

**BALDWIN** COUNTY,  
ALABAMA

*Planning and Zoning Department*

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

APRIL 15, 2025 @ 3:00PM

Central Annex

Robertsdale, AL

# ZVA25-13 WESCOTT PROPERTY

## VARIANCE REQUEST

Staff: Jenny Mosley , Planning Technician I

- **Planning District:** 14 **Zoned:** BCZ, Base Community Zoning
- **Location:** Subject property is located west of County Rd 9 and North of Honey Rd in the Summerdale community
- **PID:** 05-55-03-05-0-002-062.000
- **PPIN:** 30350
- **Acreage:** .53 +/- Acres
- **Physical Address:** 16246 HONEY RD SUMMERDALE AL 36580
- **Applicant:** Curtis Wescott
- **Owner:** Curtis Wescott
- **Code Cases or Notices of Violation:** No



# ZVA25-13 WESCOTT PROPERTY

## VARIANCE REQUEST

Staff: Jenny Mosley, Planning Technician I

The Applicant is requesting a variance from **Section 3.4.5 (a) BCZ, Base Community Zoning, Area and dimensional regulations** of the Baldwin County Zoning Ordinance as it pertains to the area & dimensional ordinances (setbacks) for the Primary Structure.

The Applicant is requesting a variance from required front setbacks & allow the Mobile Home to remain in current location and requesting to add a porch within the required setbacks.

Staff could not identify a hardship. As a result, Staff recommends case **ZVA25-13** be **Denied** unless information to the contrary is revealed during the public hearing.





# Locator Map



# Site Map



	Adjacent Zoning
North	BCZ, Base Community Zoning
South	BCZ, Base Community Zoning
East	BCZ, Base Community Zoning
West	BCZ, Base Community Zoning

	Adjacent Land Use
North	Residential Use
South	Public Boat Launch
East	Residential Use
West	Residential Use

# Site Map ZVA25-13

Subject Property



**BALDWIN** COUNTY, ALABAMA  
*Planning and Zoning Department*

# Locator Map ZVA25-13



Subject Property

14

HONEY RD

COUNTY RD 9 - GOUNT



**BALDWIN** COUNTY, ALABAMA  
Planning and Zoning Department



Subject Property  
PIN: 30350



**VARIANCE PROPOSED  
FOR THIS PROPERTY**  
CASE NUMBER  
**ZVA25-000013**

For Information Contact  
Baldwin County Planning &  
Zoning Department  
(251)580-1655 / (251)972-8523  
(251)990-4623

Scan 

Mar 27, 2025 12:14:11 PM  
30°27'41.63389"N 87°48'1.27544"W  
6° N

Baldwin County Code Enforcement





Property to The  
South  
PIN: 29884



Mar 27, 2025 12:16:42 PM  
30°27'41.4869"N 87°48'1.53587"W  
245° SW

Baldwin County Code Enforcement





Adjoining Property  
to The East  
PIN: 7075



Mar 27, 2025 12:14:55 PM  
30°27'40.97506"N 87°48'0.25009"W  
59° NE

Baldwin County Code Enforcement





Adjoining Property  
to the West  
PIN: 9390



Mar 27, 2025 12:17:35 PM  
30°27'42.35281"N 87°48'3.31553"W  
58° NE

Baldwin County Code Enforcement





Adjoining Property  
to the North  
PIN: 265324



Apr 4, 2025 1:19:06 PM  
137° SE



## Permit Requirements

*3.4.5 Area and dimensional regulations.* Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, and unless a change is triggered by *Section 3.4.2(i)*, the area and dimensional ordinances set forth below shall be observed for new construction:

(a) Primary Structures:

Maximum Height of Structure	35-Feet
Maximum Height in Habitable Stories	2 ½
Minimum Front Yard	30-Feet
Minimum Rear Yard	30-Feet
Minimum Side Yards	10-Feet



## PROPERTY HISTORY

- **FLD24-000079:** Approved **Flood Land Disturbance (FLD)** 2/4/24, Mobile Home Install: Applicant-Spartan Homes of Summerdale. Applicant submitted a Site Plan meeting setbacks for **Section 3.4.5 (a) BCZ, Base Community Zoning, Area and dimensional regulations**.
- **BPR25-000087:** Created on 1/13/25, Pending Building Department Approval: Property Owner applied for **FLD** approval for the accessory structure on the northwest corner of subject property. The permit was approved by Planning and Zoning on 2/10/2025.
- **BPR25-000455:** Created on 2/24/25, Not Approved Per Ordinance: Property Owner applied for **FLD** approval for the addition of 2 porches on the Approved Mobile Home Install **FLD24-000079**. Owner submitted site plan showing area of proposed disturbance and Staff discovered the placement of the Mobile Home approved under FLD24-000079 did not match the approved site plan and did not meet the zoning front setbacks for **Section 3.4.5 (a) BCZ, Base Community Zoning, Area and dimensional regulations**. Owner stated he was unaware of the approved site plan from FLD24-000079 as Spartan Homes of Summerdale applied for the permit on his behalf and did not place the Mobile Home as stated on the Approved Site Plan, resulting in Mobile Home not following the zoning setbacks.



# Original Site Plan Proposal sent to Property Owner by Spartan Homes

New Blocking Plan for  
The Wescott Residence  
16246 Honey Road  
Summerdale, AL

Parcel ID#: 55-03-05-0-002-062.000



1 PROPOSED SITE PLAN  
1" = 40.0'



Site  
Location

2 LOCATION MAP  
N.T.S.

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NOTES	S102



3200 W. 23RD STREET  
PANAMA CITY, FL 32405  
MKWEBER.COM

AL CERTIFICATE OF  
AUTHORIZATION # CA-6380-E

Michael K Weber  
Digitally signed by  
Michael K Weber  
Date: 2024.12.10  
12:56:34 -06'00'

EOR: MICHAEL K. WEBER P.E.  
STRUCTURAL ENGINEER  
ALABAMA P.E. # 34758-E

REPRODUCED FROM  
THIS DOCUMENT IS NOT  
FOR CONSTRUCTION  
OR ANY OTHER PURPOSE  
WITHOUT THE WRITTEN  
CONSENT OF THE  
ENGINEER.

REV	DATE	DESCRIPTION
1		
2		
3		
4		

New Blocking Plan for  
The Wescott Residence  
16246 Honey Road  
Summerdale, AL

JOB NUMBER: 24130

DRAWN BY: DAU

CHECKED BY: RES

DATE: 12/10/24

SHEET TITLE

SITE PLAN / LOCATION MAP

DRAWING NUMBER

C000



[illegible]

**(a) Primary Structures:**

**Maximum Height of Structure 35-Feet**  
**Maximum Height in Habitable Stories 2 ½**  
**Minimum Front Yard 30-Feet**  
**Minimum Rear Yard 30-Feet**  
**Minimum Side Yards 10-Feet**



# Statement from Property Owner

03/19/25

TO WHOM THIS MAY CONCERN:

I DO NOT KNOW HOW A SITE PLAN WAS GIVEN TO THE COUNTY. SHOWING THE HOME PLACED ON THE SOUTHEAST CORNER OF THE PROPERTY. I WAS CLEAR WITH SPARTAN HOMES WHERE I WANTED IT PLACED AND PROVIDED A SITE PLAN. I WAS NOT AWARE OF THIS APPROVED SITE PLAN UNTIL I TRIED TO GET A PERMIT FOR MY PORCHES. SPARTAN HOME HANDLED ALL THE PERMITS FOR THE HOME.

I HAD A ENGINEERED FOUNDATION WITH SITE PLAN. I WAS TOLD THAT IT WAS APPROVED BY THE COUNTY INSPECTOR. AFTER THE CONCRETE WAS POURED IT WAS CHECKED BY THE ENGINEER AND THEN APPROVED ~~THE~~ BY THE COUNTY INSPECTOR.

I PURCHASED THIS PROPERTY EARLY IN 2019 AND HAVE BEEN PLANNING SENSE.

I HAVE JUST OVER 1/2 ACRE AND A GOOD VIEW OF THE RIVER. WHY WOULD I WANT THE HOME ON TOP OF MY EXISTING STRUCTURES.

WE ARE MOVED IN AND ARE DEALING WITH STEPS THAT ARE TOO LOW. TO MOVE THIS HOME WOULD BE VERY COSTLY AND AN EXTREME HARDSHIP. I AM RETIRED AND 72 YEARS OLD THIS IS GOING TO BE MY FINAL HOME.

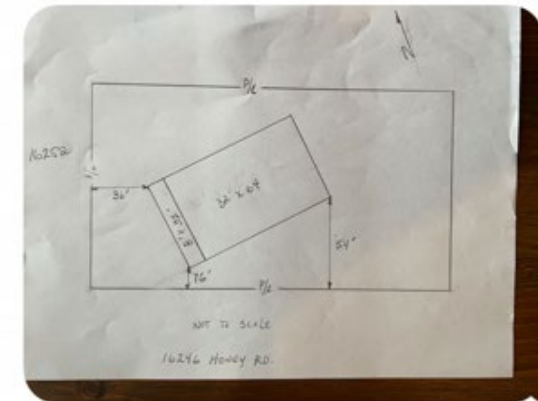
iMessage  
Fri, Jul 19 at 5:24 PM

Get design request 10270  
Honey road.

where on



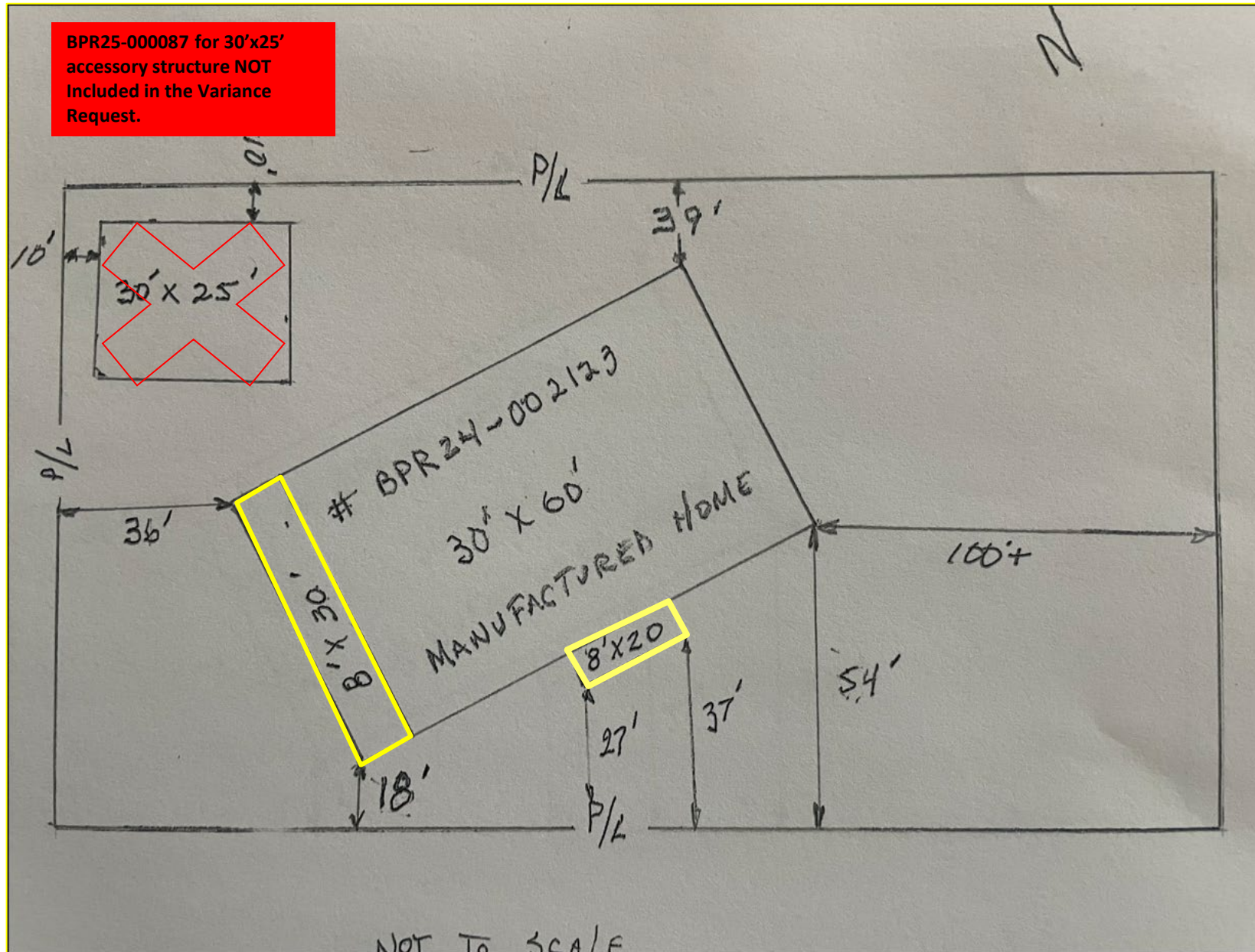
the lot are you placing the home?



Delivered



# Variance Proposed Site Plan with Porches





# No HOA/POA

No active POA  
on this parcel.

A handwritten signature in blue ink, appearing to read "J. H. Smith", written in a cursive style.



# Staff Analysis and Findings

## 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 zoned **BCZ, Base Community Zoning** and is located west of the city Summerdale, west of County Road 9. The parcel consists of approximately .53 +/- acres with lot dimensions of 198'(S) X 123.5'(S) IRR (approximately 23,086.8 square feet). Planning District 14 came into effect on June 6, 2023. The Subject Property meets the required minimum lot size, area and dimensional requirements of Section 5.4(a) of the Baldwin County Subdivision Regulations. **The subject property does not present a notable hardship** that would impact the ability to comply with setbacks or Section 3.4.5 (a) BCZ, Base Community Zoning, Area and dimensional regulations . Therefore, staff does not believe this factor should be considered in this request.

BCZ Required minimum lot size: **7,500 sf (.172 +/- acres)**

Actual size: **23,086.8 sf (.53 +/- acres)**

Lot size hardship: **NO**

BCZ Required minimum width at building line: **80'**

Actual lot width: **198.8'**

Lot width hardship: **NO**

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

**Staff does not perceive this property to have any exceptional topographic condition** or other extraordinary situation, or condition contained on the subject property which requires a variance.



# Staff Analysis and Findings

**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 subject property is zoned BCZ, Base Community Zoning and is in Planning District 14, which allows Mobile Homes as Primary Dwellings by right. BCZ zoning requires minimum setbacks for the Primary Structure of Minimum Front Yard 30-Feet, Minimum Rear Yard 30-Feet and Minimum Side Yards 10-Feet. A Flood Land Disturbance (FLD) was submitted on 2/4/24 meeting all regulations and local provisions for the principal residence and was approved with FLD24-000079. A second application, BPR25-000455, created on 2/24/25 requesting a FLD for the addition of porches brought to the staff's attention that the setbacks and site plan for FLD24-000079 were not followed with the installation of the mobile home by Spartan Homes. Staff believes that allowing relief from **Section 3.4.5 (a) BCZ, Base Community Zoning, Area and dimensional regulations of the Baldwin County Zoning Ordinance as it pertains to the area & dimensional ordinances (setbacks) for the Primary Structure** is not necessary for the preservation of a property right. Not adhering to the zoning ordinance setbacks for BCZ, Base Community Zoning appears to serve merely as a convenience and based primarily on economic loss.

**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 anticipates no major 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. **However, staff cannot specifically assure and makes no warranty or guarantee that if granted the resultant variance will or will not 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 because the effect of the variance cannot be quantified at the time of consideration.**



## ZVA25-13 WESCOTT PROPERTY

### VARIANCE REQUEST

Staff: Jenny Mosley, Planning Tech I

The Applicant is requesting a variance from Section 3.4.5 (a) BCZ, Base Community Zoning, Area and dimensional regulations of the Baldwin County Zoning Ordinance as it pertains to the area & dimensional ordinances (setbacks) for the Primary Structure, to allow the existing Mobile Home to remain & allow the construction of the proposed porches within the required setbacks of the BCZ zoning ordinance as stated in Section 3.4.5 (a).

Staff perceives no hardship and therefore recommends **Denial** of the variance request.



# **ZVA25-13 WESCOTT PROPERTY**

## **VARIANCE REQUEST**

Staff: Jenny Mosley, Planning Tech I

### **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.

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 conditions upon which it is granted, and the conditions imposed by the Zoning Ordinance are adhered to.



**If it is of the pleasure of the Board to Approve this variance, staff recommends the following conditions and memorialized information:**

1. If approved, the variance is limited to the request as shown on the Site Plan.
2. Submission of a Flood Land Disturbance (FLD) for review and approval by staff depicting the site plan included within the variance for the Primary Structure with proposed porch additions and meeting all remaining requirements not excluded with variance approval.
  - a. Any deviations within the FLD from the site plan included in the approved ZVA may require additional variances.
  - b. Staff memorializes that the site plan provided with the variance request is not stamped by a licensed professional engineer or surveyor and has not been presented as nor approved as engineering or survey data.
  - c. Staff reserves the right to require corrective action in lieu of allowing additional variance requests should a blatant disregard for the provisions of an approved ZVA occur.
  - d. Approval of BPR25-000087 for the accessory structure in Northwest corner of property is Excluded from this Variance request.
2. This variance relieves subject property of no other requirements of the Baldwin County Zoning Ordinance, Baldwin County Subdivision Regulations, Baldwin County Building Department (building permit), Baldwin County Highway Department (driveway or turnout permit), or requirements of other agencies.





**BALDWIN** COUNTY,  
ALABAMA

*Planning and Zoning Department*

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

NEXT REGULAR MEETING

MAY 20, 2025 @ 3:00PM

Central Annex

Robertsdale, AL