

PROCEEDINGS HELD BEFORE THE
BALDWIN COUNTY COMMISSION DISTRICT #3
PLANNING (ZONING) DISTRICT BOARD OF ADJUSTMENT
November 19, 2018

The following proceedings were held on this the 19th day of November, 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

Judy Powell

Tommy Springer

BALDWIN COUNTY PLANNING AND ZONING DEPARTMENT PRESENT

Linda Lee, Planner

BALDWIN COUNTY COMMISSION DISTRICT #3 BOARD OF ADJUSTMENT 11/19/2018

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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:

And I guess you can give us 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. Springer.

BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:

Here.

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

quorum.

6 - OLD BUSINESS

BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS: I

guess we'll go back to old business. Any old business?

3 - APPROVAL OF PREVIOUS MEETING MINUTES (OCTOBER 15, 2018)

MS. LINDA LEE: No, sir. We're not there yet.

The next order of business is approval of the previous
meeting minutes from October the 15th.

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1 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

2 Okay. Somebody make a motion to approve the minutes.

3 BOARD OF ADJUSTMENT MEMBER JUDY POWELL: I make
4 a motion we approve the minutes.

5 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:

6 I'll second.

7 MS. LINDA LEE: All in favor.

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

9 MS. LINDA LEE: Motion carries.

10

11 **4 - ANNOUNCEMENTS/REGISTRATION TO ADDRESS THE BOARD OF ADJUSTMENT**

12 MS. LINDA LEE: The next order of business is
13 announcements/registration to address the Board of
14 Adjustment. Anyone here that would like to address the
15 board, you need to make sure you complete a sign-in
16 sheet.

17 If you have a cell phone, please make sure that it
18 is either turned off or turned to silent. If you have to
19 make a call or accept a call, please go out into the
20 vestibule.

21 That's all the announcements I have, Mr. Chairman.
22 Do you have any?

23 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
24 What?

25 MS. LINDA LEE: That's all the announcements I
26 have. Do you have any other announcements?

27 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS: Do
28 we have -- do we have any other announcements?

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1 MS. LINDA LEE: No. I was -- I was just making
2 sure you didn't want to make any other announcements.
3 I've made the ones I needed to make.

4 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
5 No.

6
7 **5 - CONSIDERATION OF APPLICATIONS AND REQUEST**

8 MS. LINDA LEE: Let's go on to the
9 consideration of applications and requests.

10
11 **5-A - CASE NO. V-180034, PATEL PROPERTY**

12 MS. LINDA LEE: And the first case -- Well, the
13 only case is Case Number V-180034, Patel property. The
14 applicant is requesting variances from maximum height and
15 maximum sign area requirements to allow freestanding
16 signs to have an overall height of forty-five (45) feet
17 and an overall sign face area of three hundred
18 seventy-eight (378) square feet each.

19 The subject property is located at Campbell Road and
20 the Baldwin Beach Express in Planning District 12. The
21 property is zoned B-4, Major Commercial District.

22 On your screen is the locator map. And then this is
23 the site photography. The subject property is currently
24 unoccupied. The property is on Campbell Road and the
25 Beach Express to the east. The adjoining properties are
26 agricultural and residential.

27 According to information provided, the signs are for
28 advertising purposes. The applicant has also stated that

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1 the land has limited use because of not having direct
2 access to the property by means of a public road.

3 Access points to the Baldwin Beach Express are
4 governed by the Baldwin Beach Access Management Plan.
5 Per the Subdivision Manager, an access point from this
6 property is a possibility.

7 This application does not fit neatly into the
8 standards due to the fact that it represents a variance
9 from the sign requirements rather than typical area and
10 dimensional standards such as setbacks.

11 The Baldwin County Zoning Ordinance does not address
12 billboards. However, the maximum individual sign area is
13 seventy-two (72) square feet. And the maximum total sign
14 area allowed is one hundred forty-four (144) square feet.

15 The Baldwin County Billboard Ordinance for
16 Unincorporated Baldwin County defines a billboard as
17 follows:

18 *Billboard means any sign, display device,*
19 *notice, figure, painting, drawing, message,*
20 *placard, poster, billboard, or thing which is*
21 *designed, intended, or used to advertise or*
22 *inform any part of the advertising or*
23 *informative contents of which is visible from*
24 *any place on the main travelled way of any*
25 *portion of a road or highway which is visible*
26 *from any place on the main traveled way of any*
27 *portion of a roadway or highway which is over*
28 *200 square feet.*

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1 The Baldwin County Billboard Ordinance states that
2 the Baldwin County Commission finds and determines that
3 the proliferation in number, size, and manner of outdoor
4 advertising unreasonably distracts operators of motor
5 vehicles and promotes confusion with regard to traffic
6 lights, signs, or signals or other interference with
7 effectiveness with traffic regulations and is therefore
8 hazardous to highway users.

9 Per the Baldwin County Billboard Ordinance,
10 billboards are prohibited in any area subject to County
11 zoning.

12 In the information provided by the applicant, the
13 applicant states the proposed size conforms with Article
14 IV of the Design Standards of the Baldwin County
15 Billboard Ordinance.

16 Please note that the dimensions of ten (10) feet six
17 (6) inches by thirty-six (36) feet equals a total square
18 footage of three hundred seventy-eight (378) square feet.
19 The Baldwin County Billboard Ordinance states a maximum
20 three hundred seventy-six (376) square feet.

21 This is a picture of the subject property. This is
22 a picture of adjacent properties to the east.

23 It is staff's recommendation that Case Number
24 Z-180034, Patel property, be denied based on the
25 applicant has not submitted any information supporting a
26 hardship on the land. And I'll answer any questions that
27 the board may have for me.

28 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

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1 What do you mean by hardship of the land?

2 MS. LINDA LEE: Well, you know, normally, when
3 you ask for a variance, it's based on something wrong
4 with the land; the topography of the land, there is a
5 huge tree and you can't meet a setback requirement.

6 Because normally variances are dealing with the
7 setbacks. Occasionally somebody might ask for height.
8 But, really, you can't get hardship on the land for
9 height, because that's what you have when you're asking
10 for a hardship on the land.

11 When you're asking for a variance to allow a
12 billboard, which is not allowed in the zoned area of the
13 county, there's really nothing to support a hardship on
14 the land.

15 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
16 Okay. We'll have -- Do you have somebody speaking for
17 this?

18 MS. LINDA LEE: Yes, sir. I've given you the
19 sign-in sheets for the public hearing. So you need to
20 open the public hearing. And then you would start with
21 the first one in the stack that I gave you. It should be
22 up there.

23 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
24 Okay. Let's open it up for the hearing.

25 MS. LINDA LEE: Call Mr. Patel. You need to
26 call Mr. Patel.

27 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
28 Where is Mr. Patel?

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1 MR. SNEHAL PATEL: Here, Chairman.

2 MS. LINDA LEE: You need to come up here,
3 please.

4 MR. SNEHAL PATEL: Good afternoon, Chairman.
5 I'm here to get this signage approved so I can get some
6 revenue generated off of property which currently is just
7 sitting vacant out there.

8 According to the hardship, I would like to address,
9 I do not have any access to the property, even though
10 it's B -- zoned B-4. But there is no access to it.
11 There cannot be materialized for any other uses currently
12 as it sits.

13 So for that purpose, I was installing a sign to get
14 some revenue generated off the property that I have
15 invested a lot of money into.

16 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER: Do
17 you have any idea what the sign is going to be for?

18 MR. SNEHAL PATEL: I -- I own several
19 businesses in this area, sir. And I own a water bottling
20 plant, convenience stores, hotels. So it would be in
21 line to advertising and promoting jobs in this local
22 area.

23 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER: You
24 would be advertising your convenience stores?

25 MR. SNEHAL PATEL: Not currently, I do not have
26 anything near it, but I have a water bottling facility
27 that I would like to. Also, hotels that I own in Gulf
28 Shores I would like to advertise on it.

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1 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:

2 Forty-two (42) feet, I don't -- I don't see the need for
3 a forty-two (42) foot sign on the Beach Express. All the
4 rest of them or about twenty (20), twenty-four (24).

5 MR. SNEHAL PATEL: Chairman, the height, as I
6 understood it, it was from the ground to the top of the
7 sign. That's how the forty-two (42) feet was defined.

8 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:

9 Top?

10 MR. SNEHAL PATEL: Yes, to the very top.

11 MS. LINDA LEE: Okay. Just -- just so we can
12 be, you know, clear and understand things, first of all,
13 he says the sign height is forty-five (45) feet off the
14 ground. And he's basing that on the Billboard Ordinance.

15 He's wanting, basically, to have a billboard,
16 because it exceeds the size that a sign would be allowed
17 anyway. And since it's greater than two hundred
18 (200) square feet, it's considered a billboard.

19 So he's not asking for a sign. He's asking to put
20 up a billboard. And the dimensions he used are the
21 standards that are in the Billboard Ordinance, which is
22 for the unincorporated, un-zoned areas of the county.

23 As I stated earlier, billboards are not allowed in
24 zoned areas of the county. But the only way that they
25 can get around it is to ask for a sign variance, because
26 billboards are not addressed in the Zoning Ordinance, and
27 signs are; okay?

28 But, now, for a sign, yes, the maximum height is

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1 twenty (20) feet, and that would be to the top of the
2 sign. But what he's asking for is actually a billboard.

3 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER: Are
4 those signs facing north/south traffic?

5 MR. SNEHAL PATEL: It will be facing
6 north/south. And, Mr. Chairman, I would just like to
7 point out there are several signs that went up on that
8 road in the Summerdale area in recent -- last year.

9 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:
10 Ms. Lee, I've got a question.

11 MS. LINDA LEE: Yes sir.

12 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER: So
13 are you telling me --

14 MS. LINDA LEE: I'm sorry what is your
15 question?

16 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER: The
17 question is if that sign is forty-five (45) feet high,
18 it's a billboard; it's not a sign. And ones on the Beach
19 Express are signs; they're not billboards?

20 MS. LINDA LEE: No. No.

21 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:
22 Okay.

23 MS. LINDA LEE: On the Baldwin Beach Express,
24 which runs -- I forget how many miles -- about thirteen
25 (13) miles, the billboards in the Summerdale area are
26 billboards. They are either in the city limits of
27 Summerdale, or they're in the police jurisdiction of
28 Summerdale. They are not in zoned areas of the county.

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1 The areas are either un-zoned or in the city limits. So
2 they would be allowed.

3 Billboards are not allowed in zoned areas of the
4 county. And when you drive down the Baldwin Beach
5 Express, you drive through un-zoned areas, Summerdale,
6 Robertsdale, Loxley.

7 So you might have a sign on one corner, because it's
8 in a municipality, and the other corner is County zoned,
9 and that sign would not be allowed. So you can't base it
10 on, you know, what you see someone else has. It depends
11 on whose jurisdiction it's in.

12 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:

13 Yeah. Your recommendation for denial was what?

14 MS. LINDA LEE: I'm sorry. Say that again.

15 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:

16 Your recommended -- recommended denial.

17 MS. LINDA LEE: Yes, sir.

18 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:

19 What was the reason?

20 MS. LINDA LEE: Because when you request a
21 variance, according to the Courts, it should be based on
22 the hardship on the land. Also, if you allow a
23 billboard, that's more of a use variance, since
24 billboards are not allowed in zoned areas of the county.
25 And when we make our recommendation, it's usually based
26 on there's some type of hardship on the land.

27 BOARD OF ADJUSTMENT MEMBER JUDY POWELL: Yes, I
28 have a question. Where is this sign going to be in

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1 comparison to where Buc-ee's sign is?

2 MS. LINDA LEE: Okay. This is the site plan.
3 And there is one sign that's on the northeast side of
4 that property in that corner. And then at the southeast
5 side on the piece that's to the east of Campbell Road,
6 he's wanting to put a sign down there.

7 Buc-ee's is up in front of Buc-ee's at the
8 interstate. Your aerial photography does not show
9 Buc-ee's property. But if you look at this map, you see
10 County Road 68. To the north of there is Buc-ee's
11 property. And their sign would be on the east side of
12 that property, you know, along the Baldwin Beach Express.
13 But, yes, they will have a sign there.

14 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:
15 Yes.

16 MS. LINDA LEE: It's going to be, I think, a
17 beaver. And it will be rather large, yes.

18 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
19 Thank you. I guess we've got somebody else speaking now.
20 Thank you.

21 MR. SNEHAL PATEL: Thank you.

22 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
23 Ann Morris.

24 MS. ANN MORRIS: Thank y'all. The one thing he
25 did not show on his map of north and south, he did not
26 show the properties on the east side.

27 There are -- This sign will be directly in front of
28 my neighbor's house, which is two hundred (200) -- a

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1 hundred and seventy-five (175) feet from my property
2 line.

3 We've already had to give up a lot because of
4 Buc-ee's and the four-lane highway. We don't need
5 anymore interruption in our daily lives with a massive
6 billboard in our front yard.

7 The lights from the billboard along with the lights
8 from Buc-ee's and the traffic noise, it's just getting
9 worse everyday.

10 Not only that, but we feel like if there's some way
11 that we could possibly get our property sold -- which is
12 this is just going to be another deterrent to revalue our
13 properties. Thank you.

14 MS. LINDA LEE: Does the board have any
15 questions?

16 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER: No,
17 ma'am. I understand.

18 MS. ANN MORRIS: Thank you.

19 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
20 Thank you, ma'am.

21 Now we have Ms. Karen Vaughn.

22 MS. KAREN VAUGHN: Good afternoon. I live
23 right across the street from where this billboard is
24 wanting to go up. I do have one question. It's going to
25 have lights to light it up. Had he planned on making
26 this an electronic billboard?

27 MR. SNEHAL PATEL: No. This thing is not --

28 MS. LINDA LEE: Excuse me. She asks her

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1 question. And after you finish with them, you call him
2 back up to address any issues that was brought up.

3 MS. KAREN VAUGHN: Okay. We've owned that
4 property for nineteen (19) years. We lived out there
5 when it was a two-lane dirt road on Campbell Road.

6 If I'd have known that this major highway was coming
7 through my front yard, we would have never purchased
8 that. We wanted to be out in the country, quiet. We
9 were perfectly fine where we were.

10 The traffic is so bad right now, we can't even get
11 out of our driveway. And people don't want to stop for
12 you.

13 We had a neighbor about four doors down. It was on
14 a holiday. And his wife almost died. Ambulance could
15 not get to her. He actually had to run out and flag
16 people down and jump the corridor to go back to get her
17 to the hospital.

18 And it's just been a nightmare. And, yes, we want
19 to move off that street. We didn't ask for it. We
20 didn't like it. We didn't have any say-so.

21 We knew that if we didn't accept the little check
22 from the County or whoever had to pay us, that they would
23 have taken it anyway. We just had no choice in the
24 matter.

25 It -- it's -- it's just horrible. It's -- it's just
26 a terrible hindrance. And we want to take and sell our
27 property. We want to get off the Baldwin Beach Express.
28 And we don't need any more distractions. And I feel like

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1 people will be driving and looking.

2 And the wrecks, there's wrecks constantly in front
3 of our house. We have strangers coming up, knocking on
4 our doors. We don't want people looking up at
5 billboards, the lights shining, not paying attention to
6 what they're doing. Write that phone number down.

7 You know, we just don't need any more aggravation.
8 And that's all I have to say. And it will devalue our
9 property. We do know that. That's all I have.

10 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

11 Thank you.

12 MS. KAREN VAUGHN: Thank you.

13 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

14 Now we've got a Charles and Nancy Witherington.

15 MS. NANCY WITHERINGTON: Good afternoon. This
16 is my first time coming to these meetings. But we are
17 very discouraged with all that's happening around us.

18 I have two properties there next door to Ms. Morris
19 and Ms. Vaughn. I have a child going to school. I can't
20 even let her go out to the school bus in the morning
21 because the traffic is so fast and so hectic. You sit
22 there and wait. Who's going to crash into the back of
23 the school bus next?

24 We've got enough stress on us as property owners.
25 We're trying to have homes and families. We don't need
26 any more garbage -- don't mean garbage literally -- but
27 signs that are going to distract from our properties and
28 homes.

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1 We're not commercial. We're not zoned commercial.
2 Across the street, as far as we know, is not zoned
3 commercial. It's residential. And, to me, billboards
4 don't belong in residential areas where families live and
5 children play and schools and everything else.

6 We want ours back the way it was, which we know will
7 never happen. But it's making a hardship on us. We
8 don't need all these big signs.

9 I mean, all it's going to do is depreciate the value
10 of our property, which is already -- cannot -- no one is
11 going to want to live there as residential, because of
12 what we're going through.

13 The speed limit in front of our house is fifty-five
14 (55) miles an hour. Two hundred (200) feet, it drops to
15 forty-five (45). They don't pay attention. And now that
16 these traffic lights are coming in, we're never going to
17 be able to go.

18 We all have motor homes or travel trailers. We
19 can't even get out of our driveway on the weekends.
20 People won't stop and let us out. And that was before
21 the traffic lights.

22 I can't imagine how bad it's going to be once the
23 traffic light are in place, summertime traffic back and
24 forth to the gulf. We're going to be like a recluse,
25 because we're not going to be able to get off our
26 properties to go anywhere.

27 And we have to go all the way down to the traffic
28 light to make a U-turn to go back to come to Robertsdale.

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1 And then when we're coming home, we have to go all the
2 way past our property to Oakdale to make a U-turn just to
3 go home. And we have to sit there and sit there and sit
4 there on weekends just to get in and out.

5 I see no purpose in these billboards. I mean, you
6 see them on the Foley Beach Express. They look like
7 garbage. They don't maintain them. They don't keep them
8 up. Half the time the paper is flapping off of them.

9 It's just -- it's a distraction. It's not something
10 that makes our community and our property's value any
11 more. Thank you.

12 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
13 Thank you.

14 There was a question she asked about his comments.
15 You want to answer that?

16 MS. LINDA LEE: Ask Mr. Patel to come back up
17 to the mic.

18 MR. SNEHAL PATEL: Mr. Chairman, the petition
19 is just for signage -- I mean, billboard, not for digital
20 sign. So it would be a different kind of variance
21 request.

22 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
23 Will it have lights on at night?

24 MR. SNEHAL PATEL: We could make that an
25 option. It's not that I need to put lights on it. If
26 the neighborhood feels that they don't want bright
27 lights, we could take that out.

28 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

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1 Okay. Thank you.

2 MS. LINDA LEE: Mr. Chairman, if you don't
3 mind, I would like to address one point that the
4 applicant made.

5 He says there's no access to the property. I think,
6 as I stated earlier, if he wants access from the Baldwin
7 Beach Express, there is a process that you would submit
8 to the Highway Department to get access.

9 You can't say there is no access unless you make a
10 request and it's denied. As far as I'm aware, he has not
11 made a request to have an access point.

12 If someone was to ever decide to development that
13 property commercially, I'm sure that if they submitted,
14 you know, they would be allowed some type of access point
15 to the Baldwin Beach Express.

16 Those are all the comments I have. I will inform
17 the board, you know, you make a motion to either approve
18 the variance request or deny it. And whichever motion
19 you make, it will require all three of you voting the
20 same in order to carry, because it requires a majority of
21 the board. In other words, if it's a two-to-one vote, it
22 still does not carry. It would take a three-vote to
23 pass.

24 MR. SNEHAL PATEL: May I address something?

25 MS. LINDA LEE: Mr. Patel wants to address
26 something. Is he allowed to come back up?

27 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:

28 Okay. Come on.

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1 MR. SNEHAL PATEL: Mr. Chairman, I would like
2 to make you aware, currently there are no access to
3 this -- to this property. And if I were to get one, the
4 construction cost would be burdened on me.

5 And from the initial estimates and from DOT, from
6 what I have approached, is going to cost a hundred and
7 fifty thousand dollars (\$150,000) just to put a driveway
8 to get the access from Beach Baldwin Expressway onto my
9 property, which is a huge burden to put additional money
10 into it without any income coming.

11 And so this was part of that reasoning, is to put a
12 billboard sign to generate some revenue so I could fund
13 to have an access to the property.

14 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
15 Yeah. Thank you.

16 MS. LINDA LEE: If there's no more comments
17 from the public, you need to close the public hearing.

18 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
19 Public hearing, I guess, is closed.

20 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER: I
21 second that, if you need it.

22 MS. LINDA LEE: No, sir. At this point,
23 you-all need to either discuss the case or make a motion.

24 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER: I
25 make a motion that we accept the recommendation of the
26 board.

27 MS. LINDA LEE: So your motion -- I'm sorry. I
28 just want to be clear, because you said the

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1 recommendation of the board. Are you --

2 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER: The
3 recommendation of Ms. Lee.

4 MS. LINDA LEE: Okay. So your motion is deny?

5 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:
6 Yes, ma'am.

7 MS. LINDA LEE: Okay. Is there a second?

8 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
9 Yeah, I'll second it.

10 BOARD OF ADJUSTMENT MEMBER JUDY POWELL: I'll
11 third it.

12 MS. LINDA LEE: Okay. I think what I will do,
13 since Ms. Powell is not the Chairman, I will take
14 Ms. Powell's second, and we will do a rollcall vote.

15 BOARD OF ADJUSTMENT MEMBER JUDY POWELL: Okay.

16 MS. LINDA LEE: Ms. Powell.

17 BOARD OF ADJUSTMENT MEMBER JUDY POWELL: No.

18 MS. LINDA LEE: Okay. A vote for the motion,
19 which is a motion to deny, is yes. So if you want to
20 deny, you would vote yes.

21 BOARD OF ADJUSTMENT MEMBER JUDY POWELL: Okay.
22 Yes.

23 MS. LINDA LEE: Mr. Springer.

24 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:
25 Yes.

26 MS. LINDA LEE: And Mr. Waters.

27 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
28 Yes.

BALDWIN COUNTY COMMISSION DISTRICT #3 BOARD OF ADJUSTMENT 11/19/2018

1 MS. LINDA LEE: The motion carries. The
2 variance request is denied.

3 I will state for the record that anyone who is
4 aggrieved by the decision of this board has fifteen
5 (15) days from today to appeal to Circuit Court. A copy
6 of said appeal has to be in the Baldwin County Planning
7 and Zoning Robertsdale office by 4:30 on that fifteenth
8 (15th) day.

9
10 **6 - OLD BUSINESS (REVISITED)**

11 MS. LINDA LEE: Mr. Chairman, I have no old
12 business.

13
14 **7 - NEW BUSINESS**

15 MS. LINDA LEE: Or new business.

16
17 **8 - ADJOURNMENT**

18 MS. LINDA LEE: So at this point, you may
19 adjourn the meeting, unless the board has something else.

20 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS: I
21 don't have anything.

22 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER: I
23 don't have anything, either.

24 MS. LINDA LEE: Are we adjourned?

25 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS: I
26 would make a motion to dismiss.

27 BOARD OF ADJUSTMENT MEMBER TOMMY SPRINGER:
28 Second.

BALDWIN COUNTY COMMISSION DISTRICT #3 BOARD OF ADJUSTMENT 11/19/2018

1 MS. LINDA LEE: We are adjourned. Thank
2 you-all very much for your time and your service. And I
3 would like to wish you a very happy and blessed
4 Thanksgiving.

5 BOARD OF ADJUSTMENT CHAIRMAN DONNIE WATERS:
6 Thank you.

7 MS. LINDA LEE: You're welcome.

8
9 (The Baldwin County Commission #3 Planning and Zoning Board of
10 Adjustment meeting was adjourned at 4:30 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.



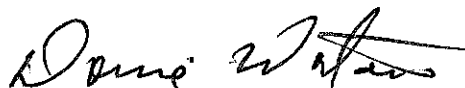
SUSAN C. ANDREWS,
Certified Court Reporter,
Certification No. 287

BALDWIN COUNTY COMMISSION DISTRICT #3 BOARD OF ADJUSTMENT 11/19/2018

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 November 19, 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 17th day of December, 2018.



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

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**REGISTRATION TO ADDRESS THE
BALDWIN COUNTY COMMISSION # 3
PLANNING & ZONING
BOARD OF ADJUSTMENT
Monday, November 19, 2018, 4:00 p.m.
BALDWIN COUNTY CENTRAL ANNEX**

SPEAKING POLICY REQUIREMENTS

1. All individuals wishing to address the Board of Adjustment must fill out a speaking request form.
2. Verbal comments and interruptions from the floor will not be allowed.
3. Each speaker will be limited to **5 minutes.** For groups of individuals that wish to address the BOA on the same topic, they will be limited to **3 minutes** per speaker. Incases where there are multiple speakers on the same topic, **speakers are encouraged not to repeat the same information presented by previous speakers.**
4. All comments must be directed to the Chairman.
5. Under no circumstances will personal attacks on Elected Officials, Appointed Officials, employees or other individuals be allowed or tolerated.

I/We would like to address the Board of Adjustment on the following topic:

- ☒ a.) V-180034 Patel Property, Campbell Road and Baldwin Beach Express, District 12
- ☐ b.) Other

Charles & Nancy Wetherington
PRINT NAME CLEARLY

30/4/15

PRINT NAME CLEARLY

- I/We would like to address the Board of Adjustment on the following topic:**



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PRINT NAME CLEARLY

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12
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PRINT NAME CLEARLY

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- ☐ b.) Other

KAREN VAUGHN

PRINT NAME CLEARLY