



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Agenda Item

Case No. Z-19007

Easy Like That Properties LLC Property

Rezone RA, Rural Agricultural District to RV-1, Recreational Vehicle Park District

March 19, 2019

Subject Property Information

Planning District: 22
General Location: South side of U.S. Highway 98, east of County Road 95
Physical Address: 28376 U.S. Highway 98, Elberta
Parcel Numbers: 05-53-07-26-0-000-002.000
Existing Zoning: RA, Rural Agricultural District
Proposed Zoning: RV-1, Recreational Vehicle Park District
Existing Land Use: Accessory Structure
Proposed Land Use: 100 Site RV Park with Amenities and a Small County Store
Acreage: 13.4± acres
Applicant: Lydia Franz
26021 Perdido Beach Boulevard
Orange Beach, AL 36561
Owner: Easy Like That Properties LLC
7001 Pine Springs Road
Meridian, MS 39305
Lead Staff: Linda Lee, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential and Agricultural	B-2, Neighborhood Business RA, Rural Agricultural
South	Agricultural	RA, Rural Agricultural
East	Commercial	B-3, General Business
West	Residential and Agricultural	RSF-1 Single Family RA, Rural Agricultural

Summary

The subject property, which consists of 13.4 acres, is currently zoned RA, Rural Agricultural District. The designation of RV-1, Recreational Vehicle Park District, has been requested for the purpose of establishing a RV Park with amenities and a small country store. This application was originally submitted as a request for B-4, Major Commercial District, and was recommended for approval on November 1, 2018. It has been returned to the Planning Commission in order to be re-advertised as a request for RV-1, Recreational Vehicle Park District.

The Baldwin County Planning Commission considered this request at its February 7, 2019 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.*

Proposed RV Park Site Layout



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 5.5 RV-1, Recreational Vehicle Park District

5.5.1 *Purpose and intent.* The purpose of this section is to establish a zoning designation for recreational vehicle parks.

5.5.2 *Permitted uses.* The following uses are permitted as of right, or as uses accessory to permitted uses in the RV-1, Recreational Vehicle Park District:

- (a) Extraction or removal of natural resources on or under the land.
- (b) Water well (public or private).
- (c) Silviculture.
- (d) Recreational Vehicle Park.
- (e) Accessory structures and uses.
- (f) Church or similar religious facility.

5.5.3 *Density.* The maximum number of recreational vehicle sites developed under RV-1 shall be 15 sites per acre.

5.5.4 *Land Area.* The minimum land area shall be three (3) acres.

5.5.5 *Standards.* Recreational vehicle parks developed under the RV-1 designation shall meet all standards, procedures and requirements found in Section 13.8 of the zoning ordinance.

Agency Comments

Baldwin County Subdivision Department:

From: Seth L. Peterson

Sent: Friday, October 12, 2018 8:21 AM

To: D Hart <DHart@baldwincountyal.gov>

Subject: RE: Z-19007 Easy Like That LLC Property

DJ,

If the rezoning is approved then the applicant will need Planned Development approval per the Subdivision Regulations.

Thanks,
Seth

ADEM:

From: Brown, Scott [<mailto:jsb@adem.alabama.gov>]

Sent: Friday, January 11, 2019 8:22 AM

To: D Hart <DHart@baldwincountyal.gov>

Cc: USACE | J. Eric Buckelew <James.E.Buckelew@usace.army.mil>; Connole, Timothy N <TNC@adem.alabama.gov>;

Denson, Dana T <DDenson@adem.alabama.gov>

Subject: ADEM Comments Baldwin County rezoning cases

This parcel is located outside of the coastal area and appears to have been previously developed. The applicant should be made aware that any land disturbance equal to or exceeding one acre may require a construction stormwater permit from the ADEM.

ALDOT: No comments received.

