



**BOARD OF ADJUSTMENT NUMBER 1
AGENDA**

September 17, 2024

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 August 20, 2024
4. Announcements/Registration to Address the Board of Adjustment
5. Consideration of Applications and Requests

ITEMS:

a.) Case No. ZVA24-52 Maye Property, 9816 Milton Jones Rd

Request: Approval of a Variance from Local Provisions for Planning District 15 Section 2.3.15.3 (f) of the Baldwin County Zoning Ordinance as it pertains to the accessory dwellings and the size in order to allow for a Single-family dwelling.

Location: The subject property is located at 9816 Milton Jones Rd, Daphne, AL in Planning District 15.

b.) Case No. ZVA24-55 Loftin Property, 12201 County Road 1

Request: Approval of a Variance from Section 4.3.4 Area and Dimensional ordinance of the Baldwin County Zoning Ordinance as it pertains to the front yard setback requirement to allow for a covered porch.

Location: The subject property is located at 12201 County Road 1 in Fairhope, Al in Planning District 26.

c.) Case No. ZVA24-56 D &D Mini Storage LLC Property, 25895-B Friendship Rd

Request: Approval of a Variance from Section 5.3.4 Area and Dimensional ordinance of the Baldwin County Zoning Ordinance as it pertains to the Minimum width at the street line in order to allow for a further division of the property.

Location: The subject property is located at 25895-B Friendship Rd in Planning District 15.

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>

The meeting minutes from the August 20, 2024, BOA 1 meeting will be forthcoming. We have a court report preparing the meeting minutes.

Thank You,

Crystal Bates

Planning Technician II

22251 Palmer St

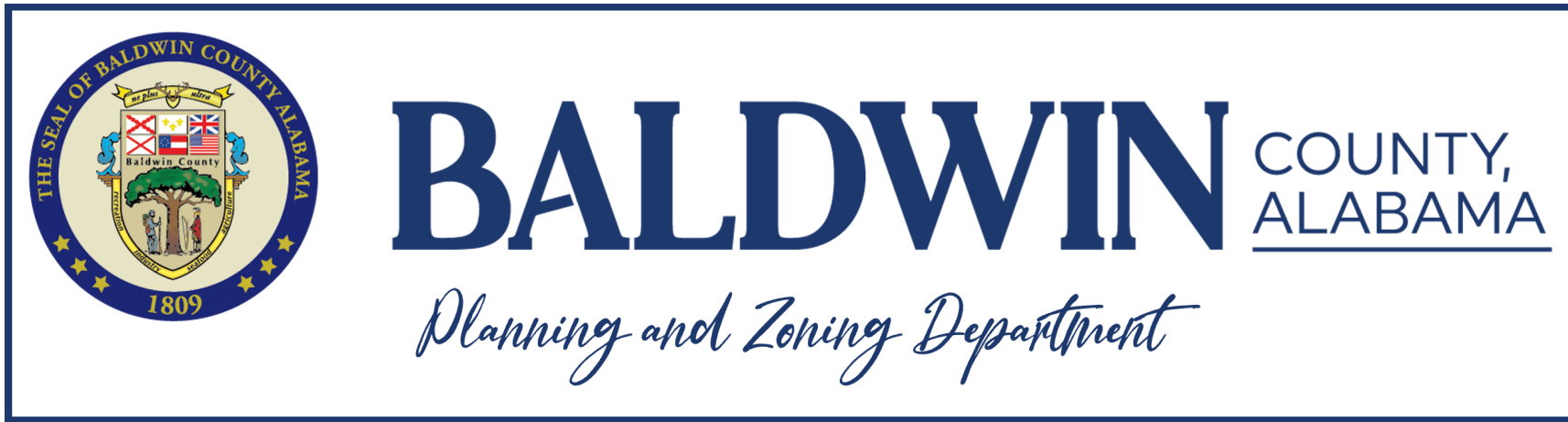
Robertsdale, AL 36567

Tel: 251-580-1655 Ext. 7261

Fax:251-580-1656

cbates@baldwincountyal.gov





BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

SEPTEMBER 17, 2024

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL

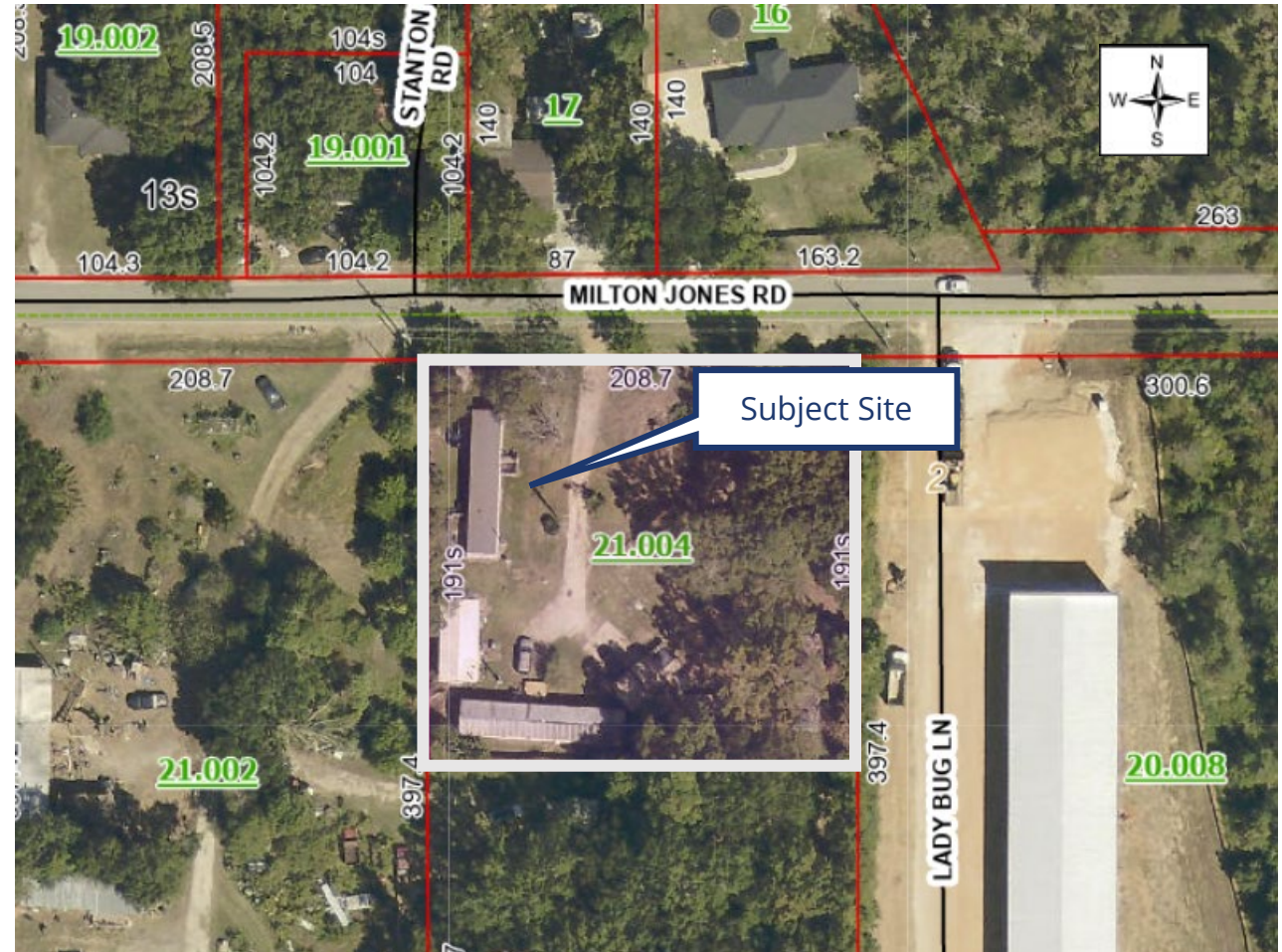
ZVA24-52 MAYE PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 15
- **Zoned:** RSF-1, Residential Single Family
- **Location:** The subject property is located south of Milton Jones Rd
- **PID:** 05-43-05-22-0-000-021.004
- **PPIN:** 117501
- **Acreage:** .895+/-
- **Physical Address:** 9816 Milton Jones Road
- **Applicant:** Christian Baumgarder, Baumgardner House Raising LLC
- **Owner:** Martha Maye

Baldwin County Planning & Zoning Board of Adjustments 1



September 17, 2024

ZVA24-52 MAYE PROPERTY

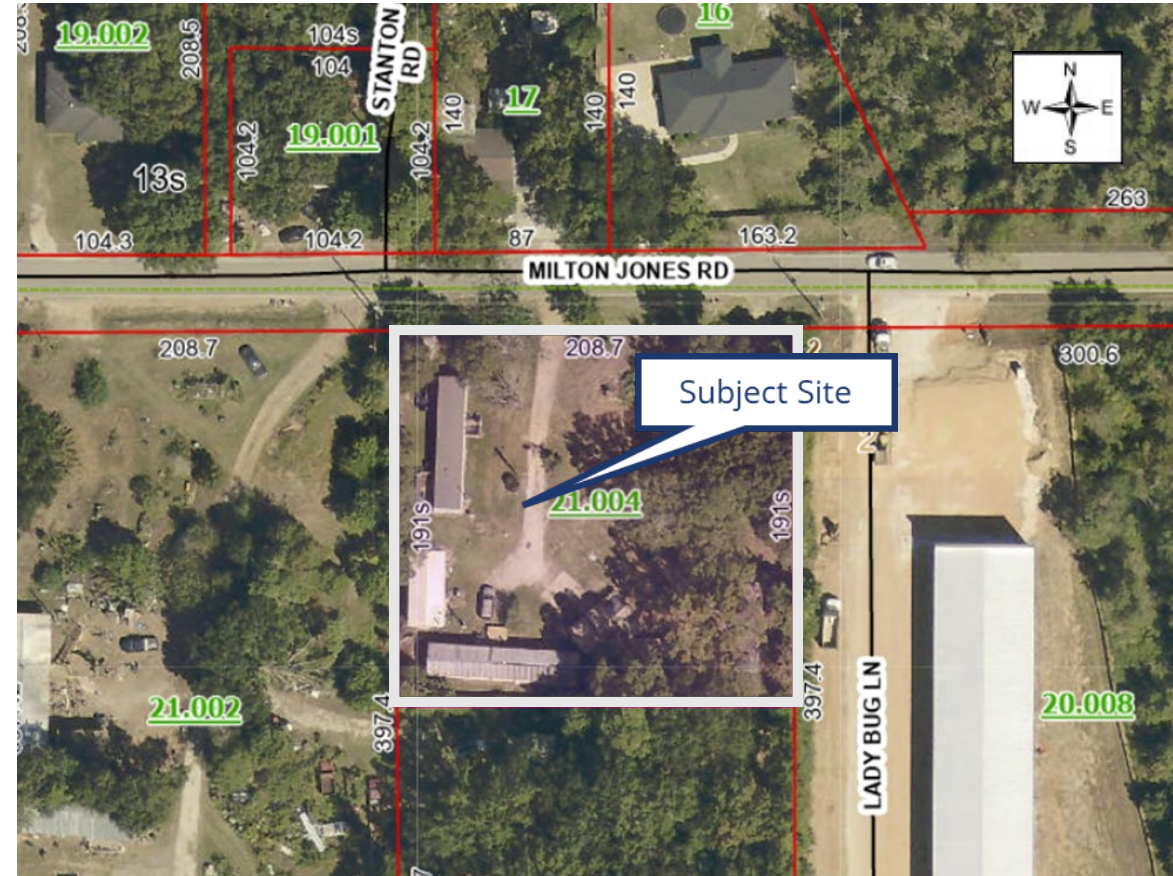
VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 2.3.15.3 (f) of the Baldwin County Zoning Ordinance as it pertains to the accessory dwelling and the size in order to allow for a single-family dwelling.

