



Town of Perdido Beach Planning Commission

Case No. PBZ-18002

Mr. G Wayne Hollis

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

October 3, 2018

Public Hearing: October 3, 2018-6:30 pm - Al Thompson Community Center

***Staff Report Prepared by: Lynn Thompson-Town Clerk and Steve Love-Mayor
Pro-tempore***

BACKGROUND:

In accordance with the Town of Perdido Beach Land Use and Zoning Ordinance, Section 19.2, on August 31, 2018 the Town received application to authorize the initiation of the rezoning process for parcel number 05-63-03-07-0-000-101.000.

	Adjacent Land Use	Adjacent Zoning
North	Residential	R-1, Single Family District
South	Residential	R-1, Single Family District
East	Soldier's Creek	N/A
West	Residential	R-2, Single Family District

Summary

The subject property is currently zoned R-1, Single Family District, and is occupied. The requested designation is R-2 Single Family District. According to the submitted information, the purpose of this request is to allow for a family split to keep the property in the family.

Current Zoning Requirements

Section 4.2 R-1 Single Family District

4.2.1 *Generally.* This zoning district provides for medium density residential development consisting of single family dwellings on medium size lots.

4.2.2 *Permitted uses.* The uses and structures identified with a “P” on the Table of Permitted Uses attached to this ordinance.

4.2.3 *Conditional uses.* The uses and structures identified with a “C” on the Table of Permitted Uses attached to this ordinance.

4.2.4 *Special exception.* The uses and structures identified with an “S” on the Table of Permitted Uses attached to this ordinance.

4.2.5 *Area and dimensional values.* In addition to the requirements of *Article XII General Requirements* and except as allowed by *Section 18.6 Variances*, and *Article XX Nonconformities*, the area and dimensional values set forth below shall be observed

Maximum Building Height of Structure in Feet	34.75-Feet
Maximum Height of Structure in Habitable Stories	2
Minimum Front Yard Set Back	30-Feet
Minimum Rear Yard Set Back	30-Feet
Minimum Side Yards Set Back	10-Feet
Maximum Density	1 Dwelling Unit per lot
Minimum Lot Area per Dwelling Unit	30,000 Square Feet
Minimum Lot Width at Street Line	60-Feet

Proposed Zoning Requirements

Section 4.3 R-2 Single Family District

4.3.1 *Generally.* This zoning district provides for high density residential development consisting of single family dwellings on small size lots.

4.3.2 *Permitted uses.* The uses and structures identified with a “P” on the Table of Permitted Uses attached to this ordinance.

4.3.3 *Conditional uses.* The uses and structures identified with a “C” on the Table of Permitted Uses attached to this ordinance.

4.3.4 *Special exception.* The uses and structures identified with an “S” on the Table of Permitted Uses attached to this ordinance.

4.3.5 *Area and dimensional values.* In addition to the requirements of *Article XII General Requirements* and except as allowed by *Section 18.6 Variances*, and *Article XX Nonconformities*, the area and dimensional values set forth below shall be observed.

Maximum Building Height of Structure in Feet	34.75
Maximum Height of Structure in Habitable Stories	2
Minimum Front Yard Set Back	30-Feet
Minimum Rear Yard Set Back	30-Feet
Minimum Side Yards Set Back	10-Feet
Maximum Density	1 Dwelling Unit per lot
Minimum Lot Area per Dwelling Unit	15,000 Square Feet
Minimum Lot Width at Street Line	50-Feet

Case No.: PB2 ¹⁸⁰⁰² Received By: L. Thompson Date: 10-31-18
 Application Fee: 500.00 Receipt No: 481277 Planning Comm. Meeting: 10/31/18

Town of Perdido Beach Rezoning Application



Baldwin County Planning & Zoning Dept. (Foley Office)
 201 East Section Street - Foley, AL 36535
 251-972-8523 Fax 251-972-8520

Town of Perdido Beach
 9212 CR 97- Perdido Beach AL 36530
 251-962-2200 Fax 251-962-2206

Applicant

Are you the property owner? YES NO
 (If you are not the property owner you must submit Owner Authorization Form signed by the property owner)

Name: G. WAYNE HOLLIS Date: 8-1-18
 Mailing Address: 412 W SATSUMA AV.
 City: FOLEY State: AL Zip code: 36535
 Telephone: (251) 943-3421 Fax: (251) 943-2941 Cell: 251 978 3299

