



BALDWIN COUNTY,
ALABAMA

Planning and Zoning Department

BALDWIN COUNTY BOARD OF ADJUSTMENT #1

REGULAR MEETING

JANUARY 20, 2026 @ 4:00 PM

BALDWIN COUNTY CENTRAL ANNEX

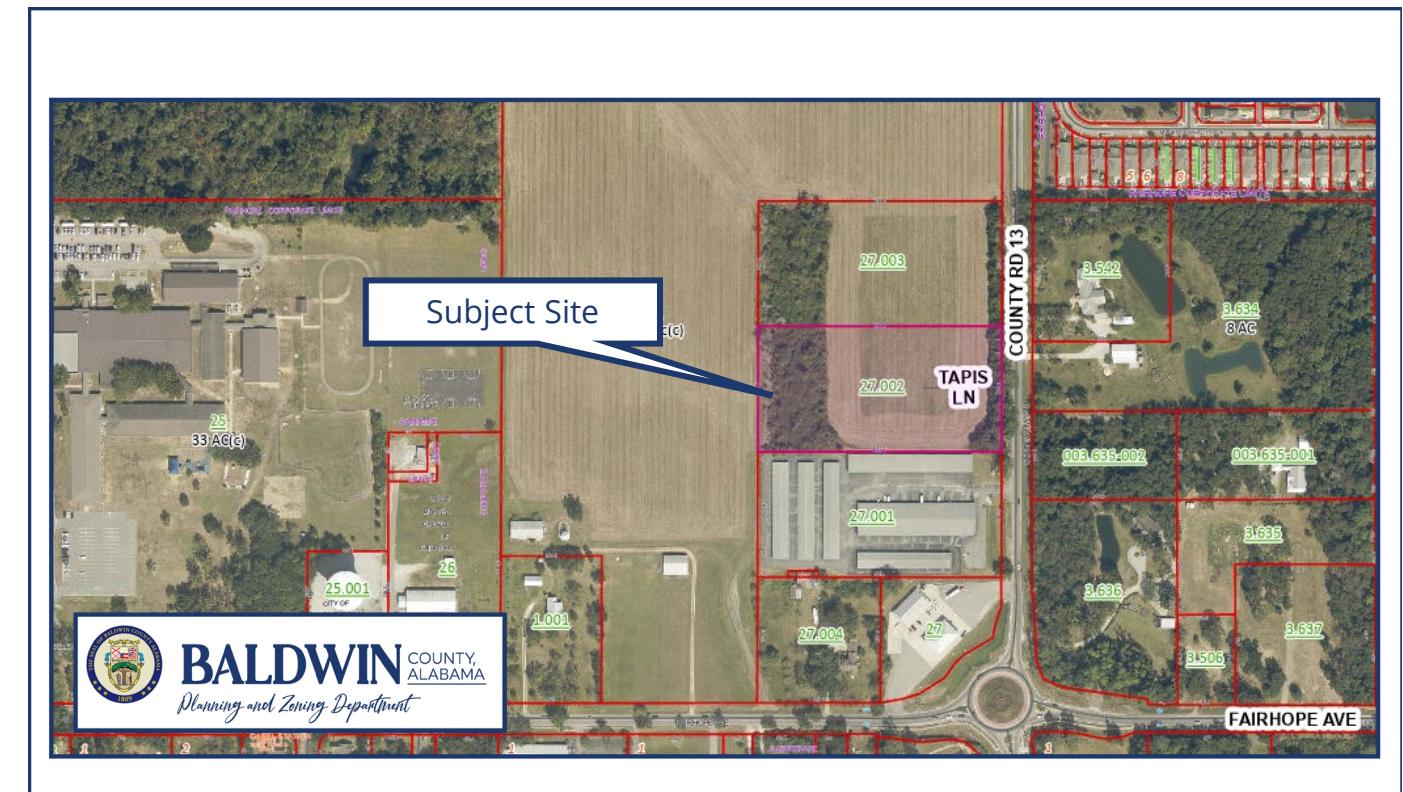
ROBERTSDALE, AL

ZVA25-70 CHAVIM LLC PROPERTY

VARIANCE REQUEST

Lead Staff: Calla McKenzie, Planning Technician II

- **Planning District:** 37 **Zoned:** B-2
- **Location:** The subject property is located north of Fairhope Ave and west of County Road 13 in the Fairhope area.
- **PID:** 05-46-05-16-0-000-027.002
- **PPIN:** 42516
- **Acreage:** +/- 4.6 acres
- **Physical Address:** 8985 Tapis Ln
- **Applicant & Owner:** Chavim, LLC – Chad Breaux



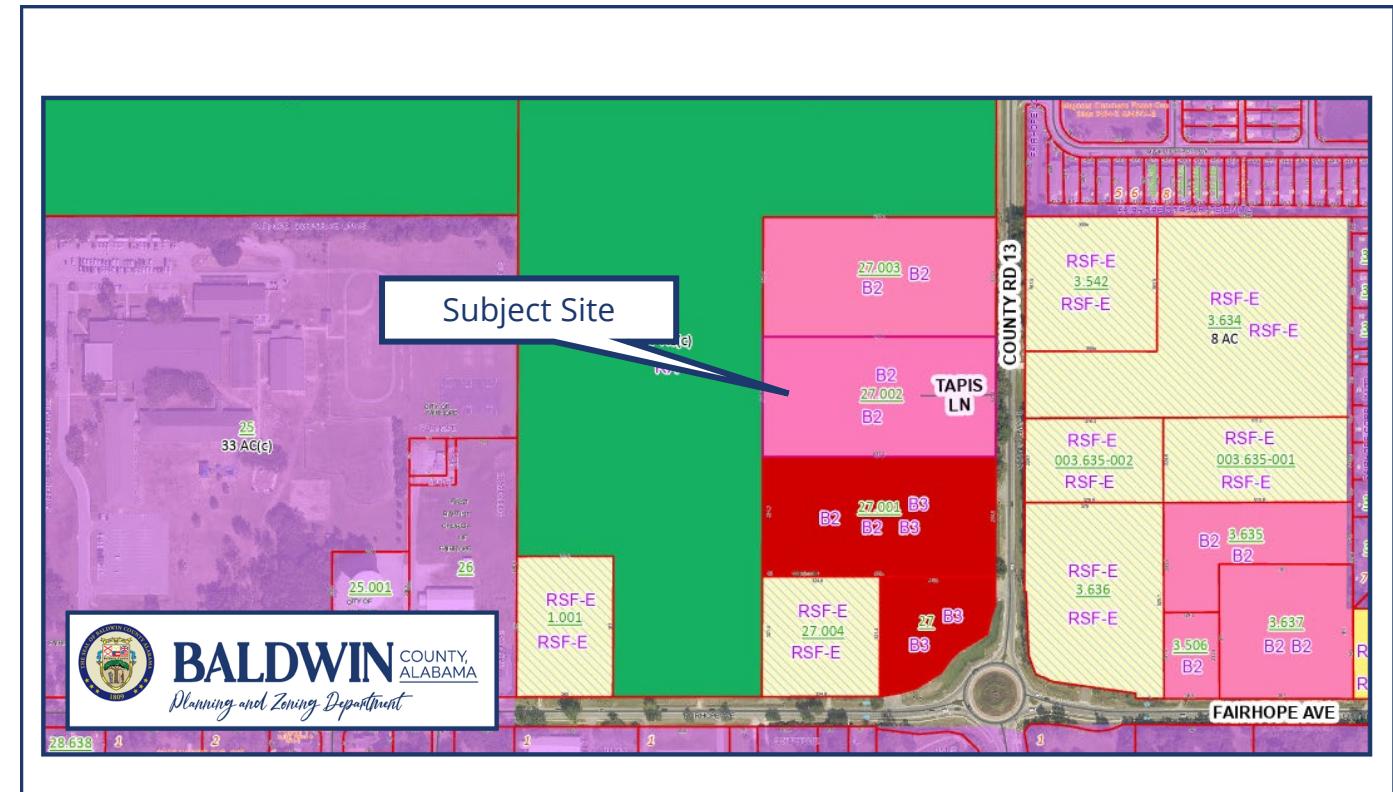
ZVA25-70 CHAVIM LLC PROPERTY

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Lead Staff: Calla Mckenzie, Planning Technician II

The applicant is requesting a variance from Section 2.3.37 (e) Local Provisions as it pertains to required sidewalks.

