



Baldwin County Planning & Zoning Department

Baldwin County County Commission Staff Report

Case No. Z25-22

Curtis Property

Rezone from RR, Rural District to B-3, General Business District

May 20, 2025

Subject Property Information

Planning District: 21
General Location: At the intersection of County Road 26 and Grantham Road in the Foley area
Physical Address: 11535 Grantham Road, Foley, AL 36535
Parcel ID Numbers: 05-55-07-35-0-000-009.010 and 05-55-07-35-0-000-009.011
PIN Numbers: 378095 and 378096
Existing Zoning: RR, Rural District
Proposed Zoning: B-3, General Business District
Existing Land Use: Vacant
Proposed Land Use: Commercial
Acreage: 2.1 ± acres
Applicant: Alvin Scott Curtis
PO Box 1062
Daphne, AL 36526
Owner: Same
Lead Staff: Cory Rhodes, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Dirt Pit	RR, Rural District
South	Agricultural	RA, Rural Agricultural District
East	RV Park	RV-2, Recreational Vehicle Park District
West	Dirt Pit	RSF-1, Single Family District

Summary

The subject properties encompass approximately 1.1 acres and are currently zoned as RR, Rural District. A request has been made to change the designation to B-3, General Business District, for office-warehouse use as well as a drone business. The primary uses along County Road 26 include agricultural and residential. The applicant believes that the optimal use for this property is commercial.

Section 3.1 RR, Rural Districts

3.1.1 *Generally.* This zoning district is provided to accommodate the rural areas of Baldwin County. Rural District ordinances are designed to protect the rural character of the area.

3.1.2 *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) Marine recreation uses.
- (d) Outdoor recreation uses.
- (e) The following general commercial uses: animal clinic and/or kennels; farm implement sales; farmer's market/truck crops; nursery; landscape sales.
- (f) Local commercial uses.
- (g) Professional service and office uses.
- (h) The following institutional uses: church or similar religious facility; childcare center; childcare institution; day care home; fire station; library; post office; school (public or private).
- (i) Agricultural uses.
- (j) Single family dwellings including manufactured housing and mobile homes.
- (k) Accessory structures and uses.

3.1.3 *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

Maximum Height of Structure	35-Feet
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

3.1.6 *Area and dimensional modifications.* Within the RR 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	20,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	80-Feet

3.1.4 *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 Commission site plan approval process:

- (a) Transportation, communication, and utility uses not permitted by right.
- (b) Light industrial uses.
- (c) General commercial uses not permitted by right, except racetrack.
- (d) Institutional uses not permitted by right, except correctional, detention, or penal institution and sanitarium.
- (e) Boarding house, rooming house, lodging house, or dormitory.
- (f) Fraternity or sorority house.

3.1.5 *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.

Section 5.3 B-3, General Business District

5.3.1 Purpose and intent. The purpose of this district is to provide for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district shall only be applied at appropriate locations: to conveniently meet these needs; in conformance with the goals, objectives and policies and location criteria of the Comprehensive Plan; compatible with the surrounding land uses and zoning districts; where it will not adversely impact the facilities and services of the County; where it will not set a precedent for the introduction of inappropriate uses into an area; and so as not to encourage non-residential strip development along streets

5.3.2 Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses in the B-3, General Business District, conditioned on the Commission Site Plan Approval requirements of *Section 18.9*:

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| (a) All uses permitted by right under the B-2 zoning designation | (j) Bicycle sales and service |
| (b) Air conditioning sales and service | (k) Bowling alley |
| (c) Amusement arcade | (l) Business machine sales and service |
| (d) Animal clinic/kennel | (m) Business school or college |
| (e) Arboretum | (n) Butane gas sales |
| (f) Auto convenience market | (o) Cemetery |
| (g) Automobile service station | (p) City hall or courthouse |
| (h) Bakery, wholesale | (q) Country club |
| (i) Ball field | (r) Department store |
| | (s) Discount/variety store |
| (t) Drug store | supplies sales |
| (u) Elevator maintenance service | (nn) Park or playground |
| (v) Exterminator service office | (oo) Pawn shop |
| (w) Farmer's market/truck crops | (pp) Pet shop |
| (x) Firing range | (qq) Plumbing shop |
| (y) Fitness center or gym | (rr) Printing/publishing establishment |
| (z) Florist | (ss) Restaurant sales and supplies |
| (aa) Fraternity or sorority house | (tt) Riding academy |
| (bb) Fruit and produce store | (uu) Rug and/or drapery cleaning service |
| (cc) Funeral home | (vv) Seafood store |
| (dd) Golf course | (ww) Sign shop |
| (ee) Golf driving range | (xx) Skating rink |

