



Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Case No. Z26-32

Beyond Measure Surveying LLC – James Harpel

Rezone from RA, Rural Agricultural District, to RSF-1, Residential Single Family District

September 15, 2026

Subject Property Information

Planning District: 32
General Location: On Feely Road, South of US Hwy 98
Physical Address: 26900 Feely Rd, Elberta AL, 36530
Parcel Number: 05-53-08-33-0-000-001.002
Existing Zoning: RA, Rural Agricultural District
Proposed Zoning: RSF-1, Residential Single Family District
Existing Land Use: Residential
Proposed Land Use: Residential
Acreage: 3.05± acres
Applicant: James Harpel
1608 Burtonwood Dr
Foley, AL 36535
Owner: Gwendolyn Nelson
26900 Feely Rd
Elberta, AL 36530
Lead Staff: Dana Foster, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential	RA, Rural Agricultural
South	Residential	RA, Rural Agricultural
East	Residential	RA, Rural Agricultural
West	Residential	RSF-E, Residential Single Family Estate

Summary

The subject property encompasses approximately 3.05 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 subdivide the property.

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

Proposed Zoning Requirements

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

ADEM, Scott Brown: Staff asked for comments on August 13, 2026, and no comments were received.

ACE, James Buckelew: Staff asked for comments on August 13, 2026, and no comments were received.

Town of Elberta, Caryn Woerner: Staff asked for comments on August 13, 2026, and no comments were received.

Mayor Kirkpatrick, Town of Elberta: Staff asked for comments on August 13, 2026, and no comments were received.

Fabia Waters, Planning and Zoning Staff: Should the rezoning from RA to RSF-1 be approved, the applicant shall apply for a Concurrent Review subdivision application if the proposed minor subdivision does not trigger the need to shared driveways.

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 the following factors during the application evaluation:

(a) Degree of compatibility of the proposed rezoning with existing and allowable land uses in the vicinity.

The subject property covers approximately 3.05 acres and is currently zoned as RA, Rural Agricultural District. A request has been submitted to rezone the property to RSF-1, Residential Single Family District, to subdivide the property. The minimum lot size for RA is 3 acres and the minimum lot size for RSF-1 is 30,000 square feet. RSF-1 is the next level of zoning that would allow for a lot split while meeting the minimum lot size requirements.

(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 identifies the subject property as Moderate Development Potential. This place type allows for RSF-1 and RSF-2 (Residential Single Family Districts), which encourages a variety of home types from large and medium-lot single-family detached homes to duplexes and townhomes. The subject property is also within a mile of two Neighborhood Center nodes, which encourage small-scale shops, restaurants, and small parks.

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

The subject property is situated on a Local Road (Feely Road). Local roads primarily provide access to adjacent homes and businesses rather than long-distance travel. The subject property is also approximately 0.07 miles from the Town of Elberta boundary line. Utilities are already in place.

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

Planning district 32 was established in 1995. This area has historically been largely rural, with commercial row crop agriculture, sod farming, and family farms, and single family detached residences on large lots. Development in recent years has been concentrated along US Hwy 98, including new subdivisions and RV Parks and the adaptive reuse of historic buildings.

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

There are no potential wetlands within the property boundaries. No known historic resources will be impacted.

