



# Baldwin County Planning & Zoning Department

## Baldwin County Planning Commission Staff Report

### Agenda Item 8.d

Case No. Z-18036

Boykin Property

Rezone OR, Outdoor Recreation District to RSF-2, Residential Single Family District

August 2, 2018

## Subject Property Information

**Planning District:** 4  
**General Location:** East side of Williams Road, north of Blakeley Road  
**Physical Address:** 35590 Williams Road, Bay Minette, AL 39507  
**Parcel Numbers:** 05-29-10-44-0-000-001.015  
**Existing Zoning:** OR, Outdoor Recreation District  
**Proposed Zoning:** RSF-2, Residential Single Family District  
**Existing Land Use:** Residential  
**Proposed Land Use:** Family Subdivision of Property  
**Acreage:** 3.4 acres, more or less  
**Applicant:** Peggy Boykin  
47455 Joshua Drive  
Bay Minette, AL 36507  
**Owner:** Same  
**Lead Staff:** DJ Hart, Planning Technician  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Vacant Land	RSF-E, Residential Single Family Estate District
South	Vacant Land	OR, Outdoor Recreation District
East	Residential	RSF-1, Residential Single Family District
West	Vacant Land	OR, Outdoor Recreation District

## Summary

The subject property is currently zoned OR, Outdoor Recreation District. The designation of RSF-2, Residential Single Family District, has been requested in order to allow for the exempt family subdivision of the property into 5 lots. According to the information provided, the applicant is dividing one .5 acre lot with the existing home and the remaining lots will be approximately .73 acres each.

## Current Zoning Requirements

### Section 6.2 OR, Outdoor Recreation District

6.2.1 *Generally.* This zoning district is intended to provide for outdoor recreation activities.

6.2.2 *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 institutional uses: church or similar religious facility.
- (e) The following agricultural uses: Silviculture.
- (f) Accessory structures and uses.

6.2.3 *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
Maximum Height of Structure in Habitable Stories	2½
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	20-Feet
Minimum Lot Area	3 Acres
Maximum Impervious Surface Ratio	.80
Minimum Lot Width at Building Line	210-Feet
Minimum Lot Width at Street Line	No Minimum

## Proposed Zoning Requirements

### Section 4.3 RSF-2, Single Family District

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

4.3.2 *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.

4.3.3 *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.

4.3.4 *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*).

4.3.5 *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	15,000 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, P.E.:**

DJ,

Either public water or public sewer will be needed for the proposed lot sizes mentioned on the application.

Thanks,  
Seth

**Frank Lundy, P.E.:** No comments.

**ADEM (J. Scott Brown):** No comments.

**Army Corp of Engineers (Eric Buckelew):** 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 a dwelling. The property adjoins Williams Road. The adjoining properties are residential or vacant land.

### **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?**

This parcel was believed to be part of Historic Blakeley Foundation and was originally zoned OR, outdoor recreation along with the remaining portion of Historic Blakeley State Park. Granting this rezoning to RSF-2 will bring the current use of the property, which is residential, into a conforming status.

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

The Baldwin County Master Plan, 2013, indicates a future land use designation of Conservation 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 conflict

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

No impacts.

**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 proposal is consistent. The number of proposed lots for the exempt subdivision is 5.

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

There is a mixture of Residential zoning adjacent to the property and to the south of the property. The adjacent properties are zoned RSF-E, Residential Single Family Estate District to the north and RSF-1, Residential Single Family District to the east.

**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?**

Staff anticipates no adverse impacts.

**11.) other matters which may be appropriate.**

The applicant will need to ensure that each lot has a minimum width of 40-feet at the street line and 80-feet at the building line. Each new lot must have a minimum of 15,000 square feet and must meet all subdivision requirements for the exempt subdivision.

City water is available on the property.

#### **Staff Comments and Recommendation**

As stated previously, the subject property is currently zoned OR, Outdoor Recreation District. The designation of RSF-2, Residential Single Family District, has been requested in order to allow for the exempt family subdivision of the property into 5 lots. According to the information provided, the applicant is dividing one .5 acre lot with the existing home and the remaining lots will be approximately .73 acres each.

