



Sherry Sullivan  
Mayor

Council Members

Andrea F. Booth  
Jack Burrell, ACOMO  
Jimmy Conyers  
Joshua N. Gammon  
Jay Robinson

Lisa A. Hanks, MMC  
City Clerk

Kimberly Creech  
City Treasurer

# Fairhope Board of Adjustments Agenda

May 18, 2026 – 5:00 PM

## 1. CALL TO ORDER

---

Anil Vira, Chairman	Ryan Baker
Frank Lamia, Vice Chairman	Donna Cook
David Martin	Cathy Slagle
Janine Saykes, Secretary	

## 2. APPROVAL OF MINUTES

---

- April 21, 2026

## 3. OLD/NEW BUSINESS

---

### OLD BUSINESS

### NEW BUSINESS

- A. **BOA 26.06** Public hearing to consider the request of the Owner, Jinan Chaarani, MD, for a Special Exception for a Clinic on property zoned B-2, General Business District. The property is located at 308 Magnolia Avenue and is 0.27± acres. **PPIN#: 53140**

## 4. ADJOURN

---

# Fairhope Board of Adjustment Minutes

April 21, 2026 – 5:00 PM

---

## ADMINISTRATIVE

The Board of Adjustments met on Tuesday, April 21, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present:

X	Anil Vira, Chairman	X	Cathy Slagle
X	Frank Lamia, Vice Chairman		Donna Cook
X	Janine Saykes, Secretary	X	Ryan Baker
X	Bryan Flowers		David Martin

Staff: Hunter Simmons, Planning and Zoning Director; Payton Rogers, Planning and Zoning Manager, and Michelle Melton-Null, City Planner, and Janine Saykes, Planning Clerk

Chairman Vira called the meeting to order at 5:02 PM.

## APPROVAL OF MINUTES

- Approval of the Minutes – February 23, 2026

Ryan Baker made a motion to approve minutes from the February 23, 2026, meeting.

Frank Lamia seconded the motion and the motion carried unanimously with the following vote:

AYE: Anil Vira, Frank Lamia, Cathy Slagle, Bryan Flowers, and Ryan Baker.

NAY: None

ABSTAIN: None

## OLD BUSINESS

None

## NEW BUSINESS

### A. Appointment of Board of Adjustments Secretary

Ryan Baker nominated Janine Saykes for Board of Adjustments Secretary.

The motion carried unanimously with the following vote:

AYE: Anil Vira, Frank Lamia, Cathy Slagle, Bryan Flowers, and Ryan Baker.

NAY: None

ABSTAIN: None

- B. BOA 26.03** Public hearing to consider the request of the Owner, Lucinda Chappelle, for a Building Height Variance on property zoned R-2, Medium Density Single-Family Residential District. The property is located at 210 Gayfer Court and is 0.72± acres. **PPIN#: 22366**

Payton Rogers, Planning and Zoning Manager, presented the above request made by the Applicant. Mr. Rogers shared the aerial and zoning maps.

Mr. Rogers received a citizen comment from the neighbor at 204 Gayfer Court. Their concern is the potential loss of sunlight on their property.

Staff recommends Denial of the site-specific building height definition as proposed but instead, recommends Approval of BOA 26.03 – 210 Gayfer Court request for a Building Height Variance to be measured beginning from the average natural elevation of the northern portion of the lot above the top-of-bluff line.

Chairman Vira asked the Applicant if she would like to speak.

Chip Chappelle and Lucinda Chappelle 210 Gayfer Court: Mr. Chappelle stated they hired a surveyor, an architect, a draftsman, and a contractor and none of them knew of the issues the gully created for their renovation and subsequently demolished the back end of their house. The Chappelle's would like to create a beautiful home that compliments the neighborhood.

Chairman Vira opened the public hearing at 5:15pm.

Lee Verneuille, 732 S. Mobile Street: Mr. Verneuille is in total support of this Building Height Variance for the Applicant.

Chairman Vira closed the public hearing at 5:18pm.

Ryan Baker made a motion to approve BOA 26.03 with Staff recommendations.

Frank Lamia seconded the motion and the motion carried unanimously with the following vote:

AYE: Anil Vira, Bryan Flowers, Frank Lamia, Ryan Baker, and Cathy Slagle.