(ff) Grocery store
 (gg) Landscape sales
 (hh) Marine store and supplies
 (ii) Miniature golf
 (jj) Mini warehouse
 (kk) Night club, bar, tavern
 (ll) Nursery
 (mm) Office equipment and

(yy) Stone monument sales
 (zz) Swimming pool (outdoor)
 (aaa) Taxidermy
 (bbb) Teen club or youth center
 (ccc) Tennis court (outdoor)
 (ddd) Wildlife sanctuary
 (eee) YMCA, YWCA

5.3.3 Conditional Use Commission Site Plan Approval. The following uses are permissible as Commission Site Plan Approval uses in the B-3: General Commercial District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*:

(a) Airport
 (b) Ambulance/EMS service
 (c) Amusement Park
 (d) Armory
 (e) Auditorium, stadium, coliseum
 (f) Automobile parts sales
 (g) Automobile repair (mechanical and body)
 (h) Automobile storage (parking lot, parking institution
 (q) Dog pound
 (r) Electric power substations
 (s) Farm implements
 (t) Flea market
 (u) Freight depot, rail or truck
 (v) Home improvement center
 (w) Hotel or motel
 (x) Hospital
 (y) Landfill

garage)
 (i) Barge docking
 (j) Boat sales and service
 (k) Broadcasting station
 (l) Building materials
 (m) Bus and railroad terminal facility
 (n) College or university
 (o) Convalescent or nursing home
 (p) Correctional or penal
 (dd) Movie theatre
 (ee) Radio/television tower
 (ff) Railroad facility
 (gg) Recreational vehicle park
 (hh) Recreational vehicle sales service, and repair
 (ii) Restaurant, drive-in
 (jj) Restaurant, fast-food
 (kk) Sewage treatment plant
 (ll) Taxi dispatching station

~~(y)~~(z) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies
~~(z)~~(aa) Manufactured housing sales, service and repair
~~(aa)~~(bb) Marina
~~(bb)~~(cc) Motorcycle sales service and repair

~~(ll)~~(mm) Taxi terminal
~~(mm)~~(nn) Telephone exchange
~~(nn)~~(oo) Water or sewage pumping station
~~(oo)~~(pp) Water storage tank
~~(pp)~~(qq) Wireless telecommunication facility
~~(qq)~~(rr) Zoo

5.3.4 Area and dimensional ordinances.

Maximum Height of Structure	40-Feet
Maximum Height of Structure in Habitable Stories	3
Minimum Front Yard	40-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.70
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60 Feet

5.3.5 *Lighting standards.* The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

5.3.6 *Distance between structures.* If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

5.3.7 *Landscaping and buffering.* All B-3, General Business District, uses shall meet the requirements of *Article 17: Landscaping and Buffers*.

Agency Comments

USACE, James Buckelew: Staff reached out 4/8/2025 but received no comments.

ADEM, Scott Brown: Staff reached out 4/8/2025 but received no comments.

City of Foley, Miriam Boone: Staff reached out 4/8/2025 but received no comments.

Subdivisions, Shawn Mitchell: A subdivision isn't requested at this time.

Civil Engineer, Tyler Austin: No current development proposed. Any future development will require review of drainage and construction plans. Any access to the subject properties along CR 26 and/or Grantham Road will require a CTP from Baldwin County P&Z.

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 properties are situated in Planning District 21, which adopted a zoning map in June 2009. Following this adoption, there have been minimal changes in the area, with most of the adjacent properties zoned for agricultural or residential use. For this reason, the proposed change to commercial use would not be compatible with the adjacent zonings or their use. General Business (B-3) zoning aims to provide for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. Moreover, the Future Land Use Map within the Master Plan classifies the subject properties as ideal conservation and conservation development, for which low-impact design principles based on sustainable development practices is fitting.

Staff Comments and Recommendation

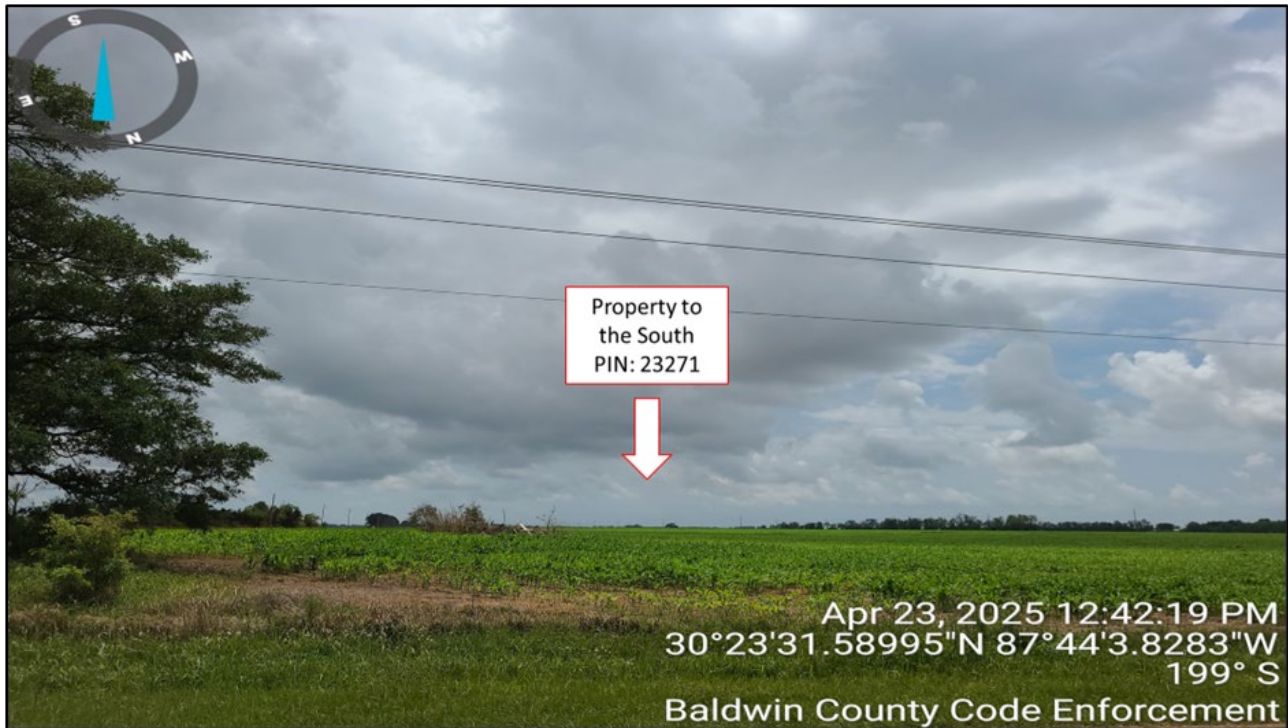
As previously mentioned, the subject properties encompass approximately 1.1 acres and are currently zoned as RR, Rural District. A request has been submitted for the designation of B-3, General Business District, for office-warehouse use as well as a drone business. The majority of the adjacent parcels along County Road 26 are designated for agricultural or residential purposes and used as such. While the applicant believes that the optimal use for this property is commercial, staff has carefully evaluated all relevant factors concerning this application and recommends that the rezoning application be denied based on incompatibility with the surrounding area and nonconformity with the Master Plan.

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

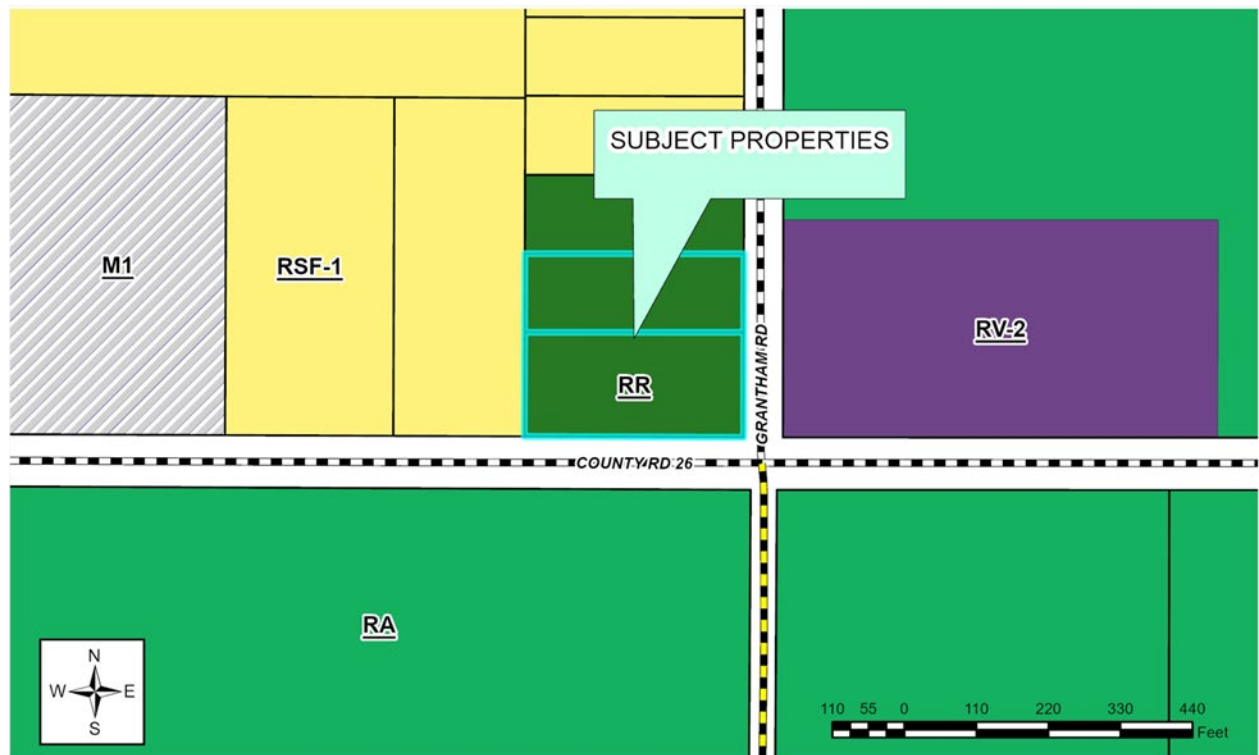
Property Images



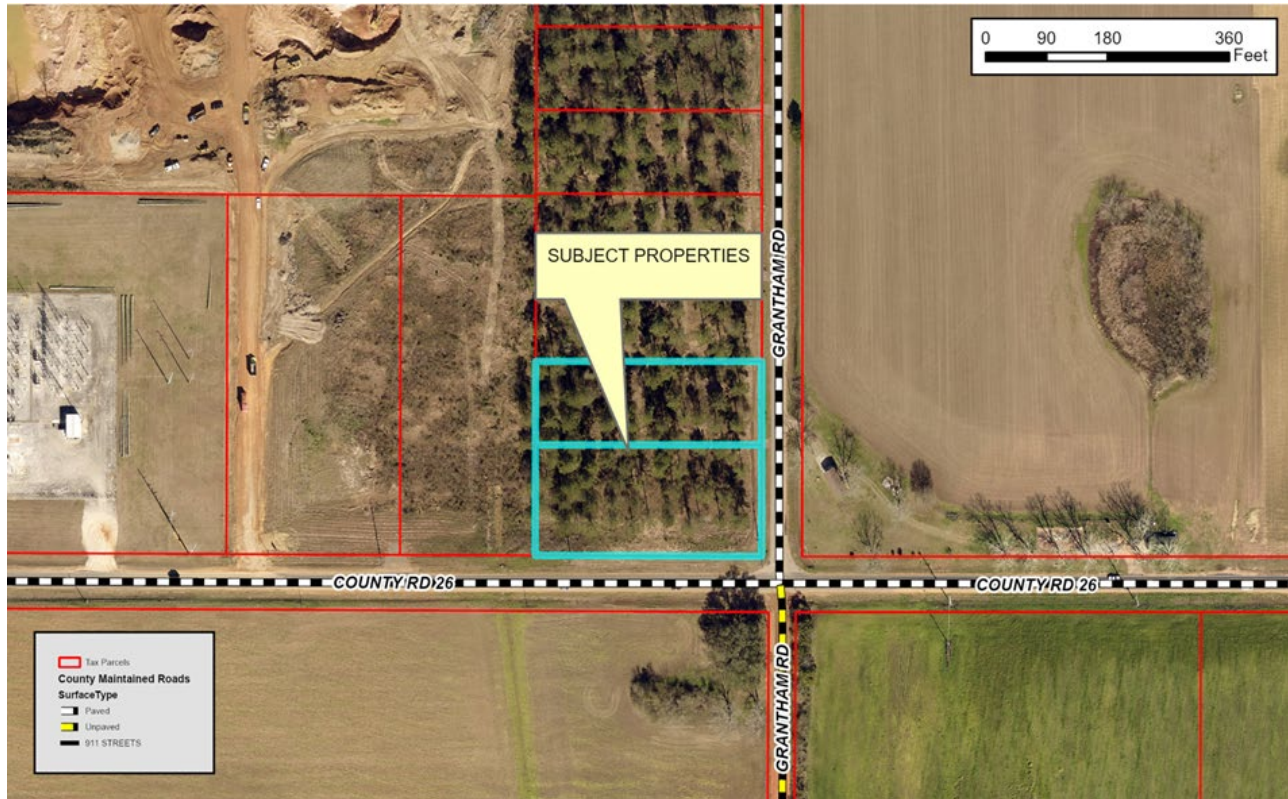


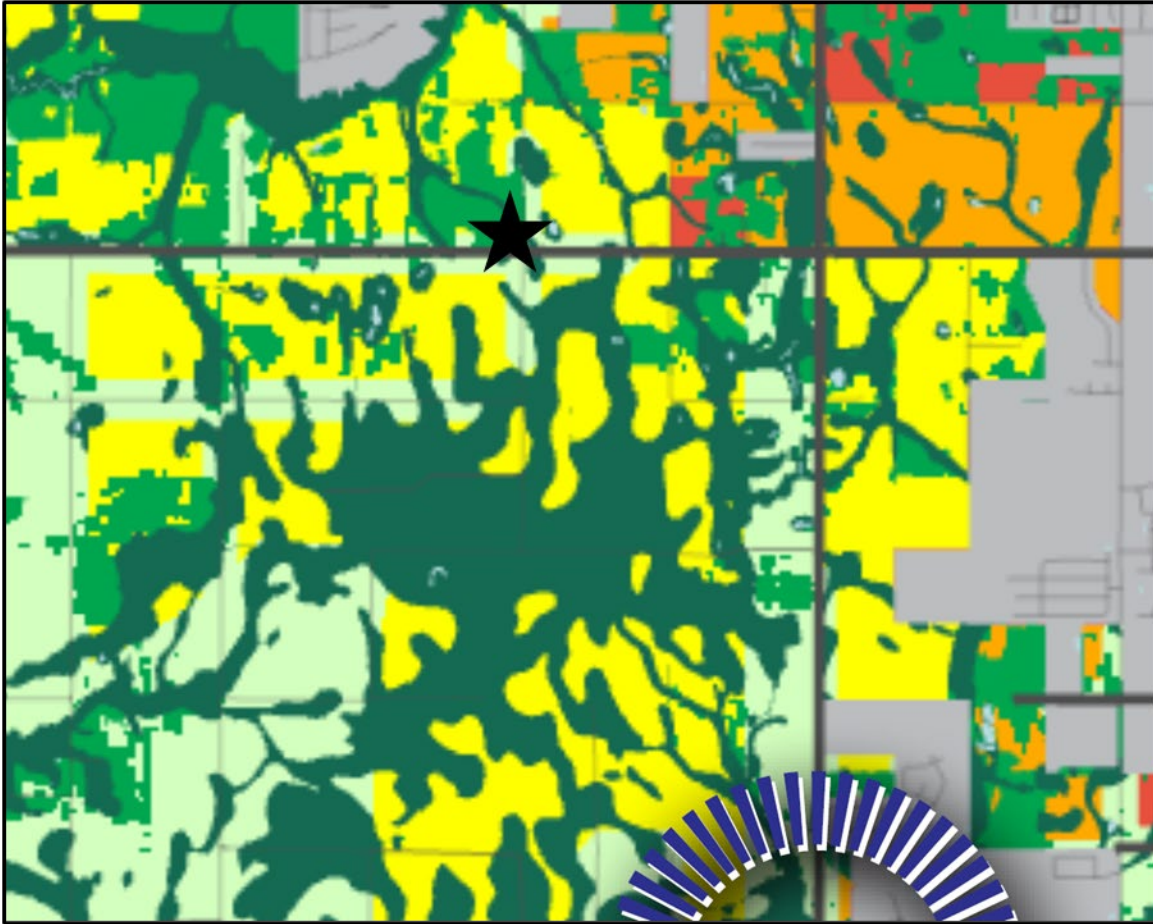


Locator Map



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

Surrounding Zoning & Land Uses

