



BALDWIN COUNTY,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

JANUARY 20, 2026

BALDWIN COUNTY CENTRAL ANNEX

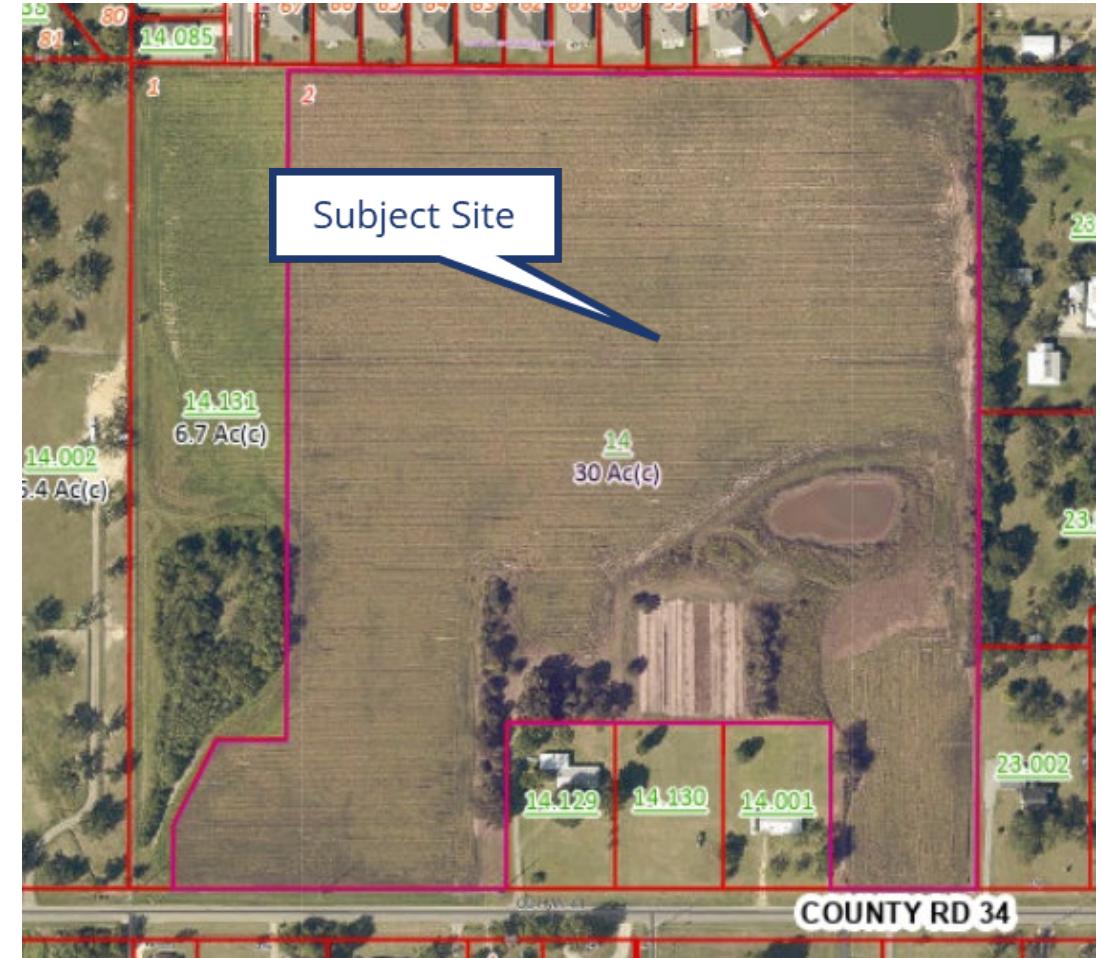
ROBERTSDALE, AL

ZVA25-71 BURMEISTER PROPERTY

VARIANCE REQUEST

Lead Staff: Crystal Bates, Planning Technician II

- **Planning District:** 8
- **Zoned:** RSF-1, Residential Single-Family District
- **Location:** The subject property is located on the north side of County Road 34
- **PID:** 05-46-08-28-000-014.000
- **PPIN:** 5736
- **Acreage:** 30 ac
- **Physical Address:** County Road 34
- **Applicant:** Lieb Engineering LLC
- **Owner:** BURMEISTER, WILLIAM H OR BONNIE M BURMEISTER OR KATRINA B SCHONEMANN TRUSTEES OR THEIR SUCCESSORS IN TRUST UNDER THE BURMEISTER