NAY: None

ABSTAIN: None

- C. BOA 26.04** Public hearing to consider the request of Murphy Oil USA, Inc., on behalf of the Owner, RW Battles, LLC for a Special Exception to allow construction of an Automobile Service Station on property zoned B-2, General Business District. The property is located at 18186 Wright Blvd and is 1.13± acres. **PPIN#: 391372**

Michelle Melton-Null, City Planner presented the above request made by the Applicant. Ms. Melton-Null shared the aerial and zoning maps.

Two citizen comments came in requesting denial of this application. One stated the proximity of two (2) other automobile service stations and the other citizen asked about additional curb cuts on Highway 98.

Staff recommends Approval of BOA 26.04 request for a Special Exception to allow construction of an automobile service station to be located at 18186 Wright Blvd (Shoppes at Point Clear).

Ryan Baker asked if there were any environmental concerns with the drainage way. Hunter Simmons, Planning and Zoning Director, stated the storm water pond is managing the storm water management and it meets all regulations.

Wesley Miller, Engineer of Record for RAM Engineering stated there are no new curb cuts to the main highway.

Frank Lamia asked if they are servicing automobiles in the building. Mr. Miller stated no, they are only a filling station and convenience store.

Cathy Slagle asked if Murphy Oil has a connection to Walmart. Mr. Miller stated they have no affiliation with Walmart.

Chairman Vira opened the public hearing at 5:31pm. The public hearing was closed at 5:31pm.

Frank Lamia made a motion to approve BOA 26.04 with Staff recommendations.

Cathy Slagle seconded the motion and the motion carried unanimously with the following vote:

AYE: Anil Vira, Bryan Flowers, Frank Lamia, Ryan Baker, and Cathy Slagle.

NAY: None

ABSTAIN: None

- D. BOA 26.05** Public hearing to consider the request of Murphy Oil USA, Inc., on behalf of the Owner, Corte Cave/Mitchell 1, LLC, for a Special Exception to allow construction of an Automobile Service Station on property zoned B-2, General Business District. The property is located at the northwest corner of the intersection of State Hwy 181 and 104 and is 1.18± acres.  
**PPIN#: 626309**

Michelle Melton-Null, City Planner presented the above request made by the Applicant. Ms. Melton-Null shared the aerial and zoning maps.

Staff recommends Approval of BOA 26.05 request for a Special Exception to allow construction of an automobile service station to be located on Lot 4 of Planter's Pointe.

Cathy Slagle asked if there was a problem with having three (3) gas stations at one intersection. Hunter Simmons, Planning and Zoning Director, stated we do not have a regulation limiting the proximity to another service station.

Ryan Baker asked if this shopping center has a master drainage pond. Hunter Simmons stated no, but it has a pond within the subdivision. Most of the out parcel lots must manage their own drainage.

Wesley Miller, Engineer of Record for RAM Engineering stated the master development has subsurface drainage to which they can connect. They have a conceptual plan for the storm water detention pond and will comply with the city storm water requirements when they go through the site plan approval process.

Ryan Baker asked Mr. Miller to consider the environmental elements when going through the site plan approval process. Hunter Simmons stated that they are applying for a partnership grant with ALDOT for safe pedestrian crosswalks across the two (2) state highways.

Chairman Vira opened the public hearing at 5:44pm. The public hearing was closed at 5:44pm.

Frank Lamia made a motion to approve BOA 26.05 with Staff recommendations.

Ryan Baker seconded the motion and the motion carried unanimously with the following vote:

AYE: Anil Vira, Bryan Flowers, Frank Lamia, Ryan Baker, and Cathy Slagle.

NAY: None

ABSTAIN: None

## **ADJOURNMENT**

Ryan Baker made a motion to adjourn.

The motion carried unanimously with the following vote:

AYE: Anil Vira, Bryan Flowers, Frank Lamia, Ryan Baker, and Cathy Slagle.

NAY: None

ABSTAIN: None

Adjourned at 5:46 pm.

