

**Baldwin County Commission District 3  
Board of Adjustment**

**Agenda**

**November 19, 2018**

**4:00 p.m.**

**Baldwin County Central Annex  
Auditorium  
22251 Palmer Street  
Robertsdale, Alabama 36567**

- I. Call to Order
- II. Roll Call
- III. Approval of Previous Meeting Minutes (October 15, 2018)
- IV. Announcements/Registration to Address the Board of Adjustment
- V. Consideration of Applications and Request

**ITEMS:**

**a.) Case No. V-180034, Patel Property**

*Request:* A variance from the maximum height and maximum sign area requirements for two freestanding signs

*Location:* The subject property is located at Campbell Road and Baldwin Beach Express in Planning District 12

*Attachments:* Within Report

- VI. Old Business
- VII. New Business
- VIII. Adjournment

**Baldwin County Commission District 3, Board of Adjustment**  
**October 15, 2018**  
**Regular Meeting Minutes**  
**Baldwin County Central Annex, Robertsdale**

The Board of Adjustment for Baldwin County Commission, District 3 met in a regular session on October 15, 2018, at 4:04 p.m., in the auditorium of the Baldwin County Central Annex. The meeting was called to order by Chairman Donnie Waters. Members present included, Judy Powell, Tommy Springer, Jr., and Adam Bertolla. Staff member present was Linda Lee, Planner.

**Approval of Previous Meeting Minutes**

Mr. Bertolla made a motion to approve the minutes of the July 16, 2016, regular meeting. The motion received a second from Mr. Springer and carried unanimously.

**New Business**

Ms. Lee reviewed the proposed 2019 Deadline and Meeting Calendar. Ms. Powell made a motion to approve the 2019 Deadline and Meeting Calendar. The motion received a second from Mr. Bertolla and carried unanimously.

**Adjournment**

There being no further business to come before the Board the meeting was adjourned at 4:06 p.m.

Respectfully submitted:

Linda Lee, Planner

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I hereby certify that the above minutes are true, correct and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Donnie Waters, Chairman



# Baldwin County Planning & Zoning Department

## County Commission District #3

### Board of Adjustment Staff Report

**Case No. V-180034**

**Patel Property**

**Variance from Maximum Height and Maximum Sign Area Requirements for two Freestanding Signs**

**November 19, 2018**

### Subject Property Information

**Planning District:** 12  
**General Area:** Campbell Road and Baldwin Beach Express  
**Physical Address:** N/A  
**Parcel Number:** 05-41-02-09-0-000-002.004  
**Zoning:** B-4, Major Commercial District  
**Acreage:** 14.35 acres, more or less  
**Applicant:** Snehal Patel  
12750 Jenkins Pit Road  
Spanish Fort, AL 36527  
**Owners:** Same  
**Lead Staff:** Linda Lee, Planner  
**Attachments:** *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Agricultural	B-4, Major Commercial District
South	Agricultural	RA, Rural Agricultural District
East	Residential	RSF-E, Estate Residential District
West	Agricultural	RA, Rural Agricultural District

### Summary

The applicant is requesting variances from maximum height and maximum sign area requirements to allow two freestanding signs having an overall height of 45' and an overall sign face area of 378 square feet each.

## Article 16 Sign Requirements

### 16.5.3 Commercially developed parcels.

16.5.3.1 *Freestanding signs.* Signs may be placed in a freestanding location on a commercially developed parcel subject to the following limitations:

	<100' frontage on a public right- of-way	>100' & <200' frontage on a public right- of-way	>200' & <300' frontage on a public right- of-way	>300' frontage on a public right- of-way
Maximum number of signs	1	1	2	3
Maximum total sign area (square feet)	48	72	96	144
Maximum sign area for individual sign	48	72	72	72
Minimum setback from side property line (feet)	15	20	50	50
Minimum distance from any other freestanding sign on the same site (feet)	N/A	N/A	100	100
Maximum height (feet)	20	20	20	20

The following standards for approval are found in Section 18.6, Variances of the *Baldwin County Zoning Ordinance*. These standards are to be considered when a variance request is being reviewed.

- 1.) Exceptional narrowness, shallowness or shape of a specific piece of property existing at the time of the enactment of these zoning regulations.
- 2.) Exceptional topographic conditions or other extraordinary situations or conditions of a specific piece of property.
- 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.
- 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.
- 5.) Other matters which may be appropriate.

The subject property is currently unoccupied. The property adjoins Campbell Road and Baldwin Beach Express to the east. The adjoining properties are agricultural and residential. According to information provided, the signs are for advertising purposes. The applicant also stated that the land has limited use because of not having direct access to the property by means of a public road. Access points to the Baldwin Beach Express are governed by the Baldwin Beach Access Management Plan. Per the Subdivision Manager an access point from this property is a possibility.

This application does not fit neatly into the above listed standards due to the fact that it represents a variance from sign requirements rather than typical area and dimensional standards such as setbacks. The *Baldwin County Zoning Ordinance* does not address billboards. However the maximum individual sign area allowed is 72 square feet and the maximum total sign area allowed is 144 square feet.

**The *Baldwin County Billboard Ordinance* for unincorporated Baldwin County defines a billboard as follows:**

*Billboard* means any sign, display device, notice, figure, painting, drawing, message, placard, poster, billboard or thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main traveled way of any portion of a road or highway which is visible from any place on the main traveled way of any portion of a roadway or highway, which is over 200 square feet.

## From the Baldwin County Billboard Ordinance:

### Article II Purpose

The Baldwin County Commission finds and determines that:

- (a) The regulation of billboards is a legitimate governmental interest which is exercised by many municipalities, counties and other agencies.
- (b) The proliferation in number, size and manner of outdoor advertising unreasonably distracts operators of motor vehicles and promotes confusion with regard to traffic lights, signs, or signals or other interference with the effectiveness of traffic regulations and is therefore hazardous to highway users.
- (c) The proliferation of billboards adversely affects the aesthetic environment and quality of life in Baldwin County which is so dependent on the natural beauty of the area to attract visitors which maintains the local and State economy. The findings of numerous local governments in regards to the above mentioned factors are hereby adopted.

### Per the Baldwin County Billboard Ordinance – Billboards are prohibited in any area subject to County zoning.

#### Section 4.9 Prohibition in Certain Areas of the County

Billboards shall be prohibited in the following areas:

- (a) Any area subject to County zoning.
- (b) Any Historic or Preservation District established by the Baldwin County Commission.
- (c) In any area designated by the County or State as a Scenic Highway or like designation.
- (d) Any area delineated by Act No. 2001-497, Section 2(f) (municipal planning jurisdictions).

#### Staff Comments and Recommendation

As stated previously, the applicant is requesting variances from maximum height and maximum sign area requirements to allow two freestanding signs having an overall height of 45' and an overall sign face area of 378 square feet each.

Staff recommends that Case No. V-180034, Patel Property be **DENIED**, based on applicant has not submitted any information supporting a hardship on the land.

#### GENERAL NOTES {By-laws}

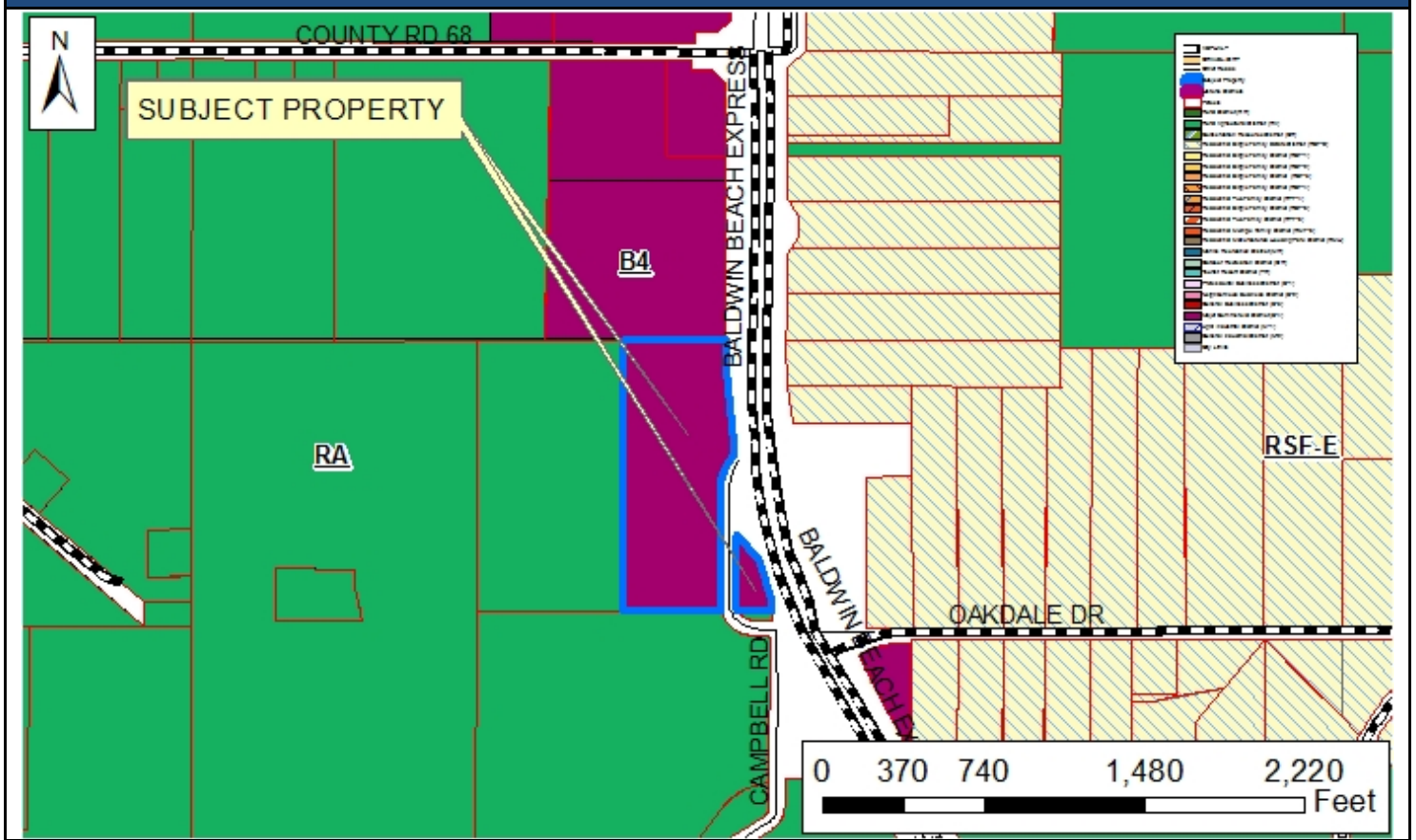
Any party aggrieved by a final judgment or decision of the Board may within fifteen (15) days thereafter appeal therefrom to the Circuit Court, but without expense to the Board of Adjustment, appear in person or by attorney in the Circuit Court or any other court, in defense of said order of the Board or in a trial de novo.



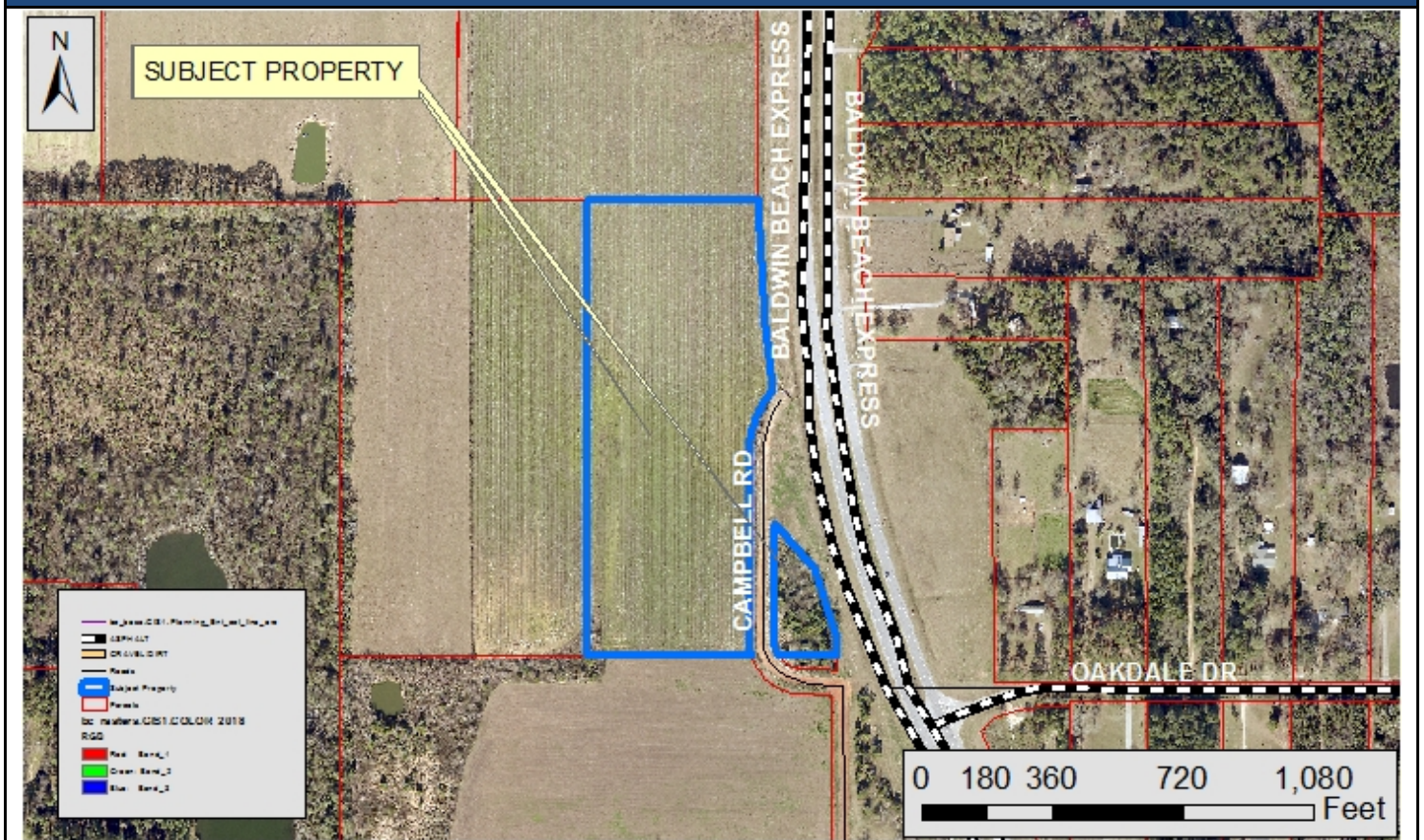




# Locator Map

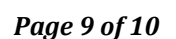


# Site Map – 2018 Aerial Photography





6/696-00



# Billboard sign

- Proposed size confirms to Article IV Design Standards
- Two billboard signs
- Sign face dimension 10 ft x 6 inch in height and 36 feet in width
- Sign height 45 feet off ground above the normal grade

## Billboard Design

