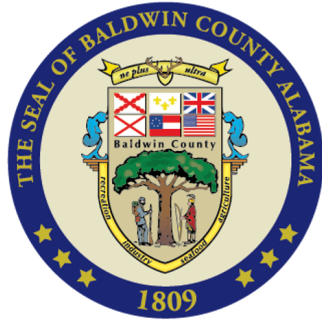




**BALDWIN** COUNTY,  
ALABAMA

*Planning and Zoning Department*

**BALDWIN COUNTY BOARD OF ADJUSTMENT #2**

**REGULAR MEETING**

**NOVEMBER 13, 2025**

**BALDWIN COUNTY SATELLITE COURTHOUSE**

**FOLEY, AL**

# ZVA25-55 WRIGHT PROPERTY

## VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 22
- **Zoned:** RSF-1
- **Location:** The subject property is located on the south side of Rester Ave
- **PID:** 05-52-06-24-0-001-017.013
- **Physical Address:** 35458 Rester Ave
- **Applicant:** David Wright
- **Owner:** David Wright



# ZVA25-55 WRIGHT PROPERTY

## VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

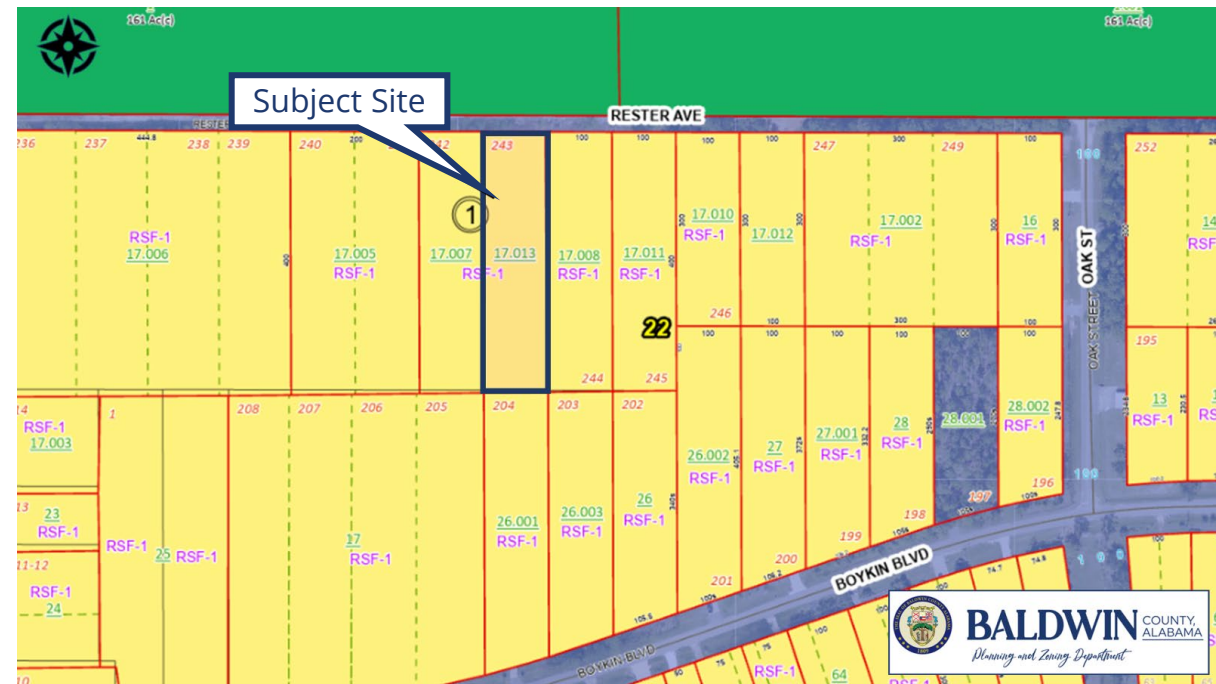
The applicant is seeking a variance from Section 4.2.5 Area and Dimensional Ordinance of the Baldwin County Zoning Ordinance, as it pertains to the height of a proposed dwelling.

The applicant is proposing to construct a piling house on this property, which is located within an X flood zone. Per the zoning ordinance definition of building height, the height is measured from the average elevation of the proposed finished grade to the mean height between eaves and ridge. The maximum height allowed for RSF-1 is 35 feet. The proposed house is reaching approximately 40 feet to the mean roof height and a total height of 45'11".

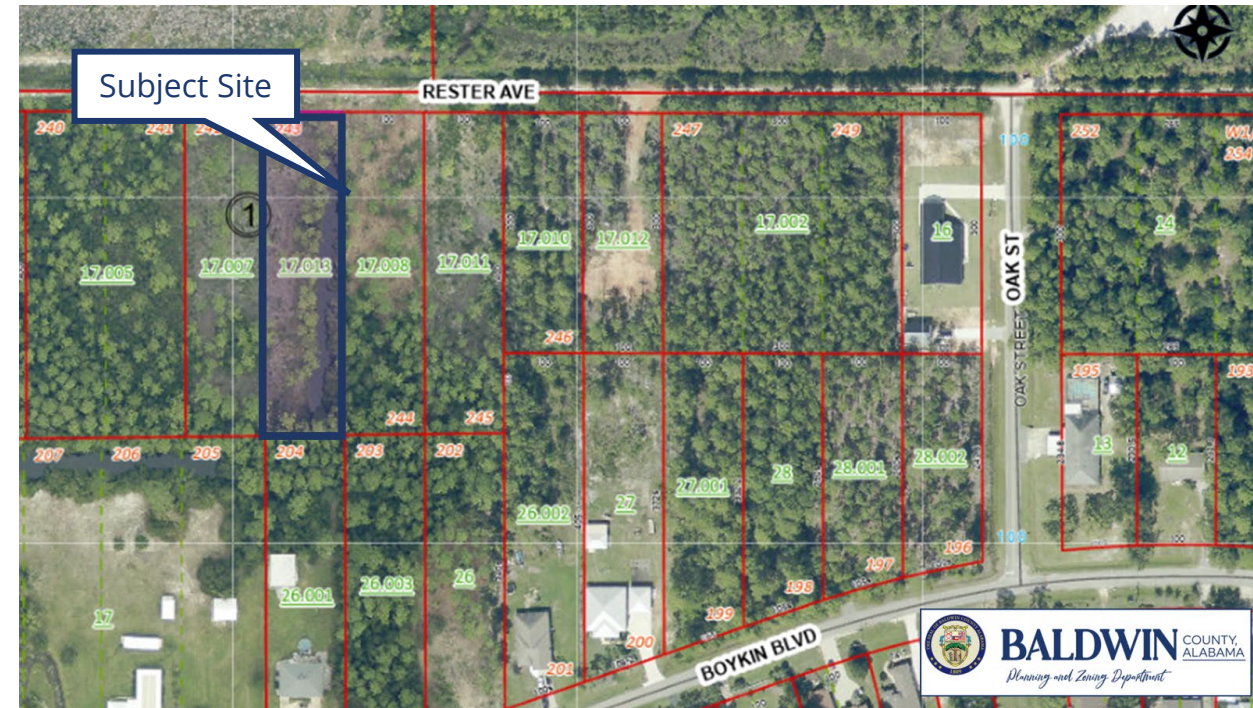
Unless information to the contrary is revealed at the public hearing, staff recommends that ZVA25-55 be denied due to hardships on the land would affect setbacks not height.



# Locator Map



# Site Map



|       | Adjacent Zoning                  | Adjacent Land Use          |
|-------|----------------------------------|----------------------------|
| North | RA, Rural Agricultural           | Vacant- Conservation Swamp |
| South | RSF-1, Residential Single Family | Residential                |
| East  | RSF-1, Residential Single Family | Vacant                     |
| West  | RSF-1, Residential Single Family | Under Construction         |



Subject Site

RESTER AVE



**BALDWIN** COUNTY, ALABAMA

*Planning and Zoning Department*

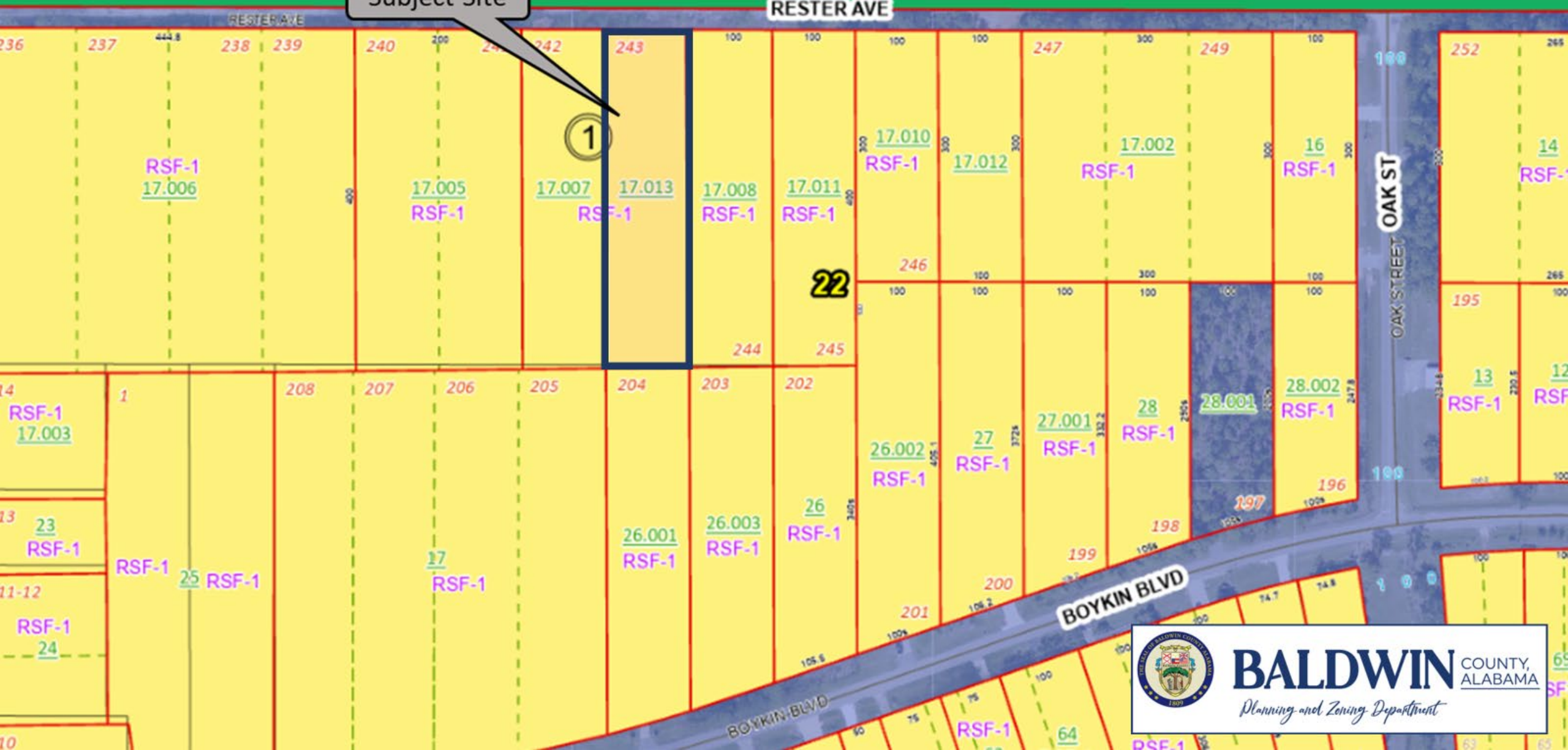


161 Ac(c)

161 Ac(c)

Subject Site

RESTER AVE



**BALDWIN** COUNTY, ALABAMA  
Planning and Zoning Department



Subject Property  
PIN: 625345



**VARIANCE PROPOSED  
FOR THIS PROPERTY  
CASE NUMBER**

**ZVA25-000055**



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

Oct 28, 2025 11:14:23 AM  
30°25'18.45995"N 87°25'19.15352"W  
182° S

Baldwin County Code Enforcement



Adjoining  
Property to  
the South  
PIN: 43961



Oct 28, 2025 11:21:02 AM  
30°25'9.52496"N 87°25'20.13002"W  
357° N

Baldwin County Code Enforcement



Adjoining Property  
to The West  
PIN: 9206



Oct 28, 2025 11:15:50 AM  
30°25'18.52547"N 87°25'20.04416"W  
196° S

Baldwin County Code Enforcement



Adjoining Property  
to The East  
PIN: 270426



Oct 28, 2025 11:15:13 AM  
30°25'18.41124"N 87°25'18.4769"W  
196° S

Baldwin County Code Enforcement



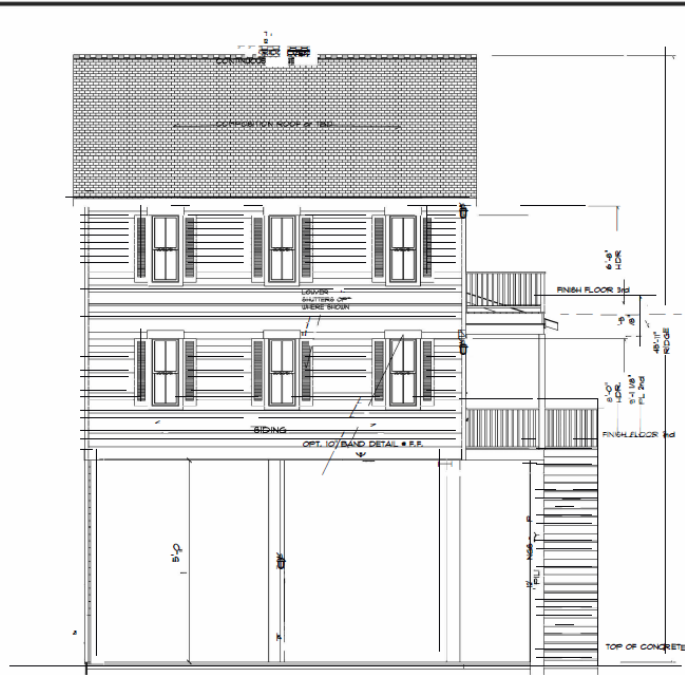
Property to  
the North  
PIN: 119960



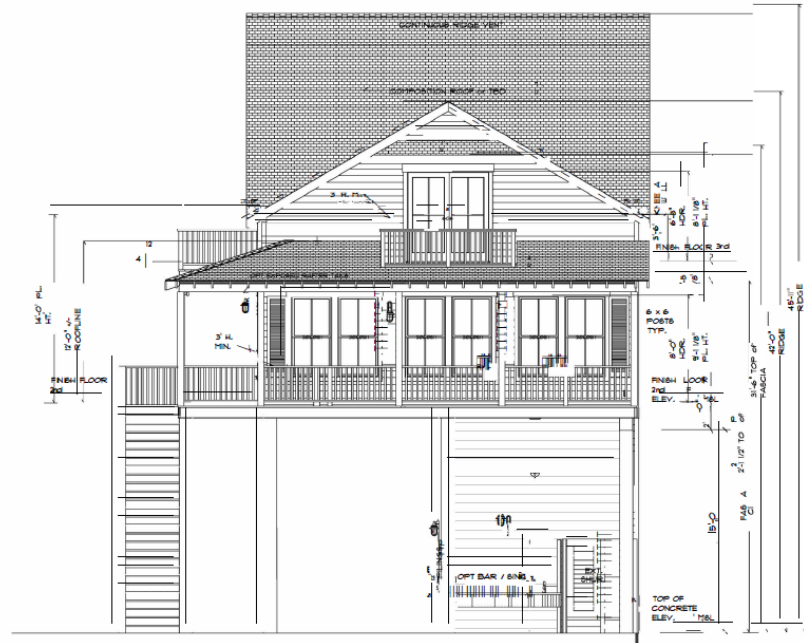
Oct 28, 2025 11:14:41 AM  
30°25'18.40174"N 87°25'19.04527"W  
13° N

Baldwin County Code Enforcement

# Elevations



REAR ELEVATION



FRONT ELEVATION

NOTE:  
GREAT CARE & EFFORT HAVE GONE INTO THE DESIGN AND PREPARATION OF THESE DRAWINGS. HOWEVER, BECAUSE WE ARE NOT ABLE TO PROVIDE ANY PERSONAL OR ON SITE CONSULTATION AND SUPERVISION OVER THE ACTUAL CONSTRUCTION, THE DESIGNER ASSUMES NO RESPONSIBILITY OVER ANY PHASE OF THE CONSTRUCTION OR FOR ANY DAMAGES DUE TO ANY DEFICIENCIES, OMISSIONS OR ERRORS IN THE DESIGN.



28143 Annabella Lane  
Daphne, AL 36526  
Phone: 251-923-8292  
E-mail: CoastalDesigns@yahoo.com

A NEW SINGLE FAMILY RESIDENCE FOR  
JENNIFER AND DAVID WRIGHT  
35458 WESTER AVENUE  
LITTLE ROCK, ARABAMA

| ORIGINAL | REVIEWED BY<br>P [ ] | MINORITY DRAWINGS FOR CUMMER REVIEW | DATE |
|----------|----------------------|-------------------------------------|------|
|          |                      |                                     |      |
| NUMBER   |                      | REV/BON.                            | DATE |