---

Anil Vira, Chairman

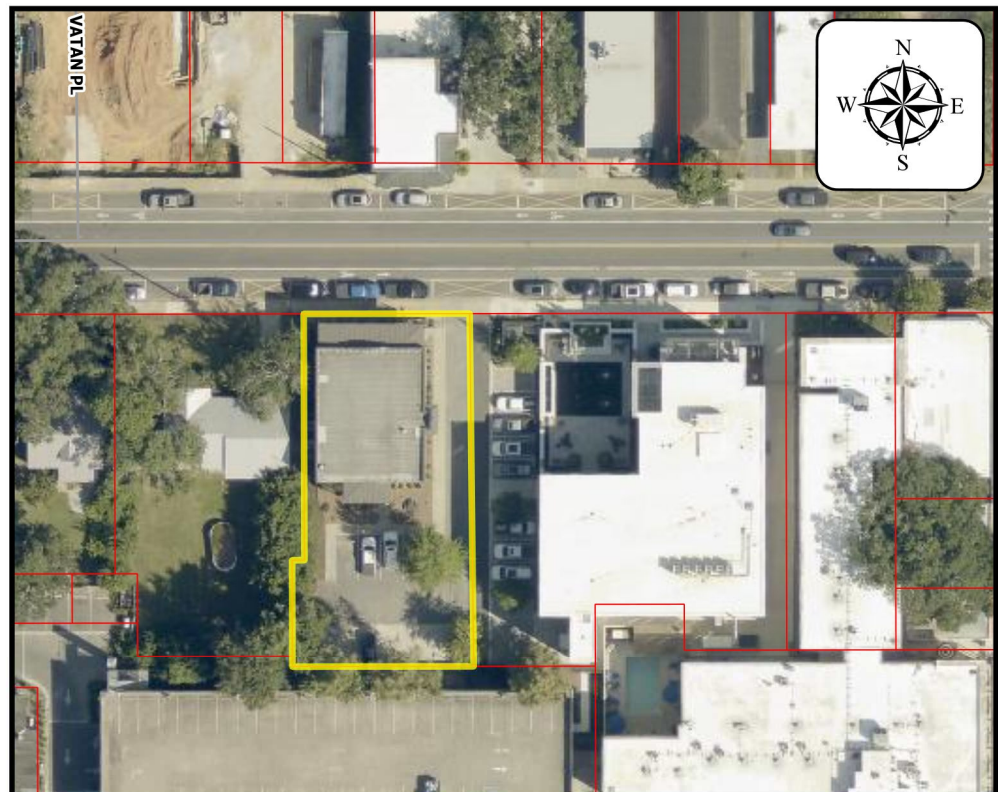
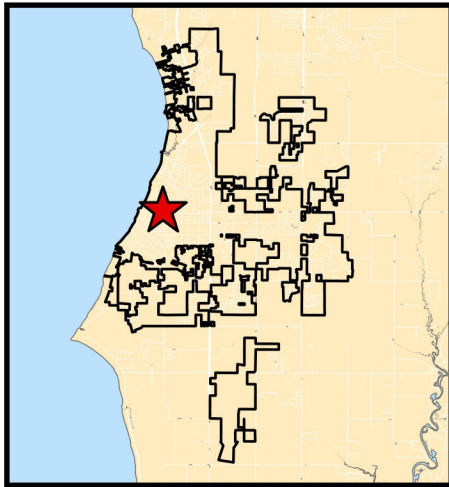
---

Janine Saykes, Secretary

# City of Fairhope Board of Adjustments May 18, 2026



## BOA 26.06 - 308 Magnolia Ave Suite 100



**Project Name:**

308 Magnolia Avenue Suite 100

**Site Data:**

0.27 acres

**Project Type:**

Special Exception for a Clinic

**Jurisdiction:**

Fairhope Planning Jurisdiction

**Zoning District:**

B-2, General Business District

**PPIN Number:**

53140

**General Location:**

West of the intersection of Magnolia Avenue and Section Street

**Surveyor of Record:**

N/A

**Engineer of Record:**

N/A

**Owner / Developer:**

Jinan Chaarani, MD

**School District:**

Fairhope Elementary School  
Fairhope Middle and High Schools

**Prepared by:**

Payton Rogers

## SUMMARY OF REQUEST

---

Public hearing to consider the request of the Owner, Jinan Charani, MD, for a Special Exception for a Clinic on property zoned B-2, General Business District. The property is located at 308 Magnolia Avenue and is 0.27± acres.

## SITE HISTORY

---

A Site Plan Review case (SR 06-04) was approved for the subject site in 2006. The property is currently developed with a two-story commercial building.

There are no known Board of Adjustments cases affiliated with this site.

