



Baldwin County Planning & Zoning Department

Baldwin County County Commission Staff Report

Case No. Z25-24

Hilltop Qoz Fund, LLC Property

Rezone RSF-E, Residential Single Family Estate District to RSF-1, Residential Single Family District

June 24, 2025

Subject Property Information

Planning District: 35
General Location: North of Keller Road and West of State Highway 59 in the Foley area
Physical Address: 19157 Keller Road, Foley, AL 36535
Parcel Numbers: 05-61-04-17-0-001-033.000
Existing Zoning: RSF-E, Residential Single Family Estate District
Proposed Zoning: RSF-1, Residential Single Family District
Existing Land Use: Residential
Proposed Land Use: Residential
Acreage: 10 ± acres
Applicant: Jacki Muhle
24525 Mifflin Road
Elberta, AL 36530
Owner: same
Lead Staff: Cory Rhodes, Planner
Attachments: *Within Report*

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

Summary

The subject property encompasses approximately 10 acres and is currently zoned as RSF-E, Residential Single Family Estate District. A request has been made to change the designation to RSF-1, Residential Single Family District, to facilitate future residential use.

Section 4.1 RSF-E, Residential Single Family Estate District

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

4.1.2 *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) Agricultural uses.
- (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.

4.1.3 *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*).

4.1.4 *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: Not Applicable

4.1.5 *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.

Maximum Height of Structure	35-Feet
Maximum Height in Habitable Stories	2 ½
Minimum Front Yard	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	80,000 Square Feet
Minimum Lot Width at Building Line	165-Feet
Minimum Lot Width at Street Line	165-Feet
Maximum Ground Coverage Ratio	.35

4.1.6 *Area and dimensional modifications.* Within the RSF-E 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

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.
- (g) Agricultural uses, on RSF-1 zoned parcels that otherwise meet the minimum area and dimension requirements for Rural Agricultural District under Section 3.24.5 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-1 zoned parcel where no primary dwelling currently exists.

4.2.3 *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*).

4.2.4 *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: Not Applicable

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 18.4 *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	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

Agency Comments

USACE, James Buckelew: Staff reached out 5/13/2025 but received no comments.

ADEM, Scott Brown: Staff reached out 5/13/2025 but received no comments.

City of Foley, Miriam Boone: Staff reached out 5/13/2025 but received no comments.

Subdivisions, Fabia Waters: Staff is currently reviewing a proposed three lot subdivision for the subject property; no further comments.

Civil Engineer, Tyler Austin: No current development proposed. Any future development/site improvements will require review for drainage and construction plans. Existing access currently in place along Keller Road. Any improvements or new future access will require CTP from Baldwin County Planning & Zoning.

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 in Planning District 35, which adopted a zoning map in October 2022. Following this adoption, there have been few changes in the local conditions. The majority of the surrounding properties are currently zoned for residential use. Therefore, the proposed amendment appears to be a logical expansion and aligns with the existing development patterns in the area. The proposed RSF-1 zoning allows for a low-density residential environment consisting of single-family homes located on large lots.

Staff Comments and Recommendation

As previously mentioned, the subject property encompasses approximately 10 acres and is currently zoned as RSF-E, Residential Single Family Estate District. A request has been submitted for the designation of RSF-1, Residential Single Family District. The subject property is located on Keller Road and within a residentially-zoned area, with RSF-1 zoning to the north and south of the subject property. Staff has carefully evaluated all relevant factors concerning this application and recommends that the rezoning application be approved.

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

Property Images







Locator Map



