

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

The Board of Adjustment Number 1 met in a regular session on July 20, 2021 at 4:00 p.m., in the Baldwin County Central Annex Auditorium. The meeting was called to order by Chairman Brandon Bias. Members present included: Brandon Bias, Mary Shannon Hope, Michael Cochran, Gary Cowles, Norman Bragg, Carolyn King, Tracy Frost, and Jamal Allen. Staff members present included Matthew Brown, Celena Boykin, DJ Hart, Buford King, and Paula Bonner.

Approval of Previous Meeting Minutes

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

V-210022, Wynn Property

Mrs. Hart presented the applicant's request for a variance from the wetlands setback requirements to allow for the construction of a single family dwelling. Staff recommended approval of the variance request.

Applicant James Wynn was present. There was no one present in opposition.

Following discussion, Board Member Michael Cochran made a motion to approve the variance request. The motion received a second from Board Member Norman Bragg and carried unanimously.

V-210024, Farmer Property

Mrs. Bonner presented the applicant's request for a variance from section 2.3.13.3(d) as it pertains to the size of an accessory dwelling. Staff recommended denial of the variance request.

Applicant Angie Farmer answered questions from board members. There was no one present in opposition.

Following a short discussion, Board Member Jamal Allen made a motion to deny the variance request. The motion received a second from Board Member Michael Cochran. Chairman Bias, Carolyn King, and Gary Cowles voted nay. All other members voted aye. Motion to deny the variance request carries on a vote of 5-3.

V-210025, Goodwin/Smith Property

Mrs. Hart presented the applicant's request for a variance from section 13.1.2(a) and (c) as it pertains to the setback of an accessory structure and the percent of rear yard occupied to allow an above ground swimming pool and covered deck to remain as built. Staff recommended denial of the variance request.

Applicant Benjamin Goodwin and Ben Maumenee spoke in favor of the request. Allen Reeves spoke in opposition.

Following a short discussion, Board Member Michael Cochran made a motion to deny the variance request. The motion received a second from Board Member Norman Bragg and carried unanimously.

AD-21001, Teacher Retirements System of Alabama Property

Chairman Bias and Mr. Cowles recused themselves from this case. In the absence of Chairman Bias and Vice-Chairman John Cooper a vote was conducted for a temporary Chairman to preside over this case. Ms. Hope nominated Mr. Cochran. The motion was seconded by Mr. Bragg. Motion to appoint Mr. Cochran as temporary Vice-Chairman for this case carried unanimously.

Mr. Brown presented the request from the Point Clear Property Owners Association, Inc. to Appeal the Administrative Decision as it relates to the issuance of a Land Use Certificated Case No. LU21-000478. Staff made the following recommendation:

As it relates to Items 1 & 2 raised in the Appeal, absent evidence that the Applicant's survey locating the north boundary line of Point Clear Creek does not conform with the Standards of Practice for Land Use Surveying in the State of Alabama, Staff believes that there was no error in the issuance of the Land Use Certificate and recommends that the issuance of the Land Use Certificate for the Grand Hotel Beach Suites be UPHELD and the appeal DENIED.

As it relates to Items 3-6 raised in the Appeal, Staff believes that there was no error in the issuance of the Land Use Certificate and recommends that the issuance of the Land Use Certificate for the Grand Hotel Beach Suites be UPHELD and the appeal DENIED.

Allan Chason and Tom Granger gave presentations in favor of the appeal. Matthew Mosteller, Frank Feagin, Danner Frazer, and William Youngblood spoke in favor of the appeal. Randall Minor was present to represent Teachers Retirement Systems of Alabama and spoke in opposition of the appeal.

Following a lengthy discussion, Board Member Norman Bragg made a motion to grant the Appeal and reverse the Administration Decision to issue Land Use Certificated Case No. LU21-000478 based on the six items raised by the Appellant in its Appeal Application, with special emphasis on the life safety issues raised during the discussion. The motion received a second from Board Member Carolyn King and carried unanimously.

Adjournment

There being no further business to come before the board the chairman adjourned the meeting at 7:10 p.m.

Respectfully Submitted

Paula Bonner, Planning Technician, Secretary for Board of Adjustments Number 1

I hereby certify that the above minutes are true, correct and approved this 17 day of August 2021.



Brandon Bias, Chairman