



**BALDWIN** COUNTY,  
ALABAMA

*Planning and Zoning Department*

**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

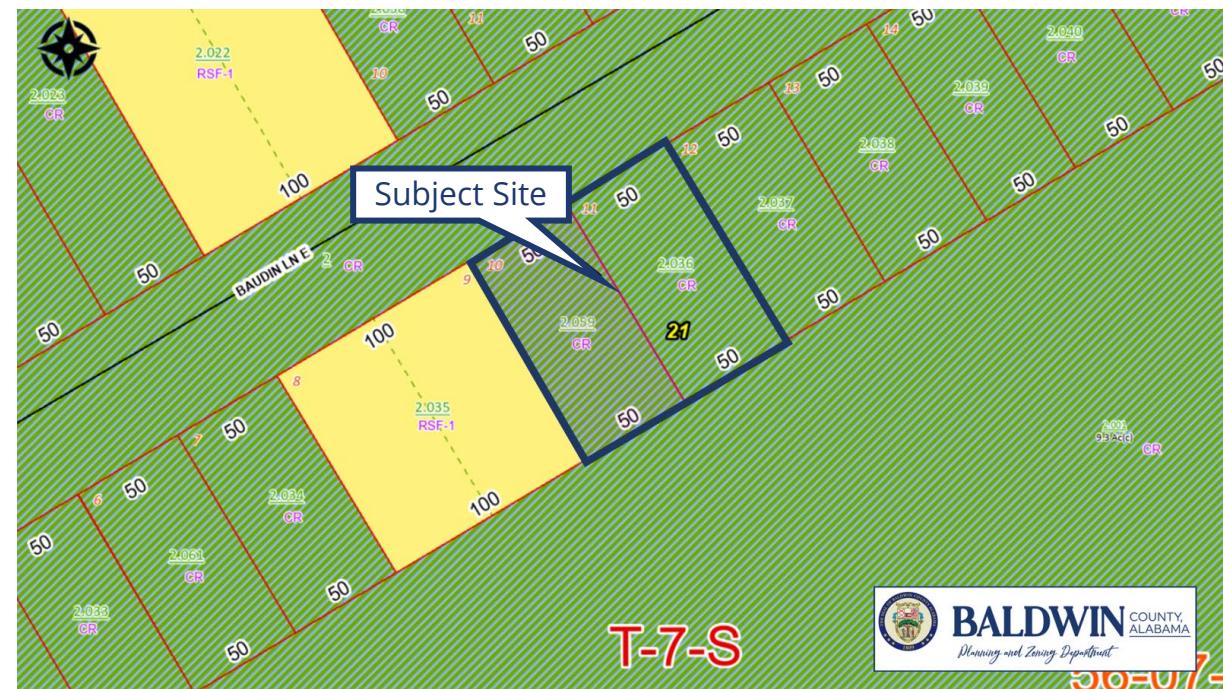
The applicant is requesting a variance from Section 3.3.5 Area and Dimensional Ordinance of the Baldwin County Zoning Ordinance, as it pertains to the front, rear, and side yard setback requirements in order to allow for a single-family dwelling.

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

T-7-S



# BALDWIN COUNTY, ALABAMA



2.022  
RSF-1

RSF-1

### Subject Site

BAUDIN LN E  
CR

80

1

1

1

1

1

111

1

T-7-S



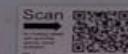
# BALDWIN COUNTY, ALABAMA

30-07-

S  
E  
N  
W  
M  
E  
Subject Property  
PIN: 219509



**VARIANCE  
PROPOSED  
FOR THIS PROPERTY**  
Case Number  
**ZVA26-00001**  
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

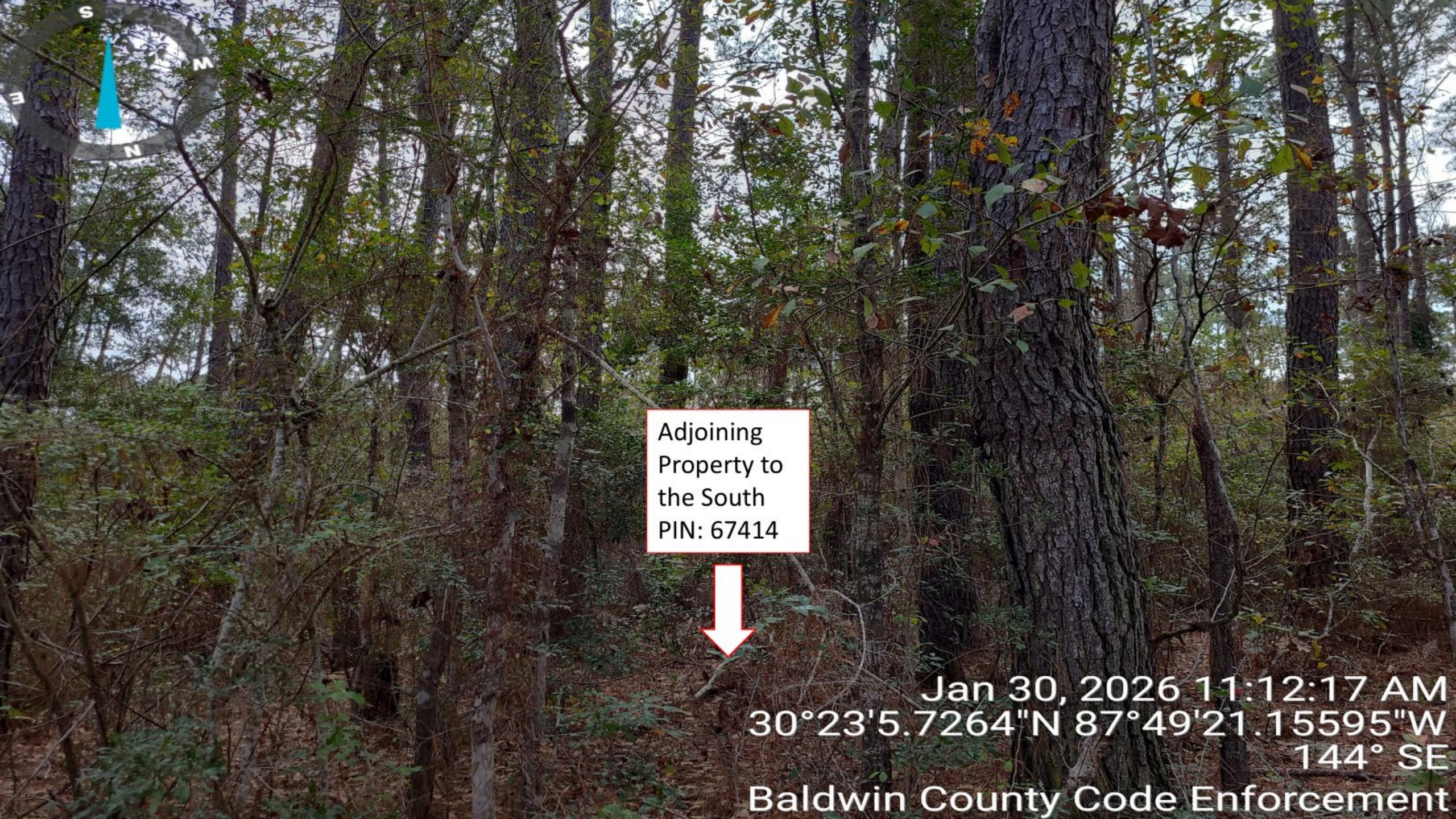


Property to the  
North  
PIN: 219506



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

Baldwin County Code Enforcement

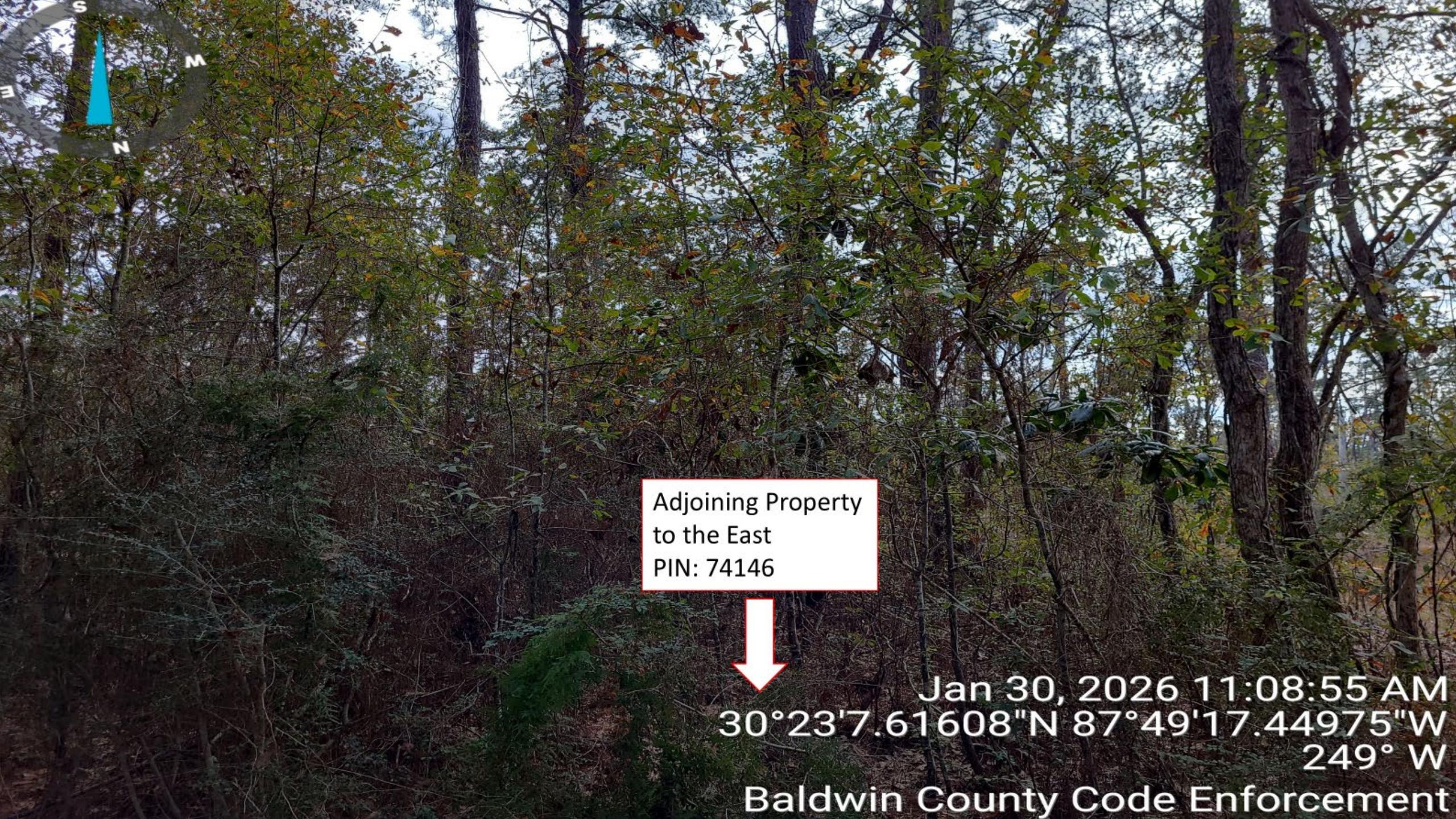


Adjoining  
Property to  
the South  
PIN: 67414



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

Baldwin County Code Enforcement



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



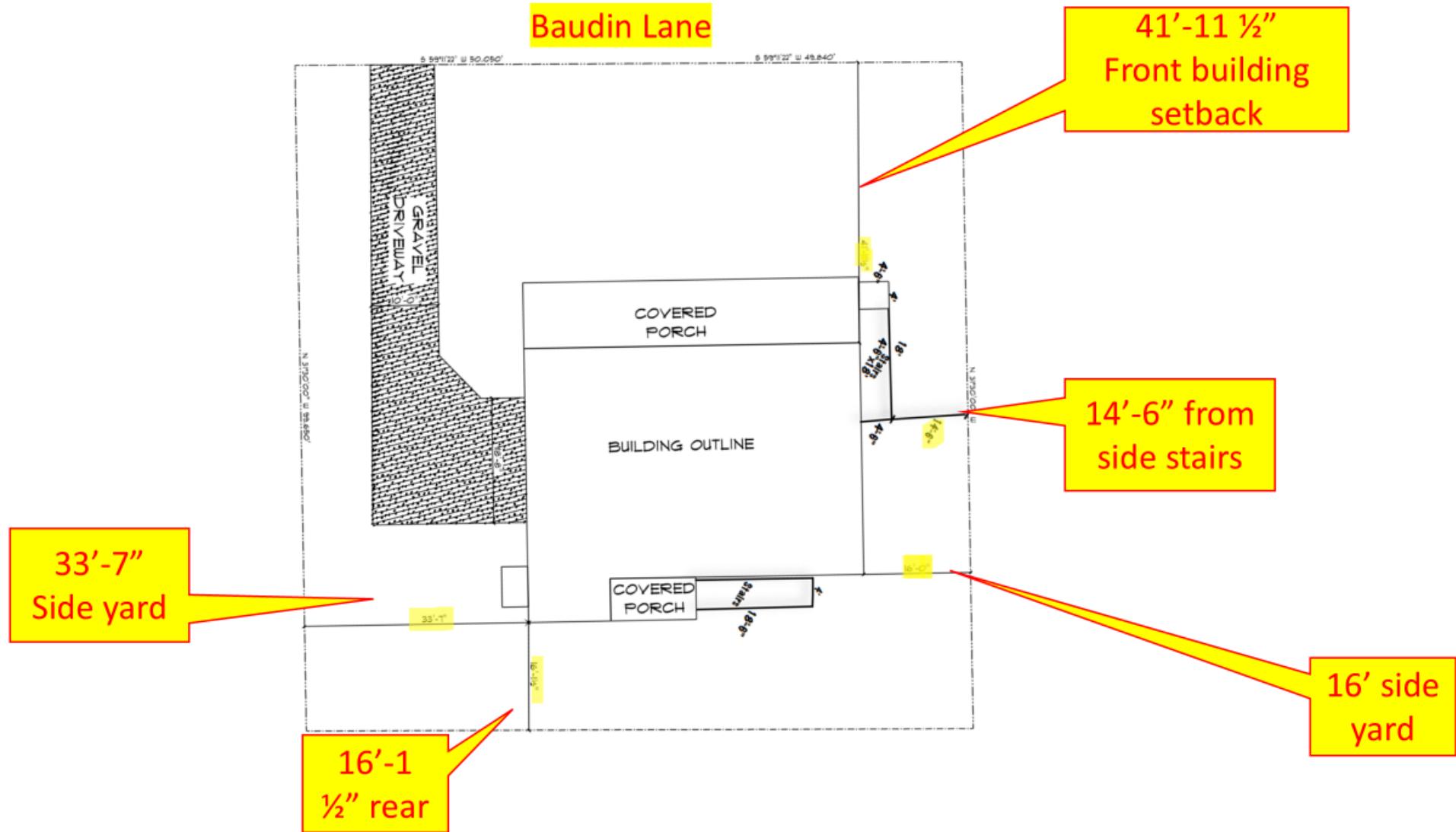
Jan 30, 2026 11:09:21 AM  
30°23'6.91112"N 87°49'18.90156"W  
147° SE

Baldwin County Code Enforcement

# Site Plan Enlarged



# Original Approved Site Plan



# 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).

Baldwin County Zoning Ordinance

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(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:

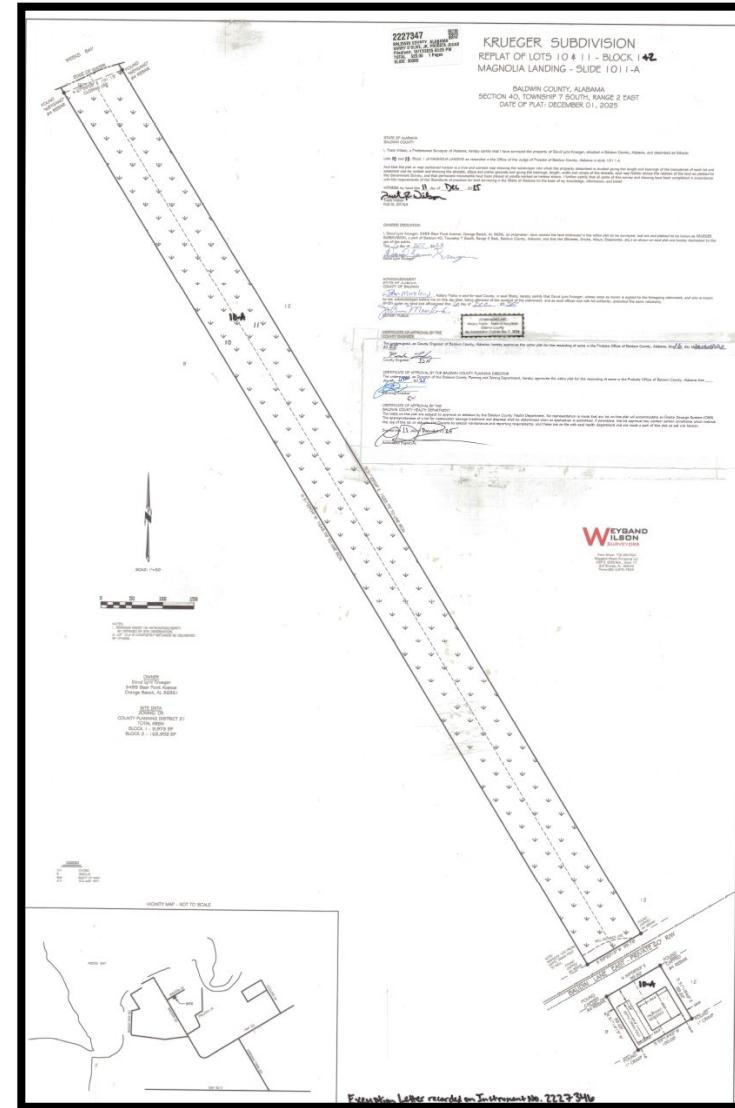
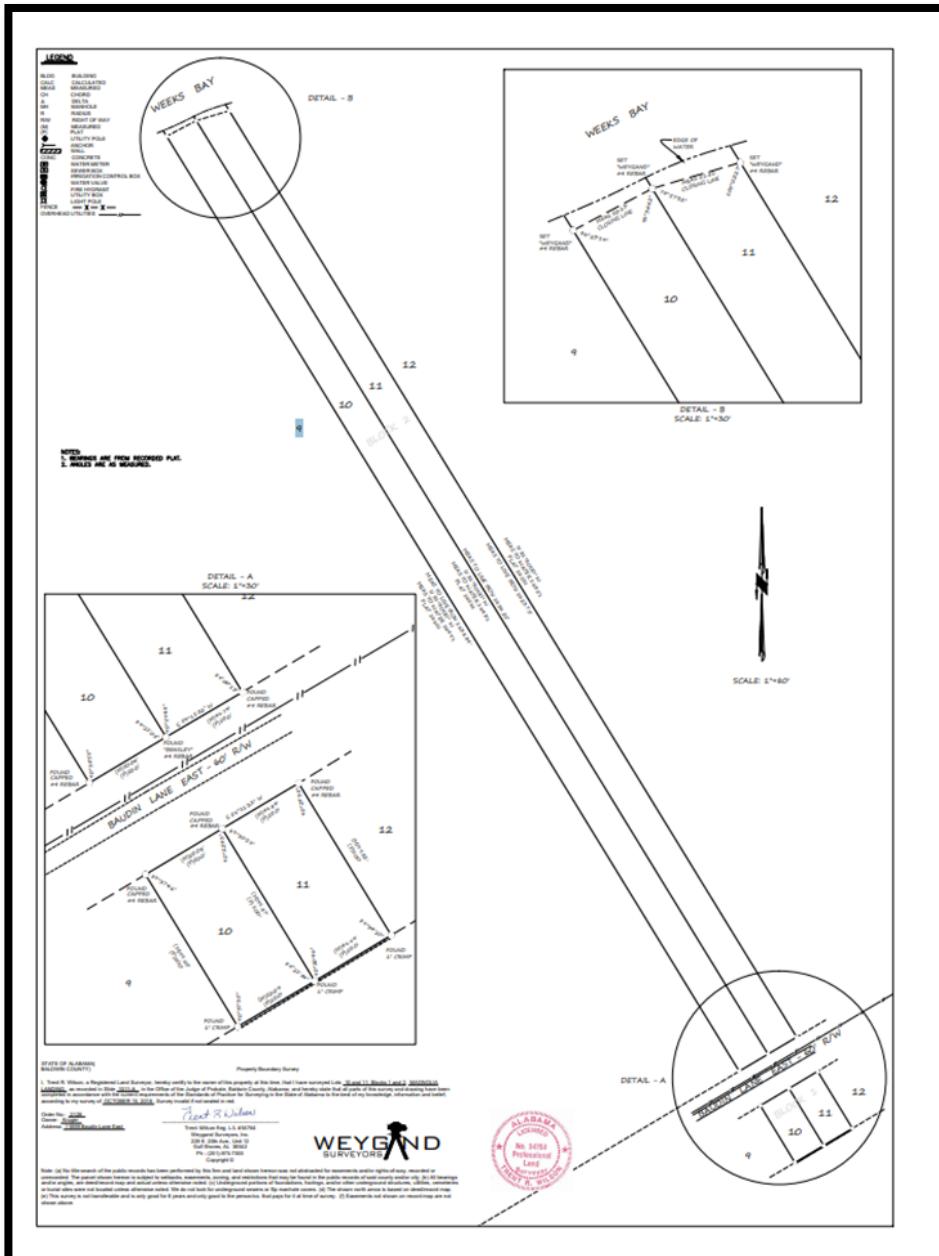
- (a) Institutional uses not permitted by right.
- (b) The following general commercial uses: low density recreational vehicle park (see *Section 13.8: Recreational Vehicle Parks*).
- (c) The following local commercial uses: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

