



Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Case No. Z25-58

Bertolla Property

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

February 19, 2026

Subject Property Information

Planning District: 37
General Location: North of State Hwy 104 and east of State Hwy 181
Physical Address: NA
Parcel Number: 05-46-01-02-0-000-001.505
Existing Zoning: RA, Rural Agriculture District
Proposed Zoning: RSF-2, Residential Single Family District
Existing Land Use: Agriculture
Proposed Land Use: Residential
Acreage: 148.5 ± acres
Applicant: Jade Consulting
Post Office Box 1929
Fairhope, AL 36533
Owner: Bertolla Properties, LLC
Post Office Box 1527
Daphne, AL 36526
Lead Staff: Celena Boykin, Senior Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential and Institutional	City of Fairhope (PUD) and RA, Rural Agriculture
South	Residential	RSF-E, Residential Single Family Estate
East	Agriculture	RA, Rural Agriculture
West	Multi-Family and Commercial	HDR, High Density Residential, B2, Neighborhood Business, RA, Rural Agriculture District

Summary

The subject property encompasses approximately 148.5 acres and is currently zoned as RA, Rural Agriculture. A request has been made to change the designation to RSF-2, Residential Single Family District, for residential development.

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 4.3 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 but received no comments.

ADEM, Scott Brown: Staff reached out but received no comments.

Subdivisions, Fabia Waters: A preliminary plat application will be required to be submitted for review of the proposed development following zoning approval.

Civil Engineer, Tyler Austin: No development proposed at this time. Any future development will require construction & drainage review and permitting from Baldwin County Planning & Zoning Department. Any access/improvements along AL Highway 104 will require permit from ALDOT.

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 encompasses approximately 148.5 acres and is currently zoned as RA, Rural Agriculture. A request has been made to change the designation to RSF-2, Residential Single Family District, for residential development. The surrounding area includes a mix of residential, commercial and agriculture land use, with adjacent parcels that are in the County are zoned HRD, RA, B2 and RSF-E. The parcels to the north that are in the City of Fairhope are PUD with the average lot size of 10,450 sq ft.

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

The FLUM has identified the subject property and surrounding area as having Mid-Density Development Potential. Mid-density Development Potential Areas are suitable for all of the land uses described in the previous place types but may also include more traditional neighborhoods with a mix of housing and price points with smaller lot sizes to include patio homes, cottage homes, townhouses and

multifamily. The related zoning districts include RSF-3, RSF-4, RTF-4, RSF-6, RTF-6, LB, B-1 and B-2. The subject property is also located in a Urban Mixed-Use Center. The primary land uses include; High-density mixed use—lofts and studio units above commercial space; Multi-family homes—apartments, condominiums; Regional and small scaled retail shops and sit-down restaurants; Commercial centers, office and other employment uses; Civic uses—government offices, courthouses, libraries, schools, etc.; Churches and Hotel.

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

The subject property is located on a Minor Arterial Road. A minor arterial road is a type of roadway in urban and suburban transportation networks designed to move moderate volumes of traffic efficiently across a city, connecting major roads while still providing some access to surrounding areas.

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

The areas surrounding the intersection of 181 and 104 are transitioning toward mid- to high-density residential development, complemented by a mix of commercial uses that support the residential communities. The RSF-2 zoning is classified as moderate density and will facilitate a gradual transition from the high-density and commercial uses at the intersection to the lower-density residential neighborhoods.

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

There are areas of potential wetlands 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.

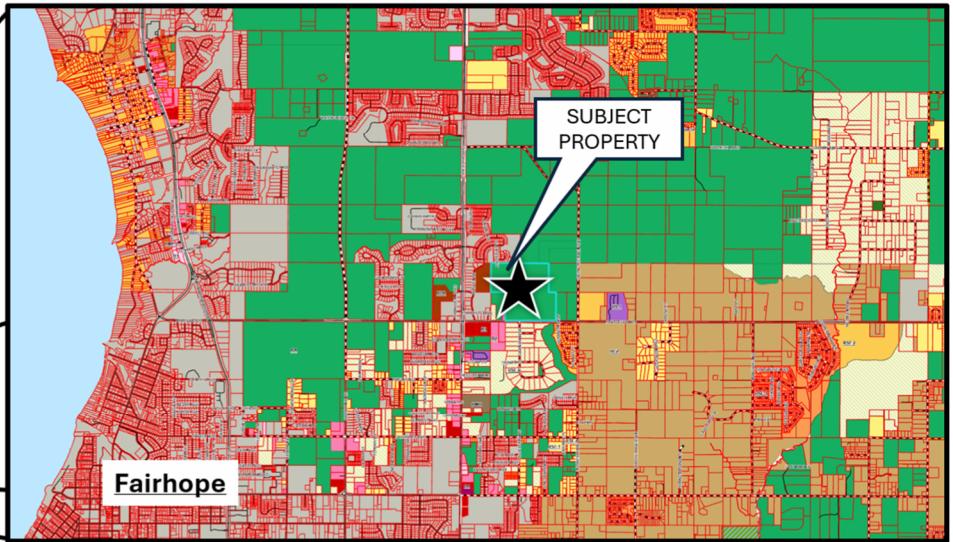
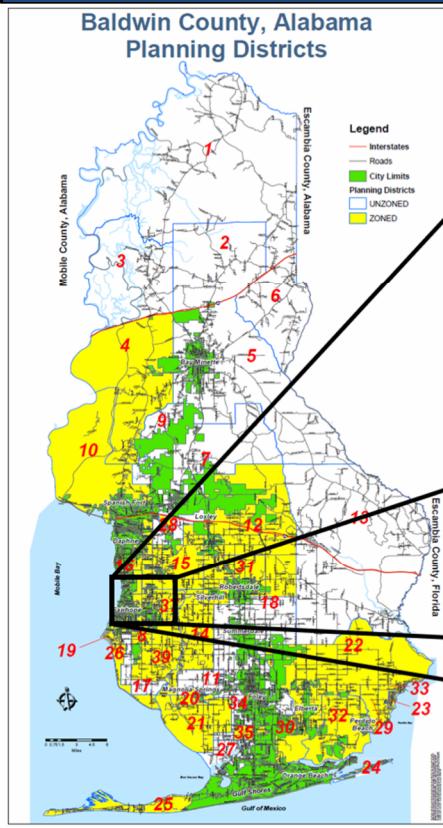
The proposed request should have no impact to the health, safety and welfare of the property or surrounding properties.

Staff Comments and Recommendation

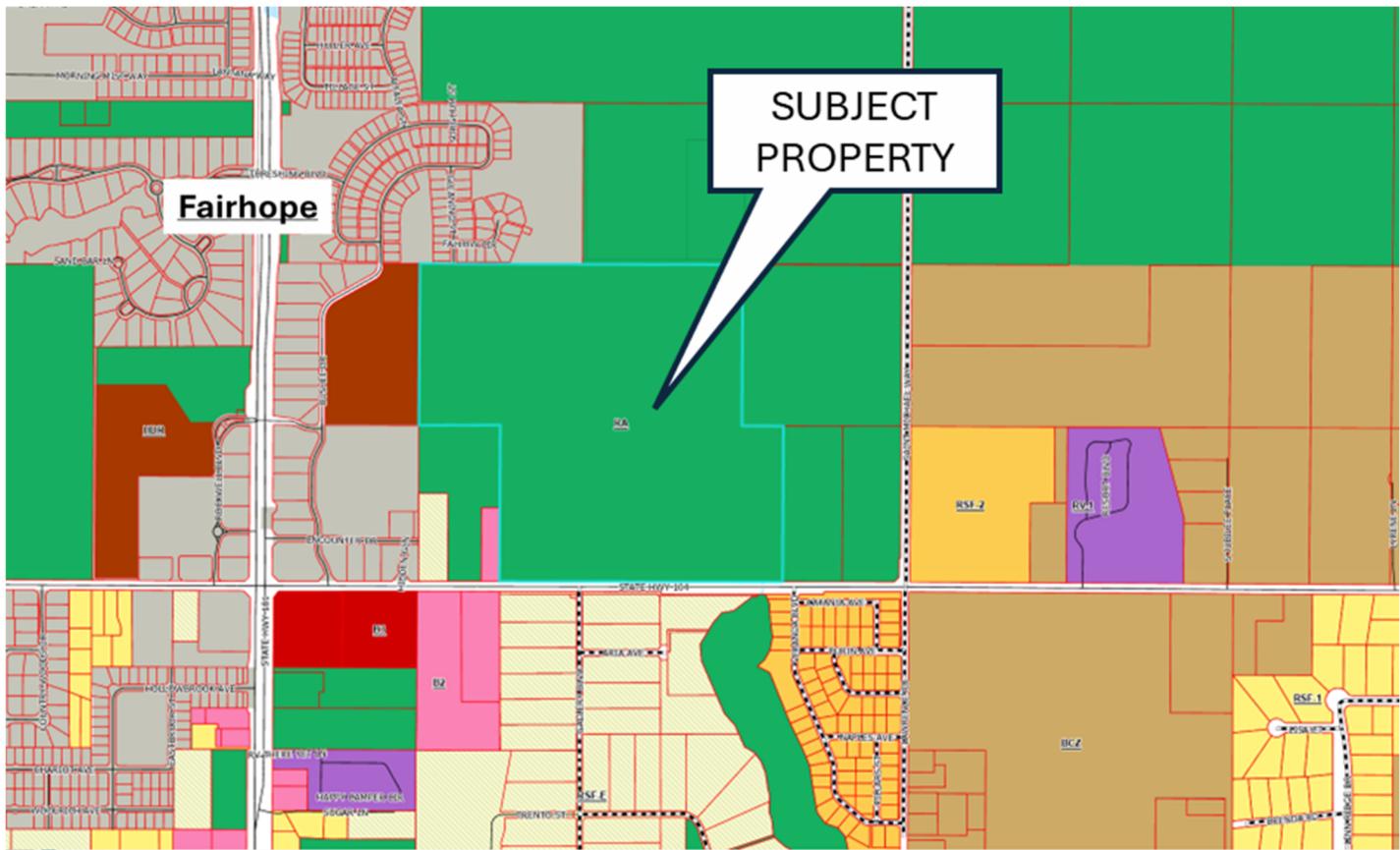
Upon review of the *Factors for Reviewing Proposed Zoning Map Amendments* specified within Section 19.6 of the Baldwin County Zoning Ordinance and themes of the Baldwin County Master Plan, staff has determined that the requested Zoning Map Amendment would be consistent with the factors specified within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

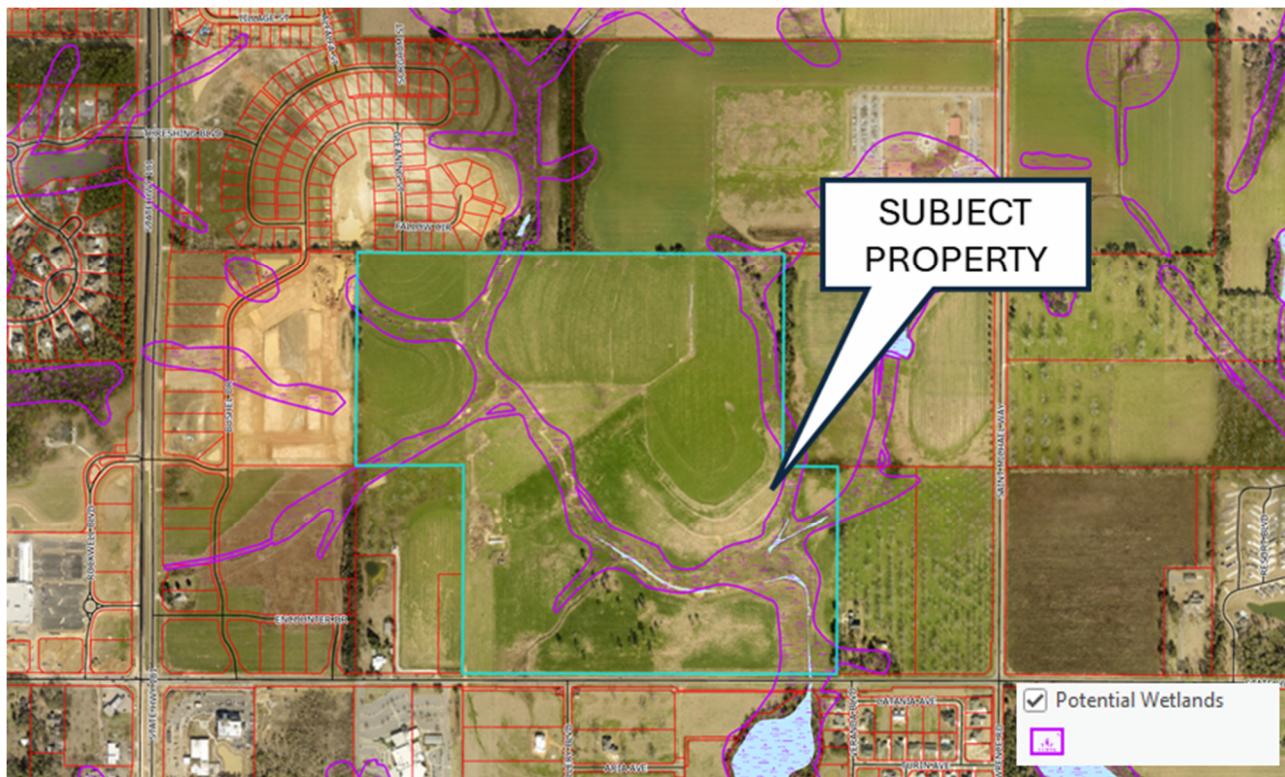
County Map



Locator Map



Site Map



FLUM

URBAN MIXED-USE CENTER

PRIMARY LAND USES

- High-density mixed use—lofts and studio units above commercial space
- Multi-family homes—apartments, condominiums
- Regional and small scaled retail shops and sit-down restaurants
- Commercial centers, office and other employment uses
- Civic uses—government offices, courthouses, libraries, schools, etc.
- Churches
- Hotel
- Small parks and playgrounds

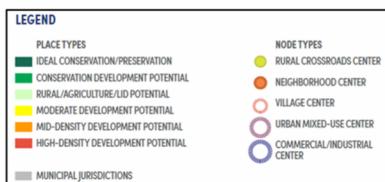
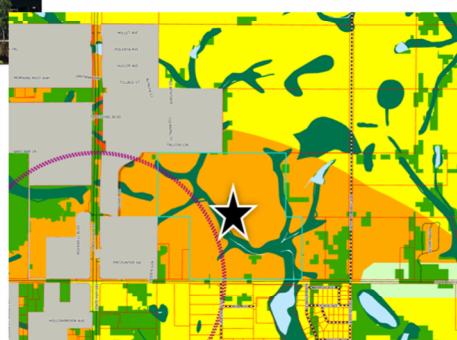


RELATED ZONING DISTRICTS

- B-1 Professional Business District
- B-2 Neighborhood Business District
- B-3 General Business District
- RMF-6 Residential Multifamily District
- HDR High Density Residential District

CONNECTIVITY NETWORK

- Urban block patterns and sizes—highly pedestrian
- Parking management solutions
- Parking in rear of buildings
- Multimodal—supports vehicles, bicycles, and transit—streets with narrow traffic lanes, sidewalks, and bike lanes
- Suburban greenways and multi-use path connections



MID-DENSITY DEVELOPMENT POTENTIAL AREAS

Mid-density Development Potential Areas are suitable for all of the land uses described in the previous place types but may be more appropriate for traditional neighborhoods with a mix of housing and price points with smaller lot sizes to include patio homes, cottage homes, townhomes, and multifamily. Neighborhoods have a connected and grid street network with narrow traffic lanes, sidewalks, and walkable block sizes. Village centers or nodes at key locations are appropriate for a combination of retail, office, parks, schools, institution and service uses to meet the needs of the community.



PRIMARY LAND USES

- Traditional neighborhood designs
- Village center/node

RELATED ZONING DISTRICTS

- RSF-3 Single Family District
- RSF-4 Single Family District
- RTF-4 Two Family District
- RSF-6 Single Family District
- RTF-6 Two Family District
- LB Limited Business District
- B-1 Professional Business District
- B-2 Neighborhood Business District

CONNECTIVITY NETWORK

- Suburban and urban block patterns and sizes
- Multimodal—supports vehicles, bicycles, and pedestrians—streets with narrow traffic lanes, sidewalks, and bike lanes
- Suburban greenways and trails



Pictures



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 score 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?		1	
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	1	
Does the proposed land use require building separation and buffers that fit the character of the surrounding area?		1	
Total Land Use Score (out of 10 points)			4
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.	2	

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			
	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)	7
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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					27
STRONGLY SUPPORTS					
RECOMMENDATION					
0					
0					
0					