



BOARD OF ADJUSTMENT NUMBER 1

AGENDA

May 19, 2026

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 March 17, 2026
4. Announcements/Registration to Address the Board of Adjustment
5. Consideration of Applications and Requests

ITEMS:

a.) Case No. ZVA26-11 Fst Lickin Good Fairhope LLC Property, 21700 State Hwy 181

Request: Approval of variance from Section 15.3.7 Off-street loading ordinance as it pertains to loading/unloading zones in order to allow for a new Lickin Good Donut location.

Location: The subject property is located at 217000 State Hwy 181 Fairhope, AL Planning District 37.

b.) Case No. ZVA26-12 Parker Property, 27183 Boaz Rd

Request: Approval of variance from Section 13.9.2 (d) Wireless Telecommunications Facilities ordinance as it pertains to setbacks for a wireless telecommunications tower.

Location: The subject property is located at 27183 Boaz Rd Loxley, AL Planning District 15.

Attachments: Within Report:

- d) Old Business
- e) New Business
- f) Adjournment



**Baldwin County Planning and Zoning
Board of Adjustment Number 1
Regular Meeting Minutes
Tuesday, March 17, 2026**

I. Call To Order

The Board of Adjustment Number One met in a regular session on March 17, 2026, at 4:00 p.m., in the Baldwin County Central Annex Auditorium.

II. Roll Call

The meeting was called to order by Chairwoman Mary Shannon Hope. Members present included: Vice-Chairman Norman Bragg, Leslie Stejskal, Thomas Kiel, Rosellen Coggin, Melissa Hadley, and Greg Benjamin. Staff members present were Crystal Bates, Planning Technician II, and Celena Boykin Senior Planner.

III. Approval of Minutes

Mr. Leslie Stejskal made a motion to approve March 17, 2026, meeting minutes. Mr. Norman Bragg second the motion. All members voted aye. Motion to approve March 17, 2026, minutes carried anonymously.

IV. Announcements/Registration to Address the Board of Adjustment

V. Consideration of Applications and Request

a.) ZVA26-04 Claremont Property, 0 County Road 1

Mrs. Crystal Bates presented the applicant's request for variance ZVA26-04 from Section 4.3.4 Area and dimension ordinance of the Baldwin County Zoning Ordinance as it pertains to the building setbacks in order to allow for a new single-family dwelling.

The Chairwoman invited Mrs. Amanda Weygand with Weygand Surveying the applicant to the podium she spoke about the project and stated the reason for the variance and the adjacent parcels.

Following this, there was a discussion between board members and staff on the proposal. The Chairwoman then asked if any further questions or if anyone else wanted to speak on the behalf of the project. With no further discussion, the Chairwoman closed the public hearing.

Board member Thomas Kiel made a motion to follow staff recommendations to APPROVE the case ZVA26-04 and seconded by Norman Bragg. The motion passed to APPROVE the variance case ZVA26-04 with a 6-1 vote.

b.) ZVA26-05 Claremont Properties, 0 County Road 1

Mrs. Crystal Bates presented the applicant's request for variance ZVA26-05 from Section 4.3.4 Area and dimension ordinance of the Baldwin County Zoning Ordinance as it pertains to the required setbacks in order to allow for a new single-family dwelling.

The Chairwoman asked if the applicant would like to come to the podium she stated only if any questions on the project. Following this, there was a discussion between board members and staff on the proposal. The Chairwoman asked if any further questions or if anyone else wanted to speak on the behalf of the project. With no further discussion, the Chairwoman closed the public hearing.

Board member Melissa Hadley made a motion to follow staff recommendations to APPROVE the case ZVA26-05 and seconded by Norman Bragg. The motion passed to APPROVE the variance case ZVA26-05 with a 6-1 vote.

c.) ZVA26-07 Corte Property, 0 State Hwy 181

Mrs. Crystal Bates presented the applicant's request for variance ZVA26-07 from Section 15.2.4 (a) Commercial establishment of the Baldwin County Zoning Ordinance as it pertains to the required parking in order to allow for a furniture store.

The Chairwoman invited the applicant to the podium he spoke about the project and stated the reason for the variance. Following this, there was a discussion between board members and staff on the proposal. The Chairwoman then called Mr. Mike Saucier to the podium he spoke on the reason why they needed the variance a little background about him and the business. The Chairwoman then called Stefanie Corte to the podium she declined and had nothing else to add. The Chairwoman called Mr. Jay Corte, and he spoke about the recent development close to the proposed furniture store and the parking spaces at the businesses nearby. The Chairwoman asked if any further questions or if anyone else wanted to speak on the behalf of the project. With no further discussion, the Chairwoman closed the public hearing.

Board member Melissa Hadley made a motion to follow staff recommendations to APPROVE the case ZVA26-7 and seconded by Greg Benjamin. The motion passed to APPROVE the variance case ZVA26-7 with a 4-3 vote

d.) ZVA26-08 Perkins Property, 7096 Hurricane Rd

Mrs. Crystal Bates presented the applicant’s request for variance ZVA26-08 from Section 4.1.5 of the Baldwin County Zoning Ordinance as it pertains to the required setbacks in order to allow a new mobile home to remain on the property.

The Chairwoman and board members had a few questions for staff after the presentation. Following Chairwoman opened up for public hearing invited Mrs. Candace Weaver the applicant to the podium she just said I would answer any questions you have. The Chairwoman asked if any further questions or if anyone else wanted to speak on the behalf of the project. With no further discussion, the Chairwoman closed the public hearing.

Board member Rosellen Coggin made a motion to follow staff recommendations to APPROVE the case ZVA26-08 and seconded by Thomas Kiel. The motion passed to APPROVE the variance case ZVA26-08 with a 7-0 vote

