

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

JUNE 16, 2026

BALDWIN COUNTY CENTRAL ANNEX

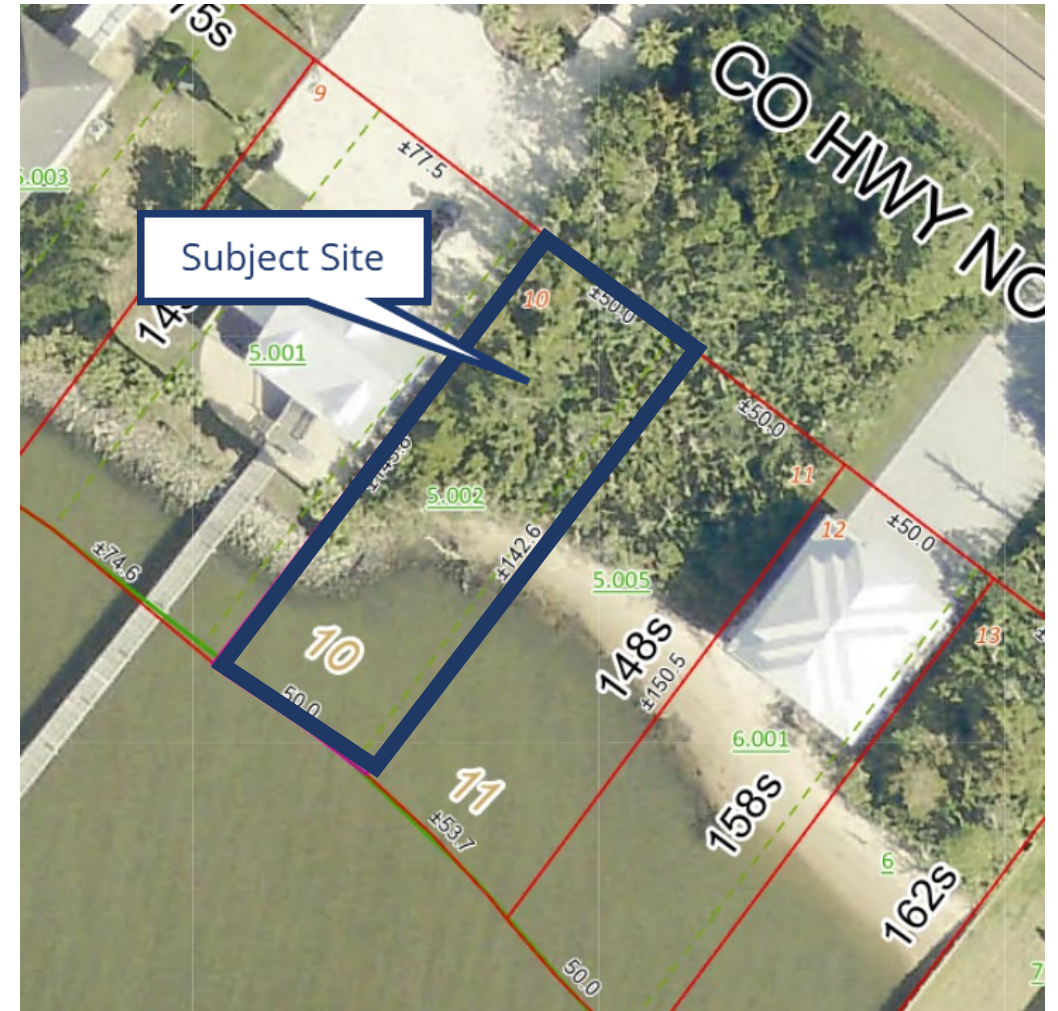
ROBERTSDALE, AL

ZVA26-14 CLAREMONT PROPERTY CO INC

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 26
- **Zoned:** RSF-2, Single-Family District
- **Location:** The subject property is located on the west side of County Road 1 **Lot 10**
- **PID:** 05-56-09-32-0-000-005.002
- **PPIN:** 251889
- **Physical Address:** County Road 1
- **Applicant:** Claremont Property Company
- **Owner:** Claremont Property Company



ZVA26-14 CLAREMONT PROPERTY CO INC

VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 4.3.4 Area and Dimensional Ordinance of the Baldwin County Zoning Ordinance, specifically regarding the 30-foot rear property line to allow for the construction of a new single-family dwelling.

The applicant is requesting to build up to 2.7 feet to the rear property line, instead of maintaining the required 30-foot rear setback.

Staff recommends that ZVA26-14 be Approved.



Locator Map



Site Map



Adjacent Zoning

Adjacent Land Use

North

RSF-2, Residential Single Family

Residential

South

RSF-2, Residential Single Family

Vacant

East

RA, Rural Agriculture

Vacant

West

Water Body

Mobile Bay

Subject Property
PIN: 251889



**PROPOSED
FOR THIS PROPERTY**
Case Number
ZVA 26-000014
For information Contact
Baldwin County Planning &
Zoning Department
(251) 580-1655



Jun 2, 2026 10:58:32 AM
12009 County Road 1
Fairhope
Baldwin County
Alabama

Adjoining Property
to The West
PIN: 251888




Jun 2, 2026 10:53:41 AM
12009 County Road 11
Fairhope
Baldwin County
Alabama



Adjoining Property
to The East
PIN: 628016

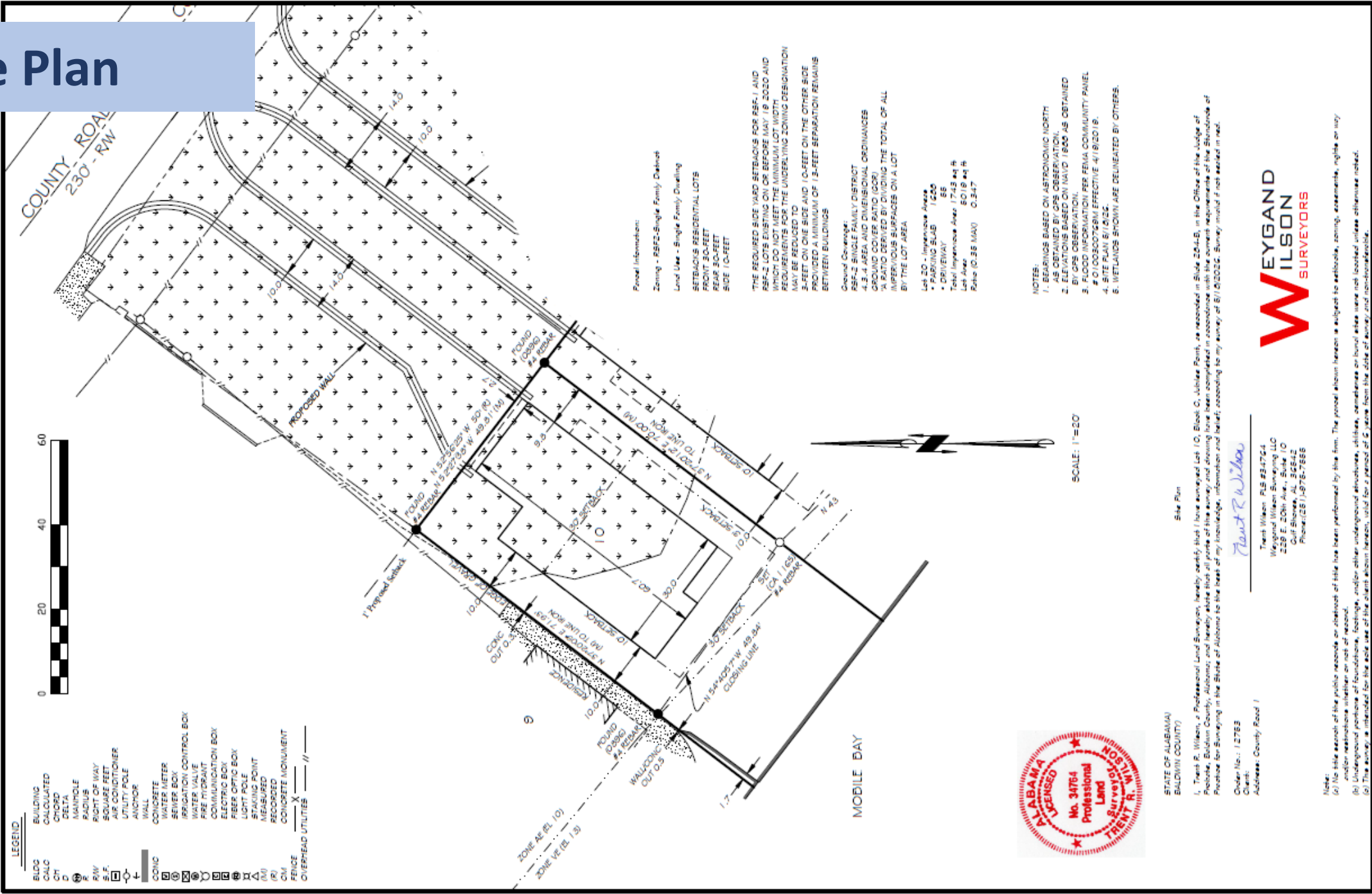
Jun 2, 2026 10:53:10 AM
12019 County Road 1
Fairhope
Baldwin County
Alabama



Property to The
North
PIN: 37824

Jun 2, 2026 10:52:11 AM
12019 County Road 1
Fairhope
Baldwin County
Alabama

Site Plan



LEGEND

| | |
|------|------------------------|
| BLDG | BUILDING |
| CALC | CALCULATED |
| CH | CHORD |
| D | DELTA |
| MA | MANHOLE |
| R | RADIUS |
| R/W | RIGHT OF WAY |
| S.F. | SQUARE FEET |
| A/C | AIR CONDITIONER |
| U/P | UTILITY POLE |
| A | ANCHOR |
| W | WALL |
| C | CONCRETE |
| L | LETTER |
| S | SEWER BOX |
| CB | REGULATION CONTROL BOX |
| WV | WATER VALVE |
| F | FIRE FIGHTER |
| COM | COMMUNICATION BOX |
| E | ELECTRIC BOX |
| FO | FIBER OPTIC BOX |
| L | LIGHT POLE |
| ST | STAKING POINT |
| M | MEASURED |
| R | RECORDED |
| CM | CONCRETE MONUMENT |
| F | FENCE |
| X | OVERHEAD UTILITIES |
| H | |

Panel Information:

Zoning - RSF-2 Single Family District
 Land Use - Single Family Dwelling
 SETBACKS RESIDENTIAL LOTS
 FRONT 30-FEET
 REAR 30-FEET
 SIDE 10-FEET

THE REQUIRED SIDE YARD SETBACKS FOR RSF-1 AND RSF-2 LOTS EXISTING ON OR BEFORE MAY 18 2020 AND WHICH DO NOT MEET THE MINIMUM LOT WIDTH REQUIREMENTS FOR THE UNDERLYING ZONING DESIGNATION MAY BE REDUCED TO 3-FEET ON ONE SIDE AND 10-FEET ON THE OTHER SIDE PROVIDED A MINIMUM OF 13-FEET SEPARATION REMAINS BETWEEN BUILDINGS

Ground Coverage:

RSF-2 SINGLE FAMILY DISTRICT
 4.3.4 AREA AND DIMENSIONAL ORDINANCES
 GROUND COVER (GC)
 IMPERVIOUS SURFACES ON A LOT
 BY THE LOT AREA

Lot 20 - Impervious Area
 • PAVING SLAB 1,249
 • DRIVEWAY 66
 Total Impervious Area 1,743 sq ft
 Lot Area 5018 sq ft
 Ratio (0.35 MAX) 0.347



NOTES:

1. BEARINGS BASED ON ASTROMOMIC NORTH
2. AS OBTAINED BY GPS OBSERVATION.
3. ELEVATIONS BASED ON NAVD 1885 AS OBTAINED BY GPS OBSERVATION.
4. FLOOD INFORMATION PER FEMA COMMUNITY PANEL # 0100500748M EFFECTIVE 4/18/2018.
5. SITE PLAN 8/1/2024.
6. WETLANDS SHOWN ARE DELINEATED BY OTHERS.

SCALE: 1"=20'

STATE OF ALABAMA
 BALDWIN COUNTY

I, Trent R. Wilson, a Professional Land Surveyor, hereby certify that I have surveyed Lot 10, Block C, Wilkes Point, as recorded in Slide 204-18, in the Office of the Judge of Probate, Baldwin County, Alabama; and hereby state that all parts of this survey and showing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of 8/1/2024. Survey would if not noted in next.

Order No.: 12763
 Client:
 Address: County Road 1

Site Plan

Trent R. Wilson

Trent Wilson RS #34764
 Wilcox Wilson Surveying, LLC
 229 E. 20th Ave., Suite 10
 Gulf Shores, AL 36542
 Phone: (251) 975-7656

WILSON
 SURVEYORS

Note:
 (a) No title search of the public records or abstracts of title has been performed by this firm. The parcel shown herein is subject to setbacks, zoning, easements, rights or way location restrictions, easements or not of record.
 (b) Underground portions of foundations, footings, and/or other underground structures, utilities, conduits or burial sites were not located unless otherwise noted.
 (c) This survey is intended for the sole use of the client about herein, valid for a period of 6 years from the date of survey, and non-transferable.

Zoning Requirements

Section 4.3 RSF-2, Single Family District

4.3.1 *Generally.* This zoning district is provided to afford the opportunity for the choice of a moderate density residential environment consisting of single family homes.

4.3.2 *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-2 zoned parcels that otherwise meet the minimum area and dimension requirements for Rural Agricultural District under Section 3.2.5 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-2 zoned parcel where no primary dwelling currently exists.

4.3.2 *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*).

4.3.3 *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

4.3.4 *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 18.4 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 | 15,000 Square Feet |
| Minimum Lot Width at Building Line | 80-Feet |
| Minimum Lot Width at Street Line | 40-Feet |
| Maximum Ground Coverage Ratio | .35 |

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 in Planning District 26 came into effect on September 21, 1993. The lot of record is 50' x 143.8' and 7,190 sq. ft. The minimum lot size requirement for RSF-2, Residential Single-Family District, is 15,000 sq. ft. with a minimum lot width at the building line of 80'. This parcel is along the area of the exceptionally large right-of-way. Therefore, staff believes there is an exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

Minimum lot size: **15, 000sf** Actual lot size: **7,190 +/- sf**, Minimum Lot width: **80'**, Actual Lot Width: **50'**, Hardship: YES

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

The subject property contains jurisdictional wetlands and has obtained permits from the Corps to fill a maximum of one-tenth of an acre, as permitted by the local provisions for Planning District 26. Therefore, staff could establish exceptional topographical conditions or other extraordinary situations, or conditions contained on the property that would require 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 currently zoned RSF-2, a Residential single-family zoning designation that allows for residential uses and accessory structures. The applicant's request is to construct a single-family home. The applicant received a land disturbance ZLD25-65 for the bulkhead and backfill. Staff believes 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.

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 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.

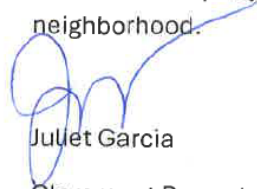
Staff Analysis and Findings

5.) Other matters which may be appropriate.

- The applicant has submitted a written document stating there is no active homeowner association for the subject property.
- No documentation in favor of or opposition to this variance request has been received at the time this staff report was written.

POA Statement

Claremont Property Co. is the owner of this parcel. This property is not in an active neighborhood.



Juliet Garcia

Claremont Property Company.

ZVA26-14 CLAREMONT PROPERTY CO INC

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The applicant is requesting to build up to 2.7 feet to the rear property line, instead of maintaining the required 30-foot rear setback.

Staff recommends that ZVA26-14 be approved with conditions.

1. If approved, the variance is limited to the site plan as shown and provided herein.
2. This variance doesn't relieve the subject property of any other requirements of the Baldwin County Zoning Ordinance, Baldwin County Subdivision Regulations, Baldwin County Building Department (building permit), Baldwin County Highway Department (driveway permit, turnout permit, or licensing agreement), or requirements of other agencies.

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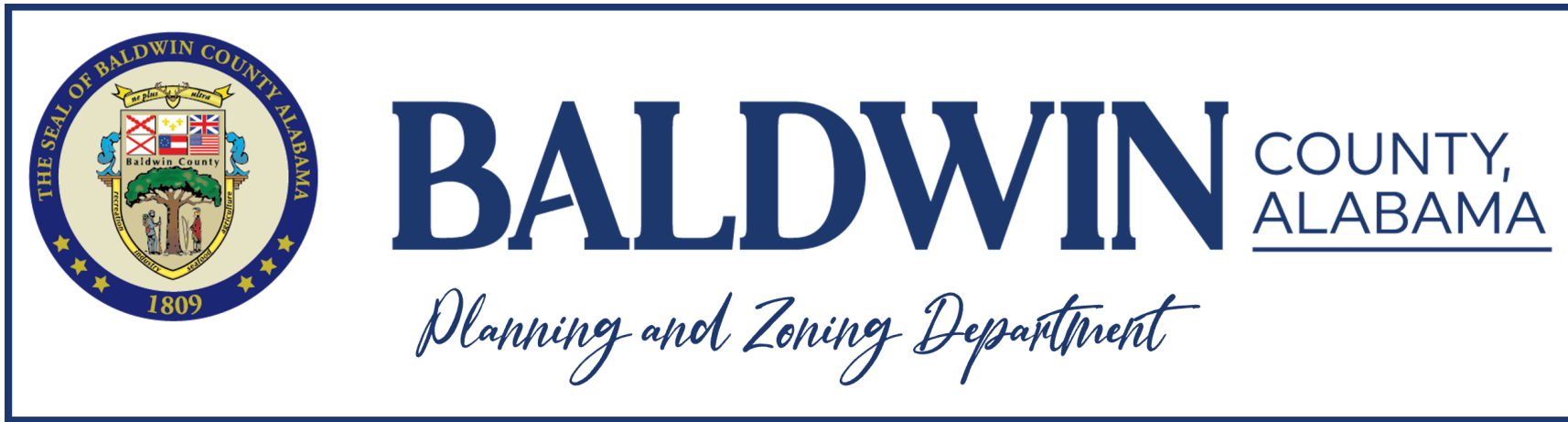
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GENERAL NOTES {By-laws}

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 BOARD OF ADJUSTMENT #1

NEXT REGULAR MEETING

JULY 21, 2026 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL