



# BALDWIN COUNTY, ALABAMA

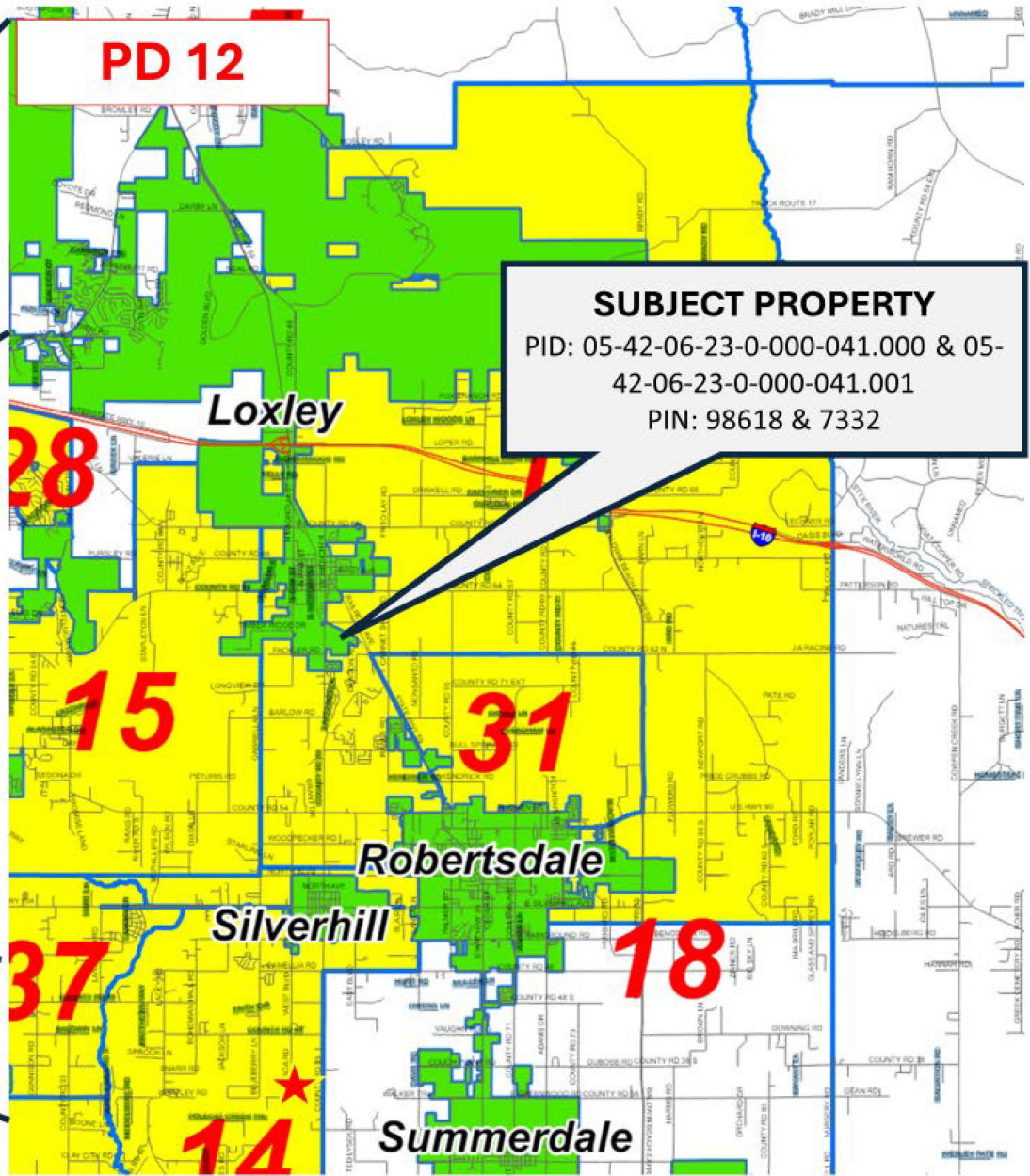
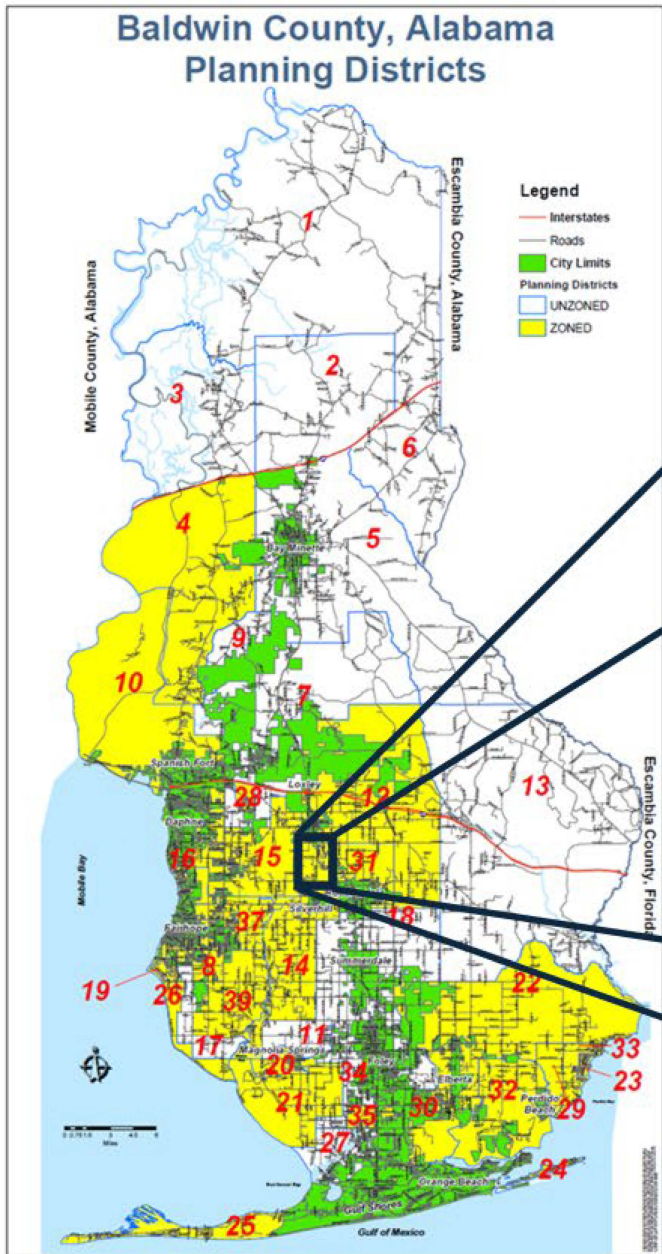
*Planning and Zoning Department*

## RE-ZONING REQUEST

Z24-19, FINCHER PROPERTY

JULY 11, 2024

PRESENTED BY: CRYSTAL BATES, PLANNING TECHNICIAN II





# Z24-19 FINCHER PROPERTY

## RE-ZONING REQUEST FROM **RSF-3** TO **RSF-4**

Lead Staff: Crystal Bates, Planning Technician II

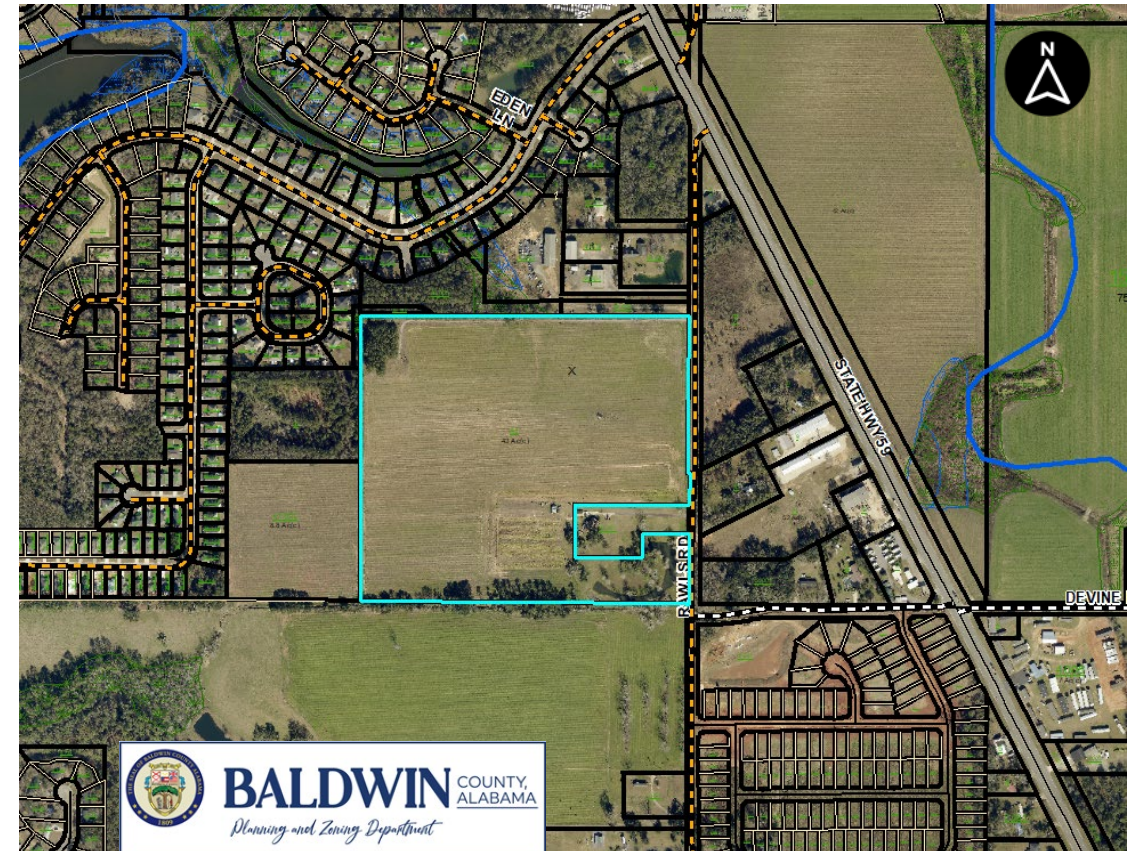
Request before Planning Commission:

**Rezone 45.30+/- acres from RSF-3 to RSF-4**

**Parcel#: 05-42-06-23-0-000-041.000 & 05-42-06-23-0-000-041.001**

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

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



**Planning District:** 12

Lead Staff: Crystal Bates, Planning Technician II

**Parcel ID:** 05-42-06-23-0-000-041.000 & 05-42-06-23-0-000-041.001

**PIN:** 7332 & 98618

**Zoned:** RSF-3, Residential Single Family

**Location:** Subject property is located at 25247 Rawls Rd

**Current Use:** Vacant

**Roads:** Rawls Rd is paved and County maintained

**Acreage:** 45.30 +/- acres

**Applicant:** Dwayne Smith w/Anchor DBG

**Owner:** Charles Fincher

**Proposed Zoning:** RSF-4, Residential Single Family

**Applicant's Request:** The owner would like to rezone to from RSF-3 to RSF-4

**Online Case File Number:** The official case number for this application is, when searching the online CitizenServe database, please use Z24-000019.



## Factor Summary:

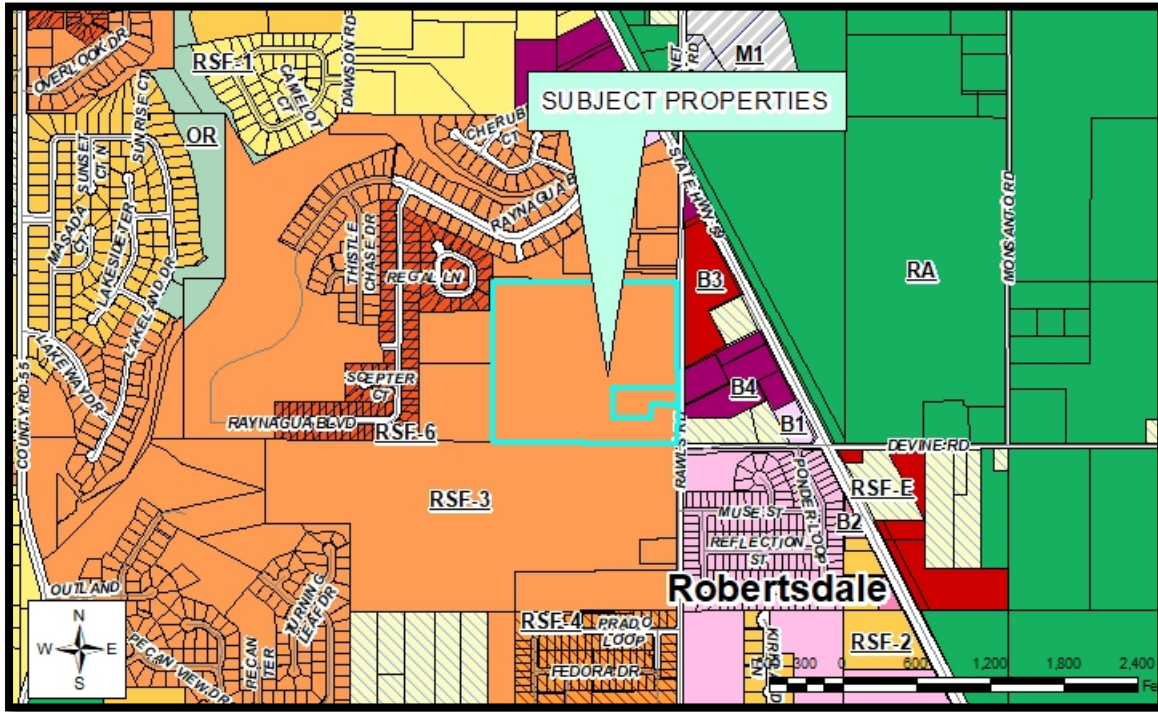
- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.