VI. Old Business

VII. New Business

VII. Adjournment

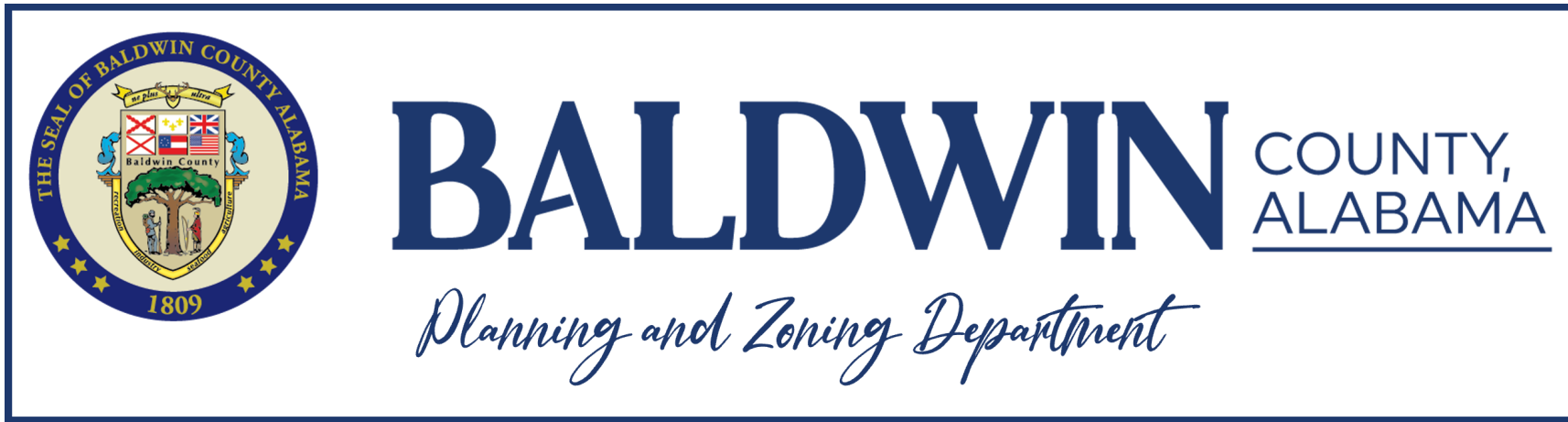
The meeting adjourned at 5:03 p.m.

Respectfully Submitted,

Crystal Bates, Planning Technician

I hereby certify that the above minutes are true, correct, and approved this _____ day of _____, 2026.

Norman Bragg, Vice- Chair



BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

MAY 19, 2026

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL

ZVA26-11 FST LICKIN GOOD FAIRHOPE LLC PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 37
- **Zoned:** B3, General Business District
- **Location:** The subject property is located on the east side of State Hwy 181
- **PID:** 05-46-01-11-0-000-001.528
- **PPIN:** 100894
- **Acreage:** 0.90
- **Physical Address:** 21700 St Hwy 181
- **Applicant:** FST LICKIN GOOD FAIRHOPE LLC
- **Owner:** FST LICKIN GOOD FAIRHOPE LLC



ZVA26-11 LICKIN GOOD FAIRHOPE LLC PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

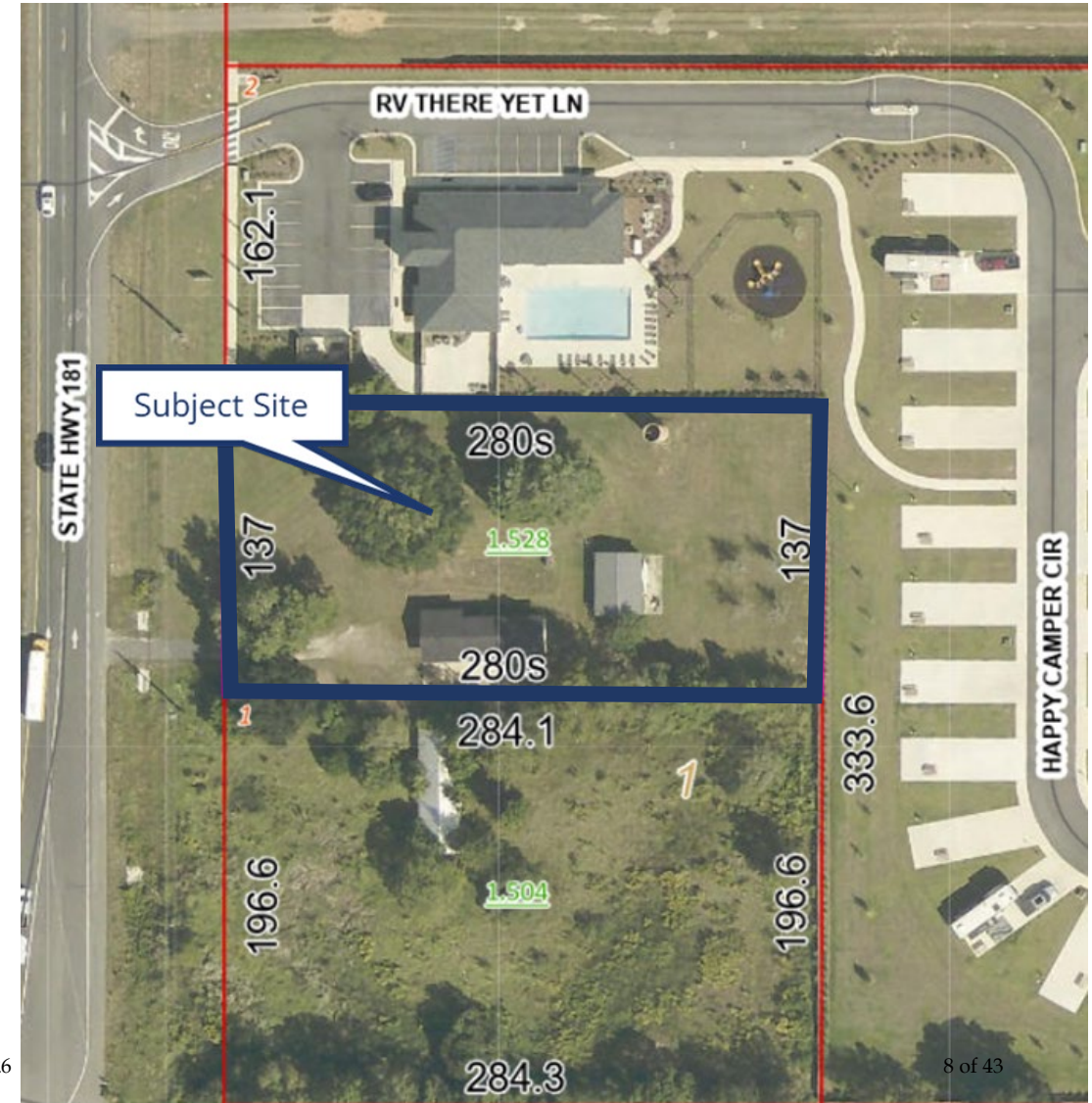
Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 15.3.7 (a) of the Baldwin County Zoning Ordinance as it pertains to the off-street loading space in order to allow for a Lickin Good Donuts restaurant.

The applicant would like to be 12' in width by 35' in length instead of the required 12' x 55' for off street loading/unloading space.

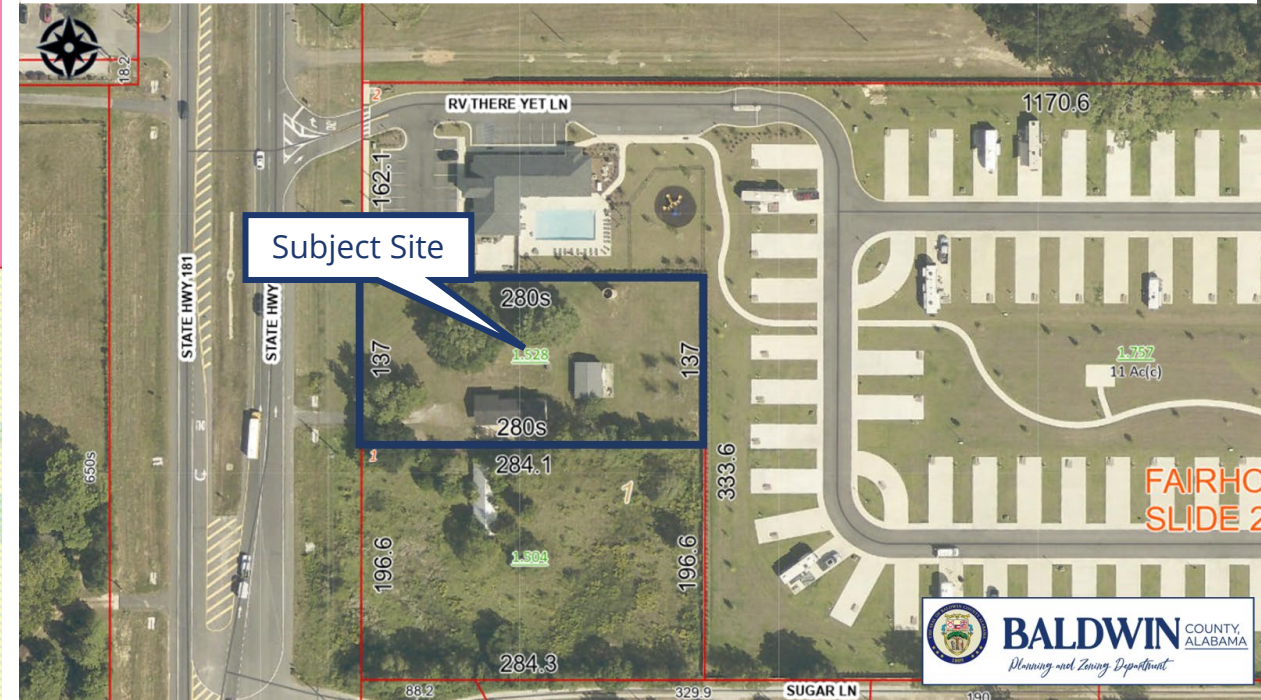
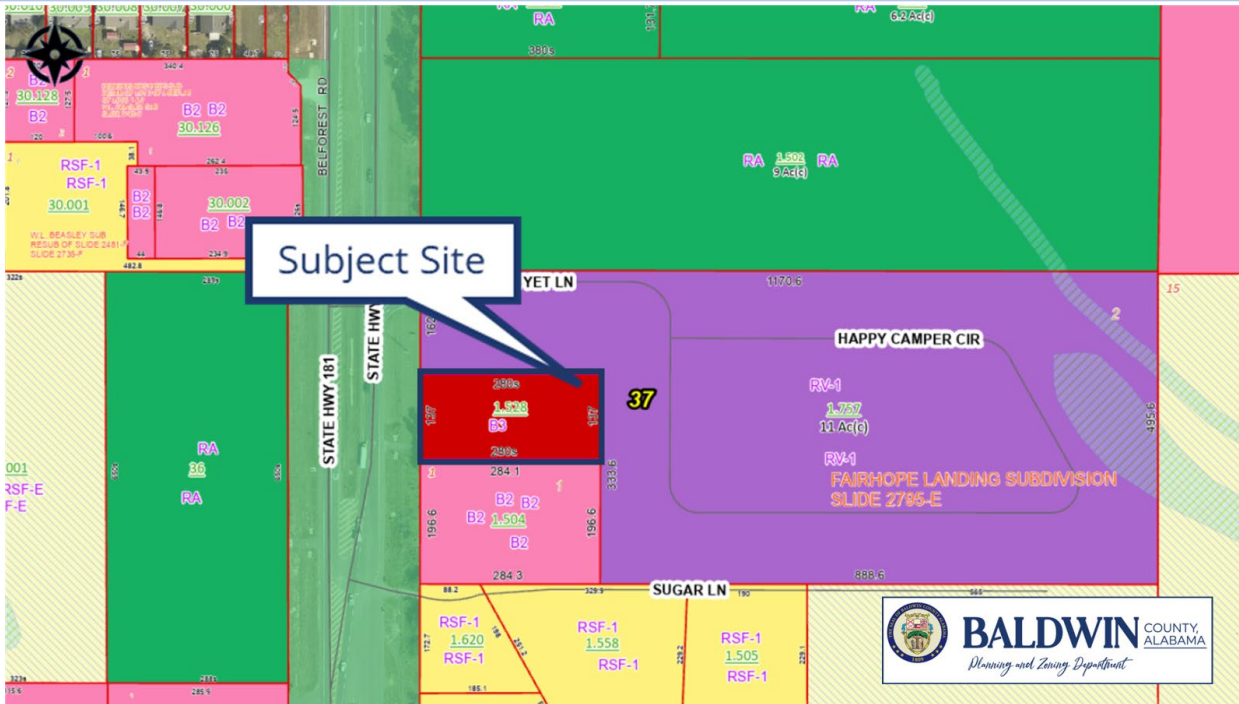
In Section 15.3.7 (a) Sizes and spaces. Each off-street loading/unloading space shall have a minimum dimension of 14 feet in height, 12 feet in width, and 55 feet in length. However, upon sufficient demonstration that a particular loading space will be used exclusively by shorter trucks, the board of adjustments may reduce the minimum length to as little as 35 feet.