ZVA25-71 BURMEISTER PROPERTY

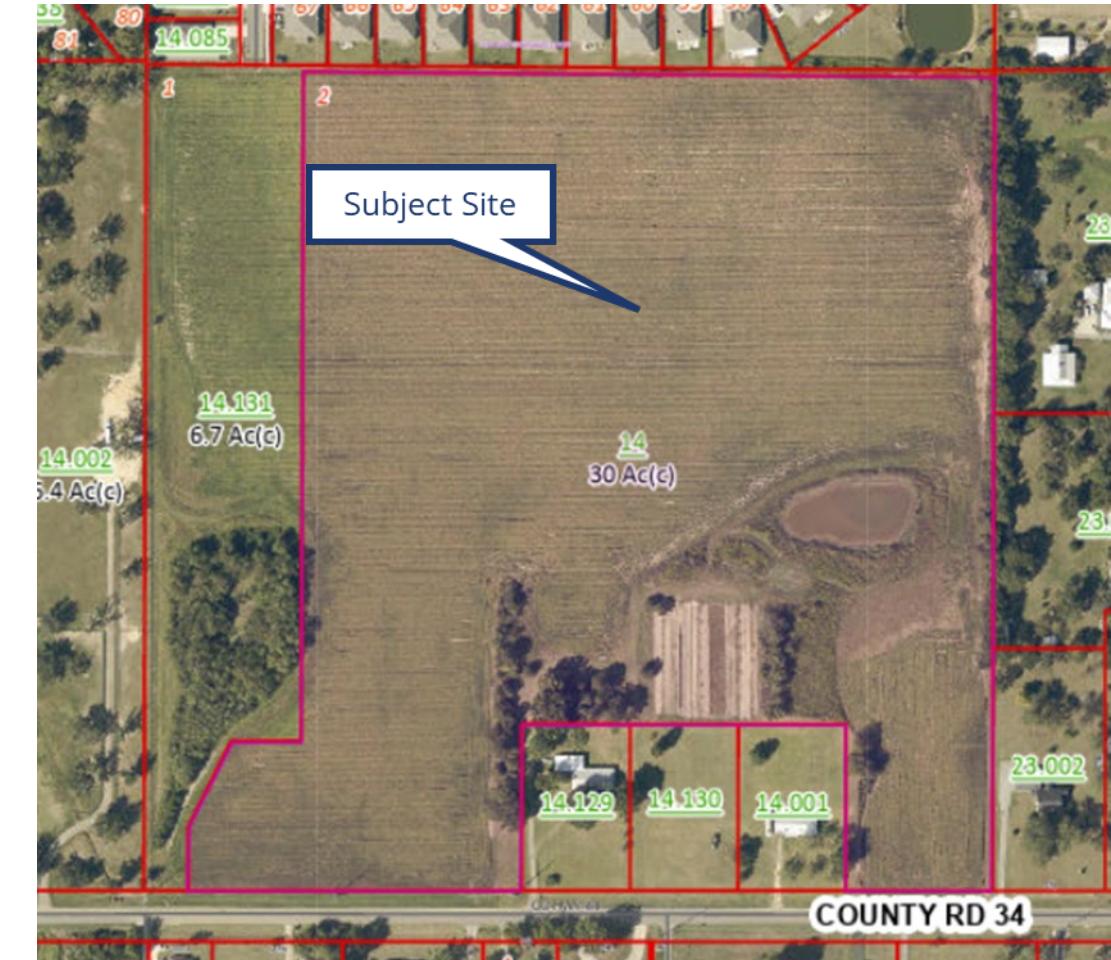
VARIANCE REQUEST SUMMARY AND RECOMMENDATION

Lead Staff: Crystal Bates, Planning Technician II

The applicant is requesting a variance from Section 17.3.2 (i) Landscaping Buffers requirements of the Baldwin County Zoning Ordinance as it pertains to installing landscape buffers for subdivisions and Section 17.3.1 Purpose and Intent of the Landscaping Buffer in order to allow for a different design of landscaping.