Staff Analysis and Findings

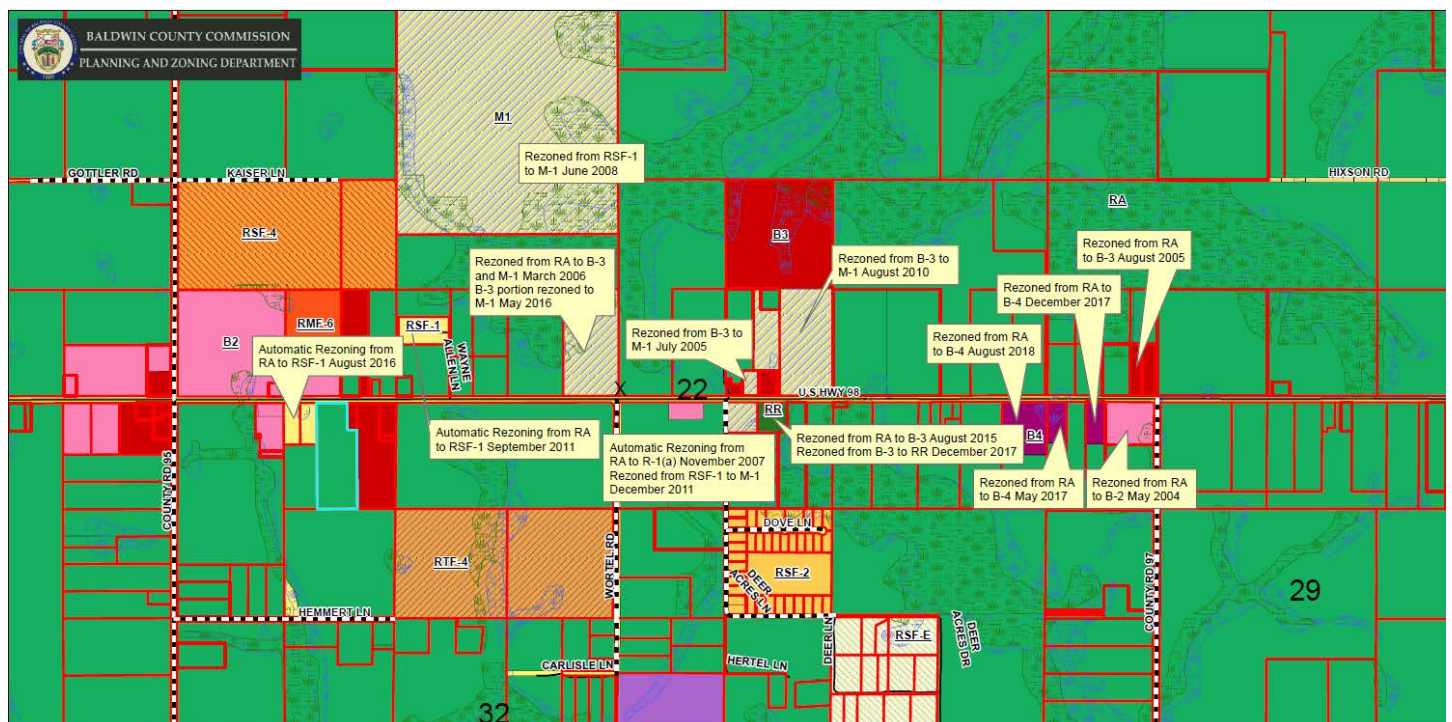
The following factors for reviewing zoning amendments are found in Section 19.6 of the *Baldwin County Zoning Ordinance*. These factors are to be considered when an application is being reviewed for rezoning.

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

The subject property is currently occupied with one accessory structure. The property adjoins State Highway 98 to the north. The adjoining properties are residential, commercial and agricultural. There are numerous commercial and industrial zoning designations in this area.

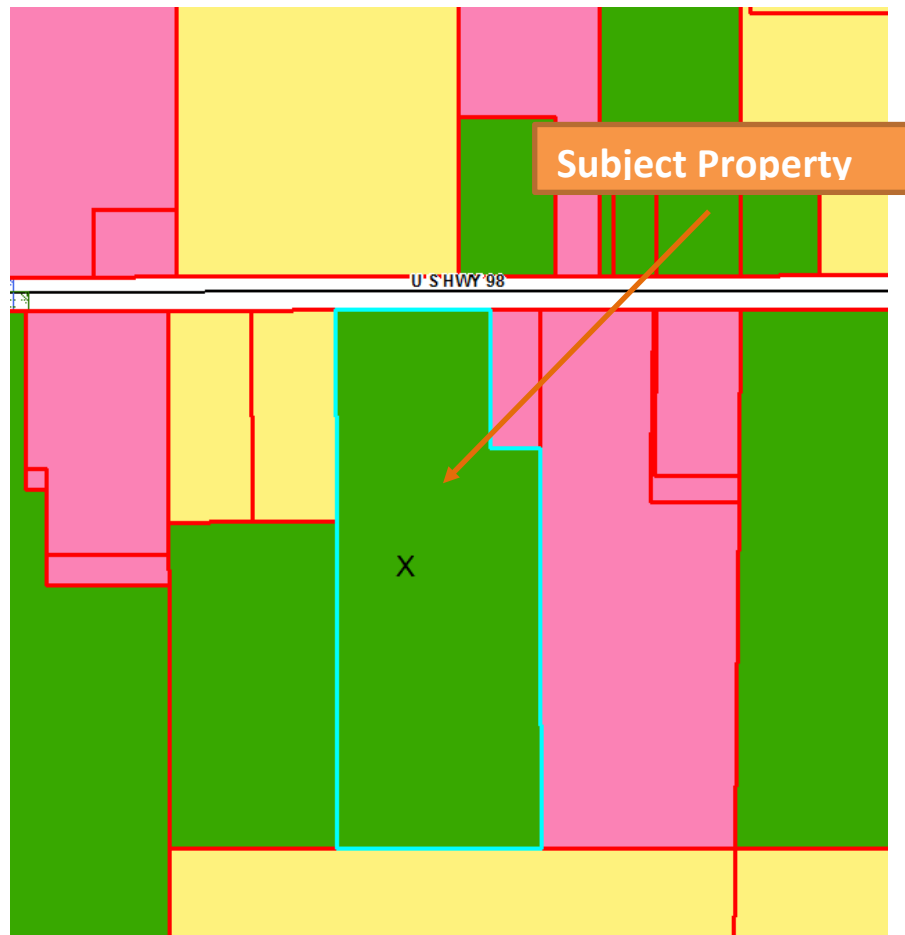
2.) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions changed since the zoning was established?

The RA zoning designation is usually assigned to large undeveloped parcels. The new owners would like to develop the land with a RV Park. There have been numerous rezonings in this area since zoning was established.



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

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



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

Staff is not aware of any conflicts.

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

Per the Federal Highway Administration the functional classification of US Hwy 98 is principal arterial. Arterials provide a high level of mobility and a greater degree of access control. The traffic going to and from the RV Park could have a major impact on traffic patterns or congestion. Access to this site would require approval from ALDOT.

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.

There are numerous commercial, industrial and residential uses in this area. The proposed rezoning would allow for the proposed use of a RV Park.

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 doesn't anticipate any adverse 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.

N/A

Staff Comments and Recommendation

As stated previously, the subject property is currently zoned RA, Rural Agricultural District. The designation of RV-1, Recreational Vehicle Park District, has been requested for the purpose of establishing a RV Park with amenities and a small country store.

The Baldwin County Planning Commission considered this request at its February 7, 2019 meeting and voted to recommend APPROVAL to the County Commission. Staff concurs with that recommendation.

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Property Images



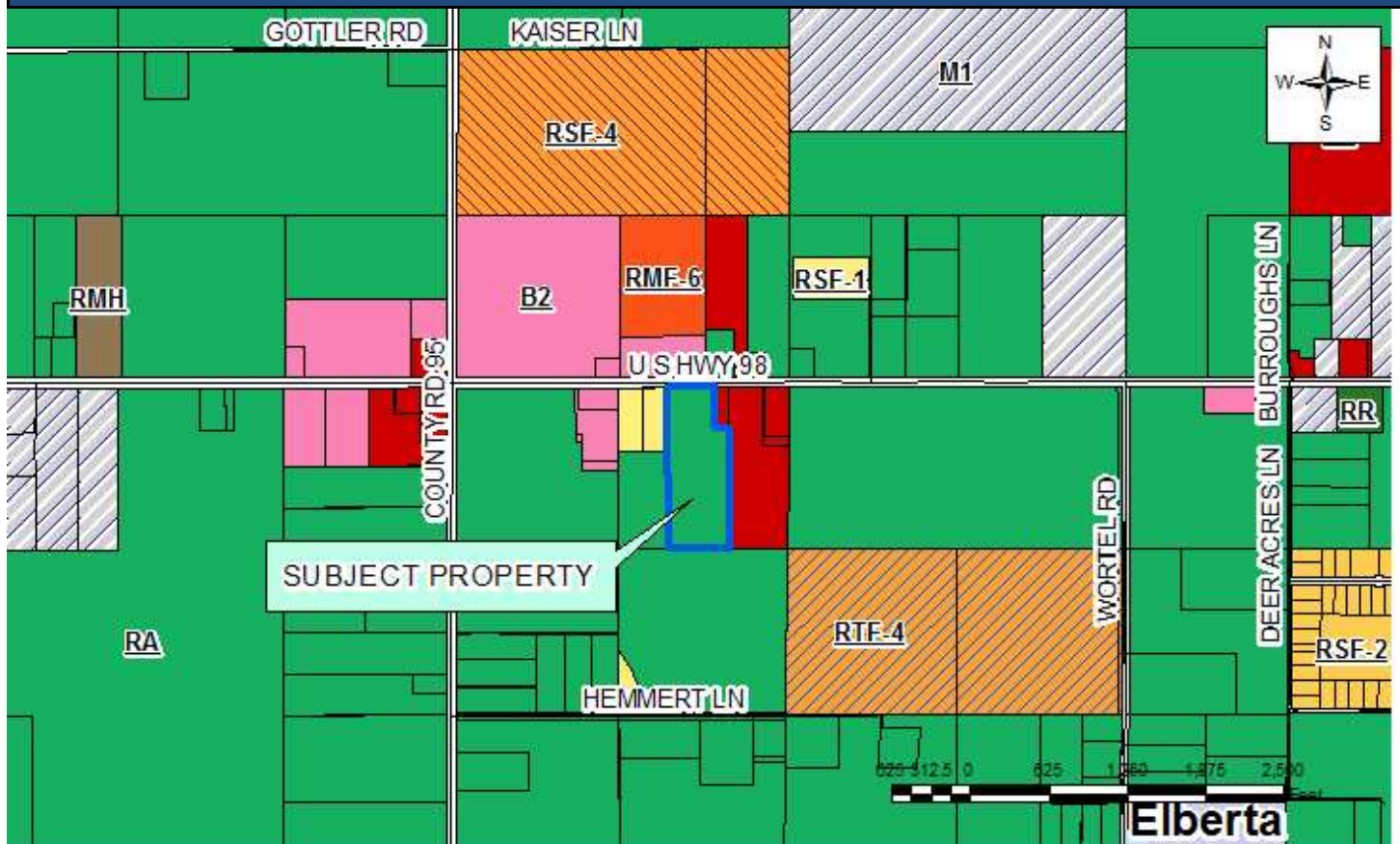




**ADJOINING PROPERTY
TO THE EAST**

10/10/2018

Locator Map



Site Map

