



Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Agenda Item

Case No. Z-20018

DCF, LLC, Property

Rezone RA, Rural Agricultural District to RSF-2, Single Family District

August 4, 2020

Subject Property Information

Planning Districts: 15
General Location: Southeast corner of the intersection of Rigsby Road and Larry Street Road, north of St. Augustine subdivision
Physical Address: N/A
Parcel Numbers: 05-43-06-14-0-000-001.000
Existing Zoning: RA, Rural Agricultural District
Proposed Zoning: RSF-2, Single Family District
Existing Land Use: Undeveloped
Proposed Land Use: Single Family Residential (proposed subdivision)
Acreage: 38 acres, more or less
Applicant: DCF, LLC
636 Tuthill Lane
Mobile, Alabama 36608
Owner: Same
Lead Staff: Vince Jackson, Planning Director
Attachments: *Within Report*

ADJACENT ZONING

North: Unzoned, Planning District 7

South: RSF-2, Single Family District, St. Augustine

East: RA, Rural Agricultural District

West: RA, Rural Agricultural District, and RSF-E, Residential Single Family Estate District

The surrounding properties are primarily residential and agricultural.

Summary

The subject property, located in Planning District 15, consists of approximately 38 acres. The current zoning is RA, Rural Agriculture District. The designation of RSF-2, Single Family District, has been requested in order to develop a single family subdivision which would be similar to St. Augustine which is located to the south.

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 4.3 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

From: Alfreda Jeffords <Weesie.Jeffords@baldwincountyal.gov>

Sent: Friday, May 22, 2020 11:39 AM

To: D Hart <DHart@baldwincountyal.gov>

Cc: Tyler W. Mitchell <TMITCHELL@baldwincountyal.gov>; Mary Booth <MBOOTH@baldwincountyal.gov>

Subject: RE: Z-20018 DCF, LLC Property

DJ,

It appears that the site has electrical distribution lines that run diagonally from the northwest corner to the southeast. The electrical utility provider easement would need to be looked at closer if there would be a development proposed. Rigsby RD is a major collector road and Larry Street is a Local classification.

Planning and Zoning/Subdivisions: Mary Booth, Subdivision Coordinator

The subject property is located within the extraterritorial jurisdiction of the City of Daphne. Subdivision approval will be required. for this development. In addition, access, utilities, stormwater requirements, etc. will be addressed for compliance with the Baldwin County Subdivision Regulations.

ADEM: No comments received.

Municipality (City of Daphne): Adrienne Jones, Planning Director

From: Adrienne Jones <ajones@daphneal.com>

Sent: Tuesday, May 12, 2020 3:49 PM

To: D Hart <DHart@baldwincountyal.gov>

Subject: RE: Z-20018 DCF, LLC Property

Great day to you!

Rezoning the subject property to the RSF-2, the same zoning as the adjacent property to the south, would be appropriate as would be to develop the land for similarly-sized lots within a residential subdivision.

Let me know if you need anything else,

Adrienne

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 Rigsby Road to the west and Larry Street Road to the north. The adjoining properties are residential and agricultural. Property to the south is the location for St. Augustine which is zoned RSF-2.

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 15 was adopted by the County Commission on August 1, 2006. The area has seen significant growth since that time. As a result, there is an increased demand for additional residential development.

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. Conformity with the Master Plan is based on an overall evaluation of the standards for rezoning.

The Baldwin County Master Plan, 2013, provides future land use designations for properties located within the zoned areas of the County. These categories represent the recommendations for the physical development of the unincorporated areas of the County. They are intended for planning purposes only and do not represent the adoption of zoning designations for areas which have not voted their desire to come under the zoning authority of the Baldwin County Commission. Although not legally binding, the future land use designations are evaluated in conjunction with criteria found in the Baldwin County Zoning Ordinance (Zoning Ordinance), the Baldwin County Subdivision Regulations, the Baldwin County Flood Damage Prevention Ordinance and any other ordinances and regulations which the County Commission may adopt.

A future land use designation of Agricultural is currently indicated for the subject property. If the rezoning is approved, the future land use designation will change to Residential. Conformity with the Master Plan is based on an overall evaluation of the standards for rezoning. The Residential category is provided for residential

dwelling units including single family dwellings, two family (duplex) dwellings, multiple family dwellings, manufactured homes, manufactured housing parks and Planned Residential Developments. Institutional uses, recreational uses and limited neighborhood commercial uses may be included subject to the provisions of the Zoning Ordinance. To the greatest extent possible, residential areas should be accessible to major thoroughfares connecting with work areas, shopping areas and recreational areas. Zoning designations may include RR, RA, CR, RSF-E, RSF-1, RSF-2, RSF-3, RSF-4, RSF-6, RTF-4, RTF-6, RMF-6, HDR, RMH and PRD.

The adjacent future land use designation to the south is Residential. The Residential designation is also found on parcels located to the west and southwest.