Staff recommends that case ZVA25-70 be **APPROVED** unless information to the contrary is revealed at the public hearing.



Locator Map



Site Map



Adjacent Zoning

	Adjacent Zoning	Adjacent Land Use
North	B-2, Neighborhood Business	Vacant
South	B-3, General Business	Commercial
East	RSF-E, Residential Single-Family Estate	Residential
West	RA, Rural Agricultural	Agricultural



Subject Property
PIN: 42516

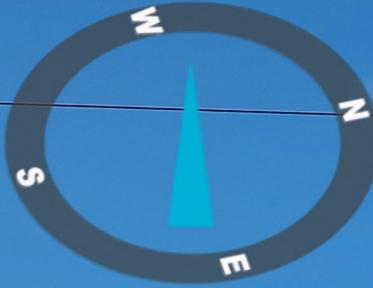


**VARIANCE
PROPOSED
FOR THIS PROPERTY**
Case Number
ZVA25-000070

For information Contact
Baldwin County Planning &
Zoning Department
(251) 580-1655



Dec 23, 2025 10:46:52 AM
30°31'33.1747"N 87°52'9.31969"W
290° W
Baldwin County Code Enforcement



Property to
the West
PIN: 24127



Dec 23, 2025 10:49:06 AM
30°31'38.8151"N 87°52'9.00397"W
284° W

Baldwin County Code Enforcement



Adjoining Property
to the North
PIN: 42054



Dec 23, 2025 10:48:43 AM
30°31'36.07702"N 87°52'9.09224"W
282° W

Baldwin County Code Enforcement



Adjoining Property
to the South
PIN: 35008



Dec 23, 2025 10:51:24 AM
30°31'29.21974"N 87°52'10.21184"W
310° NW

Baldwin County Code Enforcement



Property to
the East
PIN: 208227



Dec 23, 2025 10:47:12 AM
30°31'33.75847"N 87°52'9.46823"W
76° E

Baldwin County Code Enforcement

Original Commission Site Plan Approval



BALDWIN COUNTY, ALABAMA

Planning and Zoning Department

Main Office - 251.580.1655
22251 Palmer St., Robertsdale, AL 36567

Foley Office - 251.972.8522
201 East Section Ave., Foley, AL

Commission/Commercial Site Plan Approval
Case #: CSP25-000017
Issued Date: 08/26/2025 / Expiration Date: 02/26/2026

A Building Permit must be obtained within 6 months of the Commission/Commercial Site plan

Applicant

Name: Christopher Lieb
Address: 1290 Main St Daphne AL 36526
Business Name: Lieb Engineering Company
Business Address: 1290 Main St Daphne AL 36526

Site Information

Parcel ID Number: 05-46-05-16-0-000-027.002
Physical Address: (E-911): 8985 TAPIS LN FAIRHOPE, AL 36532

Project Information

Description of Proposed Use: Floor Medic
Total Gross Floor Area: 5,000

Staff Review

Planning District: 37
Zoning Classification: B-2
Planner's Comments: Approved for a commercial building. See the following documents for the final approval

As per section 18.9.7 Conditions for Major Project Closeout and Certificate of Occupancy (CO). Upon completion of improvements for Major Projects per approved plans, the applicant shall perform the following:

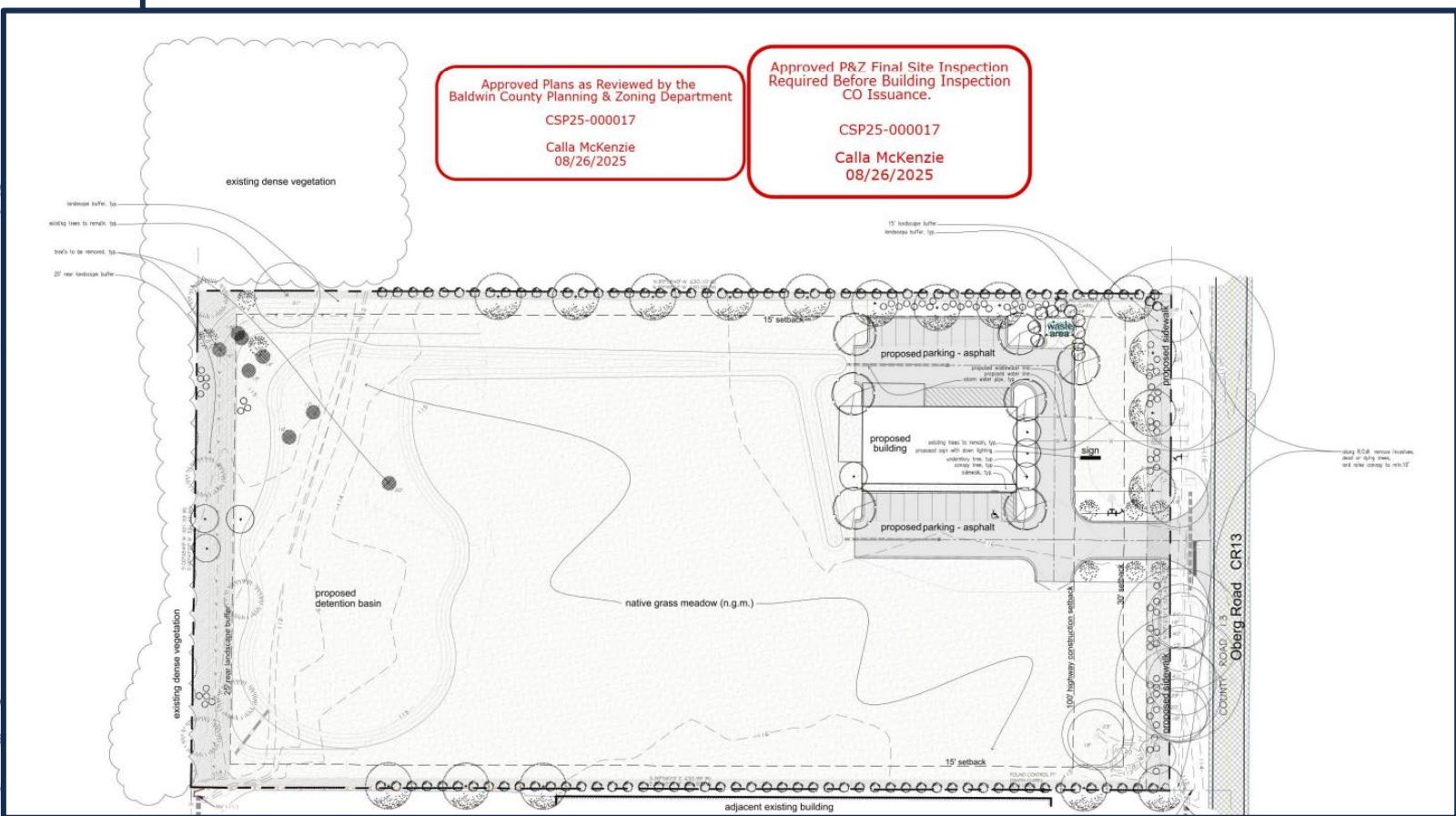
- Submit a digital copy of site plan as-built drawings, certified by the appropriate licensed professional engineer to the Planning and Zoning Department,
- Request a final site inspection by the Planning and Zoning Department, and
- If required, resolve all outstanding issues that do not comply with the approved site plan application documents.

Reviewed By: Calla McKenzie, Planning Technician II

Calla McKenzie

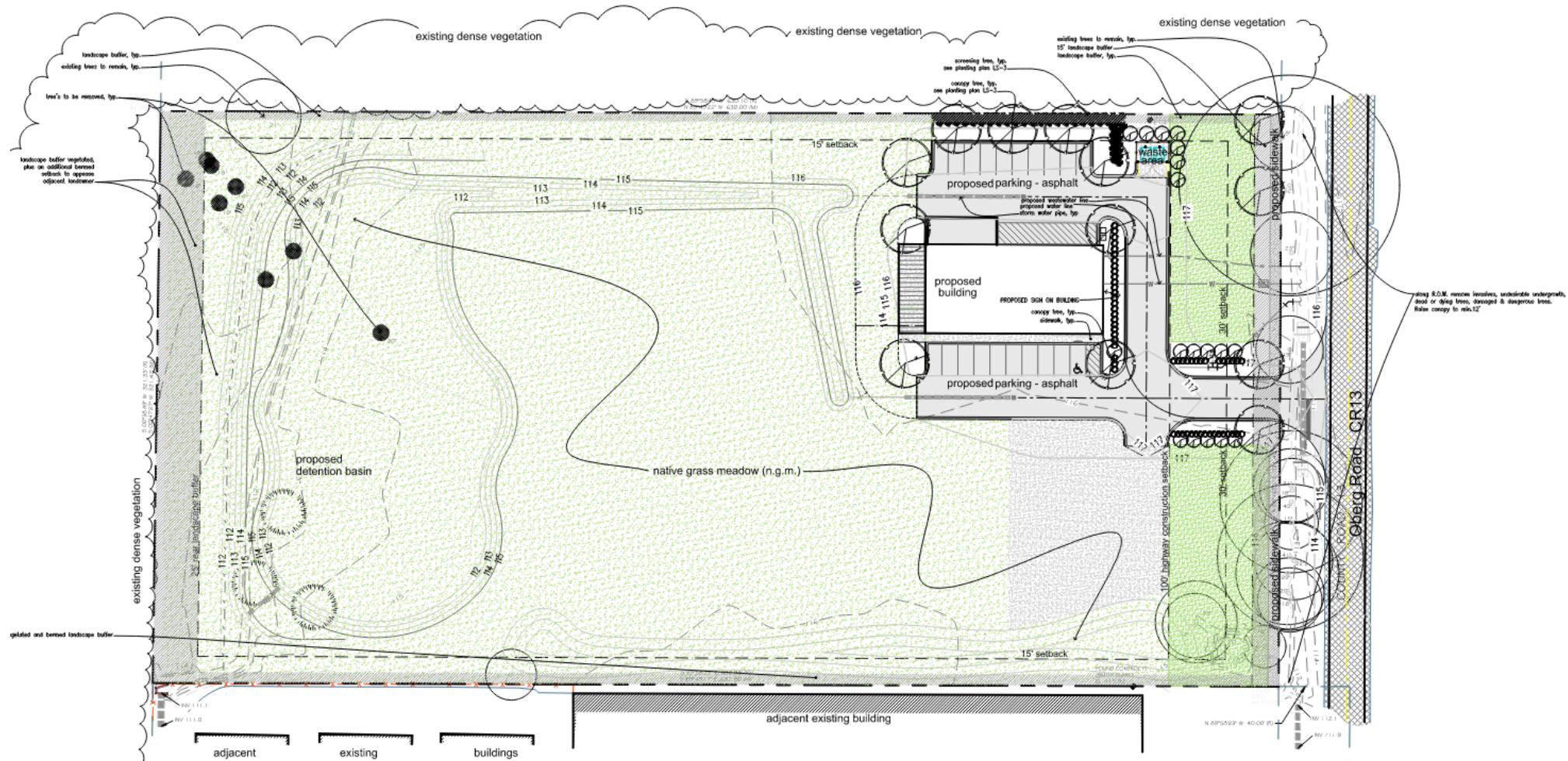
Payment Information

Total Fees: \$127.75
Amount Paid: \$127.75
Refund: \$0.00



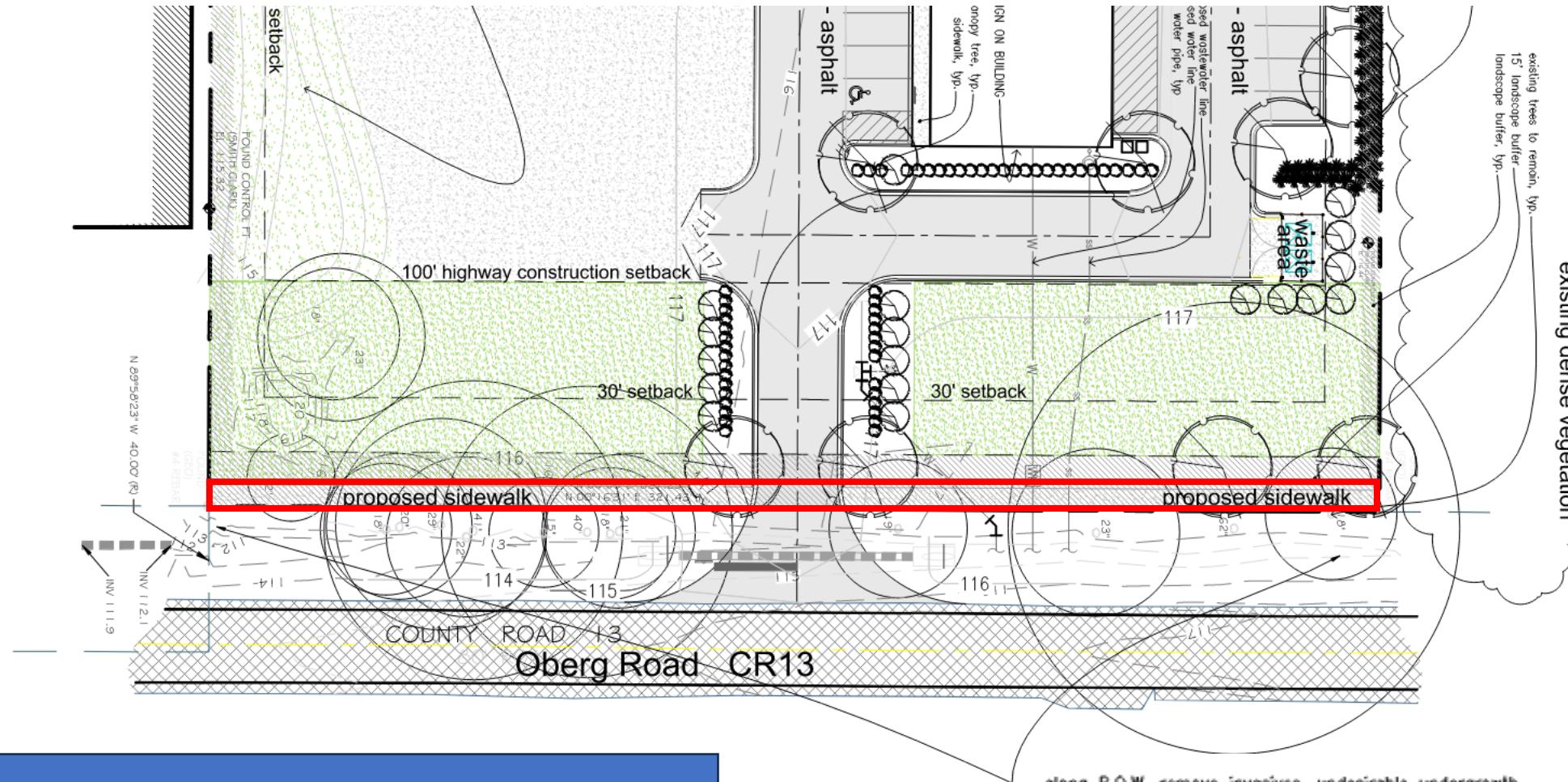
This is the original Landscaping Plan approved for the site. After a few site inspections, staff realized some changes were being made to the landscaping and we requested that they provide us an updated plan. While working on this update, they inquired about a Variance for the required sidewalk.

Overall Site Plan



Please note that this is **NOTE** the Final Landscaping plan. They have revisions that still need to be made for the landscaping plan to comply with the Baldwin County Zoning Ordinance, but they were waiting until this request was heard to see if they could eliminate the sidewalk before making the required changes.

