



BOARD OF ADJUSTMENT NUMBER 1

AGENDA

June 17, 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 May 20, 2025
4. Announcements/Registration to Address the Board of Adjustment
5. Consideration of Applications and Requests

ITEMS:

a.) Case No. ZVA25-26 Snyder Property, 16080 Keeney Dr

Request: Approval of a Variance from Section 3.4.5 Area and Dimensional ordinance in the Baldwin County Zoning Ordinance as it pertains to the 30' front yard setback.

Location: The subject property is located at 16080 Keeney Dr, Fairhope, AL, in Planning District 39.

Attachments: Within Report:

6. Old Business
7. New Business
8. 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, May 20, 2025**

I. Call To Order

The Board of Adjustment Number One met in a regular session on April 15, 2025, at 4:00 p.m., in the Baldwin County Central Annex Auditorium.

II. Roll Call

The meeting was called to order by Jamal Allen Chairman. Members present included: Mary Shannon Hope, Doug Ward, Norman Bragg, Leslie Stejskal, Thomas Kiel, and Melissa Hadley. Staff members present were Crystal Bates, Planning Technician II, Celena Boykin, Senior Planner, and Ashley Campbell Environmental Planner.

III. Approval of Minutes

Mr. Thomas Kiel made a motion to approve the April 15, 2025, meeting minutes. Mr. Leslie Stejskal second the motion. All members voted aye. Motion to approve April 15, 2025 minutes carried anonymously.

IV. Consideration of Applications and Request

a.) ZVA25- 21 Reynolds Ready Mix LLC Property, 25640 County Road 13

Mrs. Crystal Bates presented the applicant's request for variance ZVA25-21 from Section 17.2 Landscaping Plan ordinance as it pertains to the 10' Landscape buffer in order to allow for a new steel building to be built.

The chairman invited the applicant, James Linton, to the podium to share the reasons for the variance request. He spoke about the concrete walls that are already in place in the same location. Following that, the chairman called Justin Blackwell to the podium to speak on the project. The board members then posed several questions to the applicant. The chairman then kindly inquired if there was anyone else who wished to speak.

Board member Doug Ward made a motion to APPROVE the variance case ZVA25-21 with conditions seconded by Mr. Thomas Kiel. The motion passed to APPROVE the variance with a 4 to 3 vote.

V. Old Business

VI. New Business

VII. Adjournment

The meeting adjourned at 4.26 p.m.

Respectfully Submitted,

Crystal Bates, Planning Technician

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

Jamal Allen, Chairman



BALDWIN

COUNTY,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

JUNE 17, 2025

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL

ZVA25-26 SNYDER PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 39
- **Zoned:** BCZ, Base Community Zoning
- **Location:** The subject property is located on Keeney Dr
- **PID:** 05-55-03-06-0-001-059.001
- **PPIN:** 300071
- **Acreage:** 0.15
- **Physical Address:** 16080 Keeney Dr
- **Applicant:** Austin Twilley Construction LLC
- **Owner:** Steven F Snyder



ZVA25-26 SNYDER PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

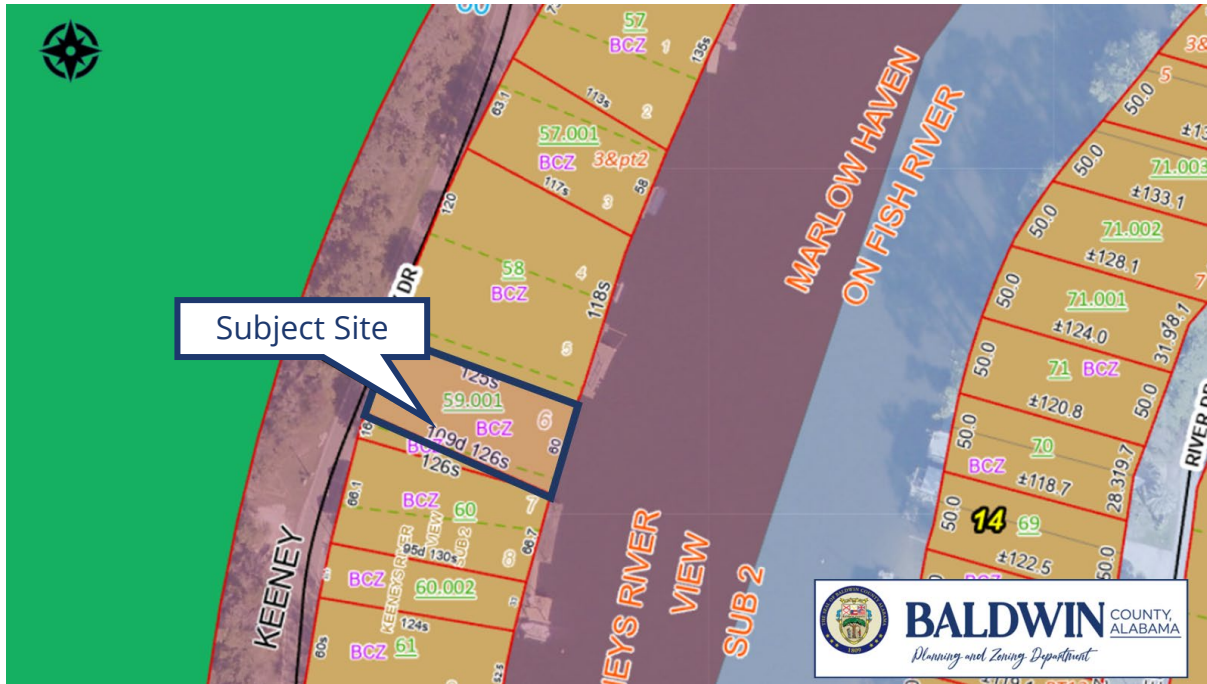
The applicant is seeking a variance from Section 3.4.5 (a) of the Area and Dimensional Ordinances as it pertains to the area and dimensional requirements concerning the front (water side) setbacks for a proposed single-family dwelling.

The applicant is requesting a variance to reduce the front setback on the southwest corner from the required 30 feet to 12 feet, as indicated on the site plan, and up to the boathouse, but not connected to the boathouse on the northwest side.

Staff recommends that ZVA25-26 be Approved with conditions,



Locator Map



Site Map



| | Adjacent Zoning | Adjacent Land Use |
|-------|----------------------------|-------------------|
| North | BCZ, Base Community Zoning | Residential |
| South | BCZ, Base Community Zoning | Residential |
| East | RA, Rural Agriculture | Vacant |
| West | BCZ, Base Community Zoning | Residential |



Subject Property
PIN: 300071



VARIANCE
PROPOSED
FOR THIS PROPERTY
Case Number
ZVA25 - 000026
For information Contact
Baldwin County Planning &
Zoning Department
(251) 580-1655



Jun 2, 2025 9:57:13 AM
30°27'32.43751"N 87°48'19.42657"W
109° E



Adjoining Property
to The North
PIN: 113015



Jun 2, 2025 9:57:39 AM
30°27'33.04253"N 87°48'19.26742"W
100° E



Adjoining Property
to The South
PIN: 18494



Jun 2, 2025 9:58:19 AM
30°27'32.15516"N 87°48'19.74787"W
110° E

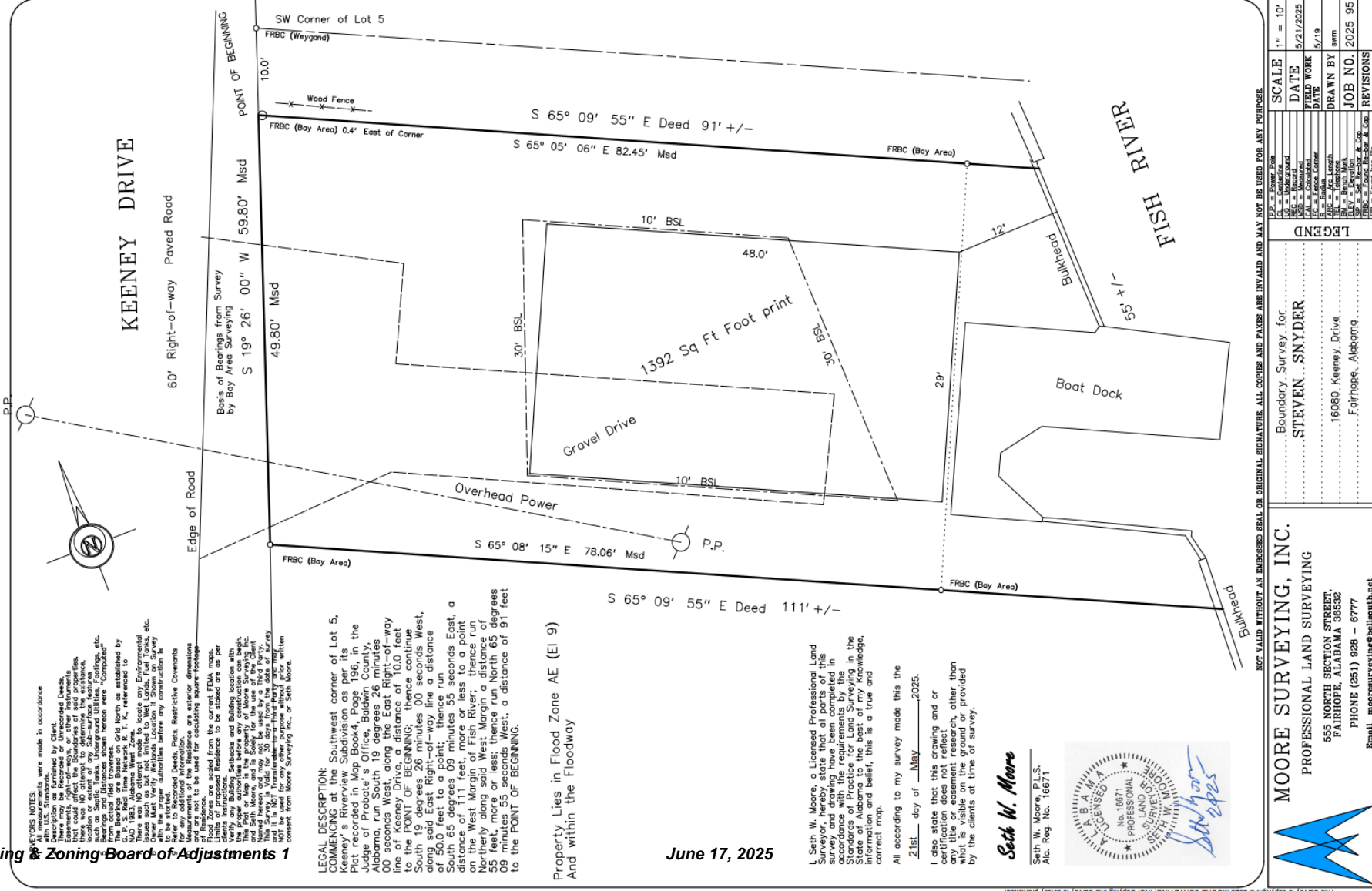


Property to The
West
PIN: 304794

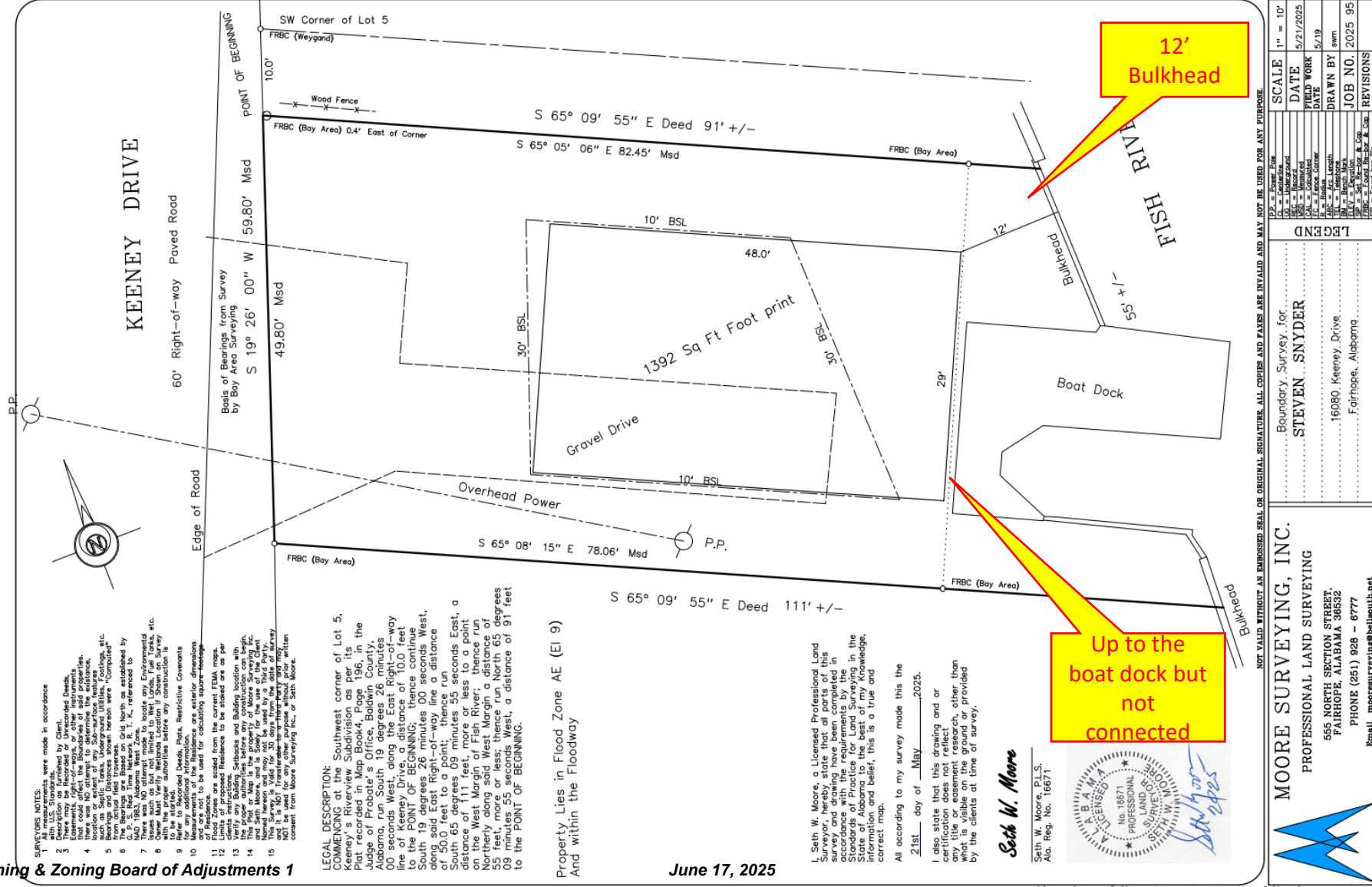


Jun 2, 2025 9:58:46 AM
30°27'32.29502"N 87°48'19.71821"W
311° NW

Site Plan



Site Plan



KEENY'S RIVERVIEW SUBDIVISION
UNIT NO. II
IN SEC. 6, T7S, R3E, BALDWIN CO. ALABAMA. / /



Zoning Requirements

Section 3.4 BCZ, Base Community Zoning

3.4.1 Generally. This zoning district is designed to preserve the character and sense of place in Baldwin County's unique communities and natural resource areas. As a result, the district may be applied to a wide variety of lot sizes and uses located within rural and suburban communities. Thus, the Base Community Zoning District places an emphasis on ensuring changes from the existing state do not disrupt the character and quality of life in a rural or suburban community. The appropriate time to apply a Base Community Zoning designation will generally be at the inception of zoning in a new Planning District.

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

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following institutional uses: church or similar religious facility; school (public or private).
- (d) Agricultural uses.
- (e) On parcels that are three (3) acres or greater in size, up to two (2) single family dwellings.
- (f) On parcels that are less than three (3) acres in size, a single-family dwelling and one accessory dwelling with a gross floor area no greater than 60% of the gross floor area of the primary dwelling.
- (g) Accessory structures and uses including a residential accessory structure on a vacant parcel.

(h) A Home Occupation that conforms with Section 13.3 of the Baldwin County Zoning Ordinance.

(i) All existing uses, unless one of the following changes is proposed:

- 1. A change that would trigger a Commission Site Plan Approval under *Section 18.10.3 Applicable Uses*.
- 2. Any division of land except an exempt division of land under Section 4.2 of the Baldwin County Subdivision Regulations or a division where each resulting parcel meets the minimum area and dimension requirements for Residential Single Family Residential Estate (RSF-E) District under Section 4.1.5 herein.

Under Base Community Zoning, a use that has been abandoned for a period of five (5) years shall no longer be considered an existing use. The intent to abandon shall be presumed from the cessation of business or the removal of equipment, goods, structures, or other aspects of such nonconforming use of the property.

3.4.3 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

3.4.4 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: Not Applicable

3.4.5 Area and dimensional regulations. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, and unless a change is triggered by *Section 3.4.2(i)*, the area and dimensional ordinances set forth below shall be observed for new construction:

(a) Primary Structures:

| | |
|-------------------------------------|---------|
| Maximum Height of Structure | 35-Feet |
| Maximum Height in Habitable Stories | 2 ½ |
| Minimum Front Yard | 30-Feet |
| Minimum Rear Yard | 30-Feet |
| Minimum Side Yards | 10-Feet |

(b) Accessory Structures are not permitted in the front yard and shall be a minimum of 5-feet from property when located within the side or rear yard.

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 39 came into effect on July 18, 2023. The lot as recorded is 50' x 125' IRR ft Lot 5 unit 2 of Keeney's Riverview Subdivision. It is 0.15 acres and the minimum lot size requirement for BCZ, Base Community Zoning District is 20,000 sf with a Minimum Lot Width at the Building Line of 80'. The subject property does not meet the minimum lot width of the parcel and lot size.

Minimum lot size: **20, 000sf** Actual lot size: **6, 250sf** Minimum Lot width: **80'** Actual Lot Width: **50'** Hardship: YES

Staff believes that this is a hardship since the lot width at the building line is 50' feet wide and the minimum lot size is 6,250 sf.

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

The subject property doesn't contain jurisdiction wetlands on the property or any other apparent exceptional topographic conditions. In BCZ Base Community Zoning we do not enforce section 10.4.4 wetland buffer/streams 30' setback. Therefore, staff could not establish exceptional topographical conditions or other extraordinary situations, or conditions contained on the property that would require a variance; however, the requested variance does not necessarily contemplate a hardship due to topographic conditions and thus this section is **not a factor** in the consideration of a zoning 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 BCZ, Base Community Zoning, which permits a variety of residential and accessory uses designed to preserve the character and sense of place in Baldwin County's unique communities and natural resource areas. The applicant's request is to construct a single-family dwelling.

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.
- We have received one letter, which is attached within your packet, expressing concerns regarding the construction up to the bulkhead.
- Per Lee Angle, our plan reviewer, there are no setback restrictions for structures built on the same lot. Because this property is located in a floodway, any construction will require a No-Rise Certificate from a licensed engineer to meet floodplain requirements.

CASE NO: ZVA25-26
APPLICANT: AUSTIN TWILLEY
PLANNING DISTRICT: 39

In reference to the above, please thank Crystal Bates for her explanation of this variance application. I received the notice since I am a neighbor of the property. I was concerned about any wetlands, but I understand that none are on the subject property. I am concerned about building right on the bulkhead on Fish River. Both about how it affects the river and also how that could affect the home itself. Crystal stated that the building department will require how the house has to be engineered for its safety. I hope this variance will not present a precedent where this type of construction could be all up-and-down Fish River and other waterways in Baldwin County.

I watched the wetland adjoining the west side of Marlow Ferry Rd be completely drained and the old Marlow road that is a county road and park be closed off with a private owners gate. I remember when the county commissioner created that park with its little sandy beach for people to enjoy.

So, with that said, I'm always concerned about how we should be protecting Fish River, including the wetlands.

Please use your best judgment in this case and all others that will come before you.

Sincerely,
Barbara Pryor
404-372-4563
Baldwin County Planning & Zoning Board of Adjustments 1

June 17, 2025

POA Statement



AUSTIN TWILLEY CONSTRUCTION

Not applicable

Dustin Zapp

ZVA25-26 SNYDER PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

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The applicant is requesting a variance to reduce the front setback on the southwest corner from the required 30 feet to 12 feet, as indicated on the site plan, and up to the boathouse, but not connected to the boathouse on the northwest side.

Staff recommends that ZVA25-26 be Approved with conditions,

1. If approved, the variance is limited 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.

ZVA25-26 SNYDER 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

JULY 15, 2025 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL