



Baldwin County Planning & Zoning Department

Baldwin County Commission Staff Report

Case No. Z26-30

Kahlbau Property

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

September 15, 2026

Subject Property Information

Planning District: 39
General Location: Corner of County Road 33 and Daughtry Lane
Physical Address: 12037 Daughtry Ln, Fairhope AL, 36532
Parcel Number: 05-47-09-30-0-000-037.001
Existing Zoning: RR, Rural District
Proposed Zoning: RSF-1, Residential Single Family District
Existing Land Use: Undeveloped
Proposed Land Use: Residential
Acreage: 1.5± acres
Applicant: Moore Surveying – Seth Moore
555 N. Section St
Fairhope, AL 36532
Owner: Will & April Kahlbau
PO Box 1559
Point Clear AL 36564
Lead Staff: Dana Foster, Planner
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential & Undeveloped Land	BCZ, Base Community Zoning & RR, Rural
South	Residential	BCZ, Base Community Zoning
East	Undeveloped Land	RR, Rural
West	Residential & Agricultural	RA, Rural Agricultural

Summary

The subject property encompasses approximately 1.5 acres and is currently zoned as RR, Rural District. A request has been made to change the designation to RSF-1, Residential Single Family District, to subdivide the property into two parcels.

Section 3.1 **RR, Rural Districts**

3.1.1 Generally. This zoning district is provided to accommodate the rural areas of Baldwin County. Rural District ordinances are designed to protect the rural character of the area.

3.1.2 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) Marine recreation uses.
- (d) Outdoor recreation uses.
- (e) The following general commercial uses: animal clinic and/or kennels; farm implement sales; farmer's market/truck crops; nursery; landscape sales.
- (f) Local commercial uses.
- (g) Professional service and office uses.
- (h) The following institutional uses: church or similar religious facility; childcare center; childcare institution; day care home; fire station; library; post office; school (public or private).
- (i) Agricultural uses.
- (j) Single family dwellings including manufactured housing and mobile homes.
- (k) Accessory structures and uses.

3.1.3 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

3.1.4 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 Commission site plan approval process:

3.1.5 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 18.5: Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure	35-Feet
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

3.1.6 Area and dimensional modifications. Within the RR 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	20,000 Square Feet
Minimum Lot Width at Building Line	80-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 12, 2026, and no comments were received.

ACE, James Buckelew: Staff asked for comments on August 12, 2026, and no comments were received.

City of Fairhope, Hunter Simmons: Staff asked for comments on August 12, 2026, and no comments were received.

City of Fairhope, Payton Rogers: Staff asked for comments on August 12, 2026, and no comments were received

Mayor Sullivan, City of Fairhope: Staff asked for comments on August 12, 2026, and no comments were received.

Subdivisions, Fabia Waters: Should the rezoning from RR to RSF1 be approved, the applicant shall apply for a preliminary plat application for the proposed two lot subdivision. FW

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 1.5 acres and is currently zoned as RR, Rural District. A request has been submitted to rezone the property to RSF-1, Residential Single Family District, to subdivide the property for residential development and meet the minimum lot size requirement. The minimum lot size for RR is 40,000 SF (which cannot be satisfied by the current parcel size), but the minimum lot size for RSF-1 is 30,000 SF.

(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 a combination of a Rural / Agriculture / Low Impact Development Potential Area and an Ideal Conservation / Preservation Area. These place types allow for RR (Rural), RA (Rural Agricultural), RSF-E (Residential Single Family Estate) zoning districts and environmental conservation, which encourage parks and open spaces, large lots, open space views, and a large buffer distance between homes. The subject property is also roughly 1.5 miles from a Neighborhood Center Node, which encourages local-serving businesses, agriculture-support businesses, and small parks.

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

The subject property is situated on a Major Collector (County Road 33) and a Local Road (Daughtry Lane). Major Collectors gather traffic from small, local neighborhood streets and funnel it into larger arterial roads. Local roads primarily provide access to adjacent homes and businesses rather than long-distance travel. The subject property is also roughly 1 mile east of the City of Fairhope municipal boundary.

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

Planning district 39 was established in 2023. The area historically has been largely rural, with farmland and timber harvesting. The surrounding area has experienced an increase in development in the past five years, with a trend of single-family residences on estate-size lots just north of the subject property (Red Barn Road Estates).

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

There is a small area of potential wetlands on the northeast corner of the lot. No known historic resources will be impacted.

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

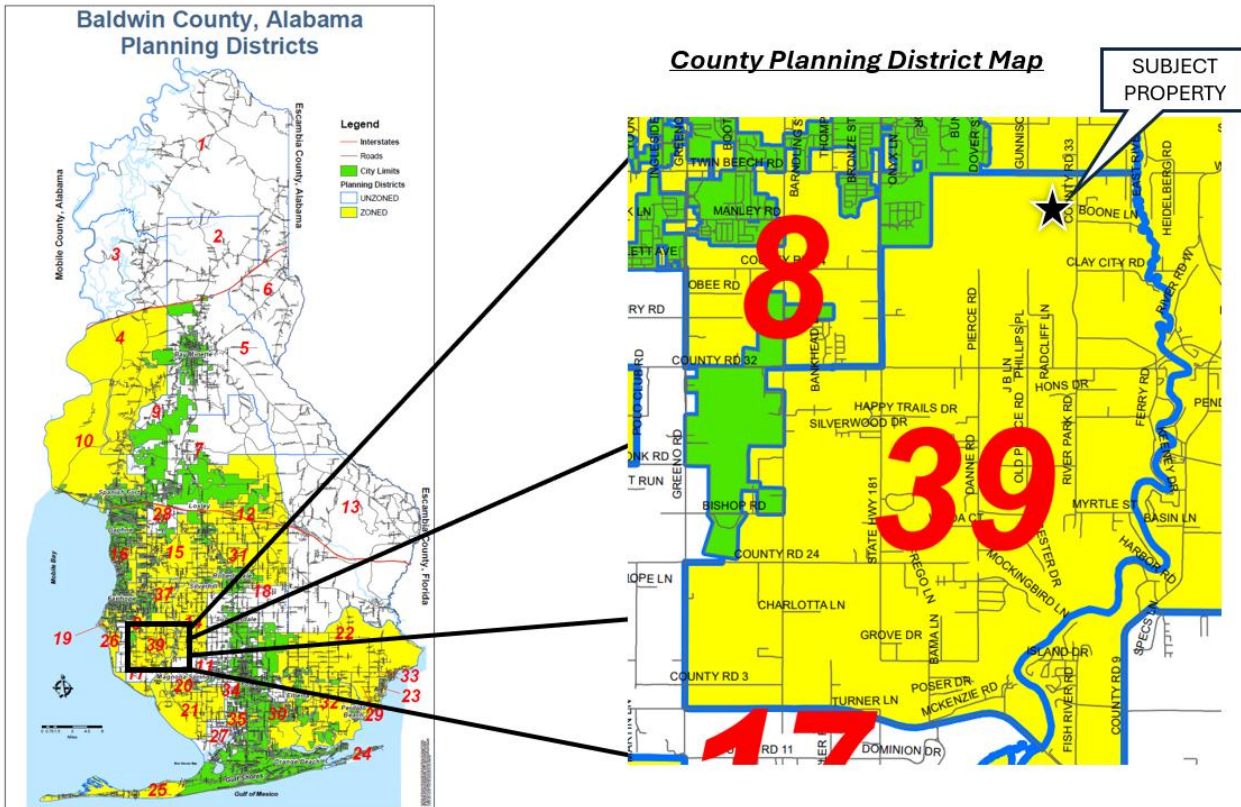
The proposed request should have no impact on the health, safety and welfare of the property or surrounding properties. If the subject property is developed, the applicant will need to supply "Will Serve Letters" for water and sewer.

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 **somewhat consistent** with the factors specified within the Baldwin County Zoning Ordinance and is **inconsistent** 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 **somewhat supports** the request.

County Map



Property Images





Adjoining Property
to the North
PIN: 28230

Aug 19, 2026 10:18:55 AM
18785 County Road 33
Fairhope
Baldwin County
Alabama



Property to
the South
PIN: 300244

Aug 19, 2026 10:20:09 AM
12037 Daughtry Lane
Fairhope
Baldwin County
Alabama



Adjoining
Property to
the East
PIN: 358066

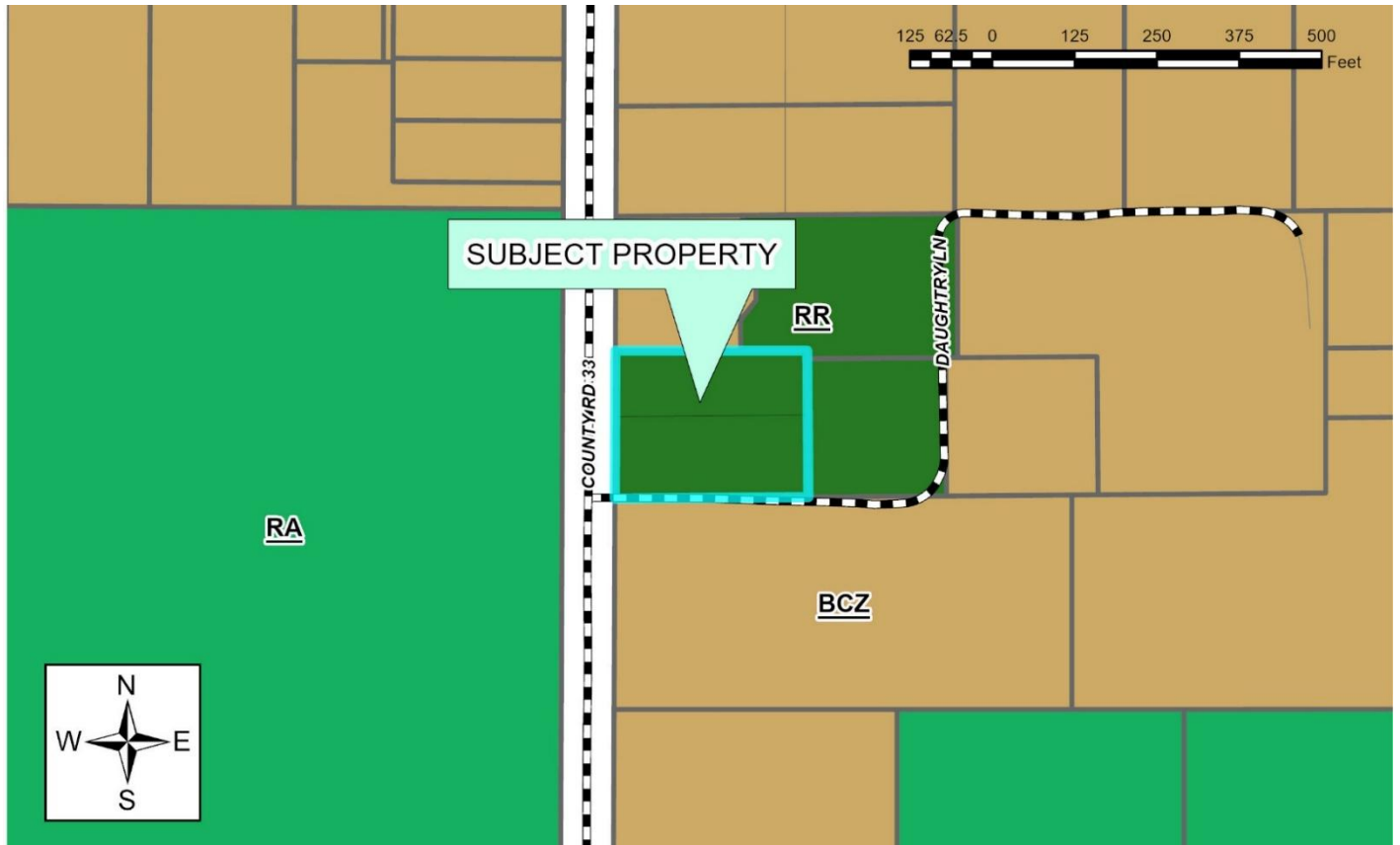
Aug 19, 2026 10:19:28 AM
12037 Daughtry Lane
Fairhope
Baldwin County
Alabama



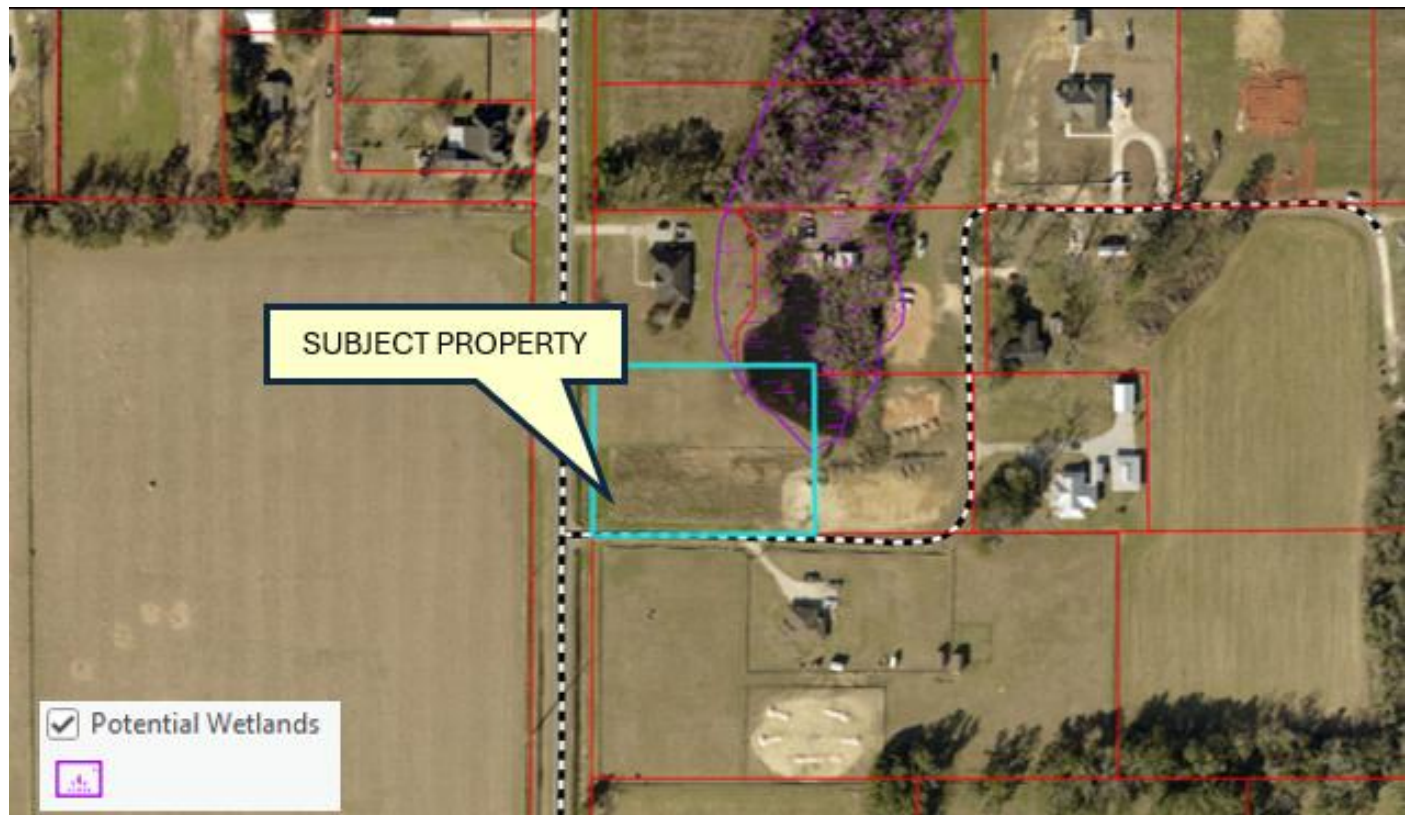
Property to
the West
PIN: 29012

Aug 19, 2026 10:17:11 AM
12037 Daughtry Lane
Fairhope
Baldwin County
Alabama

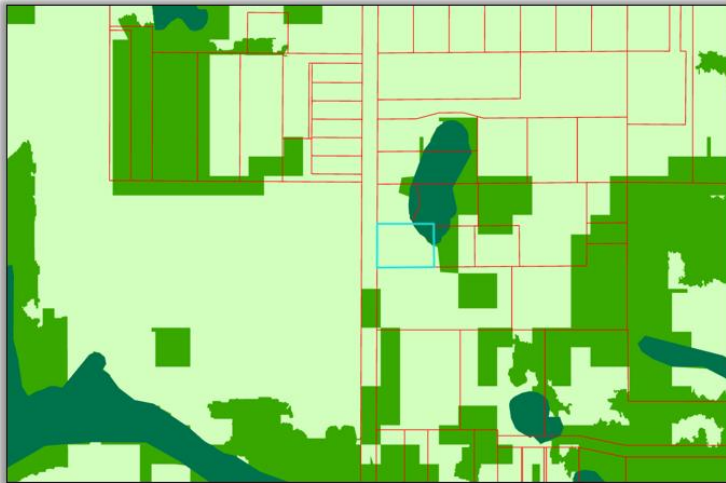
Locator Map



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

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

IDEAL CONSERVATION/PRESERVATION AREAS

Ideal Conservation or Preservation Areas would include land that is undeveloped, or minimally developed, and protected by local, state, and federal agencies or by public, private, and nonprofit organizations. This could include areas conserved for the protection of critical habitat, clean water, open space, or cultural heritage.

PRIMARY LAND USES

- Natural areas that are publicly and privately owned and managed
- Permanently protected lands such as conservation easements, parks, cemeteries
- Parks and open spaces devoted primarily to passive recreation and trails
- Lands with important cultural landmarks or assets
- Scenic view corridors

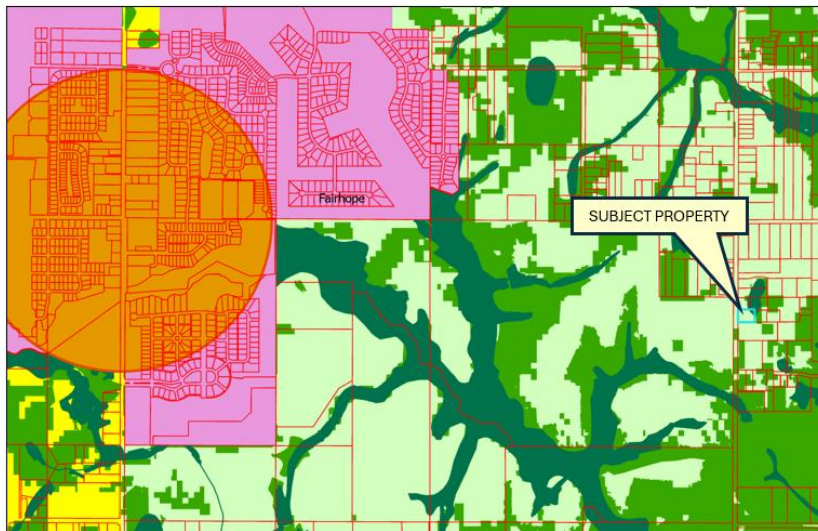
RELATED ZONING DISTRICTS

- Environmental Conservation

CONNECTIVITY NETWORK

- 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?				-1	
Does the proposed land use promote development that fits the character of the surrounding area?		2			
Total Land Use Score (out of 10 points)		5			
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.			-1	
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)		-1			
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.				-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			
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			
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.		1		
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)		9			
TOTAL SMART GROWTH SCORE		15			
RECOMMENDATION		0			
		SOMEWHAT SUPPORTS			
		0			
		0			