



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Case No. Z-18021

McClain Trailers Inc., Property

Rezone RA, Rural Agriculture District to M-1, Light Industrial District

June 19, 2018

Subject Property Information

Planning District: 12
General Location: East side of Railroad Avenue and North of Hinote Glass Road
Physical Address: 26110 Railroad Avenue
Parcel Number: 05-42-06-14-0-000-007.005 and 05-42-06-14-0-000-007.012
Existing Zoning: RA, Rural Agriculture District
Proposed Zoning: M-1, Light Industrial District
Existing Land Use: Vacant
Proposed Land Use: Metal Building for Light Industrial Use and Sell Trailers
Acreage: 10.5± acres
Applicant: Tatiana Braga
4249 Augusta Drive
Gulf Shores, AL 36542
Owner: McClain Trailers Inc.
7203 Cowart Street
PO Box 202077
Houston, TX 77220
Lead Staff: Linda Lee, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Light Industrial	M-1, Light Industrial District
South	Residential	RA, Rural Agriculture District
East	Residential	RA, Rural Agriculture District
West	Vacant	RA, Rural Agriculture District

Summary

The subject property is currently zoned RA, Rural Agriculture District, and is currently vacant. The property adjoins Railroad Avenue to the west and Hinote Glass Road to the south. The adjoining properties are commercial and agricultural. The requested zoning designation is M-1, Light Industrial District. According to the submitted information, the purpose of this request is to allow for light industrial use and sell trailers.

The Baldwin County Planning Commission considered this request at its May 3, 2018 meeting and voted to recommend APPROVAL to the County Commission. Staff concurs with that recommendation.

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

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 8.1 M-1, Light Industrial District

8.1.1 *Generally.* The purpose of this zoning district is to provide a suitable protected environment for manufacturing, research and wholesale establishments which are clean, quiet and free of hazardous or objectionable emissions, and generate little industrial traffic.

8.1.2 *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) Light industrial uses.
- (c) Transportation, communication, and utility uses except landfills and sewer treatment plants.
- (d) Outdoor recreation uses.
- (e) Marine recreation uses.
- (f) General commercial uses except race tracks.
- (g) Local commercial uses.
- (h) Professional service and office uses.
- (i) Institutional uses.

(j) Agricultural uses.

(k) Accessory structures and uses.

8.1.3 *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) Transportation, communication, and utility uses not permitted by right per *Section 8.2(c): Permitted uses*.

(b) General commercial uses not permitted by right per *Section 8.2(f): Permitted uses*.

8.1.4 *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	45
Maximum Height of Structure in Habitable Stories	4
Minimum Front Yard	25-Feet
Minimum Rear Yard	see (a & b)
Minimum Side Yards	see (a & b)
Minimum Lot Area	40,000 Square Feet
Maximum Impervious Surface Ratio	.80
Minimum Lot Width at Building Line	120-Feet
Minimum Lot Width at Street Line	No Minimum

(a) No minimum except where abutting a residential district, in which case there shall be a minimum yard of 25-feet abutting the residential district.

(b) The required yards shall be increased by one foot for each foot of building height in excess of 35-feet.

Agency Comments

Baldwin County Highway Department: No comments received.

Army Corps of Engineers: No comments received.

ADEM: No comments received.

Baldwin County Subdivision Department:

From: Seth L. Peterson

Sent: Friday, April 13, 2018 4:29 PM

To: D Hart <DHart@baldwincountyal.gov>

Cc: Laurie Rumbaugh <LRUMBAUGH@baldwincountyal.gov>

Subject: RE: Z-18021

DJ,

A commercial turnout permit will be need for access to the County maintained roads. This will be done after rezoning during the land use process.

Thanks,
Seth

Municipality: No comments received

Alabama Department of Transportation: 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?

