



**BALDWIN COUNTY  
PLANNING AND ZONING  
BOARD OF ADJUSTMENT NUMBER 2**

**WORK SESSION AGENDA**

**Thursday, May 8, 2025**

**Work Session 2:00 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. Presentations on the new Local Provisions for Planning District 25
4. Questions and Concerns.
5. 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>



**BOARD OF ADJUSTMENT NUMBER 2  
AGENDA**

**May 8, 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](mailto:Email-planning@baldwincountyal.gov)

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Previous Meeting Minutes (April 10, 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. ZVA25-20 Dunn Property, 2403 Choctaw Rd**

*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 single-family dwelling to be built.

Location: The subject is located at 2403 Choctaw Rd, 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, April 10, 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 April 10, 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, Wade Mitchell and Mackie Ray.

Staff present included: Crystal Bates, Celena Boykin and Ashley Campbell.

**III. DISCUSSION ITEMS**

Staff opened the floor to questions regarding the following cases:

- ZVA25-16
- ZVA25-18

**IV. ADJOURNMENT**

As there were no further questions, the work session adjourned at 2:28 p.m.

Respectfully Submitted,

Crystal Bates, Planning Technician II

I hereby certify that the above minutes are true, correct and approved this 8<sup>th</sup> day of May 2025.

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Tracey Gambill, Chairman



**Baldwin County Planning and Zoning  
Board of Adjustment Number 2  
Regular Meeting Minutes  
Thursday April 10, 2025**

**I. Call To Order**

Chairwoman Tracey Gambill opened the Baldwin County Board of Adjustment Number 2 meeting at 3:00 p.m. on April 10, 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. Celena Boykin presented the meeting Preamble.

**III. Roll Call**

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

Staff present included Crystal Bates, Celena Boykin, Calla McKenzie and Ashley Campbell

**IV. Approval of Minutes**

Mr. Mackie Ray made a motion to approve February 13, 2025, meeting minutes. Mr. Samuel Swindle seconded the motion. All members voted aye. **Motion to approve February 13, 2025, minutes carried.**

**Consideration of Applications and Requests**

**1) ZVA25-16 Marlaw Investments Property, 916 Surfside Dr**

Mrs. Crystal Bates presented the applicant's request for the 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 future ice cream/coffee shop.

The board had discussion then chairwoman called Joe Marques to the podium to speak on his project and the different avenues that could take place if this development doesn't get final approval. Then the Chairwoman called Fred Ludvigson to the podium to speak he was there to represent Fort Morgan Advisory Committee and spoke about how the committee felt about the project and environment. The Chairwoman called Anothy Metz up to the podium to speak he spoke about the Surfside Shores development, golf cart and vehicle congestion issues and questioned the boardwalk location.

Board member Clark Strong made the motion to approve variance with staff recommendations and was seconded by Samuel Swindle. The motion passed to Approve with staff conditions 5-0.

2) **ZVA25-18, Labaugh Property,**

Mrs. Calla McKenzie presented the applicant's request for the 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.

Chairwoman called Karrie Maurin with the Maurin Architecture group to the podium to speak she spoke about the change she had proposed in the beginning of the meeting to staff and the reason why she needed the extra 4 foot. There was a discussion between board members and Ms. Karrie Maurin. Chairwoman called Fred Ludvigson to the podium, and he stated Fort Morgan Advisory Committee was fine with what was original proposed but then stated with this proposed changed he couldn't say how they would feel about the extra 4' being given.

The board members had a discussion, and Clark Strong made a statement about the change and if they needed the change then it needs to be tabled and/or if they would like to proceed with the original request. Ms. Karrie Maurin came back to the podium to discuss the technical issues that may occur and why they wanted the extra 4'. She then stated if she had to table to ask for the additional 4' then she would rather stay on with the current setback variance on the table.

Clark Strong made the motion to approve the variance with staff conditions and was seconded by Samuel Swindle. The motion passed to Approve case ZVA25-18, 5-1.

**V. Old Business**

We discussed having a training presentation at our next BOA meeting for the changes in Local Provisions for Planning District 25.

**VI. New Business**

**VII. Adjournment**

As there were no further items to discuss, the meeting adjourned at 3:45 p.m.

