



**BOARD OF ADJUSTMENT NUMBER 2**

**April 9, 2026**

**Regular Meeting**

**3:00 p.m.**

**Baldwin County Satellite Courthouse**

**Large Meeting Hall**

**201 East Section Avenue**

**Foley, Alabama**

[Email-planning@baldwincountyal.gov](mailto:Email-planning@baldwincountyal.gov)

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Previous Meeting Minutes (February 2026, Work Session and Regular Meeting Minutes)
5. Announcements/Registration to Address the Board of Adjustment
6. Consideration of Applications and Requests

**ITEMS:**

**a.) Case No. ZVA26-09, Dr Horton Property, 0 Barclay Ave**

*Request:* Approval of a variance from 12.5.2 (d) Yard requirements of the Baldwin County Zoning Ordinance as it pertains to the 20' side yard from the side lot line, which abuts a street, in order to allow for a Single-family dwelling.

*Location:* The subject property is located at 0 Barclay Ave Lillian, Al, Planning District 22.

*Attachments:* *Within Report:*

- d) Old Business
- e) New Business
- f) Adjournment

To view maps/plats in higher resolution please visit the 'Upcoming Items' Planning and Zoning webpage" <https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>



**BALDWIN COUNTY  
PLANNING AND ZONING  
BOARD OF ADJUSTMENT NUMBER 2  
WORK SESSION AGENDA  
Thursday, April 9, 2026  
Work Session 2:30 p.m.  
Baldwin County Satellite Courthouse  
Large Meeting Hall  
201 East Section Avenue  
Foley, Alabama  
Email: [planning@baldwincountyal.gov](mailto:planning@baldwincountyal.gov)**

1. Call to Order.
2. Discussion of items related to the upcoming agenda and any other necessary items related to Board of Adjustment Number 2.
3. Questions and Concerns.
4. Adjournment.

***To view public documents for upcoming meetings, maps/plats, and staff reports, visit the 'Upcoming Meeting Items' on the Planning and Zoning webpage.***

<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>



**Baldwin County Planning and Zoning  
Board of Adjustment Number 2  
Regular Meeting Minutes  
Thursday February 12, 2026**

**I. Call To Order**

Chairwoman Tracey Gambill opened the Baldwin County Board of Adjustment Number 2 meeting at 3:00 p.m. on February 12, 2026, at the Foley Satellite Courthouse Large Meeting Room located at 201 East Section Avenue in Foley, Alabama.

**II. Opening**

Chairwoman, Tracey Gambill opened the meeting with the pledge of allegiance. Crystal Bates presented the meeting Preamble.

**III. Roll Call**

The following Board members were present during roll call: Chairwoman, Tracey Gambill, Vice Chairman Wade Mitchell, Clark Strong, Samuel Swindle and Mackie Ray.

Staff present included Crystal Bates, Celena Boykin

**IV. Approval of Minutes**

Mr. Wade Mitchell made a motion to approve January 15, 2026, meeting minutes. Mr. Clarke Strong seconded the motion. All members voted aye. **Motion to approve January 15, 2026, minutes carried.**

**V. Consideration of Applications and Requests**

**1.) ZVA25-59 Kanha Property, 12826 County Road 95**

Mrs. Crystal Bates presented the applicant's request for the variance from Section 15.3.3 the minimum width of two-way access driveways within and to parking areas shall be 24 feet. And a variance from Section 17.2 (a) as it pertains to the 10' landscape buffer along County Road 95 in order to allow for RV/Boat Storage.

The chairman invited Mr. Tom Grainger to the podium, He stated the reasons they needed the zoning variance. Talked about the overall project and other conditions needed. The board members took the opportunity to ask Mr. Tom Grainger a few questions. Chairwoman asked if any further questions or anyone else like to comment.

The applicants request for the variance from Section 15.3.3 the minimum width of two-way access within and to the parking areas shall be 24 feet.

Board member Samuel Swindle made the motion to DENY the variance and was seconded by Mackie Ray. The motion to DENY this part of variance case ZVA25-59 with a 5-0 vote.

Next the applicants request from Section 17.2 (a) as it pertains to the 10' landscape buffer along County Road 95 to not have landscape where the wetlands are plated on the plat.

Board member Wade Mitchell made the motion to APPROVE the variance and was seconded by Samuel Swindle. The motion to APPROVE this part of the variance case ZVA25-59 with a 5-0 vote.

## **2.) ZVA26-01 Krueger Property, 0 Baudin Ln E**

Mrs. Crystal Bates presented the applicant's request for the variance from Section 3.3.5 Area and dimensional regulations of the Baldwin County Zoning Ordinance as it pertains to the setbacks in order to allow for single-family dwelling.

The chairman invited Ms. Aimee Kruger to the podium, she stated the reasons why they needed the zoning variance and how the Alabama Department of Health made some changes with the fields line location and the need for the setback variance. The board members took the opportunity to ask Ms. Aimee Krueger a few questions. Chairwoman asked if any further questions or anyone else like to comment.

Board member Samel Swindle made the motion to APPROVE the variance and was seconded by Mackie Ray. The motion to APPROVE variance case ZVA26-01 with a 5-0 vote.

## **VI. Old Business**

## **VII. New Business**

## **VIII. Adjournment**

As there were no further items to discuss, the meeting adjourned at 3:55 p.m.

Respectfully Submitted,

Crystal Bates, Planning Technician II

I hereby certify that the above minutes are true, correct, and approved on this 9<sup>th</sup> day of April 2026.

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Tracey Gambill, Chairwoman



**Baldwin County Planning and Zoning  
Board of Adjustment Number 2  
Work Session Minutes  
Thursday, February 12, 2026**

**I. OPENING**

Chairwoman Tracey Gambill opened the Baldwin County Planning and Zoning Board of Adjustment Number 2 Work Session at 2:30 p.m. on February 12, 2026, at the Foley Satellite Courthouse Large Meeting Room located at 201 East Section Avenue, Foley, Alabama.

**II. ATTENDANCE**

The following board members were present: Chairwoman Tracey Gambill, Vice Chairman Wade Mitchell, Clark Strong, Mackie Ray.

Staff present included: Crystal Bates, Celena Boykin

**III. DISCUSSION ITEMS**

Staff opened the floor to questions regarding the following cases:

- ZVA25-59 Kanha Property, 12826 County Road 95
- ZVA26-01 Krueger Property, 0 Baudin Ln E

**IV. ADJOURNMENT**

As there were no further questions, the work session adjourned at 2:45 p.m.

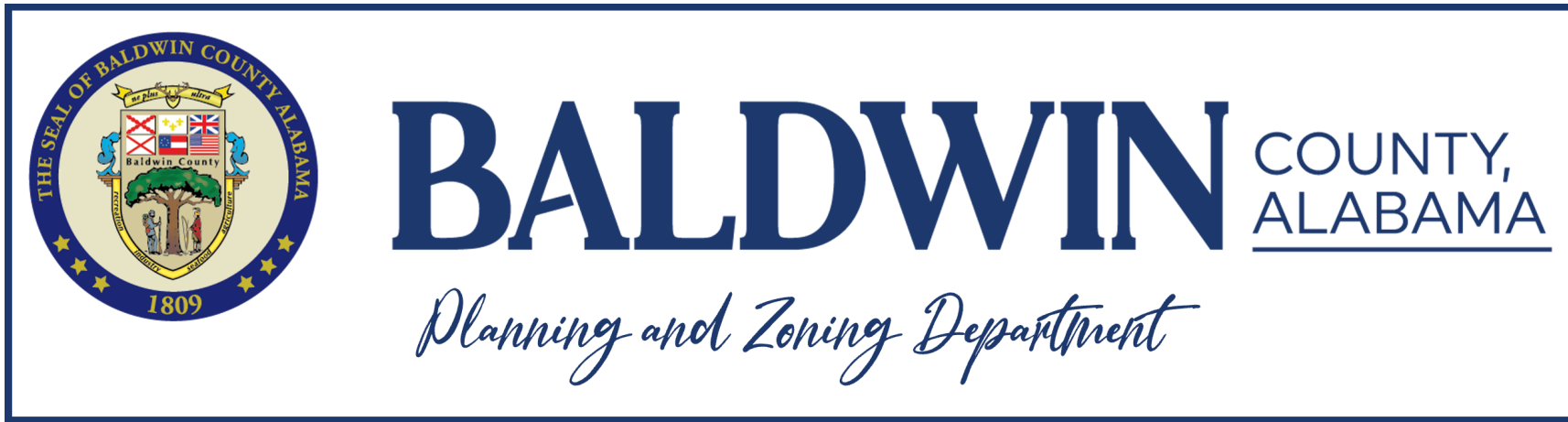
Respectfully Submitted,

Crystal Bates, Planning Technician II

I hereby certify that the above minutes are true, correct and approved on this 9th day of April 2026.

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Tracey Gambill, Chairman



# BALDWIN COUNTY BOARD OF ADJUSTMENT #2

REGULAR MEETING

APRIL 9, 2026

BALDWIN COUNTY SATELLITE COURTHOUSE

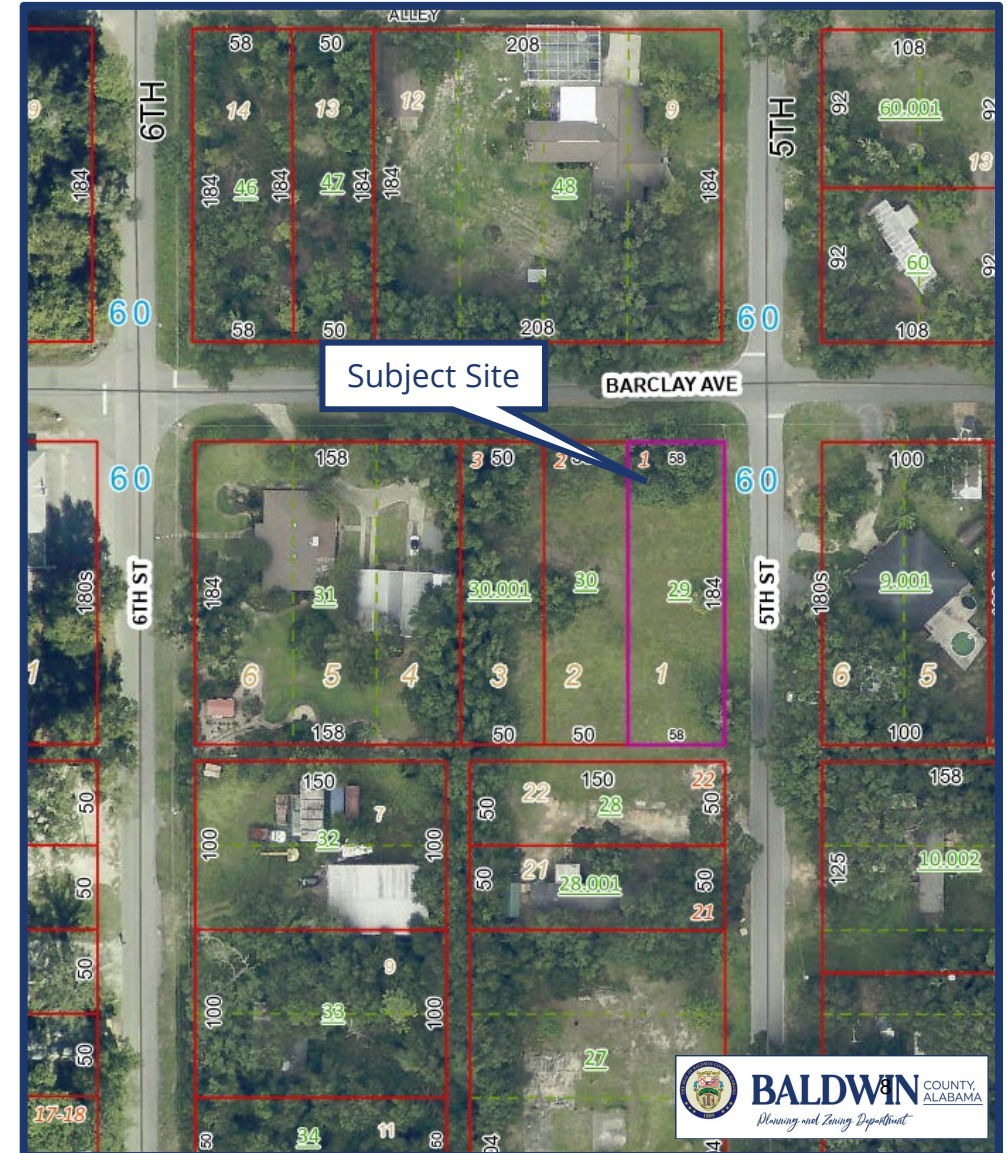
FOLEY, AL

# ZVA26-09 DR HORTON PROPERTY

## VARIANCE REQUEST

Lead Staff: Calla Mckenzie, Planning Technician II

- **Planning District:** 22
- **Zoned:** RSF-1, Residential Single Family
- **Location:** The subject property is located south of Barclay Ave and on the west side of 5<sup>th</sup> Street.
- **PID:** 05-52-07-26-0-001-029.000
- **PPIN:** 69628
- **Acreage:** +/- 0.24 acre
- **Physical Address:** 12985 5<sup>th</sup> Street
- **Applicant:** Anna Whitehurst
- **Owner:** Dr Horton Inc



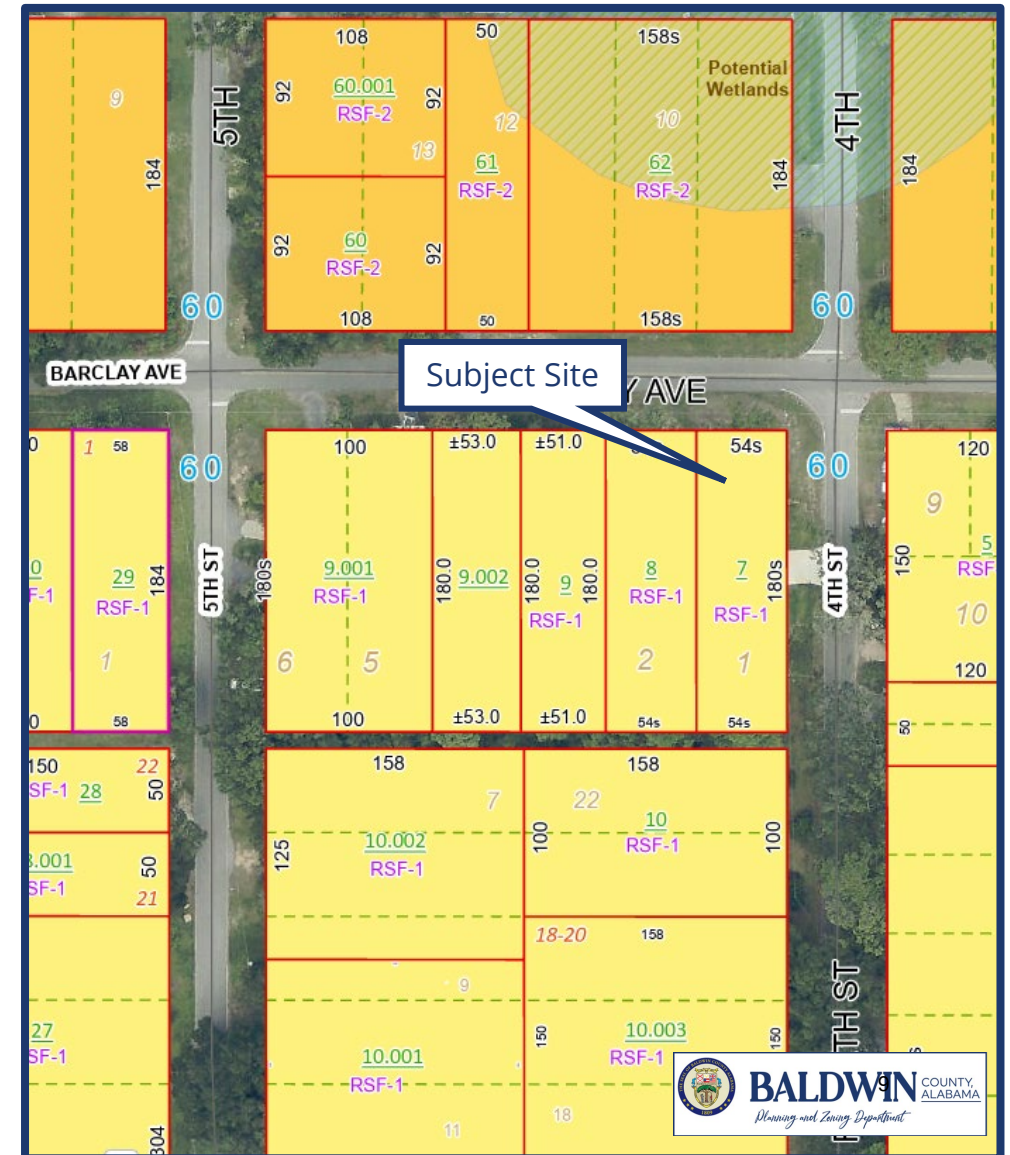
# ZVA26-09 DR HORTON PROPERTY

## VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Calla Mckenzie, Planning Technician II

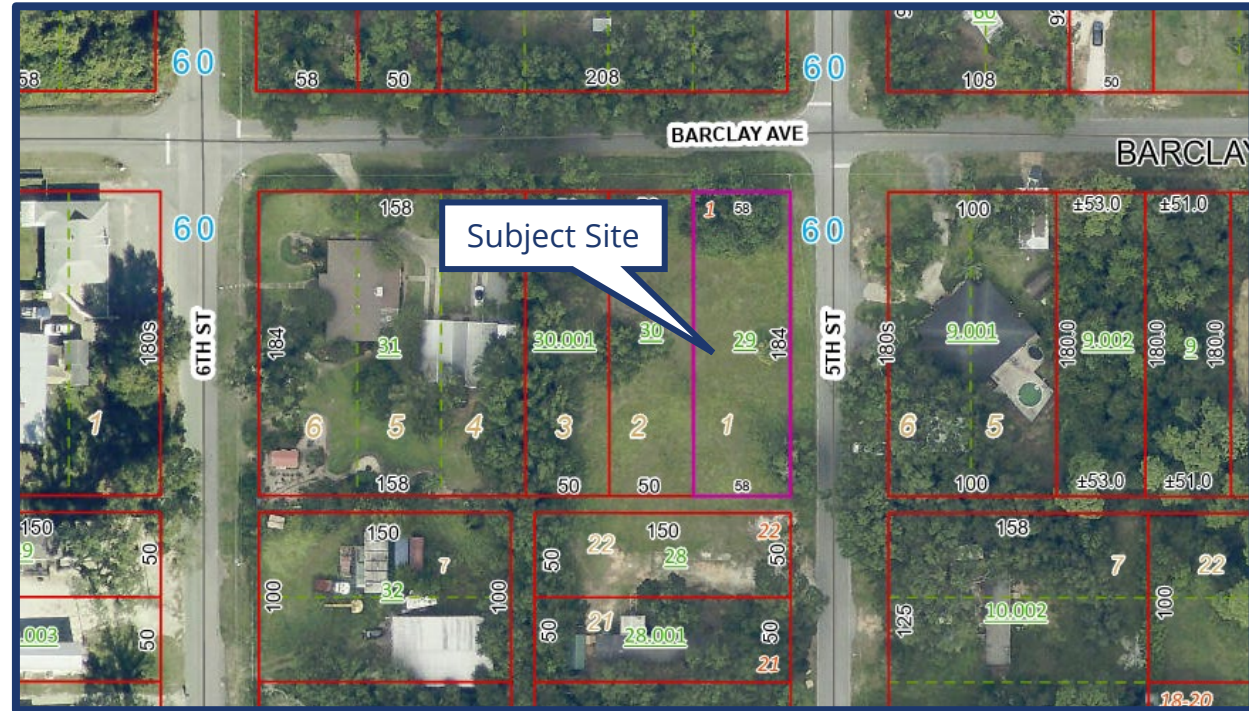
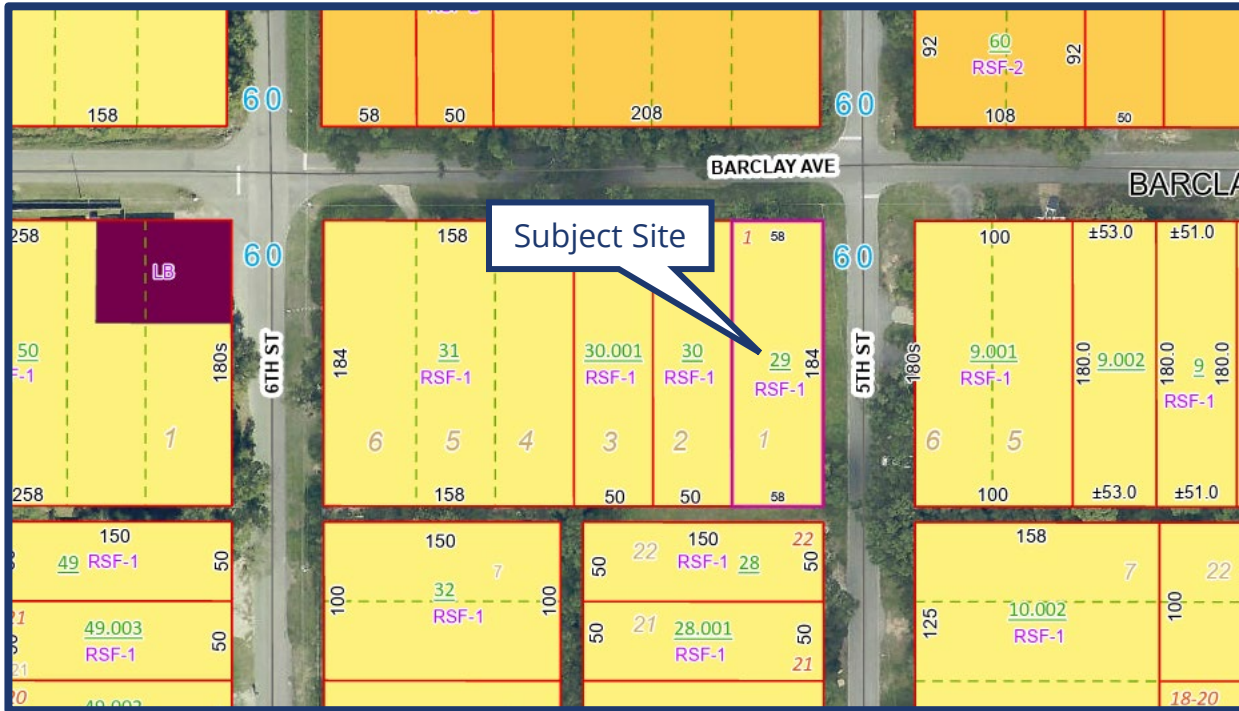
The applicant is requesting a variance from section 12.5.2 (d) Yard Requirements of the Baldwin County Zoning Ordinance as it pertains to the 20' side yard from the side lot line, which abuts a street, to allow for a single-family dwelling.

Staff believes there is a hardship on the subject property and recommends that case ZVA26-09 be **APPROVED** unless information to the contrary is revealed at the public hearing.



# Locator Map

# Site Map



	Adjacent Zoning	Adjacent Land Use
North	RSF-2, Residential Single Family	Residential
South	RSF-1, Residential Single Family	Residential
East	RSF-1, Residential Single Family	Residential
West	RSF-1, Residential Single Family	Residential



Subject Property  
PIN: 69628



**VARIANCE**  
**PROPOSED**  
**FOR THIS PROPERTY**  
Case Number  
**ZVA26-000009**

For information Contact  
Baldwin County Planning &  
Zoning Department  
**(251) 580-1655**

Scan   
Get zoning details and information available on the go.  
© BALDWIN.com

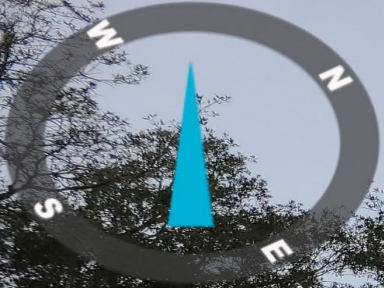
Mar 25, 2026 10:34:12 AM  
30°24'52.1923"N 87°26'9.74774"W  
181° S



Adjoining  
Property to  
The South  
PIN: 37793



Mar 25, 2026 10:37:02 AM  
30°24'49.6989"N 87°26'9.27298"W  
274° W



Property to  
The North  
PIN: 33021



Mar 25, 2026 10:35:14 AM  
30°24'53.19637"N 87°26'9.11404"W  
302° NW



Property to  
The East  
PIN: 257965



5TH ST

Mar 25, 2026 10:36:20 AM  
30°24'52.43731"N 87°26'9.13672"W  
159° S



Adjoining  
Property to  
The West  
PIN: 51071



Mar 25, 2026 10:30:35 AM  
30°24'52.03001"N 87°26'10.17042"W  
185° S



# 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.

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

## Section 12.5 Yard Requirements

- (d) On a corner lot, the side yard from the side lot line which abuts a street shall be a minimum of 20-feet.

*Lot, corner.* A lot abutting upon 2 or more streets at their intersection or upon 2 parts of a street which form an interior angle of less than 135 degrees. The point of intersection of the street lines is the corner.

# Staff Analysis and Findings

## 1.) Exceptional narrowness, shallowness or shape of a specific piece of property existing at the time of the enactment of these zoning regulations.

Zoning in Planning District 22 came into effect on November 19, 2002. The lot of record is approximately 0.24 acres. The minimum lot size requirement for RSF-1, Residential Single Family, is 30,000 sf with a minimum lot width at the building line of 100'. The property does not meet these minimum requirements and therefore, staff believes there is exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

RSF-1 Required minimum lot size: **30,000 sf**

Actual size: **10,659 sf**

Lot size hardship: **YES**

RSF-1 Required minimum width at Building line: **100'**

Actual lot width: **58'**

Lot width hardship: **YES**

## 2.) Exceptional topographic conditions or other extraordinary situations or conditions of a specific piece of property.

Staff does not perceive an exceptional topographic condition or other extraordinary situation, or condition contained on the subject property, which would justify a variance.

# Staff Analysis and Findings

### **3.) The granting of the application is necessary for the preservation of a property right and not merely to serve as a convenience to the applicant or based solely upon economic loss.**

The subject property is zoned RSF-1, which allows for residential uses. This request is to allow for the construction of a single-family dwelling, so staff believes that the requested variance may be necessary for the preservation of a property right.

### **4.) The granting of this application will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County.**

Staff does not believe the granting of this application, **in general**, will impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County. However, staff cannot specifically assure and makes no warranty or guarantee that if granted the resultant variance will or will not diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County because the effect of the variance cannot be quantified at the time of consideration.

# Staff Analysis and Findings

## 5.) Other matters which may be appropriate.

- The applicant has submitted a written document stating there is no active homeowner association for the subject property.
- No documentation in favor of or opposition to this variance request has been received at the time this staff report was written.

*Please attach approval from any active neighborhood associations or a signed statement from the property owner stating there is not an active association.*

**There is not an active association for this property.**

*Anna Whitehurst 3/3/2026*

# ZVA26-09 DR HORTON PROPERTY

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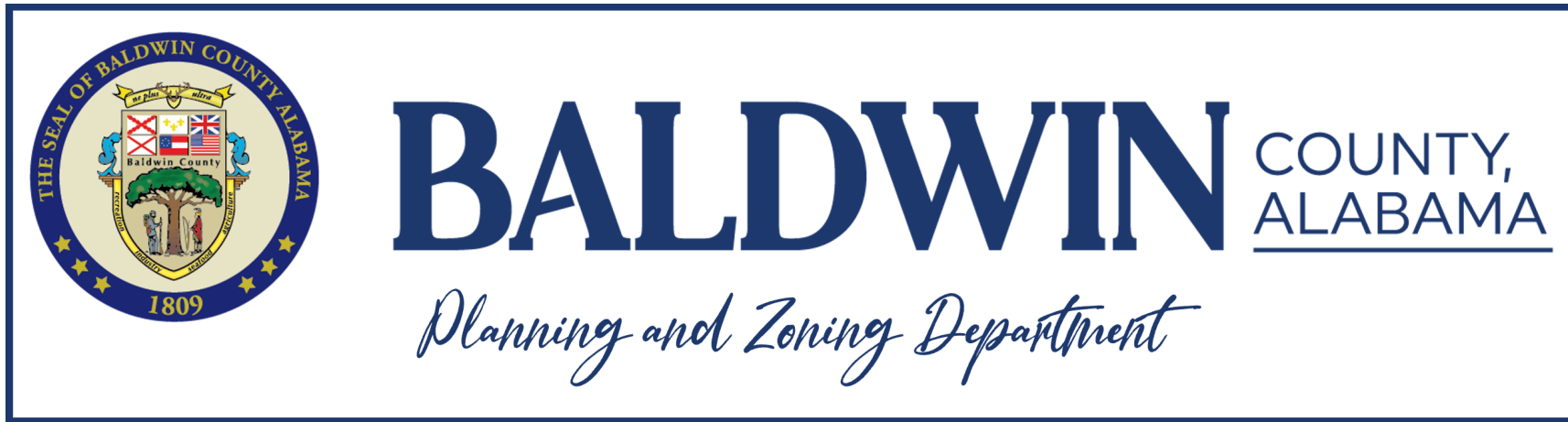
## BOA BY LAWS

Lead Staff: Calla Mckenzie, Planning Technician II

### **GENERAL NOTES {By-laws}**

Any party aggrieved by a final judgment or decision of the Board of Adjustment may within fifteen (15) days thereafter, appeal the final judgment to the Circuit Court of Baldwin County, Alabama, by filing with the Circuit Court and the Board of Adjustment a written notice of appeal specifying the judgment or decision from which the appeal is taken. In case of such appeal, the Board of Adjustment shall cause a transcript of the proceedings and the action to be certified to the Court where the appeal is taken.

Whenever the Board imposes conditions with respect to a project or variance, such conditions must be stated in the Board Order and in the permit(s) issued, pursuant thereto by the Administrative Officer. Such permits shall remain valid only as long as conditions upon which it is granted, and the conditions imposed by the Zoning Ordinance are adhered to.



# BALDWIN COUNTY BOARD OF ADJUSTMENT #2

## NEXT REGULAR MEETING

# MAY 14, 2026

## BALDWIN COUNTY SATELLITE COURTHOUSE

## FOLEY, AL