



Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Agenda Item

Case No. Z-21016

Pate Property

Rezone RSF-1, Single Family District to RSF-E, Single Family Estate District

July 20, 2021

Subject Property Information

Planning District: 32
General Location: South side of Josephine Drive east of Marjon Lane
Physical Address: 6409 Josephine Drive
Parcel Number: 05-62-07-25-0-000-055.000
Existing Zoning: RSF-1, Single Family District
Proposed Zoning: RSF-E, Single Family Estate District
Existing Land Use: Undeveloped
Proposed Land Use: Accessory Structure for Agricultural Equipment and to allow Horses
Acreage: 2.26± acres
Applicant: Stephen and Karen Pate
28617 N. Quarry Drive
Elberta, AL 36530
Owner: Same
Lead Staff: Linda Lee, Planner
Attachments: *Within Report*

Adjacent Land Use		Adjacent Zoning
North	Undeveloped	RA, Rural Agricultural District
South	Residential	RA, Rural Agricultural District
East	Residential	RMF-6, Multi-Family District
West	Residential	RSF-1, Single Family District

Summary

The subject property is currently zoned RSF-1, Single Family District, and is currently undeveloped. The property adjoins Josephine Drive to the south. The adjoining properties are residential, and vacant. The requested zoning designation is RSF-E, Single Family Estate District. According to the submitted information, the purpose of this request is to accommodate an accessory structure to house agricultural equipment and allow horses on the property.

Section 4.2 RSF-1, Single Family District

4.2.1 Generally. This zoning district is provided to afford the opportunity for the choice of a low density residential environment consisting of single family homes on large lots.

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

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

4.2.3 Conditional 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) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.2.4 Special exception. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

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

4.2.5 Area and dimensional ordinances. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Maximum Height in Habitable Stories	2 1/2
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	30,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Minimum Lot Width at Street Line	50-Feet
Maximum Ground Coverage Ratio	.35

Section 4.1 RSF-E, Residential Single Family Estate District

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

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

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

4.1.3 *Conditional 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) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.1.4 *Special exception.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

4.1.5 *Area and dimensional ordinances.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
Maximum Height in Habitable Stories	2 1/2
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	80,000 Square Feet
Minimum Lot Width at Building Line	165-Feet
Minimum Lot Width at Street Line	165-Feet
Maximum Ground Coverage Ratio	.35

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

Minimum Front Yard	30-Feet
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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

Agency Comments

Baldwin County Highway Department:

From: Alfreda Jeffords <Weesie.Jeffords@baldwincountyal.gov>

Sent: Monday, May 17, 2021 11:22 AM

To: D Hart <DHart@baldwincountyal.gov>

Cc: Tyler W. Mitchell <TMITCHELL@baldwincountyal.gov>; Buford King <Buford.King@baldwincountyal.gov>

Subject: RE: Z-21016

DJ,

Baldwin County does maintain this roadway. The driveway connection would be applied for through Area 300 Maintenance facility

Thanks,
Weesie

Baldwin County Subdivision Department:

From: Buford King <Buford.King@baldwincountyal.gov>

Sent: Monday, May 17, 2021 2:16 PM

To: D Hart <DHart@baldwincountyal.gov>; Mary Booth <MBOOTH@baldwincountyal.gov>

Cc: Alfreda Jeffords <Weesie.Jeffords@baldwincountyal.gov>; Tyler W. Mitchell <TMITCHELL@baldwincountyal.gov>

Subject: RE: Z-21016

Hi DJ, no real subdivision comments on this one, I think this is strictly land use

From: Mary Booth <MBOOTH@baldwincountyal.gov>

Sent: Monday, May 17, 2021 1:07 PM

To: D Hart <DHart@baldwincountyal.gov>

Cc: Buford King <Buford.King@baldwincountyal.gov>

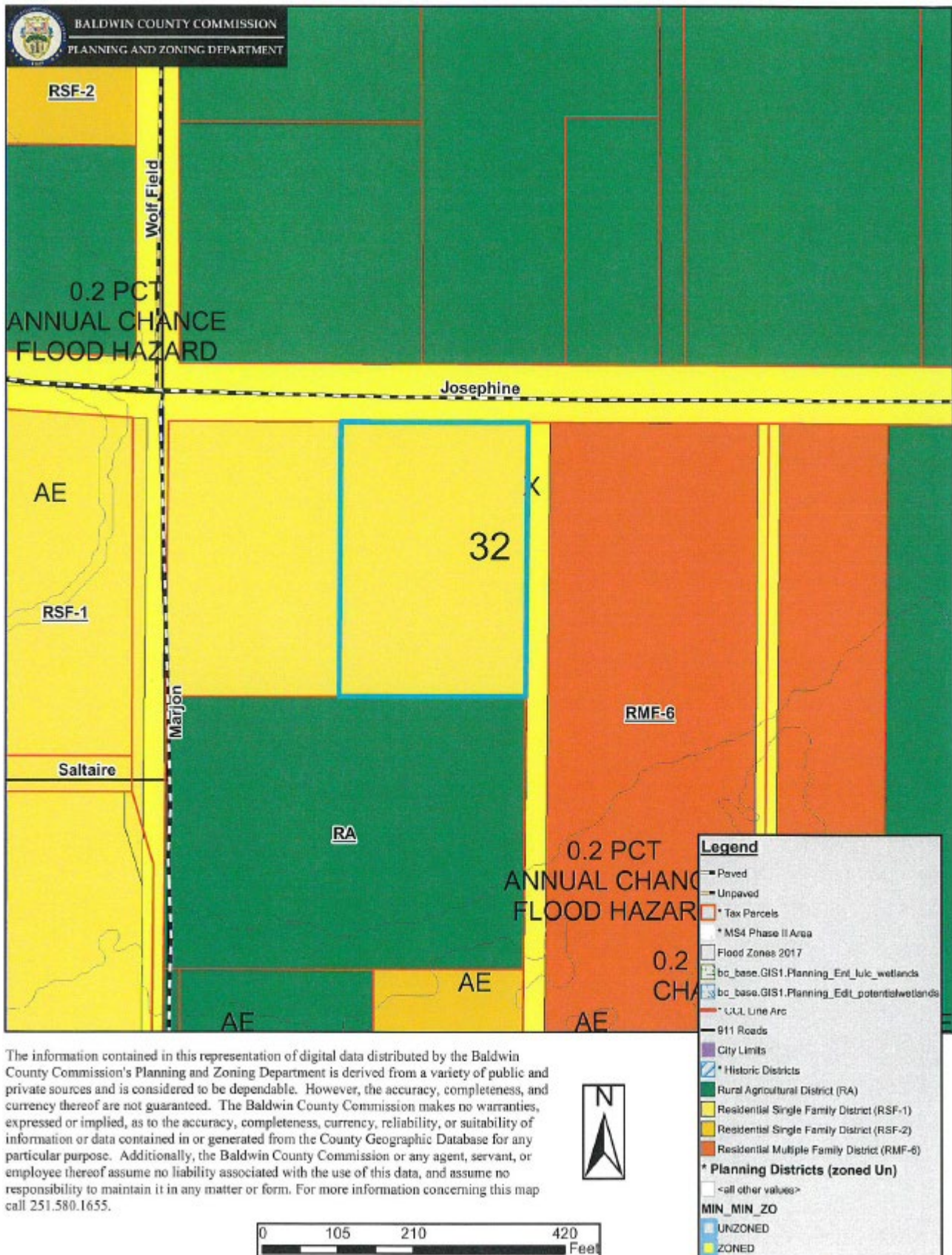
Subject: RE: Z-21016

I have no comments.

Thanks,
Mary

Alabama Department of Transportation: No comments received

Survey



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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 zoned RSF-1, Single Family District, and is undeveloped. The adjacent properties are zoned RSF-1, RMF-6, and RA. The adjacent uses are residential. The requested change is a residential designation which allows agricultural uses. Staff believes the requested change is compatible with the existing development pattern and zoning of nearby properties.

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

Planning District 32 zoning map was adopted in December 1995. The subject property was zoned RA, Rural Agricultural District at that time. In 2016, the property owner requested an automatic rezoning from RA, Rural Agricultural District to RSF-1, Single Family District to allow the original parcel to be divided into two parcels.



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

The Baldwin County Master Plan, 2013, provides future land use designations for properties located within the zoned areas of the County. These categories represent the recommendations for the physical development of the unincorporated areas of the County. They are intended for planning purposes only and do not represent the adoption of zoning designations for areas which have not voted their desire to come under the zoning authority of the Baldwin County Commission. Although not legally binding, the future land use designations are evaluated in conjunction with criteria found in the Baldwin County Zoning Ordinance (Zoning Ordinance), the Baldwin County Subdivision Regulations, the Baldwin County Flood Damage Prevention Ordinance and any other ordinances and regulations which the County Commission may adopt.

A future land use designation of Residential has been provided for the subject property. The residential category is provided for residential dwelling units including single family dwellings, two family (duplex) dwellings, multiple family dwellings, manufactured homes, manufactured housing parks and Planned Residential Developments. Institutional uses, recreational uses and limited neighborhood commercial uses may be included subject to the provisions of the Zoning Ordinance. To the greatest extent possible, residential areas should be accessible to

The proposed zoning change conforms to the Master Plan.



5.) Will the proposed change adversely affect 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.

The RSF-E zoning designation allows for residential and agricultural uses which would be consistent with the development patterns in the area and appropriate for orderly development of the community.

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

This area of Planning District 32 consists mostly of residential and agricultural zoning districts. Adjacent properties are zoned for residential and agricultural uses. Therefore, staff believes the proposed rezoning is a logical expansion of adjacent zoning districts and appropriate for the lot size.

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

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

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

Staff is unaware of any environmental conditions or historic resources that would be adversely impacted by this request. The Alabama Department of Environmental Management (ADEM) provided no comments.

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

Staff anticipates no adverse impacts. Access to this site would require approval from the Baldwin County Highway Department.

11.) Other matters which may be appropriate.

The Highway Construction Setback for Josephine Drive is 40 feet from the centerline of the right-of-way.

Staff Comments and Recommendation

As stated previously, the subject property is currently zoned RSF-1, Single Family District, and is currently undeveloped. The property adjoins Josephine Drive to the south. The adjoining properties are residential, and vacant. The requested zoning designation is RSF-E, Single Family Estate District. According to the submitted information, the purpose of this request is to accommodate an accessory structure to house agricultural equipment and allow horses on the property.

The Baldwin County Planning Commission considered this request at its June 3, 2021 meeting and voted to recommend APPROVAL to the County Commission. Staff concurs with that recommendation.

**On rezoning applications, the County Commission will have the final decision.*

Property Images





**Property across the
road to the north**

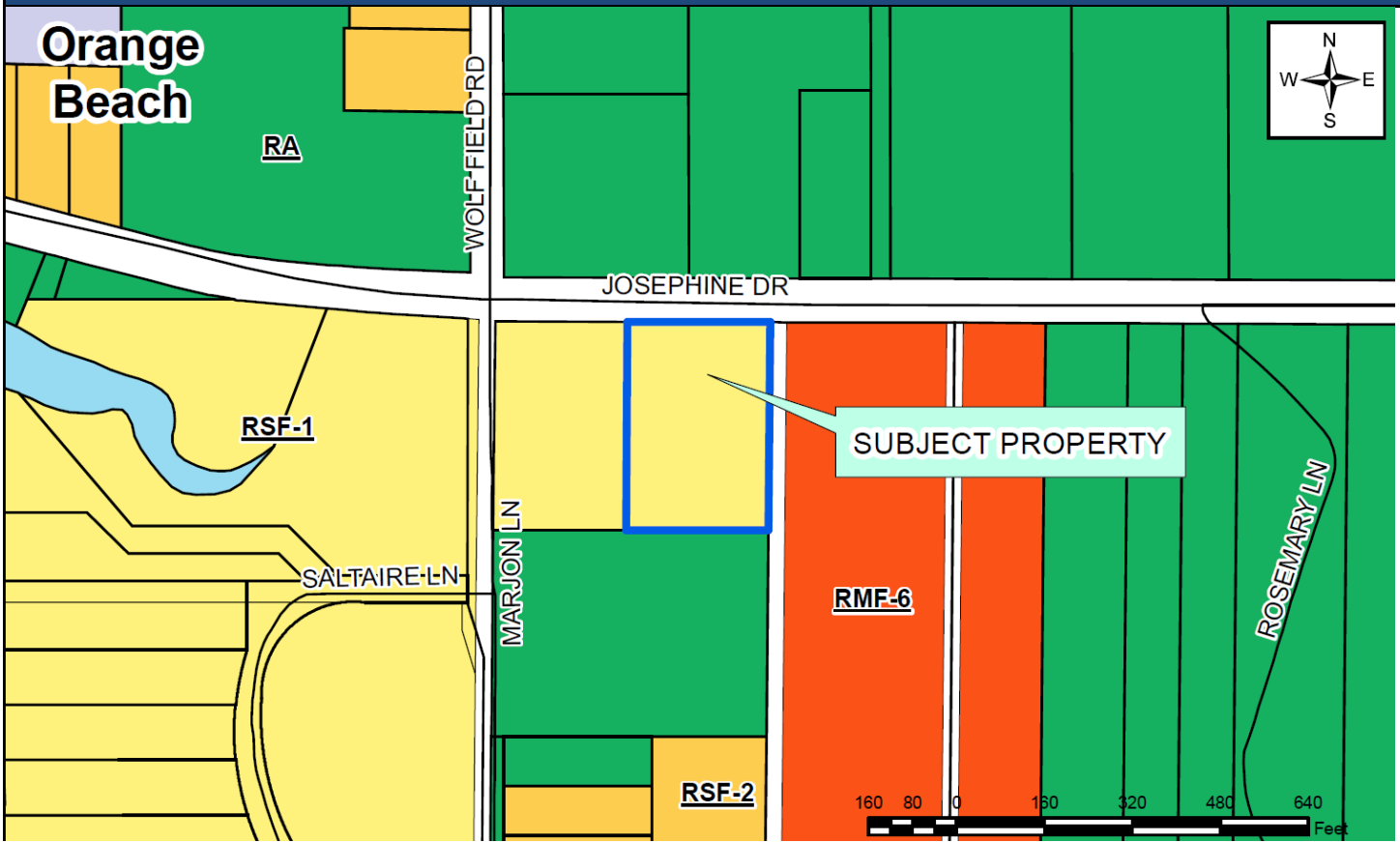


**Adjoining property
to the east**



**Adjoining property
to the west**

Locator Map



Site Map

