



**BOARD OF ADJUSTMENT NUMBER 1  
AGENDA**

**March 18, 2025**

**Regular Meeting**

**4:00 p.m.**

**Central Annex Auditorium**

**22251 Palmer Street**

**Robertsdale, Alabama**

[Email-planning@baldwincountyal.gov](mailto:Email-planning@baldwincountyal.gov)

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

**ITEMS:**

**a.) Case No. ZVA25-11 Seifert Property, 13753 Scenic Hwy 98**

*Request:* Approval of a Variance from Section 12.5 (f) in the Baldwin County Zoning Ordinance as it pertains to the front yard setback in order to allow for an addition to a Single-family dwelling.

Location: The subject property is located at 13753 Scenic Hwy 98, Fairhope, AL in Planning District 26.

**b.) Case No. ZVA25-12 Cummings Property, 13880 County Road 66**

*Request:* Approval of a Variance from Section 4.2.5 of the Baldwin County Zoning Ordinance as it pertains to the front yard setback and rear yard setback in order to allow for a Single-Family Dwelling.

Location: The subject property is located at 13880 County Road 66, Loxley, AL 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>



**Baldwin County Planning and Zoning  
Board of Adjustment Number 1  
Regular Meeting Minutes  
Tuesday, February 18, 2025**

**I. Call To Order**

The Board of Adjustment Number One met in a regular session on February 18, 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 the Chair. Members present included: Mary Shannon Hope Vice-Chairman, Doug Ward, Norman Bragg, Leslie Stejskal, Rosellen Coggin, and Thomas Kiel, Charmein K Moser, Marla Barnes, Mellisa Hadley, Greg Benjamin. Staff members present were Crystal Bates, Planning Technician II, Celena Boykin, Senior Planner, Buford King, Deputy Director.

**III. Approval of Minutes**

Mr. Leslie Stejskal made a motion to approve the December 17, 2024, meeting minutes. Mr. Norman Bragg second the motion. All members voted aye. Motion to approve December 17, 2024, minutes carried anonymously.

**IV. Consideration of Applications and Request**

**a.) ZVA24-75 Zavala Property, 18830 Cherished Place**

Mrs. Crystal Bates presented the applicant's request for variance ZVA24-75 from Section 13.1.3 of the Baldwin County Zoning Ordinance as it pertains to the accessory dwellings and the size to allow for Single family dwellings.

The chairman called John R. Eringham Jr to the podium to speak he stated he was the adjacent property owner and the reasons why he was against the variance. The chairman and board asked questions of him and the staff, The Chairman then asked if anyone else was present who wanted to speak. The applicant wasn't present.

Board member Leslie Stejskal made a motion to follow staff's recommendation to deny the variance for ZVA24-75 seconded by Rosellen Coggin. The motion passed to DENY the variance with a 11 to 0 vote.

**b.) ZVA24-77 Welch Property, 23841-E Cumberland Rd**

Mrs. Crystal Bates presented the applicant's request for variance ZVA24-77 from Section 2.3.12 Local provisions ordinance as it pertains to size of an accessory dwelling.

The chairman called Ms. Constance Welch to the podium to speak. Constance Welch had brought her brother-in-law to speak on her behalf, Mr. Vern Pugh and explain the process and chain of events and the reason why the variance was needed. There was discussion between the board and Mr. & Pugh. The chairman called Elizabeth Bosarge with Bosarge Construction she spoke about the lot and the project. The chair asked if anyone else was present who wanted to speak.

Board member Mellisa Hadley made a motion to Approve the variance case ZVA24-77 and seconded, by Rosellen Coggin. The motion to Approve was passed with a 10-1 vote.

**c.) ZVA25-07 J&S Land LLC & Triple K Mining LLC Property, 0 Bonaventure Ave**

Mr. Buford King presented the applicant's request for a variance of ZVA25-07 from Section 17.2.2 (g) of the Baldwin County Zoning Ordinance as it pertains to the 75' buffer requirement in order to allow for a water well to be built on the parcel.

The board asked the staff questions after presenting the case. Chairman called Denise King with Goodwin Mills Cawood, Engineer of record for Bellforest Water to podium to speak on the project. The board asked questions to the applicant. Chairman asked if anyone else wanted to speak on the case.

Board member Rosellen Coggin made a motion to follow staff's recommendation to Approve the variance for ZVA25-07 seconded, by Thomas Kiel. The motion to Approve was passed with a 10 to 1 vote.

**V. Old Business**

**VI. New Business**

**VII. Adjournment**

The meeting adjourned at 5:01 p.m.

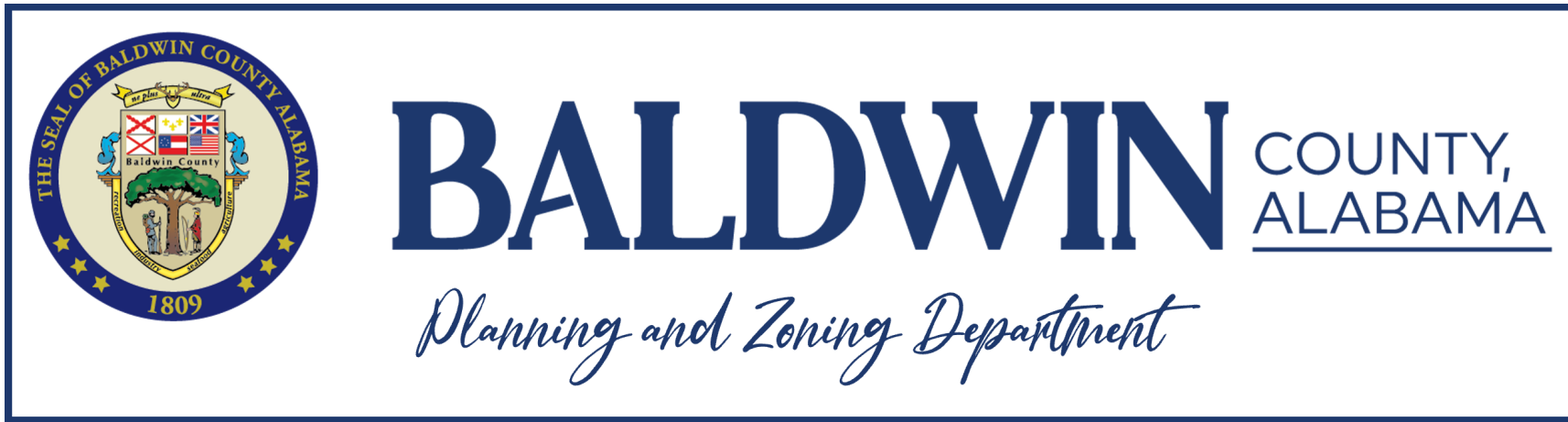
Respectfully Submitted,

Crystal Bates, Planning Technician

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

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Jamal Allen, Chairman



# BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

MARCH 18, 2025

BALDWIN COUNTY CENTRAL ANNEX

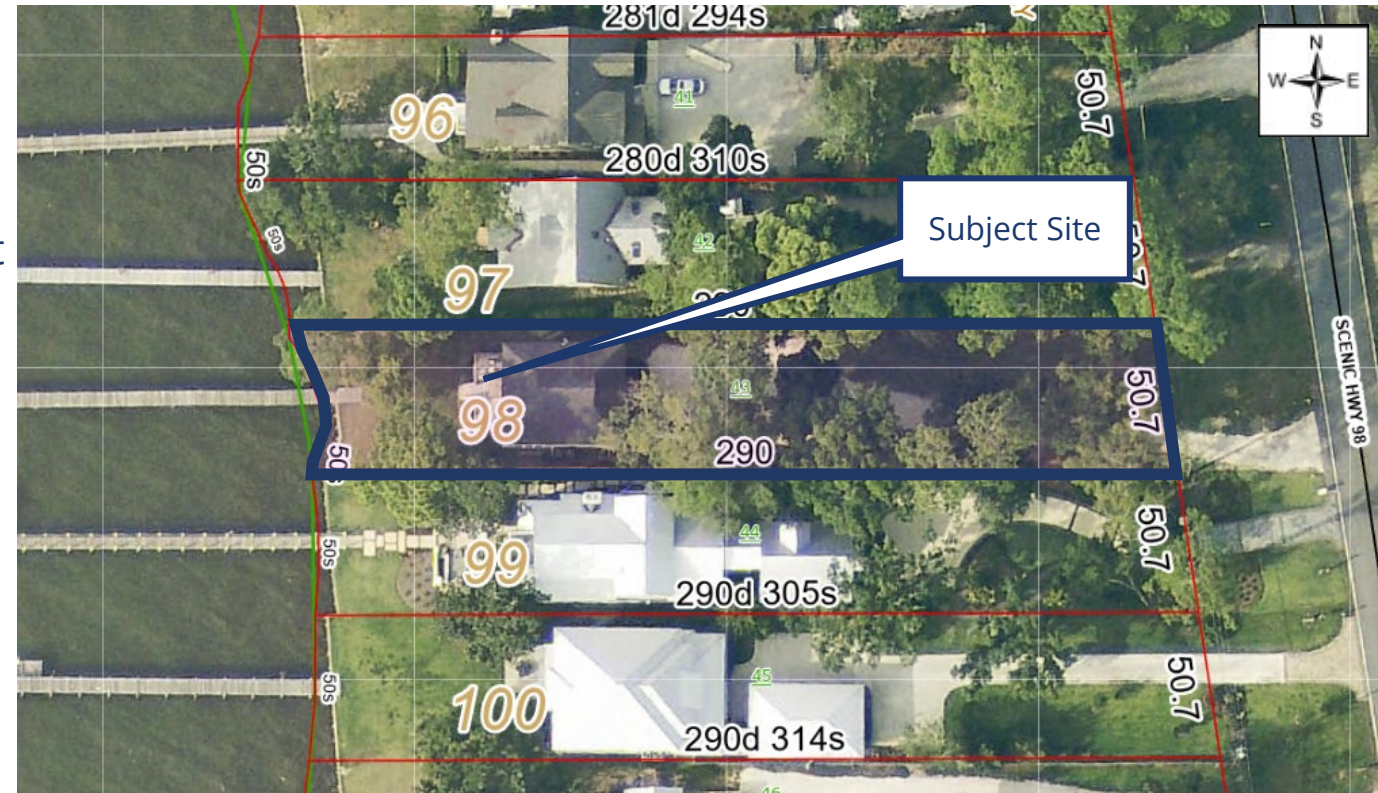
ROBERTSDALE, AL

# ZVA25-11 SEIFERT PROPERTY

## VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 26
- **Zoned:** RSF-2, Residential Single-Family
- **Location:** The subject property is located on the west side Scenic Hwy 98
- **PID:** 05-56-04-19-0-000-043.000
- **PPIN:** 59947
- **Acreage:** 0.35
- **Physical Address:** 13753 Scenic Hwy 98
- **Applicant:** William & Margaret Seifert
- **Owner:** William & Margaret Seifert





# ZVA25-11 SEIFERT PROPERTY

## VARIANCE REQUEST SUMMARY AND RECOMMENDATION

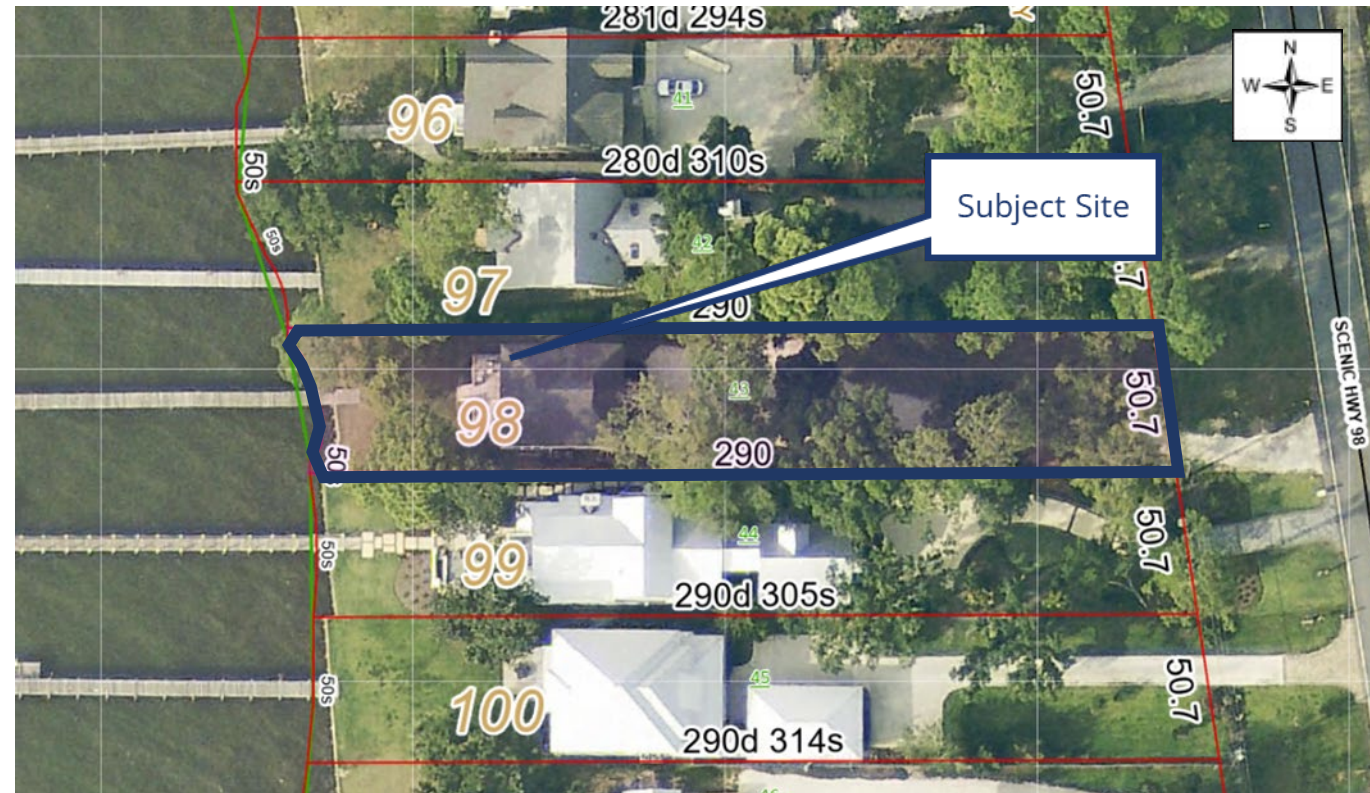
Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 12.5 (f) of the Baldwin County Zoning Ordinance regarding VE flood zone setbacks to allow for an addition of to a single-family dwelling.

