



BALDWIN COUNTY COMMISSION

PLANNING AND ZONING DEPARTMENT

Main Office

22251 Palmer Street
Robertsdale, AL 36567
Phone: (251) 580-1655
Fax: (251) 580-1656

Foley Office

201 East Section Avenue
Foley, AL 36535
Phone: (251) 972-8523
Fax: (251) 972-8520

Variance Application Submittal Checklist

- _____ **Baldwin County Variance Application**
- _____ Application Fee (*see current fee schedule*)
- _____ Agent Authorization Form (*if person other than property owner is applying*)
- _____ Plot Plan or Survey – indicating any existing structures (*with dimensions*), proposed structure (*with dimensions*), and setbacks from property lines.
- _____ State and Federal Permits: Written evidence of applications for all required permits (*if applicable*) showing compliance with regulations of The Corps of Engineers, Alabama Department of Environmental Management, Alabama Coastal Area Management Program and Baldwin County Health Department.
- _____ Approval from active neighborhood associations, boards or committees, if applicable or statement from property owner stating there isn't an active association, board or committee.
- _____ Any other information deemed necessary to complete review

Office Use Only

Case No.: _____ Received By: _____ Date: _____
Application Fee: _____ Receipt No: _____ Date of Meeting: _____

***Baldwin County
Zoning Variance Application***

Mailing Address

201 East Section Avenue
Foley, AL 36532

Phone: (251) 972-8523 Fax: (251) 972-8520

Applicant

Are you the property owner? yes no
(If you are not the property owner you must submit Owner Authorization Form signed by the property owner)

Name: _____ Date: _____

Mailing Address: _____

City: _____ State: _____ Zip code: _____

Telephone: (____) ____ - ____ Fax: (____) ____ - ____ e-mail: _____

Site Information

Location of Property: _____

Parcel ID Number: 05-____ - ____ - ____ - ____ - ____ - ____ - ____ - ____ - ____ - ____

Legal Description: _____

Flood Zone: _____ Planning District: _____ Zoning: _____

The purpose of this Variance is to allow:

What are the conditions which prevent you from using this property in accordance with its current zoning classification?

I, the undersigned applicant, understands that payment of these fees does not entitle me to approval of this variance and that no refund of these fees will be made. I have reviewed a copy of the applicable zoning regulations and understand that I must be present on the date of the meeting.

Signature of Applicant (Owner of Property or Official Representative of Owner)

Date





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www.planning.baldwincountyal.gov

VARIANCE APPLICATION PROCESS SYNOPSIS

Application

All application materials, including parcel numbers, payment of fees, legal descriptions and completed Authorized Agent Forms when appropriate, must be submitted according to the approved application deadline schedule. Incomplete applications will not be processed and will not be scheduled for a public hearing. Irrespective of the outcome, fees will not be refunded once the application has been processed.

Staff Review

Each application for a Variance is reviewed at a staff meeting with planning staff members and other relevant county staff to review and discuss the merits of each application. The Planning Director assigns each case to a staff member. This staff member performs the evaluation of the site and surrounding properties as well as consults all relevant materials including the standards contained in Baldwin County Zoning Ordinance, Section 18.6.2. The evaluation process for the property that is the subject of the variance includes a physical inspection of the property by Baldwin County Planning Department Staff. Each case will contain a staff report and a recommendation from the planning staff. The staff member assigned to the case is the point of contact for the application and will prepare the report. Staff reports are mailed to the applicant prior to the public hearing and are also available for public inspection.

Standards for Approval

Section 18.6.2 of the Baldwin County Zoning Ordinance: A variance may be authorized based upon the existence of the conditions listed below. Staff will also review the application for consistency with these conditions:

- (a) Exceptional narrowness, shallowness or shape of a specific piece of property existing at the time of the enactment of these zoning ordinances.
- (b) Exceptional topographic conditions or other extraordinary situation or condition of a specific piece of property.

- (c) That 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.
- (d) That the granting of the 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.
- (e) Any owner of record of real property upon the date of the adoption by the Baldwin County Commission of the zoning ordinances for the planning district in which said property is located shall automatically obtain a variance, if needed, for a single family dwelling notwithstanding the type of dwelling to be placed or constructed on the property.

Public Notification

In accordance with Alabama law, a public notice sign with variance information must be posted on the property for which a variance is requested. A notice is also sent to all adjacent property owners.

Public Hearing

A public hearing on the Variance application will be held by the Baldwin County Boards of Adjustments in accordance with their approved meeting schedule. The Board of Adjustment receives an agenda with staff reports and supporting materials approximately 1 week prior to the meeting date. The assigned staff member will present the pertinent details of the case as well as the staff recommendation. During the public hearing the applicant is allowed to address the Board of Adjustment. In addition, those for or against the application will also be allowed to address the Board. Please note: Prior to the hearing, each person desiring to address the Board must complete a Speaker Sign Up form. Staff members will be present at the meeting to provide the proper form for you to complete in order to speak. Any written correspondence received in a timely manner will be presented to the Board. At the conclusion of the Board hearing a decision will be rendered.

Acknowledgement

I acknowledge that I have read the information contained herein. I understand that this synopsis is not an exhaustive list of requirements and I have had ample opportunity to inquire and become familiar with the requirements of the entire *Baldwin County Zoning Ordinance*.

Signature of applicant or authorized agent

Date

CONSENT FOR INSPECTION

I, _____, the owner or authorized agent for
the owner of the premises located at _____
_____,

do hereby consent to the inspection of said premises and the posting of a public notice
sign by an employee of the Baldwin County Planning Department, Baldwin County,
Alabama, in conjunction with application _____, without further notice.

I understand that the public notice signs are the property of the Baldwin County
Commission and are only to be removed by an employee of the Baldwin County
Commission.

Dated this _____ day of _____, 20_____.

Signature of Owner or Authorized Agent Telephone Number