



BOARD OF ADJUSTMENT NUMBER 1

AGENDA

December 16, 2025

Regular Meeting

4:00 p.m.

Central Annex Auditorium

22251 Palmer Street

Robertsdale, Alabama

Email-planning@baldwincountyal.gov

1. Call to Order
2. Roll Call
3. Approval of Previous Meeting Minutes November 18, 2025
4. Announcements/Registration to Address the Board of Adjustment
5. Consideration of Applications and Requests

ITEMS:

a.) Case No. ZVA25-62 LBJR LLC Property, 25255 State Hwy 59

Request: Approval of variance from Section 15.2.4 (a) of the Baldwin County Zoning ordinance as it pertains to the required parking schedule for commercial establishments to allow for reduced number of parking spaces to be built.

Location: The subject property is located at 25255 St Hwy 59 Loxley, AL, Planning District 12.

b.) Case No. ZVA25-CLP Holdings LLC, 15750 Scenic Hwy 98

Request: Approval of variance from Section 2.3.26.3 (a) Local Provisions of the Baldwin County Zoning ordinance as it pertains to the accessory dwellings and the wetland fill in order to construct an accessory single-family dwelling on the property.

Location: The subject property is located at 15750 Scenic Hwy 98 Ln Fairhope AL, Planning District 26.

Attachments: Within Report:

- d) Old Business
- e) New Business
- f) 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 1
Regular Meeting Minutes
Tuesday, November 18, 2025**

I. Call To Order

The Board of Adjustment Number One met in a regular session on November 18, 2025, at 4:00 p.m., in the Baldwin County Central Annex Auditorium.

II. Roll Call

The meeting was called to order by Vice Chair Mary Shannon Hope. Members present included: Norman Bragg, Leslie Stejskal, Thomas Kiel, Doug Ward, Melissa Hadley, Greg Benjamin and James Guffy. Staff members present were Crystal Bates, Planning Technician II, Celena Boykin, Planning Manager.

III. Approval of Minutes

Mr. Leslie Stejskal made a motion to approve October 21, 2025, meeting minutes. Mr. Thomas Kiel second the motion. All members voted aye. Motion to approve October 21, 2025, minutes carried anonymously.

IV. Consideration of Applications and Request

a.) ZVA25- 58, Tanner Property, 13505 County Road 1

Mrs. Crystal Bates presented the applicant's request for variance ZVA25-58 from Section 2.3.26.1 (b) Local Provisions of the Baldwin County Zoning Ordinance as they pertain to the required side yard setbacks in order to construct a single-family dwelling.

The Vice-Chairman graciously invited Mr. Frank Henning, the neighboring resident to the north, to the podium to kindly share his perspectives regarding the proposed variance for the property. Following this, the Vice Chairman called Mr. Erik Tanner the son of the property owner to the podium, who explained the reasons for his request for the variance and discussed the concerns raised by the neighbors to the north, including a letter received from adjacent residents. Next, the Vice Chairman invited Mr. Chris Achee to the podium, where he shared details about the necessary adjustments on both sides due to the 13-foot separation requirement, and the reasons

why obtaining the variance is important for constructing the home. The Vice-Chairman then welcomed Ms. Tina Tanner, the daughter of the property owner, who explained why her parents are seeking the variance and assured that granting it would not hinder the neighboring property owner from rebuilding or using their property as planned.

Subsequently, the Vice Chairman called Ms. Patricia Tanner, one of the property owners, to the podium to discuss her reasons for needing the variance, including the purchase of the property and her intentions to proceed with constructing the dwelling. Lastly, the Vice Chairman invited Mr. James P. Achee to speak about the lot dimensions, the size of the proposed home, and the existing neighboring homes. He also presented information indicating that the adjacent property owner would still have the ability to rebuild or expand their home beyond the current footprint.

There was a discussion between board members and staff, after which the chairman kindly called Mr. James P. Achee to the podium to share his thoughts. He respectfully reiterated that the home to the north could be constructed and that the proposed home on the subject parcel would not interfere with the reconstruction of the existing home. Following further discussion between the board members and Mr. Achee, the public hearing was then officially closed.

Board member Thomas Kiel made a motion to APPROVE the variance case ZVA25-58 seconded by Doug Ward. The motion passed to APPROVE the variance case with a 6 to 2 vote.

V. Old Business

VI. New Business

VII. Adjournment

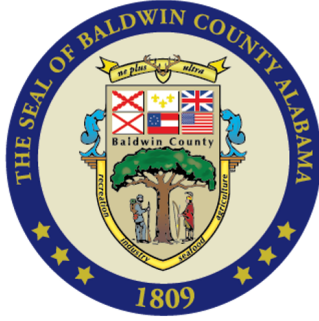
The meeting adjourned at 4:53 p.m.

Respectfully Submitted,

Crystal Bates, Planning Technician

I hereby certify that the above minutes are true, correct, and approved this _____ day of _____, 2025.

Mary Shannon Hope, Vice- Chair



BALDWIN COUNTY,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

DECEMBER 16, 2025

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL

ZVA25-62 LBJR LLC PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

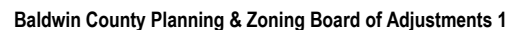
- **Planning District:** 12
- **Zoned:** B3, General Business District
- **Location:** The subject property is located on the west side of State Hwy 59
- **PID:** 05-42-06-24-0-000-007.000
- **PPIN:** 28923
- **Acreage:** 2.3+/-
- **Physical Address:** 25255 State Hwy 59
- **Applicant:** Broadway Construction Company LLC, Robert Broadway
- **Owner:** LBJR LLC



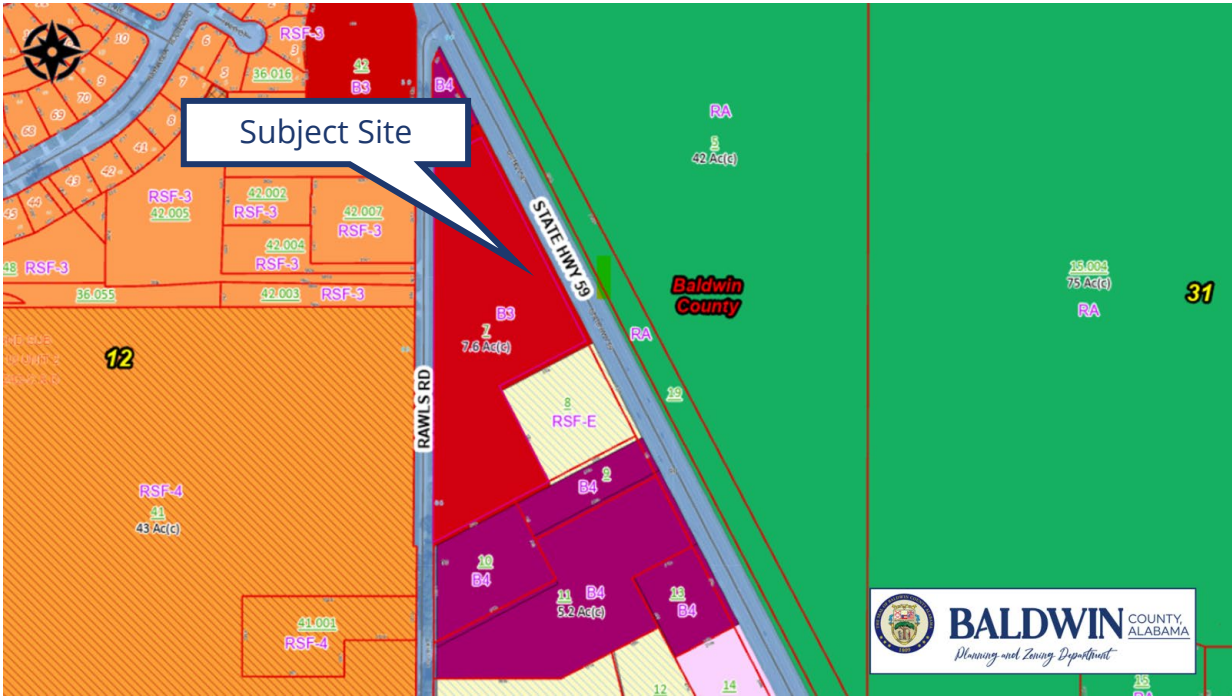
VARIANCE REQUEST SUMMARY AND RECOMMENDATION

The applicant is requesting a variance from Section 15.2.4 (a) of the Baldwin County Zoning Ordinance as it pertains to the Parking Spaces for a proposed discount/variety store to reduce the number of required spaces from 46 to 30.

Staff perceives no hardship on the subject property and recommends that case ZVA25-62 be **DENIED** unless information to the contrary is revealed at the public hearing.



Locator Map



Site Map



	Adjacent Zoning	Adjacent Land Use
North	B3, General Business	Vacant
South	B4, Major Business and RSF-E Residential Single-family Estate	Vacant
East	RSF-3, Residential Single Family	Vacant
West	RA, Rural Agriculture	Vacant

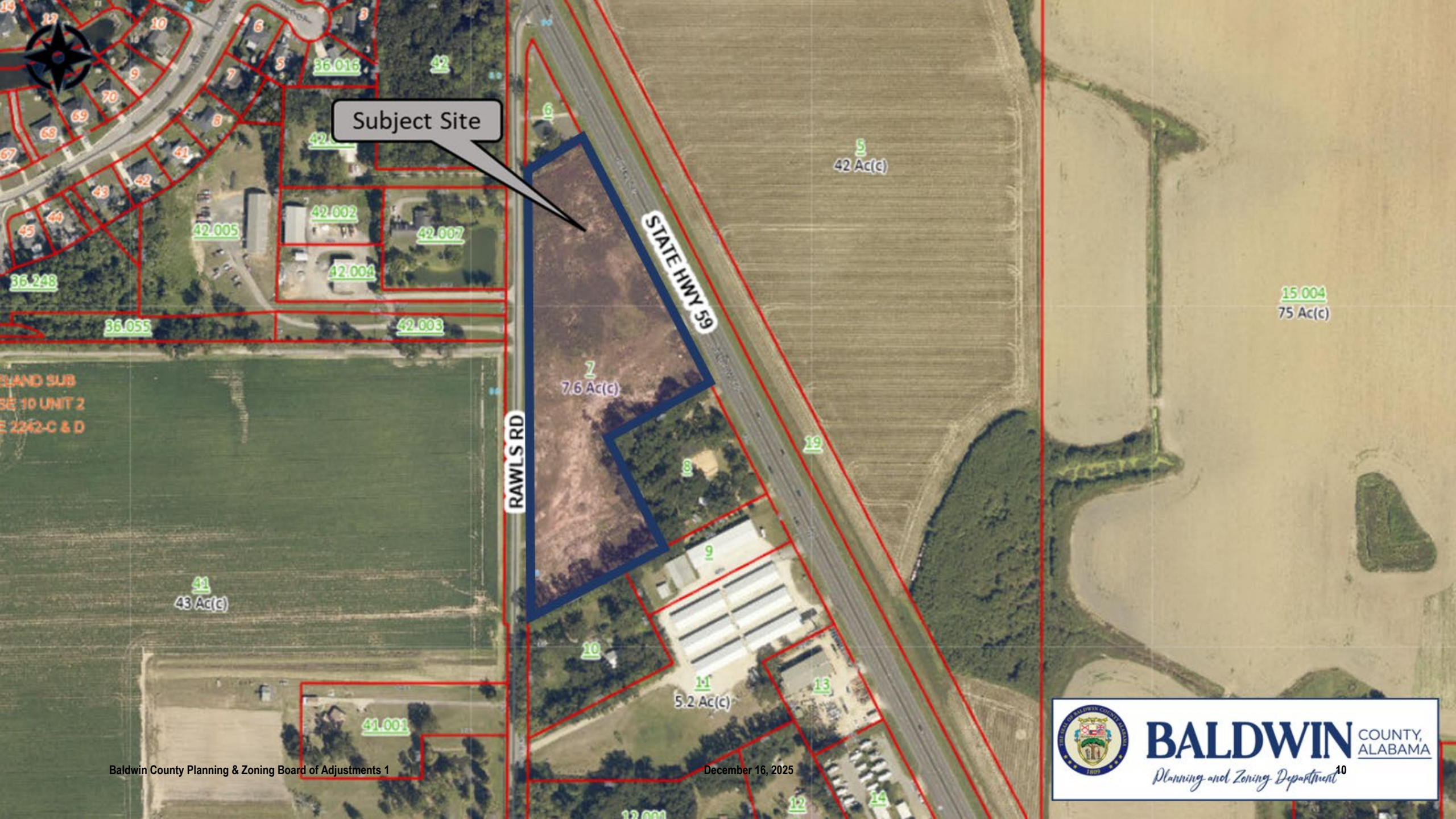


STATE HWY 59

**Baldwin
County**

RAWLS RD

BALDWIN COUNTY, ALABAMA
Planning and Zoning Department 9



Subject Site

STATE HWY 59

RAWLS RD

LAND SUB
SE 10 UNIT 2
E 2242-C & D



BALDWIN COUNTY, ALABAMA
Planning and Zoning Department¹⁰



Subject Property
PIN: 28923



**VARIANCE PROPOSED
FOR THIS PROPERTY
CASE NUMBER
ZVA25-000062**



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

Nov 26, 2025 9:27:34 AM
30°35'34.67137"N 87°43'56.59043"W
242° SW



Adjoining
Property to
the North
PIN: 26106



Nov 24, 2025 11:01:29 AM
30°35'39.962"N 87°44'1.33174"W
135° SE



Adjoining
Property to
the South
PIN: 4157



Nov 26, 2025 9:30:22 AM
30°35'31.54247"N 87°43'54.73553"W
211° SW



Property to The
East
PIN: 33541



Nov 26, 2025 9:27:44 AM
30°35'34.66147"N 87°43'56.56832"W
60° NE



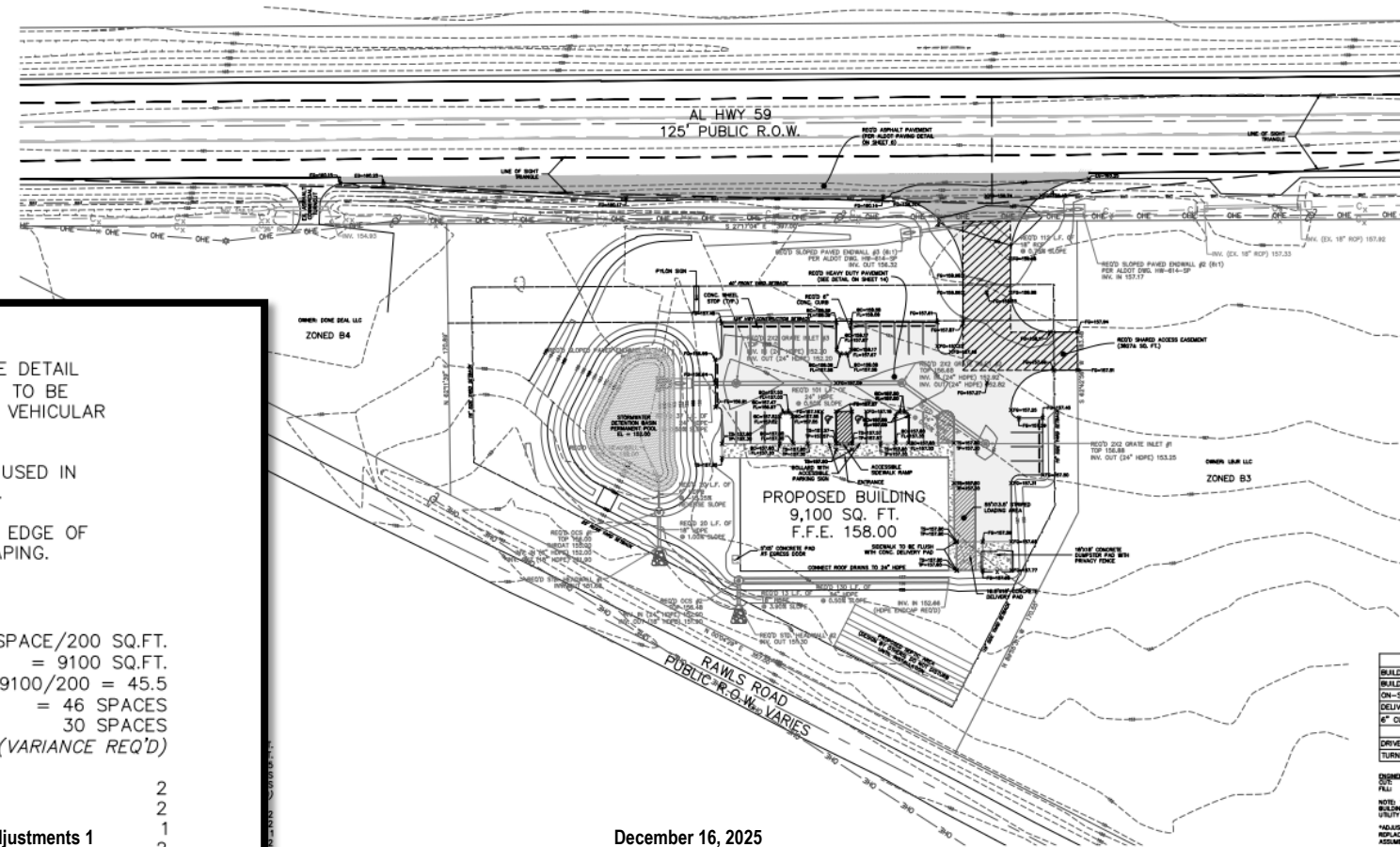
Property to The
West
PIN: 7332



Nov 26, 2025 9:32:54 AM
30°35'28.92736"N 87°44'1.13546"W
287° W

Site Plan

- NOTES**
1. THIS LOT CONTAINS 2.31 ACRES, MORE OR LESS.
 2. THIS LOT IS ZONED B-3 (GENERAL BUSINESS).
 3. THIS PROPERTY LIES IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA.
 4. BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY PLS GROUP, INC., STAPLETON, ALABAMA.



DRAWN BY: JAC
DATE: 11-14-2025
REVISIONS: ---

SITE PLAN

SHEET 4 OF 18

NEW RETAIL STORE
AL HWY 59
LOXLEY, AL
BALDWIN COUNTY



SCALE: 1" = 30'

PARKING LOT CONSTRUCTION NOTES

1. HEAVY DUTY PAVEMENT (PER APPROPRIATE DETAIL SHOWN ON CONSTRUCTION DETAILS SHEET) TO BE USED IN DRIVEWAYS, ACCESS AISLES, AND VEHICULAR PARKING STALLS.
2. HEAVY DUTY CONCRETE PAVEMENT TO BE USED IN AREAS OF DUMPSTER AND DELIVERY PADS.
3. CONCRETE WHEEL STOPS REQUIRED ALONG EDGE OF PARKING AS SHOWN TO PROTECT LANDSCAPING.

PARKING REQUIREMENTS

RETAIL STORE: 1 SPACE/200 SQ.FT.
GROSS FLOOR AREA: = 9100 SQ.FT.
REQUIRED SPACES: = 9100/200 = 45.5
= 46 SPACES
PROVIDED SPACES: 30 SPACES
(VARIANCE REQ'D)

ADA REQUIRED HANDICAP SPACES: 2
PROVIDED HANDICAP SPACES: 2
REQUIRED VAN ACCESSIBLE SPACES: 1
PROVIDED VAN ACCESSIBLE SPACES: 2

SITE QUANTITIES	
BUILDING SLAB	9352 SQ. FT.
BUILDING SIDEWALKS	1617 SQ. FT.
ON-SITE PAVEMENT	19901 SQ. FT.
DELIVERY/DUMPSTER AREA	621 SQ. FT.
4" CURB	136 LIN. FT.
R.O.W. QUANTITIES	
DRIVEWAY PAVEMENT	1591 SQ. FT.
TURN LANE PAVEMENT	4817 SQ. FT.

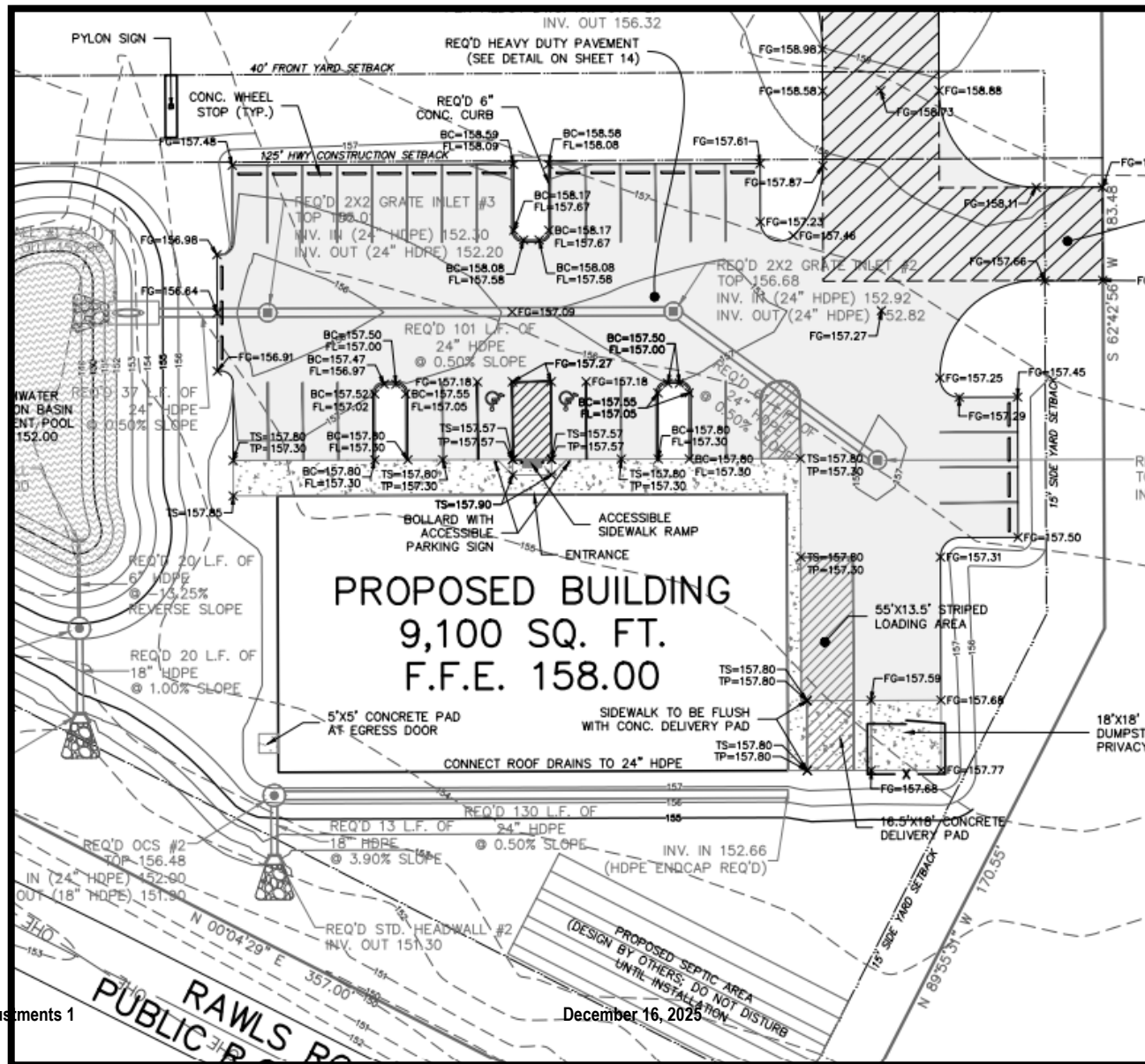
ENGINEER'S OPINION OF EARTHWORK
20% CUT, 80% FILL
3367 CU. YD.*

NOTE: VOLUMES DO NOT ACCOUNT FOR SWAMP/ANELL, BUILDING STRUCTURE, REMOVAL OF UNDESIRABLE MATERIAL, OR REMOVAL OF EXISTING PAVEMENT.

*CALCULATED TO INCLUDE AN ESTIMATED TOPSOIL REPLACEMENT VOLUME OF 830 CU. YD. (BASED ON AN ASSUMED 4" OF TOPSOIL ACROSS FILL AREAS OF SITE.)

December 16, 2025

Site Plan



Zoning Requirements

Article 15 Parking and Loading Requirements

Section 15.1 Generally

15.1.1 Off-street automobile storage or parking spaces shall be provided with vehicular access to a street or alley and shall be equal to at least the minimum requirements for the specific land use as herein provided. Parking shall meet all ADA requirements.

15.1.2 The required number of parking spaces for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use at the same time.

15.1.3 Where business and multifamily unit developments require large numbers of parking spaces, such spaces may be accommodated in parking decks provided that no such parking deck shall exceed 3 levels above ground or 25% of the height of the principal structure, whichever is greater. Parking deck design shall be compatible with the design of the principal structure.

15.1.4 Any use not specified by these ordinances shall require one (1) parking space for each 300 square feet of gross floor area in the building. Where the use is mixed, total requirements for off-street parking shall be the sum of the requirements for the various uses computed separately.

Section 15.2 Parking Schedule

15.2.1 Dwellings.

- (a) *One and two family dwellings.* 2 spaces for each dwelling unit.
- (b) *Multiple family dwellings.* 1.6 spaces for each unit with 2 bedrooms or less; 3.0 spaces for units with 3-4 bedrooms; and 3.5 spaces for over 4 bedrooms. (rounded up to the next whole number).
- (c) *Hotels, motels, and tourist homes.* 1.25 spaces for each guest bedroom.
- (d) *Manufactured Housing Park.* 2 spaces per unit.
- (e) *Dormitory, boarding house or rooming house.* One space for each guest bedroom.

15.2.2 Institutional.

- (a) *Churches or other place of worship.* One space for each 4 seats in the main auditorium or sanctuary.

- (b) *Private clubs, lodges, country clubs and fraternal buildings.* One space for each 200 square feet of gross floor area.
- (c) *Theaters, auditoriums, coliseums, stadiums, event venues, and similar places of assembly.* One space for each 4 seats, seating spaces, or projected attendees.
- (d) *Libraries, museums, art galleries and similar uses.* One space for each 500 square feet of gross floor area.
- (e) *College or university.* 10 spaces per classroom.
- (f) *High school.* 7 spaces per classroom.
- (g) *Elementary or middle school.* 2.5 spaces per classroom.
- (h) *Business or trade school.* One space per 4 seats.
- (i) *Kindergartens, play schools, or day care centers.* One space per employee.

15.2.3 Health facilities.

- (a) Hospitals, sanitariums, nursing homes, homes for aged and similar institutional uses. 1 space for each 4 beds.
- (b) Kennels and animal hospitals (veterinarian). One space per 500 square feet of gross floor area.
- (c) Medical, dental and health offices. One space for each 200 square feet of gross floor area.
- (d) Mortuaries and funeral homes. One space for each 4 parlor or chapel seats.

15.2.4 Business and office.

- (a) Commercial establishments and offices including but not limited to food stores, banks, furniture stores, or personal service establishments. One space for each 200 square feet of gross floor area.
- (b) Restaurants, night clubs, bars, cafes, and similar eating/drinking places. One space for each 100 square feet of gross floor area.
- (c) Shopping centers. One space per 200 square feet of gross floor area.

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 12 came into effect on November 7, 2006. The lot of record is approx. 2.3 acres. Recently divided off from a 7.4-acre parcel by a subdivision exemption. The minimum lot size requirement for B3, General Business District, is 20,000 sq. ft. with a minimum lot width at the building line of 80'. Therefore, staff believes there isn't exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

Minimum lot size: 20, 000sf Actual lot size: 87,120+sf, Minimum Lot width: 80', Actual Lot Width: 397', Hardship: NO

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

The subject property doesn't contain jurisdictional wetlands, and the property is relatively flat. 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 B3- General Business District zoning designation. The purpose of this district is to provide a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. The number of parking spaces is not a property rights issue.

Staff believes the requested variance is a “for convenience” request that does not qualify as a hardship per the Baldwin County Zoning Ordinance.

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



Commercial Real Estate Development

216 West Side Square, Huntsville, AL 35801 • Phone: 256-533-7287 • Fax: 256-533-7236

November 14, 2025

Baldwin County, Alabama

To Whom It May Concern,

The development of a new commercial retail store at 25255 State Highway 59, Loxley, AL 36551 does not have any covenants or restrictions that will be violated by the proposed development. Additionally, there is no active neighborhood association.

If you have any questions, please contact Tara Bennett at 256-533-7287.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Robert M. Broadway'. The signature is stylized with a large loop at the top and a horizontal line at the bottom.

Robert M. Broadway
Managing Member

ZVA25-62 LBJR LLC PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 15.2.4 (a) of the Baldwin County Zoning Ordinance as it pertains to the Parking Spaces for a proposed discount/variety store to reduce the number of required spaces from 46 to 30.

Staff perceives no hardship on the subject property and recommends that case ZVA25-62 be **DENIED** unless information to the contrary is revealed at the public hearing.

If it is the pleasure of the Board to *APPROVE* the variance, staff requests that the variance include 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.

ZVA25-62 LBJR LLC 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 #1

NEXT REGULAR MEETING

JANUARY 21, 2026 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL



BALDWIN COUNTY,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

DECEMBER 16, 2025

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL

ZVA25-64 CLP HOLDINGS LLC PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 26
- **Zoned:** RSF-1, Residential Single Family
- **Location:** The subject property is located on the east side of Scenic Hwy 98 down Birdwatch Lane
- **PID:** 05-56-03-07-0-000-016.001
- **PPIN:** 49268
- **Acreage:** 2 ac
- **Physical Address:** 15750 Scenic Hwy 98
- **Applicant:** Chris Pacey
- **Owner:** CLP Holdings LLC



ZVA25-64 CLP HOLDINGS LLC PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

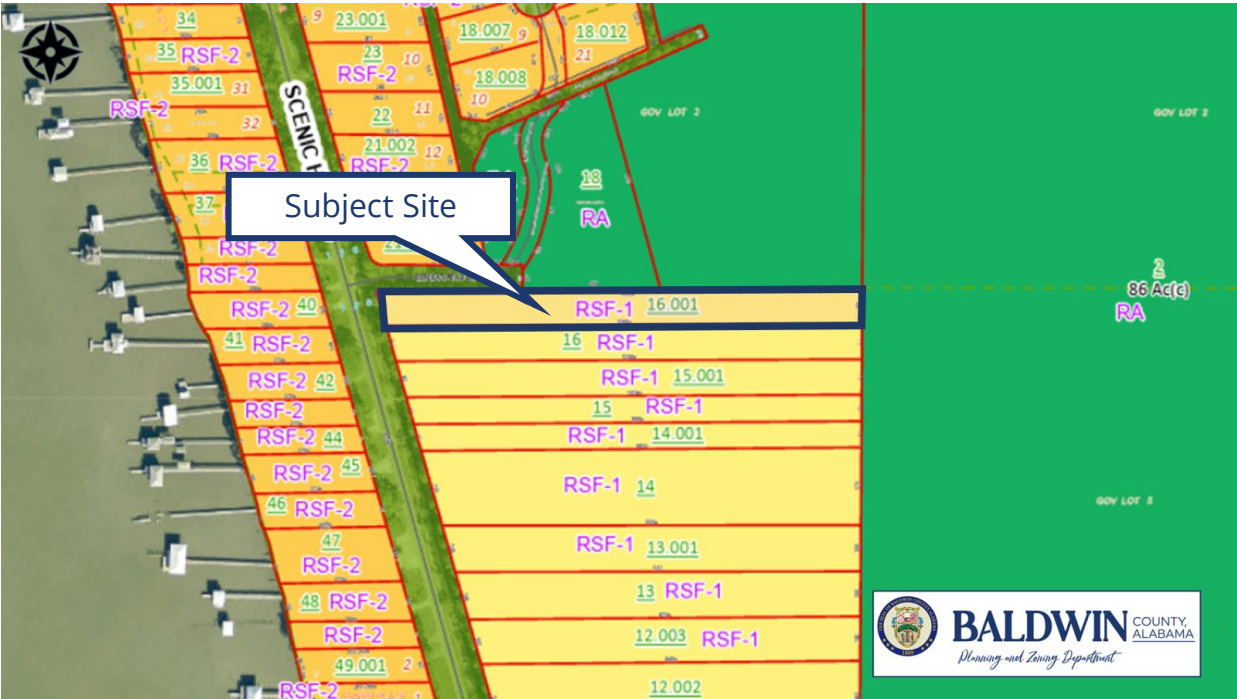
The applicant is seeking a variance from Section 2.3.26.3 (a) of the Baldwin County Zoning Ordinance, specifically concerning the local provisions related to accessory dwellings and wetland fill, in order to facilitate the construction of an accessory single-family dwelling.

The applicant would like to fill the minimum amount to construct a 2nd single-family dwelling on the parcel.

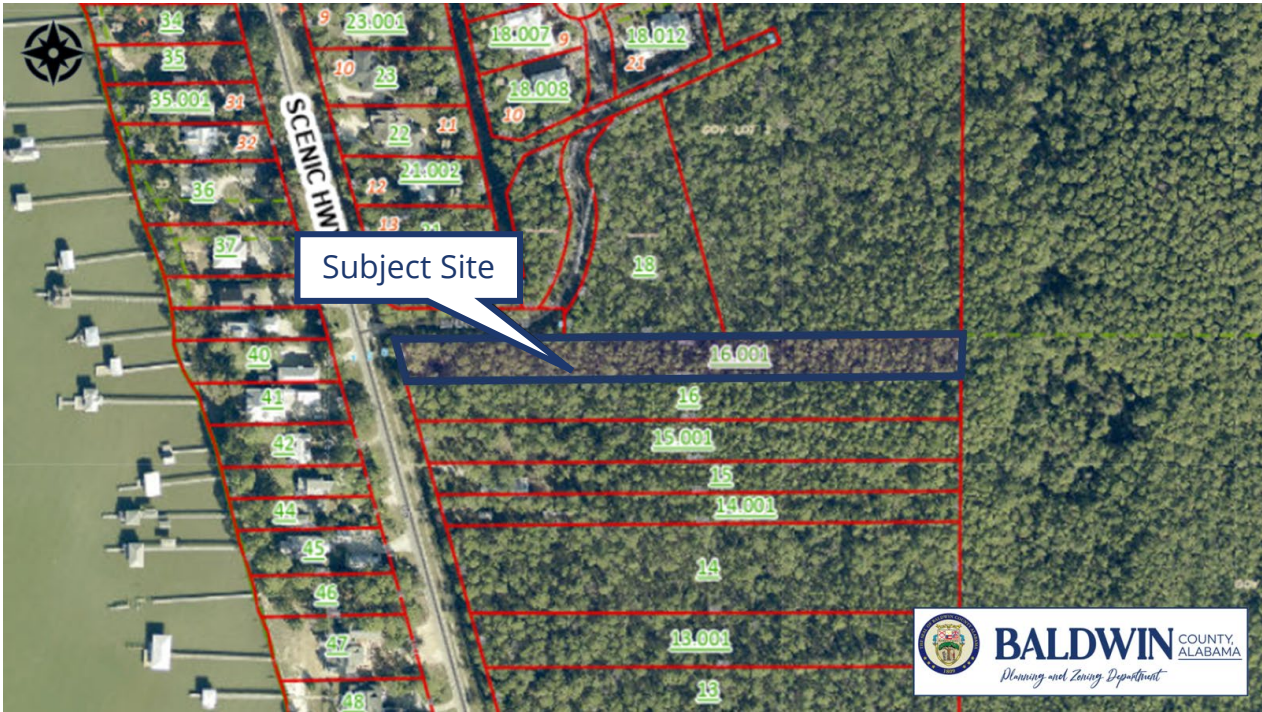
Staff recommends that case ZVA25-64 be **DENIED** unless information to the contrary is revealed at the public hearing.



Locator Map



Site Map

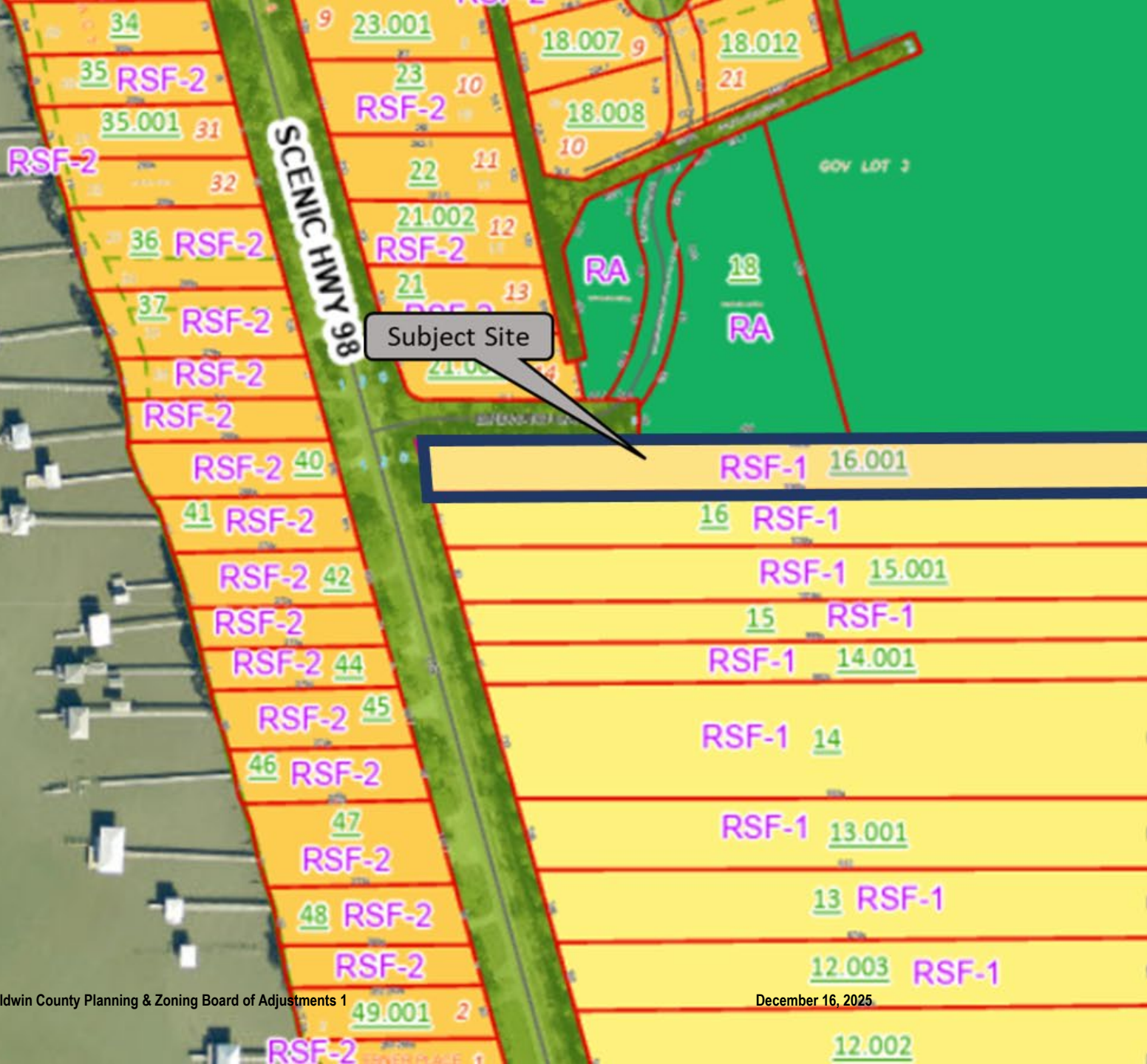


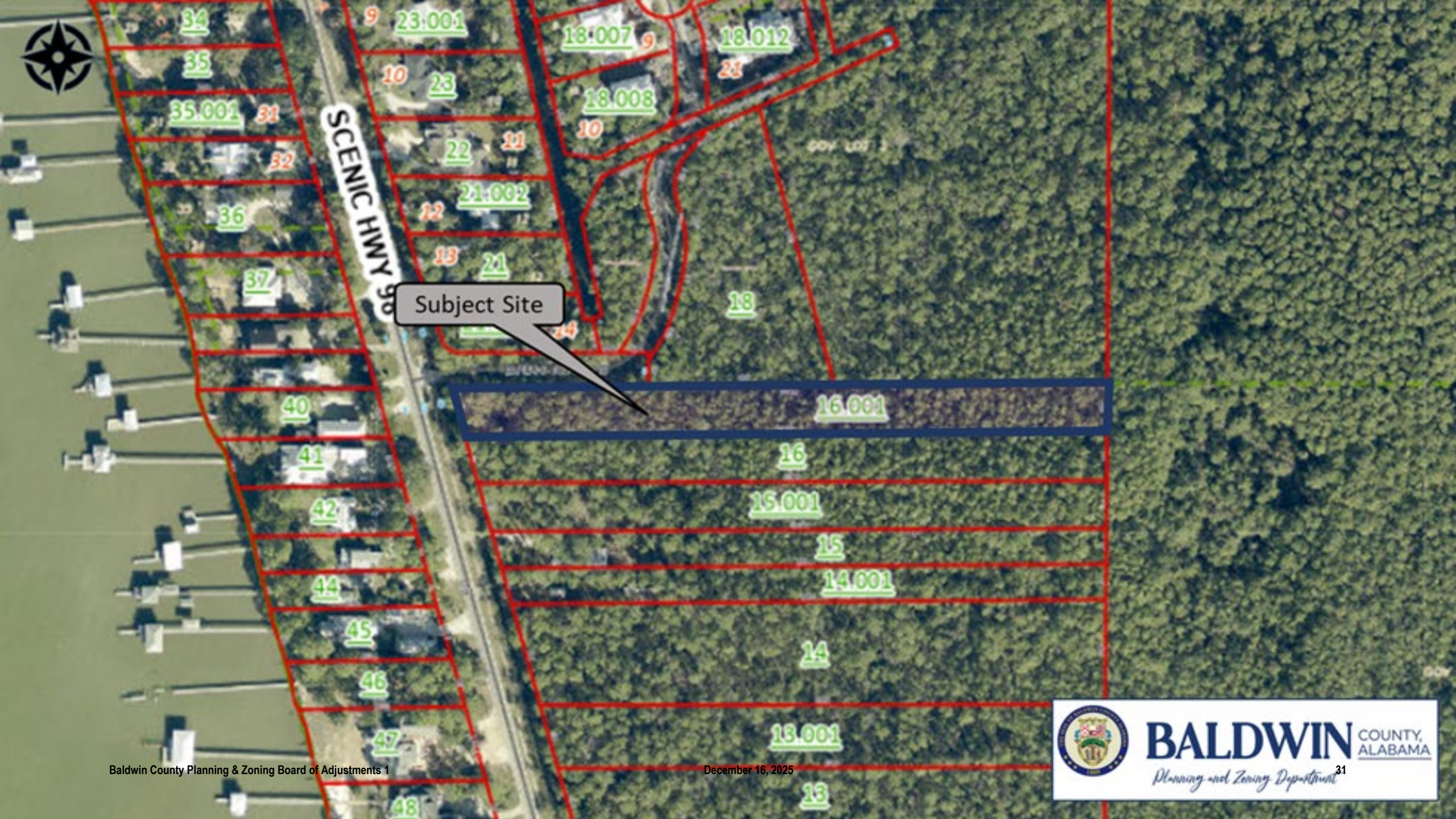
	Adjacent Zoning	Adjacent Land Use
North	RSF-2, Residential Single Family/ RA, Rural Agriculture	Residential
South	RSF-1, Residential Single Family	Vacant
East	RA, Rural Agriculture	Vacant
West	RSF-2, Residential Single Family	Residential

Baldwin County Planning & Zoning Board of Adjustments 1

December 16, 2025

29





Subject Site

SCENIC HWY 90





Subject Property
PIN: 49268



**VARIANCE PROPOSED
FOR THIS PROPERTY
CASE NUMBER
ZVA25-000064**

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

Scan 

Nov 26, 2025 10:11:10 AM
30°27'14.05422"N 87°54'54.13144"W
83° E



Property to The
West
PIN: 32524



Nov 26, 2025 10:11:26 AM
30°27'14.05703"N 87°54'54.14288"W
198° S



Adjoining
Property to
the South
PIN: 4735



Nov 26, 2025 10:12:21 AM
30°27'13.39038"N 87°54'53.86169"W
75° E

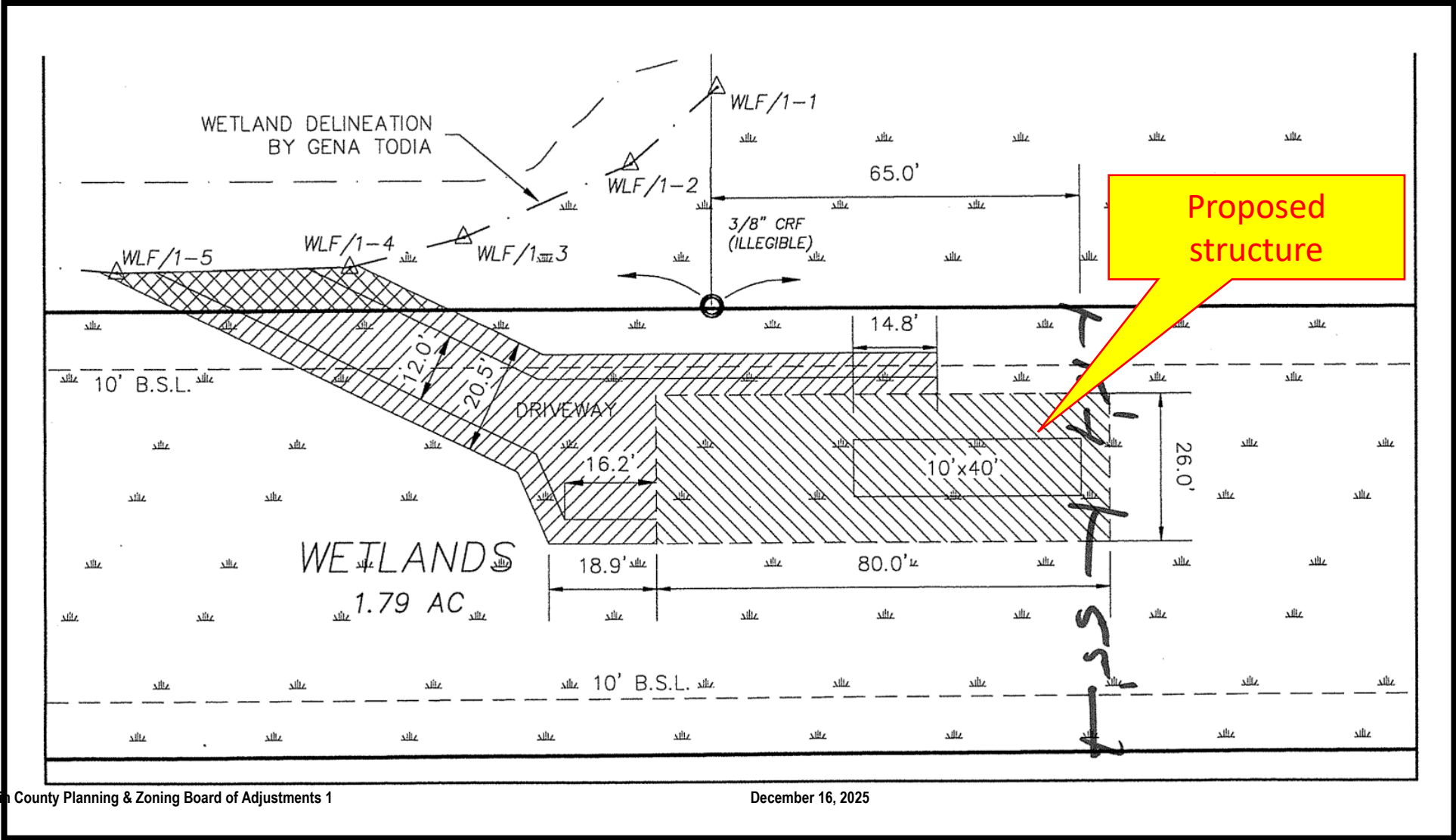


Property to
the North
PIN: 19188



Nov 26, 2025 10:14:17 AM
30°27'16.34173"N 87°54'54.90569"W
90° E

Site Plan Enlarged



Elevations

STANDING SEAM METAL ROOF

MTL RIDGE VENT

5/4 x 4 WINDOW TRIM (TYP)

5/4 x 6 TRIM (TYP)

36" H RAILING W/ BALUSTERS @ 4" OC

STEPS TO GRADE AS REQ BY OTHERS

LEFT ELEVATION

FRONT ELEVATION

STANDING SEAM METAL ROOF

5/4 x 4 TRIM (TYP)

36" H RAILING W/ BALUSTERS @ 4" OC

STEPS TO GRADE AS REQ BY OTHERS

RIGHT ELEVATION

REAR ELEVATION

STANDING SEAM METAL ROOF

1x6 HORIZONTAL TRIM BOARD

5/4 x 6 TRIM (TYP)

VENT STACK TO EXTERIOR

FIBER-CEMENT BOARD AND BATTEN SIDING AND TRIM (MAY USE FIBER-CEMENT LAP SIDING AS ALTERNATE)

5/4 x 6 TRIM (TYP)

36" H RAILING W/ BALUSTERS @ 4" OC

STEPS TO GRADE AS REQ BY OTHERS

APPROVED BY

DATE: 09/04/2007

STATE FIRE MARSHAL'S OFFICE

STATE OF MISSISSIPPI

APPROVED BY

AUG 30 2007

REGISTERED PROFESSIONAL ENGINEER

MADEY TOMASBI

19679

08/19/2007

STATE OF MISSISSIPPI

MUST INSTALL 7/16" OSB OR 15/32" PLYWOOD, 24/16 RATED SHEATHING UNDER METAL ROOF, FASTEN WITH 0.120 x 3" RING-SHANK NAILS 4 3/4" OC AT EDGES AND FIELD. UNION CORRUGATING 26 GA. ADVANTAGE LOK II METAL ROOF. METAL ROOF APPROVAL AND INSTALLATION MUST BE PROVIDED BY METAL ROOF MANUFACTURER FOR APPLIED WIND LOAD (PE SEALED) AND IS NOT PART OF THIS PACKAGE.

REQUIRED ATTIC VENTILATION 1/300 WITH VENTILATED RIDGE AND SOFFIT 1.32 SQ. FT.

ALL INFORMATION AND DESIGN IN THIS PACKAGE IS SOLE PROPERTY OF DESIGN TECH, INC.

STMS012507

NS MODULAR

Title: Elevations

design+tech+inc

Drawn By: . Date: .

Model No. 1240

Revised By: . Date: .

Pg. 1A

U. S. Army Corps of Engineers Letter

COMPLIANCE CERTIFICATION



U.S. Army Corps of Engineers
Mobile District

Permit Number: **SAM-2021-00195-LML**


Name of Permittee: **CLP Holdings, LLC (Chris Pacey)**

Date of Issuance: **July 3, 2025**


Upon completion of the activity
permit, please sign this certifi

Please note that your permittee
Army Corps of Engineers repre
of this permit the permit is sub
are subject to an enforcement

I hereby certify that the work a
completed in accordance with
mitigation was completed in ad

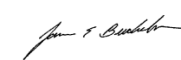

Signature of Permittee
Baldwin County Planning & Zoning Board of Adjustments 1

7/8/2025
Date

 This notice of authorization must be
conspicuously displayed at the site of work.

A permit to perform work authorized by statutes and regulations of the Department of the Army at
15750 Scenic Highway 98, Point Clear, Baldwin County, Alabama
has been issued to CLP Holdings, LLC on July 3, 2025
Address of Permittee: Post Office Box 62, Point Clear, Alabama 36564

PERMIT NUMBER
SAM-2021-00195-LML

 Digitally signed by James E.
Buckelew
Date: 2025.07.03 14:13:33 -05'00'

Eric Buckelew, Senior Project Manager
South Alabama Branch, Regulatory Division
For the District Commander

ENG FORM 4336, Jul 81 (33 CFR 320-330) EDITION OF JUL 70 MAY BE USED Proprietary: CECW-O



REPLY TO
ATTENTION OF:

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

July 3, 2025

South Alabama Branch
Regulatory Division

SUBJECT: Department of the Army Nationwide Permit, File Number SAM-2021-00195-
LML, CLP Holdings, LLC, Wetland Fill, Baldwin County

CLP Holdings, LLC
Attention: Mr. Chris Pacey
Email Address: c.pacey@mobilefixture.com
Post Office Box 62
Point Clear, Alabama 36564

Dear Mr. Pacey:

This letter is in response to your request for verification of Department of the Army
Nationwide Permit (NWP) authorization to place fill in wetlands near Mobile Bay. The
project has been assigned file number **SAM-2021-00195-LML**, which should be referred to
in all future correspondence with this office concerning this project. The project is located
at 15750 Scenic Highway 98; in Section 7, Township 7 South, Range 2 East; at Latitude:
30.4539° North, Longitude: 87.9139° West; in Point Clear, Baldwin County, Alabama.

Department of the Army permit authorization is necessary because your project involves
the discharge of fill material into waters of the United States, including wetlands, under our
regulatory jurisdiction. The project activities include the following:

-Approximately 315 cubic yards of commercially obtained fill material will be placed within a
4,355 square-foot (0.10 acre) area of jurisdictional wetlands for the purpose of constructing
a single-family dwelling and access drive. Fill activities will occur as shown in attached
plans.

**No permanent or temporary impacts are authorized outside of the project's
authorized footprint. Fill material must be adequately stabilized.**

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

December 16, 2025

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Zoning Requirements

2.3.26 Planning District 26.

2.3.26.1 Effective Date

On June 9, 1992, a majority of qualified electors in Planning District 26 voted to institute County Zoning. On September 21, 1993, the County Commission adopted the Planning District 26 Zoning Map and Ordinances.

2.3.26.2 District Boundaries

A legal description of the boundaries for Planning District 26 may be found under Appendix A.

2.3.26.3 Local Provisions for Planning District 26

- (a) One accessory dwelling per lot shall be permitted by right in the RSF-1 and RSF-2 districts, provided the accessory dwelling does not exceed 60% of the size, in gross floor area, of the principal dwelling, except that no accessory dwellings or structures shall be permitted that require the filling of jurisdictional wetlands.
- (b) The required side yard setbacks for RSF-1 and RSF-2 lots existing on or before May 19, 2020, and which do not meet the minimum lot width requirements for the underlying zoning designation, may be reduced to 3-feet on one side and 10-feet on the other side provided a minimum of 13-feet separation remains between buildings.
- (c) The following zoning districts shall not be available in Planning District 26, and all references in the zoning ordinance to such districts are deleted, except as to lots or parcels included in such districts as of May 19, 2020:

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 26 came into effect on September 21, 1993. The lot of record is 80 x 1080 and is 86,400 sq. ft., and roughly under 2 acres. The minimum lot size requirement, RSF-1, Residential Single-Family, is 30,000 sq. ft. with a minimum lot width at the building line of 80'. Therefore, staff believes there isn't exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

Minimum lot size: 30, 000sf Actual lot size: 86,400+sf, Minimum Lot width: 80', Actual Lot Width: 80', Hardship: NO

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

The subject property includes jurisdictional wetlands and has obtained a permit from the U.S. Army Corps of Engineers to fill the minimum necessary area. However, the regulations for Planning District 26 generally do not permit wetlands to be filled for an accessory dwelling. **In certain cases, Staff may consider exceptional topographical conditions, other extraordinary circumstances, or specific conditions on the property that might warrant a variance. As of now, these considerations do not apply to this particular case.**

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 RSF-1, a residential single-family zoning designation. 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 wants to fill 315 cubic yards, 4,355 sq. ft. of jurisdictional wetlands in order to construct a 2nd single-family dwelling on the parcel.

Staff believes that the granting of the application is necessary for the preservation of a property right and merely to serve as a convenience to the applicant or based solely upon economic loss. Staff believes the requested variance is a “for convenience” request that does not qualify as a hardship per the Baldwin County Zoning Ordinance.

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.

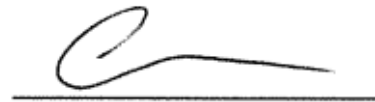
- * The applicant has submitted a written document stating there is no active homeowner association for the subject property.
- * One letter in favor and no letters of opposition to this variance request have been received at the time this staff report was written.
- * Environmental Planner Comment- Applicant was told he should apply for a variance prior to applying for USACE permit.

POA Statement

HOA Statement:

15750 Scenic Hwy 98/ 15758 Birdwatch Lane is not part of an active neighborhood association.

It is located on Birdwatch Lane west of the entrance of the Boardwalk at Bailey's which does have an active HOA.

A handwritten signature in black ink, appearing to be 'Chris Pacey', written over a horizontal line.

Chris Pacey

Letter from the applicant

REQUEST FOR VARIANCE — DISTRICT 26 WETLANDS OVERLAY

Chris Pacey

15810 Scenic Hwy 98

Point Clear AL

251-379-0998, C.pacey@mobilefixture.com

11/19/2025

Baldwin County Board of Adjustment

c/o Baldwin County Planning & Zoning Department

22251 Palmer Street

Robertsdale, AL 36567

Re: Variance Request – Section 10.4 Wetland & Stream Protection Overlay

Planning District 26 – [Parcel Number / Property Address]

Proposed Accessory Structure on Lot With Existing Single-Family Residence

Dear Members of the Board:

I respectfully request a variance from Section 10.4 of the Baldwin County Zoning Ordinance as it applies to my property located at 15758 Birdwatch Lane in Planning District 26. My request is for approval to construct a small accessory structure a 396 Sqft Cottage.

I. Purpose of Request

This request is for a new dwelling. The property is already developed with a single-family home. The proposed accessory structure is modest in size, necessary for functional residential use, located in the least impactful area of the lot, and designed to comply with wetland protection goals through drainage and mitigation measures. I am seeking only a customary residential use that comparable nearby properties already possess.

II. Hardship and Unique Property Conditions

The existing home, built prior to current wetland restrictions, occupies the only viable upland area. Remaining portions of the lot consist largely of mapped wetlands, leaving no practical upland location for an accessory building. Adjacent properties contain garages, workshops, and similar structures; this parcel is uniquely constrained. This hardship is not self-created and arises from natural site conditions and later-adopted regulations.

III. Alignment With District 26 Wetland Protection Goals

Wetlands in District 26 provide critical public functions. This project fully respects these goals:

1. Flood Protection: The accessory structure will have a minimal footprint, include drainage improvements, and preserve remaining wetlands.
2. Water Quality: Erosion control, vegetated buffers, and pervious surfaces will prevent sedimentation and runoff pollution.
3. Prevention of Downstream Impacts: Drainage measures will maintain flow paths and avoid increased runoff.
4. Compliance With State & Federal Law: Required approval from USACE has been obtained.
5. Habitat Considerations: The healthiest wetlands will remain undisturbed, and natural buffers will be maintained.

IV. Mitigation Measures

I commit to:

- Limiting the structure to the smallest functional size.
- Siting it in the least functional wetland area.
- Using permeable surfaces where appropriate. NO CONCRETE, ONLY FILL DIRT AND GRAVEL WILL BE USED ON THE SITE
- Installing swales, rain gardens, or BMPs.
- Implementing strict erosion and sediment controls.
- Avoiding any future wetland encroachment.

V. Conclusion

This request is modest, environmentally responsible, and legally justified. The project respects the intent of Section 10.4 and the District 26 Wetlands Protection Plan while addressing a legitimate hardship. I respectfully request approval of this variance and welcome any reasonable conditions the Board may require.

Respectfully submitted,

Chris Pacey

Owner

Letter of support of adjoining neighbor

15721 Birdwatch Ln

LETTER OF SUPPORT FROM ADJOINING NEIGHBORS FOR REQUEST A VARIANCE FOR AN ACCESSORY STRUCTURE.

To be completed by the Owner:

Project Address: 15750 Scenic Hwy 98, Point Clear, AL 36564

Scope of Work: Place an accessory structure on lot where indicated by attached plans

Date:

Consent: Granting a variance to allow an accessory structure to be built as required by Code and as indicated in the attached plans.

I certify that the plans presented to the neighbor for his/her review are identical to those plans and location for which the variance is being requested:

[Signature] Signature, Chris Pacey

To be completed by Neighbor:

I, Susan P. Harvison, am the legal owner of property (Name) located at 15721 Birdwatch Lane, Point Clear AL 36564 (address - number and street which is an adjoining property (including across the street) to the project address. I am aware that a variance is being requested to build an accessory structure at the subject property and have reviewed the plans presented to me by the petitioner for the proposed construction. I HAVE **NO OBJECTION** TO GRANTING MY CONSENT FOR THE AFOREMENTIONED REQUEST.

Neighbor Signature Susan P. Harvison

Date: 6/20/21



ZVA25-64 CLP HOLDINGS LLC PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is seeking a variance from Section 2.3.26.3 (a) of the Baldwin County Zoning Ordinance, specifically concerning the local provisions related to accessory dwellings and wetland fill, in order to facilitate the construction of an accessory single-family dwelling.

The applicant would like to fill the minimum amount to construct a 2nd single-family dwelling on the parcel.

Staff recommends that case ZVA25-64 be **DENIED** unless information to the contrary is revealed at the public hearing.

ZVA25-64 CLP HOLDINGS LLC 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 #1

NEXT REGULAR MEETING

JANUARY 20, 2026 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL