

**Baldwin County Commission District 1, Board of Adjustment
Special Meeting
Agenda**

September 2, 2020

10:00 a.m.

**Baldwin County Administration Building
Commission Conference Room
322 Courthouse Square
Bay Minette, AL 36507**

- I. Call to Order
- II. Roll Call
- III. Election of Officers for 2020
- IV. Approval of Previous Meeting Minutes (December 18, 2019)
- V. Announcements/Registration to Address the Board of Adjustments
- VI. Consideration of Applications and Request

ITEMS:

a.) Case No. SE-20004, Hwy 225 Storage LLC Property

Request: A special exception to allow for expansion of an RV/Boat Storage Facility

Location: The subject property is located at 36625-A State Hwy 225, in Planning District 4

Attachments: Within Report

- VII. Old Business
- VIII. New Business
- IX. Adjournment

Baldwin County Commission District 1, Board of Adjustment
December 18, 2019
Regular Meeting Minutes
Baldwin County Administration, Bay Minette

The Board of Adjustment for Baldwin County Commission, District 1 met in a regular session on Wednesday, December 18, 2019, at 10:00 a.m., in the Commission Conference Room of the Baldwin County Administration Building in Bay Minette. The meeting was called to order by the Chairman, Mr. Arthur Oken. Members present included Ms. Nancy Mackey and Ms. Charmein Moser. Also present was Planner Linda Lee.

Approval of Minutes

Ms. Mackey made a motion to approve the minutes of the September 25, 2019, regular meeting. The motion received a second from Ms. Moser and carried unanimously.

Old Business – Status of Boards

Ms. Mackey inquired about the proposal to combine the Boards of Adjustments. Staff stated that the proposal was sent to the Legislative Delegation.

Adjournment

There being no further business to come before the Board, Chairman Oken adjourned the meeting at 10:06 a.m.

Respectfully submitted:

Linda Lee, Planner

I hereby certify that the above minutes are true, correct and approved this ____ day of _____, 2020.

Acting Chairman



Baldwin County Planning & Zoning Department County Commission District #1

Baldwin County Board of Adjustment Staff Report

Case No. SE-20004
Hwy 225 Storage LLC Property
Special Exception Approval to Allow for the Expansion of an Existing Storage Facility
August 26, 2020

Subject Property Information

Planning District: 4
General Location: West side of State Highway 225
Physical Address: 36625-A State Highway 225
Parcel Number: 05-29-09-42-0-000-003.058
Existing Zoning: RR, Rural District
Existing Land Use: Storage Facility
Proposed Land Use: Addition of two (2) buildings to existing storage facility
Acreage: 3.74 acres, more or less
Applicant: Les Parnell
7152 A Cloverleaf Landing Road
Bay Minette, Alabama 36507
Owner: Hwy 225 Storage LLC
Lead Staff: Vince Jackson, Planning Director
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Undeveloped	RSF-1, Single Family
South	Residential/Institutional	RSF-E and RR
East	Residential	RSF-E, Estate Residential
West	Undeveloped	RR, Rural District
Summary		

The applicant is requesting special exception approval to allow for the expansion of an existing storage facility. On December 27, 2017, the Board approved a special exception to allow for the construction of climate controlled storage buildings and boat and rv storage (Case SE-17003). Three buildings and an rv/boat storage area, with an 11,970 sq ft pole barn, were subsequently built. Although additional buildings were shown on the submitted site plan, only the constructed buildings were part of the original approval. The current proposal calls for a 4,500 sq ft storage building, a 4,000 sq ft storage building and 5,040 sq ft pole barn in the rv/boat storage area. The subject property is zoned RR, Rural District, and a storage facility may be allowed under this designation subject to the review and approval of the Board of Adjustment.

Section 3.1 RR, Rural District

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

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

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) Marine recreation uses.
- (d) Outdoor recreation uses.
- (e) The following general commercial uses: animal clinic and/or kennels; farm implement sales; farmer's market/truck crops; nursery; landscape sales.
- (f) Local commercial uses.
- (g) Professional service and office uses.
- (h) The following institutional uses: church or similar religious facility; child care center; child care institution; day care home; fire station; library; post office; school (public or private).
- (i) Agricultural uses.
- (j) Single family dwellings including manufactured housing and mobile homes.
- (k) Accessory structures and uses.

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

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

3.1.4 *Conditional use.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

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

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

Maximum Height of Structure in Feet	35
Minimum Front Yard	30-feet
Minimum Rear Yard	30-feet
Minimum Side Yards	10-feet
Minimum Lot Area	40,000 Square Feet
Minimum Lot Width at Building Line	120-feet
Minimum Lot Width at Street Line	120-feet

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

Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	20,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	80-Feet

According to the Table of Permitted Uses, climate controlled storage and boat and rv storage may be allowed under the RR designation, subject to the Special Exception review and approval of the Board of Adjustment, by virtue of being analogous to the listed “mini-warehouse facility”. For additional information on use provisions, please see Article 23 of the zoning ordinance.

Staff Analysis and Findings

According to Section 18.8.4, Standards for Approval, from the *Baldwin County Zoning Ordinance*, a special exception may be approved by the Board of Adjustment only upon determination that the application and evidence presented clearly indicate that all of the following standards have been met:

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

The Baldwin County Master Plan, 2013, 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. The Baldwin County Master Plan, 2013, indicates a future land use designation of Agricultural for the subject property. Due to the fact that the proposed use may be allowed through the special exception process, it is consistent with the Master Plan.

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

The use is already established with the subject request representing an expansion. A business of this type is intended to serve the local area and generally does not draw a significant amount of traffic. Staff feels that this business serves as a convenience.

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

Staff does not believe that the use has had a significant impact on property values.

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

The adjacent property is largely undeveloped and much of it is owned by the applicant. Adjacent property to the south is the location for a volunteer fire department. See also the response to item "b" listed above.

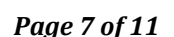
Staff Comments and Recommendation

As stated previously, the applicant is requesting special exception approval to allow for the expansion of an existing storage facility. On December 27, 2017, the Board approved a special exception to allow for the construction of climate controlled storage buildings and boat and rv storage (Case SE-17003). Three buildings and an rv/boat storage area, with an 11,970 sq ft pole barn, were subsequently built. Although additional buildings were shown on the submitted site plan, only the constructed buildings were part of the original approval. The current proposal calls for a 4,500 sq ft storage building, a 4,000 sq ft storage building and 5,040 sq ft pole barn in the rv/boat storage area. The subject property, which consists of approximately 3.74 acres, is zoned RR, Rural District, and a storage facility may be allowed under this designation subject to the review and approval of the Board of Adjustment. If approved, staff will carefully review all submissions to ensure compliance with the zoning ordinance. A landscaped buffer is not required.

With the above comments in mind, staff recommends that this request be **APPROVED**, subject to the following conditions:

- Approval shall be for this location and this applicant only.
- Any changes or additions to the facility shall necessitate additional review and approval by the Board of Adjustment.
- A Baldwin County Land Use Certificate shall be obtained from the Planning and Zoning Department no later than 6 months from the date of approval.
- The Board may impose additional conditions as it sees fit.

Site Plan



Property Images