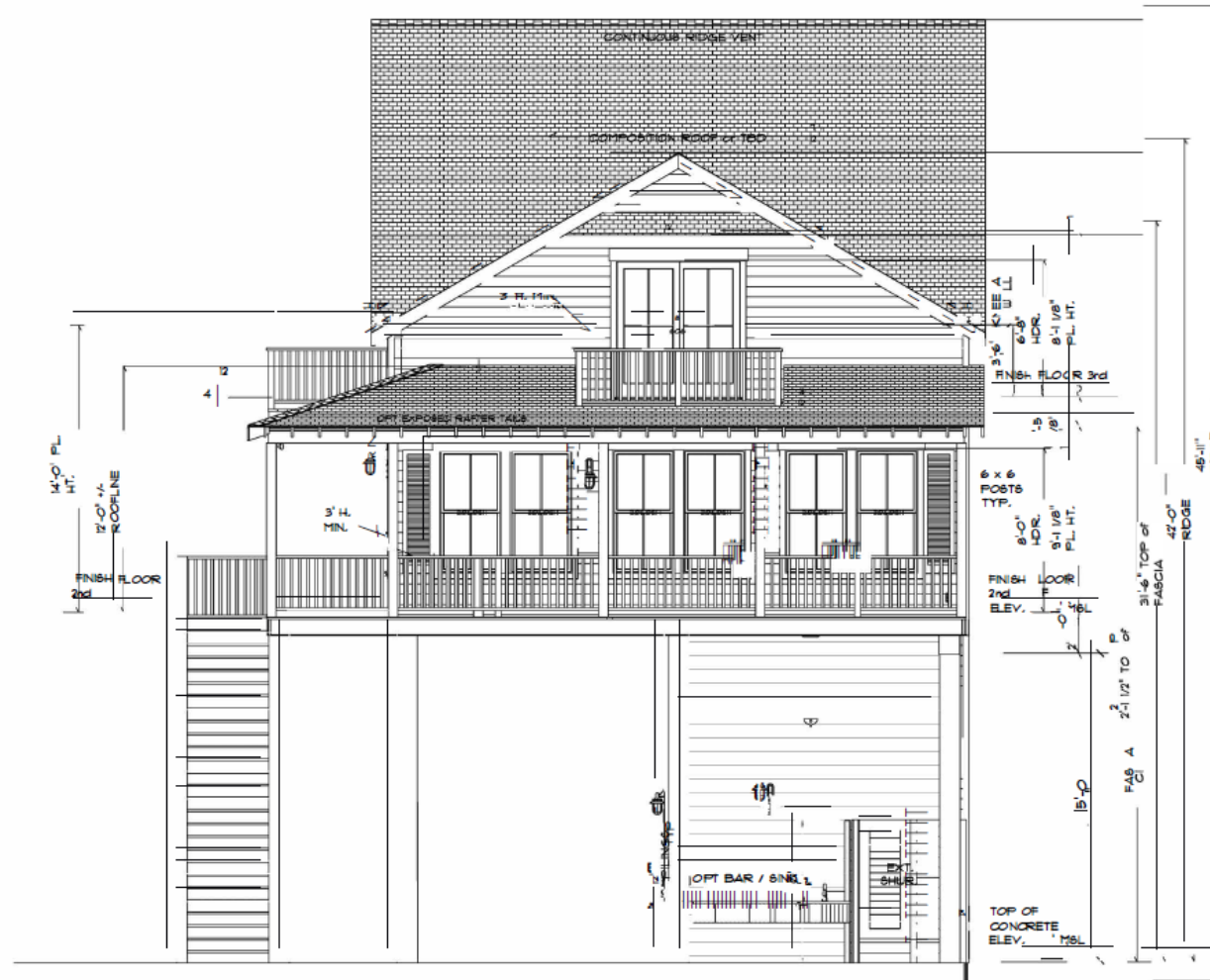
## ELEVATIONS #2

~~SHEET NO.~~

JOB NO: 016-25  
DRAWN BY: R. Miller  
CHECKED BY: R. Miller  
DATE: 2/8/2025  
SCALE: 1/4" = 1'

A4

# Elevations



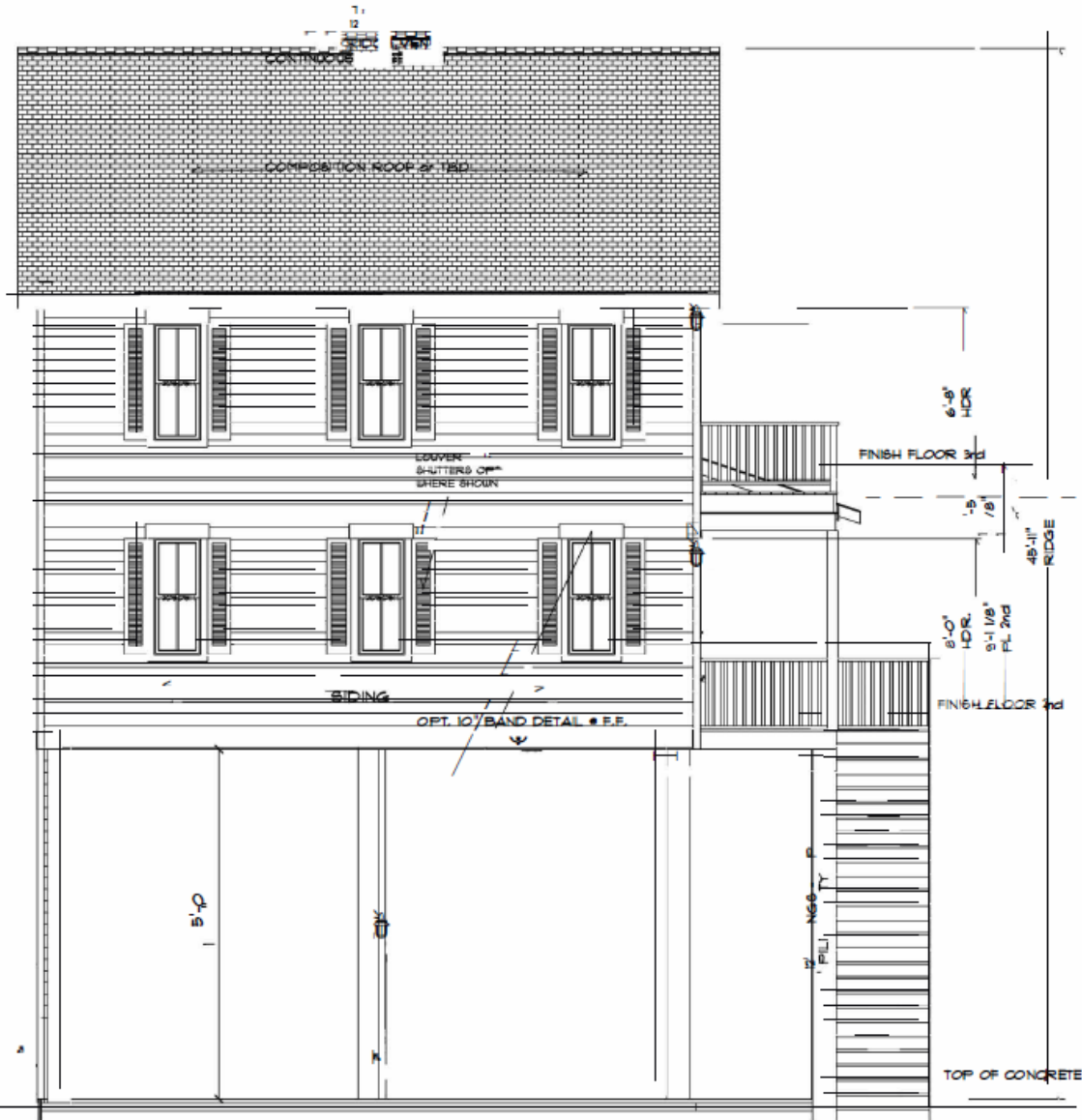
FRONT ELEVATION

45'11'

42'



# Elevations



REAR ELEVATION

# Elevations

**NOTES:**

GREAT CARE & EFFORT HAVE GONE INTO THE DESIGN AND PREPARATION OF THESE DRAWINGS. HOWEVER, BECAUSE WE ARE NOT ABLE TO PROVIDE ANY PERSONAL OR ON SITE CONSULTATION AND SUPERVISION OVER THE ACTUAL CONSTRUCTION, THE DESIGNER ASSUMES NO RESPONSIBILITY OVER ANY PHASE OF THE CONSTRUCTION OR FOR ANY DAMAGES DUE TO ANY DEFICIENCIES, OMISSIONS OR ERRORS IN THE DESIGN.

**EXTERIOR ELEVATION NOTES:**

1. CONTRACTOR TO VERIFY ALL WINDOW AND DOOR STYLES AND SIZES PRIOR TO CONSTRUCTION.
2. PROVIDE STEPS AS PER CODE.
3. GROUND LINES SHOWN FOR REFERENCE ONLY AND VARY DEPENDING ON SITE CONDITIONS.
4. ALL FINISH MATERIAL TO BE VERIFIED BY CONTRACTOR.
5. REFER TO TYPICAL WALL DETAIL FOR FRAMING METHODS AND OTHER MISC. INFORMATION.
6. CONTRACTOR TO PROVIDE ADEQUATE ROOF VENTILATION AS REQUIRED BY CURRENT CODES.

**EXPOSURE B CATEGORY**  
ALL WINDOW AND EXTERIOR DOOR OPENINGS  
TO BE IMPACT RATED.

SHINGLE ROOF COVERING MUST BE CLASS H HIGH  
WIND RATED 160 MPH ULTIMATE

ROOF MOUNTED VENTS INCLUDING BUT NOT LIMITED TO  
RIDGE VENTS AND TURBINES MUST BE FLORIDA  
BUILDING CODE TAB 1001A) APPROVED



**RIGHT ELEVATION**



28143 Annabelle Lane  
Daphne, AL 36526  
Phone: 251-823-8292  
E-mail: Coastal.Design@yahoo.com

A NEW SINGLE FAMILY RESIDENCE FOR  
JENNIFER AND DAVID WRIGHT  
35458 REXTER AVENUE  
LILLIAN, ALABAMA

|          |                                               |          |       |
|----------|-----------------------------------------------|----------|-------|
| ORIGINAL | REVISED PRELIMINARY DRAWINGS FOR OWNER REVIEW | 4/4/2025 | DATE: |
| NUMBER   | REVISION:                                     |          |       |

ELEVATIONS #1

SHEET NO.

A3-A

JOB NO. 018-25  
DRAWN BY: R. MILLER  
CHECKED BY: R. MILLER  
DATE: 3/8/2025  
SCALE: 1/4" = 1'

# Elevations

NOTES:  
GREAT CARE & EFFORT HAVE GONE INTO THE DESIGN AND PREPARATION OF THESE DRAWINGS. HOWEVER, BECAUSE WE ARE NOT ABLE TO PROVIDE ANY PERSONAL, OR ON SITE CONSULTATION AND SUPERVISION OVER THE ACTUAL CONSTRUCTION, THE DESIGNER ASSUMES NO RESPONSIBILITY OVER ANY PHASE OF THE CONSTRUCTION OR FOR ANY DAMAGES DUE TO ANY DEFICIENCIES, OMISSIONS OR ERRORS IN THE DESIGN.



LEFT ELEVATION



28143 Annabelle Lane  
Daphne, AL 36526  
Phone: 251-923-8292  
E-mail: Coastal.Design@jahoo.com

A NEW SINGLE FAMILY RESIDENCE FOR  
JENNIFER AND DAVID WRIGHT  
35458 RESTER AVENUE  
LILLIAN, ALABAMA

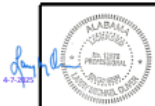
|          |                                               |           |
|----------|-----------------------------------------------|-----------|
| ORIGINAL | REVISED PRELIMINARY DRAWINGS FOR OWNER REVIEW | 4/14/2025 |
| NUMBER   | REVISION                                      | DATE      |

ELEVATIONS #1

SHEET NO.

A3-B

JOB NO. 018-25  
DRAWN BY: R. Hiler  
CHECKED BY: R. Hiler  
DATE: 2/8/2025  
SCALE: 1/4" = 1'



# Site Plan

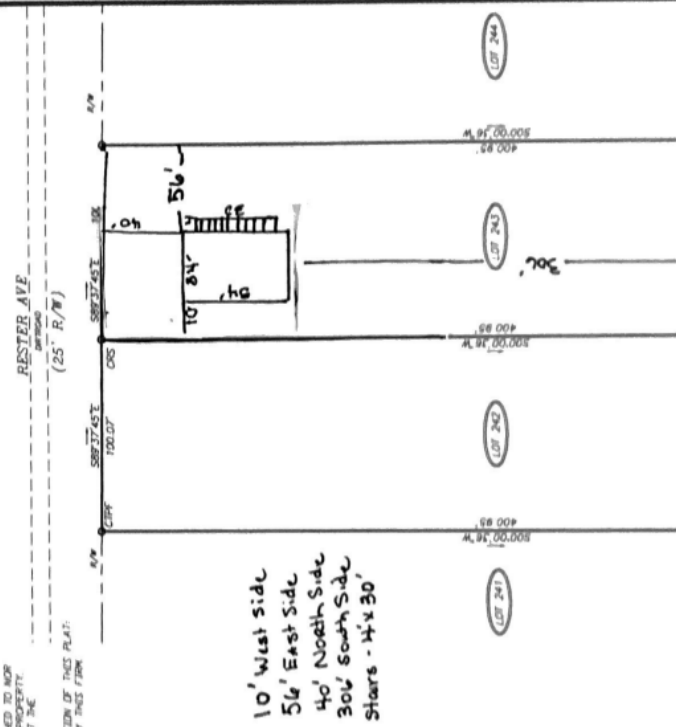
|                                                                                                                                                                     |  |                                                                                                                                                                                                                                                                                                                                                                                           |  |                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------|
| <b>SURVEY SERVICES</b><br>22505 PUTTER LAKE<br>PO BOX 413636<br>MOBILE, AL 36688<br>PHONE 251-477-8720<br>FAX 251-477-8721<br>SURVEY@KENTONSLAKE.COM                |  | OWNER: R/T:<br>DAVID WRIGHT<br>TYPE OF SURVEY:<br>RECONSTRUCTION<br>STATE: ALABAMA COUNTY: BALDWIN<br>SECTION: 20 TOWNSHIP: 7 SOUTH RANGE: 6 EAST<br>PARCEL #: 52-06-24-0-007-013<br>SUBDIVISION: LILLIAN BEACH LOTS: 2-43<br>MAP BOOK: 3 PAGES: 78-79<br>PROJECT NO.: 24124<br>OWNER: LEE<br>FIELD WORK: 10/31/22<br>DATED: 09/08/25<br>ADDRESS:<br>35458 REISTER AVE, LILLIAN, AL 36549 |  | SURVEY REQUESTED BY:<br>DAVID WRIGHT (MILLER) |
|                                                                                                                                                                     |  |                                                                                                                                                                                                                                                                                                                                                                                           |  | (Print with without original signature)       |
| I, <u>Lee</u> , Surveyor No. <u>08-29607</u><br>do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner. |  | I, <u>David Wright</u> , Owner<br>do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner.                                                                                                                                                                                                                                     |  | Date: <u>09/08/25</u>                         |

## SURVEYOR NOTES

1. THE DEED DEDICATES AROUND 100 ACRES OF THIS PLAT AS BASKED CRITTERS AND OTHER WILDLIFE HABITAT. THE DEED DEDICATES THE PLAT TO THE AMERICAN CONGRESS ON SURVEY AND MAPPING.
2. THE PLAT SHOWN ON THIS MAP INDICATES ACTUAL PROPERTY LINES HAS BEEN CALLED OUT FOR A CLEARER PURPOSE AND IS INTEND TO MAKE A CLEARER PRESENTATION OF GREATER THAN ONE FOOT IN SIZE.
3. THE LINEAR AND ANGULAR MEASUREMENTS NECESSARY FOR THIS PLAT WERE OBTAINED IN THE FIELD WITH A TOTAL STATION AND A TOTAL STATION IN THE FIELD.
4. THE BOUNDS OF THE BARRIAGES AND NORTH ARROW OF THIS PLAT ARE ACCORDING AND BASED ON THE NORTH PROPERTY LINE BEING SOUTH DIRECTION WEST.
5. ALL PLANT DISTANCES SHOWN ON THIS PLAT ARE HORIZONTAL AND ARE MEASURED AND RECORDED UNLESS OTHERWISE NOTED.
6. THIS LAND LIES WITHIN ZONE 14 PER GRAPHIC LOCATION AS SHOWN ON THE MAP. THE PLAT IS LOCATED IN THE COMMUNITY NAME, MC DONALDSTOWN IN BALDWIN CO. ALABAMA. REVISOR MAP 2012 APRIL 18, 2015
7. THIS PLAT IS SUBJECT TO ALL RESTRICTIONS, ENCUMBRANCES AND EASEMENTS WHICH MAY OR MAY NOT BE OF RECORD.
8. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION OR EXTENT OF UTILITIES OR SURFACE FEATURES.
9. NO TITLE SEARCH, OR ABSTRACT WAS FURNISHED TO NOR WAS A SEARCH OF RECORDS MADE TO DETERMINE THE EXISTENCE OF A SEARCH OR ABSTRACT COULD AFFECT THE BOUNDARIES OF THIS PROPERTY.
10. SUBJECT OF INFORMATION USED IN PREPARATION OF THIS PLAT WAS OBTAINED FROM THE RECORDS OF THE BALDWIN COUNTY RECORDS AND PREVIOUS SURVEYS BY THIS FIRM.

## PROPERTY DESCRIPTION

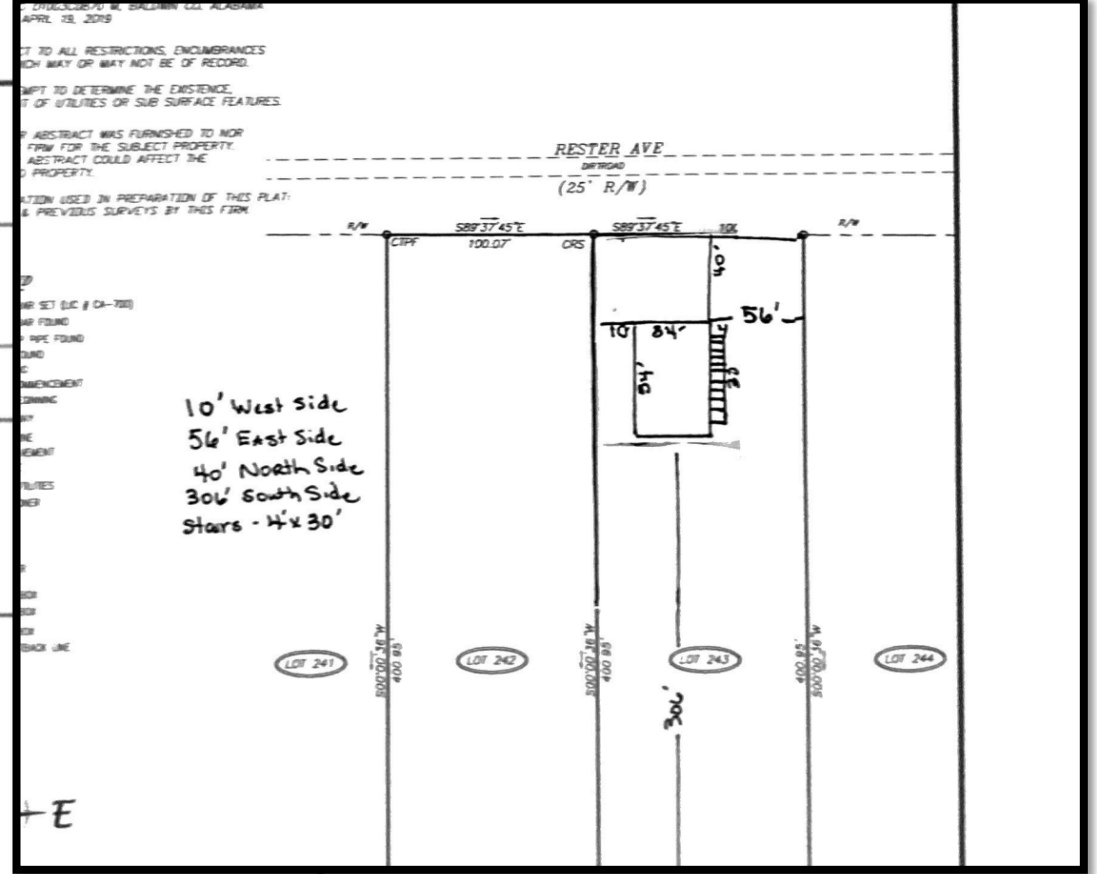
LOT 242 AND 243, LILLIAN BEACH SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED ON MAP BOOK 3, PAGE 78-79 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.



|    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| 01 | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 00 |
| 01 | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 00 |
| 01 | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 00 |
| 01 | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 00 |
| 01 | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 00 |
| 01 | 02 | 03 | 04 | 05 | 06 | 07 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |



## Survey Services



# Zoning Requirements

## Section 4.2 RSF-1, Single Family District

**4.2.1 Generally.** This zoning district is provided to afford the opportunity for the choice of a low density residential environment consisting of single family homes on large lots.

**4.2.2 Permitted uses.** Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.

**Building height.** The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs. In A-zones building height will be measured from the finished floor elevation. In V-zones building height will be measured from the bottom of the lowest supporting girder.

(f) The following institutional use: church or similar religious facility.

(g) Agricultural uses, on RSF-1 zoned parcels that otherwise meet the minimum area and dimension requirements for Rural Agricultural District under Section 3.2.6 herein, agricultural uses shall be permitted uses, except that the minimum front yard for barns and other agricultural structures shall be 100 feet when constructed on an RSF-1 zoned parcel where no primary dwelling currently exists.

**4.2.3 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) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.
- (d) The following local commercial use: bed and breakfast or tourist home (see Section 13.10: *Bed and Breakfast Establishments*).

**4.2.4 Special exception.** Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception: Not Applicable

**4.2.5 Area and dimensional ordinances.** Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.5: Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

|                                     |                    |
|-------------------------------------|--------------------|
| Maximum Height of Structure         | 35-Feet            |
| Maximum Height in Habitable Stories | 2 ½                |
| Minimum Front Yard                  | 30-Feet            |
| Minimum Rear Yard                   | 30-Feet            |
| Minimum Side Yards                  | 10-Feet            |
| Minimum Lot Area                    | 30,000 Square Feet |
| Minimum Lot Width at Building Line  | 100-Feet           |
| Maximum Ground Coverage Ratio       | .35                |

# CORP PERMIT



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
P.O. BOX 2288  
MOBILE, AL 36628-001

February 26, 2024

South Alabama Branch  
Regulatory Division

SUBJECT: Department of the Army Nationwide Permit, File Number SAM-2023-01067

David Wright  
271 Ridgeview Lake Road  
Alabaster, Alabama 35007  
[Dw1455@bellsouth.net](mailto:Dw1455@bellsouth.net)

Dear Mr. Wright,

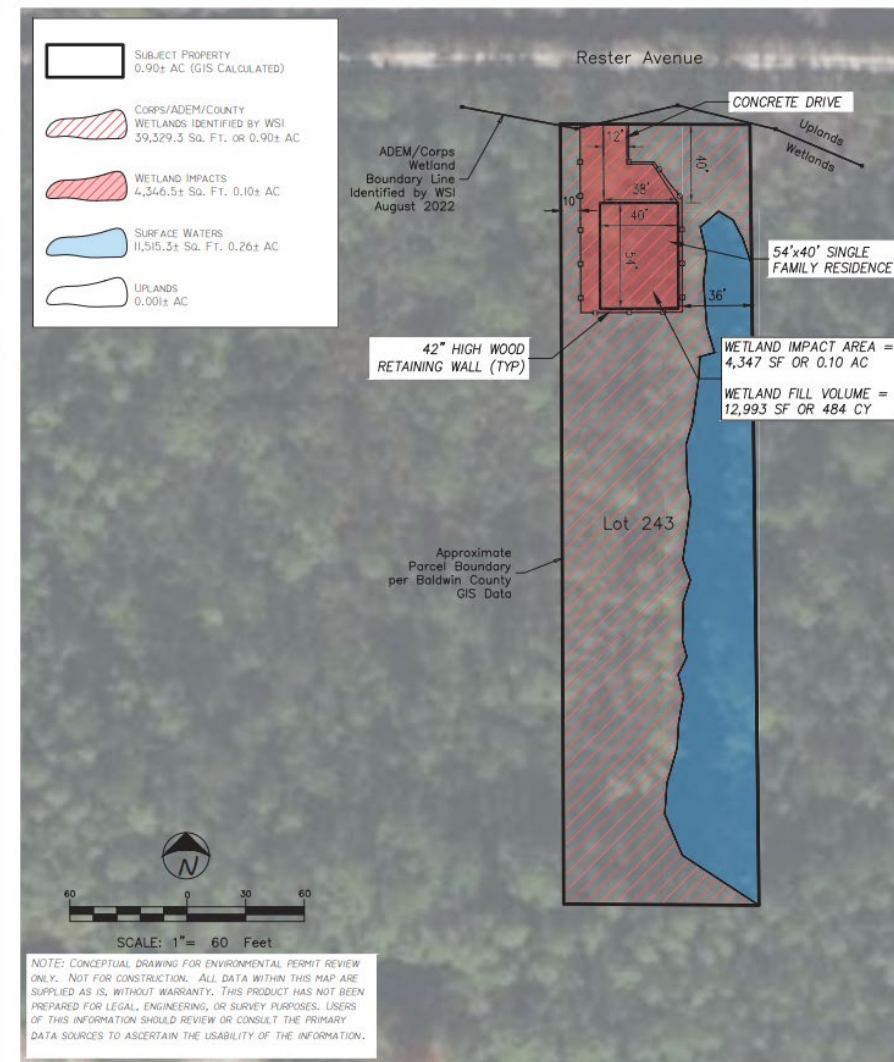
This letter is in response to your request for verification of a Department of the Army (DA) Nationwide Permit (NWP) 18 authorizing the placement of fill material within jurisdictional wetlands for construction of a single-family residence with associated driveway and retaining wall. This project has been assigned Department of the Army file number SAM-2023-01067, which should be referred to in all future correspondence with this office concerning this project. The project is located approximately one mile to the northeast of the unincorporated community of Lillian, directly south of Rester Avenue, on Lot 243 of the Lillian Beach subdivision, centered at latitude 30.4215532°, longitude -87.422132°, in Baldwin County, Alabama.

Department of the Army (DA) permit authorization is necessary because your project involves work in waters of the United States under our regulatory jurisdiction. The project activities include the following:

-- The permanent discharge of 484 cubic yards of fill material within 4,356 square feet (0.1 acre) of palustrine forested wetlands. The fill is required for construction of a 54-foot by 40-foot single family residence and an associated 40-linear-foot concrete driveway varying in width from 12 feet to 38 feet. A 42-inch-tall wood retaining wall will be installed to encompass and contain the fill.

Based upon the information and plans you provided, we hereby verify the work described above, which would be performed in accordance with the attached drawings, is authorized by NWP 18, Minor Discharges, in accordance with 33 CFR Part 330 of our regulations. The enclosed NWP and associated Regional and General Conditions are attached for your review and compliance.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 14, 2026. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date the relevant NWP is modified or revoked, you will have



**WETLAND SCIENCES**  
INCORPORATED

ENVIRONMENTAL CONSULTANTS  
3308 GULF BEACH HIGHWAY  
PENSACOLA, FLORIDA 32507  
TEL: 850.453.4700  
CRAIG@WETLANDSCIENCES.COM

PROJECT NAME: RESTER AVENUE PARCEL  
**PROPOSED SITE PLAN**  
PROJECT NO.: 2022-761  
DRAWN BY: MKB DATE: 05/12/2023  
SHEET: 3 OF 4

# 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 30 came into effect on September 25, 2001. The lot described is 100 x 400.95 feet and is approximately 40,000 Square Feet. The minimum lot size requirement for RSF-1, Residential Single-Family District, is 30,000 sf, with a Minimum Lot Width at the Building Line of 100'.

Minimum lot size: **30,000 sf**, Actual lot size: **40,000 sf**, Minimum Lot width at building line: **100'**, Actual Lot Width: **100'**, Hardship: **No**

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

The property contains jurisdictional wetlands and has received a U.S. Army Corps of Engineers permit to fill the minimum necessary area. The Zoning Land Disturbance was approved on August 14, 2024. Therefore, staff may identify exceptional topographical conditions or other unique situations or circumstances on the property that might necessitate a variance; however, these are not relevant to the current situation.

# 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.**

This zoning district is provided to afford the opportunity for the choice of a low-density residential environment consisting of single-family homes on large lots. The applicant has requested a height variance in accordance with the Baldwin County zoning ordinance. Our method of measuring height is based on flood elevations; however, this particular parcel falls within flood elevation zone X, which is not designated as a flood zone area. Therefore, we measure height from the finished grade level upward. Staff believes that the granting of the application is not necessary for the preservation of a property right but 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

9/30/2025

To whom it may concern:

Rester Ave is within the Lillian Beach Subdivision and we were provided with a copy of the HOA rules by Baldwin County, however, this HOA is not active. There have been no meetings in a number of years and there is no HOA president or anyone else that governs the HOA.

Also, if you read the HOA bylaws Baldwin County may want to stop distributing it. There is some very discriminatory language in it. I'm not sure when it was written but it is unconstitutional.

*David Wright*  
David Wright

# ZVA25-55 WRIGHT PROPERTY

## VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is seeking a variance from Section 4.2.5 Area and Dimensional Ordinance of the Baldwin County Zoning Ordinance, as it pertains to the height of a proposed dwelling.

The applicant is proposing to construct a piling house on this property, which is located within an X flood zone. Per the zoning ordinance definition of building height, the height is measured from the average elevation of the proposed finished grade to the mean height between eaves and ridge. The maximum height allowed for RSF-1 is 35 feet. The proposed house is reaching approximately 40 feet to the mean roof height and a total height of 45'11".

Unless information to the contrary is revealed at the public hearing, staff recommends that ZVA25-55 be denied due to hardships on the land would affect setbacks not height.

If the board decides to grant the variance request, staff recommends the following 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.

# **ZVA25-55 WRIGHT 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 #2

NEXT REGULAR MEETING

DECEMBER 11, 2025 @ 3:00PM

BALDWIN COUNTY SATELLITE COURTHOUSE

FOLEY, AL