



Baldwin County Planning & Zoning Commission Agenda

Thursday, August 6, 2020

4:00 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:**
 - July 9, 2020 Subdivision meeting minutes
 - July 9, 2020 Zoning meeting minutes
6. **Announcements/Registration to address the Commission.**
7. **Consideration of Applications and Requests: Subdivision Cases**
 - a.) **Case S20054-Cotton Field 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 9-lot subdivision on 20+/- acres.
- Location: The subject property is located approximately 0.05 miles south of Highway 90 at the intersection of Ard Road and Brewer Road in the Elsanor area.

b.) Case S-20055, Ravan Ranch, 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 on 37+/- acres.
- Location: The subject property is located on the south side of Highway 98 and east side of County Road 91 in the Lillian area.

c.) Case S-20056 Highland Farms, 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 on 62.0+/- acres.
- Location: The subject property is located approximately 0.8 miles west of Jimmy Faulkner Drive on the south side of Bromley Road in the Spanish Fort area.

d.) Case S-20058, Fairhope Motor Coach PH II, Final Site Plan Approval

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

- Purpose: The applicant is requesting final site plan approval for a 12 site RV resort on 5.07+/- acres.
- Location: The subject property is located on the north side of Highway 104 approximately 0.25 miles east of Higbee Road in the Fairhope area.

8. **Consideration of Applications and Requests: Re-Zoning Cases**

a.) Case Z-20026, Merritt & Walding 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-4 to allow a RV/Camper Dealership on the property.

Location: The subject property is located at the northeast quadrant of I-10 and the Baldwin Beach Express, in Planning District 12.

b.) Case Z-20027 Estate of Inez Stots Property

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

Purpose: The applicant is requesting to Rezone .5+/- acres from RSF-3 to B-2 to allow commercial use of the property.

Location: The subject property is located at 9765 Milton Jones Rd., in Planning District 15.

c.) Case Z-20028 Estate of Inez Stots 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 from RSF-1 to B-2 to allow commercial use of the property.

Location: The subject property is located at 28045 Co Rd 66 N, in Planning District 15.

d.) Case Z-20029, Schambeau Property

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

Purpose: The applicant is requesting to Rezone 3.61+/- acres from RSF-E to B-3 to allow replacement of fire damaged mini-warehouse unit and bring the existing facility into conformity.

Location: The subject property is located .at 10430 Co Rd 64, in Planning District 15.

9. Old Business:

10. New Business:

11. Public Comments

12. Reports and Announcements:

Staff Reports

Legal Counsel Report

Next Regular Meeting: September 3, 2020

13. Adjournment.

Baldwin County Planning and Zoning Commission
Case No. S-20054 – Cotton Field Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
August 6, 2020
Agenda Item 7.a

This report is prepared by the Baldwin County Planning and Zoning, Subdivision 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: August 6, 2020 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 approximately 0.05 miles south of Highway 90 at the intersection of Ard Road and Brewer Road in the Elsanor area.

Parcel Numbers: 05-40-09-31-0-000-024.006

Report Prepared By: Mary Booth; Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 9

Linear Feet of Streets: NA

Total Acreage: ± 20.0 acres

Smallest Site Size: ± 1.81 acres

Owner/Developer: Thomas Robert Trebesh
 PO Box 912
 Foley, AL 36535

Engineer/Surveyor: Goodwyn, Mills & Cawood, Inc.
 2039 Main St.
 Daphne, AL 36526

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: On-Site Well
 Sewer: On-Site Septic
 Electricity: Baldwin EMC

Transportation: The proposed lots 1-4 and 9 will front on Brewer Road and Lots 6, 7 and 8 will front on Ard Road, both paved and county-maintained roads.

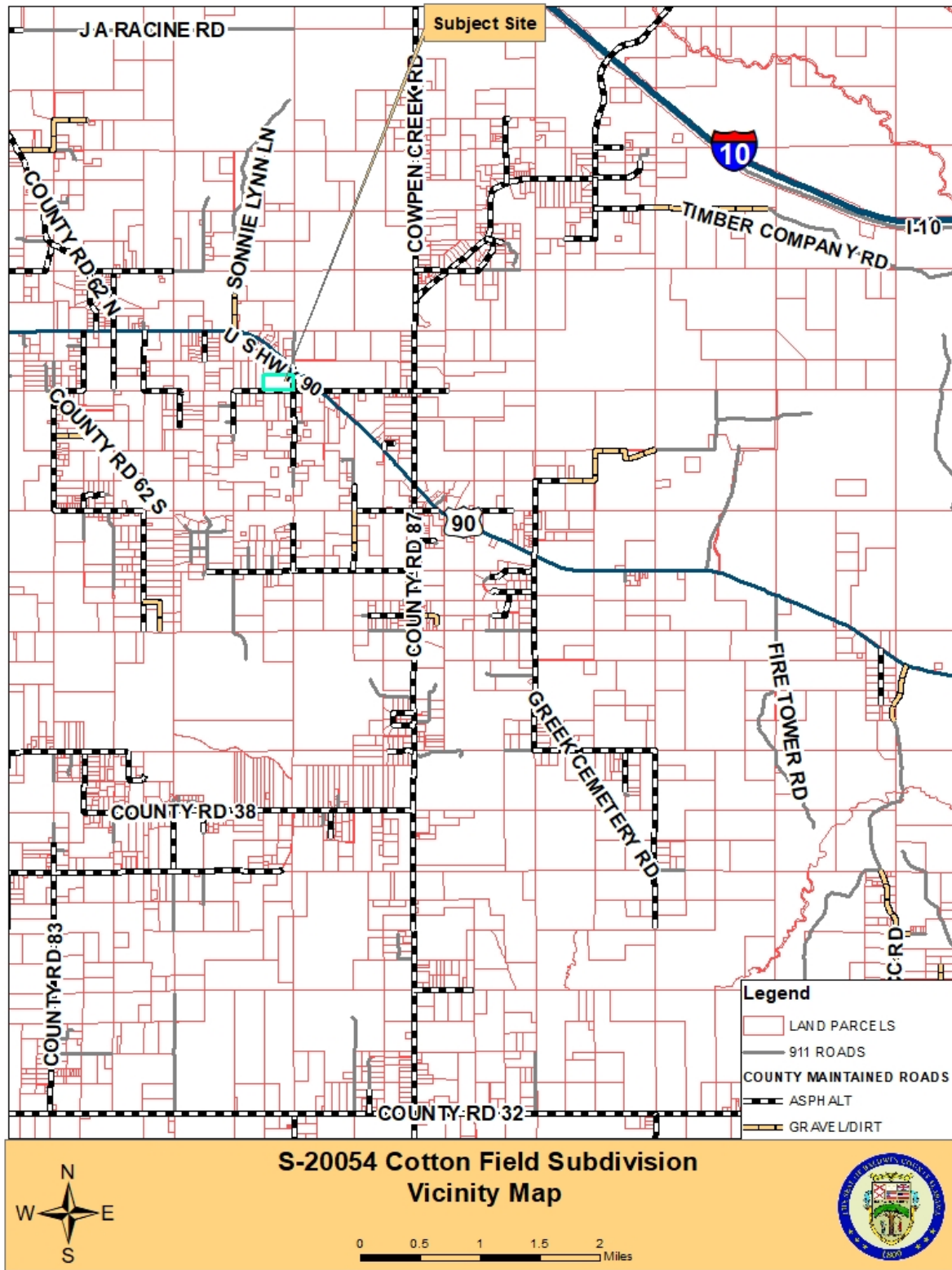
V. STAFF COMMENTS:

Items for consideration:

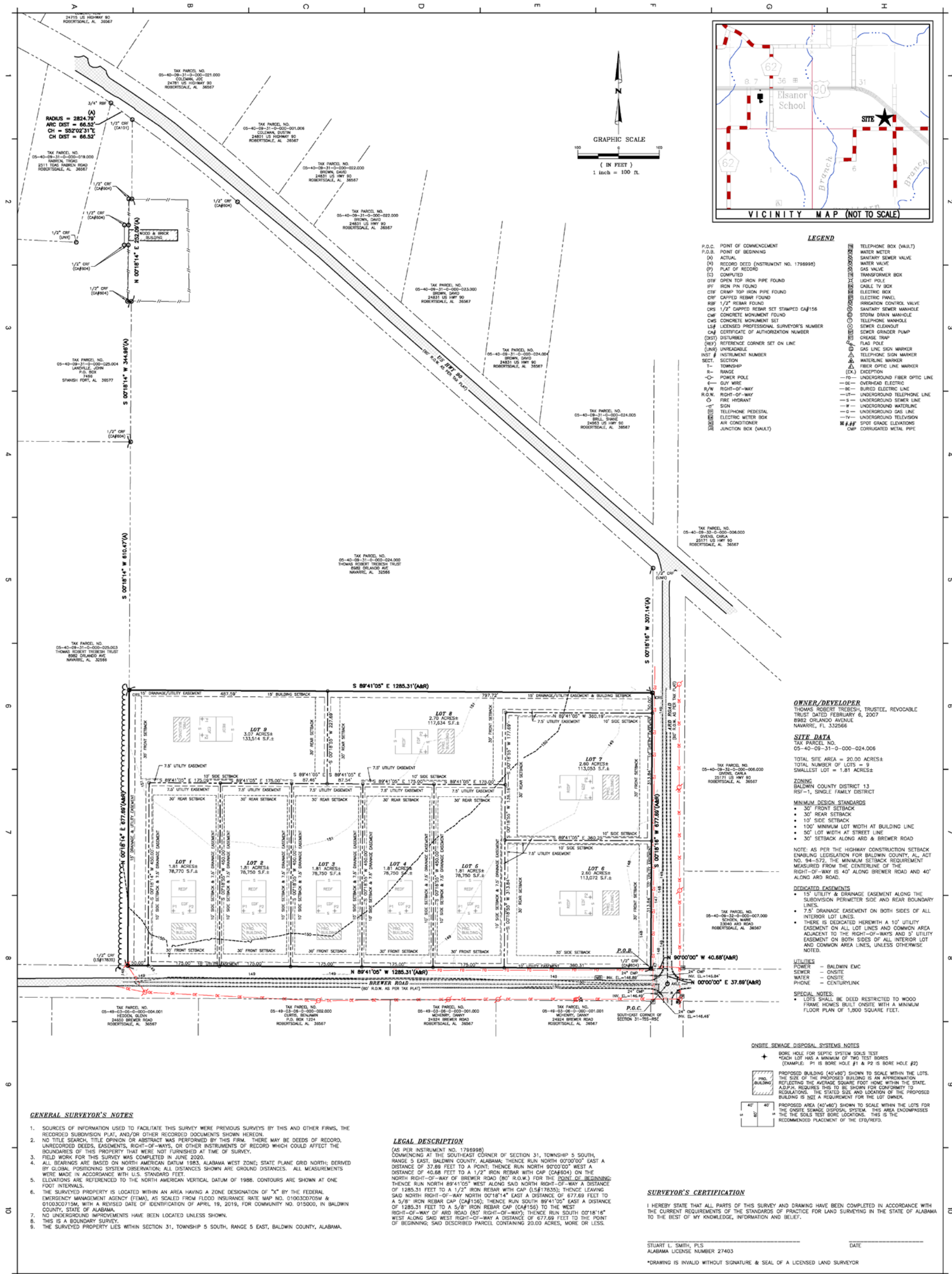
- Preliminary plat is being revised to remove the RSF-1 setback requirements as this parcel is unzoned and these setbacks are not applicable.
- All other items of the Development Permit application meet the requirements of the subdivision regulations.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit application for Case No. S-20054, Cotton Field Subdivision, be **APPROVED** contingent upon revised preliminary plat being submitted.







Baldwin County Planning and Zoning Commission
Case No. S-20055 – Ravan Ranch Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
August 6, 2020
Agenda Item 7.b

This report is prepared by the Baldwin County Planning and Zoning, Subdivision 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: August 6, 2020 Development Permit Approval Pending

Attachments: Vicinity Map
 Site Map
 Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 33 – Zoned RMF-6

Location of Property: The subject property is located on the south side of Highway 98 and east side of County Road 91 in the Lillian area.

Parcel Numbers: 05-52-08-28-0-000-031.000

Report Prepared By: Mary Booth; Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 2

Linear Feet of Streets: NA

Total Acreage: ± 37 acres

Smallest Site Size: ± 15.03 acres

Owner/Developer: Thomas Robert Trebesh
 PO Box 912
 Foley, AL 36535

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: Perdido Bay Water
 Sewer: On-Site Septic
 Electricity: Riviera Utilities

Transportation: The proposed lots will front on Highway 98, a paved and state-maintained road.

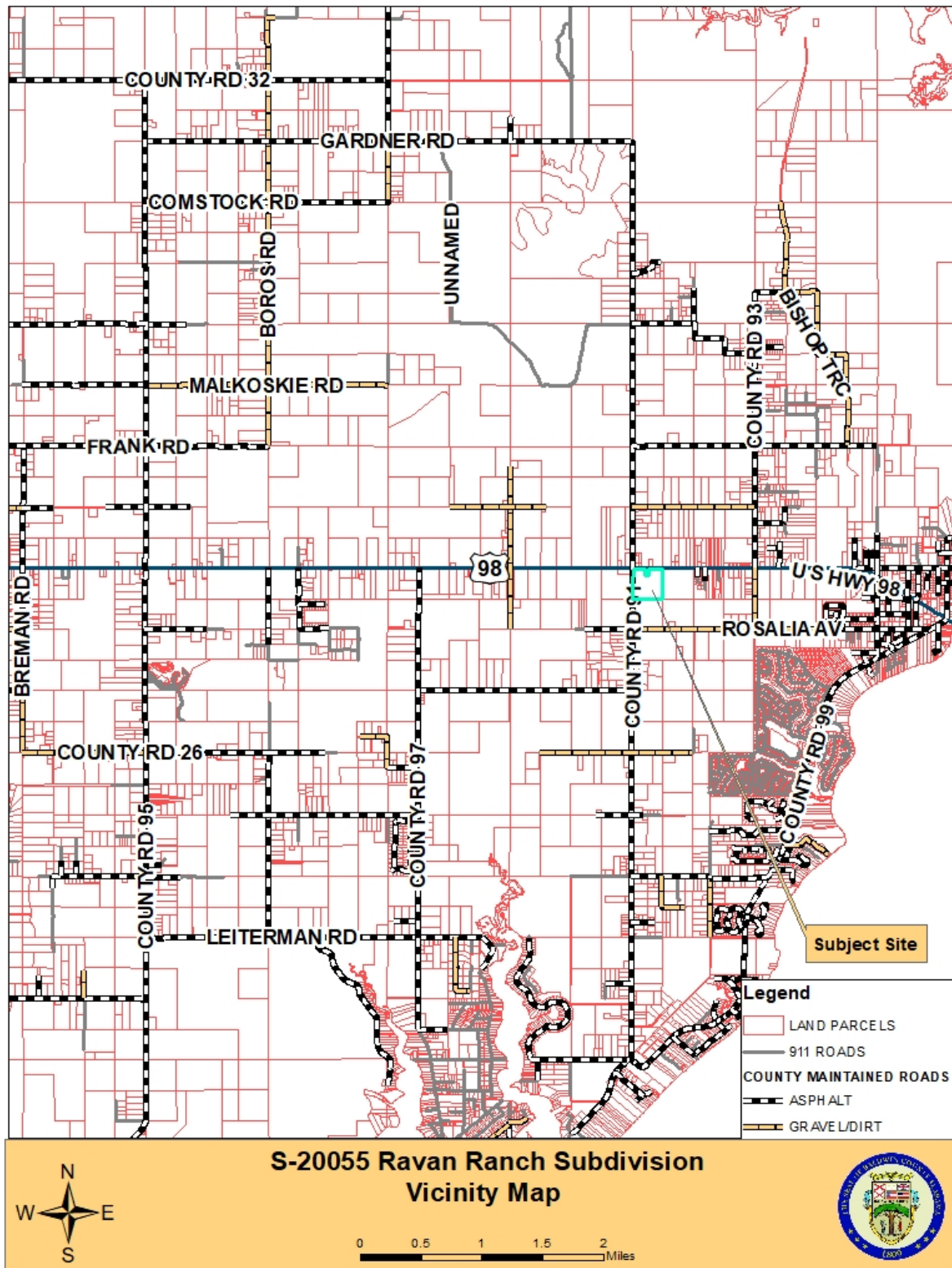
V. STAFF COMMENTS:

Items for consideration:

- All items of the Development Permit application meet the requirements of the subdivision regulations.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit application for Case No. S-20055, Ravan Ranch Subdivision, be **APPROVED**.





Baldwin County Planning and Zoning Commission
Case No. S-20056 – Highland Farms Subdivision
Development Permit Approval
Staff Report for Planning and Zoning Commission Public Hearing
August 6, 2020
Agenda Item 7.c

This report is prepared by the Baldwin County Planning and Zoning, Subdivision 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: August 6, 2020 Development Permit Approval Pending

Attachments: Vicinity Map
Site Map
Proposed Plat

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Planning District: District 7 – Unzoned

Location of Property: The subject property is located approximately 0.8 miles west of Jimmy Faulkner Drive on the south side of Bromley Road in the Spanish Fort area.

Parcel Numbers: 05-29-08-34-0-000-010.001
05-29-07-35-0-000-003.001
05-32-02-03-0-000-001.000

Report Prepared By: Mary Booth; Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Lots: 7

Linear Feet of Streets: NA

Total Acreage: ± 62.0 acres

Smallest Site Size: ± 2.7 acres

Owner: Southland Orchards, LLC
PO Box 79
Montrose, AL 36579

Developer: Highland Farms Investments, LLC
30007 D'Olive Ridge
Spanish Fort, AL 36527

Engineer/Surveyor: Anchor Engineering Associates, LLC
50 N. Florida Street
Mobile, AL 36607

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: North Baldwin Utilities
Sewer: Baldwin County Sewer Service
Electricity: Baldwin EMC

Transportation: The proposed lots will front on Bromley Road, a paved and county-maintained road.

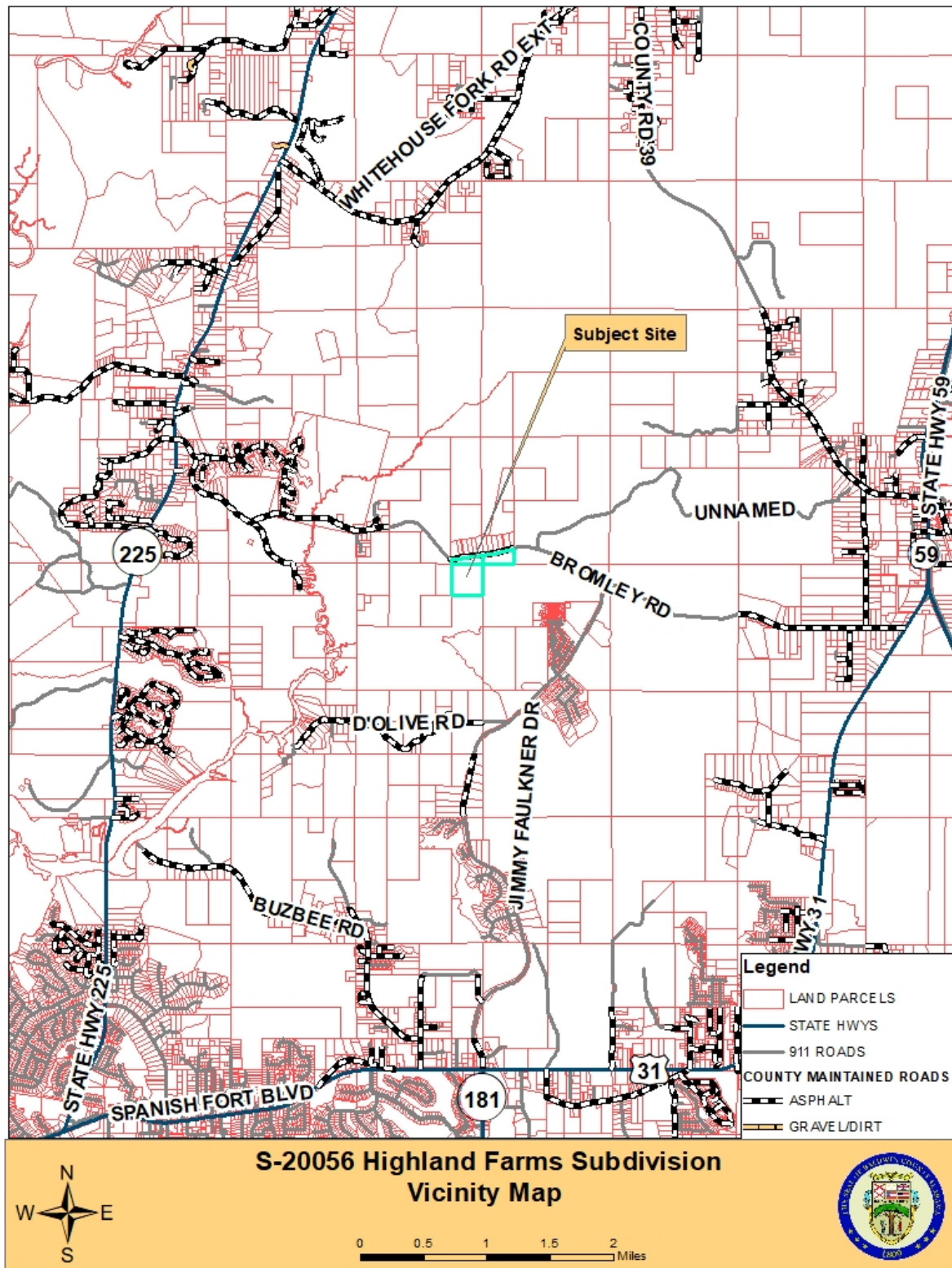
V. STAFF COMMENTS:

Items for consideration:

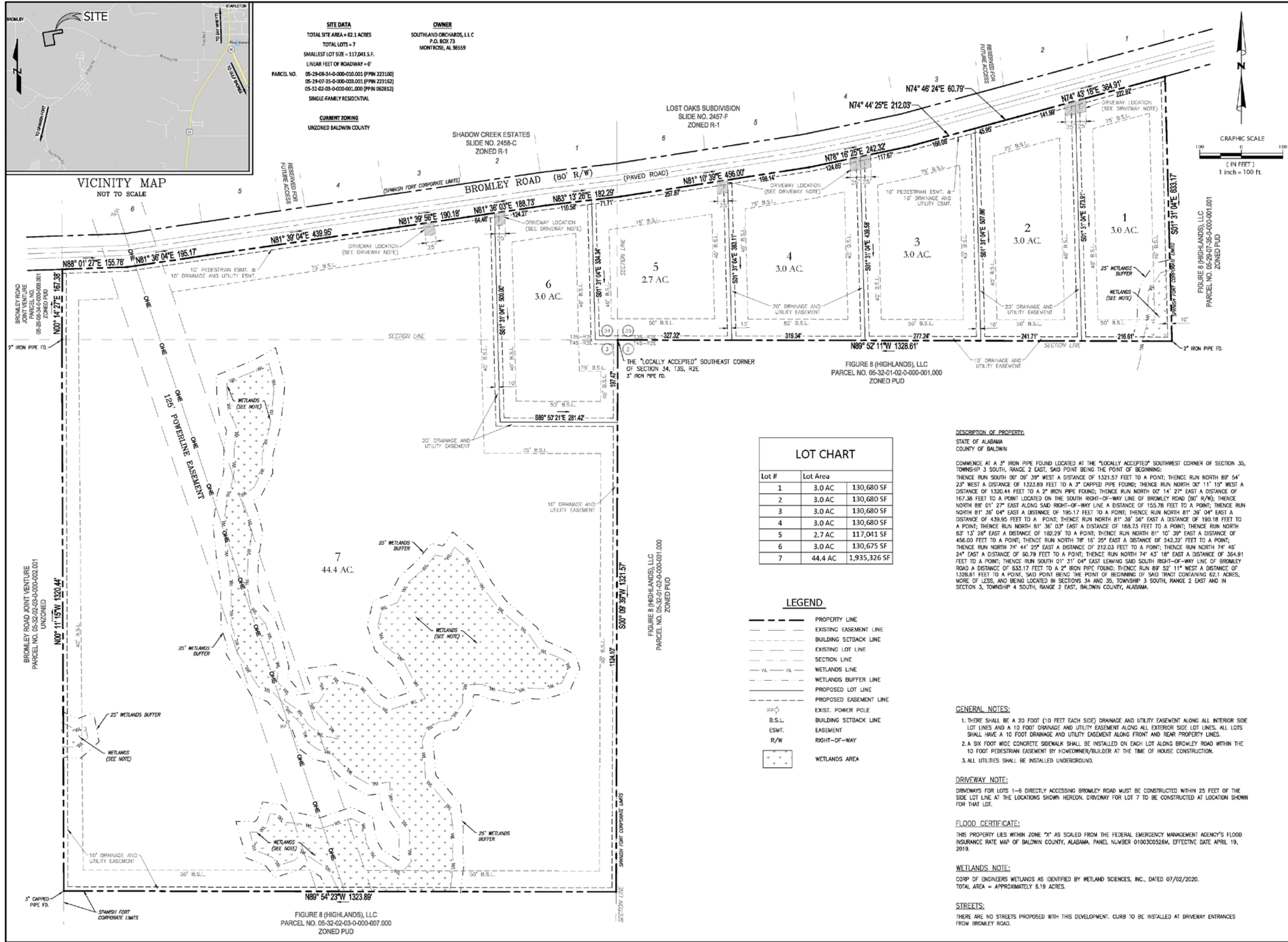
- Preliminary plat is being revised to update the site data table.
- Preliminary plat is being revised to show the minimum 30' wetlands buffer.
- Preliminary plat is being revised to change D'Olive Rd to Jimmy Faulkner Dr.
- Preliminary plat is being revised to remove the special note regarding minimum culvert requirements as this is not applicable for preliminary plat approval.
- All other items of the Development Permit application meet the requirements of the subdivision regulations.

VI. RECOMMENDATIONS:

Staff recommends that the Development Permit application for Case No. S-20056, Highland Farms Subdivision, be **APPROVED** contingent upon revised preliminary plat being submitted.







Baldwin County Planning and Zoning Commission
Case No. S-20058 – Fairhope Motor Coach Resort, Ph II
Final Site Plan Approval
Staff Report for Planning and Zoning Commission Public Hearing
August 6, 2020
Agenda Item 7.d

This report is prepared by the Baldwin County Planning and Zoning, Subdivision 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: August 6, 2020 Final Site Plan 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 north side of Highway 104 approximately 0.25 miles east of Higbee Road in the Fairhope area.

Parcel Numbers: 05-46-01-01-0-000-004.001

Report Prepared By: Mary Booth; Subdivision Coordinator

III. SUBDIVISION PROPOSAL:

Proposed number of Units: 12

Linear Feet of Streets: 745LF (Private)

Total Acreage: ± 5.07 acres

Smallest Site Size: ± 5,554 square feet

Owner/Developer: Grand Properties, LLC
 PO Box 904
 Montrose, AL 36559

Engineer: Jade Consulting, LLC
 PO Box 1929
 Fairhope, AL 36533

Surveyor: Smith, Clark & Associates, LLC
 PO Box 7082
 Spanish Fort, AL 36577

Request: The applicant is requesting Final Site Plan approval for the above-mentioned RV resort from the Baldwin County Planning and Zoning Commission.

IV. PUBLIC UTILITIES AND SITE CONSIDERATIONS:

Public Utilities Services: Water: Fairhope Public Utilities
Sewer: Baldwin County Sewer Service
Electricity: Fairhope Public Utilities

Transportation: The proposed sites will front on an internal privately maintained, paved road.

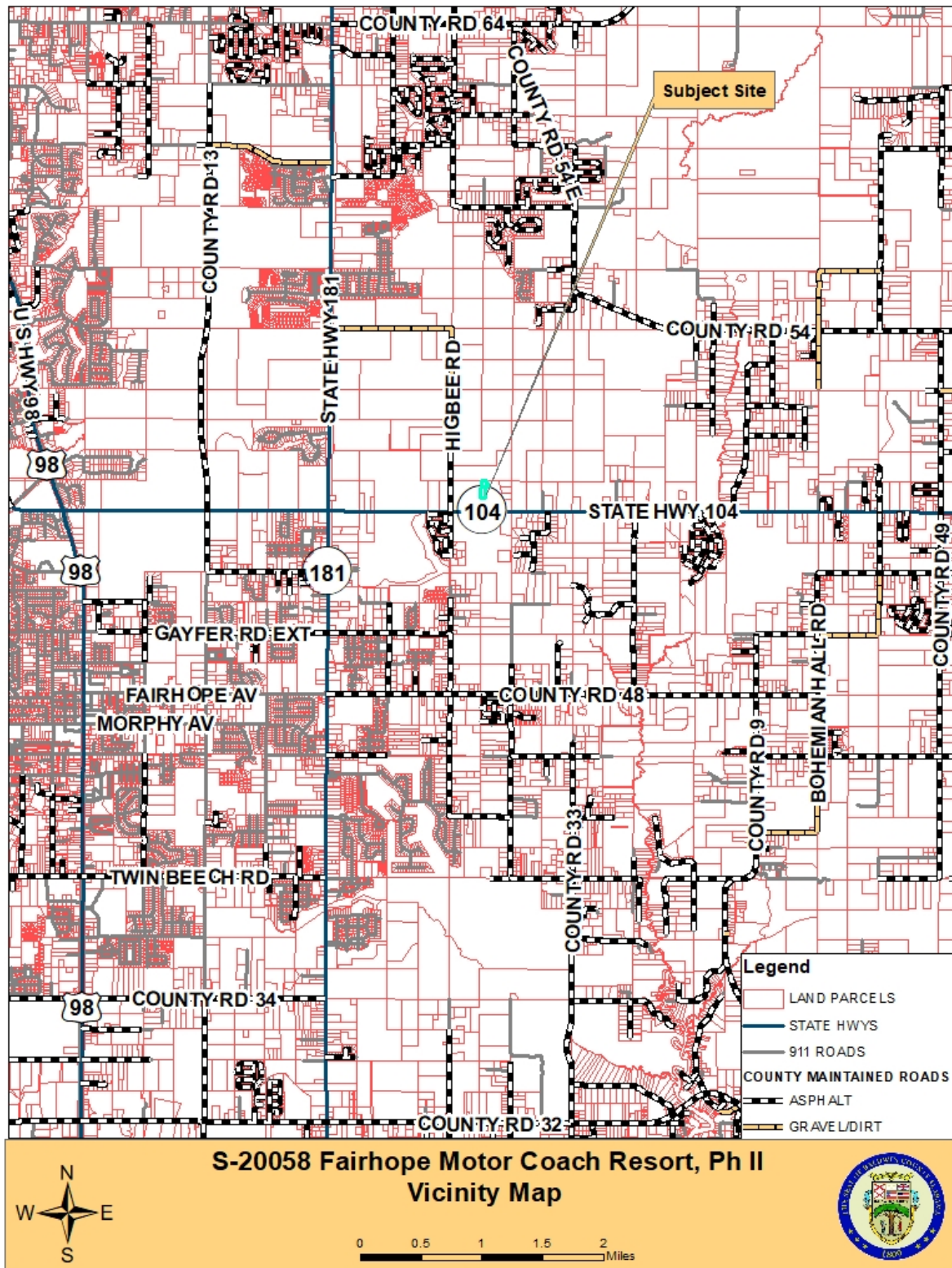
V. STAFF COMMENTS:

Items for consideration:

- All items of the Final Site Plan application meet the requirements of the subdivision regulations.

VI. RECOMMENDATIONS:

Staff recommends that the Final Site Plan approval for Case No. S-20058, Fairhope Motor Coach Resort Ph II, be **APPROVED**.





CERTIFICATION OF SURVEYOR:

BALDWIN COUNTY
ALABAMA

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 6 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE NORTH A DISTANCE OF 40.00 FEET TO A POINT; THENCE EAST A DISTANCE OF 40.00 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) AT THE INTERSECTION OF THE NORTH MARGIN OF ALABAMA STATE HIGHWAY NO. 104 WITH THE EAST MARGIN OF DICK HIGBEE ROAD; THENCE ALONG SAID NORTH MARGIN SOUTH 89°42'31" EAST A DISTANCE OF 987.49 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE ALONG SAID NORTH MARGIN SOUTH 89°37'23" EAST A DISTANCE OF 298.10 FEET TO A POINT MARKED BY A IRON ROD (REBAR); THENCE DEPARTING SAID NORTH MARGIN NORTH 00°19'04" EAST A DISTANCE OF 538.73 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR) FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; CONTINUE THENCE NORTH 00°19'04" EAST A DISTANCE OF 122.69 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 89°56'32" WEST A DISTANCE OF 100.00 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 00°19'04" EAST A DISTANCE OF 621.47 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 89°47'16" EAST A DISTANCE OF 100.00 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 89°20'34" EAST A DISTANCE OF 223.62 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 00°39'26" WEST A DISTANCE OF 26.90 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 44°40'56" EAST A DISTANCE OF 113.81 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 06°49'13" WEST A DISTANCE OF 132.81 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 59°37'43" WEST A DISTANCE OF 116.97 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 00°19'04" WEST A DISTANCE OF 485.24 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 59°37'43" EAST A DISTANCE OF 23.97 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 00°19'04" WEST A DISTANCE OF 45.13 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE SOUTH 75°05'33" WEST A DISTANCE OF 74.24 FEET TO A POINT MARKED BY A CAPPED IRON ROD (REBAR); THENCE NORTH 89°40'00" WEST A DISTANCE OF 136.76 FEET TO THE POINT OF BEGINNING; CONTAINING 220,856 SQUARE FEET (5.07 ACRES) MORE OR LESS.

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

HUNTER SMITH
ALABAMA LIC. NO. 30007

DATE

CERTIFICATION OF OWNERSHIP AND DEDICATION:

THIS IS TO CERTIFY THAT I (WE), THE UNDERSIGNED, AM (ARE) THE OWNER(S) OF THE LAND SHOWN AND DESCRIBED IN THE SITE PLAN, AND THAT I (WE) HAVE CAUSED THE SAME TO BE SUBDIVIDED HEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE DESIGN AND TITLE HEREON INDICATED; AND GRANT ALL EASEMENTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED, TOGETHER WITH SUCH RESTRICTIONS AND COVENANTS NOTED BELOW OR ATTACHED IN A SEPARATE LEGAL DOCUMENT.

DATED THIS THE _____ OF _____ 20____

OWNER

ACKNOWLEDGEMENT OF NOTARY PUBLIC:

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN IN THE STATE OF ALABAMA, DO HEREBY CERTIFY THAT WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE CERTIFICATION OF OWNERSHIP AND DEDICATION, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT HE (THEY) SIGNED, SEALED AND DELIVERED SAID INSTRUMENT AT HIS (THEIR) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS THE _____ OF _____ 20____

NOTARY PUBLIC

CERTIFICATION OF APPROVAL BY THE
BALDWIN COUNTY PLANNING DIRECTOR:

THE UNDERSIGNED, AS DIRECTOR OF THE BALDWIN COUNTY PLANING AND ZONING DEPARTMENT, HEREBY APPROVES THE WITHIN SITE PLAN FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS THE _____ OF _____ 20____

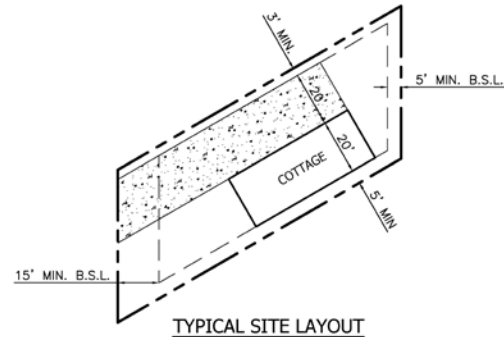
PLANNING DIRECTOR

CERTIFICATION OF APPROVAL BY THE
BALDWIN COUNTY ENGINEER:

THE UNDERSIGNED, AS COUNTY ENGINEER OF BALDWIN COUNTY, ALABAMA, HEREBY APPROVES THE WITHIN SITE PLAN FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS THE _____ OF _____ 20____

COUNTY ENGINEER



CERTIFICATION OF APPROVAL BY THE BALDWIN
COUNTY PLANNING AND ZONING COMMISSION:

THE UNDERSIGNED, AS _____ OF THE BALDWIN COUNTY PLANNING AND ZONING COMMISSION, HEREBY CERTIFIES THAT AT IT'S MEETING OF _____ THE BALDWIN COUNTY PLANNING AND ZONING COMMISSION APPROVED THE WITHIN SITE PLAN FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA.

DATED THIS THE _____ OF _____ 20____

BALDWIN COUNTY PLANNING AND ZONING COMMISSION

BY: _____

IT'S: _____

NOTE:

THE INTERNAL RIGHTS-OF-WAY, ROADS, EASEMENTS AND DRAINAGE FACILITIES ARE PRIVATE AND WILL BE MAINTAINED BY THE DEVELOPER/OWNER. THE INTERNAL RIGHTS-OF-WAY, ROADS, EASEMENTS AND DRAINAGE FACILITIES WILL NOT BE MAINTAINED BY BALDWIN COUNTY. IF INDIVIDUAL LOTS, SITES, UNITS, ETC., ARE TO BE SOLD, THE DEVELOPER/OWNER SHALL BE REQUIRED TO MEET THE CURRENT BALDWIN COUNTY SUBDIVISION REGULATIONS IN EFFECT AT THAT TIME, AND THE PROPERTY SHALL BE BROUGHT INTO COMPLIANCE WITH THOSE REGULATIONS PRIOR TO SUCH SALE OR ATTEMPTED SALE.

OWNER/DEVELOPER:

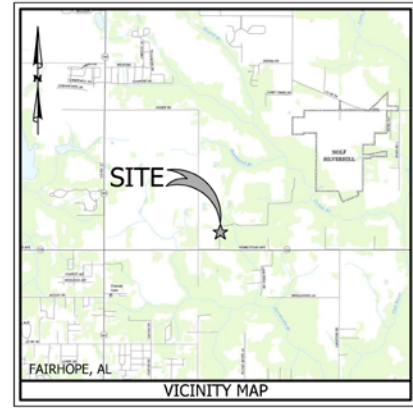
GRAND PROPERTIES, LLC
PO BOX 904
MONTROSE, AL 36559
PAT ACHEE
(251) 928-1960
(251) 463-5390

ENGINEER OF RECORD:

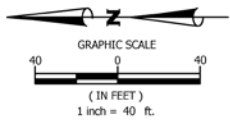
JADE CONSULTING, LLC
PO BOX 1929
FAIRHOPE, AL 36533
(251) 928-3433

SURVEYOR:

SMITH, CLARK & ASSOCIATES, LLC
PO BOX 7082
SPANISH FORT, AL 36577
(251) 626-0404



VICINITY MAP



UTILITY INFORMATION

CONTRACTOR SHALL HAVE ALL EXISTING BURIED UTILITIES "LINE SPOTTED" BY CALLING 1-800-292-8925 (ALABAMA ONE-CALL) OR BY CONTACTING LOCAL UTILITY COMPANIES

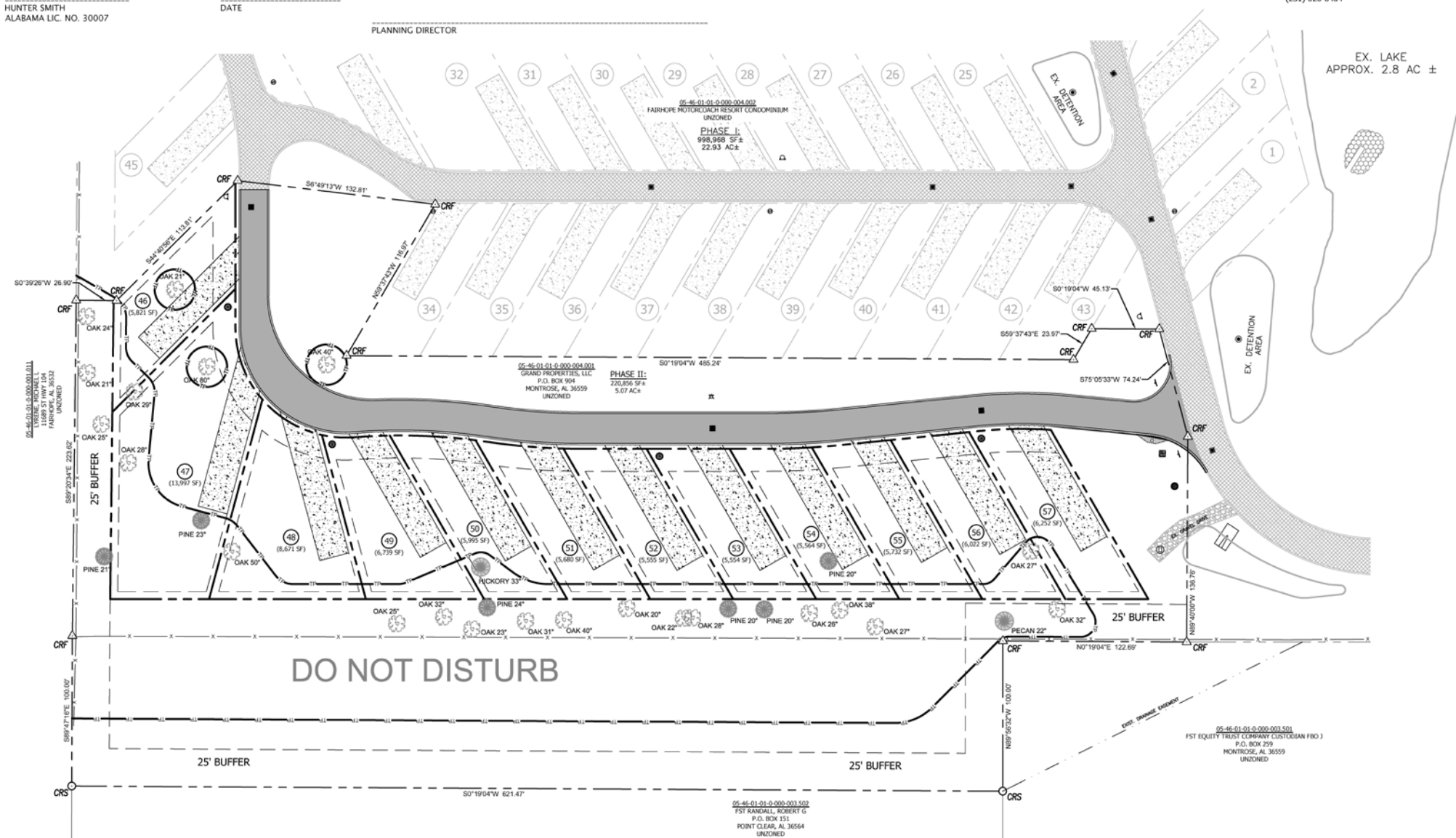
WATER:	FAIRHOPE PUBLIC UTILITIES 555 S. SECTION ST, FAIRHOPE, AL 36532 JAY WHITMAN (251) 928-8003
SEWER:	BALDWIN COUNTY SEWER SERVICE 14747 UNDERWOOD RD, SUMMERDALE, AL 36580 JENNY WILLIAMS (251) 971-1516
POWER:	FAIRHOPE PUBLIC UTILITIES 555 S. SECTION ST, FAIRHOPE, AL 36532 MIKE ALLISON (251) 928-8003
GAS:	FAIRHOPE PUBLIC UTILITIES 555 S. SECTION ST, FAIRHOPE, AL 36532 TERRY HOLMAN (251) 928-8003
TELEPHONE:	AT&T 2155 OLD SHELL RD, MOBILE, AL 36607 WADE MITCHELL (251) 471-8361

SITE DATA TABLE (PHASE II)

STATE OF ALABAMA COUNTY OF BALDWIN		
TAX PARCEL ID:	05-46-01-01-0-000-004.001	
TOTAL TRACT SIZE:	5.07 ACRES ± (220,856 SF ±)	
EXISTING ZONING:	BALDWIN COUNTY UNZONED	
PROPOSED USE:	MOTORCOACH RESORT	
BUILDING SETBACKS:		
FRONT:	15'	
SIDE (COTTAGE):	5'	
SIDE (PAD):	3'	
REAR:	5'	
PARKING STANDARDS:		
VEHICLE PARKING:	REQUIRED:	PROVIDED:
	1 SPACE / 1 UNIT 12 UNITS / 1 UNIT = 12 SP	12 SPACES
AREA & DIMENSIONAL DATA:		
NUMBER OF UNITS W/ COTTAGE:	12 UNITS	
NET DENSITY:	2.37 UNITS/ACRE	
IMPERVIOUS SURFACE AREA:	38,944 SF ≈ 0.89 AC	
LINEAR FEET OF STREETS:	745 LF (PRIVATE)	
AVERAGE UNIT SIZE:	6,798 SF	
SMALLEST UNIT SIZE:	5,554 SF	
LARGEST UNIT SIZE:	13,997 SF	
TOTAL OPEN SPACE:	120,416 SF ≈ 2.76 AC	
USEABLE OPEN SPACE:	120,416 SF ≈ 2.76 AC	
*MAX. COTTAGE HEIGHT:	25'	
MIN. FINISHED FLOOR ELEV.:	111.50'	

NOTE:

* AS MEASURED IN FAIRHOPE ZONING ORDINANCE.



JADE
CONSULTING

208 Green Rd. North, Ste. C
Fairhope, Alabama 36532
P.O. Box 1929
Fairhope, Alabama 36533
Phone: (251) 928-3443
jademc.com
(AL) CA-3151-E



OVERALL SITE PLAN
FAIRHOPE MOTORCOACH RESORT - PH II
GRAND PROPERTIES, LLC

JOB NO: 1655.20
SCALE: 1" = 40'
DATE: JULY 2020
DRAFTER: GMD
SHEET:

C3
OVERALL SITE PLAN



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.b

Case No. Z-20026

Merritt and Walding Properties, LLP Property

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

August 6, 2020

Subject Property Information

Planning District: 12
General Location: Northeast Quadrant of 1-10 and the Baldwin Beach Express
Physical Address: N/A
Parcel Numbers: 05-41-02-04-0-000-005.001
Existing Zoning: RA, Rural Agriculture District
Proposed Zoning: B-4, Major Commercial District
Existing Land Use: Undeveloped
Proposed Land Use: Commercial (Recreational Vehicle/Camper Dealership)
Acreage: 19 acres, more or less
Applicant: Merritt and Walding Properties, LLP
P.O. Box 1670
Point Clear, Alabama 36564
Owner: Same
Lead Staff: Vince Jackson, Planning Director
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning	
North	Residential/Agricultural	B-4 and RA, Rural Agricultural	
South	Interstate 10	N/A	
East	Residential/Agricultural	RA, Rural Agricultural	
West	Residential/Agricultural	Town of Loxley	Formerly B-4, Major Commercial

Summary

The subject property, which is currently undeveloped, is zoned RA, Rural Agriculture District. It consists of approximately 19 acres and is located at the northeast quadrant of the I-10 and Baldwin Beach Express Interchange. The designation of B-4, Major Commercial District, has been requested in order to allow for a Recreational Vehicle (RV)/Camper Dealership. The proposed use would be allowed by right under the requested zoning.

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:

Tyler Mitchell

DJ,

Access to this property via CR 68 would need to be coordinated with the Highway Department and would require a commercial access/turnout permit. This access should be planned for the easterly portion of the property.

Thank you,

Tyler Mitchell, P.E.

Construction Manager

Baldwin County Highway Department

o: 251-937-0371

c: 251-525-0497

Weesie Jeffords

DJ,

Tyler talked to Joey about this one. Below are additional comments that go with his remarks.

Any connection to this property should be along the East/West portion of County Road 68. Connection should be permitted through the Baldwin County Highway Department Permits Section with a Commercial Turnout. Impacts to any current Highway project or projected project will be looked at if the application is submitted.

Access along the North/South portion of CR 68/Beach Express/I10 interchange can only be permitted through ALDOT. This would most likely would not be allowed due to this area being the "No Access Zone."

Thanks,

Weesie

ADEM: No comments received.

Municipality (Loxley): 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 undeveloped and has been used for agricultural purposes. The property adjoins County Road 68 to the north and the I-10/Baldwin Beach Express Interchange. The adjacent properties are residential and agricultural. Properties to the north and northwest are zoned B-4. Buc-ee's is located at the southwest quadrant of the interchange.

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 12 was approved by the County Commission on November 7, 2006. The major change affecting this area is the completion of the Baldwin Beach Express and the I-10 interchange. As a result, numerous parcels, both north and south of I-10, have been rezoned to B-4. The most significant development to occur so far is Buc-ee's, which was permitted and developed under County zoning prior to annexation into the Town of Loxley.

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 Agricultural is provided for the subject property. Approval of the rezoning will result in an amendment of the Future Land Use Map to Commercial. This category provides for retail and wholesale trade facilities which offer convenience and other types of goods and services. Institutional uses, recreational uses, mixed-use developments and transportation, communication and utility uses may be included in accordance with the Zoning Ordinance. Multiple family developments may also be included. Commercial uses should be located on major streets so as to be accessible to the residential population. Zoning designations may include RR, B-1, B-2, B-3, B-4, LB, RV-1, RV-2, MR and TR.

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

Baldwin County Highway Department Comments:

Tyler Mitchell

DJ,

Access to this property via CR 68 would need to be coordinated with the Highway Department and would require a commercial access/turnout permit. This access should be planned for the easterly portion of the property.

Thank you,

Tyler Mitchell, P.E.

Construction Manager

Baldwin County Highway Department

o: 251-937-0371

c: 251-525-0497

Weesie Jeffords

DJ,

Tyler talked to Joey about this one. Below are additional comments that go with his remarks.

Any connection to this property should be along the East/West portion of County Road 68. Connection should be permitted through the Baldwin County Highway Department Permits Section with a Commercial Turnout. Impacts to any current Highway project or projected project will be looked at if the application is submitted.

Access along the North/South portion of CR 68/Beach Express/I10 interchange can only be permitted through ALDOT. This would most likely would not be allowed due to this area being the "No Access Zone."

Thanks,

Weesie

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

The area has seen a significant increase in traffic and congestion since Buc-ee's opened. Development of the subject property will also bring about an increase in traffic. However, the traffic generated by the proposed use should be somewhat less than that generated by Buc-ee's. In addition, the location north of I-10 and the proximity to the interchange should help to minimize impacts. This will be looked at further during the permitting process, as discussed above.

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 subject property abuts the Baldwin Beach Express to the east and the I-10 interchange. As previously stated in the B-4 Major Commercial District purpose and intent, B-4 zoning "is intended for business uses which require a location with access to an arterial or major collector road or which have close proximity to major intersections." Please also refer to the responses for standards 1 and 2.

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

Adjacent properties to the north and northwest are zoned B-4. Several parcels, including the location of Buc-ee's, were zoned B-4 prior to annexation into the Town of Loxley.

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?

There are no 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.

N/A

Staff Comments and Recommendation

As stated previously, the subject property, which is currently undeveloped, is zoned RA, Rural Agriculture District. It consists of approximately 19 acres and is located at the northeast quadrant of the I-10 and Baldwin Beach Express Interchange. The designation of B-4, Major Commercial District, has been requested in order to allow for a Recreational Vehicle (RV)/Camper Dealership. The proposed use would be allowed by right under the requested zoning.

If the requested rezoning is approved, the applicant will be required to apply for Land Use approval and meet all zoning requirements including, but not limited to setbacks, building height, parking, signage, landscaping and buffering. Drainage plans will be reviewed by the Baldwin County Highway Department.

Staff feels that this is a reasonable request and recommends **APPROVAL**. * A decision should be made, based on the information obtained at the public hearing.

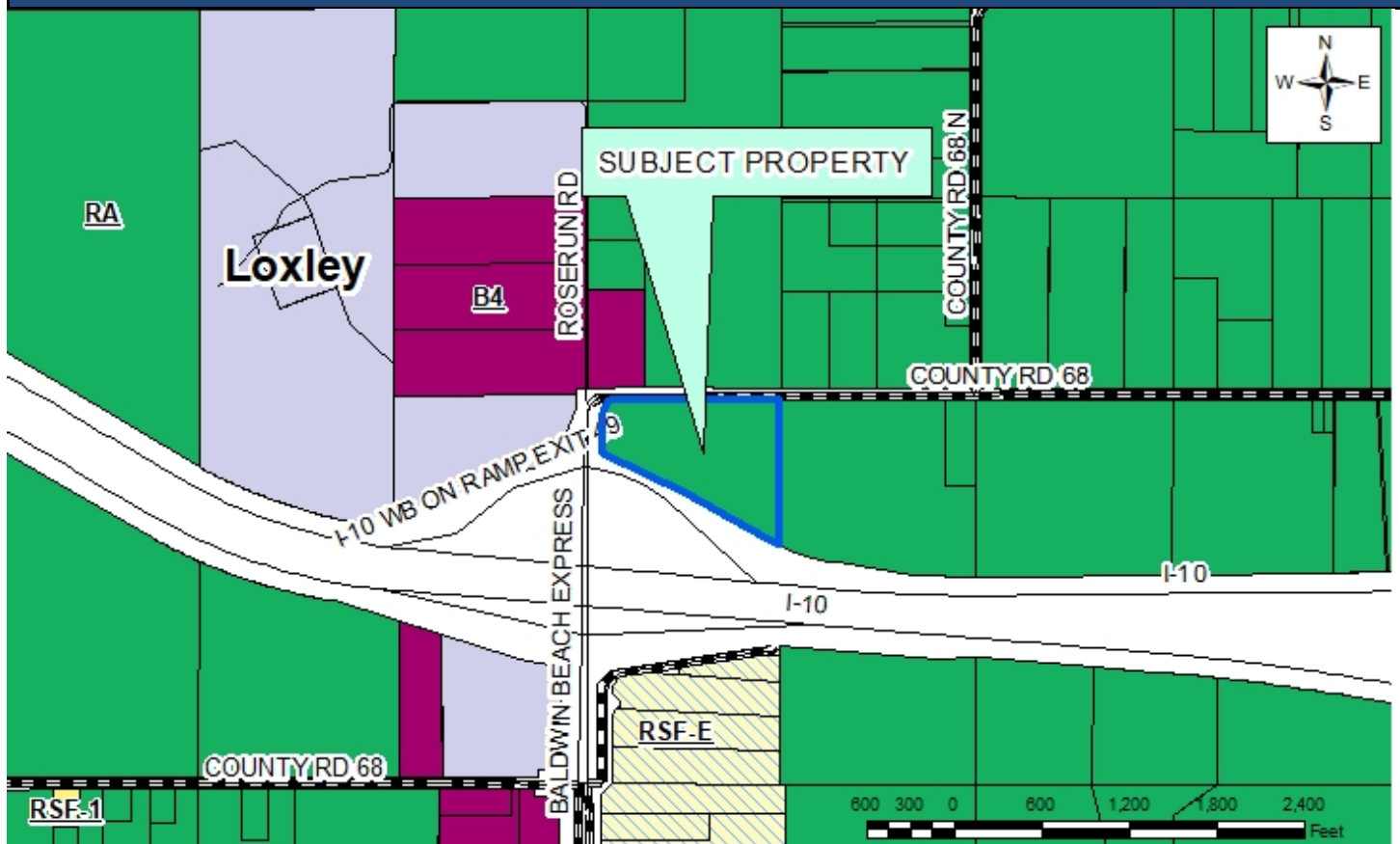
**On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*

Property Images

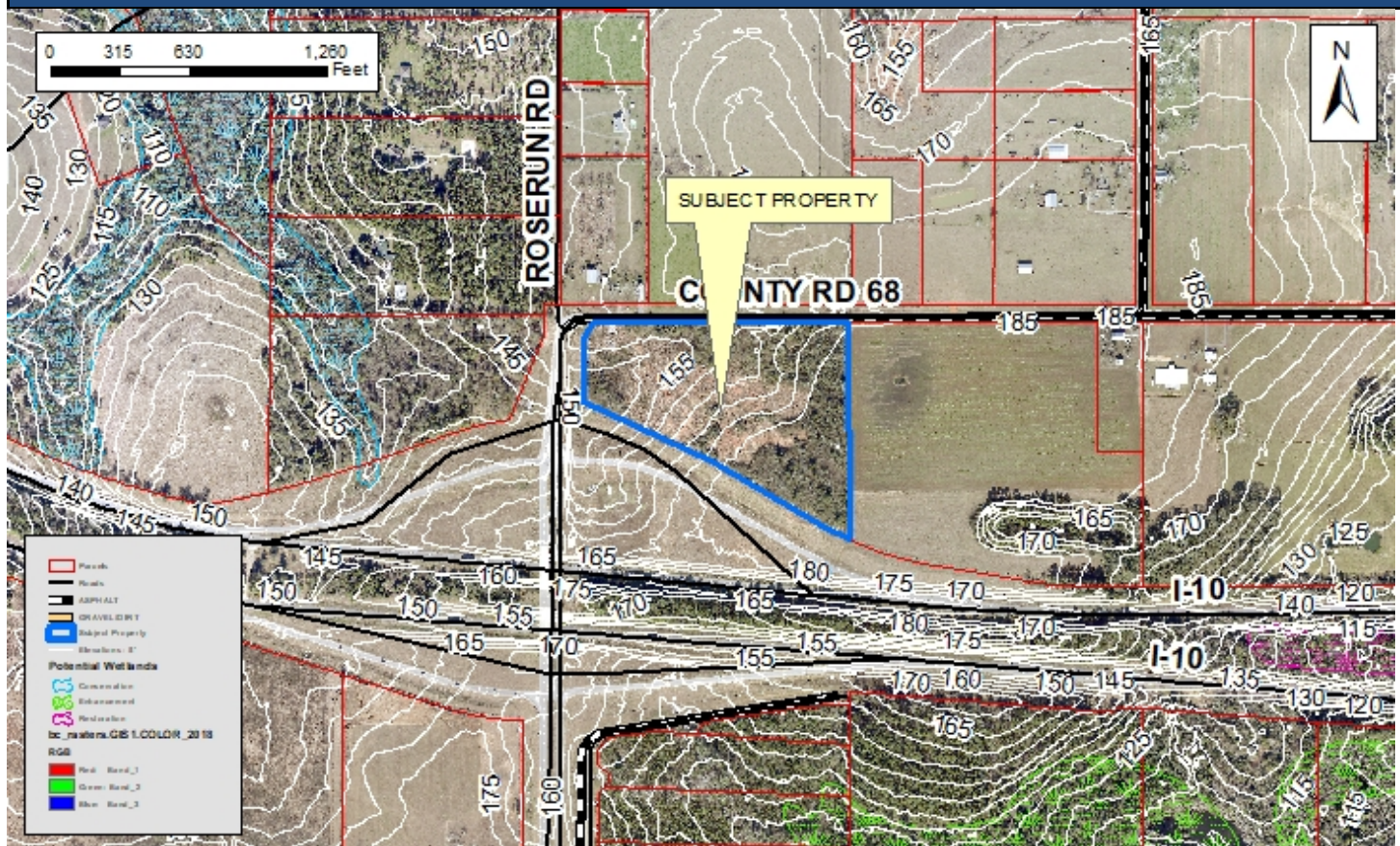




Locator Map



Site Map





Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.c

Case No. Z-20027

Estate of Inez Stots Property

Rezone RSF-3, Single Family, to B-2, Neighborhood Business District

August 6, 2020

Subject Property Information

Planning District: 15
General Location: North side of Milton Jones Road, west of State Highway 181
Physical Address: 9765 Milton Jones Road, Daphne
Parcel Number: 05-43-05-22-0-000-019.002
Existing Zoning: RSF-3, Single Family District
Proposed Zoning: B-2, Neighborhood Business District
Existing Land Use: Residential
Proposed Land Use: Commercial (No use specified. Seeking best use of property.)
Acreage: .5 acres, more or less
Applicant: Patricia Reed
28045 County Road 66 North
Loxley, Alabama 36551
Owners: Estate of Inez Stots (Patricia Reed, Executor)
28045 County Road 66 North
Loxley, Alabama 36551
Lead Staff: Vince Jackson, Planning Director
Attachments: *Within Report*

Adjacent Land Use		Adjacent Zoning
North	Residential	RSF-3, Single Family District
South	Light Industrial/Residential	M-1, Light Industrial/RSF-1
East	Residential	RSF-3, Single Family District
West	Commercial	B-3, General Business
Summary		

The subject property, which consists of approximately .5 acres, is currently zoned RSF-3, Single Family District. B-2, Neighborhood Business District has been requested. According to the submitted information, the purpose of the request is to achieve the best use of the property and a designation which is consistent with its location. This application involves the same applicant as Case Z-20028, which is a similar request.

Section 4.3 RSF-3, Single Family District

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

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

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

4.4.3 *Conditional 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.

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

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

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

Maximum Height of Structure in Feet	35-Feet
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	10,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	40-Feet
Maximum Ground Coverage Ratio	.35

Section 5.2 B-2, Neighborhood Business District

5.2.1 *Purpose and intent.* The purpose and intent of the B-2 Neighborhood Business District is to provide a limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit.

5.2.4 *Mixed uses.* Mixed residential and commercial uses may be permissible as conditional uses in the B-2 Neighborhood Business District, subject to the standards and procedures established in *Section 18.11: Conditional Uses*, and subject to the following criteria:

- (a) The commercial uses in the development may be limited in hours of operation, size of delivery trucks and type of equipment.
- (b) The residential uses shall be designed so that they are compatible with the commercial uses.
- (c) Residential and commercial uses shall not occupy the same floor of a building.
- (d) Residential and commercial uses shall not share the same entrances.
- (e) The number of residential dwelling units shall be controlled by the dimensional standards of the B-2 district. A dwelling unit density of .5 (1/2) dwelling units per 1,000 square feet of the gross floor area devoted to commercial uses, may be allowed (structures with less than 2,000 square feet devoted to commercial uses shall be allowed one dwelling unit). In no case, however, shall the overall dwelling unit density for a mixed-use project exceed 4 dwelling units per acre.
- (f) Building height shall not exceed three stories.
- (g) A minimum of 30 percent of the mixed-use development shall be maintained as open space. The following may be used to satisfy the open space requirements: areas used to satisfy water management requirements, landscaped areas, recreation areas, or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained).
- (h) The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular access ways and parking areas from residential units, to the greatest extent possible.
- (i) Off-street parking spaces for the mixed residential and commercial uses shall be the sum total of the residential and commercial uses computed separately (See *Article 15: Parking and Loading Requirements*).

For additional information on use provisions, please Section 5.2, Section 5.3 and Article 23 of the zoning ordinance.

Agency Comments

Baldwin County Highway Department: Tyler Mitchell and Weesie Jeffords

DJ,

I agree with Tyler's comments.

Thanks,
Weesie

From: Tyler W. Mitchell <TMITCHELL@baldwincountyal.gov>

Sent: Tuesday, July 21, 2020 4:00 PM

To: D Hart <DHart@baldwincountyal.gov>; Alfreda Jeffords <Weesie.Jeffords@baldwincountyal.gov>; Mary Booth <MBOOTH@baldwincountyal.gov>; Frank Lundy <FLundy@baldwincountyal.gov>; Joey Nunnally <JNunnally@baldwincountyal.gov>

Cc: Laurie Rumbaugh <LRUMBAUGH@baldwincountyal.gov>; Audra Mize <AMIZE@baldwincountyal.gov>

Subject: RE: Z-20027 Estate of Inez Stots Property

DJ,

For any future development of the property, access to Milton Jones Rd would need to be coordinated with Daphne.

Thanks,

Tyler Mitchell, P.E.
Construction Manager
Baldwin County Highway Department
o: 251-937-0371
c: 251-525-0497

ADEM: No comments received.

Municipality: City of Daphne. Adrienne Jones, Planning Director.

Good morning,

With regard to the Estate of Inez Stots property, in order to make an informed recommendation, I need information. For example, which zoning district does the county consider to be an appropriate transitional zone, one that is typically found on the edge of a heavier commercial district and a residential district?

From my direct observation Milton Jones Road has become increasingly more commercialized or perhaps industrialized, therefore, it is not surprising that a request for commercial zoning has been submitted for this parcel. A low intensity use or some type 9 am to 5 pm operation with adequate buffering/landscaping along the north and eastern boundary lines would be suitable. If B-2 is such a district to permit this, then I would recommend approval.

I hope this is helpful,

Adrienne

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 one dwelling. The property adjoins Milton Jones Road to the south. The adjoining properties are residential 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?

The zoning for Planning District 15 was approved by the County Commission on August 1, 2006. Since that time, Highway 181 has been widened to four lanes from US Highway 90, south to Milton Jones Road, which has seen numerous rezonings from residential to commercial and industrial designations. In addition, it should be noted that property located at the intersection of State Highway 181 and County Road 64 has been annexed into the City of Daphne.

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 is provided for the subject properties. Approval of the rezoning will necessitate an automatic change in the future land use designation to Residential. This 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 major thoroughfares connecting with work areas, shopping areas and recreational areas. Zoning designations may include RR, RA, CR, RSF-E, RSF-1, RSF-2, RSF-3, RSF-4, RSF-6, RTF-4, RTF-6, RMF-6, HDR, RMH and PRD.

If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Commercial. This category provides for retail and wholesale trade facilities which offer convenience and other types of goods and services. Institutional uses, recreational uses, mixed-use developments and transportation, communication and utility uses may be included in accordance with the Zoning Ordinance. Multiple family developments may also be included. Commercial uses should be located on major streets so as to be accessible to the residential population. Zoning designations may include RR, B-1, B-2, B-3, B-4, LB, RV-1, RV-2, MR and TR.

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

Milton Jones Road is under the jurisdiction of the City of Daphne. Staff is unaware of any conflicts with existing or planned public improvements if the rezoning is approved.

Baldwin County Highway Department Comments

DJ,

I agree with Tyler's comments.

Thanks,
Weesie

From: Tyler W. Mitchell <TMITCHELL@baldwincountyal.gov>

Sent: Tuesday, July 21, 2020 4:00 PM

To: D Hart <DHart@baldwincountyal.gov>; Alfreda Jeffords <Weesie.Jeffords@baldwincountyal.gov>; Mary Booth <MBOOTH@baldwincountyal.gov>; Frank Lundy <FLundy@baldwincountyal.gov>; Joey Nunnally <JNunnally@baldwincountyal.gov>

Cc: Laurie Rumbaugh <LRUMBAUGH@baldwincountyal.gov>; Audra Mize <AMIZE@baldwincountyal.gov>

Subject: RE: Z-20027 Estate of Inez Stots Property

DJ,

For any future development of the property, access to Milton Jones Rd would need to be coordinated with Daphne.

Thanks,

Tyler Mitchell, P.E.

Construction Manager

Baldwin County Highway Department

o: 251-937-0371

c: 251-525-0497

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

Commercial development of the subject property will cause an increase in traffic. The extent will depend on the nature and type of use to be constructed. Given the existing zoning designations and development patterns, traffic impact should be minimal.

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. This is an area in transition with Milton Jones Road becoming more commercialized as rezonings to commercial and industrial designations have been approved. Staff feels that this request is consistent with development patterns in the area.

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

Adjacent property to the west is zoned B-3, General Business District, with property further west being zoned B-2. Properties to the south are zoned M-1, Light Industrial District.

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

Timing is not a factor, with this request. Given the trends in the area, requests for commercial rezonings will probably increase in the future.

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

There are no 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?

This is a broad standard which anticipates impacts which would extend beyond the subject property and adjacent parcels. Staff anticipates no adverse impacts.

11.) Other matters which may be appropriate.

N/A

Staff Comments and Recommendation

As stated previously, the subject property, which consists of approximately .5 acres, is currently zoned RSF-3, Single Family District. B-2, Neighborhood Business District has been requested. According to the submitted information, the purpose of the request is to achieve the best use of the property and a designation which is consistent with its location. This application involves the same applicant as Case Z-20028, which is a similar request. For continued residential use of the subject

For the most part, staff does not support speculative rezoning requests. Although not required, information related to specific plans is useful in evaluating standards and formulating recommendations. In the case at hand however, the changing nature of the Milton Jones Road area makes the future prospects for continued residential use of the subject property unlikely. In addition, rezoning can create a transitional zoning designation between the B-3 property to the west and the remaining residential property to the east.

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

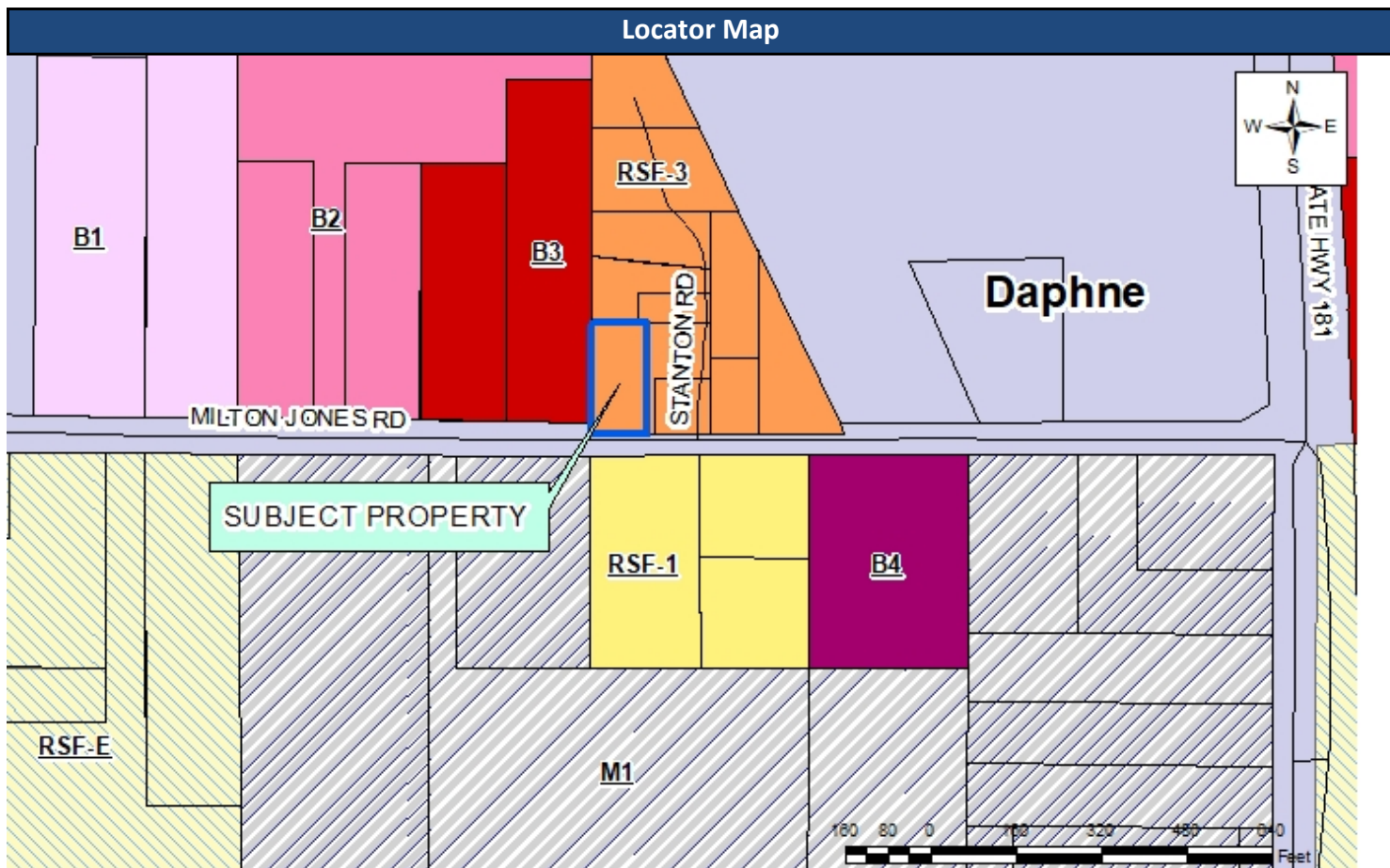
** On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*

Property Images











Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.d

Case No. Z-20028

Estate of Inez Stots Property

Rezone RSF-1, Single Family District to B-2, Neighborhood Business District

August 6, 2020

Subject Property Information

Planning District: 15
General Location: North side of U.S. Highway 90, west of County Road 66 North
Physical Address: 28045 County Road 66 North
Parcel Numbers: 05-42-03-05-0-000-012.000
05-43-03-05-0-000-013.000
Existing Zoning: RSF-1, Single Family District
Proposed Zoning: B-2, Neighborhood Business District
Existing Land Use: Residential
Proposed Land Use: Commercial (Use not specified)
Acreage: 7.91 ± acres
Applicant: Patricia Reed
28045 County Road 66 North
Loxley, Alabama 36551
Owner: Estate of Inez Stots (Patricia Reed, Executor)
28045 County Road 66 North
Loxley, Alabama 36551
Lead Staff: Vince Jackson, Planning Director
Attachments: *Within Report*

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

Summary

This request involves two parcels which are currently zoned RSF-1, Single Family District. The total acreage is approximately 7.91 acres. The designation of B-2, Neighborhood Business District has been requested in order to achieve the best use of the property. No proposed use has been specified. Case Z-20027 is a similar request involving the same applicant.

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 5.2 B-2, Neighborhood Business District

5.2.1 Purpose and intent. The purpose and intent of the B-2 Neighborhood Business District is to provide a limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit.

5.2.2 Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses in the B-2, Neighborhood Business District:

- | | |
|------------------------------------------------------------------|----------------------------------------------|
| (a) All uses permitted by right under the B-1 zoning designation | (v) Floor covering sales or service |
| (b) Antique store | (w) Florist |
| (c) Apparel and accessory store | (x) Fraternity or sorority house |
| (d) Appliance store including repair | (y) Fruit and produce store |
| (e) Art gallery or museum | (z) Gift shop |
| (f) Art supplies | (aa) Hardware store, retail |
| (g) Bait store | (bb) Ice cream parlor |
| (h) Bakery retail | (cc) Interior decorating shop |
| (i) Bed and breakfast or tourist home | (dd) Laundry, self service |
| (j) Bicycle sales and service | (ee) Lawnmower sales and service |
| (k) Boarding, rooming or lodging house, dormitory | (ff) Locksmith |
| (l) Book store | (gg) Music store |
| (m) Café | (hh) Neighborhood convenience store |
| (n) Camera and photo shop | (ii) News stand |
| (o) Candy store | (jj) Paint and wallpaper store |
| (p) Catering shop or service | (kk) Picture framing and/or mirror silvering |
| (q) Copy shop | (ll) Restaurant |
| (r) Delicatessen | (mm) Shoe repair shop |
| (s) Discount/variety store (not to exceed 8,000 square feet) | (nn) Shoe store |
| (t) Drug store (not to exceed 8,000 square feet) | (oo) Sign shop |
| (u) Fixture sales | (pp) Sporting goods store |
| | (qq) Tailor shop |
| | (rr) Tobacco store |
| | (ss) Toy store |

5.2.3 Conditional uses. The following uses are permissible as conditional uses in the B-2, Neighborhood Business District, subject to the standards and procedures established in *Section 18.11: Conditional Uses*:

- | | |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| (a) Air conditioning sales and service | (q) Park or playground |
| (b) Amusement arcade | (r) Pawn shop |
| (c) Animal clinic/kennels | (s) Pet shop |
| (d) Arboretum | (t) Plumbing shop |
| (e) Ball field | (u) Restaurant sales and supplies |
| (f) Business machine sales and service | (v) Riding academy |
| (g) Car wash | (w) Rug and/or drapery cleaning service |
| (h) Country club | (x) Seafood store |
| (i) Discount/variety store (exceeding 8,000 square feet) | (y) Swimming pool (outdoor) |
| (j) Drug store (exceeding 8,000 square feet) | (z) Tennis court (outdoor) |
| (k) Exterminator service office | (aa) Water storage tank |
| (l) Golf course | (bb) Wildlife sanctuary |
| (m) Liquor store | (cc) Wireless telecommunication facility |
| (n) Mini-warehouse | (dd) Dwellings, in combination with commercial uses, subject to the standards listed under Section 5.2.4: Mixed uses |
| (o) Night club, bar, tavern | |
| (p) Office equipment and supplies sales | |

5.2.4 *Mixed uses.* Mixed residential and commercial uses may be permissible as conditional uses in the B-2 Neighborhood Business District, subject to the standards and procedures established in *Section 18.11: Conditional Uses*, and subject to the following criteria:

- (a) The commercial uses in the development may be limited in hours of operation, size of delivery trucks and type of equipment.
- (b) The residential uses shall be designed so that they are compatible with the commercial uses.
- (c) Residential and commercial uses shall not occupy the same floor of a building.
- (d) Residential and commercial uses shall not share the same entrances.
- (e) The number of residential dwelling units shall be controlled by the dimensional standards of the B-2 district. A dwelling unit density of .5 (1/2) dwelling units per 1,000 square feet of the gross floor area devoted to commercial uses, may be allowed (structures with less than 2,000 square feet devoted to commercial uses shall be allowed one dwelling unit). In no case, however, shall the overall dwelling unit density for a mixed use project exceed 4 dwelling units per acre.
- (f) Building height shall not exceed three stories.
- (g) A minimum of 30 percent of the mixed use development shall be maintained as open space. The following may be used to satisfy the open space requirements: areas used to satisfy water management requirements, landscaped areas, recreation areas, or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained).
- (h) The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular access ways and parking areas from residential units, to the greatest extent possible.
- (i) Off-street parking spaces for the mixed residential and commercial uses shall be the sum total of the residential and commercial uses computed separately (See *Article 15: Parking and Loading Requirements*).

5.2.5 *Area and dimensional ordinances.*

Maximum Height of Structure in Feet	35
Maximum Height of Structure in Habitable Stories	2 1/2
Minimum Front Yard	30-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.60
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

5.2.6 *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.

5.2.7 *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.

5.2.8 *Landscaping and buffering.* All B-2, Neighborhood Business District, uses shall meet the requirements of *Article 17: Landscaping and Buffers*.

Agency Comments

Baldwin County Highway Department, Tyler Mitchell and Weesie Jeffords:

DJ,

I agree with Tyler's comments.

Any connection to HWY 90 (Minor Arterial) will require a permit through ALDOT and there is a 100ft highway construction setback from the center of ROW.

Connection to County Road 66N (local road) will require a commercial turnout permit through the Baldwin County Highway Department and has a 40ft highway construction setback from the center of the ROW.

Thank you,
Weesie

From: Tyler W. Mitchell <TMITCHELL@baldwincountyal.gov>

Sent: Tuesday, July 21, 2020 4:06 PM

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

Cc: Frank Lundy <FLundy@baldwincountyal.gov>; Joey Nunnally <JNunnally@baldwincountyal.gov>

Subject: RE: Z-20028 Estate of Inez Stots Property (case 2)

DJ,

For any future development of the property, access to County Road 66 N would need to be coordinated with the Baldwin County Highway Department. Any connection to Hwy 90 would need to be coordinated with ALDOT.

Thanks,

Tyler Mitchell, P.E.
Construction Manager
Baldwin County Highway Department
o: 251-937-0371
c: 251-525-0497

ADEM: No comments received.

Baldwin County Subdivision Department, Mary Booth: No comments.

Town of Loxley: 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 one dwelling and accessory structures. The property adjoins U.S. Highway 90 to the south and County Road 66 North to the east. Property to the east is the location for a grandfathered concrete plant. Properties to the north, south and west are 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?

Planning District 15 was zoned in August 2006. There have been no changes which would impact rezoning of the subject property.

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

The Baldwin County Master Plan, 2013, provides a future land use designation of Residential for the subject property. This 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 major thoroughfares connecting with work areas, shopping areas and recreational areas. Zoning designations may include RR, RA, CR, RSF-E, RSF-1, RSF-2, RSF-3, RSF-4, RSF-6, RTF-4, RTF-6, RMF-6, RMH and PRD.

If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Commercial. The commercial category is provided for retail and wholesale trade facilities which offer convenience and other types of goods and services. Institutional uses, recreational uses, mixed-use developments and transportation, communication and utility uses may be included in accordance with the Zoning Ordinance. Multiple family developments may also be included. Commercial uses should be located on major streets so as to be accessible to the residential population. Zoning designations may include RR, B-1, B-2, B-3, B-4, MR and TR.

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

Staff is unaware of any existing or planned public improvements which would be impacted.

Baldwin County Highway Department Comments

DJ,

I agree with Tyler's comments.

Any connection to HWY 90 (Minor Arterial) will require a permit through ALDOT and there is a 100ft highway construction setback from the center of ROW.

Connection to County Road 66N (local road) will require a commercial turnout permit through the Baldwin County Highway Department and has a 40ft highway construction setback from the center of the ROW.

Thank you,
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From: Tyler W. Mitchell <TMITCHELL@baldwincountyal.gov>

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Cc: Frank Lundy <FLundy@baldwincountyal.gov>; Joey Nunnally <JNunnally@baldwincountyal.gov>

Subject: RE: Z-20028 Estate of Inez Stots Property (case 2)

DJ,

For any future development of the property, access to County Road 66 N would need to be coordinated with the Baldwin County Highway Department. Any connection to Hwy 90 would need to be coordinated with ALDOT.

Thanks,

Tyler Mitchell, P.E.
Construction Manager
Baldwin County Highway Department
o: 251-937-0371
c: 251-525-0497

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

Traffic will increase with commercial development on the property. The exact nature and extent of the increase is difficult to ascertain at this time. This will be looked at during the permitting process, as discussed above.

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 majority of the surrounding land uses are residential. Property to the west, across County Road 66 North, is the location of a concrete plant which was established prior to the adoption of zoning. This property, however, is zoned RSF-1.

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

The surrounding zoning designations are RSF-1, with an area of RR, Rural District, located to the west. The nearest B-2 zoned parcel is located across from the RR parcel on the south side of U.S. Highway 90.

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

Timing is not a factor with this request.

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

Staff 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 Baldwin County Highway Department on County Road 66 North and from the Alabama Department of Transportation (ALDOT) on U.S. highway 90. Development of the property will be considered as a major project. Prior to the issuance of a Land Use Certificate, staff will evaluate all submitted materials, including building plans, drainage plans, landscaping plans, buffers and site plans in order to ensure compliance with the requirements of the zoning ordinance.

11.) Other matters which may be appropriate.

N/A

Staff Comments and Recommendation

As stated previously, this request involves two parcels which are currently zoned RSF-1, Single Family District. The total acreage is approximately 7.91 acres. The designation of B-2, Neighborhood Business District has been requested in order to achieve the best use of the property. No proposed use has been specified. Case Z-20027 is a similar request involving the same applicant. Like Case Z-20027, this application represents speculative rezoning. The situation in this area is somewhat different however, in that we do have multiple zoning designations and have not see a significant number of rezoning applications. Staff believes, however, that residential development of the subject properties is unlikely due to the location on U.S. Highway 90, and due also to the presence of the concrete plant.

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



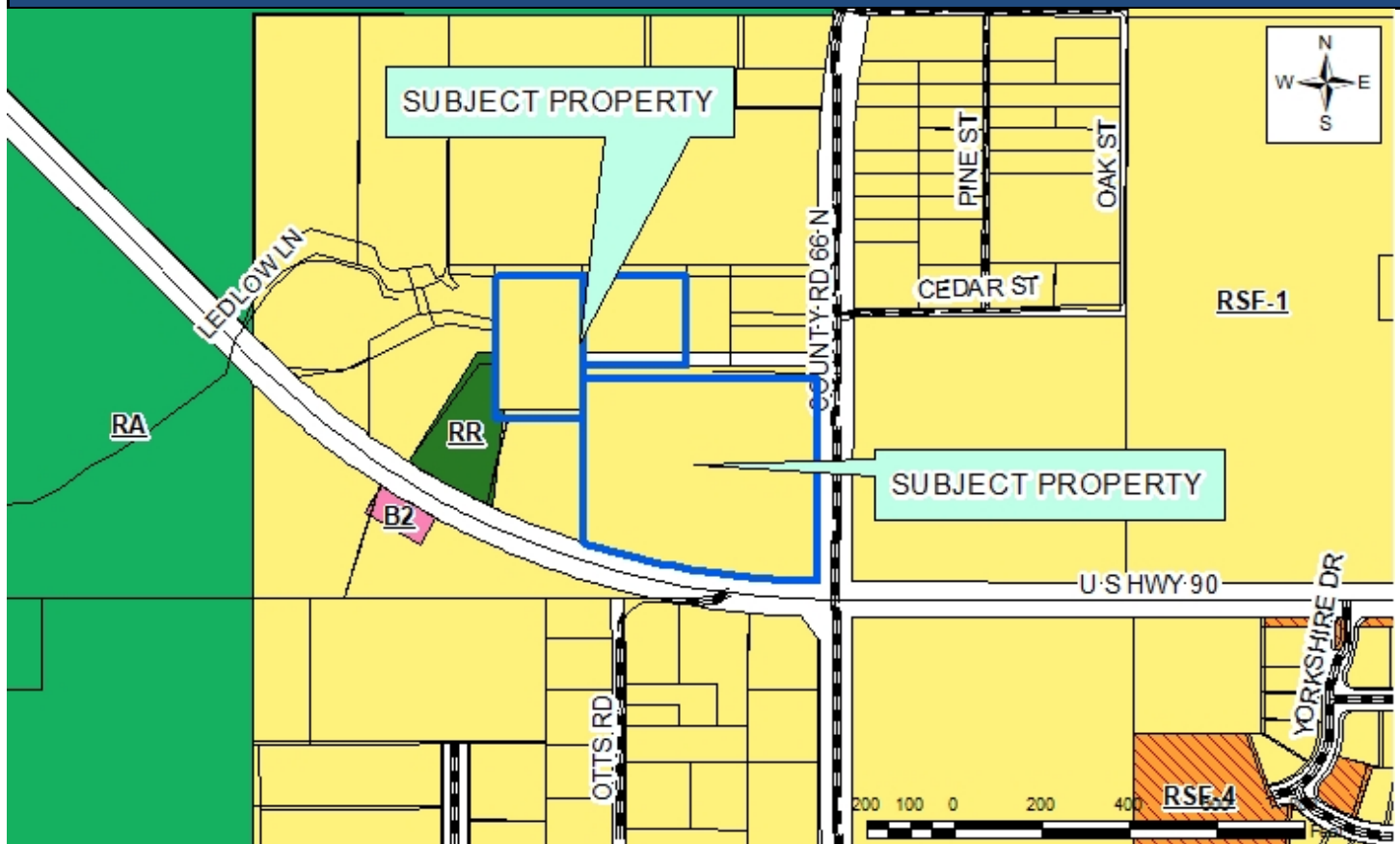




**SOUTH WEST CORNER OF
US HIGHWAY 90 & COUNTY ROAD 66 N**

07/16/2020

Locator Map



Site Map





Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.d

Case No. Z-20029

Schambeau Property

Rezone RSF-E, Residential Single Family Estate District to B-3, General Business District

August 6, 2020

Subject Property Information

Planning District:	15
General Location:	South side of County Road 64, west of Austin Road
Physical Address:	10430 County Road 64
Parcel Number:	05-43-06-23-0-000-009.000
Existing Zoning:	RSF-E, Residential Single Family Estate District
Proposed Zoning:	B-3, General Business District
Existing Land Use:	Commercial (Existing Mini-Warehouse Facility)
Proposed Land Use:	Commercial (Same, Replace Burned Warehouse and Achieve Conforming Status)
Acreage:	3.61 acres +/-
Applicant:	Daniel A. Schambeau P.O. Box 2730 Daphne, Alabama 36526
Owner:	Same
Lead Staff:	Vince Jackson, Planning Director
Attachments:	<i>Within Report</i>

	Adjacent Land Use	Adjacent Zoning
North	Residential	RSF-E, Single Family Estate District
South	Residential	RSF-E, Single Family Estate District
East	Residential	RSF-E, Single Family Estate District
West	Residential	RSF-E, Single Family Estate District

Summary

The subject property is currently zoned RSF-E, Residential Single Family Estate District. It consists of approximately 3.61 acres and is the location of a mini-warehouse facility which was constructed prior to the adoption of zoning in Planning District 15. The designation of B-3, General Business District, has been requested in order to allow for the replacement of a warehouse building, which recently burned, and in order to provide conforming status for the property.

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

- (xx) Skating rink
- (yy) Stone monument sales
- (zz) Swimming pool (outdoor)
- (aaa) Taxidermy

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

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 (Tyler Mitchell and Weesie Jeffords):

DJ,

I agree with Tyler's comments.

Any further improvements would also be subject to construction outside of the 100ft construction setback from center of ROW of County Road 64 (Minor Arterial).

Thank you,
Weesie

From: Tyler W. Mitchell <TMITCHELL@baldwincountyal.gov>

Sent: Friday, July 24, 2020 11:33 AM

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

Cc: Frank Lundy <FLundy@baldwincountyal.gov>; Joey Nunnally <JNunnally@baldwincountyal.gov>

Subject: RE: Z-20029 Schambeau Property

DJ,

Any potential changes to the existing access would require coordination and permitting through the Highway Department.

Thank you,

Tyler Mitchell, P.E.
Construction Manager
Baldwin County Highway Department
o: 251-937-0371
c: 251-525-0497

Planning & Zoning/Subdivisions (Mary Booth, Subdivision Coordinator): No comments.

ADEM: No comments received.

City of Daphne (Adrienne Jones, Planning Director):

With regard to the Schambeau rezoning request to bring the parcel's zoning in conformity with the actual use thereby allowing them to rebuild the fire-damaged structure, I recommend approval. The facility has been in operation for well over 10 years and is now part of the fabric of the County Road 64 corridor.

Adrienne

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 mini-warehouse storage buildings. The properties adjoin County Road 64 to the north. Surrounding properties are 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 area has seen significant residential and commercial growth since that time. The existing storage facility was established prior to the adoption of zoning and is nonconforming. According to information from the Baldwin County Revenue Commission, warehouse buildings were first constructed on the property around 1995.

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 is provided for the subject properties. Approval of the rezoning will necessitate an automatic change in the future land use designation to Residential. This 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 major thoroughfares connecting with work areas, shopping areas and recreational areas. Zoning designations may include RR, RA, CR, RSF-E, RSF-1, RSF-2, RSF-3, RSF-4, RSF-6, RTF-4, RTF-6, RMF-6, HDR, RMH and PRD.

If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Commercial. This category provides for retail and wholesale trade facilities which offer convenience and other types of goods and services. Institutional uses, recreational uses, mixed-use developments and transportation, communication and utility uses may be included in accordance with the Zoning Ordinance. Multiple family developments may also be included. Commercial uses should be located on major streets so as to be accessible to the residential population. Zoning designations may include RR, B-1, B-2, B-3, B-4, LB, RV-1, RV-2, MR and TR.

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

The Highway Department is currently in the design phase of corridor improvements to County Road 64 in this area. Since the use of the property is existing, there should be no impact on the planned improvements.

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

Although traffic congestion is a major concern in this area, there should be no adverse impacts on traffic patterns or congestion due to the fact that the use is already established. Additional improvements, if any, will require review by the Highway Department.

6.) Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.

The surrounding land uses are residential. The use of the subject property was established prior to the adoption of zoning in the planning district. Approval of the rezoning will provide a conforming status. Please also see the responses to Standards 1 and 2.

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

Adjacent properties are zoned RSF-E. The nearest area of B-3 zoning is located to the west at the intersection of State Highway 181 and County Road 64. B-1 and B-2 zoning is found to the east of Austin Road.

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

Timing is not a factor with this request.

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

No impacts.

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

No adverse effects.

11.) Other matters which may be appropriate.

N/A

Staff Comments and Recommendation

As stated above, the subject property is currently zoned RSF-E, Residential Single Family Estate District. It consists of approximately 3.61 acres and is the location of a mini-warehouse facility which was constructed prior to the adoption of zoning in Planning District 15. The designation of B-3, General Business District, has been requested in order to allow for the replacement of a warehouse building, which recently burned, and in order to provide conforming status for the property.

Unless information to the contrary is provided at the public hearing, this request should be **APPROVED**. *

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

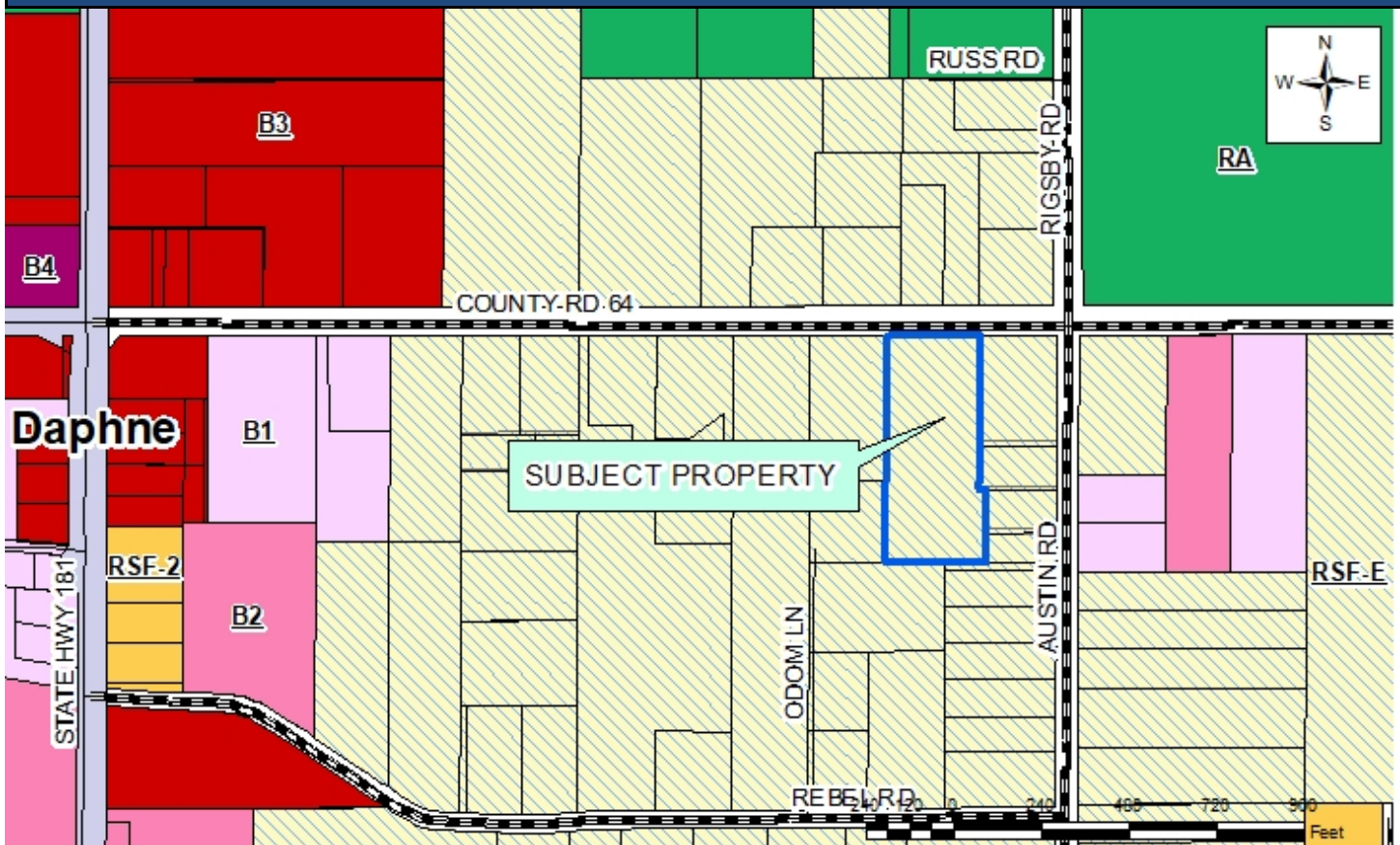
Property Images







Locator Map



Site Map

