Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Case No. Z25-47
Roach Property
Rezone from BCZ, Base Community Zoning District, to RSF-2, Resiential Single Family District
November 18, 2025

Subject Property Information

Planning District: 39
General Location: North of County Road 3 and west of County Road 13 in the Barnwell community
Physical Address: 13322 County Road 3, Fairhope, AL 36532
Parcel Number: 05-56-05-21-0-000-002.000
Existing Zoning: BCZ, Base Community Zoning District
Proposed Zoning: RSF-2, Residential Single Family District
Existing Land Use: Residential
Proposed Land Use: Residential
Acreage: 1.08 +/- acres
Applicant: Hunter Smith – Smith, Clark & Associates, LLC
30941 Mill Lane, Suite G, Box 258
Spanish Fort, AL 36527
Owner: Toby Roach
1415 Pandion Drive
Foley, AL 36535
Lead Staff: Cory Rhodes, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential/Agricultural	BCZ, Base Community Zoning
South	Historic Site	BCZ, Base Community Zoning
East	Vacant	BCZ, Base Community Zoning
West	Residential/Agricultural	BCZ, Base Community Zoning

Summary

The subject property encompasses approximately 1.08 acres and is currently zoned as BCZ, Base Community Zoning District. A request has been made to change the designation to RSF-2, Residential Single Family District, to subdivide the property for continued residential use..

Section 3.4 BCZ, Base Community Zoning

3.4.1 Generally. This zoning district is designed to preserve the character and sense of place in Baldwin County's unique communities and natural resource areas. As a result, the district may be applied to a wide variety of lot sizes and uses located within rural and suburban communities. Thus, the Base Community Zoning District places an emphasis on ensuring changes from the existing state do not disrupt the character and quality of life in a rural or suburban community. The appropriate time to apply a Base Community Zoning designation will generally be at the inception of zoning in a new Planning District.

3.4.2 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 institutional uses: church or similar religious facility; school (public or private).

(d) Agricultural uses.

(e) On parcels that are three (3) acres or greater in size, up to two (2) single family dwellings.

(f) On parcels that are less than three (3) acres in size, a single-family dwelling and one accessory dwelling with a gross floor area no greater than 60% of the gross floor area of the primary dwelling.

(g) Accessory structures and uses including a residential accessory structure on a vacant parcel.

(h) A Home Occupation that conforms with Section 13.3 of the Baldwin County Zoning Ordinance.

(i) All existing uses, unless one of the following changes is proposed:

1. A change that would trigger a Commission Site Plan Approval under 18.10.3 *Applicable Uses*.

2. Any division of land except an exempt division of land under Section 4.2 of the Baldwin County Subdivision Regulations or a division where each

resulting parcel meets the minimum area and dimension requirements for Residential Single Family Residential Estate (RSF-E) District under Section 4.1.5 herein.

Under Base Community Zoning, a use that has been abandoned for a period of five (5) years shall no longer be considered an existing use. The intent to abandon shall be presumed from the cessation of business or the removal of equipment, goods, structures, or other aspects of such nonconforming use of the property.

3.4.3 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

3.4.4 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: Not Applicable

3.4.5 Area and dimensional regulations. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts,* and unless a change is triggered by *Section 3.4.2(i),* the area and dimensional ordinances set forth below shall be observed for new construction:

(a) Primary Structures:

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

(b) Accessory Structures are not permitted in the front yard and shall be a minimum of 5-feet from property when located within the side or rear yard.

(c) When a residential accessory structure is proposed on a vacant parcel, it shall meet the dimensional regulations applicable to a primary structure.

3.4.6 Minimum requirements for exempt subdivisions. Within the Base Community Zoning district, the area and dimensional requirements of *Section 5.4(a)* of the Baldwin County Subdivision Regulations shall apply to exempt subdivisions.

3.4.7 Applicability of the Baldwin County Zoning Ordinances. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts,* the remaining provisions of the Baldwin County Zoning Ordinances shall not apply to parcels within the Base

Community Zoning District, unless a change under *Section 3.4.2(i),* is proposed. In which case, the following shall apply:

(a) A rezoning application under the provisions of Article 19 *Amendments to Official Zoning Map and Ordinances* shall be submitted. The evaluation of compatibility under Section 19.6 *Factors for Reviewing Proposed Amendments* shall consist of an examination of existing uses rather than existing zoning designations.

(b) If a rezoning is approved by the Baldwin County Commission under subsection (a), the provisions of the Baldwin County Zoning Ordinances shall thereafter apply to the rezoned lot as applicable.

3.4.8 Land Disturbance Requirements. The Land Disturbance Ordinance for Flood Prone Areas or Territories with Probable Exposure to Flooding in Unincorporated Baldwin County, Alabama, shall apply to land disturbances within the Base Community Zoning District.

3.4.9 Uses Expressly Disallowed. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts, and Article 20 Nonconformities,* the following uses are expressly disallowed in the Base Community Zoning District: Not Applicable

3.4.10 Severability and Reversion. Should any phrase, sentence, paragraph, section or provision of this *Section 3.4 BCZ Base Community Zoning District* be declared by the courts to be unconstitutional or invalid, such that the intent of this Section cannot be carried out, individual parcels within the Base Community Zoning District shall automatically revert to Rural Agriculture (RA), Residential Single-Family Estate (RSF-E), Residential Single-Family (RSF-1), and Residential Single-Family (RSF-2) based on the land area of each parcel in relation to the minimum lot size of each district.

Section 4.3 RSF-2, Single Family District

4.3.1 Generally. This zoning district is provided to afford the opportunity for the choice of 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 3.2.6 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-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 18.5: 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	15,000 Square Feet
Minimum Lot Width at Building Line	80-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.

Natural Resources, Ashley Campbell: Site inspection forthcoming; no comments as of now.

Subdivisions, Fabia Waters: Following rezoning approval, applicant will be required to either submit an application for an exemption or a concurrent subdivision application if an exemption is not an option.

Civil Engineer, Tyler Austin: No current development proposed. Any future development will require construction and drainage review from Baldwin County Planning & Zoning Department. Any improvements to access along CR 3 will require 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 1.08 acres and is currently zoned as BCZ (Base Community Zoning). A rezoning request has been submitted to change the designation to RSF-2 (Residential Single Family) to subdivide the property and allow for continued residential use. The surrounding area is primarily residential, with varying lot sizes that are zoned BCZ.

(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 Rural/Agricultural/Low-Impact Development Potential, which allows for limited development based on low-impact design principles. The existing property is currently developed, with two homes on the property.

(c) Proximity of the proposed rezoning to existing transportation network and utility infrastructure.
The property is located north of County Road 3 and west of County Road 13. County Road 3 is a Local Road while County Road 13 is a Minor Arterial. Local Roads provide direct access to adjacent land and to higher classified road systems. Arterials provide a high degree of mobility through urban and rural areas.

(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. No wetland areas appear on the subject property. No historic or cultural resources should be affected, as the property is not within a Historic district.

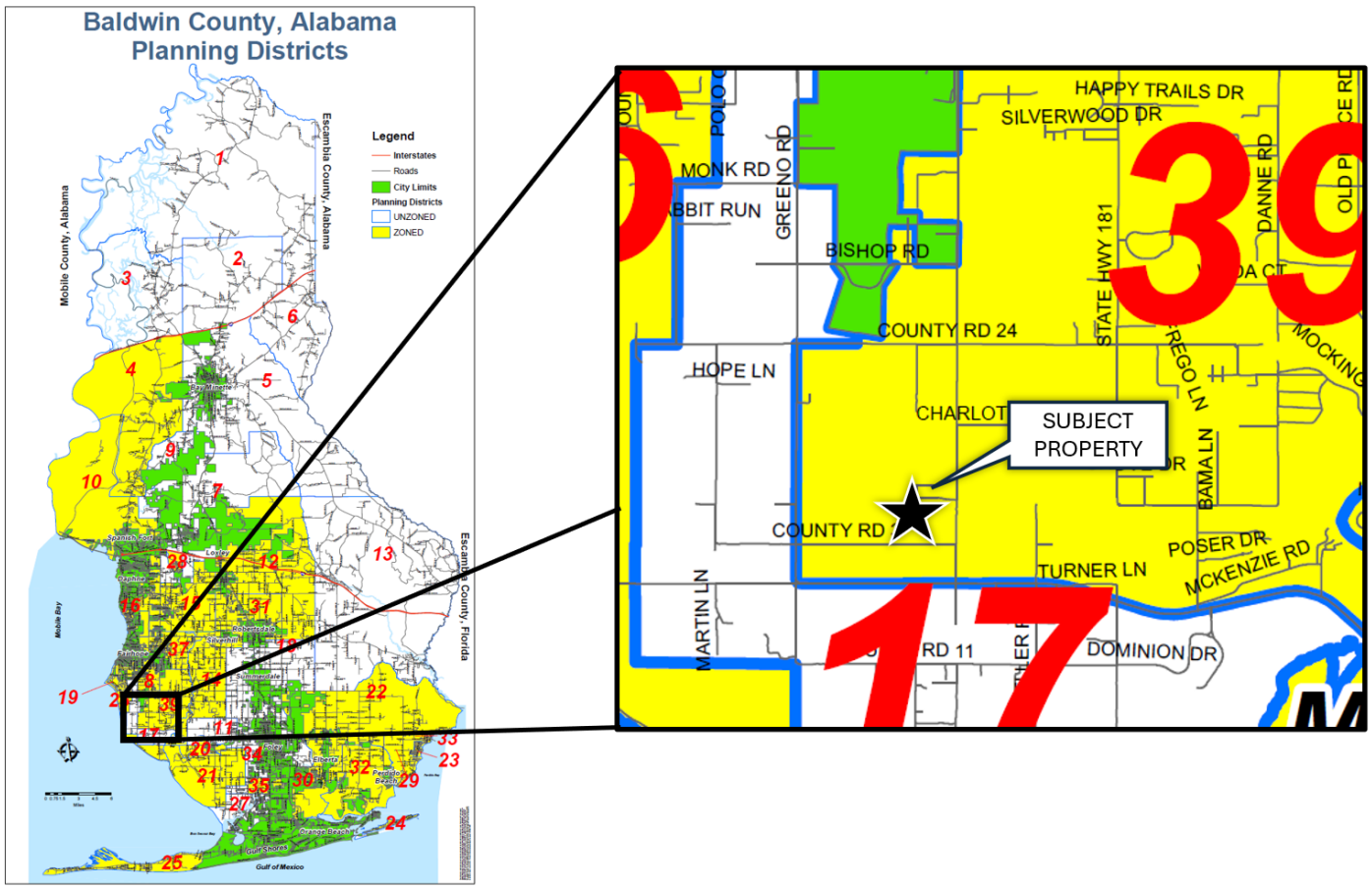
(f) Impacts to the health, safety and welfare of the County and the vicinity.
The proposed request should have no impacts to the health, safety and welfare of the property or surrounding properties.

