



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Case No. Z25-07

Jim and Donna Enterprises Property

Rezone RA, Rural Agriculture District to RSF-2, Residential Single Family District

April 3, 2025

Subject Property Information

Planning District: 22
General Location: North of County Road 20 and west of Stucki Rd
Physical Address: 16210 St Hwy 181, Fairhope, AL
Parcel Numbers: 62-02-09-0-001-009.001 & 62-02-08-0-001-001.002 (part of)
Existing Zoning: RA, Rural Agriculture District
Proposed Zoning: RSF-2, Residential Single Family District
Existing Land Use: Vacant
Proposed Land Use: Residential
Acreage: 44.25 ± acres
Applicant: John Farley
116 Newgate Rd
Alabaster, AL 35007
Owner: Jim and Donna Enterprises LLC
200 Bradberry Ln
Birmingham, AL 35242
Lead Staff: Celena Boykin, Senior Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential	RA, Rural Agriculture District RSF-E, Residential Estate
South	Agriculture & Residential	RA, Rural Agriculture District RSF-1, Residential Single-Family District
East	Residential	RSF-E, Residential Estate
West	Vacant	RA, Rural Agriculture District

Summary

The subject property encompasses approximately 44.24 acres and is currently zoned as RA, Rural Agriculture District. A request has been made to change the designation to RSF-2, Residential Single Family District, to facilitate future residential use.

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: Not Applicable

3.2.4 Conditional Use Commission Site Plan Approval. 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 by the site plan approval process:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Institutional uses not permitted by right.

(c) The following general commercial uses: low density recreational vehicle park (see *Section 13.8: Recreational Vehicle Parks*).

(d) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

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 18.4 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

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 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.
- (g) Agricultural uses, on RSF-2 zoned parcels that otherwise meet the minimum area and dimension requirements for Rural Agricultural District under Section 3.2.5 herein, agricultural uses shall be permitted uses, except that the minimum front yard for barns and other agricultural structures shall be 100 feet when constructed on an RSF-2 zoned parcel where no primary dwelling currently exists.

4.3.2 Conditional Use Commission Site Plan Approval. 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 by the site plan approval process:

- (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.
- (d) The following local commercial use: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

4.3.3 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: Not Applicable

4.3.4 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 18.4 *Variances*, and Article 20: *Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-Feet
Maximum Height in Habitable Stories	2 ½
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

USACE, James Buckelew: Staff reached out but received no comments.

ADEM, Autumn Nitz: Based upon review of the information submitted for Jim & Donna Enterprises, it appears the proposed project lies partially within the coastal area and therefore may be subject to the review requirements of the coastal area management program.

Subdivisions, Shawn Mitchell: A subdivision is not requested at this time. The Applicant will need to submit Preliminary and Final Plat applications to subdivide the property.

Civil Engineer, Tyler Austin:

Staff Analysis and Findings

The criteria for reviewing zoning amendments are outlined in Section 19.6 of the Baldwin County Zoning Ordinance. Staff carefully considered all of these factors during the evaluation of the application.

The subject property is situated within Planning District 22, which adopted its zoning map in November 2002. Since that time, local conditions have seen minimal changes, with only a few land use modifications in the surrounding area, including several rezonings from RA to RSF-E. The prevailing development pattern in this vicinity is primarily agricultural/rural, complemented by estate-sized residential lots. There is also an existing subdivision to the south that is zoned RA, although the lots conform to RSF-2 size. The Future Land Use Map (FLUM) designates this area as having Moderate Development Potential, which aligns with RSF-2 zoning. The proposed RSF-2 zoning seeks to create an opportunity for a moderately dense residential environment characterized by single-family homes.

The subject property, along with several parcels to the northwest, was presented to the Planning Commission last year for a rezoning request. Staff provided a negative recommendation due to a significant portion of the property being covered in wetlands, leading the applicant to withdraw the application. Following further review and multiple meetings with staff, the applicant chose to refine the project by omitting the area predominantly consisting of wetlands.

Staff Comments and Recommendation

As previously noted, the subject property spans approximately 44.25 acres and is currently zoned as RA, Rural Agriculture District. A request has been submitted to rezone it to RSF-2, Residential Single Family District. The property is situated just north of County Road 20 and west of Stucki Rd. Staff has thoroughly assessed all pertinent factors related to this application and recommends approval of the rezoning request.

Unless information to the contrary is revealed at the public hearing, staff feels this rezoning application should be recommended for **APPROVAL**.*

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

Property Images





Adjoining
Property to
The West
PIN: 250390



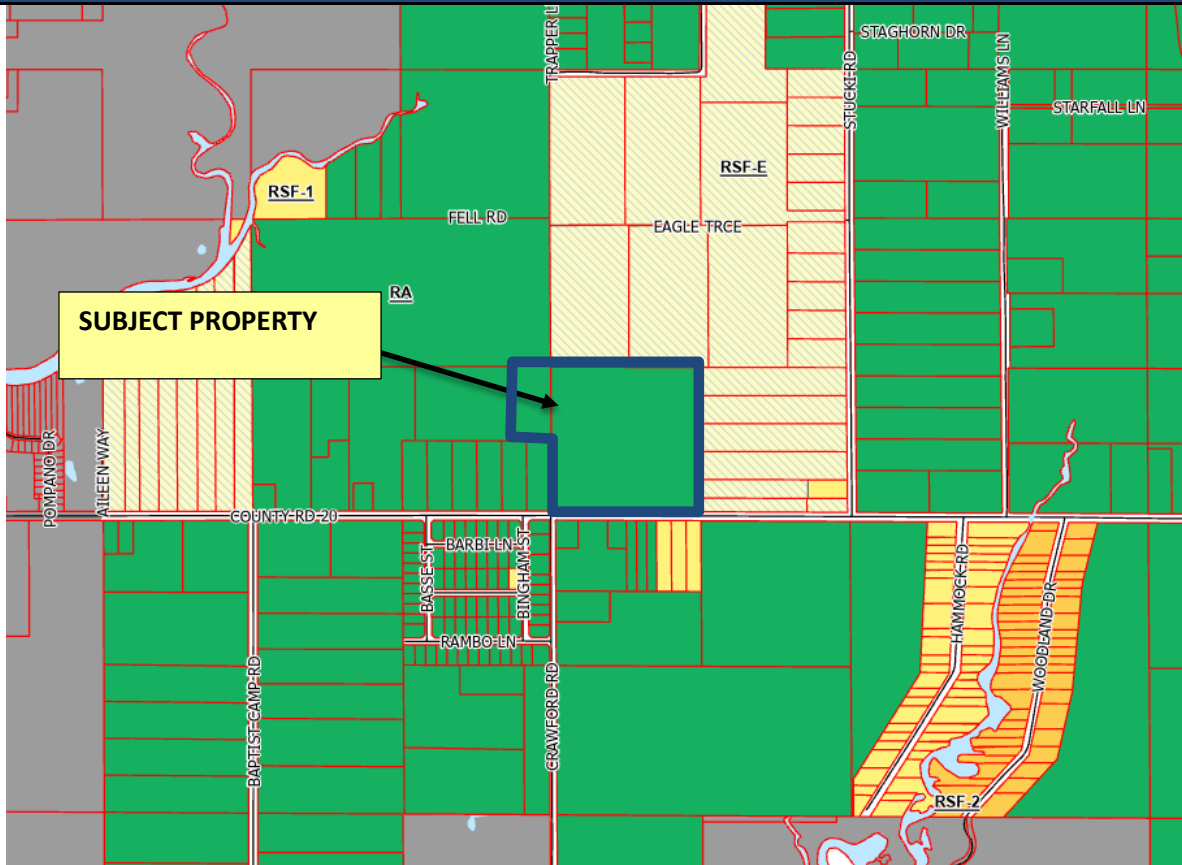
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332° NW
Baldwin County Code Enforcement



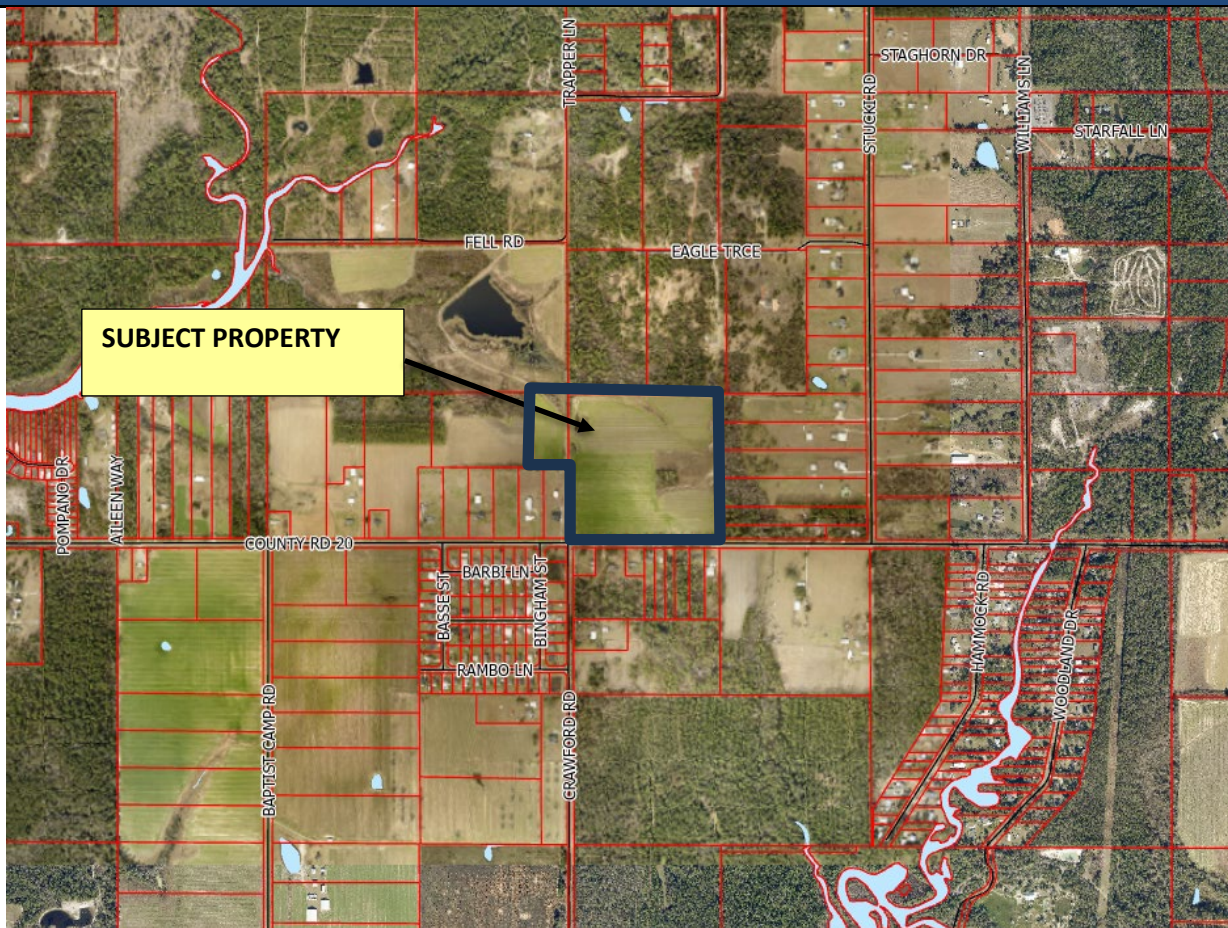
Adjoining
Property to
The East
PIN: 32729

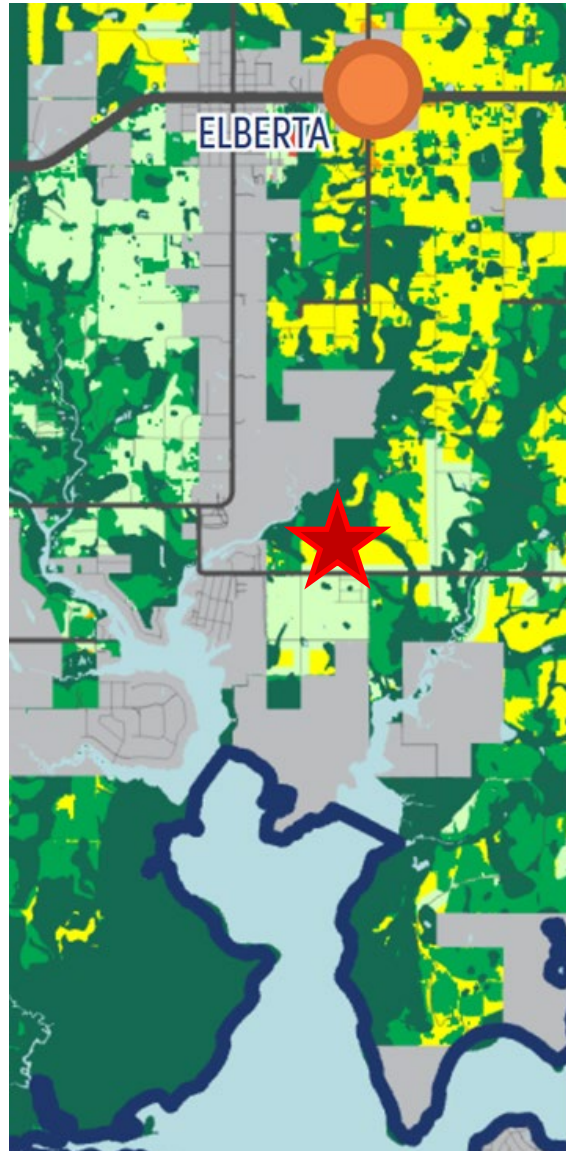
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30°21'47.0758"N 87°34'40.62288"W
28° NE
Baldwin County Code Enforcement

Locator Map



Site Map





LEGEND

PLACE TYPES

- IDEAL CONSERVATION/PRESERVATION
- CONSERVATION DEVELOPMENT POTENTIAL
- RURAL/AGRICULTURE/LID POTENTIAL
- MODERATE DEVELOPMENT POTENTIAL
- MID-DENSITY DEVELOPMENT POTENTIAL
- HIGH-DENSITY DEVELOPMENT POTENTIAL

MUNICIPAL JURISDICTIONS

NODE TYPES

- RURAL CROSSROADS CENTER
- NEIGHBORHOOD CENTER
- VILLAGE CENTER
- URBAN MIXED-USE CENTER
- COMMERCIAL/INDUSTRIAL CENTER