



Baldwin County Planning & Zoning Department

Baldwin County Planning Commission Staff Report

Case No. Z25-03

Rezner Property

Rezone RSF-E, Single Family Estate District to B-2, Neighborhood Business District

March 6, 2025

Subject Property Information

Planning District: 37
General Location: West Side of State Hwy 181 and North of Gayfer Rd Ext.
Physical Address: St Hwy 181, Fairhope, AL
Parcel Numbers: 05-46-02-10-0-000-041.554
Existing Zoning: RSF-E, Single Family Estate District
Proposed Zoning: B-2, Neighborhood Business District
Existing Land Use: Residential
Proposed Land Use: Commercial
Acreage: 3 ± acres
Applicant: Rudolph John Rezner Jr. and Nancy Rezner
21181 St Hwy 181
Fairhope, AL 36532
Owner: Same
Lead Staff: Celena Boykin, Senior Planner
Attachments: *Within Report*

Adjacent Land Use		Adjacent Zoning
North	Commercial	B-2, Neighborhood Business District
South	Commercial	B-2, Neighborhood Business District B-3, General Business District
East	Commercial	RSF-E, Single Family Estate District RA, Rural Agriculture District
West	Residential	RSF-E, Single Family Estate District

Summary

The subject property encompasses approximately 3 acres and is currently zoned as RSF-E, Residential Single Family Estate District. A request has been made to change the designation to B-2, Neighborhood Business District, for future commercial use. The majority of the adjacent parcels along State Hwy 181 are designated for commercial purposes, and the applicant believes that the optimal use for this property is commercial.

Current Zoning Requirements

Section 4.1 RSF-E, Residential Single Family Estate District

4.1.1 Generally. This zoning district is provided to afford the opportunity for the choice of a very low density residential environment consisting of single family homes on estate size lots.

4.1.2 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) Agricultural uses.
- (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.

4.1.3 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*).

4.1.4 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

4.1.5 *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 18.4 *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	40-Feet
Minimum Rear Yard	40-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	80,000 Square Feet
Minimum Lot Width at Building Line	165-Feet
Minimum Lot Width at Street Line	165-Feet
Maximum Ground Coverage Ratio	.35

4.1.6 *Area and dimensional modifications.* Within the RSF-E district, area and dimensional requirements may be reduced, as set forth below, where property is divide 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
Minimum Lot Width at Street Line	120-Feet

Proposed Zoning Requirements

Section 5.2 B-2, Neighborhood Business District

5.2.1 Purpose and intent. The purpose and intent of the B-2 Neighborhood Business District is to provide a limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit.

5.2.2 Permitted uses. The following uses are permitted as of right, or as uses accessory to permitted uses in the B-2, Neighborhood Business District, conditioned on the Commission Site Plan Approval requirements of *Section 18.9*:

- | | |
|--|--|
| (a) All uses permitted by right under the B-1 zoning designation | (v) Floor covering sales or service |
| (b) Antique store | (w) Florist |
| (c) Apparel and accessory store | (x) Fraternity or sorority house |
| (d) Appliance store including repair | (y) Fruit and produce store |
| (e) Art gallery or museum | (z) Gift shop |
| (f) Art supplies | (aa) Hardware store, retail |
| (g) Bait store | (bb) Ice cream parlor |
| (h) Bakery retail | (cc) Interior decorating shop |
| (i) Bed and breakfast or tourist home | (dd) Laundry, self service |
| (j) Bicycle sales and service | (ee) Lawnmower sales and service |
| (k) Boarding, rooming or lodging house, dormitory | (ff) Locksmith |
| (l) Book store | (gg) Music store |
| (m) Café | (hh) Neighborhood convenience store |
| (n) Camera and photo shop | (ii) News stand |
| (o) Candy store | (jj) Paint and wallpaper store |
| (p) Catering shop or service | (kk) Picture framing and/or mirror silvering |
| (q) Copy shop | (ll) Restaurant |
| (r) Delicatessen | (mm) Shoe repair shop |
| (s) Discount/variety store (not to exceed 8,000 square feet) | (nn) Shoe store |
| (t) Drug store (not to exceed 8,000 square feet) | (oo) Sign shop |
| (u) Fixture sales | (pp) Sporting goods store |
| | (qq) Tailor shop |
| | (rr) Tobacco store |
| | (ss) Toy store |

5.2.3 Conditional Use Commission Site Plan Approval. The following uses are permissible as Commission Site Plan Approval uses in the B-2, Neighborhood

Business District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*:

- | | |
|--|--|
| (a) Air conditioning sales and service | (q) Park or playground |
| (b) Amusement arcade | (r) Pawn shop |
| (c) Animal clinic/kennels | (s) Pet shop |
| (d) Arboretum | (t) Plumbing shop |
| (e) Ball field | (u) Restaurant sales and supplies |
| (f) Business machine sales and service | (v) Riding academy |
| (g) Car wash | (w) Rug and/or drapery cleaning service |
| (h) Country club | (x) Seafood store |
| (i) Discount/variety store (exceeding 8,000 square feet) | (y) Swimming pool (outdoor) |
| (j) Drug store (exceeding 8,000 square feet) | (z) Tennis court (outdoor) |
| (k) Exterminator service office | (aa) Water storage tank |
| (l) Golf course | (bb) Wildlife sanctuary |
| (m) Liquor store | (cc) Wireless telecommunication facility |
| (n) Mini warehouse | (dd) Dwellings, in combination with commercial uses, subject to the standards listed under Section 5.2.4: Mixed uses |
| (o) Night club, bar, tavern | |
| (p) Office equipment and supplies sales | |

5.2.4 Mixed uses. Mixed residential and commercial uses may be permissible as Commission Site Plan in the B-2 Neighborhood Business District, subject to the standards and procedures established in *Section 18.9: Commission Site Plan Approval*, and subject to the following criteria:

- (a) The commercial uses in the development may be limited in hours of operation, size of delivery trucks and type of equipment.
- (b) The residential uses shall be designed so that they are compatible with the commercial uses.
- (c) Residential and commercial uses shall not occupy the same floor of a building.
- (d) Residential and commercial uses shall not share the same entrances.

- (e) The number of residential dwelling units shall be controlled by the dimensional standards of the B-2 district. A dwelling unit density of .5 (½) dwelling units per 1,000 square feet of the gross floor area devoted to commercial uses, may be allowed (structures with less than 2,000 square feet devoted to commercial uses shall be allowed one dwelling unit). In no case, however, shall the overall dwelling unit density for a mixed use project exceed 4 dwelling units per acre.
- (f) Building height shall not exceed three stories.
- (g) A minimum of 30 percent of the mixed-use development shall be maintained as open space. The following may be used to satisfy the open space requirements: areas used to satisfy water management requirements, landscaped areas, recreation areas, or setback areas not covered with impervious surface or used for parking (parking lot islands may not be used unless existing native vegetation is maintained).
- (h) The mixed commercial/residential structure shall be designed to enhance compatibility of the commercial and residential uses through such measures as, but not limited to, minimizing noise associated with commercial uses; directing commercial lighting away from residential units; and separating pedestrian and vehicular access ways and parking areas from residential units, to the greatest extent possible.
- (i) Off-street parking spaces for the mixed residential and commercial uses shall be the sum total of the residential and commercial uses computed separately (See *Article 15: Parking and Loading Requirements*).

5.2.5 Area and dimensional ordinances.

Maximum Height of Structure	35-Feet
Maximum Height of Structure in Habitable Stories	2½
Minimum Front Yard	30-Feet
Minimum Rear Yard	25-Feet
Minimum Side Yards	15-Feet
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.60
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	60-Feet

Agency Comments

USACE, James Buckelew: Staff reached out but received no comments.

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

Subdivisions, Shawn Mitchell: A subdivision isn't requested at this time. If the applicant wishes to subdivide the property, Preliminary and Final Plat applications will be required. If more than 2 businesses will occupy the parcel, a Planned Unit Development application will be required.

Civil Engineer, Tyler Austin: No development proposed at this time. Residential access along AL HWY 181 already existing. Any future development will require drainage and construction plan review. Any future improvements to existing access will require ALDOT permitting.

City of Fairhope: Staff reached out but received no comments.

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.

The subject property is situated in Planning District 37, which recently adopted a zoning map in July 2022. Following this adoption, there have been minimal changes in local conditions. The proposed amendment appears to be a logical expansion and aligns with the existing development patterns in the area, as most adjacent uses and zonings are commercial. The proposed B-2 zoning aims to offer limited commercial services to nearby residential neighborhoods, planned and developed as a cohesive unit. Furthermore, the subject property is positioned between a village center and an urban mixed-use center on the Future Land Use Map, both of which are compatible node types with the B-2 zoning designation.

Staff Comments and Recommendation

As previously mentioned, the subject property encompasses approximately 3 acres and is currently zoned as RSF-E, Residential Single Family Estate District. A request has been submitted for the designation of B-2, Neighborhood Business District, to facilitate future commercial use. The majority of the adjacent parcels along State Hwy 181 are designated for commercial purposes, and the applicant believes that the optimal use for this property is commercial. Staff has carefully evaluated all relevant factors concerning this application and recommends that the rezoning application be approved.

Unless information to the contrary is revealed at the public hearing, staff feels this rezoning application should be recommended for **APPROVAL**.*

Planning Commission recommended APPROVAL, 6-0, at their March 6, 2025 meeting.

**On rezoning applications, the Planning Commission will be making a recommendation to the County Commission.*

Property Images





Property to
The North
PIN: 115297



Feb 11, 2025 2:01:02 PM
30°32'1.81446"N 87°51'8.70764"W
331° NW
Baldwin County Code Enforcement

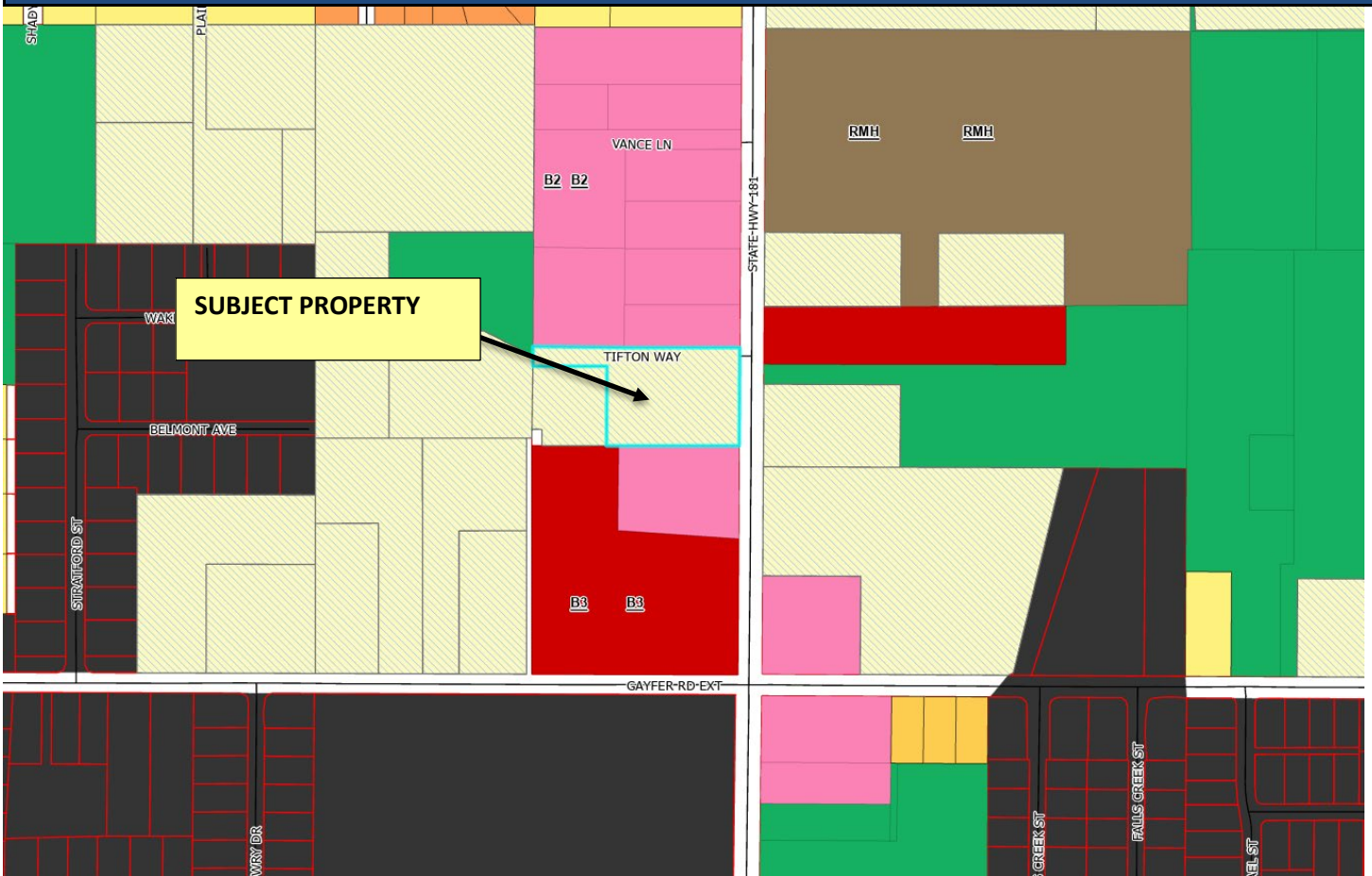


Adjoining Property
to The South
PIN: 15220

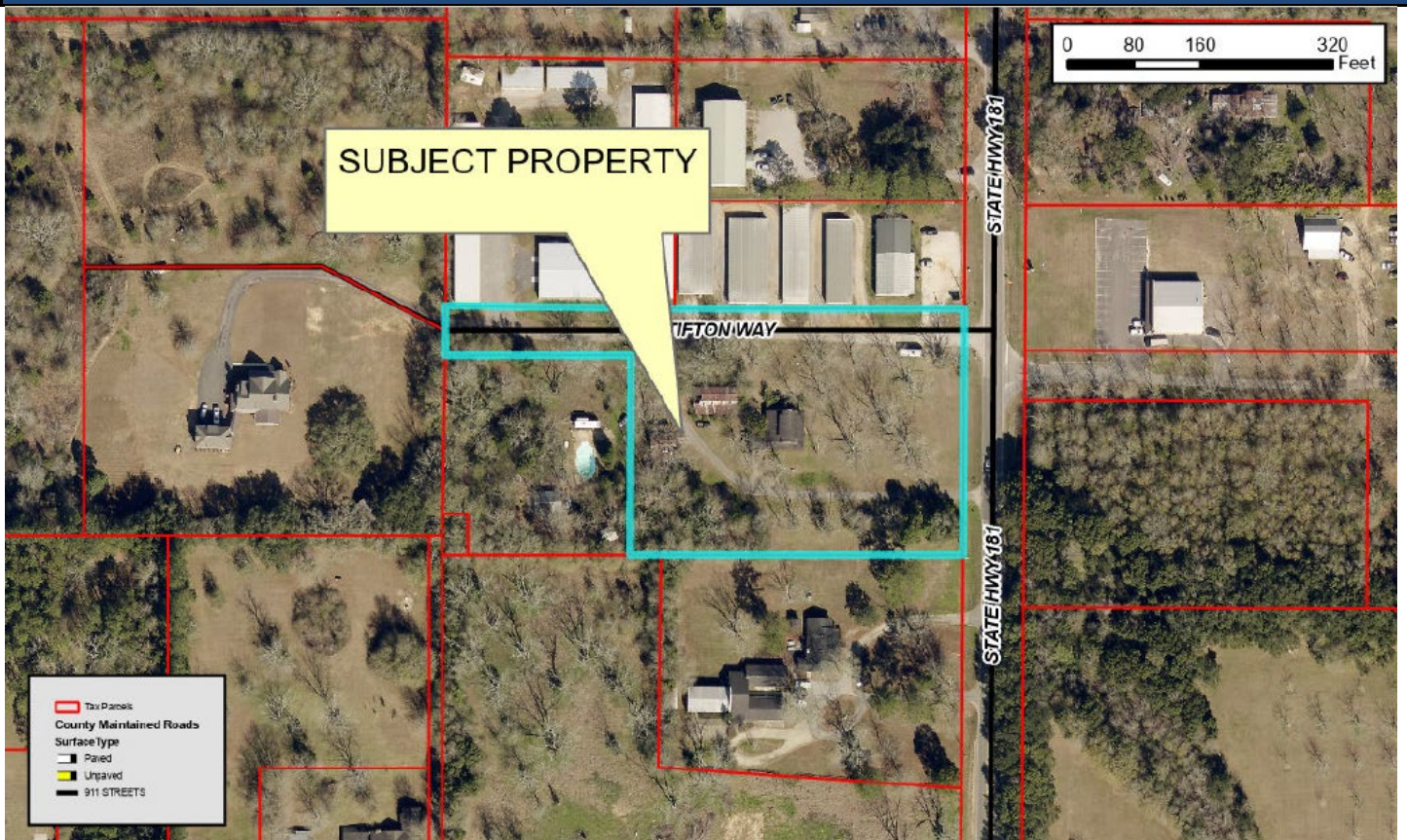


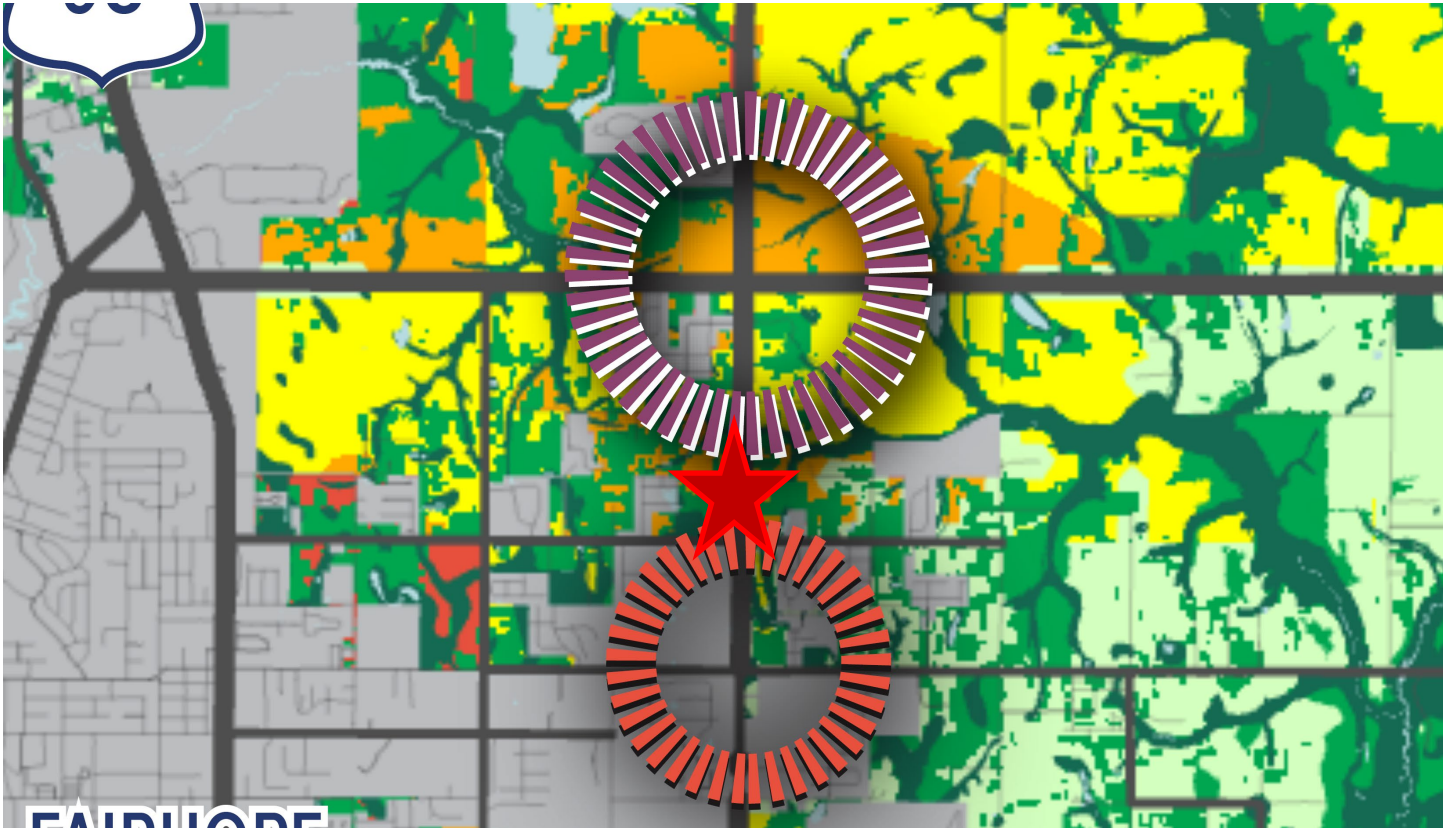
Feb 11, 2025 2:03:28 PM
30°31'57.22334"N 87°51'8.65436"W
269° W
Baldwin County Code Enforcement

Locator Map



Site 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

MUNICIPAL JURISDICTIONS

NODE TYPES

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