Site Information

Location of Property: 9276 TUSCALOOSA DRIVE
Perdido Beach, AL 36530
 Parcel ID Number: 05-63 - 03 - 07 - 0 - 000 - 101 - 000
05- - - - -
05- - - - -
 * 365 THE N 25' TO PUB LYING IN SE 1/4 SEC 7-785-R6E
 Legal Description: 102' X 403' INV PERDIDO BEACH TOWNHIP Lot 1 PHS PG-249 ALSO THE
FOLLOWING PT OF VACATED ST BATSWECKER SD LOT 1 I/E TO SLODICH CREEK TH 25' FHEW
 Present Zoning: R-1 Proposed Zoning: R-2
 Flood Zone: X Area of Property, Sq. Ft., or Acres: 102 X 380 -

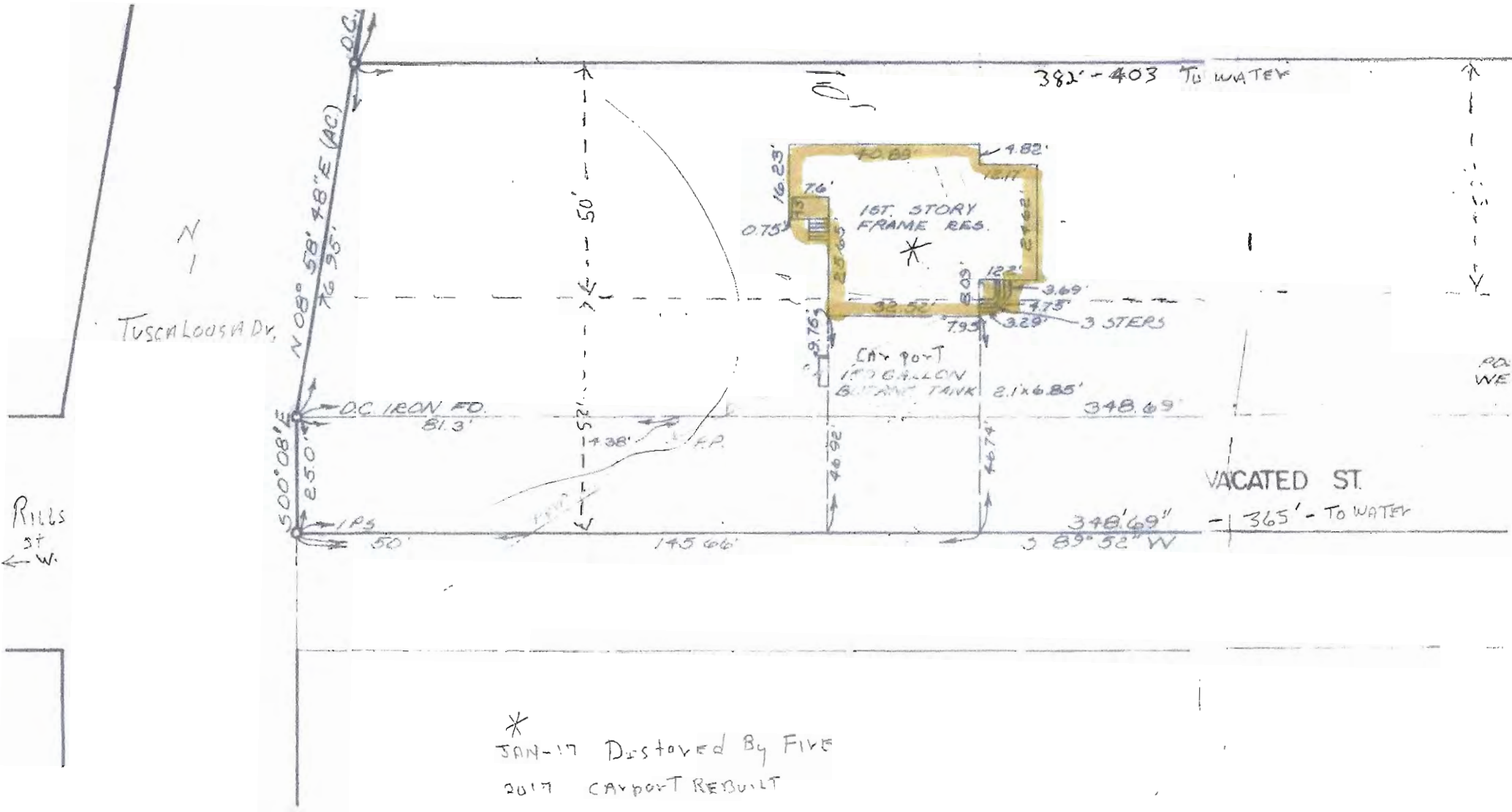
Describe briefly why the rezoning is being requested and what uses are proposed for the property:

TO SELL TO GRAND SON REBUILD - SUMMER COTTAGE
WILL KEEP IN FAMILY

I, the undersigned applicant, understand that payment of these fees does not entitle me to approval of this rezoning and that no refund of these fees will be made. I have reviewed a copy of the applicable zoning regulations and understand that I must be present on the date of the meeting.

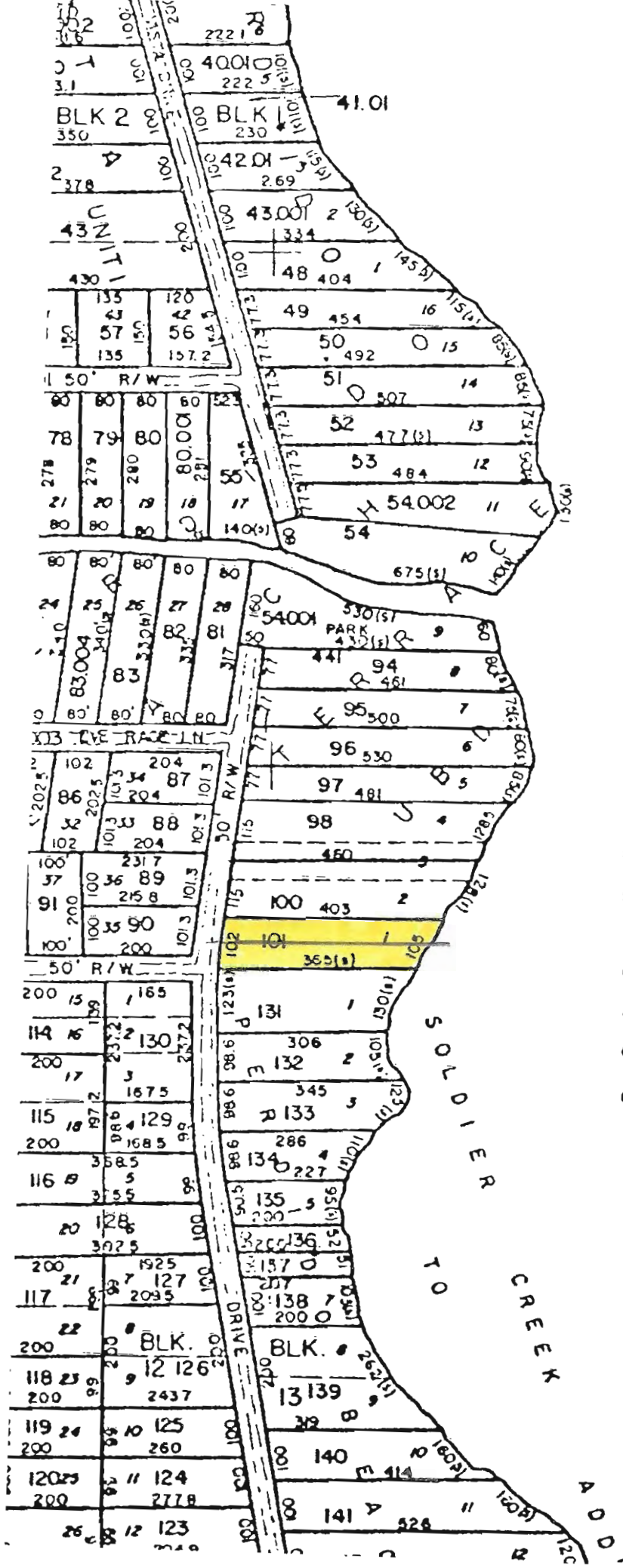
G. Wayne Hollis
 Signature of Applicant (Owner of Property or Official Representative of Owner)

8-1-18
 Date



*
 JAN-17 Destroyed By Fire
 2017 CARPORT REBUILT

22' 41"



C R E E K

S O L D I E R

S O L D I E R
C R E E K

A D D .

