



Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Agenda Item

Case No. Z-19015

Stimpson Property

Rezone RSF-1, Single Family District to RSF-2, Single Family District

June 18, 2019

Subject Property Information

Planning District: 26
General Location: Northwest Corner of Scenic Highway 98 and Moogs Lane
Physical Address: N/A
Parcel Numbers: 05-45-07-25-0-000-078.001
Existing Zoning: RSF-1, Single Family District
Proposed Zoning: RSF-2, Single Family District
Existing Land Use: Undeveloped
Proposed Land Use: Residential
Lot Area: 1.06 acres +/-
Applicant: Gordon Stimpson
212 Kingswood Court
Mobile, Alabama 36608
Owner: Same
Lead Staff: Vince Jackson, Planning Director
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential	RSF-1, Single Family
South	Residential/Undeveloped	RSF-2, Single Family
East	Undeveloped	RA, Rural Agricultural
West	Residential	RSF-2, Single Family

Summary

The subject property, which consists of approximately 1.06 acres, is currently zoned RSF-1, Single Family District. The designation of RSF-2 was requested in order to allow for the parcel to be subdivided into two (2) single family lots. The applicant has now withdrawn the request.

Section 4.2 RSF-1, Single Family District

4.2.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a low density residential environment consisting of single family homes on large lots.

4.2.2 *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) 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.

4.2.3 *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.

4.2.4 *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 13.10: Bed and Breakfast Establishments*).

4.2.5 *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-Feet
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet
Minimum Lot Area	30,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Minimum Lot Width at Street Line	50-Feet
Maximum Ground Coverage Ratio	.35

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

Permit/Subdivision Manager, Seth Peterson: The applicant will need subdivision approval in order to split the proposed lot. If the property does not qualify for an exemption, each of the proposed lots will need to front on a paved street.

Baldwin County Highway Department, Frank Lundy: No comments.

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

Municipality (City of Fairhope):

From: Buford King [<mailto:buford.king@fairhopeal.gov>]

Sent: Friday, April 19, 2019 8:11 AM

To: D Hart <DHart@baldwincountyal.gov>

Subject: <EXTERNAL> RE: Z-19015 Buford King

Good morning DJ,

A few very routine comments:

- 1) The eventual subdivision case must be heard by the Fairhope Planning Commission
 - a. This will likely be a minor subdivision case (preliminary and final plat granted at once) in the event of four lots or less
- 2) All new lots must front upon a paved, publicly maintained street or road
 - a. If Moogs LN is not County-maintained, there is a wavier process that may be requested to the Fairhope Planning Commission
- 3) RSF-2 is adjacent to subject property to the south and west, so re-zoning from RSF-1 to RSF-2 seems reasonable.

Regards,

J. Buford King
LEED AP, QCI
Interim Director
Planning and Zoning Department
City of Fairhope, AL
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P.O. Box 429
Fairhope, AL 36533
(251) 929-7436
(251) 990-2879 fax
buford.king@fairhopeal.gov

In the event additional agency comments are received, they will be forwarded to the members of the Planning Commission.

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 undeveloped. The property adjoins Scenic Highway 98 to the east and Moogs Lane to the south. The adjoining properties are residential and undeveloped.

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 26 was approved by the County Commission on September 1, 1993. The majority of residential lots throughout Planning District 26 are zoned RSF-1 and RSF-2. With a few exceptions, this has remained relatively constant.

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. If the rezoning is approved, the Future Land Use Map will require no changes.

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?

Traffic impact should be minimal.

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?

Adjacent properties to the west and south are zoned RSF-2.

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?

The subject property is located within the Point Clear/Battles Wharf Historic District. As a result, any new construction will require the approval of the Baldwin County Architectural Review Board.

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.

- Scenic Highway 98 is classified as a minor arterial. Please note, the Highway Construction Setback is 100-feet from the centerline of Scenic Highway 98.
- A 35' wide ingress/egress easement is located near the north property line.
- The subject property is located with the extraterritorial jurisdiction for the City of Fairhope.

Staff Comments and Recommendation

As stated previously, the subject property, which consists of approximately 1.06 acres, is currently zoned RSF-1, Single Family District. The designation of RSF-2 was requested in order to allow for the parcel to be subdivided into two (2) single family lots.

The Planning Commission considered this request on May 2, 2019, and voted to recommend approval to the County Commission. However, the applicant has informed staff that he does not wish to move forward. According, to the zoning ordinance, an application for rezoning may be withdrawn at least seven (7) days prior to the scheduled public hearing. In the case at hand, the request to withdraw is automatic. However, the public hearing scheduled for June 18, 2019, has already been advertised and must therefore be opened. As a result, staff recommends that the applicant's request to withdraw Case Z-19015 be accepted.

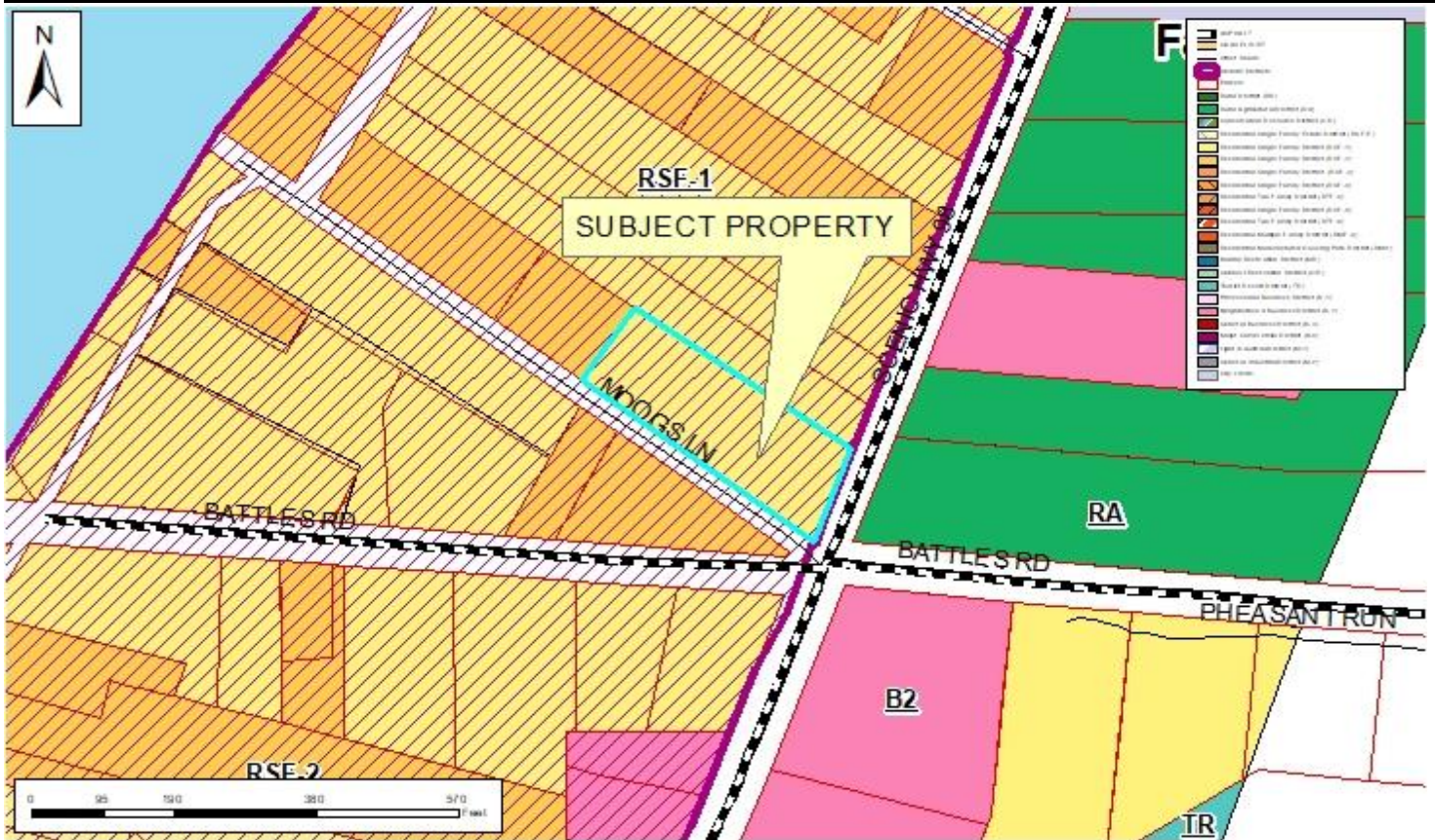
Property Images







Locator Map



Site Map

