BALDWIN COUNTY, ALABAMA

Planning and Zoning Department

RE-ZONING REQUEST

Z22-14, LAZZARI PROPERTY

AUGUST 4, 2022

PRESENTED BY: CORY RHODES, PLANNER

Z22-14 Lazzari Property

Lead Staff: Cory Rhodes, Planner

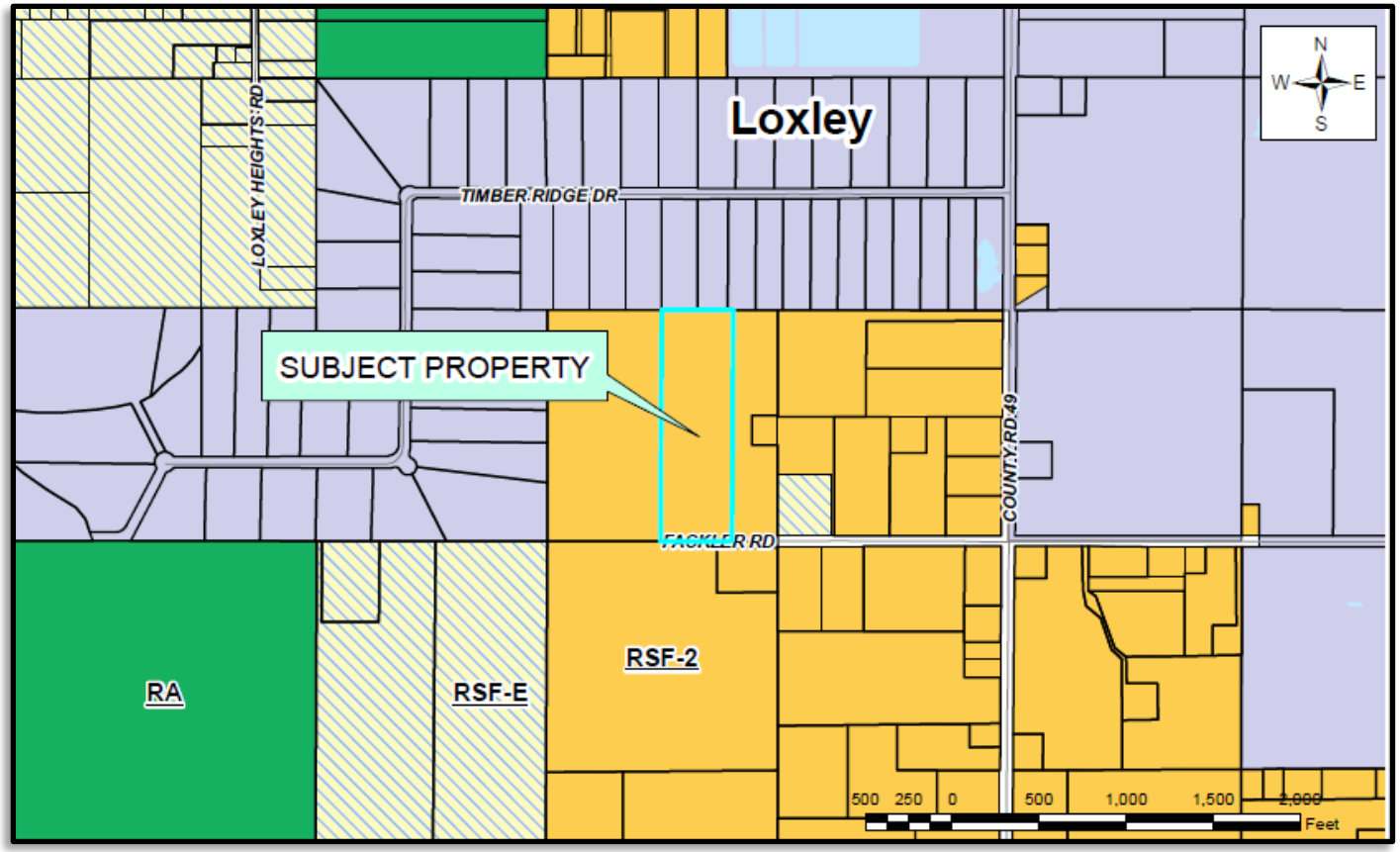
Request before Planning Commission:

Rezone 12.00 acres From RSF-2 to RA

Parcel# 05-42-05-15-0-000-033.000

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

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



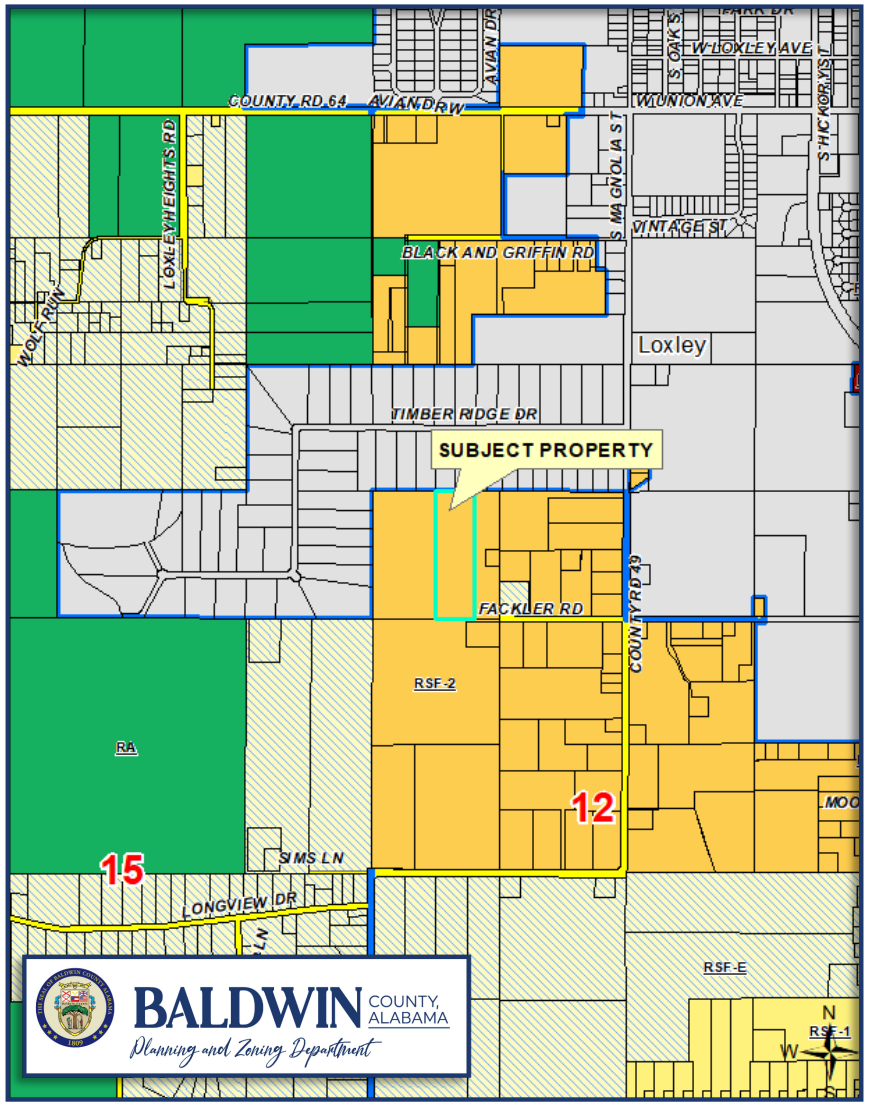
Z22-14 Lazzari Property

Re-zoning request from **RSF-2** to **RA**

Lead Staff: Cory Rhodes, Planner

- **Planning District:** 12 **Zoned:** RSF-2
- **Location:** Subject property is located west of CR 49 and south of Timber Ridge Drive in Loxley
- **Current Use:** Vacant
- **Acreage:** 12
- **Physical Address:** 15163 Fackler Road
- **Applicant:** Timothy Lazzari
- **Owner:** Timothy Lazzari

Vicinity Map – Z22-14



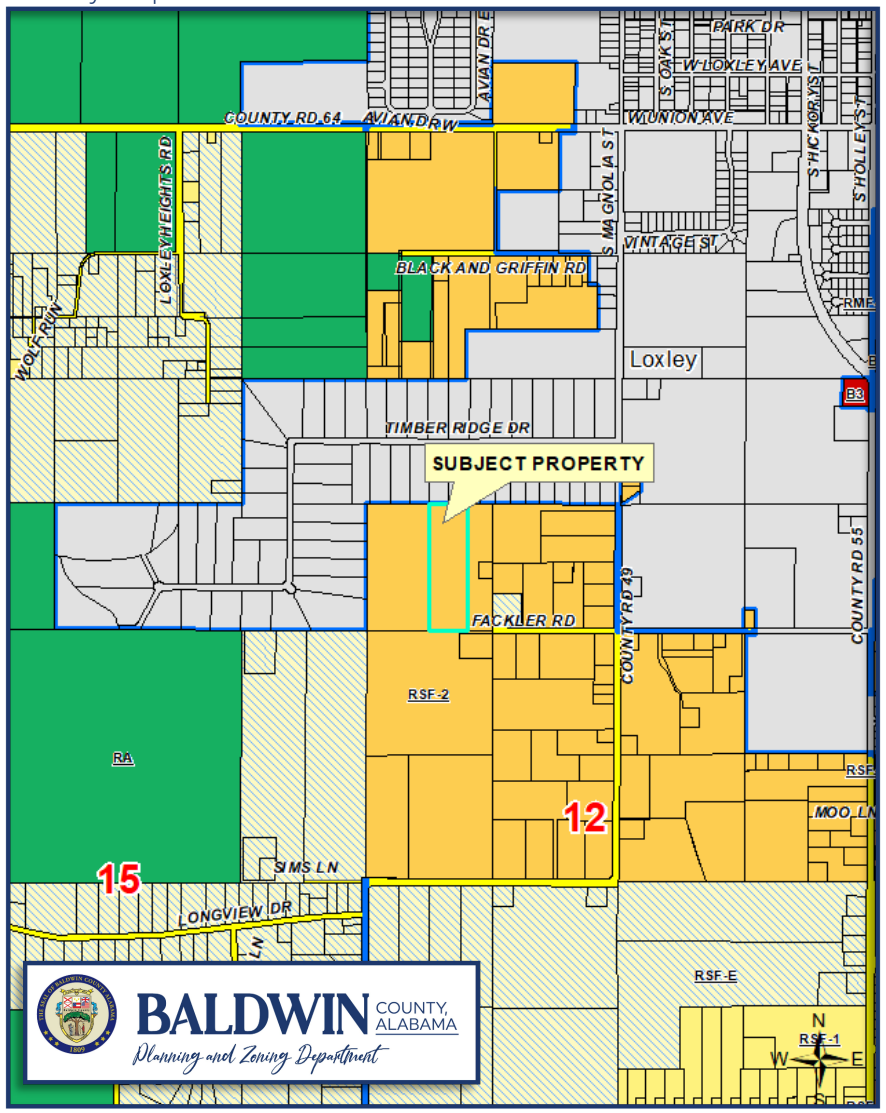
Z22-14 Lazzari Property

Rezoning request from **RSF-2** to **RA**

Lead Staff: Cory Rhodes, Planner

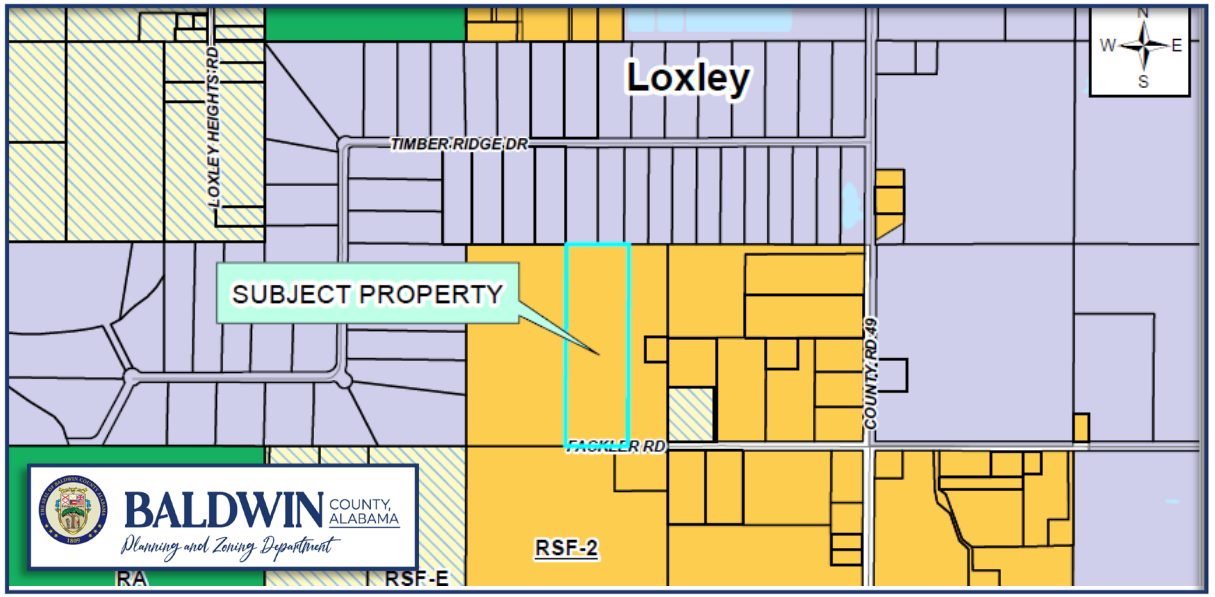
- **Proposed Zoning:** RA, Rural Agricultural
- **Proposed Use:** Agricultural
- **Applicant's Request:** The owner would like to be rezoned to rural agricultural to allow farm-related structures to reside on the property (metal carport to store a tractor), which is not allowed in the current zoning category. Eventually a small garden and home will be constructed.

