



BALDWIN COUNTY,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

OCTOBER 21, 2025 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

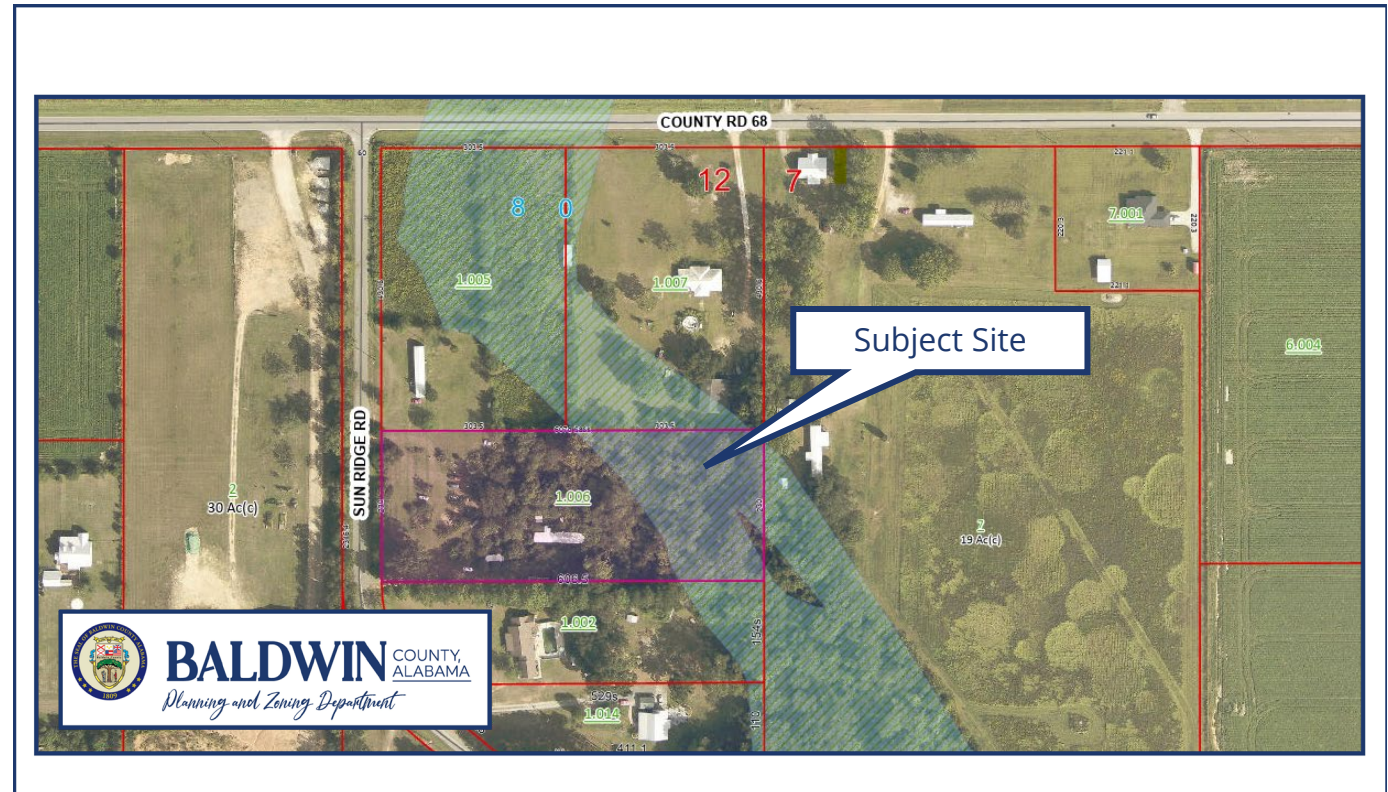
ROBERTSDALE, AL

ZVA25-25 PEREZ PROPERTY

VARIANCE REQUEST

Lead Staff: Calla Mckenzie, Planning Technician II

- **Planning District:** 12 **Zoned:** RSF-1
- **Location:** Subject property is located South of Co Rd 68 and east of Sun Ridge Rd.
- **PID:** 05-42-01-12-0-000-001.006
- **PPIN:** 108945
- **Acreage:** +/- 3.2 acres
- **Physical Address:** 27908 Sun Ridge Rd
- **Applicant:** Oscar Perez
- **Owner:** Oscar and Klein Perez



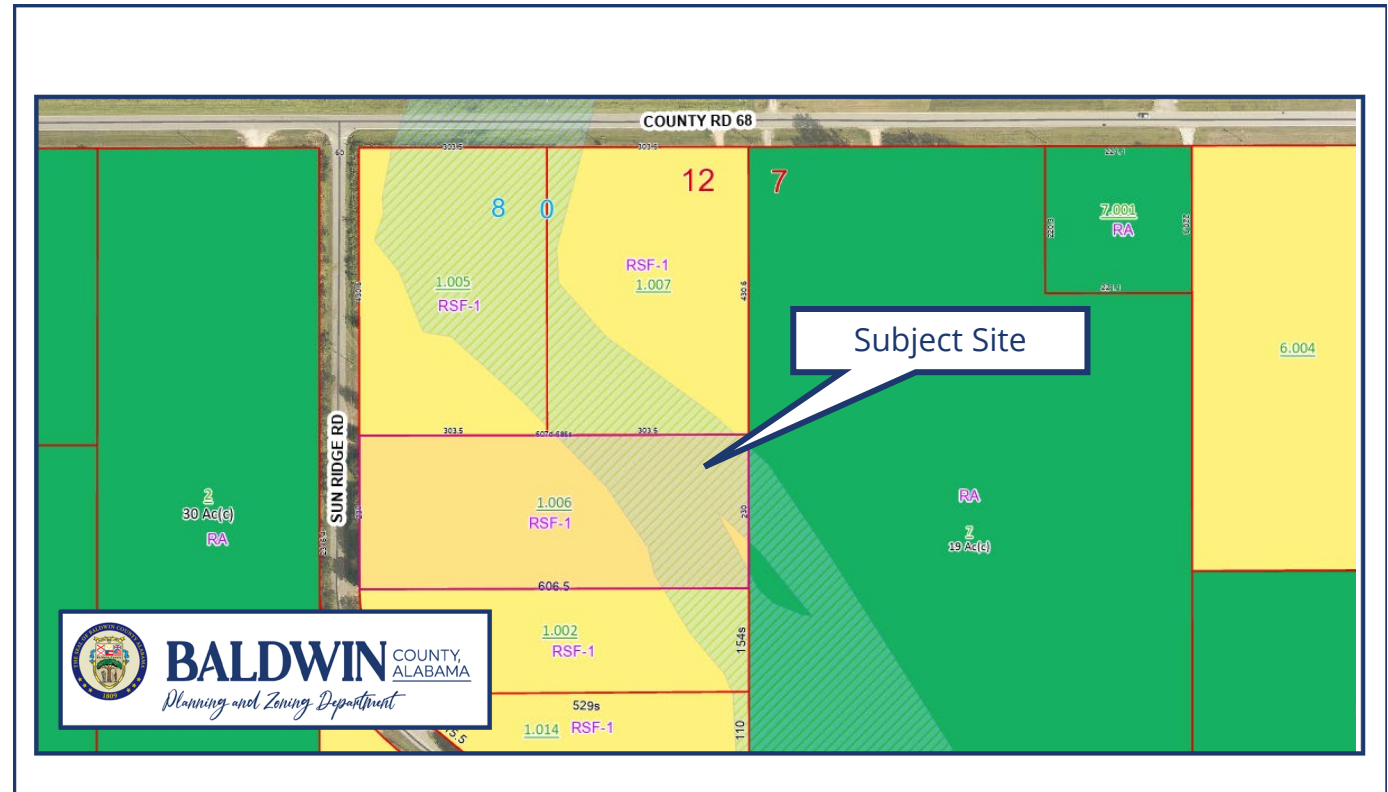
ZVA25-25 PEREZ PROPERTY

VARIANCE REQUEST

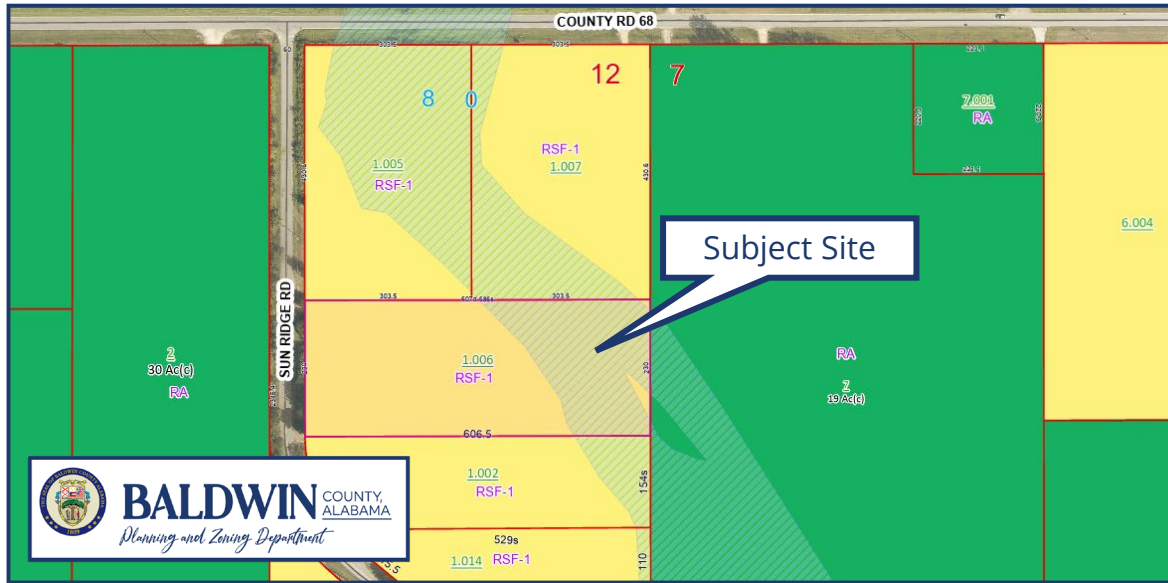
Lead Staff: Calla Mckenzie, Planning Technician II

The applicant is requesting a variance from Section 2.3.12 (d) and 13.1.2 (b) of the Baldwin County Zoning ordinance as it pertains to accessory dwellings not exceeding 60 percent of the size, in square feet, of the principal residence. The request would allow a mobile home that was placed without permits to remain.

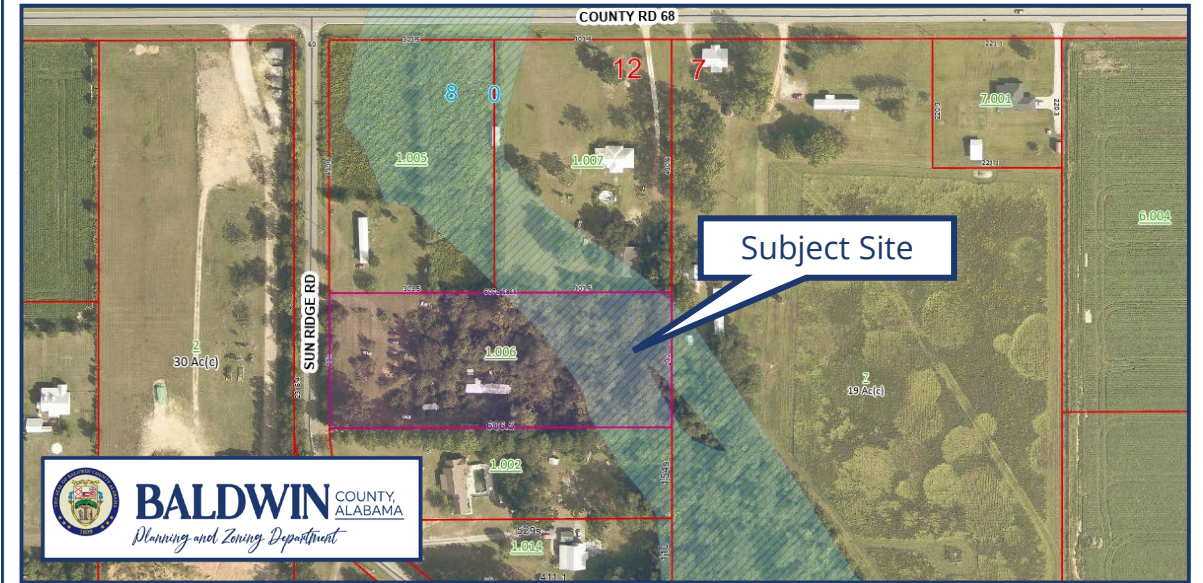
Staff recommends that case ZVA25-25 be **DENIED** unless information to the contrary is revealed at the public hearing.



Locator Map



Site Map



	Adjacent Zoning	Adjacent Land Use
North	RSF-1, Residential Single Family	Residential
South	RSF-1, Residential Single Family	Residential
East	RA, Rural Agricultural	Residential
West	RA, Rural Agricultural	Residential



Subject Property
PIN: 108945

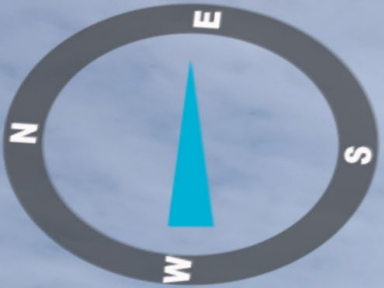


**VARIANCE PROPOSED
FOR THIS PROPERTY**
CASE NUMBER
ZVA25-000025
*For Information Contact
Baldwin County Planning &
Zoning Department*
(251)580-1655 / (251)972-8523
(251)990-4623

Scan 
for mapping details
and application
information
© BALDWINCOUNTYGA

Oct 3, 2025 11:43:37 AM
30°37'53.89918"N 87°43'7.39596"W
71° E

Baldwin County Code Enforcement



Adjoining
Property to
the North
PIN: 101180



Oct 3, 2025 11:45:34 AM
30°37'57.99594"N 87°43'7.2174"W
86° E

Baldwin County Code Enforcement



Adjoining
Property to
the South
PIN: 91577



Oct 6, 2025 9:58:27 AM
30°37'52.18424"N 87°43'7.47134"W
177° S

Baldwin County Code Enforcement



Adjoining Property
to The East
PIN: 34541



Oct 6, 2025 9:57:28 AM
30°37'59.24107"N 87°42'59.69538"W
214° SW

Baldwin County Code Enforcement



Property to The
West
PIN: 62733

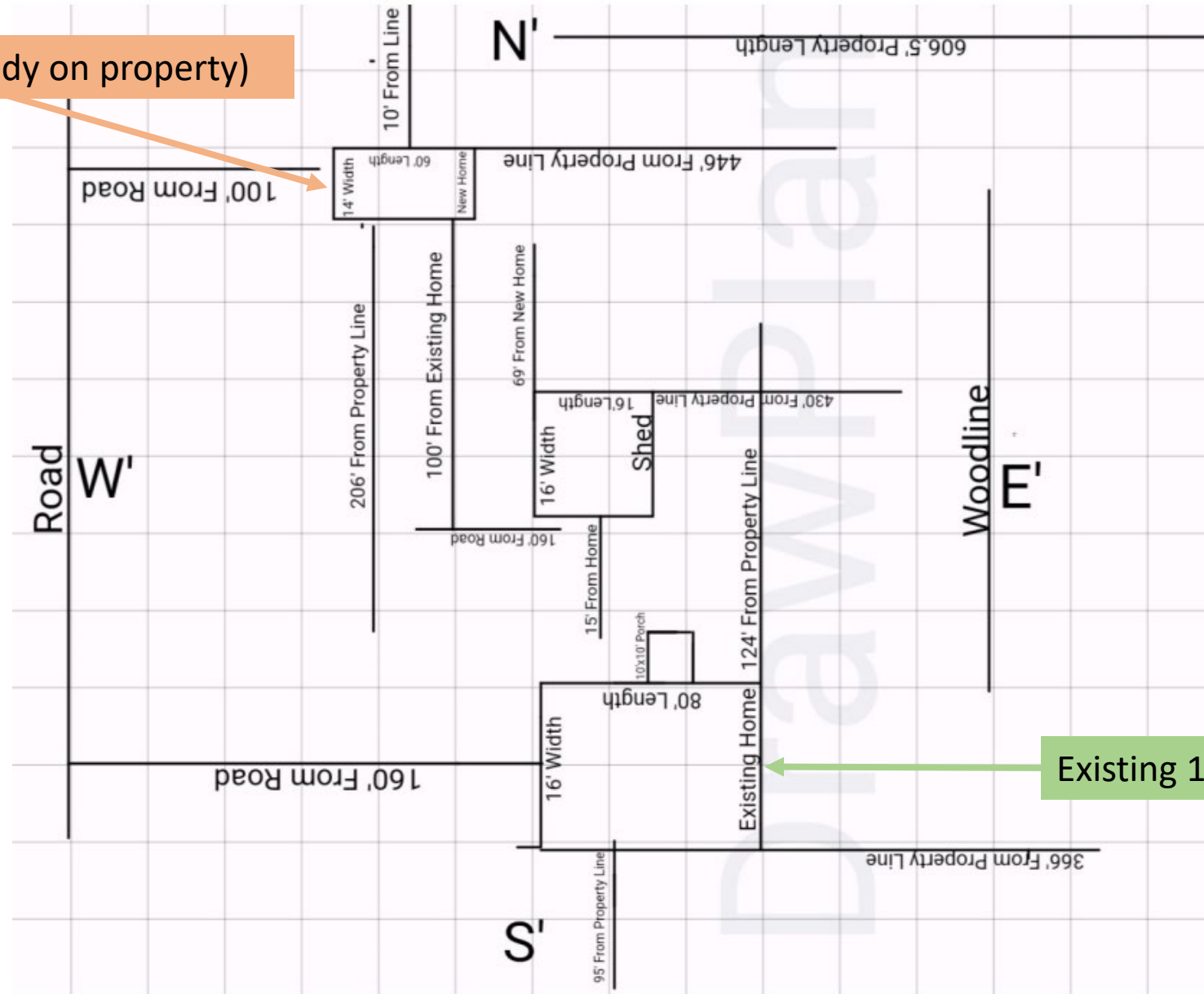


Oct 3, 2025 11:43:51 AM
30°37'53.8995"N 87°43'7.36968"W
232° SW

Baldwin County Code Enforcement

Site Plan

Proposed 840 sf Home (Already on property)



Existing 1380 sf Home

Zoning Requirements

Section 4.2 RSF-1, Single Family District

4.2.1 Generally. This zoning district is provided to afford the opportunity for the choice of a low density residential environment consisting of single family homes on large lots.

4.2.2 Permitted uses. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses shall be permitted:

- (a) The following general industrial uses: extraction or removal of natural resources on or under land.
- (b) The following transportation, communication, and utility uses: water well (public or private).
- (c) The following agricultural uses: Silviculture.
- (d) Single family dwellings including manufactured housing and mobile homes.
- (e) Accessory structures and uses.

(f) The following institutional use: church or similar religious facility.

(g) Agricultural uses, on RSF-1 zoned parcels that otherwise meet the minimum area and dimension requirements for Rural Agricultural District under Section 3.2.6 herein, agricultural uses shall be permitted uses, except that the minimum front yard for barns and other agricultural structures shall be 100 feet when constructed on an RSF-1 zoned parcel where no primary dwelling currently exists.

4.2.3 Conditional Use Commission Site Plan Approval. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following uses and structures designed for such uses may be allowed by the site plan approval process:

- (a) Outdoor recreation uses.
- (b) The following institutional uses: day care home; fire station; school (public or private).
- (c) The following general commercial uses: country club.
- (d) The following local commercial use: bed and breakfast or tourist home (see Section 13.10: *Bed and Breakfast Establishments*).

4.2.4 Special exception. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, the following use and structures designed for such use may be allowed as a special exception: Not Applicable

4.2.5 Area and dimensional ordinances. Except as provided by *Section 2.3: Establishment of Zoning in Planning Districts*, *Section 12.4: Height Modifications*, *Section 12.5: Yard Requirements*, *Section 12.6: Coastal Areas*, *Section 12.8: Highway Construction Setbacks*, *Section 18.5: Variances*, and *Article 20: Nonconformities*, the area and dimensional ordinances set forth below shall be observed.

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
Minimum Lot Area	30,000 Square Feet
Minimum Lot Width at Building Line	100-Feet
Maximum Ground Coverage Ratio	.35

Zoning Requirements

13.1.3 Accessory dwellings. Accessory dwellings are permitted by right as follows:

13.1.3.1 In Residential Zoning Designations. Unless prohibited or restricted by a local provision in Article 2, in all Planning Districts, provided they do not exceed size in gross floor area of the principal dwelling; The applicant will be responsible for confirming that accessory dwellings are not disallowed by restrictive covenants on the parcel where the use is proposed.

2.3.12 Planning District 12.

2.3.12.1 Effective Date

On June 20, 2006, a majority of qualified electors in Planning District 12 voted to institute County Zoning. On November 7, 2006, the County Commission adopted the Planning District 12 Zoning Map and Ordinances.

2.3.12.2 District Boundaries

A legal description of the boundaries for Planning District 12 may be found under Appendix A

2.3.12.3 Local Provisions for Planning District 12

- (a) Industrial uses shall not discharge into any river or natural surface body of water including wetlands.
- (b) No additional Landfills.
- (c) All utilities for new subdivisions shall be placed underground.
- (d) Accessory dwellings are permitted by right in residential districts provided they do not exceed sixty (60) percent of the size, in square feet, of the principal residence.

13.1.2 Rural and Residential districts. In rural and residential districts an accessory use or structure will conform to the following requirements:

- (a) An accessory structure may be located in a rear or side yard but shall not be closer than 5-feet to any lot line.
- (b) Except in rural districts, an accessory structure may not be located in the front yard of a lot, except that on waterfront lots accessory structures may be located between the principal building and the waterfront property line but not within the required front yard setback.

For the 60% rule to be met the largest the accessory dwelling could be is 828 sf. The proposed one is 840 sf.

HOA Letter

Sept 15, 2025

Dear P&Z,

There is no HOA for this subdivision.

Thank you,


OSCAR Perez

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.

Zoning within Planning District 12 was adopted by the County Commission on November 7, 2006. The parcel is +/- 3.2 acres or 0.68 acres. The required minimum lot size for RSF-1 is 30,000 square feet with an 80' minimum lot width at the building line. The property meets the minimum lot requirements; therefore, staff believes there is not any exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

RSF-1 Required minimum lot size: +/- **0.68 acres**

Actual size: +/- **3.2 acres**

Lot size hardship: **NONE**

RSF-1 Required minimum width at street line: **80'**

Actual lot width: **230'**

Lot width hardship: **NONE**

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

There are potential wetlands located towards the rear of the property. However, this request for an allowance of additional footage on an accessory dwelling is not affected by potential wetlands. So, staff does not perceive an exceptional topographic condition or other extraordinary situation, or condition contained on the subject property which would justify 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 RSF-1, which allows for residential and accessory uses. The property has an existing primary dwelling on the property and could potentially still add an accessory dwelling, provided it met the 60% rule and was located in the rear yard. **Staff does not believe that this variance would be necessary for the preservation of a property right.**

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 does not believe the granting of this application, **in general**, 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 in any other respect impair the health, safety, comfort, morals, or general welfare of the inhabitants of Baldwin County. ***However, staff is unable to determine if the approved requested variance will unreasonably diminish or impair established property values within the surrounding areas because it is not feasible to gather sufficient data to make that determination for presentation at the public hearing.***

5.) Other matters which may be appropriate.

N/A

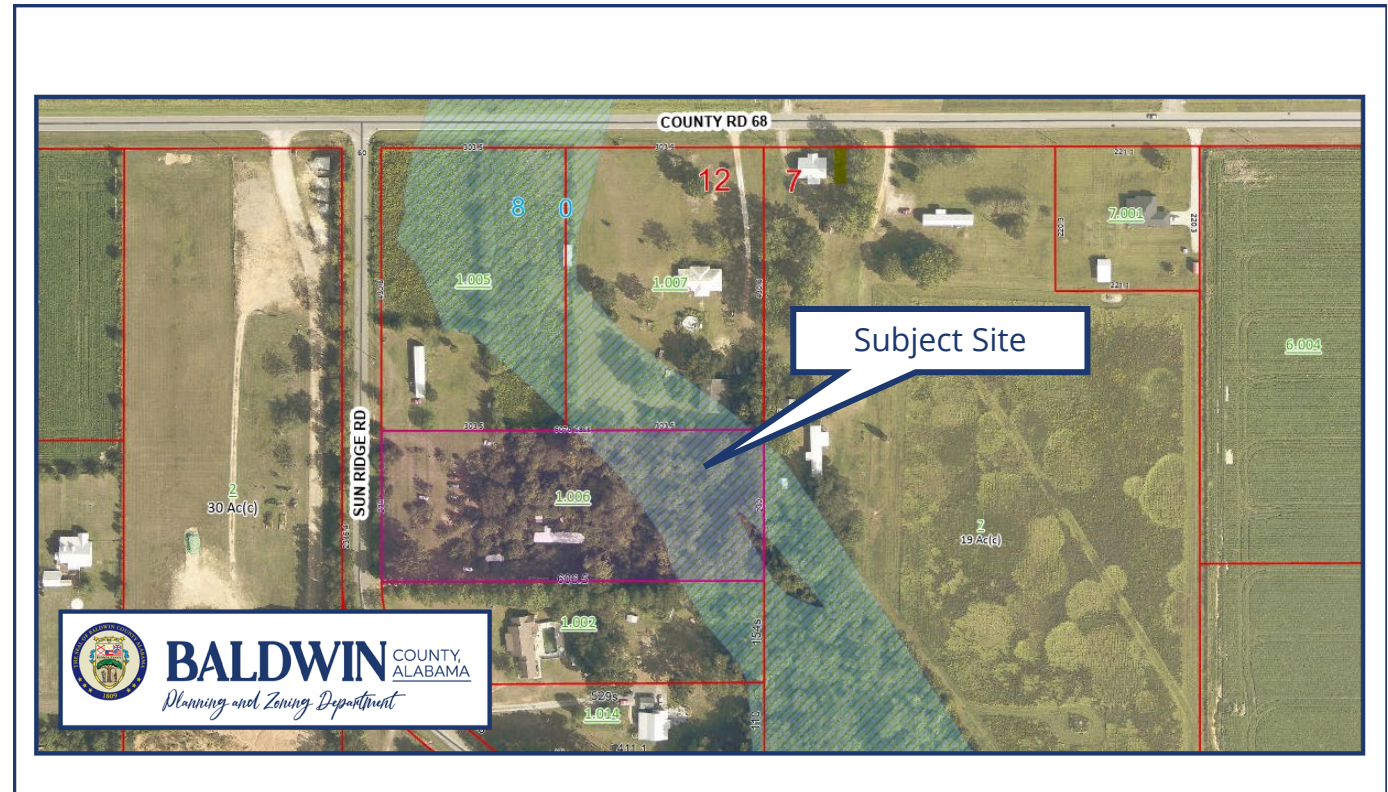
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GENERAL NOTES {By-laws}

Any party aggrieved by a final judgment or decision of the Board of Adjustment may within fifteen (15) days thereafter, appeal the final judgment to the Circuit Court of Baldwin County, Alabama, by filing with the Circuit Court and the Board of Adjustment a written notice of appeal specifying the judgment or decision from which the appeal is taken. In case of such appeal, the Board of Adjustment shall cause a transcript of the proceedings and the action to be certified to the Court where the appeal is taken.

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.



BALDWIN COUNTY,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

NEXT REGULAR MEETING

NOVEMBER 18, 2025 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL