

**BALDWIN COUNTY COMMISSION DISTRICT 2
BOARD OF ADJUSTMENT**

AGENDA

January 14, 2019

Regular Meeting

4:00 p.m.

Central Annex Auditorium

22251 Palmer Street

Robertsdale, Alabama

1. Call to Order
2. Roll Call
3. Approval of Previous Meeting Minutes (November 5, 2018)
4. Announcements/Registration to Address the Board of Adjustment
5. Consideration of Applications and Requests

ITEMS:

a.) Case No. V-190001 Adams Homes LLC Property

Request: Approval of a variance from the front and rear yard setback requirements to allow for the construction of a new single-family dwelling

Location: The subject property is located at lot 7, Sedona Subdivision in Planning District 15

Attachments: *Within Report*

b.) Case No. V-190003 Chalhub Property

Request: Approval of a variance from the corner lot side setback requirements to allow an addition onto an existing single-family dwelling

Location: The subject property is located at 5626 Buerger Lane in Planning District 26

Attachments: *Within Report*

c.) Case No. V-190004 Moore Property

Request: Approval of a variance from section 2.3.26.3(d) of the Baldwin County Zoning Ordinance as it pertains to the 3-foot side setback

Location: The subject property is located at 17211 Scenic Highway 98 in Planning District 26

Attachments: *Within Report*

6. Old Business
7. New Business
8. Adjournment

Baldwin County Commission District 2, Board of Adjustment

November 5, 2018

Regular Meeting Minutes

Central Annex

Conference Room

The Board of Adjustment for Baldwin County Commission District 2 met in a regular session on November 5, 2018 at 4:07 p.m., in the Baldwin County Central Annex Auditorium. Chairman Brandon Bias called the meeting to order. Members present included: Blayne Pierce and Gary Cowles. Staff member present was Linda Lee, Planner.

Approval of Previous Meeting Minutes

A motion to approve the meeting transcript from the September 10, 2018 meeting was made by Mr. Cowles with a second by Mr. Pierce and carried unanimously.

V-180033, Altamirano Property

Mrs. Linda Lee presented the applicant's request for a variance from the jurisdictional wetlands setback requirement and the side setback requirement to allow for the construction of a new single-family dwelling. Staff recommended approval of the variance request.

Board Member Blayne Pierce made a motion to approve the variance request. The motion received a second from Board Member Gary Cowles and carried unanimously.

Approval of 2019 Meeting and Deadline Calendar

Ms. Lee reviewed the proposed calendar for 2019. Board Member Gary Cowles made a motion to approve the 2018 Meeting and Deadline Calendar. The motion received a second from Board Member Blayne Pierce and carried unanimously.

Adjournment

There being no further business to come before the board the chairman adjourned the meeting at 4:12 p.m.

Respectfully Submitted

Linda Lee, Planner

I hereby certify that the above minutes are true, correct and approved this _____ day of _____, 2019.

Brandon Bias, Chairman



Baldwin County Planning & Zoning Department County Commission District #2

Board of Adjustment Staff Report

Case No. V-190001

Adams Homes LLC Property

Variance from the front and rear setback requirement

January 14, 2019

Subject Property Information

Planning District: 15
General Location: Sedona Lot 7
Physical Address: Plateau Street
Parcel Number: 05-43-07-36-0-000-001.065
Zoning: RA, Rural Agricultural District
Lot Size: 0.27 +/- Acres
Applicant: Adams Homes LLC
26050 Equity Drive, Suite H
Daphne, AL 36526
Owner: Adams Homes LLC
Lead Staff: Crystal Bates, Planning Technician
Attachments: Within Report

	Adjacent Land Use	Adjacent Zoning
North	Residential	RA
South	Residential	RA
East	Residential	RA
West	Residential	RA