Vicinity Map – Z22-14



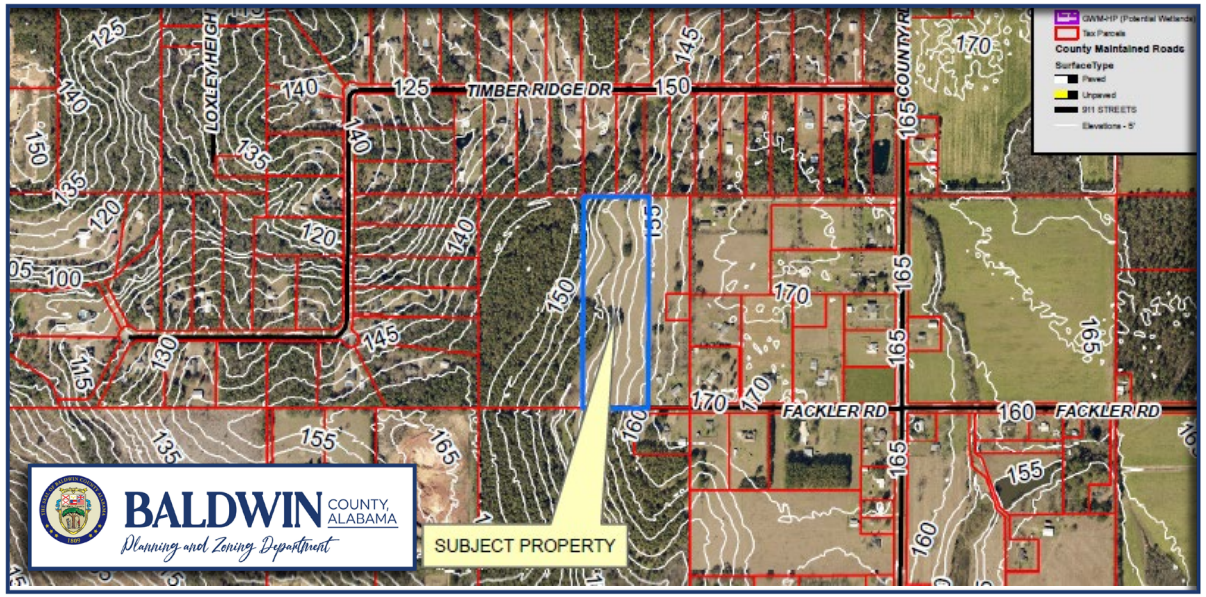
Locator Map

Vicinity Map – Z22-14



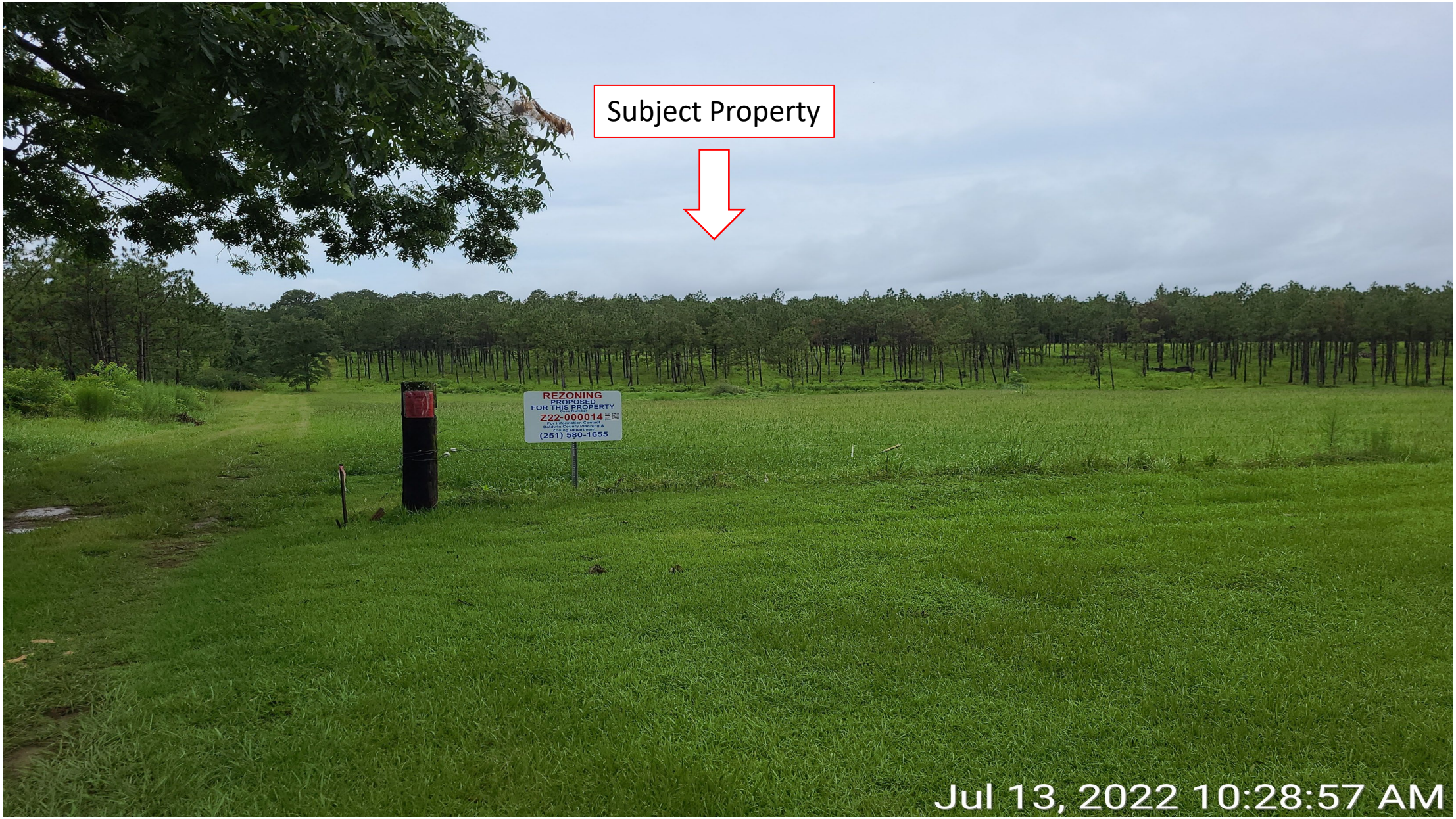
Site Map

Vicinity Map – Z22-14



	Adjacent Zoning	Adjacent Land Use
North	R1A - Residential (within the City of Loxley)	Residential
South	RSF-2, Single Family District	Vacant
East	RSF-2, Single Family District	Residential
West	RSF-2, Single Family District	Timberland/Wooded

Property Images



Property Images

Property Images

Property Images

Property Images

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 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

Proposed 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 *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) Transportation, communication, and utility uses not permitted by right.

(b) Institutional uses not permitted by right.

(c) The following general commercial uses: low density recreational vehicle park (see *Section 13.9: Recreational Vehicle Parks*).

(d) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

3.2.5 *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
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	3 Acres
Minimum Lot Width at Building Line	210-Feet
Minimum Lot Width at Street Line	210-Feet

3.2.6 *Area and dimensional modifications*. Within the RA 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 subject property is currently zoned RSF-2, Single Family District. Surrounding parcels in the immediate area are zoned RSF-2. The adjacent uses are residential and vacant/timberland. ***Staff feels that the requested change is compatible with the surrounding 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 12 came into effect on November 7, 2006. It appears that the subject parcel was zoned RSF-2 at the time Planning District 12 came into effect in 2006 with no rezonings in the area since the original zoning designation was established.

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

A future land use designation of ***residential*** has been provided for the subject property. 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 PRO. Approval of the rezoning will result in an amendment to the Future Land Use map to ***agricultural***.

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?

Staff is unaware of any adverse affects of traffic patterns or congestion as a result of this proposed change.

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 and vacant/timberland. The owner would like to be rezoned to RA to allow farm-related structures to reside on the property (metal carport to store tractor), which is not allowed in the current zoning category. Eventually a small garden and home will be constructed.

Staff Analysis and Findings

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

The surrounding land uses are residential and vacant/timberland. ***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 perceives no time factor with this request.

