



**Baldwin County Planning and Zoning  
Board of Adjustment Number 2  
Work Session Minutes  
Thursday, May 11, 2023**

**I. OPENING**

Chairman David Brown opened the Baldwin County Planning and Zoning Commission Board of Adjustment Number 2 at 2:03p.m. May 11, 2023, at the Foley Satellite Courthouse Large Meeting Room located at 201 East Section Avenue, Foley, Alabama.

**II. ATTENDANCE**

The following board members were present: Samuel Mitchell, Michael Swansburg, Chairman David Brown, Mark Corn, Noreen Kendal, John Slaats, Mackie Ray, Tracey Gambill, and Harold Stephens.

Staff present included Buford King, Cory Rhodes, Fabia Waters, Crystal Bates, Paula Bonner and Ashley Campbell.

**III. DISCUSSION ITEMS** – review of the items from the agenda

1. ZVA23-17 Finlay & Company Property – Discussion only.
2. ZVA23-20 Trademark Properties & Investment Property– Discussion only.
3. ZVA23-21 Wade Property – Discussion only.
4. ZVA23-22 Scalate & Anecchiarico Property - Discussion only
5. ZVA22-23 Nazzareno Property - Discussion only

**IV. TRAINING**

1. Mr. King presented a tutorial on the Baldwin County parcel viewer training.

**V. ADJOURNMENT**

As there were no further items to discuss, the work session adjourned at 2:59 p.m.

Respectfully Submitted,

Fabia Waters, Planning Technician

I hereby certify that the above minutes are true, correct and approved this 8 day of June, 2023.

  
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John Slaats, Vice-Chairman



**Baldwin County Planning and Zoning  
Board of Adjustment Number 2  
Regular Meeting Minutes  
Thursday, May 11, 2023**

**I. Call To Order**

Chairman David Brown opened the Baldwin County Board of Adjustment Number 2 at 3:05 p.m. April 13, 2023, at the Foley Satellite Courthouse Large Meeting Room located at 201 East Section Avenue, Foley, Alabama.

**II. Opening**

Chairman Brown opened the meeting with an invocation and the pledge of allegiance.

**III. Roll Call**

The following board members were present: Samuel Mitchell, Michael Swansburg, Chairman David Brown, Mark Corn, Noreen Kendal, John Slaats, Mackie Ray, Tracey Gambill, and Harold Stephens.

Staff present included Buford King, Corey Rhodes, Fabia Waters, Crystal Bates and Ashley Campbell.

**IV. Approval of Minutes**

Mr. Mitchell made a motion to approve the March 9, 2023, meeting minutes. Mr. Slaats seconded the motion. All members voted aye. **Motion to approve the May 9, 2023, minutes carried unanimously.**

**V. Consideration of Applications and Requests**

**1) ZVA23-17 Finlay & Company Property**

Ms. Rhodes presented the applicant's request for 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 buffer for the construction of a single-family dwelling. Staff recommended the variance request be tabled.

No one was present to speak on behalf of this case.

After discussion Mr. Ray made a motion to table the request to the next regular meeting on June 8<sup>th</sup>, 2023 recommended by staff. Mr. Corn seconded the motion. All members voted aye. **Motion to table case ZVA23-17.**

**2) ZVA23-20 Trademark Properties & Investment Property**

Ms. Waters presented the applicant's request for 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 buffer for the construction of a single-family dwelling. Staff recommended the variance request be Approval.

Mr. Poppee spoke in favor of the request. No one spoke in opposition.

After discussion Mr. Mitchell made a motion to approve the variance request with conditions recommended by staff. Mr. Ray seconded the motion. All members voted aye **Motion to approve case ZVA23-20 variance request.**

**3) ZVA23-21 Wade Property**

Ms. Bates presented the applicant's request for 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 buffer for the construction of a single-family dwelling. Staff recommended the variance request be Approval.

Mr. Herron spoke in favor of the request. No one spoke in opposition.

After discussion Mr. Ray made a motion to approve the variance request with conditions recommended by staff. Mr. Mitchell seconded the motion. All members voted aye **Motion to approve case ZVA23-20 variance request with the conditions listed below carried.**

1. **Wetland setback encroachment is limited to 1'6" as shows in the approved site plan.**
2. **The variance relieves subject property of no other requirements of the Baldwin County Zoning Ordinance, Baldwin County Subdivision Regulations, or requirements of other agencies.**

**4) ZVA23-22, Scalata & Anecchiarico Property**

Ms. Bonner presented the applicant's request for approval of a variance from Section 15.3.9(a)2 of the Baldwin County Zoning Ordinance as it pertains to the location of a parked recreational vehicle within a front yard. Staff recommended the variance request to be Denied.

Erin & David Brown, Mark Scalata and Nancy Anecchiarico spoke in favor of the request. No one spoke in opposition.

After discussion Mr. Slaats made a motion to approve the variance request with conditions recommended by staff. Mr. Stephens seconded the motion. All members voted aye **Motion to Deny case ZVA23-22 variance carried.**

**5) ZVA23-23, Nazzareno Property**

Ms. Bonner presented the applicant's request for approval of a variance from Section 4.6.5 of the Baldwin County Zoning Ordinance as it pertains to the rear yard setback for the construction of a single-family dwelling. Staff recommended the variance request be Approval

Paul Nazzareno spoke in favor of the request. No one spoke in opposition.

After discussion Mr. Corn made a motion to approve the variance request with conditions recommended by staff. Mr. Mitchell seconded the motion. All members voted aye **Motion to Approve case ZVA23-22 variance with the conditions listed below carried.**

3. **If approved the variance is limited to the requested 21' rear building setback line in lieu of the required 30' rear setback described herein.**
4. **The variance relieves subject property of no other requirements of the Baldwin County Zoning Ordinance, Baldwin County Subdivision Regulations, or requirements of other agencies.**

**VI. Old Business**

There was no old business.

**VII. New Business**

Paula accepted a new position

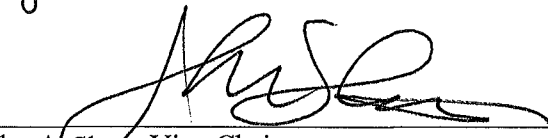
**VIII. Adjournment**

As there were no further items to discuss the meeting adjourned at 4:30 p.m.

Respectfully Submitted,

Fabia Waters, Planning Technician

I hereby certify that the above minutes are true, correct and approved this 8 day of  
June, 2023.

  
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John A. Slaats, Vice-Chairman