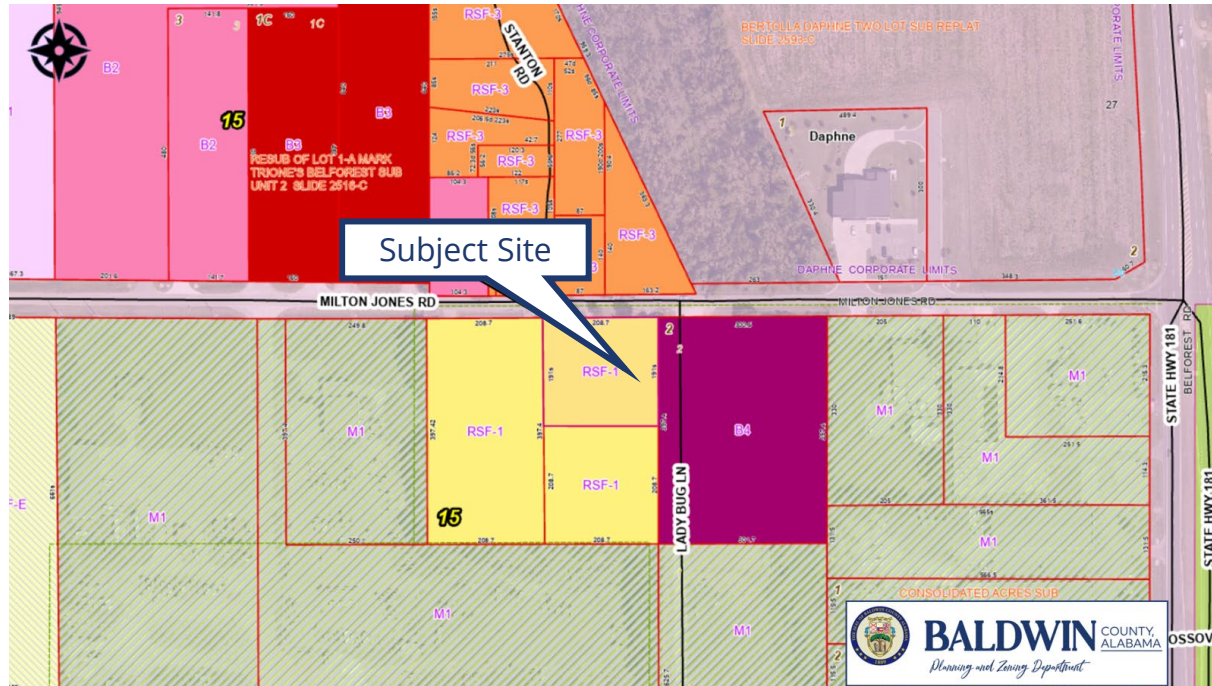
The applicant is asking to replace a damaged mobile home to have two of the same size mobile homes on the lot and not meet the 60 percent rule and not be contained under the same roof.

Staff recommends ZVA24-52 be **denied** unless information to the contrary is revealed at the public hearing.



Locator Map

Site Map



	Adjacent Zoning	Adjacent Land Use
North	RSF-3, Residential Single-Family District	Residential
South	RSF-1, Residential Single-Family District	Vacant
East	B4, Major Commercial	Commercial
West	RSF-1, Residential Single-Family District	Residential



Subject Property
PIN: 117501



PUBLIC HEARING
PROPOSED
FOR THIS PROPERTY
Case Number
ZVA24-000052
Please scan the QR
code for more
information.
1251 580-1833



Property to
The North
PIN: 27717





Adjoining Property
to The South
PIN: 120019





Adjoining Property
to The East
PIN: 307162





Adjoining Property
to The West
PIN: 91488



Elevations

Mariner

3 beds | 2 baths | 1,140 sq. ft. | 16x76



Administrative Data

Applicant Number: 272017

Applicant Name: Shirley Maye

Co-Applicant Name: _____

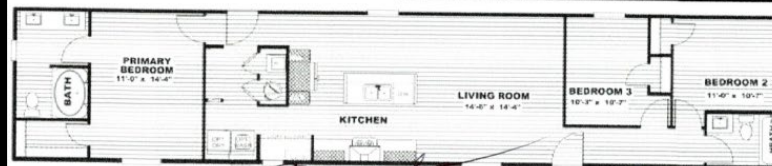
Address: 9816 Milton Jones Rd
Daphne, AL 36526

Utilities

Is the Home equipped with: (for disconnect only)

- All Electric
- Electric plus Natural Gas
- City Water
- City Sewer
- Propane
- Septic
- Well

Home Recovery Alabama Program (HRAP) will be providing all ELECTRIC appliance. No gas lines will be provided.



Signatures

By signing this form, I acknowledge that I have reviewed the Home Recovery Alabama Program (HRAP) Selection Sheet and have accepted both the floor plan and the house style as indicated by my initials.

Applicant Signature: Shirley Maye Date: 06-13-24

Co Applicant Signature: _____ Date: _____

GC Rep Signature: [Signature] Date: 6/13/24

HRAP Signature: Michael Morris Date: 6/14/2024

POA/HOA Statement

08-12-2024

To whom it may concern I
don't have a home association.

Thank you
Shirley Mae

Zoning Requirements

Appendix A.

2.3.15.3 Local Provisions for Planning District 15

(a) Advisory Committee Philosophy.

It is the intent of the District 15 Advisory Committee to encourage residential zoning for the vast majority of District 15, and furthermore, to encourage zoning in the areas of RSF-E, Residential Single Family Estate District, and RSF-1, Single Family District, when possible, in order to protect the values of homes and properties already established throughout the district. While we understand the need for affordable housing and commercial growth when properly zoned, we believe that protecting property values should be higher priority in making future zoning decisions.

(b) Industrial uses shall not discharge into any river or natural surface body of water including wetlands.

(c) No additional Landfills.

(d) All utilities for new major subdivisions shall be placed underground.

(e) No additional recreation vehicle parks allowed.

(f) Accessory dwellings are permitted by right in the residential districts in Planning District 15 unless restricted by a property owners association and provided they are contained entirely within the structure of a single-family dwelling and provided they do not exceed 60% of the size, in gross floor area, of the principal residence.

(g) Cemeteries shall be allowed by right in the RA, Rural Agriculture District and the RSF-E, Residential Single Family Estate District.

(h) Off premise signs are prohibited. For the purposes of this section an off premise sign is defined as a sign which directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premises on which the sign is located. However, exempt signs contained in Section 16.3 are also exempt from this section.

(f) Accessory dwellings are permitted by right in the residential districts in Planning District 15 unless restricted by a property owners association and provided they are contained entirely within the structure of a single-family dwelling and provided they do not exceed 60% of the size, in gross floor area, of the principal residence.

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, 2006. The minimum lot size requirement for RSF-1 zoning is 30,000 sf with a Minimum Lot Width at the Building Line of 100' and a Minimum Lot Width at the Street Line of 50'. Per Revenue Commission records the parcel is 208.7 x 191 roughly 39,861.17 SF +/- Staff does not perceive this is a factor in the request at hand.

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 exceptional topographic conditions. Therefore, staff could not establish exceptional topographical conditions or other extraordinary situations, or conditions contained on the property which 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 zoned RSF-1, Residential Single Family which allows for residential uses and accessory uses. The request is allow for an accessory dwelling to not be contained entirely within the structure of a single- family dwelling and to exceed the 60 percent in size, in gross floor area, of the principal residence. Staff perceives that the granting of the application may be necessary for the preservation of a property right and is not merely to serve as a convenience to the applicant or based solely upon economic loss.

4.) The granting of this application will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County.

Staff does not believe the granting of this application, **in general**, will impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County. However, staff cannot specifically assure and makes no warranty or guarantee that if granted the resultant variance will or will not diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County because the effect of the variance cannot be quantified at the time of consideration.

Staff Analysis and Findings

5.) Other matters which may be appropriate.

The applicant has submitted a written document stating there is no active homeowner association for the subject property.

No documentation in favor of or opposition to this variance request has been received at the time this staff report was written.

The applicant has been awarded a new mobile home through the AI HRAP, her old mobile home was damaged by a hurricane and is eligible for replacement. The mobile home was on parcel prior to zoning so therefore was grandfathered in as a nonconformity. Once the home was damaged the nonconformity status was lost.

ZVA24-52 MAYE PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 2.3.15.3 (f) of the Baldwin County Zoning Ordinance as it pertains to the accessory dwelling and the size in order to allow for a single-family dwelling.

The applicant is asking to replace a damaged mobile home to have two of the same size mobile homes on the lot and not meet the 60 percent rule and not be contained under the same roof.

Staff recommends ZVA24-52 be **denied** unless information to the contrary is revealed at the public hearing.

ZVA24-52 MAYE PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

If the board approves ZVA24-52 be staff request the following conditions to be placed on the approval.

1. If approved, the variance is limited to the mobile home and setbacks AS SHOWN on the provided site plan.
2. This variance relieves subject property of no other requirements of the Baldwin County Zoning Ordinance (zoning site plan), Baldwin County Subdivision Regulations, Baldwin County Building Department (building permit), Baldwin County Highway Department (driveway or turnout permit), or requirements of other agencies.

ZVA24-52 MAYE PROPERTY

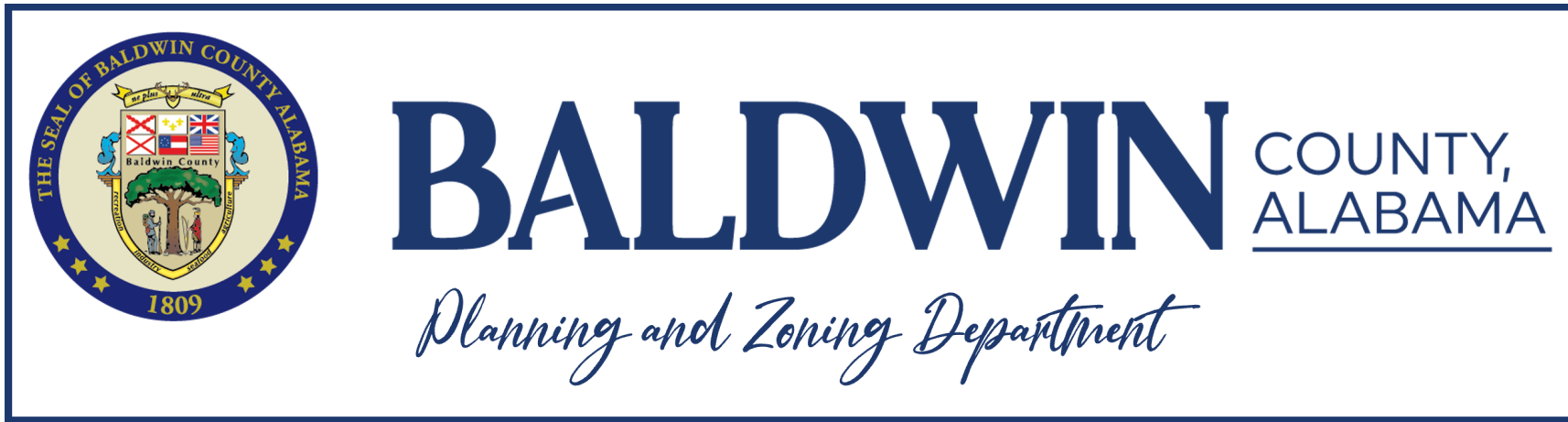
VARIANCE REQUEST SUMMARY AND RECOMMENDATION

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.



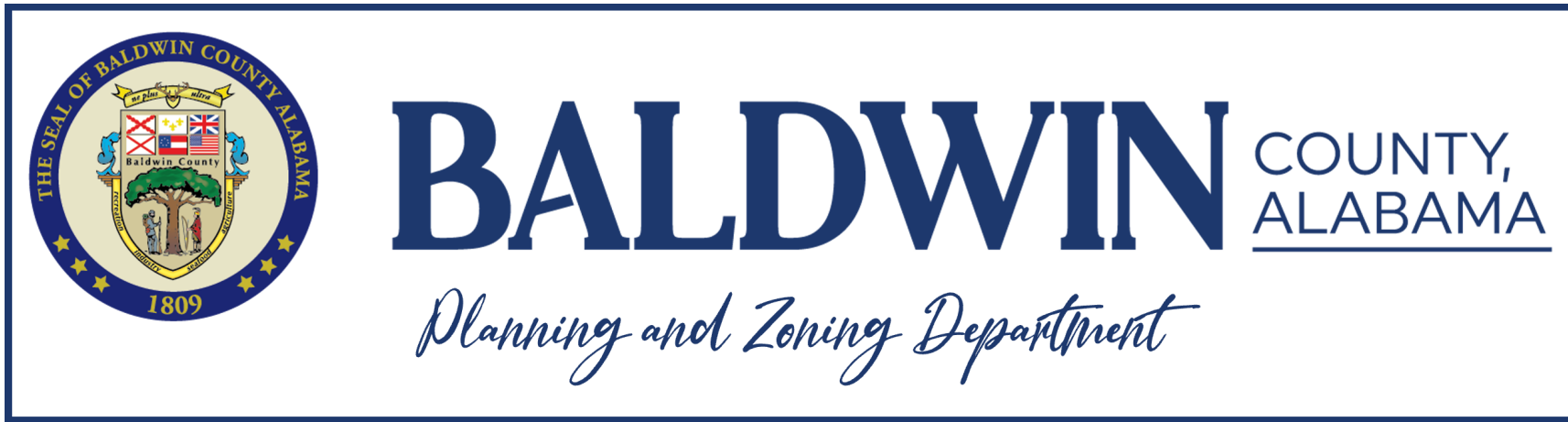
BALDWIN COUNTY BOARD OF ADJUSTMENT #1

NEXT REGULAR MEETING

OCTOBER 15, 2024 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL



BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

SEPTEMBER 17, 2024

BALDWIN COUNTY CENTRAL ANNEX

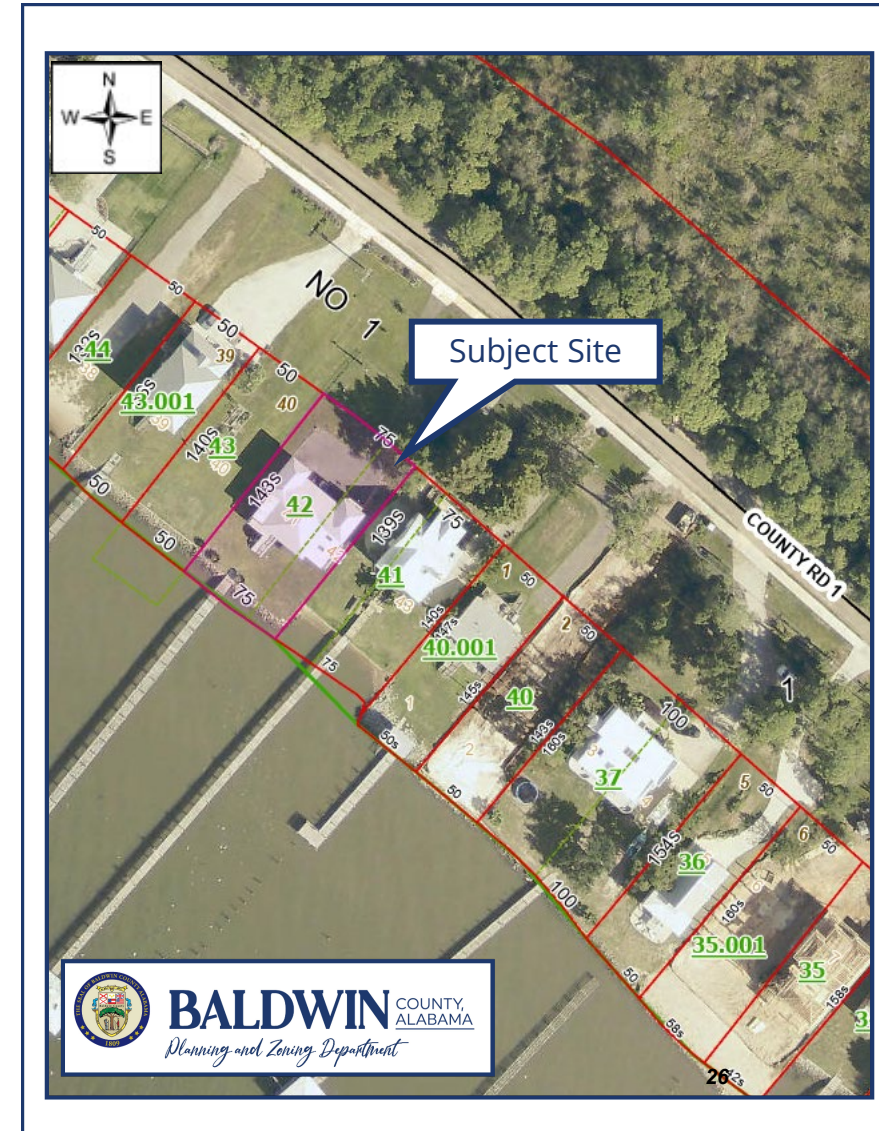
ROBERTSDALE, AL

ZVA24-55 LOFTIN PROPERTY

VARIANCE REQUEST

Lead Staff: Calla McKenzie, Planning Technician II

- **Planning District:** 26
- **Zoned:** RSF-2, Residential Single Family
- **Location:** The subject property is located on the south side of County Rd 1.
- **PID:** 05-56-09-29-0-000-042.000
- **PPIN:** 37683
- **Acreage:** +/- 0.29
- **Physical Address:** 12201 County Rd 1
- **Applicant & Owner:** Michael and Sherry Loftin



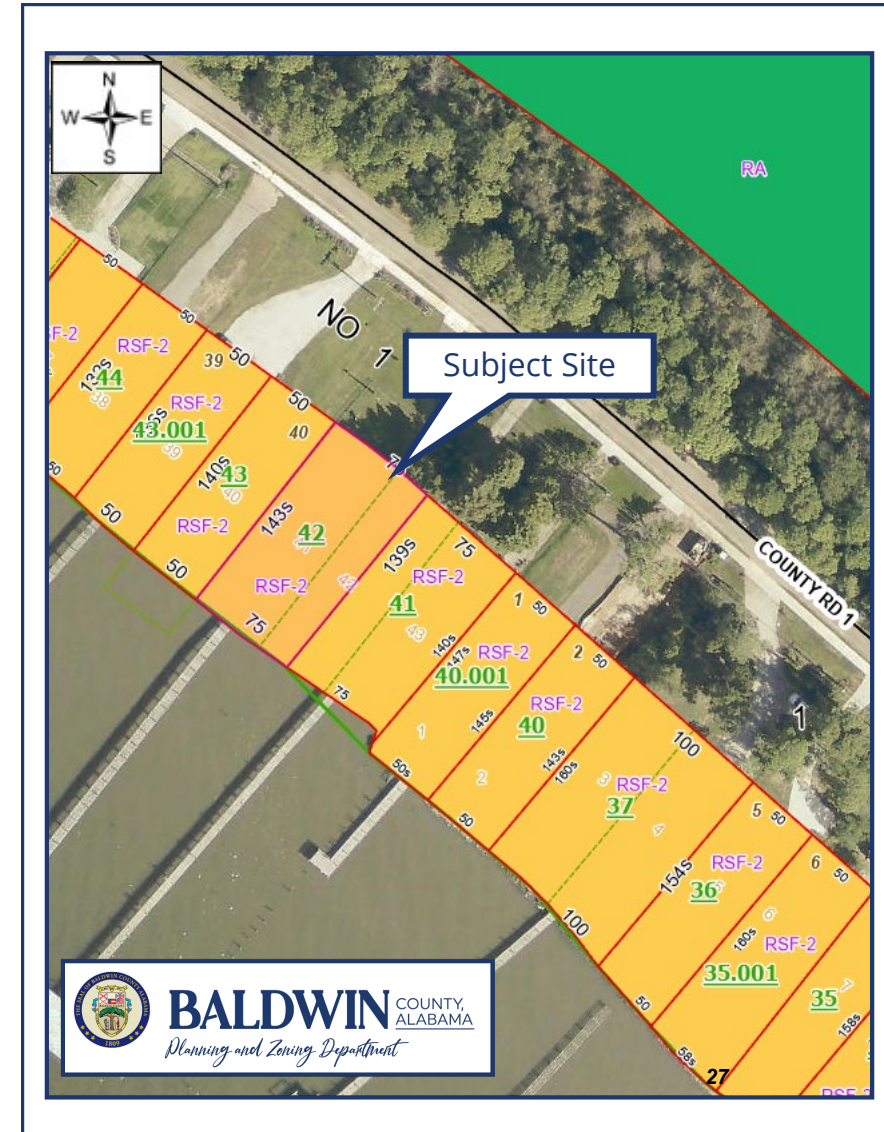
ZVA24-55 LOFTIN PROPERTY

VARIANCE REQUEST

Lead Staff: Calla McKenzie, Planning Technician II

The applicant is requesting a variance from Section 12.5.2 (f) of the Baldwin County Zoning Ordinance as it pertains to the (V-zones) setbacks to allow for a covered porch.

Staff recommends ZVA24-55 be **DENIED** unless information to the contrary is revealed at the public hearing.



Locator Map



Site Map



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



Subject Property
PIN: 37683



**PUBLIC HEARING
PROPOSED
FOR THIS PROPERTY**
Case Number
ZVA24-000055
Baldwin County Planning
and Zoning Department
For more information,
please scan the QR
code, call, or email.
(251) 580-1655
planning@baldwincountysc.gov





Property to
The North
PIN: 7816





Adjoining Property
to The East
PIN: 25568



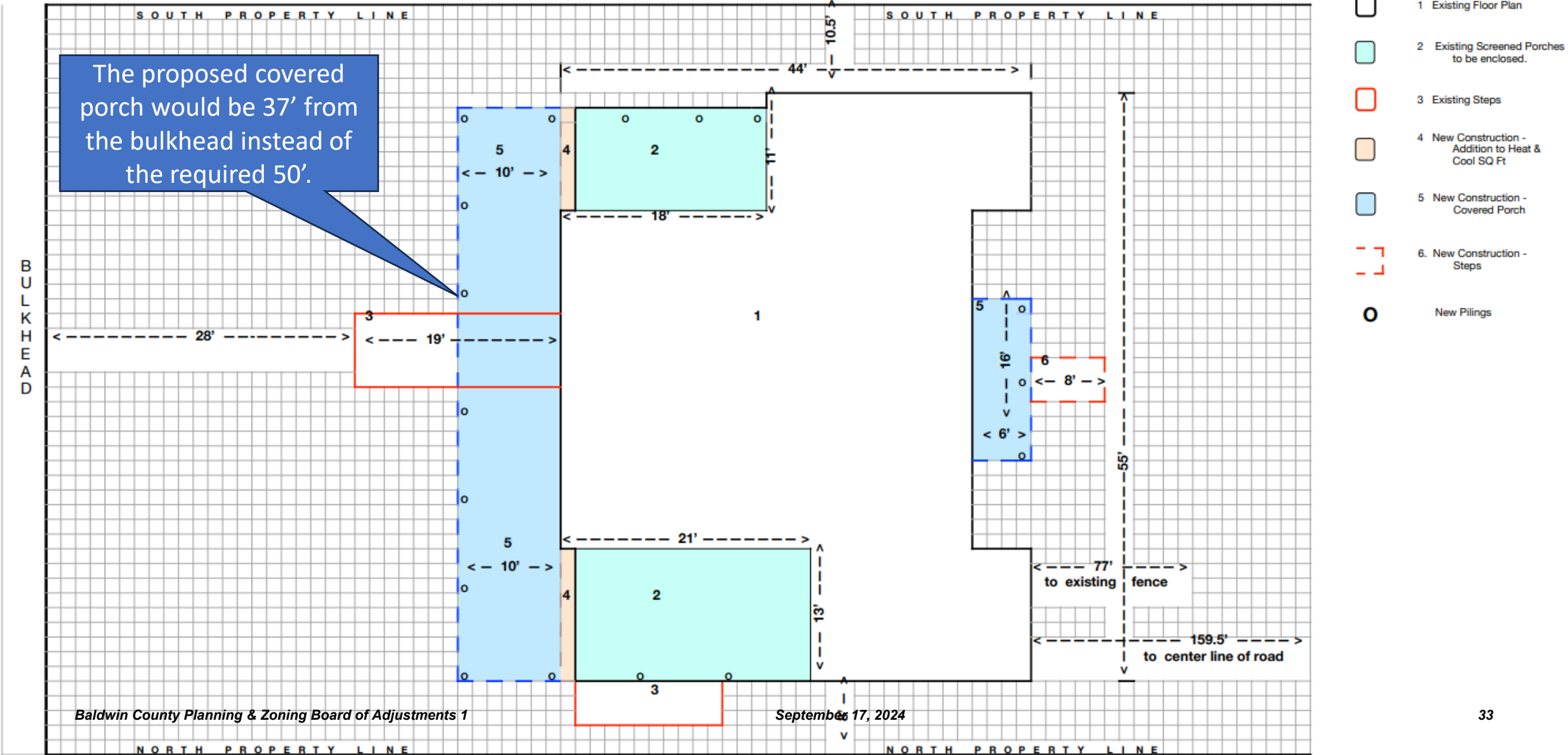


Adjoining Property
to The West
PIN: 40534

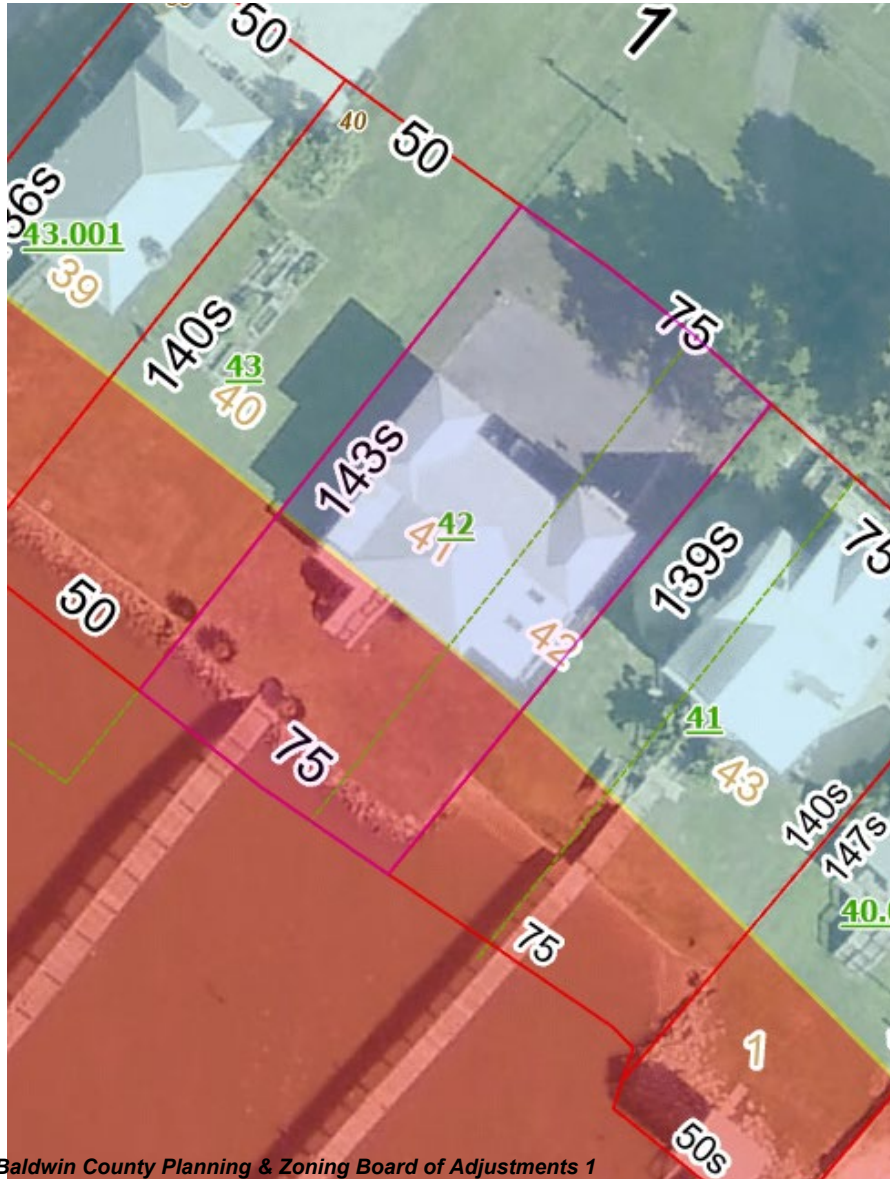


Site Plan

12201 Co Rd 1 Fairhope AL 36532



Zoning Requirements



Section 4.3 RSF-2, Single Family District

4.3.4 Area and dimensional ordinances. Except as provided by Section 2.3: Establishment of Zoning in Planning Districts, Section 12.4: Height Modifications, Section 12.5: Yard Requirements, Section 12.6: Coastal Areas, Section 12.8: Highway Construction Setbacks, Section 18.4 Variances, and Article 20: Nonconformities, the area and dimensional ordinances set forth below shall be observed.

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
Minimum Lot Area	15,000 Square Feet
Minimum Lot Width at Building Line	80-Feet
Minimum Lot Width at Street Line	40-Feet
Maximum Ground Coverage Ratio	.35



Section 12.5 Yard Requirements

(f) All buildings or structures located within coastal high hazard areas (V-zones) shall be located 50-feet landward of the reach of the mean high tide.

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 property is approximately 75' x 140'. The minimum lot size requirement for RSF-2 zoning is 15,000 sf with a minimum lot width of 80'. The subject property does not meet either of these minimum lot requirements. **However, staff believes that this is not a relevant factor to consider for this request.**

Minimum lot size: **15,000 sf** Actual lot size : **+/- 12,632 sf** Minimum Lot width: **80'** Actual Lot Width: **75'**

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

The property is located in a V flood zone (which requires a greater setback from structures to the bulkhead). This establishes exceptional topographic conditions or other extraordinary situations, or conditions contained on the subject property which may qualify for 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 zoned RSF-2, Residential Single Family which allows for residential uses. The request is to allow for the construction of a covered porch. There is an existing home on the property (built before zoning), so a residential use has already successfully been established on the property. Therefore, staff does not believe that the granting of the application is necessary for the preservation of a property right and not merely to serve as a convenience to the applicant or based solely upon economic loss.

4.) The granting of this application will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County.

Staff does not believe the granting of this application, **in general**, will impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County. However, staff cannot specifically assure and makes no warranty or guarantee that if granted the resultant variance will or will not diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County because the effect of the variance cannot be quantified at the time of consideration.

Staff Analysis and Findings

5.) Other matters which may be appropriate.

- The applicant has submitted a written document stating there is no active homeowner association for the subject property.
- No documentation in favor of or opposition to this variance request has been received at the time this staff report was written.

August 15, 2024

To whom it may concern:

Property located at 12201 Co Rd 1, Fairhope, AL 36532, (PARCEL 56-09-29-0-000-042.000; SEC 29-T7S-R2E), has no active association.



Michael Loftin
Property Owner

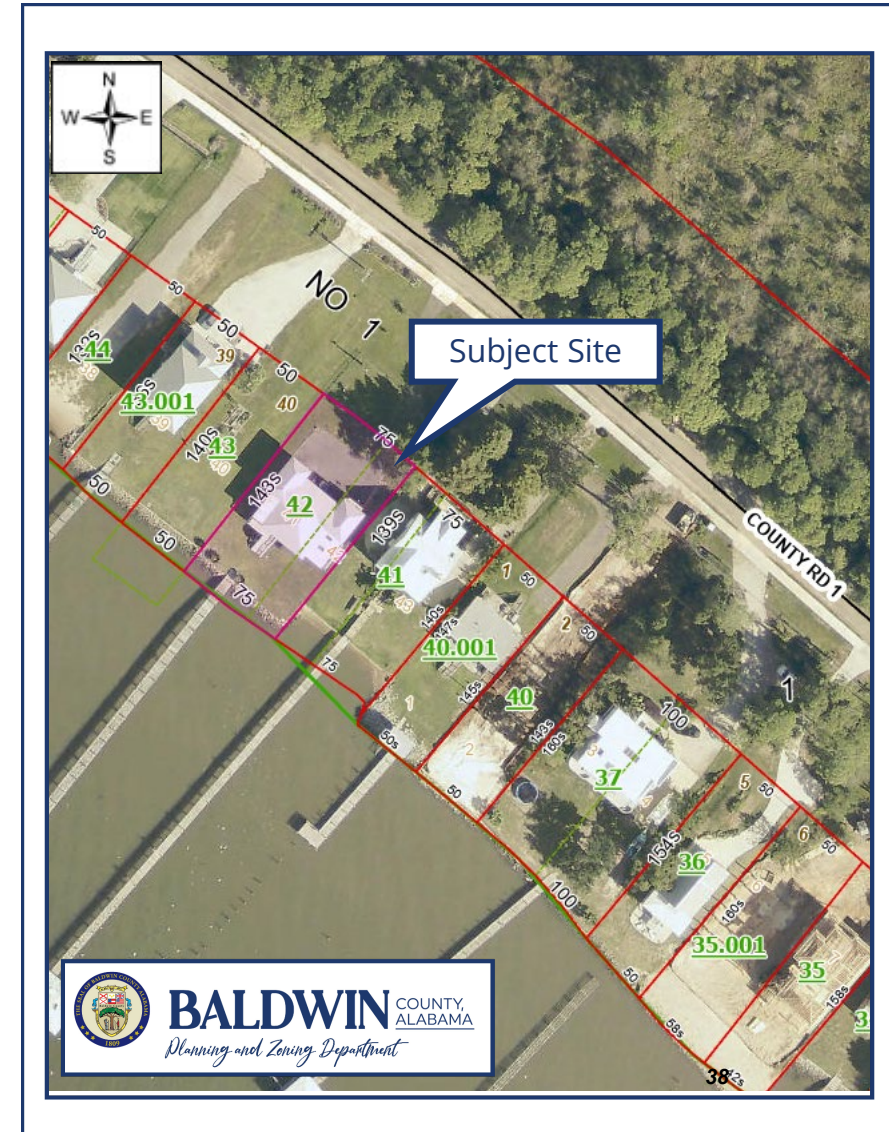
ZVA24-55 LOFTIN PROPERTY

VARIANCE REQUEST

Lead Staff: Calla McKenzie, Planning Technician II

The applicant is requesting a variance from Section 12.5.2 (f) of the Baldwin County Zoning Ordinance as it pertains to the (V-zones) setbacks to allow for a covered porch.

Staff cannot establish a hardship on the property and therefore recommends ZVA24-55 be **DENIED** unless information to the contrary is revealed at the public hearing.



ZVA24-55 LOFTIN PROPERTY

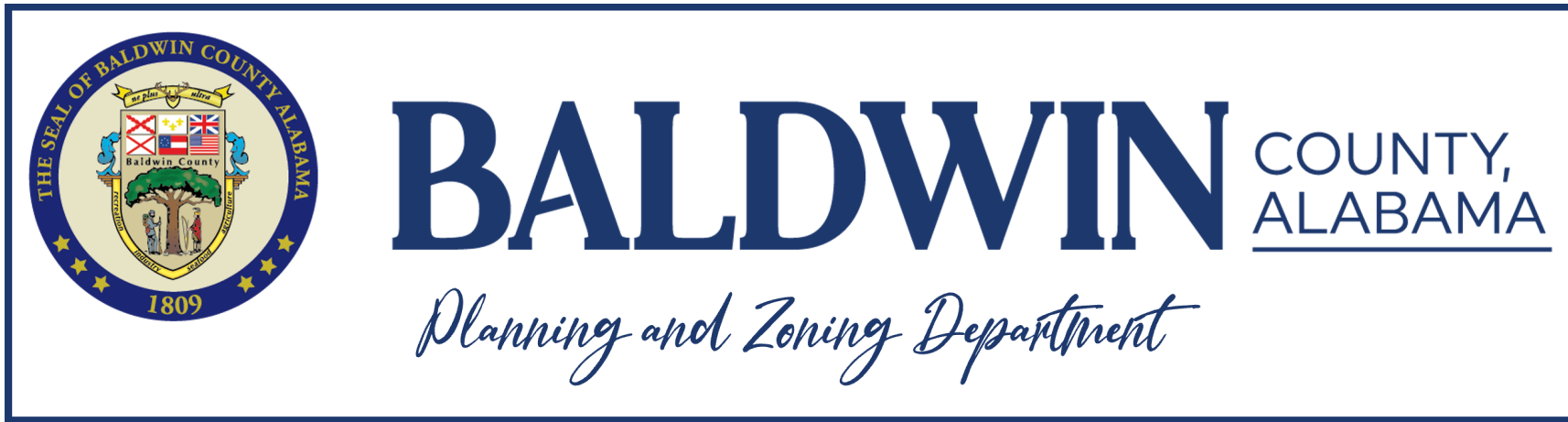
VARIANCE REQUEST

Lead Staff: Calla McKenzie, Planning Technician II

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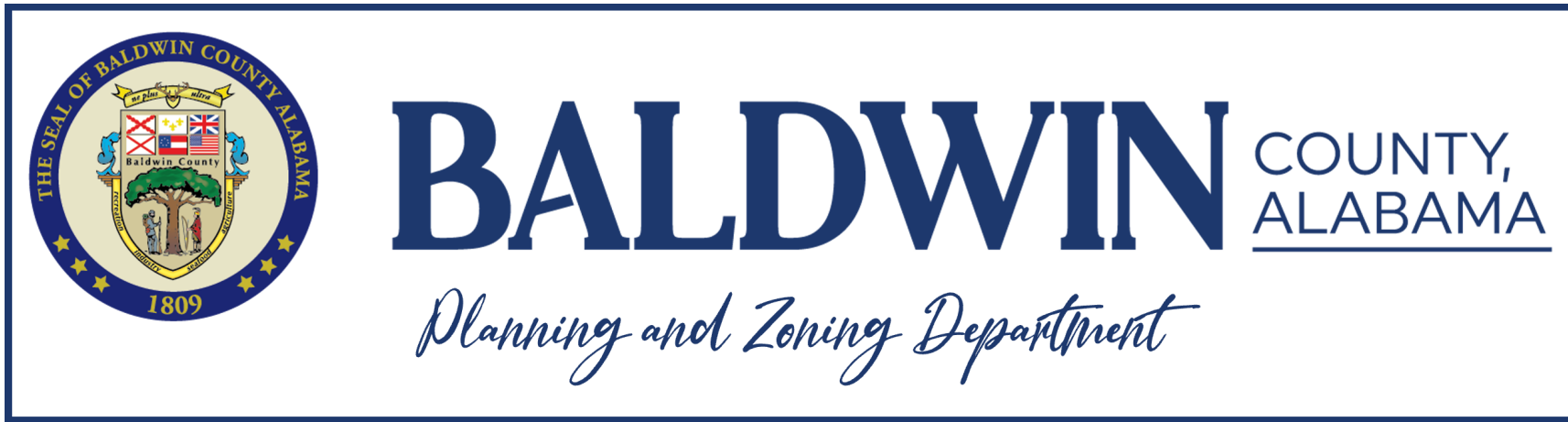
BALDWIN COUNTY BOARD OF ADJUSTMENT #1

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ROBERTSDALE, AL



BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

SEPTEMBER 17, 2024

BALDWIN COUNTY CENTRAL ANNEX

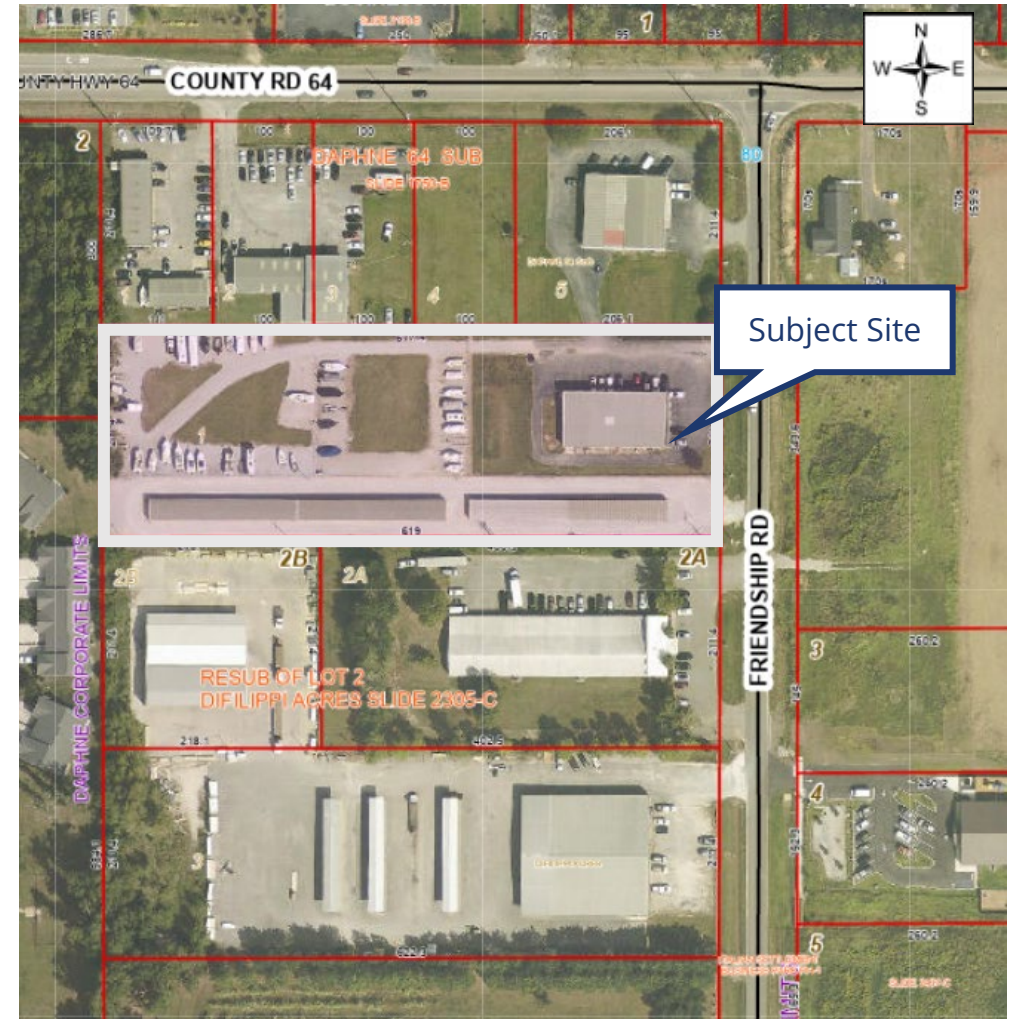
ROBERTSDALE, AL

ZVA24-56 D & D MINI STORAGE LLC PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 15
- **Zoned:** B4, Major Commercial
- **Location:** The subject property is located west side of Friendship Rd
- **PID:** 05-43-05-21-0-000-004.002
- **PPIN:** 203044
- **Acreage:** 3.06 +/-
- **Physical Address:** 25895 Friendship Rd
- **Applicant:** Hunter Smith with Smith Clark Associates
- **Owner:** D & D Mini Storage LLC



ZVA24-56 D & D MINI STORAGE LLC PROPERTY

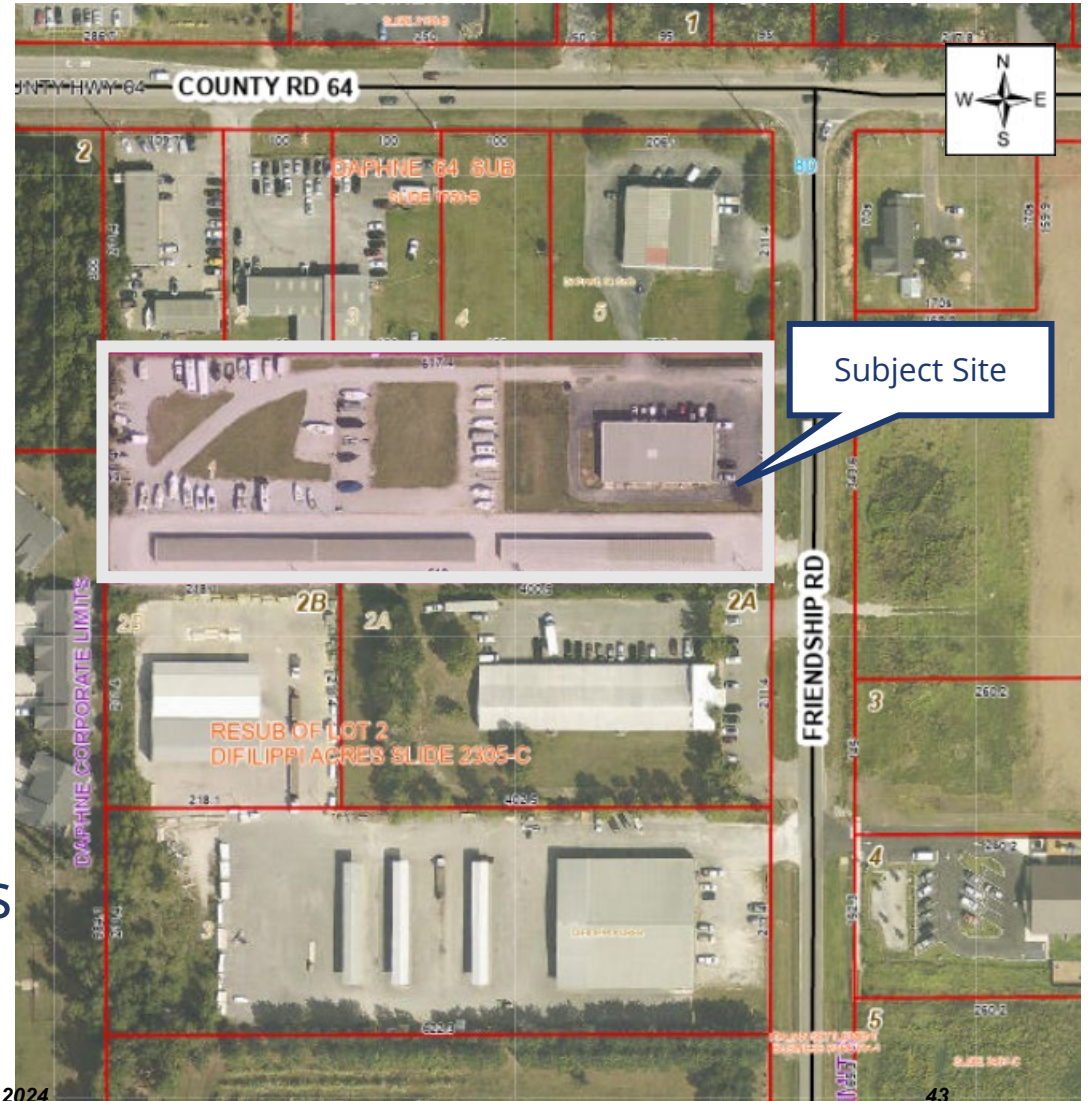
VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 5.3.4 Area and Dimensional ordinance as it pertains to the minimum lot width at the building line in order to allow for further division of the property.

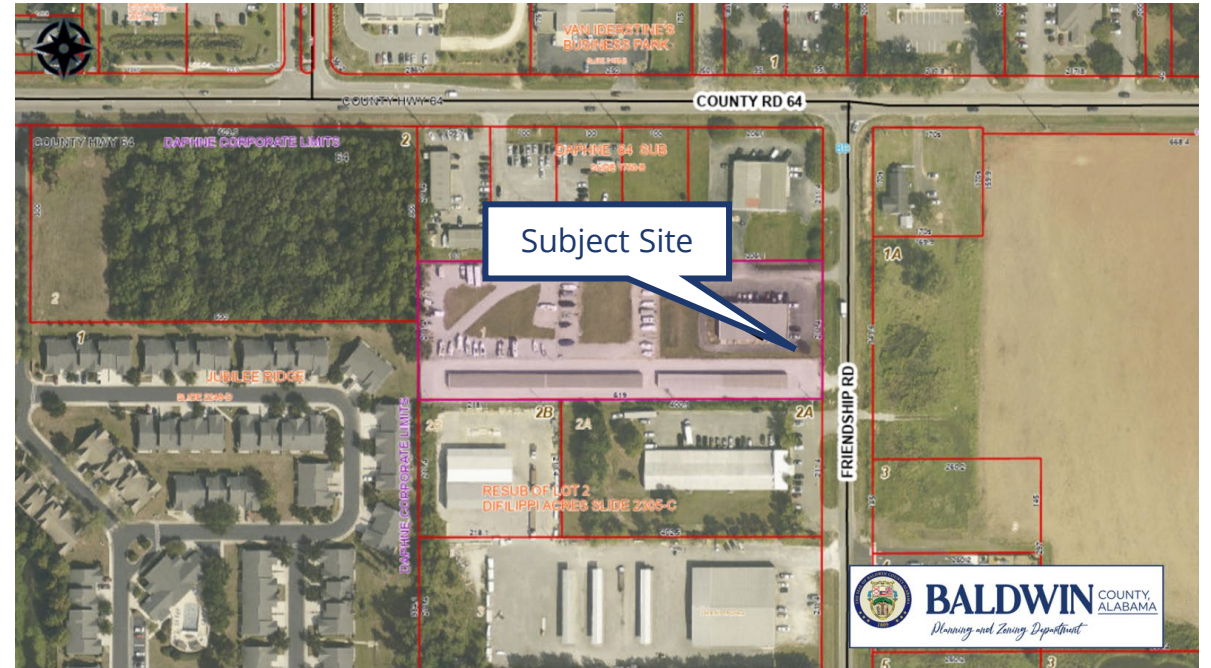
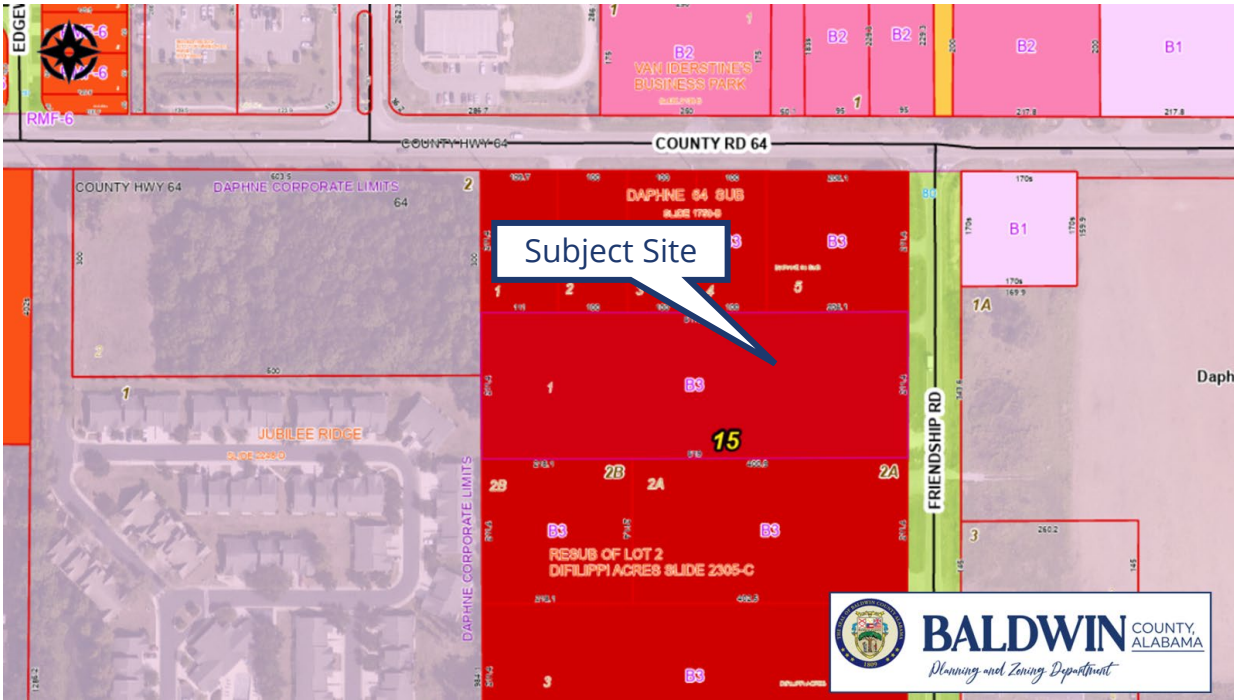
The applicant would like to divide the parcel into two lots. The minimum lot width at the building line would be 79.83' in width instead of the required 80'.

Staff recommends ZVA24-56 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	Commercial
South	B3, General Business	Commercial
East	City Of Daphne	Vacant
West	B3, General Business	Residential



Subject Property
PIN: 203044



**PUBLIC HEARING
PROPOSED
FOR THIS PROPERTY**
Case Number
ZVA24-000056
Baldwin County Planning
and Zoning Department
For more information,
please scan the QR
code, call, or email:
(251) 580-1655

D&D MINI STORAGE
25888 FRIENDSHIP RD
2544058655



Adjoining Property
to The North
PIN: 10504

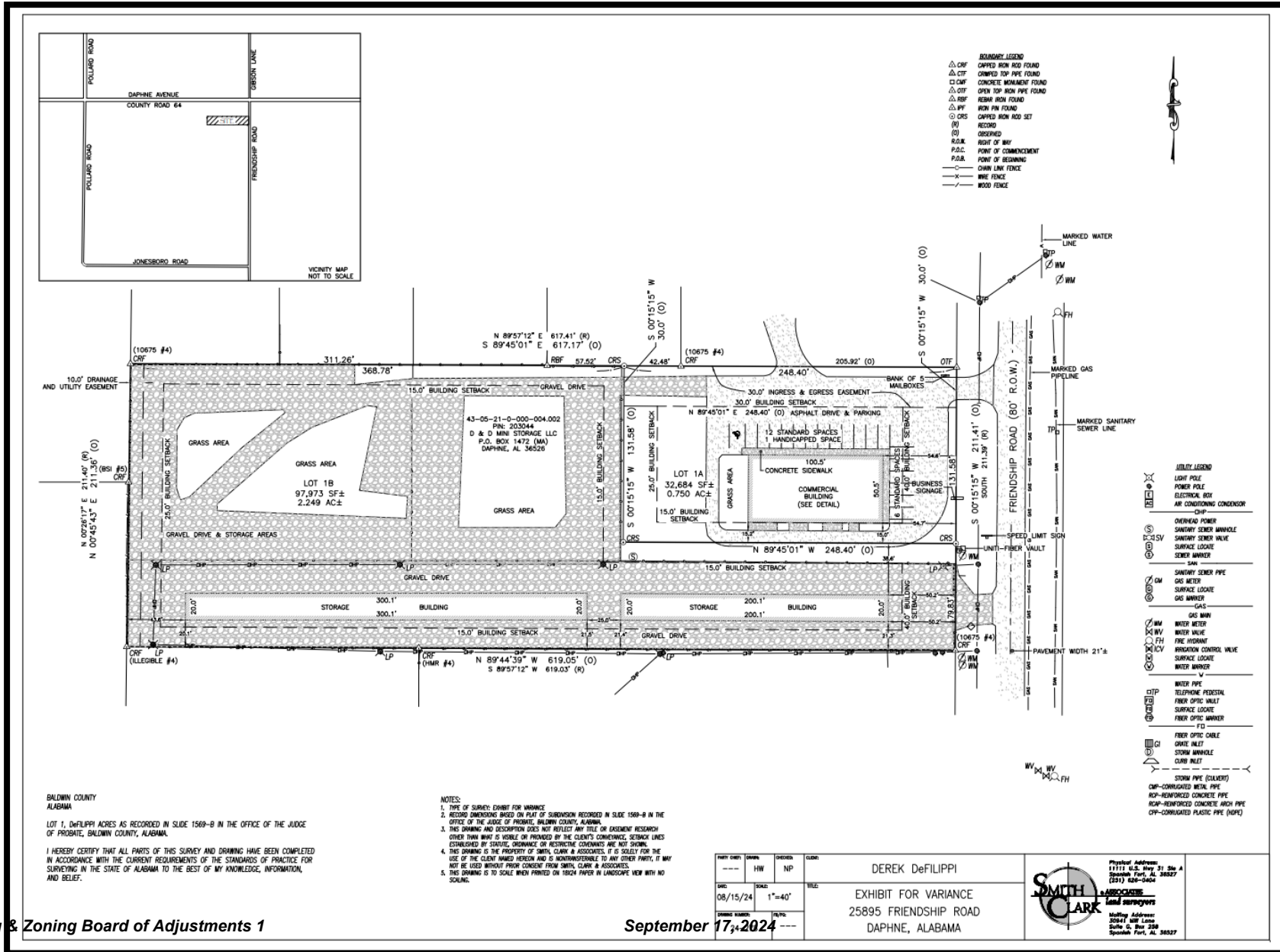








Site Plan



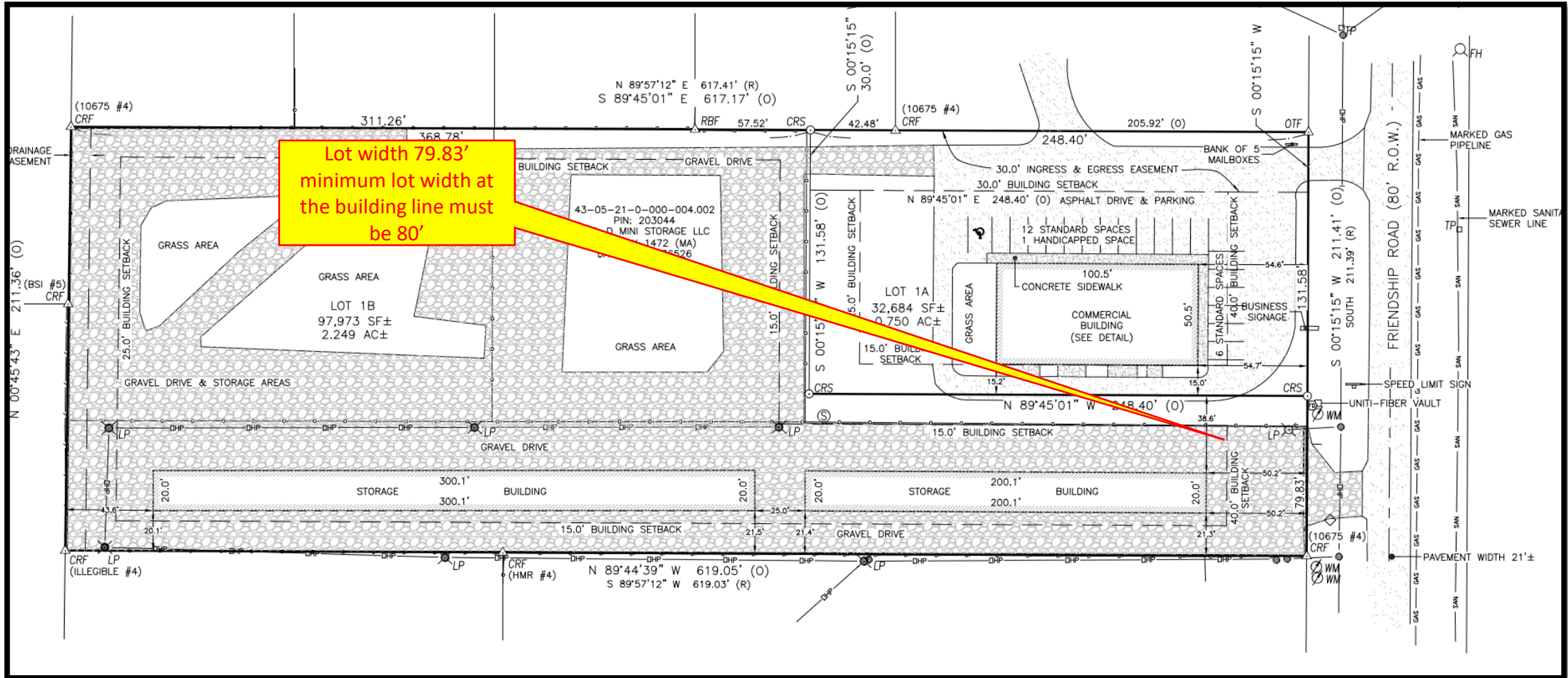
DATE	OWNER	DESIGNER	CLIENT
08/15/24	HW	NP	DEREK DeFILIPPI
SCALE	FILE	EXHIBIT FOR VARIANCE	
1"=40'		25895 FRIENDSHIP ROAD	
		DAPHNE, ALABAMA	

SMITH CLARK & ASSOCIATES
Land Surveyors

Physical Address:
11111 N. Hwy 31, Box A
Spanish Fort, AL 36527
(251) 926-1040

Mailing Address:
20847 NW Lane
Suite G, Box 239
Spanish Fort, AL 36527

Enlarge Site Plan



Zoning Requirements

Section 5.3 B-3, General Business District

5.3.1 *Purpose and intent.* The purpose of this 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. This district shall only be applied at appropriate locations: to conveniently meet these needs; in conformance with the goals, objectives and policies and location criteria of the Comprehensive Zoning Ordinance; to be compatible with the surrounding land uses and zoning districts; and to not adversely impact the facilities and services of the County; where the introduction of precedent for the introduction of inappropriate uses into an area would encourage non-residential strip development along streets

5.3.2 *Permitted uses.* The following uses are permitted as of right in the B-3, General Business District, subject to the accessory to permitted uses in the B-3, General Business District and the Commission Site Plan Approval requirements of Section 18.9:

- (a) All uses permitted by right under the B-2 zoning designation
- (b) Air conditioning sales and service
- (c) Amusement arcade
- (d) Animal clinic/kennel
- (e) Arboretum
- (f) Auto convenience market
- (g) Automobile service station
- (h) Bakery, wholesale
- (i) Ball field
- (j) Bicycle sales and service
- (k) Bowling alley
- (l) Business and service
- (m) Business college
- (n) Butane gas
- (o) Cemetery
- (p) City hall
- (q) Country club
- (r) Department store
- (s) Discount store
- (t) Drug store
- (u) Elevator service
- (v) Exterminator

Baldwin County Zoning Ordinance

- (w) Farmer's market/truck crops
- (x) Firing range
- (y) Fitness center or gym
- (z) Florist
- (aa) Fraternity or sorority house
- (bb) Fruit and produce store
- (cc) Funeral home
- (dd) Golf course
- (ee) Golf driving range
- (ff) Grocery store
- (gg) Landscape sales
- (hh) Marine store and supplies
- (ii) Miniature golf
- (jj) Mini warehouse
- (kk) Night club, bar, tavern
- (ll) Nursery
- (mm) Office equipment and supplies sales
- (nn) Park or playground
- (oo) Pawn shop
- (pp) Pet shop
- (qq) Plumbing shop
- (rr) Printing/publishing establishment
- (ss) Restaurant sales and supplies
- (tt) Riding academy
- (uu) Rug and/or drapery cleaning service
- (vv) Seafood store
- (ww) Sign shop
- (xx) Skating rink
- (yy) Stone monument sales
- (zz) Swimming pool (outdoor)
- (aaa) Taxidermy
- (bbb) Teen club or youth center
- (ccc) Tennis court (outdoor)
- (ddd) Wildlife sanctuary
- (eee) YMCA, YWCA

5.3.3 *Conditional Use Commission Site Plan Approval.* The following uses are permissible as Commission Site Plan Approval uses in the B-3: General Commercial District, subject to the standards and procedures established in Section 18.9: *Commission Site Plan Approval:*

- (a) Airport
- (b) Ambulance/EMS service
- (c) Amusement Park
- (d) Armory
- (e) Auditorium, stadium, coliseum
- (f) Automobile parts sales
- (g) Automobile repair (mechanical and body)
- (h) Automobile storage (parking lot, parking garage)
- (i) Barge docking
- (j) Boat sales and service
- (k) Broadcasting station
- (l) Building materials
- (m) Bus and railroad terminal facility
- (n) College or university
- (o) Convalescent or nursing home
- (p) Correctional or penal institution
- (q) Dog pound
- (r) Electric power substations
- (s) Farm implements

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- (s) Flea market
- (t) Freight depot, rail or truck
- (u) Home improvement center
- (v) Hotel or motel
- (w) Hospital
- (x) Landfill
- (y) Maintenance facility/storage yard for schools, government agencies, and telephone and cable companies
- (z) Manufactured housing sales, service and repair
- (aa) Marina
- (bb) Motorcycle sales service and repair
- (cc) Movie theatre
- (dd) Radio/television tower
- (ee) Railroad facility
- (ff) Recreational vehicle park
- (gg) Recreational vehicle sales service, and repair
- (hh) Restaurant, drive-in
- (ii) Restaurant, fast-food
- (jj) Sewage treatment plant
- (kk) Taxi dispatching station
- (ll) Taxi terminal
- (mm) Telephone exchange
- (nn) Water or sewage pumping station
- (oo) Water storage tank
- (pp) Wireless telecommunication facility
- (qq) Zoo

5.3.4 Area and dimensional ordinances.

Maximum Height of Structure	40-Foot
Maximum Height of Structure in Habitable Stories	3
Minimum Front Yard	40-Foot
Minimum Rear Yard	25-Foot
Minimum Side Yards	15-Foot
Minimum Lot Area	20,000 Square Feet
Maximum Impervious Surface Ratio	.70
Minimum Lot Width at Building Line	80-Foot
Minimum Lot Width at Street Line	60-Foot

5.3.5 *Lighting standards.* The maximum height of exterior lights shall be 25-feet. The intensity, location, and design of lighting shall be such that not more than one foot candle of light is cast upon adjacent property or public rights-of-way. Light fixtures shall be designed to cast light downward. Where necessary, cut-off devices shall be used to minimize glare off premises. No light shall be aimed directly toward a property designated residential, which is located within 200-feet of the source of the light.

5.3.6 *Distance between structures.* If there is a separation between any two principal structures on the same parcel, said separation shall be a minimum of 15-feet or a distance equal to one-half the sum of their heights, whichever is the greater.

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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, 2006. The minimum lot size requirement for B3, General Business zoning is 20,000 sf with a Minimum Lot Width at the Building Line of 80' and a Minimum Lot Width at the Street Line of 60'. Per Revenue Commission records the parcel is 211.4 x 617.4 and consists of 3.06 acres. Staff does not perceive this is a factor in the request at hand.

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 exceptional topographic conditions. Therefore, staff could not establish exceptional topographical conditions or other extraordinary situations, or conditions contained on the property which 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 zoned B3, General Business which allows for a variety of retail uses and services in free-standing parcels or shopping centers to serve the community's general commercial needs. The request is allow for the minimum lot width at the building line to be reduced in order for the applicant to further divide the parcel. Staff perceives that the granting of the application may not be necessary for the preservation of a property right and is merely to serve as a convenience to the applicant or based solely upon economic loss.

4.) The granting of this application will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County.

Staff does not believe the granting of this application, **in general**, will impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County. However, staff cannot specifically assure and makes no warranty or guarantee that if granted the resultant variance will or will not diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County because the effect of the variance cannot be quantified at the time of consideration.

Staff Analysis and Findings

5.) Other matters which may be appropriate.

- The applicant has submitted a written document stating there is no active homeowner association for the subject property.
- No documentation in favor of or opposition to this variance request has been received at the time this staff report was written.

ZVA24-56 D & D MINI STORAGE LLC PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 5.3.4 Area and Dimensional ordinance as it pertains to the minimum lot width at the building line in order to allow for further division of the property.

The applicant would like to divide a portion of the parcel out and the minimum lot width at the building line would be 79.83' in width instead of the required 80'.

Staff recommends ZVA24-56 be **Denied** unless information to the contrary is revealed at the public hearing.

ZVA24-56 D & D MINI STORAGE LLC PROPERTY

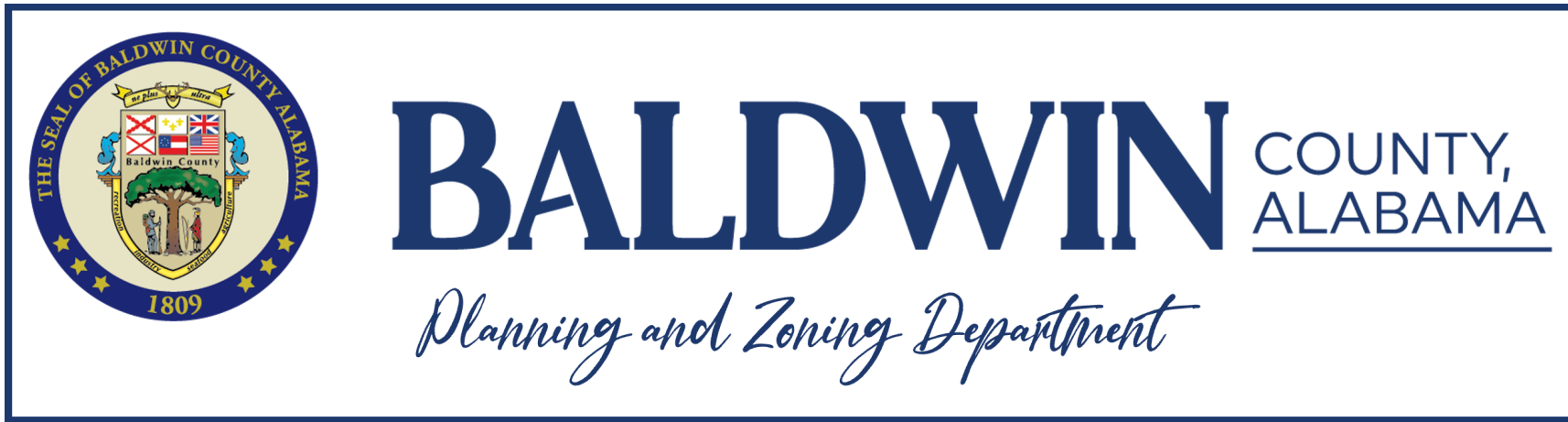
VARIANCE REQUEST SUMMARY AND RECOMMENDATION

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

OCTOBER 15, 2024 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL