

Z23-4 TURNER PROPERTY

Lead Staff: Paula Bonner, Planning Technician

Request before Planning Commission:

Rezone approximately 17.08+/- acres From RMF-6 and RSF-2 to RSF-E

Proposed Zoning: RSF-E, Residential Single Family Estate District

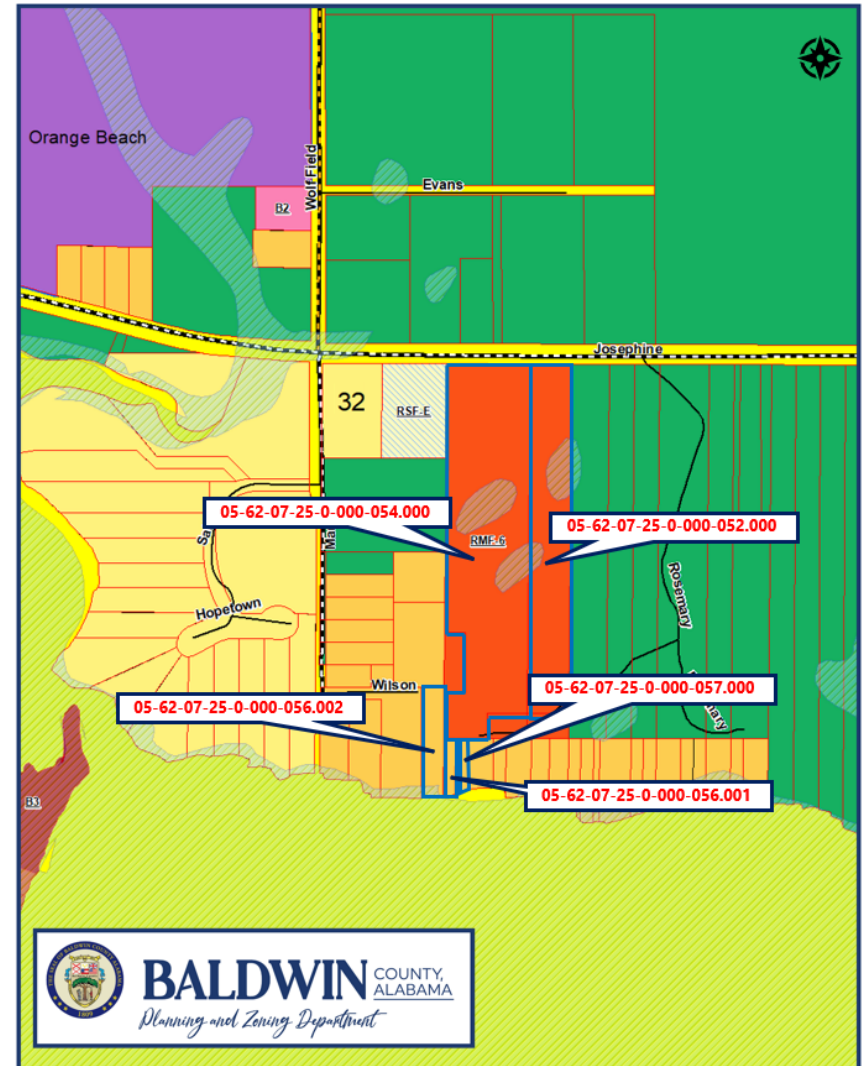
Applicant's Request: To rezone to RSF-E to develop the property for residential single-family use.

Online Case File Number: The official case number for this application is Z23-4, however, when searching online CitizenServe database, please use Z23-000004.

To view maps/plats in higher resolution please visit the "Upcoming Items" Planning and Zoning webpage:

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>

Vicinity Map – Z23-4



Z23-4 TURNER PROPERTY

Lead Staff: Paula Bonner, Planning Technician

Planning District: 32

Zoned: RMF-6, Multiple Family District and
RSF-2, Single Family District

Location: Subject property is located south of US Highway 98, east of County Road 95, on the south side of Josephine Drive.

Current Use: Residential

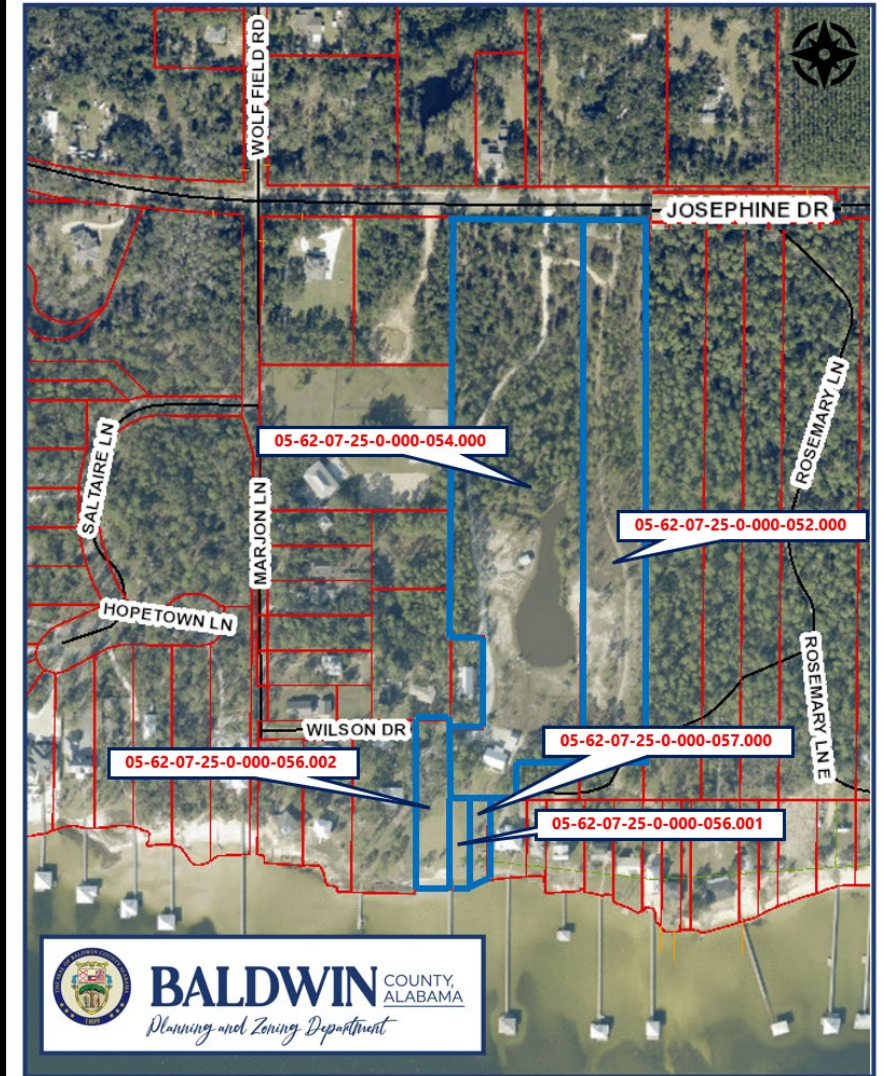
Acreage: 17.08+- acres

Parcel ID Numbers: 05-62-07-25-0-000-052.000,
05-62-07-25-0-000-054.000, 05-62-07-25-0-000-056.001,
05-62-07-25-0-000-056.002, and 05-62-07-25-0-000-057.000.

