



BOARD OF ADJUSTMENT NUMBER 1

AGENDA

November 18, 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 October 21, 2025
4. Announcements/Registration to Address the Board of Adjustment
5. Consideration of Applications and Requests

ITEMS:

a.) Case No. ZVA25- 58 Tanner Property, 13505 County Road 1

Request: Approval of variance from Section 2.3.26.1 (b) Local Provisions regulations of the Baldwin County Zoning ordinance as it pertains to the required side yard setbacks in order to construct a single-family dwelling.

Location: The subject property is located at 13505 County Road 1 Fairhope, AL, Planning District 26.

Attachments: Within Report:

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

To view maps/plats in higher resolution please visit the 'Upcoming Items' Planning and Zoning webpage"
<https://baldwincountyal.gov/departments/planning-zoning/meeting-agenda>



**Baldwin County Planning and Zoning
Board of Adjustment Number 1
Regular Meeting Minutes
Tuesday, October 21, 2025**

I. Call To Order

The Board of Adjustment Number One met in a regular session on October 21, 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: Norman Bragg, Leslie Stejskal, Thomas Kiel, and James Guffy. Staff members present were Crystal Bates, Planning Technician II, Calla Shields, Planning Technician II, Celena Boykin, Planning Manager.

III. Approval of Minutes

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

IV. Consideration of Applications and Request

a.) ZVA25- 25, Perez Property, 27890 Sun Ridge Rd

Mrs. Calla Shields presented the applicant's request for variance ZVA25-25 from Section 2.3.26.1 (b) Local Provisions of the Baldwin County Zoning Ordinance as it pertains to the accessory dwellings not to extend 60 percent of size, in square feet, of the principal residence and Section 13.1.2 (b) as it pertains to the accessory structure and the location in order to allow for a mobile home to remain.

The Chairman invited the applicants, Oscar Perez to the podium to share his reasons for the variance request.

Board member Thomas Kiel made a motion to DENY the variance case ZVA25-25 seconded by Norman Bragg. The motion passed to DENY the variance case with a 4 to 1 vote.

b.) ZVA25- 50, Tanner Property, 13505 County Road 1

Mrs. Crystal Bates presented the applicant's request for variance ZVA25-50 from Section 2.3.26.1 (b) Local Provisions of the Baldwin County Zoning Ordinance as they pertain to the required side yard setbacks in order to construct a single-family dwelling.

The Chairman kindly invited Mr. Chris Achee, the applicant and builder for the Tanners, to the podium to share his reasons for requesting the variance. He explained the circumstances regarding the forced adjustments on both sides due to the 13-foot separation requirement. The Chairman then welcomed Mr. Erick Tanner, the property owner, to provide his perspective on the project. Mr. Tanner discussed his plans to remove the old home and construct a new one, noting the need for a variance on one side of the property. Finally, the Chairman called upon Mr. Frank Hanning, an adjacent neighbor, to express his concerns. Mr. Henning shared his reasons for opposing the granting of the variance for the neighboring property.

Board member Norman Bragg made a motion to DENY the variance case ZVA25-50 seconded by Leslie Steskal. The motion passed to DENY the variance case with a 5 to 0 vote.

c.) ZVA25- 54, UFP Real Estate Property, 22640 County Road 64

Mrs. Crystal Bates presented the applicant's request for variance ZVA25-54 from Section 15.2.6 (b) of the Baldwin County Zoning Ordinance as they pertain to the required parking for two new proposed buildings for warehouse use.

The Chairman kindly invited the applicant, Bruce Smith, to the podium to share his reasons for the variance request. He provided some background information about the property and discussed the proposed addition of the two new warehouses. Additionally, he noted that there may be limited space remaining on the property to accommodate the parking requirements established by the zoning ordinance.

Board member Norman Bragg made a motion to DENY the variance case ZVA25-54 seconded by Leslie Steskal. The motion passed to DENY the variance case with a 3 to 2 vote

V. Old Business

VI. New Business

VII. Adjournment

The meeting adjourned at 4:46 p.m.

Respectfully Submitted,

Crystal Bates, Planning Technician

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

Mary Shannon Hope, Vice- Chair



BALDWIN COUNTY,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

NOVEMBER 18, 2025

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL

ZVA25-58 TANNER PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 26
- **Zoned:** RSF-2, Single-Family District
- **Location:** The subject property is located on the west side of County Road 1
- **PID:** 05-56-04-19-0-000-066.000
- **PPIN:** 19265
- **Acreage:** 0.367
- **Physical Address:** 13505 County Road 1
- **Applicant:** C.P. Achee Builders Inc. Chris Achee
- **Owner:** Roland & Lisa Tanner



ZVA25-58 TANNER PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

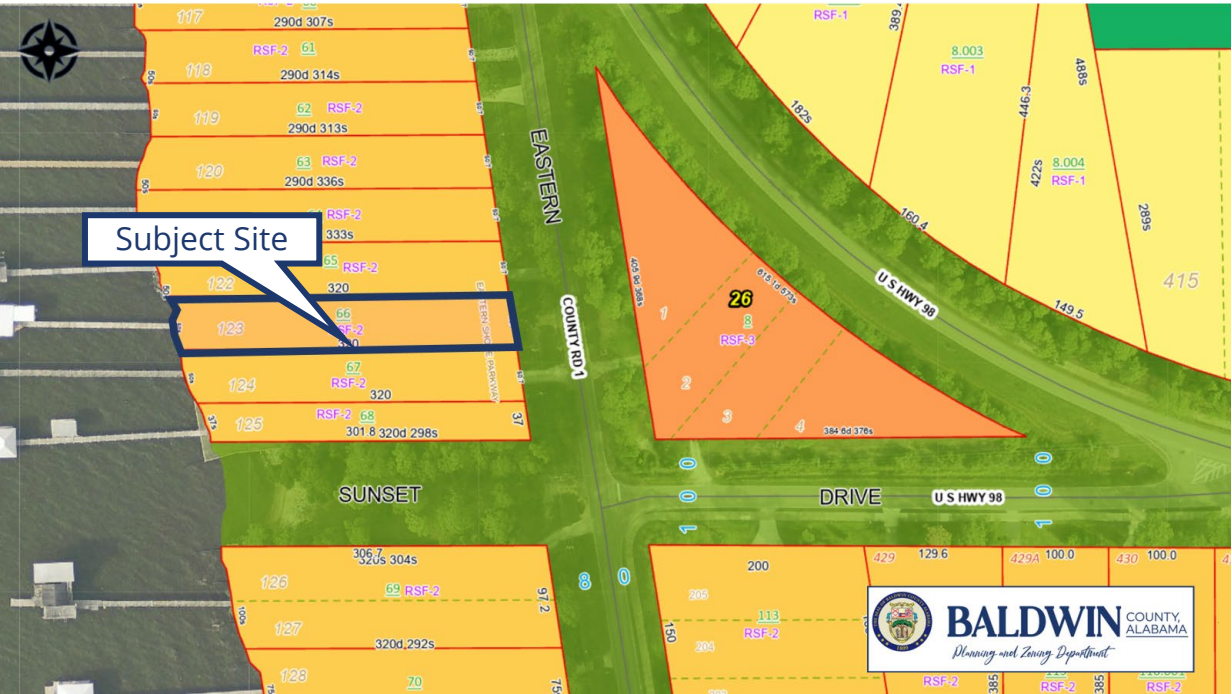
The applicant is requesting a variance from Section 2.3.26.1 (b) Local Provision Ordinance of the Baldwin County Zoning Ordinance, specifically regarding the 3-foot side yard setback and the 10-foot side yard setback on the other side, provided a minimum of 13 feet separation remains between buildings in order to allow for the construction of a new single-family dwelling.

The property to the north is also adjacent to said parcel on the 3-foot side. The home is 5' 3 ½", which prevents the parcel from having 13' of separation on both sides. The applicant is asking to be 10' instead of the 13', which is a 3-foot variance on the north side of the dwelling. The applicant will be just slightly over 13' on the south side of the adjacent dwelling.

Staff recommends that ZVA25-58 be Approved



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-3, Residential Single Family	Residential
West	Water Body	Mobile Bay



Subject Property
PIN: 19265



VARIANCE
PROPOSED
FOR THIS PROPERTY
Case Number
ZVA25-000058
For information Contact
Baldwin County Planning &
Zoning Department
(251) 580-1655

Scan 
For meeting details
and upcoming
agenda items
visit
BALDWIN

Oct 29, 2025 11:22:10 AM
30°25'17.62482"N 87°54'31.87552"W
266° W



Property to The
East
PIN: 22059



Oct 2, 2025 11:26:32 AM
30°25'17.42945"N 87°54'32.11672"W
134° SE



Adjoining
Property to
the North
PIN: 19805



Oct 2, 2025 11:20:34 AM
30°25'18.1285"N 87°54'32.0413"W
293° NW



Adjoining
Property to
the South
PIN: 65643

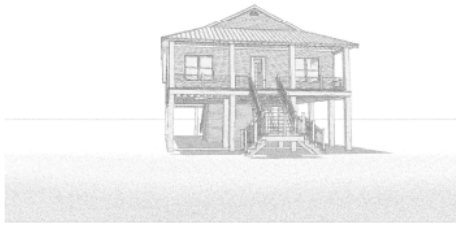


Oct 2, 2025 11:26:41 AM
30°25'17.19631"N 87°54'32.17504"W
201° S

Site Plan

TANNER RESIDENCE
13505 CO RD 1
FAIRHOPE, AL 36532

PROJECT # 25-009



DRAWING SCHEDULE

TITLE PAGE

COVER PAGE _____ T1

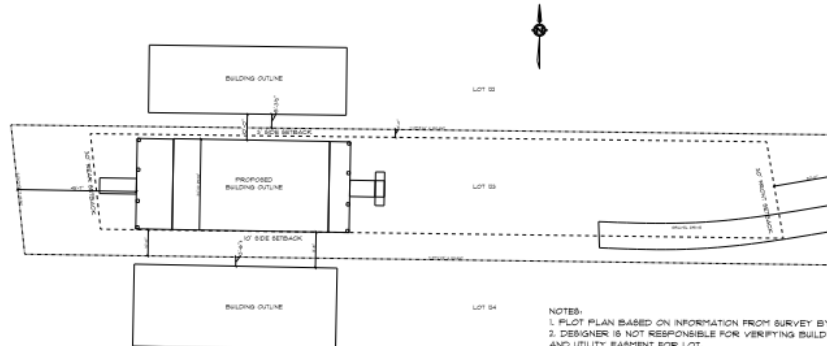
ARCHITECTURAL

MAIN FLOOR PLAN _____ A1

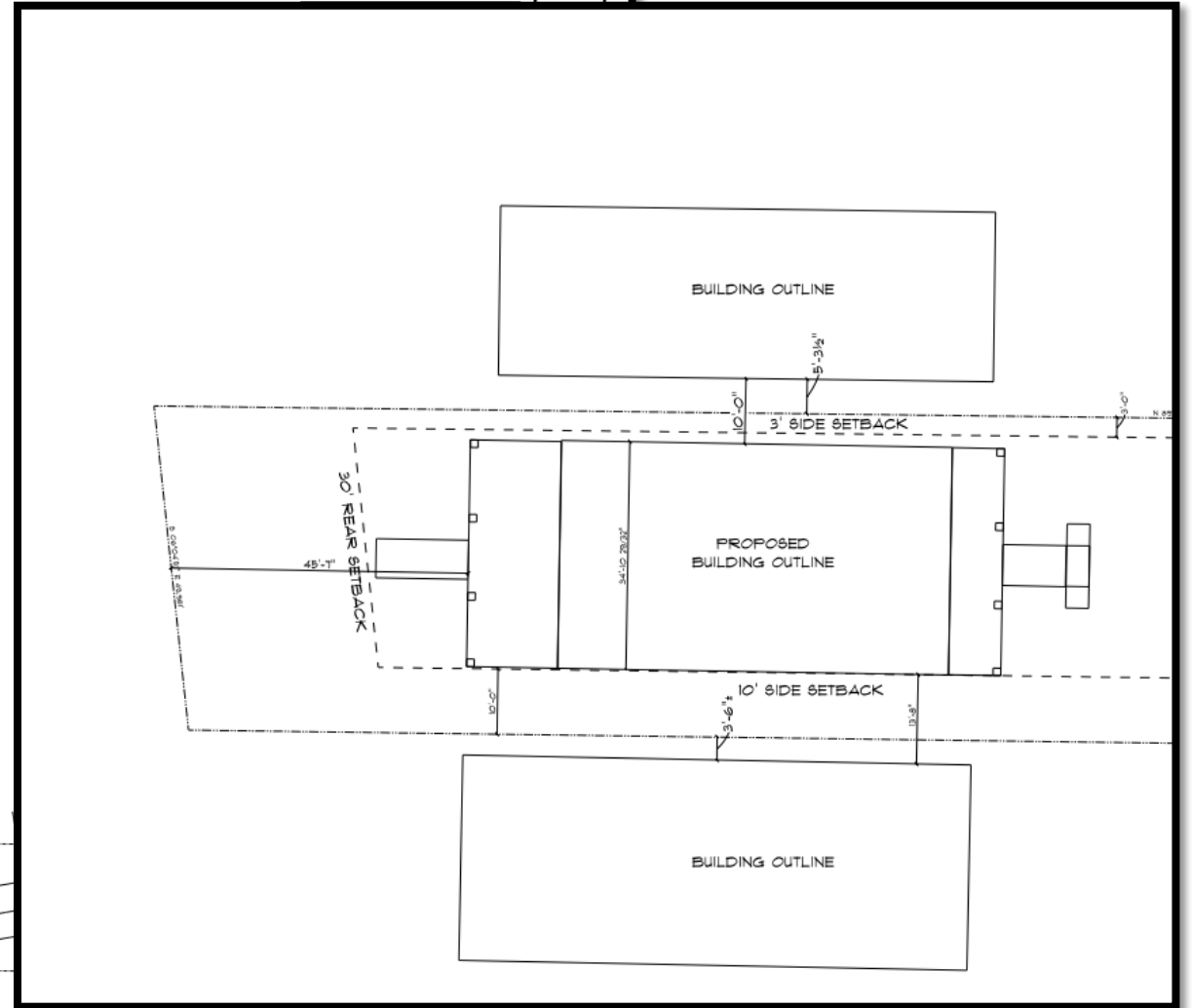
FRONT & LEFT ELEVATIONS _____ A2

REAR & RIGHT ELEVATION _____ A3

ROOM FINISH SCHEDULE & INTERIOR ELEVATIONS _____ A4

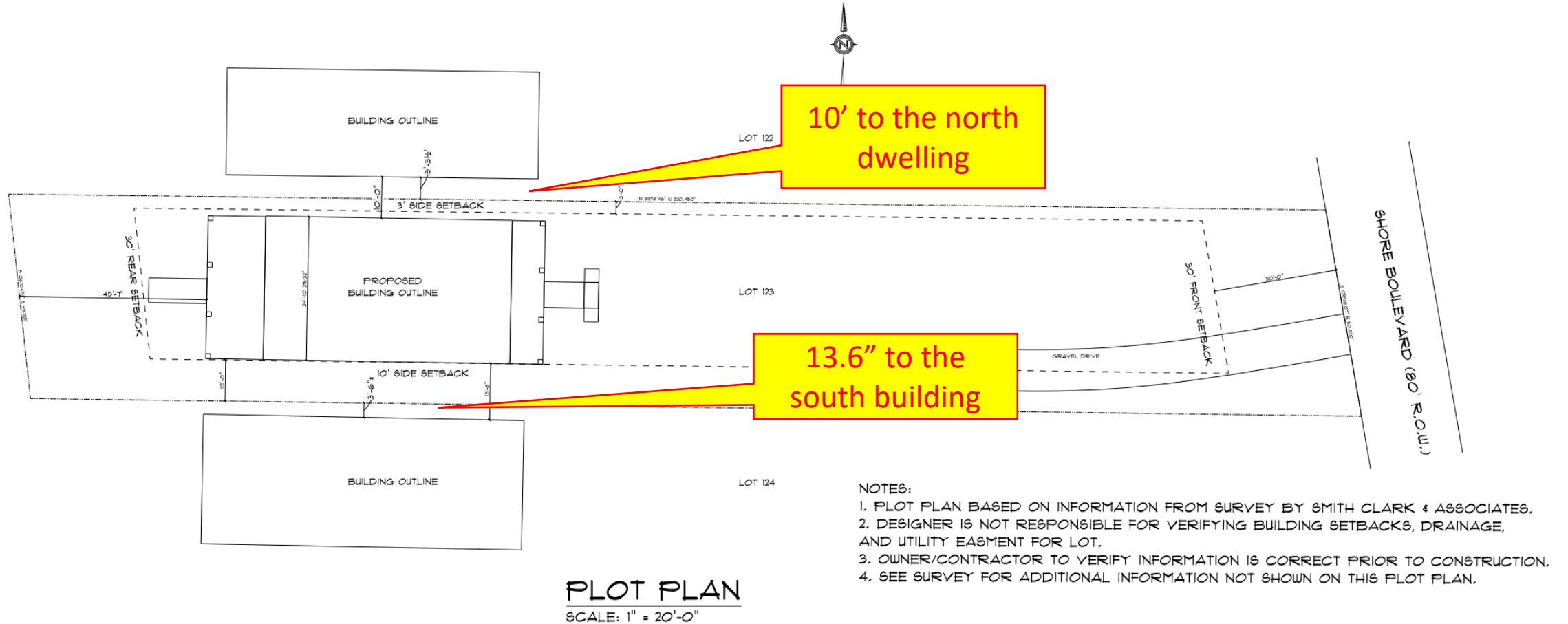


- NOTES:
1. PLOT PLAN BASED ON INFORMATION FROM SURVEY BY SMITH CLARK & ASSOCIATES.
 2. DESIGNER IS NOT RESPONSIBLE FOR VERIFYING BUILDING SETBACKS, DRAINAGE, AND UTILITY EASMENT FOR LOT.
 3. OWNER/CONTRACTOR TO VERIFY INFORMATION IS CORRECT PRIOR TO CONSTRUCTION.
 4. SEE SURVEY FOR ADDITIONAL INFORMATION NOT SHOWN ON THIS PLOT PLAN.



Site Plan

Lot 123



Zoning Requirements

Section 4.3 RSF-2, Single Family District

4.3.1 *Generally*. This zoning district is provided to afford the opportunity for the choice of a moderate density residential environment consisting of single family homes.

4.3.2 *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

(b) The following public uses:

(d) The following local commercial use: bed and breakfast or tourist home (see *Section 13.10: Bed and Breakfast Establishments*).

(c) The following:

(d) Single family homes

(e) Accessory dwellings

(f) The following:

(g) Agricultural uses in the rural area

4.3.2.5 *Minimum setbacks*. The minimum setbacks for structures shall be as follows:

4.3.2 *Conditional 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) Outdoor storage

(b) The following private uses:

(c) The following general commercial uses: country club.

4.3.3 *Special exception*. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception: Not Applicable

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

2.3.26 Planning District 26.

2.3.26.1 Effective Date

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

2.3.26.2 District Boundaries

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

2.3.26.3 Local Provisions for Planning District 26

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

Staff Analysis and Findings

1.) Exceptional narrowness, shallowness or shape of a specific piece of property existing at the time of the enactment of these zoning regulations.

Zoning in Planning District 26 came into effect on September 21, 1993. The lot of record is 50.7 x 340 and 17,238 sq. ft. The minimum lot size requirement for RSF-2, Residential Single-Family District, is 15,000 sq. ft. with a minimum lot width at the building line of 80 '. Therefore, staff believes there is an exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

Minimum lot size: 15, 000sf Actual lot size: 17,238 +/- 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 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 RSF-2, a Residential single-family zoning designation that allows for residential uses and accessory structures. Planning District 26 allows for a 3-foot side and a 10-foot side as long as there is 13' of separation between the buildings. In this case, this lot is being pushed out, and the properties to the north and south are both adjacent on their 3-foot side. The house to the south is 13'.6" and the house to the north is 5'-3.1/2". So, neither house is 10' to the side property line, therefore creates a hardship for the case in hand.

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.
- One letter of opposition to this variance request has been received at the time this staff report was written.

POA Statement

ACHEE BUILDERS

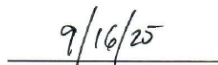


CUSTOM HOMES

September 16, 2025

Property Information
13505 County Road 1
Fairhope, AL 36532
Parcel ID: 05-56-04-19-0-000-066.000
Owner: Terrell & Phillis Tanner

There is no active neighborhood association or POA with this property.


Date

Baldwin County Planning & Zoning Board of Adjustment

19252 STATE HIGHWAY 181 . FAIRHOPE, AL 36532 . (251) 379-6218
November 18, 2025
ACHEEBUILDERS@GMAIL.COM

ZVA25-58 TANNER PROPERTY

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 2.3.26.1 (b) Local Provision Ordinance of the Baldwin County Zoning Ordinance, specifically regarding the 3-foot side yard setback and the 10-foot side yard setback on the other side, provided a minimum of 13 feet separation remains between buildings in order to allow for the construction of a new single-family dwelling.

The property to the north is also adjacent to said parcel on the 3-foot side. The home is 5' 3 ½", which prevents the parcel from having 13' of separation on both sides. The applicant is asking to be 10' instead of the 13', which is a 3-foot variance on the north side of the dwelling. The applicant will be just slightly over 13' on the south side of the adjacent dwelling.

Staff recommends that ZVA25-58 be Approved

1. If approved, the variance is limited to the site plan as shown and provided herein.
2. This variance doesn't relieve the subject property of any other requirements of the Baldwin County Zoning Ordinance, Baldwin County Subdivision Regulations, Baldwin County Building Department (building permit), Baldwin County Highway Department (driveway permit, turnout permit, or licensing agreement), or requirements of other agencies.

ZVA25-58 TANNER 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

DECEMBER 16, 2025 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL