

Z23-7 PINTARELLI PROPERTY

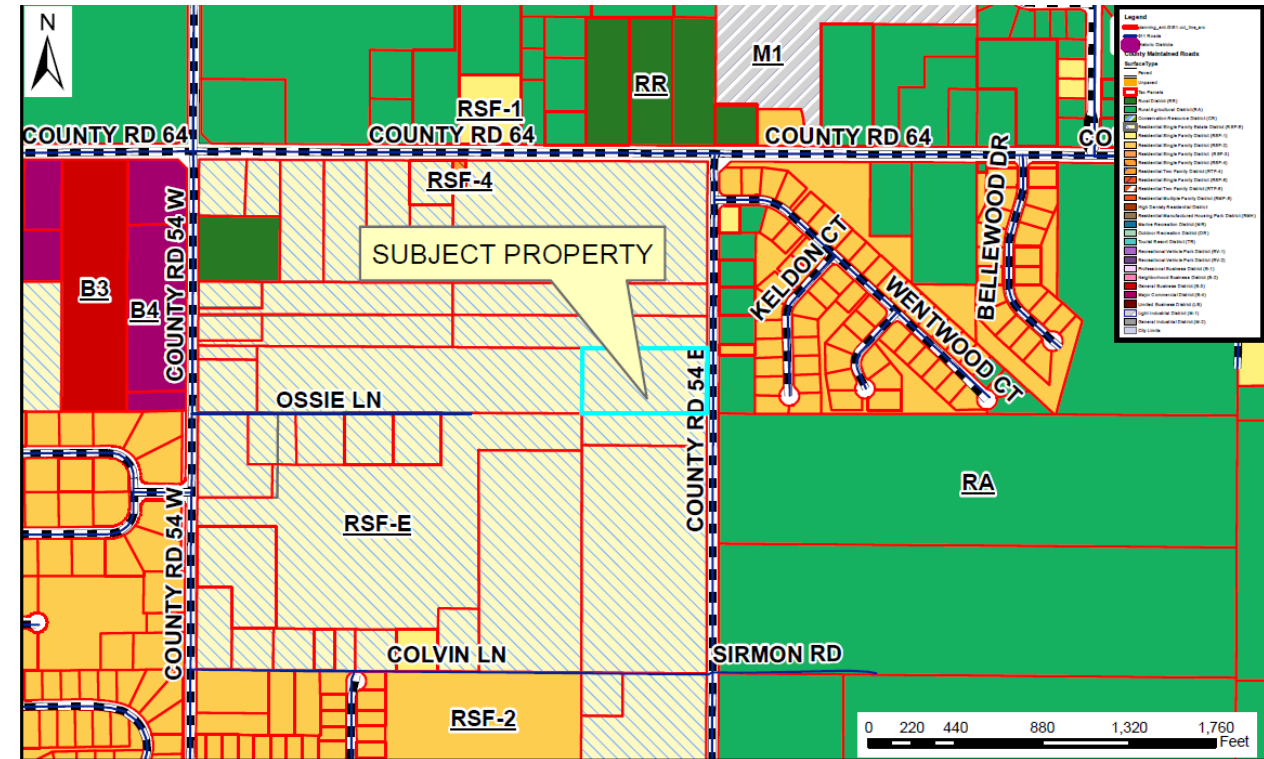
Lead Staff: Cory Rhodes, Planner

Request before Planning Commission:

Rezone 5+/- acres From RSF-E to RA

To view maps/plats in higher resolution,
please visit the “Upcoming Meeting Items”
Planning & Zoning webpage:

[https://baldwincountyal.gov/departments/
planning-zoning/meeting-agenda](https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda)



Z23-7 PINTARELLI PROPERTY

Lead Staff: Cory Rhodes, Planner

Planning District: 15

PIN: 100969

Zoned: RSF-E, Residential Single-Family Estate District

Location: Subject property is located to the west of County Road 54E and south of County Road 64 in Daphne

Current Uses: Commercial & Vacant

Acreage: +/- 5 acres

Physical Address: 25731 County Road 54E
Daphne, AL 36526

Applicant: Frank McGinley

Owner: Augustine Pintarelli

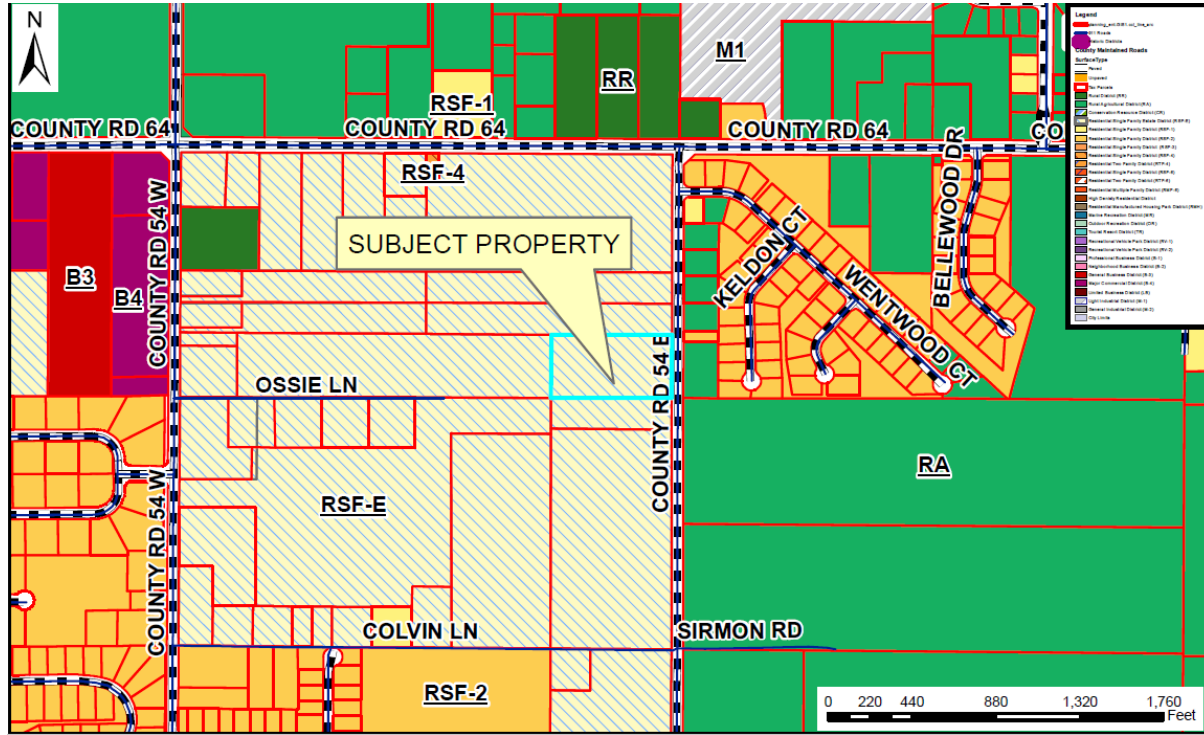
Proposed Zoning: RA, Rural Agricultural District

Applicant's Request: To rezone to RA.

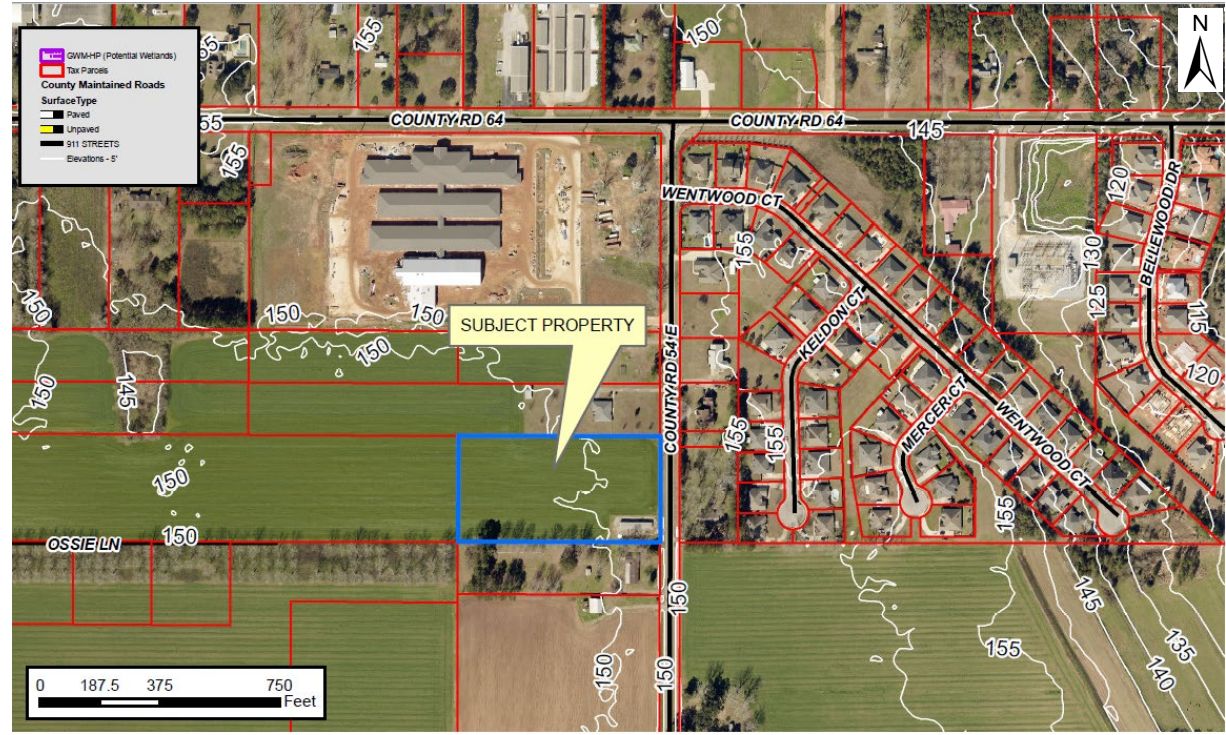
Note: The applicant has indicated a desire to expand the existing mini-storage, but that is not before the Commission for consideration, and a subsequent Commission Site Plan application may not necessarily be approved in the future if a rezoning is granted.

Online Case File Number: The official case number for this application is Z23-7, however, when searching online CitizenServe database, please use Z23-000007.

Locator Map



Site Map



	Adjacent Zoning	Adjacent Land Use
North	RSF-E, Residential Single-Family Estate District	Residential
South	RSF-E, Residential Single-Family Estate District	Residential
East	RA, Rural Agricultural District & RSF-2, Single-Family District	Residential
West	RSF-E, Residential Single-Family Estate District	Residential

Property Images

Mar 10, 2023 at 10:52:13 AM
278° W

Subject Property
PIN: 100969



Property Images



Property Images



Current Zoning Requirements

Article 4 Residential Districts

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 Use Commission Site Plan Approval*. 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 by the site plan approval process:

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

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: Not Applicable

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 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-Feet
Maximum Height in Habitable Stories	2 ½
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 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: Not Applicable

3.2.4 *Conditional Use Commission Site Plan Approval*. 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 by the site plan approval process:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.
- (c) The following general commercial uses: low density recreational vehicle park (see *Section 13.9: Recreational Vehicle Parks*).

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

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 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-Feet
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

Zoning Use Table

	RR	RA	CR	RSF-E	RSF-1	RSF-2	RSF-3	RSF-4	RTF-4	RSF-6	RTF-6	RMF-6	HDR	RMH	B-1	B-2	B-3	B-4	RV-1	RV-2	LB	LB	MR	OR	TR	M-1	M-2
Lawnmower sales and service	C																P	P								P	P
Liquor store																C	P	P								P	P
Miniature golf	C																P	P								P	P
Mini-warehouse	C	C										C	C		C	C	P	P								P	P
Night club, bar, tavern	C															C	P	P					P		C	P	P
Nursery	P	P															P	P								P	P
Office equipment and supplies sales	C															C	P	P								P	P
Office Warehouse	C														C	C	P	P								P	P
Pawn shop	C															C	P	P								P	P
Pet shop	C															C	P	P								P	P
Plumbing shop	C															C	P	P								P	P
Printing and publishing establishment	C																										
Racetrack																											
Restaurant sales and supplies	C																										

Note: The applicant has indicated a desire to expand the existing mini-storage, but that is not before the Commission for consideration, and a subsequent Commission Site Plan application may not necessarily be approved in the future if a rezoning is granted.

Factor Summary:

- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.

