



# Baldwin County Planning & Zoning Department

## Baldwin County Planning Commission Staff Report

Agenda Item 8.b

Case No. Z-19003

Gleaves Property

Rezone RSF-E, Single Family Estate District to RR, Rural District

January 3, 2019

### Subject Property Information

**Planning District:** 10  
**General Location:** East side of Buzbee Rd  
**Physical Address:** 31756 Buzbee Rd., Spanish Fort, AL  
**Parcel Number:** 05-32-05-22-0-000-006.042  
**Existing Zoning:** RSF-E, Residential Single Family Estate District  
**Proposed Zoning:** RR, Rural District  
**Existing Land Use:** Commercial and Residential  
**Proposed Land Use:** Commercial and Residential  
**Acreage:** 5 acres, more or less  
**Applicant:** Joyce Gleaves  
31738 Buzbee Rd.  
Spanish Fort, AL 36527  
**Owner:** Same  
**Lead Staff:** Celena Boykin, Planner  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential	City of Spanish Fort
South	Forested Timberland	RA, Rural Agricultural
East	Forested Timberland	City of Spanish Fort
West	Buzbee Rd./Residential	Buzbee Rd

### Summary

The subject property, which consists of 5 acres, is currently zoned RSF-E, Residential Single Family Estate District. The designation of RR, Rural District, has been requested in order to be consistent with the existing use (mini-storage/boat and RV storage/ residential ) and to accommodate expansion of the storage area. The commercial and residential use has been located at the subject property for several years before Planning District 10 became zoned in May 15, 2007.

## 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 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.

4.1.4 *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:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

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 18.6 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	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 3.1 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

## Agency Comments

### **Baldwin County Highway Department:**

Frank Lundy – No comments.

Seth Peterson – No comments received.

**ADEM:** No comments received.

**City of Spanish Fort:** 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 occupied with a dwelling, metal storage buildings, and boat and recreational vehicle parking. The property adjoins Buzbee Road to the west. The adjoining properties are residential and forested timberland.

### **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 10 was approved by the Baldwin County Commission on May 15, 2007. There have been no changes which would affect the subject property.

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

The Baldwin County Master Plan, 2013, provides a future land use designation of Residential for the subject property. Approval of the rezoning will result in an amendment of the Future Land Use Map to agriculture.

### **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?**

No adverse 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.**

See response to Standard Number 1.

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

The adjacent parcel to the south is zoned RA, across the road the parcels are zoned RSF-E. There are no parcels which are zoned either commercial or RR in the immediate vicinity. Staff is recommending RR in order to maintain some consistency with the adjacent RA parcel and residential parcels.

**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?**

There are no environmental issues or historic resources which would be impacted by this rezoning.

**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 storage was established prior to the adoption of zoning. Staff is unsure as to why the property was not zoned in a manner to reflect the existing use. The applicant also stated that many of the people that live in the adjacent subdivision uses the storage facility.

**Staff Comments and Recommendation**

As stated previously, the subject property, which consists of 5 acres, is currently zoned RSF-E, Residential Single Family Estate District. The designation of RR, Rural District, has been requested in order to be consistent with the existing use (mini-storage/boat and RV storage/ residential ) and to accommodate expansion of the storage area. The commercial and residential uses have been located at the subject property for several years before Planning District 10 became zoned in May 15, 2007. RR is primarily oriented towards rural and residential uses, and would therefore be more consistent with the surrounding RA and residential properties. If this rezoning is approved the applicant will have to apply for a special exception with the Board of Adjustments if she plans to add anymore storage to the subject property.

With the above comments in mind, staff recommends **APPROVAL** of RR, Rural District, to the County Commission. \* The Planning Commission should base its decision on the information obtained at the public hearing.

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



Property Images













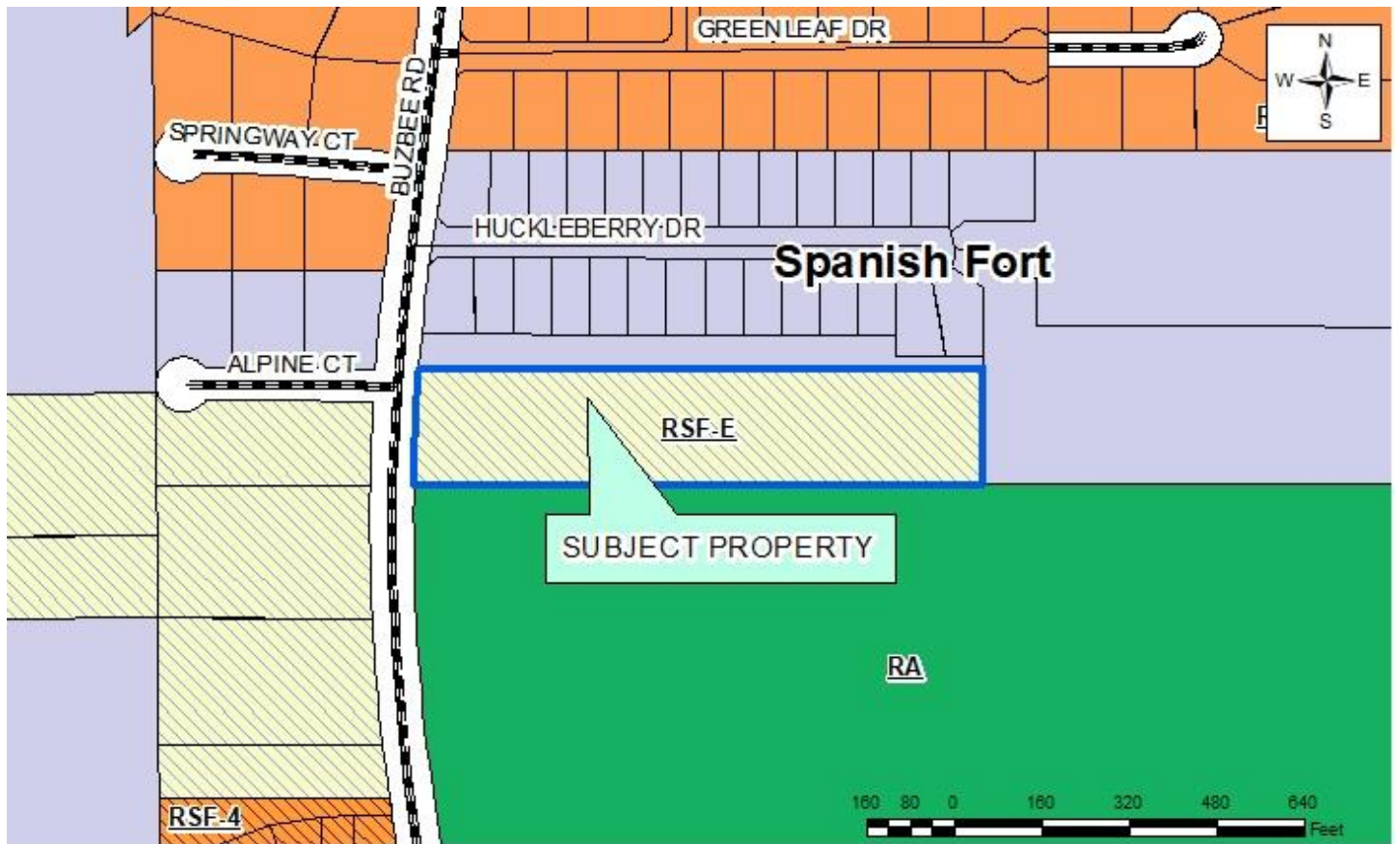


**SUBJECT PROPERTY**

12/12/2018



## Locator Map



## Site Map