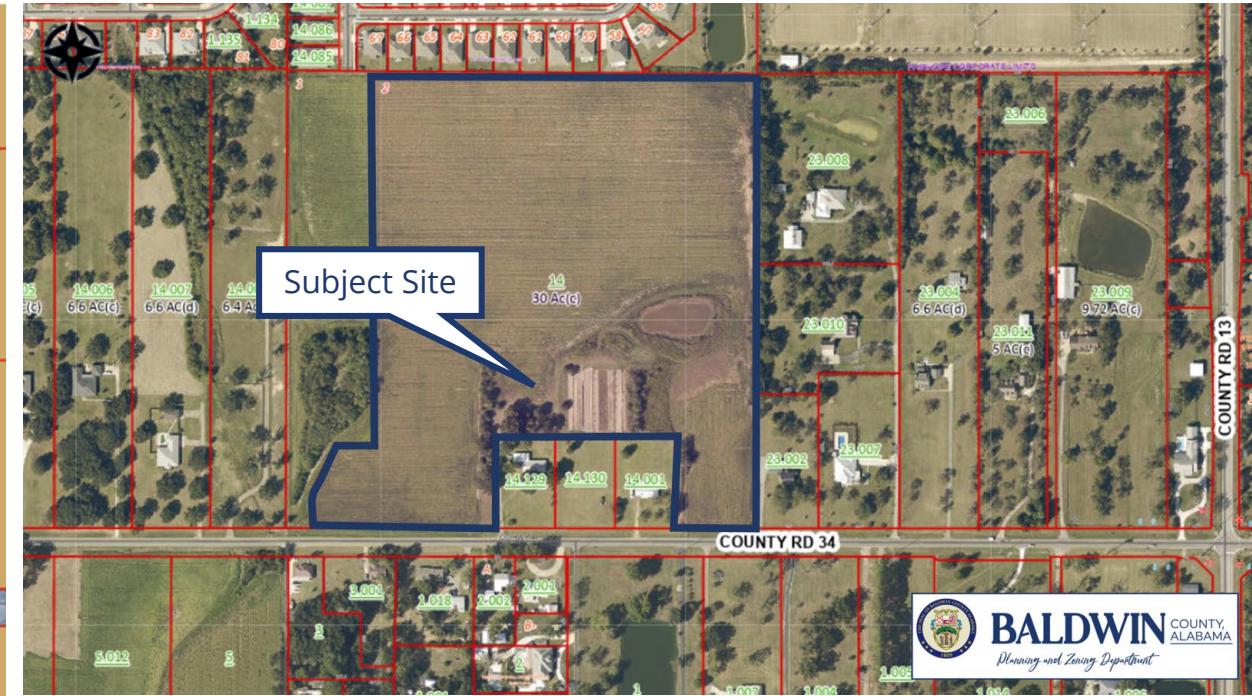
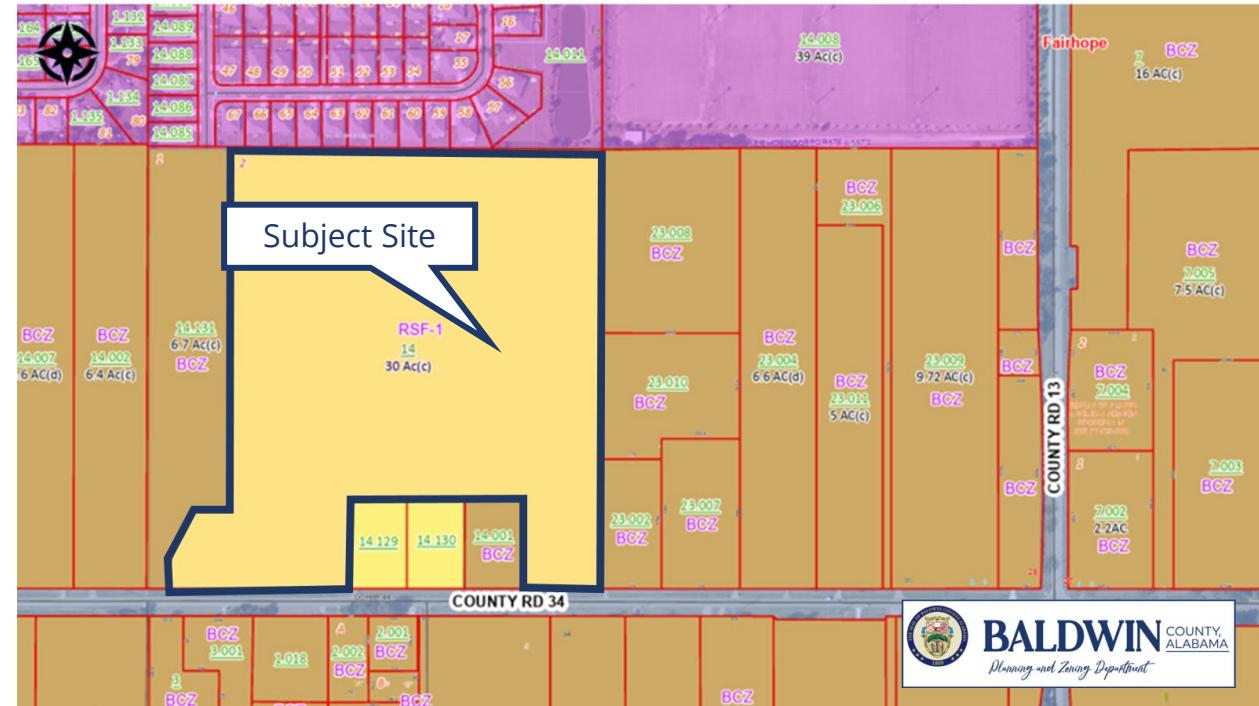
The applicant requests that landscaping not be installed according to our original design. The design in the zoning ordinance reads that the buffer area should be constructed with the width specified below and planted with canopy trees, understory trees, and shrubs that are sufficiently dense and of appropriate height. As an alternative, the applicant proposes using oak trees exclusively on the west side and Leyland cypress along the east and north sides. They also would like a variance from the east and west side from the 20' in width of the buffers.

Staff perceives no hardship on the subject property and recommends that case ZVA25-71 be **DENIED** unless information to the contrary is revealed at the public hearing.



Locator Map

Site Map



Adjacent Zoning

North B2, Neighborhood Business District

South RSF-1, Residential Single Family 1

East RA, Rural Agriculture

West B2, Neighborhood Business District

Adjacent Land Use

Commercial

Residential

Vacant

Vacant

Subject Property
PIN: 5735



Dec 29, 2025 3:04:25 PM
8600 County Road 34
Fairhope
Baldwin County
Alabama



Adjoining Property
to the North
PIN: 364109

Dec 29, 2025 3:18:05 PM
254 Silo Loop
Fairhope
Baldwin County
Alabama



Property to
the South
PIN: 634489

Dec 29, 2025 3:04:35 PM
8600 County Road 34
Fairhope
Baldwin County
Alabama



Adjoining Property
to the East
PIN: 49091

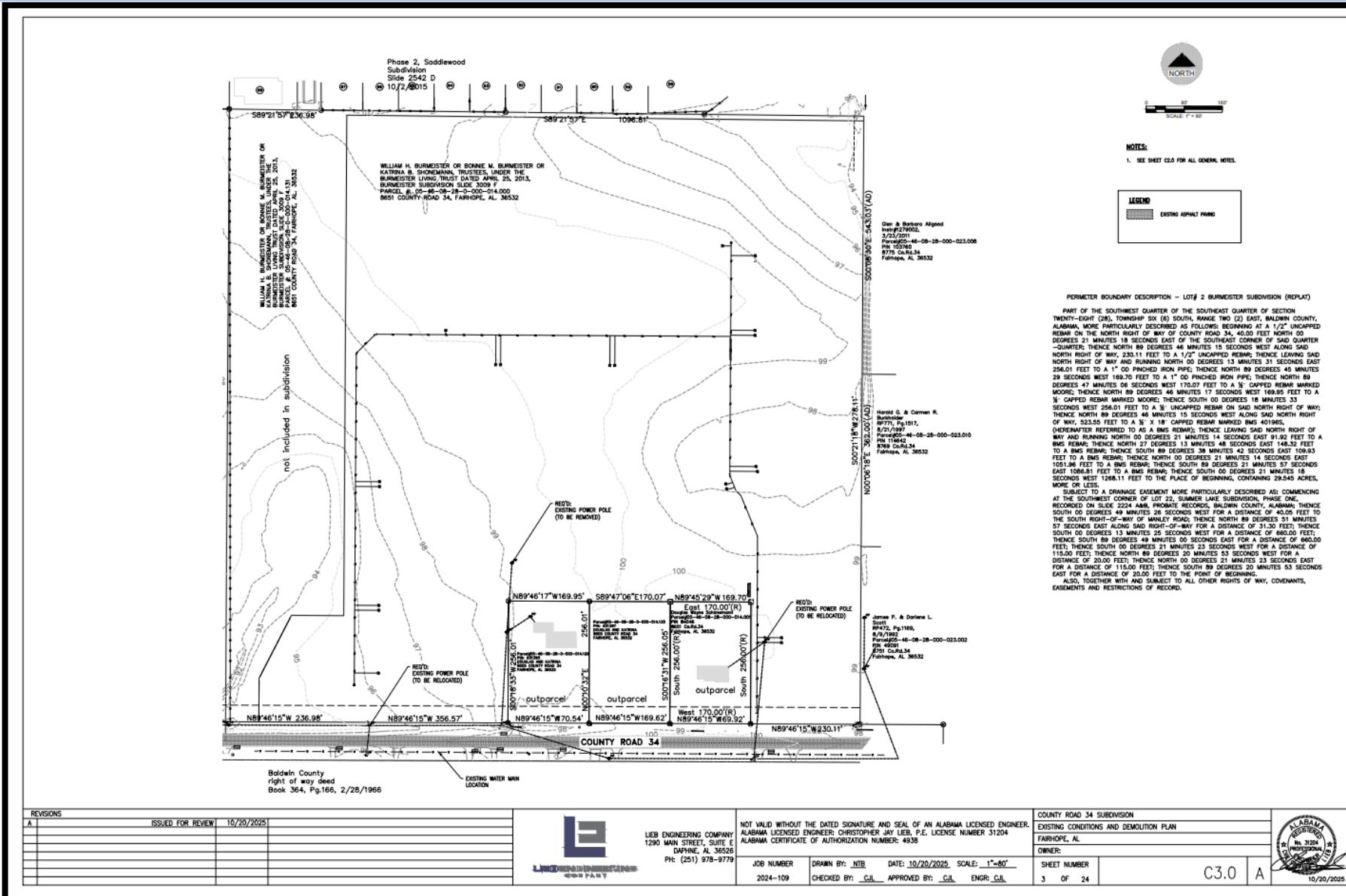
Dec 29, 2025 3:11:38 PM
8809 County Road 34
Fairhope
Baldwin County
Alabama



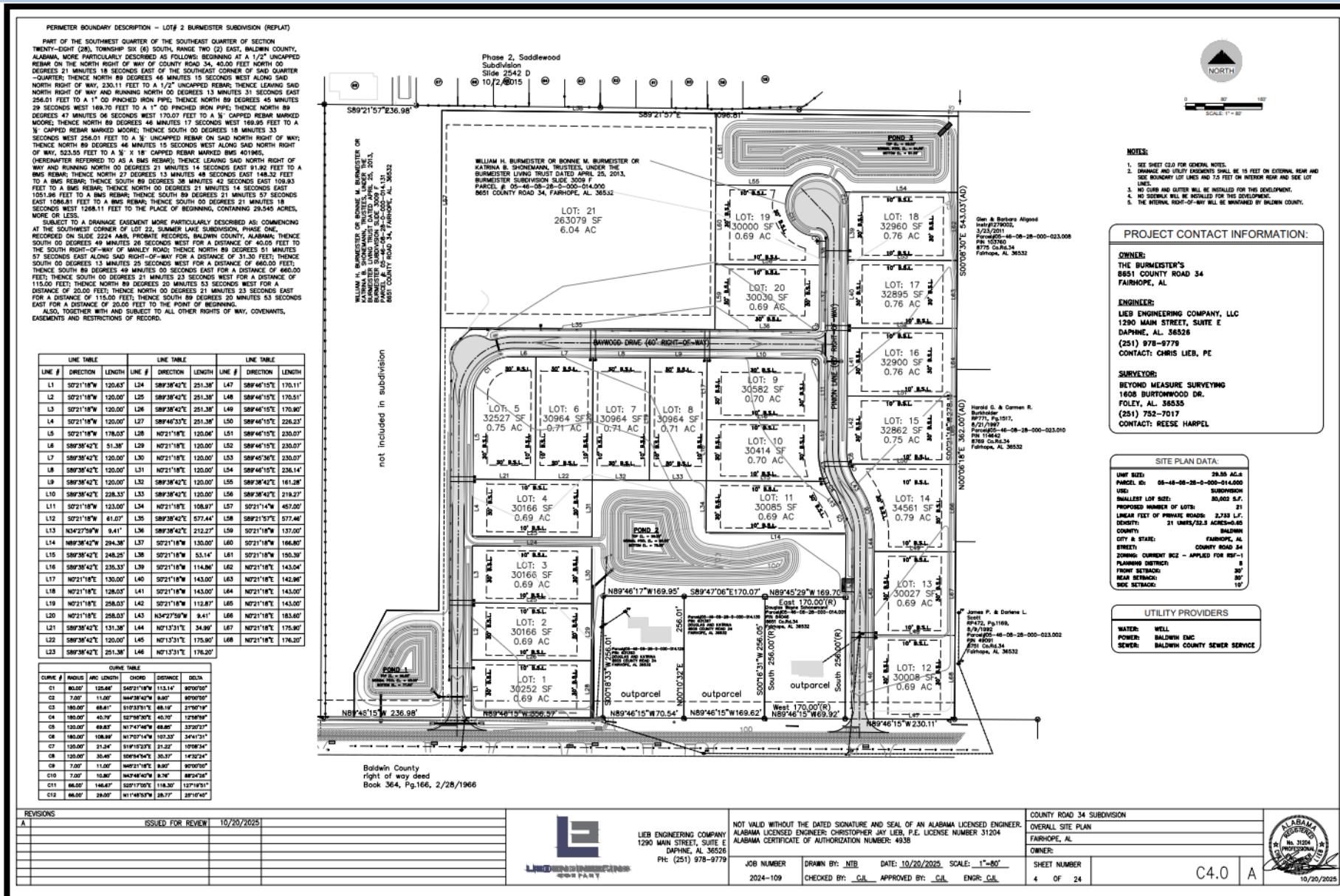
Property to
the West
PIN: 106169

Dec 29, 2025 3:06:52 PM
8461 County Road 34
Fairhope
Baldwin County
Alabama

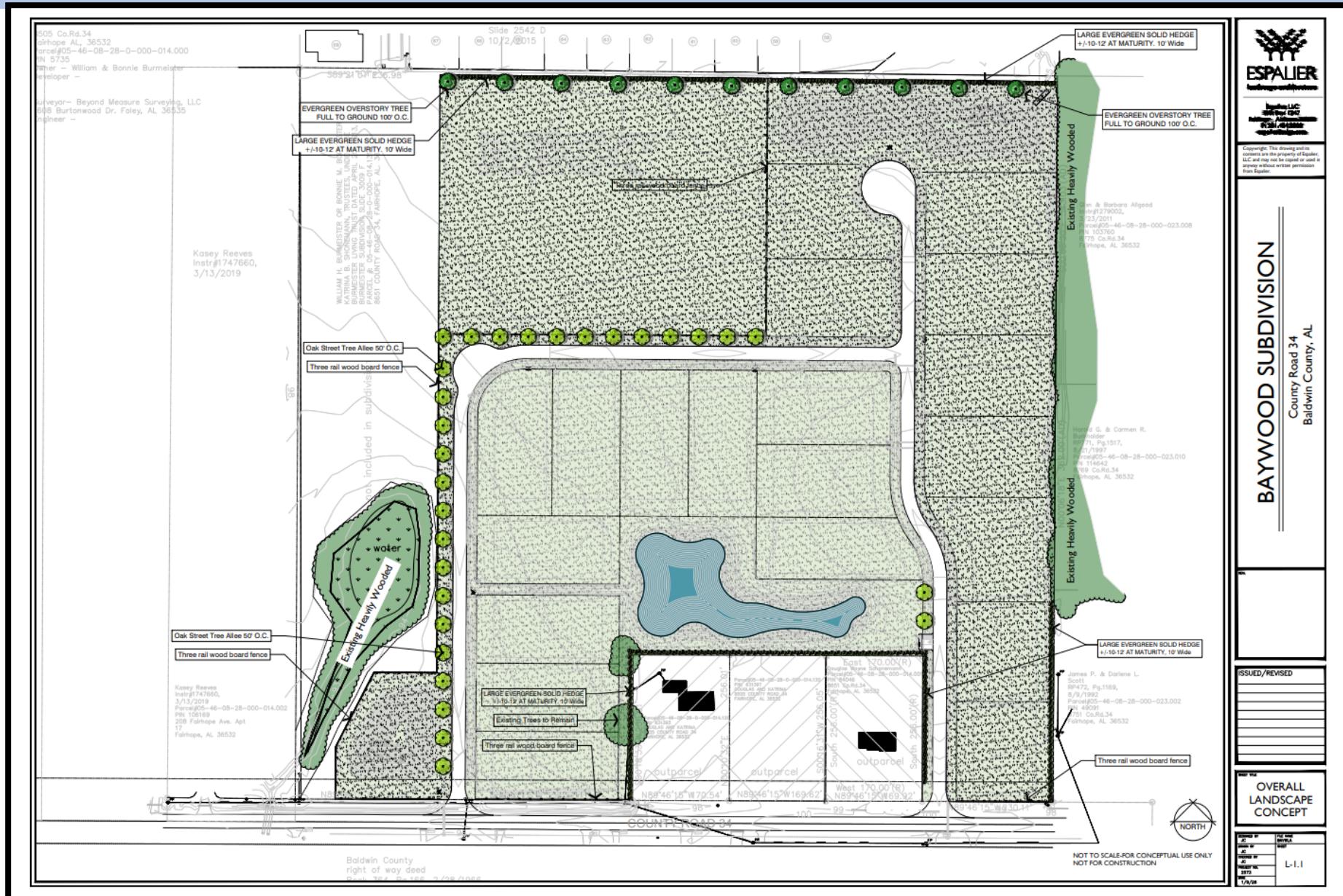
Site Plan



Site Plan



Proposed Site Plan



Zoning Requirements

Section 17.2 Landscaping Plan

A landscaping plan is required for all major projects. Such plan shall be in conjunction with an application for a site plan approval as herein provided. The plan shall clearly show what existing trees, shrubbery, and other vegetation will be removed and what trees, shrubbery, and other vegetation will be added to complete the landscaping of the property. The developers shall attempt to retain as many trees, shrubbery, and other vegetation as possible on the property unless the trees are a safety hazard to pedestrians or vehicular traffic, or that their removal is necessary to construct the proposed improvements. In such case, the landscape plan shall indicate replacement of at least 6 feet tall and one inch in diameter for each indigenous tree of at least 6 inches in diameter removed, unless the property already has a tree density that would not allow adequate space or light for additional trees. The landscape plan shall show the locations of the proper number of replacement trees. Replacement trees and vegetation to be installed shall be native species or noninvasive exotics that are likely to out-compete native vegetation and do not require excessive amounts of fertilizer, or water to maintain growth.

- (a) A major project which abuts a freeway/expressway, arterial or collector road shall maintain a minimum of ten (10) feet of the required setback along the entire width of the property which abuts said freeway/expressway or collector except where curb cuts provide ingress and egress. The property shall be planted with trees, shrubs and grass or other ground cover to present an attractive appearance as presented as detailed in the required landscaping plan.
- (b) A minimum of five (5) feet side and rear landscaping may be required in the landscape plan depending on the topography and arrangement of the property and facilities. If required, such areas shall be planted with a combination of shrubs and grass or other ground cover adequate to break the contiguous parking areas and to present an attractive appearance as determined by the Zoning Administrator. Adjacent property owners shall agree on the establishment of a common landscaped area between properties that meets the requirement of this Section; provide for the agreement and the planting and maintenance of the common area by binding upon both parties and their successors, interests and assigns.
- (c) Junk yards shall be buffered with vegetation so as to achieve a visual screen of the yard and its ancillary operations.

Section 17.3 Buffers of Unlike Land Uses and Zoning Designations

17.3.1 Purpose and intent. Where unlike land uses or zoning designations are adjacent to one another, a landscaped buffer shall be required along the entire length of all such common boundaries. The buffer shall be of the width specified below and shall be planted with canopy trees and shrubs of sufficient density and of sufficient height

less than 8-feet high at the time of planting for canopy trees (or 10-feet high for understory trees) to afford a visual screen. All screen planting shall be maintained in a clean and orderly condition.

17.3.2 Buffer Requirements. Landscaped buffers shall be required around a building site for any given use, and shall not be a part of the building footprint or way. The required buffer widths are listed below at Appendix B:

- (a) Multiple Family uses (RMF-6) where Residential Single Family Estate District (RSF-1, RSF-2, RSF-3, RSF-4 and RSF-6) shall require a buffer of **25-feet**.
- (b) Multiple Family uses (RMF-6) where Residential Single Family Estate District (RSF-1, RSF-2, RSF-3, RSF-4 and RTF-6) or Professional Business uses (B-2) shall require a buffer of **10-feet**.
- (c) Institutional uses, Professional Business uses (B-2), General Business uses (B-3), Marine Recreation (MR) uses where Residential Single Family Estate District (RSF-1, RSF-2, RSF-3, RSF-4 and RTF-6) shall require a buffer of **25-feet**.
- (d) Institutional uses, Professional Business uses (B-2), General Business uses (B-3), Marine Recreation (MR) uses where Residential Single Family Estate District (RSF-1, RSF-2, RSF-3, RSF-4 and RTF-6) or Multiple Family District (MF-6) shall require a buffer of **10-feet**.
- (e) Manufactured Housing Parks (RMH) where Residential Single Family Estate District (RSF-E) or Single Family Estate District (RSF-3, RSF-4 and RSF-6) shall require a buffer of **20-feet**.
- (f) Manufactured Housing Park (RMH) where Residential Single Family Estate District (RSF-E) or Multiple Family District (B-1) shall require a minimum buffer of **75-feet**.
- (g) Light Industrial uses (M-1), General Industrial uses (M-2) and Transportation, Communication and Utility uses where Residential Single Family Estate District (RSF-1, RSF-2, RSF-3, RSF-4 and RTF-6) shall require a minimum buffer of **75-feet**.

(h) Light Industrial uses (M-1), General Industrial uses (M-2) and Transportation, Communication and Utility uses when adjacent to any Business District (B-1, B-2, B-3 and B-4) shall require a minimum buffer of **50-feet**.

(i) Landscape Buffers for Subdivisions Adjacent to Rural Zonings, Agricultural Uses, and Lower Intensity Residential Zonings. The following minimum buffers shall be required prior to Final Plat approval for any subdivision that meets the definition of a Major Project:

Ag Use*	RR	RA	CR	BCZ	RSF-E	RSF-1	RSF-2	RSF-3	RSF-4	RTF-4	RSF-6
Ag Use*	0	0	0	0	0	40	40	40	40	40	40
RR	0	0	0	0	0	20	20	20	20	20	20
RA	0	0	0	0	0	20	20	20	20	20	20
CR	0	0	0	0	0	20	20	20	20	20	20
BCZ	0	0	0	0	0	20	20	20	20	20	20
RSF-E	0	0	0	0	0	20	20	20	20	20	20
RSF-1	40	20	20	20	20	0	10	15	20	20	20
RSF-2	40	20	20	20	20	10	0	10	15	20	20
RSF-3	40	20	20	20	20	15	10	0	10	15	20
RSF-4	40	20	20	20	20	20	15	10	0	10	15
RTF-4	40	20	20	20	20	20	20	15	10	0	10
RSF-6	40	20	20	20	20	20	20	20	15	10	0

The Zoning Administrator shall have discretion to reduce the minimum size requirements of plantings under this subsection (i) given the potential volume of plants required to meet the requirements of this provision.

*Ag Use. Agricultural Use as defined in Article 22.

17.3.3 Landscaped buffer design and materials.

(a) Existing native plant material. The use of existing native species of plant material is strongly encouraged in landscaped buffers. Existing natural ground cover should be retained where possible by avoiding scraping, grading and sodding within the landscaped buffer. Where the planting requirements of Section 17.3.2 require additional trees or shrubs to be installed in an existing natural area, it should be done in a manner which minimizes disturbances to native species.

(b) Mixed-use development. Where a building site is used for a single mixed-use development, landscaped buffers shall not be required between the various constituent uses. Landscaped buffers required at the perimeter of the

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 8 came into effect on July 19, 2022. The lot of record is approximately 30 acres. The minimum lot size requirement for RSF-1, Residential Single-Family District, is 30,000 sq. ft. with a minimum lot width at the building line of 100'. Therefore, staff believes there isn't exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

Minimum lot size: 30, 000sf Actual lot size: 30 acres Minimum Lot width: 100', Actual Lot Width: 500', Hardship: NO

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

The subject property doesn't contain jurisdictional wetlands, and the property is relatively flat. Therefore, staff could not 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 presently zoned RSF-1, Residential Single-Family District, which aims to support a low-density residential setting with single-family homes on spacious lots. While the applicant has requested a landscaping variance to accommodate a future, larger lot subdivision and has proposed a landscape buffer with a design that differs from the ordinance, staff recognizes the opportunity to consider this request thoughtfully. It is believed that, at this stage, the request may not be deemed essential for the preservation of property rights. Staff believes the requested variance is a “for convenience” request that does not qualify as a hardship per the Baldwin County Zoning Ordinance.

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

To: Baldwin County Commission

From: Katrina Schonemann

Katrina Schonemann, the sole executor of the Burmeister Trust is confirming that the Parcel ID: 46-08-28-0-000-014.000 with PIN: 5735 does not have any active association to this parcel.

Thank you,

Katrina Schonemann

Signed: Katrina Schonemann

ZVA25-71 BURMEISTER PROPERTY

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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

FEBRUARY 24, 2026 @ 4:00PM

BALDWIN COUNTY CENTRAL ANNEX

ROBERTSDALE, AL