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

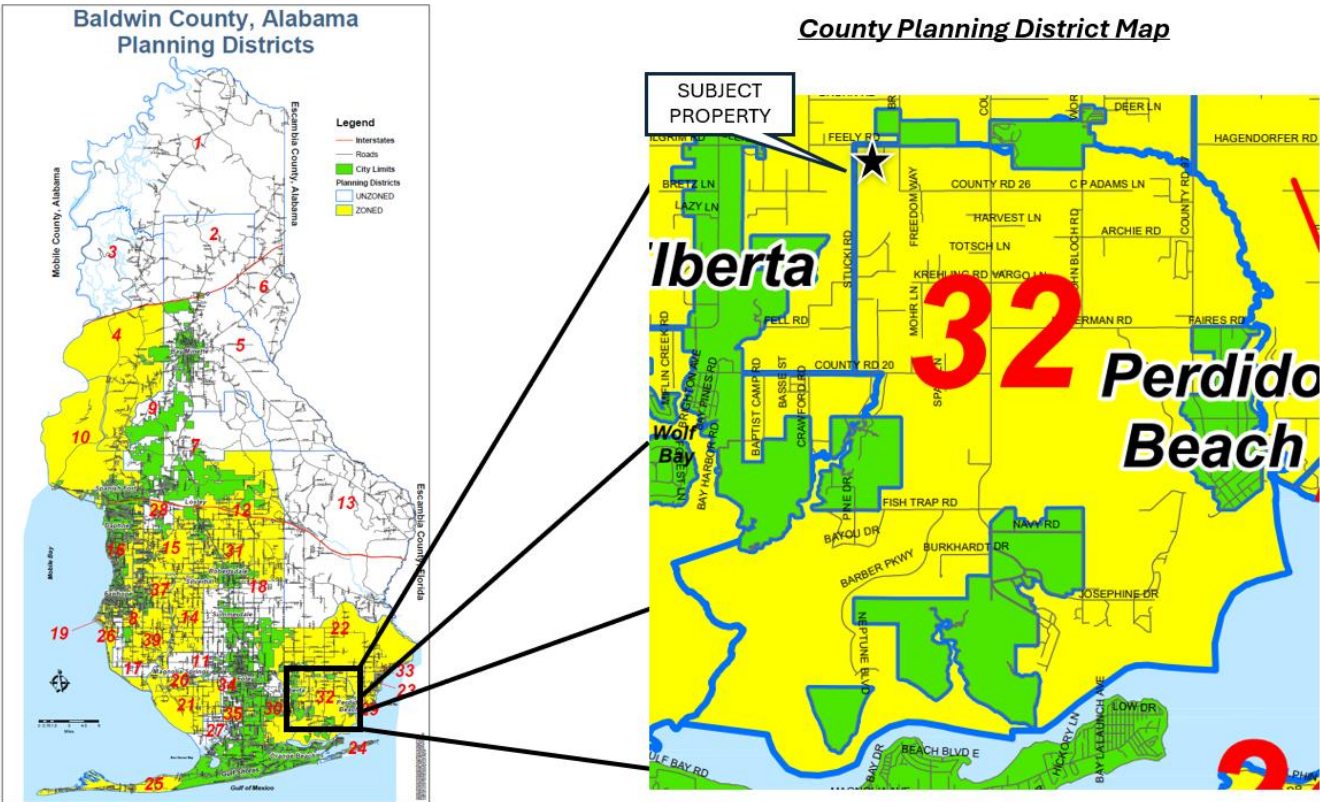
The proposed request should have no impact on the health, safety and welfare of the property or surrounding properties.

Staff Comments and Conclusion

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 determined that the requested Zoning Map Amendment is **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



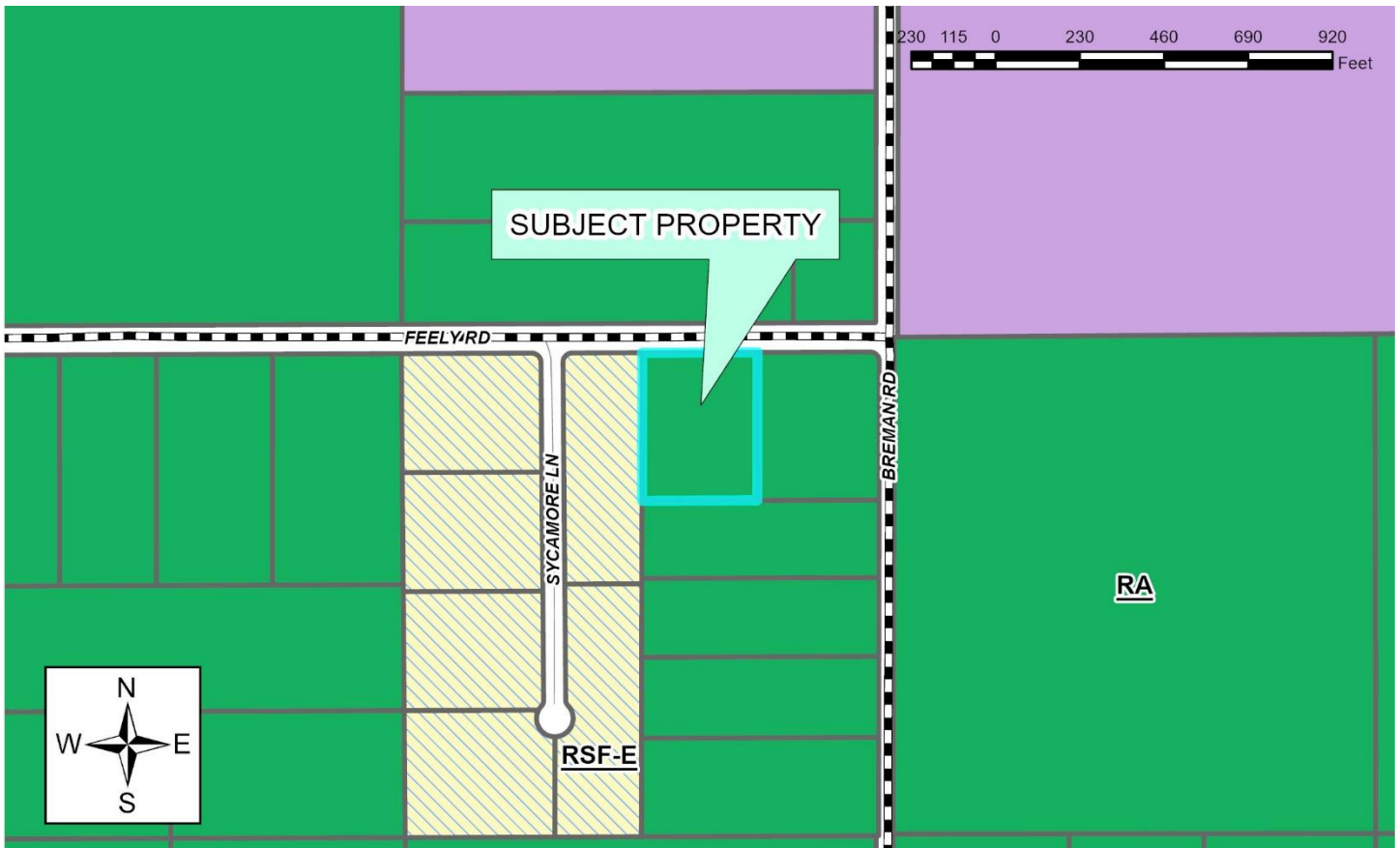
Property Images



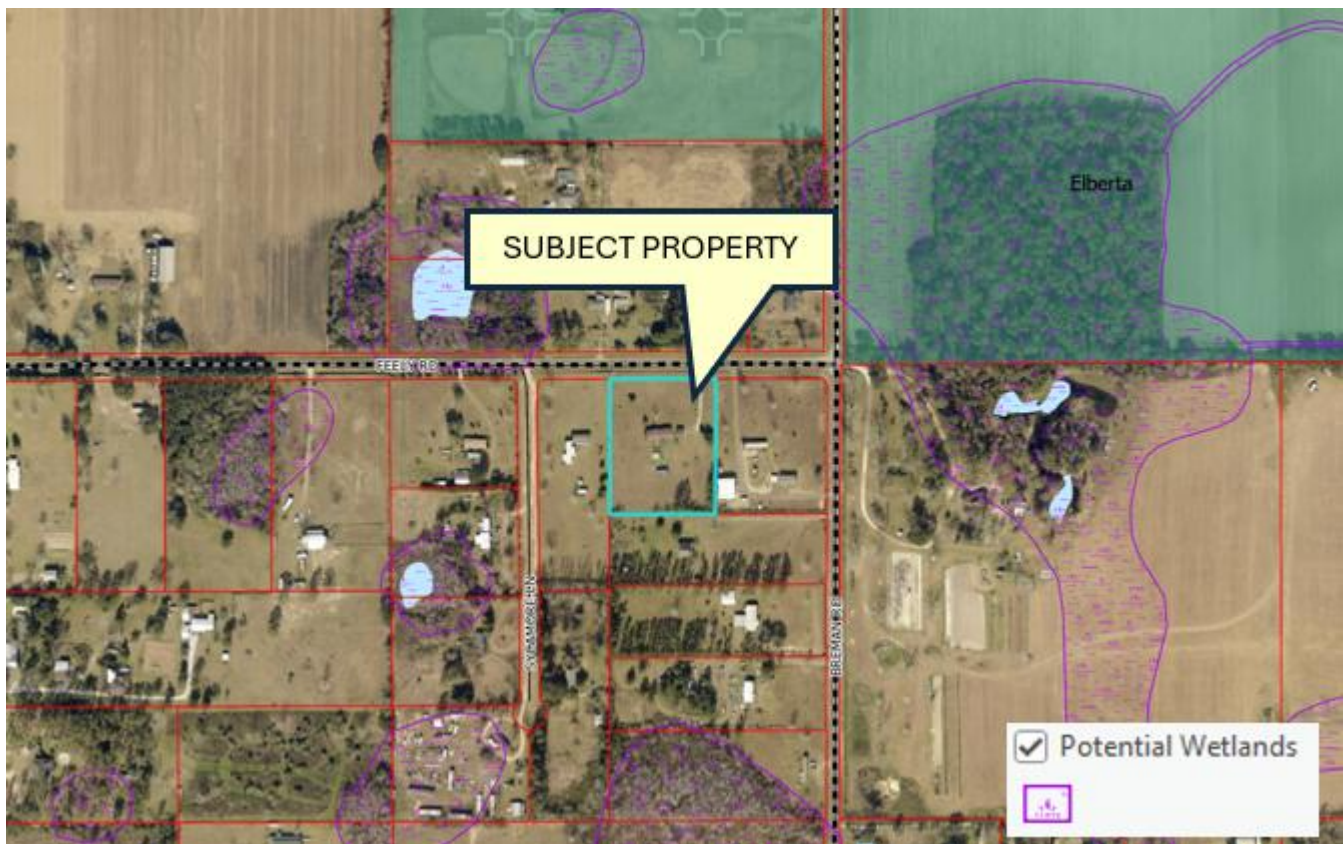




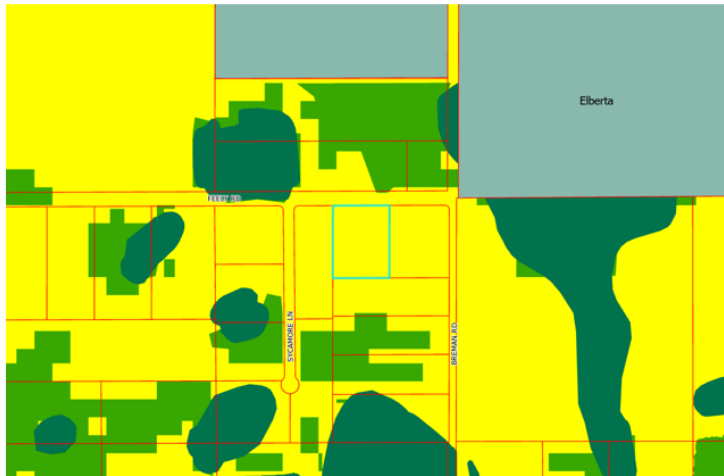
Locator Map



Site Map



FUTURE LAND USE 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

MODERATE DEVELOPMENT POTENTIAL AREAS

Moderate Development Potential Areas are suitable for all of the land uses described in the previous place types but may also include a variety of home types from large and medium-lot single-family detached homes to single-family attached homes such as duplexes and townhomes. Subdivision patterns may be amenity-based communities with small gardens, parks and playgrounds within private lots or part of a community space. Neighborhood centers or nodes at key intersections would allow for a combination of retail, office, and service uses to meet the needs of the community.

PRIMARY LAND USES

- Single-family neighborhoods (suburban)
- Amenity-based communities
- Neighborhood center/node

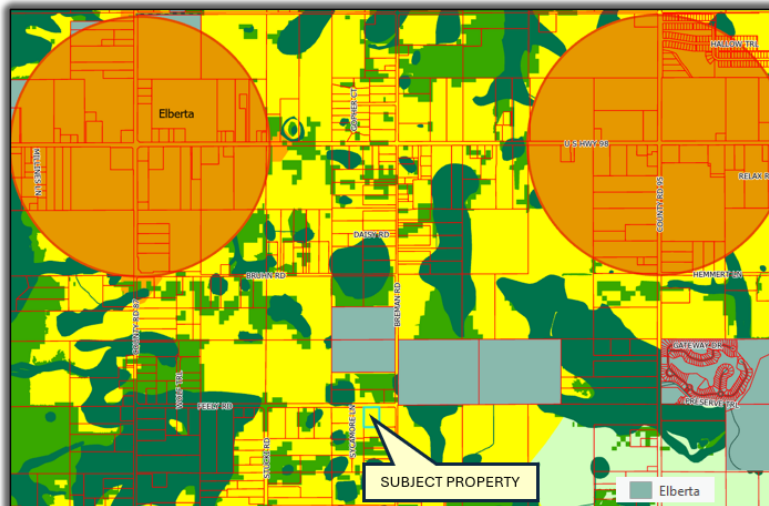
RELATED ZONING DISTRICTS

- RSF-1 Single Family District
- RSF-2 Single Family District

CONNECTIVITY NETWORK

- Suburban street networks/limited use cul-de-sacs
- Open space, parks and amenities provided within neighborhoods
- Streets with sidewalks, bike lanes, and/or side paths based on local character and context
- Suburban greenways and trails

FUTURE LAND USE MAP



NEIGHBORHOOD CENTER

PRIMARY LAND USES

- Small-scale shops, restaurants and local-serving businesses—neighborhood-scaled retail, gas station, convenience grocery store, farm stand, hardware store.
- Agriculture-support businesses, services
- Public safety and services
- Small parks, playgrounds, and open spaces

RELATED ZONING DISTRICTS

- B-2 Neighborhood Business District

CONNECTIVITY NETWORK

- Gridded walkable streets
- Parking in rear of buildings
- Bus stop locations
- Greenway and trail access

NODE TYPES

- RURAL CROSSROADS CENTER
- NEIGHBORHOOD CENTER
- VILLAGE CENTER
- URBAN MIXED-USE CENTER
- COMMERCIAL/INDUSTRIAL CENTER

Score Card

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?		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)		6			
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"		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?		2			

Total Master Plan Score (out of 10 points)	9
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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.				-2

Total Transportation & Utility Score (out of 10 points)	-2
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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?		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				23	
RECOMMENDATION		STRONGLY SUPPORTS			
		0			
		0			
		0			