



BOARD OF ADJUSTMENT NUMBER 2

AGENDA

February 12, 2026

Regular Meeting

3:00 p.m.

Baldwin County Satellite Courthouse

Large Meeting Hall

201 East Section Avenue

Foley, Alabama

Email-planning@baldwincountyal.gov

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Previous Meeting Minutes (January 15, 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. ZVA25- 59 Kanha Developers LLC Property, 12826 County Road 95

Request: Approval of variance from 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.

Location: The subject property is located at 12826 County Road 95 Elberta, Al, Planning District 22.

Attachments: *Within Report:*

b.) Case No. ZVA26-01 Krueger Property, 0 Baudin Ln E

Request: Approval of variance from Section 3.3.5 Area and dimensional regulations of the Baldwin County Zoning Ordinance as it pertains to setbacks in order to allow for single-family dwelling.

Location: The subject property is located at 0 Baudin Ln E Foley Al, Planning District 12.

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, February 12, 2026
Work Session 2:30 p.m.
Baldwin County Satellite Courthouse
Large Meeting Hall
201 East Section Avenue
Foley, Alabama**

Email: 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 January 15, 2026**

I. Call To Order

Chairwoman Tracey Gambill opened the Baldwin County Board of Adjustment Number 2 meeting at 3:00 p.m. on January 15, 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, Mackie Ray.

Staff present included Crystal Bates, Celena Boykin

IV. Approval of Minutes

Mr. Clark Strong made a motion to approve November 13, 2025, meeting minutes. Mr. Wade Mitchell seconded the motion. All members voted aye. **Motion to approve November 13, 2025, minutes carried.**

V. Election of Officers

Mr. Mackie Ray made recommendation to re-elect Tracey Gambill as Chairwoman and Mr. Clark Strong second the motion. All members voted aye. And Mr. Clark Strong made a recommendation to re-elect Mr. Wade Mitchell as Vice-Chairman and Mr. Mackie Ray second the motion. All members voted aye.

VI. Consideration of Applications and Requests

1.) ZVA25-65 Harney Property, 0 Coral Cir

Mrs. Crystal Bates presented the applicant's request for the variance from Section 13.1.2 (d) Rural and Residential Districts of the Baldwin County Zoning Ordinance as it pertains to the accessory structure being located on a lot by itself.

The chairman invited Mr. Dan Harney to the podium, He stated the reasons they needed the zoning variance. The board members took the opportunity to ask Mr. Dan Harney a few questions. Chairwoman asked if any further questions or anyone else like to comment.

Board member Mackie Ray made the motion to DENY the variance and was seconded by Clark Strong. The motion to DENY variance case ZVA25-65 with a 4-0 vote.

VII. Old Business

VIII. New Business

IX. Adjournment

As there were no further items to discuss, the meeting adjourned at 3:34 p.m.

Respectfully Submitted,

Crystal Bates, Planning Technician II

I hereby certify that the above minutes are true, correct, and approved on this 12th day of February 2026.

Tracey Gambill, Chairwoman



**Baldwin County Planning and Zoning
Board of Adjustment Number 2
Work Session Minutes
Thursday, January 15, 2026**

I. OPENING

Chairwoman Tracey Gambill opened the Baldwin County Planning and Zoning Board of Adjustment Number 2 Work Session at 2:00 p.m. on January 15, 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:

- ZVA25-65 Harney Property, 0 Coral Cir

IV. ADJOURNMENT

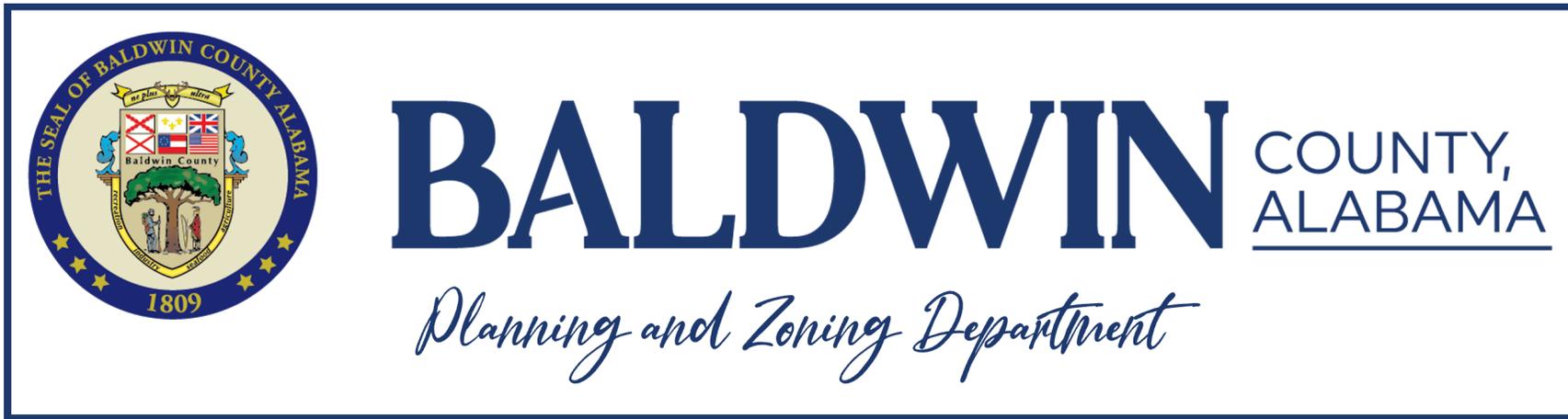
As there were no further questions, the work session adjourned at 2:15 p.m.

Respectfully Submitted,

Crystal Bates, Planning Technician II

I hereby certify that the above minutes are true, correct and approved on this 12th day of February 2026.

Tracey Gambill, Chairman



BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

FEBRUARY 12, 2026

BALDWIN COUNTY CENTRAL ANNEX

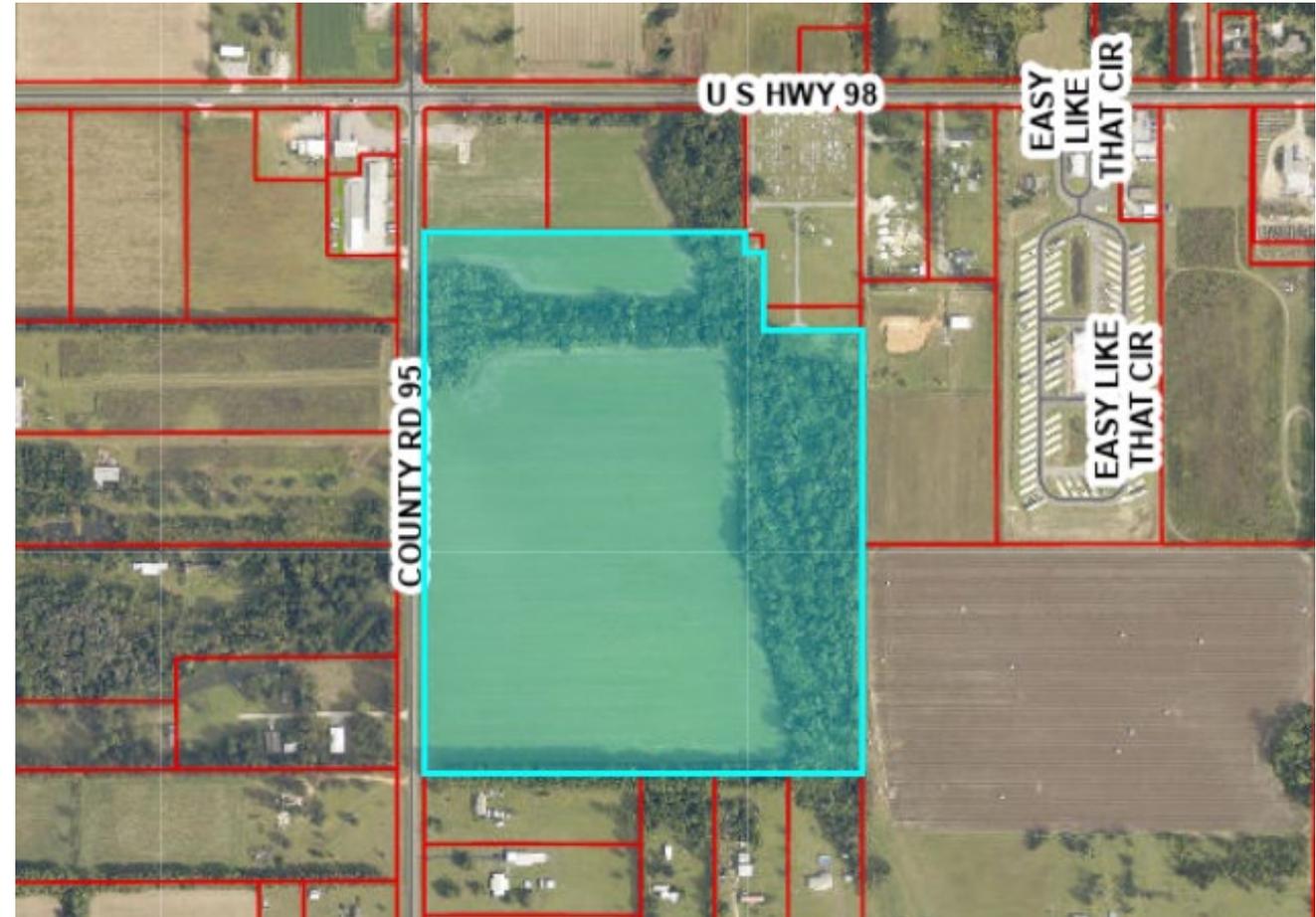
ROBERTSDALE, AL

ZVA25-59 KANHA DEVELOPERS PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 22
- **Zoned:** RA, Rural Agriculture
- **Location:** The subject property is located on the east side of County Road 95
- **PID:** 53-53-07-26-0-000-004.000
- **PPIN:** 66253
- **Acreage:** 45 ac
- **Physical Address:** 12826 Co Rd 95
- **Applicant:** Thomas Granger
- **Owner:** Kanha Developers LLC



ZVA25-59 KANHA DEVELOPERS LLC PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

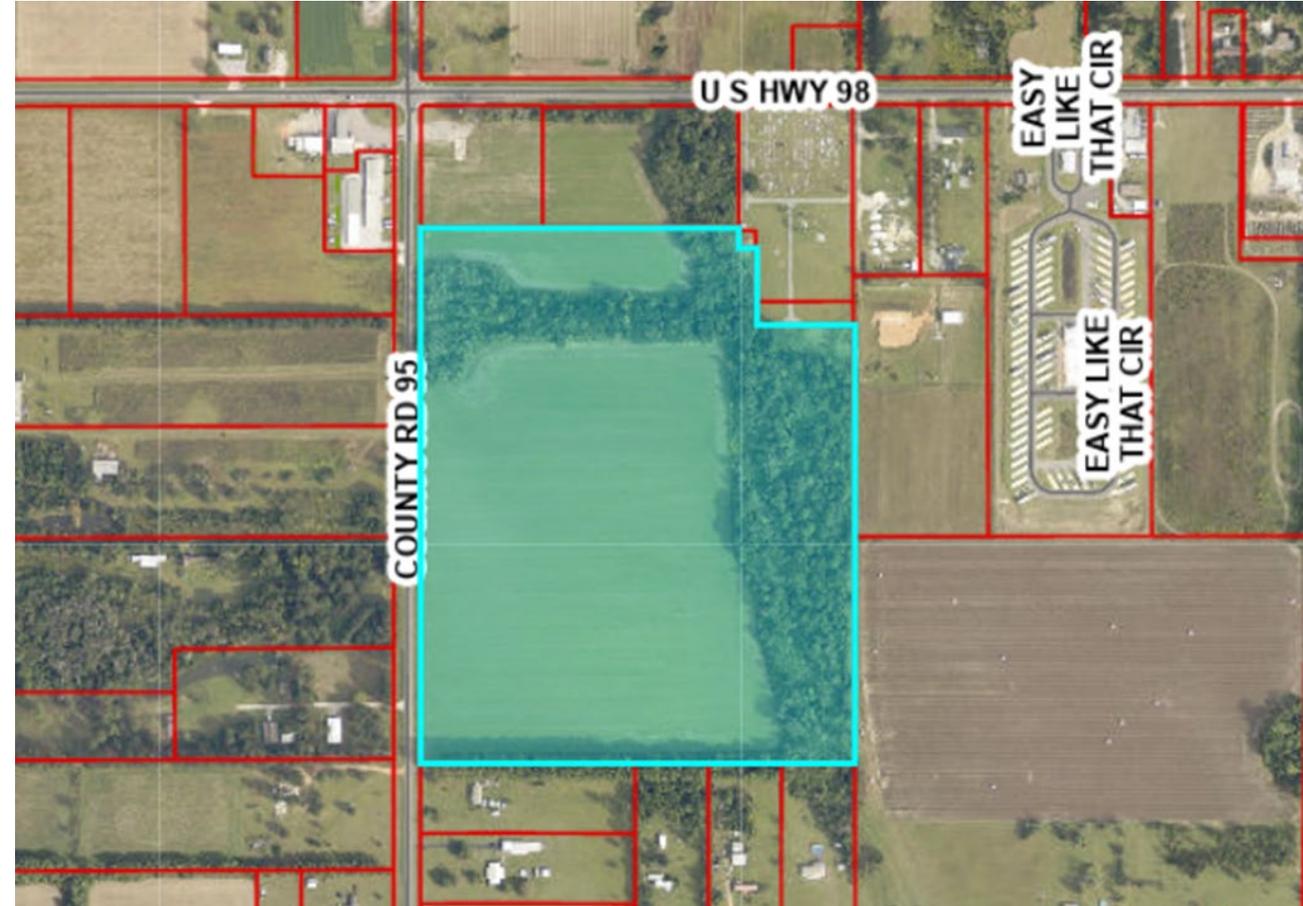
Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 17.2(a) regarding the 10-foot landscape buffer along a collector road, as well as from Section 15.3.3, which specifies that two-way access driveways adjacent to parking areas along County Road 95 must have a minimum width of 24 feet, in order to allow for RV/Boat storage.

The applicant requests that landscaping not be installed along the front adjacent to County Road 95 and also requests that the minimum width of the two-way access driveways within and leading to the parking areas be less than 24 feet.

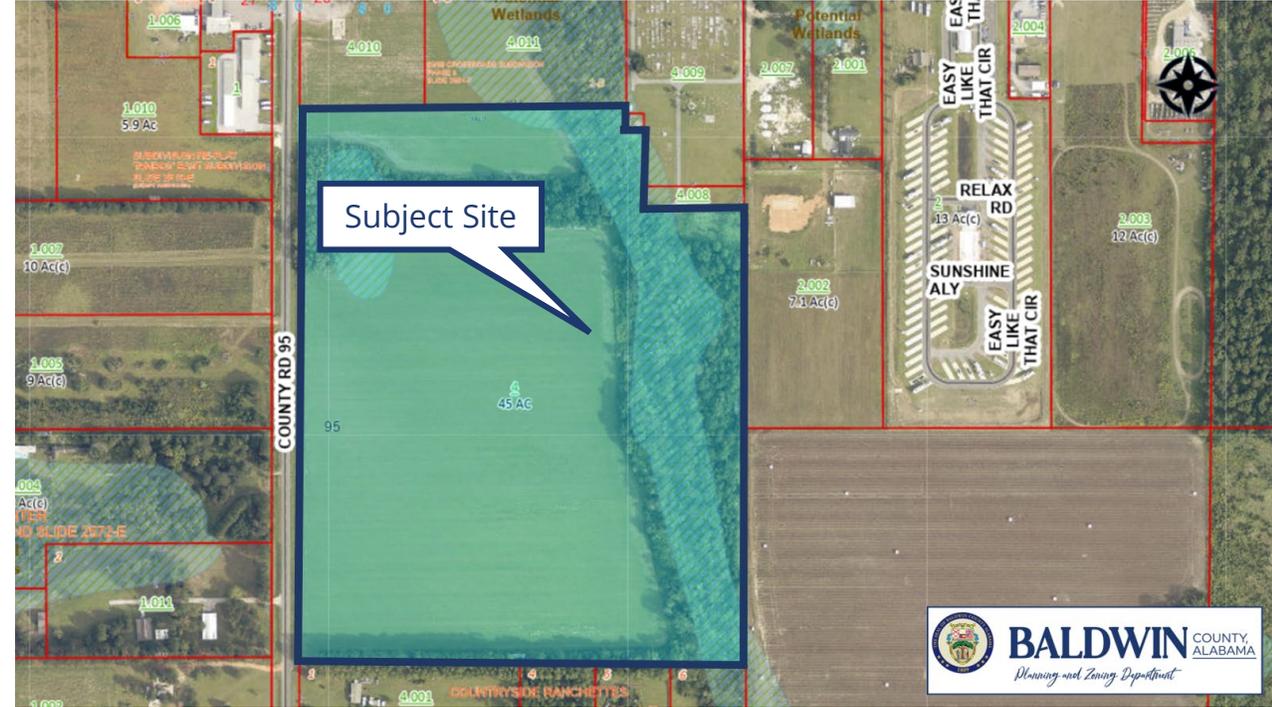
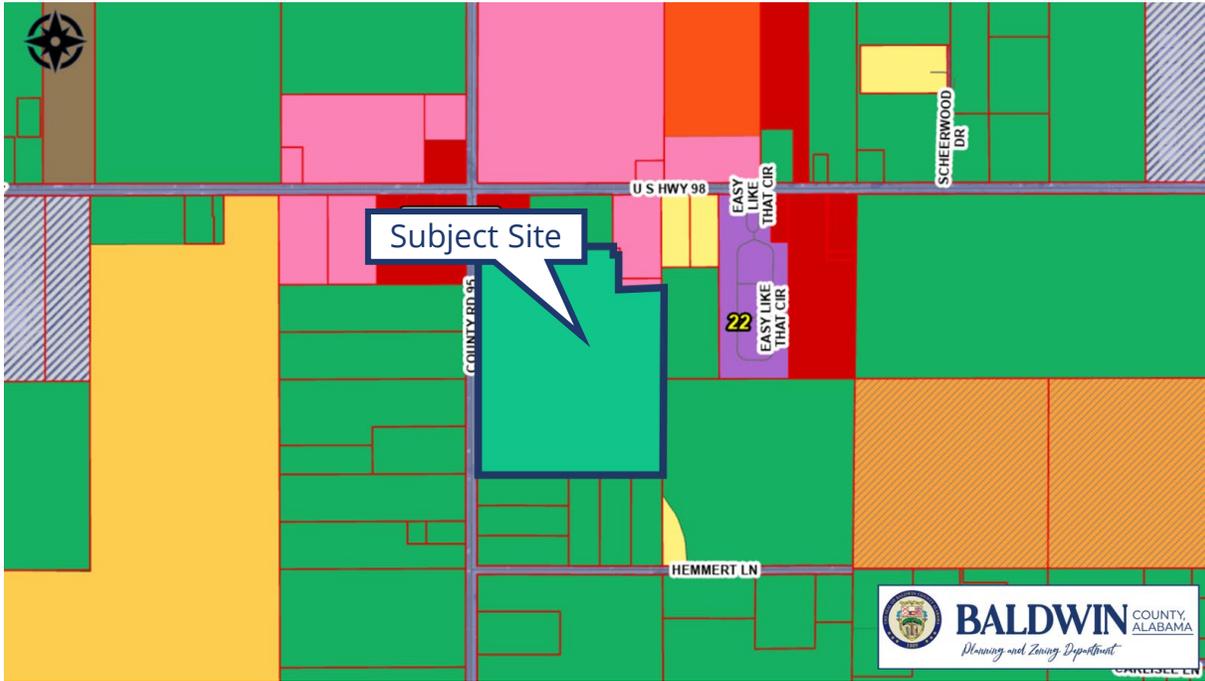
The staff acknowledges a hardship on the subject property regarding Section 17.2(a) and recommends that **approval be granted solely for the portions of the wetlands delineated on the site plan, while maintaining the required buffers on the north and south sides of these delineated wetlands on the site plan.**

Regarding Section 15.3.3, **staff does not perceive a hardship** related to the minimum width of the two-way access driveways within and leading to the parking areas for case number **ZVA25-59** and **recommends this portion of the case be denied.**



Locator Map

Site Map



Adjacent Zoning

Adjacent Land Use

North

B3, General Business District

Commercial/Under Construction

South

RA, Rural Agriculture

Residential

East

RA, Rural Agriculture

Agricultural

West Baldwin County Planning & Zoning Board of Adjustments 2

RA, Rural Agriculture

February 12, 2026

Agricultural

10



Subject Property
PIN: 66253



**VARIANCE PROPOSED
FOR THIS PROPERTY**
CASE NUMBER
ZVA25-000059

Scan 

*For Information Contact
Baldwin County Planning &
Zoning Department*
(251)580-1655 / (251)972-8523
(251)990-4623

Jan 26, 2026 10:50:35 AM
30°24'38.10028"N 87°32'51.44392"W
96° E

Baldwin County Code Enforcement



Adjoining Property
to the North
PIN: 398365



Jan 26, 2026 10:52:32 AM
30°24'50.90198"N 87°32'51.27112"W
103° E



Adjoining
Property to
the South
PIN: 112168



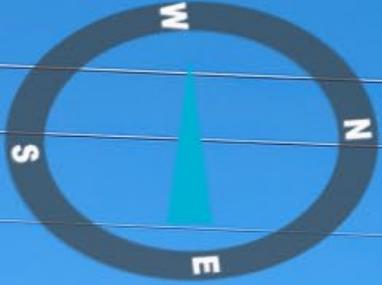
Jan 26, 2026 10:53:20 AM
30°24'31.87228"N 87°32'51.65981"W
95° E



Adjoining Property
to the East
PIN: 41467



Jan 26, 2026 10:54:29 AM
30°24'25.98678"N 87°32'34.80486"W
360° N



Property to
the West
PIN: 99125



Jan 26, 2026 10:50:49 AM
30°24'38.17033"N 87°32'51.54058"W
276° W

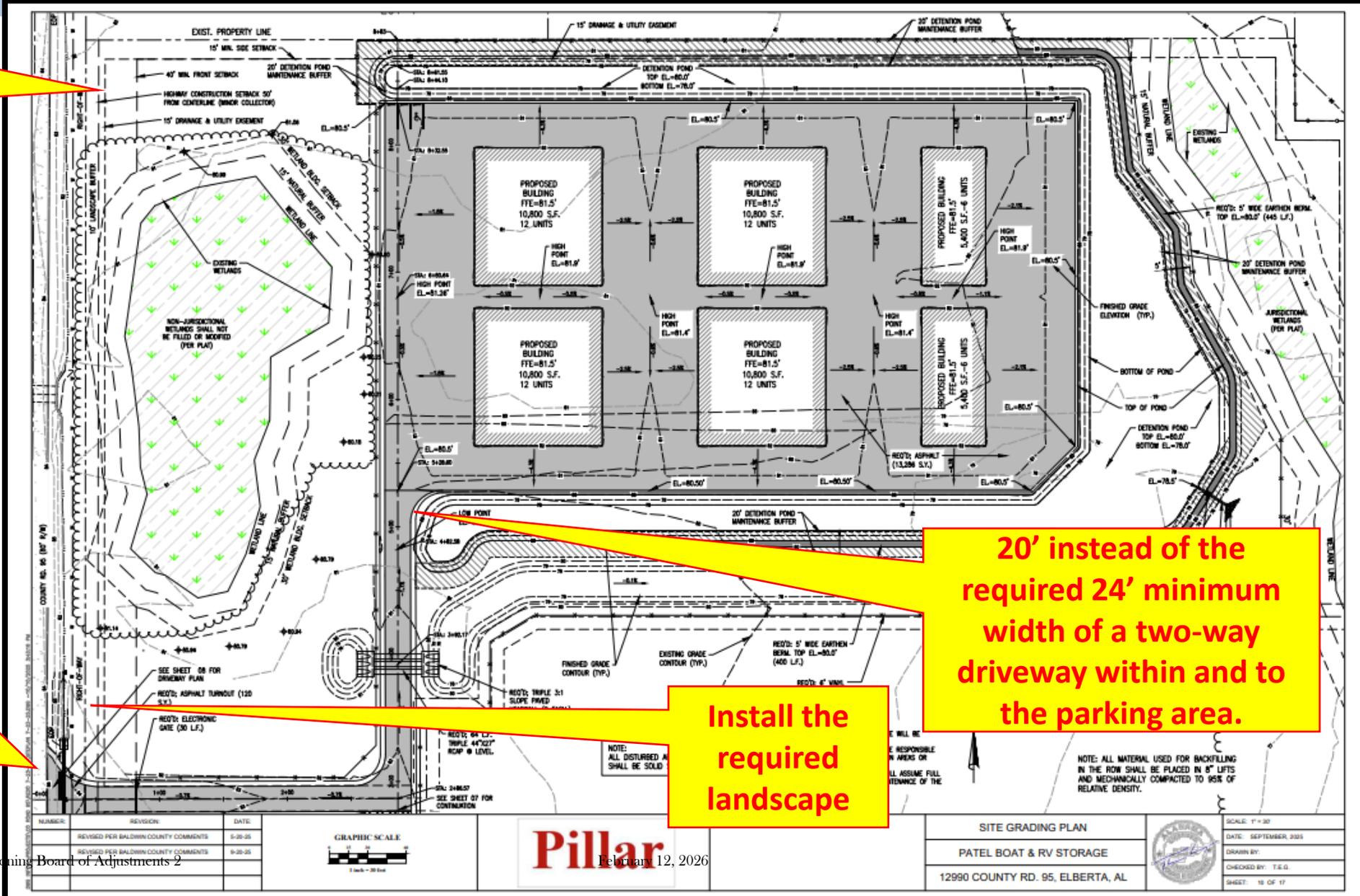
Site Plan

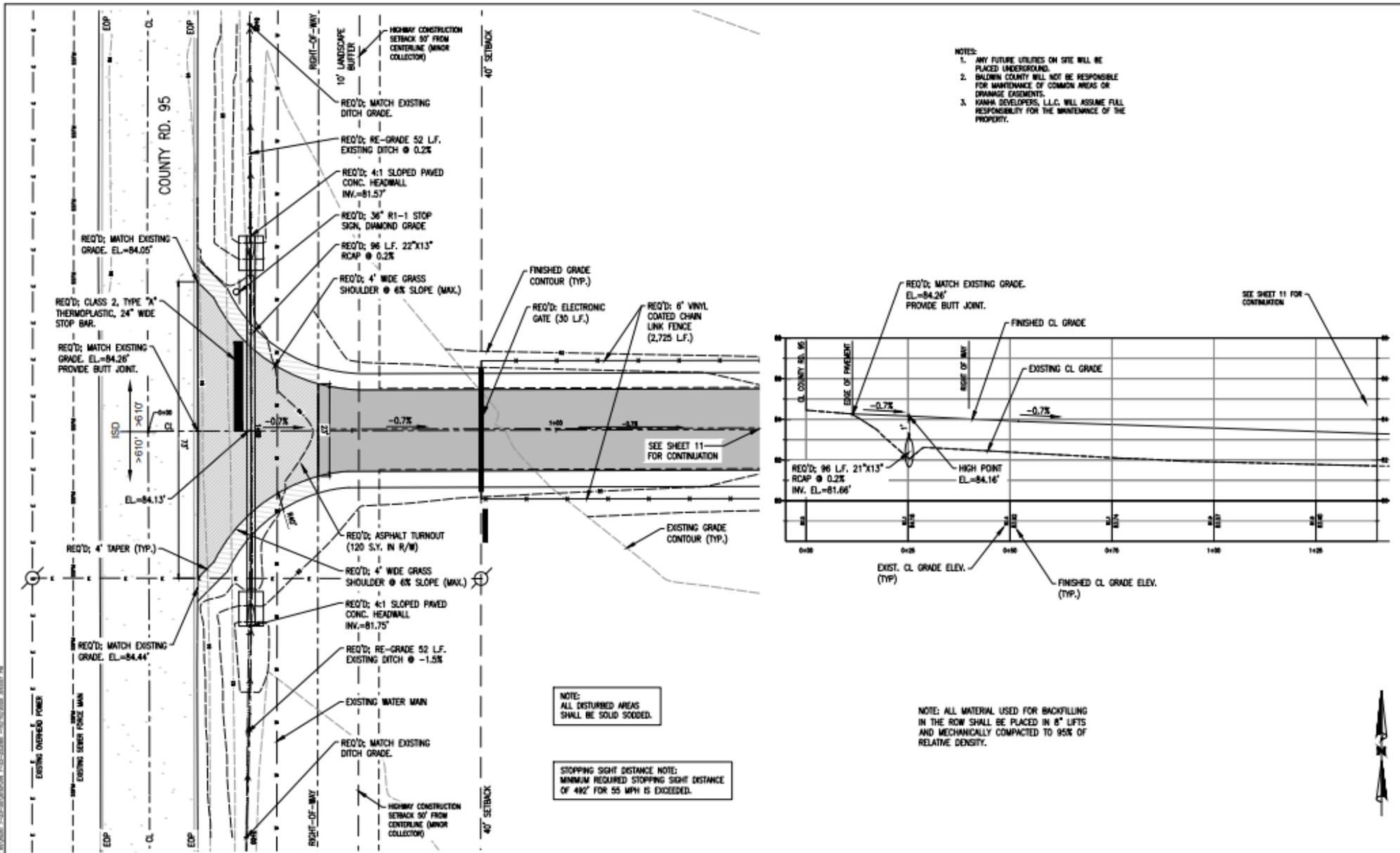
Install the required landscape

20' instead of the required 24' minimum width of a two-way driveway within and to the parking area.

Install the required landscape

20' instead of the required 24' minimum width of a two-way driveway within and to the parking area.



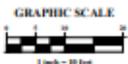


- NOTES:
1. ANY FUTURE UTILITIES ON SITE WILL BE PLACED UNDERGROUND.
 2. BALDWIN COUNTY WILL NOT BE RESPONSIBLE FOR MAINTENANCE OF COMMON AREAS OR DRAINAGE FACILITIES.
 3. WAAH DEVELOPERS, L.L.C. WILL ASSUME FULL RESPONSIBILITY FOR THE MAINTENANCE OF THE PROPERTY.

NOTE: ALL DISTURBED AREAS SHALL BE SOID SODDED.

STOPPING SIGHT DISTANCE NOTE: MINIMUM REQUIRED STOPPING SIGHT DISTANCE OF 492' FOR 55 MPH IS EXCEEDED.

NUMBER:	REVISION:	DATE:
	REVISED PER BALDWIN COUNTY COMMENTS	9-29-25
	REVISED PER BALDWIN COUNTY COMMENTS	9-29-25



TURN OUT PLAN & PROFILE
 PATEL BOAT & RV STORAGE
 12990 COUNTY RD. 95, ELBERTA, AL



SCALE: 1" = 10' H., 1" = 2' V.
 DATE: SEPTEMBER 2025
 DRAWN BY:
 CHECKED BY: T.E.G.
 SHEET: 08 OF 17

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Trent Wilson, a Professional Land Surveyor, State of Alabama, hereby certify that I have surveyed the property of the Dan & Dan, a Limited Liability Corporation, John Annett, and Larry Pfister located in Baldwin County, Alabama and described as follows:

Legal Description:
LOT 2 OF 95/98 CROSSROADS SUBDIVISION as recorded in the Office of the Judge of Probate of Baldwin County, Alabama in 95-04-2827-0.

And that the plat or map contained herein is a true and correct map showing the subdivision into which the property described is divided giving the length and bearings of the boundaries of each lot and easement and the number and showing the street, alley and public grounds and giving the bearings, length, width and names of the streets, alleys and public grounds shown on the plat as applied to the Government Survey, and the government monuments have been placed as shown on the plat. Further certify that all parts of this survey and drawing have been compiled in accordance with the requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

WITNESS my hand this 11th day of Oct., 2022.

Trent Wilson
Alabama P.L.S. 5976

OWNER'S DESIGNATION
Dan & Dan LLC, P.O. BOX 3188, CAMEL, IN 46032, as owner, have caused the land embraced in the within plat to be surveyed, laid out and platted to be known as 95/98 CROSSROADS SUBDIVISION, a part of Section 26, Township 7 South, Range 5 East, Baldwin County, Alabama, and that the (Streets, Drives, Alleys, Easements, etc.) as shown on said plat are hereby dedicated to the use of the public.

ACKNOWLEDGMENT
STATE OF ALABAMA
COUNTY OF BALDWIN
I, Clerk of the Court, do hereby certify that the foregoing instrument, and the same, was acknowledged before me on this 11th day of October, 2022, by the undersigned, and as known to me, acknowledged before me on this day that, being informed of the content of the instrument, and as such, lawful and with full authority, executed the same voluntarily for and as the act of said corporation.

OWNER'S DESIGNATION
John Annett, as owner, have caused the land embraced in the within plat to be surveyed, laid out and platted to be known as 95/98 CROSSROADS SUBDIVISION, a part of Section 26, Township 7 South, Range 5 East, Baldwin County, Alabama, and that the (Streets, Drives, Alleys, Easements, etc.) as shown on said plat are hereby dedicated to the use of the public.

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Larry Pfister, as owner, have caused the land embraced in the within plat to be surveyed, laid out and platted to be known as 95/98 CROSSROADS SUBDIVISION, a part of Section 26, Township 7 South, Range 5 East, Baldwin County, Alabama, and that the (Streets, Drives, Alleys, Easements, etc.) as shown on said plat are hereby dedicated to the use of the public.

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OWNER'S DESIGNATION
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P.O. BOX 3188
CAMEL, IN 46032
05-03-07-05-0-000-004-000

OWNER'S DESIGNATION
John Annett
8187 Wayport Street
Indianapolis, IN 46250
05-03-07-05-0-000-004-000

OWNER'S DESIGNATION
Larry Pfister
303 N. East Street
Indianapolis, IN 46202
05-03-07-05-0-000-004-000

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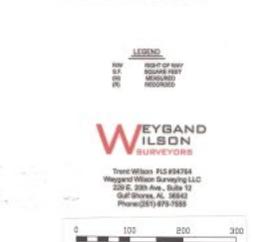
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05-03-07-05-0-000-004-000

95/98 CROSSROADS SUBDIVISION PHASE II A RE-DIVISION OF LOT 2 95/98 CROSSROADS SUBDIVISION SLIDE 2827-0 BALDWIN COUNTY, ALABAMA SECTION 26, TOWNSHIP 7 SOUTH, RANGE 5 EAST DATE OF PLAT: AUGUST 16, 2022



Owner: Dan & Dan, LLC
P.O. BOX 3188
CAMEL, IN 46032
05-03-07-05-0-000-004-000

Owner: John Annett
8187 Wayport Street
Indianapolis, IN 46250
05-03-07-05-0-000-004-000

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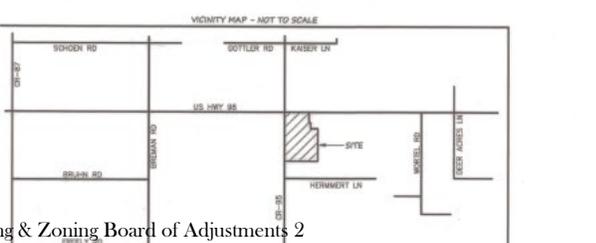
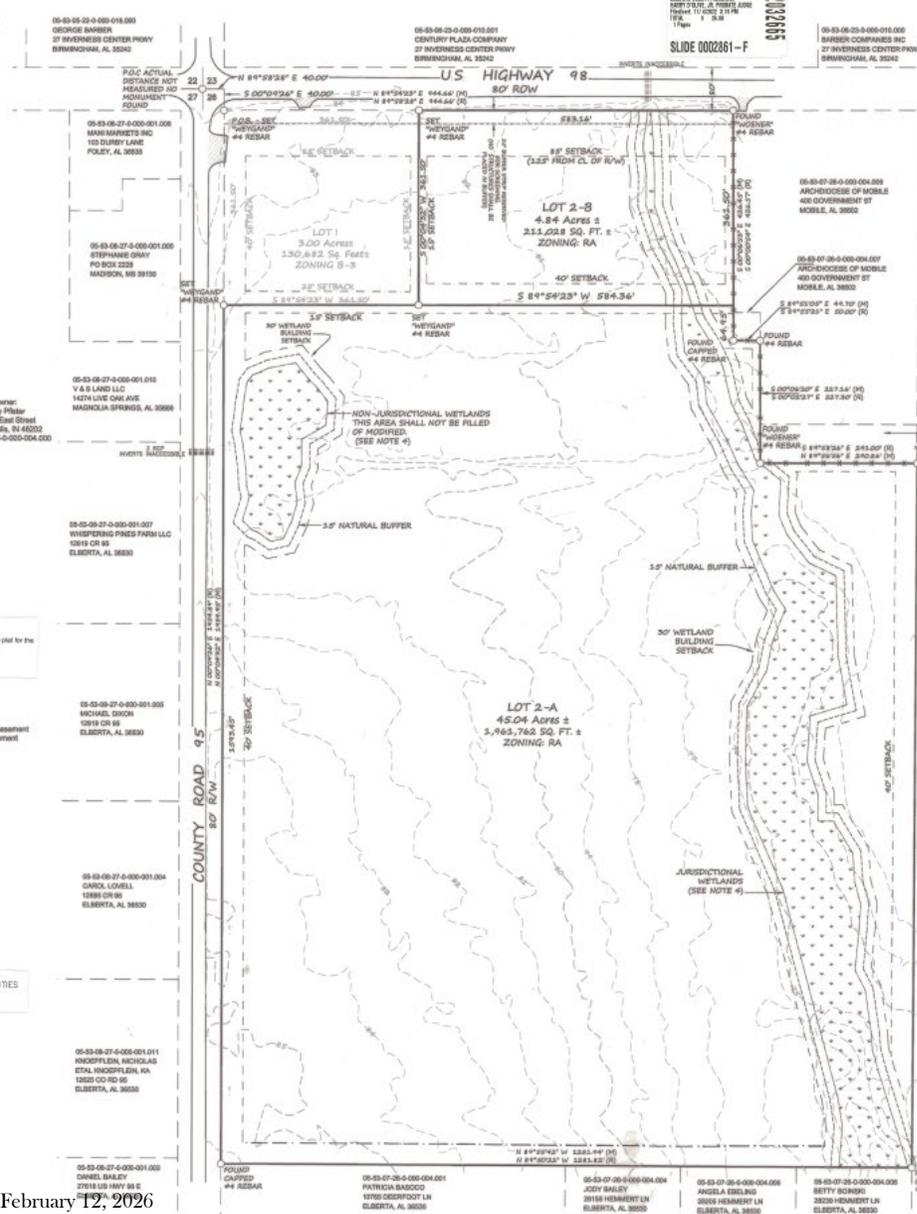
CERTIFICATE OF APPROVAL BY RIVERS UTILITIES
The undersigned, as authorized by Rivers Utilities hereby approves the within plat for the recording of same in the Probate Office of Baldwin County, Alabama, this the 11th day of October, 2022.

BASEMENTS
There is a dedicated beneath (3) foot drainage and utility easement along all rights-of-way and a 12-foot drainage and utility easement along each lot line (7) feet each side of interior lot lines.

SITE DATA
ZONING: RA AND B-3
PLANNING DISTRICT: 22
TOTAL AREA: 40.88 ACRES
NUMBER OF LOTS: 2
SMALLEST LOT: 4.84 ACRES
LARGEST LOT: 45.04 ACRES
SETBACKS: RA
FRONT - 45'
REAR - 45'
SIDE - 15'
30' WETLAND SETBACK
SETBACKS: B-3
FRONT - 45'
REAR - 25'
SIDE - 15'

UTILITY PROVIDERS
ELECTRIC - BALDWIN COUNTY EMC & RIVERS UTILITIES
WATER - PERDIDO BAY WATER AUTHORITY
SEWER - BALDWIN COUNTY SEWER SERVICE

NOTES
1. BENCHMARKS ARE BASED ON GEODESIC NORTH AS OBTAINED BY GPS OBSERVATION.
2. LEGAL DESCRIPTION PROVIDED BY CLIENT.
3. THIS PROPERTY WAS SCALED ONTO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD HAZARD MAP (FIRM) DISSEMINATED EFFECTIVE 4/18/2018 AND FOUND TO BE IN ZONE X.
4. WETLANDS BOUNDARIES WERE DETERMINED BY FIELD SURVEY, INCORPORATED AND PROVIDED TO SURVEYOR IN STATE PLANT COORDINATES.
5. NO CLEARING OF WOODLAND AREAS SHALL BE CARRIED OUT BY THE SUBDIVISION PROCESS.



Zoning Requirements

Section 15.3 Design Standards and Improvement Requirements

15.3.3 Width of two-way access driveways. The minimum width of two-way access driveways within and to parking areas shall be 24-feet.

15.3.4 Paving standards. Parking spaces and driveways shall be improved with a suitable hard surface permanent type of pavement such as asphalt, concrete, limestone or other similar surface approved by the Planning Commission.

15.3.5 Drainage. Off-street parking facilities shall be drained to prevent damage to abutting property and streets and to prevent pollutants from draining onto the adjacent lots. Landscaped areas and perimeter areas shall be so graded as to receive a reasonable portion of the rainfall from the surrounding pavement. Protective curbing around landscaped areas will leave openings for the flow of water onto unpaved areas. No runoff shall be directed to the beaches or to surface waters.

15.3.6 Landscaping. Parking lots shall be landscaped in accordance with *Section 17.5: Parking Lots*.

15.3.7 Off-street loading and unloading space. Off-street loading/unloading spaces shall be provided as hereinafter required by this Ordinance.

- (a) **Size of spaces.** Each off-street loading/unloading space shall have minimum dimensions of 14-feet in height, 12-feet in width, and 55-feet in length. However, upon sufficient demonstration that a particular loading space will be used exclusively by shorter trucks, the Board of Adjustment may reduce the minimum length accordingly to as little as 35-feet.
- (b) **Connection to street or alley.** Each required off-street loading/unloading space shall have direct access to a street or alley or have a driveway which offers satisfactory ingress and egress for trucks.
- (c) **Floor area over 10,000 square feet.** There shall be provided for each hospital, institution, hotel, commercial, or industrial building or similar use requiring the

Section 17.2 Landscaping Plan

A landscaping plan is required for all major projects. Such plan shall be submitted in conjunction with an application for a site plan approval as herein provided. The plan shall clearly show what existing trees, shrubbery, and other vegetation will be retained, and what trees, shrubbery, and other vegetation will be added to complete the landscaping of the property. The developers shall attempt to retain as many trees as possible on the property unless the trees are a safety hazard to pedestrians, property, or vehicular traffic, or that their removal is necessary to construct the proposed improvements. In such case, the landscape plan shall indicate replacement trees at least 6 feet tall and one inch in diameter for each indigenous tree of at least three (3) inches in diameter removed, unless the property already has a tree density which does not allow adequate space or light for additional trees. The landscape plan shall show the locations of the proper number of replacement trees. Replacement trees and other vegetation to be installed shall be native species or noninvasive exotics which are not likely to out-compete native vegetation and do not require excessive pesticides, fertilizer, or water to maintain growth.

- (a) A major project which abuts a freeway/expressway, arterial or collector shall maintain a minimum of ten (10) feet of the required setback as a buffer along the entire width of the property which abuts said freeway/expressway, arterial or collector except where curb cuts provide ingress and egress. Said buffer shall be planted with trees, shrubs and grass or other ground cover so that an attractive appearance is presented as detailed in the required landscape plan.
- (b) A minimum of five (5) feet side and rear landscaping may be required in the landscape plan depending on the topography and arrangement of parking facilities. If required, such areas shall be planted with a combination of trees, shrubs and grass or other ground cover adequate to break the expanse of contiguous parking areas and to present an attractive appearance as determined by the Zoning Administrator. Adjacent property owners may jointly agree on the establishment of a common landscaped area between their properties that meets the requirement of this Section; provided that such agreement and the planting and maintenance of the common area shall be binding upon both parties and their successors, interests and assigns.
- (c) Junk yards shall be buffered with vegetation so as to achieve a complete visual screen of the yard and its ancillary operations.

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 45 acres. The minimum lot size requirement for RA, Rural Agriculture District, is 3 acres with a minimum lot width at the building line of 210'. Therefore, staff believes there isn't exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

Minimum lot size: 3 acres, Actual lot size: 45 acres, Minimum Lot width: 210', Actual Lot Width: 1593.45' Hardship: NO

2.) **Exceptional topographic conditions or other extraordinary situations or conditions of a specific piece of property.** The subject property indicates the presence of wetlands on a portion of the front parcel and features relatively flat terrain. As a result, staff may determine that there are exceptional topographical conditions or other extraordinary circumstances on the property that may warrant the consideration of 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 currently zoned RA, Rural Agriculture District. Boat and RV storage are permitted under the RA zoning with a Commercial Site Plan, provided that the standards of 13.14.1 are met and the plan receives approval from the Planning Commission. Staff recognizes the possibility of a variance from the 10-foot landscape buffer in the area where the wetlands are delineated. However, staff feel that the other areas, as well as the reduced width of the two-way access driveways within and leading to the parking areas, are mainly intended to offer added convenience. Therefore, staff observes that the requested variance appears to be primarily for convenience and may not meet the criteria for a hardship as outlined in the Baldwin County Zoning Ordinance.

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.

POA Statement

July 11, 2025

Cory Rhodes
Baldwin County Planning and Zoning
22251 Palmer Street
Robertsdale, AL 36567

RE: Patel Boat/RV Storage Facility
Case No: PUD25-000008
Open Space and Useable Open Space Variance Request

Dear Miss Rhodes:

As the Owner of Lot 2-A of Phase II of the 95/98 Crossroads Subdivision, I hereby confirm that there is no Property Owner's Association, and the restrictions placed on this Subdivision are presented in the Declaration of Covenants and Restrictions applicable to this Subdivision.

Please let me know if you need any additional information to supplement my request.

Sincerely,



Hetal Patel
4088 Craigend Loop
Gulf Shores, AL 36542

ZVA25-59 KANHA DEVELOPERS LLC PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 17.2(a) regarding the 10-foot landscape buffer along a collector road, as well as from Section 15.3.3, which specifies that two-way access driveways adjacent to parking areas along County Road 95 must have a minimum width of 24 feet, in order to allow for RV/Boat storage.

The applicant requests that landscaping not be installed along the front adjacent to County Road 95 and also requests that the minimum width of the two-way access driveways within and leading to the parking areas be less than 24 feet.

The staff acknowledges a hardship on the subject property regarding Section 17.2(a) and recommends that **approval be granted solely for the portions of the wetlands delineated on the site plan, while maintaining the required buffers on the north and south sides of these delineated wetlands on the site plan.**

Regarding Section 15.3.3, **staff does not perceive a hardship** related to the minimum width of the two-way access driveways within and leading to the parking areas for case number **ZVA25-59 and recommends this portion of the case be denied.**

ZVA25-59 KANHA DEVELOPERS LLC PROPERTY

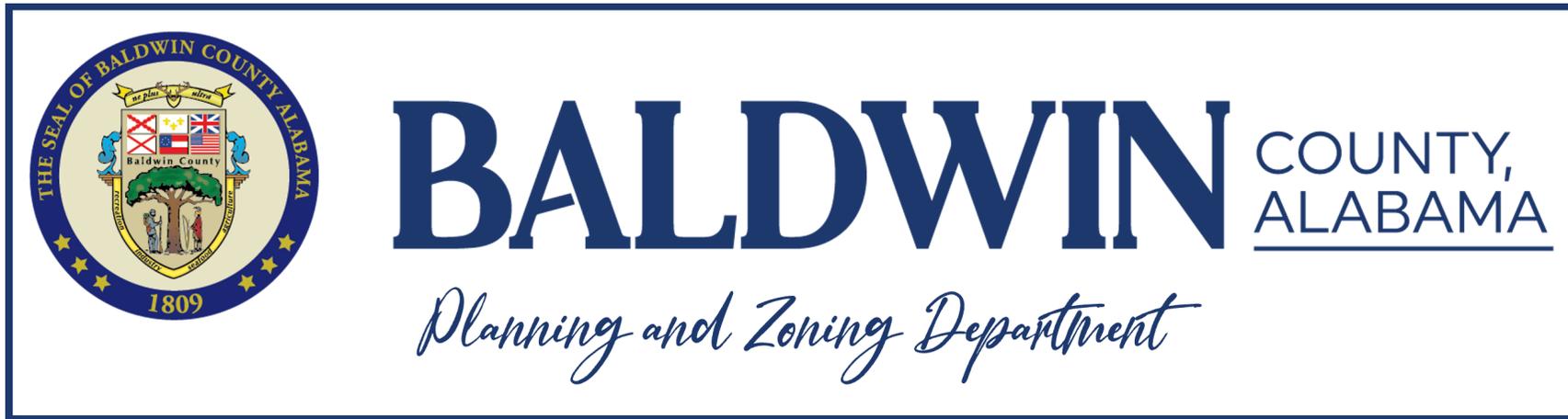
VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, 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.



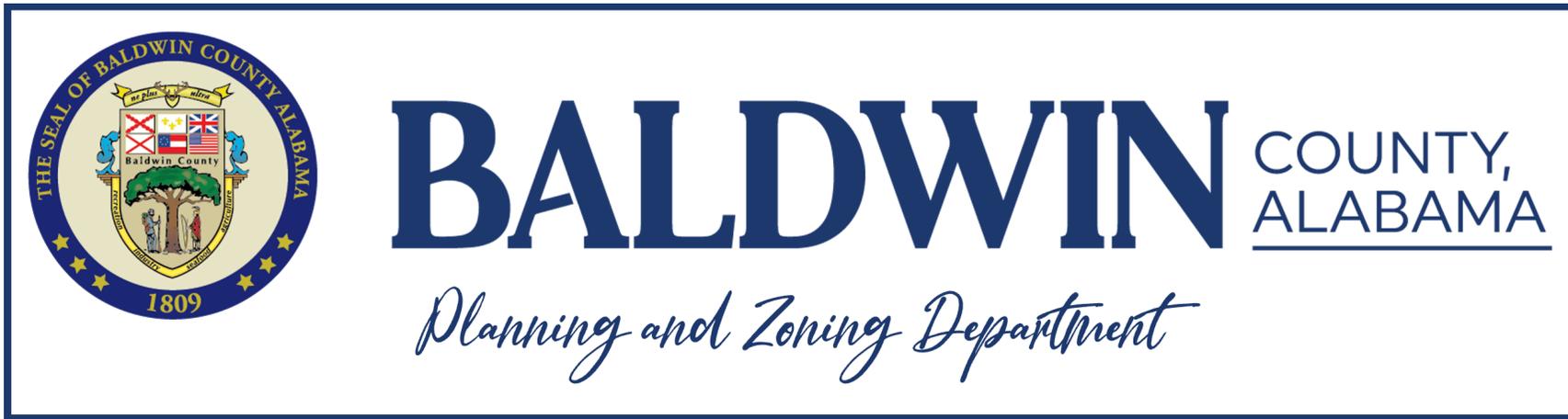
BALDWIN COUNTY BOARD OF ADJUSTMENT #1

NEXT REGULAR MEETING

MARCH 12, 2026 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL



BALDWIN COUNTY BOARD OF ADJUSTMENT #2

REGULAR MEETING

FEBRUARY 12, 2026

BALDWIN COUNTY SATELLITE COURTHOUSE

FOLEY, AL

ZVA26-01 KRUEGER PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 21
- **Zoned:** CR, Conservation Resource
- **Location:** The subject property is located on the east side of Baudin Lane
- **PID:** 05-56-07-40-0-001-002.059
- **Acreage:** 0.23
- **Physical Address:** Baudin Ln
- **Applicant:** Aimee Krueger
- **Owner:** David Lynn Krueger



ZVA26-01 KRUEGER PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 3.3.5 Area and Dimensional Ordinance of the Baldwin County Zoning Ordinance, as it pertains to the front, rear, and side yard setback requirements in order to allow for a single-family dwelling.

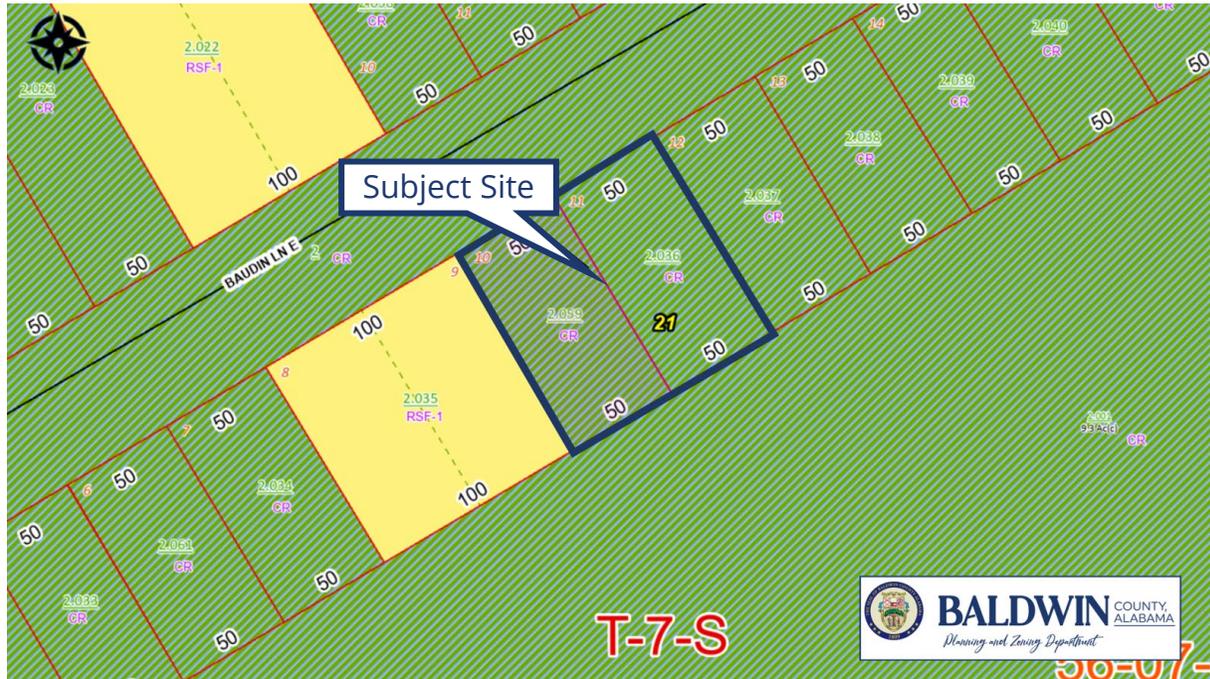
The applicant previously received a variance under the same section in September 2025, which was approved by the board. As part of the process, the applicant was required to redesign certain aspects and relocate the house closer to the side property lines to accommodate the septic tank's fill lines in accordance with Baldwin County Health Department regulations.

Staff recommends that ZVA26-01 be approved.



Locator Map

Site Map



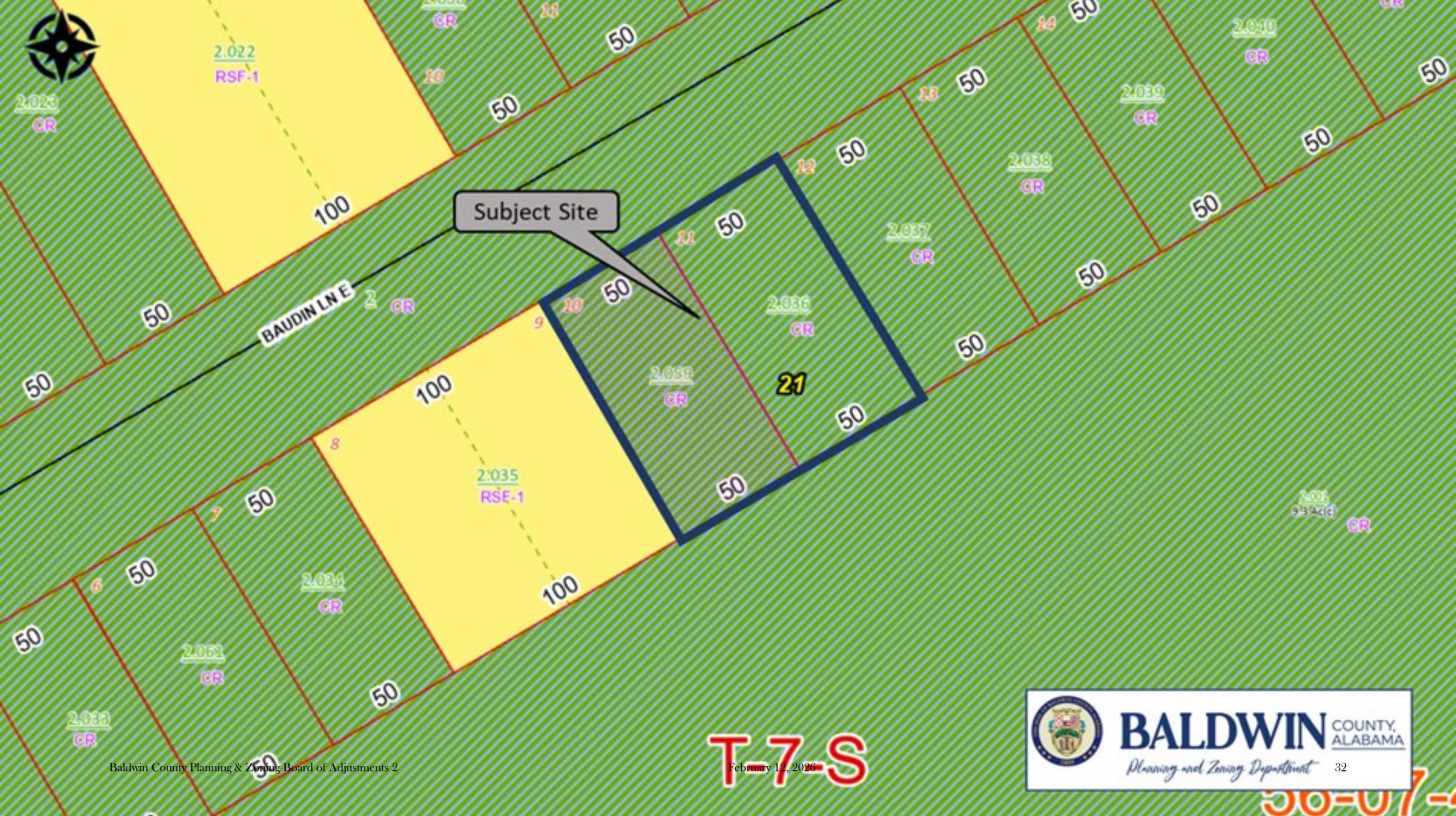
	Adjacent Zoning	Adjacent Land Use
North	CR, Conservation Resources	Vacant
South	CR, Conservation Resources	Vacant
East	CR, Conservation	Vacant
West	Weeks Bay	water body



Subject Site

BAUDIN LNE

T-7-S



Subject Site

BAUDIN LN E

T-7-S



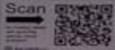
BALDWIN COUNTY, ALABAMA
Planning and Zoning Department

56-07-4



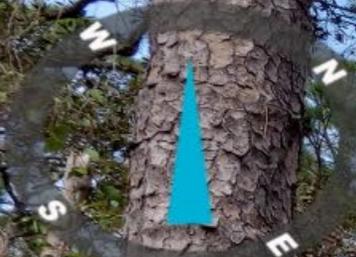
Subject Property
PIN: 219509



VARIANCE
PROPOSED
FOR THIS PROPERTY
Case Number
ZVA26-000001 
For information Contact
Baldwin County Planning &
Zoning Department
(251) 580-1655

Jan 30, 2026 11:08:38 AM
30°23'7.41523"N 87°49'17.77188"W
167° S

Baldwin County Code Enforcement



Property to the
North
PIN: 219506



Jan 30, 2026 11:09:41 AM
30°23'7.28099"N 87°49'18.2392"W
314° NW



Adjoining
Property to
the South
PIN: 67414



Jan 30, 2026 11:12:17 AM
30°23'5.7264"N 87°49'21.15595"W
144° SE



Adjoining Property
to the East
PIN: 74146



Jan 30, 2026 11:08:55 AM
30°23'7.61608"N 87°49'17.44975"W
249° W

Baldwin County Code Enforcement



Adjoining
Property to
the West
PIN: 73768



Jan 30, 2026 11:09:21 AM
30°23'6.91112"N 87°49'18.90156"W
147° SE

Site Plan Enlarged



Elevations



Zoning Requirements

Section 3.3 CR, Conservation Resource District

3.3.1 *Generally.* This zoning district provides for large, open, unsubdivided land which is environmentally constrained and that is vacant or is being used for agricultural, forest or other rural purposes.

3.3.2 *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) Outdoor recreation uses.
- (d) The following local commercial uses: fruit and produce store.
- (e) The following institutional uses: church or similar religious facility; school (public or private).
- (f) Agricultural uses.
- (g) Single family dwellings including manufactured housing and mobile homes.
- (h) Accessory structures and uses.

3.3.3 *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

3.3.4 *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 site plan approval process:

- (a) Institutional uses not permitted by right.
- (b) The following general commercial uses: low density recreational vehicle park (see *Section 13.8: Recreational Vehicle Parks*).
- (c) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

3.3.5 *Area and dimensional regulations.* 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 regulations set forth below shall be observed.

Maximum Height of Structure	35-Feet
Minimum Front Yard	100-Feet
Minimum Rear Yard	100-Feet
Minimum Side Yards	50-Feet
Minimum Lot Area	5 Acres
Minimum Lot Width at Building Line	250-Feet

Wetland Delineation Previous Parcel



July 24, 2020

Ms. Amiee Krueger
5495 BEAR POINT AVE
ORANGE BEACH, AL 36561

RE: Wetland Delineation of Parcels on Baudin Lane East

Ms. Krueger,

EcoSolutions Inc. was asked to conduct a wetland delineation of the parcels on Baudin Lane East with the following numbers PIN: 54043, 219506, 219509, 73720. The field work was conducted on July 22, 2020 by Evan Wood. The large lots north of Baudin Lane (PIN 54043 and 219506) met the definition of a wetland as defined by the U.S. Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual. The smaller lots south of Baudin Lane with PIN 219509, 73720 are not wetlands, see attached map and data sheets.

The subject area is parcel numbers 05-56-07-40-0-001-002.036, 05-56-07-40-0-001-002.059, 05-56-07-40-0-001-002.058, 05-56-07-40-0-001-002.021, located south of Weeks Bay on Baudin Lane East in Baldwin County, AL. The total area of the parcels are 4.1 acres. The parcels are covered with mature pine forest including tree species such as Slash Pine (*Pinus elliottii*) and Water Oaks (*Quercus nigra*). The north end of the parcels near Weeks Bay has saw grass (*Cladium mariscus*) in the understory so it is characterized as a coastal marsh wetland.

The site was evaluated for jurisdictional wetland areas as defined by the U.S. Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual and all, supplements and amendments thereto. The majority of the parcels met the USACE criteria for wetlands. All comments are based on the professional judgment of the inspector and the conditions that existed on the site at the time of the inspection.

Please give us a call (251-621-5006) or email Lewis@EcoSolutionsinc.net if you have any questions or need any additional information.

Best regards,


Lewis Cassidey
EcoSolutions, Inc.



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 21 came into effect on June 2, 2009. The lot described is 100 x 100' (after two lots combined), Lot 10 and Lot 11 of Magnolia Landing. It is 0.23 acres. The minimum lot size requirement for CR, Conservation Resources District, is 5 ac with a Minimum Lot Width at the Building Line of 250'.

Minimum lot size: **5 acres, 130,680sf**. Actual lot size: **10,000+/- sf**, Minimum Lot width at building line: **250'**, Actual Lot Width: **100'**,
Hardship: **YES**

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

The subject property does not contain any jurisdictional wetlands. Therefore, staff could not establish exceptional topographical conditions or other extraordinary situations or conditions contained on the property that would require 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 currently zoned CR, Conservation Resource District. The applicant proposes to construct a single-family residence on a set of two lots that have been combined and re-platted into a single parcel. The dwelling is planned to be located on the upland portion of the combined property. The property is situated across the street from bayfront lots containing wetlands. Staff believes that 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.

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.

POA Statement

Baldwin County Planning and Zone,

I would like to confirm there is not an HOA in the Magnolia Landing subdivision where the parcels 10 & 11 Baudin Lane are located.

Please let me know if you have any questions or need anything else.

Thank you,



Aimee Krueger on behalf of David Krueger

1/23/2026

ZVA26-01 KRUEGER PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 3.3.5 Area and Dimensional Ordinance of the Baldwin County Zoning Ordinance, as it pertains to the front, rear, and side yard setback requirements in order to allow for a single-family dwelling.

The applicant previously received a variance under the same section in September 2025, which was approved by the board. As part of the process, the applicant was required to redesign certain aspects and relocate the house closer to the side property lines to accommodate the septic tank's fill lines in accordance with Baldwin County Health Department regulations.

Staff recommends that ZVA26-01 be approved with conditions.

1. If approved, the variance is limited to the site plan as shown and provided herein.
2. This variance doesn't relieve the subject property of any other requirements of the Baldwin County Zoning Ordinance, Baldwin County Subdivision Regulations, Baldwin County Building Department (building permit), Baldwin County Highway Department (driveway permit, turnout permit, or licensing agreement), or requirements of other agencies.

ZVA26-01 KRUEGER PROPERTY

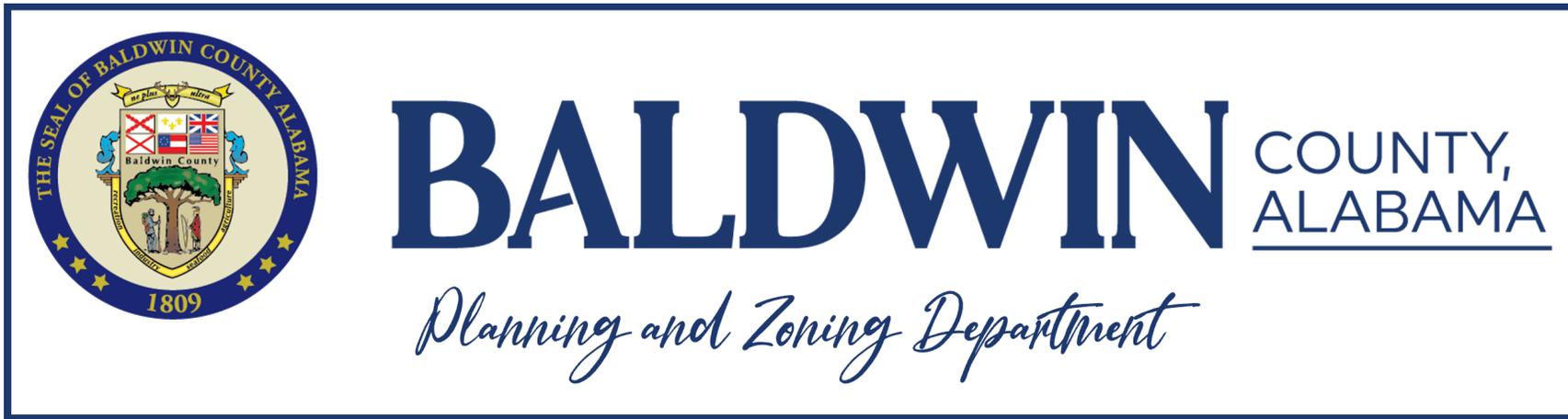
VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

GENERAL NOTES {By-laws}

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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

MARCH 12, 2026 @ 3:00PM

BALDWIN COUNTY SATELLITE COURTHOUSE

FOLEY, AL