Baldwin County Planning & Zoning Department

Baldwin County County Commission Staff Report

Case No. Z25-43
Kramer Property
Rezone from RA, Rural Agricultural District, to RSF-1, Residential Single Family District
October 21, 2025

Subject Property Information

Planning District: 30
General Location: South of Miflin Road and west of Wilson Road within the Elberta community
Physical Address: 24060 Miflin Road, Elberta, AL 36530
Parcel Number: 05-62-03-07-0-001-015.000
Existing Zoning: RA, Rural Agricultural District
Proposed Zoning: RSF-1, Residential Single Family District
Existing Land Use: Vacant
Proposed Land Use: Residential
Acreage: 18.44 +/- acres
Applicant: Jay Broughton, Broughton and Associates, LLC
214 Magnolia Avenue, Suite 115
Fairhope, AL 36532
Owner: Daniel Kramer
7633 15th Avenue NE
Rice, MN 56367
Lead Staff: Cory Rhodes, Planner
Attachments: *Within Report*

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

Summary

The subject property encompasses approximately 18.44 acres and is currently zoned as RA, Rural Agricultural District. A request has been made to change the designation to RSF-1, Residential Single Family District, to enable 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. Low-density residential development that maintains the rural character of the district is permitted in accordance with the permitted uses and area and dimensional requirements of this section.

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 Permit Exemptions for Agricultural Uses and Agriculture Buildings. Agricultural uses and Agriculture Buildings, as defined in this ordinance, within the RA zoning district, shall be exempt from the Zoning Site Plan and Zoning Land Disturbance permitting requirements of this ordinance.

3.2.4 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

3.2.5 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*).

3.2.6 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 18.5: 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

3.2.7 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

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 3.2.6 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 18.5: 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
Maximum Ground Coverage Ratio	.35

Agency Comments

USACE, James Buckelew: Staff reached out 9/11/2025 but received no comments.

ADEM, Scott Brown: Staff reached out 9/11/2025 but received no comments.

City of Foley, Miriam Boone: When the Subdivision Regulation revisions are adopted (Sept. 17), the smallest lot size in the Planning Jurisdiction will increase to 40,000 SF, so rezoning to allow 30,000 SF lots would be inadvisable. This area will also be an "Edge Place Type" under Foley's Comprehensive Plan because of its distance from Foley's center and proximity to Wolf Creek. For those reasons, we request that the rezoning not be approved.

Natural Resources, Ashley Campbell: Site has been previously inspected. No additional comments.

Subdivisions, Fabia Waters: A preliminary plat application will be required for review of the proposed 12 lot subdivision following approval of the rezoning request.

Civil Engineer, Tyler Austin: No development currently proposed. Any future development will require construction plan and drainage review. Any access from Miflin Road or Wilson Road will require driveway permit from Baldwin County Planning & Zoning Department.

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.

(a) Degree of compatibility of the proposed rezoning with existing and allowable land uses in the vicinity. The subject property consists of approximately 18.44 acres and is currently zoned as RA (Rural Agricultural). A rezoning request has been submitted to change the designation to RSF-1 (Residential Single Family) to allow for residential use. The surrounding area is primarily residential, with RSF-1 zoned parcels located east, west, and south of the subject property.

(b) Degree of conformity of the proposed rezoning to the Master Plan.

The Future Land Use Map (FLUM) represents a combination of development and environmental suitability factors, which direct growth and development patterns for the unincorporated areas of the County. The FLUM has identified the subject property and surrounding area as having primarily Conservation Development Potential, which allows for limited development based on low-impact design principles.

(c) Proximity of the proposed rezoning to existing transportation network and utility infrastructure.

The property is located at the intersection of Miflin Road and Wilson Road. Miflin Road is classified as a Major Collector. Collectors serve a critical role in the roadway network by gathering traffic from Local Roads and funneling them to the Arterial network and providing service to larger towns. Per the applicant, utilities, including water and power, are adjacent to the subject property along Wilson Road. Sewer is available along Miflin Road.

(d) Timing of the request and development trends in the area.

The subject property request and surrounding areas reflect primarily residential use.

(e) Impacts to environmental conditions of the vicinity or the historic resources of the County.

As mentioned earlier, the development potential for the area is recognized as limited, with an emphasis on low-impact design principles. Two areas of potential wetlands appear on the subject property. If it is determined that wetlands exist, any future development shall make every effort to mitigate impacts within these areas. No historic or cultural resources should be affected, as the property is not within a Historic district.

(f) Impacts to the health, safety and welfare of the County and the vicinity.

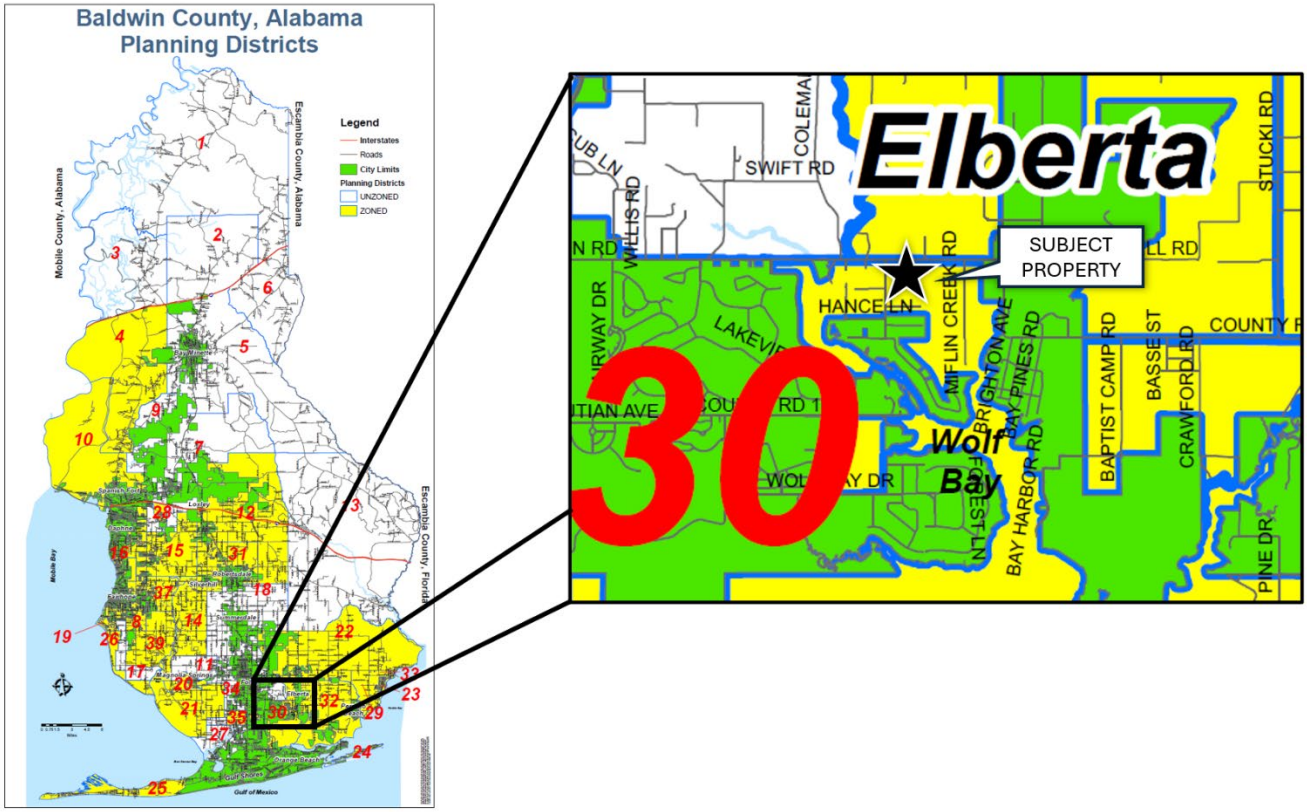
The proposed request should have no impacts to the health, safety and welfare of the property or surrounding properties.

Staff Comments

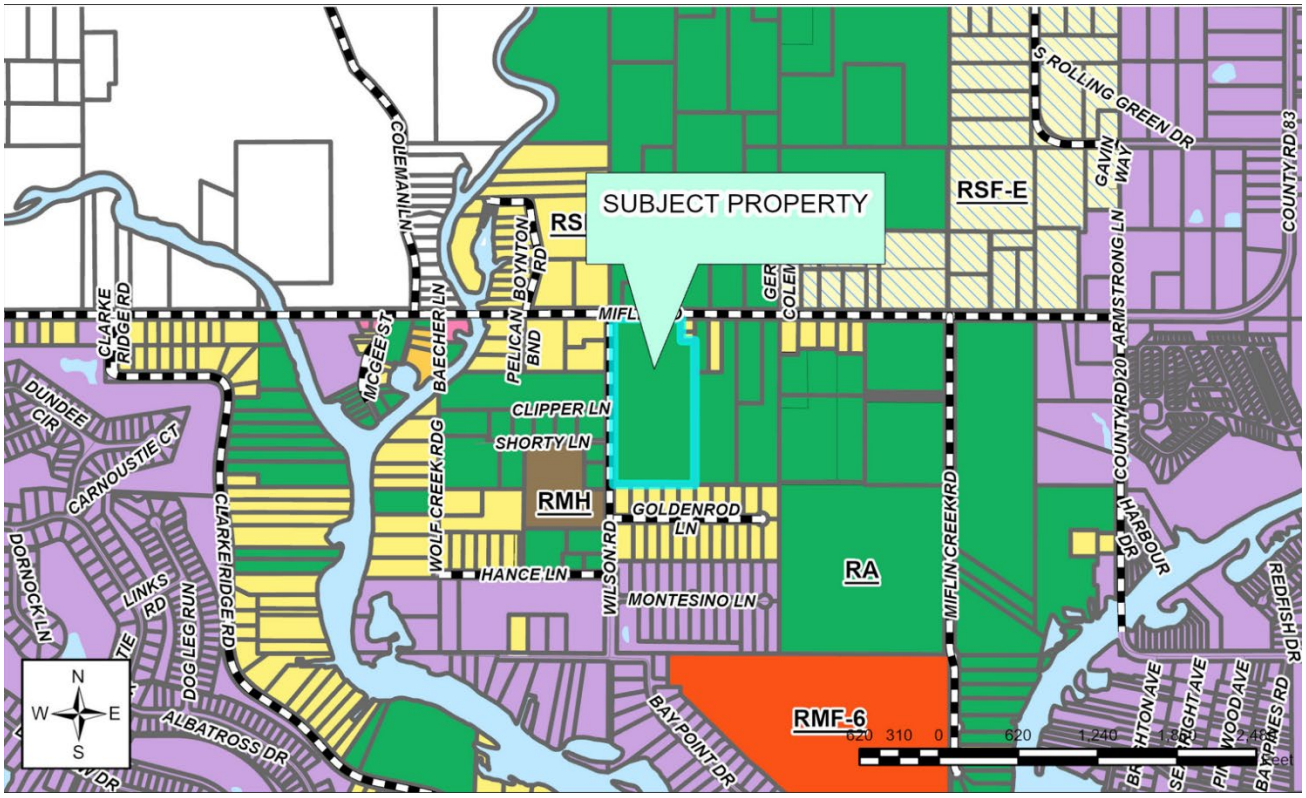
Upon review of the *Factors for Reviewing Proposed Zoning Map Amendments* specified within Section 19.6 of the Baldwin County Zoning Ordinance and themes of the Baldwin County Master Plan, staff has determined that the requested Zoning Map Amendment would be consistent with the factors specified within the Baldwin County Zoning Ordinance and is consistent with the Baldwin County Master Plan Future Land Use Map.

The requested Zoning Map Amendment was also evaluated using the Smart Growth Scorecard (attached) which strongly supports the request.

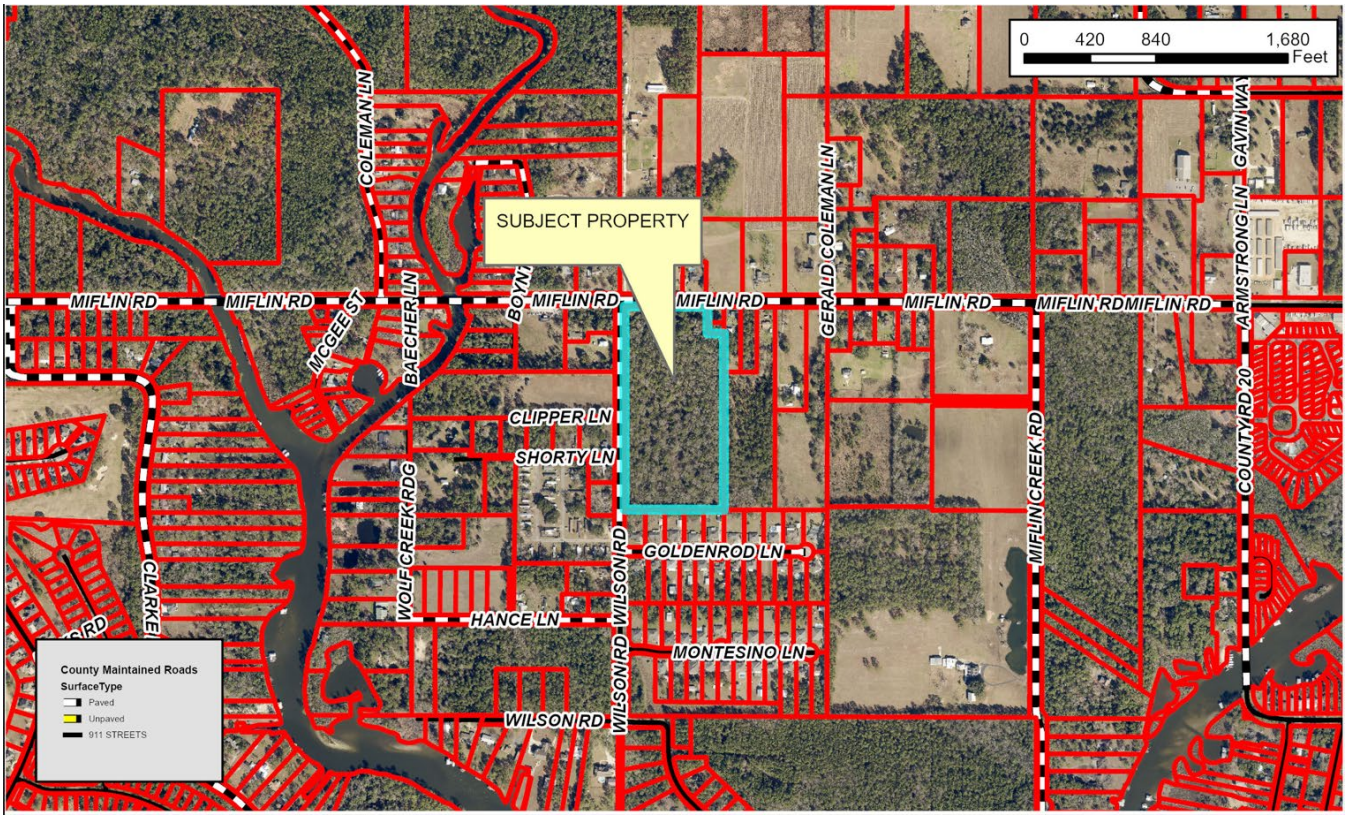
County Map



Locator Map



Site Map


0 420 840 1,680
Feet
SUBJECT PROPERTY
COLEMAN LN
MIFLIN RD
MIFLIN RD
MCGEE ST
BAECHER LN
BOYNTON
MIFLIN RD
MIFLIN RD
GERALD COLEMAN LN
MIFLIN RD
MIFLIN RD
MIFLIN RD
ARMSTRONG LN
GAVIN WAY
CLIPPER LN
SHORTY LN
WOLF CREEK RDG
GOLDENROD LN
MIFLIN CREEK RD
COUNTY RD 20
CLARKE
HANCE LN
WILSON RD
WILSON RD
MONTESINO LN
WILSON RD
County Maintained Roads
SurfaceType
Paved
Unpaved
911 STREETS

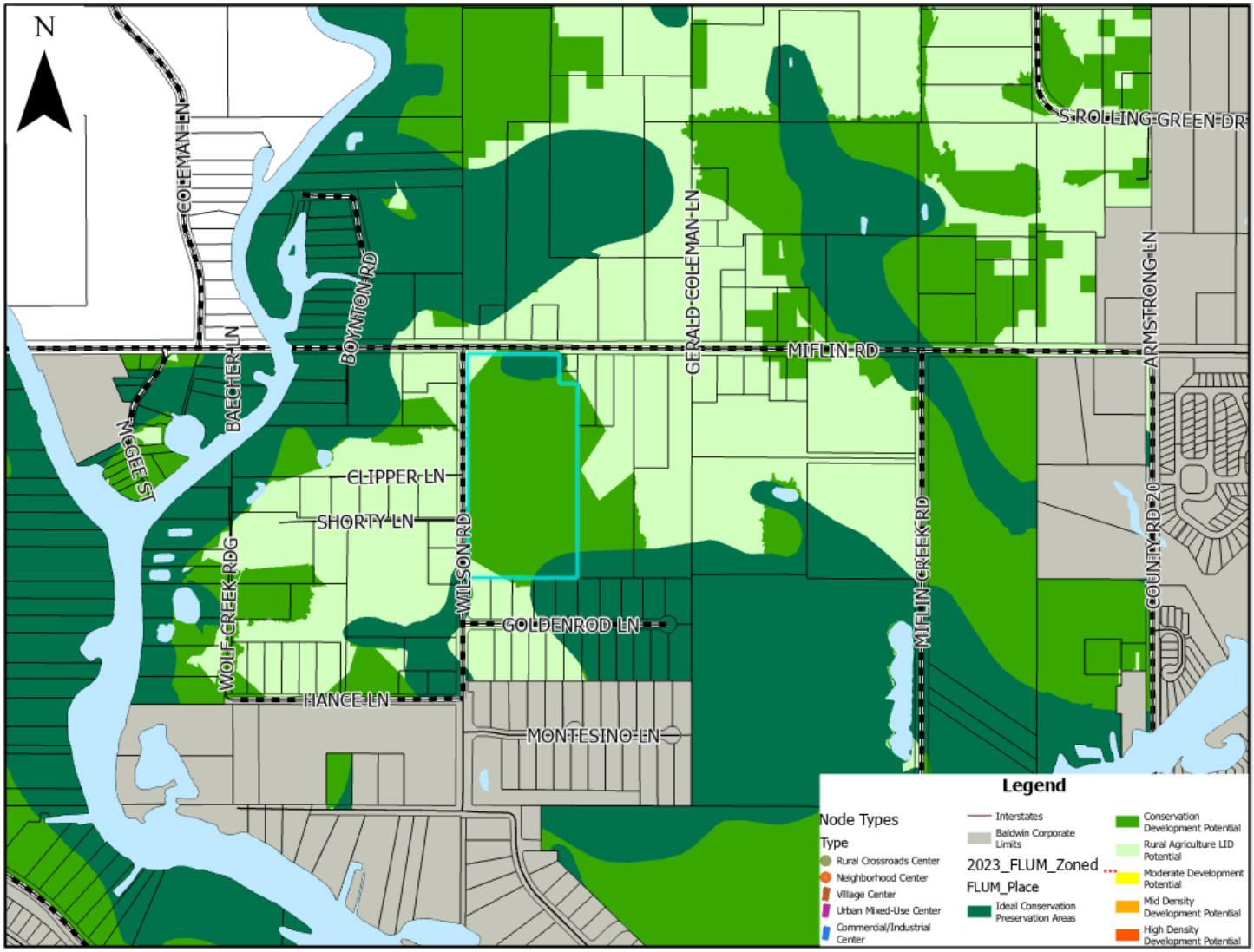
Property Images


Property to The
West
PIN:315877
Sep 17, 2025 10:38:47 AM
30°22'11.91338"N 87°36'54.67903"W
243° SW
Baldwin County Code Enforcement


Property to The
North
PIN: 104137
Sep 17, 2025 10:36:08 AM
30°22'13.21864"N 87°36'52.32413"W
350° N
Baldwin County Code Enforcement


Adjoining Property
to The East
PIN: 104175
Sep 24, 2025 12:01:41 PM
30°22'13.19837"N 87°36'48.21005"W
178° S
Baldwin County Code Enforcement

FLUM


N
COLEMAN LN
BOYNTON RD
BAECHER LN
MCGEE ST
WOLF CREEK RDG
CLIPPER LN
SHORTY LN
WILSON RD
GOLDENROD LN
HANCE LN
MONTESINO LN
GERALD COLEMAN LN
MIFLIN RD
MIFLIN CREEK RD
S ROLLING GREEN DR
ARMSTRONG LN
COUNTY RD 20
Legend
Node Types
Type
Rural Crossroads Center
Neighborhood Center
Village Center
Urban Mixed-Use Center
Commercial/Industrial Center
Interstates
Baldwin Corporate Limits
2023_FLUM_Zoned
FLUM_Place
Ideal Conservation Preservation Areas
Conservation Development Potential
Rural Agriculture LID Potential
Moderate Development Potential
Mid Density Development Potential
High Density Development Potential

SMART GROWTH SCORECARD TOOL

Score each element based on the following: +2 (Strongly Supports), +1 (Somewhat Supports), -1 (Somewhat Does Not Support), and -2 (Strongly Does Not Support). Each category will be totaled and then combined for a final score to evaluate whether the development aligns with the vision and themes of the Master Plan. The following final scopre ranges will be used in this evaluation.