## STAFF COMMENTS

---

The applicant has requested Special Exception approval to allow a telehealth dermatology clinic in a B-2, General Business District on property located within the Central Business District. The Zoning Ordinance permits Clinics to be located within B-2 districts only on appeal and subject to special conditions, hence this Special Exception application.

The complete application can be found included within the agenda packet.

The subject site currently has an existing structure (see exhibits), with no changes to the footprint or exterior of the building being proposed at this time. Any future signage will be required to comply with all aspects of the Sign Ordinance and receive issuance of a sign permit prior to installation.

The Zoning Ordinance defines B-2 Districts and Clinics as follows:

**B-2 General Business District:** *This district is intended to provide opportunity for activities causing noise and heavy traffic, not considered compatible in the more restrictive business district. These uses also serve a regional as well as a local market and require location in proximity to major transportation routes. Recreational vehicle parks, very light production and processing activities are included.*

**Clinic:** *a place used for the care, diagnosis and treatment of ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board. (p.88)*

The applicant is proposing to open a dermatology services clinic operating primarily via tele-health appointments. The applicant has stated that the site may see minimal foot traffic of 1-2 patients per week by appointment only.

## SPECIAL EXCEPTION CONSIDERATIONS

---

Article II Section C.3.e(2) of the City of Fairhope Zoning Ordinance states that any other application (i.e. Administrative Appeal or Special Exception) shall be reviewed by the Board of Adjustments under the following criteria:

- 1) Compliance with the Comprehensive Plan;
- 2) Compliance with any other approved planning document;
- 3) Compliance with the standards, goals, and intent of this ordinance;
- 4) The character of the surrounding property, including any pending development activity;
- 5) Adequacy of public infrastructure to support the proposed development;
- 6) Impacts on natural resources, including existing conditions and ongoing post-development conditions;
- 7) Compliance with other laws and regulations of the City;
- 8) Compliance with other applicable laws and regulations of other jurisdictions;
- 9) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values; and
- 10) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.
- 11) Overall benefit to the community;
- 12) Compliance with sound planning principles;
- 13) Compliance with the terms and conditions of any zoning approval; and
- 14) Any other matter relating to the health, safety, and welfare of the community.

### **Recommendation:**

Based on the preceding, Staff recommends **APPROVAL** of BOA 26.06 – 308 Magnolia Avenue Special Exception for a tele-health dermatology clinic on property zoned B-2, General Business District.

**EXHIBITS**

**Excerpt from Table 3-1 Use Table**

Zoning Districts	R-A	R-1 (a, b, c)	R-2	R-3 TH	R-3 PGH	R-3	R-4	R-5	R-6	B-1	B-2	B-3a	B-3b	B-4	M-1	M-2
<b>Use Categories / Specific Uses</b>																
<b>Retail (cont.)</b>																
Automobile Service Station										○	○				○	○
Outdoor Sales Limited											○				○	○
Outdoor Sales Lot											○				○	○
Garden Center											○	○			○	○
<b>Service</b>																
Convalescent or Nursing Home	○	○	○			○	○	○		○	○	○		○	○	○
<b>Clinic</b>	○	○	○			○	○	○		○	○	○			○	○
Outdoor Recreation Facility	○	○	○			○	○	○			○	○	●	○	○	○
Day Care	○	○	○			○	○	○		○	○	○		○	○	○

● Allowed By-Right per Zoning Ordinance standards & conditions	⊕ Subject to special conditions as detailed in Zoning Ordinance	○ On appeal & subject to special conditions as detailed in Zoning Ordinance
--	---	---

**Street View of Existing Building**





**APPLICATION FOR BOARD OF ADJUSTMENTS**

Application Type:  Administrative Appeal  Special Exception  Variance

**Property Owner / Leaseholder Information**

Name: Jinan Chaarani, MD Phone Number: 251-525-4255  
 Street Address: 308 Magnolia Ave, Suite 100  
 City: Fairhope State: Al Zip: 36532

**Applicant / Agent Information**

*If different from above.*  
*Notarized letter from property owner is required if an agent is used for representation.*

Name: Jinan Chaarani, MD Phone Number: 251-525-4255  
 Street Address: 308 Magnolia Ave, Suite 100  
 City: Fairhope State: Al Zip: 36532

Site Plan with Existing Conditions Attached:  YES  NO  
 Site Plan with Proposed Conditions Attached:  YES  NO  
 Variance Request Information Complete: YES  NO  
 Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached:  YES  NO

**Applications for Administrative Appeal or Special Exception:**

Please attach as a separate sheet(s) information regarding the administrative decision made or information regarding the use seeking approval. Please feel free to be as specific or as general as you wish in your description. This information will be provided to the Board before the actual meeting date. It is to your benefit to explain as much as possible your position or proposal.

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. \*If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Jinan Chaarani  
 Property Owner/Leaseholder Printed Name

Signature

3/29/26  
 Date

Fairhope Single Tax Corp. (If Applicable)



**VARIANCE REQUEST INFORMATION - N/A (not requesting a variance)**

*Special exception request only.*

What characteristics of the property prevent / preclude its development?:

- Too Narrow
- Too Small
- Too Shallow
- Elevation
- Slope
- Shape
- Soil
- Subsurface
- Other (specify)

Describe the indicated conditions: \_\_\_\_\_

How do the above indicated characteristics preclude reasonable use of your land?  
 \_\_\_\_\_  
 \_\_\_\_\_

What type of variance are you requesting (be as specific as possible)?  
 \_\_\_\_\_  
 \_\_\_\_\_

**Hardship (taken from Code of Alabama 1975 Section 11-52-80):**  
 "To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done."

BOA Fee Calculation:		
	Residential	Commercial
Filing Fee:	\$100	\$500
Publication:	\$20	\$20
<b>TOTAL:</b>	<b>\$520</b>	

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. \*If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Jinan Chaarani  
 Property Owner/Leaseholder Printed Name

Signature

3/29/26  
 Date

\_\_\_\_\_  
 Fairhope Single Tax Corp. (If Applicable)



### **Board of Adjustments Application Packet**

Dermon Clinic, LLC is a dermatology service primarily delivered through telehealth via an online platform. The office space is used for telehealth appointments and occasional, appointment-only patient visits, limited to 1-2 patients per week.

There are no employees, no walk-in appointments and no retail foot traffic. Patients are scheduled individually to ensure no overlap, resulting in minimal parking and traffic impact.

The proposed use is low-intensity and functions similarly to a professional office with negligible impact on surrounding properties.