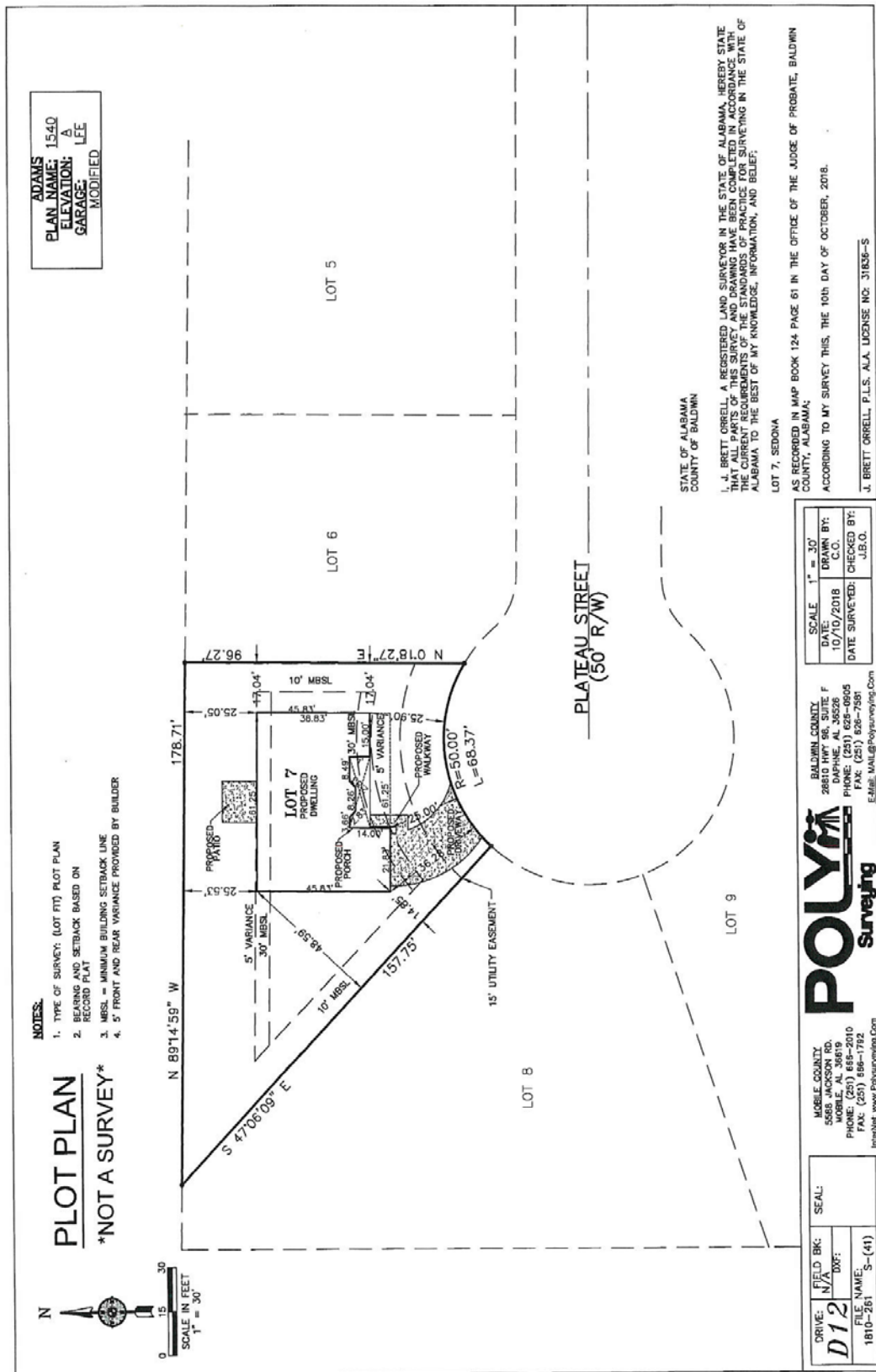
Summary and Recommendation

The applicant is requesting a variance from Section 12.5.2 (e) of the Baldwin County Zoning Ordinance pertaining to platted building setbacks, which is 30 feet. The applicant is requesting approval to build home 25 foot, instead of the required 30 feet from the front and rear property lines.

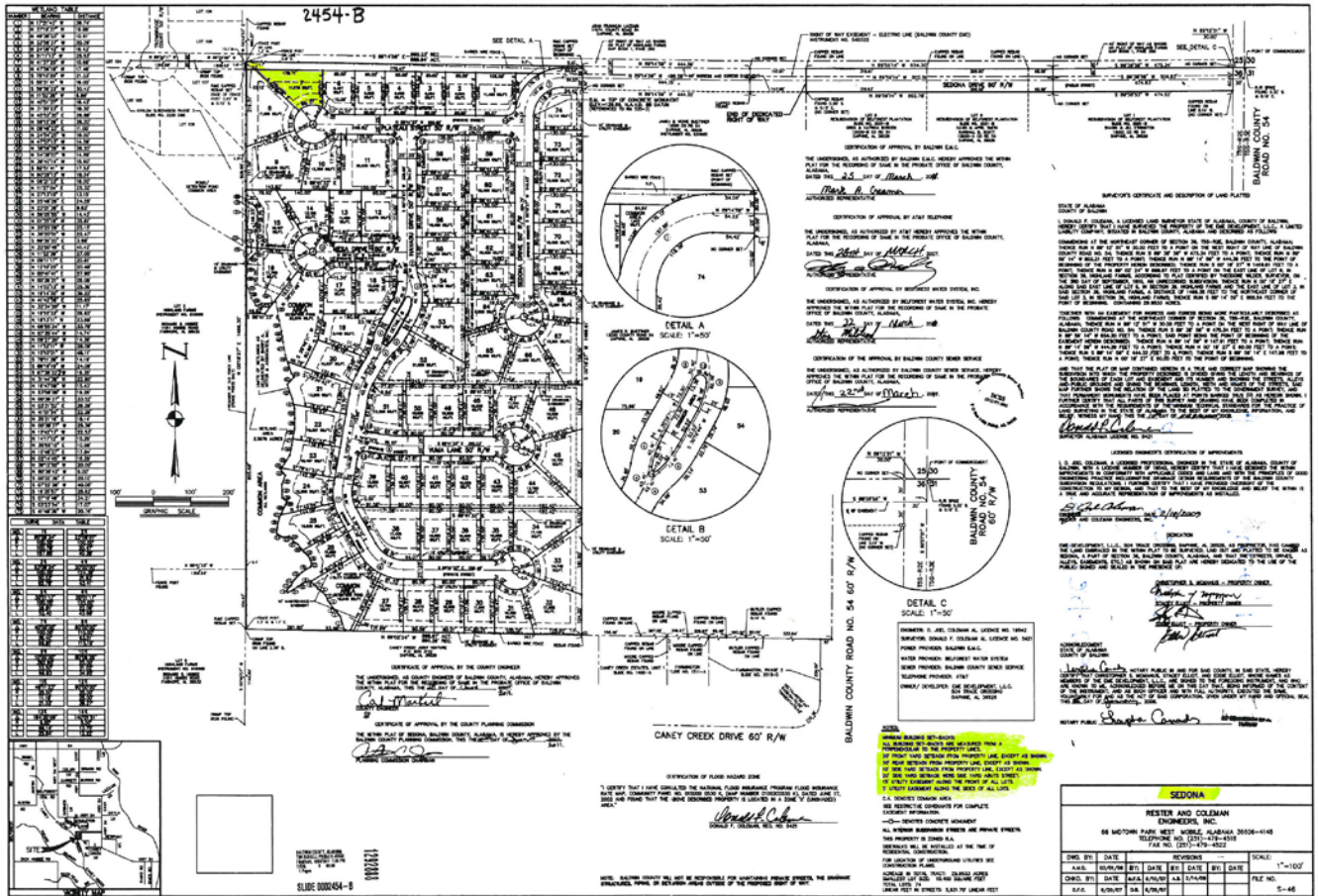
Staff feels this is a reasonable request and recommends that Case No. V-190001, Adams Homes LLC Property to be **APPROVED**.

Variance Request

The applicant is requesting a variance from Section 12.5.2 (e) of the Baldwin County Zoning Ordinance, as it pertains to the front and rear setbacks, which is platted 30 feet. The applicant is requesting approval to build house 25 foot to the front and rear property lines. The reason for the variance request is the applicant Adams Homes LLC has worked to find a plan for a single-family residence to build on this lot which they own. They have modified a plan to shorten the length and add square footage to the width to still meet the required minimum square footage of 1850 sq. set forth in the Sedona Covenants and Restrictions. Even with shortening the length of the house it's still ten feet too long for the irregular shape of the lot 7.



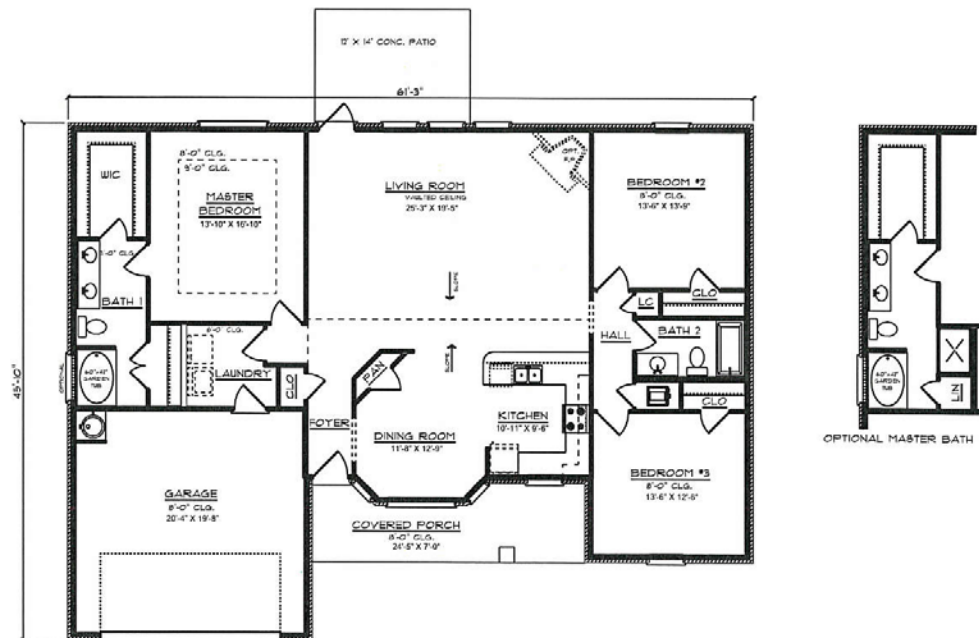
Subdivision Plat



HOUSE PLAN



ELEVATION "A"

1869 PLAN
(MOD 1540)

Features:
 * 3 bedrooms / 2 baths
 * Trey Ceiling In Master
 * Walk-in-Closets
 * 2 Car Garage

Continuing a policy of constant research and improvement, Adams Homes reserves the right of price, plan, or specification change without notice or prior obligation; optional features may be shown. Artist's rendering may vary from actual scale. All dimensions are approximate. Plans copyright 2013 Adams Homes.



Friday, January 4, 2019



20 YEARS

POA APPROVAL

December 17, 2018

To Whom it may concern:


As President of the Sedona POA Board, I am writing on behalf of the board of directors regarding a variance request for lot 7 on Plateau Dr. in Sedona subdivision.

Adams has been a strong partner in our neighborhood development. I am aware that they have gone out of their way to modify a few home plans to meet the covenant requirements, as they are doing for lot 7. They also have been willing to help our sub meet other needs as well.

I am respectfully requesting that you grant Adams Homes a variance to build on lot 7. I have personally inspected this property and their proposed plan will fit nicely in our subdivision. It is also to the sub's benefit to have a nice home on this lot for a new family to enjoy.

Sincerely,

Joe Christiansen, Sedona POA Board President

A handwritten signature in black ink, appearing to read "Joe Christiansen", with a long horizontal flourish extending to the right.

accordance with approved plans not later than twelve (12) months, following commencement of construction. For the purpose here-of, the term "commencement of construction" shall be deemed to mean the date on which the building permit is purchased. Construction halted for more than twelve (12) months, or manifestly incomplete after the termination of the twelve (12) month period following the commencement of construction, or abandoned indefinitely, must be removed at the Owner's expense. Such removal shall include all roofs, walls and foundations, and any remaining excavations shall be filled in and natural vegetation allowed to recover. Notwithstanding the foregoing, the Architectural Control Board may, at its sole discretion, grant an extension in writing to such twelve (12) month period, provided that exterior construction has been diligently pursued and/or the operation of extenuating circumstances warrant such extension.

3.4 Size of Residence. No residential structure erected on any Lot shall have less than one thousand eight hundred fifty (1,850) square feet of heated floor space, exclusive of the area of attached garages, porches, guest or servants' quarters or other appurtenances or appendages. No residential structure erected on any lot shall have a roof pitch less than 6 on 12. All residential structures must use architectural or dimensional shingles; traditional flat shingles will not be allowed.

3.5 Building Locations and Setback. Building setbacks shall be per the plat of the subdivision. For the purposes of this Subsection 3.5, eaves, steps, and open porches shall not be considered as part of a building; provided, however, that this shall not be construed to permit any portion of a building to encroach upon, or overhang any other Lot. If two or more Lots, or fractions thereof, are consolidated into one single building site, these building setbacks shall be applied to such resultant building site as if it were one original, platted lot. In no case shall a setback violate any Baldwin County setback requirement.

3.6 Landscaping, Walls and Fences. Walls or fences constructed or erected on any Lots shall be of ornamental iron, wood, vinyl or masonry construction. No wall or fence shall be constructed from the front property line to 20 foot behind the corner of the house nearest front property line. All Lots shall be grassed in the entire designated yard area by sodding and the yard shall be landscaped upon the completion of construction and before occupancy. It shall be the Owner's responsibility to maintain any landscaping, walls or fences situated on a Lot so that such improvements remain in an attractive, well-kept condition. Back property fences on lots shall have a common fence of the same kind, height and color with a maximum height of six (6) foot. The By-laws of the Homeowners will address the type and design of the fence to be installed.

3.7 Garages. Every residential structure shall include, at minimum, a two-car garage. Off-the-road vehicles, jeeps, beach buggies, boats, campers, trailers, motor homes, recreational vehicles, vans, motorcycles, motorbikes, farm tractors, farm implements, tractor trailers, mowers commercial vehicles, of any kind, or any other vehicle, machine, equipment, or apparatus shall not be parked anywhere temporarily or permanently (except for short term parking not to exceed twenty-four (24) hours), except in garages, carports or otherwise enclosed or camouflaged so as not to be detrimental to the appearance of the property from any Lot line. Campers and recreational vehicles shall be

Section 3.2 RA Rural Agricultural District

3.2.5 *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 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet 35

Minimum Front Yard 40-Feet

Minimum Rear Yard 40-Feet

Minimum Side Yards 15-Feet

Minimum Lot Area 3 Acres

Minimum Lot Width at Building Line 210-Feet

Minimum Lot Width at Street Line 210-Feet

3.2.6 *Area and dimensional modifications.* Within the RA district, area and dimensional requirements may be reduced, as set forth below, where property is divided among the following legally related family members: spouse, children, siblings, parents, grandparents, grandchildren, or step-related individuals of the same status.

Minimum Front Yard 30-Feet

Minimum Rear Yard 30-Feet

Minimum Side Yards 10-Feet

Minimum Lot Area 40,000 Square Feet

Minimum Lot Width at Building Line 120-Feet

Minimum Lot Width at Street Line 120-Feet

Section 12.5 Yard Requirements

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

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.

Staff Analysis and Findings

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.

The subject property is approximately 68.4 x 178.7 according to Revenue Commission. The subject property is identified as lot 7 of Sedona Subdivision which is in Planning District 15 was platted in June 2011. The adjoining property to the North of the property on the rear side of house is a 20ft wide parcel owned by the Property Owners Association. The property is irregular shape and currently unoccupied.

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

Staff is not aware of any exceptional topographic conditions on this 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.

The property is zoned for single family use and will be used for that purpose.

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.

The granting of this application should not have any adverse impact on adjacent property owners.

5.) Other matters which may be appropriate.

The subject property is 68.4 x 178.7. Sedona Subdivision preliminary plat was approved March 24, 2006 prior to the enactment of zoning.

Staff Comments and Recommendation

Staff feels this is a reasonable request and recommends that Case No. V-190001 Adams Homes LLC Property, be APPROVED.

GENERAL NOTES {By-laws}

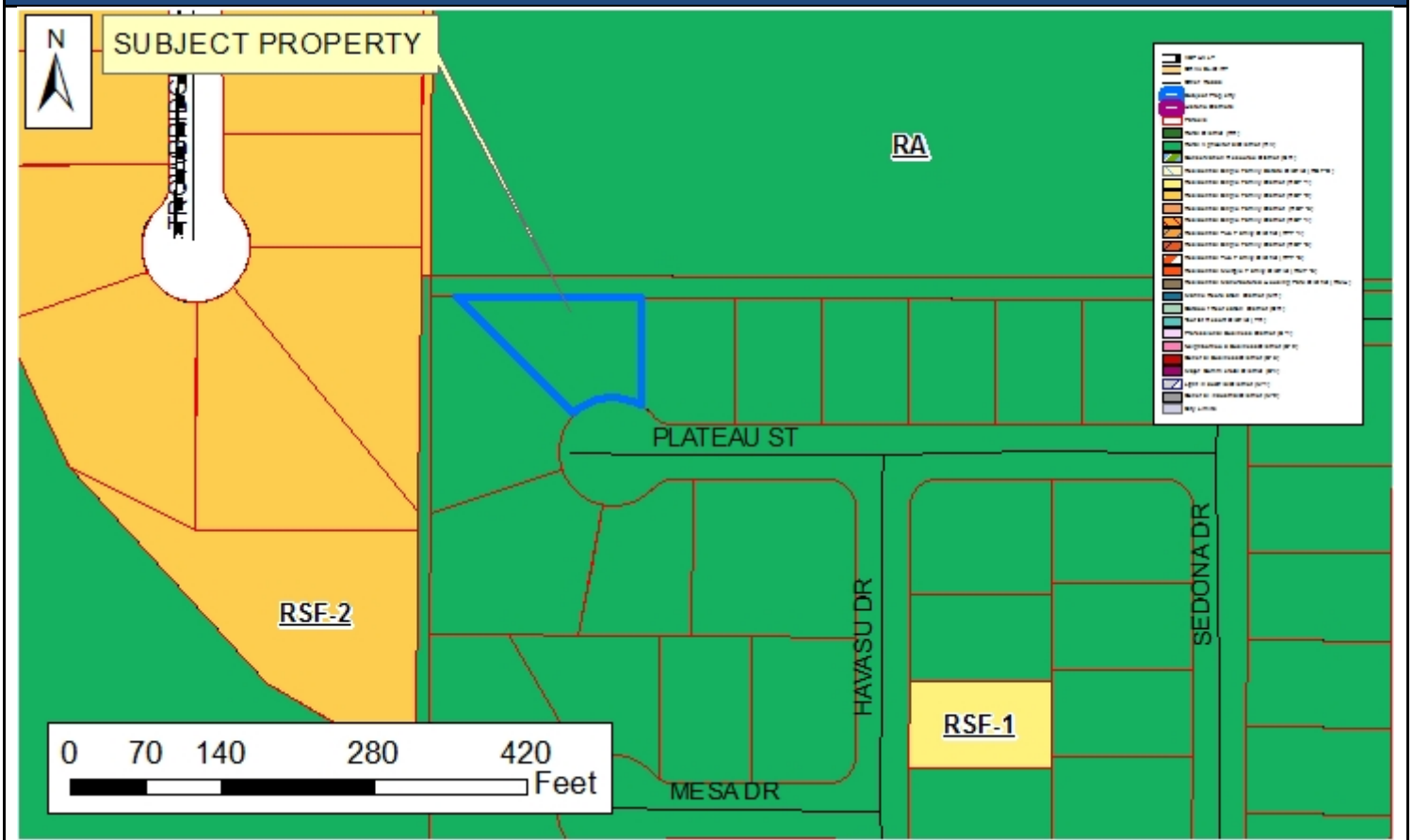
Any party aggrieved by a final judgment or decision of the Board may within fifteen (15) days thereafter appeal therefrom to the Circuit Court, but without expense to the Board of Adjustment, appear in person or by attorney in the Circuit Court or any other court, in defense of said order of the Board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

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 the conditions upon which it is granted and the conditions imposed by the Zoning Ordinance are adhered to.

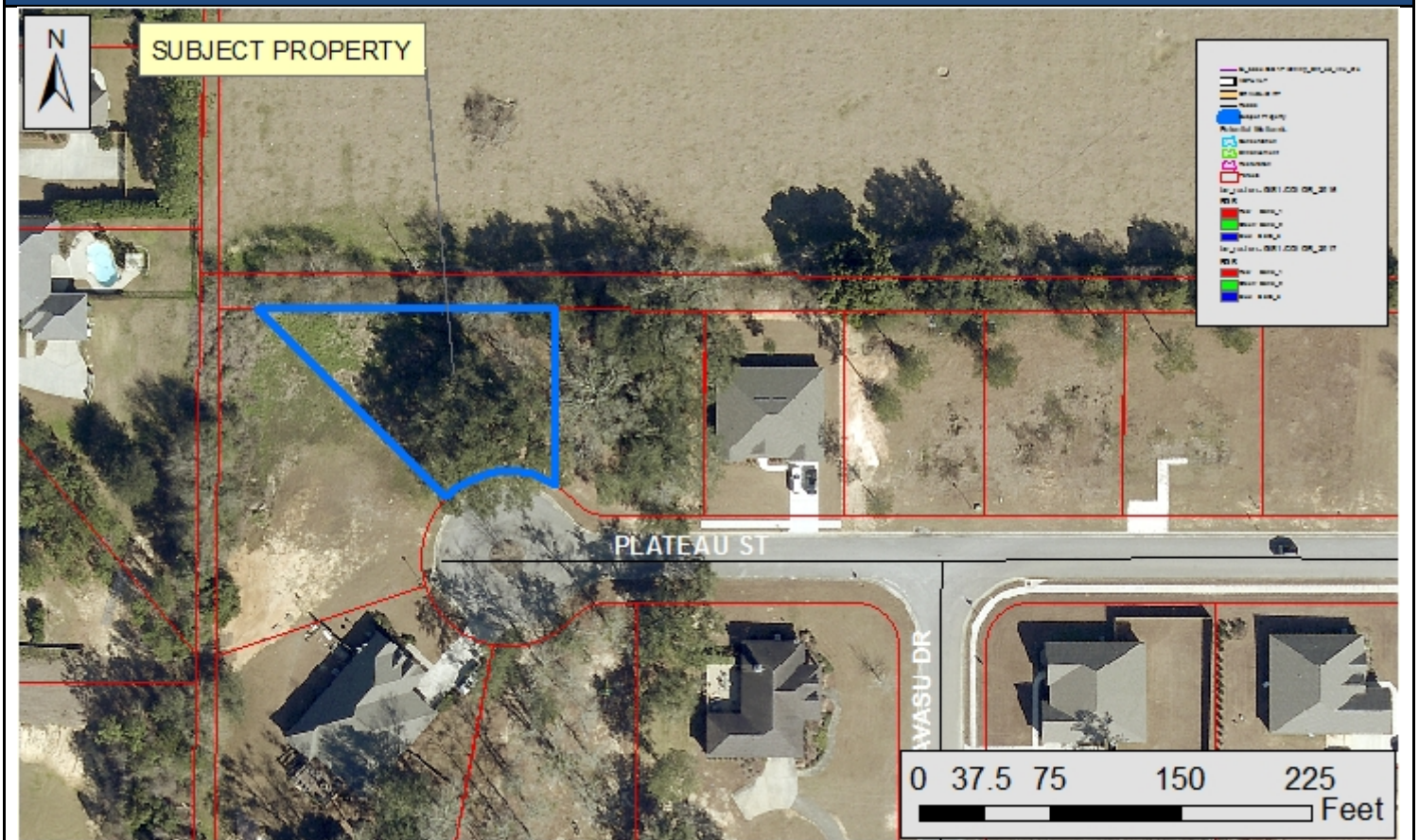




Locator Map



Site Map





Baldwin County Planning & Zoning Department

County Commission District #2

Board of Adjustment Staff Report

V-190003

Chalhub Property

Variance from Corner Lot Side Setback Requirement

January 14, 2019

Subject Property Information

Planning District: 26
General Location: South side of Buerger Lane and Mobile Bay
Physical Address: 5626 Buerger Lane
PID: 05-45-07-25-0-000-086.000
Zoning: RSF-2, Single Family Residential
Acreage: 0.539± acres
Applicant: Elias Chalhub
130 Eaton Square
Mobile, AL 36608
Owner: Same
Lead Staff: Linda Lee, Planner
Attachments: Within Report

	Adjacent Land Use	Adjacent Zoning
North	Residential	RSF-1
South	Residential	RSF-1
East	Residential	RSF-2
West	Mobile Bay	N/A

Summary and Recommendation

The applicant is requesting a variance from the side setback requirement for a corner lot to allow for an addition to a single-family dwelling. The purpose of the addition is to expand the master bedroom for additional space for a handicapped bathroom. Staff recommends that Case V-190003 Chalhub Property, be **DENIED**, due to applicant has not submitted any information supporting a hardship on the land.

Variance Request

The applicant is requesting a variance from the side setback requirement for a corner lot to allow for an addition to a single-family dwelling. The purpose of the addition is to expand the master bedroom for additional space for a handicapped bathroom. The proposed setbacks are 6.17' on the northwest corner and 8.08' on the northeast corner. The required setback is 20 feet.

The following sections from the *Baldwin County Zoning Ordinance* are relevant to this application:

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 on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.3.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.3.4 *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:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

4.3.5 *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 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
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

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.

Staff Analysis and Findings

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

The subject property measures approximately 80' x 211' with a total area dimension of 16,880 square feet which exceeds the minimum lot area of 15,000 square feet for RSF-2 zoned property. The property is developed with a single-family dwelling, accessory dwelling and shed.

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

Staff is not aware of any exceptional topographic conditions on this 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.

The use of the subject property has been established with the single-family dwelling and accessory structures.

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.

No adverse impacts.

5.) Other matters which may be appropriate.

Staff Comments and Recommendation

Staff recommends that Case V-190003 Chalhub Property, be **DENIED**, due to 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.

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 the conditions upon which it is granted and the conditions imposed by the Zoning Ordinance are adhered to.

Property Images









**SUBJECT DWELLING
FRONT YARD**

01/02/2019

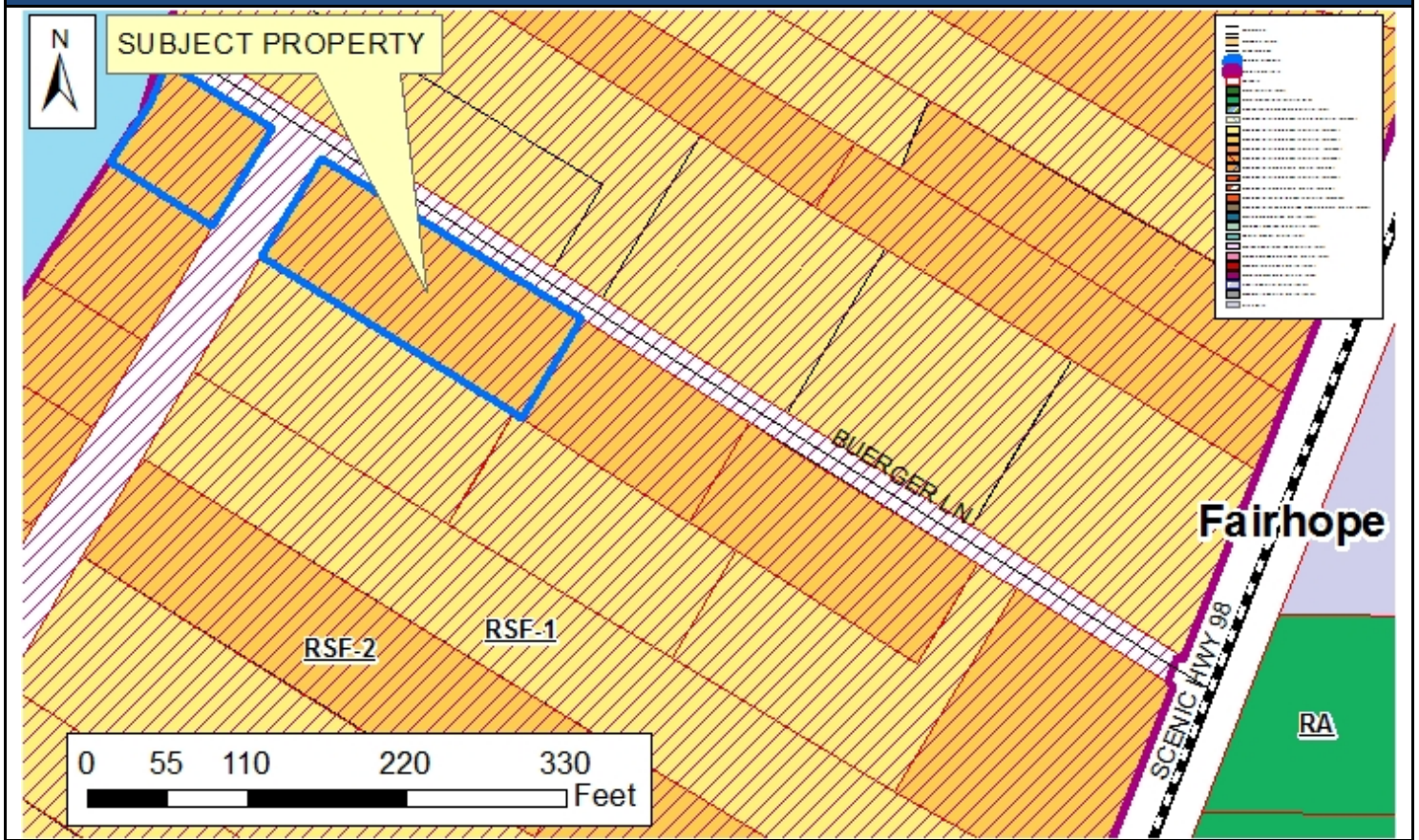


**SUBJECT PROPERTY
NORTH SIDE**

08/29/2018



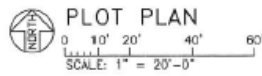
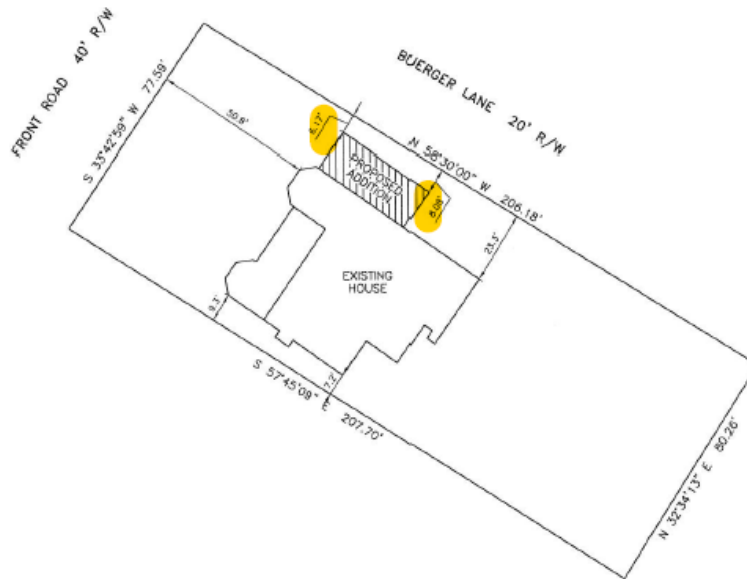
Locator Map



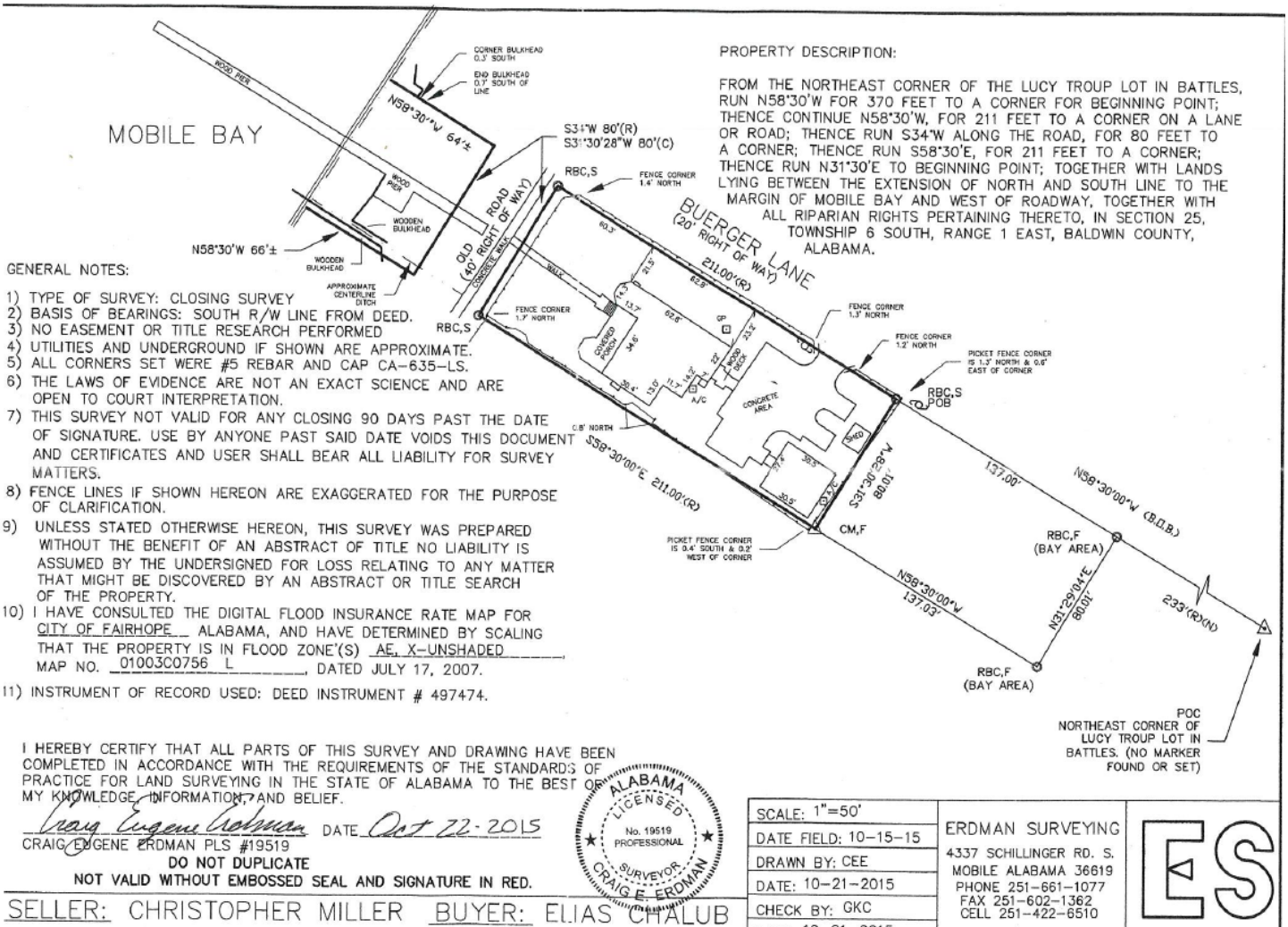
Site Map



Site Plan Submitted by Applicant



Survey of Property



Email in Support of Variance Request

From: Cooper, Gretchen <Gretchen.Cooper@coopertsmith.com>
To: echalhub@aol.com <echalhub@aol.com>
Subject: 5626 Buerger Lane
Date: Sun, Dec 9, 2018 11:11 am

To whom it may concern,

Our neighbors, the Chalhub's at 5626 Buerger Lane, are doing a small expansion for home improvement. Angus and I live north of their property on 5623 Buerger Lane. We are not opposed to their project. If you have any further questions please email me.

Regards,

Gretchen Cooper
gretchen.cooper@coopertsmith.com



Baldwin County Planning & Zoning Department County Commission District #2

Board of Adjustment Staff Report

Case No. V-190004
Moore Property
Front Yard Setback Variance
January 14, 2019

Subject Property Information

Planning District: 26
General Location: Fairhope, AL
Physical Address: 17211 Scenic Highway 98
Parcel Number: 05-45-07-37-0-000-009.002
Zoning: RSF-2, Single Family District
Lot Size: 0.86 +/- Acres
Applicant: Melanie and Paul Moore
1408 Washington Ave.
Pascagoula, MS
Owner: Melanie and Paul Moore
Lead Staff: Payton Rogers, Planning Technician
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential	RSF-1
South	Residential	RSF-2
East	Commercial	B2
West	Mobile Bay	N/A

Summary and Recommendation

The applicant is requesting a variance of 0.92 feet (11 inches) from the required 3-foot side yard setback to accommodate for an existing structure built in 2015.

Staff feels this is a reasonable request and recommends that Case V-190004, Moore Property, be **APPROVED**.*

**On Variance applications, the Board of Adjustment makes the final decision.*

The applicant is requesting a variance of 0.92 feet (11 inches) from the required 3-foot side yard setback to accommodate for an existing structure built in 2015. The applicant is requesting the variance after the fact for potential legal needs and believes the setback discrepancy was a result of a minor miscalculation during development and/or construction.

Additional Information

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 on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.
- (f) The following institutional use: church or similar religious facility.

4.3.3 *Conditional uses.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed as conditional uses:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.

4.3.4 *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:

The following local commercial use: bed and breakfast or tourist home (see *Section 13.11: Bed and Breakfast Establishments*).

4.3.5 *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 18.6 Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

Maximum Height of Structure in Feet	35-Feet
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 2.3 Establishment of Zoning in Planning Districts

2.3.26 *Planning District 26.*

(d) The required side yards in the “RSF-2, Single Family” district 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.

Section 12.5 Yard Requirements

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

(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.

Staff Analysis and Findings

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.

The subject property is approximately 61’ wide and 844’ long. Per the Revenue Commission the house was built around 2017.

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

Staff perceives no exceptional topographic conditions.

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 use of the property has already been established with a single-family dwelling.

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 anticipates no major impacts.

5.) Other matters which may be appropriate.

None

Staff Comments and Recommendation

Staff feels this is a reasonable request and recommends that Case No. V-190004, Moore Property, be **APPROVED**.

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.

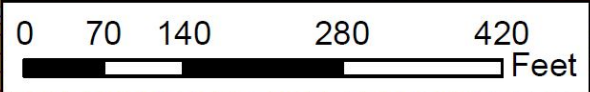
Whenever the Board imposes conditions with respect to a project or variance, such conditions must be stated in the Board Order and in the permit(s) issued, pursuant thereto by the Administrative Officer. Such permits shall remain valid only as long as the conditions upon which it is granted and the conditions imposed by the Zoning Ordinance are adhered to.

[illegible]

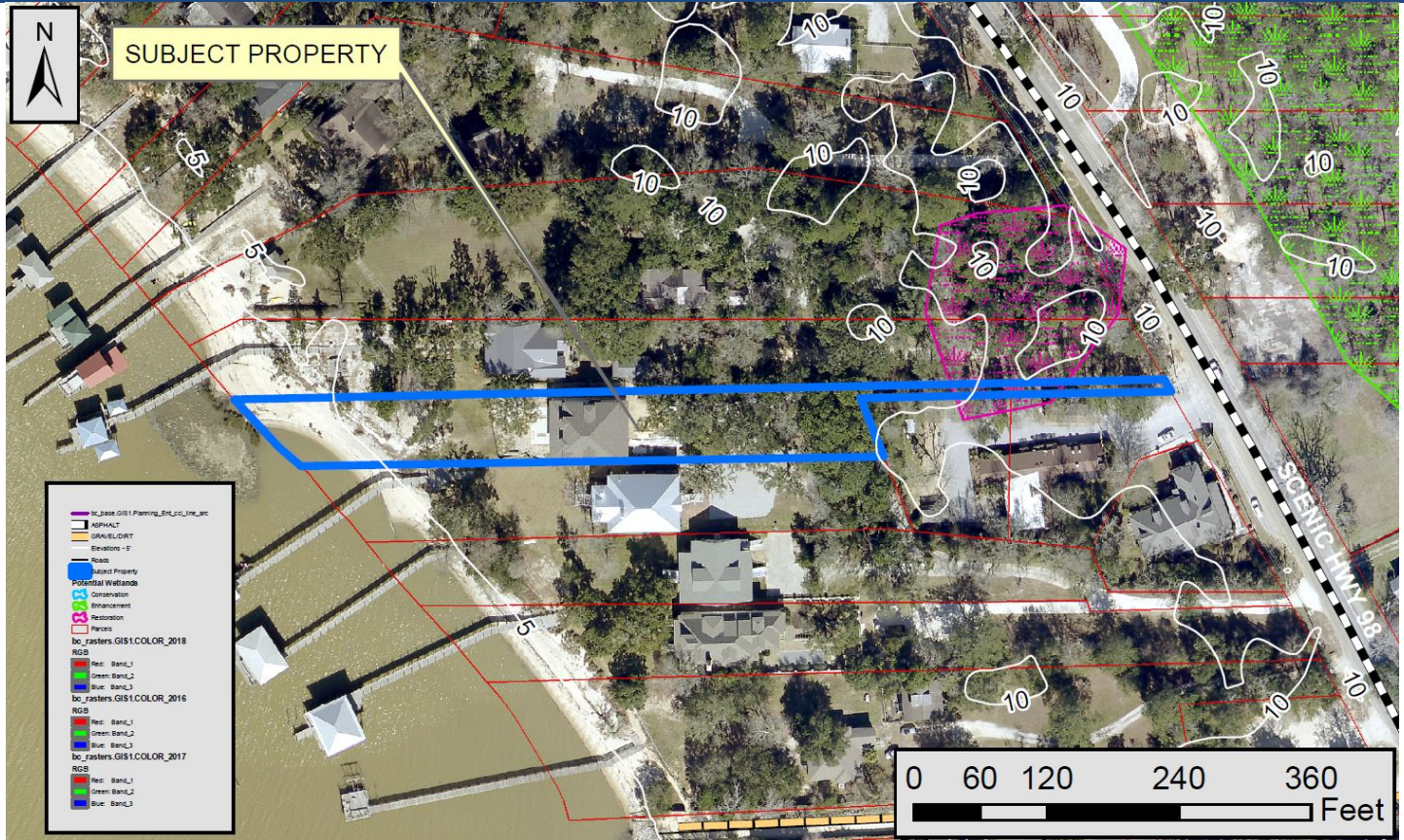








Site Map



Additional Materials

December 19, 2018

Baldwin County Commission
Planning and Zoning Department
22251 Palmer Street
Robertsdale, AL 36567

Re: Melanie and Paul Moore
Zoning Variance Application

To Whom It May Concern:

As part of our application, we want to note that the Point Clear Property Owners Association is an optional (non-mandatory) property owners association. We are enclosing a letter from the property association regarding the variance application based upon feedback from the Planning and Zoning Department.

Sincerely,

Paul W. Moore, Jr.

Melanie Moore

Melanie R. Moore

Paul Moore

December 19, 2018

Baldwin County Commission
Planning and Zoning Department
22251 Palmer Street
Robertsdale, AL 36567

Re: Melanie and Paul Moore
Zoning Variance Application

To Whom It May Concern:

We are aware that Melanie and Paul Moore at 17211 Scenic Highway 98, Fairhope, Alabama 36532 are applying for a zoning variance with the Baldwin County Commission #2 Planning and Zoning Board of Adjustment.

As an optional group, the Point Clear Property Owners Association takes no position on the variance requested. We understand that this letter is being included with the Moores' zoning variance application package.

Sincerely,

Point Clear Property Owners Association

From: Daniel Reimer, Sr [mailto:dan.e.reimer@gmail.com]
Sent: Sunday, January 06, 2019 04:27 PM
To: Linda Lee <LLee@baldwincountyal.gov>
Subject: Support for the Variance request for the Moore Property, Case V-190004

Dear Ms. Lee:

We have received the Notice of Public Hearing in regards to Case No. V-190004.

Our family has owned the contiguous property to the north of the Moore property for over 100 years. We support the requested variance and ask the Board of Adjustment to approve it.

Thank you.