STRONGLY SUPPORTS	SOMEWHAT SUPPORTS	SOMEWHAT DOES NOT SUPPORT	STRONGLY DISAPPROVE
Score of 20 to 40	Score of 0 to 19	Score of 0 to -19	Score of -20 to -40

SMART GROWTH SCORECARD		SCORE			
Conformity with Surrounding Land Use		**2**	**1**	**-1**	**-2**
Is the property contiguous to a complementary use or zoning district to what is being proposed?		2			
Does the density/intensity of the proposed use conform to the surrounding area or provide a use that would support the surrounding existing or permitted land uses?		2			
Does the proposed land use provide a mix of uses or diversity of housing types in the area?	For single use projects evaluate the diversity of uses within 1/2 mile		1		
Does the proposed land use require building separation and buffers that fit the character of the surrounding area?		2			
Does the proposed land use promote development that fits the character of the surrounding area?		2			
Total Land Use Score (out of 10 points)			**9**		
Conformity with Master Plan		**2**	**1**	**-1**	**-2**
Does the location and proposed land use support the need identified in the Master Plan for the surrounding community?			1		

Is the request located in an area identified for development in the Master Plan?	Evaluate the uses identified for the area in the Master Plan not the "equivalent zoning"		1		
Does the size & scale of the proposal fit the recommendations in the Master Plan and the character of the surrounding community?	Evaluate the uses identified for the area in the Master Plan not the "equivalent zoning"		1		
Is the property located within 1/2 mile of a municipal boundary or node identified in the Master Plan?	Rate +2 if property is within 1/2 mile, +1 for 1/2 to 1 mile, -1 for 1 to 1.5 mile, & -2 for outside of 1.5 mile. For "downzoning" requests outside of 1 mile from municipal boundary or node, score +1.				-2
Does the proposed use provide housing or commercial uses that are consistent with the growth and demand projections for the surrounding area?			1		
Total Master Plan Score (out of 10 points)				**2**	
Proximity to Transportation & Utility Infrastructure		**2**	**1**	**-1**	**-2**
Is the property located within 1/2 mile of an existing roadway that is classified appropriately to support the proposed use?	Major projects should be located near collector road or greater. Minor projects should be located near local street or greater.	2			
Does the property allow access from at least two existing or planned streets?	Existing or planned streets located outside of the applicant property.	2			
Are frequently visited uses within 1 mile of the proposed use?	For residential uses, schools/daycares, employment centers, grocery/convenience shopping. For commercial, housing & similar intensity commercial uses. Rate +2 for within 1/2 mile, +1 for 1/2 to 1 mile, -1 for 1 to 1.5 mile, & -2 for greater than 1.5 mile.		1		

Is the proposed use within the service boundary of existing water service?	Rate +2 if within service boundary and adjacent to water main sufficient to serve development, +1 if within service boundary but requires water main upgrade or extension to serve development, -1 for outside of service area but within 1/2 mile of service area, -2 for outside of service area and greater than 1/2 mile.	2			
Is the proposed use within the service boundary of existing sewer service?	Rate +2 if within service boundary and adjacent to sewer main sufficient to serve development, +1 if within service boundary but requires sewer main upgrade or extension to serve development, -1 for outside of service area but within 1/2 mile of service area, -2 for outside of service area and greater than 1/2 mile.	2			
Total Transportation & Utility Score (out of 10 points)			**9**		
Environmental Conditions & Historic Resources		**2**	**1**	**-1**	**-2**
Can the property be reasonably developed without impacting jurisdictional wetlands/streams or buffers?			1		
Can the property be reasonably developed without filling within the floodplain or contributing to a net loss of flood capacity?			1		

Does the proposed use limit growth in environmentally sensitive or flood prone areas?	The more environmentally sensitive the area, the lower the overall density should be. Rate +2 for non-sensitive area, +1 for somewhat sensitive area but density can be clustered to avoid impacts, -1 for moderate sensitive area that would be challenging to avoid impacts, -2 for significantly sensitive area that would be unable to avoid impacts.		1		
Can the proposed use implement a stormwater facility that would aide regional stormwater management?			1		
Would the proposed use have any impacts to historic or cultural resources in the area?		2			
Total Environmental Score (out of 10 points)					**6**
TOTAL SMART GROWTH SCORE					**26**
RECOMMENDATION					**STRONGLY SUPPORTS** **0** **0** **0**