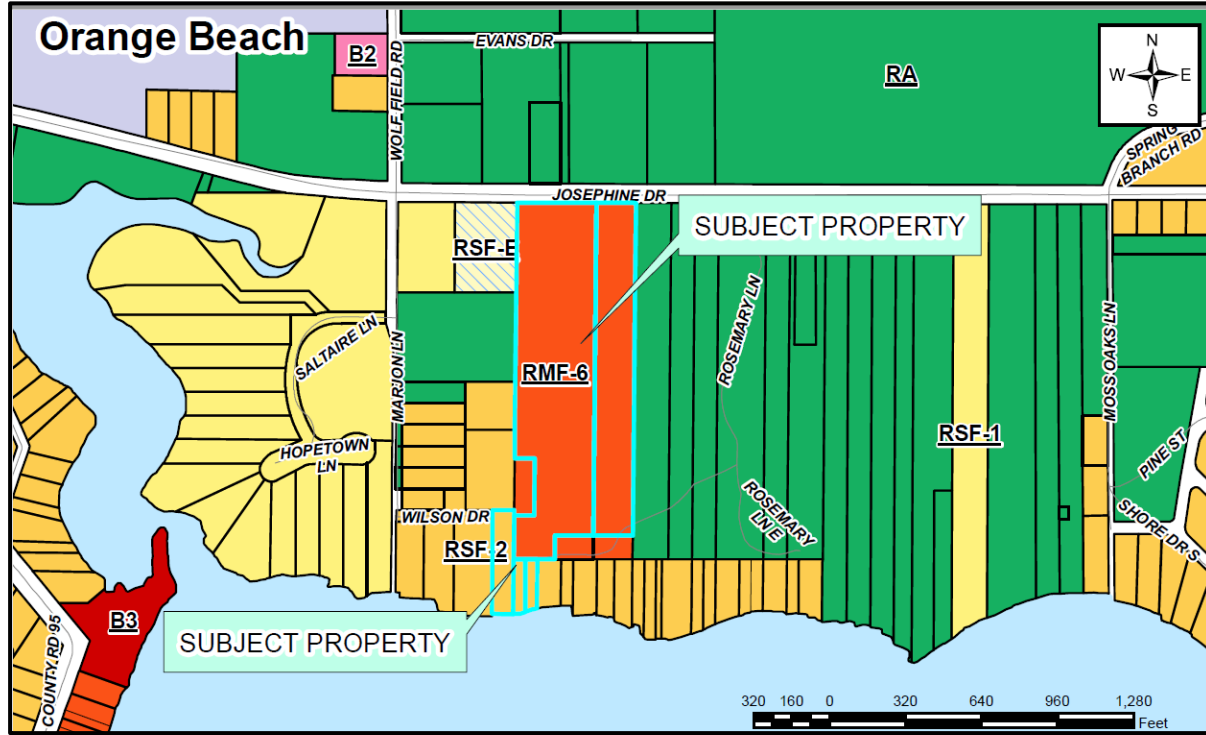
Applicant: Robert Ray

Owner: John Turner

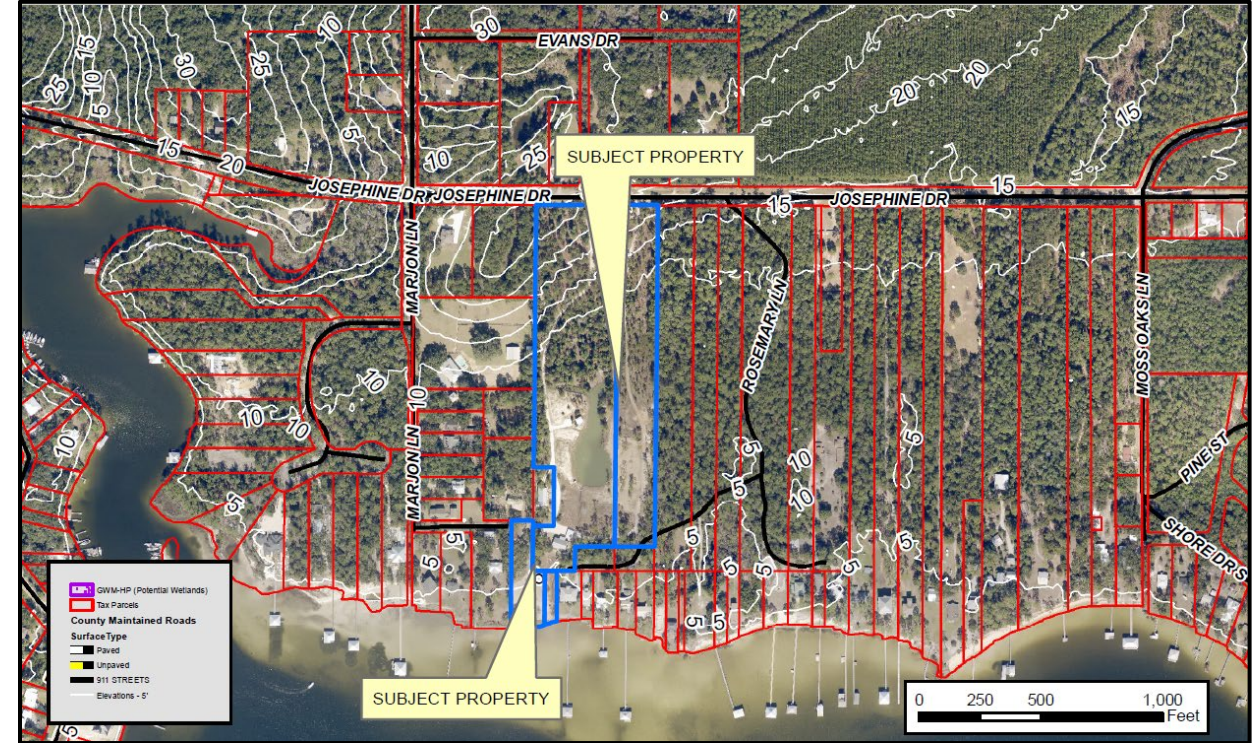
Vicinity Map – Z23-4



Locator Map



Site Map



Adjacent Zoning

North	RA, Rural Agricultural District
South	RSF-2, Single Family District & Arnica Bay
East	RA, Rural Agricultural District & RSF-2
West	RSF-E, Single Family Estate District, RSF-2 & RA

Adjacent Land Use

North	Residential
South	Residential & Arnica Bay
East	Residential & Vacant
West	Residential & Vacant

Property Images

Feb 9, 2023 at 2:26:21 PM

Subject Property



REZONING
FOR THE PROPERTY
223-000004



Property Images

Feb 9, 2023 at 2:26:29 PM

Property Across
the Street



Property Images

Feb 9, 2023 at 2:30:30 PM

Adjoining Property
to The West



Property Images



Feb 9, 2023 at 2:27:37 PM

Adjoining Property
to the East



Current Zoning Requirements

Section 4.9 RMF-6, Multiple Family District

4.9.1 *Generally*. The intent of this zoning designation is to provide the opportunity for multiple family residential development.

4.9.2 *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) Multiple family dwellings.
- (e) Two family dwellings.
- (f) Single family dwellings including manufactured housing and mobile homes.
- (g) Accessory structures and uses.
- (h) The following institutional use: church or similar religious facility.

4.9.3 *Conditional Use 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 13.10: Bed and Breakfast Establishments*).
- (e) Boarding house, rooming house, lodging house, or dormitory.
- (f) Fraternity or sorority house.

4.9.4 *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

4.9.5 *Area and dimensional ordinances (single family and two family)*. 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	35-Feet
Maximum Height in Habitable Stories	2 ½
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Maximum Density	6 Dwelling Units per Acre
Minimum Lot Area/Dwelling Unit	6,500 Square Feet
Minimum Lot Width at Building Line	60-Feet
Minimum Lot Width at Street Line	30-Feet
Maximum Ground Coverage Ratio	.35

4.9.6 *Area and dimensional ordinances (multiple family)*. 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	35-Feet
Maximum Height in Habitable Stories	3
Minimum Front Yard	25-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	25-Feet
Maximum Density	6 Dwelling Units per Acre
Minimum Lot Area	22,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Minimum Lot Width at Street Line	50-Feet
Maximum Ground Coverage Ratio	.80

4.9.7 *Townhouses*. 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	35-Feet
Maximum Height in Habitable Stories	2 ½
Minimum Front Yard	25-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	10-Feet (exterior wall side yards)
Maximum Density	6 Dwelling Units per Acre
Minimum Lot Area/Dwelling Unit	2,500 Square Feet
Minimum Lot Width at Building Line	25-Feet
Minimum Lot Width at Street Line	25-Feet
Maximum Ground Coverage Ratio	.80

Current Zoning Requirements

Section 4.3 RSF-2, Single Family District

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

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

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

4.3.3 *Conditional Use 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 13.10: 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	35-Feet
Maximum Height in Habitable Stories	2 ½
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

Propose Zoning Requirements

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

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

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

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

4.1.3 *Conditional Use 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 13.10: 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

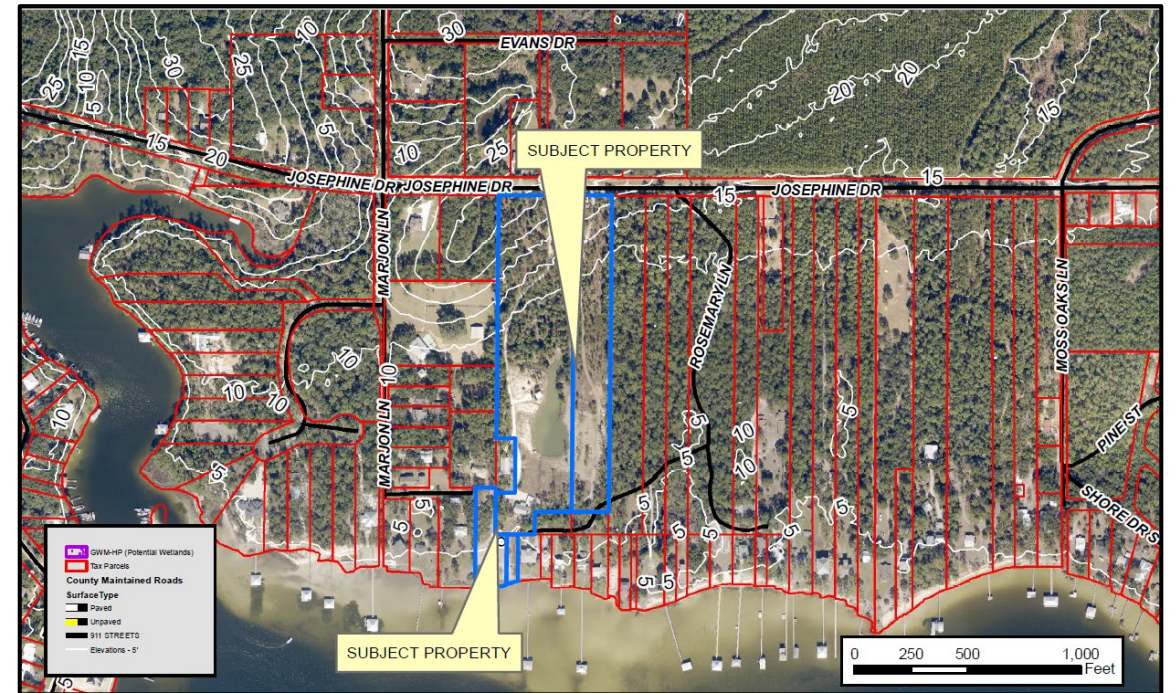
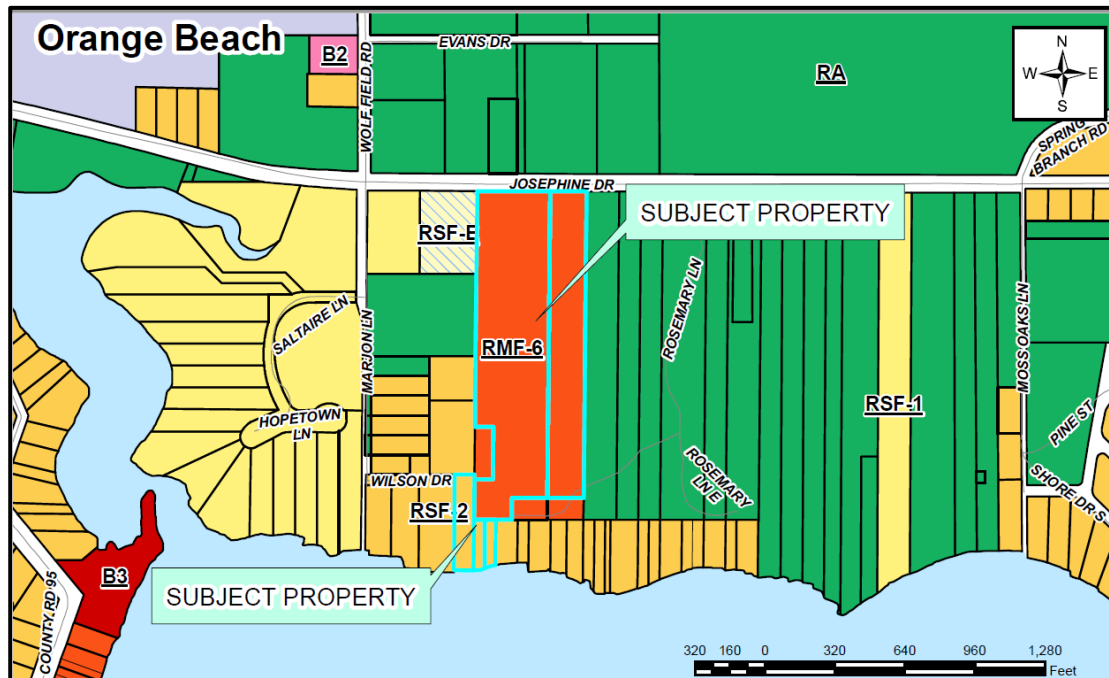
4.1.6 *Area and dimensional modifications.* Within the RSF-E district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related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

Staff Analysis and Findings

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

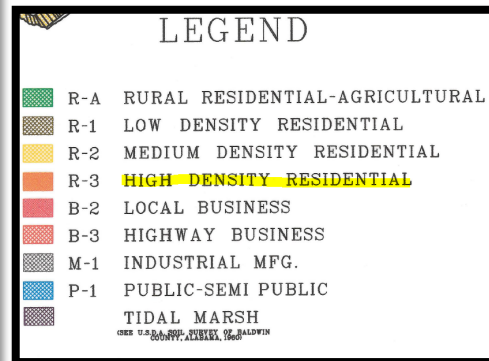
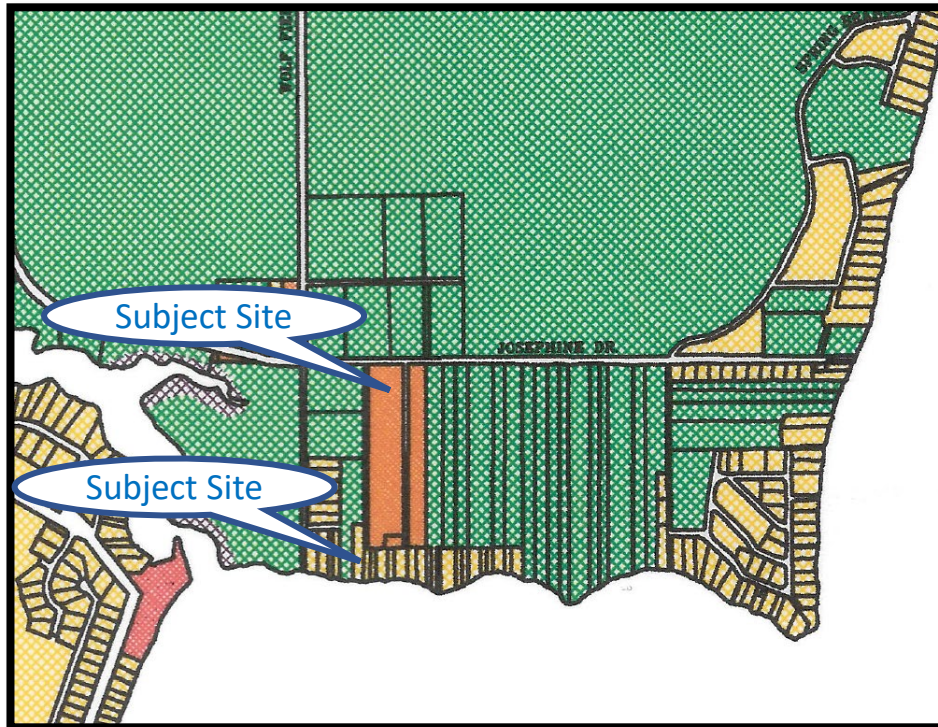
The rezoning request consists of five parcels currently zoned RMF-6, Multiple Family District, and RSF-2, Single Family District. The adjacent properties are zoned RA, Rural Agricultural District, RSF-2, Single Family District, and RSF-E, Residential Single Family Estate District. The adjacent uses are residential. **Staff feels a single-family residential zone is more compatible with the surrounding properties.**



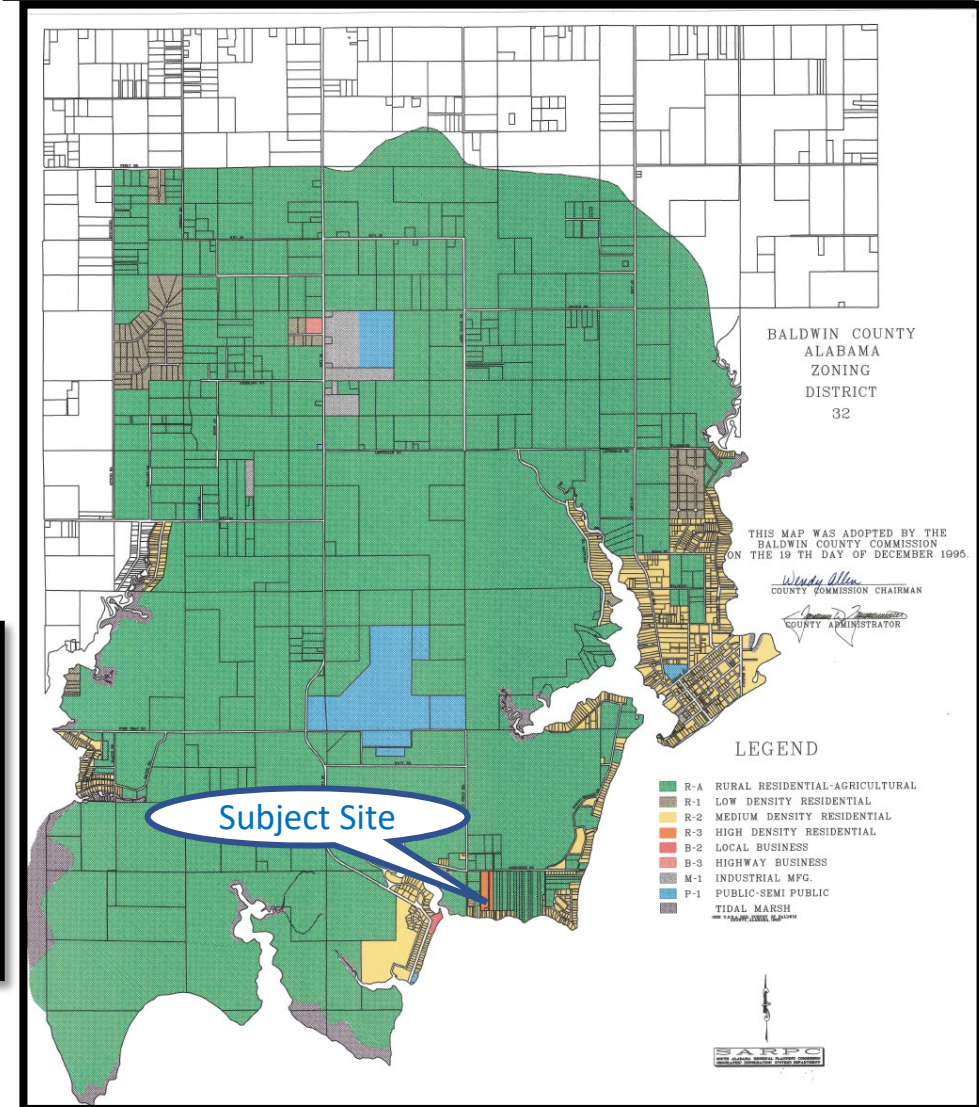
Staff Analysis and Findings

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 was adopted by the County Commission on December 19, 1995. The subject property was zoned for multi-family use at the time zoning was adopted. There have been minimal changes since the adoption of zoning. The zoning changes that have occurred were rezonings from RA, Rural Agricultural Districts to RSF-E, Residential Single Family Estate District and RSF-2, Single Family District.



Planning District 32 Zoning Map Adopted December 19, 1995

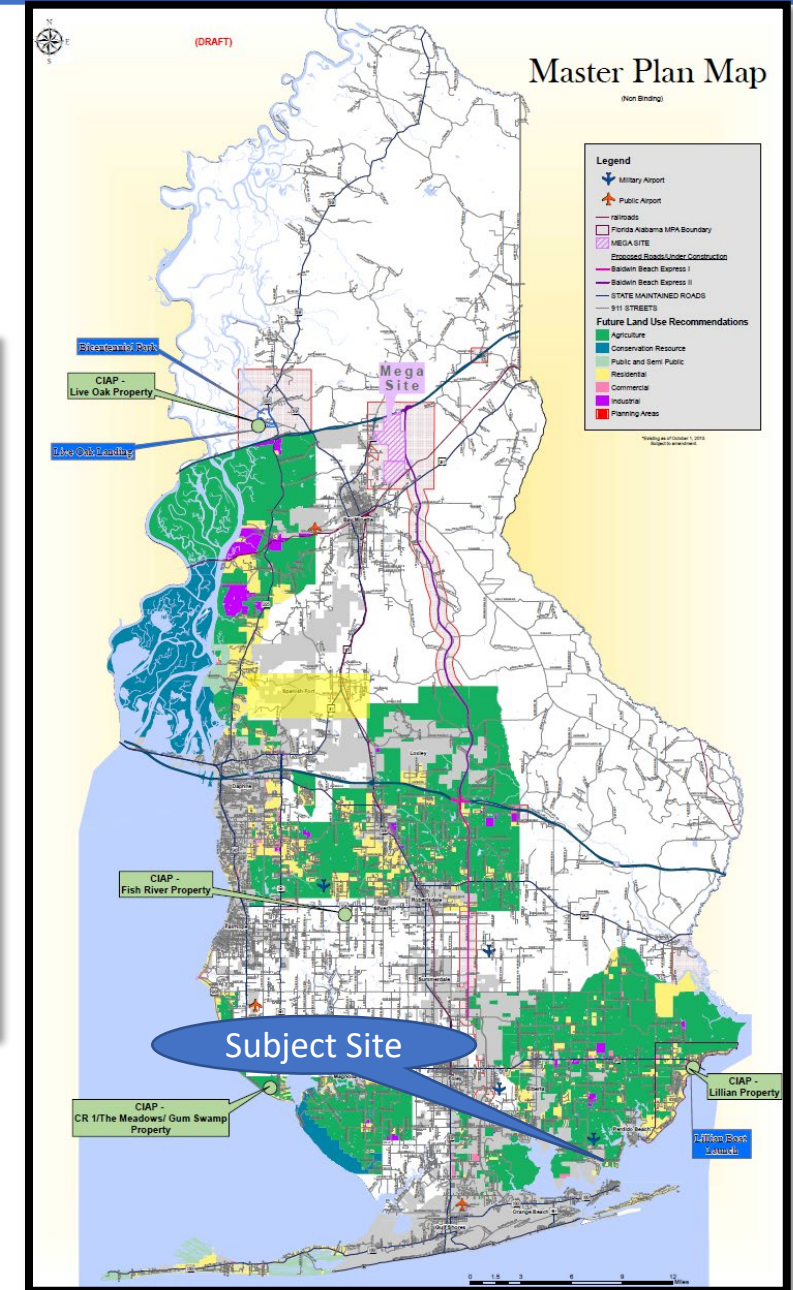
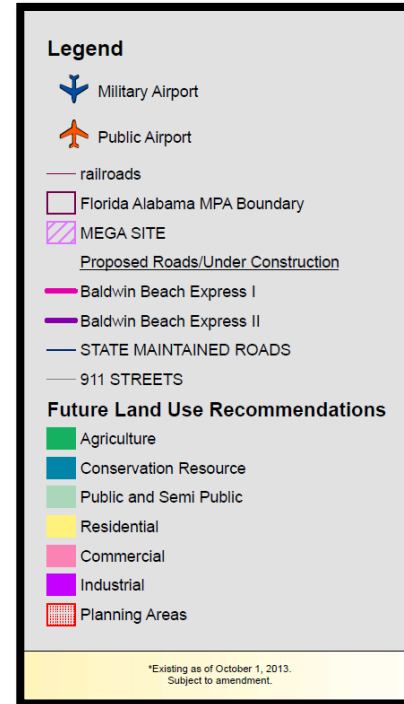
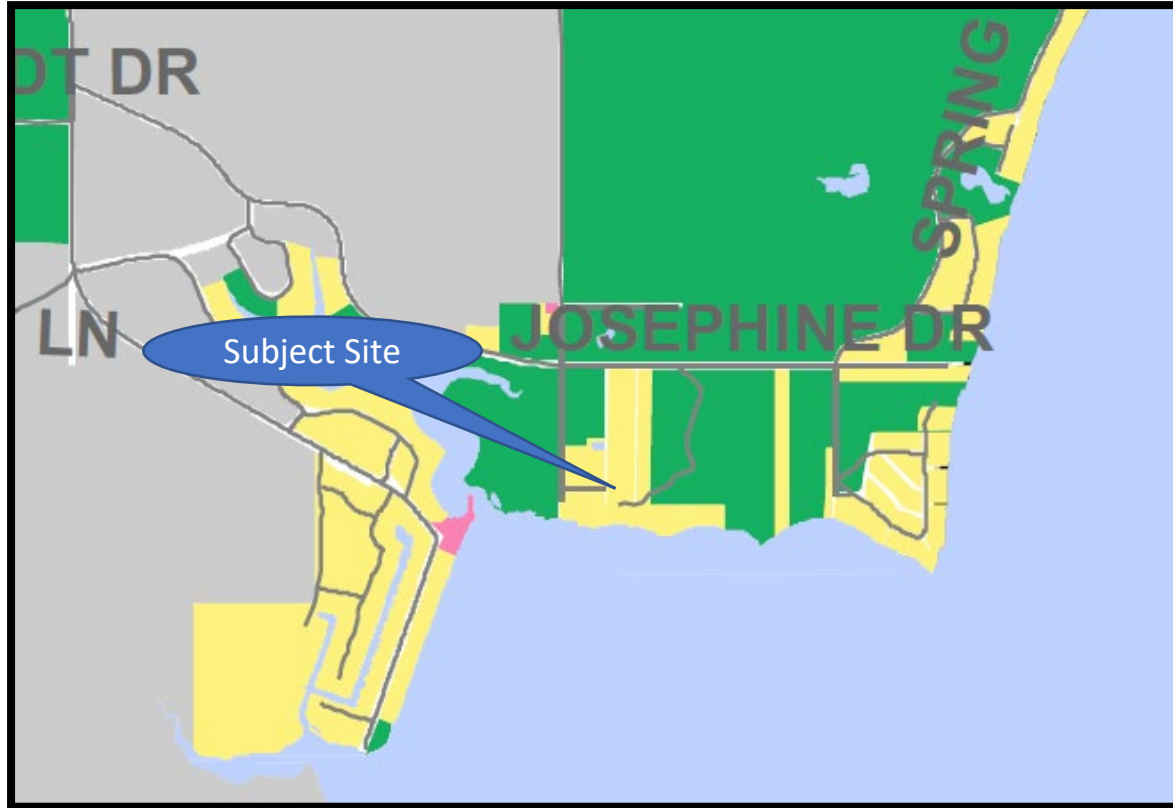


Staff Analysis and Findings

Current Adopted Master Plan

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

The current Baldwin County Master Plan which was adopted October 1, 2013, provides for a future land use designation of residential for the subject properties. Staff perceives a single-family residential use does conform to the master plan.



Staff Analysis and Findings

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

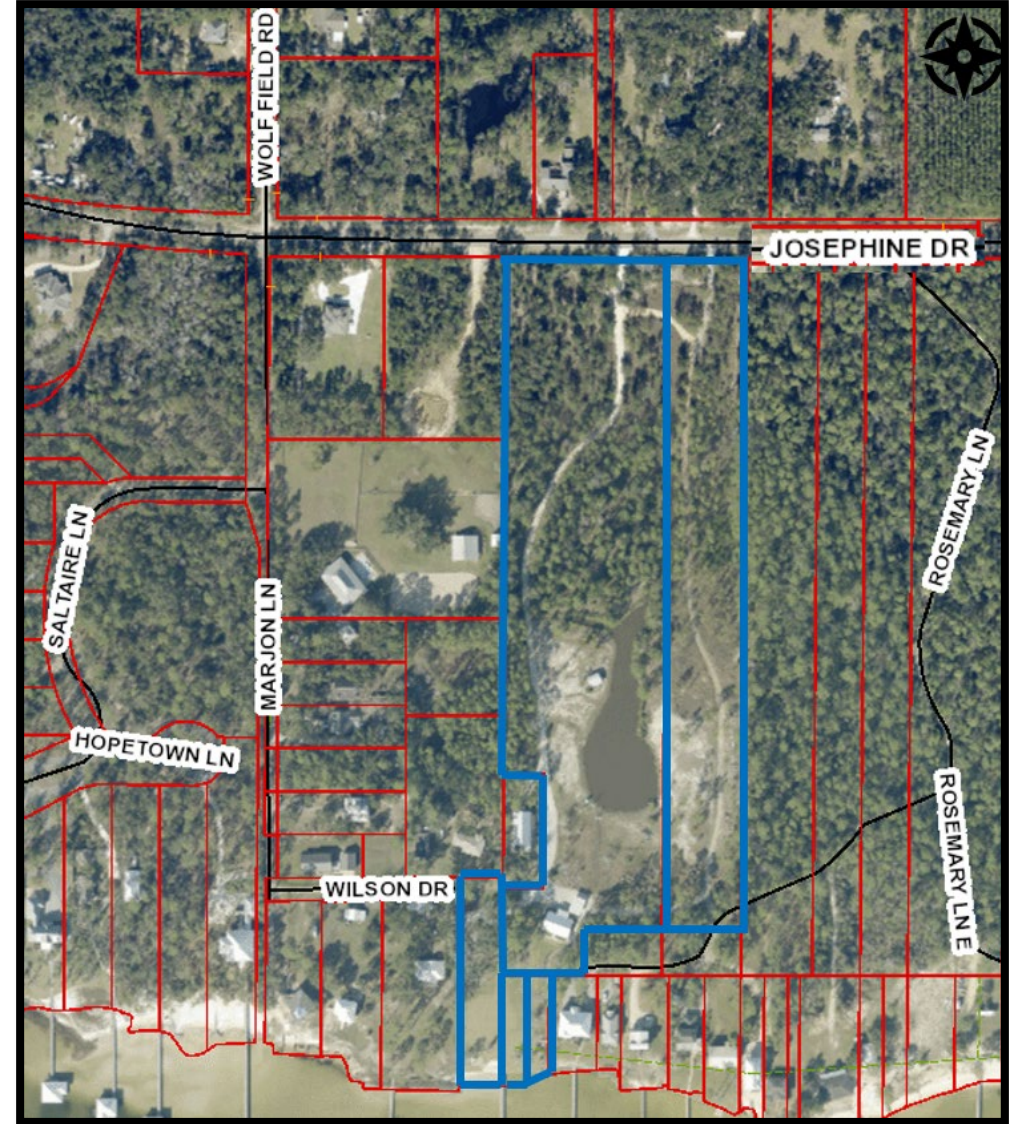
Staff is unaware of any planned public improvements.

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

Parcel 05-62-07-25-0-000-054.000 and parcel 05-62-07-25-0-000-052.000 are located on Josephine Drive which is an 80' Baldwin County maintained right-of-way. Parcel 05-62-07-25-0-000-056.002, 05-62-07-25-0-000-056.001 and 05-62-07-25-0-000-057.000 are accessed via easements on the parcels fronting Josephine Drive. Staff does not perceive the requested rezoning or adversely affect traffic patterns of 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.

The surrounding land uses are residential single-family. The current use of the subject parcels are residential single-family. The owner would like to rezone the parcels to single-family residential estate to be more consistent with the current and future uses.



Staff Analysis and Findings

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

The properties adjacent to the subject properties are zoned rural agricultural and residential single family. The surrounding land uses are residential. **Staff feels the proposed amendment is consistent with the area.**

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

Staff believes that timing is not an issue.

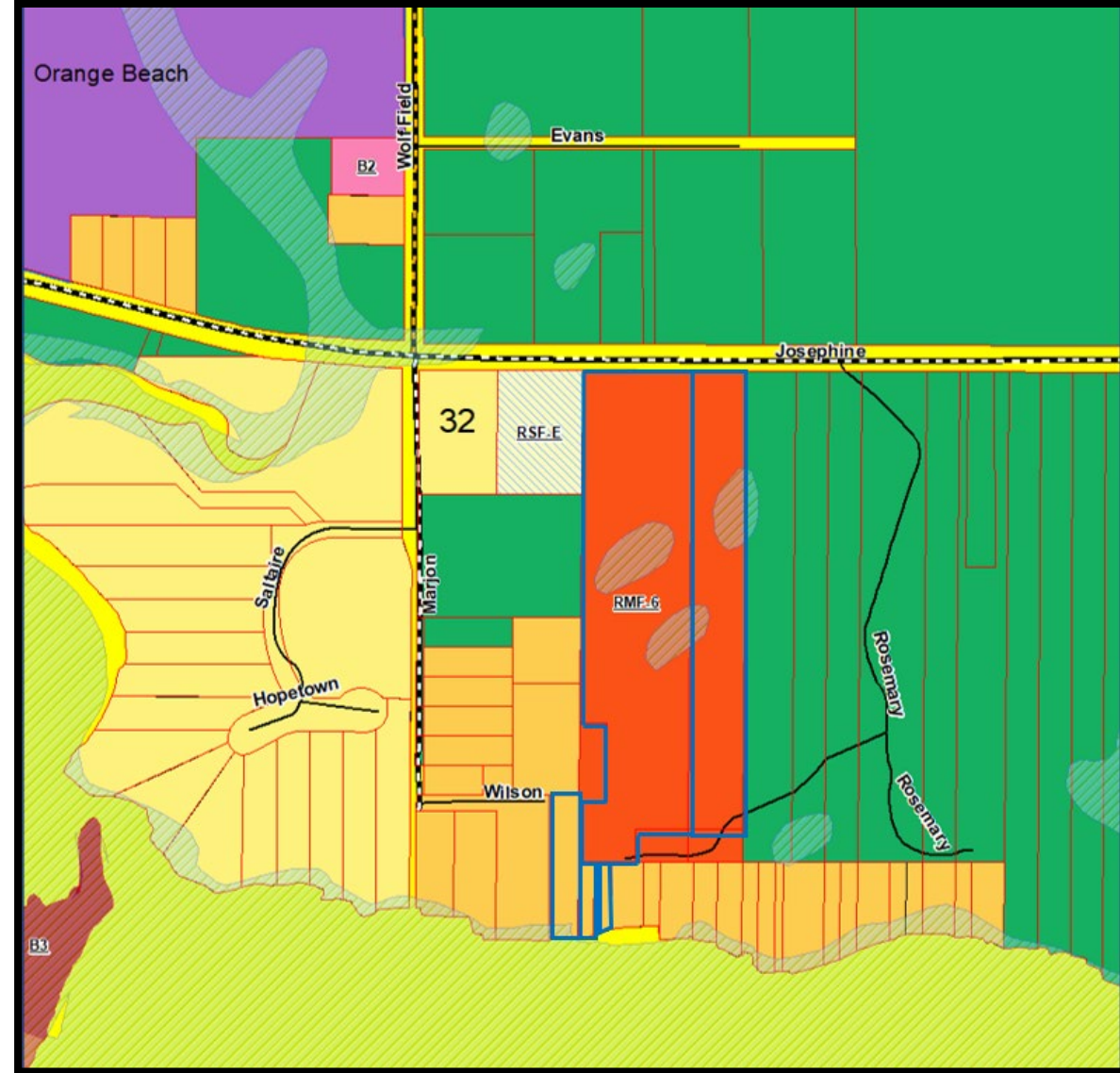
9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?

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. NA



Agency Comments

- **Natural Resource Planner, *Ashley Campbell*:** Has requested a copy of the wetland delineation and if new zoning result in additional structures that will impact the wetlands or the 30' wetland buffer. At the time of this report this information has not been submitted.
- **Subdivision Coordinator, *Shawn Mitchell*:** No Comments
- **Baldwin County Highway Department, *Tyler Mitchell*:** Josephine Drive is maintained by Baldwin County. Any new or revised connection to Josephine Drive will require a turnout permit from the Baldwin County Highway Department.
- **ADEM, *Scott Brown*:** No Comments
- **Corp of Engineers, *Eric Buckelew*:** No Comments
- **Baldwin County Board of Education:** No Comments
- **City of Orange Beach:** No Comments

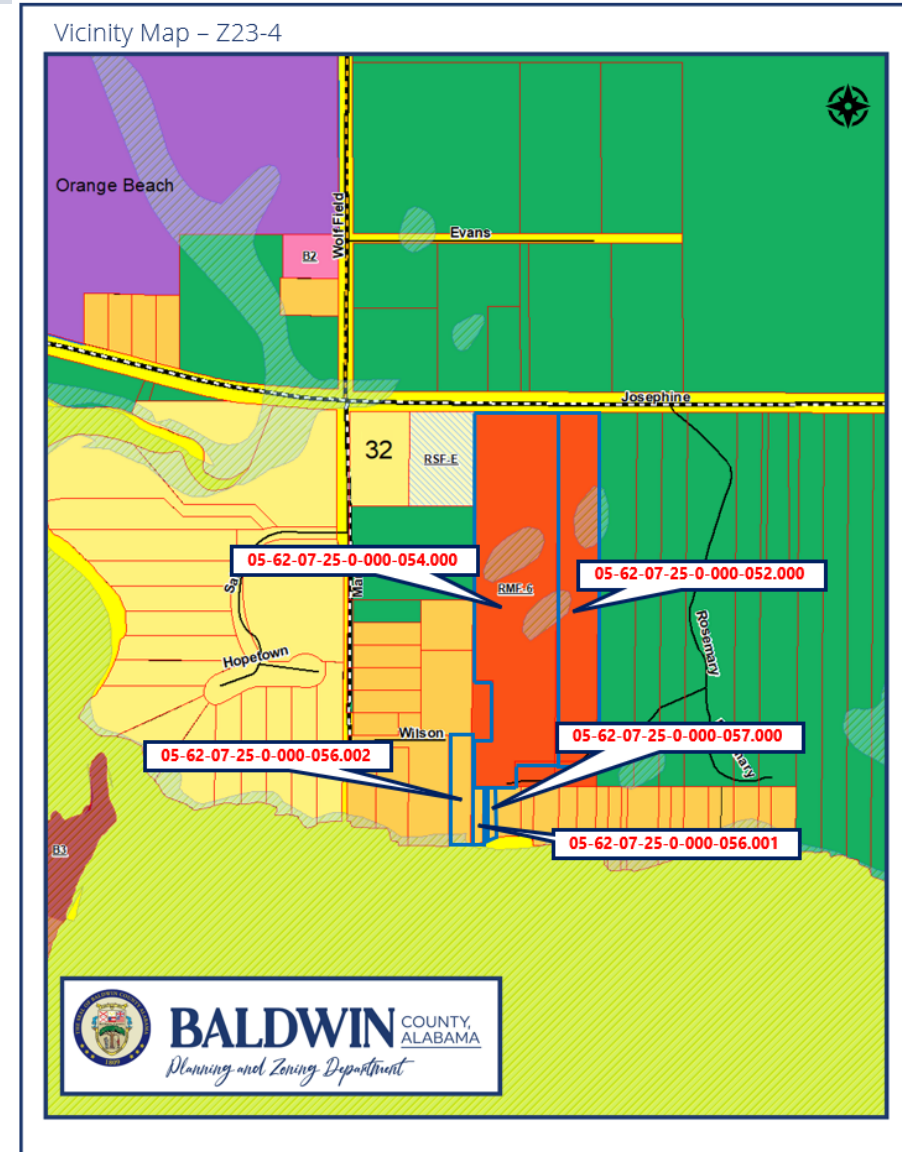
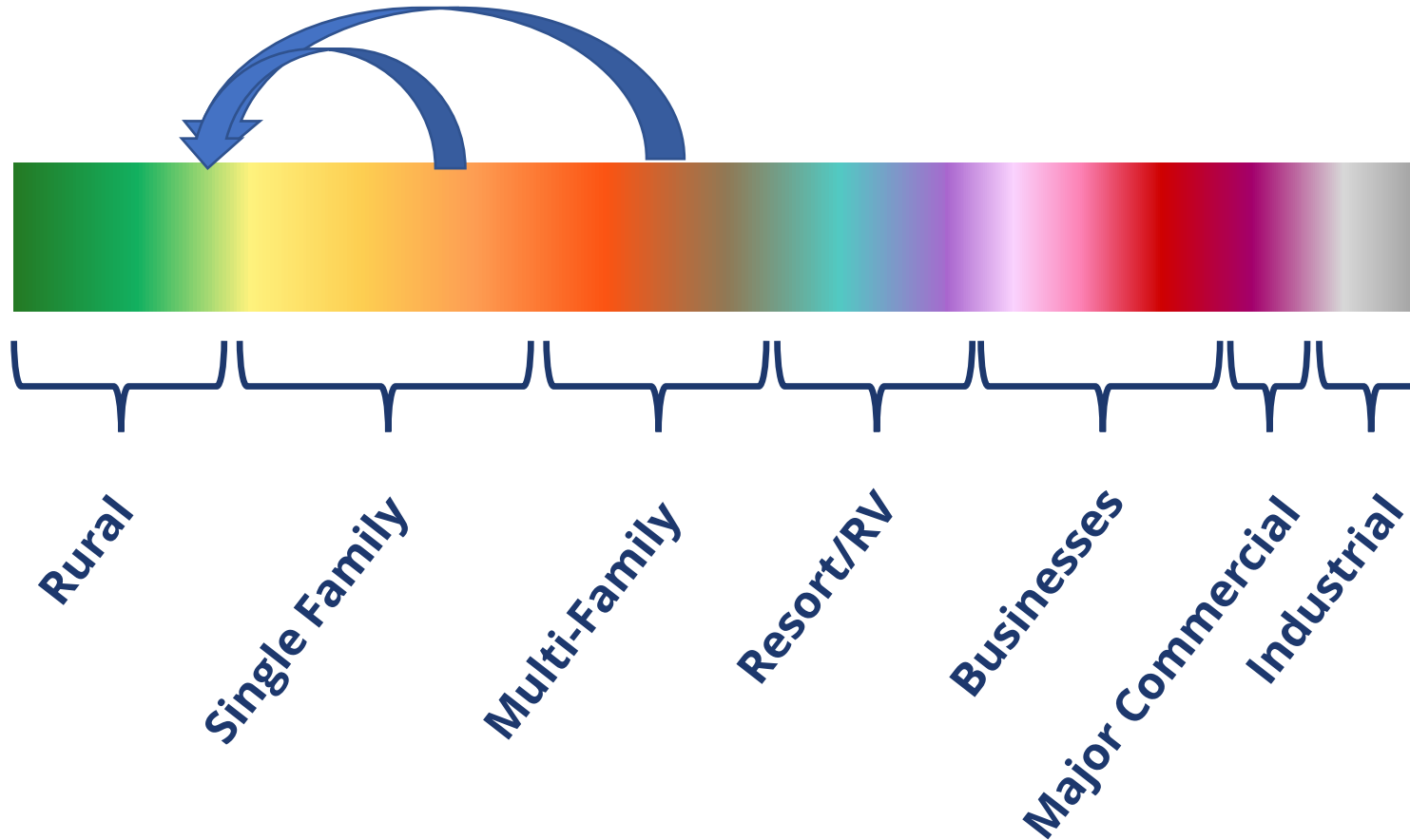
Z23- 4 TURNER PROPERTY

