

Case No./ Name: Z24-41 Fernandez Property– REZONING

Meeting Date: November 7, 2024

Request: Rezone 3.5 acres from Residential Single-Family Estate (RSF-E) to Residential Single-Family (RSF-1) for a 2-lot subdivision.

Recommendation: APPROVAL

Planning Commission: Recommended Approval - motion carried on a vote of 8-0

Staff Lead: Crystal Bates, Planning Technician II

Presented by: J. Buford King

Applicant: *Simone Fernandez*

Owner: Simone Fernandez

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

PD 32

SUBJECT PROPERTY
PID:05-52-09-31-0-000-008.014
PIN: 304522

32

**Perdido
Beach**

29

Z24-41 FERNANDEZ PROPERTY

RE-ZONING REQUEST FROM RSF-E TO RSF-1

Lead Staff: Crystal Bates Planning
Technician II

Planning District: 32

Parcel ID #: 05-52-09-31-0-000-008.014

PIN: 304522

Zoned: RSF-E- Residential Single Family Estate District

Location: Subject property is located on County Road 97 and the corner of Royal Lane

Current Use: Vacant

Acreage: +/- 3.5 acres

Applicant: Simone Fernandez

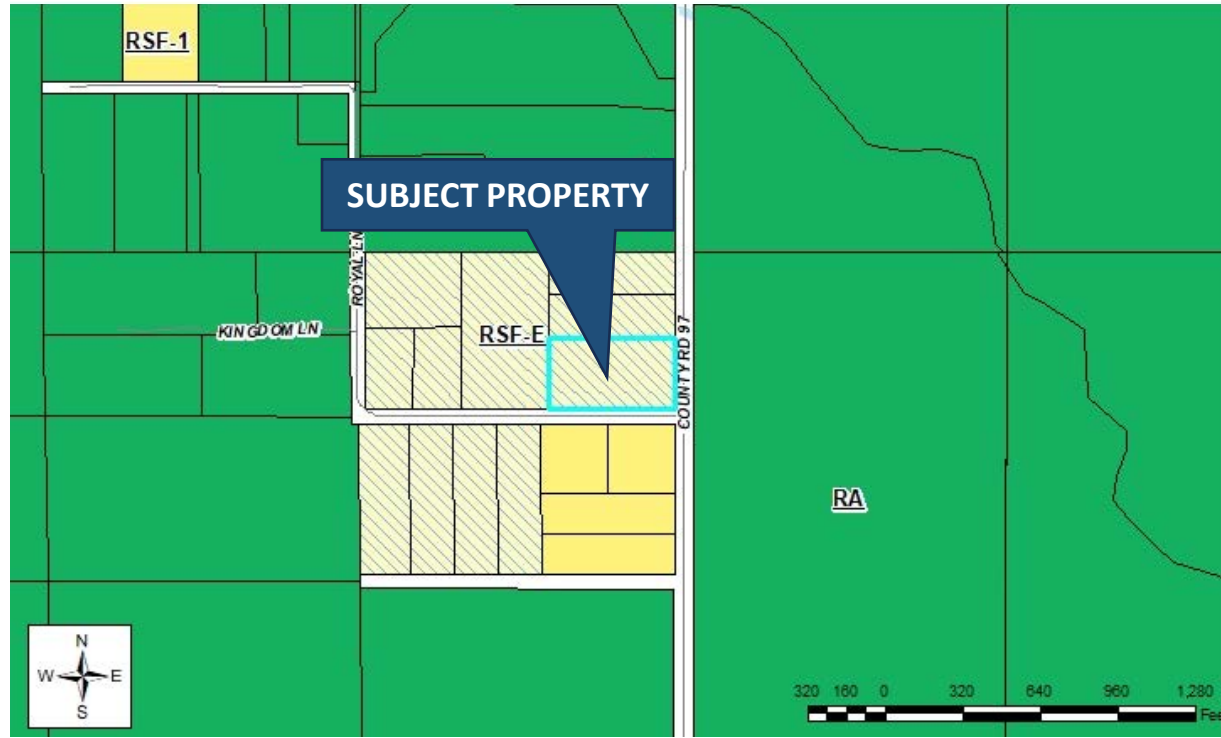
Owner: Simone Fernandez

Proposed Zoning: RSF-1, Residential Single Family
1 District

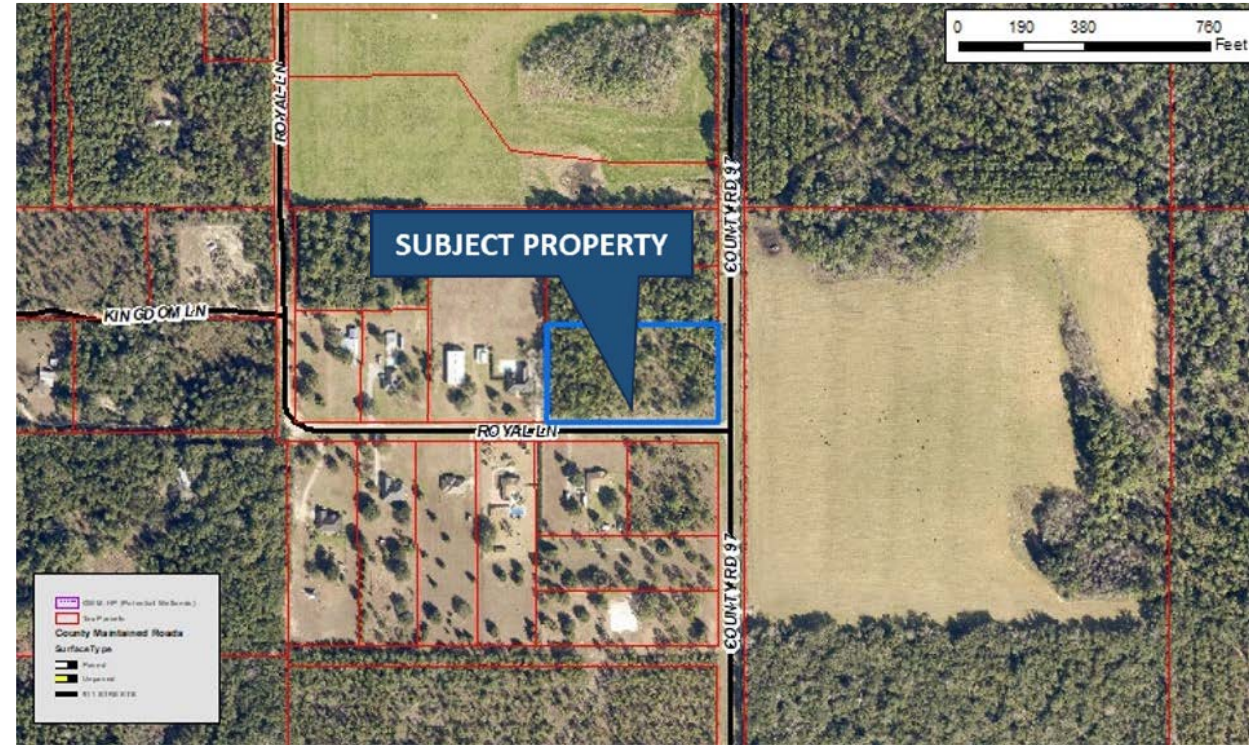
Applicant's Request: The applicant would like to rezone to allow for a future 2 lot subdivision

Online Case File Number: The official case number for this application is Z24-41, however, when searching the online CitizenServe database, please use Z24-000041.

Locator Map



Site Map



	Adjacent Zoning	Adjacent Land Use
North	RSF-E, Residential Single-Family Estate	Residential
South	RSF-1, Residential Single-Family	Vacant/Residential
East	RA, Rural Agricultural	Vacant
West	RSF-E, Residential Single- Family Estate	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.

 #1	 #2	 #3	 #4	 #5	 #6
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?
 #7	 #8	 #9	 #10	 #11	
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.

Z24-41 FERNANDEZ PROPERTY

Lead Staff: Crystal Bates Planning
Technician II

RE-ZONING REQUEST FROM **RSF-E** TO **RSF-1**

Staff Recommendation: **Approval**

- Planning Commission Recommendation: **Approval** (8-0)

Fully compliant with 10 of the 11 rezoning factors

- Master Plan contemplates moderate development of an RSF-1 zoning type nearby, but not directly on subject property
- Existing nearby RSF-1 (30,000sf minimum lot size) zoning and the nearby moderate development potential of the Master Plan is within the area of influence of the Master Plan in staff's opinion, resulting in the favorable re-zoning recommendation



Subject Property
PIN: 304522



REZONING
PROPOSED
FOR THIS PROPERTY
Case Number
Z24-000041
For information Contact
Baldwin County Planning &
Zoning Department
(251) 580-1655 / (251) 990-4623
(251) 972-8523

Oct 8, 2024 2:45:37 PM
271° W



Property to
The East
PIN: 20685



Oct 8, 2024 2:45:53 PM
92° E



Adjoining Property
to The North
PIN: 304521



Oct 8, 2024 2:51:52 PM
264° W



Adjoining Property
to The West
PIN: 243428



Oct 8, 2024 2:49:16 PM
11° N



Property to
The South
PIN: 68782



Oct 8, 2024 2:48:06 PM
180° S

Agency Comments

ADEM, Autumn Nitz: Outside coastal area.

Baldwin County Deputy Planning Director – Buford King: Subject property fronts upon both CR97 and Royal Lane. Royal Lane is a local road, however CR97 is functionally classified as a minor collector. A subdivision requested for subject property, should the re-zoning be granted, will likely restrict the subdivision approval to only allow a single turnout (driveway) along CR97 to comply with sight distance requirements. Staff memorializes here that should the re-zoning be approved, the applicant is requested to reflect on the subdivision plat the requested turnout (driveway) locations as well as include AASHTO sight distance requirements at each turnout location based upon the posted speed limit of the roadway where the turnout is requested. Staff reserves the right to require common driveways for which a Commercial Turnout Permit (CTP) shall be required, and the common driveways installed, prior to final plat approval.

Baldwin County Civil Engineer: N/A

Baldwin County Subdivision– Shawn Mitchell: When a subdivision is posed the applicant will submit a preliminary plat application for review and approval.

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 Residential Single-Family Estate District. The requested designation is RSF-1 Residential Single-Family District. The subject property is vacant. Surrounding parcels in the immediate area are zoned RSF-E, and RSF-1, and used as residential, and vacant. Staff feels that the requested change is compatible with the adjacent properties

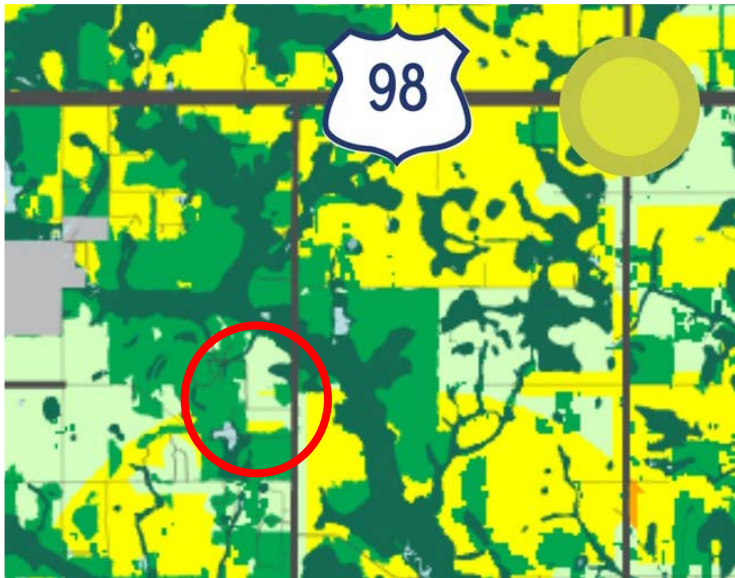


✓ 2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established? Planning District 32 adopted zoning on December 19, 1995. The property was zoned RA, Rural Agriculture when Planning District 32 came into effect. There have been a few changes in the immediate area with rezonings/subdivisions since. A rezoning may be appropriate when the proposed use contributes to and supports the adjacent parcel which appears to be the case for the subject property



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

The future land use for the property is a Conservation Development potential area. The projected use of the property is residential; therefore, the proposed zoning of RSF-1, Residential District doesn't conform with the Future land use map for the subject property. The majority of the area is Rural Agriculture Potential Area with some Conservation Development Potential area. The related zoning districts are RSF-E and RSF-1. The existing lots pre-date the FLUM map by several years. As staff understands the request, the subdivision that would follow the rezoning would add one other lot on the 3.5 acres.



LEGEND

PLACE TYPES

- IDEAL CONSERVATION/PRESERVATION
- CONSERVATION DEVELOPMENT POTENTIAL
- RURAL/AGRICULTURE/LID POTENTIAL
- MODERATE DEVELOPMENT POTENTIAL
- MID-DENSITY DEVELOPMENT POTENTIAL
- HIGH-DENSITY DEVELOPMENT POTENTIAL
- MUNICIPAL JURISDICTIONS

NODE TYPES

- RURAL CROSSROADS CENTER
- NEIGHBORHOOD CENTER
- VILLAGE CENTER
- URBAN MIXED-USE CENTER
- COMMERCIAL/INDUSTRIAL CENTER

RURAL/AGRICULTURE/LOW IMPACT DEVELOPMENT POTENTIAL AREAS


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 development pattern may also include conservation-based subdivisions to allow for the clustering of residential dwellings to protect open space that is valued for natural resource protection—such as stream buffers, mature forest habitat, or wetlands—working farmland, or recreational amenities. Lands within these areas should be developed with additional Low Impact Development (LID) standards and buffers to limit the impact to adjacent critical environments. At key rural crossroads, rural centers or nodes could allow for a combination of retail and service uses to meet the needs of the community.

PRIMARY LAND USES

- Single-family detached homes
- Hobby farms
- Agri-hoods
- Cultivated farmland, timber/managed forest, pastureland
- Clustered manufactured housing communities
- Rural crossroads center/node

RELATED ZONING DISTRICTS

- RR Rural District
- RA Rural Agricultural District
- RSF-E Residential Single Family Estate



CONSERVATION DEVELOPMENT AREAS

Conservation Development Potential Areas are suitable for all of the land uses described in the Ideal Conservation/Preservation Areas place type but would allow for limited development based on low-impact design principles. Allowing conservation-based subdivisions in these areas could help to balance the pressure of residential development with environmental preservation and rural character. Conservation-based subdivisions allow for the clustering of residential dwellings to protect open space that is valued for natural resource protection—such as stream buffers, mature forest habitat, or wetlands—working farmland, or recreational amenities.

PRIMARY LAND USES



- Conservation-based or cluster development with high levels of Low Impact Design (LID) and sustainable development practices
- Natural areas that are publicly and privately owned and managed
- Permanently protected lands such as conservation easements, parks, cemeteries
- Parks and open spaces devoted primarily to passive recreation and trails
- Lands with important cultural landmarks or assets
- Scenic view protection

RELATED ZONING DISTRICTS

- Environmental Conservation
- CR Conservation Resource District
- OR Outdoor Recreation District

CONNECTIVITY NETWORK

- Rural streets with paved shoulders, bike lanes, or side paths
- Greenways and trails along environmental buffers



Guide for the Future | 79

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

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

✓ **5. Will the proposed change adversely affect traffic patterns or congestion?** The property corners County Road 97 and Royal Lane. County Road 97 is classified as a minor collector with a Highway Construction Setback of 50' from the centerline of the right-a-way. Royal Lane is classified as a local road with Highway Construction setback of 40' from the centerline of the right-away. Staff memorializes that roadway improvements and various other engineering-related factors are dealt with when the applicant submits to develop the parcels further.

✓ **6. Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community?** The surrounding land uses in this area are residential, agricultural. Staff believes that **factor six encourages Approval** of this rezoning request due to adjacent parcel uses.

✓ **7. Is the proposed amendment the logical expansion of adjacent zoning designations?** The surrounding land uses in this area are primarily residential. **Staff believes the factor six encourages Approval of this rezoning request due to adjacent zoning and land uses.**

✓ **8. Is the timing of the request appropriate given the development trends in the area?** Staff believes that the timing is appropriate.

✓ **9. Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?** Drainage improvements, wetland delineation, and various other engineering-related factors are dealt with when the Commission Site plan is submitted or when development is requested for the subject property.

✓ **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 that will not be otherwise identified and mitigated by the Commission Site Plan, Land Disturbance, or other appropriate approval.

✓ **11. Other matters which may be appropriate.** N/A

Z24-41 Fernandez Property

Rezoning Request From RSF-E to RSF-1

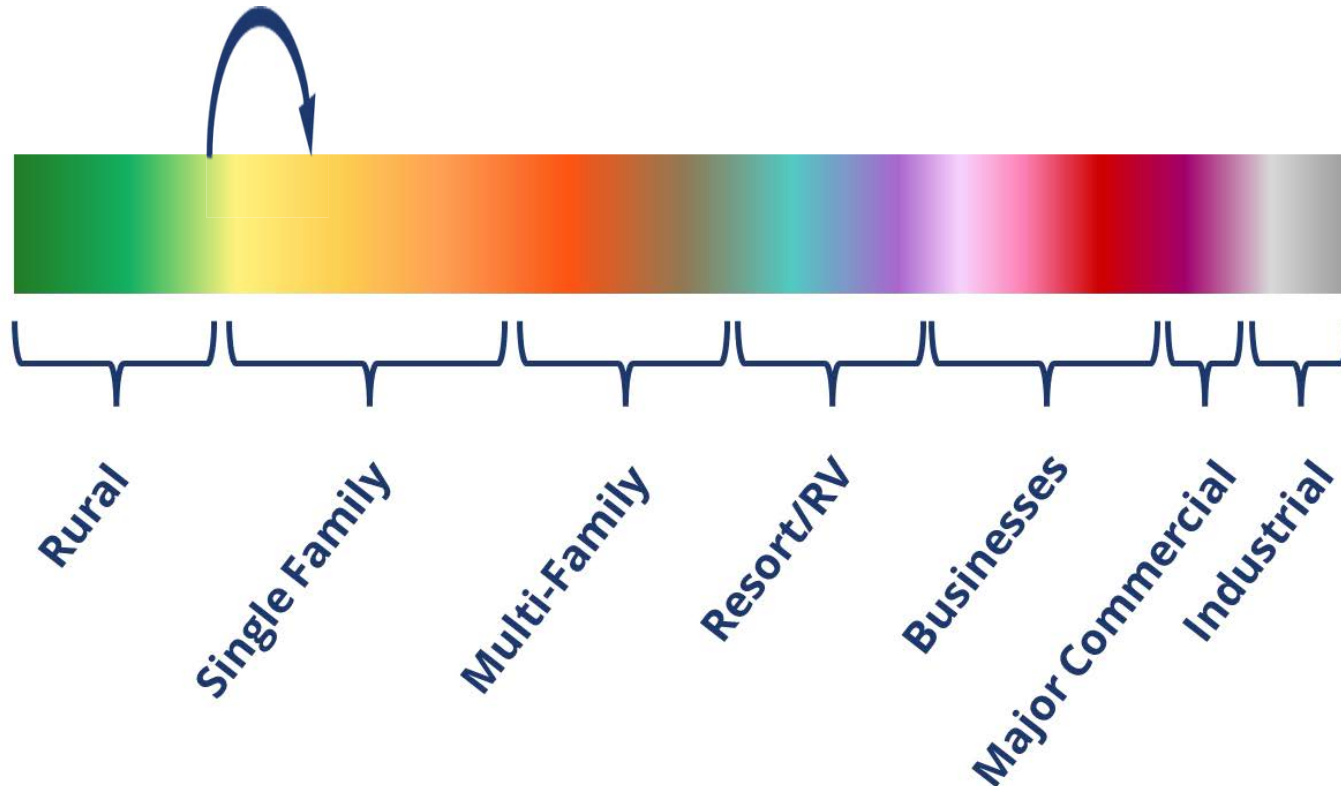
Lead Staff: Crystal Bates, Planning Technician II

Current Zoning:

RSF-E, Residential Single-Family Estate

Proposed Zoning:

RSF-1, Residential Single Family



Staff's Recommendation:

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