



**BOARD OF ADJUSTMENT NUMBER 2
AGENDA**

April 10, 2025

Regular Meeting

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 (February 13, 2025, 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. ZVA25-16 Marlaw Investments LLC Property, 916 Surfside Dr

Request: Approval of a Variance from Section 10.4.4. of the Baldwin County Zoning Ordinance as it pertains to the 30' non-disturbed wetland setback and Section 5.2.5 Area and dimensional ordinances as it pertains to the building setbacks in order to allow for an future ice cream/coffee shop.

Location: The subject is located at 916 Surfside Dr, Gulf Shores AL in Planning District 25.

b.) Case No. ZVA25-18 Laubach Property, 2382 Choctaw Road

Request: Approval of a Variance from Section 4.2.5 of the Baldwin County Zoning Ordinance as it pertains to the building setbacks in order to allow for a new single-family dwelling.

Location: The subject is located at 2382 Choctaw Road Gulf Shores AL in Planning District 25.

7. Old Business
8. New Business
9. 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 Minutes
Thursday, February 13, 2025**

I. OPENING

Chairwoman Gambill opened the Baldwin County Planning and Zoning Commission Board of Adjustment Number 2 Work Session at 2:00 p.m. on February 13, 2025, 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, Clark Strong, Samuel Swindle, Michael Swansburg, and Mackie Ray.

Staff present included Cory Rhodes, Buford King, Jenny Mosley, Crystal Bates and Celena Boykin.

III. DISCUSSION ITEMS

Staff opened the floor to questions regarding the following cases:

- ZVA25-02 (Withdraw)
- ZVA25-03 (Withdraw)
- ZVA25-04
- ZVA25-06

IV. ADJOURNMENT

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

Respectfully Submitted,

Crystal Bates, Planning Technician II

I hereby certify that the above minutes are true, correct and approved this 13th day of February 2025.

Tracey Gambill, Chairman



**Baldwin County Planning and Zoning
Board of Adjustment Number 2
Regular Meeting Minutes
Thursday February 13, 2025**

I. Call To Order

Chairwoman Tracey Gambill opened the Baldwin County Board of Adjustment Number 2 meeting at 3:00 p.m. on February 13, 2025, 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, Clark Strong, Mackie Ray, Michael Swansburg, and Samuel Swindle.

Staff present included Cory Rhodes, Buford King, Jenny Mosley, Crystal Bates and Celena Boykin

IV. Approval of Minutes

Mr. Samuel Swindle made a motion to approve January 16, 2025, meeting minutes. Mr. Clark Strong seconded the motion. All members voted aye. **Motion to approve January 16, 2025, minutes carried.**

Consideration of Applications and Requests

1) ZVA25-02 Clays Property, Magnolia St

Mrs. Crystal Bates presented the applicant's request for the variance to be withdrawn by applicants' request.

Board member Mackie Ray made the motion the variance be withdrawn and seconded by Samuel Swindle. The motion passed to Approve the withdraw 5-0.

2) ZVA25-04, Sherill Property,

Mrs. Crystal Bates presented the applicant's request for the variance to be withdrawn by applicants' request.

Board member Mackie Ray made the motion the variance be withdrawn and seconded by Samuel Swindle. The motion passed to Approve the withdraw 5-0.

3. ZVA 25-03, Pottinger Property, 0 Beach Dr

Ms. Cory Rhodes presented the applicants request for variance ZVA25-03 from Section 4.6.5 of the Baldwin County Zoning ordinance as it pertains to the rear yard setback requirement for single family dwelling.

The board had discussion then chairwoman called James Sollie to the podium to speak on the project and the reason why the variance was needed to keep off the CCL. Chairwoman asked if there was anyone else that would like to speak on the case.

Board member Clark Strong made a motion to approve the variance with the following site plan submitted for ZVA25-03 seconded by Mackie Ray. The motion passed to Approve the variance with a 5-0 vote.

4. ZVA 25-06, Hawkins Property, 0 Beach Dr

Mrs. Crystal Bates presented the applicants request for variance ZVA25-06 from Section 12.5 (f) Yard requirements of the Baldwin County Zoning ordinance as it pertains to the VE 50' setback to the reach of the high tide line.

The board engaged in a discussion, after which the chairwoman invited the applicant, Ryan Wood, to the podium to present information about the project and the rationale for the variance. Following this, the chairwoman welcomed Kathy Hawkins, the property owner, to share her reasons for requesting the variance. Finally, Neighbor Doyle Rabren was called to the podium, where he expressed that he has no opposition to the case.

Board member Clark Strong made a motion to follow staff's recommendation to Deny the variance with for ZVA25-06 seconded by Samuel Swindle. The motion passed to Deny the variance with a 4-1 vote.

V. New Business

No new business was discussed.

VI. Adjournment

As there were no further items to discuss, the meeting adjourned at 3:31 p.m.

Respectfully Submitted,

Crystal Bates, Planning Technician II

I hereby certify that the above minutes are true, correct, and approved on this 13th day of February 2025.

Tracey Gambill, Chairman



BALDWIN COUNTY,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #2

REGULAR MEETING

APRIL 10, 2025

BALDWIN COUNTY SATELLITE COURTHOUSE

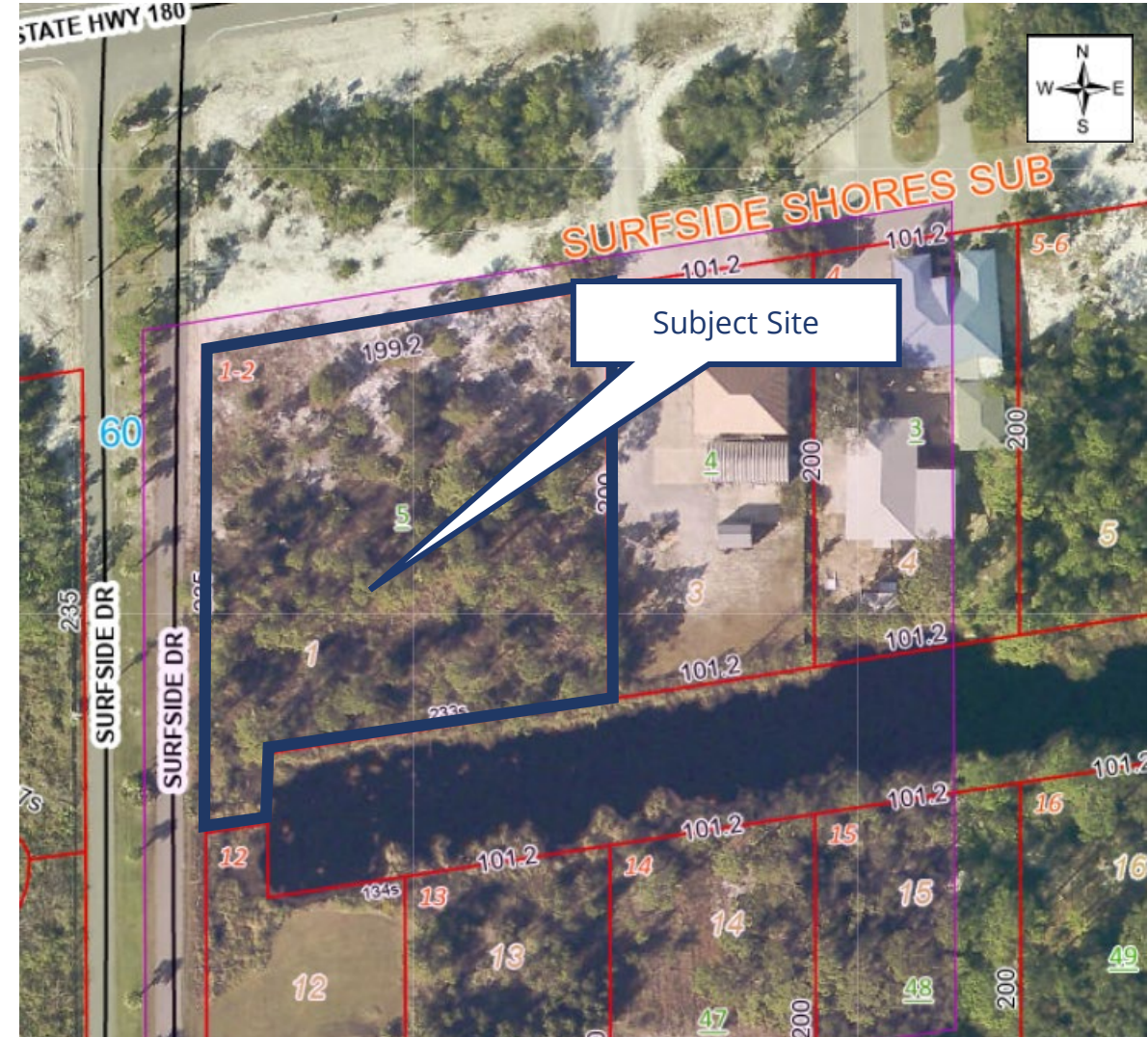
FOLEY, AL

ZVA25-16 MARLAW PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 25
- **Zoned:** B2, Neighborhood Business
- **Location:** The subject property is located on the south side of State Hwy 180 and Surfside Drive
- **PID:** 05-68-09-30-0-001-005.000
- **PPIN:** 39303
- **Acreage:** 0.9
- **Physical Address:** 916 Surfside Dr
- **Applicant:** Larry Lawrence
- **Owner:** Marlaw Investments LLC



ZVA25-16 MARLAW INVESTMENTS PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

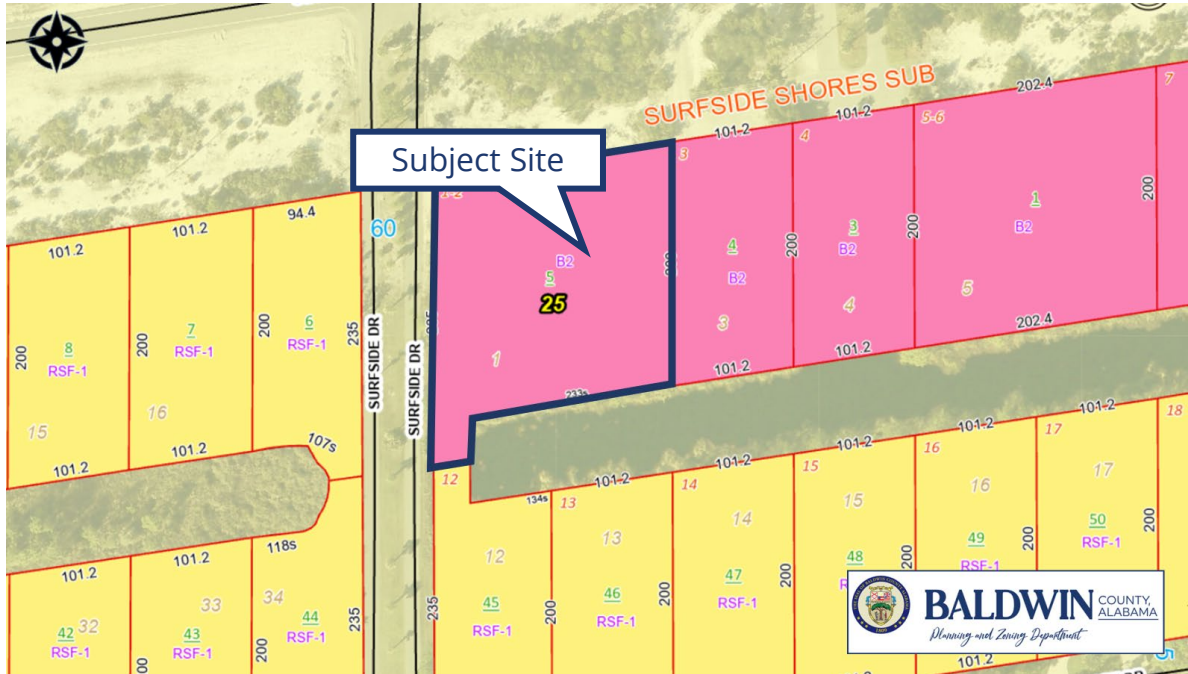
The applicant is requesting a variance from Section 10.4.4 of the Baldwin County Zoning Ordinance concerning wetland setbacks, as well as from Section 5.2.5 of the Area and Dimensional Ordinance regarding building setbacks. This request is made to facilitate the establishment of an ice cream and coffee shop.

The applicant seeks approval to construct the ice cream and coffee shop up to the wetlands but not within the wetlands on the west side and 20 feet to the wetlands with the bike parking. Additionally, they are requesting to reduce the rear wetland setback to 16.96 feet on the SE corner and 18.2 feet on the SW corner to the wetlands, rather than the required 30 feet and to adjust the corner setbacks to 5.69 feet on the northeast corner and 5.76 feet on the southeast corner, instead of the standard 15 feet.

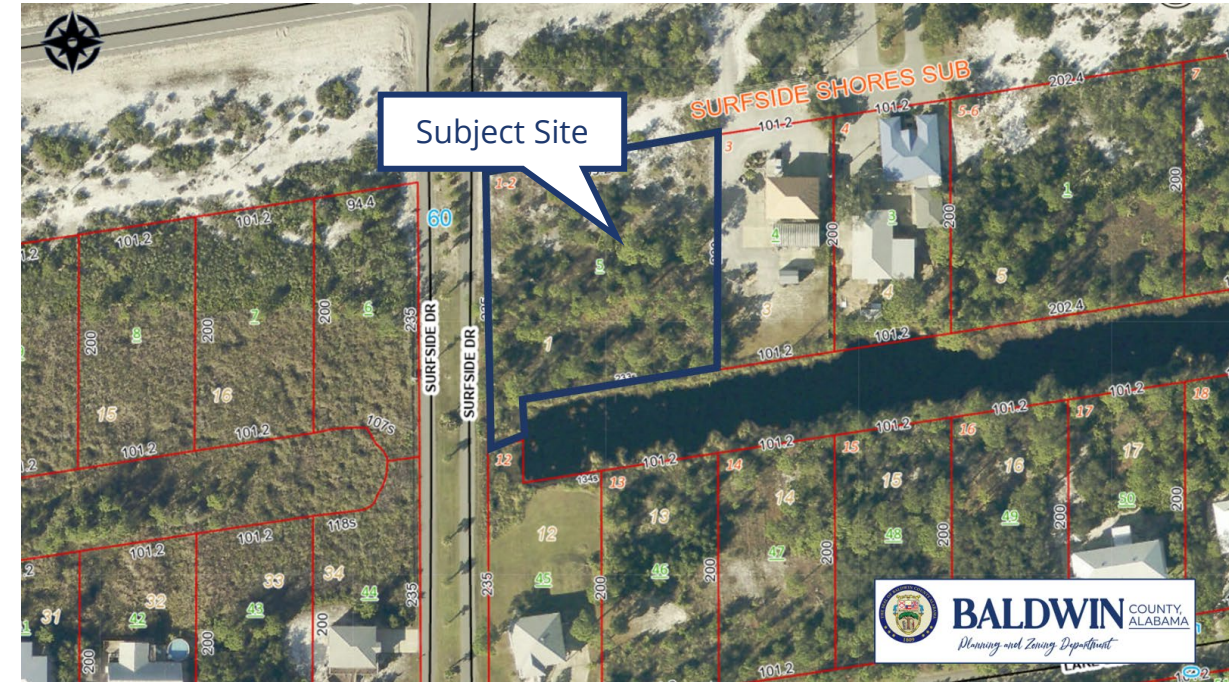
Staff recommends ZVA25-16 be **Approved** unless information to the contrary is revealed at the public hearing.



Locator Map



Site Map



	Adjacent Zoning	Adjacent Land Use
North	RMF-6, Residential Multi-Family & B2, Neighborhood Business District	Vacant
South	RSF-1, Residential Single Family	Residential & Vacant
East	RSF-1, Residential Single-Family	Residential
West	RSF-1, Residential Single-Family	Vacant



Subject Property
PIN: 39303



VARIANCE
PROPOSED
FOR THIS PROPERTY
Case Number
ZVA25-000016
For information Contact
Baldwin County Planning &
Zoning Department
(251) 580-1655

Mar 21, 2025 11:16:17 AM
30°14'14.04172"N 87°54'17.05342"W
99° E



Property to The
West
PIN: 75859



Mar 21, 2025 11:16:32 AM
30°14'14.0788"N 87°54'17.47678"W
274° W



Adjoining Property
to The South
PIN: 75897



Mar 21, 2025 11:09:30 AM
30°14'9.94909"N 87°54'16.28114"W
0° N



Adjoining Property
to The East
PIN: 59551



Mar 21, 2025 11:17:56 AM
30°14'15.43175"N 87°54'14.4432"W
163° S

Site Plan

ICE CREAM / COFFEE SHOP

6894 State Hwy 180
Fort Morgan, Alabama



CODES

- International Building Code, 2018
- International Fuel Gas Code, 2018
- International Mechanical Code, 2018
- International Plumbing Code, 2018
- International Fire Code, 2021
- International Energy Conservation Code, 2018
- National Electric Code, 2017

CODE ANALYSIS AND CODE SUMMARY

Occupancy	A-2 (Restaurant)	
Source: Fastlane Space	2400 SqFt	
Type of Construction	VB Sprinkled	
Occupancy Requirements		
Occupant Load (ice cream)	41	(414 SqFt / 15)
Occupant Load (coffee)	41	(414 SqFt / 15)
Occupant Load (water)	82	
Occupant Load (seats ice cream)	36	Interior
Occupant Load (seats coffee)	36	Interior
Occupant Load (seats)	72	Interior

Number of Entries:	4
Means of Egress Travel:	35'-6" max
Life Safety Plans:	Yes
Fire Protection:	N/A less than 100 occupants
Tenant Separation:	Not Required
Pumping Features:	REQUIRED PROVIDED
Water Closet:	2 2
Lowering:	2 2
Bath/Show:	N/A 0
Drinking Fountain:	N/A 0
Map Sink / Corridor:	1 1

2902.2.1 Family or assisted-use toilet facilities serving as separate facilities

SITE PARKING:

Dinning: 1548 Sqft / 100 Sqft/Parking	= 16 spaces
Staff:	= 4 spaces
Total Required:	= 20 spaces
Total Provided:	= 20 spaces

SHEET INDEX

A-01	TITLE SHEET
A-02	FLOOR PLAN
A-03	LIFE SAFETY PLAN
A-03.1	ADA SHEET
A-04	CEILING FRAMING
P 1.1	PLUMBING NOTES AND LEGENDS
P 2.1	PLUMBING PLAN
P 2.2	PLUMBING SANITARY PLAN
P 3.0	PLUMBING RISERS
P 3.1	PLUMBING DETAILS
M 1.1	MECHANICAL NOTES AND LEGENDS
M 2.1	MECHANICAL HVAC PLAN
M 3.1	MECHANICAL HVAC DETAILS
E 1.1	ELECTRICAL NOTES AND LEGENDS
E 2.1	ELECTRICAL POWER PLAN
E 3.1	ELECTRICAL LIGHTING PLAN
E 4.1	ELECTRICAL RISER DIAGRAM AND PANEL SCHEDULE

Parent info
PIN 59505
FWDN 68-09-50-0-001-005-000

OWNER: LAJA BEACH INVESTMENTS L.L.C.
Mailing Address: 790 COMMERCIAL DR STE. P, GULF SHORES, AL 36462
PROPERTY ADDRESS: 6800 W. HWY 90
LAKE PARK ESTATES UNIT 2201 6800 WEST HWY 90 LAKE PARK AL 36462
PROJ ALSO A 2/ 27 FT IN LA 16.5' SURF SIDE SHORES UNIT 1 AND A 2/ 52'
IN LOT IN 16.5' SURF SIDE SHORES UNIT 1 STATED PT BND RESS PART 16.25' FWD
(M)

TITLE SHEET
SCALE: N.T.S.

WCD
Architecture
ARCHITECTURE • INTERIORS
PLANNING • CONSULTING
3840 Avery Road
Baltimore, Maryland 21206
P: 410.550.0665
wcd@wcdny.com

William Coy Deemer

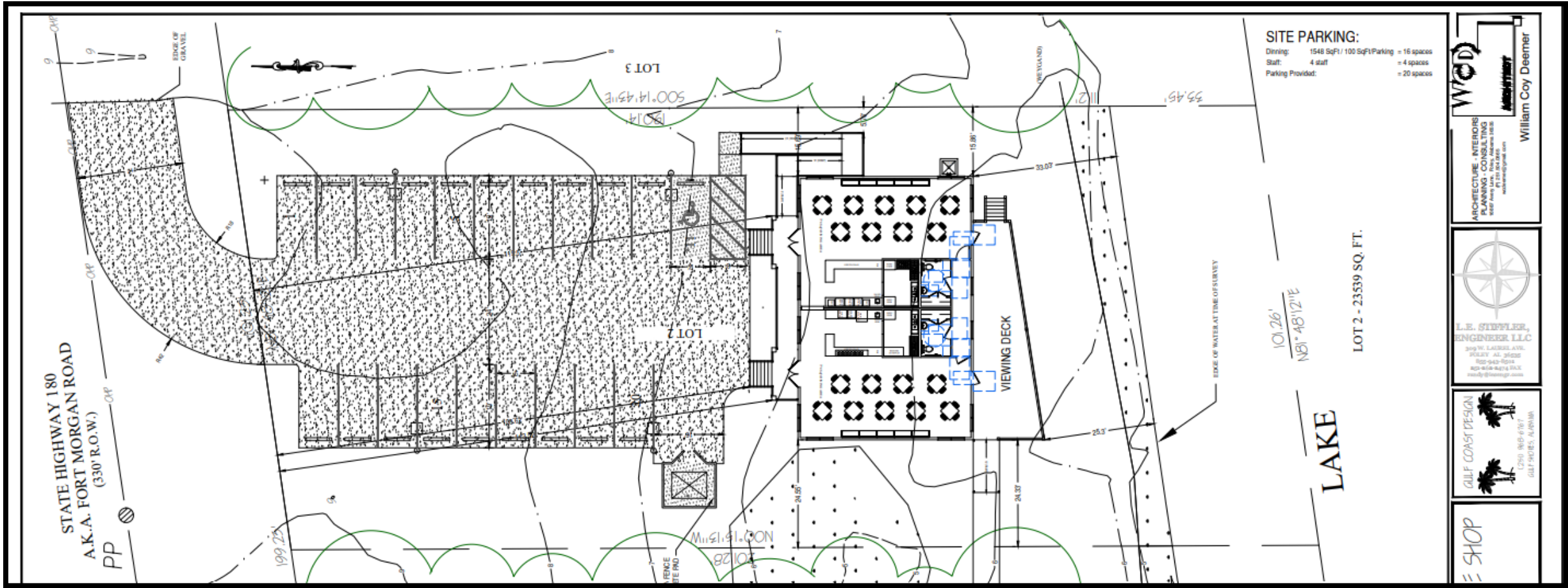


AM / COFFEE SHOP
6894 State Hwy 180
Fort Morgan, Alabama

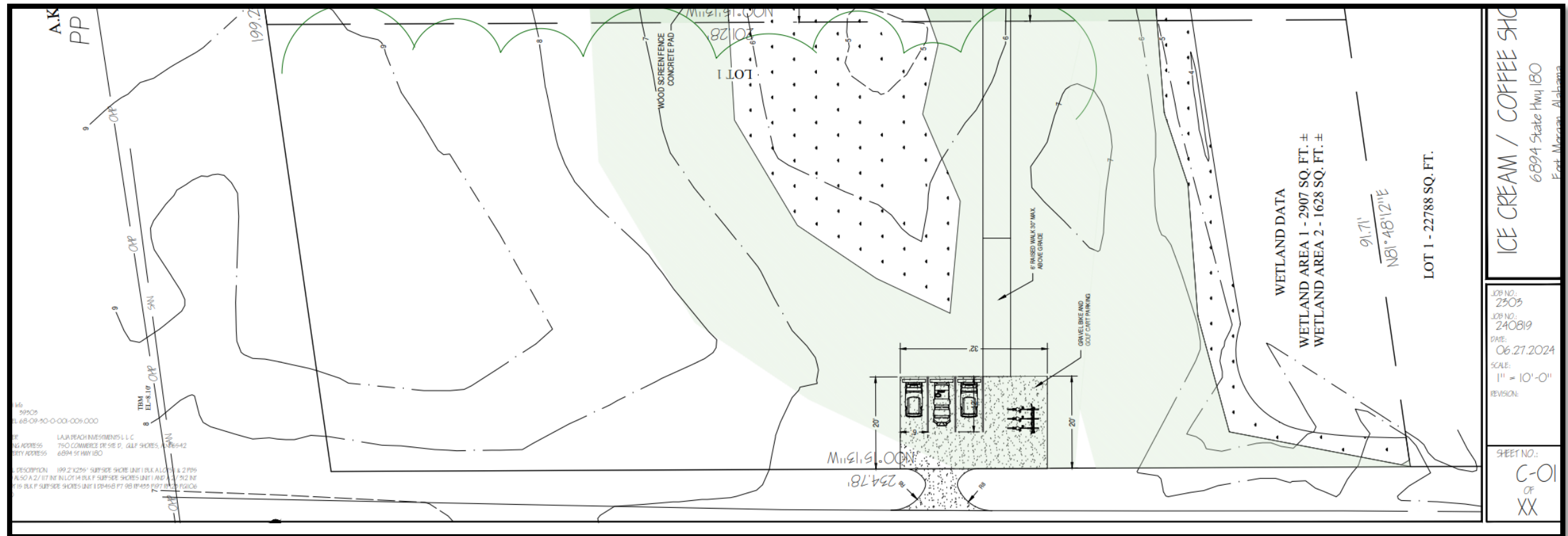
JOB NO.:
2303
JOB NO.:
240819
DATE:
06.27.2024
SCALE:
1" = 20' - 0"
REVISION:

SHEET NO.:
A-01
OF
XX

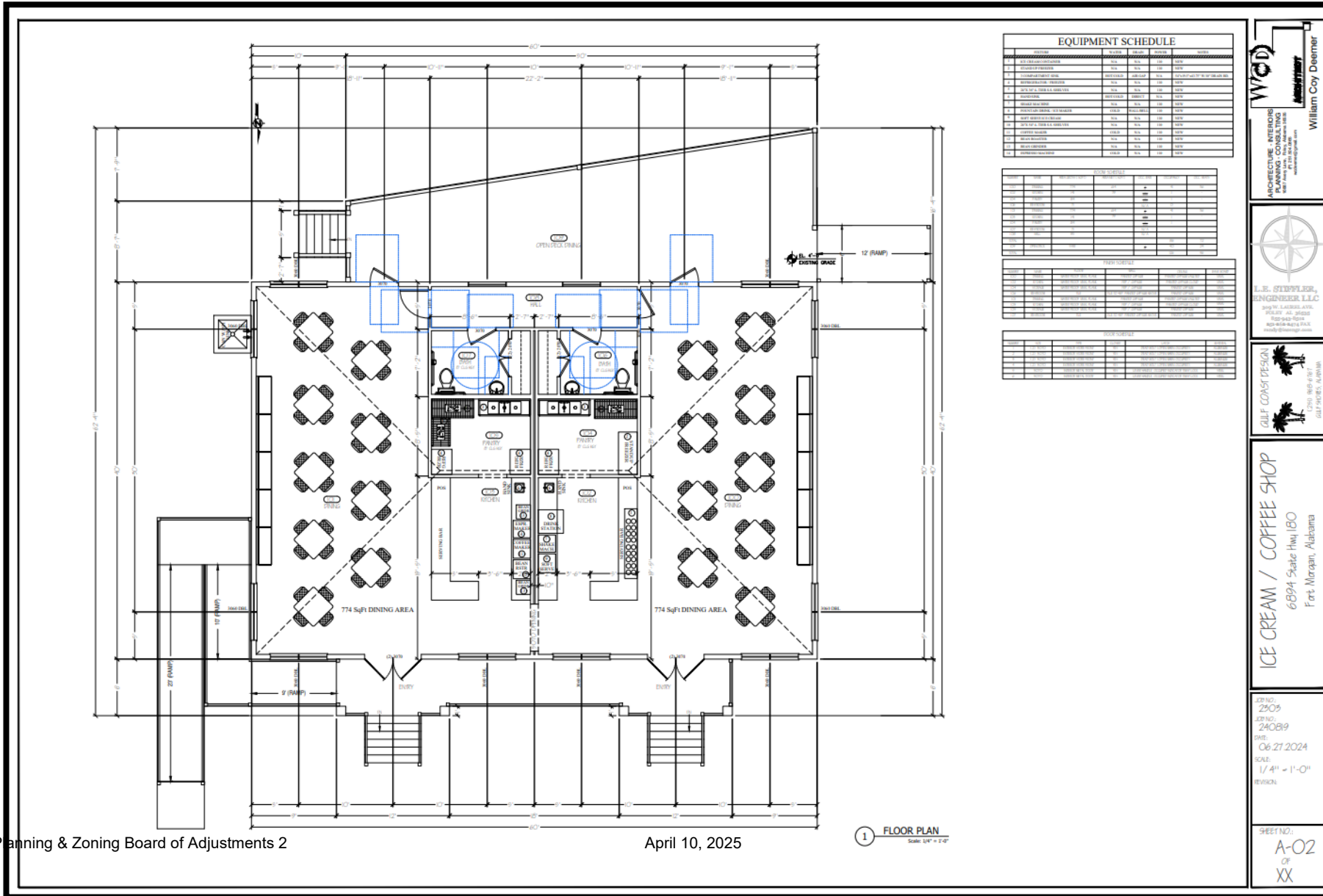
Site Plan Showing Construction on Lot 2



Site Plan Showing Construction on Lot 1



Floor Plans



Zoning Requirements

Section 5.2 B-2, Local 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 |

5.1.5 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

Zoning Requirements

Section 10.4 Wetland and Stream Protection Overlay District

10.4.4 Permit requirements. The natural buffer non-disturbed setback for development from a jurisdictional wetland and/or stream shall must be a minimum of 30 feet unless exempted by Section 10.4.7 below. The stream 30-foot natural buffer setback shall be from the top of bank on both sides of the waterway. When a stream is located within a gully, the top of bank shall be the top of the bank of the gully. Some Local Provisions of some Planning Districts (Article 2) Local Provisions may require additional wetland, stream, and river natural buffers. A USACE jurisdictional determination, or if approved by the Planning Director a wetland and/or stream delineation by a Professional Wetland Delineator, shall be required prior to the issuance of any Development permit. Unless, based on clear evidence obtained from a desktop review, Planning and Zoning staff document the absence of wetlands

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 25 came into effect in 1993. The lot recorded is 199.2' x 235' and .93 acres and the minimum lot size requirement for B2, Neighborhood Business District zoning is 20,000 sf with a Minimum Lot Width at the Building Line of 80'. Therefore, staff believes there isn't an exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

Minimum lot size: **20,000** Actual lot size: **39,840 sf** Minimum Lot width: **80'** Actual Lot Width: **101.23'** Hardship: **No**

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

The subject property does contain jurisdiction wetlands on the property. Therefore, staff could 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 B2 designated for Neighborhood Business District, which is to provide a limited commercial convenience facility, servicing nearby residential neighborhoods, planned and developed as an integral unit. The applicant's request is to build an ice cream and coffee shop, Which will be aligned with the zoning designation but not being aligned with the 30' wetland setback and the 15' side yard setback requirement.

Staff perceives that the granting of the application is necessary for the preservation of a property right and is not merely to serve as a convenience to the applicant.

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.
- I received a letter before the distribution of staff reports from the Surfside Shores Neighborhood Association expressing their concern regarding the project. They noted that the access from Surfside Drive can sometimes be congested and potentially hazardous. I emailed her back and went over the project with and she stated she would like to stay informed on this process.
- The applicant has not yet submitted an application for a US Fish and Wildlife Permit and is currently looking to obtain a variance prior to proceeding with the intake permit application and dedicating land on Lot 1 for conservation habitat. I reached out to Bill Lynn for his input, and he indicated that he did not have any comments regarding the variance case

POA Statement & ALDOT Statement

Marlaw Investments, LLC.

750 Commerce Drive, Gulf Shores, AL. 36542

251-9815773

**The Property at -916 Surfside Drive, Located in Gulf Shores
AL. is not part of an active association.**

Managing Partner:

Joe Marques



916 Surfside Drive, Gulf Shores, AL 36542 - Shared Access to Hwy 180

From: Miller, Jeremy L. (millerje@dot.state.al.us)

To: llcustomhomes@yahoo.com

Cc: reedd@dot.state.al.us; campbellad@dot.state.al.us; chitwoode@dot.state.al.us; shawj@dot.state.al.us

Date: Wednesday, April 2, 2025 at 11:12 AM CDT

Sylvia,

Regarding access from SR-180 to the referenced property, we will require the existing access to the eastern adjacent property to be upgraded and used as a shared access to 916 Surfside Drive, Gulf Shores, AL 36542. An ALDOT commercial access permit will be required prior to any ROW work being performed or business opening. This proposal will of course need to be approved by the ADCNR as well. Be sure to include the ADCNR easement in the ALDOT commercial access permit submittal when you decide to get the process started.

If you need any assistance with the permit submittal, just let me know.

Thanks,

Jeremy Miller
District 92 Permits
Southwest Region
47450 Rabun Road
Bay Minette, AL 36507
Phone (251)937-2086

ZVA25-16 MARLAW INVESTMENT LLC PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 10.4.4 of the Baldwin County Zoning Ordinance concerning wetland setbacks, as well as from Section 5.2.5 of the Area and Dimensional Ordinance regarding building setbacks. This request is made to facilitate the establishment of an ice cream and coffee shop.

The applicant seeks approval to construct the ice cream and coffee shop up to the wetlands but not within the wetlands on the west side and 20 feet to the wetlands with the bike parking. Additionally, they are requesting to reduce the rear wetland setback to 16.96 feet on the SE corner and 18.2 feet on the SW corner to the wetlands, rather than the required 30 feet and to adjust the corner setbacks to 5.69 feet on the northeast corner and 5.76 feet on the southeast corner, instead of the standard 15 feet.

Staff recommends ZVA25-16 be **Approved** unless information to the contrary is revealed at the public hearing.

1. If approved, the variance is limited to the request as shown on the site plan provided herein.
2. A US Fish & Wildlife permit following the same plan will have to be granted before being submitted for CSP review.
3. 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.

ZVA25-16 MARLAW INVESTMENT 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,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

NEXT REGULAR MEETING

MAY 8, 2025 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL



BALDWIN COUNTY,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #2

REGULAR MEETING

APRIL 10, 2025 @ 3:00PM

BALDWIN COUNTY SATELLITE COURTHOUSE

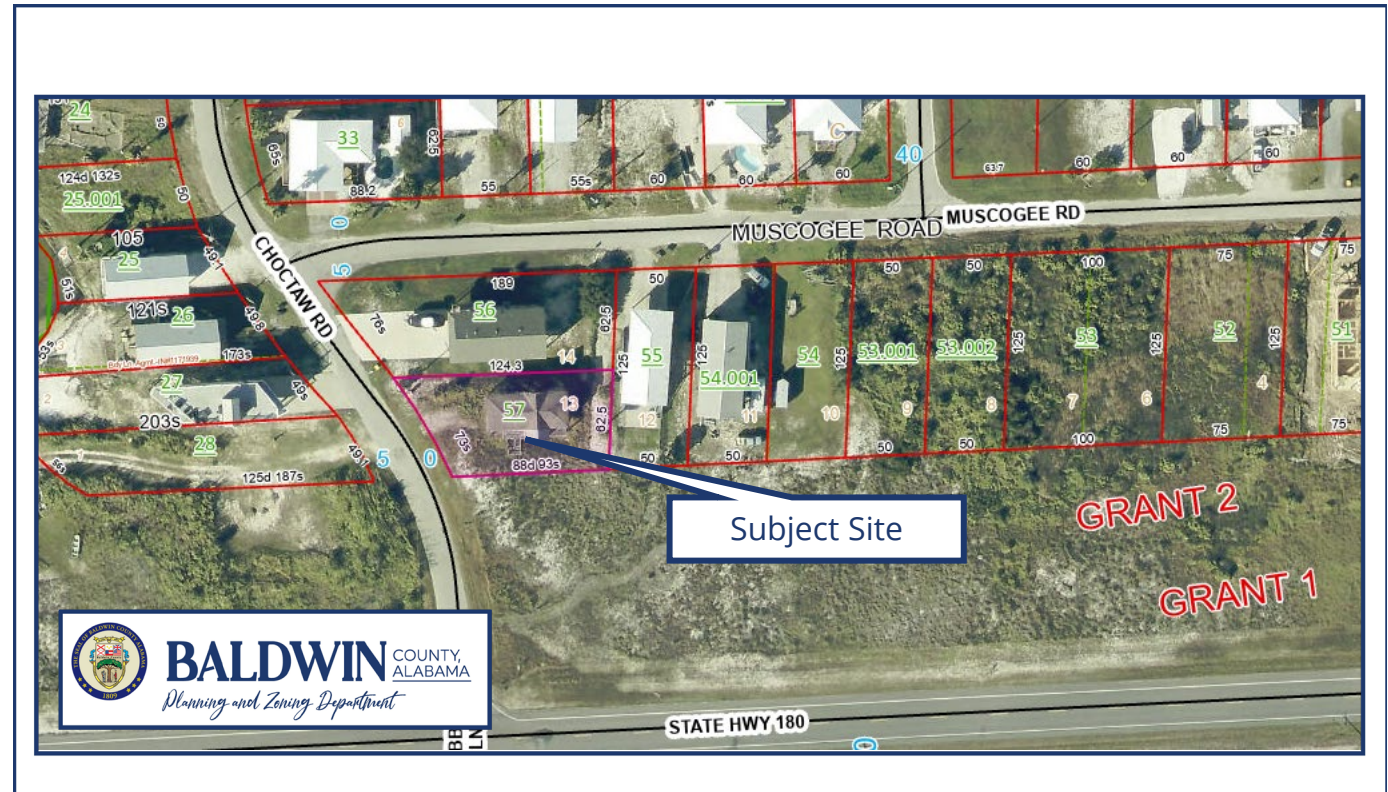
FOLEY, AL

ZVA25-18 LAUBACH PROPERTY

VARIANCE REQUEST

Lead Staff: Calla McKenzie, Planning Technician II

- **Planning District:** 25
- **Zoned:** RSF-1, Single Family District
- **Location:** The subject property is located north of State Highway 180 and east of Choctaw Rd.
- **PID:** 05-69-08-02-0-005-057.000
- **PPIN:** 71866
- **Acreage:** +/- 0.16 acres
- **Physical Address:** 2382 Choctaw Rd
- **Applicant:** Maurin Architecture
- **Owner:** Arthur Laubach & Natalia Finlay



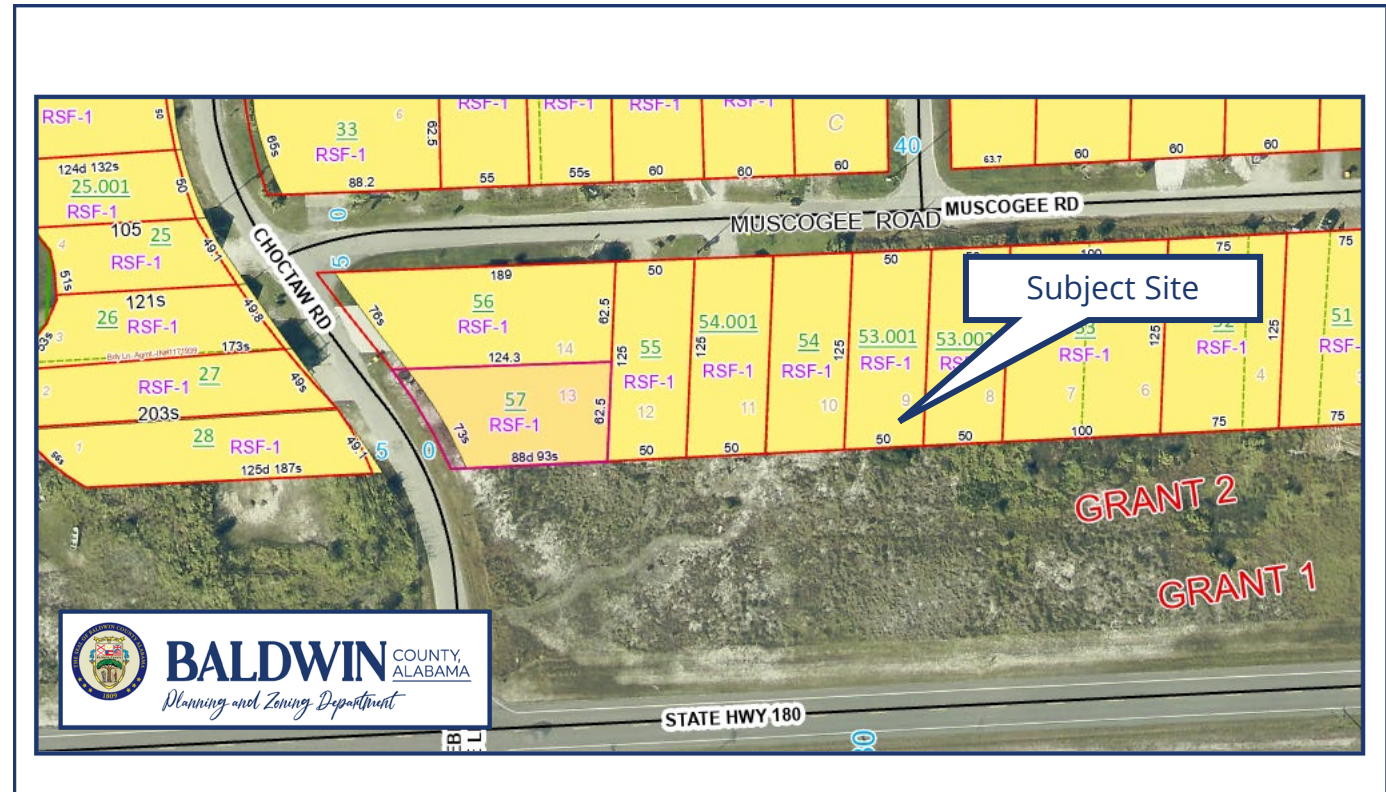
ZVA25-18 LAUBACH PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Calla McKenzie, Planning Technician II

The applicant is requesting a variance from Section 4.2.5 of the Baldwin County Zoning Ordinance as it pertains to building setbacks.

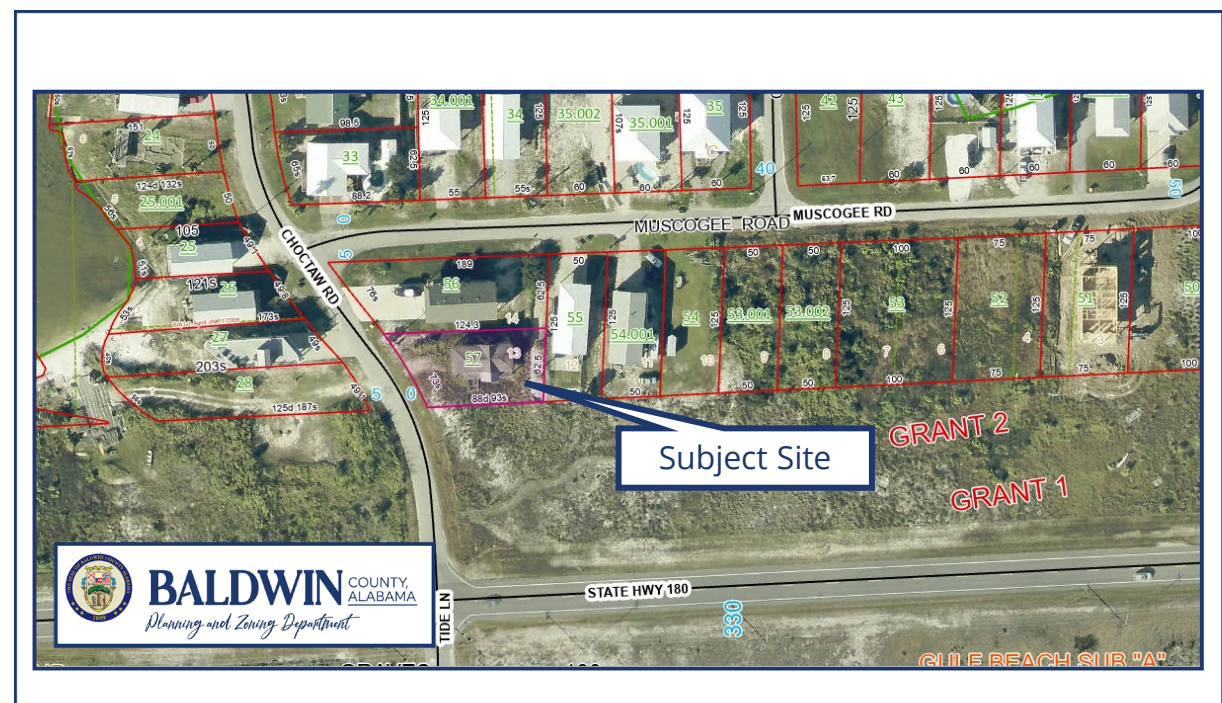
Staff recommends ZVA25-18 be **APPROVED** with conditions unless information to the contrary is revealed at the public hearing.



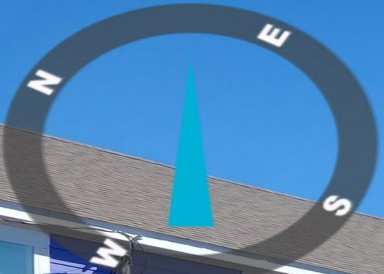
Locator Map



Site Map



	Adjacent Zoning	Adjacent Land Use
North	RSF-1, 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: 71866



VARIANCE
PROPOSED
FOR THIS PROPERTY
Case Number
ZVA25-000018
For information Contact
Baldwin County Planning &
Zoning Department
(251) 580-1655

Mar 21, 2025 10:36:30 AM
30°13'56.38325"N 87°58'39.53017"W
84° E



Property to The
West
PIN: 62091



Mar 21, 2025 10:36:52 AM
30°13'56.40035"N 87°58'39.87037"W
256° W



Adjoining Property
to The North
PIN: 11244



Mar 21, 2025 10:37:16 AM
30°13'57.29099"N 87°58'40.06848"W
98° E

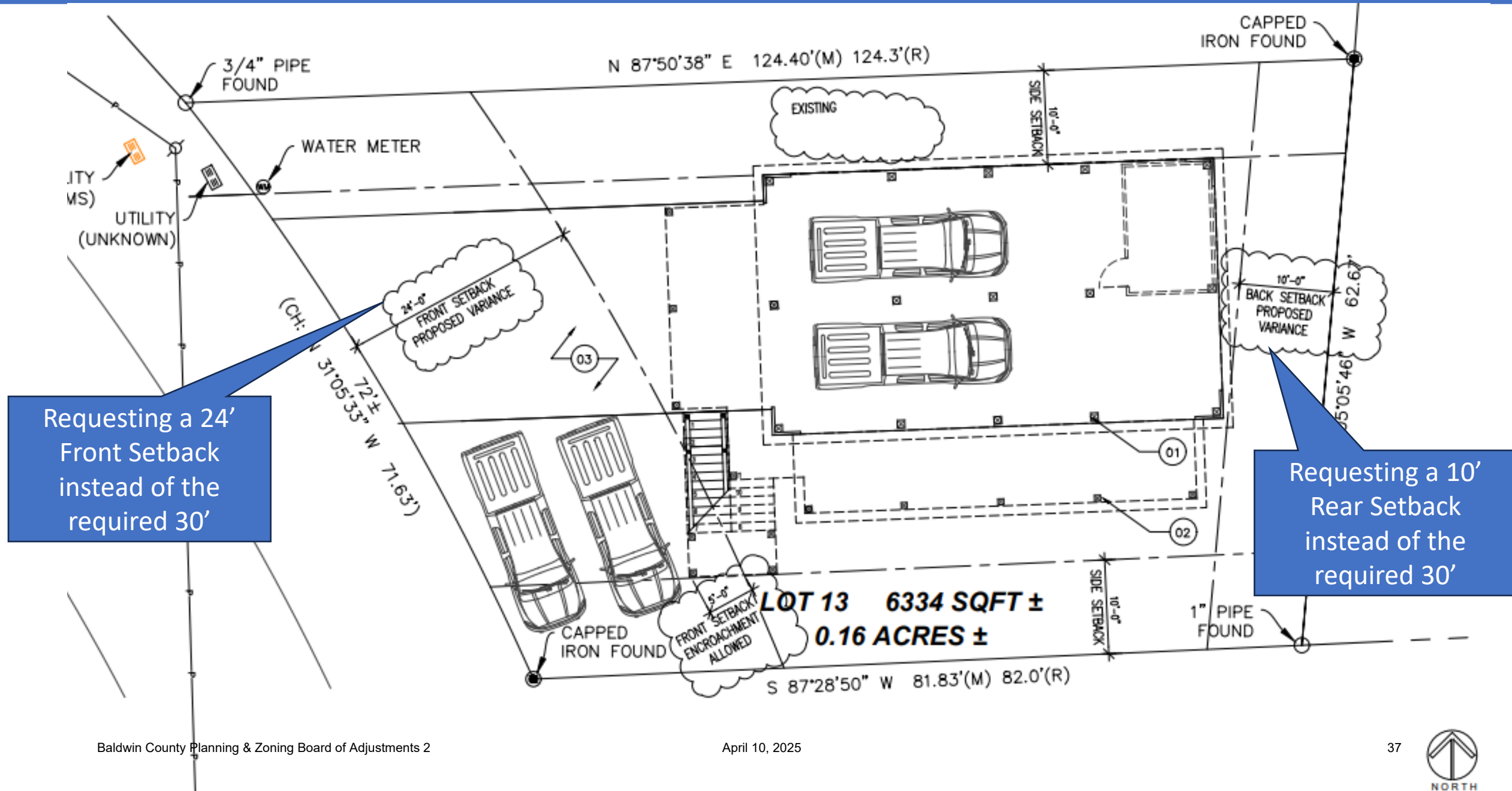


Adjoining Property
to The East
PIN: 18653



Mar 21, 2025 10:38:41 AM
30°13'57.62942"N 87°58'38.00852"W
175° S

Site Plan



Zoning Requirements

Section 4.2 RSF-1, Single Family District

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 18.4 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	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

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 25 came into effect on November 16, 1993. Per Revenue Commission records the property is approximately 0.16 acres, with 73' along the front property line, 62.5' along the rear line, 88' along the south side line and 124.3' along the north side line. The required minimum lot size for RSF-1 is 30,000 square feet with a 100' minimum lot width at the building line. The subject property does not meet the minimum lot requirements, so staff believes that the size of the property is a hardship.

Minimum lot size: **30,000 sf** Actual lot size: **6,334 sf** Minimum Lot width: **100'** Actual Lot Width: **73'**

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

Staff does not perceive any exceptional topographic conditions or other extraordinary situations, or conditions contained on the subject property which may qualify for 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, Single Family District which allows for residential and accessory uses. The request is to allow for a single-family dwelling to be constructed. There is an existing dwelling on the property, that is in disrepair and will be demolished, that currently encroaches into both the front and rear setbacks. **Therefore, staff believes granting of the application is a necessity 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 property owner has provided documentation stating that there is no POA/HOA.
- No documentation in favor of or opposition to this variance request has been received at the time this staff report was written.
- A previous request for this property was heard at the June 13, 2024, BOA2 meeting (ZVA24-23). At that time, the applicant requested a Variance from the rear yard setback to allow for an addition to an existing nonconforming structure. The applicant withdrew the request during the meeting after a discussion with the board.

To whom it may concern,

There are no active homeowners or relevant associations at our property at 2382 Choctaw Road, Gulf Shores, AL 36542.

Thank you for your time and consideration,

Art Laubach

A handwritten signature in black ink, appearing to read 'Art Laubach', with a stylized flourish at the end.

May 8, 2024

ZVA25-18 LAUBACH PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Calla McKenzie, Planning Technician II

The applicant is requesting a variance from Section 4.2.5 of the Baldwin County Zoning Ordinance as it pertains to building setbacks.

Staff recommends ZVA25-18 be **APPROVED** with conditions unless information to the contrary is revealed at the public hearing.

ZVA25-18 LAUBACH PROPERTY

GENERAL NOTES

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,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #2

NEXT REGULAR MEETING

MAY 8, 2025 @ 3:00PM

BALDWIN COUNTY SATELLITE COURTHOUSE

FOLEY, AL