SEE MAP 05-63-05-08

T 18 65 | 67 | 68

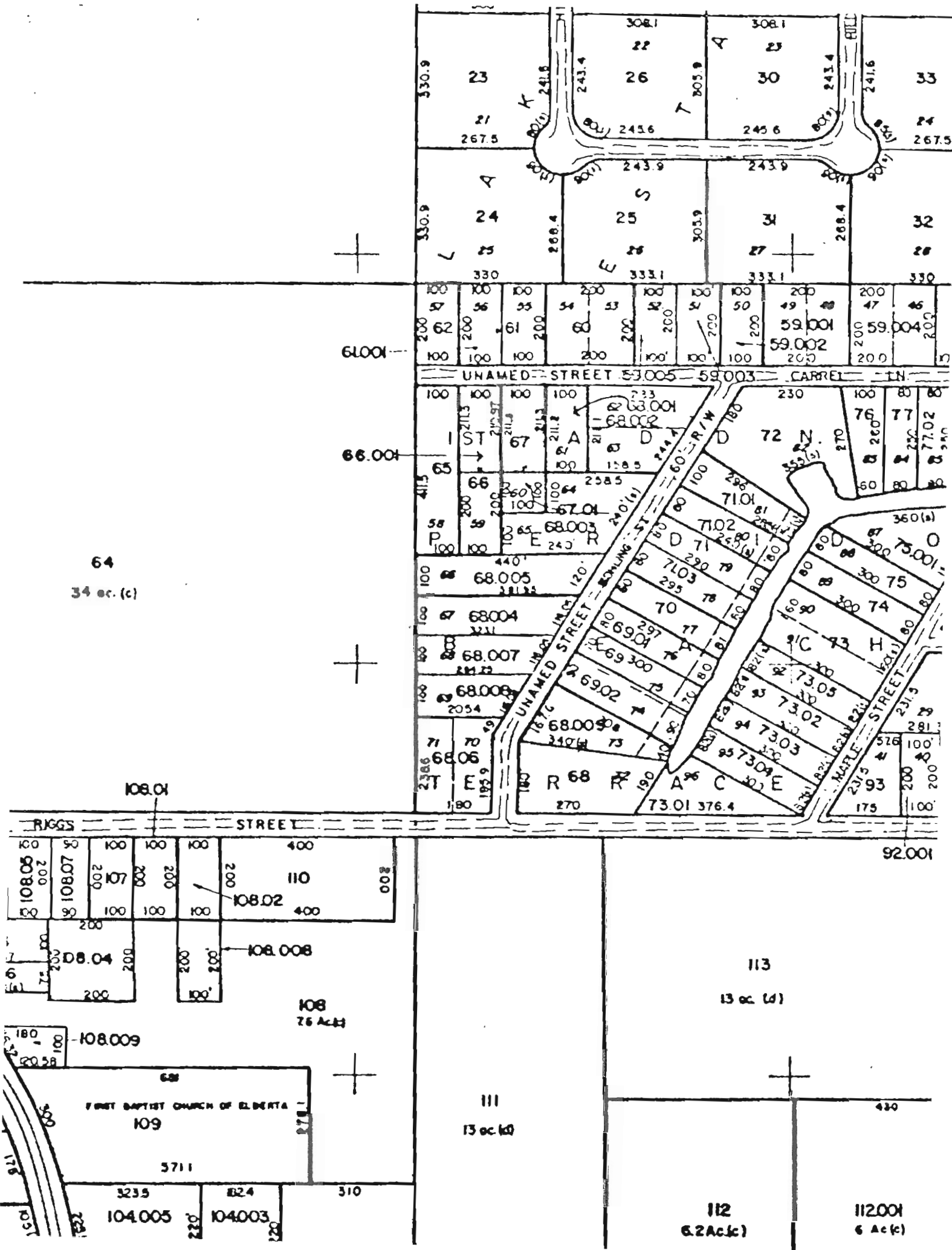
R 1 E 2 E 3 E 4
TOWNS
(MOCK TO 1)

6	5
7	8
8	17
19	20
20	29
31	32

SUB

- STATE LINE ———
- COUNTY LINE ———
- CORPORATION LINE ———
- DISTRICT LINE ———
- ROAD R/W ———
- TRAVELED ROAD WAY ———
- RAILROAD R/W ———
- PROPERTY LINE ———
- LAND HOOK ———
- INTERIOR TRACT LINE OR ORIGINAL TRACT LINE ———
- SUBDIVISION LOT NUMBER
- PARCEL NUMBER
- BLOCK LIMIT (WHERE APPLICABLE) ———
- OWNERSHIP MAP BLOCK (WHERE APPLICABLE) ———
- CHURCHES, SCHOOLS, CEMETRIES, AIRPORTS, GOVERNMENT LANDS, ETC.

DATE	BY	DATE
9-60	DEF	1-56
10-61	WAM	5-67
5-62	CFR	2-68
7-64	SAB	1-90





TOWN OF PERDIDO BEACH
9212 County Road 97
Perdido Beach, Alabama 36530
Telephone: 251.962.2200
Fax: 251.962.2206

www.townofperdidobeach.org

REZONING APPLICATION PROCESS SYNOPSIS

Application

All application materials, including parcel numbers, payment of fees, legal descriptions and completed Authorized Agent Forms when appropriate, must be submitted according to the approved application deadline schedule. Incomplete applications will not be processed and will not be scheduled for a public hearing. Irrespective of the outcome, fees will not be refunded once the application has been processed.

Staff Review

A staff member performs an evaluation of the site and surrounding properties as well as consults all relevant materials including the standards contained in Town of Perdido Beach Land Use & Zoning Ordinance Section 19A.3. The evaluation process for the property that is the subject of the rezoning includes a physical inspection of the property by Town of Perdido Beach Staff. Each rezoning will contain a staff report and a recommendation from the staff. The staff member assigned to the case is the point of contact for the application and will prepare the report. Staff reports are mailed to the applicant prior to the public hearing and are also available for public inspection.

Standards For Approval

Section 19A.3 Factors for Reviewing Proposed Amendments to this Ordinance or the Official Zoning Map

In deciding whether to recommend approval of a proposed amendment to the Land Use and Zoning Ordinance or the Official Zoning Map (rezoning) or in deciding whether to adopt a proposed amendment to such, the Planning Commission and Town Council shall consider whether the proposed action (rezoning) is consistent with the following inquiries:

The following factors for reviewing amendments are found in Section 19A.3 of the *Town of Perdido Beach Land Use and Zoning Ordinance*.

- (a) Is the requested change compatible with the existing development pattern and the zoning of nearby properties?
No. Change is not compatible with adjacent waterfront properties. R-2 is compatible with properties across the street.

- (b) Has there been a change in the conditions upon which the original zoning designation was based? Have land uses or conditions in the near vicinity affected by the proposed action changed since the zoning was established or last amended?
No.

- (c) Does the proposed zoning improve conformity of land use to the Town's Master Plan?
NO.

- (d) Will the proposed change conflict with existing or planned public improvements?
No conflicts

- (e) Will the proposed change adversely affect traffic patterns or congestion?
The effect of a rezoning from R-1 Single Family District to R-2 Single Family, should not adversely impact traffic patterns or increase congestion.

- (f) 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.

Yes, the primary surrounding land uses in that area are residential. The properties to the north and to the south are zoned R-1, Single Family District and the property to the West is zoned R-2, Single Family District.

- (g) Is the proposed amendment the logical expansion of adjacent zoning districts?

Yes. See response to item (f) which is listed above.

- (h) Is the timing of the request appropriate given the development trends in the area?
Not applicable.

- (i) Will the proposed change adversely impact the environmental conditions of the vicinity or the desirable historic resources or nature of the Town?
No,

- (j) Will the proposed change adversely affect the health, safety or welfare of the Town?
No, staff does not anticipate any adverse impacts.

(k) Other matters which may be appropriate.

Applicant wished to rezone to R-2 Single Family District to allow property to be subdivided into two lots to convey ownership to a family member.

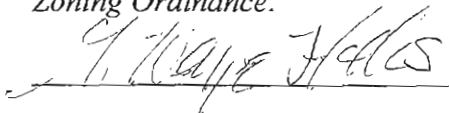
Staff recommends denial of request to rezone based on the incompatibility of adjacent properties.

A public hearing on the rezoning application will be held by the Planning Commission in accordance with their approved meeting schedule. The Planning Commission receives an agenda with staff reports and supporting materials approximately 1 week prior to the meeting date. The assigned staff member will present the pertinent details of the rezoning case as well as the staff recommendation. During the public hearing the applicant is allowed to address the Planning Commission. In addition, those for or against the rezoning application will also be allowed to address the Planning Commission. Please note: Prior to the hearing, each person desiring to address the Planning Commission must complete a Speaker Sign Up form. Staff members will be present at the meeting to provide the proper form for you to complete in order to speak. Any written correspondence received in a timely manner will be presented to the Planning Commission. At the conclusion of the Planning Commission hearing a recommendation will be made to the Town Council.

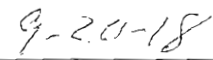
The Town Council will hold a public hearing in the same manner as the Planning Commission. The Town Council will then make the final decision on the rezoning application. Please note: When a rezoning request is decided upon by the Town Council, whether approved or denied, another rezoning for the same property will not be heard for a period of 6 months.

Acknowledgement

I acknowledge that I have read the information contained herein. I understand that this synopsis is not an exhaustive list of requirements and I have had ample opportunity to inquire and become familiar with the requirements of the entire *Town of Perdido Beach Zoning Ordinance*.



Signature of applicant or authorized agent



Date



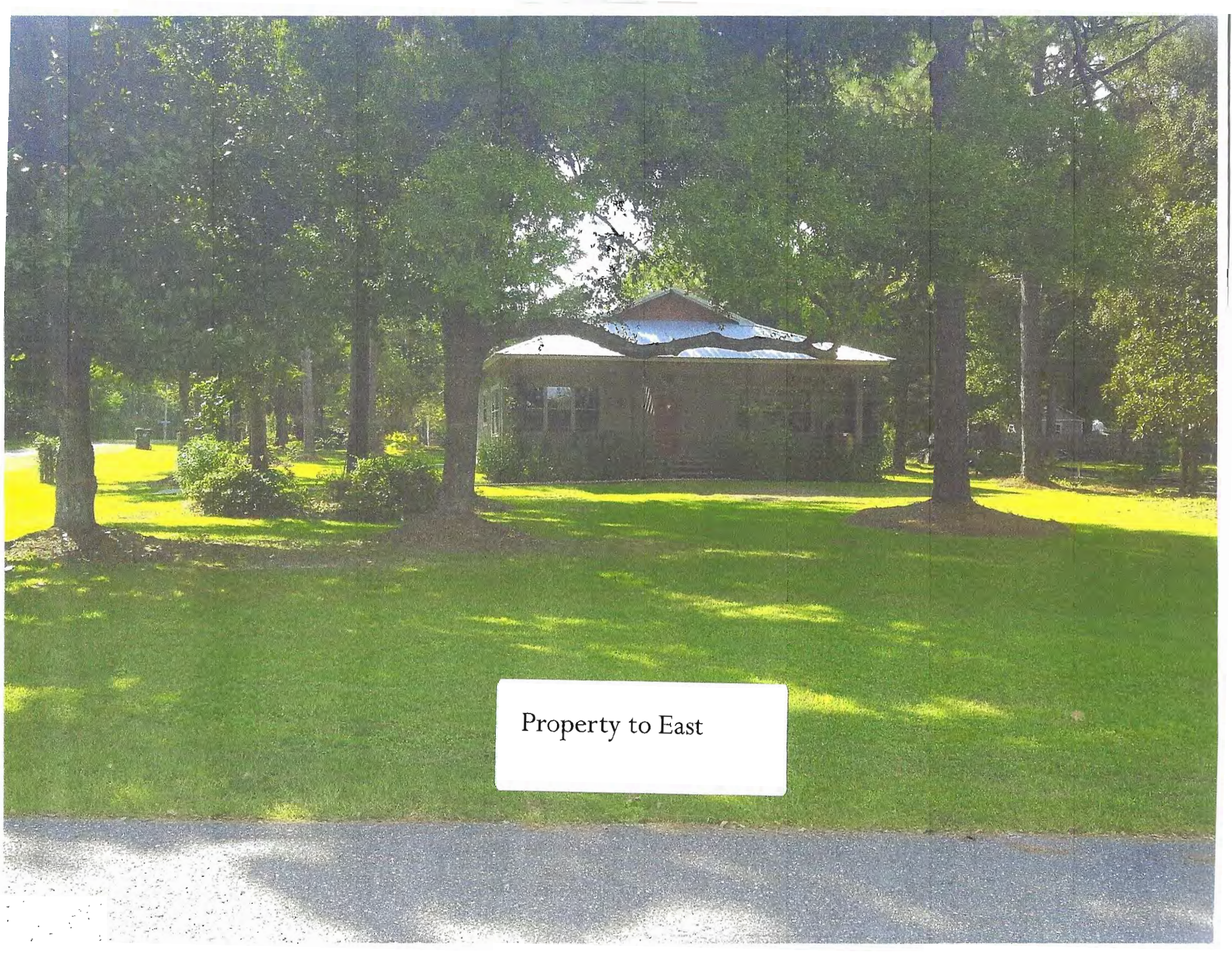
Property to North



Subject Property



Property to South



Property to East