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

Baldwin County Highway Department comments:

It appears that the site has electrical distribution lines that run diagonally from the northwest corner to the southeast. The electrical utility provider easement would need to be looked at closer if there would be a development proposed. Rigsby RD is a major collector road and Larry Street is a Local classification.

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

A subdivision of this type will certainly bring about an increase in traffic. The exact impact, however, is difficult to ascertain at this time. 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.

The proposal calls for the development of a single family subdivision which would be similar to St. Augustine, located to the south. If the rezoning is approved, up to 110 lots could be constructed, subject to subdivision approval. Each lot would have a minimum of 15,000 square feet, with a minimum lot width of 80-feet at the building line. Please also see the response to standard number 1 above.

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

The adjacent property to the south (St. Augustine) is zoned RSF-2. Additional property located to the southwest is also zoned RSF-2 (Belgrove).

8.) Is the timing of the request appropriate given the development trends in the area?

Staff feels that timing of the request is appropriate given existing development trends in the area.

9.) Will the proposed change adversely impact the environmental conditions of the vicinity or the historic resources of the County?

Staff knows of no adverse impacts on environmental conditions or historic resources.

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 factors as applicable.

N/A

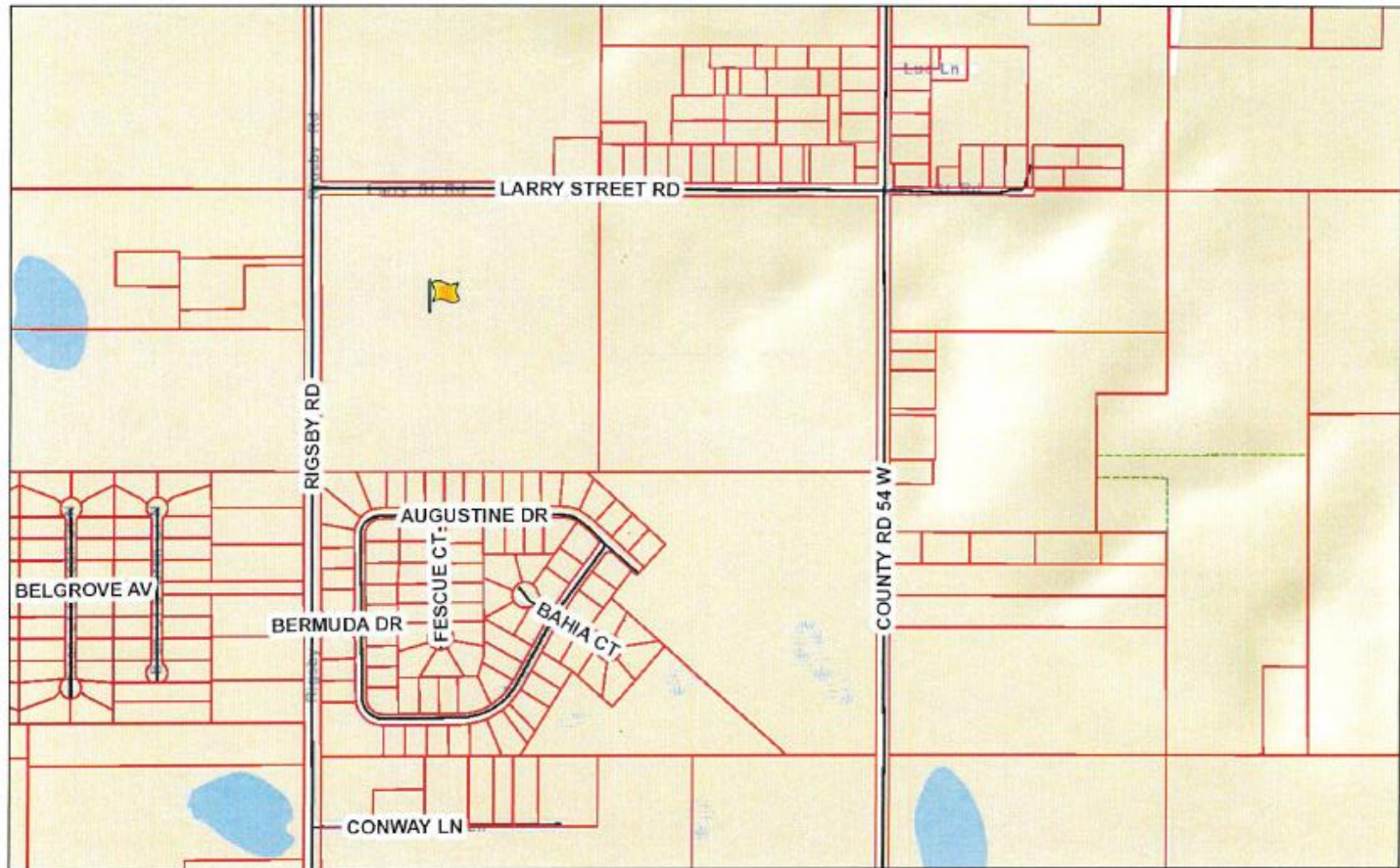
Staff Comments and Recommendation

As stated previously, the subject property, located in Planning District 15, consists of approximately 38 acres. The current zoning is RA, Rural Agriculture District. The designation of RSF-2, Single Family District, has been requested in order to develop a single family subdivision which would be similar to St. Augustine, which is located to the south. If approved, the proposed development would include a maximum of 110, 15,000 square foot lots.

Staff has no major concerns with this application. Unless information to the contrary is obtained from the public hearing, the case should be recommended for **APPROVAL** to the County Commission. *

**On rezoning applications the County Commission will have the final vote.*

DCF, L.L.C. - RA to RSF-2 - 38 ac. + - PPIN 11760



May 6, 2020

pointLayer



Override 1



Parcels



Centerlines



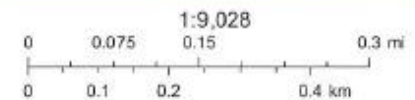
Coastal Control Line



Lot Lines



County Boundary



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

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Property Images







ADJOINING PROPERTY TO THE WEST

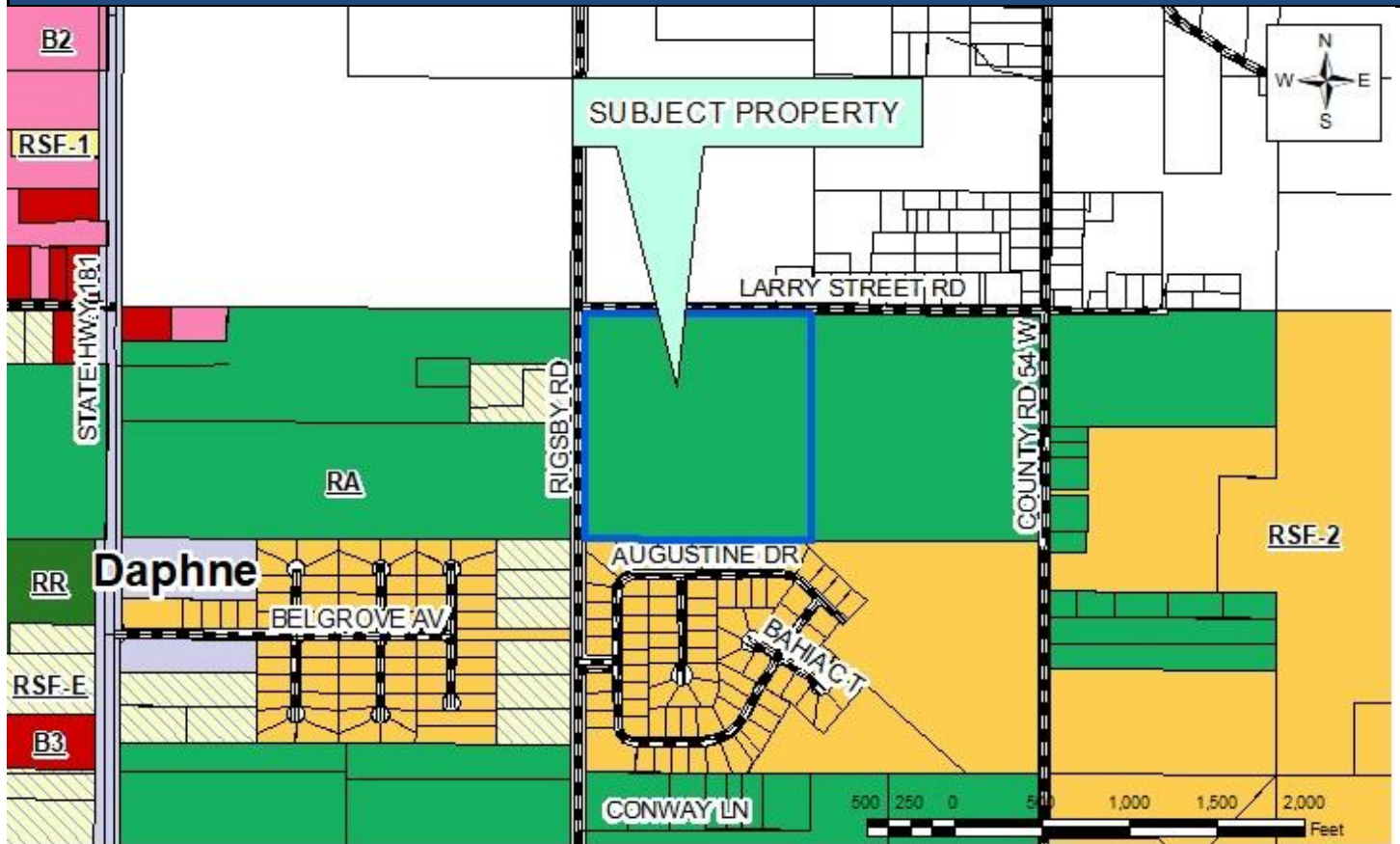
05/11/2020



ADJOINING PROPERTY TO THE SOUTH

05/11/2020

Locator Map



Site Map