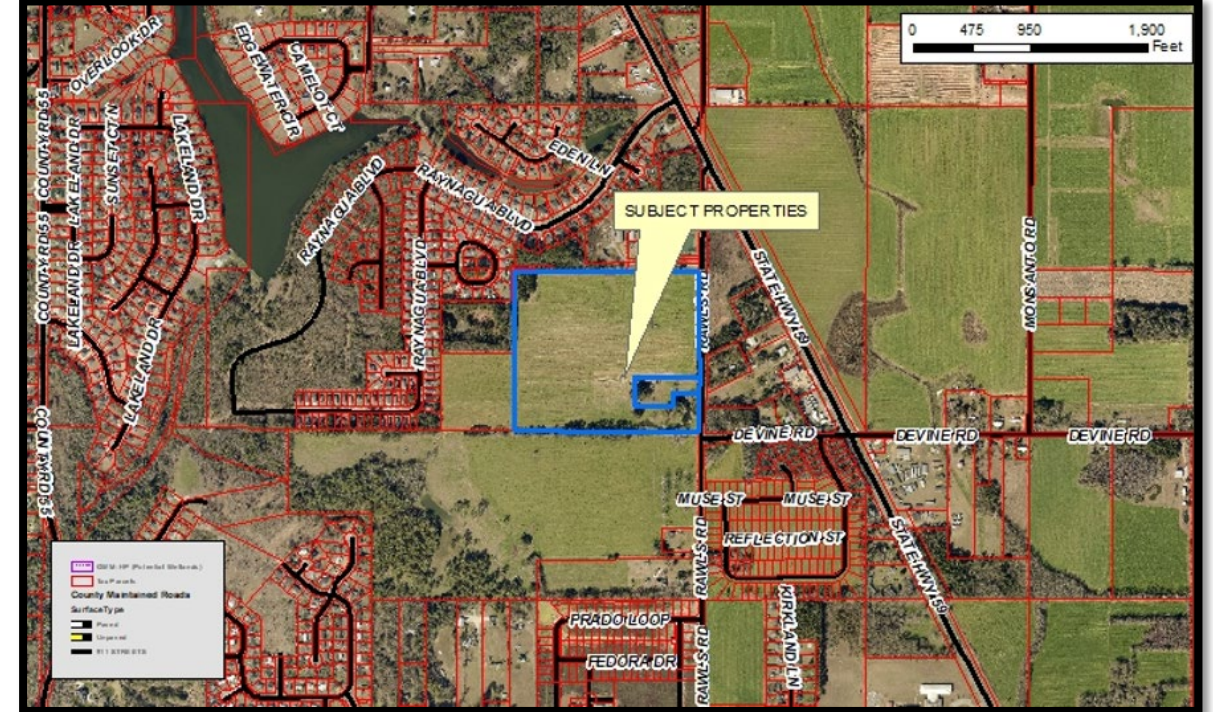
## Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.

# Locator Map



# Site Map



## Adjacent Zoning

North

RSF-3, Residential Single-Family

South

RSF-3, Residential Single-Family

East

B-4, Major Commercial/B-3, General Business

West

RSF-3, Residential Single- Family/ RSF-6,  
Residential Single Family

## Adjacent Land Use

Vacant

Residential

Vacant/Commercial/Vacant

Vacant/Residential

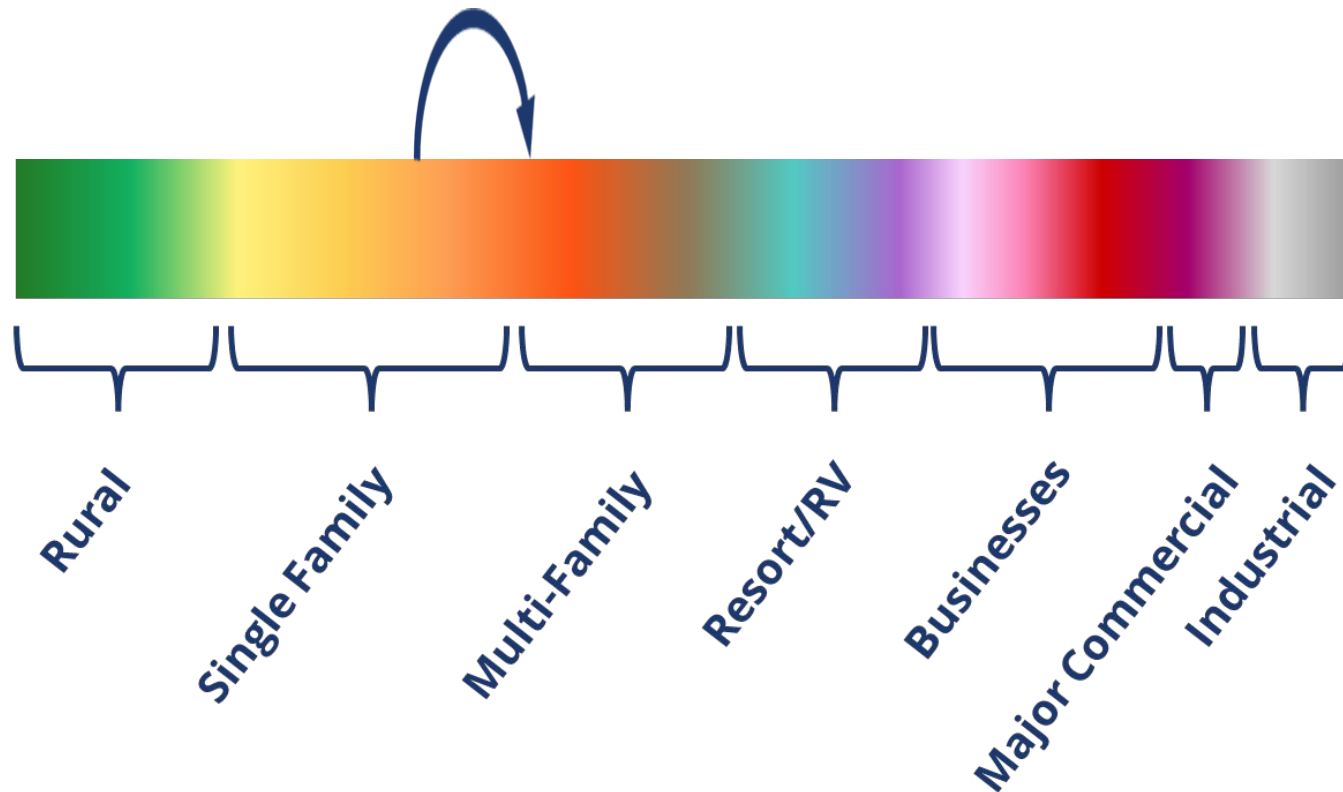
# Z24-19 Fincher Property

## Rezoning Request From RSF-3 to RSF-4

Lead Staff: Crystal Bates, Planning Technician II

*Current Zoning:*  
RSF-3, Residential Single Family

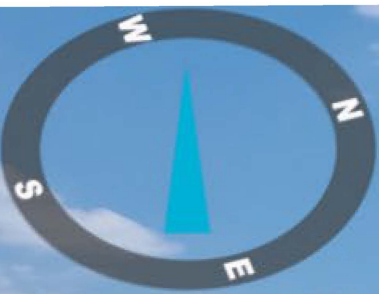
*Proposed Zoning:*  
RSF-4, Residential Single Family



### Staff's Recommendation:

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





Subject Property  
PIN: 7332



**REZONING  
PROPOSED  
FOR THIS PROPERTY**  
Case Number  
**Z24-000019**  
For Information Contact  
**Beckwith County Planning &  
Zoning Department**  
**(251) 580-1655**

Jun 13, 2024 1:32:21 PM  
288° W





Adjoining Property  
to The North  
PIN: 276987



Jun 13, 2024 1:36:55 PM  
344° N





Property to  
The East  
PIN: 28923



Jun 13, 2024 1:32:37 PM  
27° NE





Property to  
The South  
PIN: 7333



Jun 13, 2024 1:42:21 PM  
286° W



# Current Zoning Requirements

## Section 4.4 RSF-3, Single Family District

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

4.4.2 *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.

4.4.3 *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*).

4.4.4 *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

4.4.5 *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	2½
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	10,000 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 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 *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*).

4.5.4 *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	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 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



# Staff Analysis and Findings

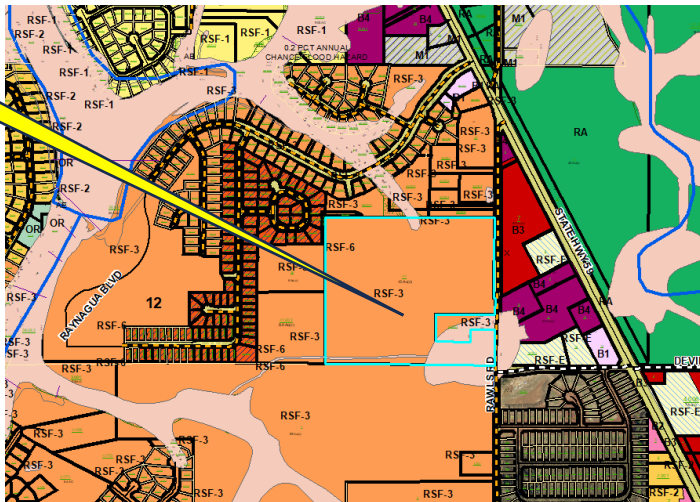
## 1.) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?

The subject property is currently zoned RSF-3 Residential Single-Family District. The requested designation is RSF-4 Residential Single-Family District. The subject property is vacant. Surrounding parcels in the immediate area are zoned RSF-3, RSF-6, B3, and B4 and are used for residential, office, and vacant. Staff feels that the requested change is compatible with the adjacent properties

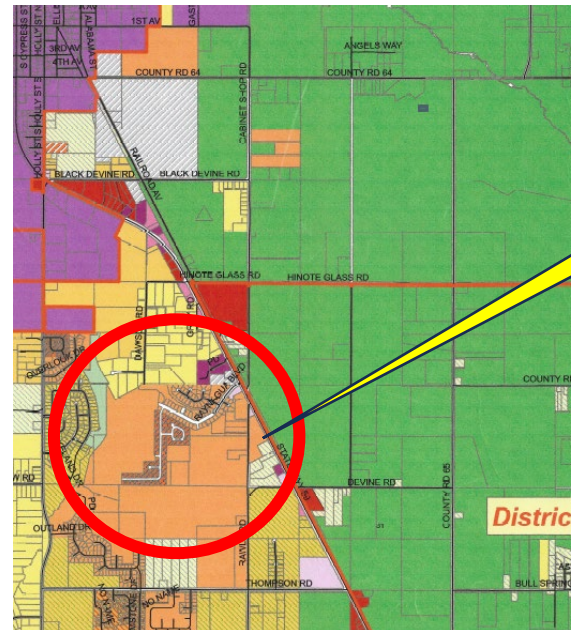
## 2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

Planning District 12 adopted zoning on November 7, 2006. The property was zoned RSF-3 when Planning District 12 came into effect. There have been a few changes in the immediate area with rezonings to commercial along St Hwy 59. 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

Current



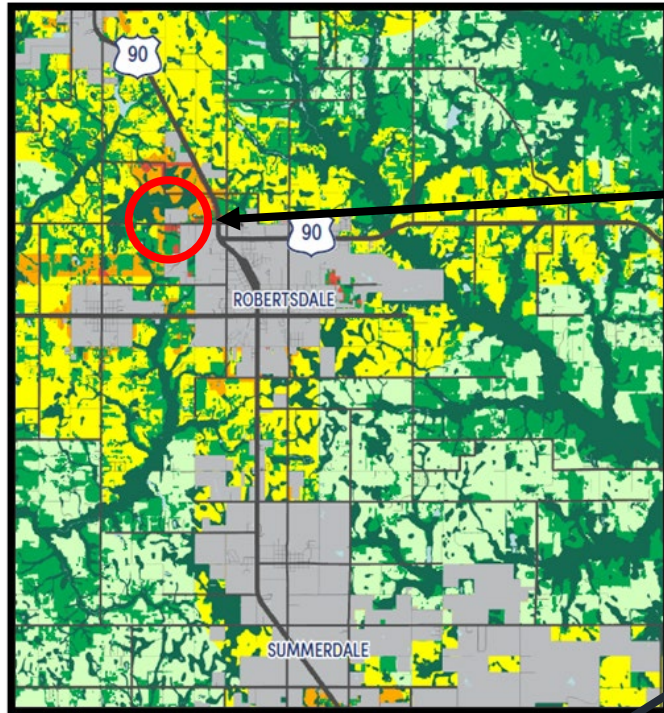
November 7, 2006



# Staff Analysis and Findings

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

The future land use for the property is a Moderate Development potential area. The projected use of the property is residential; therefore, the proposed zoning of RSF-4, Residential District conforms to the Master Plan.



### 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

## MODERATE DEVELOPMENT POTENTIAL AREAS

Moderate Development Potential Areas are suitable for all of the land uses described in the previous place types but may also include a variety of home types from large and medium-lot single-family detached homes to single-family attached homes such as duplexes and townhomes. Subdivision patterns may be amenity-based communities with small gardens, parks and playgrounds within private lots or part of a community space. Neighborhood centers or nodes at key intersections would allow for a combination of retail, office, and service uses to meet the needs of the community.

### PRIMARY LAND USES

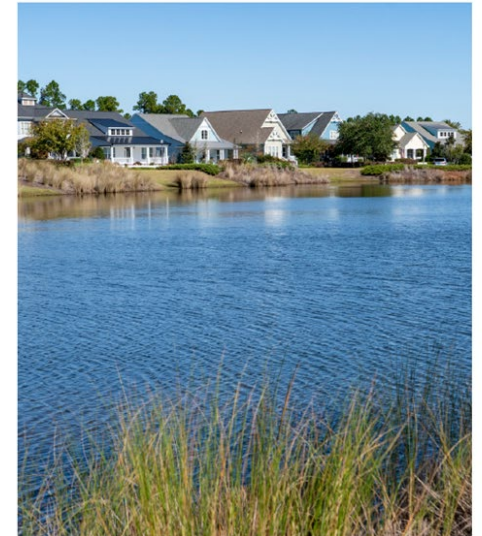
- Single-family neighborhoods (suburban)
- Amenity-based communities
- Neighborhood center/node

### RELATED ZONING DISTRICTS

- RSF-1 Single Family District
- RSF-2 Single Family District

### CONNECTIVITY NETWORK

- Suburban street networks/limited use cul-de-sacs
- Open space, parks and amenities provided within neighborhoods
- Streets with sidewalks, bike lanes, and/or side paths based on local character and context
- Suburban greenways and trails



# 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?**

The property fronts Rawls Rd and 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 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 primarily residential uses with commercial on parcels that abut St Hwy 59. 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 districts?**

As mentioned earlier the surrounding land uses in this area are primarily residential uses with commercial on parcels that abuts St Hwy 59. Therefore, the proposed change of the subject property to RSF-4 would be logical.



# 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.

## **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.

# Staff Analysis and Findings

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

# Agency Comments

**ALDOT, Michael Smith:** No Comments Received.

**ADEM, Autumn Nitz:** Outside coastal area.

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

**Baldwin County Permit Division – Buford King on behalf of the vacant permit engineer:** This is a "straight re-zoning" and a subdivision or site plan was not included concurrently with the re-zoning application. It is expected that a future subdivision will be requested on subject property to utilize the RSF-4 zoning that allows 7,500sf lots. The subdivision process will analyze and take into account any and all required drainage improvements, any required traffic or roadway improvements, and turnout permits onto Rawls Road will be required. Memorialize here that the turnout permits will account for sight distance based upon the posted speed limits of Rawls Road in the vicinity of the project site. Further memorialize that the size of the property creates the potential for creating more than 50 lots which will automatically trigger a traffic study that will be submitted with the subdivision application. Depending upon the information presented in the traffic study and the analysis of the traffic study data, the developer of a subdivision may be required to contribute to offsite roadway improvements in order to receive preliminary plat approval.



## 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.*