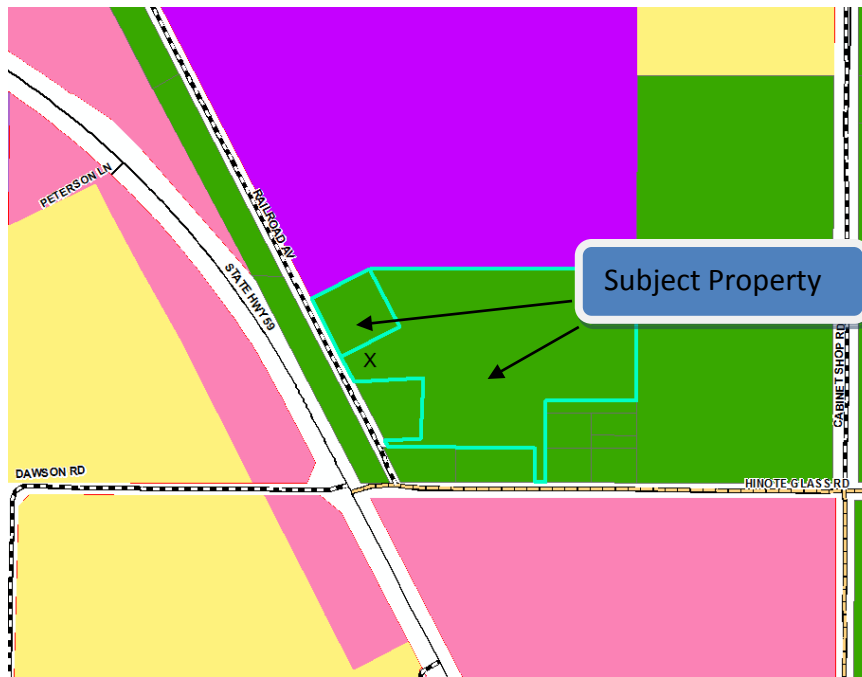
The subject property is currently zoned RA, Rural Agriculture District, and is occupied vacant. The requested zoning designation is M-1, Light Industrial District. The adjacent property to the north is zoned M-1. The adjacent adjacent properties to the south, east and west are zoned RA. The requested change is compatible with the existing zoning of adjacent property to the north.

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 12 was zoned in November 2006. The adjacent property to the north was rezoned from RA to M-1 in September 2008 for the Ecovery Recycling Business.

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

The Baldwin County Master Plan, 2013, provides a future land use designation of Rural for the subject property. If the rezoning is approved, the Future Land Use Map will be amended to reflect the designation of Industrial. The surrounding future land use designations are industrial, rural and commercial.



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

Staff is unaware of any planned public improvements.

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

Railroad Avenue is a county maintained paved road and Hinote Glass Road is a county maintained gravel/dirt road. Staff doesn't anticipate any adverse affect to traffic patterns or congestion.

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

Yes, the adjacent property to the north is industrial.

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

See response to item number 6 which is listed above.

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?

Staff is not aware of any 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.

Two people spoke in opposition to this request at the Planning Commission meeting. Most of their concerns seemed to pertain to activity at Ecovery Recycling business.

Staff Comments and Recommendation

As stated previously, the subject property is currently zoned RA, Rural Agriculture District, and is currently vacant. The property adjoins Railroad Avenue to the west and Hinote Glass Road to the south. The adjoining properties are commercial and agricultural. The requested zoning designation is M-1, Light Industrial District. According to the submitted information, the purpose of this request is to allow for light industrial use and sell trailers.

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Property Images





**ADJOINING BUSINESS
LOCATED ON ADJOINING
PROPERTY TO THE NORTH**

04/09/2018



**BUSINESS LOCATED ON ADJOINING
PROPERTY TO THE NORTH**

04/09/2018



ADJOINING RESIDENCE

04/09/2018



ADJOINING PROPERTY - RESIDENCE

04/09/2018



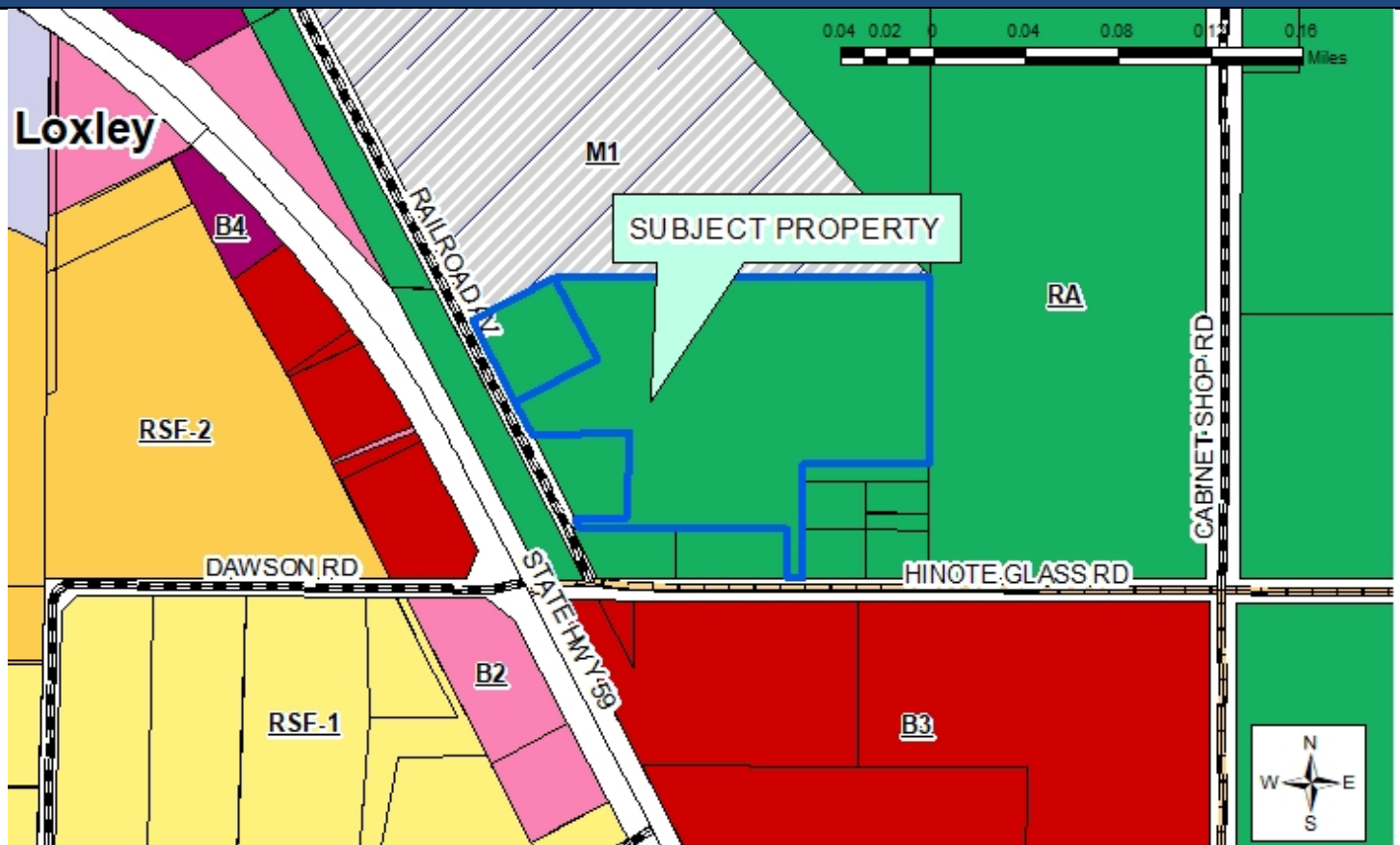




**ADJACENT PROPERTIES
TO THE WEST OF STATE HWY. 59**

04/09/2018

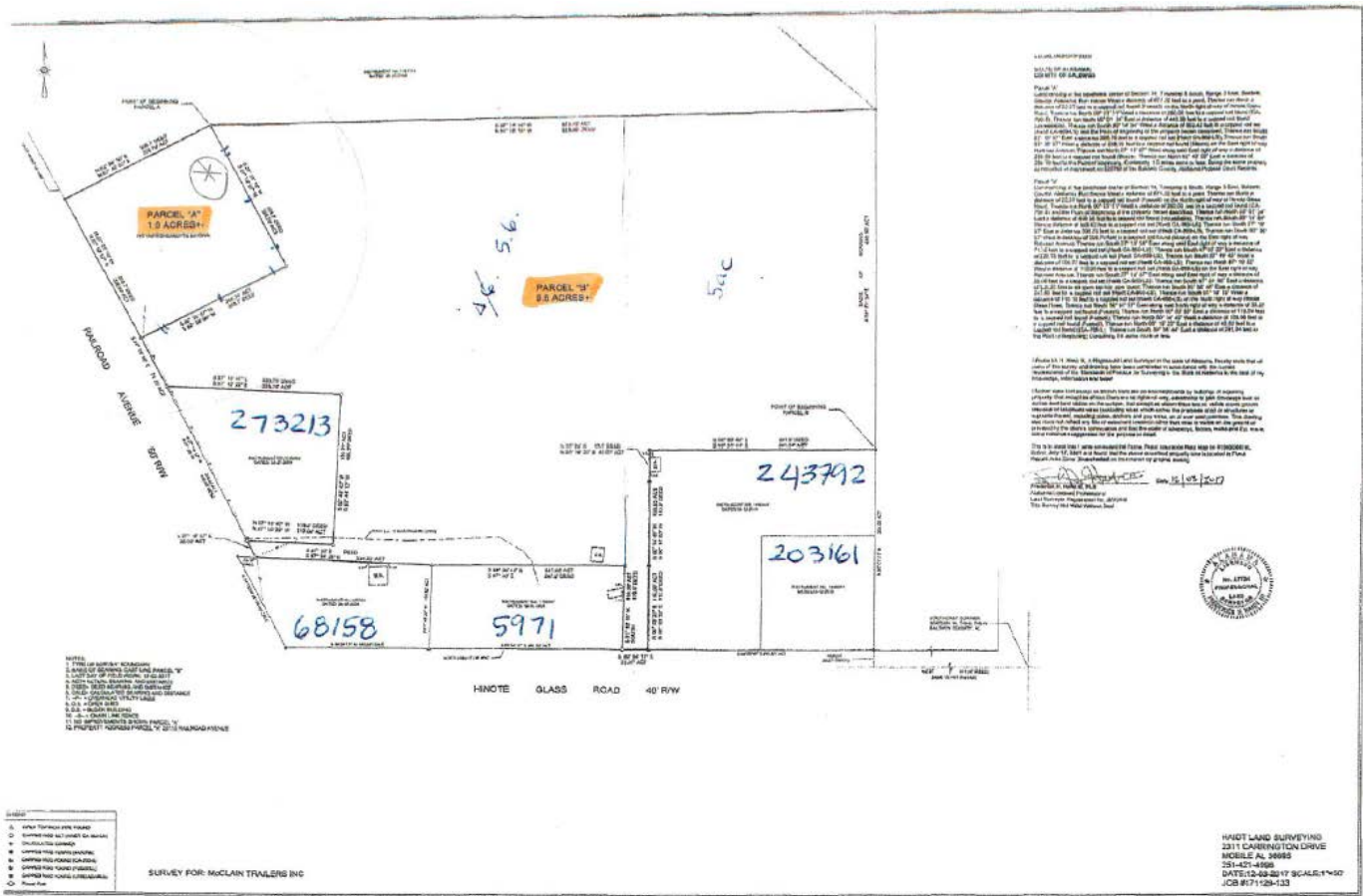
Locator Map



Site Map



Survey Submitted with Application



Pictures from other store locations









