

PROCEEDINGS HELD BEFORE THE
BALDWIN COUNTY COMMISSION DISTRICT #3
PLANNING (ZONING) DISTRICT BOARD OF ADJUSTMENT
June 18, 2018

The following proceedings were held on this the 18th day of June, 2018, at the Baldwin County Central Annex, Main Auditorium, 22251 Palmer Street, Robertsdale, Alabama, before Susan C. Andrews, Certified Court Reporter Number 287.

A P P E A R A N C EBOARD OF ADJUSTMENT MEMBERS PRESENT

Donnie Waters, Chairman Planning District 31

Adam Pasqual Bertolla, Planning District 12

Judy Powell, Planning District 3

BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT PRESENT

Vince Jackson, Director

Linda Lee, Planner

ALSO PRESENT:

Commissioner Tucker Dorsey

BALDWIN COUNTY COMMISSION DISTRICT #3 BOARD OF ADJUSTMENT 06/18/2018

I N D E X

1 - Call to Order.....	4
2 - Roll Call.....	4
3 - Approval of Previous Meeting Transcript (May 21, 2018).....	4
(Approved)	
Announcements/Registration to Address the	
4 - Board of Adjustment.....	5
5 - Consideration of Applications and Requests.....	5
5-A - Case No. V-180021, D R Horton Inc.,	
Property.....	5
(Approved)	
6 - Old Business.....	8
7 - New Business.....	8
8 - Adjournment.....	8

P R O C E E D I N G S

1 - CALL TO ORDER

BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

We'll call the meeting to order.

2 - ROLL CALL

BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

Will y'all do a roll call?

MS. LINDA LEE: Yes, sir. Ms. Powell.

BOARD OF ADJUSTMENT MEMBER JUDY POWELL: Here.

MS. LINDA LEE: Mr. Waters.

BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

Here.

MS. LINDA LEE: Mr. Bertolla.

BOARD OF ADJUSTMENT MEMBER ADAM PASQUAL

BERTOLLA: Here.

MS. LINDA LEE: Mr. Chairman, you have a
quorum.

BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

Good.

3 - APPROVAL OF PREVIOUS MEETING TRANSCRIPT (MAY 21, 2018)

BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS: I
guess the next thing is approve the minutes of the last
meeting.

MS. LINDA LEE: Yes, sir.

BOARD OF ADJUSTMENT MEMBER ADAM PASQUAL

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1 BERTOLLA: I make a motion to approve.

2 MS. LINDA LEE: Need a second.

3 BOARD OF ADJUSTMENT MEMBER JUDY POWELL: I'll
4 second.

5 MS. LINDA LEE: All in favor?

6 (Board of Adjustment Members say "aye" in unison.)

7 MS. LINDA LEE: The minutes are approved.

8

9 **4 - ANNOUNCEMENTS/REGISTRATION TO ADDRESS THE BOARD OF ADJUSTMENT**

10 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

11 Okay. Next is announcements/registration to address the
12 Board of Adjustment. Anything to do with that?

13 MS. LINDA LEE: I'll make announcements. If
14 you have a cellphone, we ask that you please turn it to
15 vibrate or turn it off. If you need to take a call, go
16 into the vestibule.

17 There isn't anyone from the public signed up to
18 speak, so we can go forward.

19 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

20 Okay. All phones are off.

21

22 **5 - CONSIDERATION OF APPLICATIONS AND REQUESTS**

23 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

24 Now I guess we'll consider the application and requests.

25

26 **5-A - CASE NO. V-180021, D R HORTON INC., PROPERTY**

27 MR. VINCE JACKSON: This is Case Number

28 V-180021, D R Horton property. The property is located

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1 in Planning District 12 on Harvester Drive, Lot 59, of
2 the Harvest Meadow Subdivision in the Robertsdale area.

3 The applicant is requesting a front yard setback
4 variance to allow for the construction of a new
5 single-family dwelling, which is now completed. Per the
6 submitted site plan, the southeast corner of the dwelling
7 is located approximately two (2) feet over the setback
8 line.

9 The request was previously -- previously considered
10 by the board on April 16th. At that time, the
11 application failed to receive the required number of
12 affirmative votes for passage.

13 A rehearing was granted by the board on May 21,
14 2018, in accordance with the board's bylaws. And prior
15 to -- approximately a year prior to the April hearing,
16 there was a -- a previous variance request. And at that
17 time, the variance was denied.

18 So this is a property that you've seen before, that
19 you are very familiar. Once again, the subject property
20 is located at 24281 Harvester Drive in Planning District
21 12.

22 And here is locator map showing the property. It's
23 a corner lot with a somewhat irregular shape. And the
24 size of the property is approximately point-four-three
25 (.43) acres. And then here is the aerial photograph.
26 Here is the site plan, which was submitted.

27 And when the encroachment was discovered, it was
28 actually discovered by the applicant. So they submitted

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1 an application at that time.

2 This was the approved site plan. That's the
3 homeowner association letter received on April 10th. And
4 here is a picture. Here are some other pictures.

5 Once again, this is something that you have seen
6 before. And it is a front yard setback variance to
7 correct the approximately two (2) feet of encroachment
8 over the front building line.

9 We do recommend that this variance case be approved.
10 And approval will necessitate three affirmative votes.
11 Those are all the comments I have. And I'll be happy to
12 answer any questions you might have.

13 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS: At
14 this time, I make a motion to approve it.

15 BOARD OF ADJUSTMENT MEMBER ADAM PASQUAL
16 BERTOLLA: I second.

17 MR. VINCE JACKSON: She's coming.

18 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
19 Okay. All those in favor, say aye.

20 MS. LINDA LEE: I have to do a roll call.

21 MR. VINCE JACKSON: She has to do a roll call.

22 MS. LINDA LEE: Okay. Ms. Powell.

23 BOARD OF ADJUSTMENT MEMBER JUDY POWELL: Yes.

24 MS. LINDA LEE: Mr. Bertolla.

25 BOARD OF ADJUSTMENT MEMBER ADAM PASQUAL

26 BERTOLLA: Yes.

27 MS. LINDA LEE: Mr. Waters.

28 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

1 Yes, ma'am.

2 MS. LINDA LEE: Motion carries.

3

4 **6 - OLD BUSINESS**

5 MR. VINCE JACKSON: And that's all we have
6 today. We appreciate you coming out. We appreciate your
7 service.

8

9 **7 - NEW BUSINESS**

10 MR. VINCE JACKSON: We do have some vacancies
11 in terms of your alternates. If you know some people
12 that -- that lives near you that are interested, please
13 send us their names so that we can get in touch and
14 possibly get some new alternates appointed.

15 I think Mr. Waters is the only one which actually
16 has an alternate. And we've got one that was recently
17 nominated to be appointed as the alternate for Peggy
18 Branch. So we will need alternates for the rest of you.

19 They need to reside in the same Planning District.
20 They need to be registered voters. So if you can find
21 some names, call me or call Linda. And we'll see about
22 getting them appointed.

23 Once again, thank you for your service. Thank you
24 for coming out this afternoon. And I hope y'all have a
25 nice evening.

26

27 **8 - ADJOURNMENT**

28 MR. VINCE JACKSON: We need to adjourn the

BALDWIN COUNTY COMMISSION DISTRICT #3 BOARD OF ADJUSTMENT 06/18/2018

1 meeting.

2 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

3 Motion to adjourn.

4

5 (The Baldwin County Commission District 3 Board of Adjustment

6 Meeting was adjourned at 4:11 p.m.)

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C E R T I F I C A T E

STATE OF ALABAMA)

BALDWIN COUNTY)

I hereby certify that the above and foregoing transcript was taken down by me in stenotype and the proceedings were transcribed by means of computer-aided transcription, and that the foregoing represents a true and correct transcript of the meeting given by said parties upon said meeting.

I further certify that I am neither of counsel nor of kin to the parties, nor am I in anywise interested in the result of said proceedings.

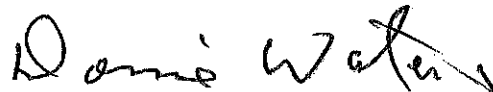


SUSAN C. ANDREWS,
Certified Court Reporter,
Certification No. 287

C E R T I F I C A T E

I, Donnie Waters, Chairman of the Baldwin County Commission #3 Board of Adjustment, do hereby certify that the foregoing transcript of the minutes of the June 18, 2018, Monthly Meeting are a true and correct transcription of the minutes as prepared by Susan C. Andrews, Alabama Certified Court Reporter, License No. 287.

I, Donnie Waters, do hereby affix my signature on this, the 16th day of July, 2018.



Donnie Waters, Chairman,
Baldwin County Commission #3
Board of Adjustment

BALDWIN COUNTY COMMISSION DISTRICT #3 BOARD OF ADJUSTMENT 06/18/2018

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