

**BALDWIN COUNTY COMMISSION DISTRICT 2
BOARD OF ADJUSTMENT**

AGENDA

November 4, 2019

Regular Meeting

4:00 p.m.

Central Annex Auditorium

22251 Palmer Street

Robertsdale, Alabama

1. Call to Order
2. Roll Call
3. Approval of Previous Meeting Transcript (October 14, 2019)
4. Announcements/Registration to Address the Board of Adjustment
5. Consideration of Applications and Requests

ITEMS:

a.) Case No. SE-19005 Holk Property

Request: Approval of a special exception to allow for two additional storage buildings to be constructed at an existing self-storage facility

Location: The subject property is located at 11423 County Road 64 in Planning District 15

Attachments: *Within Report*

6. Old Business
7. New Business
8. Adjournment



Baldwin County Planning & Zoning Department County Commission District #2

Board of Adjustment Staff Report

Agenda Item

Case No. SE-19005

Holk Property

Special Exception to Allow Two Additional Self Storage Buildings to Existing Facility

November 4, 2019

Subject Property Information

Planning District: 15
General Location: North side of County Road 64, West of County Road 54 East
Physical Address: 11423 County Road 64
Parcel Number: 05-43-06-13-0-000-017.006
Current Zoning: RR, Rural District
Existing Land Use: Self-Storage Facility
Acreage: 3.3 acres, more or less
Applicant: Robert C. Holk
17860 US Highway 98
Foley, AL 36535
Owner: Same
Lead Staff: Linda Lee, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Commercial	RA, Rural Agricultural District
South	Residential	RSF-E, Residential Single Family Estate District
East	Agricultural	RR, Rural District
West	CO Rd 55 & Agriculture	RR, Rural District

Summary and Recommendation

The applicant is requesting a Special Exception to allow for an addition of two (2) self-storage buildings to an existing self-storage facility. The subject property is currently zoned RR, Rural District. According to the zoning ordinance, Table of Permitted Uses (Article 23), mini-warehouse storage facilities may be allowed under the RR designation subject to the Special Exception review and approval of the Board of Adjustment.

Staff recommends that Case No. SE-19005, Holk Property, be **APPROVED** subject to the conditions outlined at the end of this staff report.*

**A majority vote of the board members will be necessary to approve this request.*

Section 3.1 RR, Rural District

3.1.1 *Generally.* This zoning district is provided to accommodate the rural areas of Baldwin County. Rural District ordinances are designed to protect the rural character of the area.

3.1.2 *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) Marine recreation uses.
- (d) Outdoor recreation uses.
- (e) The following general commercial uses: animal clinic and/or kennels; farm implement sales; farmer's market/truck crops; nursery; landscape sales.
- (f) Local commercial uses.
- (g) Professional service and office uses.
- (h) The following institutional uses: church or similar religious facility; child care center; child care institution; day care home; fire station; library; post office; school (public or private).
- (i) Agricultural uses.
- (j) Single family dwellings including manufactured housing and mobile homes.
- (k) Accessory structures and uses.

3.1.3 *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) Light industrial uses.
- (b) General commercial uses not permitted by right, except race track.
- (c) Institutional uses not permitted by right, except correctional, detention, or penal institution and sanitarium.
- (d) Boarding house, rooming house, lodging house, or dormitory.
- (e) Fraternity or sorority house.

3.1.4 *Conditional use.* 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:

Transportation, communication, and utility uses not permitted by right.

3.1.5 *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
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

3.1.6 *Area and dimensional modifications.* Within the RR 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	20,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	80-Feet

Section 13.11 Stormwater Management

A stormwater management plan is required for all major projects. Such plan shall be prepared by a licensed engineer and shall be submitted in conjunction with an application for a land use certificate as herein provided. No development may proceed until a land use certificate has been approved. The Zoning Administrator shall, in consultation with the Building Official and County Engineer or his/her designee, determine that reasonable provisions for properly handling surface drainage have been made in the applicant's design.

Staff Analysis and Findings

As stated above, the applicant is requesting a Special Exception to allow for an addition of two (2) self-storage buildings to an existing self-storage facility.

The Board of Adjustment may, under prescribed standards and procedures, authorize the construction or initiation of any use that is expressly permitted as a Special Exception in a particular zoning district; however, the county reserves full authority to deny any request for a Special Exception, to impose conditions on the use, or to revoke approval at any time, upon finding that the permitted use will or has become unsuitable and incompatible in its location as a result of any nuisance or activity generated by the use.

18.8.4 *Standards for approval.* A special exception may be approved by the Board of Adjustment only upon determination that the application and evidence presented clearly indicate that all of the following standards have been met:

- (a) The proposed use shall be in harmony with the general purpose, goals, objectives and standards of the Baldwin County Master Plan, these ordinances, or any other official plan, program, map or ordinance of Baldwin County.

The Baldwin County Master Plan, 2013, indicates the subject property as rural which is consistent with its current zoning. The requested use is allowed in the RR zoning designation with special exception approval.

(b) The proposed use shall be consistent with the community welfare and not detract from the public's convenience at the specific location.

The existing self-storage facility was permitted prior to the enactment of zoning in planning district 15. The proposed expansion should not detract from the public's convenience at this location.

(c) The proposed use shall not unduly decrease the value of neighboring property.

The use was established in 2005 with the issuance of building permits from the County Building Inspection Department prior to the enactment of zoning in August 2006. The proposed expansion shouldn't unduly decrease the value of neighboring properties.

(d) The use shall be compatible with the surrounding area and not impose an excessive burden or have substantial negative impact on surrounding or adjacent uses or on community facilities or services.

Special Exception approval, if granted, will not change the zoning of the subject property. The zoning will remain RR, which is a rural designation and the primary zoning for the surrounding area. The addition of two self-storage buildings should not impose an excessive burden or have a substantial negative impact on adjacent uses. A revised drainage plan will be required.

18.8.5 Conditions and restrictions on approval. In approving a special exception, the Board of Adjustment may impose conditions and restrictions upon the property benefited by the special exception as may be necessary to comply with the standards set out above, to reduce or minimize any potentially injurious effect of such special exception upon the property in the neighborhood, and to carry out the general purpose and intent of the ordinances. In approving any special exception, the Board of Adjustment may specify the period of time for which such approval is valid for the commencement of the proposed special exception. The Board of Adjustment may, upon written request, grant extensions to such time allotments not exceeding 6 months each without notice or hearing. Failure to comply with any such condition or restriction imposed by the Board of Adjustment shall constitute a violation of these ordinances. Those special exceptions which the Board of Adjustment approves subject to conditions shall have specified by the Board of Adjustment the time allotted to satisfy such conditions.

Staff Comments and Recommendation

Staff feels that this is a reasonable request which meets the standards for approval of Special Exceptions. Unless information to the contrary is revealed at the public hearing, Case SE-19005 should be **APPROVED*** subject to the following conditions:

- Approval shall be for this location only.
- The applicant shall obtain a Baldwin County Land Use Certificate and Building Permit prior to commencement of construction.
- Approval shall be valid for a period of six (6) months in which time construction shall commence.
- Expansion of the park and/or changes to the site plan will necessitate further Special Exception review and approval.

** A majority vote of the board members will be necessary to approve this request.*

GENERAL NOTES {By-laws}

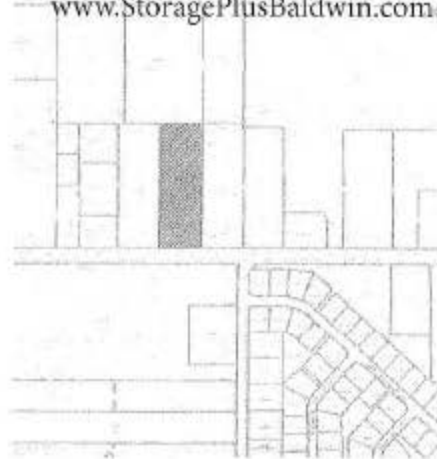
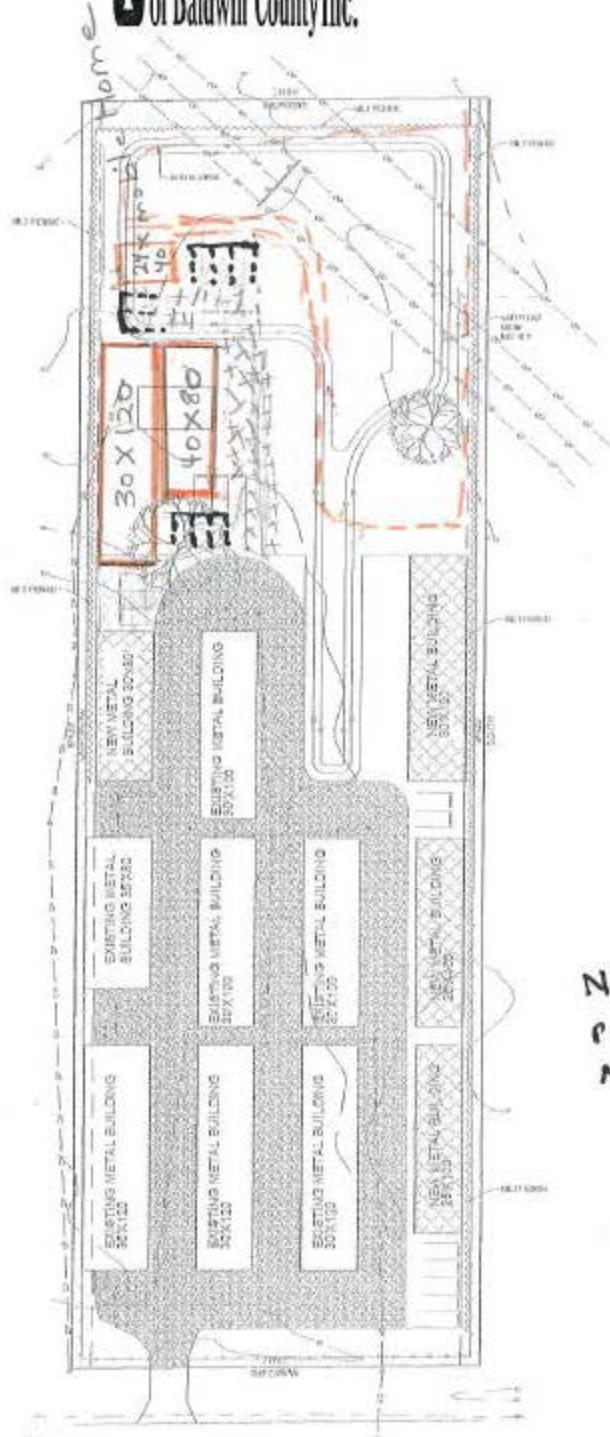
Any party aggrieved by a final judgment or decision of the Board may within fifteen (15) days thereafter appeal therefrom to the Circuit Court, but without expense to the Board of Adjustment, appear in person or by attorney in the Circuit Court or any other court, in defense of said order of the Board or in a trial de novo.

Whenever the Board imposes conditions with respect to a project or Special Exception, such conditions must be stated in the Board Order and in the permit(s) issued, pursuant thereto by the Administrative Officer. Such permits shall remain valid only as long as the conditions upon which it is granted and the conditions imposed by the Zoning Ordinance are adhered to.

StoragePlus
of Baldwin County Inc.

17860 US Hwy 98 W
Foley, AL 36535
251-970-3168

www.StoragePlusBaldwin.com



NOTE: retention pond to be redesigned to allow for new buildings

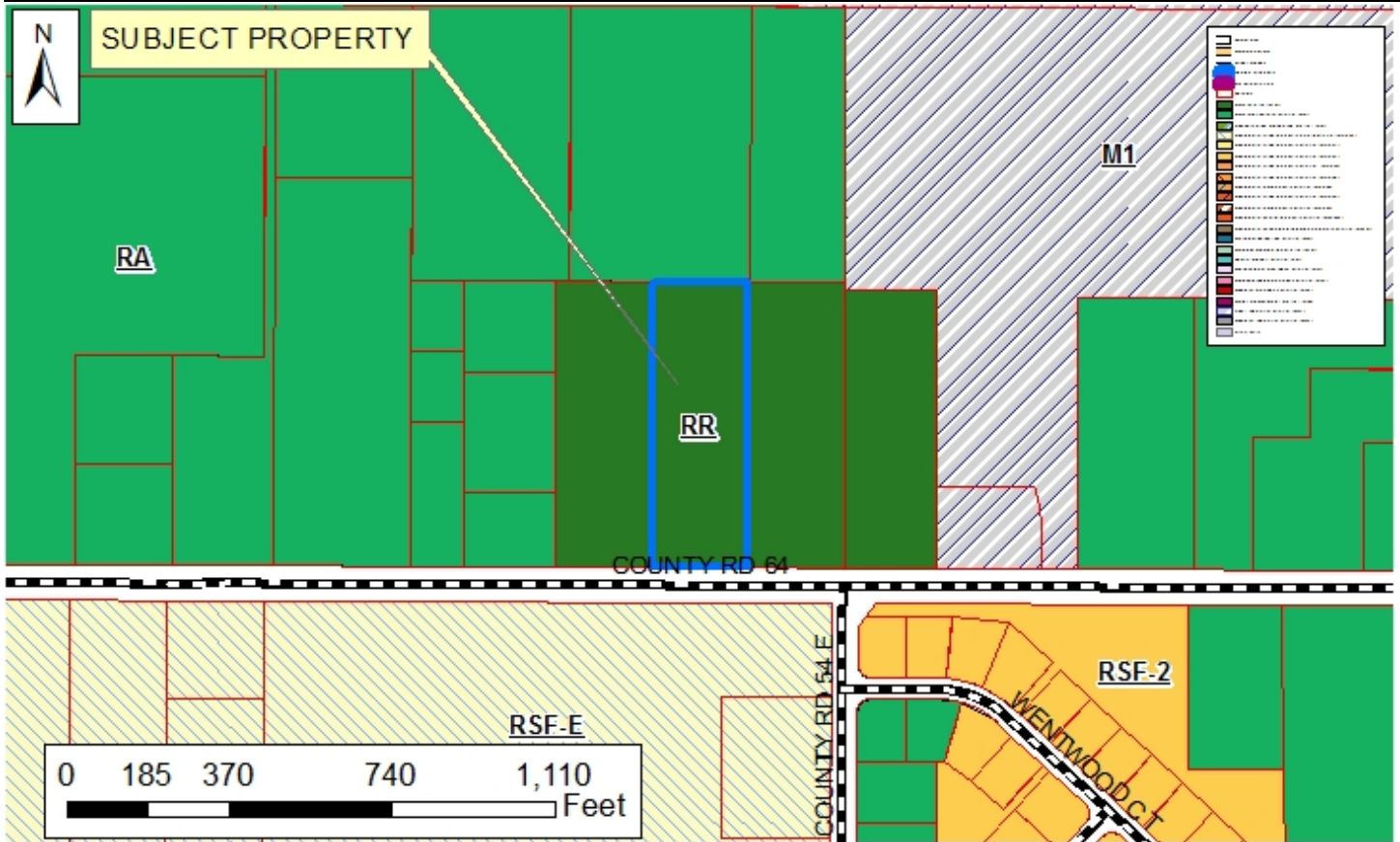
Barnwell • Daphne/Belforest • Fairhope • Foley • Robertsedale • Silverhill

Property Images





Locator Map



Site Map