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

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

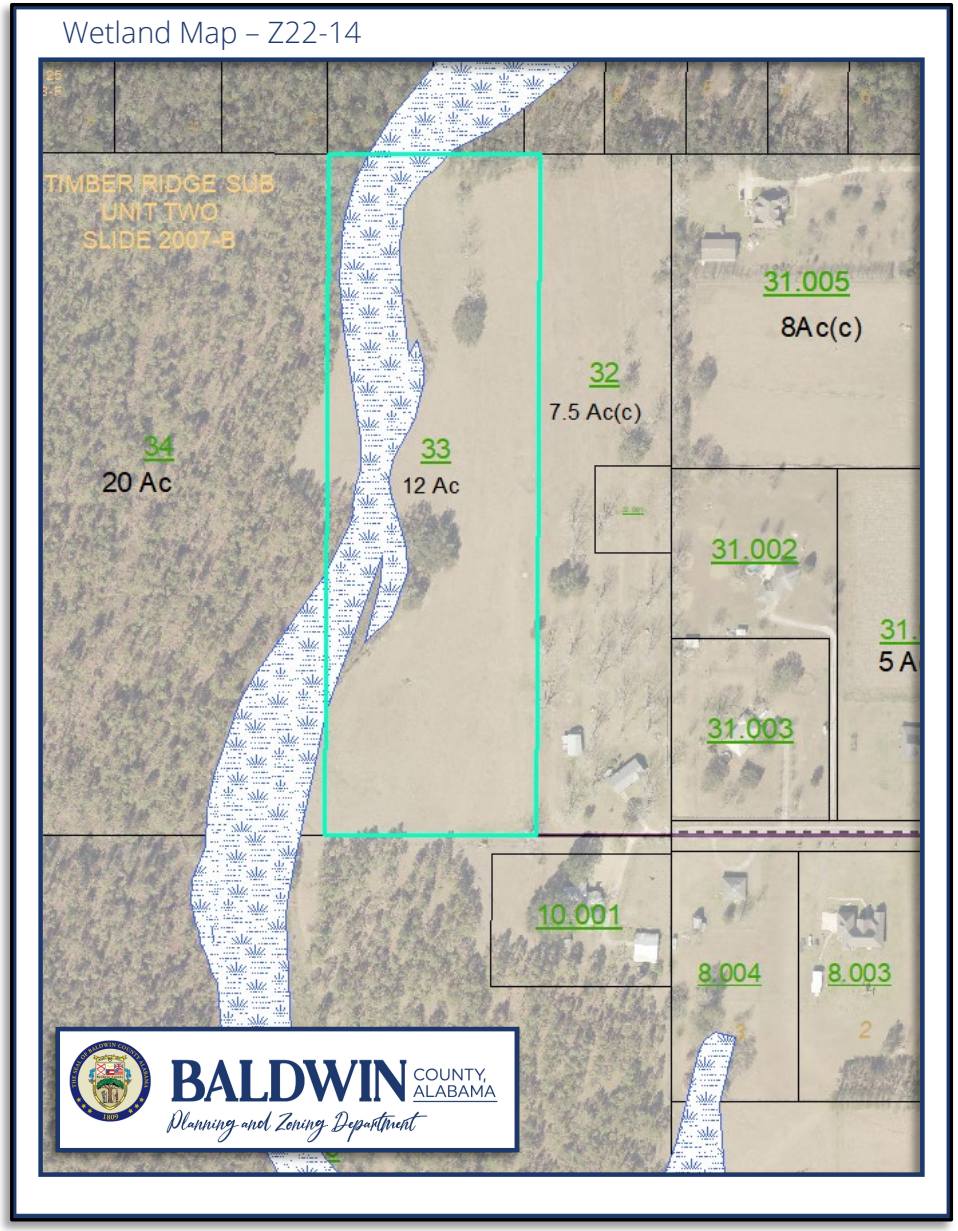
10.) Will the proposed change adversely affect the health, safety and welfare of the County and the vicinity?

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

11.) Other matters which may be appropriate.

There appear to be potential wetlands on the subject property. A wetland delineation may be required in order to verify there is no disturbance within a 30' wetland buffer and will be evaluated at the time of Zoning Site Plan review.

Wetland Map


Wetland Map – Z22-14
TIMBER RIDGE SUB
UNIT TWO
SLIDE 2007-B
34
20 Ac
33
12 Ac
32
7.5 Ac(c)
31.005
8Ac(c)
31.002
31.
5 A
31.003
10.001
8.004
8.003
BALDWIN COUNTY, ALABAMA
Planning and Zoning Department

Agency Comments

- **Baldwin County Highway Department,** *Tyler Mitchell*: No Comments
- **Subdivision Coordinator,** *Mary Booth*: No Comments
- **ADEM,** *Scott Brown*: No Comments
- **Corp of Engineers,** *James E. Buckelew*: No Comments