Staff Comments

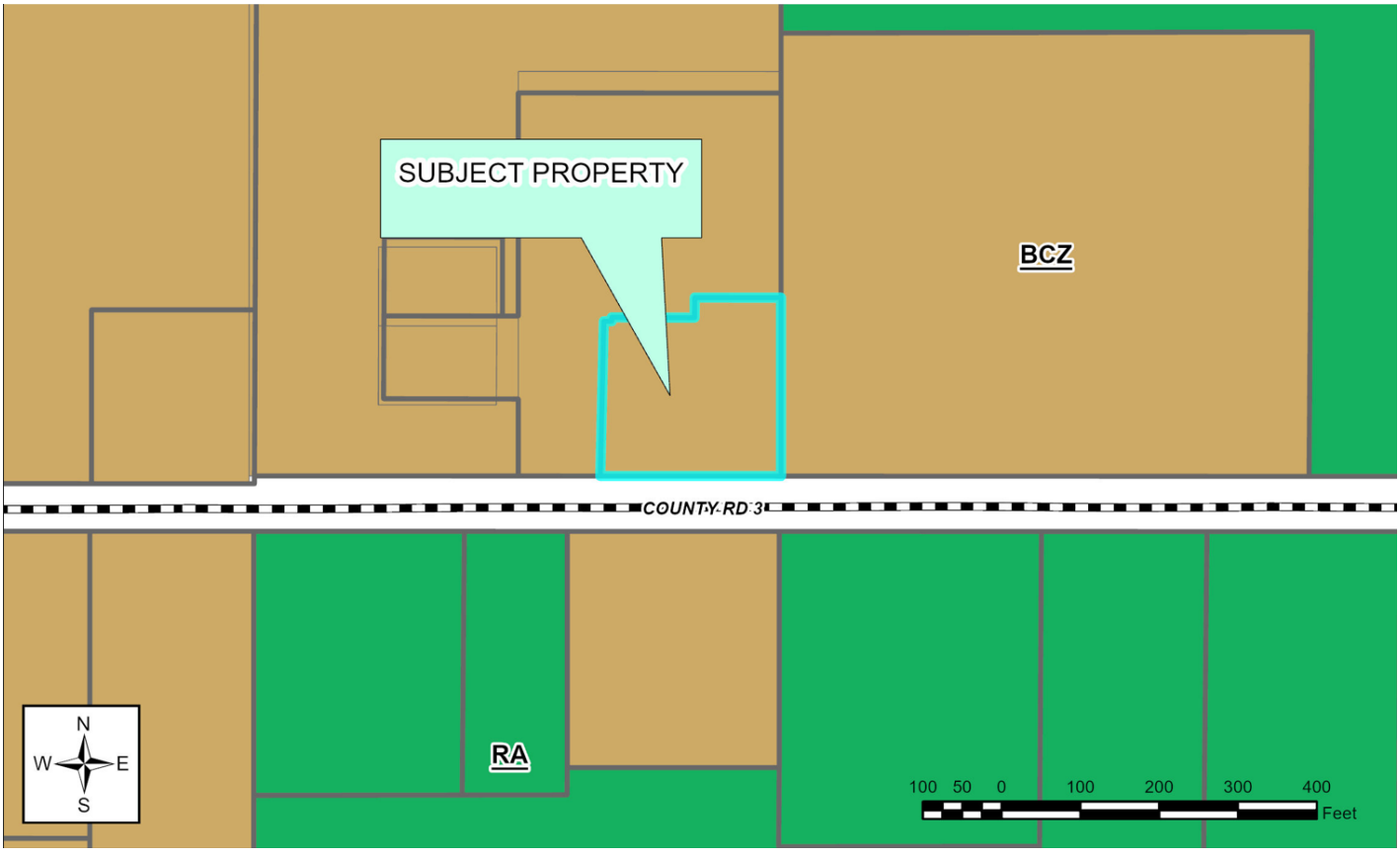
Upon review of the *Factors for Reviewing Proposed Zoning Map Amendments* specified within Section 19.6 of the Baldwin County Zoning Ordinance and themes of the Baldwin County Master Plan, staff has determined that the requested Zoning Map Amendment would be consistent with the factors specified within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

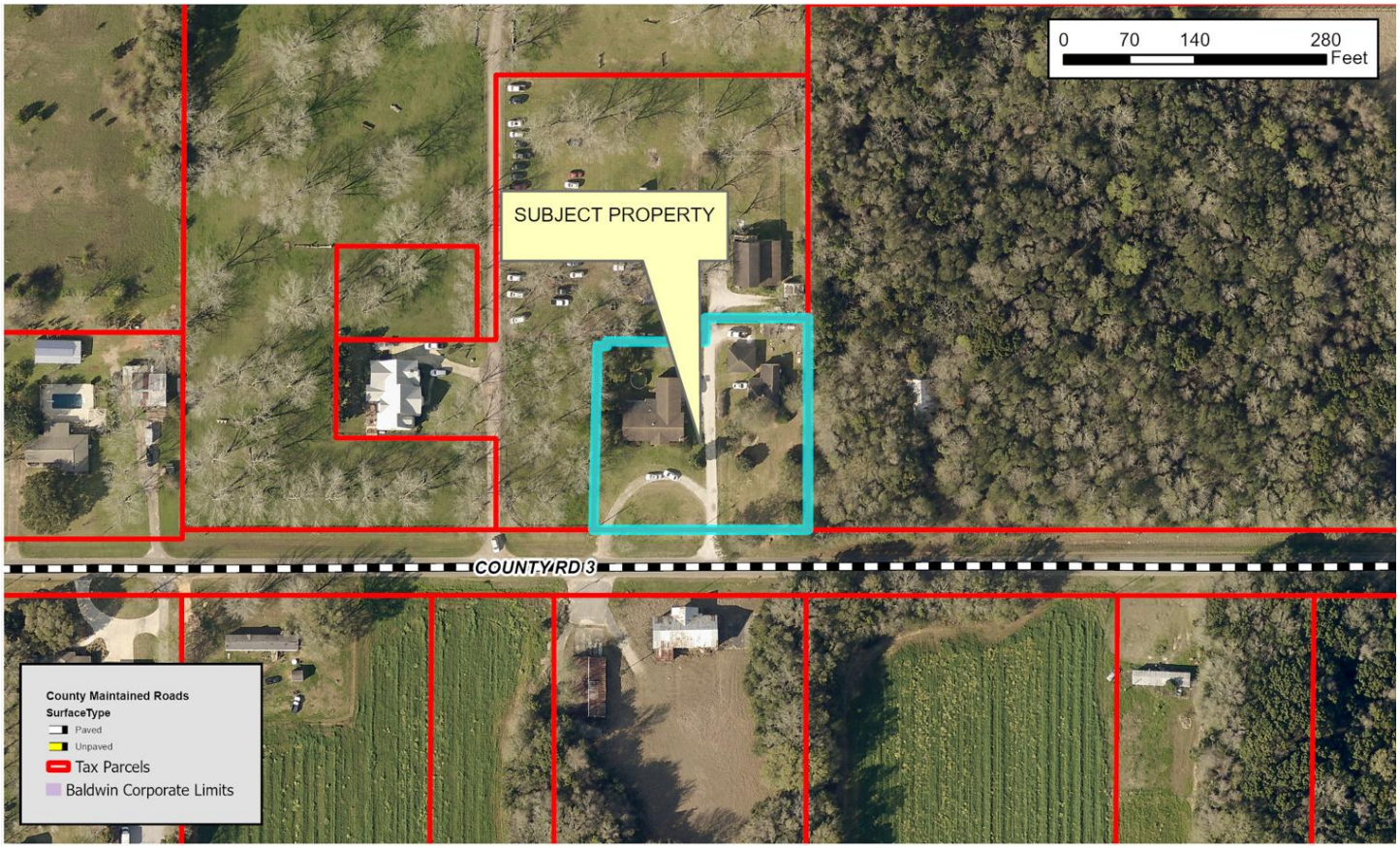
County Map


Baldwin County, Alabama
Planning Districts
Legend
Interstates
Roads
City Limits
Planning Districts
UNZONED
ZONED
Escambia County, Alabama
Mobile County, Alabama
Escambia County, Florida
Mobile Bay
Gulf of Mexico
HAPPY TRAILS DR
SILVERWOOD DR
MONK RD
BBIT RUN
GREENO RD
BISHOP RD
STATE HWY 181
DANNE RD
COUNTY RD 24
HOPE LN
CHARLOT
SUBJECT PROPERTY
REGO LN
BAMA LN
COUNTY RD
POSER DR
MCKENZIE RD
TURNER LN
MARTIN LN
RD 11
DOMINION DR
39
17

Locator Map


SUBJECT PROPERTY
BCZ
COUNTY RD 3
RA
N
W
E
S
100 50 0 100 200 300 400
Feet

Site Map



Property Images

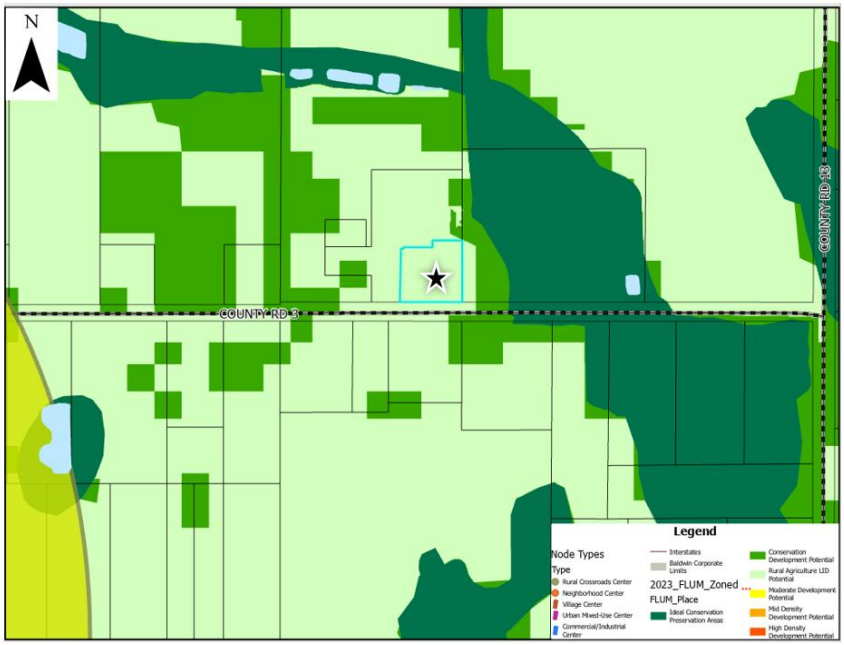
N
W
E
S
Subject Property
PIN: 43439
PROPOSED REZONING
FOR THIS PROPERTY
Case Number
Z25 -000047
NOTICE
For Information Contact
Baldwin County Planning &
Zoning Department
(251)580-1655 / (251)990-4623
(251)972-8523
Oct 22, 2025 11:09:02 AM
30°25'29.79044"N 87°52'25.65077"W
1° N
Baldwin County Code Enforcement

N
W
E
S
Adjoining Property
to The North &
West
PIN: 300390
Oct 22, 2025 11:10:15 AM
30°25'29.699"N 87°52'27.90671"W
348° N
Baldwin County Code Enforcement

Adjoining Property
to The East
PIN: 208395
Oct 22, 2025 11:10:36 AM
30°25'29.62492"N 87°52'24.3655"W
338° N
Baldwin County Code Enforcement

Property to The
South
PIN: 2122
Oct 22, 2025 11:04:21 AM
30°25'29.56634"N 87°52'26.1746"W
167° S
Baldwin County Code Enforcement

FLUM



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

RURAL/AGRICULTURE/LOW IMPACT DEVELOPMENT POTENTIAL AREAS

Rural Development Potential Areas include large lots, open space views, and a large buffer distance between buildings. Residential homes may be on large tracts and could include estate homes and working farmland. The development pattern may also include conservation-based subdivisions to allow for the clustering of residential dwellings to protect open space that is valued for natural resource protection—such as stream buffers, mature forest habitat, or wetlands—working farmland, or recreational amenities. Lands within these areas should be developed with additional Low Impact Development (LID) standards and buffers to limit the impact to adjacent critical environments. At key rural crossroads, rural centers or nodes could allow for a combination of retail and service uses to meet the needs of the community.

PRIMARY LAND USES

- Single-family detached homes
- Hobby farms
- Agri-hoods
- Cultivated farmland, timber/ managed forest, pastureland
- Clustered manufactured housing communities
- Rural crossroads center/node

RELATED ZONING DISTRICTS

- RR Rural District
- RA Rural Agricultural District
- RSF-E Residential Single Family Estate

CONNECTIVITY NETWORK

- Rural streets with sidewalks, paved shoulders, bike lanes, and/or side paths based on local character and context
- Rural greenways and trails along environmental buffers

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?			1		
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	2			
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?		2			

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"	2			
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"	2			
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?		2			
Total Master Plan Score (out of 10 points)				**10**	
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.			-1	
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.				
Total Transportation & Utility Score (out of 10 points)				**2**	
Environmental Conditions & Historic Resources		**2**	**1**	**-1**	**-2**
Can the property be reasonably developed without impacting jurisdictional wetlands/streams or buffers?		2			
Can the property be reasonably developed without filling within the floodplain or contributing to a net loss of flood capacity?		2			

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.	2			
Can the proposed use implement a stormwater facility that would aide regional stormwater management?		2			
Would the proposed use have any impacts to historic or cultural resources in the area?		2			
Total Environmental Score (out of 10 points)				**10**	
TOTAL SMART GROWTH SCORE				**31**	
RECOMMENDATION				**STRONGLY SUPPORTS** **0** **0** **0**	