Lead Staff: Paula Bonner,
Planning Technician

Current Zoning:
Multiple Family
(RMF-6)

Current Zoning:
Single Family
(RSF-2)

Requested Zoning:
Single Family Estate
(RSF-E)



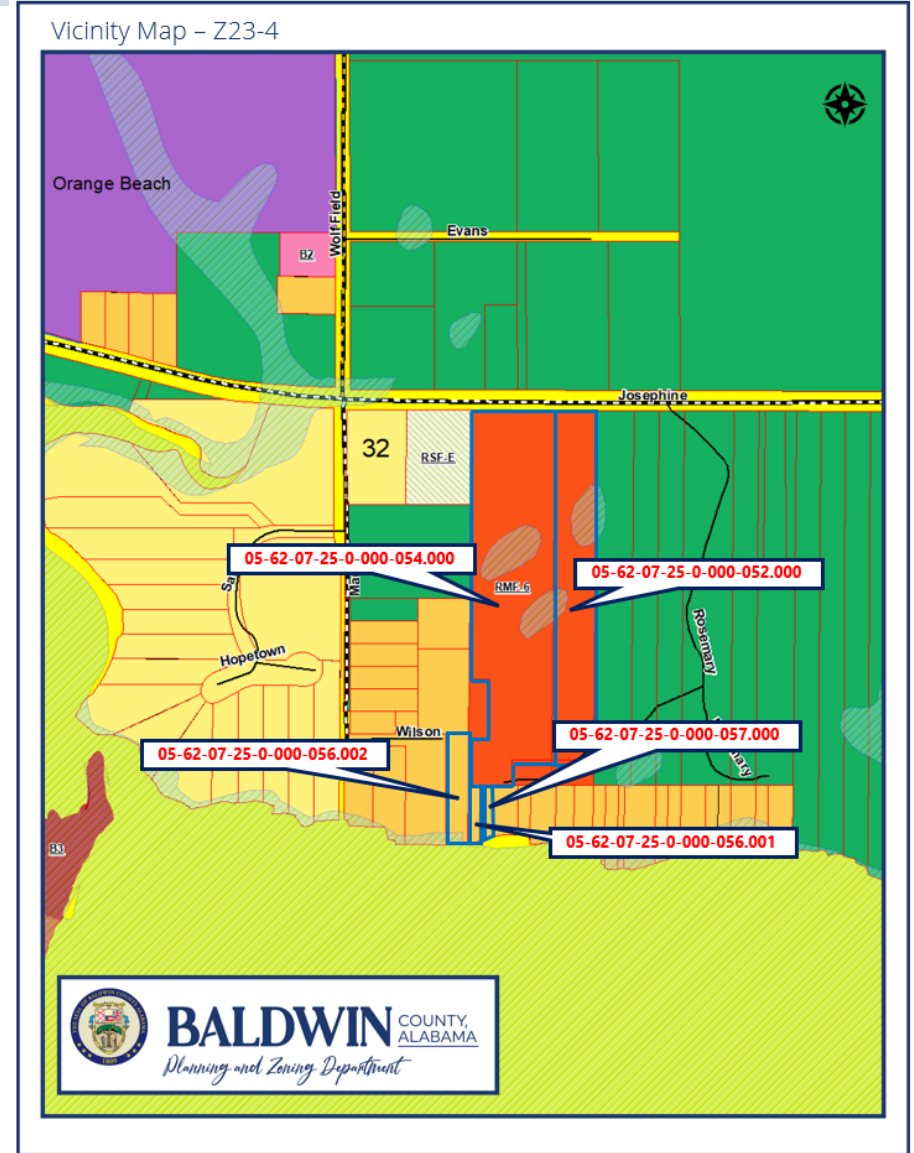
Z-23-4 TURNER PROPERTY

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Staff Recommendation:












Staff perceives the rezoning request to be compatible with the current uses on the subject parcels as well as the surrounding parcels. Unless information to the contrary is revealed at the public hearing, staff recommends this rezoning application be **approved**.

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



Factor Summary:

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

 <p>#1</p>	 <p>#2</p>	 <p>#3</p>	 <p>#4</p>	 <p>#5</p>	 <p>#6</p>
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?
 <p>#7</p>	 <p>#8</p>	 <p>#9</p>	 <p>#10</p>	 <p>#11</p>	
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.

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