



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item 8.f

Case No. Z-18038

Godbold Property

Rezone RA, Rural Agriculture District to RSF-3, Single Family District

August 2, 2018

Subject Property Information

Planning District: 21
General Location: South of CR 12S and East of Sherman Rd.
Physical Address: N/A
Parcel Number: 05-60-05-15-0-000-003.000, 162, 159
Existing Zoning: RA, Rural Agriculture District
Proposed Zoning: RSF-3, Single Family District
Existing Land Use: Undeveloped
Proposed Land Use: Continue the remaining phases of Hawthorn Subdivision
Acreage: 29.78 acres, more or less
Applicant: David Shumer
3213 Midtown Park S.
Mobile, AL 36606
Owner: Josh Godbold
12423 CR 87
Elberta, AL 36530
Lead Staff: Celena Boykin, Planner
Attachments: *Within Report*

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

Summary

The subject property is currently zoned RA, Rural Agriculture District. It consists of approximately 29.78 acres and is currently undeveloped. The designation of RSF-3, Single Family District, has been requested in order to continue the remaining phases of Hawthorn subdivision.

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 4.4 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

Agency Comments

Baldwin County Highway Department (Seth Peterson): No comments.

Army Corps of Engineers: No comments received.

ADEM (Scott Brown): No comments received.

Municipality: 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 vacant. The property adjoins County Road 12 South to the north. The adjoining properties to the west and east are residential. The adjacent property to the north is agricultural.

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 21 was adopted by the County Commission on June 2, 2009. The subject property was zoned RA, Rural Agriculture District, at that time. There hasn't been any rezonings in this area.

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

The Baldwin County Master Plan, 2013, indicates a future land use designation of Agricultural for the subject property. If the rezoning is approved, the future land use designation will change to residential.

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

No conflicts.

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

A subdivision can bring an increase in traffic. However, traffic impacts and access requirements will be addressed during the Subdivision process.

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.

Please see the responses to number 1 and number 2.

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

There is no RSF-3 zoning in the immediate vicinity. In first phase of Hawthorn, the smallest lot is 10,400 sq ft and the largest lot is 17,737 sq ft. Most of these lots are smaller than the required minimum lot size of 15,000 sq ft for RSF-2. The same with Summercrest Unit 3, these lots average at 12,000 sq ft. Unit 1 and 2 of Summercrest does meet the minimum lot size for RSF-2. These adjacent subdivisions were approved before Planning District 21 became zoned.



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 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 is currently zoned RA, Rural Agriculture District. It consists of approximately 29.78 acres and is currently undeveloped. The designation of RSF-3, Single Family District, has been requested in order to continue the remaining phases of Hawthorn subdivision.

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

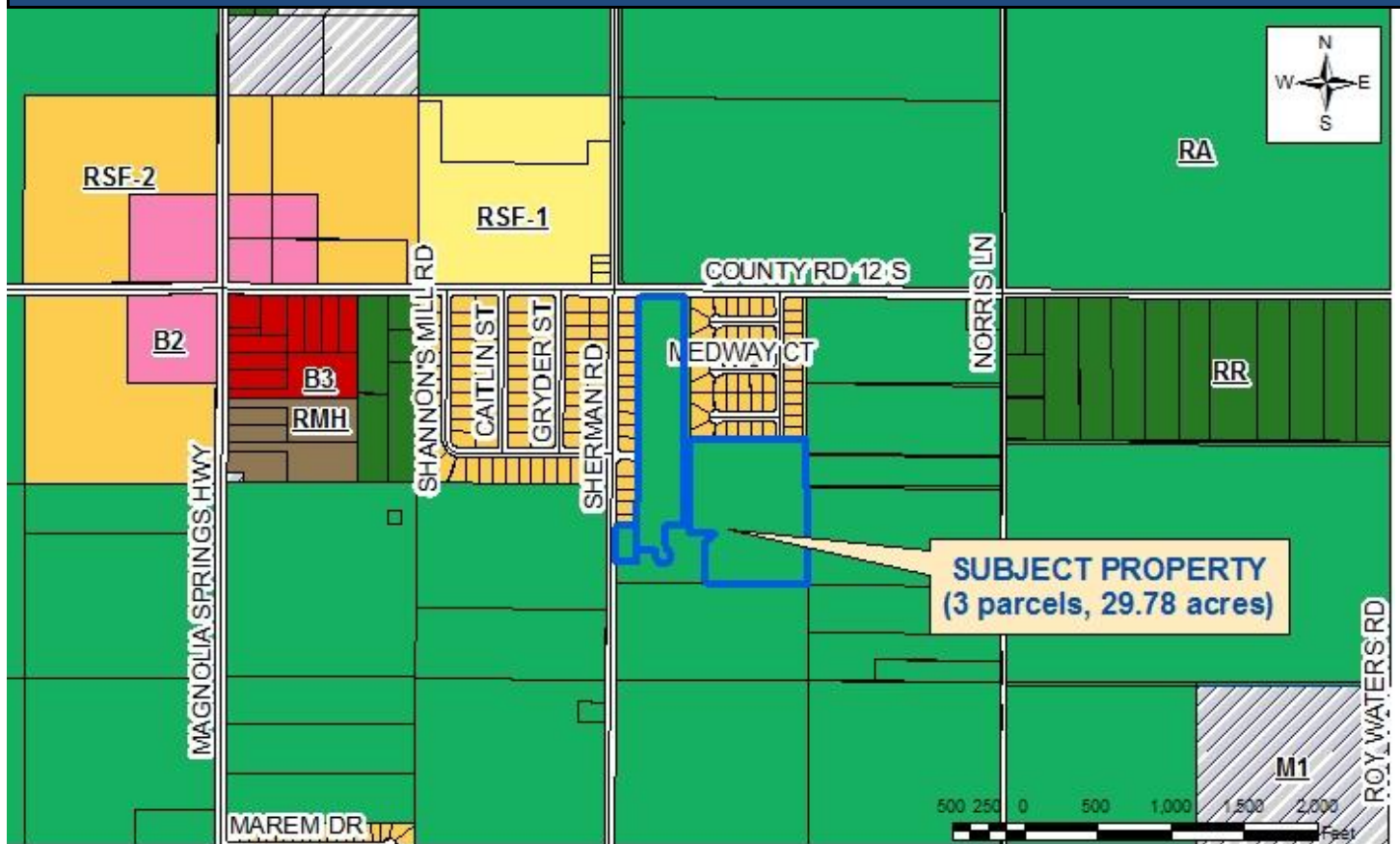
**On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*

Property Images





Locator Map



Site Map

