



BALDWIN COUNTY, ALABAMA

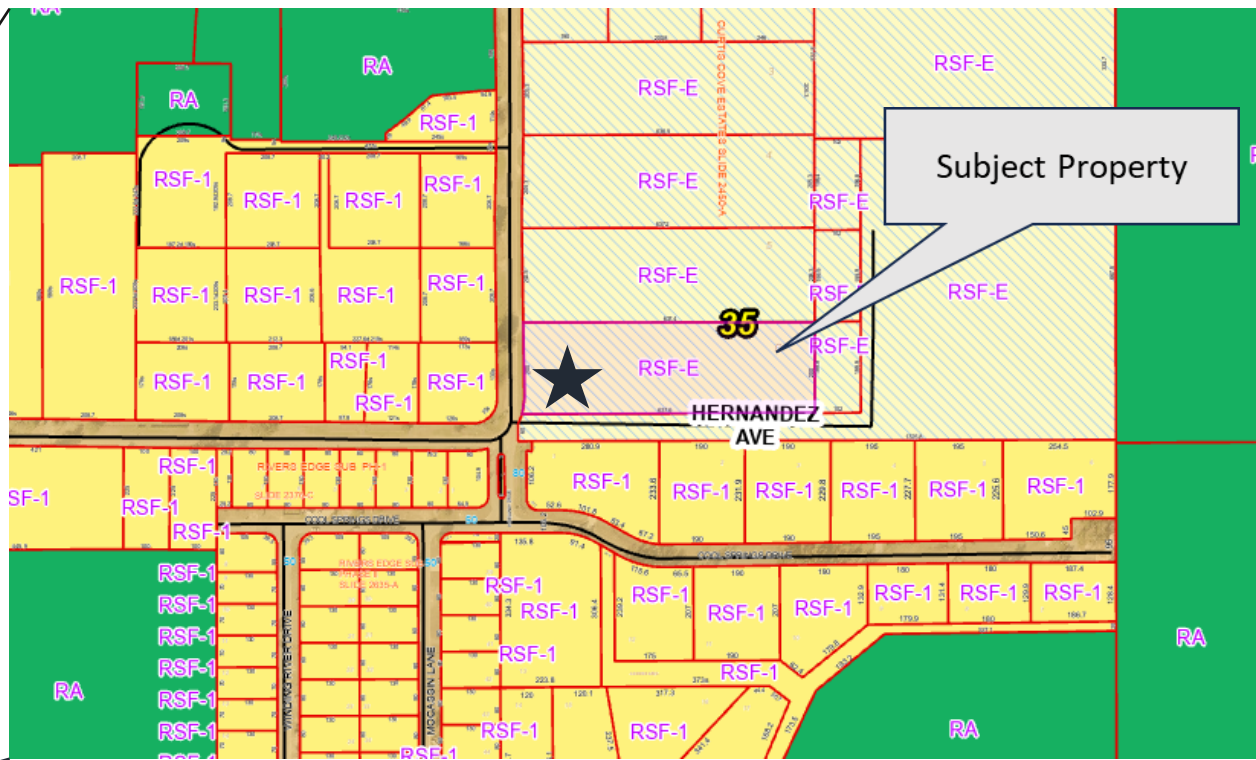
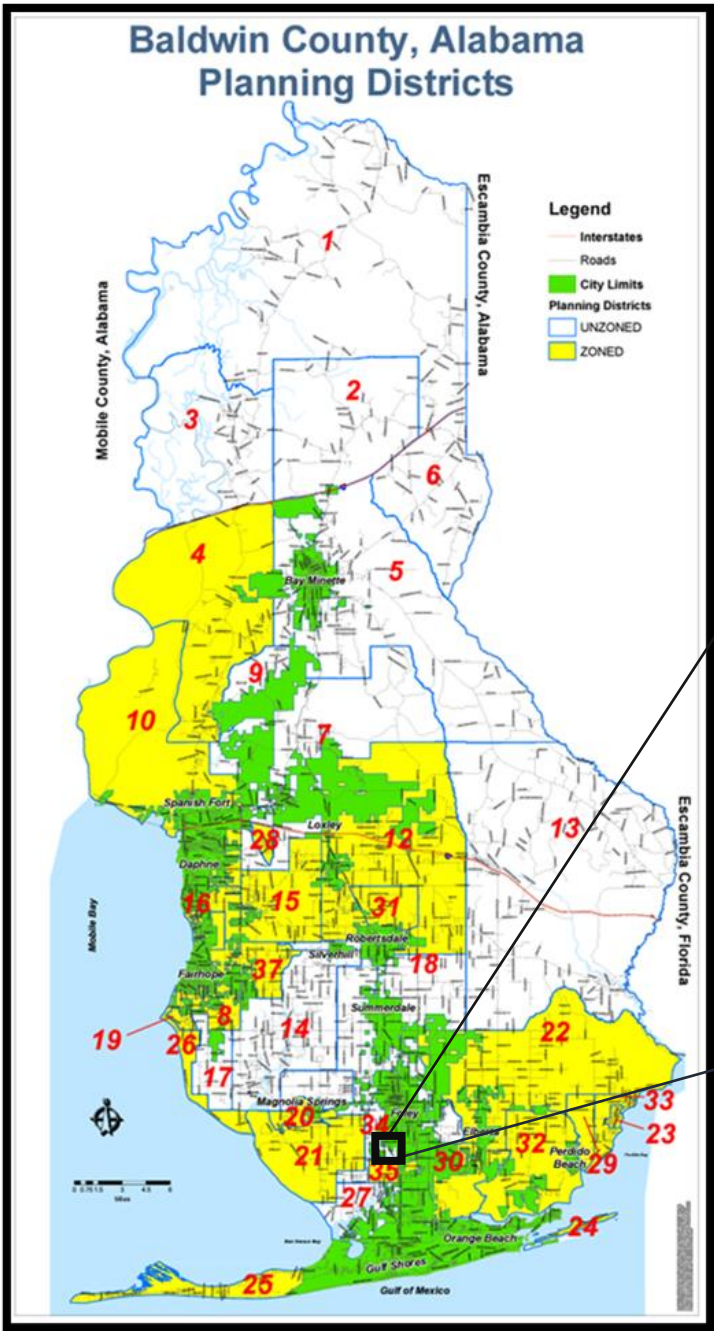
Planning and Zoning Department

RE-ZONING REQUEST

Z24-8, CURTIS PROPERTY

APRIL 4, 2024

PRESENTED BY: CRYSTAL BATES, PLANNING TECHNICIAN II



Z24-8 CURTIS PROPERTY

Lead Staff: Crystal Bates, Planning Technician II

Request before Planning Commission:

Rezone 2.98+/- acres from RSF-E to RSF-1

Parcel#: 05-61-04-17-0-001-027.006

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

[https://baldwincountyal.gov/departments/
planning-zoning/meeting-agenda](https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda)



Z24-8 CURTIS PROPERTY

Lead Staff: Crystal Bates, Planning Technician II

Planning District: 35

Zoned: RSF-E, Single-Family Estate

Location: Subject property is Z24-8 located off River Road N

Current Use: Residential

Acreage: 2.98+/- acres

Physical Address: 8850- A River Rd N

Applicant: Alvin Scott Curtis

Owner: Alvin Scott Curtis




Proposed Zoning: RSF-1- Single Family District

Applicant's Request: The owner would like to rezone to RSF-1 to subdivide

Online Case File Number: The official case number for this application is, when searching the online CitizenServe database, please use Z24-000008.

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.

Locator Map



Site Map



Adjacent Zoning

North

RSF-E, Residential Single-Family Estate

South

RSF-1, Residential Single Family

East

RSF-E, Residential Single-Family Estate

West

RSF-1, Residential Single Family

Adjacent Land Use

Residential

Residential

Residential

Residential

Z24-8 Curtis Property

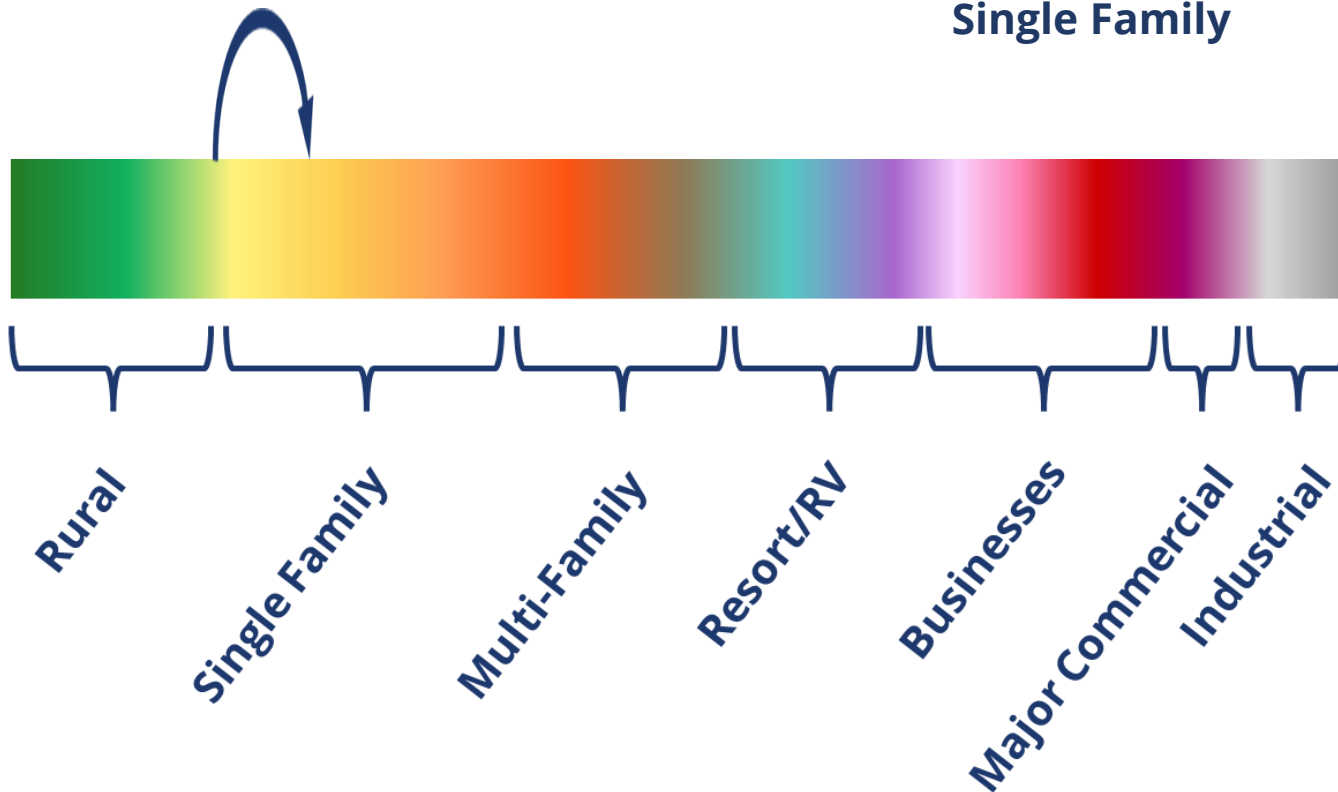
Rezoning Request From RSF-E to RSF-1

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**.*

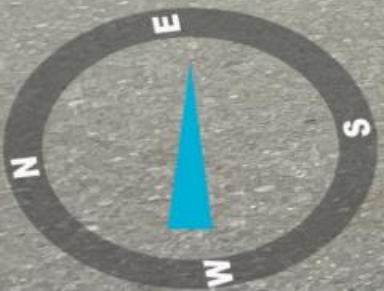
Mar 4, 2024 at 10:45:41 AM
101° E

Subject Property



Mar 4, 2024 at 10:46:31 AM
99° E

Adjoining Property
to The South



Mar 4, 2024 at 10:47:12 AM
303° NW

Property to The
West



Mar 4, 2024 at 10:48:48 AM
97° E

Adjoining Property
to the North



Current Zoning Requirements

Article 4 Residential Districts

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	35-Feet
Maximum Height in Habitable Stories	2 ½
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 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 *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*).

4.2.4 *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	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	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

Staff Analysis and Findings

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

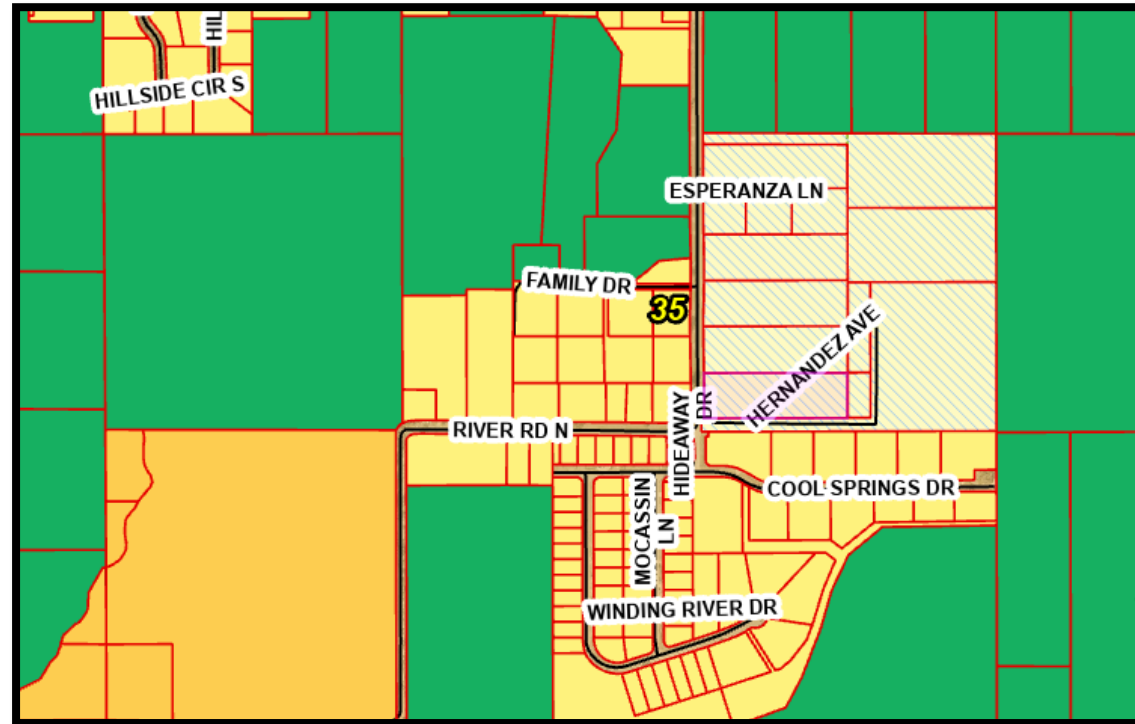
The subject property is currently zoned RSF-E, Residential Single Family Estate District. The requested designation is RSF-1, Residential Single-Family District, and subject property is established with one single-family dwelling. The property is adjoined by River Road North to the West. Surrounding parcels in the immediate area are zoned RSF-1 and RSF-2. Staff feels that the requested change is compatible with the adjacent 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 35 adopted zoning on April 26, 2022. The property was zoned RSF-E when Planning District 35 came into effect. There have been no rezonings in the area 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.

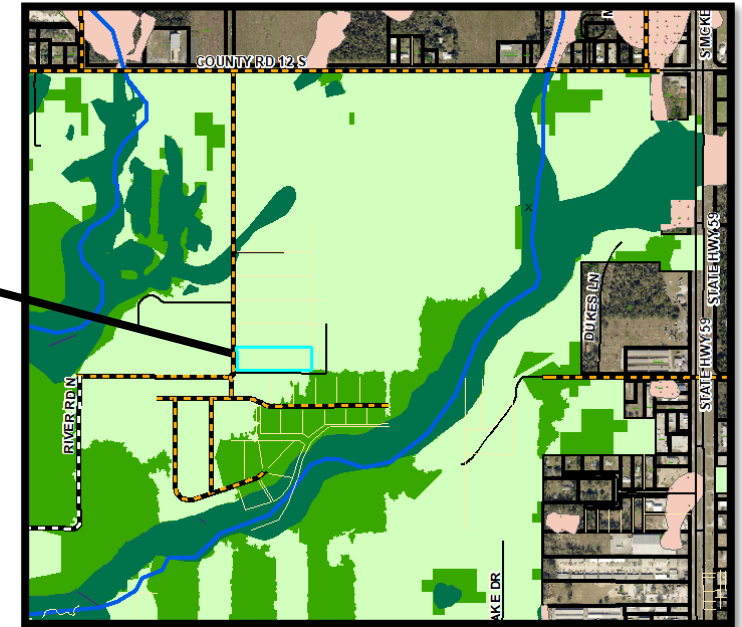
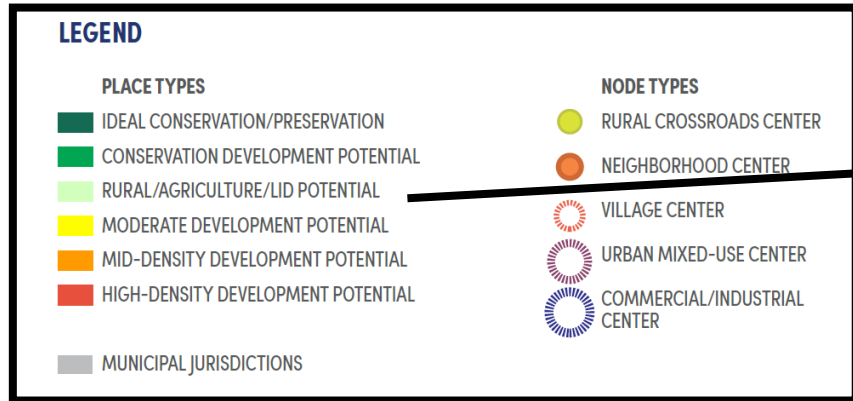
Planning District 35
Zoning Map
At the time of the
election April 16, 2022



Staff Analysis and Findings

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

The future land use for the property includes Rural/Agriculture Potential. The projected use of the property is residential; therefore, the current zoning of RSF-E conforms 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 or any conflicts with existing public improvements.

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

Staff is unaware of any planned public improvements or any conflicts with existing public improvements. River Road North is classified as a local road with a Highway Construction Setback of 40' from the centerline of the right-a-way. Staff memorializes that roadway improvements and various other engineering related factors are dealt with when the applicant submits for subdivision replat approval.

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. Staff believes that **factor six encourages Approval** of this rezoning request due to adjacent parcel lot sizes.

7.) Is the proposed amendment the logical expansion of adjacent zoning districts? This area of Planning District 35 consists of commercial, residential, and rural districts. Adjacent properties are zoned Residential and Residential Estate. The RSF-1, Residential Single-Family District, would be consistent with adjacent properties.

Staff Analysis and Findings

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

Staff believes that the timing is appropriate given development trends in the area.

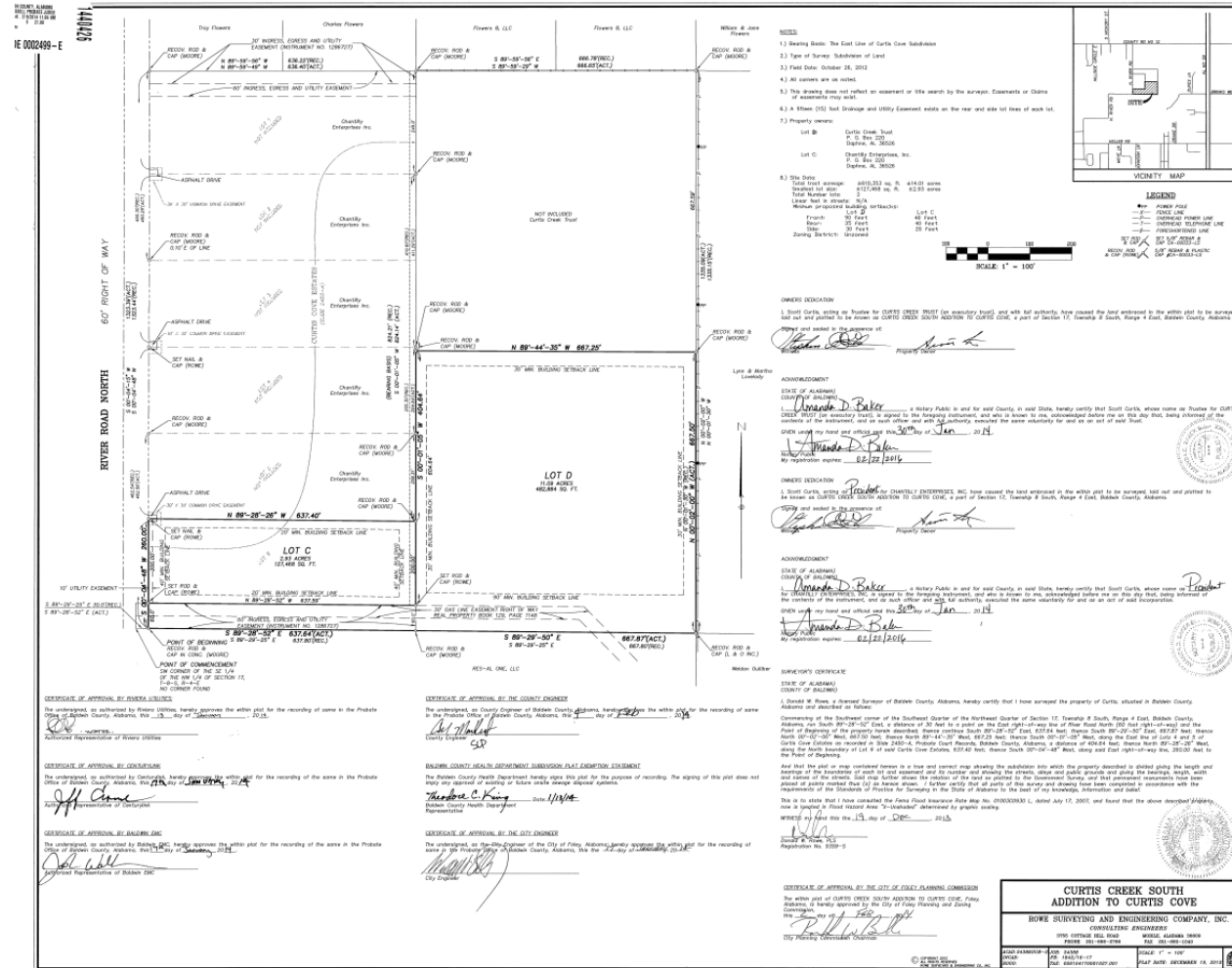
9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?

Drainage improvements, wetland delineation, and various other engineering related factors are dealt with when the subdivision 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 approvals.

The sketch below is for informational purposes only but shows it as part of a subdivision.



Agency Comments

ALDOT, Michael Smith: No Comments Received.

ADEM, Autumn Nitz: Outside coastal area.

Baldwin County Permit Engineer– Wade Clement: If the rezoning is approved and future improvements are designed; review of drainage plans and access requests will be reviewed at that time.

Baldwin County Subdivision– Shawn Mitchell: This parcel is in a recorded subdivision in Foley's subdivision jurisdiction. If the rezoning is approved, the applicant will go through Foley's review and approval process. Because it is zoned, a preliminary plat application will also be submitted to the County for administrative approval.

City of Foley: Since these rezonings are for large lots I don't think we have any comments.

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.*