Site Plan of Area Requesting Variance



They are requesting not to install the sidewalk as required by Section 2.3.37 (e), which is a local provision for Planning District 37.

Zoning Requirements

2.3.37.2 District Boundaries

A legal description of the boundaries for Planning District 37 may be found under Appendix A.

2.3.37.3 Local Provisions for Planning District 37

(a) Reserved.

(b) *Landscape Buffers for Major Projects Abutting Primary Roads.* Except as modified in subsection (c) below, a Major Project which abuts a freeway/expressway, arterial, or collector shall maintain a minimum of fifteen (15) feet of the required setback as a buffer along the entire width of the property which abuts said freeway/expressway, arterial, or collector except where curb cuts provide ingress and egress. Said buffer shall be planted with native overstory trees, understory trees, shrubs, and grass so that an attractive appearance is presented as detailed in the required landscape plan.

(d) *Native Plants Required in Landscape Buffers.* In District 37, all required landscape buffers shall be planted with native plants that meet the requirements of the respective landscape buffer provision.

(e) *Sidewalks Required for Major Projects.* A Major Project (including a subdivision falling in this category) requiring a Commission Site Plan, Preliminary Plat, Final Site Plan, or similar approval from a Planning Commission and that abuts a functionally classified road other than an interstate or freeway, shall construct as part of the project, a minimum 5-foot sidewalk along the entire portion of the parcel fronting the functionally classified road.

Zoning Requirements

Section 17.2 Landscaping Plan

A landscaping plan is required for all major projects. Such plan shall be submitted 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 retained, 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 as possible on the property unless the trees are a safety hazard to pedestrians, property, or vehicular traffic, or that their removal is necessary to construct the proposed improvements. In such case, the landscape plan shall indicate replacement trees at least 6 feet tall and one inch in diameter for each indigenous tree of at least three (3) inches in diameter removed, unless the property already has a tree density which does 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 other vegetation to be installed shall be native species or noninvasive exotics which are not likely to out-compete native vegetation and do not require excessive pesticides, fertilizer, or water to maintain growth.

17.3.4 Use of landscaped buffers.

- (a) *Open space.* Landscaped buffers may be counted toward satisfying open space requirements, but not Usable Open Space requirements, and may be used for passive recreation. In no event, however, shall the following uses be permitted in landscaped buffers: playfields, stables, swimming pools, tennis courts, parking lots and vehicular use areas, dumpsters, equipment storage and other open storage, buildings or overhangs.
- (b) *Stormwater retention/detention facilities.* Stormwater retention/detention facilities shall not encroach into landscaped buffers.
- (c) *Ingress and Egress.* Ingress and egress to the proposed use and utilities may cross the buffer provided they minimize the amount of buffer devoted to this use.
- (d) *Lighting, fences, walls and Signs.* Lighting, fences, walls and identification signs may be located within the required buffer.
- (e) *Pedestrian walkways.* Sidewalks, walkways and paths may be allowed within the required buffer, provided that:
 - 1. The total width of buffer is maintained.
 - 2. All other requirements of this ordinance are met.

HOA Letter

12/16/2025

Re: 8985 Tapis Lane
Fairhope, AL 36532

There is not an active association for this property.

Chad Blank
Chavim, LLC

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 37 was adopted by the County Commission on July 19, 2022. The parcel is approximately 202,958 sf (4.66 acres). The required minimum lot size for B-2 is 20,000 square feet with an 80' minimum lot width at the building line. The property is more than the minimum lot requirements; therefore, staff does not perceive any exceptional narrowness, shallowness, or shape of the subject property that would require a variance.

B-2 Required minimum lot size: **20,000 s**

Actual size: **+/-202,958 sf**

Lot size hardship: **NONE**

B-2 Required minimum width at street line: **80'** Actual lot width: **321'**

Lot width hardship: **NONE**

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

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 B-2, Local Business District, which allows for commercial uses. The property does have an approved commercial use for the property so staff does not believe that this variance is 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.*

Staff Analysis and Findings

5.) Other matters which may be appropriate.

- The other two commercial uses established to the south of this property do not have sidewalks. The properties to the north are undeveloped and currently zoned B-2 and RA, and do not have sidewalks. **This means if they install a sidewalk, it will not be attached to any other existing walkway.**
- While the Zoning Ordinance does state that existing vegetation should be removed for improvements, it also emphasizes utilizing native trees, shrubs and grasses in landscaping buffers. They would be able to retain more of the native species that already exist on the property if they did not install the sidewalk.

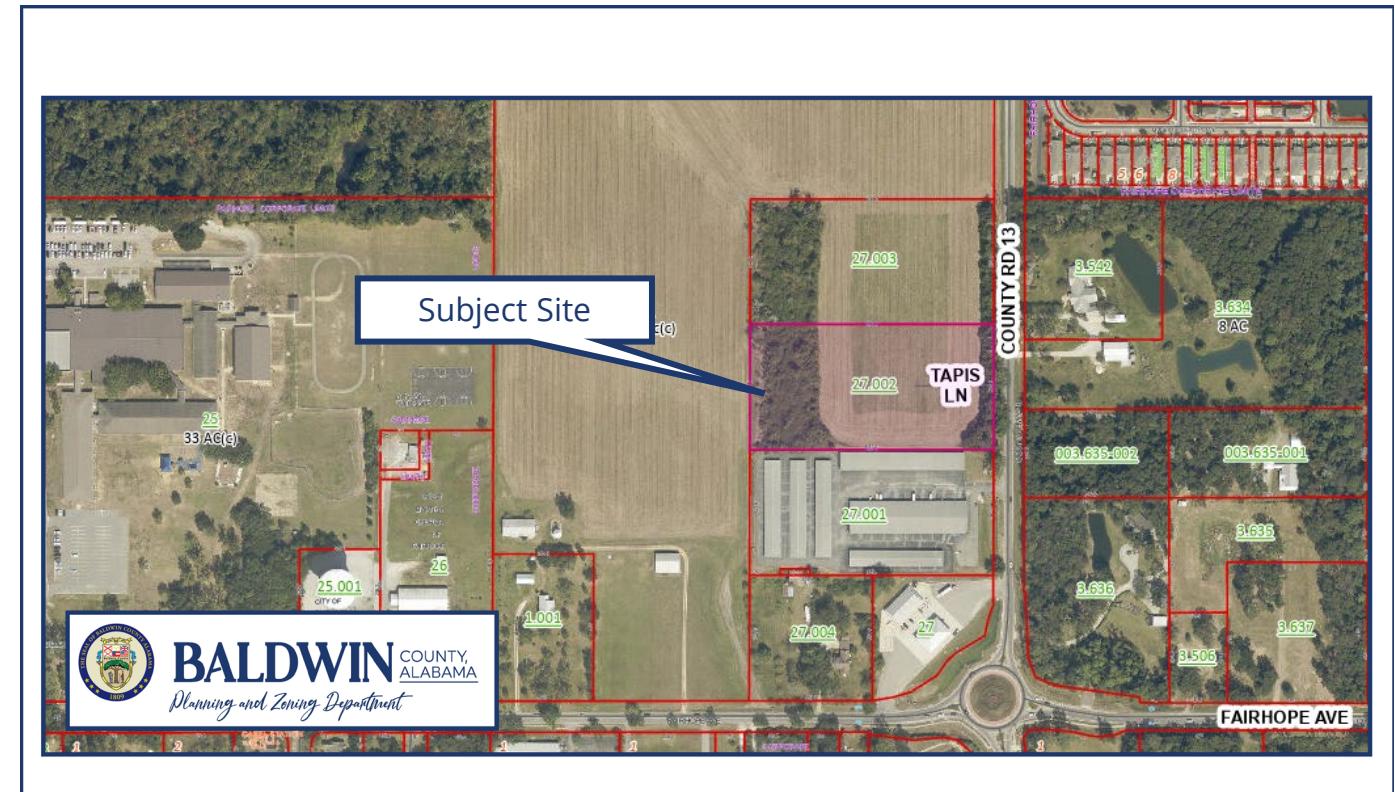
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GENERAL NOTES {By-laws}

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

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NEXT REGULAR MEETING

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