The applicant is seeking permission to cover an open deck that currently does not meet the 50' VE front yard setback, as it will measure 46.25 ft. to the north end and 41.25 ft. to the south end of the deck to the bulkhead.

This would result in a variance of 3.75' on the north side and 8.7' on the south corner.

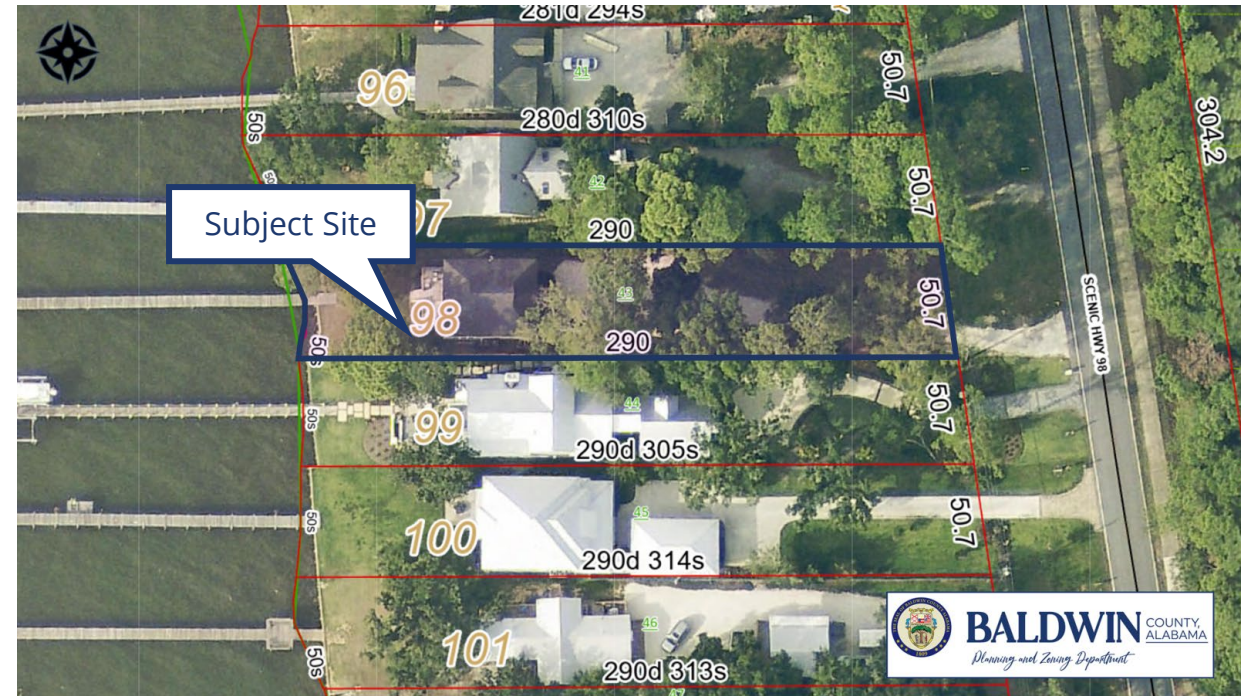
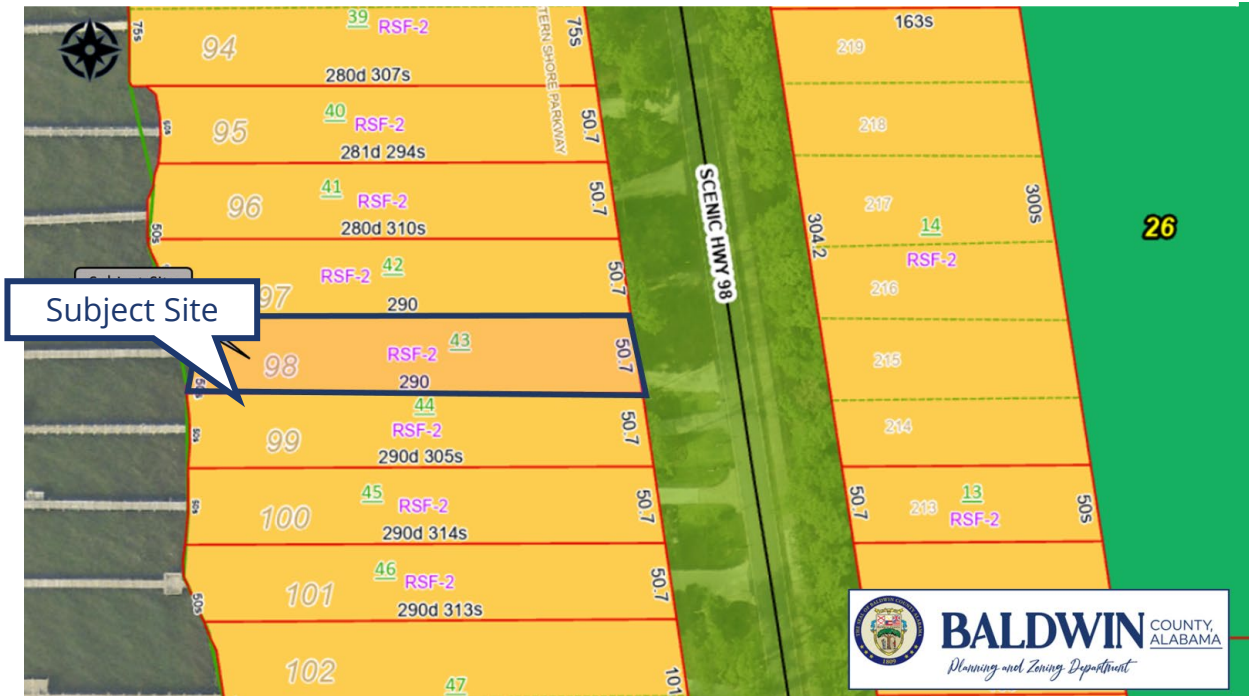
Staff recommends ZVA25-11 be **denied due to a lack of a qualifying hardship** unless information to the contrary is revealed at the public hearing.





# Locator Map

# Site Map



	Adjacent Zoning	Adjacent Land Use
North	RSF-2, Residential Single-Family	Residential
South	RSF-2, Residential Single Family	Residential
East	RSF-2, Residential Single-Family	Residential
West	Mobile Bay	Water Body





Subject Property  
PIN: 59947



**VARIANCE**  
**PROPOSED**  
**FOR THIS PROPERTY**  
Case Number  
**ZVA25 -0000 11**  
For information Contact  
Baldwin County Planning &  
Zoning Department  
**(251) 580-1655**

Feb 28, 2025 1:44:27 PM  
30°25'31.04674"N 87°54'34.35372"W  
284° W





Adjoining Property  
to The North  
PIN: 19541



Feb 28, 2025 1:44:59 PM  
30°25'31.2789"N 87°54'34.51723"W  
234° SW





Adjoining Property  
to The South  
PIN: 46749



Feb 28, 2025 1:45:21 PM

30°25'30.54256"N 87°54'34.44278"W

208° SW





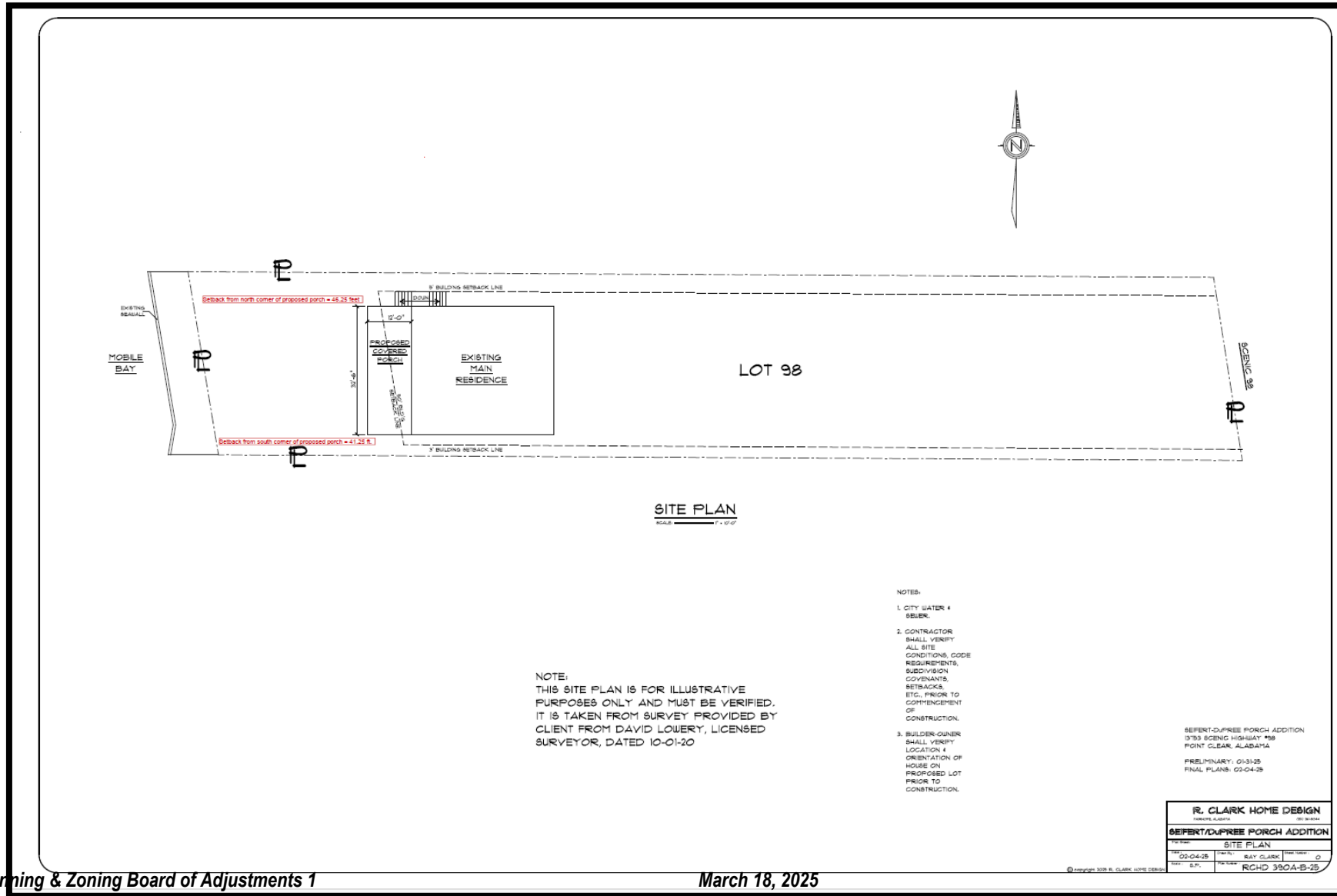
Property to  
The East  
PIN: 65846



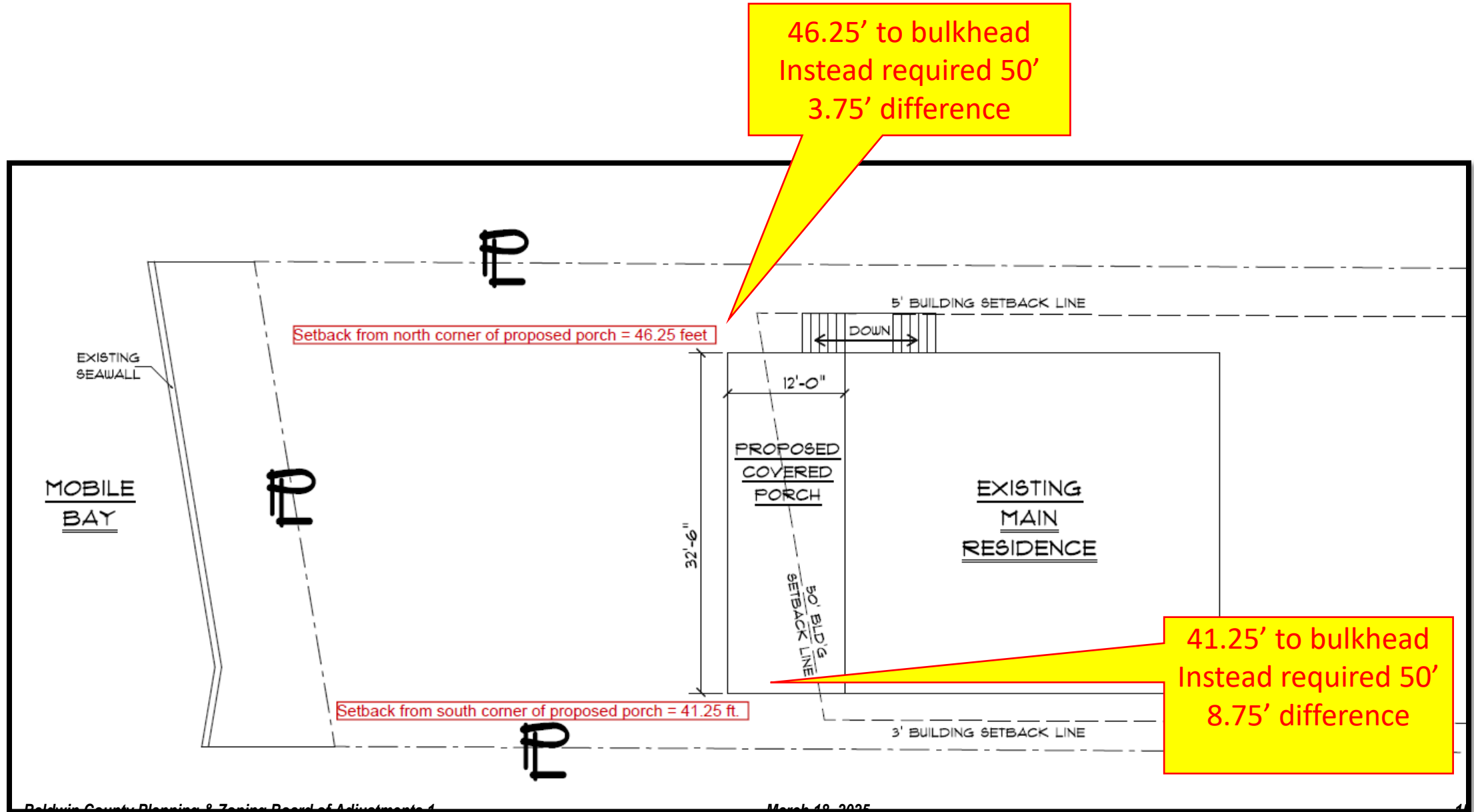
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59° NE



# Site Plan



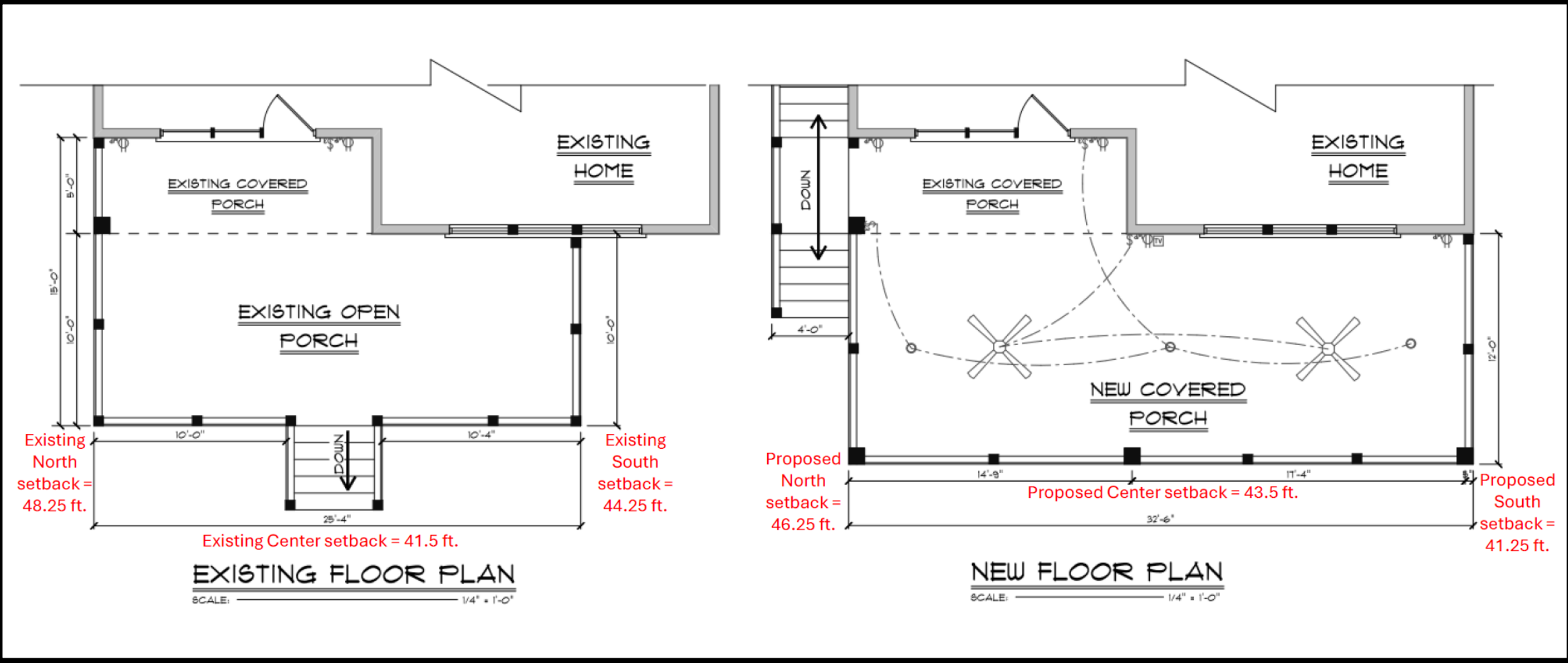




46.25' to bulkhead  
 Instead required 50'  
 3.75' difference

41.25' to bulkhead  
 Instead required 50'  
 8.75' difference

# Floor Plans



# Zoning Requirements

## Section 12.5 Yard Requirements

12.5.1 Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, cornices, buttresses, ornamental features, chimneys, flues, and eaves, provided such projections shall not extend more than 2-feet beyond the yard area requirements. (For additional provisions see *Section 22.2, Definitions "Accessory Structure" and "Structure"*)

12.5.2 Yard requirements shall be modified subject to the following conditions:

(a) Through lots shall provide the required front yard on each street.

(b) Decks and unroofed porches may project into a required front yard for a distance not to exceed 5-feet and a required rear yard not to exceed 10-feet.

(c) Uncovered steps and handicap ramps may project into a required front, or side yard for a distance not to exceed 5-feet and a rear yard not to exceed 10-feet.

(d) On a corner lot, the side yard from the side lot line which abuts a street shall be a minimum of 20-feet.

(e) Where a subdivision has been approved by the Planning Commission in accordance with the *Baldwin County Subdivision Regulations* prior to the enacting of zoning ordinances with front, rear or side yard setbacks different than the minimums required herein, the setbacks as recorded on the plat shall apply.

(f) All buildings or structures located within coastal 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 lot as recorded is 50.7' x 305' IRR ft. and .35 acres and the minimum lot size requirement for RSF-2, Residential Single Family District zoning is 15,000 sf with a Minimum Lot Width at the Building Line of 80' and a Minimum Lot Width at the Street Line of 40'. The staff feels that the exceptional narrowness, shallowness, or shape of the subject property may not be a significant factor in this request for a variance.

Minimum lot size: **15,000 sf** Actual lot size: **14,703 sf** Minimum Lot width: 80' Actual Lot Width: **50** Hardship: **Yes**

## 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. Therefore, staff could not establish exceptional topographical conditions or other extraordinary situations, or conditions contained on the property which 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 RSF-2, designated for Residential Single-Family, which permits a variety of residential and accessory uses. The applicant's request is to cover an open deck on the Bayside, with it not being aligned with the VE 50' setback requirement.

**Staff perceives that the granting of the application is not necessary for the preservation of a property right and is merely to serve as a convenience to the applicant because the property has been successfully developed for single-family residential purposes.**

**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

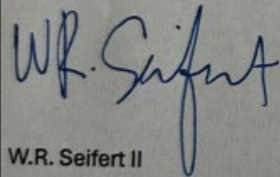
William R. Seifert II  
P.O. Box 283  
Point Clear, AL 36564  
251.610.2938

February 21, 2024

To Whom it may concern:

To my knowledge, there is no existing neighborhood association with rules & restrictions governing our property located at 13753 Scenic Highway 98 in Fairhope, AL.

Respectfully,



W.R. Seifert II

# ZVA25-11 SEIFERT PROPERTY

## VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 12.5 (f) of the Baldwin County Zoning Ordinance regarding VE flood zone setbacks to allow for the addition of a single-family dwelling.

The applicant is seeking permission to cover an open deck that currently does not meet the 50' VE front yard setback, as it will measure 46.25 ft. to the north end and 41.25 ft. to the south end of the deck to the bulkhead.

This would result in a variance of 3.75' on the north side and 8.7' on the south corner.

Staff recommends ZVA25-11 be **denied due to a lack of a qualifying hardship** unless information to the contrary is revealed at the public hearing.

# ZVA25-11 SEIFERT PROPERTY

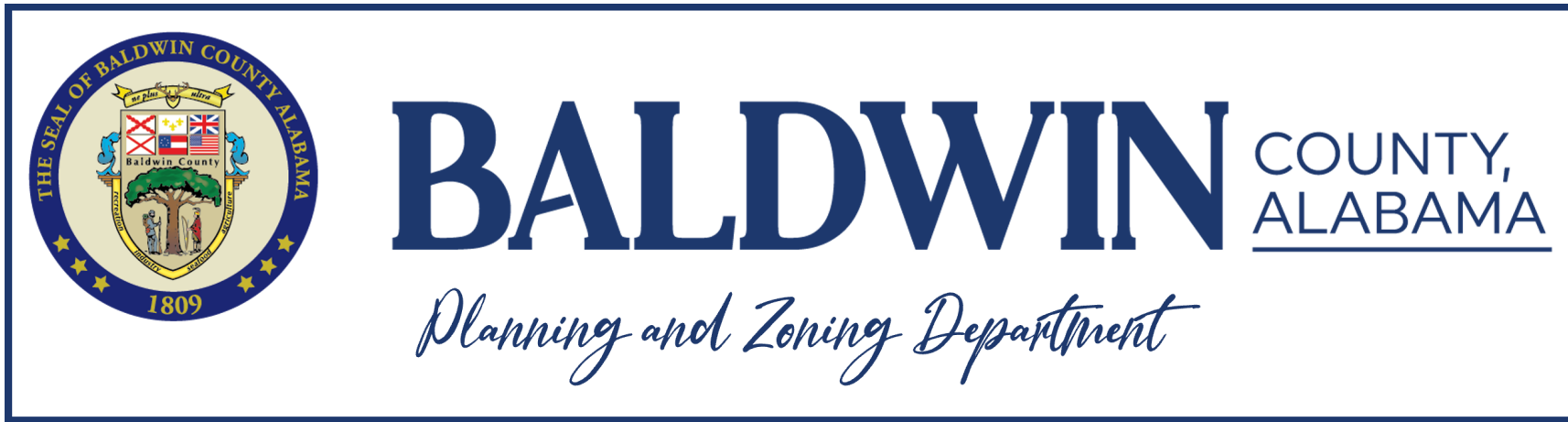
## VARIANCE REQUEST SUMMARY AND RECOMMENDATION

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.



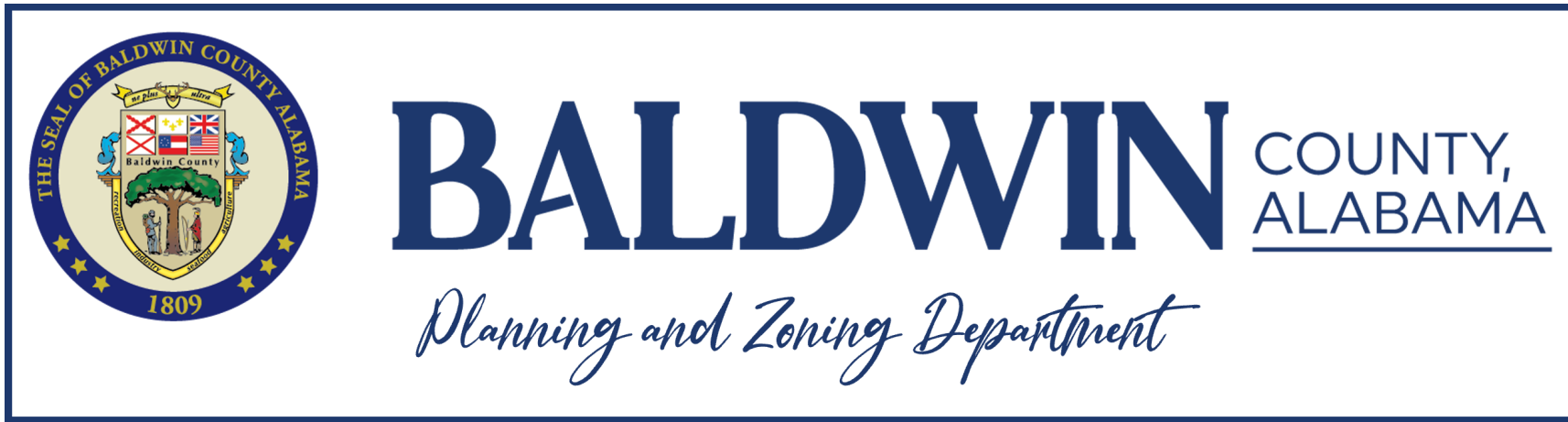
# BALDWIN COUNTY BOARD OF ADJUSTMENT #1

NEXT REGULAR MEETING

APRIL 15, 2025 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL



# BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

MARCH 18, 2025

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL

# ZVA25-12 CUMMINGS 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 on the south side of County Road 66
- **PID:** 05-42-03-08-0-000-057.000
- **PPIN:** 46253
- **Acreage:** 0.24
- **Physical Address:** County Road 66
- **Applicant:** Mickey Skipper
- **Owner:** Michele & Bryan Cummings





# ZVA25-12 CUMMINGS PROPERTY

## VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 4.2.5 of the Baldwin County Zoning Ordinance as it pertains to the front and rear building setbacks.

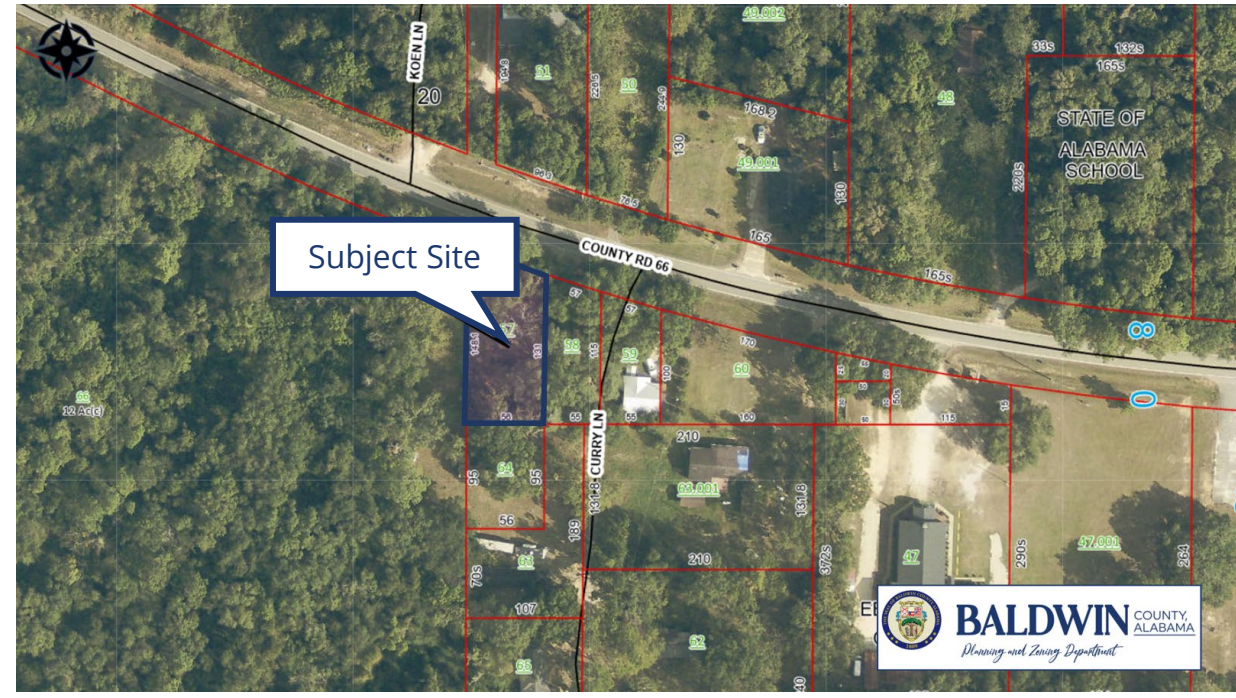
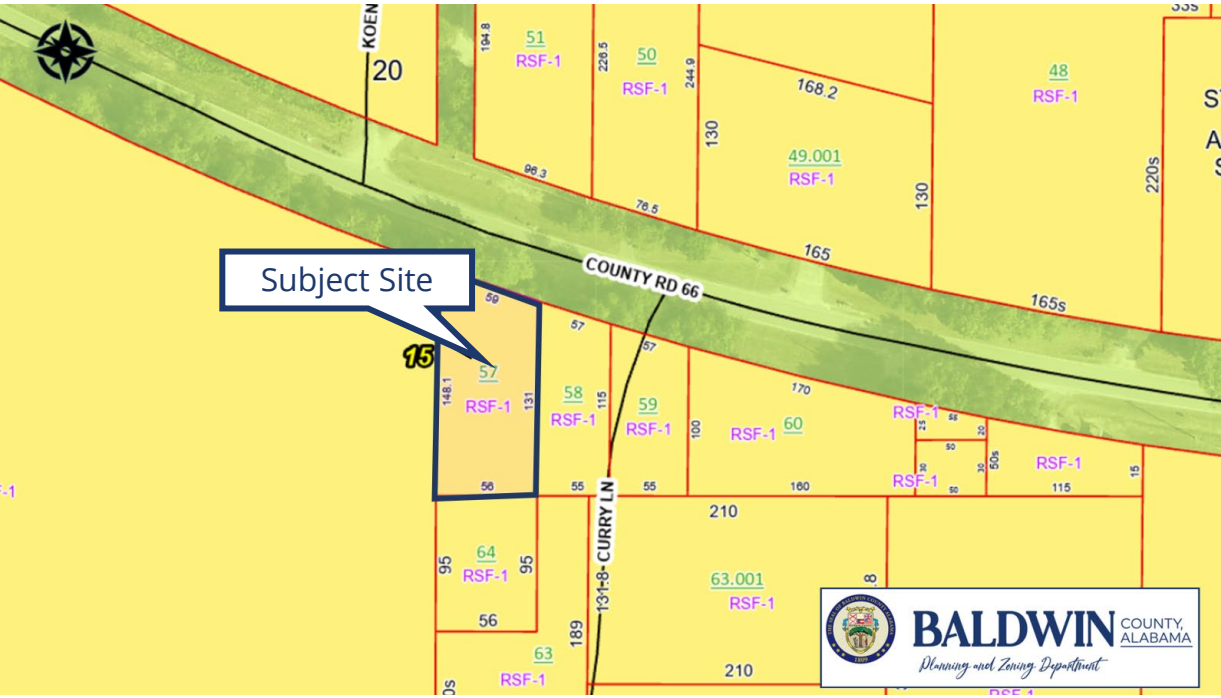
The applicant is requesting to add a mobile home, measuring 16' x 77'. The proposed mobile home will be 22' to the front property line instead of the required 30' and asking to be 27.9' instead of the required 30' to the rear property line.

Staff recommends ZVA25-12 be **Approved**.



# Locator Map

# Site Map



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





Subject Property  
PIN: 46253



VARIANCE PROPOSED  
FOR THIS PROPERTY  
CASE NUMBER  
**ZVA25-0000 12**  
For Information Contact  
Baldwin County Planning & Zoning Department  
(251)580-1655 / (251)972-8523  
(251)990-4623



Feb 25, 2025 11:22:26 AM  
30°37'34.01213"N 87°47'11.37725"W  
178° S





Adjoining Property  
to The East  
PIN: 24303



Feb 25, 2025 11:22:46 AM  
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210° SW





Adjoining Property  
to The West  
PIN: 46254



Feb 25, 2025 11:23:46 AM  
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176° S





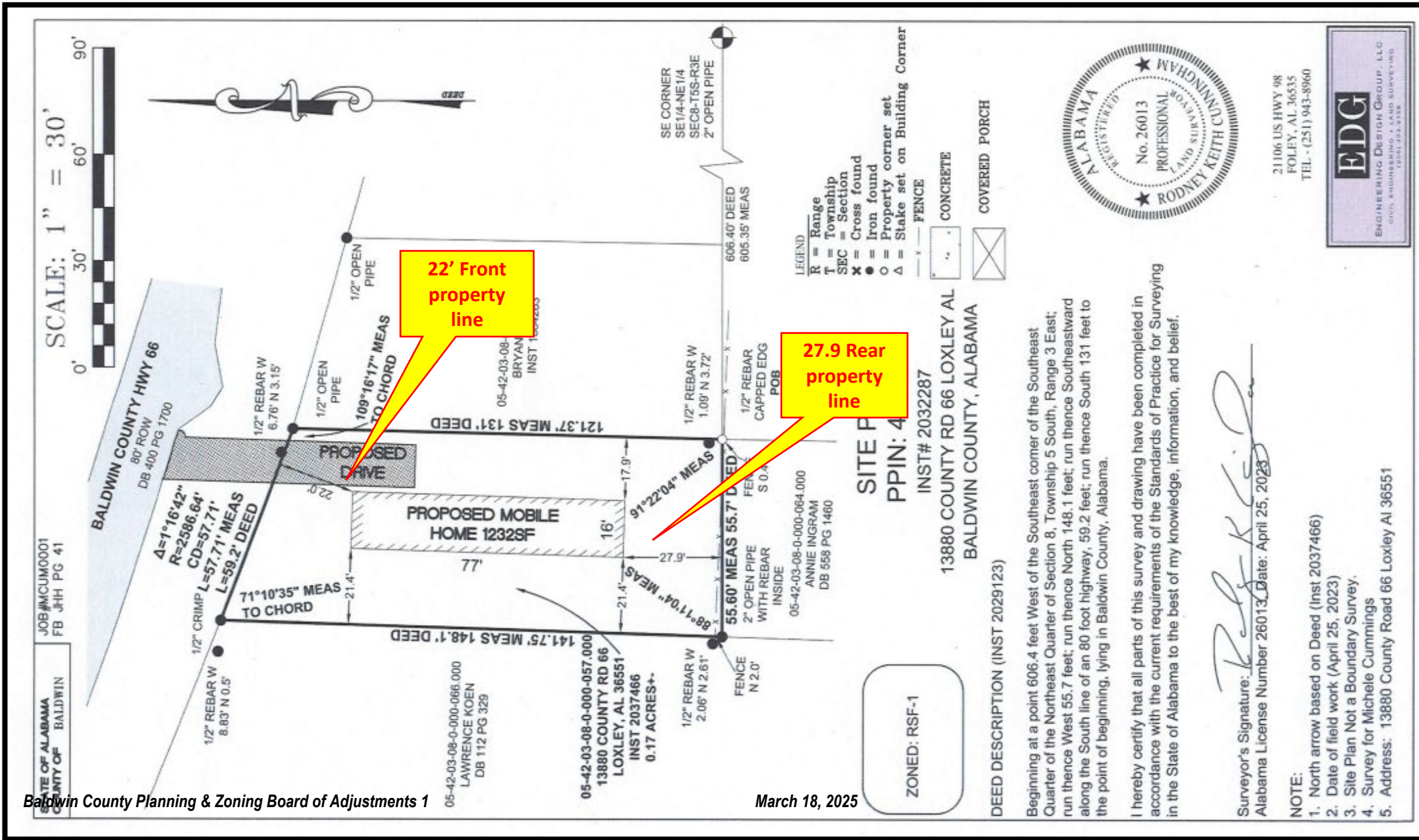
Property to  
The North  
PIN: 37427



Feb 25, 2025 11:23:14 AM  
30°37'34.02242"N 87°47'11.58428"W  
21° N



# Site Plan



# Zoning Requirements

4.2.5 *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	30,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Minimum Lot Width at Street Line	50-Feet
Maximum Ground Coverage Ratio	.35

# 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 lot oas recorded is 55.7' x 148.1' +/- ft. acres and the minimum lot size requirement for RSF-1, Residential Single Family District zoning is 30,000 sf with a Minimum Lot Width of 100' at the Building Line and a Minimum Lot Width at the Street Line of 100'. Therefore, the staff believes there is an eexceptional narrowness, shallowness, or shape of the subject property that would require a variance.

Minimum lot size: **30,000 sf** Actual lot size: **8,249.17+/- sf** Minimum Lot width: **100'** Actual Lot Width: **55.7'** Hardship: **YES**

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

The subject property doesn't contain jurisdictional wetlands or any other apparent 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 in this section.

# 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 District, which permits residential uses. The request involves placing a single-family home on the property. Staff believes that the approval of this application may be essential for preserving property rights and may not serve primarily as a convenience for the applicant or be influenced by economic considerations.

**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

*Written evidence of applications for all required state and federal permits (if applicable) showing compliance with regulations of Army Corps of Engineers, Alabama Department of Environmental Management, Alabama Coastal Area Management Program, US Fish and Wildlife and Baldwin County Health Department.*

N/A

*Please attach approval from any active neighborhood associations or a signed statement from the property owner stating there is not an active association.*

N/A

*Bryan Cummings*

dotloop verified  
03/10/25 1:07 PM CDT  
DHRC-Y3UY-TGEH-5ZWC

*Michele Cummings*

dotloop verified  
03/10/25 12:02 PM CDT  
DMGF-UES2-4KDE-WQUQ

# ZVA25-12 CUMMINGS PROPERTY

## VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 4.2.5 of the Baldwin County Zoning Ordinance as it pertains to the front and rear building setbacks.

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Staff recommends ZVA25-12 be **Approved**.



# ZVA25-12 CUMMINGS PROPERTY

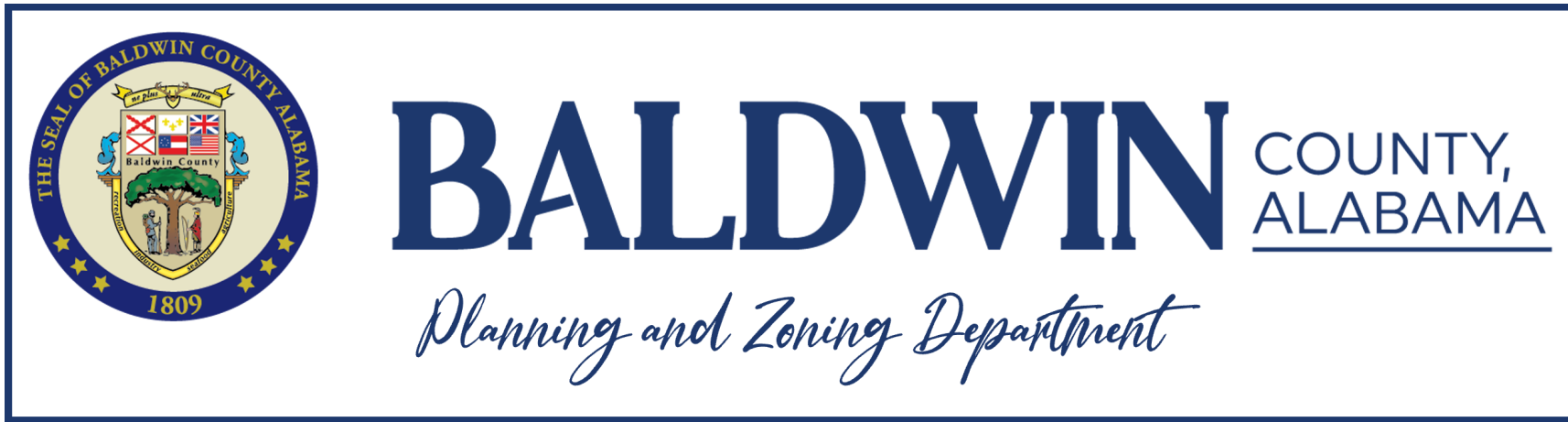
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Lead Staff: Crystal Bates, Planning Technician II

### **GENERAL NOTES {By-laws}**

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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

APRIL 15, 2025 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL