



Baldwin County Planning & Zoning Commission Agenda

Thursday, June 7, 2018

6:00 p.m.

Baldwin County Central Annex

Main Auditorium

22251 Palmer Street

Robertsdale, Alabama

www.planning.baldwincountyal.gov

1. **Call to order.**
2. **Invocation and prayer.**
3. **Pledge of Allegiance.**
4. **Roll call.**
5. **Approval of meeting minutes:**

May 3, 2018 meeting
6. **Announcements/Registration to address the Commission.**
7. **Consideration of Applications and Requests: Subdivision Cases**

a.) **Case S-18012 Midtown Subdivision – Development Permit Approval**

Disclosure of Prior Outside Communication –Pursuant to Article VI,
Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Development Permit approval for a 10- lot subdivision.

Location: The subject property is located on the northwest corner of the intersection of Ard Road and Brewer Road.

b.) Case S-18019 Quick Silver Subdivision – Variance

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting a variance from the required roadway requirements of the Baldwin County Subdivision Regulations.

Location: The subject property is located at the end of Rodeo Drive, off Hunting Club Road in the Seminole area.

c.) Case S-18019 Quick Silver Subdivision – Development Permit Approval

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Development Permit approval for a 2- lot subdivision.

Location: The subject property is located at the end of Rodeo Drive, off Hunting Club Road in the Seminole area.

d.) Case S-18020 Hadley Oaks - Variance

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting a variance from the required roadway requirements of the Baldwin County Subdivision Regulations.

Location: The subject property is located on the east side of County Road 91 approximately 700 feet south of Carrier Drive.

e.) Case S-18020 Hadley Oaks – Development Permit Approval

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Development Permit approval for a 4- lot subdivision.

Location: The subject property is located on the east side of County Road 91 approximately 700 feet south of Carrier Drive.

f.) Case S-18021 Long Road Subdivision – Development Permit Approval

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Development Permit approval for a 5- lot subdivision.

Location: The subject property is located on the northeast corner of the intersection of Long Road and County Road 28.

g.) Case S-18023 Middleton - Variance

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting a variance to allow the division to exceed the maximum depth/width ratio as shown on the attached survey.

Location: The subject property is located on the west side of County Road 71 between County Road 64 and County Road 62 N.

h.) Case S-18025 Seed Orchard Estates - Variance

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The purpose of this variance request is to allow Lots 6 and 7 to be divided out on Seed Orchard Road which does not meet the roadway width requirements of the Baldwin County Subdivision Regulations.

Location: The subject property is located on the southeast corner of the intersection of County Road 87 and Seed Orchard Road.

i.) Case S-18025 Seed Orchard Estates – Development Permit Approval

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting Development Permit approval for a 7- lot subdivision.

Location: The subject property is located on the southeast corner of the intersection of County Road 87 and Seed Orchard Road.

8. Consideration of Applications and Requests: Re-zoning Cases

a.) Case Z-18027 Wentworth Property

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting to rezone 39.38 acres from RA to B-4 to allow development of an RV Park and RV storage on the property.

Location: The subject property is located on the south side of US Highway 98 in Lillian, in Planning District 33.

b.) Case Z-18028 Lazzari Property

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting to rezone 19 acres from RA to B-3 to allow an office/warehouse for a construction business and possible future commercial development of the property.

Location: The subject property is located on the northeast corner of County Road 64 and County Road 66 N, in Planning District 15.

c.) Case Z-18029 1st American Investments LLC Property

Disclosure of Prior Outside Communication –Pursuant to Article VI, Section 15(b), Planning Commission By-Laws

Purpose: The applicant is requesting to rezone 8 acres of a 16-acre parcel from RA to B-4 to allow RV, Boat and automobile storage on the parcel.

Location: The subject property is located on the south side of US

Highway 98, west of County Road 97, in Planning District
22.

9. Public Comment:

10. Old Business:

11. Reports and Announcements:

Next Regular Meeting: July 12, 2018

Staff Reports

Legal Counsel Report

12. Adjournment.

Baldwin County Planning and Zoning Commission
Case No. S-18012 Midtown Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
June 7, 2018
Agenda Item 7.a

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission:	April 5, 2018	Development Permit Approval - Tabled
	May 3, 2018	Development Permit Approval – Tabled
	June 7, 2018	Development Permit Approval - Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 13 – Unzoned

Location of Property: The subject property is located on the northwest corner of the intersection of Ard Road and Brewer Road.

Parcel Number: 05-40-09-31-0-000-024.000

Report Prepared By: Seth Peterson; Permit/Subdivision Manager

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 10

Linear Feet of Streets: N/A – existing

Total Acreage: ± 8.85 acres

Smallest Lot Size: ± 0.84 acres

Proposed Use: Residential

Developer: TMS LLC
PO Box 2439
Robertsdale, AL 36567

Surveyor: David Lowery Surveying LLC
55284 Martin Lane
Stockton, AL 36579

Request: The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: East Central Baldwin County
 Sewer: Septic Systems
 Electricity: Baldwin EMC
 Telephone: CenturyLink

Transportation: Each lot in this proposed subdivision will have frontage on and access to an existing County maintained road.

V. STAFF COMMENTS:

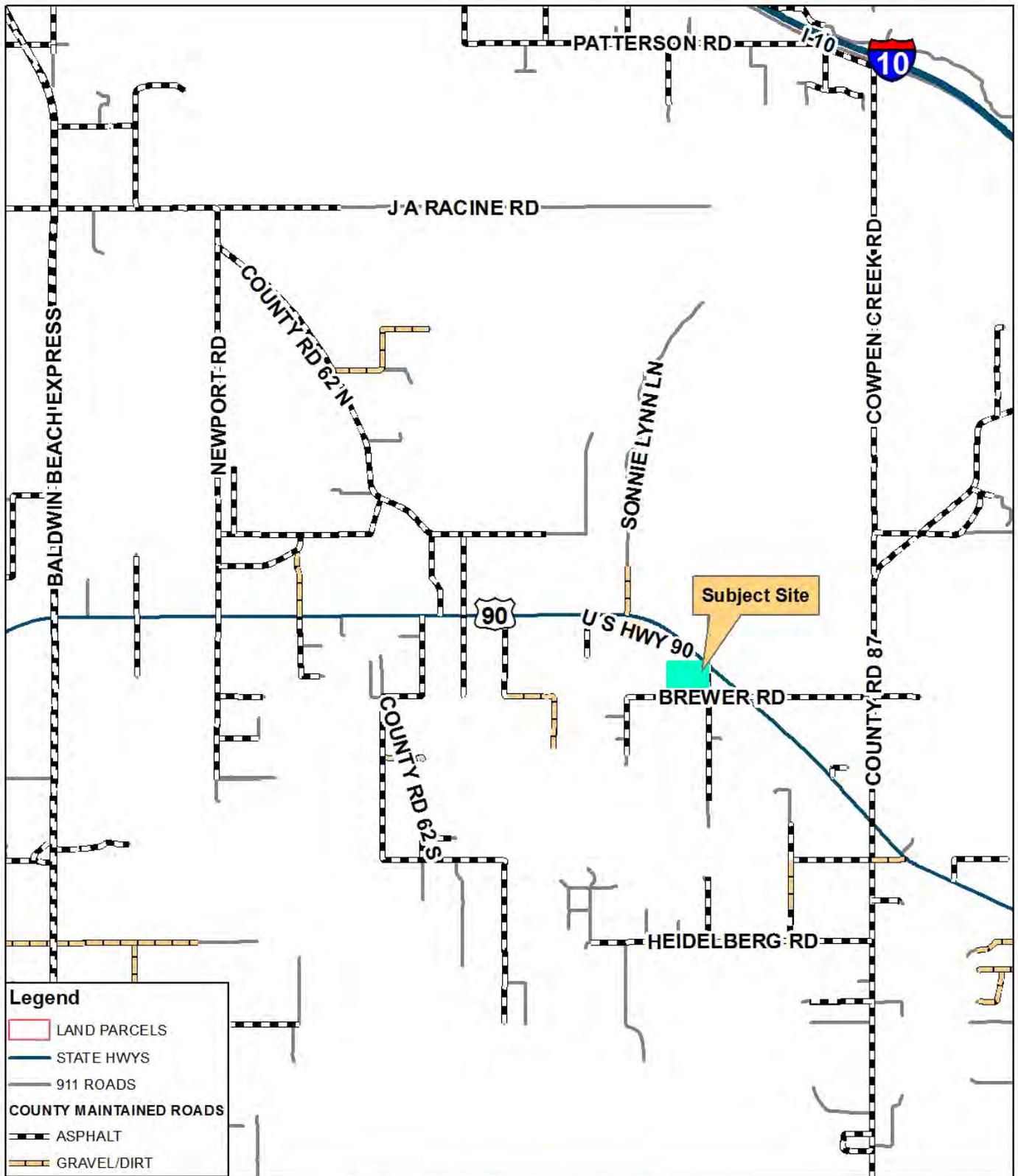
Items for consideration:

The following deficiencies existed when the staff report was prepared:

1. Documentation from the Baldwin County Health Department showing their approval was not provided.
2. The stormwater report and drainage plan as submitted does not meet the requirements of the Baldwin County Subdivision Regulations.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-18012, Midtown Subdivision, be **DENIED** due to the deficiencies listed above.



Legend

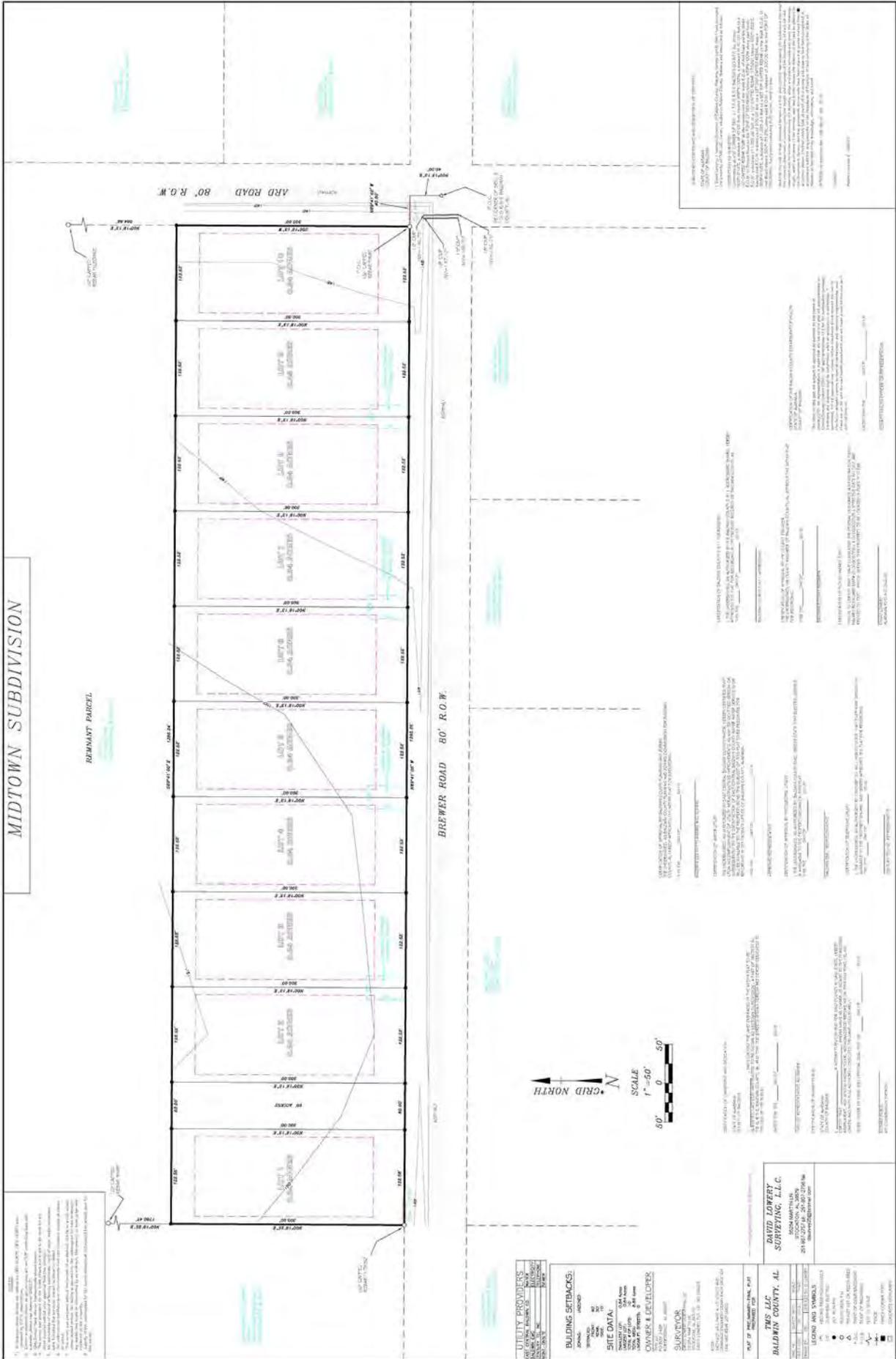
- LAND PARCELS
- STATE HWYS
- 911 ROADS
- COUNTY MAINTAINED ROADS**
- ASPHALT
- GRAVEL/DIRT



Midtown Subdivision Vicinity Map







Baldwin County Planning and Zoning Commission
Case No. S-18019 – Quick Silver Subdivision
Variance Request

Staff Report for Planning and Zoning Commission Public Hearing
June 7, 2018
Agenda Item 7.b

This report is prepared by the Baldwin County Highway Department, Permit Section Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this request.

I. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 13, Unzoned

Location of Property: The subject property is located at the end of Rodeo Drive off Hunting Club Road in the Seminole area.

Parcel Number: 05-50-05-21-0-000-059.012

Applicant: Frank Fabre
119 Gregory Square
Pensacola, FL 32502

Proposed Subdivision: +/- 6.42 total acres, 3 proposed lots, +/- 0.5-acre smallest lot size

Report Prepared By: Seth Peterson; Permit/Subdivision Manager

II. BACKGROUND INFORMATION:

The applicant is proposing to create a 3-lot subdivision per the attached plat. The proposed lots front on Rodeo Drive which is a dirt road. Rodeo Drive does not meet the roadway requirements of the Baldwin County Subdivision Regulations. Two dwellings currently exist on the subject parcel and those dwellings currently gain access through Rodeo Drive.

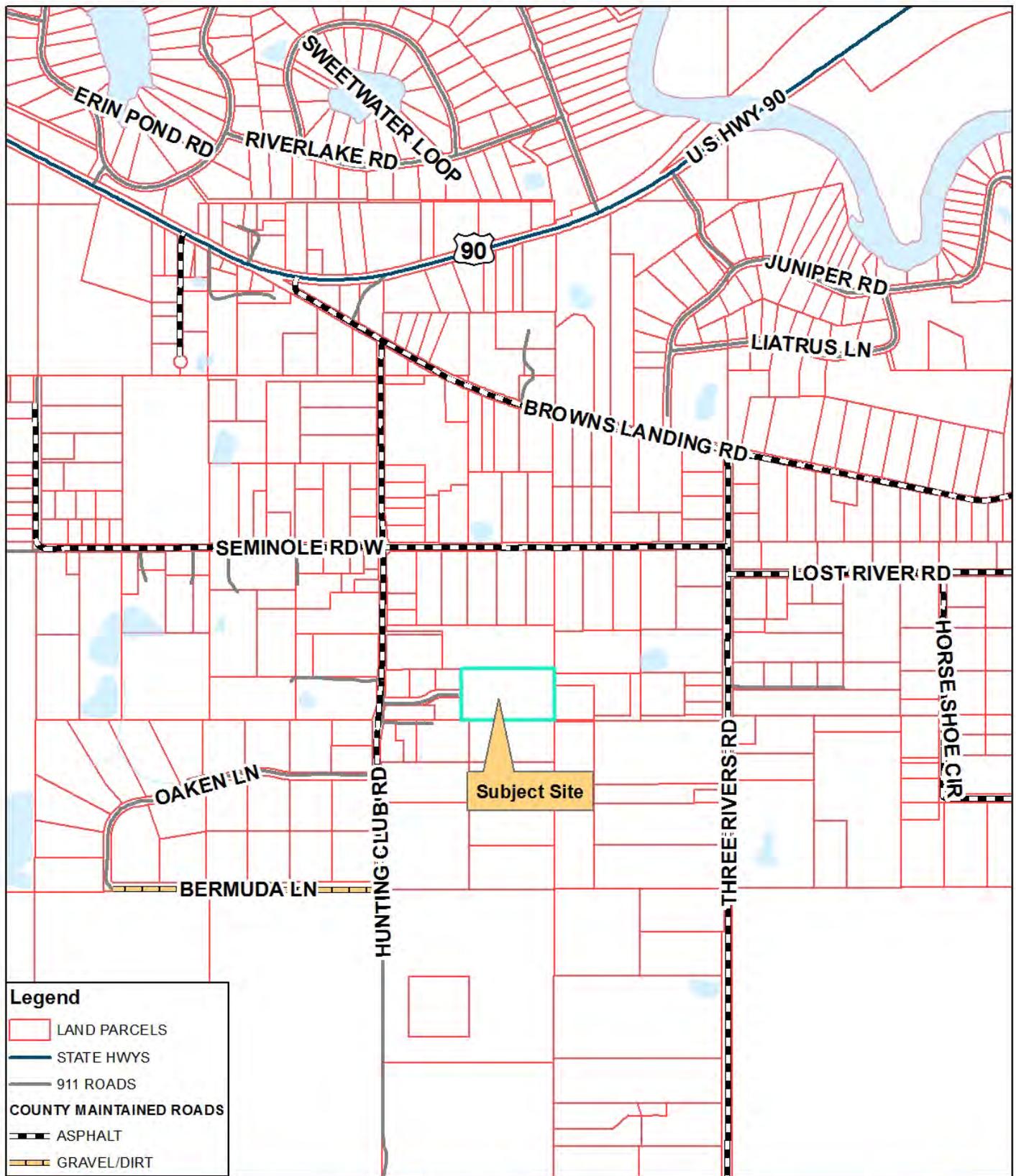
III. VARIANCE REQUEST:

Request: The purpose of this variance request is to allow the proposed division on Rodeo Drive which does not meet the roadway requirements of the Baldwin County Subdivision Regulations. The current roadway is too narrow (approximately 10 feet, 18 feet is minimum width) and is dirt as opposed to asphalt.

Staff Comments: The existing Rodeo Drive is approximately 608 feet in length. The ROW along the existing Rodeo Drive was dedicated to the public in 2004, however the County Commission has not accepted the roadway for maintenance.

The applicant has placed a note on the plat that Lot 3 will be limited to a single-family dwelling. Because there will be limited future development and the 2 existing homes currently access Rodeo Drive, staff does not see where this division will have a negative impact on Rodeo Drive.

Staff Recommendation: The staff recommends that the variance request be **APPROVED**.



Legend

- LAND PARCELS
- STATE HWYS
- 911 ROADS
- COUNTY MAINTAINED ROADS**
- ASPHALT
- GRAVEL/DIRT

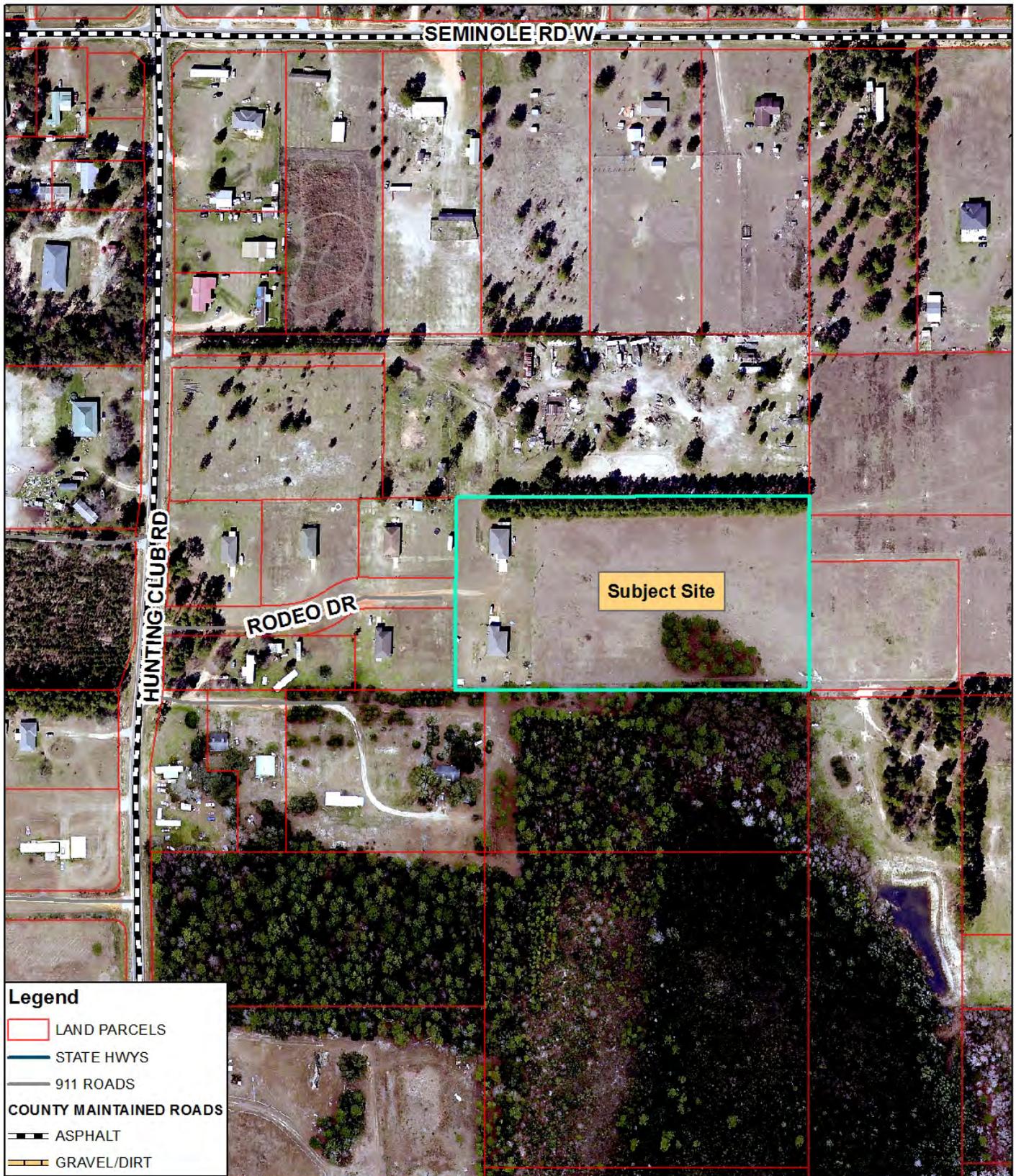


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Quick Silver Subdivision Vicinity Map

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Miles





Legend

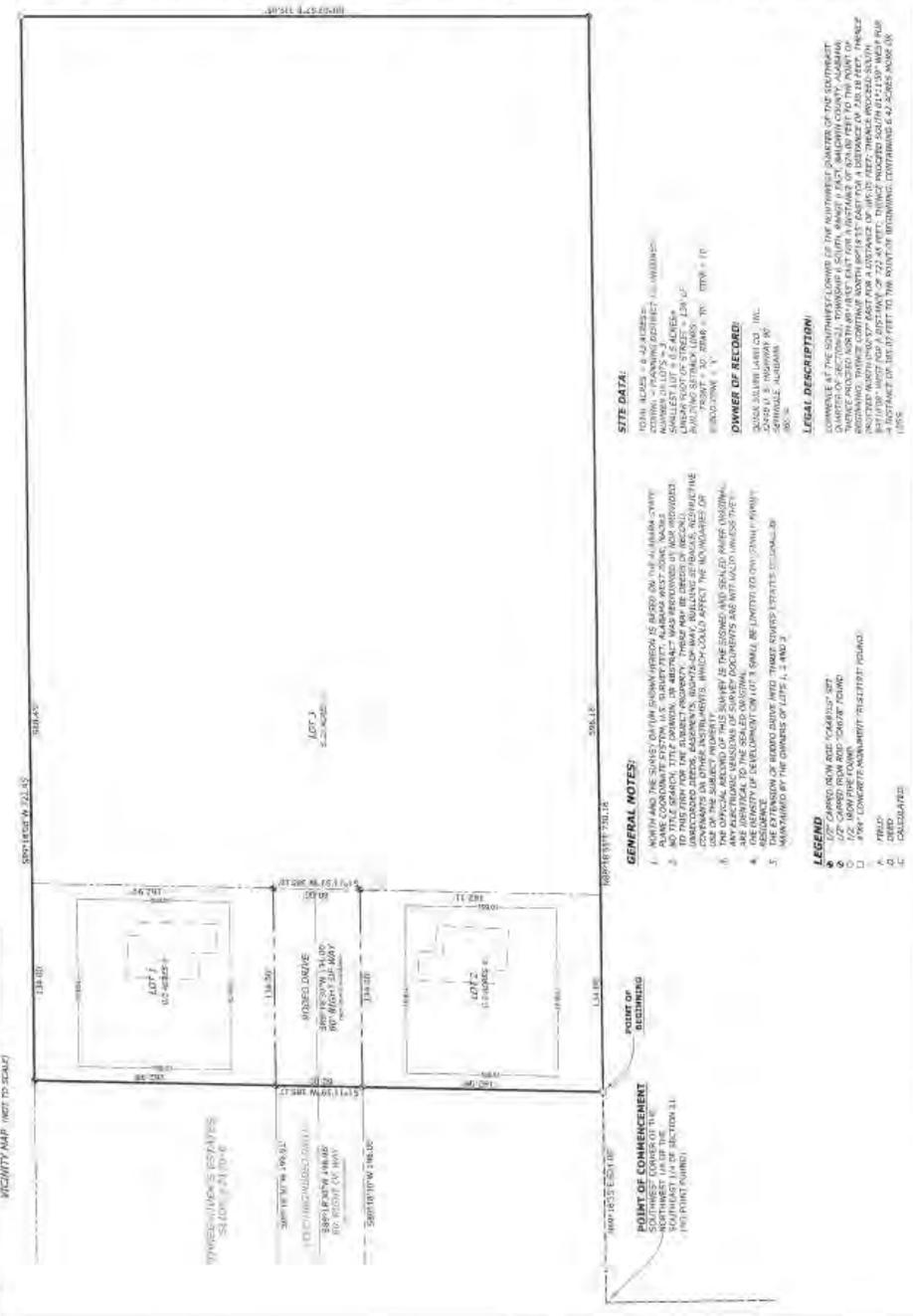
- LAND PARCELS
- STATE HWYS
- 911 ROADS
- COUNTY MAINTAINED ROADS**
- ASPHALT
- GRAVEL/DIRT

Quick Silver Subdivision Site Map

0 0.025 0.05 0.075 0.1
Miles

DEDICATION:
 I, HERBERT G. WINDAS, AS INSTRUMENTED, HAVE HAD THE LAND DESCRIBED IN THE WITHIN PLAT TO BE SURVEYED (AND LOG-LAND PLATTED) TO BE KNOWN AS, THREE RIVERS ESTATES PHASE II, BEING IN A PORTION OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 6 EAST, BALDWIN COUNTY, ALABAMA, AND BEING SUBJECT TO THE RIGHTS OF THE FOLLOWING PARTIES:
 SHARLAND BEARD IN THE INTEREST OF:
 WITNESSES:
 HERBERT G. WINDAS
 WITNESSES:
 UNKNOWN PERSONS
 STATE OF ALABAMA
 COUNTY OF BALDWIN
 WHEREAS NAME IS TO BE ADDED TO THE FOREGOING INSTRUMENT, AND WHEREAS I, HERBERT G. WINDAS, AS INSTRUMENTED, HAVE HAD THE LAND DESCRIBED IN THE WITHIN PLAT TO BE SURVEYED (AND LOG-LAND PLATTED) TO BE KNOWN AS, THREE RIVERS ESTATES PHASE II, BEING IN A PORTION OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 6 EAST, BALDWIN COUNTY, ALABAMA, AND BEING SUBJECT TO THE RIGHTS OF THE FOLLOWING PARTIES:
 SIGNATURE OF INSTRUMENTED: _____ DATE: _____
 SIGNATURE OF APPROVAL: _____ DATE: _____
CERTIFICATE OF APPROVAL
EAST CENTRAL BALDWIN COUNTY WATER AUTHORITY
 THE UNDERSIGNED, AS OFFICER OF THE EAST CENTRAL BALDWIN COUNTY WATER AUTHORITY, HEREBY APPROVES THE WITHIN PLAT FOR THE REASONABLE AND NECESSARY USE OF THE FOREGOING TRACT OF LAND FOR THE PURPOSES SET FORTH IN THE INSTRUMENT.
 DATE: _____
 FOR: EAST CENTRAL BALDWIN COUNTY WATER AUTHORITY
 SIGNATURE: _____
CERTIFICATE OF APPROVAL
BALDWIN COUNTY EMC
 THE UNDERSIGNED, AS AUTHORIZED BY THE BALDWIN COUNTY EMC, HEREBY APPROVES THE WITHIN PLAT FOR THE REASONABLE AND NECESSARY USE OF THE FOREGOING TRACT OF LAND FOR THE PURPOSES SET FORTH IN THE INSTRUMENT.
 DATE: _____
 FOR: BALDWIN COUNTY EMC
 SIGNATURE: _____
CERTIFICATE OF APPROVAL
BALDWIN COUNTY HEALTH DEPARTMENT
 THE UNDERSIGNED, AS AUTHORIZED BY THE BALDWIN COUNTY HEALTH DEPARTMENT, HEREBY APPROVES THE WITHIN PLAT FOR THE REASONABLE AND NECESSARY USE OF THE FOREGOING TRACT OF LAND FOR THE PURPOSES SET FORTH IN THE INSTRUMENT.
 DATE: _____
 FOR: BALDWIN COUNTY HEALTH DEPARTMENT
 SIGNATURE: _____
CERTIFICATE OF APPROVAL
COUNTY PLANNING COMMISSION
 THE WITHIN PLAT OF THREE RIVERS ESTATES PHASE II, BALDWIN COUNTY, ALABAMA, IS HEREBY APPROVED BY THE BALDWIN COUNTY PLANNING COMMISSION, ON THIS _____ DAY OF _____, 2018.
 PLANNING COMMISSION CHAIRMAN
CERTIFICATE OF APPROVAL
COUNTY ENGINEER
 THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE REASONABLE AND NECESSARY USE OF THE FOREGOING TRACT OF LAND FOR THE PURPOSES SET FORTH IN THE INSTRUMENT.
 DATE: _____
 COUNTY ENGINEER

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NO. 99	DATE	DESCRIPTION
NO. 100	DATE	DESCRIPTION



Baldwin County Planning and Zoning Commission
Case No. S-18019 Quick Silver Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
June 7, 2018
Agenda Item 7.c

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission: May 3, 2018 Development Permit Approval Tabled
June 7, 2018 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 13 – Unzoned

Location of Property: The subject property is located at the end of Rodeo Drive off Hunting Club Road in the Seminole area.

Parcel Number: 05-50-05-21-0-000-059.012

Report Prepared By: Seth Peterson; Permit/Subdivision Manager

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 3

Linear Feet of Streets: 134 feet

Total Acreage: ± 6.42 acres

Smallest Lot Size: ± 0.5 acres

Proposed Use: Residential

Developer: Quick Silver Land Co., Inc
32440 US Hwy 90
Seminole, AL 36574

Surveyor: Fabre Engineering Inc
119 Gregory Square
Pensacola, FL 32502

Request: The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: East Central Baldwin County
 Sewer: Septic Systems
 Electricity: Baldwin EMC

Transportation: Each lot in this proposed subdivision will front on Rodeo Drive, a non-County maintained dirt road. The existing Rodeo Drive does not meet the minimum roadway requirements of the Baldwin County Subdivision Regulations. The applicant is requesting a variance to continue to utilize Rodeo Drive without bringing it up to the current County requirements.

V. STAFF COMMENTS:

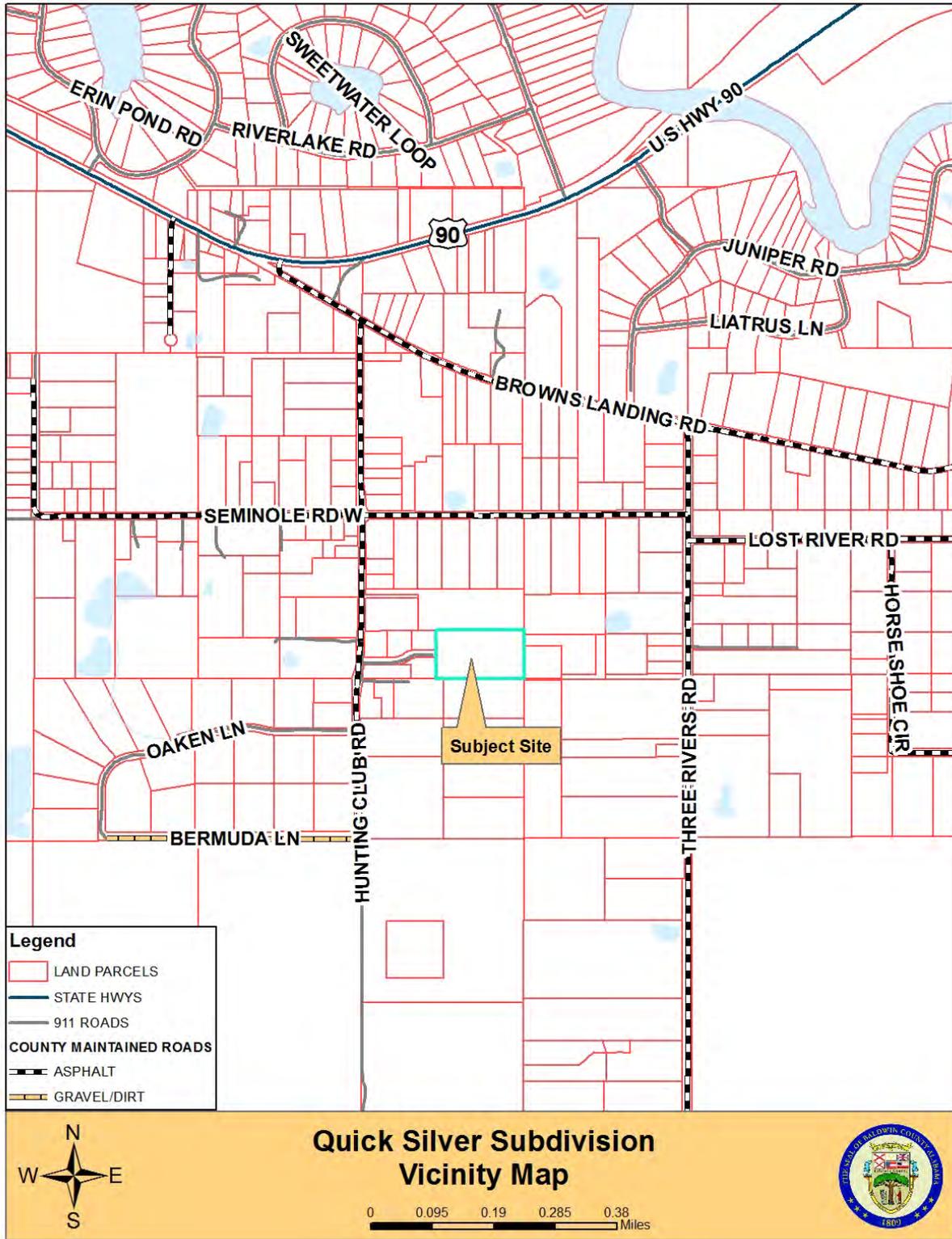
Items for consideration:

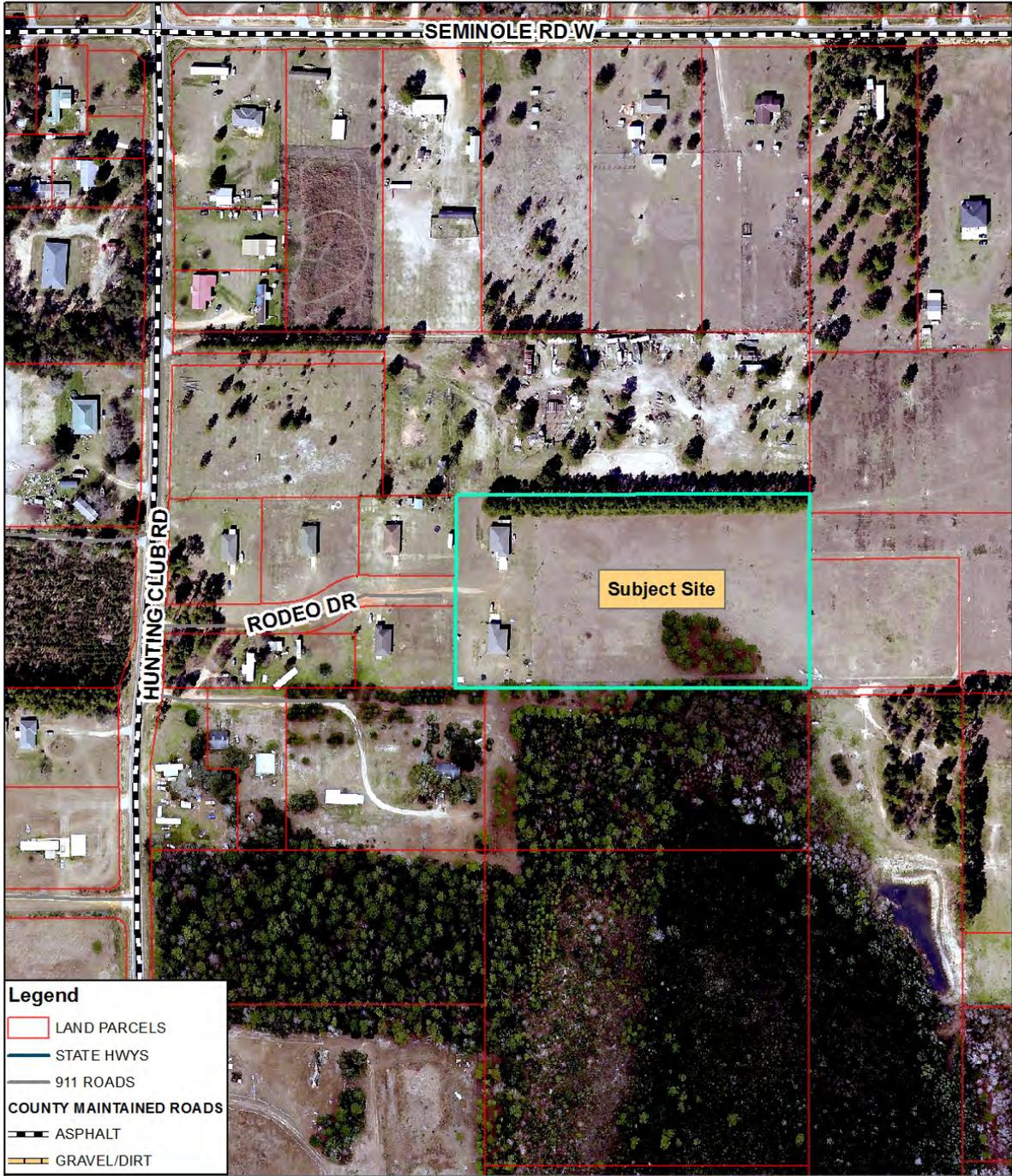
Rodeo Drive does not meet the roadway requirements (variance requested).

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-18019, Quick Silver Subdivision, be **DENIED** due to the deficiency listed above.

If the deficiency listed above is brought into compliance with the Baldwin County Subdivision Regulations then the staff's recommendation would be to approve the proposed Development Permit.





Legend

- LAND PARCELS
- STATE HWYS
- 911 ROADS
- COUNTY MAINTAINED ROADS**
- ASPHALT
- GRAVEL/DIRT

Quick Silver Subdivision Site Map

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Miles

Baldwin County Planning and Zoning Commission
Case No. S-18020 – Hadley Oaks
Variance Request

Staff Report for Planning and Zoning Commission Public Hearing
June 7, 2018
Agenda Item 7.d

This report is prepared by the Baldwin County Highway Department, Permit Section Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this request.

I. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 33, Zoned RSF-E

Location of Property: The subject property is located on the east side of County Road 91 approximately 700 feet south of Carrier Drive.

Parcel Numbers: 05-63-02-04-0-000-016.001
05-63-02-04-0-000-016.002

Applicant: Donald B & Loree A Hadley
10250 County Road 91
Lillian, AL 36549

Proposed Subdivision: +/- 18.85 total acres, 4 proposed lots, +/- 4.7 acre smallest lot size

Report Prepared By: Seth Peterson; Permit/Subdivision Manager

II. BACKGROUND INFORMATION:

The applicant is proposing to divide the two existing lots into four lots as shown on the attached plat. The proposed Parcels B & C front on Fox Lane. Fox Lane is a private road with a dirt driving surface. Fox Lane does not meet the roadway requirements of the Baldwin County Subdivision Regulations.

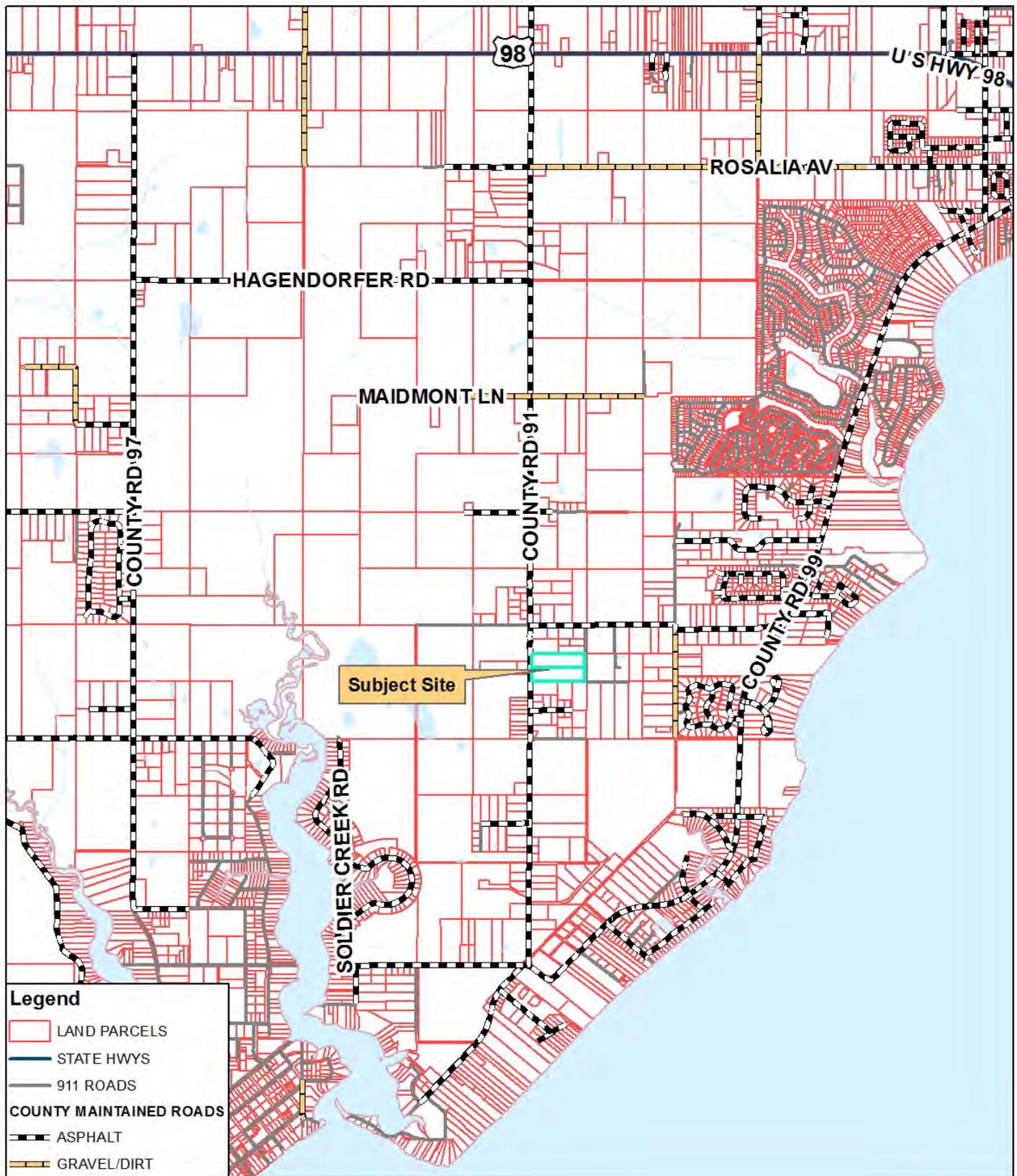
III. VARIANCE REQUEST:

Request: The purpose of this variance request is to allow the proposed division on a dirt road which does not meet the roadway requirements of the Baldwin County Subdivision Regulations.

Staff Comments: Documentation has been provided to our office showing the applicant has deeded rights to use the easement known as Fox Lane out to Carrier Drive. The roadway is private and is not maintained by Baldwin County. A maintenance agreement is recorded in the Probate Office for Fox Lane.

A wetland area physically splits this property into a west side fronting on CR 91 and an east side fronting on Fox Lane. The wetland area limits the use of the east side of the property which is currently accessed from Fox Lane. Staff feels that the wetland creates a physical hardship on the use of the eastern half of this property.

Staff Recommendation: The staff recommends that the variance request be **APPROVED** due to the physical hardship of the wetland area limiting use of the east half of the subject property.



Hadley Oaks Vicinity Map





Legend

- LAND PARCELS
- STATE HWYS
- 911 ROADS
- COUNTY MAINTAINED ROADS**
- ASPHALT
- GRAVEL/DIRT

Hadley Oaks Site Map

05/07/2018

Baldwin County Highway Department
PO Box 220
Silverhill, Alabama 36576

Attn: Seth Peterson

Re: Case S-18020 Hadley Oaks Subdivision

Seth,

We are requesting to subdivide two adjoining properties into 4 parcels.

The adjoining properties are ppin 256847 and ppin 256844 and are each approximately 9.44 acres each. The properties both have road frontage on Co Rd 91 (western boundary) and Fox Ln (eastern boundary).

In the middle of both properties running north to south is the natural headwaters to Emmanuel Bayou which is considered wetlands. During rains and storms this area is impossible to drive through and stays too wet to use for days afterwards. Also, being wetlands and a natural wash area, filling in the low area is not an option. This greatly hinders and at times prohibits the use of the property that borders Fox Ln on the East side.

If a home was built on the property towards the eastern boundaries they would not have access to deliveries, mail service or 911 emergency services because of this wet area. Fox Lane, therefore, would be the natural ingress and egress for the eastern half of the properties. Although Fox Ln is a private road everyone with property along Fox Ln already have easement rights in their warranty deeds as does the subject properties. There are also easement and maintenance agreements by all residents for the road which could transfer easily to any new owner in the future. The subject properties are approximately midway in the length of Fox Ln and utilities are already in place so there would be no additional hardship to the area. Accessing the area from the west would however prove to be a great hardship.

Sincerely,

Donald B. and Loree A. Hadley

Baldwin County Planning and Zoning Commission
Case No. S-18020 Hadley Oaks
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
June 7, 2018
Agenda Item 7.e

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission: May 3, 2018 Development Permit Approval Tabled
June 7, 2018 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 33 – Zoned RSF-E

Location of Property: The subject property is located on the east side of County Road 91 approximately 700 feet south of Carrier Drive.

Parcel Numbers: 05-63-02-04-0-000-016.001
05-63-02-04-0-000-016.002

Report Prepared By: Seth Peterson; Permit/Subdivision Manager

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 4

Linear Feet of Streets: Approximately 1,000 feet (Existing Fox Lane)

Total Acreage: ± 18.85 acres

Smallest Lot Size: ± 4.7 acres

Proposed Use: Residential

Applicant: Donald B & Loree A Hadley
10250 County Road 91
Lillian, AL 36549

Surveyor: Merrill Parker Shaw, Inc
4928 N Davis Hwy
Pensacola, FL 32503

Request: The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: Wells
 Sewer: Septic Systems
 Electricity: Riviera Utilities

Transportation: Two lots front on County Road 91, a County maintained paved street. The other two lots front on Fox Lane, a private dirt road. A variance request has been submitted requesting to utilize Fox Lane as a dirt road.

V. STAFF COMMENTS:

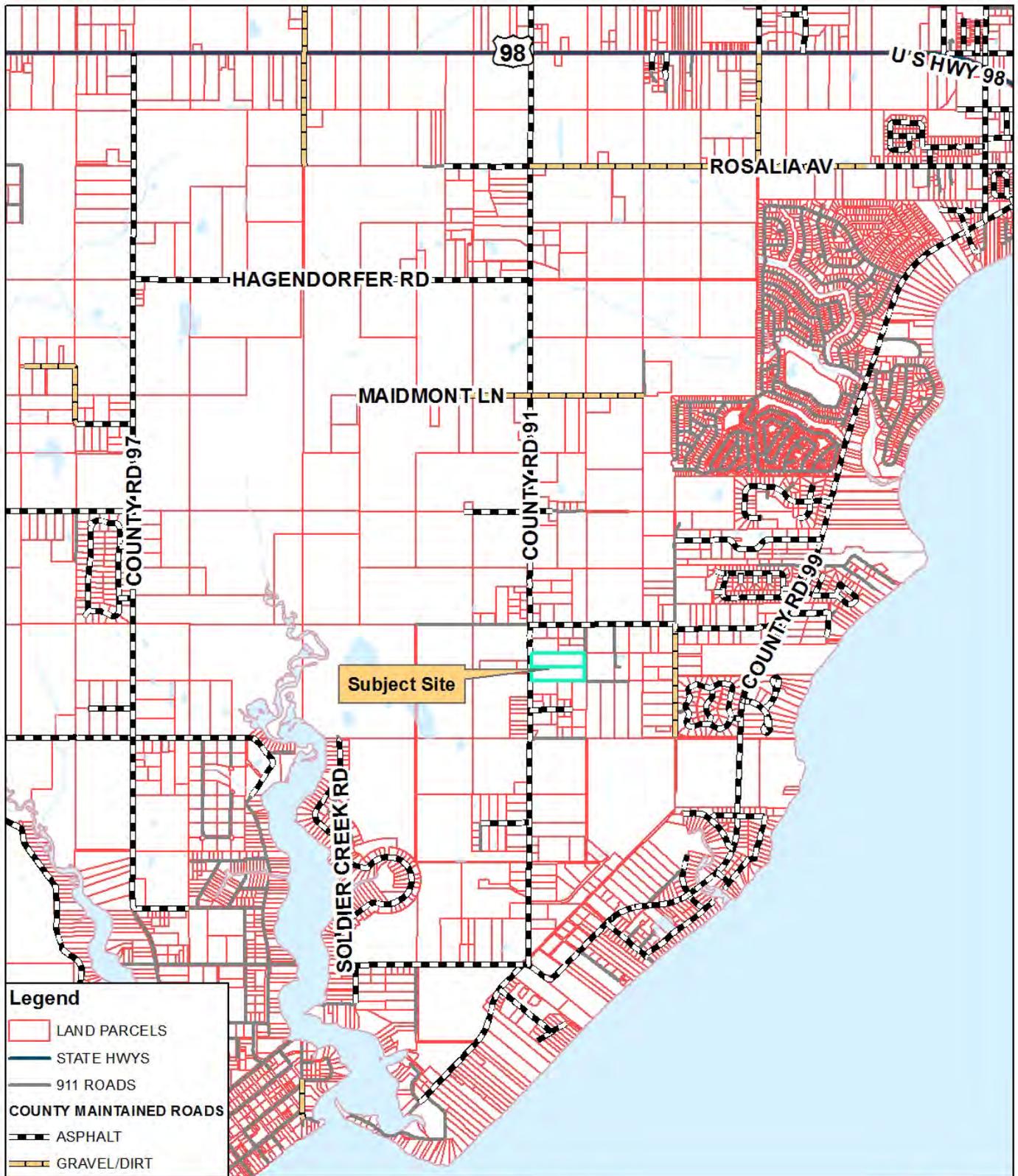
Items for consideration:

The following deficiencies existed when the staff report was prepared:

1. Parcels B & C front on a dirt road that does not meet the roadway requirements (variance request submitted)
2. The site data was not shown on the plat
3. The applicable certifications, endorsements and dedications were not shown on the plat

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-18020, Hadley Oaks, be **DENIED** due to the deficiencies listed above.



Legend

- LAND PARCELS
- STATE HWYS
- 911 ROADS
- COUNTY MAINTAINED ROADS**
- ASPHALT
- GRAVEL/DIRT



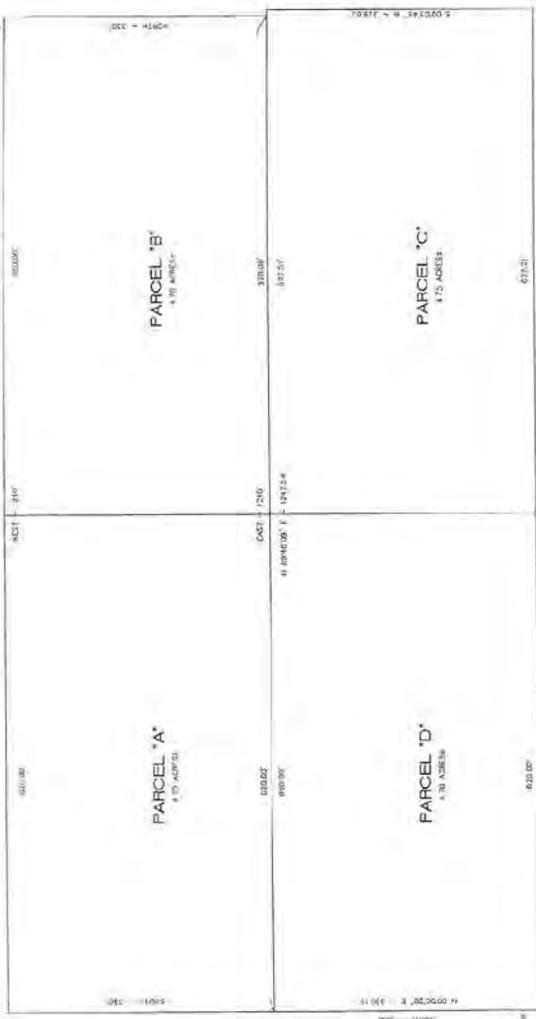
Hadley Oaks Vicinity Map





DESCRIPTION AND DESCRIPTION DRAWING

A PORTION OF SECTION 4,
TOWNSHIP-8-SOUTH, RANGE-6-EAST,
BALDWIN COUNTY, FLORIDA.



BALDWIN COUNTY HIGHWAY NO. 91

FOX LANE

DESCRIPTION AND DESCRIPTION DRAWING
 A PORTION OF SECTION 4,
 TOWNSHIP-8-SOUTH, RANGE-6-EAST,
 BALDWIN COUNTY, FLORIDA.
 PREPARED BY: BROCK HADLEY
 PROJECT NO. 1802

MERRILL PARKER SHAW, INC.
 1515 N. GARDNER STREET
 TAMPA, FLORIDA 33604
 TEL: 813-288-1111
 FAX: 813-288-1112

PARCEL 'A'
4.10 ACRES

DESCRIPTION: PARCELS OF MERRILL PARKER SHAW, INC.
 THIS PARCEL IS PART OF THE 100 ACRES TRACT OF LAND, MORE OR LESS, BEING THE BALDWIN COUNTY HIGHWAY NO. 91, AS SHOWN ON THE PLAT OF THE BALDWIN COUNTY HIGHWAY NO. 91, FILED FOR RECORD IN PUBLIC RECORDS OF BALDWIN COUNTY, FLORIDA, BOOK 10, PAGE 10, AND IS MORE OR LESS AS SHOWN ON THE PLAT OF THE BALDWIN COUNTY HIGHWAY NO. 91, FILED FOR RECORD IN PUBLIC RECORDS OF BALDWIN COUNTY, FLORIDA, BOOK 10, PAGE 10.

PARCEL 'B'
4.10 ACRES

DESCRIPTION: PARCELS OF MERRILL PARKER SHAW, INC.
 THIS PARCEL IS PART OF THE 100 ACRES TRACT OF LAND, MORE OR LESS, BEING THE BALDWIN COUNTY HIGHWAY NO. 91, AS SHOWN ON THE PLAT OF THE BALDWIN COUNTY HIGHWAY NO. 91, FILED FOR RECORD IN PUBLIC RECORDS OF BALDWIN COUNTY, FLORIDA, BOOK 10, PAGE 10, AND IS MORE OR LESS AS SHOWN ON THE PLAT OF THE BALDWIN COUNTY HIGHWAY NO. 91, FILED FOR RECORD IN PUBLIC RECORDS OF BALDWIN COUNTY, FLORIDA, BOOK 10, PAGE 10.

PARCEL 'C'
1.75 ACRES

DESCRIPTION: PARCELS OF MERRILL PARKER SHAW, INC.
 THIS PARCEL IS PART OF THE 100 ACRES TRACT OF LAND, MORE OR LESS, BEING THE BALDWIN COUNTY HIGHWAY NO. 91, AS SHOWN ON THE PLAT OF THE BALDWIN COUNTY HIGHWAY NO. 91, FILED FOR RECORD IN PUBLIC RECORDS OF BALDWIN COUNTY, FLORIDA, BOOK 10, PAGE 10, AND IS MORE OR LESS AS SHOWN ON THE PLAT OF THE BALDWIN COUNTY HIGHWAY NO. 91, FILED FOR RECORD IN PUBLIC RECORDS OF BALDWIN COUNTY, FLORIDA, BOOK 10, PAGE 10.

PARCEL 'D'
4.30 ACRES

DESCRIPTION: PARCELS OF MERRILL PARKER SHAW, INC.
 THIS PARCEL IS PART OF THE 100 ACRES TRACT OF LAND, MORE OR LESS, BEING THE BALDWIN COUNTY HIGHWAY NO. 91, AS SHOWN ON THE PLAT OF THE BALDWIN COUNTY HIGHWAY NO. 91, FILED FOR RECORD IN PUBLIC RECORDS OF BALDWIN COUNTY, FLORIDA, BOOK 10, PAGE 10, AND IS MORE OR LESS AS SHOWN ON THE PLAT OF THE BALDWIN COUNTY HIGHWAY NO. 91, FILED FOR RECORD IN PUBLIC RECORDS OF BALDWIN COUNTY, FLORIDA, BOOK 10, PAGE 10.

CERTIFIED TO:
 I, BROCK HADLEY, A PROFESSIONAL LAND SURVEYOR,
 LICENSE NO. 12345, DO HEREBY CERTIFY THAT THE
 INFORMATION CONTAINED HEREON IS TRUE AND CORRECT
 TO THE BEST OF MY KNOWLEDGE AND BELIEF.
MERRILL PARKER SHAW, INC.
 1515 N. GARDNER STREET
 TAMPA, FLORIDA 33604
 TEL: 813-288-1111
 FAX: 813-288-1112

Baldwin County Planning and Zoning Commission
Case No. S-18021 Long Road Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
June 7, 2018
Agenda Item 7.f

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission: May 3, 2018 Development Permit Approval Tabled
June 7, 2018 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 14 – Unzoned

Location of Property: The subject property is located on the northeast corner of the intersection of Long Road and County Road 28

Parcel Number: 05-55-02-03-0-000-022.001

Report Prepared By: Seth Peterson; Permit/Subdivision Manager

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 5

Linear Feet of Streets: Existing Streets

Total Acreage: ± 6.01 acres

Smallest Lot Size: ± 40,166 SF

Proposed Use: Residential

Developer: J.E. Hamlin, LLC
14200 South Blvd
Silverhill, AL 36575

Surveyor: David Lowery Surveying, LLC
55284 Martin Lane
Stockton, AL 36579

Request: The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: Wells
 Sewer: Septic Systems
 Electricity: Baldwin EMC

Transportation: Each lot in this proposed subdivision will front on an existing County maintained paved street.

V. STAFF COMMENTS:

Items for consideration:

The following deficiency existed when the staff report was prepared:

1. Documentation from the electrical provider was not provided.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-18021, Long Road Subdivision, be **DENIED** due to the deficiency listed above.

If the deficiency listed above is brought into compliance with the Baldwin County Subdivision Regulations then the staff's recommendation would be to approve the proposed Development Permit.

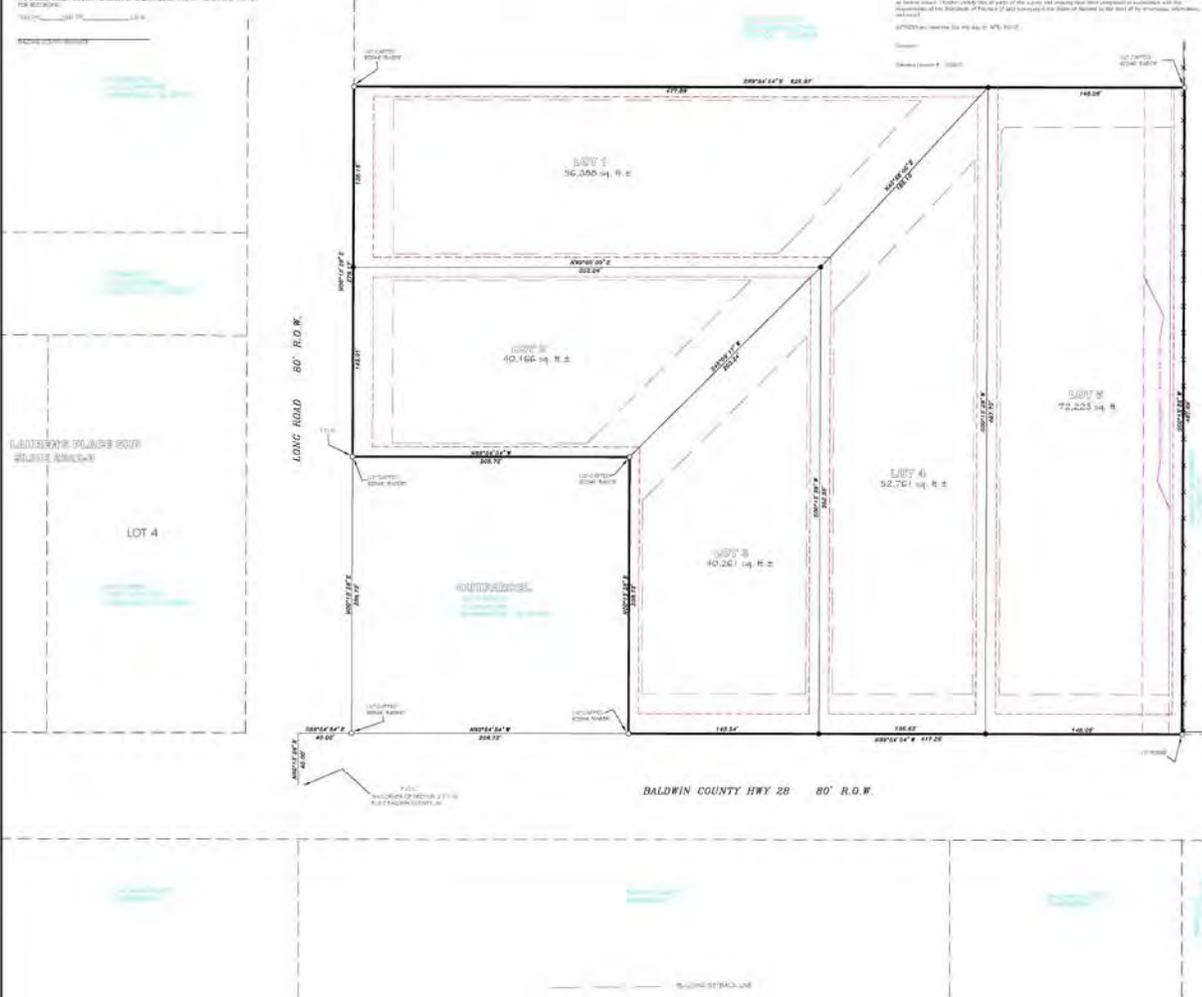


LONG ROAD SUBDIVISION

STATE OF ALABAMA
 COUNTY OF BALDWIN
 CITY OF PINE BLUFF
 LONG ROAD SUBDIVISION
 PLANNING COMMISSION
 JUNE 7, 2018

DESCRIPTION OF THE PROPOSED SUBDIVISION OF LAND
 THE PROPOSED SUBDIVISION OF LAND IS TO BE KNOWN AS LONG ROAD SUBDIVISION, CITY OF PINE BLUFF, BALDWIN COUNTY, ALABAMA.
 THE PROPOSED SUBDIVISION OF LAND IS TO BE KNOWN AS LONG ROAD SUBDIVISION, CITY OF PINE BLUFF, BALDWIN COUNTY, ALABAMA.
 THE PROPOSED SUBDIVISION OF LAND IS TO BE KNOWN AS LONG ROAD SUBDIVISION, CITY OF PINE BLUFF, BALDWIN COUNTY, ALABAMA.

1. The proposed subdivision of land is to be known as Long Road Subdivision, City of Pine Bluff, Baldwin County, Alabama.
2. The proposed subdivision of land is to be known as Long Road Subdivision, City of Pine Bluff, Baldwin County, Alabama.
3. The proposed subdivision of land is to be known as Long Road Subdivision, City of Pine Bluff, Baldwin County, Alabama.
4. The proposed subdivision of land is to be known as Long Road Subdivision, City of Pine Bluff, Baldwin County, Alabama.
5. The proposed subdivision of land is to be known as Long Road Subdivision, City of Pine Bluff, Baldwin County, Alabama.
6. The proposed subdivision of land is to be known as Long Road Subdivision, City of Pine Bluff, Baldwin County, Alabama.
7. The proposed subdivision of land is to be known as Long Road Subdivision, City of Pine Bluff, Baldwin County, Alabama.
8. The proposed subdivision of land is to be known as Long Road Subdivision, City of Pine Bluff, Baldwin County, Alabama.
9. The proposed subdivision of land is to be known as Long Road Subdivision, City of Pine Bluff, Baldwin County, Alabama.
10. The proposed subdivision of land is to be known as Long Road Subdivision, City of Pine Bluff, Baldwin County, Alabama.



UTILITY PROVIDERS

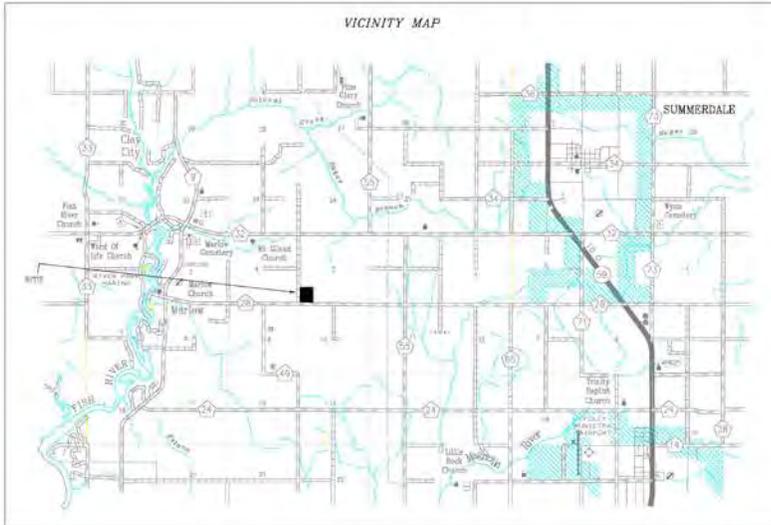
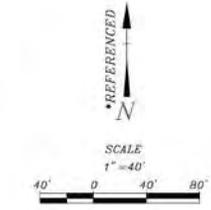
WATER	AT&T
SEWER	AT&T
ELECTRICITY	AT&T

BUILDING SETBACKS:
 FRONT: 10 FT.
 REAR: 10 FT.
 SIDE: 5 FT.

SITE DATA:
 TOTAL AREA: 2.16 ACRES
 TOTAL LOT AREA: 2.16 ACRES

OWNER & DEVELOPER:
 J.E. HAMLIN LLC
 BALDWIN COUNTY, AL

SURVEYOR:
 DAVID LOWERY SURVEYING, L.L.C.
 251407-2797 PH. 251-487-2798 FAX
 DLLOWERY@baldwin.com



Baldwin County Planning and Zoning Commission
Case No. S-18023 – Middleton Exemption
Variance Request

Staff Report for Planning and Zoning Commission Public Hearing

June 7, 2018

Agenda Item 7.g

This report is prepared by the Baldwin County Highway Department, Permit Section Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this request.

I. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 12, Zoned RA

Location of Property: The subject property is located on the west side of County Road 71 between County Road 64 and County Road 62 N

Parcel Numbers: 05-41-04-17-0-000-003.002
05-41-04-17-0-000-003.004

Applicant: Dan Middleton Jr
22463 State Highway 59 S
Robertsdale, AL 36567

Proposed Division: +/- 4.74 total acres, 2 proposed lots, +/- 1.63 acre smallest lot size

Report Prepared By: Seth Peterson; Permit/Subdivision Manager

II. BACKGROUND INFORMATION:

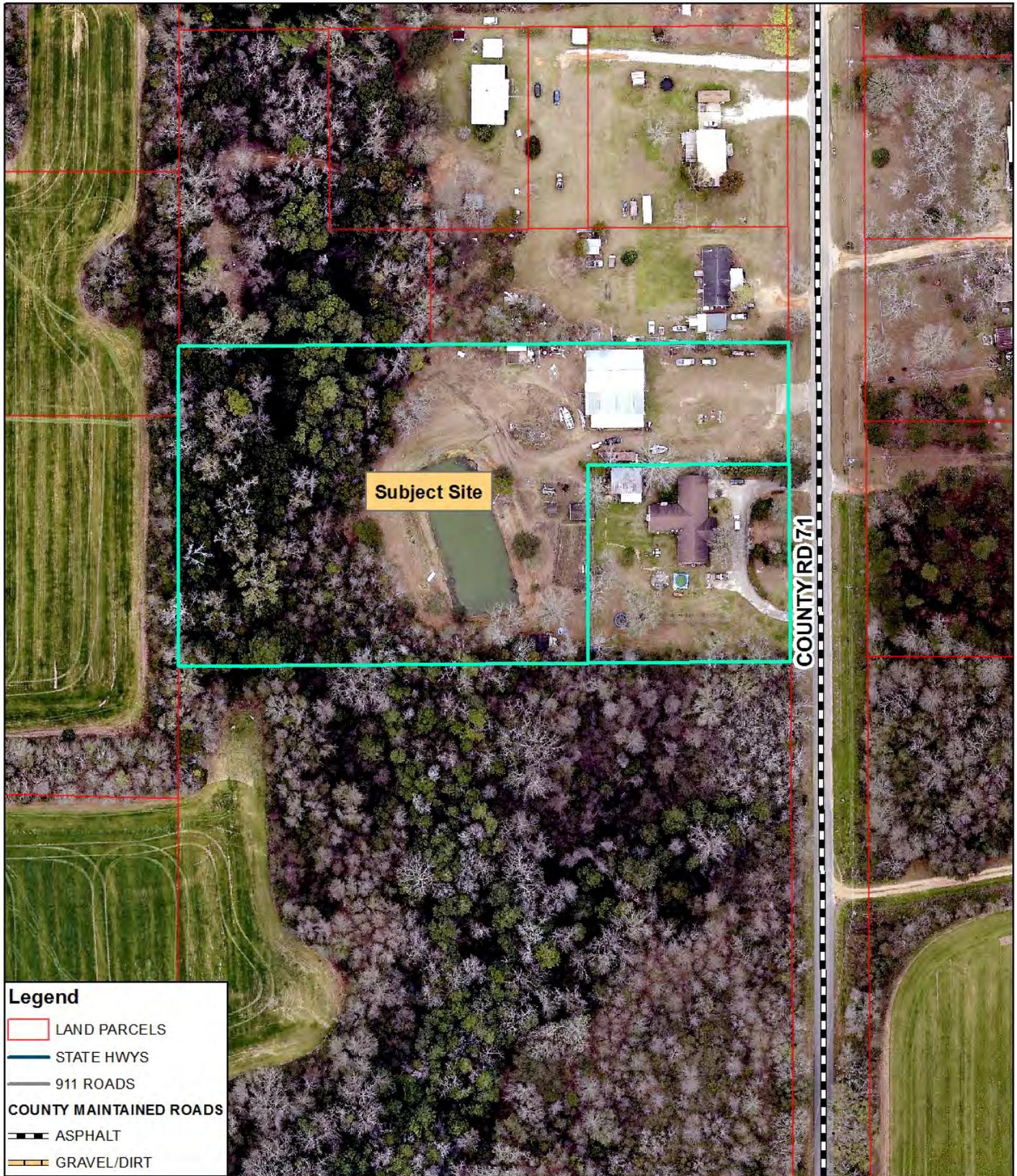
The applicant is proposing to shift the common property line that exists between the above mentioned parcels. The common property line would be shifted in a way that does not create additional parcels. There are existing sheds, a dwelling and a pond on the property that limit how the property line can be moved. The attached survey shows the proposed division. Parcel A on the survey is approximately 119 feet wide and 626 feet deep, resulting in a depth/width ratio of 5.3/1. The maximum depth/width ratio allowed by Section 5.4(g) is 3/1, therefore the proposed division exceeds the maximum allowed ratio.

III. VARIANCE REQUEST:

Request: The purpose of this variance request is to allow the division to exceed the maximum depth/width ratio as shown on the attached survey.

Staff Comments: Due to the different obstacles on the property that limit the placement of the property line, staff recommends approving the variance request.

Staff Recommendation: The staff recommends that the variance request be **APPROVED**.



Middleton Variance Site Map



Baldwin County Planning and Zoning Commission
Case No. S-18025 – Seed Orchard Estates
Variance Request

Staff Report for Planning and Zoning Commission Public Hearing
June 7, 2018
Agenda Item 7.h

This report is prepared by the Baldwin County Highway Department, Permit Section Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this request.

I. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 13, Unzoned

Location of Property: The subject property is located on the southeast corner of the intersection of County Road 87 and Seed Orchard Road.

Parcel Number: 05-35-07-26-0-000-001.003

Applicant: J Pierce and Associates, LLC
16116 Old Ganey Road
Bay Minette, AL 36507

Proposed Subdivision: +/- 45.09 total acres, 7 proposed lots, +/- 4.75 acre smallest lot size

Report Prepared By: Seth Peterson; Permit/Subdivision Manager

II. BACKGROUND INFORMATION:

The applicant is proposing to divide the existing parcel into 7 proposed lots. Lots 1-5 front on County Road 87. Lots 6 and 7 front on Seed Orchard Road, a County maintained paved street. Seed Orchard Road is a single purpose street that does not meet the roadway width requirements for subdividing new lots.

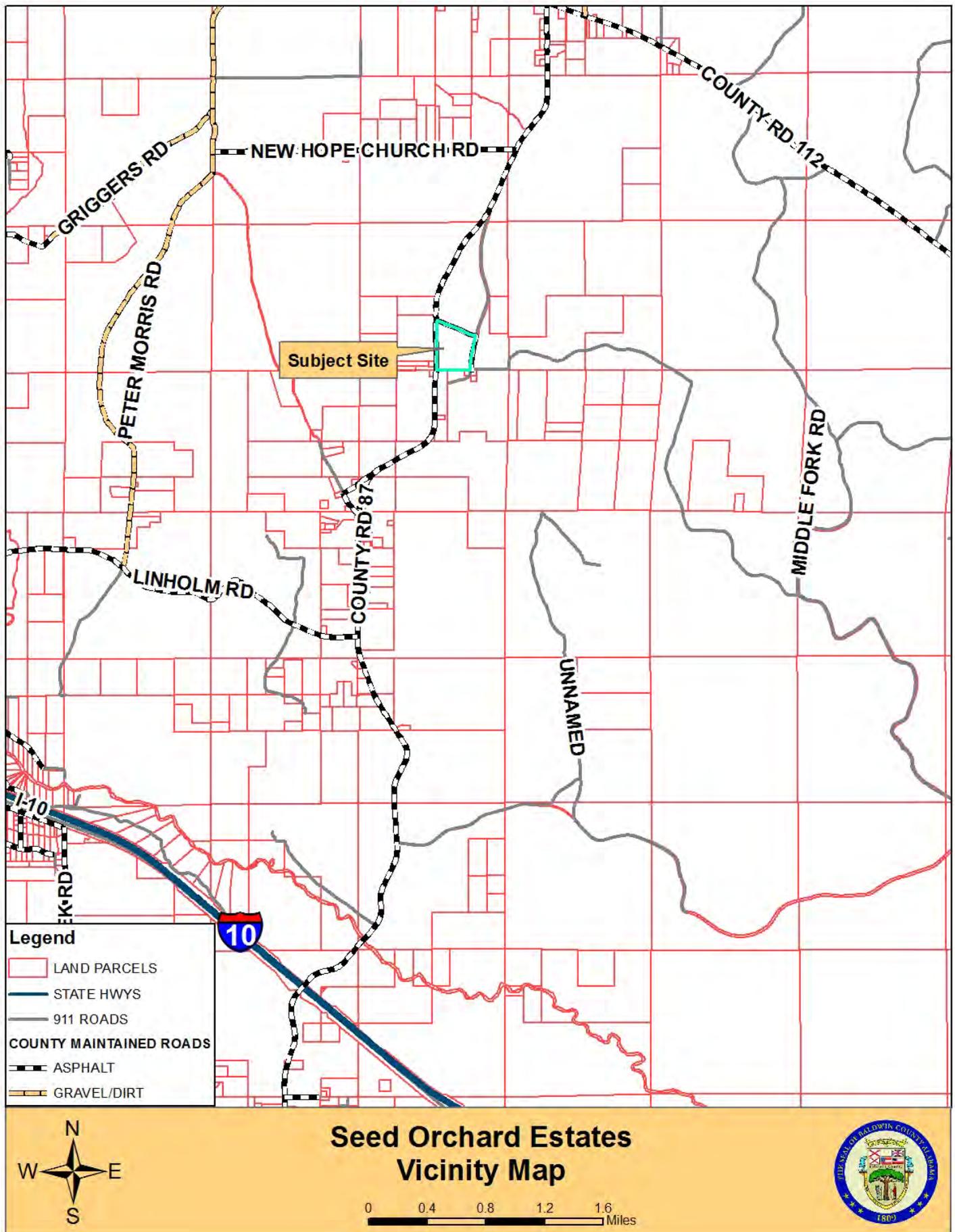
III. VARIANCE REQUEST:

Request: The purpose of this variance request is to allow Lots 6 and 7 to be divided out on Seed Orchard Road which does not meet the roadway width requirements of the Baldwin County Subdivision Regulations.

Staff Comments: Seed Orchard Road is County maintained and currently provide access to the property. If these lots were further subdivided, then those developments would be subject to the roadway requirements at that time.

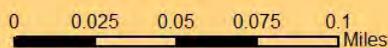
The owner has agreed to place a note on the plat that limits Lots 6 and 7 to single family residences until a time when Seed Orchard Road is widened into a two lane road.

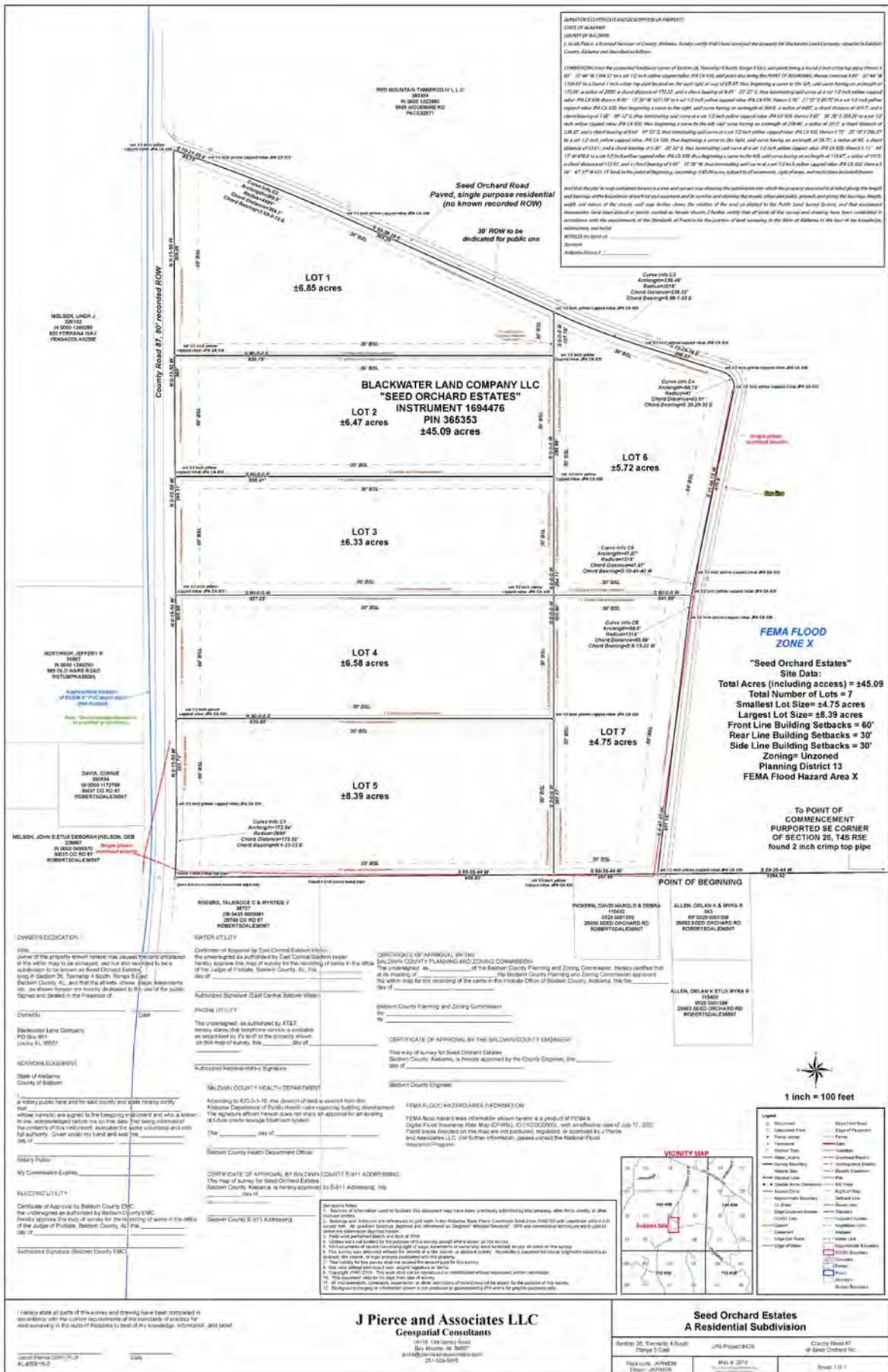
Staff Recommendation: The staff recommends that the variance request be **APPROVED** contingent on a note being placed on the plat limiting the development of Lots 6 and 7 to single family residences until a time when Seed Orchard Road is widened.





Seed Orchard Estates Site Map





Baldwin County Planning and Zoning Commission
Case No. S-18025 Seed Orchard Estates
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
June 7, 2018
Agenda Item 7.i

This report is prepared by the Baldwin County Highway Department, Permit Division Staff to provide information to the Baldwin County Planning and Zoning Commission to assist in making decisions on this application.

I. PUBLIC HEARINGS:

Planning Commission: June 7, 2018 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 13 – Unzoned

Location of Property: The subject property is located on the southeast corner of the intersection of County Road 87 and Seed Orchard Road.

Parcel Number: 05-35-07-26-0-000-001.003

Report Prepared By: Seth Peterson; Permit/Subdivision Manager

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 7

Linear Feet of Streets: NA

Total Acreage: ± 45.09 acres

Smallest Lot Size: ± 4.75 acres

Proposed Use: Residential

Applicant: J Pierce and Associates, LLC
16116 Old Ganey Road
Bay Minette, AL 36507

Request: The applicant is requesting Development Permit approval for the above-mentioned subdivision from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: East Central Baldwin Water
 Sewer: Septic Systems
 Electricity: Baldwin County EMC

Transportation: Each lot in this proposed subdivision will front on an existing County maintained road. Lots 1-5 front on County Road 87. Lots 6 and 7 front on Seed Orchard Road. Seed Orchard Road is a single purpose street that does not meet the roadway width requirements for subdividing new lots. A variance has been requested for this item.

V. STAFF COMMENTS:

Items for consideration:

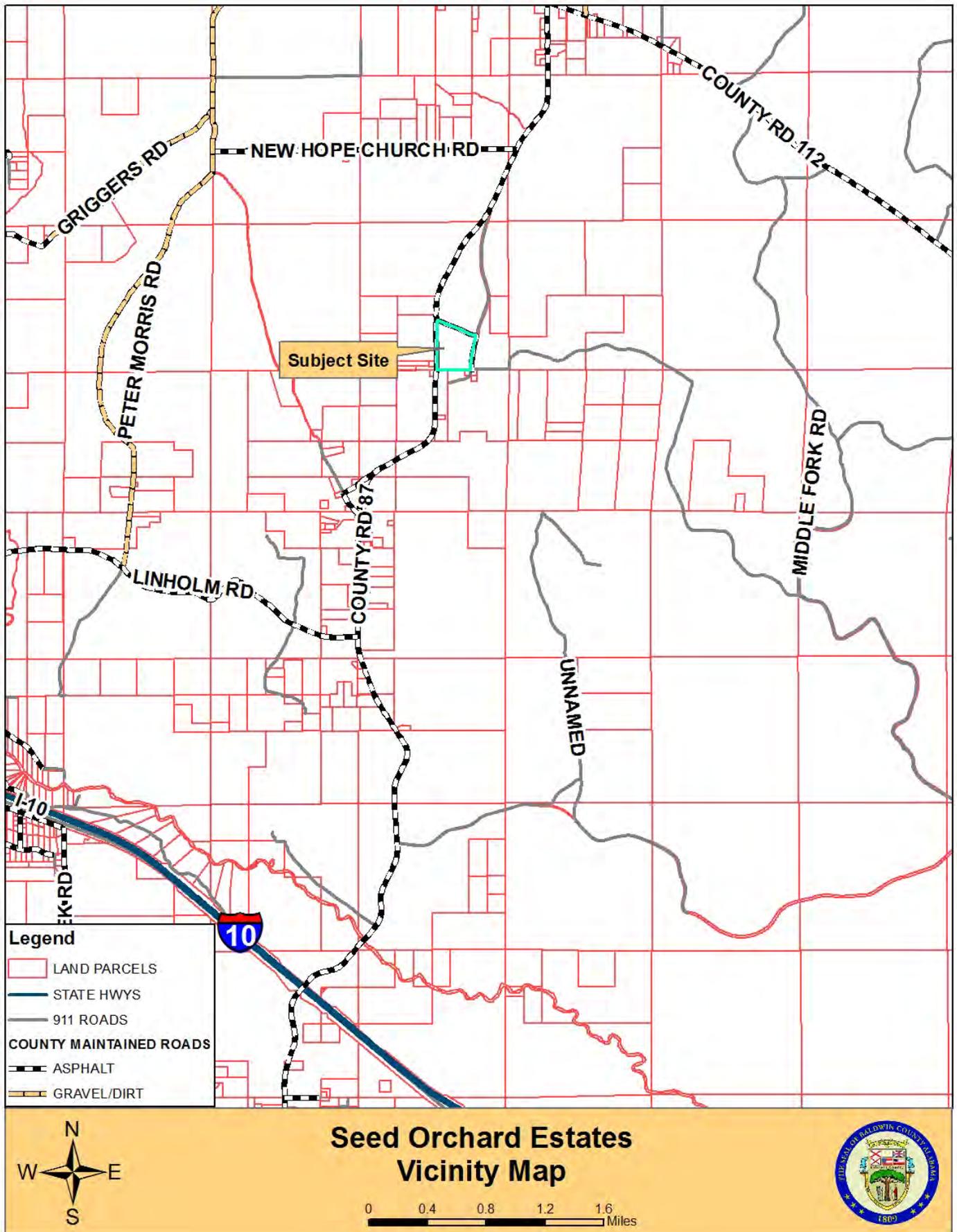
The following deficiency existed when the staff report was prepared:

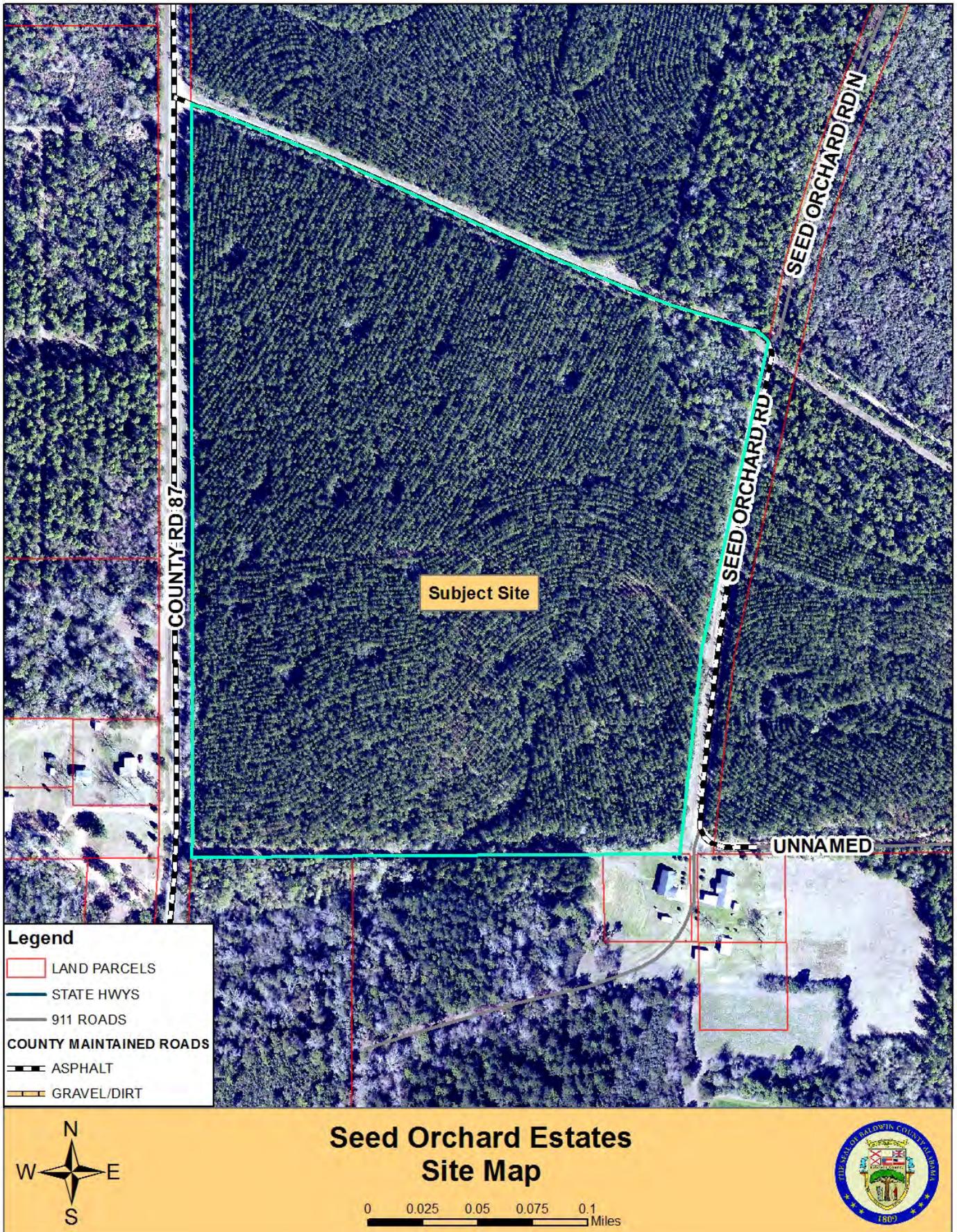
1. Lots 6 and 7 front on a single purpose roadway that does not meet the roadway width requirements of the Baldwin County Subdivision Regulations. A variance request has been submitted for this item.

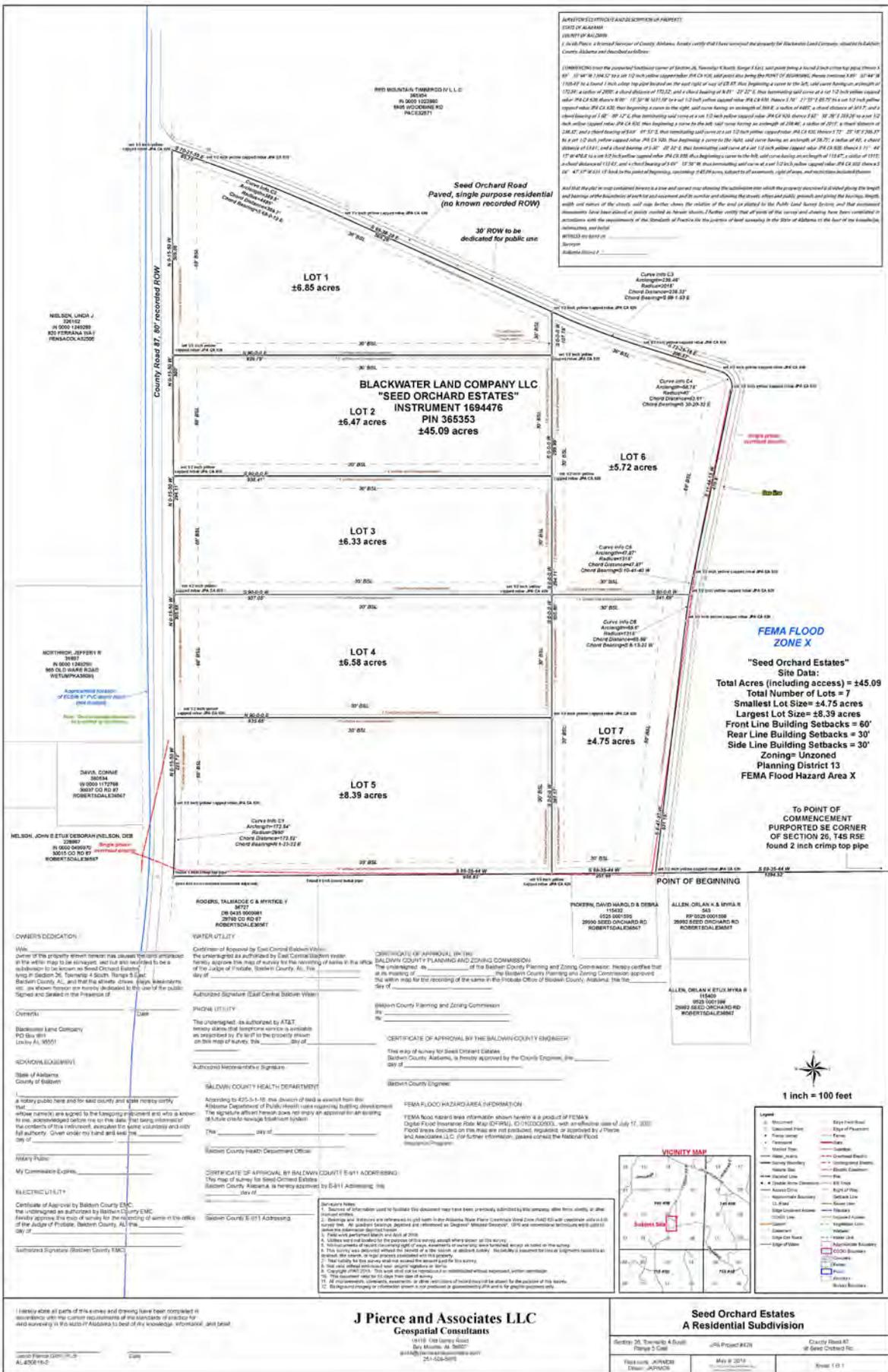
VI. RECOMMENDATIONS:

Staff recommends that the Development Permit for Case No. S-18025, Seed Orchard Estates, be **DENIED** due to the deficiency listed above.

If the deficiency listed above is brought into compliance with the Baldwin County Subdivision Regulations then the staff's recommendation would be to approve the proposed Development Permit.









Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.a

Case No. Z-18027

Wentworth Property

Rezone RA, Rural Agriculture District to B-4, Major Commercial District

June 7, 2018

Subject Property Information

Planning District: 33
General Location: South side of US Hwy 98 in Lillian
Physical Address: 33644 US Highway 98
Parcel Number: 05-52-08-27-0-000-003.000
Existing Zoning: RA, Rural Agriculture District
Proposed Zoning: B-4, Major Commercial District
Existing Land Use: Residential
Proposed Land Use: RV Park and RV Storage
Acreage: 39.38± acres
Applicant: David C. Wentworth
 12877 Maytower Road
 Bay Minette, AL 36507
Owner: David C. Wentworth as Trustee of the David C. Wentworth Trust Dated April 7, 2003
Lead Staff: Linda Lee, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Light Industrial	M-1, Light Industrial District
South	Residential	RA, Rural Agriculture District
East	Residential	RA, Rural Agriculture District
West	Vacant	RA, Rural Agriculture District

Summary

The subject property is currently zoned RA, Rural Agriculture District, and is currently occupied with a dwelling and accessory structures. The property adjoins US Highway 98 to the north. The adjoining properties are residential, agricultural, and commercial. The requested zoning designation is B-4 Major Commercial District. According to the submitted information, the purpose of this request is to allow for RV Park and RV Storage.

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

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:

- (a) The following general commercial uses: recreational vehicle park (see *Section 13.9: Recreational Vehicle Parks*).
- (b) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

3.2.4 *Conditional uses.* 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 conditional uses:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.

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 18.6 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

Proposed Zoning Requirements

Section 5.4 B-4, Major Commercial District

5.4.1 *Purpose and intent.* The B-4, Major Commercial District, is intended for business uses which require a location with access to an arterial or major collector road (as defined by the Functional Classification System attached as Appendix) or which have close proximity to major intersections. Due to the nature of the businesses permitted within the B-4 district, this zoning designation should be limited to property fronting on principal arterials, major arterials or minor arterials. Ingress and egress to a roadway should promote safe and smooth traffic flow for the general traveling public. It is also the intent of this district to provide areas for businesses which, because of their intensity, outside storage areas, or large volumes of traffic, would have significant negative impacts on adjoining properties. These uses often have an actual or potential negative impact on surrounding properties due to late hours of operation, noise, and or light.

5.4.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-4, Major Commercial District:

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> (a) All uses permitted by right under the B-3 zoning designation (b) Amusement park (c) Auto convenience market (d) Automobile parts sales (e) Automobile repair (mechanical and body) (f) Automobile sales (g) Automobile service station (h) Automobile storage (parking lot, parking garage) (i) Boat sales and service (j) Building materials (k) Farm implements | <ul style="list-style-type: none"> (l) Flea market (m) Home improvement center (n) Hotel or motel (o) Manufactured housing sales, service and repair (p) Marina (q) Motorcycle sales service and repair (r) Movie theatre (s) Recreational vehicle park (t) Recreational vehicle sales, service and repair (u) Restaurant, drive-in (v) Restaurant, fast food |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

5.4.3 *Conditional uses.* The following uses are permissible as conditional uses in the B-4, Major Commercial District, subject to the standards and procedures established in *Section 18.11: Conditional Uses*:

- | | |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------|
| (a) Airport | (p) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies |
| (b) Ambulance/EMS service | (q) Race track |
| (c) Armory | (r) Radio and television station and transmitting tower |
| (d) Auditorium, stadium, coliseum | (s) Railroad facility |
| (e) Barge docking | (t) Sewage treatment plant |
| (f) Broadcasting station | (u) Taxi dispatching station |
| (g) Bus and railroad terminal facility | (v) Taxi terminal |
| (h) College or university | (w) Telephone exchange |
| (i) Convalescent or nursing home | (x) Water or sewage pumping station |
| (j) Correctional or penal institution | (y) Water storage tank |
| (k) Dog pound | (z) Wireless telecommunication facility |
| (l) Electric power substations | (aa) Zoo |
| (m) Freight depot, rail or truck | |
| (n) Hospital | |
| (o) Landfill | |

5.4.4 *Area and dimensional ordinances.*

Maximum Height of Structure in Feet	40
Maximum Height of Structure in Habitable Stories	3
Minimum Front Yard	40-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.70
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

5.4.5 *Lighting standards.* The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

5.4.6 *Distance between structures.* If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

5.4.7 *Landscaping and buffering.* All B-4, Major Commercial District, uses shall meet the requirements of *Article 17, Landscaping and Buffers*.

Additional Information

Section 13.8 Recreational Vehicle (RV) Parks

13.8.1 *Purpose.* The purpose of this section is to establish minimum standards for recreational vehicle parks.

13.8.2 *Procedures and standards.*

- (a) *Land use certificate required.* All recreational vehicle parks are subject to the standards contained in this section and will be required to obtain a land use certificate prior to being granted a building permit.

(b) *Where permitted.* Except as provided in *Section 2.3.26.4(b)* and *Section 2.3.31.4*, recreational vehicle parks are permitted as follows:

1. High Density

- A. RV-1, B-4, M-1 and M-2 by right.
- B. B-3 by conditional use approval.
- C. RR, RA and CR by special exception approval.

2. Low Density

- A. RV-1, RV-2, B-4, M-1 and M-2 by right.
- B. B-2, B-3 and OR by conditional use approval.
- C. RR, RA and CR by special exception approval.

(c) *Occupancy.* A recreational vehicle shall not be occupied as a living quarter unless it is located in a recreational vehicle park as herein provided or as provided in *Section 12.2.2*. No recreational vehicle shall be used as a permanent dwelling. Continuous occupancy extending beyond 4 months in any 12 month period shall be considered permanent occupancy.

(d) *Storage and parking.* Recreational vehicles may be parked or stored in residential districts as provided in *Section 15.3.9: Storage and parking of trailers and commercial vehicles*.

(e) *Maximum density.*

- 1. High Density: 15 campsites per acre
- 2. Low Density: 6 campsites per acre

(f) *Land area.* The minimum land area of a recreational vehicle park shall be three (3) acres.

(g) *Use.* Use of spaces in recreational vehicle parks is limited to recreational vehicles.

(h) *Water and sewer facilities.*

- 1. *Water.* Each recreational vehicle park shall be served with a public/private water supply system capable of providing domestic water use and fire protection.
- 2. *Sewer.* Each recreational vehicle park shall be served with sanitary sewer facilities meeting all requirements of the Baldwin County Health Department.

(i) *Setbacks.*

- 1. No space shall be so located that any part intended for occupancy for sleeping purposes shall be within 30-feet of any property line.
- 2. Recreational vehicles must be separated from each other and from other structures by at least 10-feet.

(j) *Access.*

- 1. No recreational vehicle park shall be located except with direct access to a paved county, state or federal highway, with a minimum lot width of not less than 50-feet for the portion used for entrance and exit.
- 2. No entrance or exit shall be through an existing residential subdivision.
- 3. Access drives must be a minimum of 24-feet wide for a two-way street and 12-feet wide for a one-way street and must be improved with a suitable hard surface permanent type

of pavement such as asphalt, concrete, limestone or other similar surface approved by the Planning Commission.

(k) *Accessory uses.* Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to the operation of a recreational vehicle park are permitted as accessory uses.

(l) *Sites.*

1. Each recreational vehicle site must be at least 1,600 square feet in area.
2. Each recreational vehicle site must contain a parking pad improved with a suitable all-weather surface.
3. Each recreational vehicle site must contain at least one (1) off-street parking space improved with a suitable all-weather surface.

(m) *Buffering.* In the event a recreational vehicle park is located adjacent to residentially zoned property, a landscaped buffer with a minimum width of 30-feet shall be provided. Said buffer shall consist of a combination of canopy trees, understory trees and shrubs which shall be of sufficient height to create a visual barrier. No buffer will be required if the recreational vehicle park is located adjacent to agricultural, commercial, industrial or recreational property.

(n) *Existing recreational vehicle parks.* Recreational vehicle parks which exist at the time of zoning adoption or amendment are grandfathered and may continue to operate lawfully provided that the operation is not discontinued for more than one (1) calendar year or 365 consecutive days. The owner of an existing RV park may conduct maintenance and repairs which may include the replacement of accessory structures, hook-ups and utilities subject to the following conditions:

1. The cost of replacement shall not exceed 50 percent of the value of the park.
2. The recreational vehicle park shall not be expanded.
3. The footprints of accessory structures shall not be enlarged or moved.
4. The number of recreational vehicle spaces shall not be increased.

If the owner of an existing recreational vehicle park wishes to expand the recreational vehicle park, construct additional spaces and facilities or re-arrange spaces and facilities, the park shall at that time be brought into conformity with all requirements of this section.

Opposition Email

From: Richard Gaherty [<mailto:ric777gaherty@gmail.com>]

Sent: Tuesday, May 29, 2018 7:45 PM

To: Payton Rogers <Payton.Rogers@baldwincountyal.gov>

Subject: r.v. project on Highway 98 west Lillian Alabama

Planning Technician
Baldwin County Planning & Zoning Dept.
Certified Alabama Planning & Zoning Official

Dear Sirs:

Increased traffic and congestion during the busy summer months should be a key concern. People trying to access this RV park will only add to the severe congestion Lillian experiences during the summer additional traffic months and the environmental impact of the RV park would be a detriment to the Lillian's community character which is more agricultural than commercial. Impacts associated with the public water supply system, public wastewater and collection disposal, storm-water drainage collection; retention system and solid-waste management for an RV park would be a huge.

Solid waste would be transported to the Spanish Cove outdated and over loaded treatment plant which is currently being investigated for pollution of a small stream on county road 91 north in Lillian. (see report below from Mobile bay keepers).

The opposition centers on aesthetics, safety, and effects on property values in nearby neighborhoods such as county road 93 north and properties on Rosalia directly behind the proposed 40 acre park.

Traffic flows and required U-turns present traffic safety problems and there would have to be a median cut directly in front of the RV park; drivers of units that can be 45 feet or longer would have to use the busy highway 98 west for U-turns. The site distance in these locations is already dangerous as there is a hill to the west of the proposed project on 98 west and a severe curve across 98 west from the east near the Chevron Station. What the park proposes is dangerous.

I've heard several people automatically refer to this as a trailer park. I think that's probably true. Have you considered that Lillian is our neighborhood? We are passionate about the aesthetics and simplicity of the community. We want it to remain what it is today. If this is built, it will change this little berg forever and please consider that with the additional commercial attraction from the OWA in Foley would certainly generate even more projects. Studies should be conducted to see how traffic, wetlands and property values would be impacted in the area. Is this something that will enhance the community? Let's consider this. Is this something that will cost the community in additional taxes, police supervision and EMS time, and so forth?" Yes! Property owners are concerned about having 100 plus camping units on 40 acres of land. The cluster development would alter the entire character of Lillian. Traffic congestion, trespassing, excess noise, the negative impact of septic systems for a large group of people, congestion at the nearby public access and other factors are all serious concerns to homeowners. Now, the petitioner is asking for 100 vehicles to turn off Highway 98 every time they enter this development or exit. To build the RV park on the location, the county would have to rezone the land for commercial property. Commercial rezoning would change our community forever and open up a Pandoras' box! Below is a report from Mobile Bay Keepers analysis of a creek that Baldwin County Sewage Service that now treats Spanish cove discharge, empties their "treat effluent" into. The creek is located on County road 91 north just before Gardner road. This discharge has been analysis-ed by Escambia County Water Quality department in Pensacola 2 mos. ago to verify that the creek is now unswimable thanks to the only (BCSS)sewage treatment plant in Lillian. This is going to be o.k.? Full report from Escambia County Water Quality is also available for the zoning board inspection. This report is based upon outflow pipe of the sewage treatment facility.

Thank you
Richard Gaherty
Lillian, Alabama



Cade Kistler <ckistler@mobilebaykeeper.org>

May 17 (11 days ago)

to me

Richard,

Thanks again for bringing this issue to our attention. **The results from our testing were 191.8 and 121.1 CFU/100mL of enterococci.** This is a somewhat concerning level to find in the creek and above the safe level for swimming.

I talked to the intern who took the sample and he informed me that he took it from the creek, not the outfall as I had instructed him. He is going back out right now to take some more samples from the outfall and we'll see what we find.

Thanks again for your help and we'll follow-up soon with additional results. Let me know if you have any questions.

Cade

--

Cade Kistler
Program Director
[Mobile Baykeeper](http://www.mobilebaykeeper.org)
[450-C Government Street,](http://www.mobilebaykeeper.org/450-C-Government-Street)
[Mobile, Alabama 36602](http://www.mobilebaykeeper.org/mobile-alabama-36602)
Phone 251-433-4229
Cell 256-572-6077
Fax 251-432-8197
ckistler@mobilebaykeeper.org

"Clean Water, Clean Air, Healthy Communities"

Agency Comments

Baldwin County Highway Department: No comments received.

Army Corps of Engineers: No comments received.

ADEM:

From: Brown, Scott [<mailto:jsb@adem.alabama.gov>]

Sent: Thursday, May 17, 2018 1:46 PM

To: D Hart <DHart@baldwincountyal.gov>

Subject: RE: **Z-18027**, Z-18028 and Z-18029

No comments.

Baldwin County Subdivision Department:

From: Seth L. Peterson

Sent: Tuesday, May 15, 2018 4:00 PM

To: D Hart <DHart@baldwincountyal.gov>

Subject: RE: Z-18027 Wentworth Property

DJ,

If the rezoning is approved, the applicant will need to obtain Final Site Plan approval for the RV Park. The Final Site Plan is reviewed by our office and goes in front of the Planning Commission for approval. The applicant will need to obtain an access permit from ALDOT for access to US Hwy 98.

Thanks,

Seth

Municipality: No comments received

Alabama Department of Transportation: No comments received

Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

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

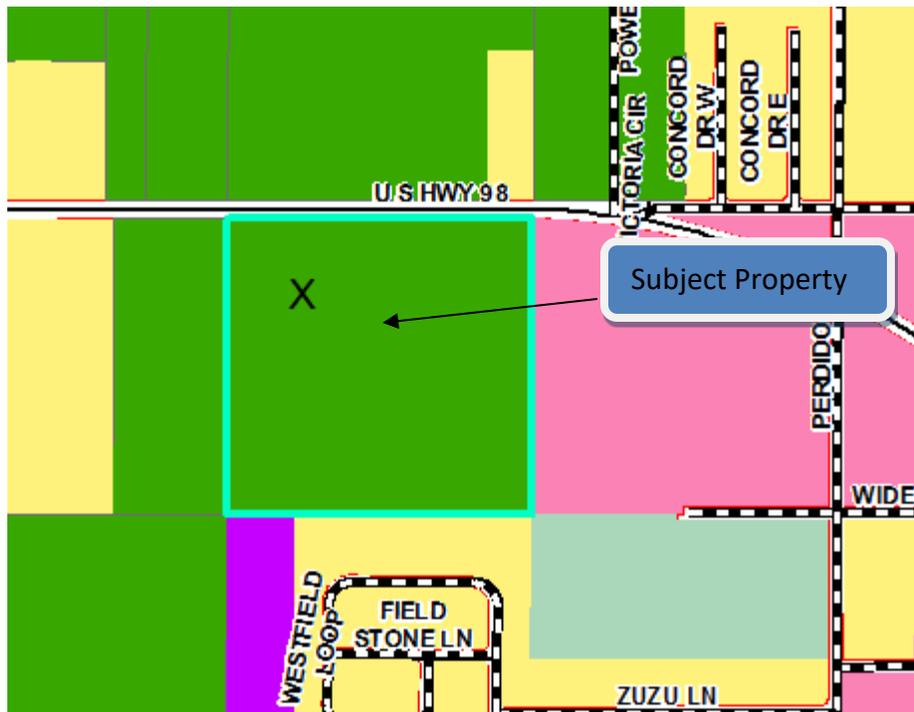
The subject property is currently occupied with a dwelling and several accessory structures. The property adjoins State Highway 98 to the north. The adjoining properties are residential, agricultural, and commercial. The requested zoning designation is B-4, Major Commercial District. There are three (3) parcels zoned B-4 just east of this property.

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 33 was zoned in August 2002. In the last twelve years, the one request to rezone to B-4 was withdrawn.

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

The Baldwin County Master Plan, 2013, provides a future land use designation of Rural for the subject property. If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Commercial. The surrounding future land use designations are residential, industrial, public & semi-public, rural and commercial.



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?

Per the Federal Highway Administration the functional classification of US Hwy 98 is principal arterial. Arterials provide a high level of mobility and a greater degree of access control. As such, staff anticipates no major impacts to traffic patterns or 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.

There are numerous commercial, industrial and residential uses in this area. The proposed rezoning would allow for the proposed use of RV Park and RV Storage.

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

See response to item number 6 which is listed above.

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

Timing is not a factor.

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

Staff is not aware of any environmental conditions or historic resources which would be 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.

Per the Baldwin County Zoning Ordinance a 25-foot buffer will be required along the west and south property lines.

Section 17.2 Buffers of Unlike Land Uses and Zoning Designations

(c) Institutional uses, Professional Business uses (B-1), Neighborhood Business uses (B-2), General Business uses (B-3), Major Commercial uses (B-4) and Marine Recreation (MR) uses when adjacent to a Rural District (RR, RA and CR), Residential Single Family Estate District (RSF-E) or Single Family District (RSF-1, RSF-2, RSF-3, RSF-4 and RSF-6) shall require a minimum buffer of 25-feet.

Staff Comments and Recommendation

As stated previously, the subject property is currently zoned RA, Rural Agriculture District, and is currently occupied with a dwelling and accessory structures. The property adjoins US Highway 98 to the north. The adjoining properties are residential, agricultural, and commercial. The requested zoning designation is B-4 Major Commercial District. According to the submitted information, the purpose of this request is to allow for RV Park and RV Storage.

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.*

Property Images





SUBJECT PROPERTY

PROPOSED REZONING
FOR THIS PROPERTY
Case Number
Z-18027
For Information Contact
Baldwin County Planning &
Zoning Department
(251)500-1655 / (251)990-4623
(251)993-8523

05/10/2018



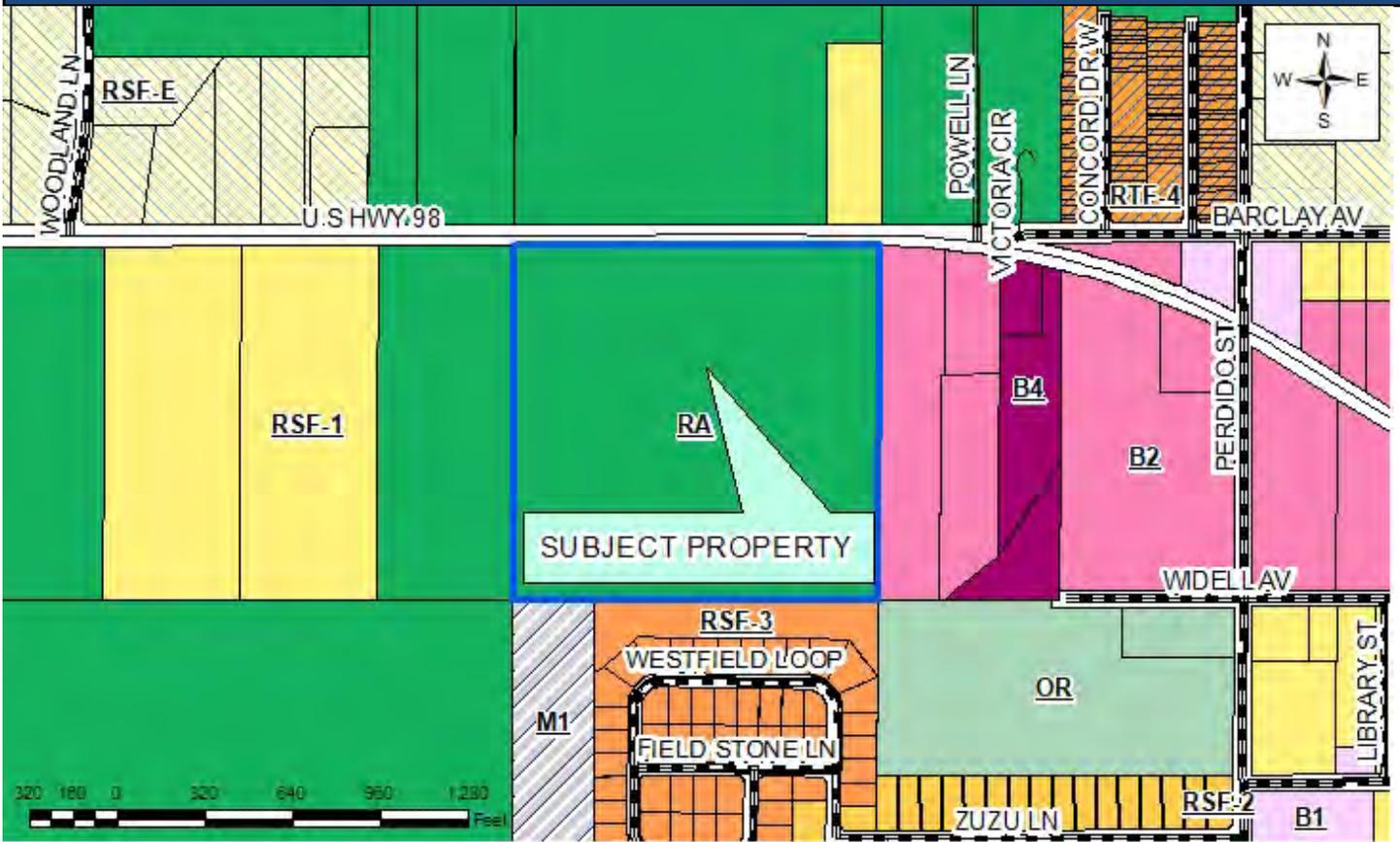
**ADJOINING PROPERTY -
RESIDENCE TO THE NORTH**

05/10/2018





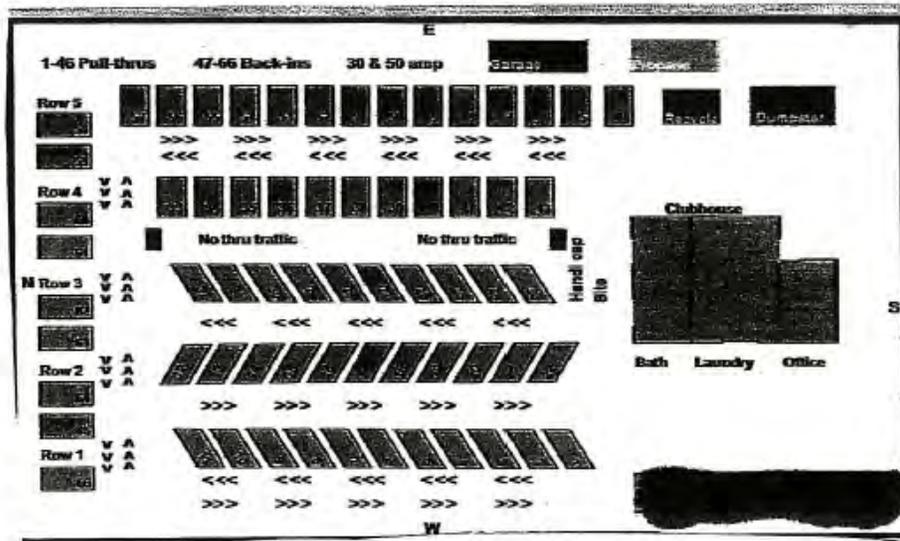
Locator Map



Site Map

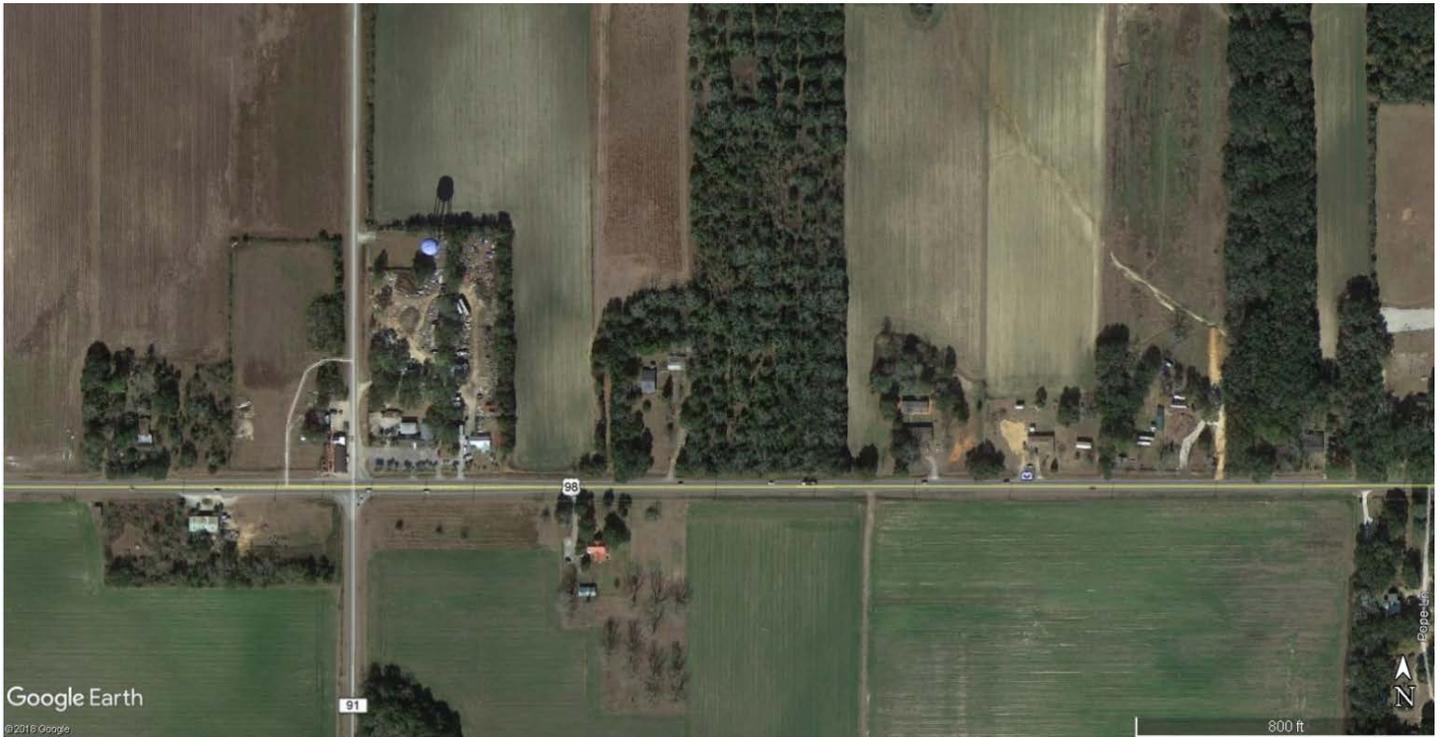


Sample RV Park Site Plan Submitted

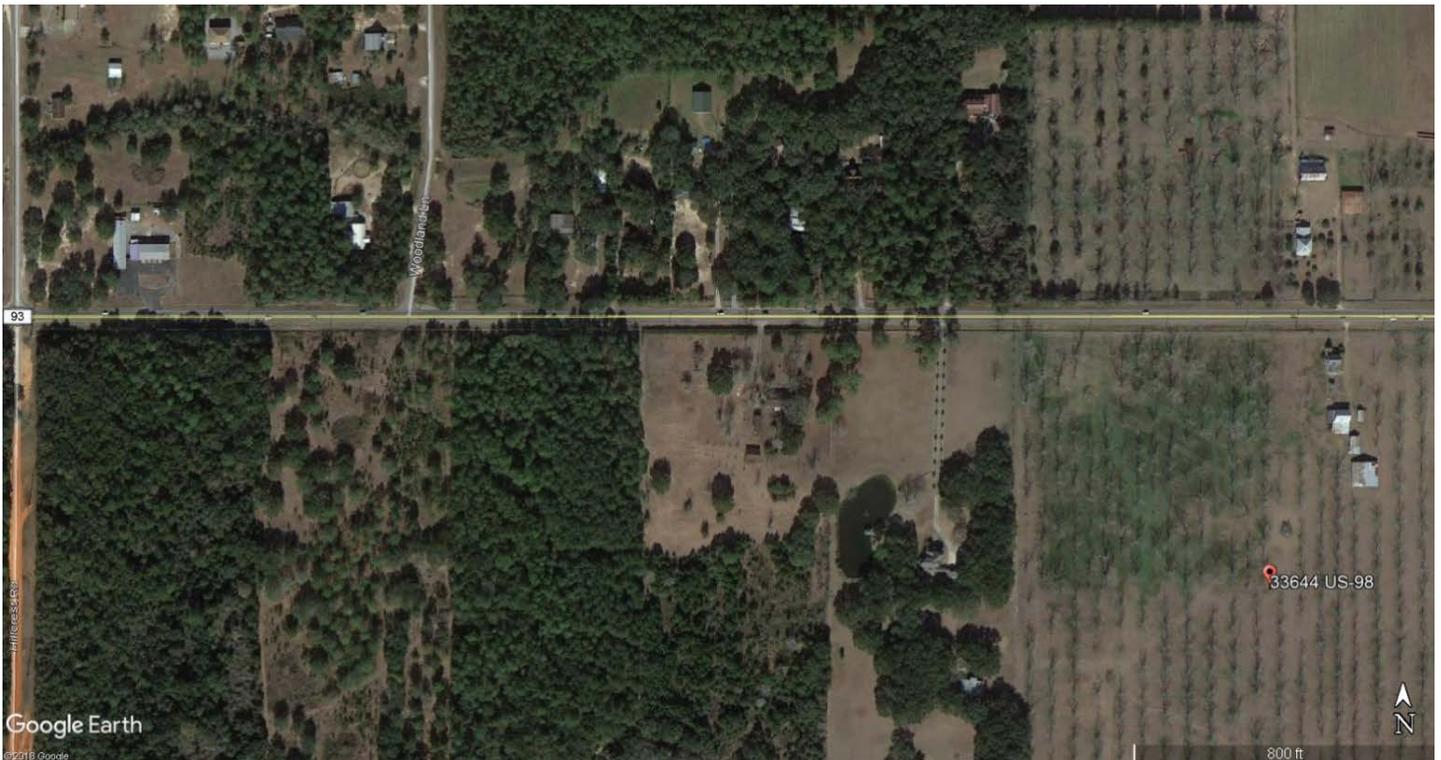


This is a typical site plan. Final plan to be determined by engineering firm. ALL sites will exceed code in size. ALL sites will have 20-30-50 amp electrical service. ALL sites will have water and sewer, fire hydrant directly across st. from park.

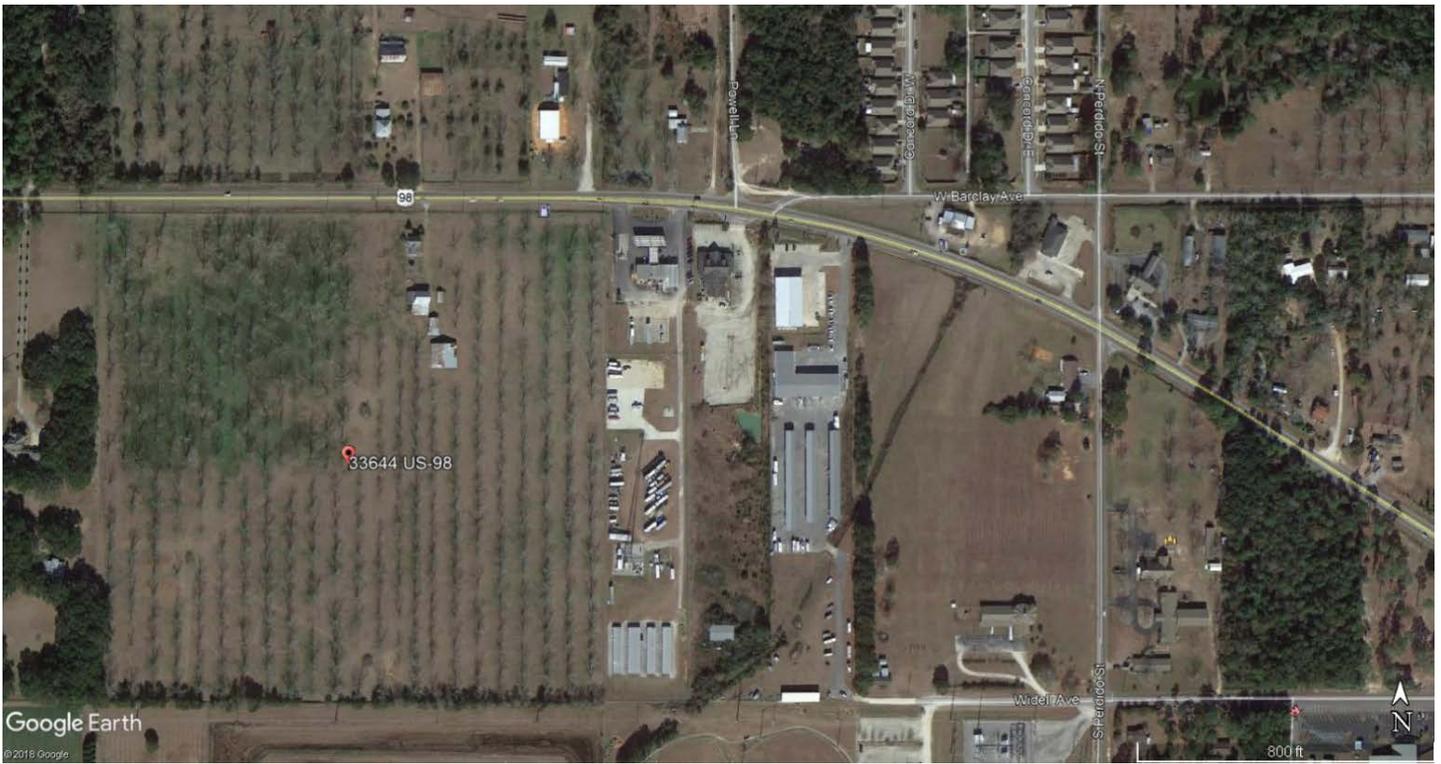
Google Earth Aerial Views of Highway 98



Beginning at County Road 91

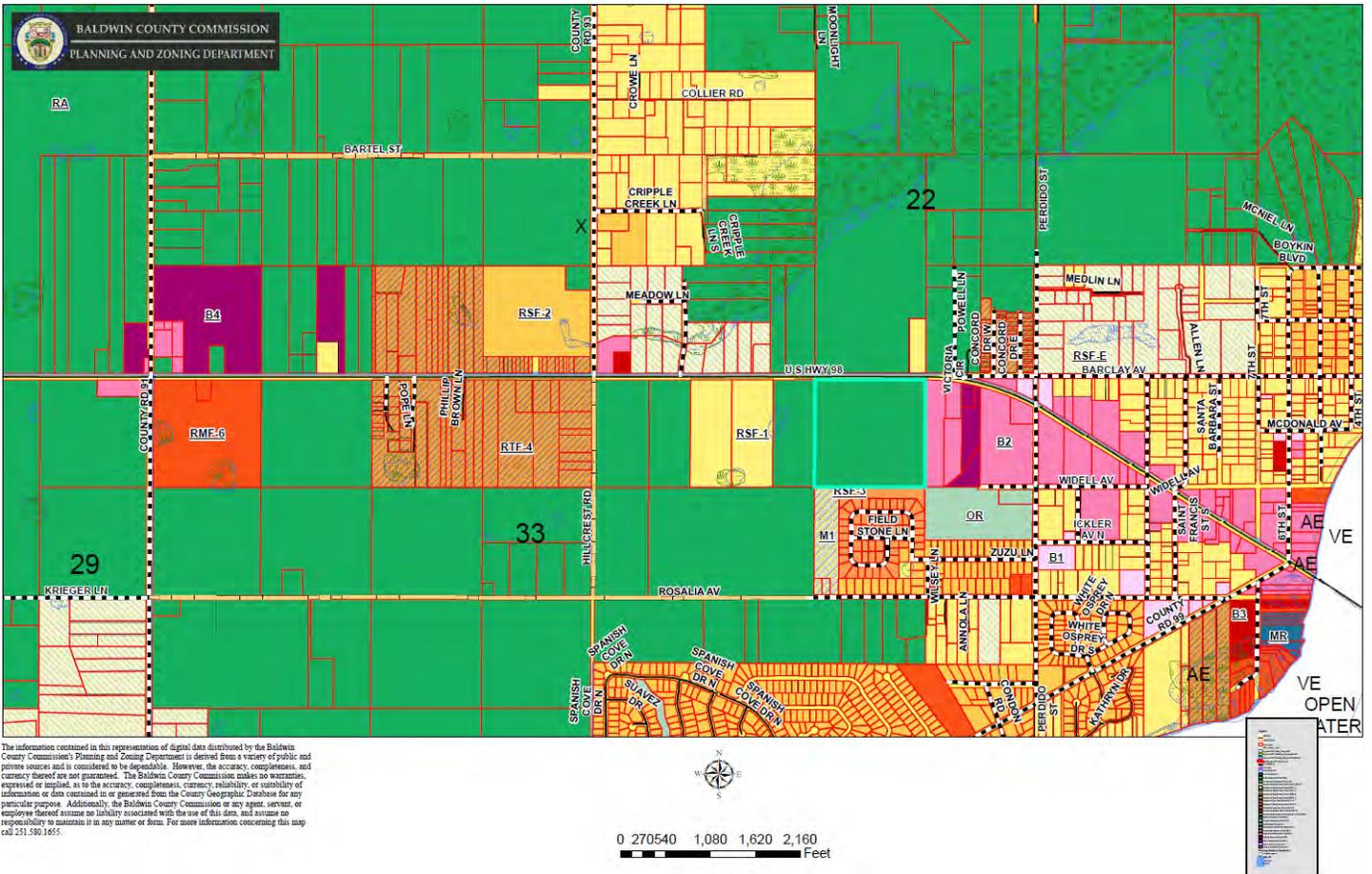


Beginning at County Road 93



Beginning at Subject Property

Area Zoning Map





Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.b

Case No. Z-18028

Lazzari Property

Rezone RA, Rural Agricultural District to B-3, General Business District

June 7, 2018

Subject Property Information

Planning District: 15
General Location: Northeast corner of County Road 64 and County Road 66 N
Physical Address: N/A
Parcel Number: A part of 05-42-03-08-0-000-042.000
Existing Zoning: RA, Rural Agricultural District
Proposed Zoning: B-3, General Business District
Existing Land Use: Undeveloped
Proposed Land Use: Office/Warehouse for Construction Business, Possible Future Development
Acreage: 19 ± acres (Total property is 58 acres)
Applicant: Eric V. Lazzari
P.O. Box 1015
Daphne, AL 36526
Owner: Same
Lead Staff: Vince Jackson, Planning Director
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Agricultural/Residential	RA, Rural Agricultural District
South	Agricultural/Residential	RA, Rural Agricultural District
East	Residential	RSF-1, Single Family District
West	Agricultural	RA, Single Family District

Summary

The subject property is currently zoned RA, Rural Agricultural District, and is currently undeveloped. The designation of B-3, General Business District, has been requested. According to the submitted information, the purpose of this application is to allow for the construction of an office/warehouse for the applicant's construction business. Future development is also a consideration.

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:

- (a) The following general commercial uses: recreational vehicle park (see *Section 13.9: Recreational Vehicle Parks*).
- (b) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

3.2.4 *Conditional uses.* 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 conditional uses:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.

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 18.6 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

Section 5.3 B-3, General Business District

5.3.1 *Purpose and intent.* The purpose of this district is to provide for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district shall only be applied at appropriate locations: to conveniently meet these needs; in conformance with the goals, objectives and policies and location criteria of the Comprehensive Plan; compatible with the surrounding land uses and zoning districts; where it will not adversely impact the facilities and services of the County; where it will not set a precedent for the introduction of inappropriate uses into an area; and so as not to encourage non-residential strip development along streets

5.3.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-3, General Business District:

- | | |
|------------------------------------------------------------------|------------------------------------------|
| (a) All uses permitted by right under the B-2 zoning designation | (cc) Funeral home |
| (b) Air conditioning sales and service | (dd) Golf course |
| (c) Amusement arcade | (ee) Golf driving range |
| (d) Animal clinic/kennel | (ff) Grocery store |
| (e) Arboretum | (gg) Landscape sales |
| (f) Auto convenience market | (hh) Marine store and supplies |
| (g) Automobile service station | (ii) Miniature golf |
| (h) Bakery, wholesale | (jj) Mini-warehouse |
| (i) Ball field | (kk) Night club, bar, tavern |
| (j) Bicycle sales and service | (ll) Nursery |
| (k) Bowling alley | (mm) Office equipment and supplies sales |
| (l) Business machine sales and service | (nn) Park or playground |
| (m) Business school or college | (oo) Pawn shop |
| (n) Butane gas sales | (pp) Pet shop |
| (o) Cemetery | (qq) Plumbing shop |
| (p) City hall or courthouse | (rr) Printing/publishing establishment |
| (q) Country club | (ss) Restaurant sales and supplies |
| (r) Department store | (tt) Riding academy |
| (s) Discount/variety store | (uu) Rug and/or drapery cleaning service |
| (t) Drug store | (vv) Seafood store |
| (u) Elevator maintenance service | (ww) Sign shop |
| (v) Exterminator service office | (xx) Skating rink |
| (w) Farmer's market/truck crops | (yy) Stone monument sales |
| (x) Firing range | (zz) Swimming pool (outdoor) |
| (y) Fitness center or gym | (aaa) Taxidermy |
| (z) Florist | (bbb) Teen club or youth center |
| (aa) Fraternity or sorority house | (ccc) Tennis court (outdoor) |
| (bb) Fruit and produce store | (ddd) Wildlife sanctuary |
| | (eee) YMCA, YWCA |

5.3.3 *Conditional uses.* The following uses are permissible as conditional uses in the B-3: General Commercial District, subject to the standards and procedures established in *Section 18.11: Conditional Use*:

- | | |
|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| (a) Airport | (x) Hospital |
| (b) Ambulance/EMS service | (y) Landfill |
| (c) Amusement park | (z) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies |
| (d) Armory | (aa) Manufactured housing sales, service and repair |
| (e) Auditorium, stadium, coliseum | (bb) Marina |
| (f) Automobile parts sales | (cc) Motorcycle sales service and repair |
| (g) Automobile repair (mechanical and body) | (dd) Movie theatre |
| (h) Automobile storage (parking lot, parking garage) | (ee) Radio/television tower |
| (i) Barge docking | (ff) Railroad facility |
| (j) Boat sales and service | (gg) Recreational vehicle park |
| (k) Broadcasting station | (hh) Recreational vehicle sales service, and repair |
| (l) Building materials | (ii) Restaurant, drive-in |
| (m) Bus and railroad terminal facility | (jj) Restaurant, fast-food |
| (n) College or university | (kk) Sewage treatment plat |
| (o) Convalescent or nursing home | (ll) Taxi dispatching station |
| (p) Correctional or penal institution | (mm) Taxi terminal |
| (q) Dog pound | (nn) Telephone exchange |
| (r) Electric power substations | (oo) Water or sewage pumping station |
| (s) Farm implements | (pp) Water storage tank |
| (t) Flea market | (qq) Wireless telecommunication facility |
| (u) Freight depot, rail or truck | (rr) Zoo |
| (v) Home improvement center | |
| (w) Hotel or motel | |

5.3.4 *Area and dimensional ordinances.*

Maximum Height of Structure in Feet	40
Maximum Height of Structure in Habitable Stories	3
Minimum Front Yard	40-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.70
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

5.3.5 *Lighting standards.* The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one-foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

5.3.6 *Distance between structures.* If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

5.3.7 *Landscaping and buffering.* All B-3, General Business District, uses shall meet the requirements of *Article 17: Landscaping and Buffers*.

Agency Comments

Baldwin County Highway Department (Frank Lundy): The access point needs to be closely reviewed with connection made to County Road 66 N rather than County Road 64, if possible.

Army Corps of Engineers: No comments received.

ADEM (Scott Brown): No comments.

Baldwin County Subdivision Department (Seth Peterson): Any commercial development at this location will need a commercial turnout permit from the Permitting Section of the Baldwin County Highway Department. This permit will be reviewed during the land use permitting process.

Municipality: No comments received

Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

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

The subject property is zoned RA, Rural Agricultural District, and is currently undeveloped. The property adjoins County Road 64 to the south and County Road 66 N to the west. Adjacent properties are all agricultural and residential.

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?

The zoning for Planning District 15 was adopted by the County Commission on August 1, 2006. The subject property was zoned RA, Rural Agricultural District at that time. Staff is unaware of any changes.

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

The Baldwin County Master Plan, 2013, provides a future land use designation of Agricultural for the subject property. If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Commercial.

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

No conflicts.

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

A rezoning to commercial will most likely bring about a traffic increase, but the extent will be difficult to ascertain until the property is developed. It is unlikely that the proposed use will generate significant amounts of traffic.

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.

See response to item number 1 listed above.

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

There is no B-3 zoning near the subject property.

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

Timing is not a factor.

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 which would be impacted by this request.

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

No adverse impacts.

11.) Other matters which may be appropriate.

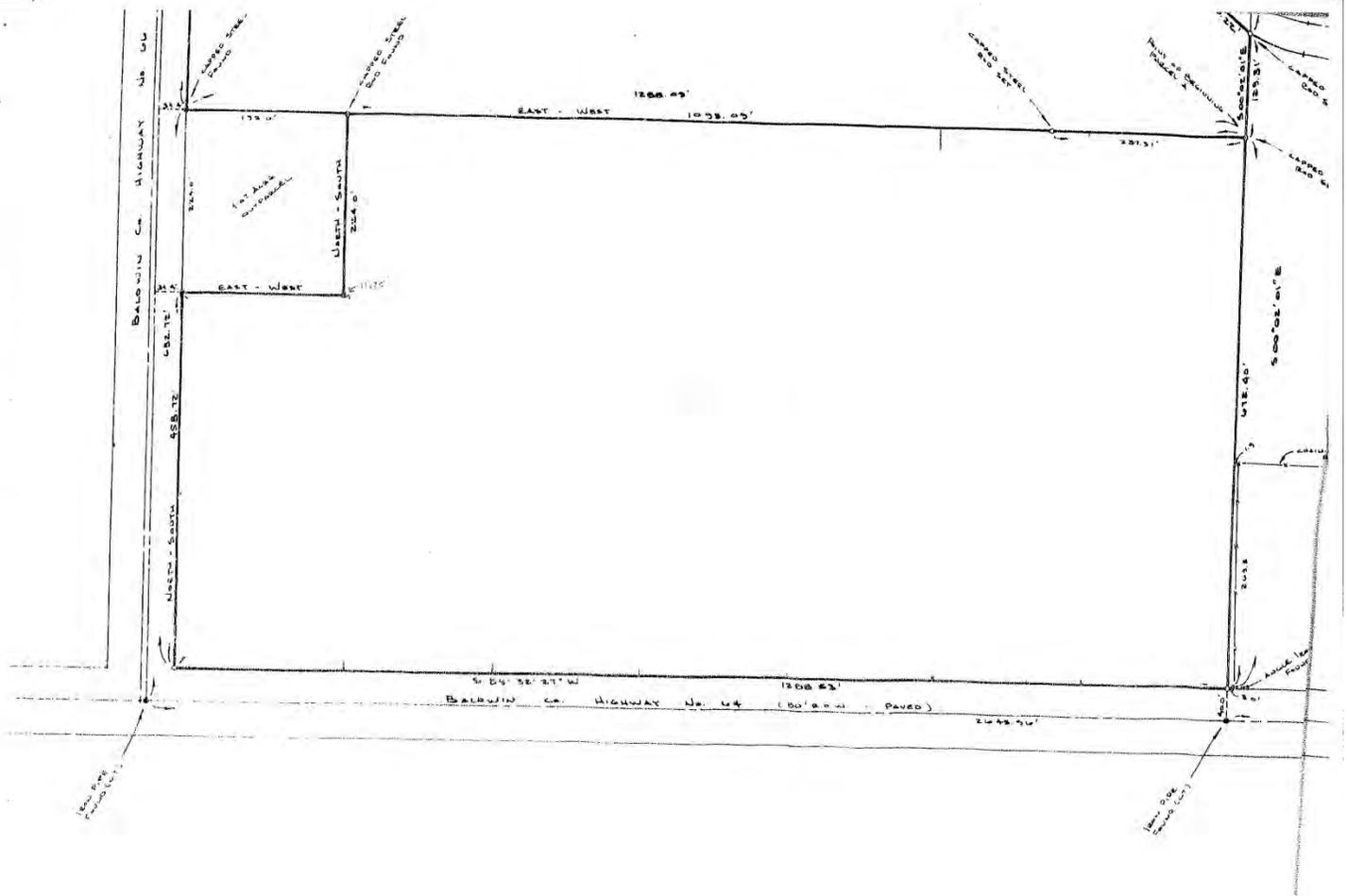
If the rezoning is approved, a 25' wide landscaped buffer will be required between the subject property and the adjacent parcels.

Staff Comments and Recommendation

As stated previously, the subject property is currently zoned RA, Rural Agricultural District, and is currently undeveloped. The designation of B-3, General Business District, has been requested. According to the submitted information, the purpose of this application is to allow for the construction of an office/warehouse for the applicant's construction business. Future development is also a consideration.

Unless information to the contrary is revealed at the public hearing, staff feels this rezoning application should be recommended for **APPROVAL**. * It should be noted that drainage and required access improvements will be addressed during the land use certificate process.

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



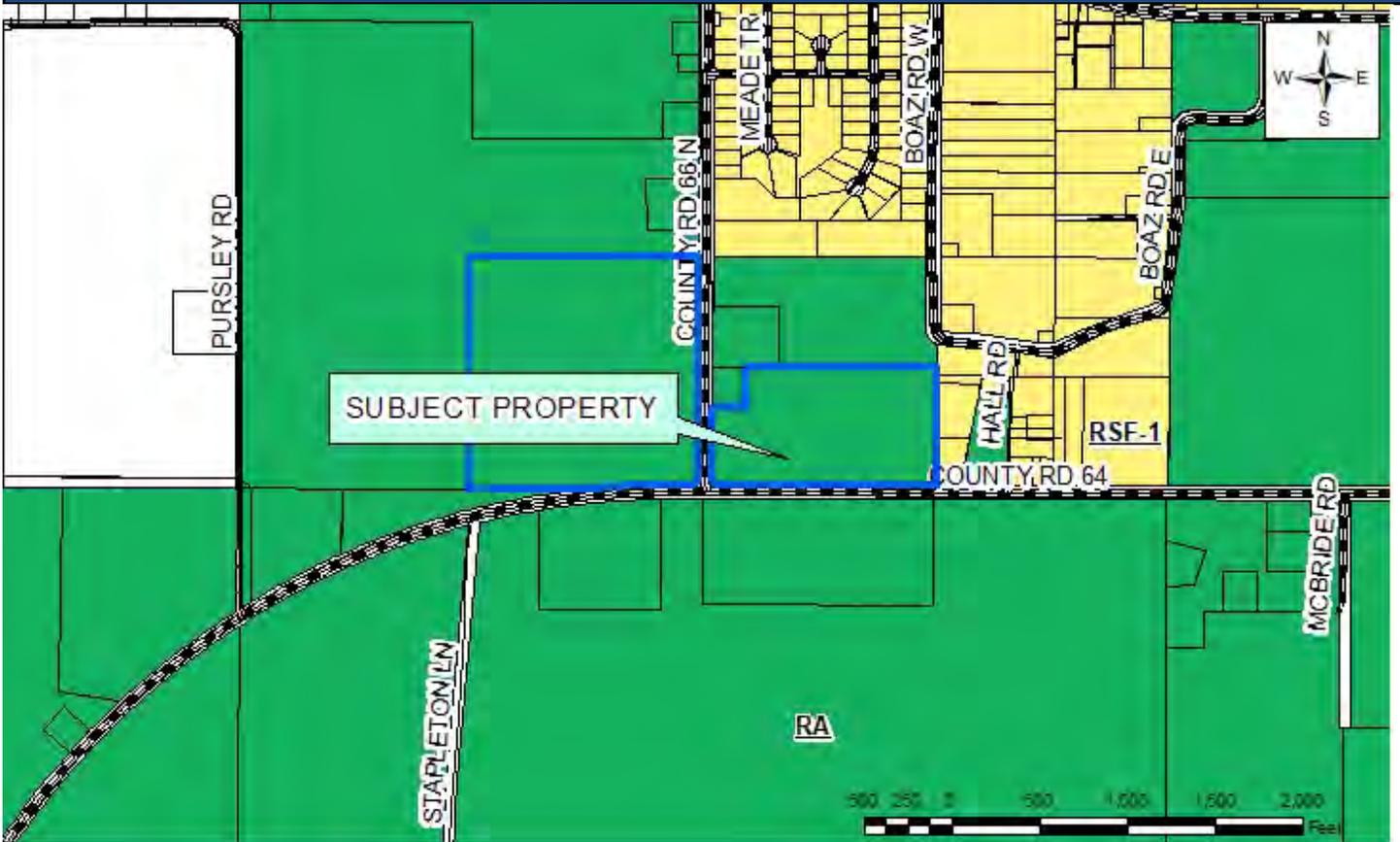
Property Images



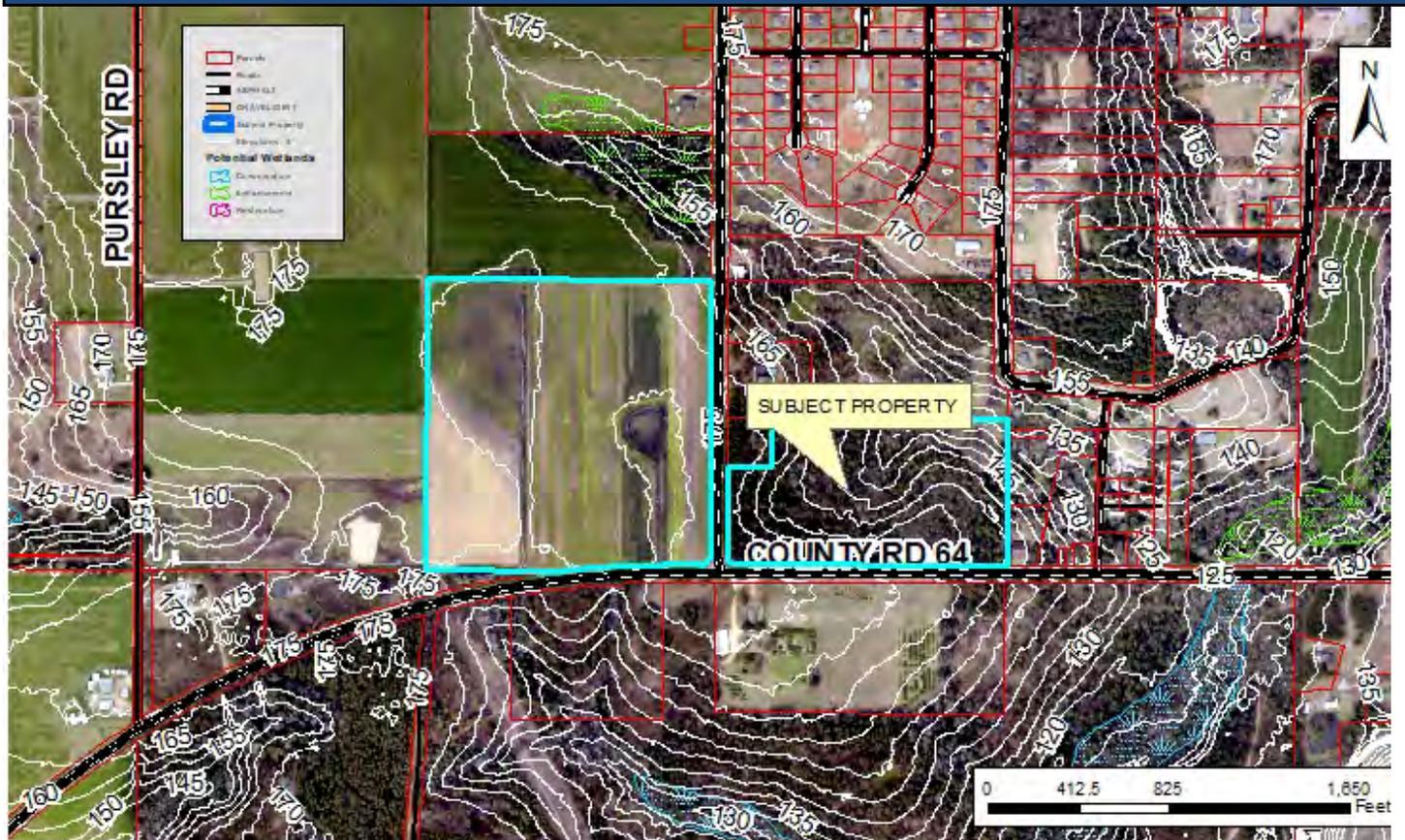




Locator Map



Site Map





Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.c

Case No. Z-18029

1st American Investments LLC Property

Rezone RA, Rural Agriculture District to B-4, Major Commercial District

June 7, 2018

Subject Property Information

Planning District: 22
General Location: South side of U.S. Highway 98, west of County Road 97
Physical Address: 28400 U.S. Highway 98, Elberta
Parcel Numbers: North 8 acres of 05-53-07-25-0-000-001.000
Existing Zoning: RA, Rural Agriculture District
Proposed Zoning: B-4, Major Commercial District
Existing Land Use: Vacant
Proposed Land Use: Recreational Vehicle, Automobile, and Boat Storage
Acreage: 8 acres, more or less, (Total parcel is approximately 16 acres)
Applicant: Hutchison, Moore & Rauch, LLC
 P.O. Box 1127
 Daphne, AL 36526
Owner: Juan C. Zamora
 9600 NW 77 Ave
 Hialeah, FL 33014
Lead Staff: Celena Boykin, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Agriculture/Residential	RA, Rural Agricultural
South	Agriculture	RA, Rural Agricultural
East	Commercial	RA, Rural Agricultural and B4, Major Commercial
West	Agriculture/Residential	RA, Rural Agricultural

Summary

The subject property, which consists of 16 acres, is currently zoned RA, Rural Agriculture District. The designation of B-4, Major Commercial District, has been requested to establishing recreational vehicle and boat storage on the northern eight (8) acres. The applicant is only asking for the northern 8 acres to be rezoned. According to the information provided, the owner will reside on the southern portion of the property which will remain RA.

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:

- (a) The following general commercial uses: recreational vehicle park (see *Section 13.9: Recreational Vehicle Parks*).
- (b) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

3.2.4 *Conditional uses.* 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 conditional uses:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.

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 18.6 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

Proposed Zoning Requirements

Section 5.4 B-4, Major Commercial District

5.4.1 *Purpose and intent.* The B-4, Major Commercial District, is intended for business uses which require a location with access to an arterial or major collector road (as defined by the Functional Classification System attached as Appendix) or which have close proximity to major intersections. Due to the nature of the businesses permitted within the B-4 district, this zoning designation should be limited to property fronting on principal arterials, major arterials or minor arterials. Ingress and egress to a roadway should promote safe and smooth traffic flow for the general traveling public. It is also the intent of this district to provide areas for businesses which, because of their intensity, outside storage areas, or large volumes of traffic, would have significant negative impacts on adjoining properties. These uses often have an actual or potential negative impact on surrounding properties due to late hours of operation, noise, and or light.

5.4.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the B-4, Major Commercial District:

- (a) All uses permitted by right under the B-3 zoning designation
- (b) Amusement park
- (c) Auto convenience market (limited to less than 4,000 sq.ft. of gross floor area and maximum of 4 fueling pumps)
- (d) Automobile parts sales
- (e) Automobile repair (mechanical and body)
- (f) Automobile sales
- (g) Automobile service station
- (h) Automobile storage (parking lot, parking garage)

- (i) Boat sales and service
- (j) Building materials
- (k) Farm implements
- (l) Flea market
- (m) Home improvement center
- (n) Hotel or motel
- (o) Manufactured housing sales, service and repair
- (p) Marina
- (q) Motorcycle sales service and repair
- (r) Movie theatre
- (s) Recreational vehicle park
- (t) Recreational vehicle sales, service and repair
- (u) Restaurant, drive-in
- (v) Restaurant, fast food

5.4.3 *Conditional uses.* The following uses are permissible as conditional uses in the B-4, Major Commercial District, subject to the standards and procedures established in *Section 18.11: Conditional Uses:*

- (a) Airport
- (b) Ambulance/EMS service
- (c) Armory
- (d) Auditorium, stadium, coliseum
- (e) Barge docking
- (f) Broadcasting station
- (g) Bus and railroad terminal facility
- (h) College or university
- (i) Convalescent or nursing home
- (j) Correctional or penal institution
- (k) Dog pound
- (l) Electric power substations
- (m) Freight depot, rail or truck
- (n) Hospital
- (o) Landfill
- (p) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies
- (q) Race track
- (r) Radio and television station and transmitting tower
- (s) Railroad facility
- (t) Sewage treatment plant
- (u) Taxi dispatching station
- (v) Taxi terminal
- (w) Telephone exchange
- (x) Water or sewage pumping station
- (y) Water storage tank
- (z) Wireless telecommunication facility
- (aa) Zoo

5.4.4 *Area and dimensional ordinances.*

Maximum Height of Structure in Feet	40
Maximum Height of Structure in Habitable Stories	3
Minimum Front Yard	40-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.70
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

5.4.5 *Lighting standards.* The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

5.4.6 *Distance between structures.* If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

5.4.7 *Landscaping and buffering.* All B-4, Major Commercial District, uses shall meet the requirements of *Article 17, Landscaping and Buffers.*

Agency Comments

Baldwin County Highway Department:

Seth Peterson – No comments.

ADEM: No comments received.

ALDOT: No comments received.

Staff Analysis and Findings

The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

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

The subject property is currently vacant. The property adjoins State Highway 98 to the north. The adjoining properties are residential, agricultural, and commercial.

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?

No changes.

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

The Baldwin County Master Plan, 2013, provides a future land use designation of Agricultural for the subject property. Approval of the rezoning will result in an amendment of the Future Land Use Map to commercial for the northern eight acres.

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

No conflicts.

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

No adverse impacts.

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.

See response to Standard Number 1.

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

The adjacent parcels to the south and west are zoned RA. Properties to the east are zoned B-4, B-2, and RA.

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

Timing is not a factor.

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

Baldwin County GIS indicates a small area of potential wetlands near the northeast corner of the subject property. There should be no issues with the current development plans.

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.

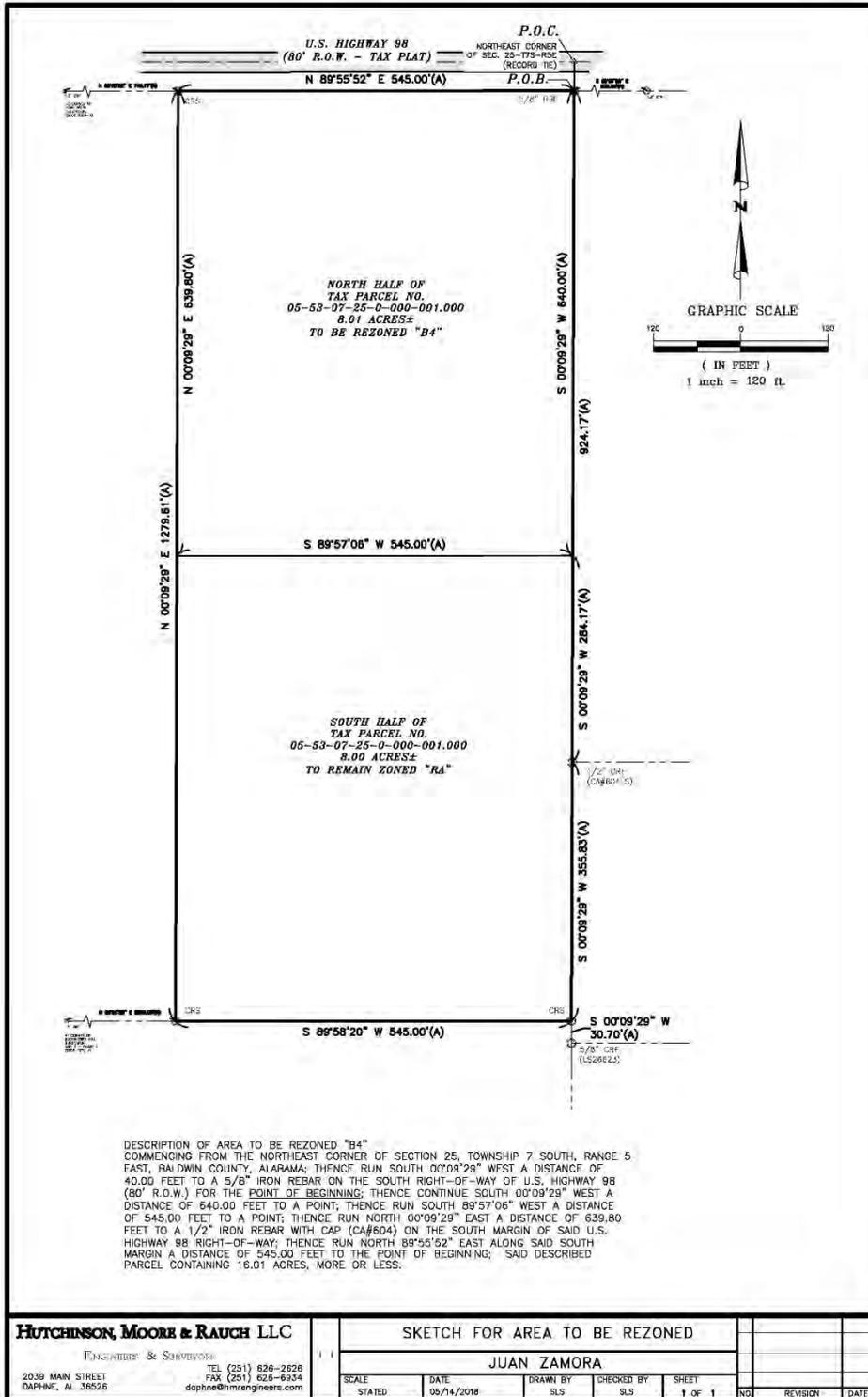
Staff Comments and Recommendation

As stated previously, subject property, which consists of 16 acres, is currently zoned RA, Rural Agriculture District. The designation of B-4, Major Commercial District, has been requested to establishing recreational vehicle and boat storage on the northern eight (8) acres. The applicant is only asking for the northern 8 acres to be rezoned. According to the information provided, the owner will reside on the southern portion of the property which will remain RA.

Staff has no major issues with this request and recommends **APPROVAL** to the County Commission. * A decision should be made, based on the information obtained at the public hearing.

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

Survey



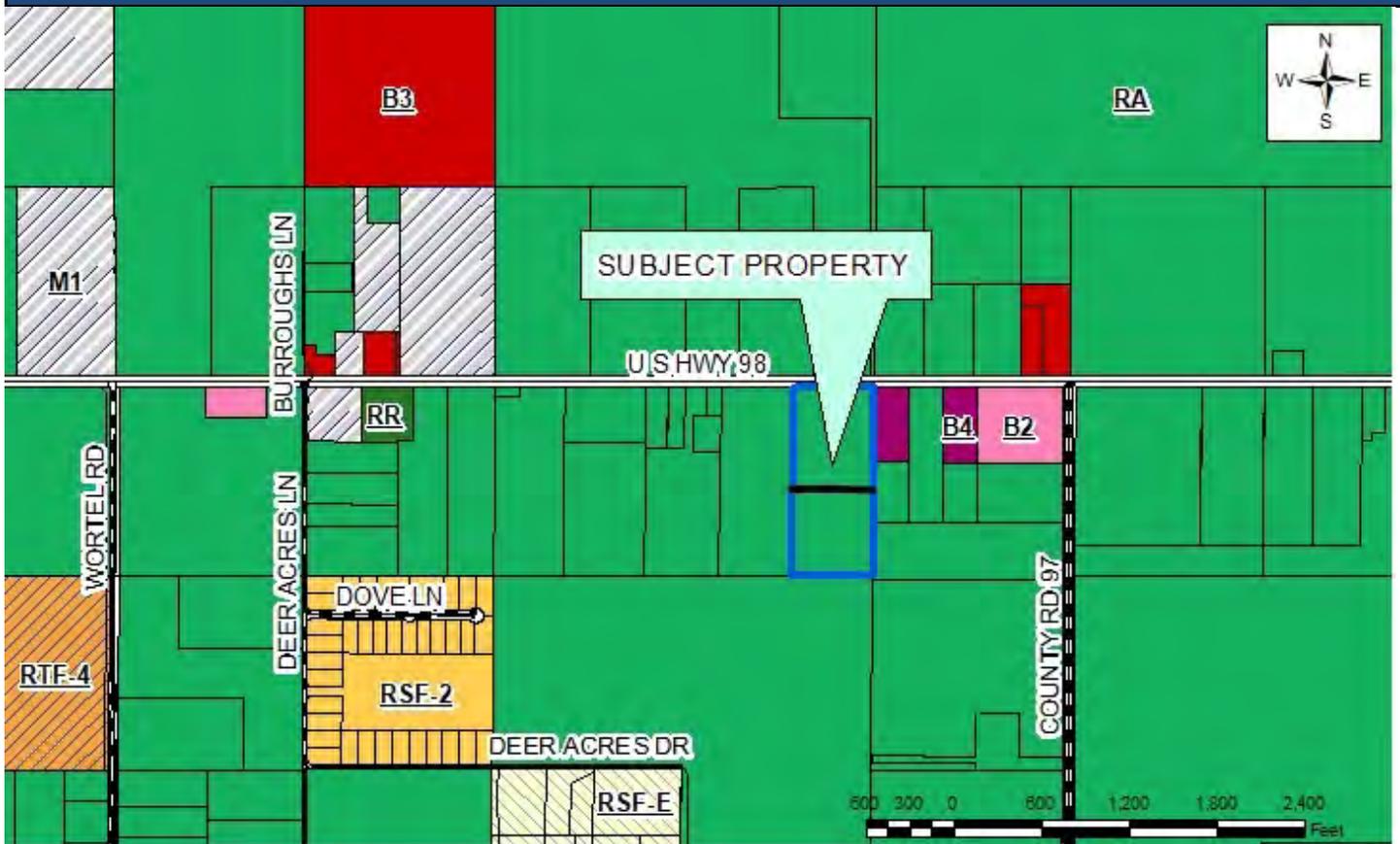
Property Images







Locator Map



Site Map