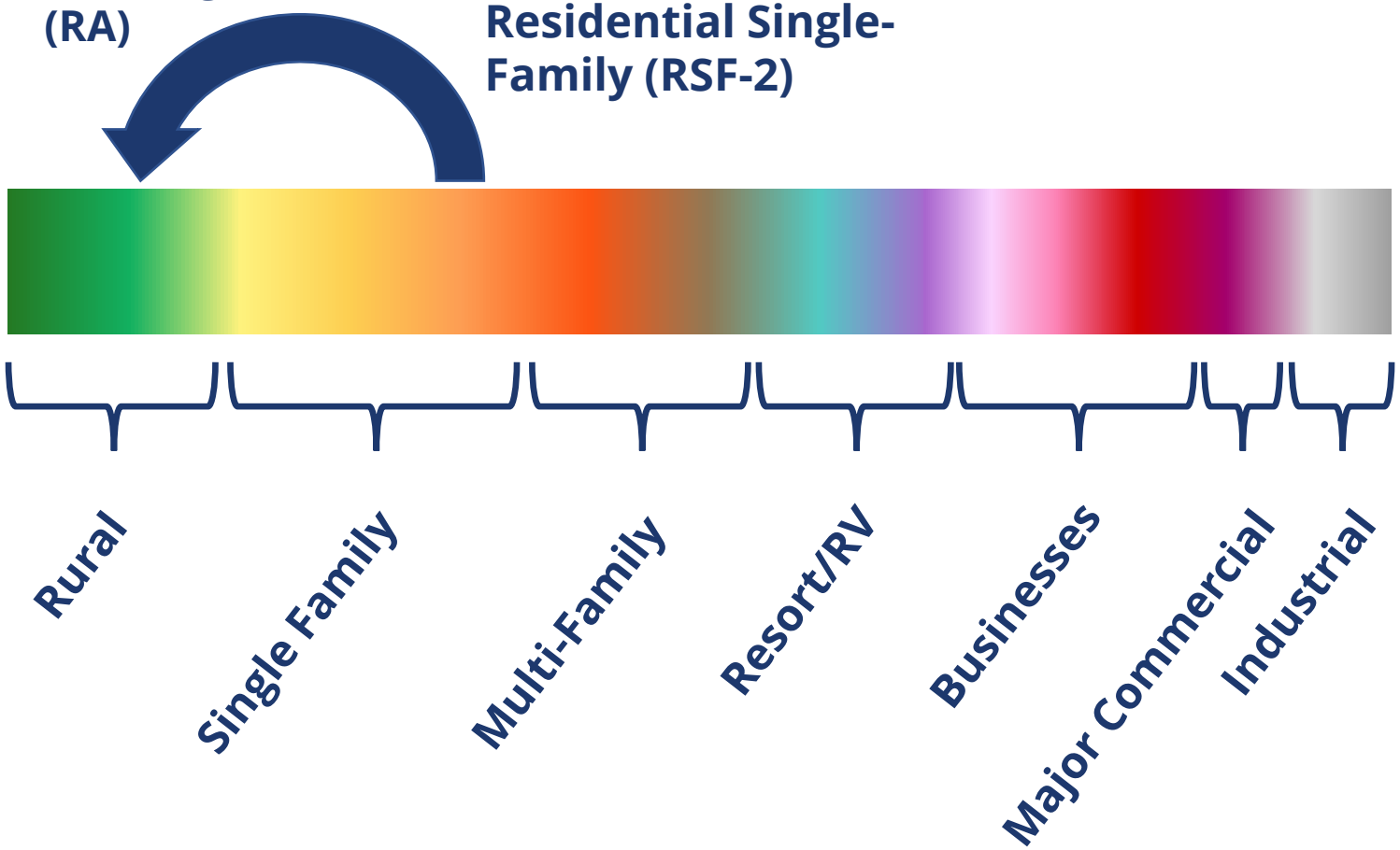
Z22-14 Lazzari Property

Rezoning request from **RSF-2** to **RA**

Lead Staff: Cory Rhodes, Planner

Proposed Zoning: Rural Agricultural (RA)

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



Staff's Recommendation:

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

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

Planning Commission Recommendation:

- Planning Commission voted **10** to **0** to **approve**
- The following reasons were listed by the Planning Commission to support its decision:
  - Staff recommended approval
  - Planning Commission had no concerns with staff's recommendation and report

Staff Recommendation Following Public Hearing:

- Staff recommendation to **approve** remains unchanged