<div><div></div><div>#1</div></div> <div>Compatible with development pattern?</div>	<div><div></div><div>#2</div></div> <div>Change of conditions since originally zoned?</div>	<div><div></div><div>#3</div></div> <div>Proposal conform to Master Plan?</div>	<div><div></div><div>#4</div></div> <div>Conflicts with public improvements?</div>	<div><div></div><div>#5</div></div> <div>Adverse affect to traffic?</div>	<div><div></div><div>#6</div></div> <div>Consistent with development pattern?</div>
<div><div></div><div>#7</div></div> <div>Logical expansion of adjacent zoning?</div>	<div><div></div><div>#8</div></div> <div>Timing appropriate given development trends?</div>	<div><div></div><div>#9</div></div> <div>Environmental or Historic impact?</div>	<div><div></div><div>#10</div></div> <div>Adverse impact on health, safety, & wellness?</div>	<div><div></div><div>#11</div></div> <div>Other appropriate matters?</div>	

Public Hearing:

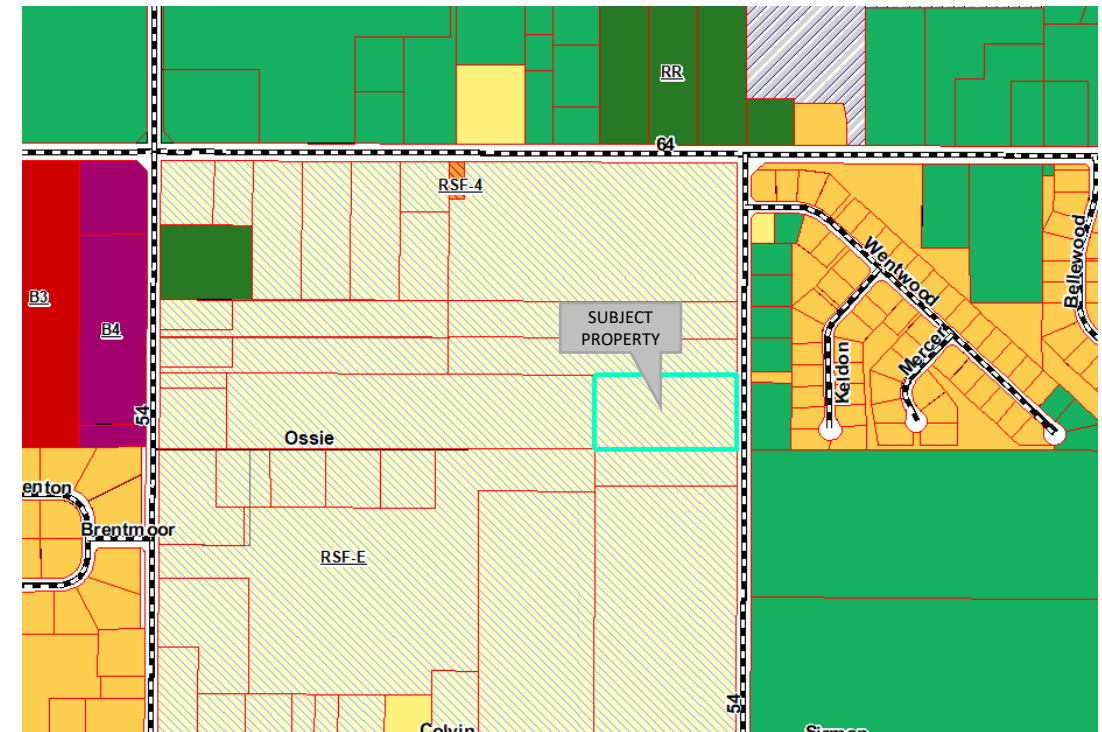
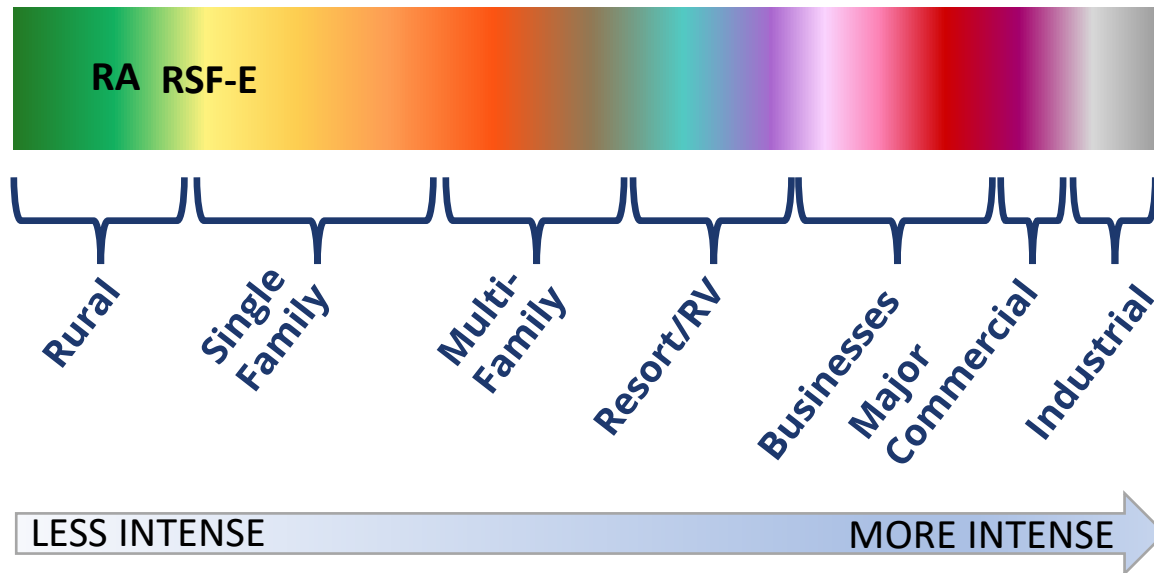
Only credible information impacting one of the factors above will be considered by the Planning Commission.

Staff Analysis and Findings

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

The subject property is currently zoned RSF-E, Residential Single-Family Estate District. The adjacent properties are zoned RSF-E, RA, and RSF-2. Staff believes the change to Rural Agricultural is appropriate.

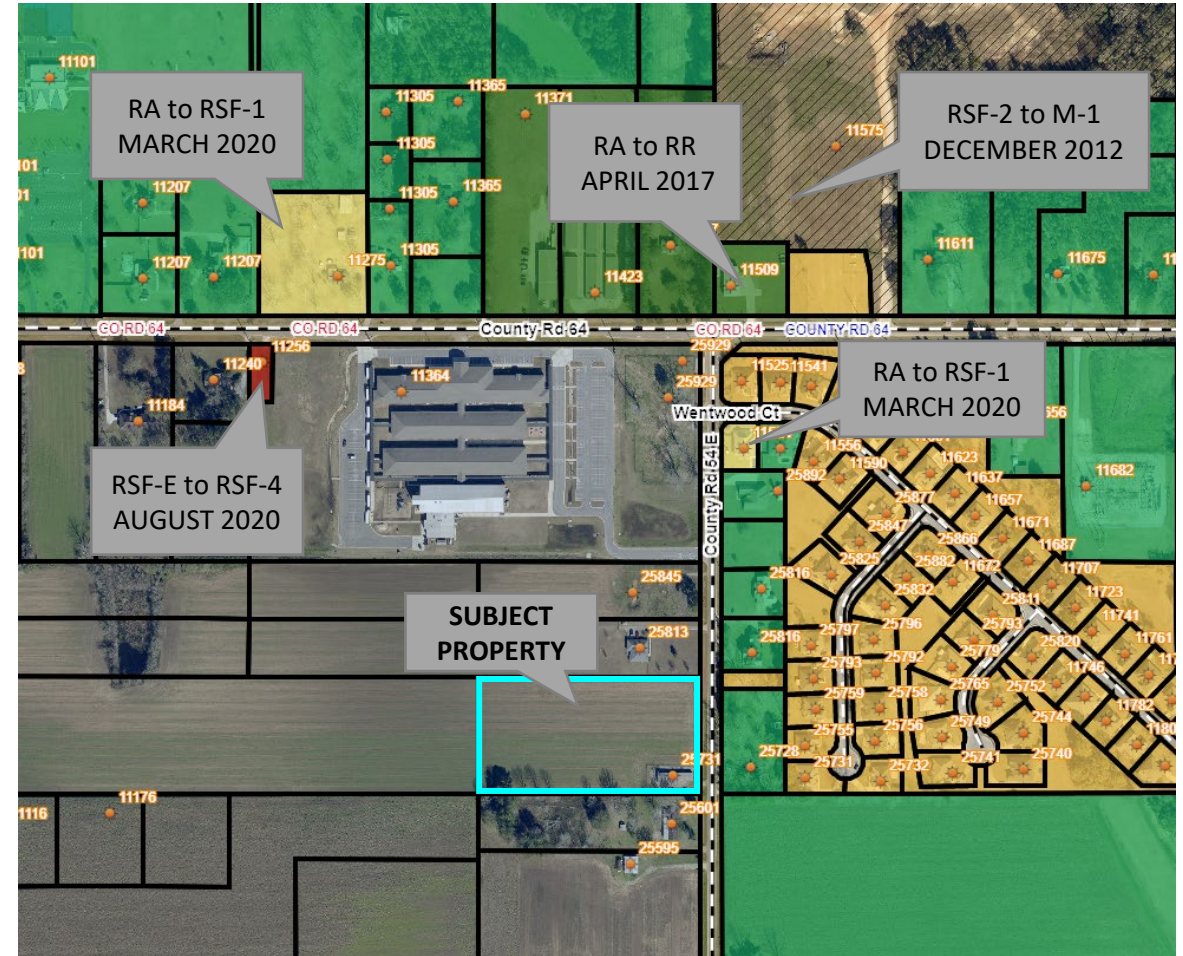
A later application will evaluate the appropriateness of a future mini-warehouse facility expansion.



Staff Analysis and Findings

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?

Zoning for Planning District 15 was adopted by the County Commission on August 1, 2006. It appears that the subject property was zoned RSF-E at the time Planning District 15 came into effect. Since this time there have been a handful of zoning changes within approximately ¼ mile of the subject property.



Staff Analysis and Findings

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

According to the 2013 Master Plan, a future land use designation of Residential is provided 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 designation will have to be amended to Agricultural.

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

Staff is unaware of any planned public improvements.

Staff Analysis and Findings

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

Per the Federal Highway Administration, the functional classification of County Road 54E is Major Collector. Collectors “collect” traffic from Local Roads and connect traffic to Arterial roadways. Collectors often provide traffic circulation within residential neighborhoods as well as commercial, industrial or civic districts. Traffic going to and from the mini-warehouses could have an affect on traffic patterns or congestion. Access to this site from County Road 54E would require approval from the Baldwin County 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 adjacent land uses are residential. The subject property is surrounded by residentially-zoned and used property, which supports orderly development of the community.

Staff Analysis and Findings

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

As mentioned earlier, the subject property is surrounded by RSF-E zoned property. More intense commercial areas can be found further west of the subject property, near the intersection of County Road 54W and County Road 64. Staff feels the proposed amendment supports a logical expansion of adjacent zoning.

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

Staff believes that timing is not an issue.

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.

Staff Analysis and Findings

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

Staff does not anticipate any adverse impacts to the health, safety and welfare of the County and the vicinity.

11) Other matters which may be appropriate. N/A

Agency Comments

ALDOT, Michael Smith: No comments received

ADEM, Scott Brown: No comments received

Baldwin County Highway Department, Tucker Stewart: No comments received

Baldwin County Subdivision, Shawn Mitchell: No comments received

City of Daphne: No comments received

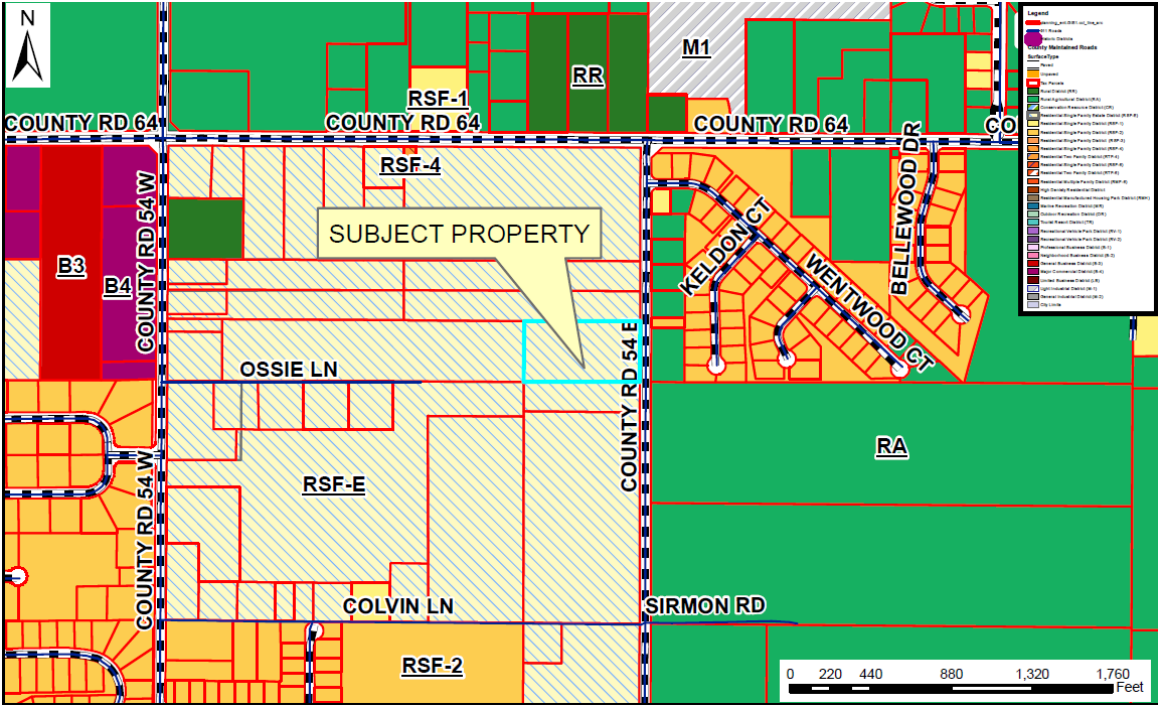
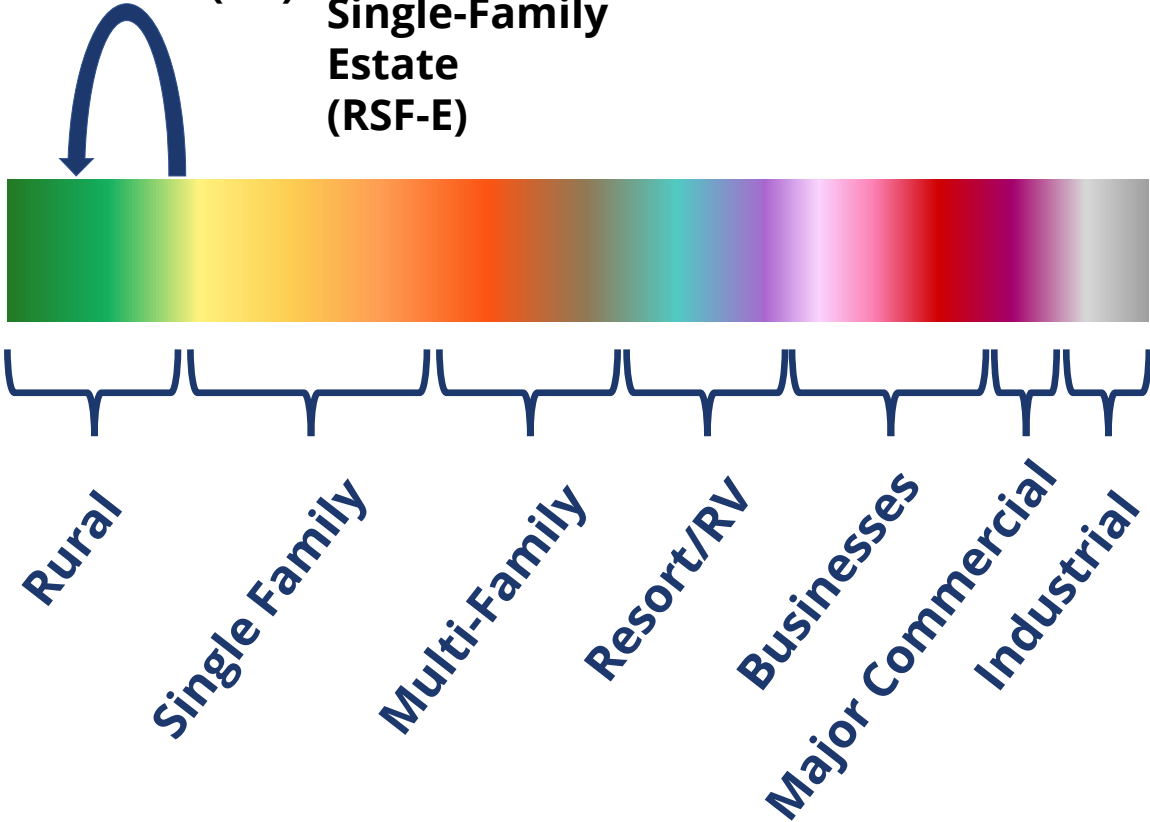
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*Requested
Zoning:*

Rural
Agricultural (RA)

Current Zoning:
Residential
Single-Family
Estate
(RSF-E)

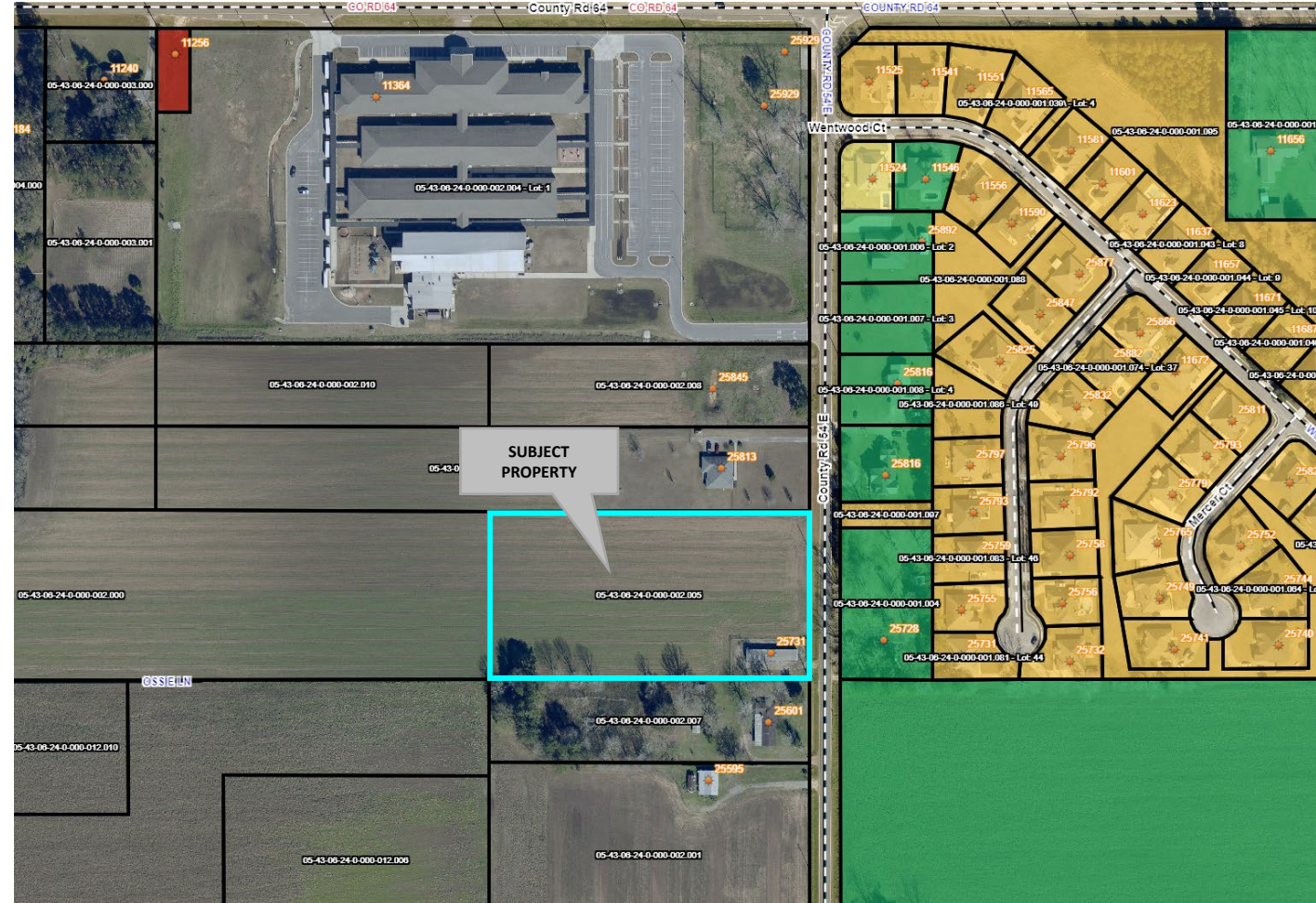


Z23-7 PINTARELLI PROPERTY

Lead Staff: Cory Rhodes, Planner

Staff's Summary and Comments:

As stated previously, the subject property is currently zoned RSF-E, Residential Single-Family Estate District and is currently commercial. The property adjoins County Road 54E and the adjoining properties are residential. The requested zoning designation is RA, Rural Agricultural District. According to the submitted information, the purpose of this request is to allow for the expansion of existing mini-storage, which is not allowed in the current zoning district. If the property is rezoned, the applicant will need to apply for Commission Site Plan approval.



Factor Summary:

- Factors do not necessarily carry equal weight.
- Staff review is based on information provided by the applicant and other readily available information.

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Public Hearing:

Only credible information impacting one of the factors above will be considered by the Planning Commission.

Z23-7 PINTARELLI PROPERTY

Lead Staff: Cory Rhodes, Planner

Recommendation:

Staff Recommends **APPROVAL**

Planning Commission Recommends **APPROVAL**