Staff recommends that case number ZVA26-11 be **approved.**



Locator Map

Site Map



	Adjacent Zoning	Adjacent Land Use
North	City of Fairhope	RV Park
South	B2, Neighborhood Business District	Business
East	City of Fairhope	RV Park
West	RA, Rural Agriculture	Vacant

Subject Property
PIN: 100894



VARIANCE
PROPOSED
FOR THIS PROPERTY
Case Number
ZVA26-000011

For information Contact
Baldwin County Planning
Zoning Department
(251) 580-1655

Scan 

Apr 30, 2026 11:58:12 AM

21700 County Road 27

Fairhope

Baldwin County

Alabama

Adjoining Property
to the North and
the East
PIN: 395361



Now Accepting Reservations
Fairhope Laundry
FAIRHOPELANDINGRY.COM
251-370-5000

Apr 30, 2026 11:58:53 AM
21875 County Road 27

Fairhope
Baldwin County
Alabama

Adjoining Property
to the West
PIN: 2329





Adjoining
Property to
the South
PIN: 15491



Apr 30, 2026 11:54:09 AM
21747 State Highway 781

Fairhope

Baldwin County

Alabama

Zoning Requirements

Section 15.3 Design Standards and Improvement Requirements

15.3.1 Off-street parking space defined. An off-street parking space is an area of not less than 171 square feet which is permanently reserved for the temporary storage of one automobile. The minimum dimension of an off-street parking space is 9' x 19'. Off-street parking spaces may not be located in a street or alley and must be connected with a street or alley by a driveway which affords unobstructed ingress and egress to each space.

15.3.2 Parking area dimensions. The design and dimensions of the parking area shall be in accordance with the following dimensions table:

Angle of Parking	Curb Length Per Car	Stall Depth	Access Driveway Width
0	23'0"	9'0"	12'0"
20	20'4"	15'0"	11'0"
30	18'0"	17'4"	11'0"
40	14'0"	19'2"	12'0"
45	12'9"	19'10"	13'0"
50	11'9"	20'5"	12'0"
55	11'1"	20'3"	15'6"
60	10'5"	21'0"	18'0"
70	9'8"	21'0"	19'0"
80	9'8"	20'4"	24'0"
90	9'0"	19'0"	24'0"

15.3.3 Width of two-way access driveways. The minimum width of two-way access driveways within and to parking areas shall be 24-feet.

15.3.4 Paving standards. Parking spaces and driveways shall be improved with a suitable hard surface permanent type of pavement such as asphalt, concrete, limestone or other similar surface approved by the Planning Commission.

15.3.5 Drainage. Off-street parking facilities shall be drained to prevent damage to abutting property and streets and to prevent pollutants from draining onto the adjacent lots. Landscaped areas and perimeter areas shall be so graded as to receive a reasonable portion of the rainfall from the surrounding pavement. Protective curbing around landscaped areas will leave openings for the flow of water onto unpaved areas. No runoff shall be directed to the beaches or to surface waters.

15.3.6 Landscaping. Parking lots shall be landscaped in accordance with *Section 17.5: Parking Lots*.

15.3.7 Off-street loading and unloading space. Off-street loading/unloading spaces shall be provided as hereinafter required by this Ordinance.

- (a) **Size of spaces.** Each off-street loading/unloading space shall have minimum dimensions of 14-feet in height, 12-feet in width, and 55-feet in length. However, upon sufficient demonstration that a particular loading space will be used exclusively by shorter trucks, the Board of Adjustment may reduce the minimum length accordingly to as little as 35-feet.
- (b) **Connection to street or alley.** Each required off-street loading/unloading space shall have direct access to a street or alley or have a driveway which offers satisfactory ingress and egress for trucks.
- (c) **Floor area over 10,000 square feet.** There shall be provided for each hospital, institution, hotel, commercial, or industrial building or similar use requiring the

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 37 came into effect on July 19, 2022. The lot of record is approx. 137' x 280'. 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: 38,360sf, Minimum Lot width: 80', Actual Lot Width: 137' 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 and intent of the B-3 Business District is to provide for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. Section 15.3.7 (a) Off-Street parking space states each off-street loading/unloading space shall have minimum dimensions of 14-feet in height, 12-feet in width, and 55-feet in length. However, upon sufficient demonstration that a particular loading space will be used exclusively by shorter trucks, the Board of Adjustment may reduce the minimum length to as little as 35 feet. Given that the business is a small local donut shop, we believe that reducing the loading and unloading space to 12' x 35' is sufficient. Staff believes the requested variance is a reasonable request that does meet the above standards and qualifies 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.

Letter/POA Statement

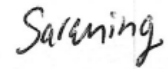
Lickin Good Fairhope LLC

741 Winesap Drive

Fairhope Alabama 36532

This is to state that there is no active neighborhood association affecting the property which is known as 21700 SR 181 Fairhope al 36532.

Sincerely



Saraning

Member/Manager

ZVA26-11 FST LICKING GOOD FAIRHOPE LLC PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 15.3.7 (a) of the Baldwin County Zoning Ordinance as it pertains to the off-street loading space in order to allow for a Lickin Good Donuts restaurant.

The applicant would like to be 12' in width by 35' in length instead of the required 12' x 55' for off street loading/unloading space.

In Section 15.3.7 (a) Sizes and spaces. Each off-street loading/unloading space shall have a minimum dimension of 14 feet in height, 12 feet in width, and 55 feet in length. However, upon sufficient demonstration that a particular loading space will be used exclusively by shorter trucks, the board of adjustments may reduce the minimum length to as little as 35 feet.

Staff recommends that case number ZVA26-11 be **approved**.

ZVA26-11 FST LICKING GOOD DONUTS LLC PROPERTY

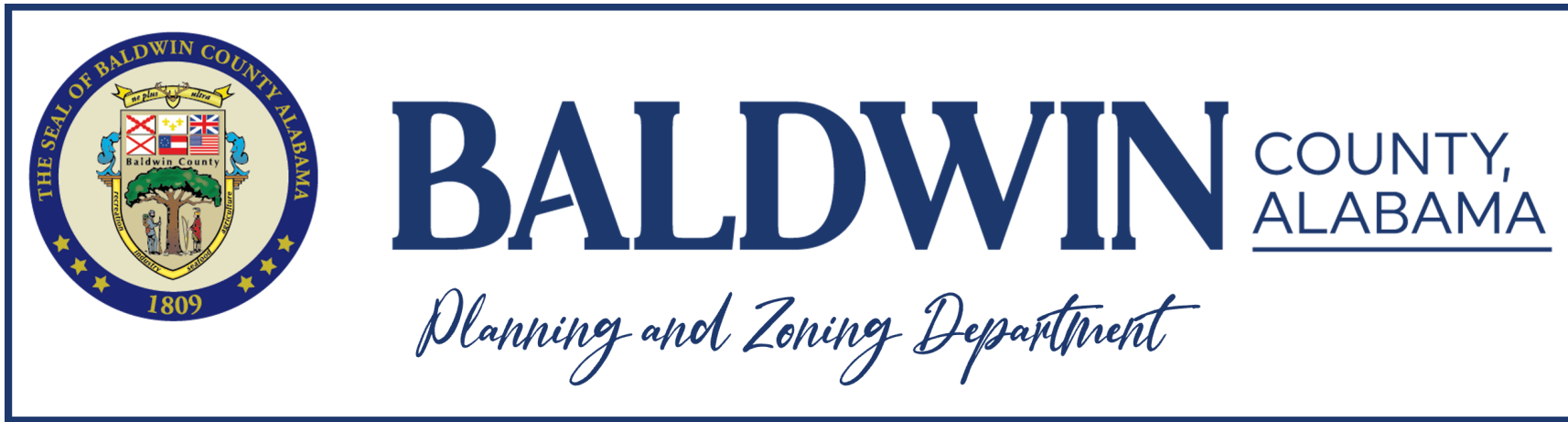
VARIANCE REQUEST SUMMARY AND RECOMMENDATION

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.



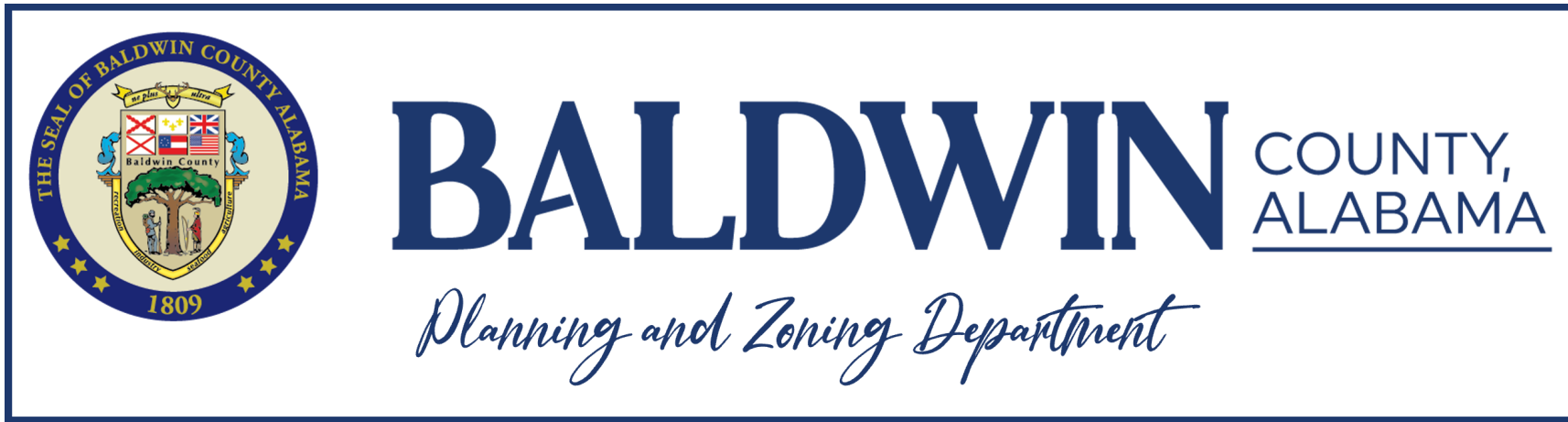
BALDWIN COUNTY BOARD OF ADJUSTMENT #1

NEXT REGULAR MEETING

JUNE 16, 2026 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL



BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

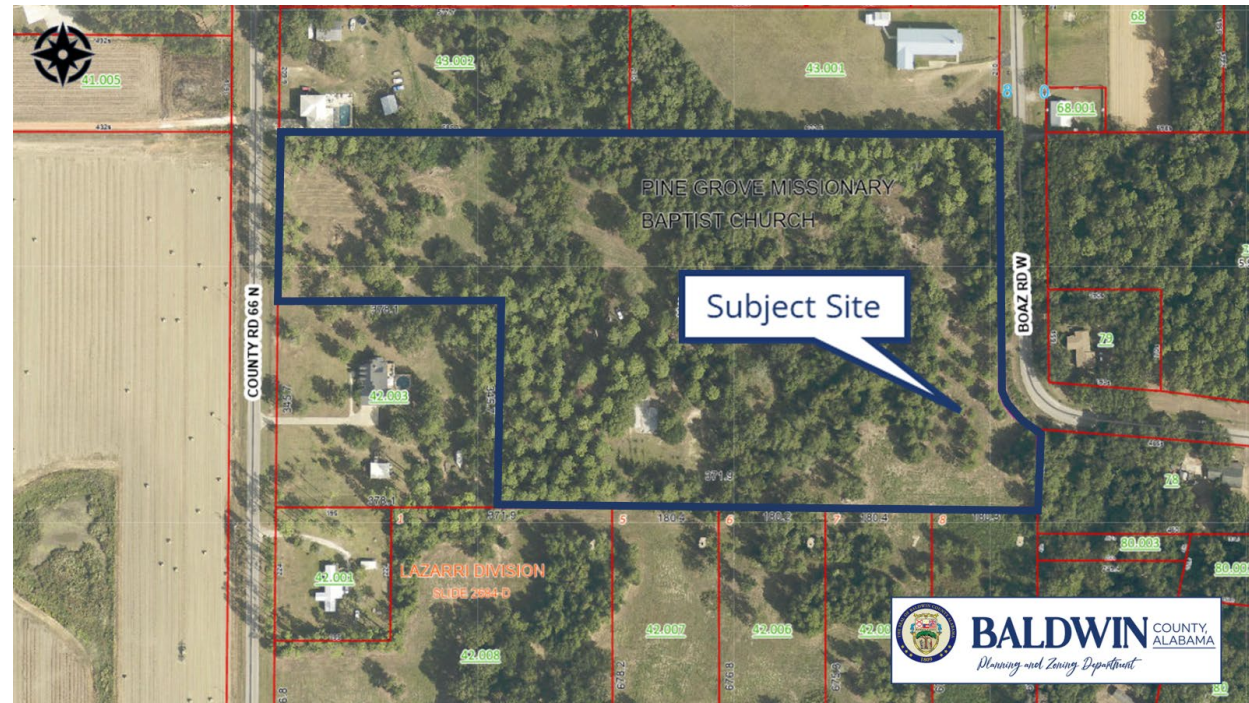
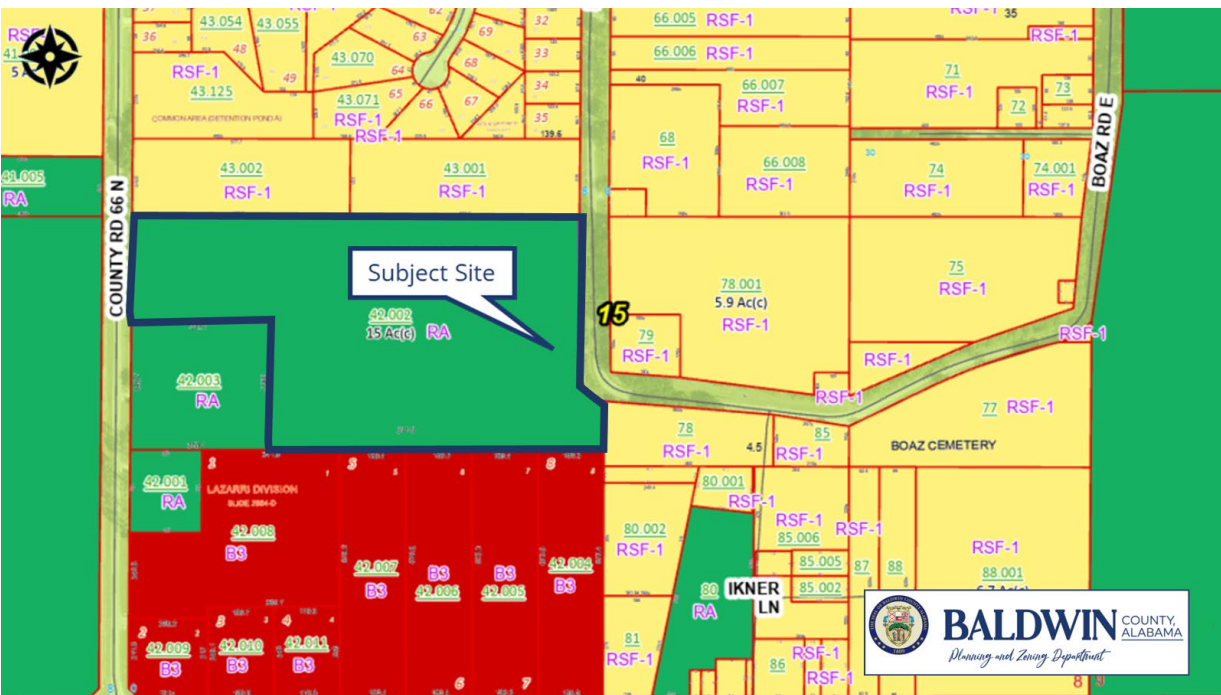
MAY 19, 2026

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL

Locator Map

Site Map



	Adjacent Zoning	Adjacent Land Use
North	RSF-1, Residential Single Family	Residential
South	B3, General Business District	Commercial /Vacant
East	RSF-1, Residential Single Family	Residential
West	RA, Rural Agriculture	Vacant

Subject Property
PIN: 120296



VARIANCE PROPOSED
FOR THIS PROPERTY
CASE NUMBER
ZVA26-000012
For Information Contact
Baldwin County Planning &
Zoning Department
(251)580-1655 / (251)972-8523
(251)990-4623

May 4, 2026 3:16:22 PM

271273 County Road 66 North

Loxley

Baldwin County

Alabama

Adjoining
Property to
the South
PIN: 382514



May 4, 2026 3:18:56 PM
13692 County Road 66 North
Loxley
Baldwin County
Alabama

Adjoining Property
to the North
PIN: 229758



Property to the
East
PIN: 72800



May 4, 2026 3:14:47 PM
27273 County Road 66 North
Loxley
Baldwin County
Alabama

Property to the
West
PIN: 62675

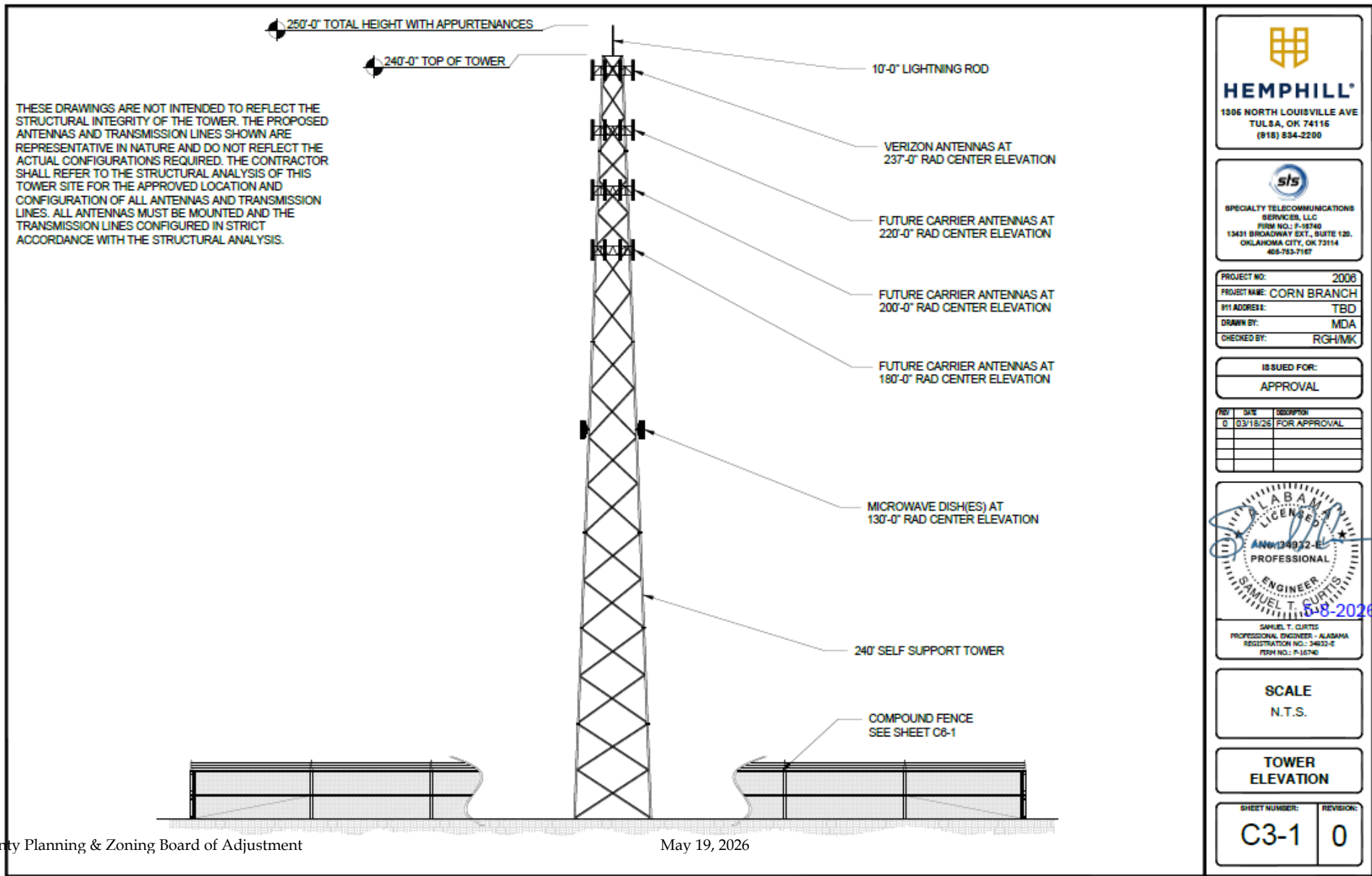


May 4, 2026 3:20:47 PM
27198 Boaz Road West

Loxley

Baldwin County
Alabama

Elevations



HEMPHILL
 1306 NORTH LOUISVILLE AVE
 TULSA, OK 74116
 (918) 834-2200

s/s
 SPECIALTY TELECOMMUNICATIONS
 SERVICES, LLC
 FORM NO.: P-16740
 13431 BROADWAY EXT., SUITE 120,
 OKLAHOMA CITY, OK 73114
 405-753-7167

PROJECT NO:	2006
PROJECT NAME:	CORN BRANCH
911 ADDRESS:	TBD
DRAWN BY:	MDA
CHECKED BY:	RGH/MK

ISSUED FOR:
 APPROVAL

REV	DATE	DESCRIPTION
0	03/18/26	FOR APPROVAL

ALABAMA
 LICENSED
 ANNO 134932-EL
 PROFESSIONAL
 ENGINEER
 SAMUEL T. CURTIS
 6-8-2026
 SAMUEL T. CURTIS
 PROFESSIONAL ENGINEER - ALABAMA
 REGISTRATION NO.: 34932-E
 FORM NO.: P-16740

SCALE
 N.T.S.

TOWER
 ELEVATION

SHEET NUMBER:	REVISION:
C3-1	0

Zoning Requirements

Section 13.9 Wireless Telecommunications Facilities

13.9.1 Purpose. The purpose of this section is to establish minimum standards for wireless telecommunications facilities. The underlying principles of these standards are to: (1) achieve a balance among the number, height, and density of wireless telecommunications facilities that is appropriate for our communities; (2) encourage and maximize the use of existing and approved towers, buildings and other structures to accommodate new wireless telecommunications facilities; (3) ensure the compatibility of towers with, and avoid adverse impacts to, nearby properties; and (4) discourage the proliferation of towers throughout the Planning Districts which have elected to come under the planning and zoning jurisdiction of the Baldwin County Commission.

13.9.2 Procedures and standards.

- (a) **Commission Site Plan Approval required.** All wireless telecommunications facilities are subject to the standards contained in this section and will be required to obtain Site Plan Approval prior to being granted a building permit.
- (b) **Where permitted.** Wireless telecommunications facilities shall be permitted by right in the M-1 and M-2 districts and by Commission Site Plan Approval in the RR, RA, B-2, and B-3 districts. Antennas located on existing towers (co-location antennas) and antennas located on alternative support structures shall be permitted by right in all zoning districts.
- (c) **Height.**
 - 1. Antennas located on alternative support structures shall not exceed 15-feet in height above the existing structure on which they are placed.
 - 2. Tower height shall be limited to that height necessary for proper functioning.
- (d) **Setbacks.** Wireless telecommunications towers, guys, and accessory structures must comply with the minimum yard requirements of the zoning district in which they are located. Additionally, towers (but not guys and accessory structures) may be placed no closer than a distance equal to the

height of the wireless telecommunications facility from any residential structure on adjacent property. Where a tower is permitted in a zoning district adjacent to any residential district the required setback from all residentially zoned property lines shall be a distance equal to the height of the tower.

- (e) **Lot size.** Lot size must conform to the minimum lot size requirements of the zoning district in which the Wireless telecommunications facility is located. In the event of a lease, the minimum leased area for wireless telecommunication facilities shall be 5,000 square feet.

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 15 came into effect on August 1, 20026. The lot of records is 345.7' x 378.1' and approximately 15 acres. The minimum lot size requirement for RA, Rural Agriculture District, is 3 acres with a minimum lot width at the building line of 210'. Therefore, staff believes there isn't exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

Minimum lot size: 130,680 Actual lot size: 653,400 sf, Minimum Lot width: 210', Actual Lot Width: 378' +/-, Hardship: NO

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

The subject property appears to indicate potential wetlands; however, no official wetland delineation was provided for the site. Our Environmental Planner visited the proposed tower site and observed that the area does not appear to encroach on any potential 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 RA, Rural Agricultural. The purpose and intent of the RA district is to provide for large, open, unsubdivided land that is vacant or is being used for agricultural, forest or other rural purposes. Low-density residential development that maintains the rural character of the district is permitted in accordance with the permitted uses and area and dimensional requirements of this section. Although a cell tower is allowed under RA zoning with commission site plan approval, staff believes that the request for a variance to construct closer to the adjacent residential structures and district is primarily for convenience and does not constitute a genuine hardship on the property. **Therefore, 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.
- We received one letter in opposition to this variance request at the time this staff report was written and submitted by the property owner of one of the homes within the 250' fall area.

May 12, 2026

Baldwin County Planning & Zoning Department
22251 Palmer Street
Robertsdale, Alabama 36567

RE: Written Opposition — Case No. ZVA26-12 / Applicant: Henry Fisher

Dear Members of the Planning & Zoning Board of Adjustments Number 1:

My family are the owners of the property located at 27198 Boaz Rd W, Loxley, Alabama 36551 — an adjacent parcel to the subject property identified in Case No. ZVA26-12. We are submitting this written comment in formal opposition to the variance application filed by Henry Fisher requesting relief from Baldwin County Zoning Ordinance Section 13.9.2(d) as it pertains to the setback requirements for a wireless telecommunications tower.

I. The Applicant Has Not Demonstrated the Required Hardship

Under Alabama Code § 45-2-261.10 and Baldwin County's variance standards, the granting of a variance requires a demonstration of genuine hardship — meaning the property cannot be put to reasonable use without the requested relief. A financial preference or desire for a more convenient tower placement does not constitute legal hardship. As adjacent property owners, we respectfully submit that the applicant has not met this threshold. We are not aware of any evidence in the public record establishing that full compliance with Section 13.9.2(d) is physically impossible or that the parcel cannot otherwise accommodate a compliant telecommunications tower installation.

II. Adverse Impact on Adjacent Property Values

Our family's property at 27198 Boaz Rd W carries significant value as a residential and investment parcel. Telecommunications towers placed closer to property lines than the ordinance permits are widely recognized to negatively impact the market value of adjacent properties. Granting this variance would shift a financial burden directly onto neighboring landowners who have done nothing to invite it. We respectfully ask the Board to weigh this impact in its deliberations.

III. Health, Safety, and Structural Fall-Zone Concerns

Setback requirements for telecommunications towers exist, in part, to establish a structural safety buffer in the event of tower failure or collapse. Reducing the required setback places our property within or near the potential fall zone of this structure. We request that the Board require the applicant to provide a certified structural analysis demonstrating that the proposed placement poses no safety risk to adjacent landowners before any variance is considered.

IV. Character of the Area and Precedent

The setback requirements codified in Section 13.9.2(d) reflect the intended character and development standards of Planning District 15. Approving this variance would

signal to future applicants that these setback requirements are negotiable for industrial-scale structures, potentially opening the door to further encroachment in the area. We urge the Board to uphold the ordinance as written in order to protect the integrity of the district and the interests of surrounding property owners.

V. Our Request

For the foregoing reasons, we respectfully request that the Baldwin County Planning & Zoning Board of Adjustments Number 1 DENY Case No. ZVA26-12 and require the applicant to comply fully with Baldwin County Zoning Ordinance Section 13.9.2(d) as written.

In the alternative, should the Board be inclined to grant any relief, we ask that any approval be conditioned upon: (1) a minimum protective setback from our shared property boundary; (2) a certified structural fall-zone analysis prepared by a licensed engineer; and (3) written notification to adjacent property owners of any conditions imposed.

We appreciate the Board's consideration of our concerns and respectfully request that this letter be made part of the official record for Case No. ZVA26-12.

Respectfully submitted,

[Your Full Name]

27198 Boaz Rd W
Loxley, Alabama 36551
[Phone Number]
[Email Address]

POA Statement

**MARVIN & KAREN PARKER
27172 COUNTY ROAD 66 N
LOXLEY, AL 36551
251-709-0828**

April 20, 2026

Re: Property located at 27183 Boaz Rd W., Loxley, AL 36551
Parcel ID: 42-03-080909990942.002
Proposed Telecommunications Tower

To Whom It May Concern:

Please be advised that our property located at 27183 Boaz Rd W., Loxley, AL has no restrictive covenants, conditions or deed restrictions that limit the use and/or development of said property. Property is not subject to any neighborhood associations or HOA's.

Sincerely,

Marvin & Karen Parker
251-709-0828 Marvin
251-455-1151 Karen

ZVA26-12 PARKER PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 13.9.2 (d) regarding the setbacks for a wireless telecommunications tower.

The applicant intends to construct a 250' tall tower. The tower will be within 250' of a dwelling and residential zone property.

The ordinance states, in accordance with Section 13.9.2 (d) of our zoning ordinance, the tower must be situated at a minimum distance equal to its height from any residential structure on adjacent properties. Additionally, if the tower is located within a zoning district bordering a residential district, the required setback from residential property lines shall be a distance equivalent to the tower's height.

Staff perceives no hardship on the subject property and recommends that case ZVA26-12 be **DENIED.**

ZVA26-12 PARKER PROPERTY

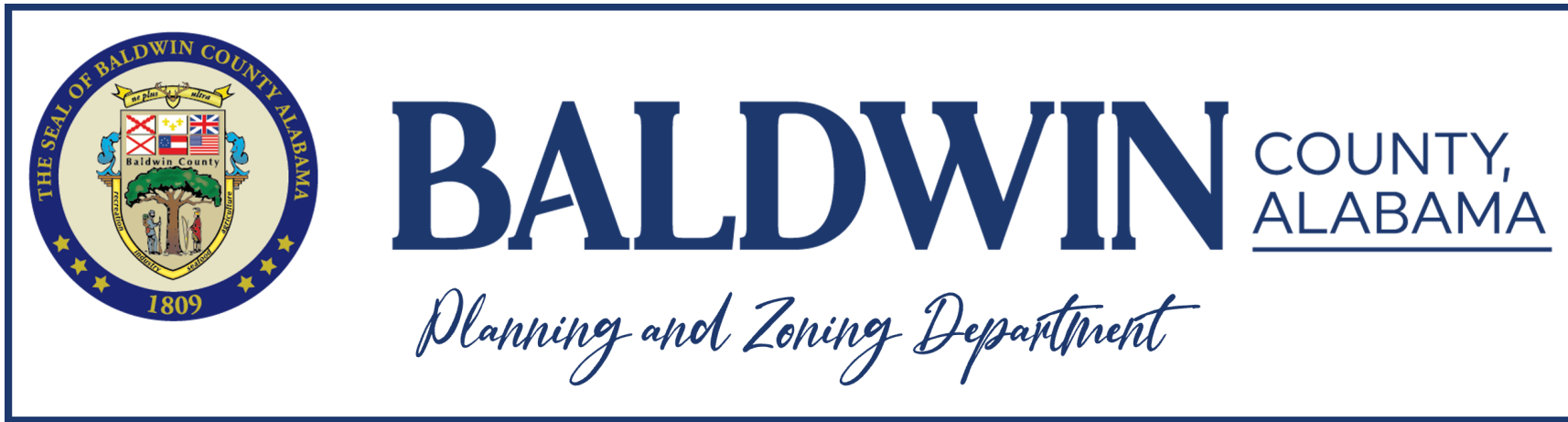
VARIANCE REQUEST SUMMARY AND RECOMMENDATION

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 BOARD OF ADJUSTMENT #1

NEXT REGULAR MEETING

JUNE 16, 2026 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL