



## BALDWIN COUNTY COMMISSION

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### PLANNING AND ZONING DEPARTMENT

**Foley Office**  
201 East Section Avenue  
Foley, Al. 36535  
251-972-8523  
Fax 251-972-8520

**Robertsdale Office**  
22251 Palmer Street  
Robertsdale, Al. 36567  
251-580-1655  
Fax 251-580-1656

[www.planning.baldwincountyal.gov](http://www.planning.baldwincountyal.gov)

October 18, 2021

Fort Morgan Advisory Committee

**Re: Case No. ZVA21-000002: Owen Property**

**General Location: Property is located at 2400 Choctaw Road, in Planning District 25.**

**Parcel Identification Number: 05-69-08-02-0-005-056.000**

**Requested Action and Purpose: The applicant is requesting a variance from the wetland setback requirement to allow for the construction of a modular home.**

The BCC Planning & Zoning Board of Adjustment Number 2 has received a request for a variance as described above. We request that you review the application enclosed and provide any comments you may have.

All comments are due on or before noon **Wednesday, October 27, 2021** and should be addressed as follows:

Linda Lee, Planner  
Baldwin County Planning & Zoning Department  
201 E Section Avenue  
Foley, AL 36535  
[llee@baldwincountyal.gov](mailto:llee@baldwincountyal.gov)  
251-972-8523 ext. 2833  
Fax: 251-972-8520

We sincerely appreciate your time and look forward to hearing from you soon.

Sincerely,

Linda Lee, Planner

## Office Use Only

Case No.: ZVA21-000002 Received By: Brenda Brock Date: 10/14/2021  
 Application Fee: 250.00 Receipt No: \_\_\_\_\_ Date of Meeting: November 4, 2021

## Baldwin County Zoning Variance Application

## Mailing Address

201 East Section Avenue

Foley, AL 36532

Phone: (251) 972-8523 Fax: (251) 972-8520

## Applicant

Are you the property owner? yes ☒ no

(If you are not the property owner you must submit Owner Authorization Form signed by the property owner)

Name: ED WITSON Date: 10/2/2021Mailing Address: 6900 LAKESHORE DRIVECity: GULF SHORES State: AL Zip code: 36542Telephone: (251) 269-7229 Fax: ( ) e-mail: ed@whitsonbuilders.com

## Site Information

Location of Property: 2400 CHACTOW ROADParcel ID Number: 05-69-08-02-0-005-056.000

Legal Description: \_\_\_\_\_

Flood Zone: \_\_\_\_\_ Planning District: \_\_\_\_\_ Zoning: \_\_\_\_\_

The purpose of this Variance is to allow:

TO BUILD MODULAR ON LOT WITH WETLANDS

What are the conditions which prevent you from using this property in accordance with its current zoning classification?

IT HAS WETLANDS

I, the undersigned applicant, understands that payment of these fees does not entitle me to approval of this variance and that no refund of these fees will be made. I have reviewed a copy of the applicable zoning regulations and understand that I must be present on the date of the meeting.

[Signature]  
 Signature of Applicant (Owner of Property or Official Representative of Owner)

10/2/2021  
 Date



# **PLANNING & ZONING BOARD OF ADJUSTMENT NUMBER 2**

## **NOTICE OF PUBLIC HEARING**

**Case No. ZVA21-000002**

**Owen Property**

Notice is hereby given that the Planning & Zoning Board of Adjustment Number 2 will hold a public hearing on Thursday, November 4, 2021 beginning at 03:30 PM at the Baldwin County Foley Courthouse at 201 East Section Avenue, Foley, AL 36535.

The Board will consider a variance application submitted by Ed Whitson for property located at 2400 Choctaw Road in Planning District 25. The applicant is requesting a variance from the wetland setback requirement to allow for the construction of a modular home. The Parcel I.D. number is 05-69-08-02-0-005-056.000. You are receiving this notice because records of the Revenue Commission Office indicate that you are an adjacent property owner.

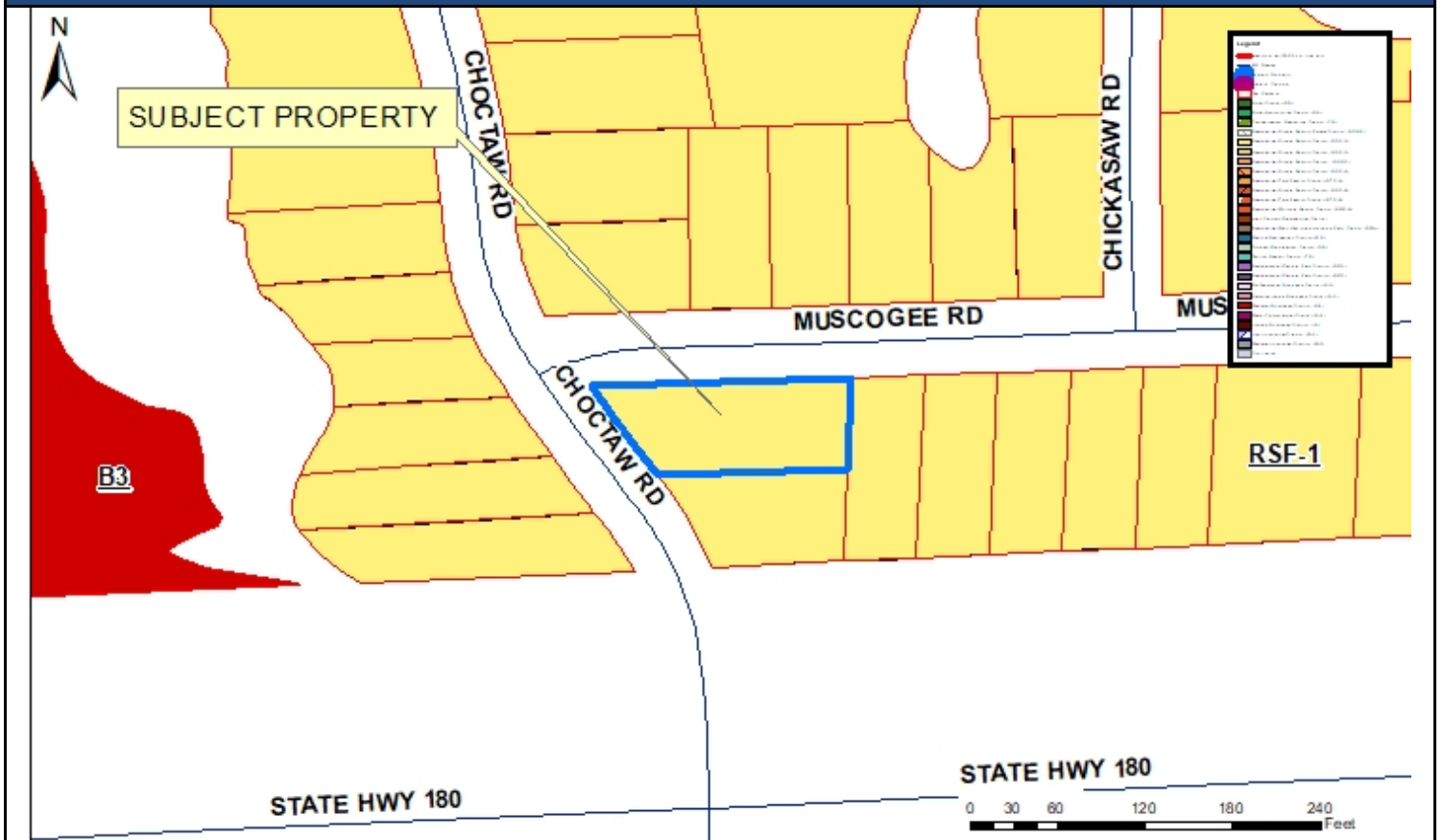
The said application will be considered by The Planning & Zoning Board of Adjustment pursuant to Alabama Code 45-2-261.10 and copies thereof are available for public review at the offices of the Baldwin County Planning & Zoning Department, 22251 Palmer Street in Robertsedale, AL and Foley Satellite Courthouse, 201 East Section Avenue in Foley, AL, during normal business hours.

Public participation is solicited without regard to race, color, national origin, sex, age, religion, disability. Persons who require special accommodations under the Americans with Disabilities Act or those requiring language translation services should contact the Baldwin County Planning & Zoning Department at 251-972-8523.

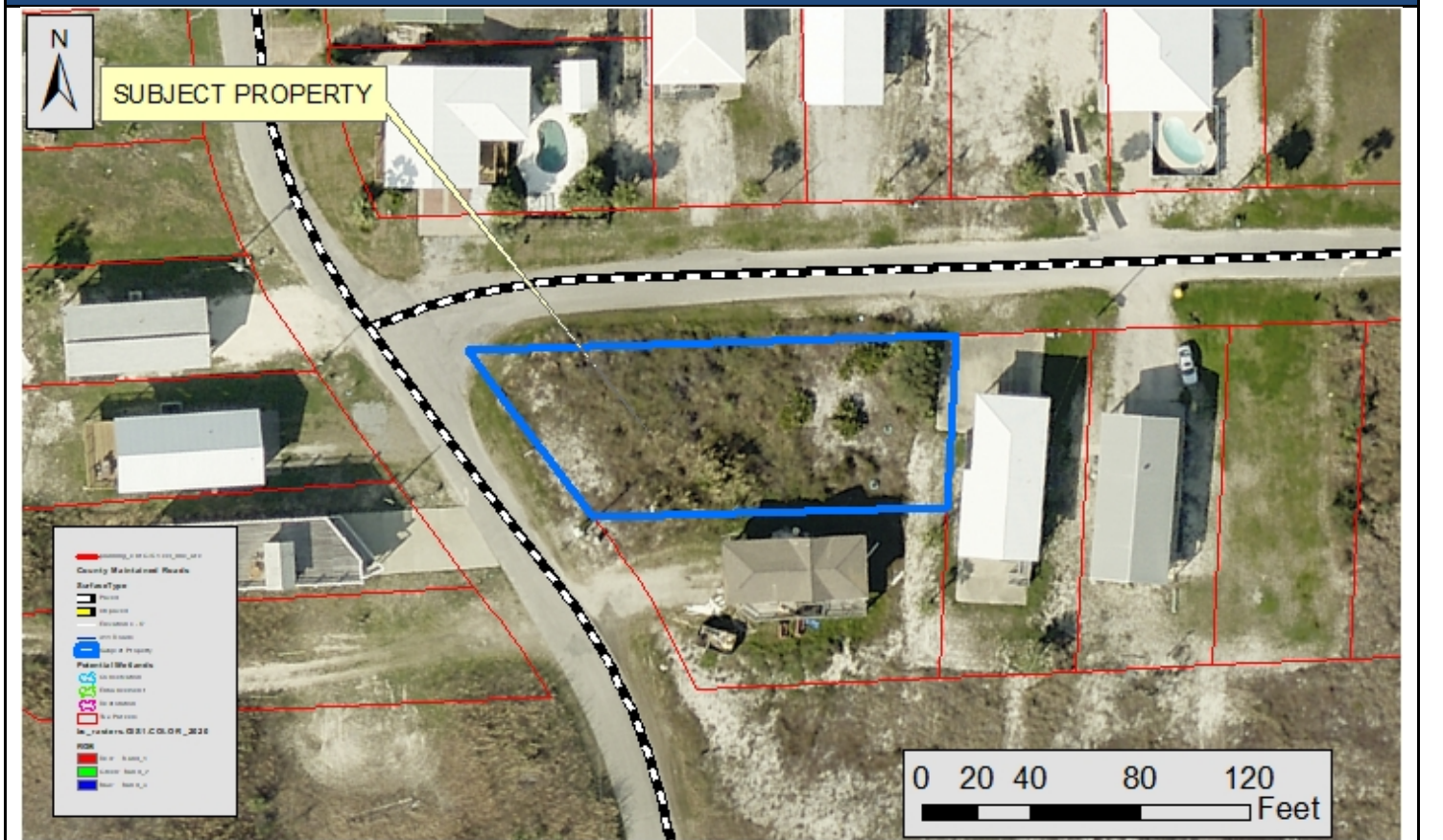
Should you wish to comment on the variance, you may address comments to the Baldwin County Planning & Zoning Department, 201 East Section Avenue, Foley, Alabama 36535 or you may send an email to: [Planning@baldwincountyal.gov](mailto:Planning@baldwincountyal.gov). If you wish to comment in person, please attend the meeting on the day and time provided above.

If you would like to be notified of other information on zoning and development in your area and throughout Baldwin County, please sign up to receive our "Get Notified" e-mails. Once subscribed, you will receive via e-mail our quarterly newsletter, agendas for upcoming meetings, action reports and other news and information. To subscribe, visit <https://open.baldwincountyal.gov/pandzsubscribe>. The service is free and users will be able to subscribe or unsubscribe to the list at will.

# Locator Map



# Site Map - 2020 Aerial Photography





# Proposed Site Plan

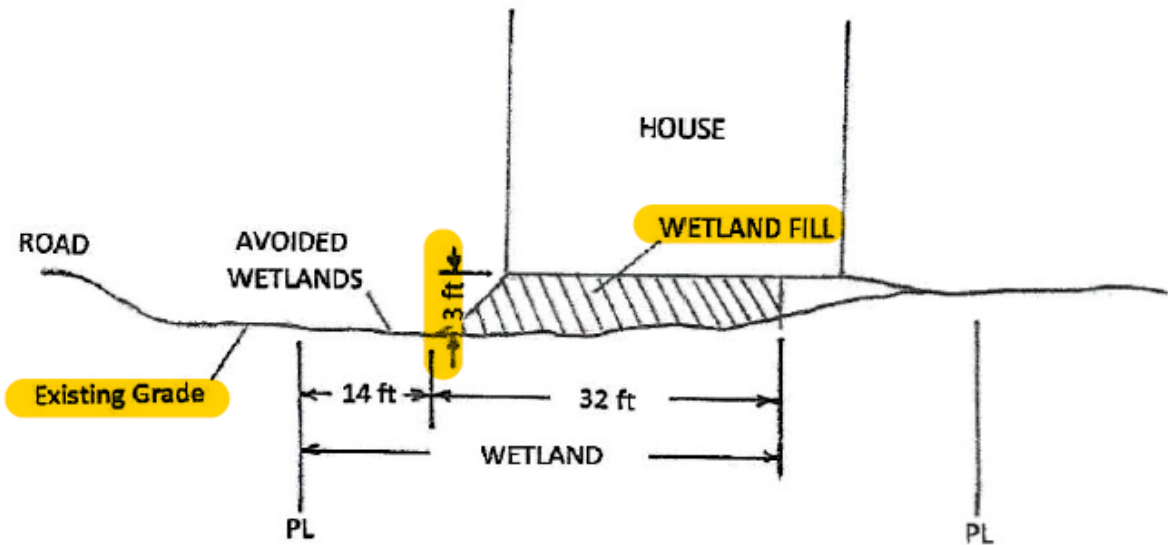
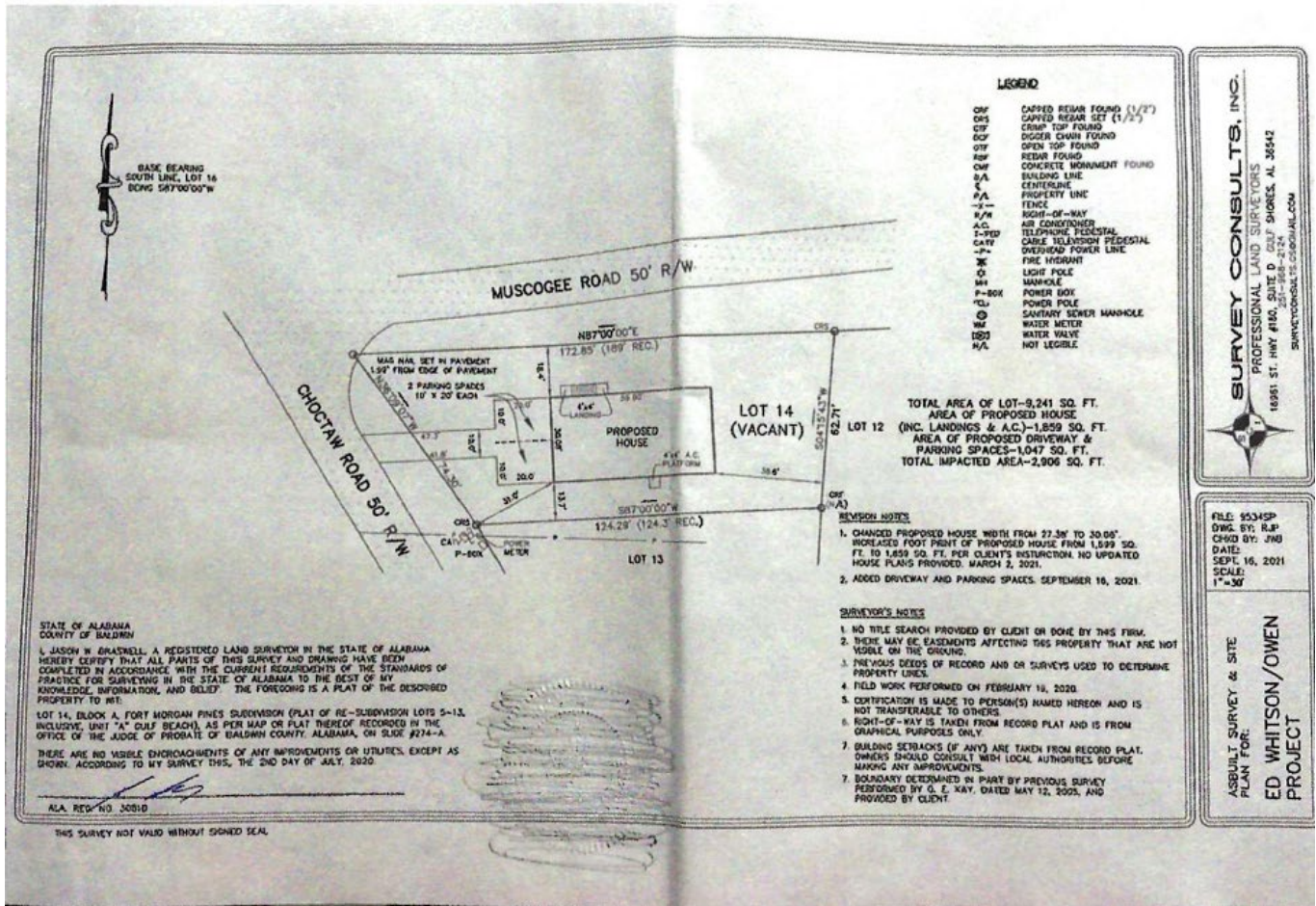
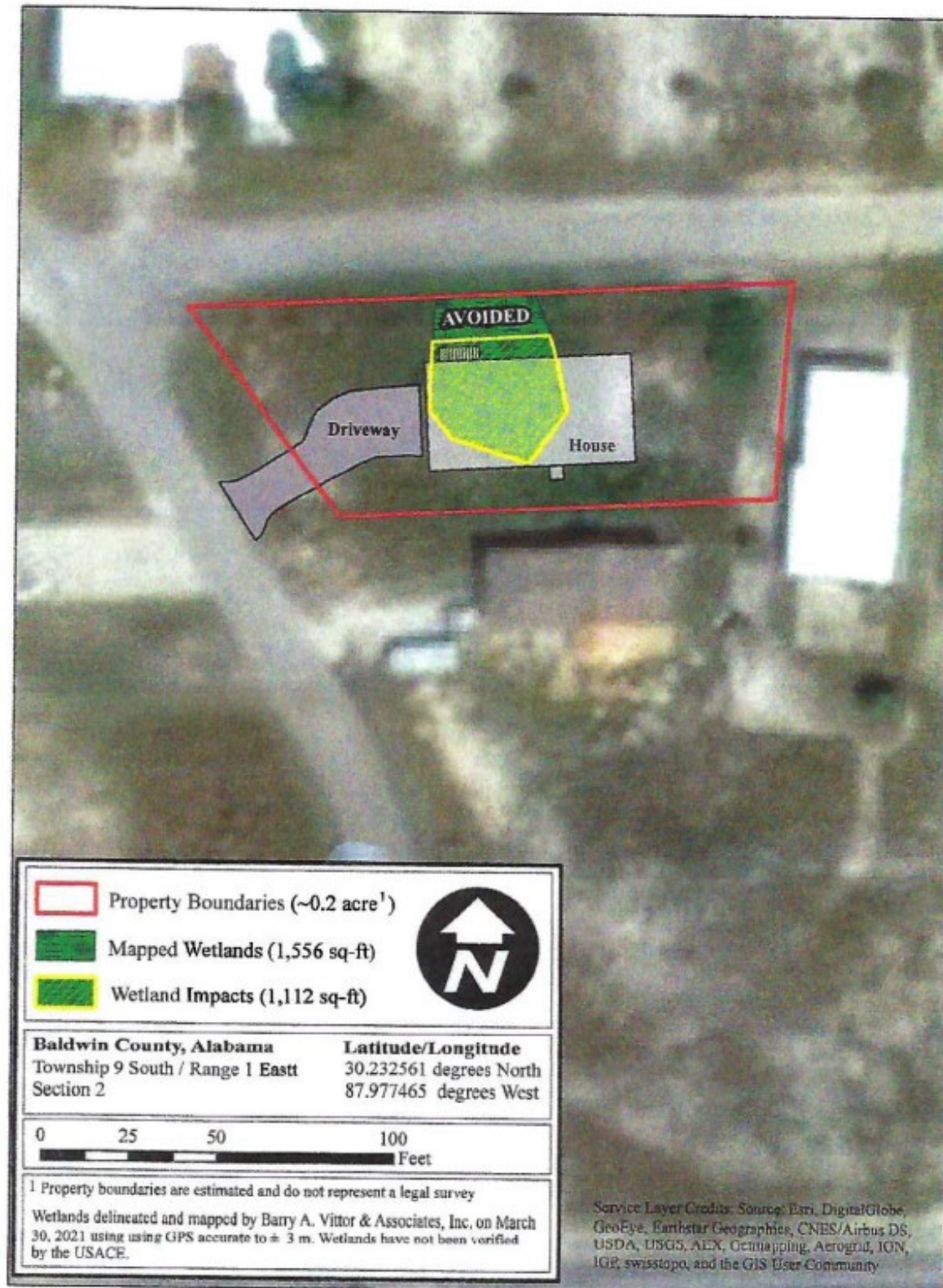


Figure 5. Cross Section of Proposed Wetland Fill





**Figure 4. Proposed Wetland Impacts**





**Figure 3. Wetland Map (Aerial View)**



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT  
P.O. BOX 2288  
MOBILE, AL 36628-0001

September 22, 2021

South Alabama Branch  
Regulatory Division

**SUBJECT:** Department of the Army Nationwide Permit, File Number SAM-2021-00715-LML,  
Whitson Builders, Gulf Shores, Baldwin County, Alabama

Whitson Builders  
Attention: Mr. Ed Whitson  
Email Address: [ed@whitsonbuilders.com](mailto:ed@whitsonbuilders.com)  
6900 Lakeshore Drive  
Gulf Shores, Alabama 36542

Dear Mr. Whitson:

This letter is in response to your request for verification of Department of the Army Nationwide Permit (NWP) authorization to fill wetlands associated with a single-family dwelling. The project has been assigned file number SAM-2021-00715-LML which should be referred to in any future correspondence with this office concerning this project. The project is located at 2400 Choctaw Road; within Section 2, Township 9 South, Range 1 East; near Latitude 30.232561° and Longitude -87.977465°; in Gulf Shores, Baldwin County, Alabama.

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

The project activities include the placement of 150 cubic yards of commercially obtained fill material within 1,132 square feet (0.026 acre) of herbaceous wetlands in order to construct a single-family dwelling and driveway.

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. This 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 18, 2022. 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