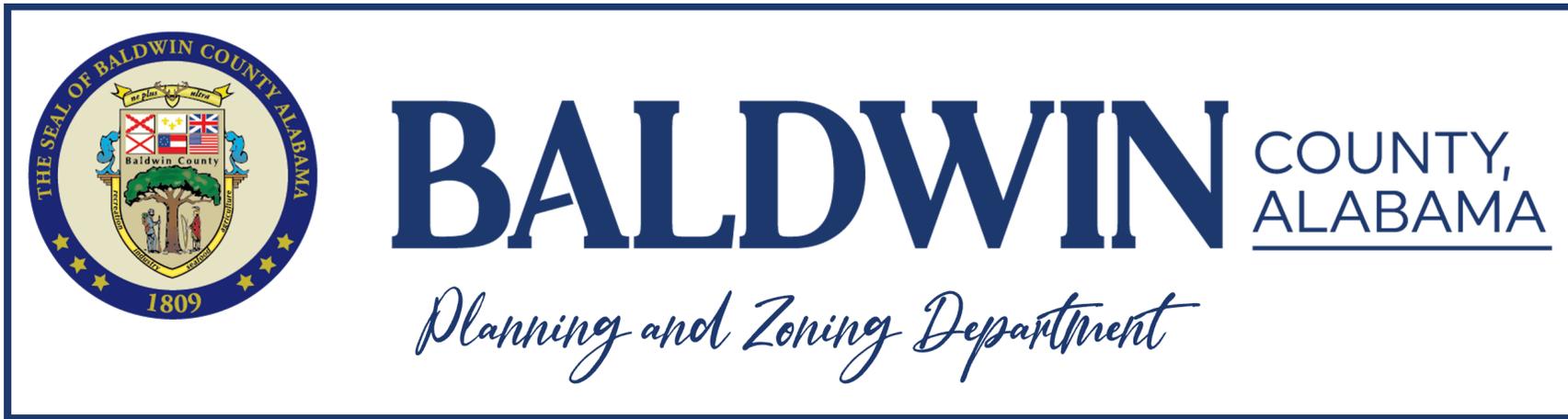
Respectfully Submitted,

Crystal Bates, Planning Technician II

I hereby certify that the above minutes are true, correct, and approved on this 8<sup>th</sup> day of May 2025.

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Tracey Gambill, Chairman



# BALDWIN COUNTY BOARD OF ADJUSTMENT #2

REGULAR MEETING

MAY 8, 2025 @ 3:00PM

BALDWIN COUNTY SATELLITE COURTHOUSE

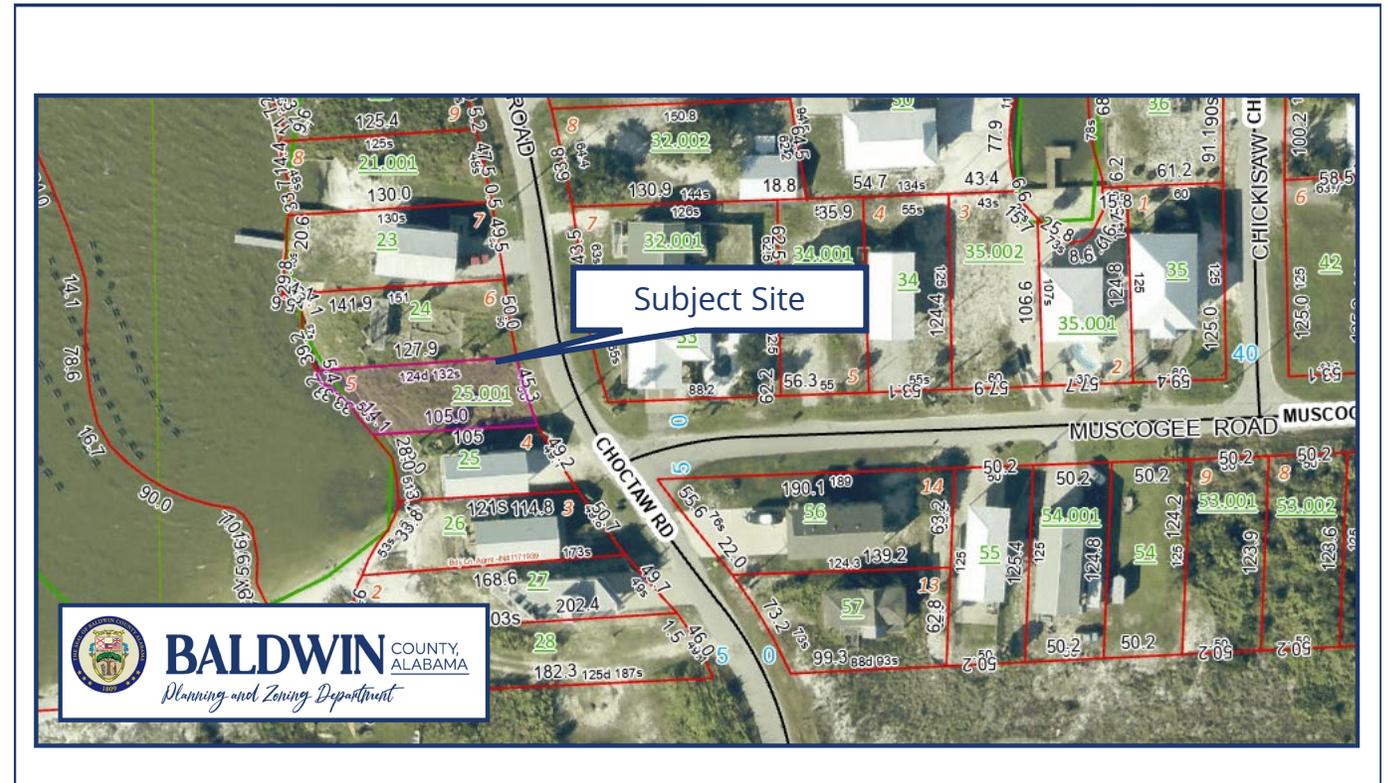
FOLEY, AL

# ZVA25-20 DUNN 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 west of Choctaw Rd.
- **PID:** 05-69-08-02-0-005-025.001
- **PPIN:** 216463
- **Acreage:** +/- 0.14 acres
- **Physical Address:** 2403 Choctaw Rd
- **Applicant:** Heron Plume Construction LLC – Dustin Blount
- **Owner:** Dwight Dunn, Wayne Session and Mike Rainer



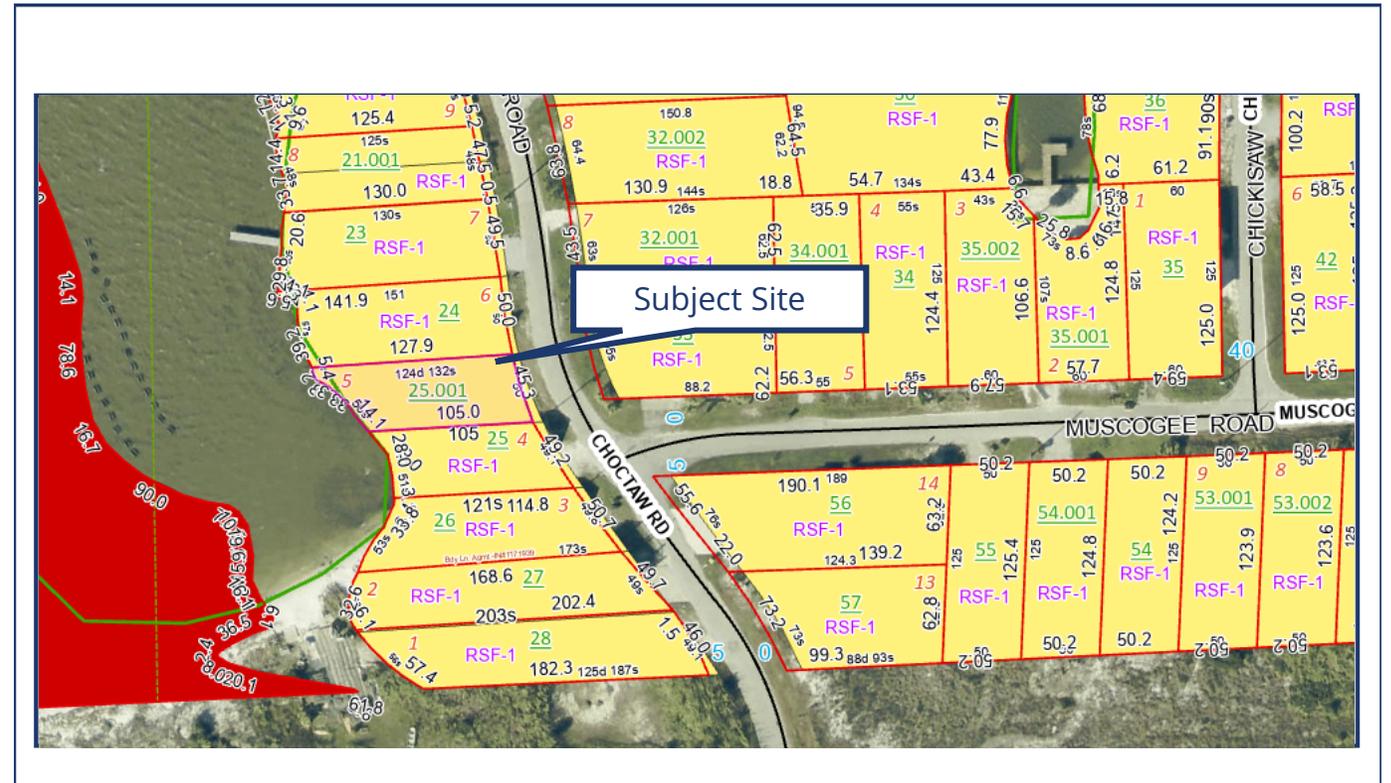
# ZVA25-20 DUNN PROPERTY

## 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.

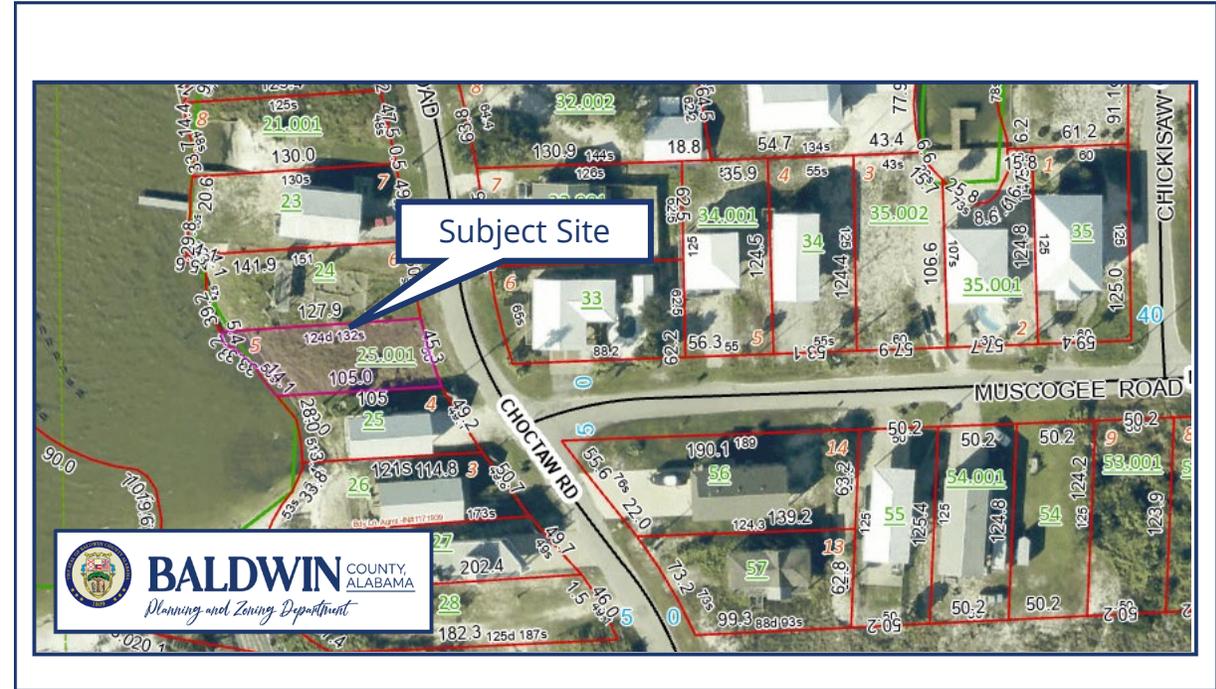
Staff recommends ZVA25-20 be **APPROVED** with conditions unless information to the contrary is revealed at the public hearing.



# 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	N/A	Water Body



Subject Property  
PIN: 216463



**VARIANCE**  
**PROPOSED**  
**FOR THIS PROPERTY**  
 Case Number  
**ZVA25 -000020**

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

Scan   
for tracking status and receiving updates when available.  
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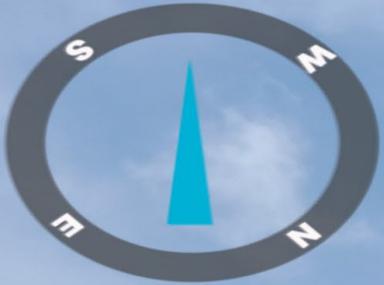
Apr 23, 2025 11:25:23 AM  
 30°13'58.09282"N 87°58'41.02334"W  
 288° W



Adjoining Property  
to The North  
PIN: 20408



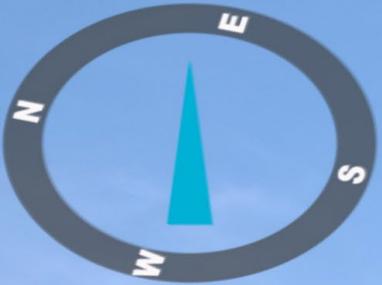
Apr 23, 2025 11:25:39 AM  
30°13'58.50484"N 87°58'41.08465"W  
266° W



Adjoining Property  
to The South  
PIN: 20016



Apr 23, 2025 11:26:03 AM  
30°13'57.96062"N 87°58'40.98364"W  
198° S



Property to The  
East  
PIN: 88



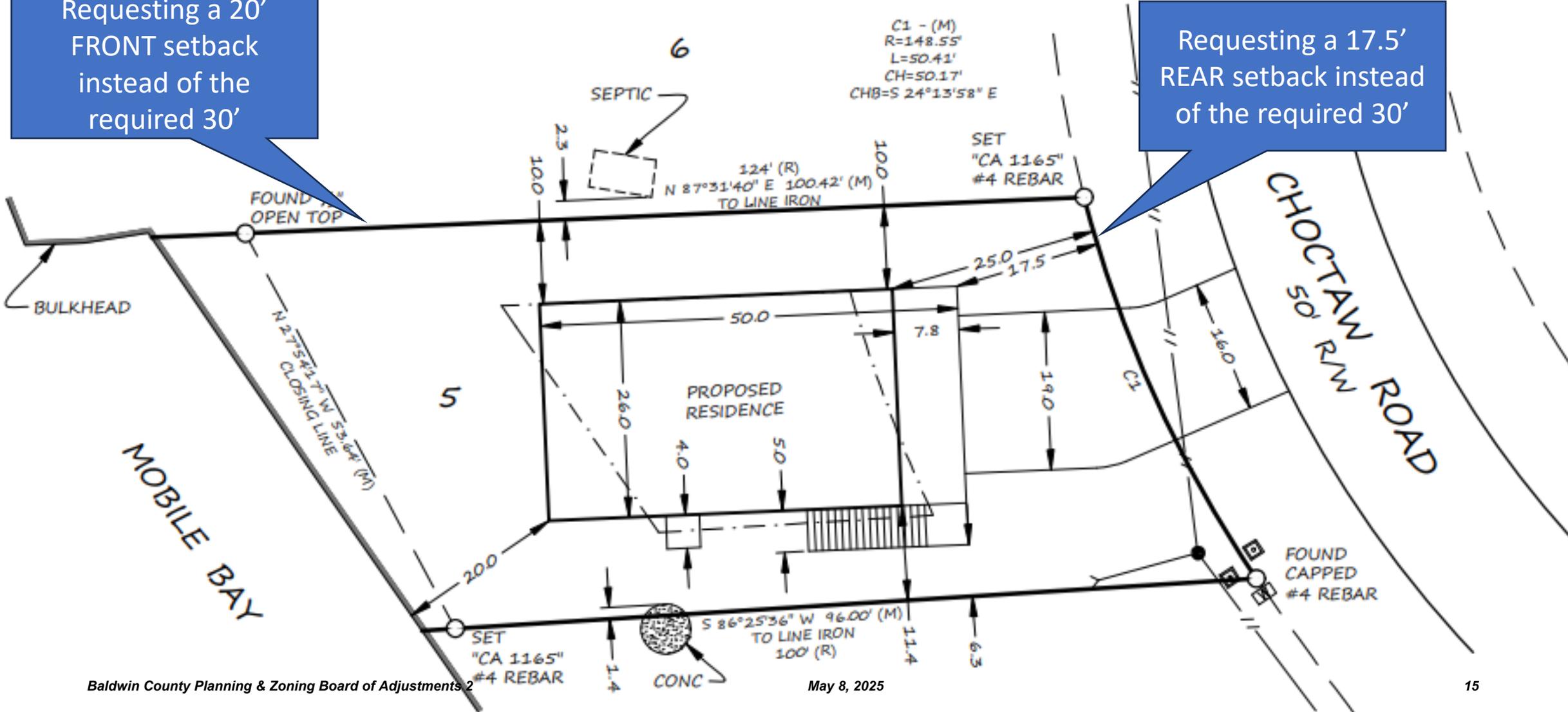
Apr 23, 2025 11:25:28 AM  
30°13'58.13512"N 87°58'41.01031"W  
109° E

# Site Plan

SETBACKS AS SHOWN:  
FRONT - 30'  
REAR - 30'  
SIDE - 10'

Requesting a 20' FRONT setback instead of the required 30'

Requesting a 17.5' REAR setback instead of the required 30'



# 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 0.14 acres, roughly a 50' x 124' lot. 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: **6,098 sf** Minimum Lot width: **100'** Actual Lot Width: **50'**

## **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. **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.

To Whom it may concern,

There is not HOA or community organizations for the lot located at 2403 Choctaw Rd Gulf Shores, AL.

Signed

  
Dwight Dunn (2025 11:21 CDT)

Dwight Dunn

# ZVA25-20 DUNN 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 ZVA25-20 be **APPROVED** with conditions 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. This variance relieves subject property of no 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.

# ZVA25-20 DUNN PROPERTY

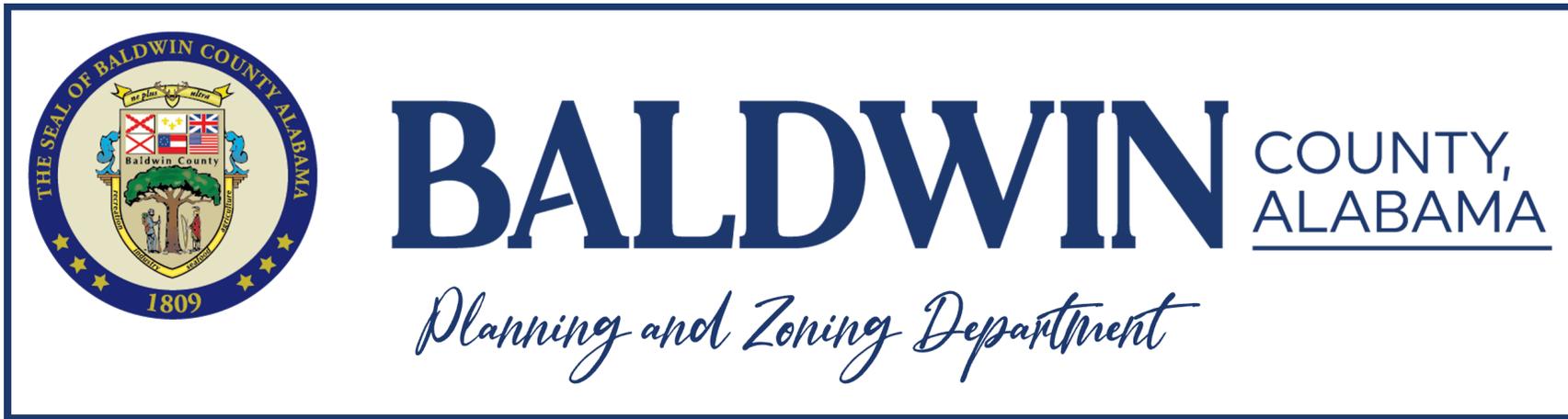
## GENERAL NOTES

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 BOARD OF ADJUSTMENT #2

NEXT REGULAR MEETING

MAY 8, 2025 @ 3:00PM

BALDWIN COUNTY SATELLITE COURTHOUSE

FOLEY, AL