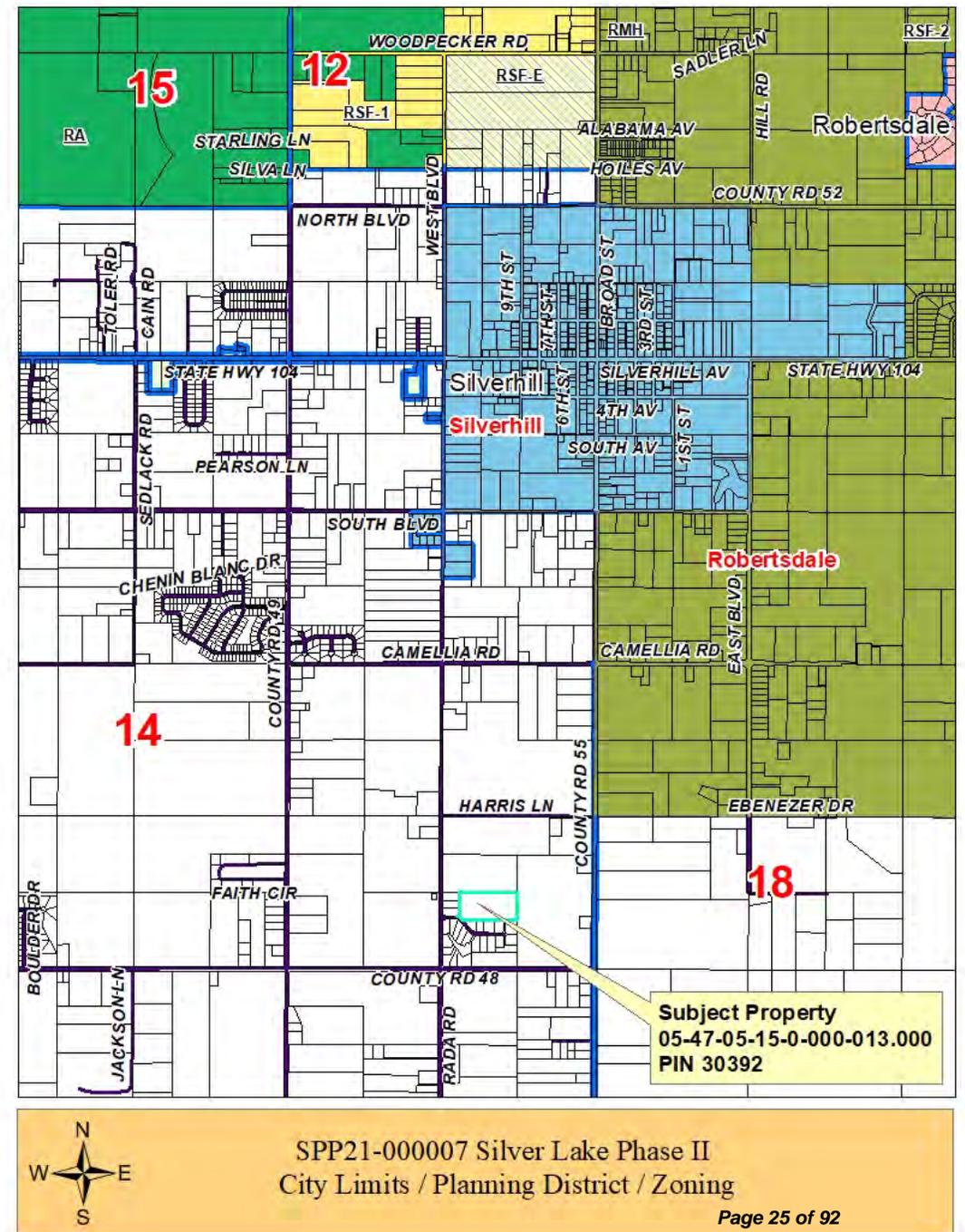
- **Development Density:** 0.126 units per acre (14 lots / 11.03 acres)
- **Total Street Length:** 990 LF, Public
  - Lots accessed via Tranquility Lane (new proposed internal road)
- **Owner/Developer:** Barnard Properties, LLC, 16707 Barnard Road, Summerdale, AL





# SPP21-00007 Silver Lake Phase II

- Subject property is located north off Enchantment Lane west of West Blvd. near the Town of Silverhill
- Parcel Number
  - 05-47-05-15-0-000-013.000 (PIN 30392)
- Subject property is unzoned, Planning District 21



# SPP21-00007 Silver Lake Phase II

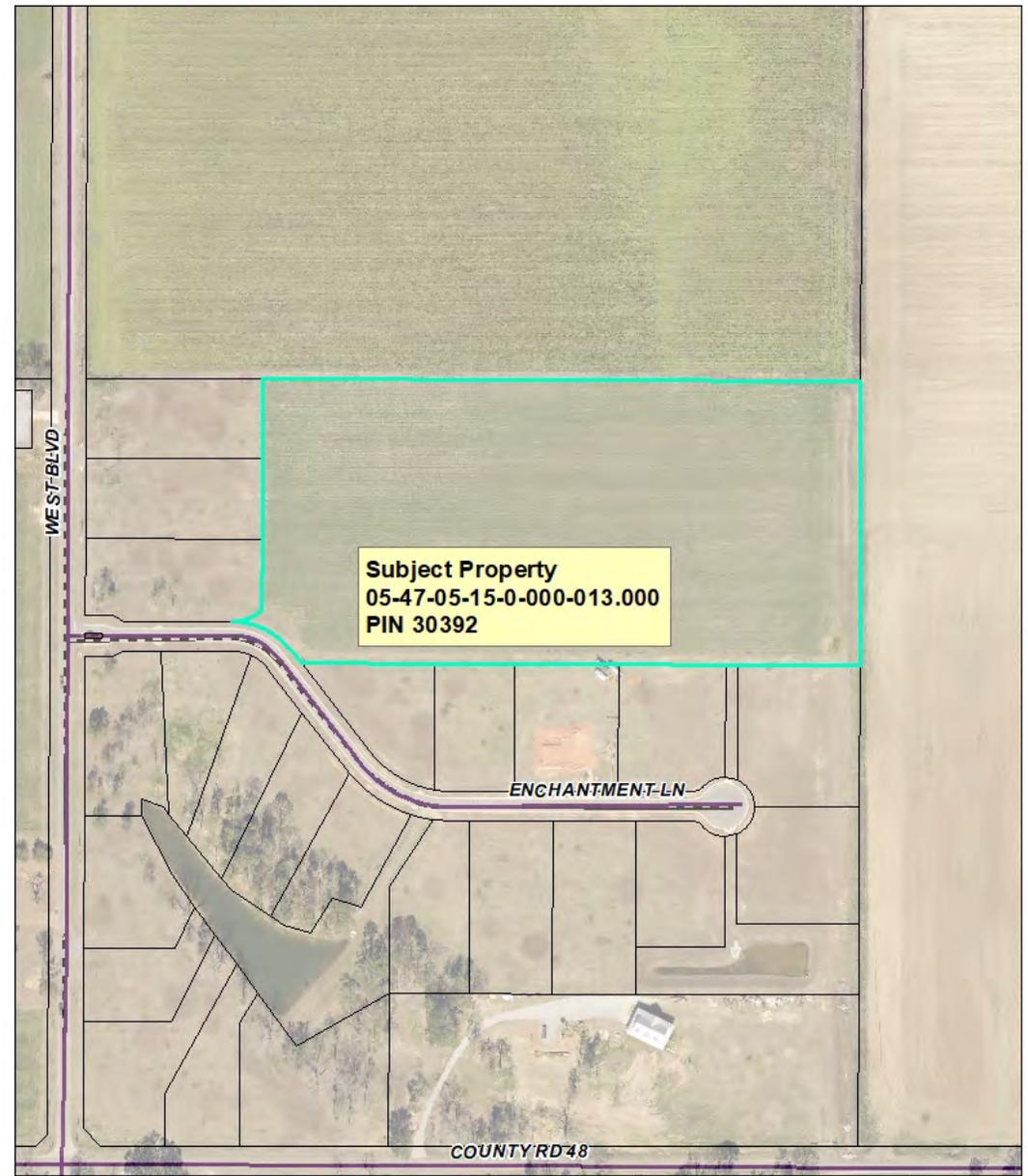
## Utilities Services

Water: *On-Site Well*

Sewer: *On-Site Septic*

Electricity: *Baldwin EMC*

Telephone: *Point BroadBand (Fiber)*

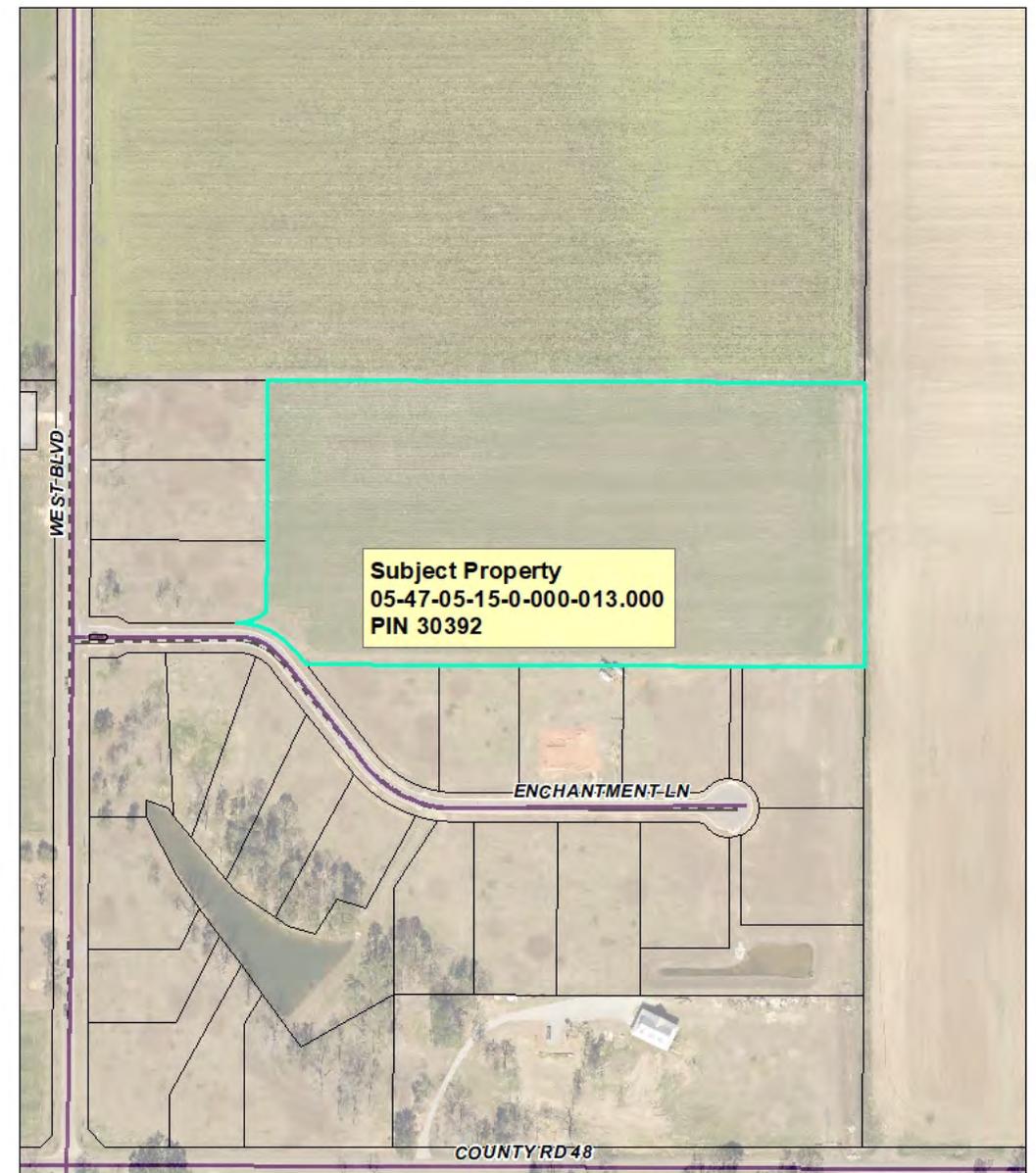


SPP21-00007 Silver Lake Phase II  
Site Map

# SPP21-00007 Silver Lake Phase II

## Staff Comments

- No traffic study is required
- Drainage has been reviewed and accepted by the Baldwin County Highway Department
- No wetlands present



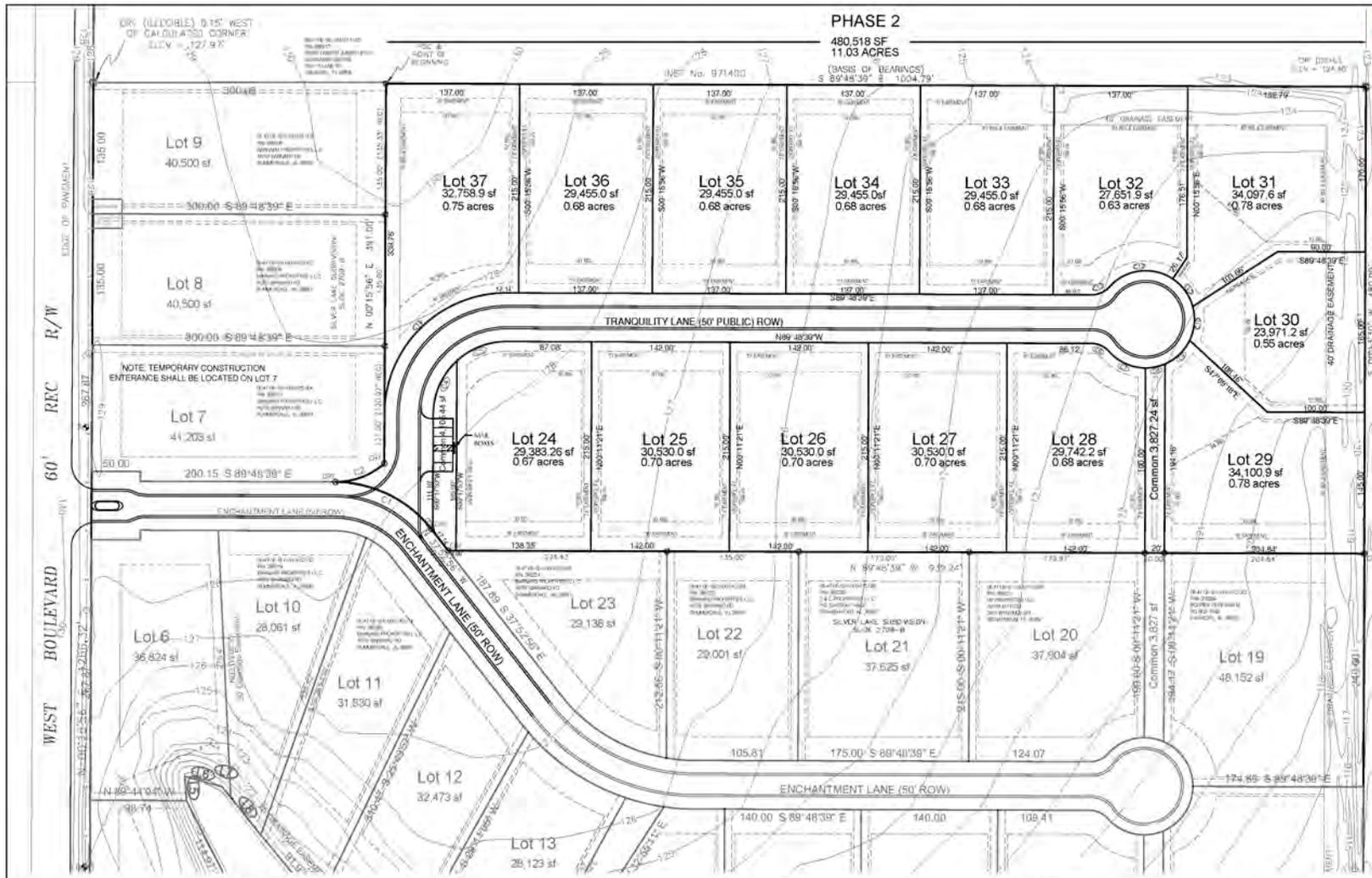
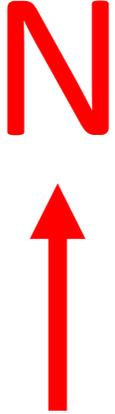
SPP21-00007 Silver Lake Phase II  
Site Map

# SPP21-00007 Silver Lake

## Phase II

### PRELIMINARY PLAT APPROVAL REQUEST **STAFF RECOMMENDATION**

Staff recommends that the Development Permit / Preliminary Plat application for Case No. SPP21-000007, Silver Lake Phase II be **APPROVED** subject to compliance with the Baldwin County Subdivision Regulations



**RR Ropes**  
**L.E. STIFFLER,**  
**ENGINEER LLC**  
 309 W. LAUREL AVE  
 TROY, AL 36089  
 334-343-3001  
 251-762-2474 FAX  
 rropes@rropes.com

**Silver Lake (Phase 2) Subdivision**  
 GUILFORD & MARIAN BARNARD  
 10/07 BARNARD RD  
 SUMMERDALE, AL 36686  
 DUMAS@GULFTEL.COM • 251.978.8817

**NOTES:**  
 THIS PROPERTY WAS SCALED ONTO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP NUMBER 01003 C 0670 W (EFFECTIVE APRIL 19, 2019) AND FOUND TO BE IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).  
 THE ADJACENT PROPERTY REFERENCES SHOWN HEREON ARE FROM INFORMATION AVAILABLE FROM THE PROBATE COURT RECORDS AT THE TIME OF THIS SURVEY.  
 ELEVATIONS ARE BASED ON GPS OBSERVATIONS (NAVD88).  
 BEARINGS ARE BASED ON THE RECORDED DEED AND DO NOT DEVIATE SIGNIFICANTLY FROM THEIR ORIGINAL INTENT.



**PROJECT NOTES**  
 1. ALL WORK ON THE RIGHT OF WAY WILL CONFORM WITH THE LATEST EDITION OF ADEPT SPECIFICATIONS.  
 2. ALL DISTURBED AREAS SHALL BE RESTORED OR IMPROVED TO EXCEED THE BEST ADJACENT UNDEVELOPED AREAS OR AS DETERMINED BY THE COUNTY ENGINEER.  
 3. ALL UTILITIES LOCATED WITHIN THE STREET SHALL BE REMOVED BY THE CONTRACTOR.  
 4. NO WORK WITHIN THE COUNTY RIGHT-OF-WAY SHALL BE PERFORMED WITHOUT APPROVAL.  
**OWNER'S INFORMATION**  
 Client Number: 05-47105-13-0189-013(08)  
 PIN: 3000  
 BARNARD PROJECTS LLC  
 10/07 BARNARD RD  
 SUMMERDALE, AL 36686

**DESCRIPTION OF PROPERTY:**  
 THAT PARCEL LABELED FUTURE AS SHOWN ON SILVER LAKE SUBDIVISION, RECORDED ON SLIDE 2709-8 IN THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA.  
**THIS PROPERTY MAY ALSO BE DESCRIBED AS FOLLOWS:**  
 BEGINNING AT A REBAR AND CAP REPRESENTING THE NORTHEAST CORNER OF LOT 9, SILVER LAKE SUBDIVISION, AS RECORDED ON SLIDE 2709-8 IN THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA, RUN SOUTH 89 DEGREES 48 MINUTES 39 SECONDS EAST, ALONG THE NORTH BOUNDARY OF SAID SILVER LAKE SUBDIVISION, A DISTANCE OF 1004.79 FEET TO A REBAR AND CAP REPRESENTING THE NORTHEAST CORNER OF SAID SILVER LAKE SUBDIVISION; RUN SOUTH 00 DEGREES 13 MINUTES 30 SECONDS WEST, ALONG THE EAST BOUNDARY OF SAID SILVER LAKE SUBDIVISION, A DISTANCE OF 480.00 FEET TO A REBAR AND CAP REPRESENTING THE NORTHEAST CORNER OF LOT 19 OF SILVER LAKE SUBDIVISION; RUN THENCE NORTH 89 DEGREES 48 MINUTES 39 SECONDS WEST, ALONG THE NORTH LINE AND WESTWARD EXTENSION OF SAID LOT 19, A DISTANCE OF 939.24 FEET TO A REBAR AND CAP REPRESENTING A POINT ON THE NORTHEASTERN RIGHT OF WAY LINE OF ENCHANTMENT LANE; RUN THENCE NORTH 37 DEGREES 52 MINUTES 56 SECONDS WEST, ALONG SAID NORTHEASTERN RIGHT OF WAY LINE OF ENCHANTMENT LANE, A DISTANCE OF 28.66 FEET TO A REBAR AND CAP REPRESENTING THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 123.00 FEET; RUN THENCE ALONG THE ARC OF SAID CURVE AND SAID NORTHEAST RIGHT OF WAY LINE OF ENCHANTMENT LANE, A DISTANCE OF 113.27 FEET TO A REBAR AND CAP REPRESENTING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTWARDLY, HAVING A RADIUS OF 73.00 FEET AND A CHORD OF NORTH 89 DEGREES 20 MINUTES 42 SECONDS EAST FOR 53.40 FEET, SAID POINT BEING THE SOUTHEASTERN CORNER OF LOT 7 OF THE AFORESAID SILVER LAKE SUBDIVISION; RUN THENCE, ALONG THE ARC OF SAID CURVE AND THE EASTERN LINE OF SAID LOT 7, A DISTANCE OF 34.60 FEET TO A REBAR AND CAP REPRESENTING THE END OF SAID CURVE; RUN THENCE NORTH 00 DEGREES 15 MINUTES 55 SECONDS EAST, ALONG THE EAST LINE AND NORTHWARD PROJECTION OF SAID LOT 7, A DISTANCE OF 391.00 FEET TO THE POINT OF BEGINNING.

**SITE DATA**  
 ACREAGE TOTAL (TRACT): 11.00 ACRES  
 SMALLEST LOT SIZE: 35,971 SF  
 TOTAL NUMBER OF LOTS: 31  
 LENGTH FEET IN PUBLIC SUBDIVISION: NONE  
 MINIMUM BUILDING SETBACKS: (OR AS OTHERWISE SHOWN ON PLAT):  
 FRONT: 30 FT  
 REAR: 30 FT  
 SIDE: 30 FT  
 DRAINAGE UTILITY EASEMENTS: NONE  
 EXISTING FEASIBLE AND HIGH LOT LINES WITH INTERIOR REAR AND SIDE LOT LINES (P) ALONG ROW: N/A  
**ZONING (DISTRICT):** N/A  
**ZONING CLASSIFICATION:** N/A  
**FLOOD AREA:** X (SEE FIRM # 01003C W 0670 W)

**LEGEND**  
 CRF - 5/8" DIAMETER REBAR, WITH PLASTIC CAP, FOUND  
 CP - CORRUGATED PLASTIC PIPE  
 E - ELECTRIC SERVICE TRANSFORMER PAD  
 W - GUY WIRE/ANCHOR  
 INST - RECORDING INSTRUMENT NUMBER  
 RFB - 5/8" DIAMETER REBAR FOUND  
 T - TELEPHONE SERVICE BOX  
 TPC - TERRA COTTA PIPE  
 UP - UTILITY POLE  
 W - WATER WELL

**THEATER**  
 ELECTRICAL: BALDWIN ENG  
 TELEPHONE: FERNI SERVICES (P) INC  
 WATER: INDIVIDUAL WELLS  
 SEWER: BALDWIN COUNTY WATER SERVICES

**CURVE TABLE**

STATION	ANGLE	LENGTH	DELTA	TANGENT	CHORD
0+00	37.5256	113.27	113.27	113.27	113.27
0+113.27	37.5256	113.27	113.27	113.27	113.27
0+226.54	37.5256	113.27	113.27	113.27	113.27
0+340.81	37.5256	113.27	113.27	113.27	113.27
0+454.08	37.5256	113.27	113.27	113.27	113.27
0+567.35	37.5256	113.27	113.27	113.27	113.27
0+680.62	37.5256	113.27	113.27	113.27	113.27
0+793.89	37.5256	113.27	113.27	113.27	113.27
0+907.16	37.5256	113.27	113.27	113.27	113.27
0+1020.43	37.5256	113.27	113.27	113.27	113.27
0+1133.70	37.5256	113.27	113.27	113.27	113.27

**Notes:**  
 1. No new detention facilities associated with this phase. Only conversions to existing and new catch basins.  
 2. Drainage area in Phase 2 account for both phase 1 and 2 stormwater. Phase 1 and Phase 2 drainage are responsible in mainline culverts areas and stormwater facilities.  
 3. No overhead utilities.  
 4. County Main Road Standards to match phase 1.  
 5. 20' Asphalt with 2" concrete gutters on both sides to match phase 16. No sidewalks, to match phase 1.

**JOB NUMBER:**  
 210815  
**DATE:**  
 08.29.2021  
**REVISION:**  
 10.26.2021  
 11.4.2021  
 11.15.2021  
 11.17.2021  
 11.18.2021

**SCALE:**  
 1" = 50'  
**SHEET NO:**  
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# (8.A) Z21-000004 CAFFERTY PROPERTY

Lead Staff: Celena Boykin, Senior Planner

## REZONING REQUEST FROM RSF-1 TO RSF-2

- **Planning District:** 26    **Zoned:** RSF-1
- **Location:** Subject property is located on the east side of Scenic Hwy 98
- **Current Use:** Residential
- **Acreage:** 15,985 Sq Ft.
- **Physical Address:** 16390 Scenic Hwy 98
- **Applicant:** Marie Cafferty
- **Owner:** Marie Cafferty



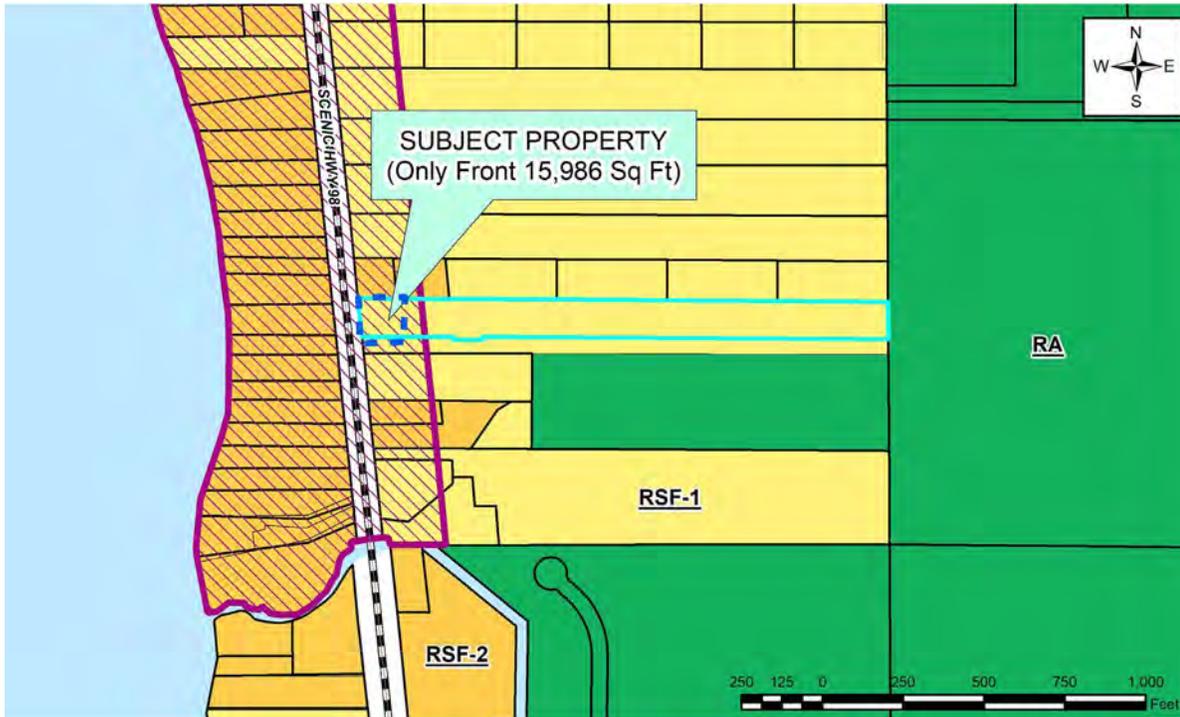
# (8.c) Z21-000004 CAFFERTY PROPERTY

## REZONING REQUEST FROM **RSF-1** TO **RSF-2**

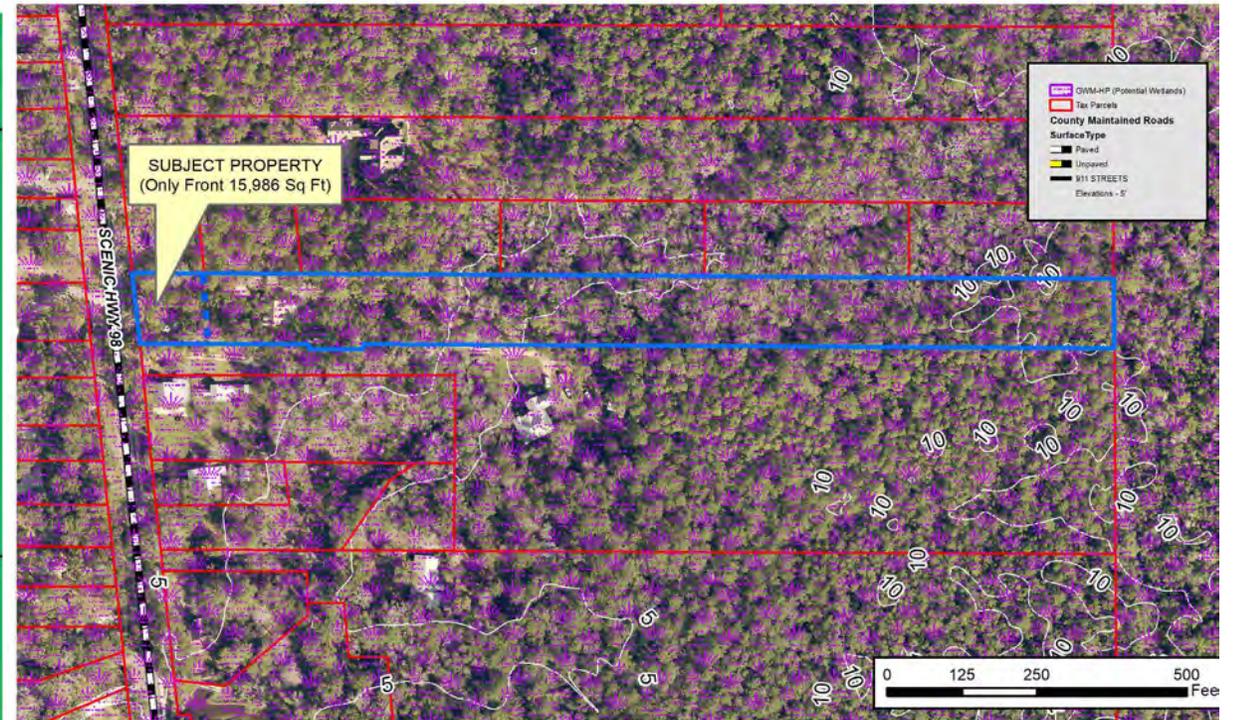
- **Proposed Zoning:** RSF-2, Single Family District
- **Proposed Use:** Residential (One-Time Split)
- **Applicant's Request:** There are currently 3 homes on the subject property and the applicant would like to bring it into compliance by dividing the property into two parcels.



# Locator Map



# Site Map



	Adjacent Zoning	Adjacent Land Use
North	RSF-2, Residential Single Family District	Residential
South	RSF-1, Residential Single Family District	Residential
East	RSF-1, Residential Single Family District	Residential
West	RSF-2, Residential Single Family District	Scenic 98 and Residential

# Property Images



# 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 *Commission Site Plan Approval.* 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 by the site plan approval process:

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

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: Not Applicable

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 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Maximum Height in Habitable Stories	2 1/2
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 *Commission Site Plan Approval.* 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 by the site plan approval process:

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

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: Not Applicable

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 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

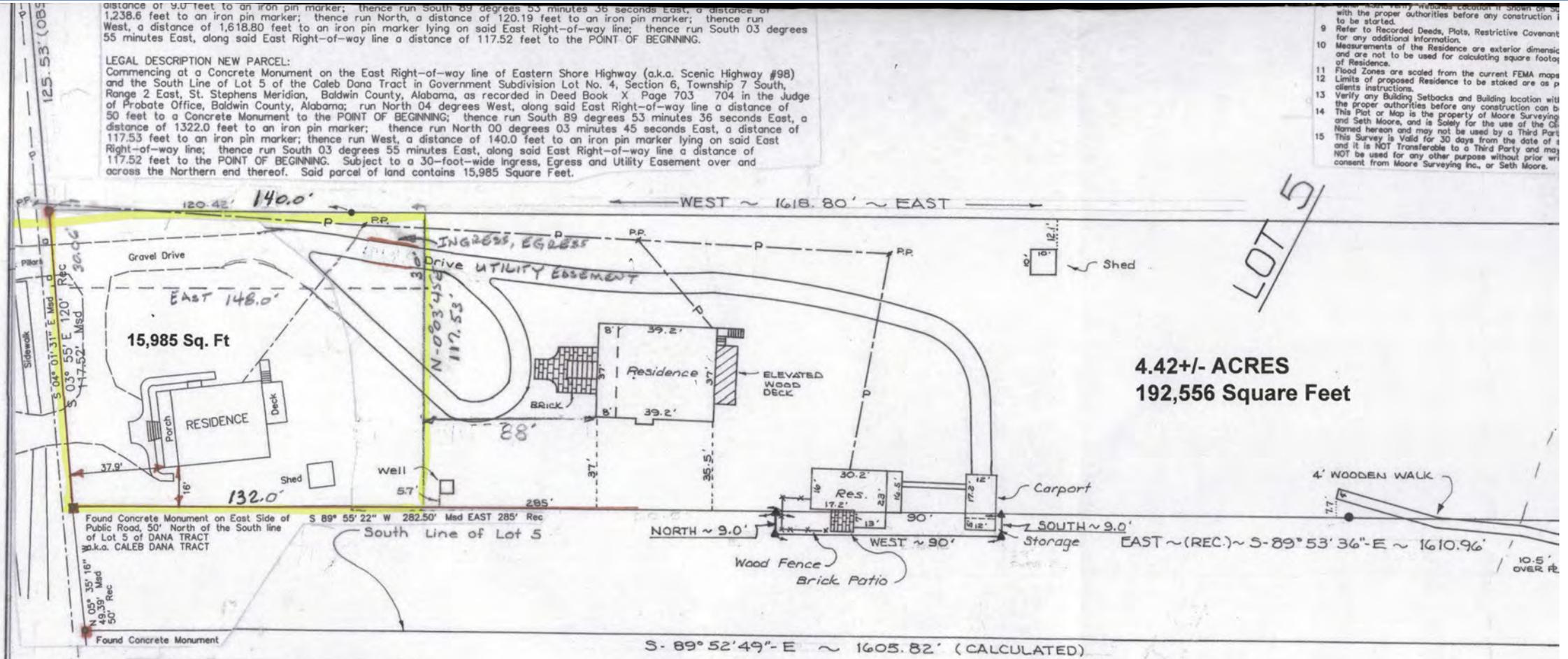
Maximum Height of Structure in Feet	35-Feet
Maximum Height in Habitable Stories	2 1/2
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	15,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	40-Feet
Maximum Ground Coverage Ratio	.35

# Site Plan

distance of 9.0 feet to an iron pin marker; thence run South 89 degrees 53 minutes 36 seconds East, a distance of 1,238.6 feet to an iron pin marker; thence run North, a distance of 120.19 feet to an iron pin marker; thence run West, a distance of 1,618.80 feet to an iron pin marker lying on said East Right-of-way line; thence run South 03 degrees 55 minutes East, along said East Right-of-way line a distance of 117.52 feet to the POINT OF BEGINNING.

**LEGAL DESCRIPTION NEW PARCEL:**  
Commencing at a Concrete Monument on the East Right-of-way line of Eastern Shore Highway (a.k.a. Scenic Highway #98) and the South Line of Lot 5 of the Caleb Dana Tract in Government Subdivision Lot No. 4, Section 6, Township 7 South, Range 2 East, St. Stephens Meridian, Baldwin County, Alabama, as recorded in Deed Book X Page 703 704 in the Judge of Probate Office, Baldwin County, Alabama; run North 04 degrees West, along said East Right-of-way line a distance of 50 feet to a Concrete Monument to the POINT OF BEGINNING; thence run South 89 degrees 53 minutes 36 seconds East, a distance of 1322.0 feet to an iron pin marker; thence run North 00 degrees 03 minutes 45 seconds East, a distance of 117.53 feet to an iron pin marker; thence run West, a distance of 140.0 feet to an iron pin marker lying on said East Right-of-way line; thence run South 03 degrees 55 minutes East, along said East Right-of-way line a distance of 117.52 feet to the POINT OF BEGINNING. Subject to a 30-foot-wide Ingress, Egress and Utility Easement over and across the Northern end thereof. Said parcel of land contains 15,985 Square Feet.

- 9 Refer to Recorded Deeds, Plots, Restrictive Covenant for any additional information.
- 10 Measurements of the Residence are exterior dimensions and are not to be used for calculating square footage of Residence.
- 11 Flood Zones are scoted from the current FEMA maps clients instructions.
- 12 Limits of proposed Residence to be staked are as per clients instructions.
- 13 Verify any Building Setbacks and Building location with the proper authorities before any construction can be started.
- 14 This Plot or Map is the property of Moore Surveying and Seth Moore, and is Solely for the use of the Client Named hereon and may not be used by a Third Party and it is NOT Transferable to a Third Party and may NOT be used for any other purpose without prior written consent from Moore Surveying Inc., or Seth Moore.



**4.42+/- ACRES**  
**192,556 Square Feet**

**SURVEY NO. 2021-151**

SCALE	1"=40'
DATE	7-30-21
FIELD WORK DATE	7-27
DRAWN BY	SNM
JOB NO.	
REVISIONS	

SEAL

**NOTE:** This drawing and/or certification does not reflect any title or easement research, other than what is visible on the ground or provided by the clients.

# Staff Analysis and Findings

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

The subject property is currently zoned RSF-1, Residential Single Family District, and is residential. The adjacent properties are zoned RSF-2 and RSF-1. The adjacent uses are also residential. Staff believes the requested change is compatible with the existing development patterns and would make the property more conforming.

## **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 26 zoning map was adopted in 1993. At that time, the property was zoned RSF-1. There has been one rezoning in the area, a couple parcels south of the subject property, 1.2 acres was rezoned from RSF-1 to RSF-2.

# Staff Analysis and Findings

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

The Baldwin County Master Plan, 2013, provides future land use designations for properties located within the zoned areas of the County. These categories represent the recommendations for the physical development of the unincorporated areas of the County. They are intended for planning purposes only and do not represent the adoption of zoning designations for areas which have not voted their desire to come under the zoning authority of the Baldwin County Commission. Although not legally binding, the future land use designations are evaluated in conjunction with criteria found in the Baldwin County Zoning Ordinance (Zoning Ordinance), the Baldwin County Subdivision Regulations, the Baldwin County Flood Damage Prevention Ordinance and any other ordinances and regulations which the County Commission may adopt.

The Baldwin County Master Plan, 2013, provides future land use designations of Residential for the subject properties. This category is provided for residential dwelling units including single family dwellings, two family (duplex) dwellings, multiple family dwellings, manufactured homes, manufactured housing parks and Planned Residential Developments. Zoning designations may include RR, RA, CR, RSF-E, RSF-1, RSF-2, RSF-3, RSF-4, RSF-6, RTF-4, RTF-6, RMF-6, RMH and PRD. Approval of this rezoning will not require a change to the future land use designations.

# Staff Analysis and Findings

## **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?**

This request will not involve additional dwelling units. As a result, there should be no adverse effects on 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 cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**

As stated previously, the subject property is currently occupied with three single family dwellings and the applicant wants to make the property conforming. The adjacent properties also have single family dwellings.

# Staff Analysis and Findings

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

This area of Planning District 26 consists mostly of residential and agricultural zoning districts. Adjacent properties are zoned RSF-1 and RSF-2. There has been one rezoning in the area, just a couple parcels south of the subject property 1.2 acres were rezoned from RSF-1 to RSF-2.

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

Staff believes that timing is not an issue.

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

Staff is unaware of any environmental conditions or historic resources that would be adversely impacted by this request.

## **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.

If this rezoning is approved and the parcel is subdivided so that there are two dwellings on one parcel and one on the other this will make the parcel conforming.

*13.1.3 Accessory dwellings.* Accessory dwellings are permitted by right as follows: under residential zoning designations; in Planning Districts 12, 20, 22, 26, 29, 30, 32, 33 and in the Spanish Cove Subdivision Development in Planning District 23, provided they do not exceed 60% of the size in square feet of the principal residence; in Planning Districts 10 and 15 unless restricted by a property owners association provided they are contained entirely within the structure of a single family dwelling and provided they do not exceed 60% of the size, in square feet, of the principal residence; in Planning District 24 provided they are contained entirely within the structure of a single family dwelling and provided they do not exceed 60% of the size, in square feet, of the principal residence; and in Planning District 21 provided they do not exceed 60% of the size, in square feet, of the principal residence up to a maximum of 1200 square feet.

# Agency Comments

- **Baldwin County Highway Department – Weesie Jeffords:** No Comment Received
- **Baldwin County Subdivision Department – Mary Booth:** No Comment Received
- **City of Fairhope:** No Comment Received
- **Corp of Engineers:** No Comment Received

## **ADEM– Scott Brown:**

Pursuant to the Alabama Environmental Management Act of 1982, Alabama Department of Environmental Management (ADEM) implements the enforceable policies of the Alabama Coastal Area Management Program (ACAMP). The ADEM's Division 8 regulations were promulgated for the purpose of establishing rules and procedures to administer the permitting, regulatory and enforcement functions of the ACAMP. One of the roles of the regulatory program is to lessen the anthropogenic impacts to the State's natural coastal wetlands resources as it is ACAMP policy to encourage efforts that significantly reduce the rate of loss or function of wetlands in the coastal area and to preserve and, where possible, to restore, enhance and create wetlands. Further, it is the policy of the ACAMP to discourage and prevent activities in the coastal area that directly destroy, disrupt, or otherwise lessen the function of coastal wetlands as natural controls for shoreline erosion, storm water retention, and storage, water purification and filtration, groundwater recharge, and wildlife and fisheries habitat, or that impair nutrient export and primary productivity. In addition, it is ACAMP policy to discourage activities that result in significant or permanent alteration to adjacent wetlands and to require mitigation for any authorized impacts where it has been documented that no reasonable avoidance alternative exists or the use is of regional benefit.

Regarding the referenced case to rezone .37 acres from RSF-1 to RSF-2 to allow the front home to be divided off the parcel and allow the parcels to become conforming, the parcel is located in the coastal area of Alabama (ADEM Admin. Code r. 335-8-1-.02[k]) and is therefore subject to the enforceable policies of the ACAMP. The eastern half of this long and narrow parcel appears to be comprised of wetlands. To avoid future want for wetlands fill, the existing parcel must not be subdivided in such a way that any newly created sub parcel does not have sufficient buildable uplands.

# (8.c) Z21-000004 CAFFERTY PROPERTY

## REZONING REQUEST FROM RSF-1 TO RSF-2

Lead Staff: Celena Boykin,  
Senior Planner

- **Staff's Summary and Comments:**

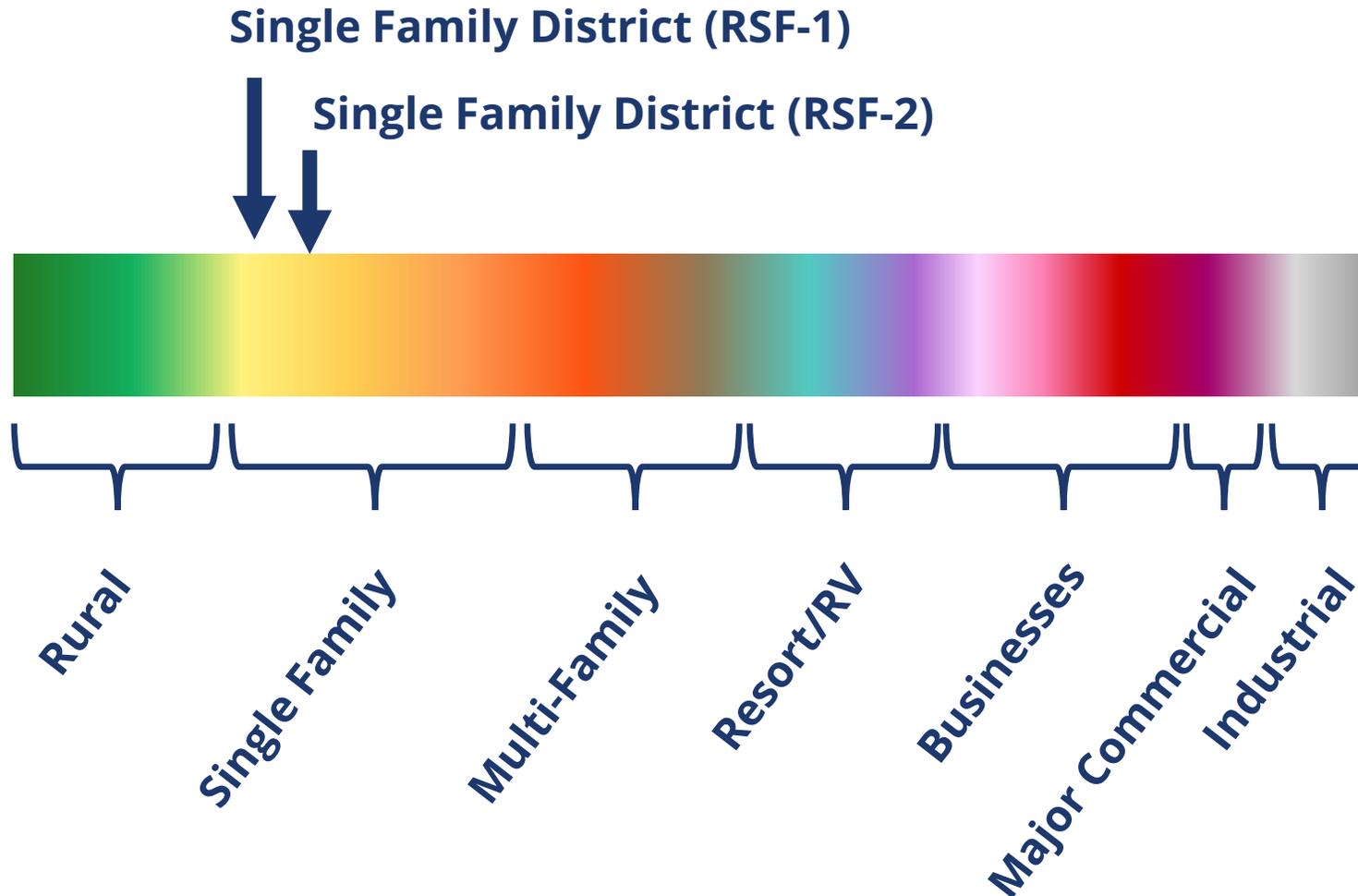
The subject property is currently zoned RSF-1, Residential Single Family District, and is currently developed. The property fronts on Scenic Hwy 98. The adjoining properties are residential. The requested zoning designation is RSF-2, Single Family District. According to the submitted information, the purpose of this request is to make the property conforming by dividing the property into two lots so that there will be one home on one lot and two homes on the other.



# (8.c) Z21-000004 CAFFERTY PROPERTY

REZONING REQUEST FROM **RSF-1** TO **RSF-2**

Lead Staff: Celena Boykin,  
Senior Planner



## Staff's Recommendation:

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

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

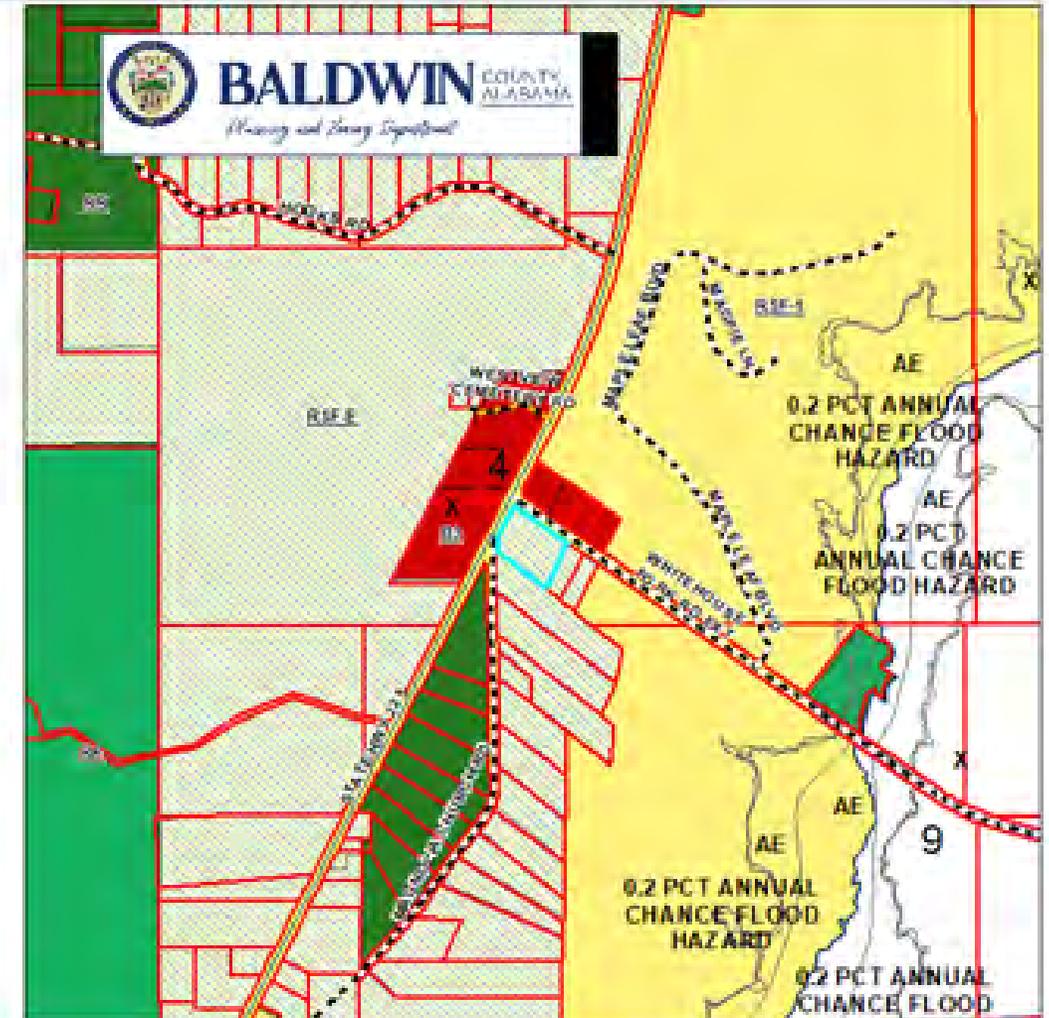
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# 8.B) Z21-000005 KENDRICK PROPERTY

REZONING REQUEST FROM **RSF-E** TO **B-3**

Lead Staff: Linda Lee, Planner

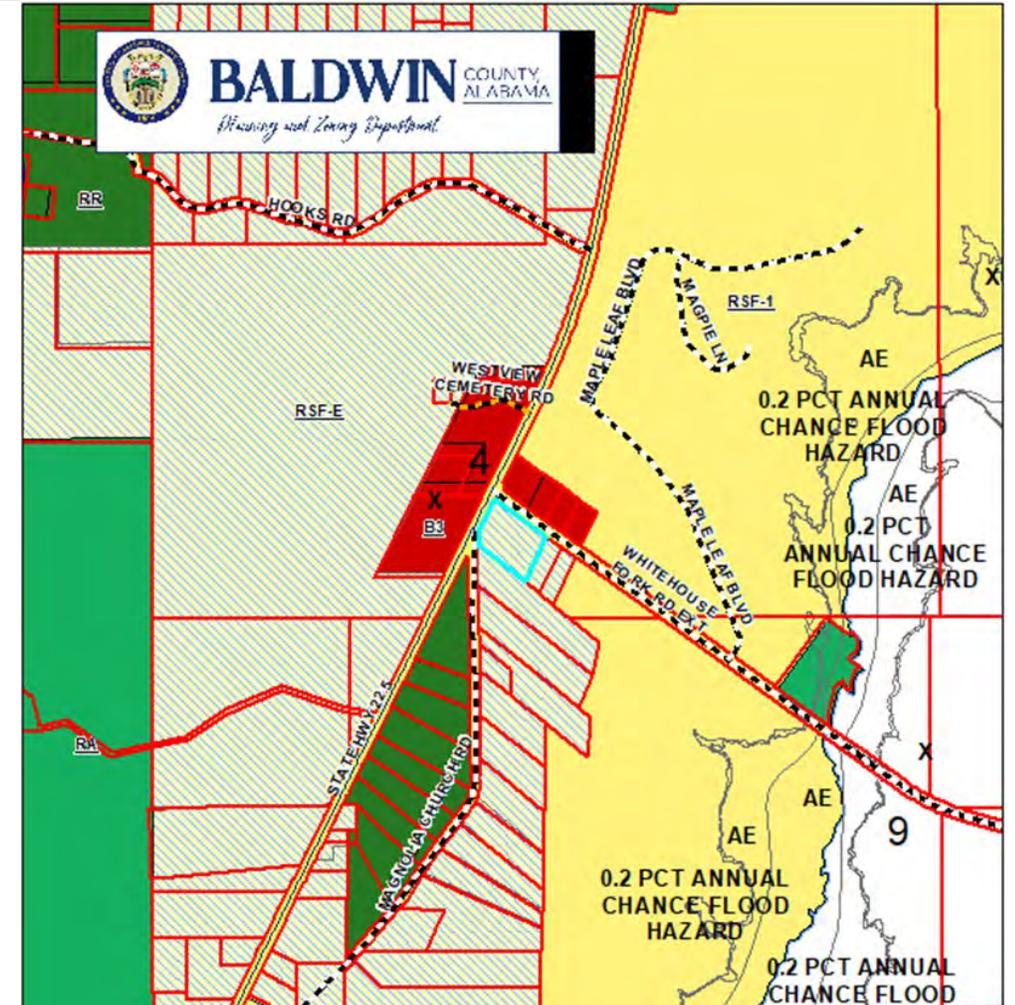
- **Planning District:** 4    **Zoned:** RSF-E
- **Location:** Subject property is located on the southeast corner of State Highway 225 and Whitehouse Fork Road Extension
- **Parcel Number:** 05-29-05-16-0-000-005.000
- **Current Use:** Vacant
- **Acreage:** 3.60
- **Physical Address:** 38120 State Highway 225
- **Applicant:** Brian Kendrick
- **Owner:** Brian Kendrick



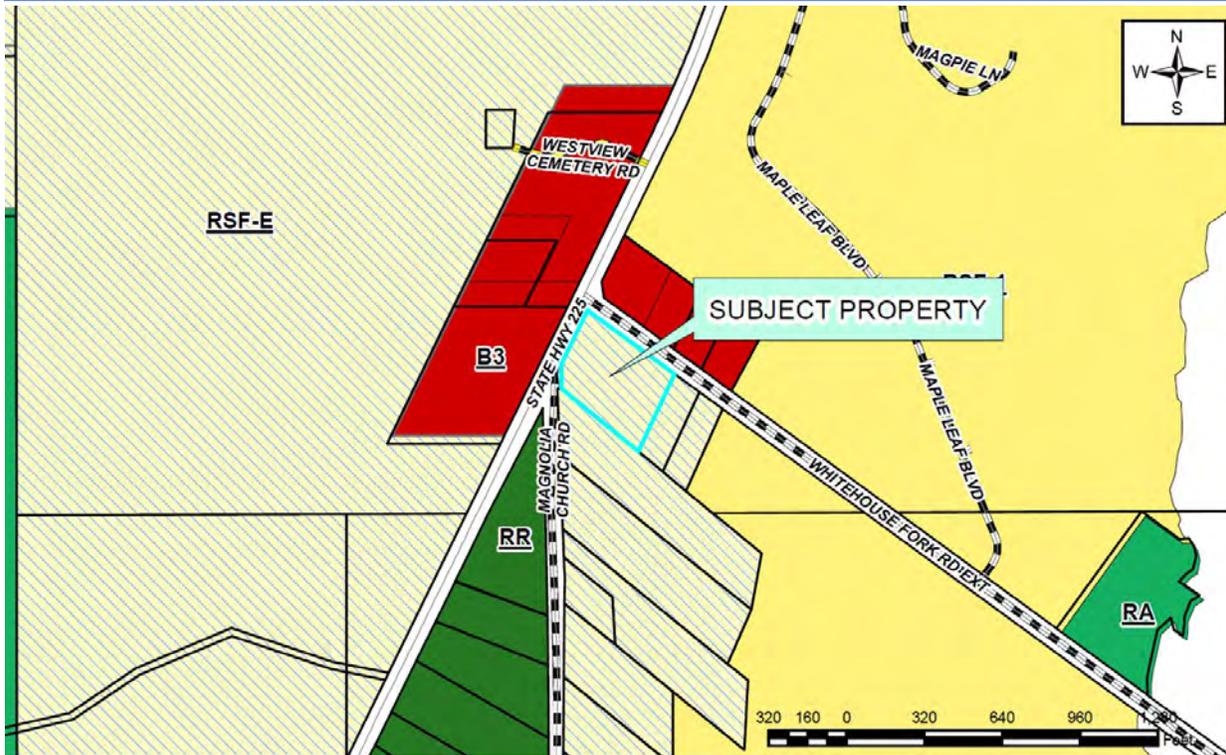
# Z21-000005 KENDRICK PROPERTY Lead Staff: Linda Lee, Planner

## REZONING REQUEST FROM **RSF-E** TO **B-3**

- **Proposed Zoning:** B-3, General Business District
- **Proposed Use:** General Business Use
- **Applicant's Request:** Would like to develop property for general business.



# Locator Map



# Site Map 2018 Photography



## Adjacent Zoning

<b>North</b>	B-3, General Business District
<b>South</b>	RSF-E, Single Family Estate District
<b>East</b>	RSF-E, Single Family Estate District
<b>West</b>	B-3, General Business District

## Adjacent Land Use

Commercial
Residential
Residential
Commercial

# Property Images



# Property Images



# 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 *Commission Site Plan Approval.* 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 by the site plan approval process:

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

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: Not Applicable

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 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Maximum Height in Habitable Stories	2 1/2
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 5.3 B-3, General Business District

5.3.1 *Purpose and intent.* The purpose of this district is to provide for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district shall only be applied at appropriate locations: to conveniently meet these needs; in conformance with the goals, objectives and policies and location criteria of the Comprehensive Plan; compatible with the surrounding land uses and zoning districts; where it will not adversely impact the facilities and services of the County; where it will not set a precedent for the introduction of inappropriate uses into an area; and so as not to encourage non-residential strip development along streets

5.3.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-3, General Business District, conditioned on the Commission Site Plan Approval requirements of Section 18.9.:

- |                                                                  |                                          |
|------------------------------------------------------------------|------------------------------------------|
| (a) All uses permitted by right under the B-2 zoning designation | (aa) Fraternity or sorority house        |
| (b) Air conditioning sales and service                           | (bb) Fruit and produce store             |
| (c) Amusement arcade                                             | (cc) Funeral home                        |
| (d) Animal clinic/kennel                                         | (dd) Golf course                         |
| (e) Arboretum                                                    | (ee) Golf driving range                  |
| (f) Auto convenience market                                      | (ff) Grocery store                       |
| (g) Automobile service station                                   | (gg) Landscape sales                     |
| (h) Bakery, wholesale                                            | (hh) Marine store and supplies           |
| (i) Ball field                                                   | (ii) Miniature golf                      |
| (j) Bicycle sales and service                                    | (jj) Mini-warehouse                      |
| (k) Bowling alley                                                | (kk) Night club, bar, tavern             |
| (l) Business machine sales and service                           | (ll) Nursery                             |
| (m) Business school or college                                   | (mm) Office equipment and supplies sales |
| (n) Butane gas sales                                             | (nn) Park or playground                  |
| (o) Cemetery                                                     | (oo) Pawn shop                           |
| (p) City hall or courthouse                                      | (pp) Pet shop                            |
| (q) Country club                                                 | (qq) Plumbing shop                       |
| (r) Department store                                             | (rr) Printing/publishing establishment   |
| (s) Discount/variety store                                       | (ss) Restaurant sales and supplies       |
| (t) Drug store                                                   | (tt) Riding academy                      |
| (u) Elevator maintenance service                                 | (uu) Rug and/or drapery cleaning service |
| (v) Exterminator service office                                  | (vv) Seafood store                       |
| (w) Farmer's market/truck crops                                  | (ww) Sign shop                           |
| (x) Firing range                                                 | (xx) Skating rink                        |
| (y) Florist                                                      | (yy) Sign repair sales                   |
| (z) Florist                                                      | (zz) Swimming pool (outdoor)             |

- |                                 |                          |
|---------------------------------|--------------------------|
| (aaa) Taxidermy                 | (ddd) Wildlife sanctuary |
| (bbb) Teen club or youth center | (eee) YMCA, YWCA         |
| (ccc) Tennis court (outdoor)    |                          |

5.3.3 *Commission Site Plan Approval.* The following uses are permissible as Commission Site Plan Approval uses in the B-3: General Commercial District, subject to the standards and procedures established in Section 18.9: *Commission Site Plan Approval:*

- |                                                      |                                                                                                           |
|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| (a) Airport                                          | (x) Hospital                                                                                              |
| (b) Ambulance/EMS service                            | (y) Landfill                                                                                              |
| (c) Amusement park                                   | (z) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies |
| (d) Armory                                           | (aa) Manufactured housing sales, service and repair                                                       |
| (e) Auditorium, stadium, coliseum                    | (bb) Marina                                                                                               |
| (f) Automobile parts sales                           | (cc) Motorcycle sales service and repair                                                                  |
| (g) Automobile repair (mechanical and body)          | (dd) Movie theatre                                                                                        |
| (h) Automobile storage (parking lot, parking garage) | (ee) Radio/television tower                                                                               |
| (i) Barge docking                                    | (ff) Railroad facility                                                                                    |
| (j) Boat sales and service                           | (gg) Recreational vehicle park                                                                            |
| (k) Broadcasting station                             | (hh) Recreational vehicle sales service, and repair                                                       |
| (l) Building materials                               | (ii) Restaurant, drive-in                                                                                 |
| (m) Bus and railroad terminal facility               | (jj) Restaurant, fast-food                                                                                |
| (n) College or university                            | (kk) Sewage treatment plant                                                                               |
| (o) Convalescent or nursing home                     | (ll) Taxi dispatching station                                                                             |
| (p) Correctional or penal institution                | (mm) Taxi terminal                                                                                        |
| (q) Dog pound                                        | (nn) Telephone exchange                                                                                   |
| (r) Electric power substations                       | (oo) Water or sewage pumping station                                                                      |
| (s) Farm implements                                  | (pp) Water storage tank                                                                                   |
| (t) Flea market                                      | (qq) Wireless telecommunication facility                                                                  |
| (u) Freight depot, rail or truck                     | (rr) Zoo                                                                                                  |
| (v) Home improvement center                          |                                                                                                           |
| (w) Hotel or motel                                   |                                                                                                           |

# Proposed Zoning Requirements

## 5.3.4 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

5.3.5 *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.

5.3.6 *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.

5.3.7 *Landscaping and buffering.* All B-3, General Business District, uses shall meet the requirements of *Article 17: Landscaping and Buffers.*

# Site Plan



# Staff Analysis and Findings

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

The subject property is currently zoned RSF-E, Single-Family Estate District, and is undeveloped. The adjacent properties are zoned RSF-E, and B-3. The adjacent uses are residential and commercial. **Staff believes the requested change is compatible with the existing development pattern and zoning of nearby properties due to the adjacent B-3 zonings and commercial uses.**

## **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 4 zoning map was adopted in February 1995. At that time, the property was zoned ER, Single Family Estate District. There does not appear to have been any rezonings in this area since 2007. The property to the northeast was just recently developed with a retail store.

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

The Baldwin County Master Plan, 2013, provides future land use designations for properties located within the zoned areas of the County. These categories represent the recommendations for the physical development of the unincorporated areas of the County. They are intended for planning purposes only and do not represent the adoption of zoning designations for areas which have not voted their desire to come under the zoning authority of the Baldwin County Commission. Although not legally binding, the future land use designations are evaluated in conjunction with criteria found in the Baldwin County Zoning Ordinance (Zoning Ordinance), the Baldwin County Subdivision Regulations, the Baldwin County Flood Damage Prevention Ordinance and any other ordinances and regulations which the County Commission may adopt.

# Staff Analysis and Findings

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

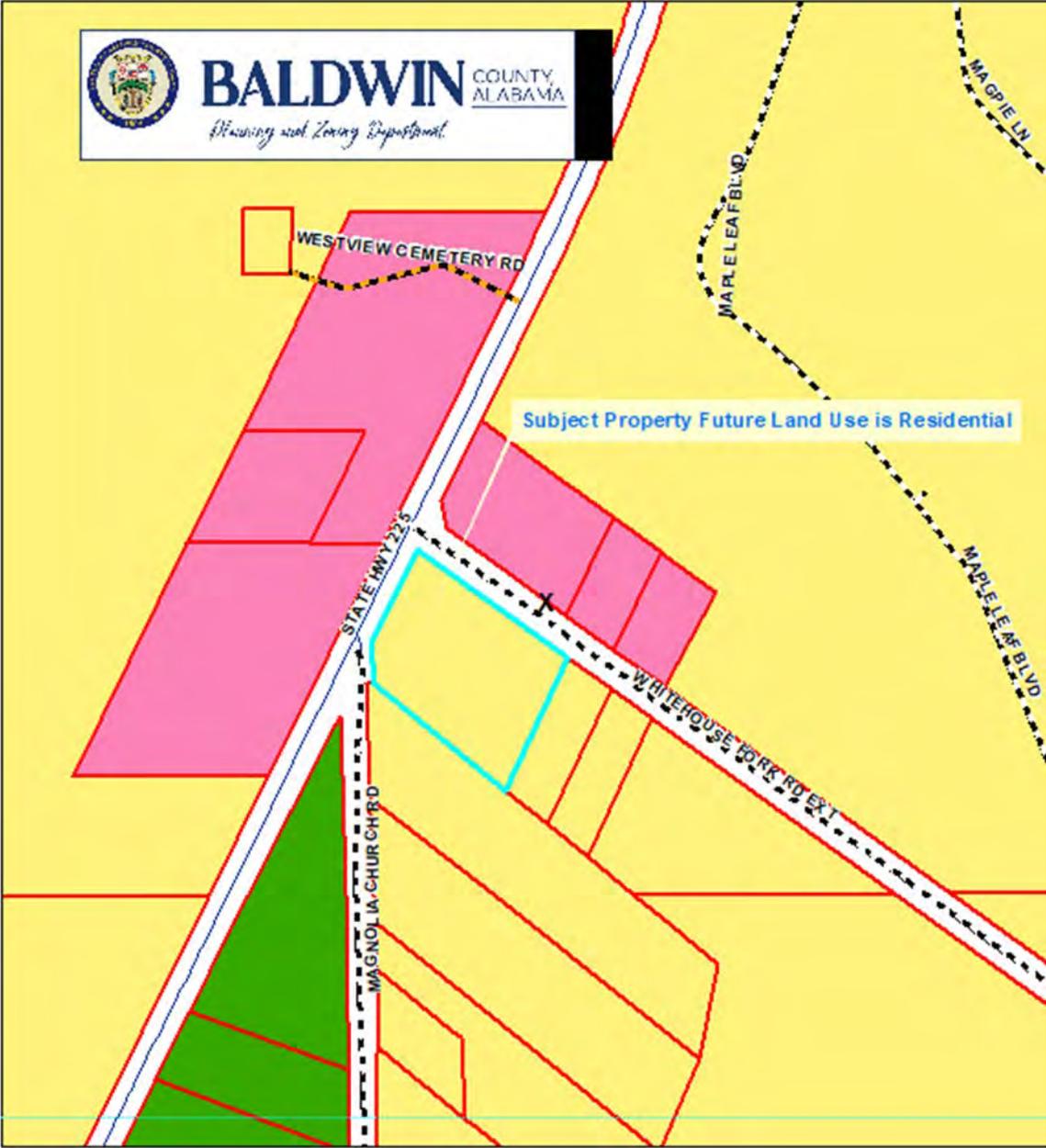
A future land use designation of Residential has been provided for the subject property. This category is provided for residential dwelling units including single family dwellings, two family (duplex) dwellings, multiple family dwellings, manufactured homes, manufactured housing parks and Planned Residential Developments. Institutional uses, recreational uses and limited neighborhood commercial uses may be included subject to the provisions of the Zoning Ordinance. To the greatest extent possible, residential areas should be accessible to major thoroughfares connecting with work areas, shopping areas and recreational areas. Zoning designations may include RR, RA, CR, RSF-E, RSF-1, RSF-2, RSF-3, RSF-4, RSF-6, RTF-4, RTF-6, RMF-6, RMH and PRD..

# Staff Analysis and Findings

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

Approval of the rezoning will result in an amendment of the Future Land Use Map to commercial. This commercial category is provided for retail and wholesale trade facilities which offer convenience and other types of goods and services. Institutional uses, recreational uses, mixed-use developments and transportation, communication and utility uses may be included in accordance with the Zoning Ordinance. Multiple family developments may also be included. Commercial uses should be located on major streets so as to be accessible to the residential population. Zoning designations may include RR, B-1, B-2, B-3, B-4, MR and TR.

Future Land Use Map



# Staff Analysis and Findings

## **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?**

Per the Federal Highway Administration, the functional classification of State Highway 225 is minor arterial. Arterials provide a high level of mobility and a greater degree of access control. Access to this site from State Highway 225 would require approval from the Alabama Department of Transportation. Whitehouse Fork Road Ext. functional classification is major collector. Collectors serve a critical role in the roadway network by gathering traffic from Local Roads and funneling them to the Arterial network. Access to the site from Whitehouse Fork Road Ext. would require approval from the Baldwin County Highway Department.

# Staff Analysis and Findings

**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.**

The B-3 zoning designation allows for general commercial uses which would be consistent with the development patterns in the area. There are two retail locations adjacent to this property. **Staff believes the proposed amendment is consistent with the development patterns in the area.**

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

This area of Planning District 4 consists of residential and commercial zoning districts. Adjacent properties are zoned for residential and commercial uses.

# Staff Analysis and Findings

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

Staff believes that timing is not an issue.

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

Staff is unaware of any environmental conditions or historic resources that would be adversely impacted by this request. The Alabama Department of Environmental Management (ADEM) provided no comments.

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

Staff anticipates no adverse impacts. Access to this site would require approval from the Alabama Department of Transportation or the Baldwin County Highway Department.

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

# Agency Comments

- **Baldwin County Highway Department – Weesie Jeffords:**

No Comments Received

- **Baldwin County Subdivision Department – Mary Booth:**

No Comments Received

- **ADEM:**

No Comments Received

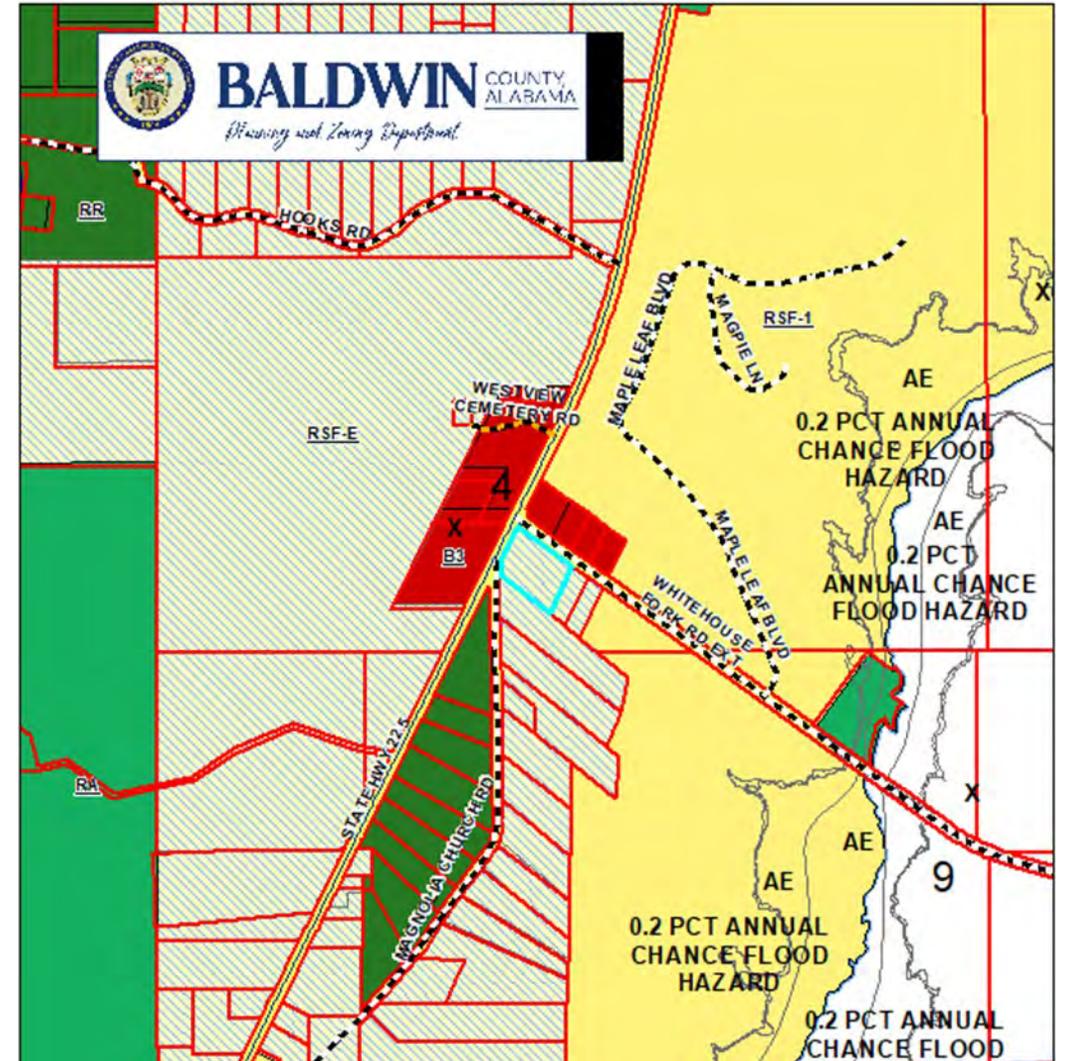
# Z21-000005 KENDRICK PROPERTY

Lead Staff: Linda Lee, Planner

## REZONING REQUEST FROM RSF-E TO B-3

- Staff's Summary and Comments:**

The subject property is currently zoned RSF-E, Single Family Estate District, and is currently undeveloped. The property adjoins State Highway 225 to the west and Whitehouse Fork Road Ext. to the north. The adjoining properties are residential, and commercial. The requested zoning designation is B-3, General Business District. B-3 is less restrictive and more intense than the current designation of RSF-E. According to the submitted information, the purpose of this request is to allow for general business uses.



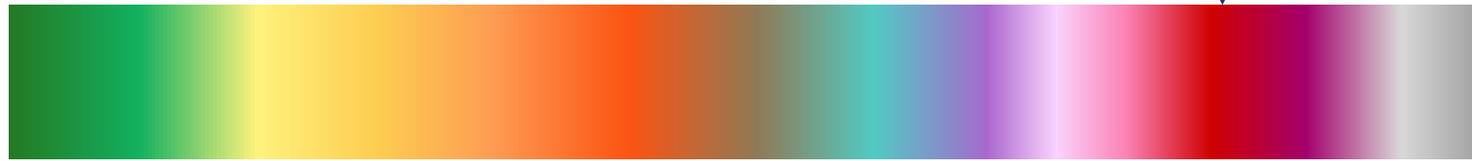
# Z21-000005 KENDRICK PROPERTY

## REZONING REQUEST FROM RSF-E TO B-3

Single Family Estate  
District (RSF-E)



General Business District (B-3)



Rural

Single Family

Multi-Family

Resort/RV

Businesses

Major Commercial

Industrial

### Staff's Recommendation:

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

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

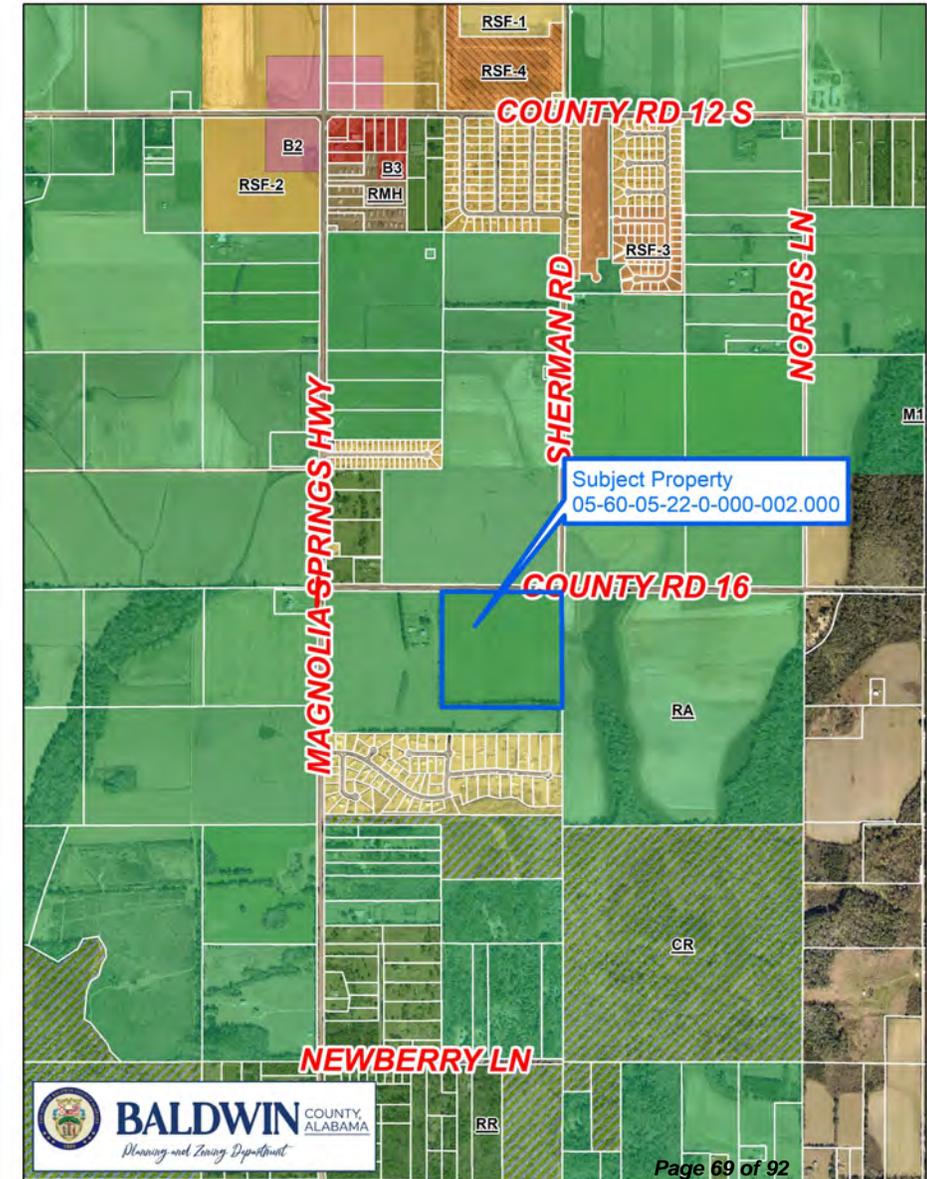
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# (8.c) Z21-000006 ELLIS PROPERTY

Lead Staff: Celena Boykin,  
Senior Planner

## REZONING REQUEST FROM RA TO RSF-4

- **Planning District:** 21    **Zoned:** RA
- **Location:** Subject property is located on the south side of County Rd 16 and east of Magnolia Springs Hwy
- **Current Use:** Agriculture
- **Acreage:** 40
- **Physical Address:** NA
- **Applicant:** James Ellis
- **Owner:** James Parker

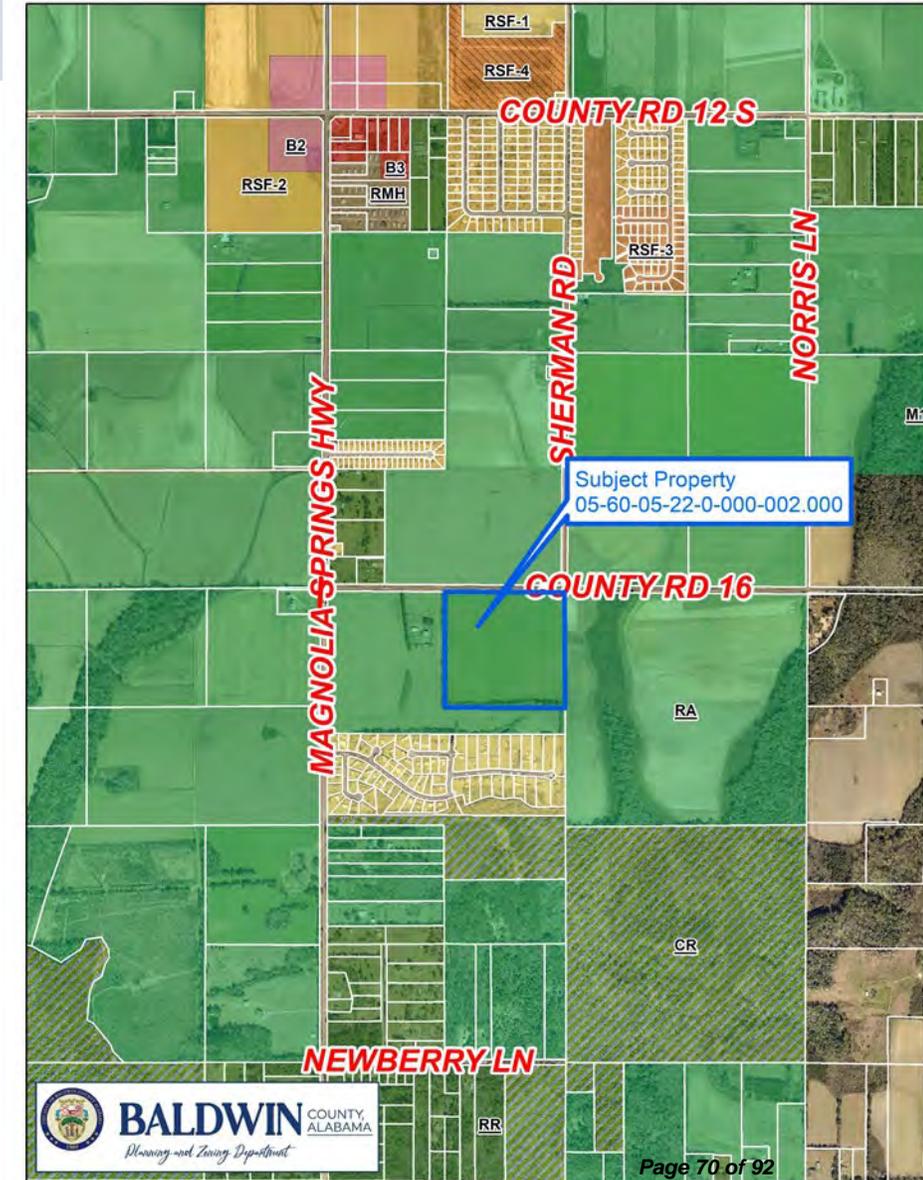


# (8.c) Z21-000006 ELLIS PROPERTY

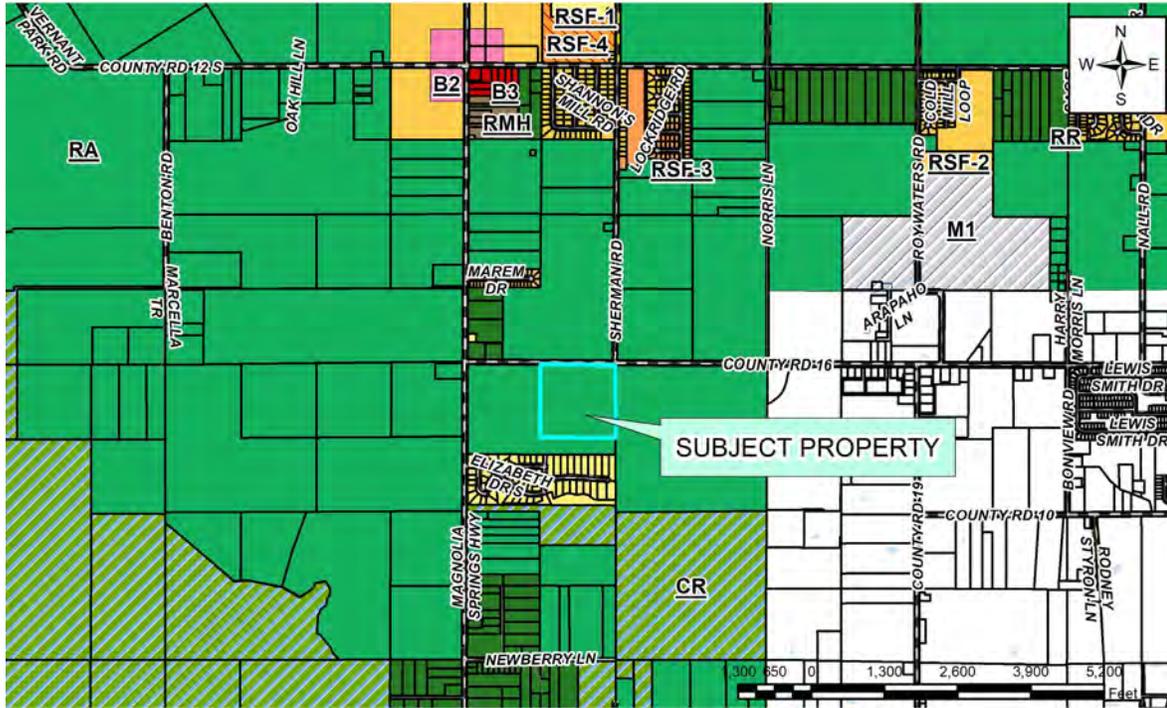
Lead Staff: Celena Boykin,  
Senior Planner

## REZONING REQUEST FROM RA TO RSF-4

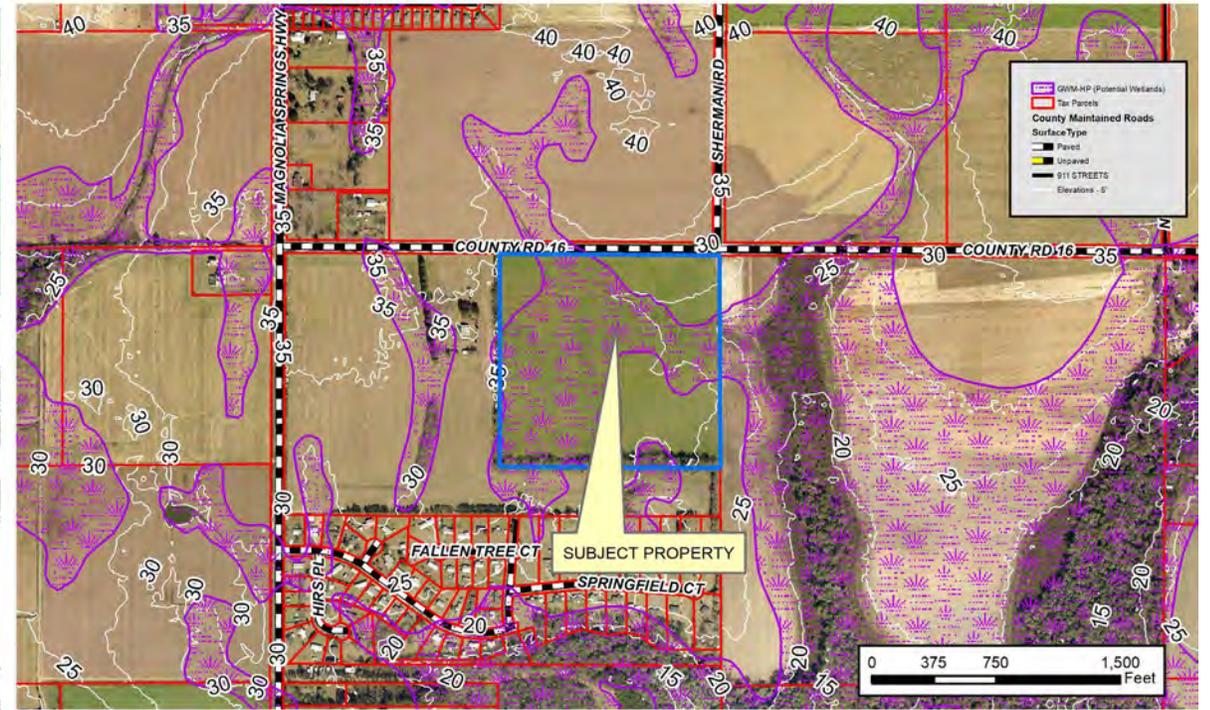
- **Proposed Zoning:** RSF-4, Single Family District
- **Proposed Use:** Single-Family Subdivision
- **Applicant's Request:** The owner would like to develop a residential subdivision.



# Locator Map



# Site Map



	Adjacent Zoning	Adjacent Land Use
North	RA, Rural Agricultural District	Agriculture And Co Rd 16
South	RA, Rural Agricultural District	Agriculture
East	RA, Rural Agricultural District	Agriculture
West	RA, Rural Agricultural District	Agriculture

# Property Images

Nov 18, 2021 at 12:34:46 PM



Nov 18, 2021 at 12:37:59 PM



Nov 18, 2021 at 12:40:23 PM



Nov 18, 2021 at 12:35:12 PM



# Current Zoning Requirements

## 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: Not Applicable

3.2.4 *Commission Site Plan Approval.* 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 by the site plan approval process:

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

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

# Proposed Zoning Requirements

## 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 *Commission Site Plan Approval.* 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 by the site plan approval process:

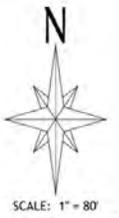
- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.
- (d) The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

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: Not Applicable

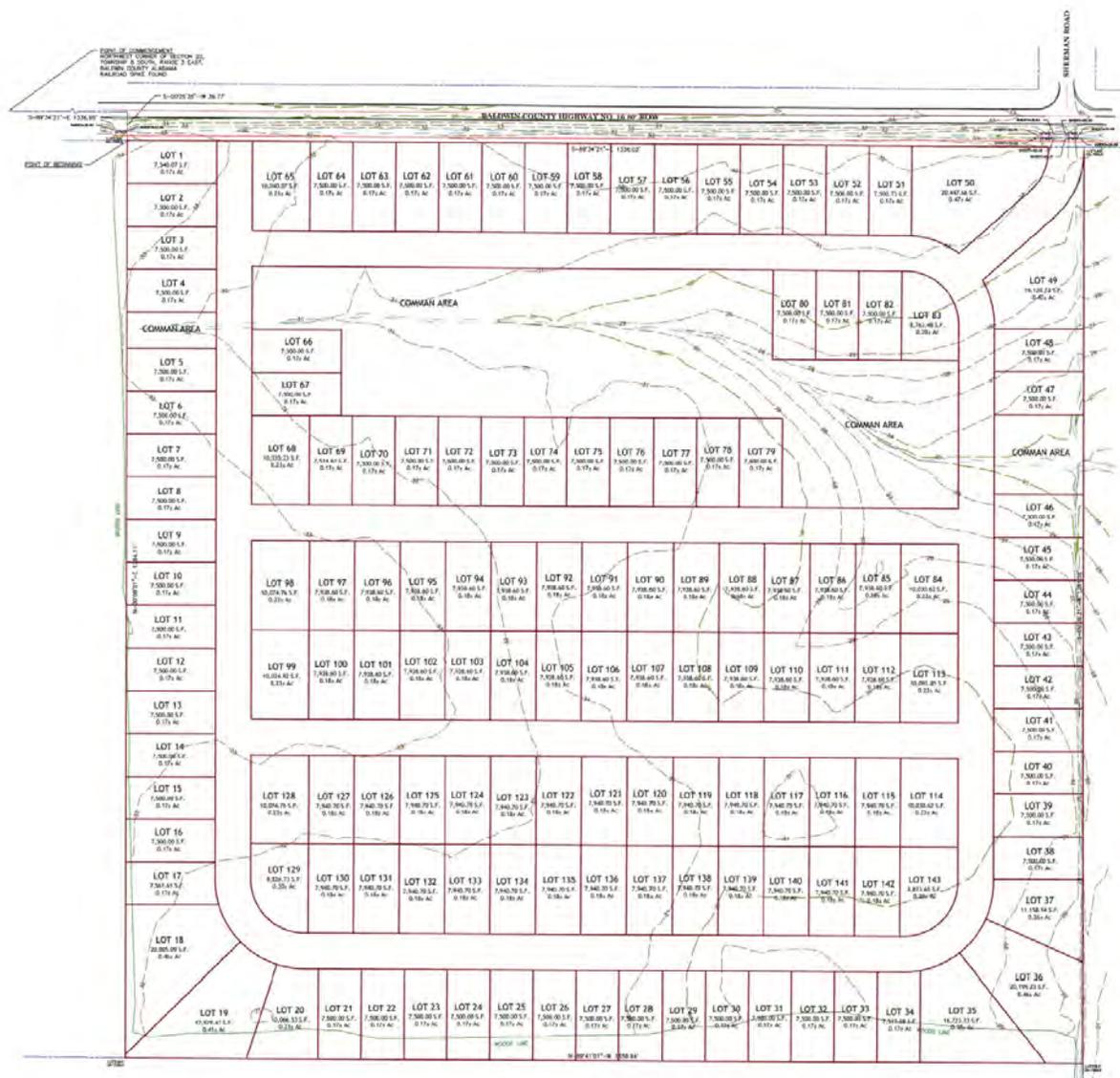
4.5.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*,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

Maximum Height of Structure in Feet	35
Maximum Height in Habitable Stories	2 1/2
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

# Site Plan



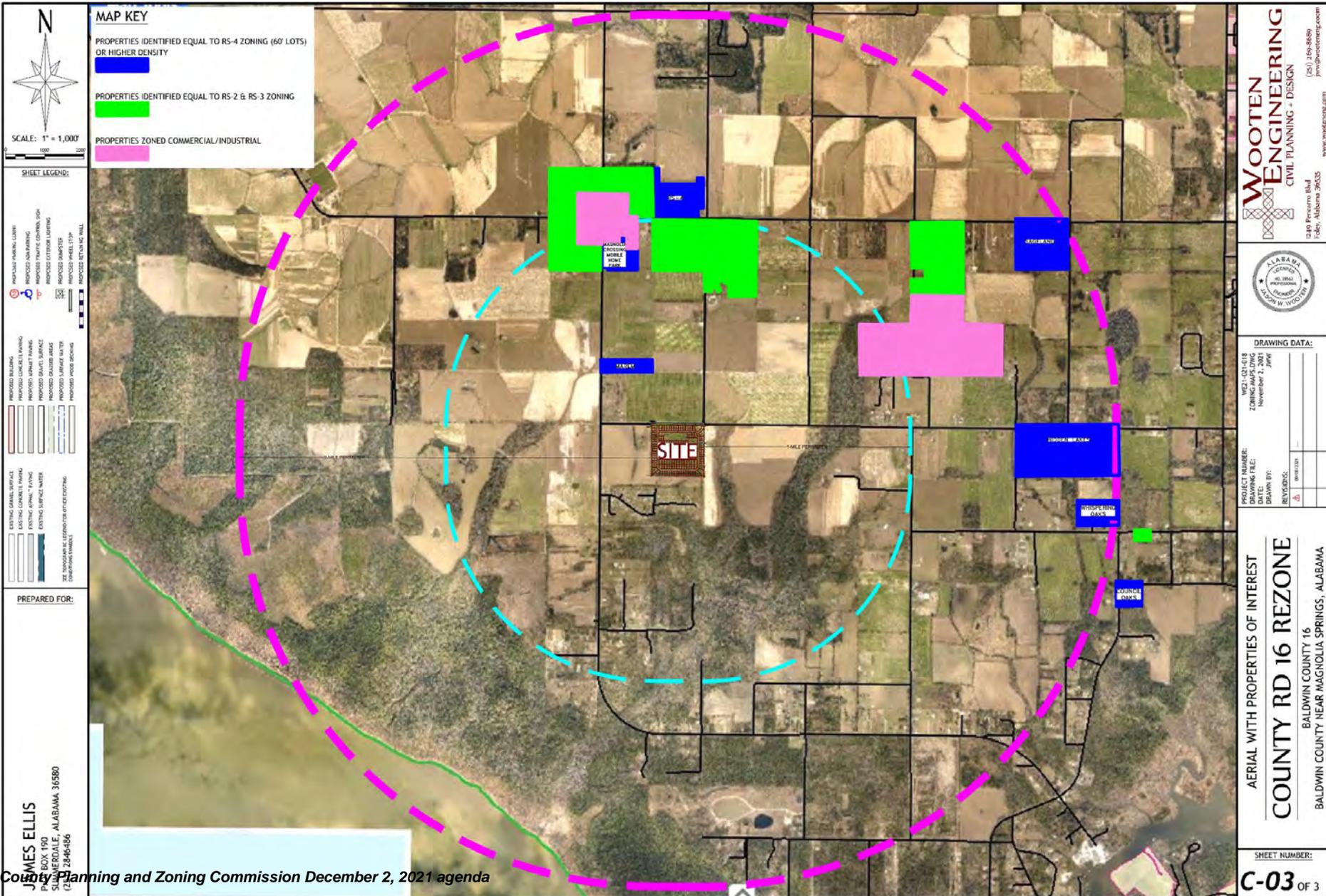
- PROPOSED PARKING COVERT
  - PROPOSED ADA PARKING
  - PROPOSED TRAFFIC CONTROL SIGN
  - PROPOSED EXTERIOR LIGHTING
  - PROPOSED SWAPSTER
  - PROPOSED INVEIL STOP
  - PROPOSED RETAINING WALL
- 
- PROPOSED BUILDING
  - PROPOSED CONCRETE PAVING
  - PROPOSED ASPHALT PAVING
  - PROPOSED GRAVEL SURFACE
  - PROPOSED GRASSY AREAS
  - PROPOSED SURFACE WATER
  - PROPOSED WOOD DECKING
- 
- EXISTING GRAVEL SURFACE
  - EXISTING CONCRETE PAVING
  - EXISTING ASPHALT PAVING
  - EXISTING SURFACE WATER
- 
- USE TYPE SYMBOLS LISTED FOR OTHER EXISTING CONDITIONS SYMBOLS







# Site Plan



# Staff Analysis and Findings

## **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 undeveloped. The adjacent properties are zoned RA. The adjacent uses are residential and agricultural. Staff believes the requested change is not compatible with the existing development pattern and zoning of nearby properties due to the increased density allowed with RSF-4 zoning.

## **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 21 zoning map was adopted in June of 2009. At that time, the property was zoned RA. There have been few rezonings in this area since zoning was implemented. The couple of rezonings were around the intersection of County Rd 12S and Magnolia Springs Hwy.

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

The Baldwin County Master Plan, 2013, provides future land use designations for properties located within the zoned areas of the County. These categories represent the recommendations for the physical development of the unincorporated areas of the County. They are intended for planning purposes only and do not represent the adoption of zoning designations for areas which have not voted their desire to come under the zoning authority of the Baldwin County Commission. Although not legally binding, the future land use designations are evaluated in conjunction with criteria found in the Baldwin County Zoning Ordinance (Zoning Ordinance), the Baldwin County Subdivision Regulations, the Baldwin County Flood Damage Prevention Ordinance and any other ordinances and regulations which the County Commission may adopt.

A future land use designation of Agricultural has been provided for the subject property. This category is provided for agriculture, forestry and similar activities. 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. Zoning designations may include RR, CR, RA and RSF-E.

# Staff Analysis and Findings

## **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?**

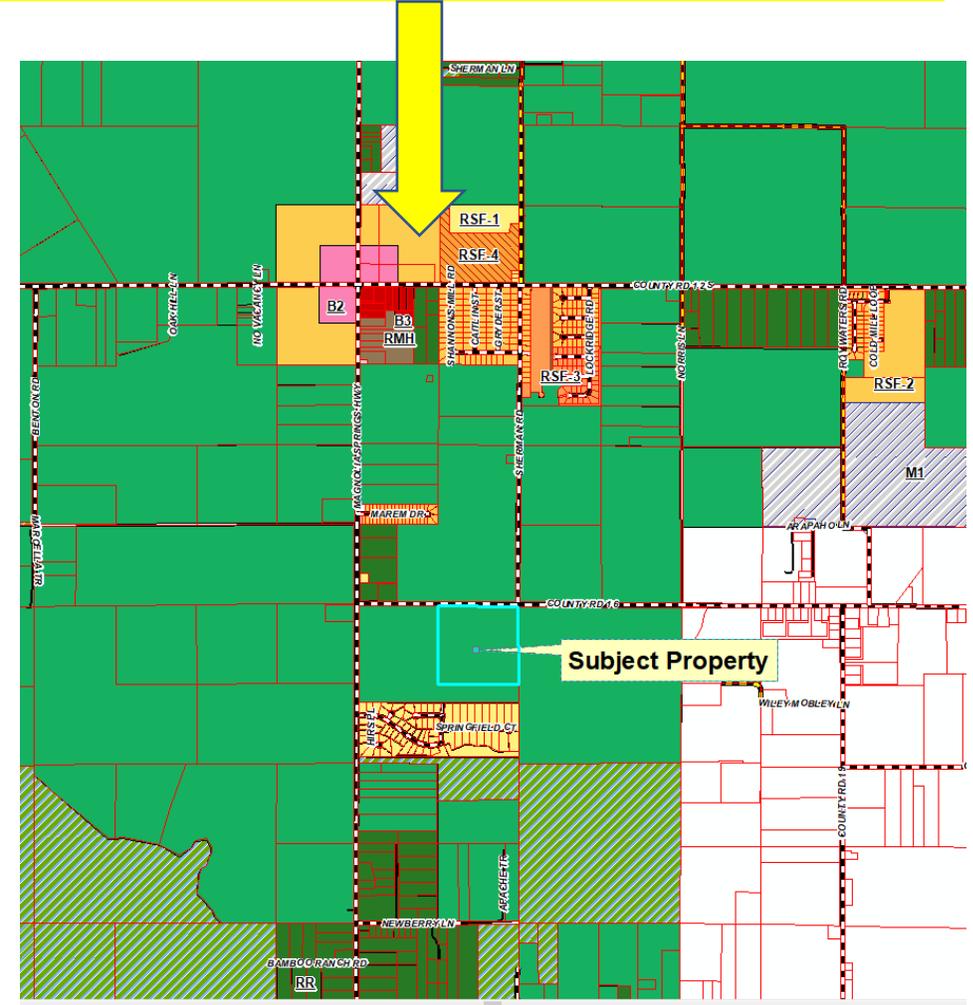
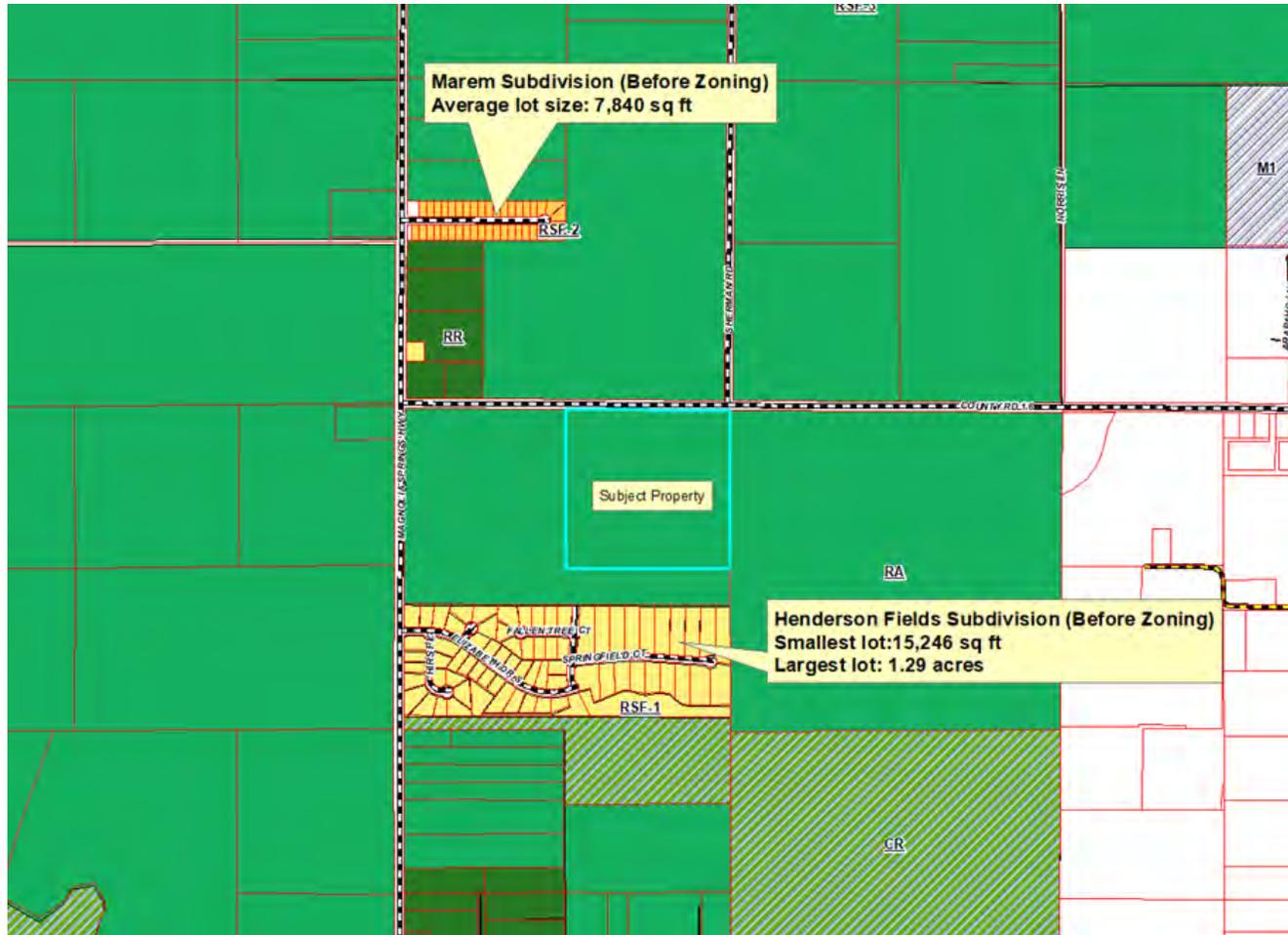
The functional classification of County Rd 16 is a local road. Per the Federal Highway Administration, locally classified roads account for the largest percentage of all roadways in terms of mileage. They are not intended for use in long distance travel, except at the origin or destination end of the trip, due to their provision of direct access to abutting land. Bus routes generally do not run on Local Roads. They are often designed to discourage through traffic. As public roads, they should be accessible for public use throughout the year. Access to this site would require approval from the Baldwin County Highway Department.

## **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.**

The RSF-4 zoning designation allows for higher density residential uses which would be somewhat inconsistent with the development patterns in the area. The applicant is proposing to have a higher density zoning designation among the rural zoning designation. The normal transition would be from rural to very low density (RSF-E) to low density (RSF-1) to moderate density (RSF-2 or RSF-3).

# Staff Analysis and Findings

Higher density developments would be better at intersections where you transition from higher density to lower density to rural.



# Staff Analysis and Findings

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

This area of Planning District 21 consists mostly of low density residential and agricultural zoning districts. Adjacent properties are zoned for agricultural uses. Please see response to number 6 above.

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

Staff believes that timing is not an issue.

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

Staff is unaware of any environmental conditions or historic resources that would be adversely impacted by this request. The Alabama Department of Environmental Management (ADEM) provided no comments.

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

Staff anticipates no adverse impacts. Access to this site would require approval from the Baldwin County Highway Department.

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

None

# Agency Comments

- **Baldwin County Highway Department – Weesie Jeffords:** No Comment Received
- **Baldwin County Subdivision Department – Mary Booth:** No Comment Received
- **Corp of Engineers:** No Comment Received
- **ADEM, Scott Brown:** No Comment Received

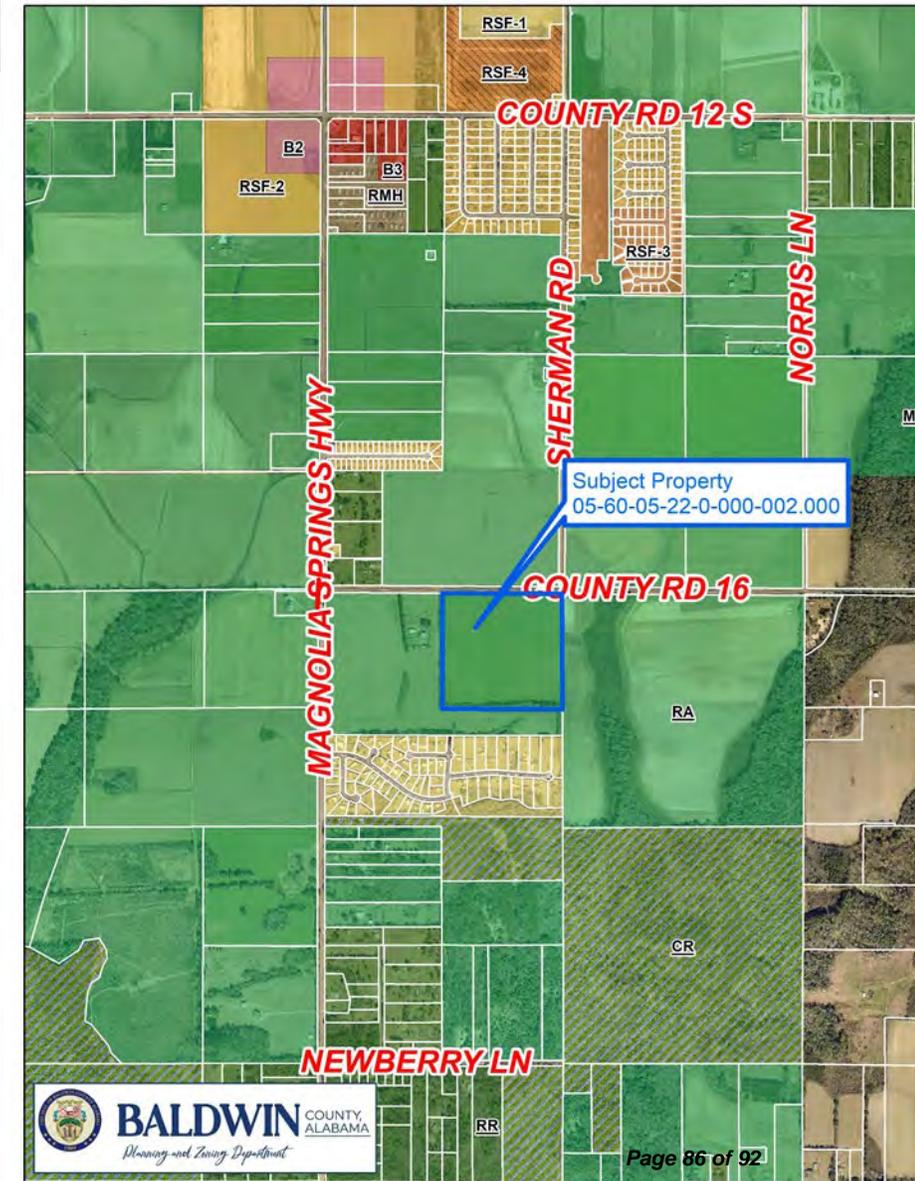
# (8.c) Z21-000006 ELLIS PROPERTY

Lead Staff: Celena Boykin,  
Senior Planner

## REZONING REQUEST FROM RA TO RSF-4

- Staff's Summary and Comments:**

The subject property is currently zoned RA, Rural Agricultural District, and is currently undeveloped. The property adjoins County Road 16 to the north. The adjoining properties are residential, and agricultural. The requested zoning designation is RSF-4, Single Family District. RSF-4 is less restrictive and more intense than the current designation of RA. According to the submitted information, the purpose of this request is to allow for a residential subdivision.



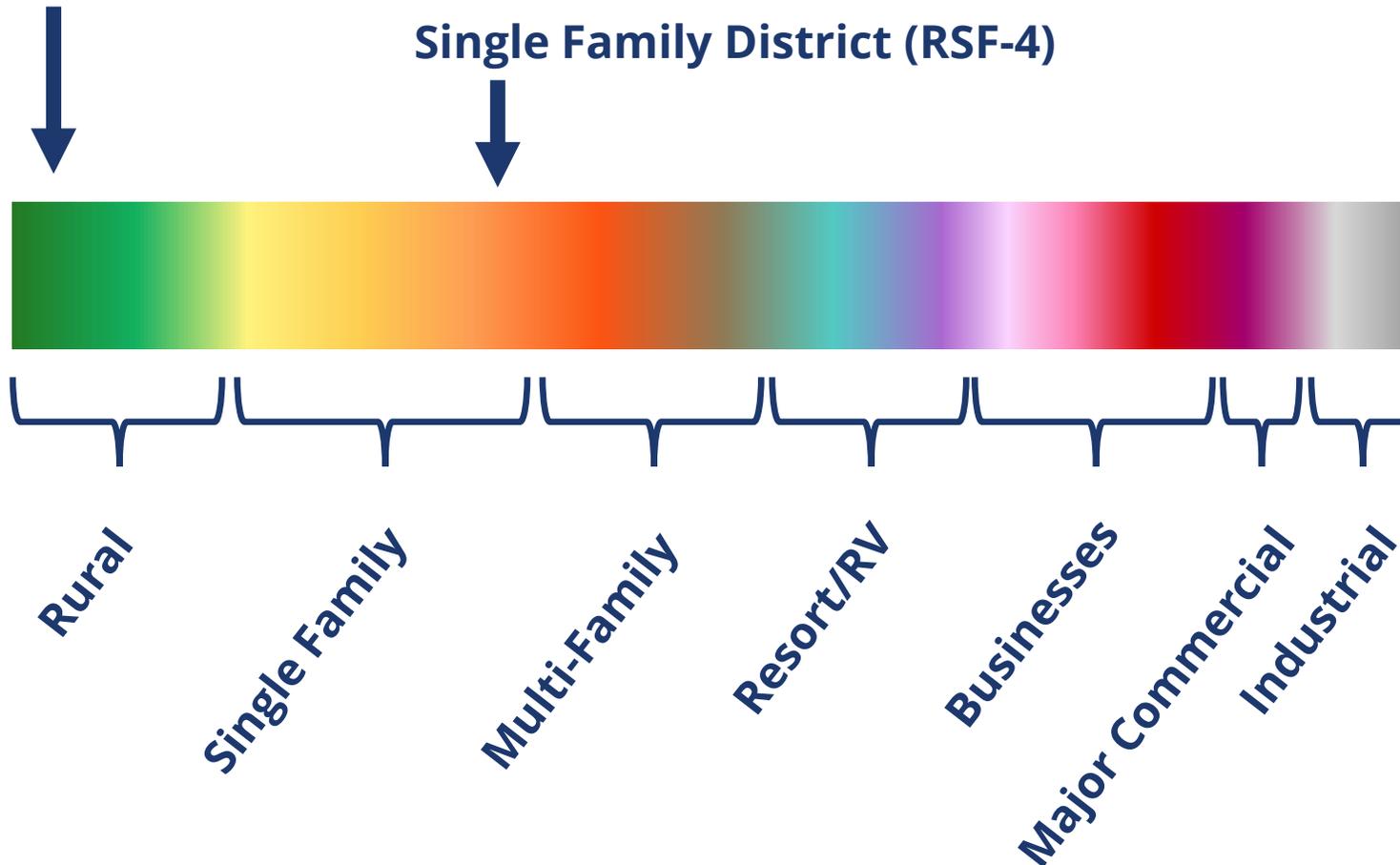
# (8.c) Z21-000006 ELLIS PROPERTY

Lead Staff: Celena Boykin,  
Senior Planner

## REZONING REQUEST FROM RA TO RSF-4

Rural Agricultural  
District (RA)

Single Family District (RSF-4)



### Staff's Recommendation:

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

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

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S-20089 BFLC 63775  
Subdivision Ph1 (Beetree Creek PH1)  
PRELIMINARY PLAT APPROVAL REQUEST

Request submitted by **Weygand Wilson Surveying LLC** requesting Plat approval of a 5-lot subdivision to be known as **BFLC 63775 SUBDIVISION PHASE 1 (Beetree Creek Ph 1)**.

The subject property is located on County Road 87 (SEE MAP). The Parcel Identification Number is **05-40-06-14-0-000-001.000**.

**Recommendation:** Due to the Applicant's failure to present a subdivision plat that conforms with the Baldwin County Subdivision Regulations, withdraw the prior contingent Development Permit Approval and replace with a Denial unless the Applicant delivers payment of the required Development Permit Application fee and resolves outstanding deficiencies by close of business December 31, 2021.

S-20089 BFLC 63775

Subdivision Ph1 (Beetree Creek PH1)

PRELIMINARY PLAT APPROVAL REQUEST

## Previous Action on this case December 3, 2020

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### V. STAFF COMMENTS:

#### Items for consideration:

- The submitted preliminary plat is missing utility providers..
- A wetland delineation is being performed to identify any potential wetlands  
E-911 has submitted an email with concerns of the named subdivision as submitted which may pose a public safety risk and possibly delay response times in the event of a 9-1-1 call and has requested the names be revised. This request will not affect the approval of the development permit but will be implemented before the Final Plat can be approved.

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### F-RECOMMENDATIONS:

Staff recommends that the Development Permit application for Case No. S-20089, BFLC 63775 Phase I, be **APPROVED** contingent upon revisions to the preliminary plat as requested from Staff review.





# BALDWIN

COUNTY, ALABAMA

EST. 1809

## NEXT REGULAR MEETING JANUARY 6, 2022