**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 requirements 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

# SUBDIVISION PLAT

# Original Survey Entire Previous Parcel



# 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.

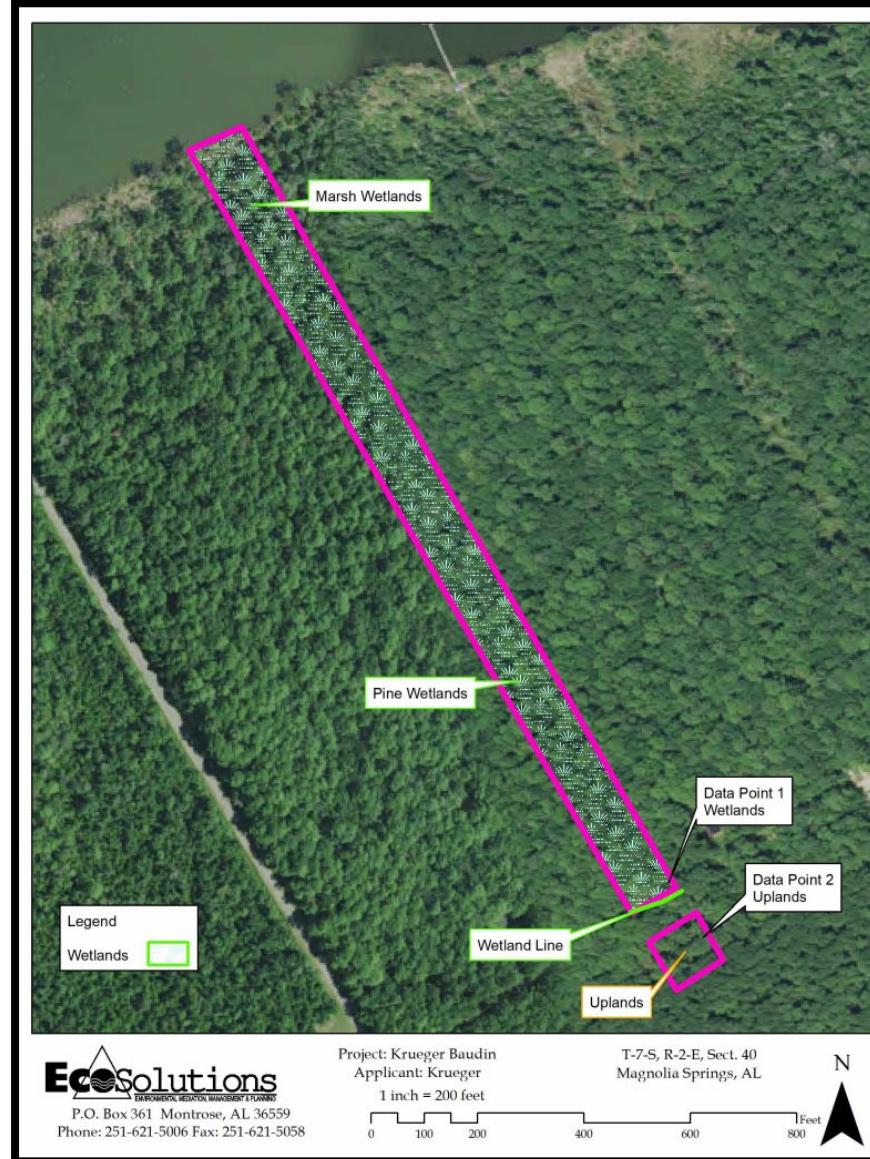
The site was evaluated for jurisdictional wetland areas as defined by the U.S. Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual and all, supplements and amendments thereto. The majority of the parcels met the USACE criteria for wetlands. All comments are based on the professional judgment 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](mailto:Lewis@EcoSolutionsinc.net) if you have any questions or need any additional information.

Best regards,

Lewis Cassidey  
EcoSolutions, Inc.

P.O. BOX 361 MONTROSE, AL 36559 251.621.5006  
ECOSOLUTIONSINC@BELLSOUTH.NET



# 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,

A handwritten signature in black ink, appearing to read "Aimee Krueger".

Aimee Krueger on behalf of David Krueger

1/23/2026

# ZVA26-01 KRUEGER PROPERTY

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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}**

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**

**MARCH 12, 2026 @ 3:00PM**

**BALDWIN COUNTY SATELLITE COURTHOUSE**

**FOLEY, AL**