Staff has no major concerns with this request. Unless information to the contrary is revealed at the public hearing, staff recommends **APPROVAL** of Case Z-18036 to the County Commission. \*

*\*On rezoning applications and Planned Residential Developments Site Plan applications, the Planning Commission will be making a recommendation to the County Commission.*



## Property Images

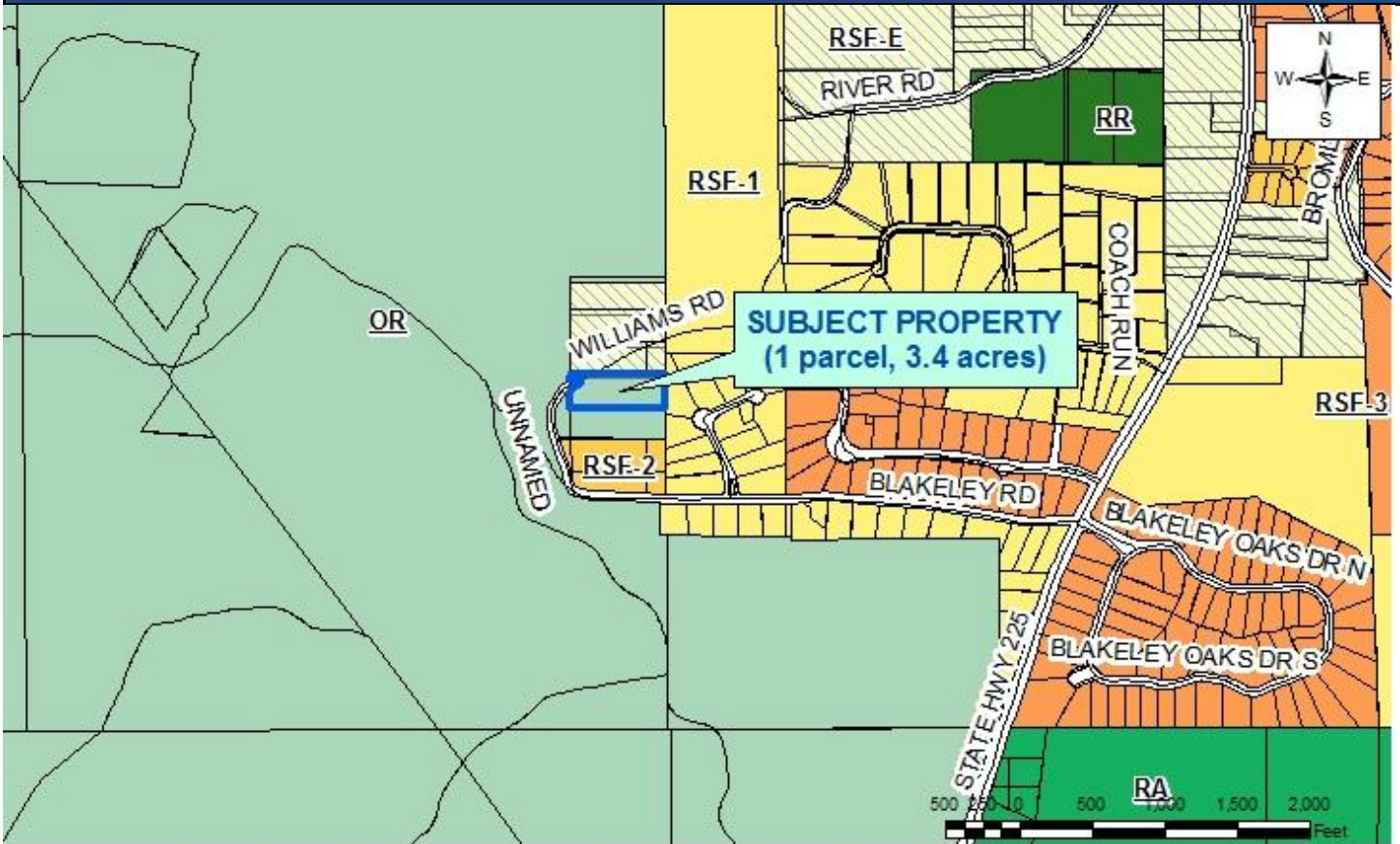




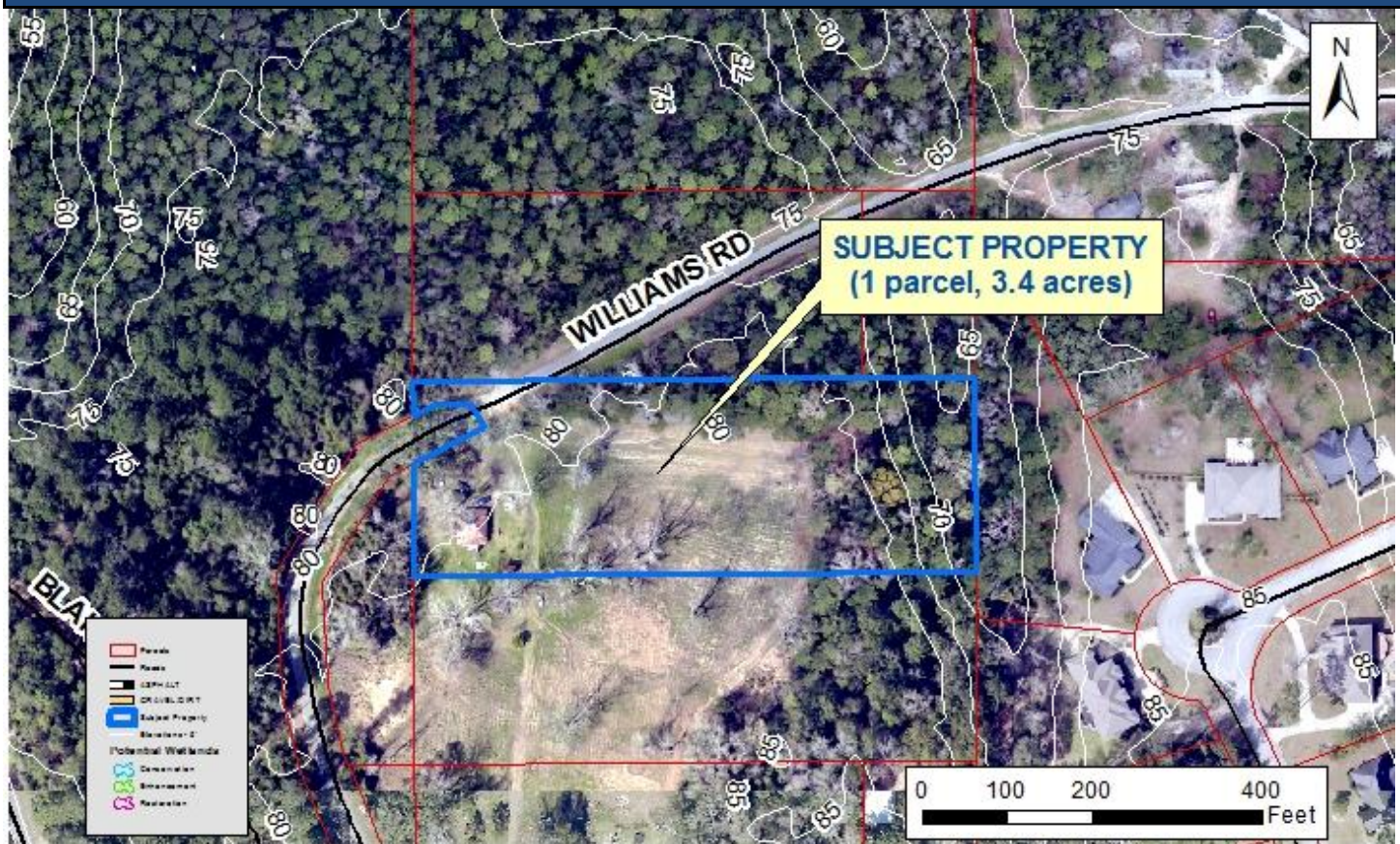




Locator Map

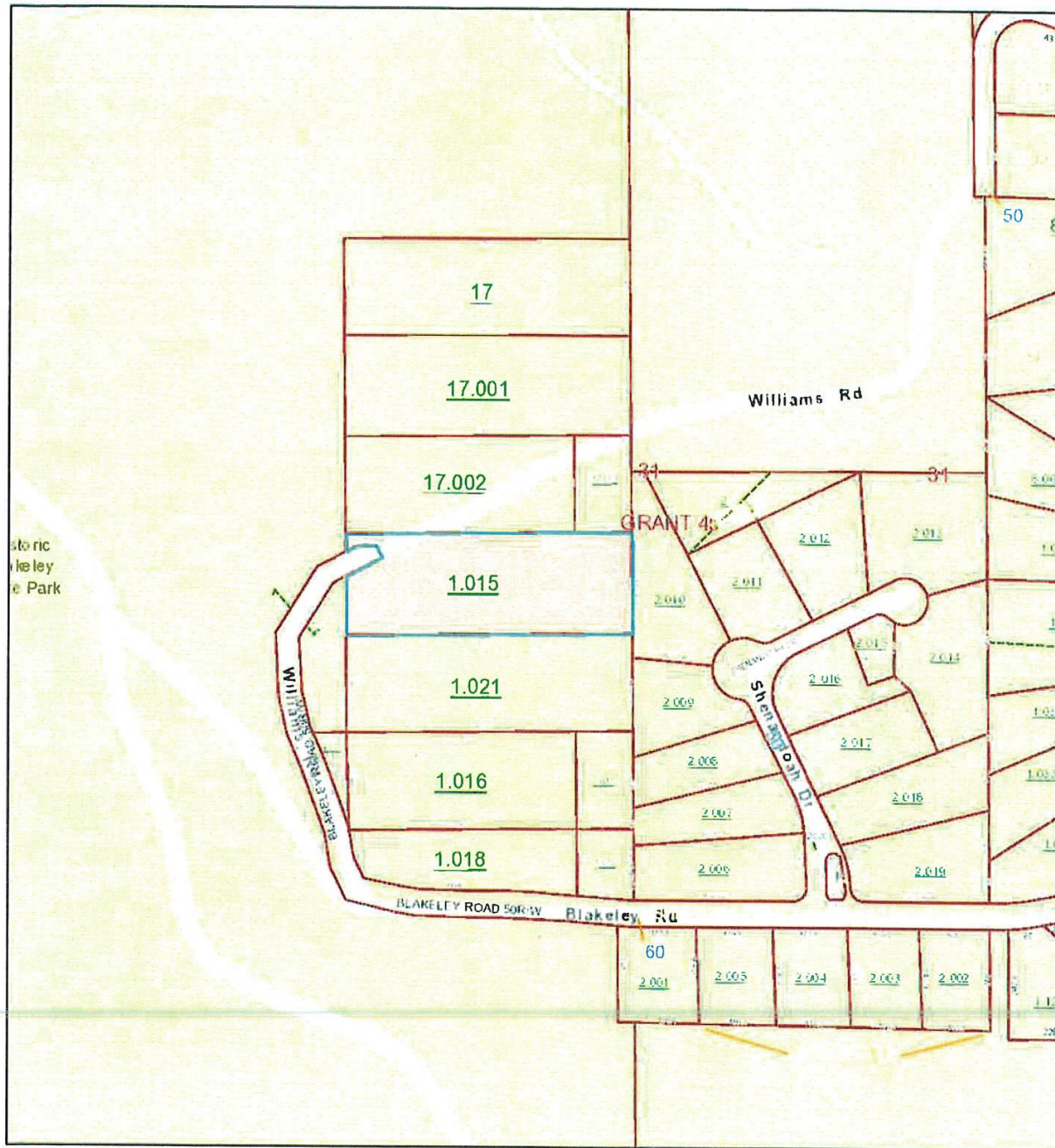


Site Map





## Viewer Map



June 13, 2018

polygonLayer

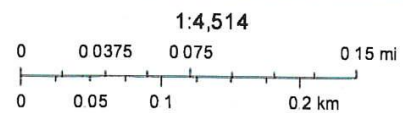
Override 1

Misc

Parcels

Lot Lines

County Boundary



KCS

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