

# **BOARD OF ADJUSTMENT NUMBER 1**

## **AGENDA**

**October 19, 2021**

**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 (September 20, 2021)
4. Announcements/Registration to Address the Board of Adjustment
5. Consideration of Applications and Requests

### **ITEMS:**

#### **a.) Case No. V-210031 Stimpson Property**

*Request:* Approval of a variance from the wetlands setback requirement to allow for wetland fill and the construction of a driveway, parking pad and house

*Location:* The subject property is located at 14048 Scenic Highway 98 in Planning District 26

*Attachments:* Within Report

#### **b.) Case No. V-210036 Whitney Property**

*Request:* Approval of a variance from the wetlands setback requirement to allow for future residential development

*Location:* The subject property is located at 12349 County Road 1 in Planning District 26

*Attachments:* Within Report and Attached

6. Old Business
7. New Business
  - a.) Approval of 2022 Meeting and Deadline Calendar
8. Adjournment

**Planning and Zoning  
Board of Adjustment Number 1  
September 20, 2021  
Regular Meeting Minutes  
Central Annex  
Auditorium**

The Board of Adjustment Number 1 met in a regular session on September 20, 2021 at 4:03 p.m., in the Baldwin County Central Annex Auditorium. Members present included: Tommy Springer, Jr., Jamal Allen, Mary Shannon Hope, Michael Cochran, Tracy Frost, and Gary Cowles. Staff members present included Matthew Brown, Celena Boykin, DJ Hart, Crystal Bates, and Paula Bonner.

In the absence of Chairman Bias and Vice-Chairman Cooper Ms. Frost made a motion to elect Michael Cochran as temporary Chairman. Mr. Springer seconded the motion. All members voted aye. **Motion to elect Michael Cochran as temporary Chairman for this meeting carries on a vote of 5-0**

**Approval of Previous Meeting Minutes**

A motion to approve the previous meeting minutes was made by Ms. Hope with a second by Ms. Frost and carried unanimously.

Mr. Brown gave a presentation explaining the variance process and regulations.

**V-210030, Pacey Property**

Mrs. Hart reported a request from the applicant to table the variance request from the wetland setback requirement to allow for the construction of a single family dwelling, to allow an accessory dwelling into the front yard, and for an accessory dwelling to exceed the maximum size allowance.

Board Member Tracy Frost made a motion to approve the request to table the application. The motion received a second from Board Member Tommy Springer. **Motion to table variance request V-210030 Pacey Property until the October meeting carries on a vote of 6-0**

**V-210031, Stimpson Property**

Mrs. Boykin presented the applicant's request for a variance from the wetlands setback requirement to allow for wetland fill and the construction of a driveway, parking pad, and house. Staff recommended denial of the variance request.

Applicant Abby Stimpson and Lewis Cassidey with EcoSolutions Inc. answered questions from board members. Jim Currey spoke in opposition.

Following discussion, Board Member Gary Cowles made a motion to approve the request. The motion failed for lack of a second. Jamal Allen made a motion to table the variance request until the next meeting for further information. The motion received a second from Board Member Tracy Frost. Gary Cowles voted nay. All other members voted aye. **Motion to table the variance request V-210031 until the next meeting for further information carries on a vote of 5-1.**

**V-210033, Case Brothers LLC/B4 Holdings LLC Property**

Mrs. Hart presented the applicant's request for a variance from the wetlands setback requirement to allow for wetland fill and the construction of a driveway and house. Staff recommended denial of the variance request.

Collins Case spoke for the applicant and answered questions. John Parker and Jim Currey spoke in opposition.

Following discussion, Board Member Tommy Springer made a motion to table the variance request. The motion received a second from Board Member Gary Cowles. **Motion to table case V-210033 until the next meeting carries on a vote of 6-0.**

**V-210034, O and F Development LLC Property**

Mrs. Boykin presented the applicant's request for a variance from the required number of parking spaces and the off-street loading/unloading space size requirement. Staff recommended denial of the request.

Doug Chaffin with Sawgrass and owner Angelo Fermo answered questions from board members. There was no one present to speak in opposition.

Following discussion, Board Member Jamal Allen made a motion to approve the request. The motion received a second from Board Member Gary Cowles. Board Member Tracy Foster abstained. All other members voted aye. **Motion to approve case V-210034 carries on a vote of 5-1**

**V-210035, Edwards Property**

Mrs. Bates presented the applicant's request for a variance from the rear yard setback requirement to allow for the construction of a single family dwelling with attached garage. Staff recommended approval of the variance request.

Applicant Marvin Edwards was present to answer questions. There was no one present to speak in opposition.

Following discussion, Board Member Gary Cowles made a motion to approve the variance request. The motion received a second from Board Member Tommy Springer and carried unanimously. **Motion to approve case V-210035 carries on a vote of 6-0.**

**V-210037, Beasley Property**

Mrs. Bates reported a request for from the applicant to withdraw the variance request from the wetlands setback requirement to allow for the construction of a single family dwelling.

Board Member Tommy Springer made a motion to accept the request to withdraw. The motion received a second from Board Member Gary Cowles and carried unanimously. **Motion to accept the withdrawal request for case V-210037 carries on a vote of 6-0.**

**Adjournment**

There being no further business to come before the board the chairman adjourned the meeting at 5:53 p.m.

Respectfully Submitted

Paula Bonner, Planning Technician

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I hereby certify that the above minutes are true, correct and approved this \_\_\_\_ day of \_\_\_\_\_ 2021.

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Michael Cochran, Acting Chairman



# Baldwin County Planning & Zoning Department

## Board of Adjustment Number 1

### Board of Adjustment Staff Report

Case No. V-210031

Stimpson Property

Wetlands Setback Variance to allow for the Construction of a Parking Pad and house and also Fill Dirt  
October 19, 2021

### Subject Property Information

Planning District: 26  
General Location: Lot 4 of Point Clear Reserve  
Physical Address: 14048 Scenic 98  
Parcel Number: 05-56-04-18-0-000-081.004  
Zoning: RSF-1, Single Family District  
Lot Size: Approximately 0.258 acres  
Applicant: Abby Stimpson  
49 Jordan Ln  
Mobile, AL 36608  
Owner: Same  
Lead Staff: Celena Boykin, Senior Planner  
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Undeveloped	RSF-1
South	Residential	RSF-1
East	Timberland	RSF-1
West	Scenic 98/Residential	RSF-2

### Summary and Recommendation

The applicant is requesting a variance from the wetlands setback requirement to allow for the construction of a single-family dwelling with parking pad and any proposed fill dirt.

The proposed base floor area of the home(not including porches) is 1680 square feet. The applicant is proposing to fill 4,356 square feet of wetlands. Staff recommends **APPROVAL** of what is shown on site plan and feels that this would be warranted\*.

\* A majority vote of the board members will be necessary to approve this request.

### Variance Request

The applicant is requesting a variance from the wetlands setback requirement to allow for the construction of a single-family dwelling with parking pad and any proposed fill dirt.



## Section 4.2 RSF-1, Single Family District

**4.2.1 Generally.** This zoning district is provided to afford the opportunity for the choice of a low density residential environment consisting of single family homes on large lots.

**4.2.2 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.

**4.2.3 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.

**4.2.4 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 13.10: Bed and Breakfast Establishments*).

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

Maximum Height of Structure in Feet	35-Feet
Maximum Height in Habitable Stories	2 1/2
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

## Section 10.4 Wetland Protection Overlay District

**10.4.1 Purpose.** The wetlands within Baldwin County, Alabama are indispensable and fragile natural resources with significant development constraints due to flooding, erosion and soils limitations. In their natural state, wetlands serve man and nature. They provide habitat areas for fish, wildlife and vegetation; water quality maintenance and pollution control; flood control; erosion control; natural resource education; scientific study; and open space and recreational opportunities. In addition wise use of forested wetlands is essential to the economic well-being of Baldwin County. A considerable number of these important natural resources have been lost or impaired by draining, dredging, filling, excavating, building, pollution and other acts. Piecemeal or cumulative losses will, over time, destroy additional wetlands. Damaging or destroying wetlands threatens public safety and the general welfare. It is therefore necessary for Baldwin County to ensure maximum protection for wetlands by discouraging development activities that may adversely affect wetlands.

The purpose of the wetland protection overlay district is to promote wetland protection, while taking into account varying ecological, economic development, recreational and aesthetic values and to protect wetlands from alterations that will significantly affect or reduce their primary functions for water quality, floodplain and erosion control, groundwater recharge and wildlife habitat.

**10.4.2 Area of application.** The wetland protection overlay district applies to wetlands under the planning and zoning jurisdiction of Baldwin County. The Generalized Wetland Map adopted as part of these zoning ordinances shows the general location of wetlands and should be consulted by persons contemplating activities in or near wetlands. The Generalized Wetland Map, together with all explanatory matter thereon and attached thereto, is hereby adopted by reference and declared to be a part of these zoning ordinances. The Generalized Wetland Map shall be kept on file in the offices of the Planning & Zoning Department.

**10.4.3 Wetland protection district boundaries.** The Generalized Wetland Map is a general reference document and wetland boundaries indicated on the map are approximations. The Generalized Wetland Map is to alert developers/landowners if they are within proximity to a wetland, which means that there is a high likelihood of the presence of a jurisdictional wetland and a need for the developer/landowner to seek U.S. Army Corps of Engineers guidance as to whether a Section 404 permit will be required prior to any activity. The Generalized Wetland Map does not represent the boundaries of jurisdictional wetlands within the jurisdiction of Baldwin County and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended. Any local government action under this section does not relieve the landowner from federal or state permitting requirements.

**10.4.4 Permit requirements.** A U.S. Army Corps of Engineers wetlands jurisdictional determination if the proposed planned development contains wetlands or if the Zoning Administrator or his/her designee determines potential wetlands from the Generalized Wetland map as defined herein, or through a site visit by County Staff. **The setback for development from a wetland must be a minimum of 30 feet.**

If the area proposed for development is located in or within the wetland protection district boundary, as determined from the Generalized Wetland Map, a U.S. Army Corps of Engineers jurisdictional determination shall be required prior to the issuance of a Land Use Certificate. If the Corps determines that wetlands are present on the proposed development site and that a Section 404 Permit or Letter of Permission is required, a Land Use Certificate will be issued only following issuance of the Section 404 Permit or Letter of Permission. Any application for subdivision approval on property which contains wetlands or if the Zoning Administrator or his/her designee determines potential wetlands from the Generalized Wetland map defined herein through a site visit by County Staff, will have to obtain a U.S. Army Corps of Engineers wetlands jurisdictional determination. If the Corps determines that wetlands are present and that a Section 404 Permit or Letter of Permission is required, development may not proceed until the Section 404 Permit or Letter of Permission is issued.

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 currently vacant. The adjoining properties are residential and undeveloped. The property adjoins Scenic 98 to the west. County Road 1 is a county maintained paved road. According to the survey submitted the property is 70 feet wide and 163 feet deep. The approximate square footage is 11,410 square feet. The required minimum lot area for the RSF-1 zoning designation is 30,000 square feet and the minimum lot width at building line is 100 feet. As a result, the lot is nonconforming. However, since the property is a lot of record, which was pre-existing at the time zoning was adopted; it may be used as a building site, but must conform to all zoning requirements, with the exceptions of square footage and lot width.

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

Per the site plan submitted, the property is inundated with wetlands. As this variance pertains to wetlands setback requirements, staff believes the location of wetlands on the property does not leave any buildable area to meet the 30-foot wetlands setback requirement. Based on the excessive amount of wetlands, staff believes the property meets the standard of topographic conditions and extraordinary situations and that only the minimum should be filled.

**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.**

As stated previously, the purpose of this request is to allow for the construction of a single-family which is permitted by the RSF-1 zoning. Due to the presence of wetlands on the property, staff feels the granting of the application is necessary for the preservation of property right but that only the minimum should be filled to build.

**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 anticipate any adverse impacts, therefore staff does not believe the granting of this application 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.

**5.) Other matters which may be appropriate.**

Applicant has received approval from USACOE for a permit to fill a portion of the wetlands and a permit from ADEM.

## Staff Comments and Recommendation

As stated previously, the applicant is requesting a variance from the wetlands setback requirement to allow for the construction of a single-family dwelling with parking pad and any proposed fill dirt.

The proposed base floor area of the home(not including porches) is 1680 square feet. The applicant is proposing to fill 4,356 square feet of wetlands. Staff recommends **APPROVAL** of what is shown on site plan and feels that this would be warranted\*.

*\* A majority vote of the board members will be necessary to approve this request.*

### **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.



## Neighbor's Letter and Pictures

Dear Commissioners,

Please permit me to comment upon the above-referenced variance request.

I own properties adjacent to the subject parcel (both north and east), and while I generally have no objection to this particular variance request, I ask that the Commission make it a requirement of approval that an accurate survey be obtained with boundary lines marked and silt fencing be installed to protect my properties from encroachment by the proposed fill.

The attached photos, taken today, appear to show that clearing of this lot has already taken place, and that there already is encroachment both of land-clearing across my boundary and loose sand settling onto my adjacent parcel to the north.

Thank you very much for permitting me to express my concerns.

Respectfully,

Dave Wirtes

David G. Wirtes, Jr.

**Cunningham Bounds, LLC**  
Phone: (251) 471-6191  
Fax: (251) 479-1031  
Toll Free: (800) 472-6191  
DGW@cunninghambounds.com  
www.cunninghambounds.com  
Post Office Box 66705  
Mobile, AL 36660



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## Subject property



September 3, 2021



Adjacent property to the north



September 3, 2021





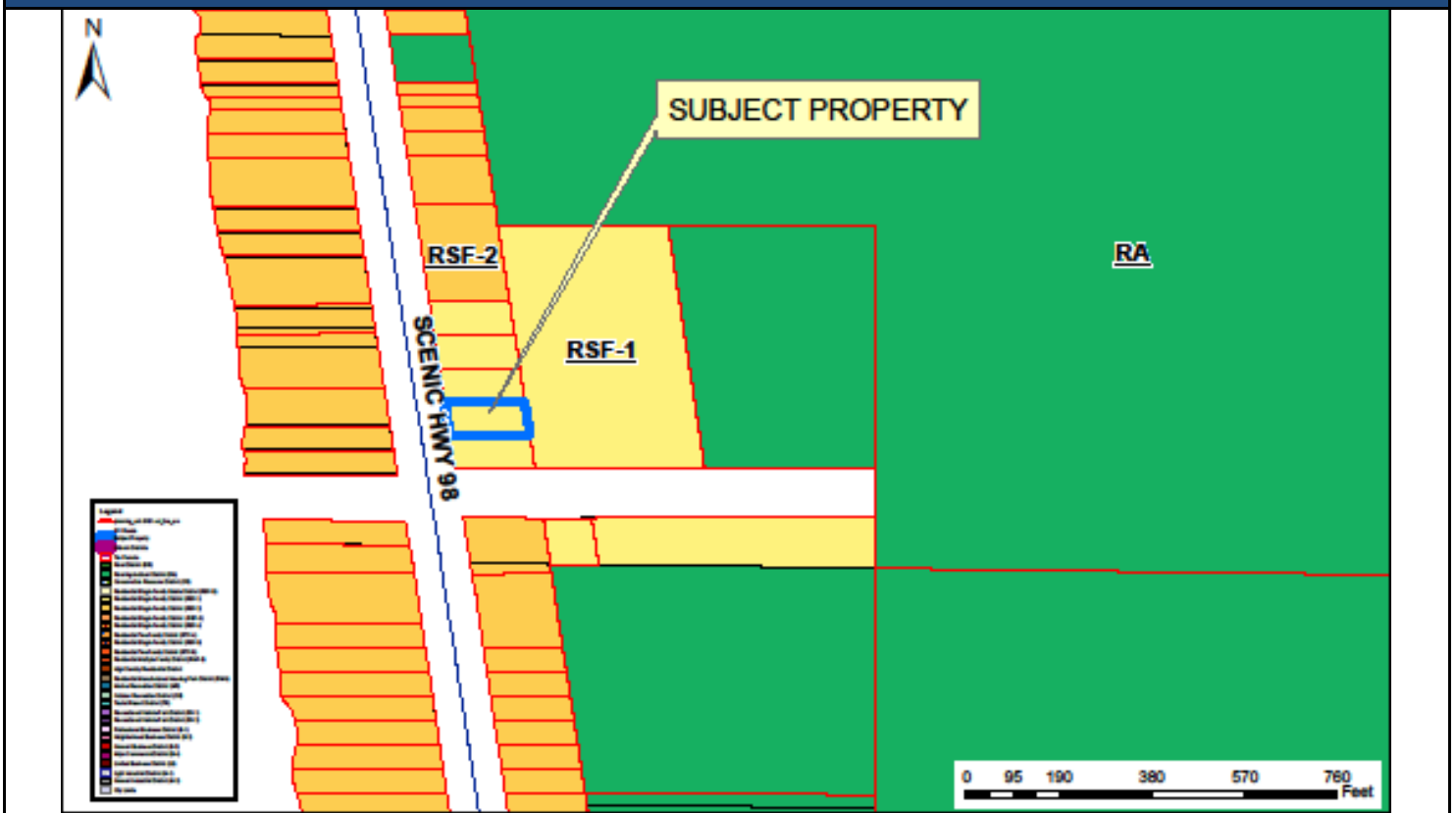


Property to the west- across the street

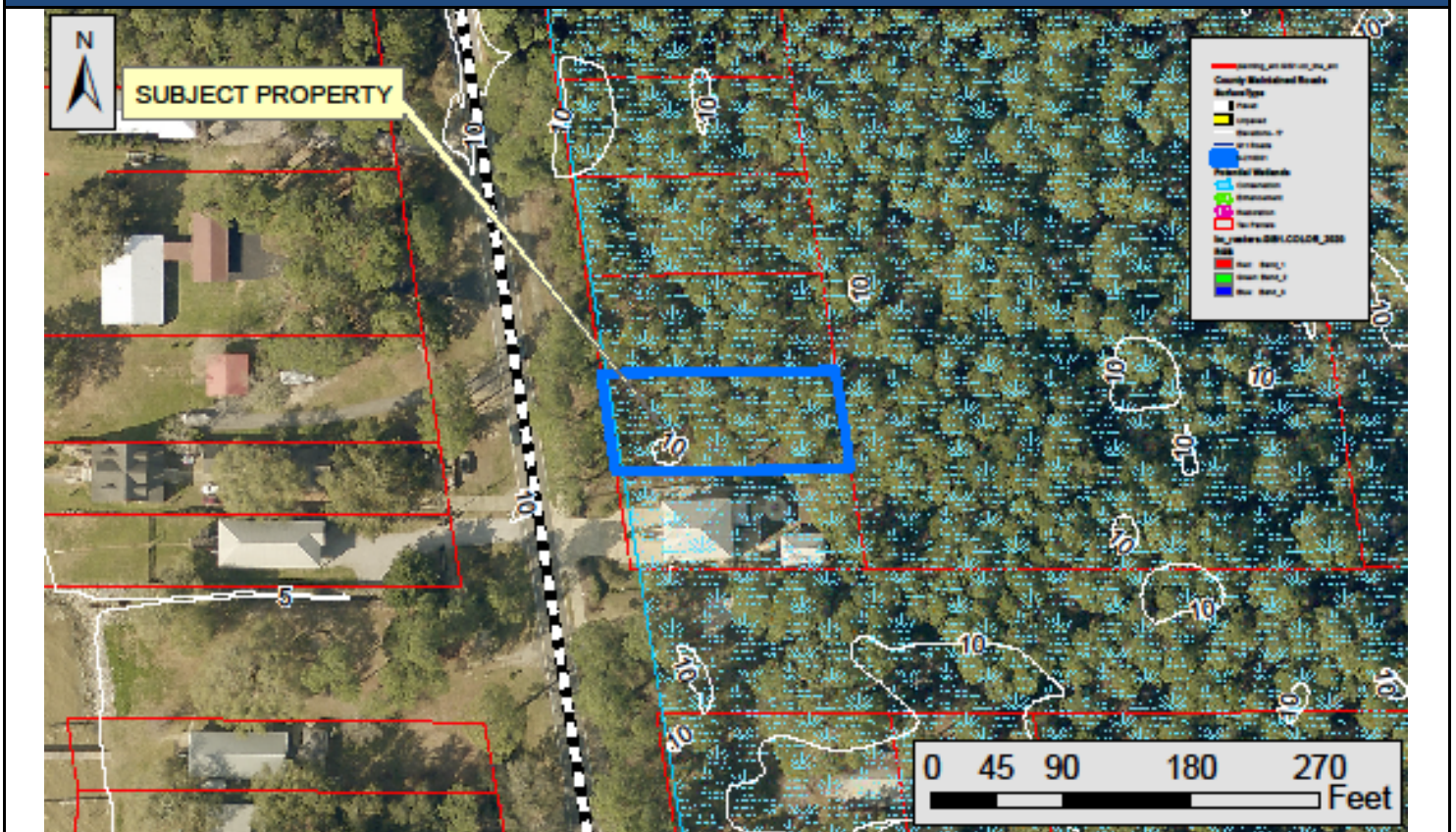




## Locator Map

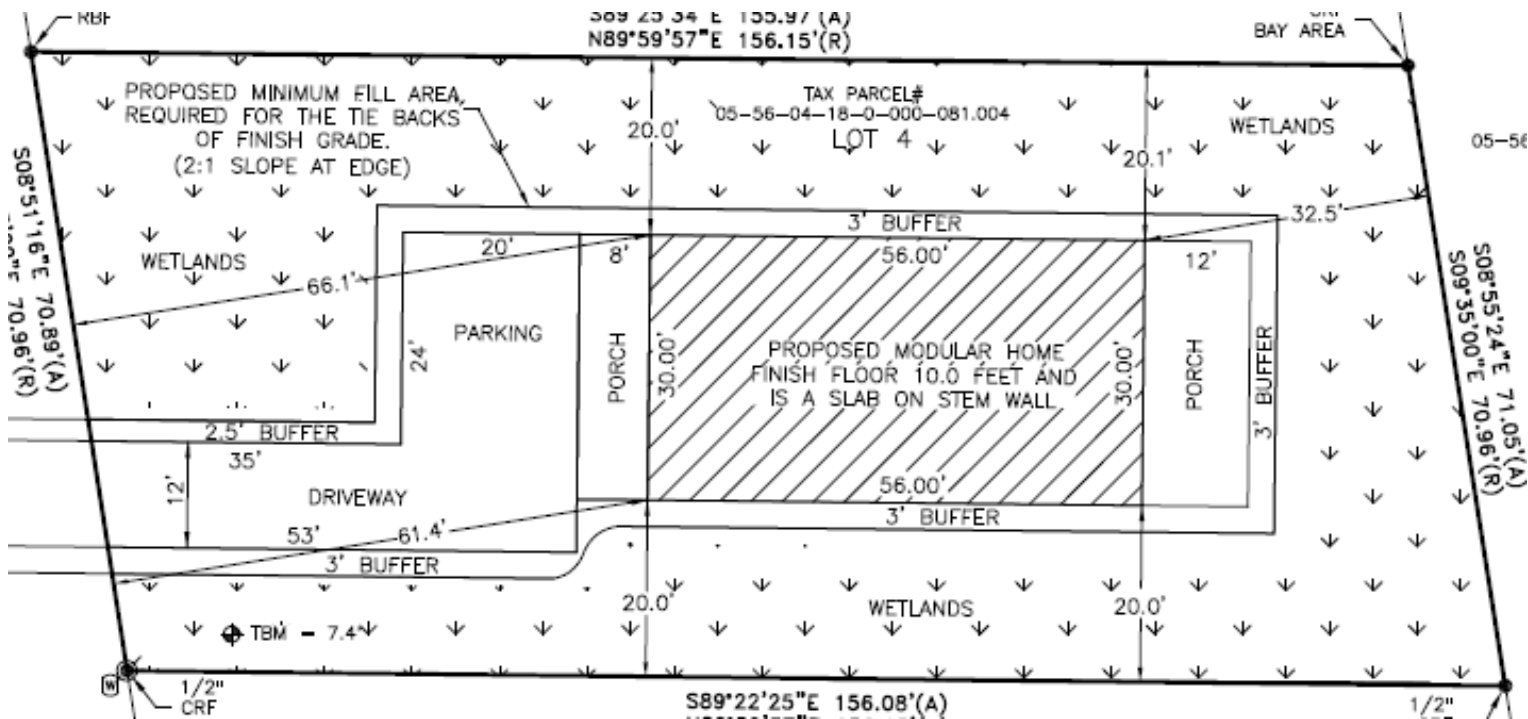
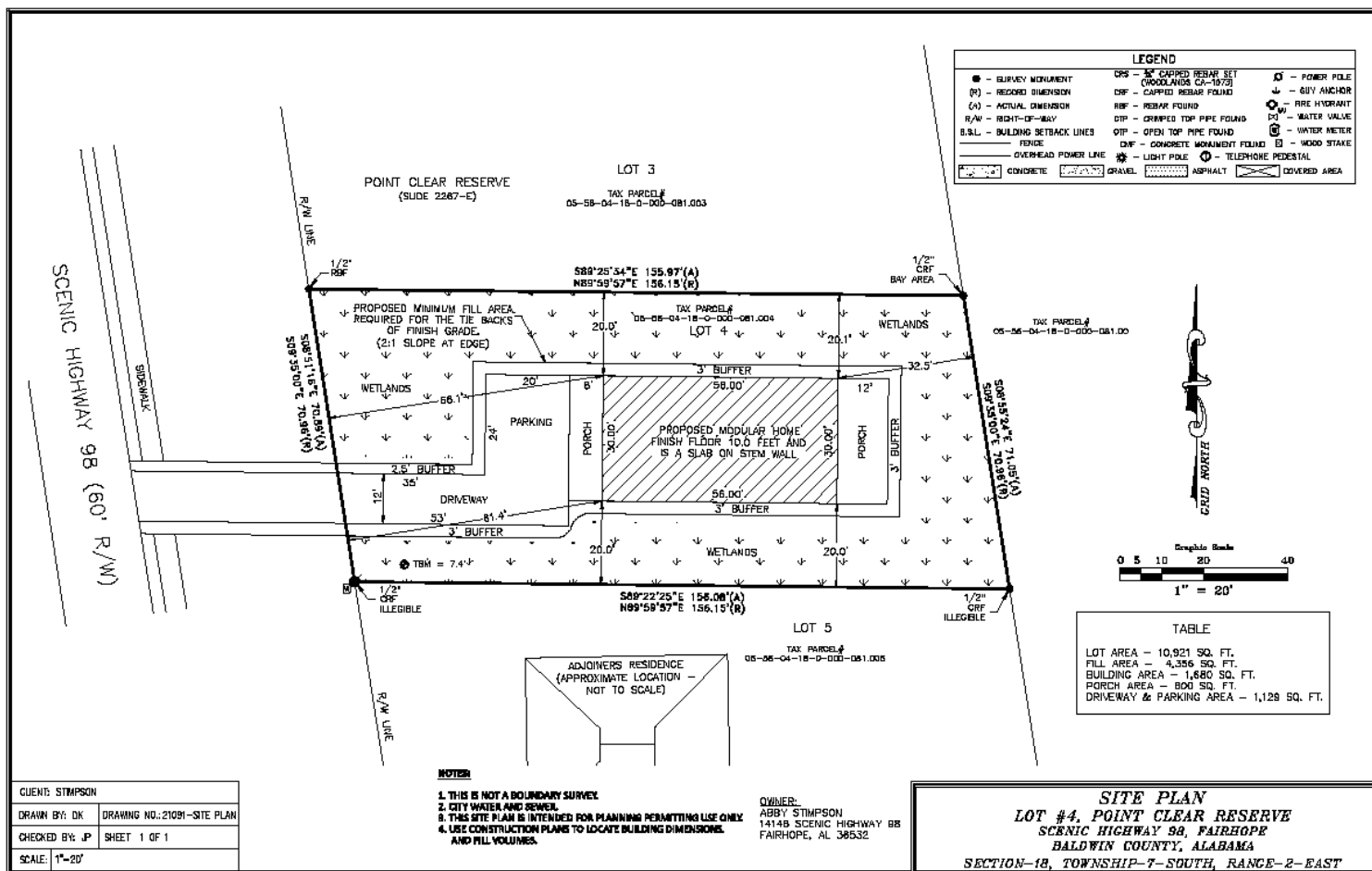


## Site Map

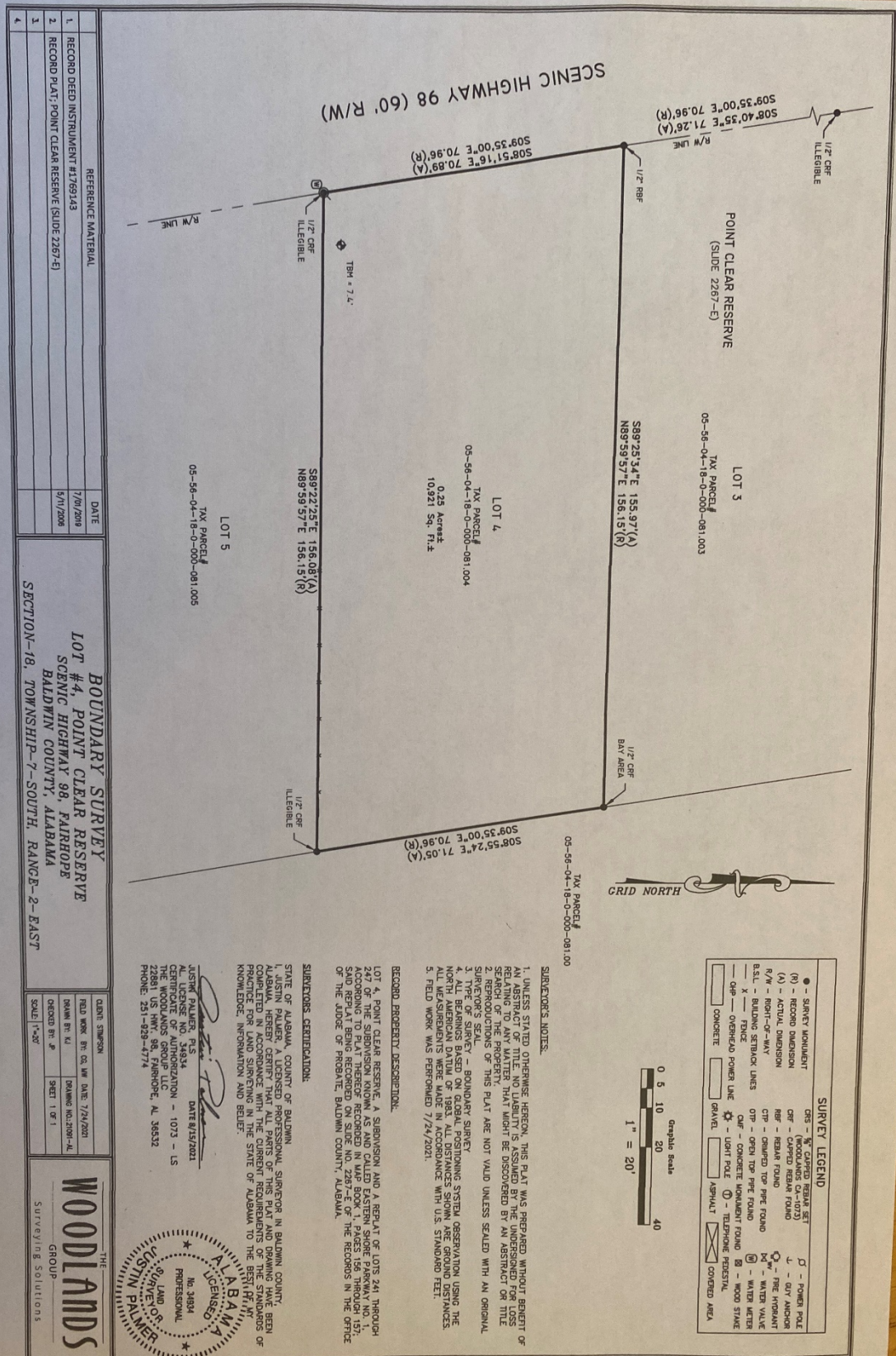




## Site Plan Submitted with V-210031



# Survey





**COMPLIANCE CERTIFICATION**



**US Army Corps of Engineers  
Mobile District**

Permit Number: **SAM-2020-00379-LML**

Name of Permittee: **Abby Stimpson**

Date of Issuance: **May 26, 2021**

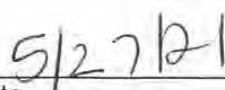
Upon completion of the activity authorized by this permit and any mitigation required by the permit, please sign this certification and return it to the following address:

U.S. Army Corps of Engineers  
Mobile District  
Regulatory Division  
Post Office Box 2288  
Mobile, Alabama 36628-0001

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit, the permit is subject to permit suspension, modification, or revocation and you are subject to an enforcement action by this office.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit including any general or specific conditions, and the required mitigation was completed in accordance with the permit conditions and documentation required by 33 CFR 332.3(l)(3) has been provided to this office.

  
\_\_\_\_\_  
Signature of Permittee

  
\_\_\_\_\_  
Date



## COASTAL AREA MANAGEMENT PROGRAM VARIANCE

USE TYPE: ADEM Admin. Code r. 335-8-2-.02  
Dredging and/or Filling Coastal Wetlands

APPLICANT: Abby Stimpson

VARIANCE NUMBER: ACAMP-2020-210-VAR

U.S. ARMY CORPS OF ENGINEERS  
PROJECT FILE NUMBER: SAM-2020-00379-LML

PROJECT LOCATION: Lot 4 Point Clear Reserve, Hwy 98, Baldwin County, AL  
Parcel ID No. 05-45-07-25-0-000-008.000

PROJECT DESCRIPTION: Placement of clean fill into approximately 0.1 acres of coastal wetlands for the purpose of the construction of a drive, parking pad and house.

*In accordance with and subject to the provisions of Code of Alabama 1975, §§9-7-10 et. seq. and §§22-22A-1 et. seq. rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this variance, the applicant described in this variance is hereby authorized to conduct the above referenced activities.*

CONSTRUCTION/ACTIVITIES AUTHORIZED BY THIS VARIANCE IS VALID FOR A PERIOD OF **5**  
**YEARS** FROM THE DATE OF ISSUANCE.

ISSUED THIS 19<sup>th</sup> DAY OF May 2021

  
Abby Stimpson  
Alabama Department of Environmental Management

## ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name ABBY STIMPSON				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14148 Scenic Highway 98				Company NAIC Number:	
City Fairhope		State Alabama		ZIP Code 36532	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Lot 4, Point Clear Reserve, 05-56-04-18-0-000-081.004					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>30°25'45.57"</u> Long. <u>87°54'35.49"</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>1B</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) _____ sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A8.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage _____ sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A9.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number BALDWIN COUNTY - 015000			B2. County Name BALDWIN		B3. State Alabama
B4. Map/Panel Number 01003C0766M	B5. Suffix M	B6. FIRM Index Date 04-19-2019	B7. FIRM Panel Effective/ Revised Date 04-19-2019	B8. Flood Zone(s) X-SHADED	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 9'
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					



# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2022

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 14148 Scenic Highway 98			Policy Number:	
City Fairhope	State Alabama	ZIP Code 36532	Company NAIC Number	

**SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)**

C1. Building elevations are based on: ☒ Construction Drawings\* ☐ Building Under Construction\* ☐ Finished Construction  
 \*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO.  
 Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.  
 Benchmark Utilized: ALDOT-CORS STA "MOBILE" Vertical Datum: NAVD88(GEOID12B)

Indicate elevation datum used for the elevations in items a) through h) below.  
☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: \_\_\_\_\_


Datum used for building elevations must be the same as that used for the BFE.


		Check the measurement used.		
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	10.0	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters	
b) Top of the next higher floor	N/A	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters	
c) Bottom of the lowest horizontal structural member (V Zones only)	N/A	<input type="checkbox"/> feet	<input type="checkbox"/> meters	
d) Attached garage (top of slab)		<input type="checkbox"/> feet	<input type="checkbox"/> meters	
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)		<input type="checkbox"/> feet	<input type="checkbox"/> meters	
f) Lowest adjacent (finished) grade next to building (LAG)	7.4	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters	
g) Highest adjacent (finished) grade next to building (HAG)	8.8	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters	
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support		<input type="checkbox"/> feet	<input type="checkbox"/> meters	

**SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION**

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.  
 I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

Certifier's Name JUSTIN PALMER	License Number 34934	
Title LICENSED PROFESSIONAL SURVEYOR		
Company Name THE WOODLANDS GROUP LLC		
Address 22881 HIGHWAY 98		
City FAIRHOPE	State Alabama	

Signature 	Date 09-27-2021	Telephone (251) 929-4774	Ext.
--	--------------------	-----------------------------	------

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)  
 ITEMS C2.(a&b) are proposed (not yet built) and based on information provided by the owner.



# Baldwin County Planning & Zoning Department

## Board of Adjustment Number 1

### Board of Adjustment Staff Report

Case No. V-210036

Whitney Property

Wetland Setback Variance to allow for Construction of a Single- Family Dwelling

October 19th, 2021

### Subject Property Information

Planning District: 26  
General Location: Lot 14 Block A, Jubilee Point Subdivision  
Physical Address: County Road 1  
Parcel Number: 05-56-09-29-0-000-060.000  
Zoning: RSF-2, Single Family District  
Lot Size: Approximately 50x195  
Applicant: Scott & Tammy Whitney  
15460. County Rd 3  
Fairhope, AL 36532  
Owner: Same  
Lead Staff: Crystal Bates, Planning Technician  
Attachments: *Within Report*

	Adjacent Land Use	Adjacent Zoning
North	Residential	RSF-2
South	Residential	RSF-2
East	Undeveloped	RA
West	Water Body	Mobile Bay

### Summary and Recommendation

The applicant is requesting a variance from wetlands setback requirement to allow for the construction of a single-family dwelling.

Staff recommends that Case No. V-210036, Whitney Property, be **APPROVED** based on the comments contained herein. \*

### Variance Request

The applicant is requesting a variance from Section 10.4.4, Wetland Overlay District, of the Baldwin County Zoning Ordinance as it pertains to building setbacks to allow for the construction of a single- family dwelling. Wetlands are present along the side property lines as per site plan submitted and CORP permit has been approved and the parcel has been previously filled. The applicant is asking to build 24 x 34 single family dwelling up to the wetlands but not in the unfilled wetlands.

### Section 4.3 RSF-2, Single Family District

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
Maximum Height in Habitable Stories	2 1/2
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 2.3.26 Planning District 26

#### 2.3.26.3 Local Provisions for Planning District 26

(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.

### Section 10.4 Wetland Protection Overlay District

10.4.1 *Purpose.* The wetlands within Baldwin County, Alabama are indispensable and fragile natural resources with significant development constraints due to flooding, erosion and soils limitations. In their natural state, wetlands serve man and nature. They provide habitat areas for fish, wildlife and vegetation; water quality maintenance and pollution control; flood control; erosion control; natural resource education; scientific study; and open space and recreational opportunities. In addition wise use of forested wetlands is essential to the economic well-being of Baldwin County. A considerable number of these important natural resources have been lost or impaired by draining, dredging, filling, excavating, building, pollution and other acts. Piecemeal or cumulative losses will, over time, destroy additional wetlands. Damaging or destroying wetlands threatens public safety and the general welfare. It is therefore necessary for Baldwin County to ensure maximum protection for wetlands by discouraging development activities that may adversely affect wetlands.

The purpose of the wetland protection overlay district is to promote wetland protection, while taking into account varying ecological, economic development, recreational and aesthetic values and to protect wetlands from alterations that will significantly affect or reduce their primary functions for water quality, floodplain and erosion control, groundwater recharge and wildlife habitat.

10.4.2 *Area of application.* The wetland protection overlay district applies to wetlands under the planning and zoning jurisdiction of Baldwin County. The Generalized Wetland Map adopted as part of these zoning ordinances shows the general location of wetlands and should be consulted by persons contemplating activities in or near wetlands. The Generalized Wetland Map, together with all explanatory matter thereon and attached thereto, is hereby adopted by reference and declared to be a



part of these zoning ordinances. The Generalized Wetland Map shall be kept on file in the offices of the Planning & Zoning Department.

**10.4.3 Wetland protection district boundaries.** The Generalized Wetland Map is a general reference document and wetland boundaries indicated on the map are approximations. The Generalized Wetland Map is to alert developers/landowners if they are within proximity to a wetland, which means that there is a high likelihood of the presence of a jurisdictional wetland and a need for the developer/landowner to seek U.S. Army Corps of Engineers guidance as to whether a Section 404 permit will be required prior to any activity. The Generalized Wetland Map does not represent the boundaries of jurisdictional wetlands within the jurisdiction of Baldwin County and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended. Any local government action under this section does not relieve the land owner from federal or state permitting requirements.

**10.4.4 Permit requirements.** A U.S. Army Corps of Engineers wetlands jurisdictional determination if the proposed planned development contains wetlands or if the Zoning Administrator or his/her designee determines potential wetlands from the Generalized Wetland map as defined herein, or through a site visit by County Staff. **The setback for development from a wetland must be a minimum of 30 feet.**

If the area proposed for development is located in or within the wetland protection district boundary, as determined from the Generalized Wetland Map, a U.S. Army Corps of Engineers jurisdictional determination shall be required prior to the issuance of a Land Use Certificate. If the Corps determines that wetlands are present on the proposed development site and that a Section 404 Permit or Letter of Permission is required, a Land Use Certificate will be issued only following issuance of the Section 404 Permit or Letter of Permission. Any application for subdivision approval on property which contains wetlands or if the Zoning Administrator or his/her designee determines potential wetlands from the Generalized Wetland map defined herein through a site visit by County Staff, will have to obtain a U.S. Army Corps of Engineers wetlands jurisdictional determination. If the Corps determines that wetlands are present and that a Section 404 Permit or Letter of Permission is required, development may not proceed until the Section 404 Permit or Letter of Permission is issued.

#### 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 currently zoned residential and is vacant. The parcel is 50' wide and 195' deep and appears to be flat. The adjoining properties are residential. The property adjoins County Road 1 to the West. County Road 1 is a County maintained paved road. Allowing the home built in the filled area will keep down more intrusion into the wetlands therefore, Staff believes the property meets the exceptional narrowness and shallowness standard.

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

Wetlands are on each side of the property line which prohibits them on meeting the 30' wetland setback. Based on the excessive wetlands, staff believes the property meets the standard of topographic conditions and extraordinary situations.

**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 purpose of the variance request is to allow for the construction of a single-family dwelling which is allowed in the RSF-2 zoning designation. Therefore, staff believes the granting of a variance is necessary for the preservation of a property right and not merely to serve as a convenience to the applicant.

**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 anticipate any adverse impacts, therefore staff does not believe the granting of this application 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.

**5.) Other matters which may be appropriate.**

The applicant has provided us with a CORP permit and the property was filled by previous property owner. The proposed site plan submitted meets CORP approval.

#### **Staff Comments and Recommendation**

Staff recommends that Case V-210037, Whitney 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.







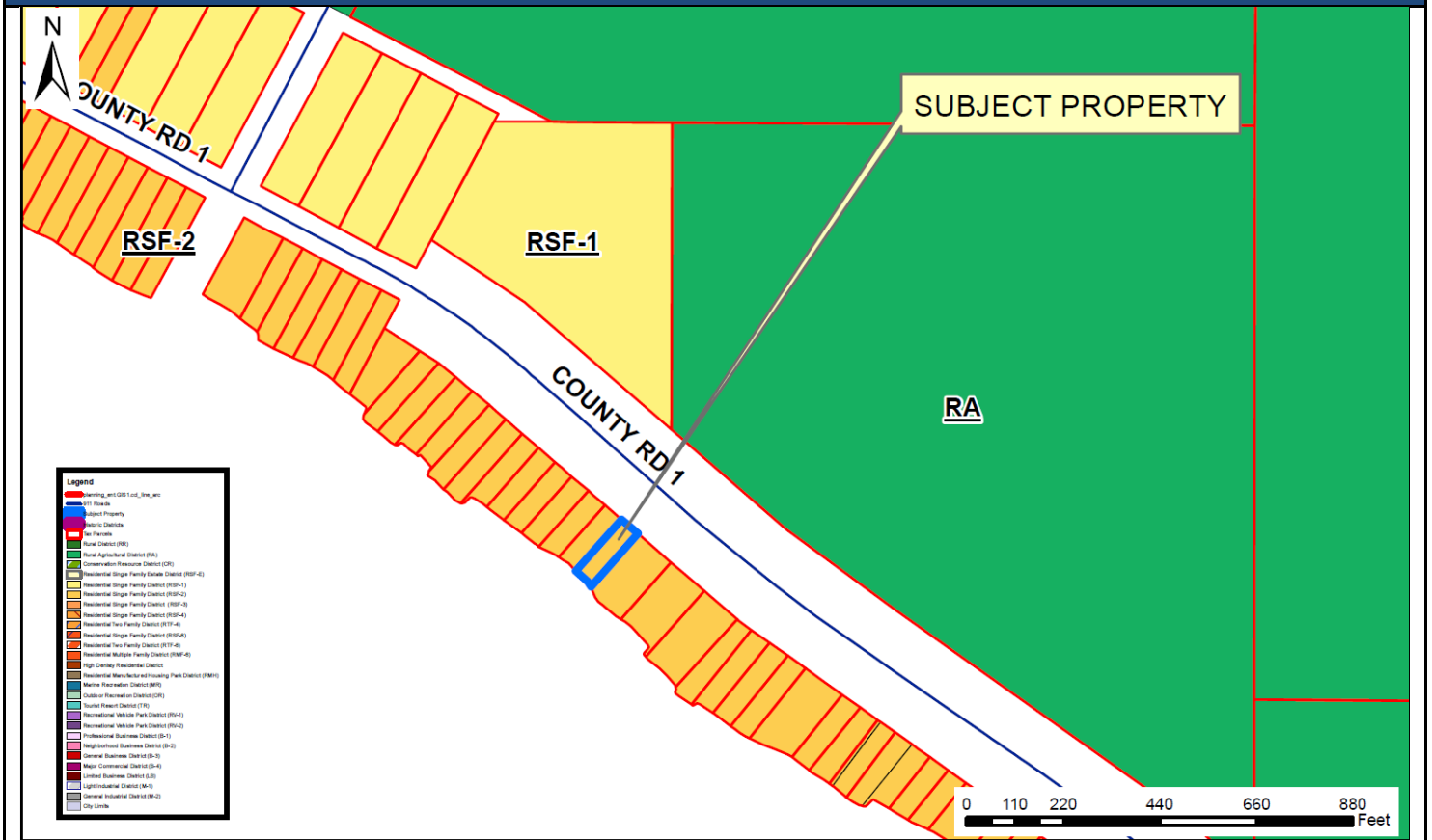




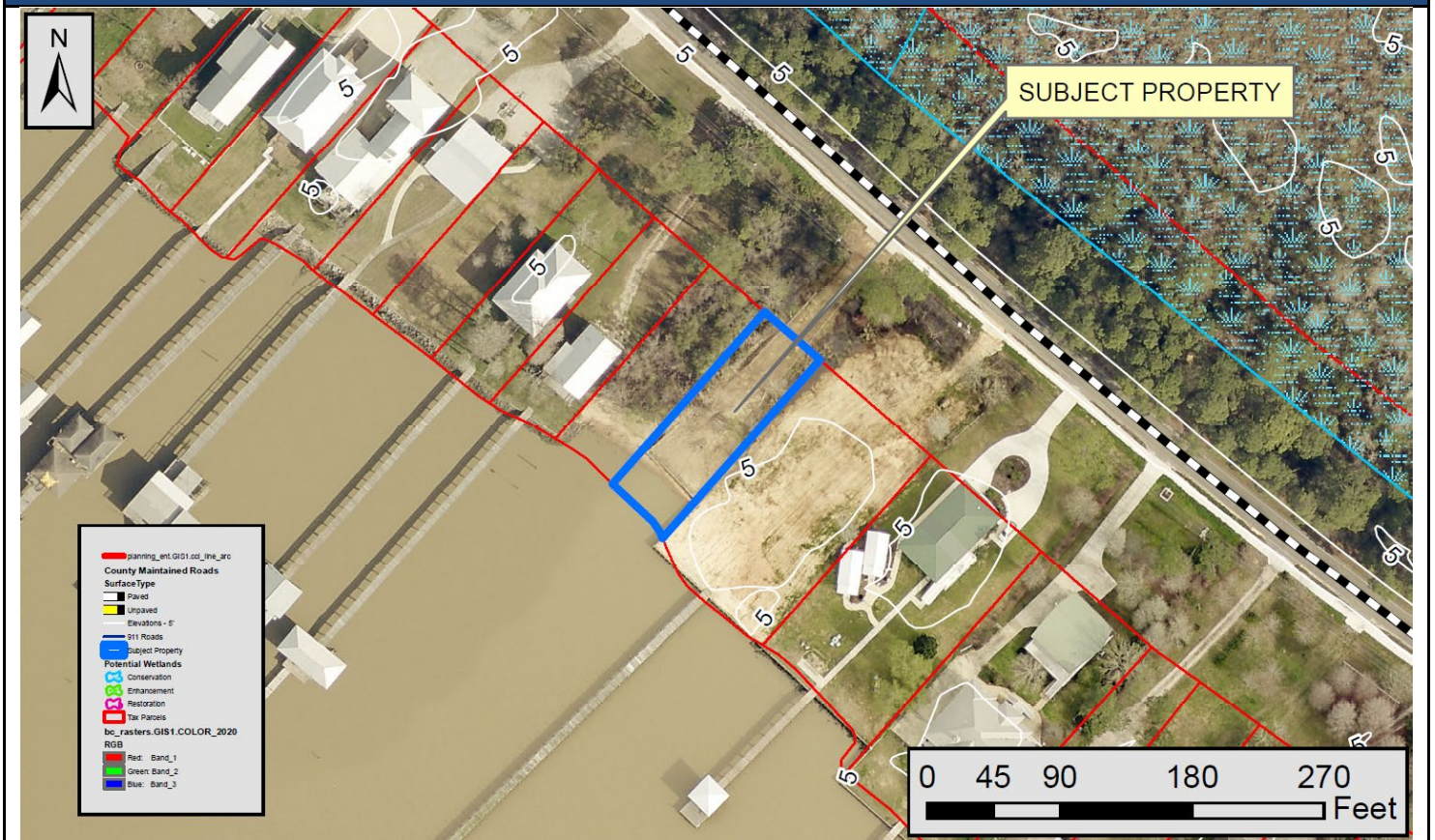




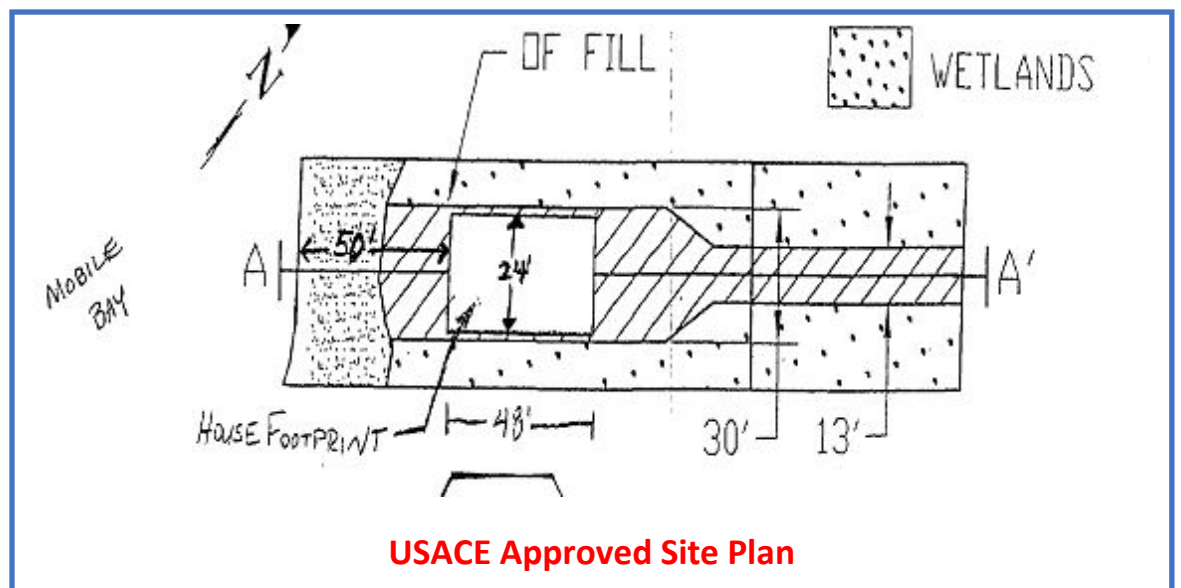
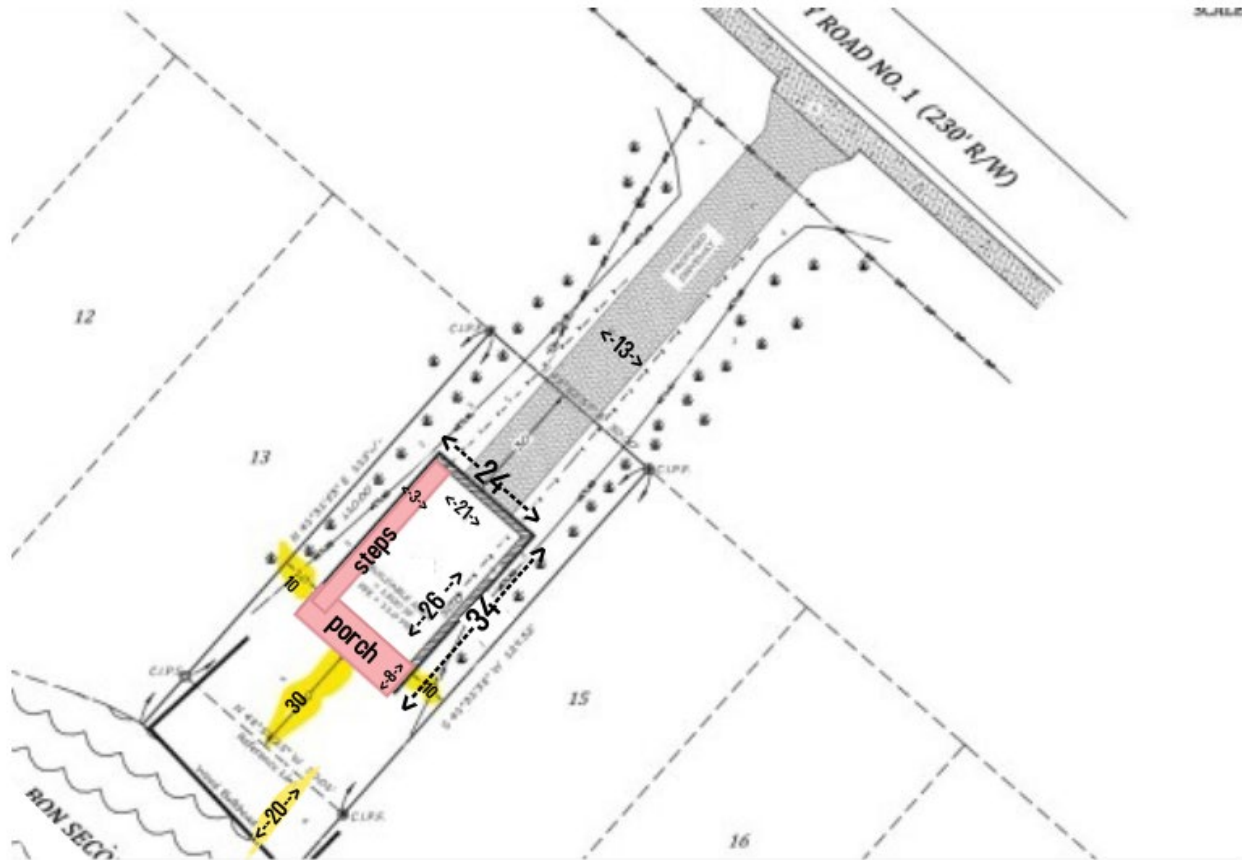
## Locator Map



## Site Map



## Site Plan Submitted



## Corp Permit



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**MOBILE DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 2288  
MOBILE, AL 36628-0001

January 17, 2013

Coastal Branch  
Regulatory Division

SUBJECT: Department of the Army Nationwide Permit Number SAM-2012-00860-HEH,  
John David Miller, Mobile Bay East

Mr. John David Miller  
14028 Highway 181  
Fairhope, Alabama 36532

Dear Mr. Miller:

This letter is in response to your October 15, 2012 request for a Department of the Army (DA) verification to place fill material for the construction of a house pad and driveway in waters of the United States (U.S.) under Nationwide Permit (NWP) Number 18, Minor Discharges. Specifically, the project site is located on Lot 14, Block A, Jubilee Point Subdivision on Mobile Bay, County Road 1, Fairhope, in Section 29, Township 7 South, Range 2 East (near Latitude 30.40353 and Longitude -87.8543) Baldwin County, Alabama.

Approximately 465 cubic yards of commercially-obtained clean fill shall be placed in 4,350 square feet (0.09 acre) of low quality forested wetlands to provide a surface area for a residential house pad and driveway. As compensation for unavoidable loss of low quality forested wetland functions you are required to purchase the appropriate number of mitigation credits from a Corps-approved mitigation bank.

Department of the Army permit authorization is necessary because your project would involve work in or placement of fill material into waters of the U.S., including wetlands under our regulatory jurisdiction.

Based upon the information and plans you provided, we hereby verify that the work described above, which would be performed in accordance with the enclosed plan (2 sheets), dated January 17, 2013, is authorized by Nationwide Permit (NWP) No.18, Minor Discharges in accordance with 33 CFR Part 330 of our regulations. This NWP and its associated Regional and General Conditions can be viewed at our website at [www.sam.usace.army.mil/RD/reg](http://www.sam.usace.army.mil/RD/reg). You must comply with all the special and general conditions and any project specific conditions of this authorization or you may be subject to enforcement action. In the event you have not completed construction or your project within the specified time limit, a separate application or re-verification may be required.

**If the activity authorized herein is not completed on or before January 17, 2015, this permit, if not previously revoked or specifically extended, shall automatically expire.**



Pursuant to 33 CFR 330.6(a)(4): Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon an NWP will remain authorized provided the activity is completed within twelve months of the date of an NWP's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 330.4 (e) and 33 CFR 330.5 (c) or (d). Activities completed under the authorization of an NWP which was in effect at the time the activity was completed continue to be authorized by that NWP.

The following terms and conditions associated with NWP No. 18, as well as with the special conditions are included with this verification:

**a. Should artifacts or archaeological features be encountered during project activities, work shall cease and the Alabama State Historic Preservation Officer and Mobile District shall be consulted immediately.**

**b. As mitigation for project impacts, the permittee shall purchase appropriate in-kind mitigation credits to offset the loss of 0.09 acres of low quality forested wetlands. Written proof of purchase from an approved, local mitigation bank shall be provided to the Mobile District office prior to commencement of construction activities authorized by this permit.**

**c. Best management practices shall be implemented to minimize erosion, siltation and damage to adjacent wetlands and waters of the United States. Appropriate erosion and siltation control measures must be used and maintained in effective operating condition during construction. All temporary erosion control features shall remain in place until permanent stabilization measures have been completed and have become fully effective.**

**d. Only suitable material free of waste, metal and organic trash, unsightly debris, etc., may be used as fill and material discharged must be free from toxic pollutants in toxic amounts.**

**e. The disposal of trees, brush and other debris in any stream corridor, wetland or surface water is prohibited.**

**f. All excavation and fill activities shall be performed in a manner that minimizes disturbance and turbidity increases in "waters of the United States" and wetlands; and shall be retained in a manner to preclude its erosion into any adjacent wetlands or waterway.**

**g. The movement of equipment within wetlands shall be limited to the minimum necessary to accomplish the work authorized herein. All equipment required to traverse wetland areas shall be supported on mats. Equipment and building materials cannot be stored on adjacent wetland areas.**

**h. Project construction shall be conducted in such a manner the passage of normal and expected high flows of surface water runoff outside the project boundaries is not restricted or otherwise altered.**

**i. The permittee will contact the community's designated responsible officials to obtain necessary permits and to ensure all floodplain ordinances and safety precautions in effect for this area are met.**

Nothing in this letter shall be construed as excusing you from compliance with other Federal, State, or local statutes, ordinances, or regulations which may affect this work.

Please note, NWP General Condition 26 (*Compliance Certification*) requires that every permittee who has received NWP verification must submit a signed certification regarding the completed work and any required mitigation. Enclosure 1, attached, is the form you must complete and return to us to satisfy this requirement.

A copy of the verification has been furnished to the Department of Environmental Management, Coastal Area Division, Attention: Mr. Scott Brown, 4171 Commanders Drive, Mobile, Alabama 36615 and also to Wetland Resources, C/O: Gena Todia, P.O. Box 2694, Dauphin, Alabama 36526.

Please contact me at (251) 690-3262 if you have any questions. For additional information about our Regulatory Program, visit our web site at [www.sam.usace.army.mil/RD/reg](http://www.sam.usace.army.mil/RD/reg), and please take a moment to complete our customer satisfaction survey while you're there. Your responses are appreciated and will allow us to improve our services.

Sincerely,



Harry E. Halley  
Project Manager, Coastal Branch  
Regulatory Division

NEH 1/18/13  
H. HALLEY/3262/avr  
J. EARE  
4-18-13  
FILE

Enclosures

When the structures or work authorized by this nationwide permit (SAM-2012-00860-HEH) are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEEE)

\_\_\_\_\_  
(DATE)

**Enclosure 1**



**US Army Corps of Engineers  
Mobile District**

Permit Number: SAM-2012-00860-HEH

Name of Permittee: John David Miller

Date of Issuance: January 17, 2013

Upon completion of the activity authorized by this permit and any mitigation required by the permit, please sign this certification and return it to the following address:

U.S. Army Corps of Engineers  
Mobile District  
Regulatory Division  
Coastal Branch/Halley  
Post Office Box 2288  
Mobile, Alabama 36628-0001

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit, the permit is subject to permit suspension, modification, or revocation and you are subject to an enforcement action by this office.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit including any general or specific conditions, and the required mitigation was completed in accordance with the permit conditions.

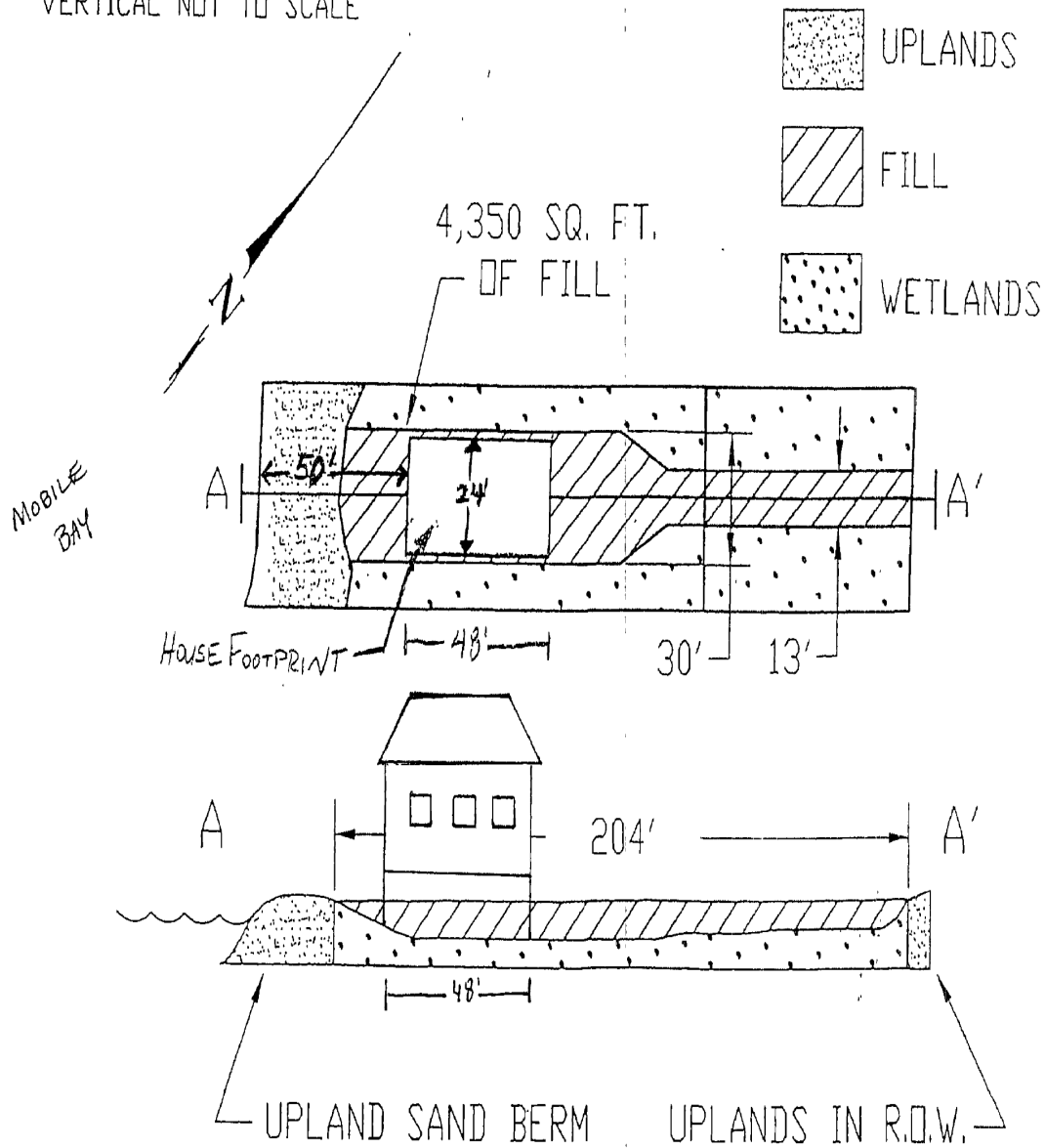
\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

JOHN DAVID MILLER

HORIZONTAL SCALE 1"=40'

VERTICAL NOT TO SCALE



SAM-2012-06860-11-11  
DEPT OF THE ARMY PERMIT 1-17-2013

**Crystal N. Bates**

---

**From:** Ashley Campbell  
**Sent:** Thursday, October 7, 2021 10:57 AM  
**To:** Crystal N. Bates  
**Cc:** Linda Lee  
**Subject:** FW: Variance Request-210036

See USACE comments below regarding Variance Request-210036

---

**From:** Hendrix, Dylan C CIV USARMY CESAM (USA) <[Dylan.C.Hendrix@usace.army.mil](mailto:Dylan.C.Hendrix@usace.army.mil)>  
**Sent:** Thursday, October 7, 2021 8:57 AM  
**To:** Ashley Campbell <[Ashley.Campbell@baldwincountyal.gov](mailto:Ashley.Campbell@baldwincountyal.gov)>  
**Subject:** RE: Variance Request-210036

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

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No objections here. We don't usually impose wetland setbacks or buffers unless there's a special case.

Dylan C. Hendrix  
Team Leader, South Alabama Branch  
Mobile District, Regulatory Division  
U.S. Army Corps of Engineers  
Phone: 251-694-3772  
Email: [dylan.c.hendrix@usace.army.mil](mailto:dylan.c.hendrix@usace.army.mil)

---

**From:** Ashley Campbell <[Ashley.Campbell@baldwincountyal.gov](mailto:Ashley.Campbell@baldwincountyal.gov)>  
**Sent:** Thursday, October 7, 2021 8:47 AM  
**To:** Hendrix, Dylan C CIV USARMY CESAM (USA) <[Dylan.C.Hendrix@usace.army.mil](mailto:Dylan.C.Hendrix@usace.army.mil)>  
**Subject:** [Non-DoD Source] RE: Variance Request-210036

Since he corrected the issues, does the USACE have any objects to the county issuing a variance for our wetland setbacks? The variance is needed because wetlands were filled with a USACE permit.

---

**From:** Hendrix, Dylan C CIV USARMY CESAM (USA) <[Dylan.C.Hendrix@usace.army.mil](mailto:Dylan.C.Hendrix@usace.army.mil)>  
**Sent:** Thursday, October 7, 2021 8:40 AM  
**To:** Ashley Campbell <[Ashley.Campbell@baldwincountyal.gov](mailto:Ashley.Campbell@baldwincountyal.gov)>  
**Subject:** RE: Variance Request-210036

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

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Hey Ashely,

Sorry for the delayed response. The original permittee – John Miller – did purchase the required mitigation credits for the original fill footprint authorized on 1/17/2013. During placement of the fill later in 2013 BMPs were not used and the fill area sloughed into adjacent wetlands. At the time, I was working for ADEM and coordinated with Mr. Miller to get the site restored. ADEM's file probably has a more complete record, but I do recall that he was eventually brought into compliance through voluntary restoration. I haven't had any involvement since then, so I'm not sure if conditions have changed. Attached is a drawing showing the area that was over-filled and restored.

Let me know if you need anything else!

Thanks,

Dylan C. Hendrix  
Team Leader, South Alabama Branch  
Mobile District, Regulatory Division  
U.S. Army Corps of Engineers  
Phone: 251-694-3772  
Email: [dylan.c.hendrix@usace.army.mil](mailto:dylan.c.hendrix@usace.army.mil)

---

**From:** Ashley Campbell <[Ashley.Campbell@baldwincountyal.gov](mailto:Ashley.Campbell@baldwincountyal.gov)>  
**Sent:** Monday, October 4, 2021 6:03 PM  
**To:** Hendrix, Dylan C CIV USARMY CESAM (USA) <[Dylan.C.Hendrix@usace.army.mil](mailto:Dylan.C.Hendrix@usace.army.mil)>  
**Subject:** [Non-DoD Source] RE: Variance Request-210036

Thanks, I got the copy of the permit.

If y'all issued the permit, does that mean they that the credits were purchased?  
I will try to inspect the site to make sure they have followed the permit conditions.

---

**From:** Ashley Campbell  
**Sent:** Monday, October 4, 2021 5:47 PM  
**To:** 'Hendrix, Dylan C CIV USARMY CESAM (USA)' <[Dylan.C.Hendrix@usace.army.mil](mailto:Dylan.C.Hendrix@usace.army.mil)>  
**Subject:** RE: Variance Request-210036

Copy of the permit #2012-00860 HEH (1-17-2013) and to make sure that they have met all the permit conditions before we move forward with a wetland setback variance.

---

**From:** Hendrix, Dylan C CIV USARMY CESAM (USA) <[Dylan.C.Hendrix@usace.army.mil](mailto:Dylan.C.Hendrix@usace.army.mil)>  
**Sent:** Thursday, September 30, 2021 11:03 AM  
**To:** Ashley Campbell <[Ashley.Campbell@baldwincountyal.gov](mailto:Ashley.Campbell@baldwincountyal.gov)>  
**Cc:** CESAM-RD <[CESAM-RD@sam.usace.army.mil](mailto:CESAM-RD@sam.usace.army.mil)>  
**Subject:** RE: Variance Request-210036

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

---

Hi Ashley,

I'm not seeing a record of this entered into our system. Are you submitting a complaint on behalf of Baldwin County or just requesting a copy of the permit?

Thanks,

Dylan C. Hendrix  
Team Leader, South Alabama Branch  
Mobile District, Regulatory Division  
U.S. Army Corps of Engineers  
Phone: 251-694-3772  
Email: [dylan.c.hendrix@usace.army.mil](mailto:dylan.c.hendrix@usace.army.mil)

---

**From:** Ashley Campbell <[Ashley.Campbell@baldwincountyal.gov](mailto:Ashley.Campbell@baldwincountyal.gov)>  
**Sent:** Wednesday, September 29, 2021 2:49 PM  
**To:** Hendrix, Dylan C CIV USARMY CESAM (USA) <[Dylan.C.Hendrix@usace.army.mil](mailto:Dylan.C.Hendrix@usace.army.mil)>  
**Subject:** [Non-DoD Source] FW: Variance Request-210036

Do you know who this complaint was sent to?

---

**From:** Ashley Campbell  
**Sent:** Tuesday, September 21, 2021 5:57 PM  
**To:** 'CESAM-RD@sam.usace.army.mil' <[CESAM-RD@sam.usace.army.mil](mailto:CESAM-RD@sam.usace.army.mil)>  
**Subject:** FW: Variance Request-210036

USACE Team Leader,

Can we get a complete copy of permit #2012-00860 HEH (1-17-2013)? I think that it the permit #. I can't read the attached permit drawing too good.

Did the site have any compliance inspections?

Was mitigation credit required? Were they purchased?

05-56-09-29-0-000-060.000  
Lot 14 Blk A of Jubilee Point Subdivision  
PIN 72119

Thanks,

Ashley

---

**From:** Crystal N. Bates <[CBATES@baldwincountyal.gov](mailto:CBATES@baldwincountyal.gov)>  
**Sent:** Tuesday, September 21, 2021 4:40 PM  
**To:** Ashley Campbell <[Ashley.Campbell@baldwincountyal.gov](mailto:Ashley.Campbell@baldwincountyal.gov)>  
**Subject:** V-210036

Here is all the Documentation on the variance/land use I have.

Thank You,

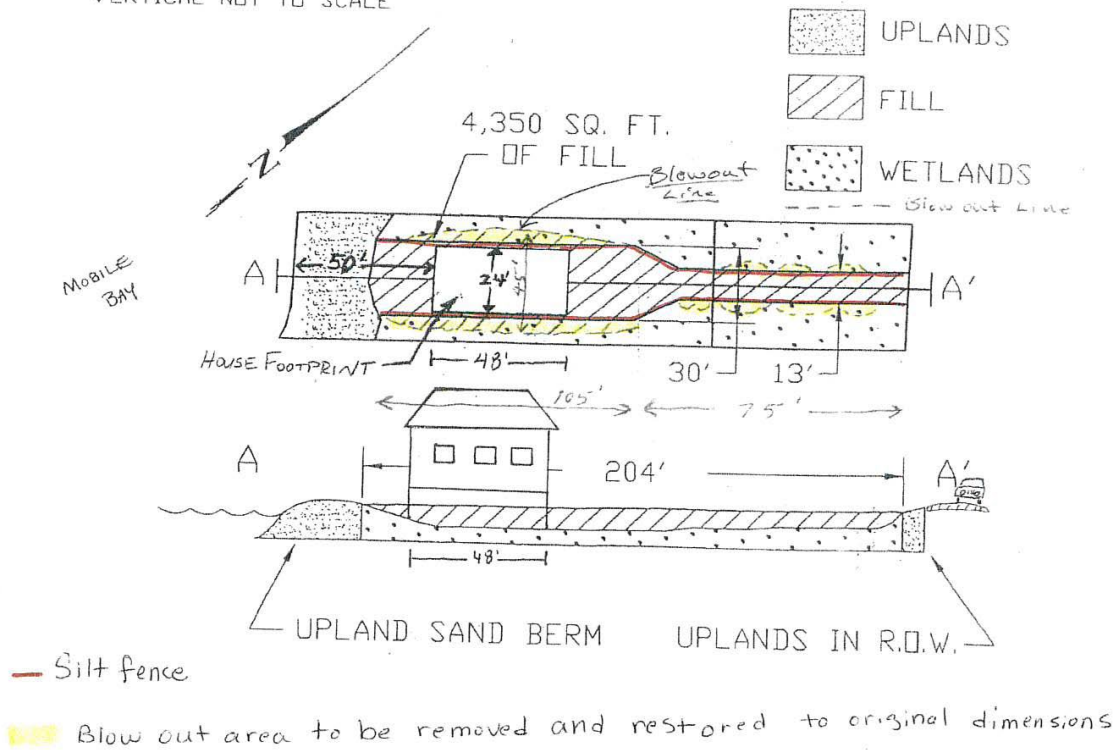
*Crystal Bates*

Planning Technician



JOHN DAVID MILLER  
SAM-2012-00660-HEH

HORIZONTAL SCALE 1"=40'  
VERTICAL NOT TO SCALE



SAM-2012-00660-HEH  
DEPT OF THE ARMY PERMIT 1-17-2013



**BALDWIN COUNTY PLANNING AND ZONING  
BOARD OF ADJUSTMENT NUMBER 1**

**2022  
MEETING DATES  
&  
APPLICATION DEADLINE DATES**

**Meeting time: 4:00 p.m.**  
**Meeting location: Baldwin County Central Annex Auditorium**

**All applications to be considered by the Baldwin County Planning and Zoning Board of Adjustment Number 1 shall be submitted no later than 4:30p.m. on the deadline date listed below. There will be no exceptions.**

MEETING DATE		APPLICATION DEADLINE DATE
January 18, 2022		December 22, 2021
February 15, 2022		January 25, 2022
March 15, 2022		February 22, 2022
April 19, 2022		March 28, 2022
May 17, 2022		April 26, 2022
June 21, 2022		May 31, 2022
July 19, 2022		June 28, 2022
August 16, 2022		July 26, 2022
September 20, 2022		August 29, 2022
October 18, 2022		September 27, 2022
November 15, 2022		October 24, 2022
December 20, 2022		November 29, 2022

*Dates may differ from original meeting dates and/or application deadline dates due to holidays and may be subject to change upon request by the Chairman of the Board.*

*U:\Zoning\Board of Adjustment Number 1 Deadline and Meeting Calendar 2022*