### **Site Plan (Summary)**

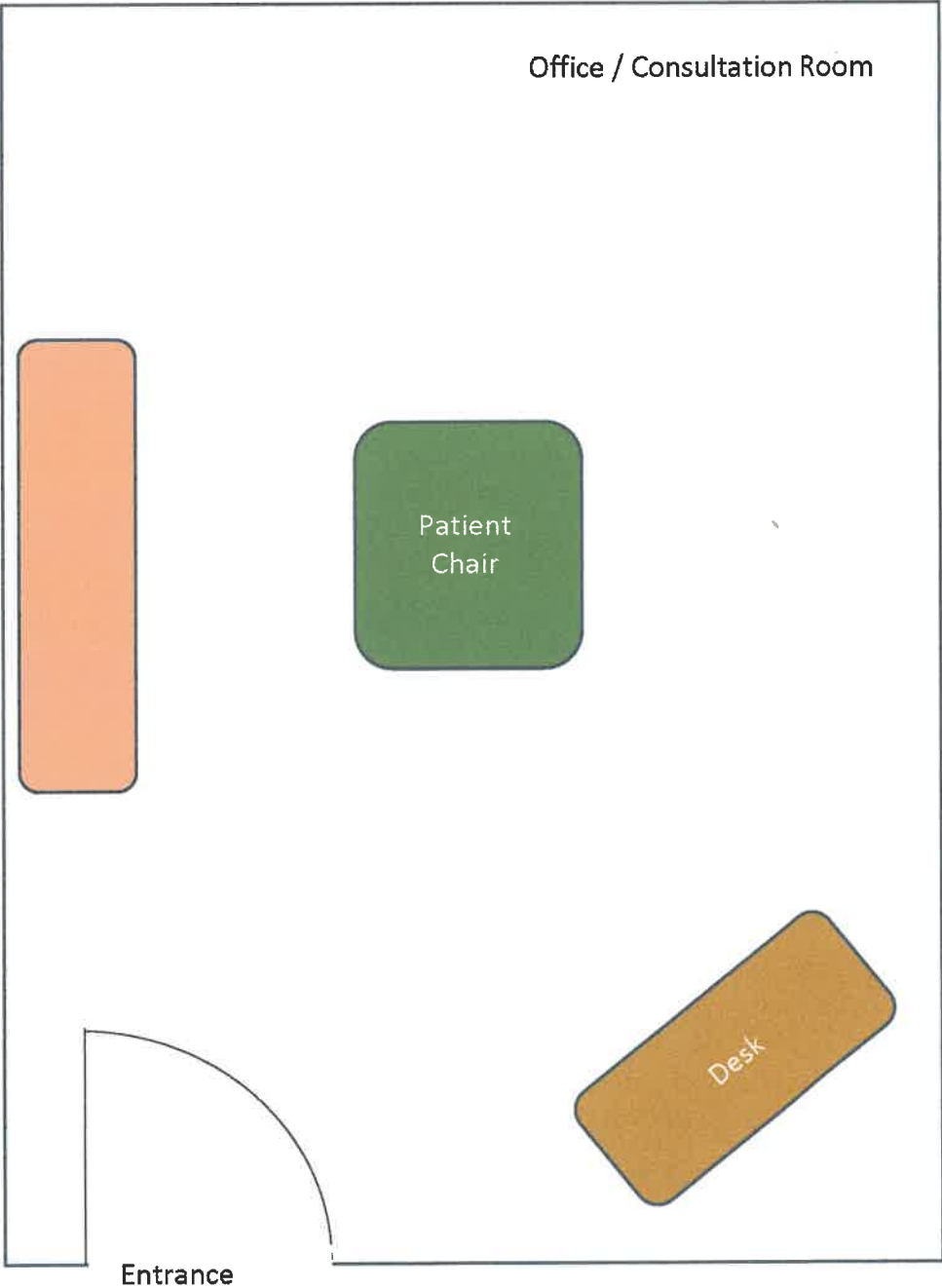
#### **Office / Consultation Room**

- Desk
- Patient Chair
- Entrance

#### **Single Patient Parking (Appointment Only)**

Appointment-only use. Maximum 1-2 patients per week.  
No employees. No walk-in traffic.

Appointment-only use. Maximum 1-2 patients per week. No employees. No walk-in traffic.





# THE CITY OF FAIRHOPE, ALABAMA

PLANNING & ZONING DEPARTMENT

Notification Letter

May 1, 2026

*Sherry Sullivan*  
Mayor

RE: BOA 26.06  
Address: 308 Magnolia Avenue  
PPIN #: 53140  
Description: Owner, Jinan Chaarani, MD, for a Special Exception for a Clinic on property zoned B-2, General Business District.

*Council Members*

*Andrea F. Booth*  
*Jack Burrell, ACOMO*  
*Jimmy Conyers*  
*Joshua N. Gammon*  
*Jay Robinson*

Dear Fairhope Resident,

State law requires all property owners within 300' of property to be considered for a variance request to be notified by mail. The Baldwin County Revenue Office provided your information as a current property owner within 300' of the variance request detailed above.

*Lisa A. Hanks, MMC*  
City Clerk

The City of Fairhope Board of Adjustments will hold a public hearing at **5:00 PM in the Council Chambers located in the Municipal Complex at 161 N. Section Street on May 18, 2026**. All written comments and/or presentation materials **MUST** be received by the Planning Department by no later than noon on May 8, 2026, to ensure adequate time for review and distribution to the Board members prior to the public hearing. Written comments/materials received after this deadline may not be included in the advance report packet but may be submitted for the record at the public hearing.

*Kimberly Creech*  
City Treasurer

Staff reports and application materials will be posted online during the week prior to the public hearing at [www.fairhopeal.gov](http://www.fairhopeal.gov) under the Agendas and Minutes tab.

### **FRAUDULENT & SUSPICIOUS EMAILS**

The City of Fairhope Planning Department is aware of fraudulent emails impersonating City Staff and Commission members requesting payment for permits or services via wire transfer. Please note that the City of Fairhope will never request payment of any kind via wire transfer and application fees will always be processed prior to a case going before any Board or Commission. If you receive a suspicious message please notify the Planning Department right away and do not click any links, open attachments, or send any payment or personal information.

Should you have any questions or concerns, please contact the Planning Department.

Cordially,

Janine Saykes  
Planning Clerk